

# Intellectual Discourse

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# *Intellectual Discourse*

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## **Challenges of the Multinational Federation: The Case of Malaysia, 2008-2020**

**Abdul Aqmar Ahmad Tajudin\***  
**Mohammad Agus Yusoff\*\***

**Abstract:** Creating stability in Malaysia's multinational federation is a challenging process. This is because Malaysia still faces the problem of developmental imbalance between regions, disharmony of race relations and the threat of separation. Using the concept of multinational federation as an analytical tool and primary source through interviews as well as secondary sources such as books, journals and newspapers as the research data, this article discusses Malaysia's challenges as a multinational federal state with its scope from 2008 to 2020. The challenges identified in this article were the rise of racial and religious sentiments, the existence of separatist movements in Sabah and Sarawak, the ambiguity of consociational politics and the weakening of national unity and integration. Even so, Malaysia was still able to control its ethnic conflicts owing to the constitutional power of federal government, use of security apparatus and the attitude of the people who respect the constitution. These findings showed that federalism still remains relevant as a unifying mechanism of ethnic pluralism, but needs to be improved in terms of its implementation in a responsive, efficient and fair manner to all citizens.

**Keywords:** Multinational federation, ethnic diversity, political stability, national integration, Malaysia.

**Abstrak:** Mewujudkan kestabilan dalam persekutuan multi etnik Malaysia adalah suatu proses mencabar. Ini kerana ia masih menghadapi masalah

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\* Centre for Research in History, Politics and International Affairs, Faculty of Social Sciences and Humanities, Universiti Kebangsaan Malaysia (UKM).  
Email: aqmartajudin93@gmail.com

\*\* Centre for Research in History, Politics and International Affairs, Faculty of Social Sciences and Humanities, Universiti Kebangsaan Malaysia (UKM).  
Email: agus@ukm.edu.my

ketidakseimbangan pembangunan antara wilayah, ketidakharmonian hubungan kaum, dan ancaman pemisahan. Dengan menggunakan konsep federalisme multi etnik sebagai alat analisis dan sumber primer melalui temu bual serta sumber sekunder seperti buku, jurnal, dan akhbar sebagai data kajian, artikel ini membincangkan cabaran Malaysia sebagai negara persekutuan multi etnik dengan skopnya dari tahun 2008 hingga 2020. Artikel ini mendapati cabaran tersebut ialah meningkatnya sentimen perkauman dan agama, wujudnya gerakan pemisah di Sabah dan Sarawak, kaburnya elemen politik permuafakatan dalam parti gabungan, dan melemahnya perpaduan serta integrasi nasional. Walaupun begitu, Malaysia masih dapat mengawal konflik etniknya disebabkan kuatnya kerajaan di peringkat pusat, penggunaan apparatus keselamatan, dan sikap rakyat yang menghormati perlembagaan. Dapatan ini menunjukkan federalisme masih kekal relevan sebagai mekanisme penyatu kemajmukan etnik, namun perlu menambahbaik pelaksanaannya secara responsif, efisien, dan adil kepada semua rakyat.

**Kata kunci:** Persekutuan multi etnik, kerencaman etnik, kestabilan politik, integrasi nasional, Malaysia.

## Introduction

Speaking at Malaysia Day 2019 Celebration in Kuching, Sarawak, the Prime Minister of Malaysia, Mahathir Mohamad, reminded the citizens on how important it is for Malaysians to maintain unity although their society is divided into various races and ethnicities. He said, “Malaysia Day is celebrated with the goal of commemorating our diversity by respecting and rejoicing in the beauty of the various ethnicities, religions and cultures in our country, which makes Malaysia truly Asia” (Mahathir Mohamad, 2019). This statement shows that managing a country with a complex diversity is not an easy task. If not managed properly, it can lead to conflict. As a multinational federation that has been independent for 63 years, managing racial differences is an endless endeavour. Although the leaders kept on changing, the issue of managing ethnic relations remains the main agenda. This is because the Fragile State Index statistics that examines the level of national security in 2019 showed that Malaysia has a low score of 60.50 compared to other Southeast Asian countries including Indonesia and Thailand that have a high score of 70.40 and 73.10 out of 120 points (Fragile State Index, 2019).



Furthermore, the Human Development Report (2019), which focuses on human development, ranked Malaysia at 61<sup>st</sup> out of 189 countries. The Global Peace Index (2019) that aims to assess the level of harmony of a country recorded an increase in Malaysia's score in 2019 by 1.529 compared to 1.619 in 2018 and 1.637 in 2017. These data suggest that the Federation of Malaysia is still stable with good and satisfactory multiethnic relations. Such performance is driven by several factors such as leadership efficiency, cordial relation between races, effective security control as well as effective government principles and policies. Even so, this good record raises questions. Are there any challenges that affect the consolidation and unification of Malaysia as a federal state? If so, what are these challenges? This article discusses these challenges during the period of 2008-2020.

### **The Concept of Multinational Federation**

Scholars of classical federalism such as Wheare (1946), Riker (1964), and Birch (1966) view federalism as a government that divides power into two levels of government, namely the central and state, each with the same rank and independent as well as cooperate with each other according to their respective jurisdictions. Although they define federalism as a division of power, the focus of this discussion is now growing. Federalism no longer focuses only on the question of division of power, but also on its effectiveness in accommodating the elements of difference, complexity and diversity of the society.

