

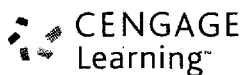
GOVERNMENT AND POLITICS IN MALAYSIA



Edited by
ABDUL RASHID MOTEN

Government and Politics in Malaysia

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Abdul Rashid Moten



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Government and Politics in Malaysia

Edited by Abdul Rashid Moten

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Federalism: Origin and Applications

Federalism has been a central aspect of Malaysian history since the establishment of the Federated Malay States in 1895. Ever since the idea of federation was mooted by the British, it has been a subject of intense discussion. The idea went through various stages of centralisation and decentralisation. Finally, Malaya emerged as an independent state in 1957 with a Federal Constitution.

This chapter discusses the various centripetal and centrifugal trends that influenced the federal idea between 1895 and 1957. This is followed by an analysis of the distribution of legislative powers between federal and state governments including the power of the parliament to legislate on certain state subjects. The last section of the chapter discusses the federal features of the 1957 Constitution and shows how these features benefited from the process of evolution that the idea of federalism has undergone since 1895.

The Theory of Federalism

allocate 5 states for
supplies + goods etc.

The word federal is derived from the Latin word *foedus* which means a covenant, compact, treaty, league, or an alliance between states for mutual support and joint action.¹ Federalism assumes that there exist diverse and separate communities who want to unite but they are at the same time eager to maintain their separate existence.² Federalism creates a central

1 See Joseph R. Rudolph, Jr. "Federations" in Frank N. Magill ed., *International Encyclopedia of Government and Politics*, vol. 1 (London: Fitzroy Dearborn, 1996), 467.

2 A. V. Dicey, *An Introduction to the Study of the Law of the Constitution*, 10th ed. (Basingstoke, England: Macmillan Education, 1959), 140.