CONSTI 101

BAR COUNCIL CONSTITUTONAL LAW COMMITTEE x ALSA BAC

15.8.2024

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What kind of "Constitution" does Malaysia have?

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01.

History of the Federal Constitution

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Which Commission was tasked to look into the drafting of Malaysia's Federal Constitution?

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Some of the Reid Commission’s terms of reference

- Strong central government cf. States and Settlements enjoy measure of autonomy

- Safeguard position & prestige of sultans

- Special position of Malays cf. safeguard legitimate interests of other communities

02

Nature of the Federal Constitution

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Which is supreme in Malaysia?

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Which of the following are true about the nature of Malaysia's Federal Constitution?

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03

Fundamental Liberties

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Which of the following is NOT a fundamental liberty guaranteed by Malaysia's Federal Constitution?

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FUNDAMENTAL LIBERTIES

Part II of the Federal Constitution

Article 5: Liberty of person

Article 6: Slavery and force labour prohibited

Article 7: Protection against retrospective criminal laws and repeated trials

Article 8: Equality

Article 9: Prohibition of banishment and freedom of movement

Article 10: Freedom of speech, assembly, and association

Article 11: Freedom of religion

Article 12: Rights in respect of education

Article 13: Rights to property

04.

Rukun Negara

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What incident gave rise to the Rukun Negara?

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Which part of the Federal Constitution includes the Rukun Negara?

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FULL TEXT

“BAHAWASANYA NEGARA KITA MALAYSIA mendukung cita-cita hendak:
• Mencapai perpaduan yang lebih erat dalam kalangan seluruh masyarakatnya;
• Memelihara cara hidup demokratik;
• Mencipta satu masyarakat yang adil di mana kemakmuran negara akan dapat dinikmati secara adil dan saksama;
• Membentuk satu sikap yang liberal terhadap tradisi kebudayaan yang kaya dengan berbagai-bagai corak, dan
• Membina satu masyarakat progresif yang akan menggunakan sains dan teknologi moden.

MAKA KAMI, rakyat Malaysia, berikrar akan menumpukan seluruh tenaga dan usaha kami untuk mencapai cita-cita tersebut berdasarkan atas prinsip-prinsip yang berikut:
• KEPERCAYAAN KEPADA TUHAN
• KESETIAAN KEPADA RAJA DAN NEGARA
• KELUHURAN PERLEMBAGAAN
• KEDAULATAN UNDANG-UNDANG
• KESOPANAN DAN KESUSILAAN”

ANY QUESTIONS?

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- Prof Dr. Nik Ahmad Kamal (Taylor’s, formerly IIUM)
- Tan Sri Dr. Rais Yatim (former Speaker of the Dewan Negara)