This development eventually gave rise to a new modification on the concept of federalism, which has been adopted by most contemporary scholars as multinational federation. Scholars such as Burgess (2006), Gagnon (2007), Pinder (2007) and McGarry & O'Leary (2009) see federalism not only as a system of division of power between the central and state governments, but also as a mechanism to manage ethnic differences and the demands of ethnic groups within ethnically divided societies. Burgess in his book entitled *Comparative federalism: theory and practice* (2006) examined the extent to which federalism is able to ease the tension of competition between different ethnic groups. Furthermore, Gagnon (2007) characterised multinational federation as a political system that accommodates deep diversity to create stability. Meanwhile, Pinder (2007, p. 1) illustrated it as "a framework that can accommodate and as far as possible resolve some of the most intractable

political conflicts of our time: those that stem from competing national visions, whether within or between established states.” McGarry & O’Leary (2009, p. 21) also defined it as “... suggests three or more nations, and is more likely to be associated with an essentialist position in which there are thought to be spatially discrete and homogeneously adjacent nations, each of whose members has an equally intense national identity, and no other salient identity.” The above discussions conclude that multinational federation is a federal political system that provides a framework to accommodate the differences, complexity, pluralism and ethnic diversity of its people so that the distribution of national values and resources can be fairly implemented.

In depth, multinational federation can be divided into two parts. The first is the mononational federation. The ethnic composition of this type of federation is nationally homogeneous in that it does not recognise more than one nationality. Its goal is for nation building. Examples of this kind of federal state include the United States, Argentina, Australia, Austria, Brazil, Germany, Venezuela and the United Arab Emirates. The second is multinational, multiethnic or plurinational federation. Its ethnic composition is heterogeneous or diverse. Its goal is to recognise diversity and respect for the ethnic plurality so that they are free to practice their respective identities and cultures. Examples of this kind of federal state include Switzerland, Belgium, Canada, Russia, Nigeria, Ethiopia, India and Pakistan (Juhasz, 2005, pp. 246-247).

In discussing multinational federation, McGarry & O’Leary (2009) outlined six conditions that can help a federation to remain stable. First, the existence of *Staatsvolk*, which is the largest ethnic community in a federal state. The benefit of having a majority ethnic composition is that they feel safer and possess a moral strength to oppose the separation movement from the ethnic minority. For McGarry & O’Leary, a multinational federation without the presence of *Staatsvolk* would lead to federal instabilities from the threats of separation and disintegration when the ethnic minorities think that they are free to do anything. Second, there must exist a consociational politics at the central level representing all ethnic groups in an ethnically divided society. They outlined four political features of consociational politics namely grand coalition, proportional representation, ethnic autonomy and veto rights. Canada, Switzerland and Belgium are some of the federal states that practice consociational politics at their central level.

Third, multinational federation needs to be democratic. It was argued that “authentic (democratic) pluri-national federations are more likely to be successful than pseudo- (undemocratic) federations” (McGarry & O’Leary, 2009, p. 18). This is because democratic values allow every ethnic community to dialogue as well as openly discuss and prioritise the legal sovereignty that recognises the division of constitutional power, legislative power and the rights of each ethnic group. Canada, Belgium and Switzerland are the best examples of democratic multiethnic federation. The fourth is a multinational federation that exists ‘voluntarily’ or by ‘holding together’. For them, a multinational federation that exists as a result of the elite bargaining process, whether it is a federation formed voluntarily or through cooperation, is valid since it obtains the legitimacy of its people compared to the federation that exists by force. For them, the failure of most multinational federation states is because they were formed by force without the consent and agreement of their people.

The fifth is that multinational federation needs to have economic prosperity and national resources. McGarry & O’Leary stressed that the failure of a multinational federal state is stemmed from its inability to perfectly allocate economic resources and provide material needs to its people. This is the factor that has led to the disintegration of several multinational federal states. For example, the dissolution of Czechoslovakia in 1993 was due to differences in economic interest between its two units, namely the Czech Republic and Slovakia. The same is true in the case of Yugoslavia and the Soviet Union where economic factors were also the cause of their split. Nigeria was also unstable in its federal system as it faced several conflicts stemming from an unfair distribution of oil resources. These suggest the importance of economic prosperity for creating stability in a multinational federation. Sixth is the size and number of federal units. They stated that a multinational federal state with only two federal units is fragile (they call it dyadic federation and dual power-structure). This is because such a structure makes it easy for the federal units to conflict with each other. The evidence can be observed from the experience of splitted countries such as Pakistan before 1971, Czechoslovakia, Malaysia-Singapore and Serbia-Montenegro. Thus, for McGarry & O’Leary, a federation with more than two units is more stable as it can promote a balance of power between federal units.

What about Malaysia? Discussions on federalism in Malaysia have previously focused on structural and institutional aspects such as the federal structure, constitutional system, judicial institutions, degree of centralisation, division of administrative powers between centre and states, fiscal federalism, as well as centre-state relations. These can be observed from the studies of scholars on federalism such as that by Simandjuntak (1969), Shafruddin (1987), Yusoff (2006), Loh (2009), Harding & Chin (2014) and Ostwald (2017). Their studies discussed the characteristics, processes and dynamics of the federal political system in Malaysia, but did not touch the elements of ethnic pluralism in their discussions on federalism in Malaysia. Therefore, using the concept of multinational federation as a tool of analysis, this article fills this *lacuna* by discussing the challenges facing Malaysia as a multinational federation.

