

Malaysia: Why bother ratifying the UN Convention on Racial Discrimination (ICERD)?

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I may have said this differently elsewhere, but at this point, why would Malaysia bother ratifying the International Convention on the Elimination of All Forms of Racial Discrimination (Icerd)? The idea of Malay special rights or privileges and the affirmative action policies wrapped up in the propaganda of race and religion has been exposed for the sham that it is.

The [latest](#) missive from the culture war about Icerd by Chandra Muzaffar, one of Malaysia's most well-known public intellectuals, makes for depressing reading.

While the thrust of the piece was optimistic, in the sense that Chandra advocates taking certain steps that are in the spirit of Icerd, it still makes for bleak reading. For the most part, though, it was a kind of justification (maybe unintentional) for the aggrieved feelings of the Malay community (or the right and centre of the political spectrum) to perpetuate a system which has demonstrated that it cannot withstand moral or intellectual scrutiny.

It also places the non-Malay intelligentsia as part of the problem, which mainstream Malay politics routinely does, instead of part of the solution in dismantling a compromised system. While there is some truth in that, it is pointless asking everyone to come together on an issue which is fundamentally about the rights of everyone versus the privileges that come with being in the majority.

Chandra reminds non-Malay "elites" and opinion-makers to demonstrate a deeper understanding of the Malay situation, which is the psychological loss of becoming a community among communities. The way to appreciate this sentiment is to accept a simple historical fact that Malaysia evolved from a Malay sultanate system.

This is really a strange thing to say, because who the Malays are today has more to do with our colonial legacy, the social engineering of political power structures, state-sanctioned propaganda, the change of demographics through illegal and legal immigration and the influence of Islam over the Malay polity.

If the Malay community has this psychological loss, imagine what it must be for the Orang Asal in Malaysia. Not only are they a community among communities, but they are also a minority among those communities without a political voice except the one co-opted by the state.

In other words, whatever issues the Malays are grappling with today has roots in a system which has very little to do with the Malay sultanate system but everything to do with the colonial and post-colonial strategies of the Malay elite, which does not necessarily include the royalty.

A bogus threat

I just do not get it. Anecdotally speaking, when talking to working-class Malays, for instance, what they tell me is that they are not competing economically with the Chinese and Indians but rather with foreign nationals.

While religion is an equalising balance when it comes to these foreign nationals, Malay nationalists complain that Islam has to be protected from elements which would change the nature of the Malay struggle.

Meanwhile, Malays who support Parti Sosialis Malaysia (PSM) for instance still believe in Islam, which they say is compatible with socialism on a thematic level, but mainstream Malay politics demonises them as traitors of their religion.

So I may be wrong - and god knows if I am, I never had a problem admitting such in public - but this idea that the non-Malays are an existential threat to Malay identity and economic survival is bogus.

Indeed, the problem has always been started by the narrative of the Malay political elite and the enabling of non-Malay political operatives, which presupposes that the Malay community is invested in their narratives because the state funds activities that ensure compliance through religion and racial fearmongering.

Forget about the fact that affirmative action for the majority is really a form of apartheid. Yes, I know, I hate people using that term.

However, when you have a set of policies which favours the majority community, wrapped up in propaganda that the community will always need assistance, and equate this with the affirmative action policies of other countries seeking to equalise the field for minorities in those countries, there is very little to discuss except to define the practice with a term that most accurately reflects it, hyperbolic though it may be.

Chandra argues that the community's power and strength are derived from the community's dominance - by policy, not by merit - of public institutions. The problem with this kind of thinking is that it is a double-edged sword.

If anything, our blame for our failing institutions has been laid at the Malay door precisely because those institutions have been defined by race. This reinforces the siege mentality that Malay political operatives like to talk about and furthers anti-minority narratives which are the foundation of mainstream Malay politics.

But really, what has this got to do with anything? In contemporary Malaysia, the existential question facing the Malay community, is why, if they are supreme, do they seem so powerless in the face of a system that purportedly represents their interest?

A baseline of democracy

A common refrain before the election was that the Chinese community controlled everything and now, they want to control the politics of this country.

After May 9, the non-Malay political elite in this country have settled down into their roles as enablers of Malay politics. Even when it comes to issues like freedom of information, for instance, DAP's Steven Sim reminds us that certain values and "traditional worldviews" have to be taken into account.

As I **wrote**: “Since coming into power, non-Malay political operatives have suddenly become sensitive to what MCA and MIC went through all those years, kowtowing to a certain racial group, and justifying such actions with dodgy ideological claptrap, like social contract and power-sharing.”

Look, say what you want about the Umno regime, but Chandra was correct when he claimed that “rigid employment requirements in the 80s yielded to more flexible approaches from the 90s onwards. For almost two decades now, ethnic quotas are not adhered to in certain faculties in various public universities.”

So historically, this idea of racial and religious supremacy was always a flexible idea with the Malay political elite.

Everybody keeps talking about taking the middle path in this issue. The problem is that there is no middle path to this issue. When we talk about the principles of something like Icerd, we are not talking about vague theories that help define democracy. We are talking about a baseline of democracy.

But again, at this point, I really do not care if Icerd is ratified. I really do not think things will change unless the narrative changes. Until then I will keep asking, is there an expiry date on the psychological loss of the Malay community?

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