

## The New Economic Policy: a Historical Note

Kay-Kim KHOO  
*University of Malaya*

**Abstract:** This paper is concerned with the historical development of ethnicity-based policies in Malaysia. It begins with an evaluation of British policy first towards Malay rulers, and then towards the other groups in society. This is followed by a discussion of events in the first part of the twentieth century that eventually led to the formulation of the New Economic Policy (NEP) and subsequent related policies. The paper argues that the NEP is a continuation of the pro-Malay policy introduced since the days of British administration. Although it has undoubtedly uplifted the position of many Malays, especially the upper middle class, according to recent official reports, it has not achieved its target. However, there has been a noticeable difference. The NEP has launched Malays into the private sector, produced numerous well-educated Malays who are graduates of some of the finest universities in the world and created Malay millionaires.

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### 1. Prelude

The New Economic Policy (NEP) which was introduced soon after the outbreak of ethnic riots in Kuala Lumpur in May 1969 was intended primarily to help raise the percentage of Malay equity in the economy of the country. The strategy then was not to take from the non Malays in order to increase the share of the Malays. It was based on what was called 'the expanding pie theory'; in other words, the government must take steps to bring about the rapid growth of Malaysia's economy and the greater proportion of the amount of growth achieved would go to the Malays. It was to be a 'win-win' situation: Malay equity would grow without affecting what the non Malays already had.

Another term was later also used to describe the NEP - affirmative action. This, however, gave rise to confusion. In the United States, for example, affirmative action has been adopted to help the minority (and therefore disadvantaged) groups. But in Malaysia, the Malays form the majority group and they have never been treated, officially, as a marginalised group. The argument advanced in favour of the NEP was that, economically, the Malays, even two decades after the country had become a nation-state, were the poorer group *per capita* compared to the non Malays. The government must therefore take steps to level the playing field especially since the Malays occupy a privileged position in the nation.

To explain the inadequate economic position of the Malays, politicians have continually used the argument that it was British colonialism, by practising a "divide and rule" policy which discriminated against the Malays that caused them to lag behind the others. This paper is concerned with the historical development of ethnicity-based policies in Malaysia. It begins with an evaluation of British policy first towards Malay rulers, and then towards

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\* Department of History, Faculty of Arts and Social Sciences, University of Malaya, 50603 Kuala Lumpur, Malaysia.  
Email: [f10khoo@um.edu.my](mailto:f10khoo@um.edu.my)

the other groups in society. This is followed by a discussion of events in the first part of the twentieth century that led eventually to the formulation of the NEP. The paper concludes with a note on the current situation.

## 2. The British and the Malay Kingdoms

Quite a few fundamental aspects of Malaysian history have been, until now, based on conjecture. The experience of other countries has been used to explain Malaysia's past. In India, for example, the British were able to use one provincial group against the others, in particular, the Punjabis who formed the back-bone of the British army there. However, it has hardly ever been pointed out, for instance, that whereas in India and Burma (Myanmar) the British did nothing to preserve the monarchy, in Peninsular Malaysia (Malaya previously) they did – all nine of the monarchies. Indeed, one - modern Johor - was created by the British in 1885.

From the moment the British began interfering in the administration of the Malay kingdoms, following the signing of the Pangkor Engagement in late January 1874, they did not merely preserve the monarchy but allowed sovereignty, legally, to continue to rest in each of the rulers meaning that the *Raja* remained the highest authority while the British played the role of principal executives. To enhance the prestige of the rulers, the British also built elaborate brick palaces for them and special uniforms were designed for them to wear on ceremonial occasions. Birthday celebrations of the rulers involved British-style parades by the police.

In 1874, there were six rulers in the Malay Peninsula: in Kedah, Perak, Terengganu, Kelantan, Selangor and Perlis. Negeri Sembilan had been fragmented since 1869 owing to a major succession dispute. It was only on the eve of the formation of the Federated Malay States (FMS) in 1896 that the British succeeded in re-amalgamating Negeri Sembilan.