### Literature Review

To date, many researchers have examined the processes, dynamics and ethnic problems in Malaysian federalism. Authoritative studies on this have been conducted by Ratnam (1965), Vasil (1980), Goh (1989), Shamsul (1996), Singh (2001), Ting (2009), Shukri (2017) and Ismail (2020). However, their discussions only focused on the characteristics, structure and ethnic politics of each, without exploring how the structure of Malaysian federalism has accommodated the element of ethnic composition since the establishment of the Federation of Malaysia.

Similarly, in studies related to Malaysian federalism, most of them have only focused on discussing the characteristics, structure, process and legalistic aspects of federalism in Malaysia. An example can be seen in the earliest studies on federalism in Malaysia by Simandjuntak (1969) and Shafruddin (1987). Their studies focused on the high concentration of power by the central government in the division of legislative, national resource management and financial power. This can be also observed in the study of Chin (1997), Yusoff (2006) and Loh (2009). These studies also emphasised the legalistic aspect with a focus on the centre-state relations within the Federation of Malaysia. Chin in his article entitled *Politics of federal intervention in Malaysia, with reference to Sarawak, Sabah and Kelantan* stated that the federal government often interferes in the affairs of the three states causing the relationship between the states to always be strained. Despite the

tension, the country's political stability can still be controlled since the central government often intervenes using three methods, namely mild intervention, which is the central authority of controlling local leaders by rewarding them for supporting the centre. The second is by way of mid intervention in which central leaders apply pressure to any state leaders who refuse to cooperate with the central government. The third is direct intervention, which is by declaring a state of emergency and controls over state administration should the state leaders challenge the central authority. For instance, this has happened in the case of declaration of emergency in Sarawak in 1966 and Kelantan in 1977.

Yusoff, on the other hand, studied Kuala Lumpur's relationship with the states of Kelantan and Sabah. He stated that the relationship between the two levels of government was strained when the state government was ruled by a party that was not in line with the central government. This was due to the unbalanced and over-centralistic distribution of power causing the central government to often use this power to deny the rights of the state government ruled by a party that is not in line with its policies. Loh also agreed with Yusoff's view on the unequal distribution of power in the federation. He noted that centralisation of central power occurs due to three factors. The first is the constitutional provision that is in favour of the centre as opposed to the state government where the centre controls significant areas such as external relations, defence, internal security, law, trade, communications, transportation, education and health. The state, on the other hand, only has powers in the fields of land, mining, customs and religion, agriculture, forestry and local government. Second, BN's dominance at central level has enabled the federal government to penetrate the administration of the local government through the appointment of council members who control the city, municipal and district councils. Third, the implementation of the New Economic Policy (NEP) in 1971 further strengthened the central authority over statutory and public bodies.

More contemporary studies by Harding & Chin (2014), Hutchinson (2014) and Ostwald (2017) also looked at Malaysian federalism from a legalistic aspect. Harding & Chin in their book, *50 years of Malaysia: Federalism revisited* examined the position of Sabah and Sarawak as well as the threat of separation after 50 years from the establishment of the Federation of Malaysia. They concluded that federalism in Malaysia is "push but not pull" and "coercion but not compromise," causing

the true principle of federalism to not be fully practiced in Malaysian federalism. Hutchinson in his study entitled *Malaysia's federal system: Overt and covert centralisation* also evaluated Malaysian federalism in the legalistic aspect with a focus on direct and indirect centralisation of power by the central government. He argued that while most countries practiced decentralisation to improve the efficiency and effectiveness of their administration, Malaysia instead continued to maintain its centralisation of power. He called the central government's centralisation tactic as "appropriating state government responsibilities, altering incentive structures, privatising state government-owned assets and organisational duplication" (Hutchinson, 2014, p. 422).

Ostwald in his article *Federalism without decentralisation: Power consolidation in Malaysia* (2017) also discussed the same issue, which is the strengthening of central power in Malaysian federalism. He stated that most agencies, programs and statutory bodies that manage the economic and social aspects are placed under the administration of the Prime Minister's Department (JPM). Among them are Economic Planning Unit (EPU), Implementation Coordination Unit (ICU), Project Management Unit (PMU), Economic Delivery Unit (EDU), Performance Delivery and Management Unit (PEMANDU), Public-Private Partnership Unit (3PU), Election Commission (EC), Petronas (developing Malaysia's oil and gas sector) and FELDA (developing land in rural areas). The control and centralisation have several effects on state administration, especially on states administered by parties that are not in line with the central government where the effects could lead to the existence of a high dependence of the state government on the central government.

The above discussion suggests that most studies of federalism in Malaysia were more focused on federal structure, unequal distribution of power, centralisation of power from the central government and centre-state relations. Although these studies made an important contribution in understanding the dynamics of the federal political system in Malaysia, the focus was only given on the legalistic approach, thus causing the study on the relationship of federalism in covering the aspects of ethnic complexity to be neglected. This dearth has caused the important aspects that should be given attention in Malaysian federalism to be vacant and empty, especially in identifying the challenges facing Malaysia as a multinational federation.

Although limited, there are also studies that applied the concept of federalism in accommodating ethnic diversity in Malaysia. Bakar (2007) is among the scholars who studied Malaysia as a multinational federation. His study found several characters of Malaysian federalism as a multinational federation. Among them were the allocation of the Federal Constitution through Article 160(2) of the characteristics of Malay, Article 161A(6) of ethnicity in Sarawak, Article 161A(7) of ethnicity in Sabah, Article 153 of the special position of the Malays, Article 3 regarding Islam as the official religion of the federation, Article 11(4) relating to the freedom of religion and the prohibition of spreading religions other than Islam, and Article 152 of the Malay language as the official language of the federation. According to him, the existence of these characters has produced three conflict dimensions in the Malaysian multinational federation. First, the conflict between Malays (Bumiputera) and non-Malays regarding government policies that give special privileges to Bumiputera. Second, the conflict between conservative Malays fighting for the establishment of Islamic state with progressive Malays. Third, the conflict between Muslim Bumiputera and Non-Muslim Bumiputera in Sabah and Sarawak. Bakar's contribution is important as his study was the earliest to discuss Malaysia as a multinational federation. However, he only focused on the characteristics of Malaysia as a multinational federal state without analysing the challenges faced by the Malaysian federation in maintaining its stability, solidarity and unification.

Another study that seeks to trace the role of the Malaysian federation in accommodating ethnic diversity is Ooi's article entitled *Towards a federalism that suits Malaysia's diversity* (2011). Unfortunately, although the themes were 'federalism' and 'diversity', the discussions were still focused on the legalistic aspect (centralisation of central power) rather than discussing its role in accommodating ethnic diversity in Malaysia. According to him, UMNO/BN is a legacy of centralism. To prove it, he outlined six features of legacy of centralism. First, the lack of accountability and transparency, which created corruption and inefficiency that ultimately weakened the institutions such as the civil service, the Royal Malaysian Police, the Election Commission, the Malaysian Anti-Corruption Commission, the judiciary and others. Second, the existence of political parties based on religion and race. Third, intensified religious and national sentiments, which undermined

the rule of law and universal values. Fourth, the strengthened power of the government through the control over mass media, which ultimately caused fear among the people. Fifth, the limited freedom of speech that damaged the culture of debate in the country. Sixth, the opposition structure that was weakened due to lack of access to national resources.

The above highlighted one thing: most studies regarding federalism in Malaysia focused more on the legalistic aspects of the federal structure, degree of centralisation of central power, the division of centre-state administrative and financial power as well as the relationship between the two. In terms of relation of federalism to ethnic diversity, studies on it are very limited. One of them is the study done by Bakar (2007) and Ooi (2011) who only outlined the characteristics of Malaysia as a multinational federation without focusing on the challenges faced in accommodating its ethnic diversity. Thus, this article fills the gap by discussing the challenges facing Malaysia as a multinational federation.

### **Research Methodology**

This article used a qualitative research design. This is because the naturalistic approach, which is one of the designs in qualitative research, can help researchers in understanding the social phenomena regarding multiethnic relations and their development in Malaysia. In terms of data collection, this article utilised primary data obtained through interviews of selected informants who have been involved in central and state government leadership as well as secondary data such as books, journals, theses, official government documents, electronic media portals and reports from international bodies. This article also used the concept of multinational federation as a tool of analysis and multiethnic challenges in Malaysian federalism as its unit of analysis.

### **Findings and Discussion**

The success of Malaysia as a multinational federation for 63 years is due to the characteristics and structure of its federation that can unite the variety and ethnic diversity of its people. Even so, despite this success, Malaysia still faces some obstacles and constraints that could potentially threaten the harmony and stability of its federation. This article identified four key challenges facing Malaysia as a multinational federation during the period from 2008-2020, namely the increasing of racial and religious sentiments, the existence of separatist movements in



Sabah and Sarawak, the ambiguity of element of consociational politics within the coalition parties at the central level and the weakening of national unity and integration.

### **The Increasing of Racial and Religious Sentiments**

As a multinational federal state with three main ethnics—Malay, Chinese and Indian—ethnic accommodation is certainly important in ensuring that people can live in peace and harmony. However, this accommodation could become less meaningful in the presence of majority nationalism (Adeney, 2015, p. 7). This is because, majority nationalism tends to reveal the existence of dominance by the majority ethnic in bureaucracy and government departments compared to that of the minority ethnic. For Adeney, the effect from the existence of this sentiment of majority nationalism is that it does not only affect the value of democracy, but can also cause conflicts if such sentiment continues to occur.

This is the main challenge for Malaysia where the majority nationalism sentiment continues to rise despite the privileged position (Article 153) given by the constitution to its main ethnic, the Malays (Bumiputera). The question is, why did it happen? The answer lies in two developmental stages of United Malays National Organisation (UMNO, the largest Malay ethnic party). The first was when UMNO/BN lost two thirds of the majority for the first time in the 2008 general election (GE), whereas the second was when the UMNO/BN lost the power as a central government for the first time in the 2018 GE. These two periods strengthened the dynamics of development and increased sentiments of majority nationalism compared to the previous year. This is because this 10-year period shows the existence of increase in pressure, claim, offer and demand from the minority ethnics such as in the field of education, key government positions and Bumiputera special position. In response, UMNO in its effort to regain the trust and support of the Malay ethnic has changed its political actions and strategies from a more pro-Malay to using religious sentiments of the Muslims (the official religion of Malaysian Federation). This was what had caused Chin (2018, p. 172) to classify it as a transition from Malay supremacy to Islamic supremacy. This was because the policies of UMNO in the fields of education, politics and economics were no longer favourable to minority ethnics, but only focused on the interests of the Malay as the

Chinese ethnic has shifted its support from the BN government to the opposition parties.

This challenge was further strengthened during the transition of power of the federal government from BN to Pakatan Harapan (PH). Efforts of institutional reforms by PH such as the appointment and filling of key government positions that were not based on the Malay majority ethnic, which can be seen from the appointment of Finance Minister Lim Guan Eng, Chief Justice Tan Sri Richard Malanjum, Attorney General Tommy Thomas, the proposal of ratifying the treaties and human right conventions such as ICERD (International Convention Against All Forms of Racial Discrimination), ICESCR (International Covenant on Economic, Social and Cultural Rights), CRMW (International Convention on the Protection of Migrant Workers and Members of their Families); ICCPR (International Covenant on Civil and Political Rights), UNCAT (UN Convention against Torture and other Cruel, Inhuman and Degrading Treatment and Punishment) and Rome Statute (Rome Statute of the International Criminal Court) all triggered the concern of the Islamic Malay community as they felt that the sovereignty, honour, position, rights and interests of Malay Muslim ethnic as the majority were deteriorated.

Thus, this ignited the Muslim Malay-driven parties UMNO and PAS to establish a political cooperation named Muafakat Nasional (National Concord), which aims at establishing cooperation with developing narrative of Islam and Malays (Berita Harian Online, 2019). Bersatu on August 2020 later joined this cooperation with the objective of strengthening the unification of the ummah (peoples) (New Straits Times, 2020). This coalition and cooperation further reinforced the challenge of majority nationalism, which can be seen through the political mobilisation and collaboration that has been successful in establishing the Perikatan Nasional (PN), a political alliance that combines three Malay parties namely Bersatu, UMNO/BN and PAS together with the Gabungan Parti Sarawak (GPS), Parti Bersatu Rakyat Sabah (PBRS) and Parti Solidariti Sabah Tanahairku (STAR) led by Muhyiddin Yassin (Malay Mail, 2020).

The political coalition of Malay ethnic dominance has reinstated the Malay, Bumiputera and Islam oriented leadership through the appointment and filling of key government positions as well as the

implementation of government policies. This can be seen in the determination of the Bumiputera Agenda as a national agenda through the establishment of MKB (Bumiputera Prosperity Council), TERAJU (Bumiputera Agenda Steering Unit), and the 'Bumiputera as an entrepreneur nation' plan (The Malaysian Insight, 2020a). Although, Prime Minister Muhyiddin Yassin assured that the agenda to empower the Malays did not signalise that the rights and interests of non-Malays were marginalised, such leadership tend to allow negative perceptions of unfair government's treatment, isolation and discrimination as well as awareness of the non-Malays as second-class citizen (Weiss, 2020).

Hence, the rise of majority nationalism is a major challenge to Malaysian multinational federation as it can hinder and threaten the harmonious ethnic relations when the sentiments of supremacy, greatness and overlordship of the majority ethnic are translated through the implementation of programs, policies and political actions. As a result, minority ethnic groups feel fear and concern about their rights and survival. This challenge shows that Malaysian multinational federation is contradict to the values of federalism in conceptual perspectives that promote tolerance, justice and respect for diversity. Federalism in Malaysia only provides protection and privileges to the majority ethnic of Malay Muslim against other minority ethnics. Although, the Malaysian constitution provides special status to the majority ethnic of Malay Bumiputera, the practices should take into account each ethnic group so that the unity and stability of Malaysian multiethnic federalism could be maintained. Adeney (2015, p. 3) rightly argued: "*in ethnically divided societies, it is important that the different groups have a stake in the political system.*"

### **The existence of the Separatist Movements in Sabah and Sarawak**

Sabah and Sarawak are two federal units that have their own privileges (such as autonomy in matters of religion, language, immigration, civil service and finance) compared to eleven other federal units. It is these privileges that make the Federation of Malaysia to be known as asymmetrical federalism (Watts, 2008, p. 127). Asymmetric federalism occurs when there is a difference in the degree of autonomy and power between federal units.

If so, why is there still a threat of separation by Sabah and Sarawak given that these two federal units have their own privileges? This is an

important challenge in Malaysian federalism due to the differences in terms of geography, ethnicity, religion, language, culture and economy with other federal units in the Peninsula. These differences can elevate the regionalism sentiments and increase the centrifugal force that can potentially cause instability and federation break-up. According to Chin (2019), this challenge arose due to two forms of dissatisfaction of the people of Sabah and Sarawak, namely historical grievances and contemporary grievances.

As for historical grievances, it is because the federal government has violated the provision of Article 20, which guarantees the special position of Sabah and Sarawak in the 1963 Malaysia Agreement such as in immigration, Borneosation in the civil service, privileges of Bumiputera in Sabah and Sarawak as well as autonomy in finance. The second is that the merger was done without the actual consent of Sabah and Sarawak since the whole process of the formation of Malaysia has been manipulated by the British Colonial Office, Malayan leaders and Cobbold Commission without providing real information to the people of Sabah and Sarawak on the formation of Malaysia. Third is because the federal government did not recognise Sabah and Sarawak as the founding leaders that formed the Federation of Malaysia in 1963 together with the states of Malaya and Singapore.

As for contemporary grievances, Chin outlined five things that made the issue of separatist movements a major challenge in the Malaysian federation. The first is due to discrimination against indigenous people (Bumiputera). The biggest composition of indigenous people in Sabah, which is Kadazandusun Murut (KDM), and Dayak in Sarawak, felt that they are second class Bumiputera in the Federation of Malaysia since their ethnic received less benefits compared to those of the majority ethnic of Malay Muslim. Second, the implementation of the political model of the Malaya (Peninsular). In Sabah and Sarawak where the majority ethnics are Christians, they were not satisfied with the domination of Malay-Muslim elements by the central government. UMNO that was in power at the federal level for six decades stipulated that every chief minister in two states should be represented by Malay-Muslim ethnic. This caused discontent among the non-Muslims ethnic groups. Third, the central government often intervenes in state administration. In Sarawak in 1966, Stephen Kalong Ningkan (Sarawak's first Iban-Dayak Chief Minister) was removed from office when Kuala Lumpur

saw his administration as anti-federal and made many legal changes that made it easy for the Chinese to own land. In Sabah, on the other hand, the removal of the chief minister rotation system in 2004 that provided an opportunity for the main ethnic groups to hold office has led to dissatisfaction of the non-Muslim Bumiputera ethnic due to the dominance of only the Malay-Muslim ethnic.

The fourth is related to the issue of illegal immigrants in Sabah. This issue is related with the activities of granting citizenship to Philippines and Indonesian Muslims to increase the area of Muslim-dominated seats and reduce the area of dominance of KDM ethnic that has been dominating the Sabah state election seats. As a result, 22 seats of KDM majority ethnic in 1976 was then reduced to only 13 seats in 2008. Similarly, the Muslim majority seats, which only recorded 18 majority seats in 1976, were increased to 36 seats in 2008. In terms of population on the other hand, it showed a 390% increase in the period from 1970 to 2010, which made Sabah a Muslim-majority state in the early 1990s. The fifth is due to the backward development in Sabah and Sarawak. According to Chin, the backwardness of Sabah and Sarawak, despite being the largest oil producing states in Malaysia, was due to the enactment of the Petroleum Development Act in 1974, which gave full ownership to the federal government to control oil and gas resources throughout the Federation of Malaysia. This was exacerbated by allegations of discrimination by the central government, which only focuses on development in parts of the Peninsula. These are what made Sabah and Sarawak to remain the poorest states in Malaysia even though both are endowed with rich oil and gas resources.

It is these issues of resistance and dissatisfaction that affected the unification of federation and made the relationship between the federal government with Sabah and Sarawak often tense. This challenge was exacerbated when BN collapsed in GE-14 showing its component parties from Sarawak leaving BN by setting up the Gabungan Parti Sarawak (GPS), which aims to fight for the implementation of Malaysia Agreement 1963 (MA63) (Bung Moktar Radin, 2020). The same goes for the manifesto of the Parti Warisan in Sabah (local party in Sabah) before winning the GE-14, which is to restore their state autonomy in MA63. National parties such as DAP and PKR in Sabah and Sarawak also supported the implementation of the MA63 autonomy. This shows that Sabah and Sarawak continued to demand and fight for their rights

and autonomy as enshrined in MA63. Thus, the great challenge and responsibility of managing this demand rests on the shoulders of the central government because if this issue is not resolved, the effects can worsen the relationship between the central and state governments and at worst, can create a threat of separation that leads to instability and disintegration of the Federation of Malaysia.

### **The Ambiguity of the Element of Consociational Politics in the Coalition Parties**

McGarry & O'Leary (2009, p. 15) in their article, *Must pluri-national federations fail?* stated that one of the resilience characteristics of multinational federation is the existence of a coalition based on consociational politics at the central level. The existence of this consociational practice is important due to two reasons. First, it avoids the pressure that weakens the federation (centrifugal pressures). Second, it ensures the existence of inclusive and effective representation in key institutions as well as public bureaucracy. In the Malaysian context, BN is the best example of a consociational government at the central level. An important reason is because BN was formed according to one of the features of consociational politics based on Lijphart (1977) model, namely the grand coalition. Grand coalition has been beneficial to the BN political coalition as it provided a platform for representatives of the main ethnics of Malays, Chinese and Indians to express their interests, foster tolerance in expressing any opinions from the ethnic representatives and constantly promote the needs of each ethnic irrespective of ethnic groups. Meanwhile for Bakar (2007, p. 76), the BN coalition is effective in uniting, restoring political party differences and strengthening the centre-state and inter-state relations. Due to this factor, BN (formerly the Alliance) was considered the best example as a consociational government at the central level that has been dominating the Malaysian politics for six decades.

However, the defeat of BN after the 2018 GE was a major challenge in creating a balance of ethnic representatives at the central level with the emergence of two coalitions of parties that are inconsistent with the principles of consociational politics. The first is PH (May 2018-February 2020), which includes four parties namely Parti Keadilan Rakyat (PKR), Democratic Action Party (DAP), Parti Amanah Nasional (Amanah) and Parti Pribumi Bersatu Malaysia (Bersatu). The PH coalition is seen

more appreciative of the modification of consociational politics made by Linz & Stepan (1992) that focuses more on the political party that secures support from different groups to balance the claims between majority and minority ethnics. Even so, what hinders the political effectiveness of the PH consensus is as described by Ahmad (2019), former Malaysian MP (1990-2003) as follows:

Based on these narratives, the PH government seemed to implicitly accept the principles of consociationalism and social contract initiated by Perikatan and BN. The behaviour and statements of some leaders and lawmakers of certain PH component parties, however, portray them as subtly disagreeing with these principles. This might have resulted from their irrevocable belief in certain principles contrary to the social contract, or from their ignorance of the above principles. Ironically, no concerted efforts have been taken by the party to correct this. Hence, policies and programmes by PH, which were formulated based on the above principle, were strongly criticised as being racist, or in violation of universal human rights. This definitely hurt the feeling of most Malays and Muslims who supported PH in GE14.

The above statement shows that in consociational politics, political alliances also need to respect the rules and legislation, especially of the country's constitution. Otherwise, the opposition and the questioning of sensitive issues such as the special position of the majority Malay ethnic, Islam and the Malay language, which are a mutual agreement (social contract) in the formation of Malaysia, can lead to the existence of ethnic disharmony where its impact can affect the stability of the Federation of Malaysia.

This challenge became more complicated when there was a lack of understanding among the PH component parties due to the weakness in managing differences in party views when each party component is free to express an opinion without being tied to other party components. This is contrary to the characteristics of a grand coalition, which provides an opportunity for each group to voice their views to create common understanding and mutual interest with a high spirit of tolerance for the harmony and benefits of the coalition. A clear example can be seen from the issue of handing over the power of the prime minister between Dr. Mahathir Mohamad and Anwar Ibrahim where Bersatu threatened to leave PH if Dr. Mahathir Mohamad was pressured to resign, while

Amanah and DAP wanted PH to decide the date of the transfer of power of the prime minister (The Malaysian Insight, 2020b). This was the challenge in the practice of consociational politics in PH because its implications tend to disharmonise and threaten the unity in the political coalition.

The second political coalition at the central level after PH is PN (March 2020 to date). PN is a political coalition with dominance of Malay Muslim ethnic and several other parties such as GPS, PBRs and STAR in which its cabinets "... presides over one of the least diverse cabinets in the country's recent history, with only one minister from the Chinese and Indian communities respectively" (Bowie, 2020). Hence, the dominance of the Malay majority ethnic at the central level increased immense challenges in ensuring the justice in participation and representation of ethnic as it lacks appreciation on the concept of consociational politics that promotes equal opportunities among different ethnic groups. Its implications tend to lead to the disharmony of ethnic relations, prolonged stereotypes and ethnic discrimination that can ultimately undermine the stability of federation.

This discussion shows that the ambiguity of consociational politics at the central level is an important challenge in Malaysian multinational federation. This is because if not managed properly, it can affect stability and at a higher level can break the multinational federation. An example can be seen through the disintegration of the West Indies Federation due to the lack of Jamaican representatives at the central level as well as the disintegration of the Federation of Nyasaland and Rhodesia, which was also due to the lack of African representatives at the central level. This was similar in Pakistan before its separation with Bangladesh, which showed that its military bureaucracy was dominated by Punjabi ethnic. Looking at the disintegration that took place in other multiethnic countries due to the ambiguity of the consociational politics, this becomes the challenge facing the Malaysian multinational federation. Thus, the central government needs to ensure that it observes the features of consociational politics not only at the level of the grand coalition, but other aspects such as shared veto rights, segmental autonomy and proportionality.



### **The weakening of National Unity and Integration**

According to Juhasz (2005), state-nation integration is one of the keys to the success of multinational federation. This is because state-nation integration only occurs when each ethnic group has a sense of togetherness and is able to place the identity of its ethnic group under national identity (Juhasz, 2005, p. 257). What about the Federation of Malaysia? Is there national unity and integration? Which national identity should Malaysians promote? Is it the Malay, Chinese, Indian, or is there any other identities? The question of finding a national identity is also a major challenge for the Federation of Malaysia as it is often the subject of endless debates by politicians, academicians and intellectuals.

These challenges and obstacles can be seen in two aspects, namely unity and integration among ethnic groups as well as unity and integration among units (states). First, ethnic unity and integration becomes weak since the multiethnic societies do not take advantage of the structure of the Malaysian federation, which combines the main ethnic groups in one unit that could create a sense of belonging and unity among ethnics. In Malaysia, none of the units of the federation in the Peninsula are ethnic federation (the units of the federation which are identified by ethnicity, language and religion) such as those in India, Ethiopia, Nigeria and Belgium. This is because its main ethnic communities (Malay, Chinese and Indian) are spread throughout the federation. Another reason that led to significant challenges in the process of ethnic unity and integration is the constitutional provision and implementation of government programs and policies that favour Malay majority ethnic and Bumiputera of Sabah and Sarawak. The advantages gained by Malay Bumiputera group such as the special position, Islam as the official religion and Malay as the official language have led to dissatisfaction of the non-Malay ethnics demanding justice to their ethnic groups. As in Sabah and Sarawak, ethnic conflicts often occur between three groups, which are between Muslim Bumiputera (MB), Non-Muslim Bumiputera (NMB) and Chinese.

In Sarawak, there is minority ethnic dominance in local political structure and competition. Its political dynamics show that there is a competition between the Melanau-Muslim (MB), Dayak (NMB) and Chinese ethnic groups. Melanau-Muslims that make up 5% of the local population have dominated the state government compared to the

Dayaks with a total of more than 40% (Mansor, 2016; Chin, 2017). Despite being the majority, the competition between the MB, NMB, and the Chinese has caused Dayak support to split into several political parties such as the Sarawak United People's Party (SUPP), the Sarawak Progressive Democratic Party (SPDP), the Sarawak Dayak National Party (PBDS) and the United Sarawak Party (PSB). The disunity of the majority gave an advantage to the minority Melanau-Muslim dominance in the Parti Pesaka Bumiputera Bersatu (PBB), which is the largest party in the Gabungan Parti Sarawak (GPS) after GE 2018. In Sabah, its political dynamics demonstrated a competition between Malay-Muslim Bumiputera (MB) and non-Malay Bumiputera (NMB) where there were allegations attempted by the MB to undermine the ethnic harmony with the practices of peninsular Malay-Muslim based politics. Due to this issue, Shafie Apdal, the president of the Parti Warisan Sabah (Warisan) in Sabah State Election (SE) 2020, brought a message of unity to maintain harmonious ethnic relationship and cooperation in Sabah (Malay Mail, 2020b). Not only that, the appointment of PAS member Dr. Aliakbar Gulasan for the first time in the State Legislative Assembly (ADUN) after the Sabah SE 2020 also raised concerns regarding whether or not it would affect racial and religious harmony in Sabah.

Second is the unity among the units of the Federation of Malaysia which involved two situations. First, in the context of the federation units in the Peninsula, the issue of unity between the units does not become a big problem since it has a shared historical background and identity such as in the Federation of Malaya Agreement 1948, which combines the Malay states with the equal of Malay national identity, monarchism, Islam and Malay customs. Due to the similarity of historical background and identity, it is difficult to hear the existence of conflicts between states and the event of separation of states in the Peninsula except in the issue of fiscal federalism (Yusoff 2006; Loh 2009). However, what threatens the stability of the federation is the issue of Sabah and Sarawak's relationship with the Peninsula. The challenges and obstacles were seen through two factors. The first factor is their geographical location, which is separated from the Peninsula by about 1500 km through the South China Sea, causing them to have regional sentiments with their own ethnic, religion and cultural identity. The second is the constitutional asymmetry factor that provides special positions such as in the fields of religion, language, finance,

immigration and public bureaucracy (Mustapha Mohamed, 2020). With these factors, Sabah and Sarawak often demand the federal government to fulfill their rights as enshrined in MA63. For example, on April 2019, it was demanded that the federal government amends Article 1(2) of the Federal Constitution to restore the status of Sabah and Sarawak as allies in the Federation of Malaysia (Musa, 2019). Therefore, the matter of preserving local rights and interests has been the motive for the struggle of most parties in both states. If not managed properly, it can intensify local sentiment and threaten federal stability.

Thus, this lack of solidarity and integration is the most difficult challenge for Malaysian federalism as it has to balance between majority and minority ethnic nationalisms. Although the constitution had given the advantages and privileges to the Malay Bumiputera majority ethnic based on the 'social contract', the conflict does not end since there are multiple sources of racial conflict in Malaysia (ethnic, religion, language and culture). Although Malaysia has taken several steps to manage and integrate its ethnics and federal units by establishing the Ministry of Unity, Ministry of Education, Ministry of Youth and Sports, the use of security apparatus such as Printing and Publishing Act 1948, Police Act 1967 and the implementation of unity doctrine such as 1Malaysia, these are only symptoms of forced unification because the use of such methods of unity and integration will not last long if every ethnic group has no awareness to live together in peace and harmony.

## **Conclusion**

These discussions showed that Malaysia is faced with four major challenges in its multiethnic federalism, namely the rise of racial and religious sentiments, the existence of separatist movements in Sabah and Sarawak, the ambiguity of consociational politics within the coalition parties at the central level and the weakening of national unity and integration. The occurrence of these four challenges was due to several factors namely the dissatisfaction towards the special positions of the Malay Bumiputera, sentiments of minority ethnic nationalism, conservative and progressive competition of religion as well as constitutional asymmetry demands. Thus, the effects can affect the relationship, unity and integration of the people, which ultimately tends to result in instability of multiethnic federation in Malaysia. To overcome this, the values and principles of federalism need to be appreciated by

every leader and people so that the federal political system will not only be effective in accommodating the elements of diversity and pluralism of its people, but also in encouraging Malaysia to become the best federal state in promoting the spirit of unity in diversity so that it can be comparable with other developed federal states.

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