Pahang too had a chequered history until 1881. It was founded in 1470 by a prince from Melaka. In later years, it was absorbed by Old Johor (Johor Lama) which emerged in about 1530. The first Johor ruler was also the son of a Melaka ruler. The Melaka *kerajaan* (kingdom) came to an end after the Portuguese conquest in 1511 but the dynasty continued in Johor from about 1530. The *kerajaan* of Old Johor continued the tradition of the Melaka *kerajaan*. The highest official in both cases was the *Bendahara* (comparable to a modern-day Prime Minister). Johor's *Bendahara* was assigned the territory of Pahang as his fief. As Johor grew weaker over the years, Pahang grew stronger and more independent. By 1881, the aristocrats of Pahang felt sufficiently confident to elect the then *Bendahara* Ahmad as the *Yang di-Pertuan* of Pahang.

This move encouraged the *Temenggong* (another high-ranking chieftain) of the Johor kingdom to attempt to take over mainland Johor which hitherto had been under his direct administration. He consolidated his position by establishing a very close relationship with the British. In 1868, the then *Temenggong* (Abu Bakar) changed his title to *Maharaja* (spelt in Romanised Malay without the 'h' at the end so that he would not be deemed to be equal to the *Maharajahs* in India). But, in 1885, Britain decided to recognise *Maharaja* Abu Bakar as Sultan Abu Bakar.

This was made possible because Britain had continually interfered with succession in the Johor kingdom since the time Stamford Raffles succeeded in taking possession of the island of Singapore by installing (though he had no *locus standi*) Tengku Hussein as the

*Yang di-Pertuan* of Johor. However, the Malays referred to Sultan Hussein as the *Yang di-Pertuan Selat*. Singapore, in the past, was generally referred to as 'Selat'. But when Sultan Hussein passed away in 1835, the British refused to recognise his son, Tengku Ali, as the successor as it was no longer expedient to so. They finally did so only in 1855 when Tengku Ali signed a treaty with the British agreeing to let the *Temenggong* take administrative control of the whole of Johor except the territory of Kesang which was the only territory which remained under the control of Sultan Ali.

The 1874 Pangkor Engagement allowed the British to take control of the administration of Perak. As mentioned previously, legally, while the British Resident had vast executive powers, he was not *de jure* the highest authority in the kingdom. Sovereignty continued to rest in the Raja although, from time to time, the *de facto* did subvert the *de jure*. The Pangkor Engagement set the pattern for all subsequent treaties between the British and the Malay rulers. The last Malay kingdom to enter into a treaty with the British was Terengganu in 1919.

From the beginning, the British perception of Malay society was very clear. It was composed of two classes of people: the ruling class and the subject class. Until WWII, except for taking over executive power, Britain made no move to alter the traditional socio-political structure of the Malay kingdoms. It was decided, from the very beginning, that it was the bounden duty of the British to preserve the Malay kingdoms but, at the same time, they had to take steps to train the ruling class so that they could function according to modern ideas of government to ensure that there would be law and order to enable economic development to take place.

When W.A. Ormsby-Gore, British Parliamentary Under-Secretary for the Colonies, visited this country in 1928, he reported as follows *vis-a-vis* the Malay states (Mills 1942: 55):

“They were, they are and they must remain ‘Malay’ States.... The States were, when our co-operation in government was invited, monarchies, and such they are today. We have neither the wish nor the desire to vary this system of government.”

To ensure that members of the royalty would continue to lead the government based on modern ideas, many young princes were exposed to English education. Raja Mansur and Raja Chulan, the children of Sultan Abdullah of Perak, were soon sent to the Raffles Institution to be educated. Both of them were also among the early members of the Malay royalty to be appointed to the administrative service before the close of the 19<sup>th</sup> century.

Another brother, Raja Said Tauphy, was in 1919 the first Malay to be appointed to the then exclusive Malayan Civil Service (MCS). A few years later, Raja Said Tauphy was also the first Malay to be appointed Chairman of a Sanitary Board (a local authority) - the Larut and Matang Sanitary Board. In later years, Raja Musa bin Raja Bot of Selangor became the first Malay to be appointed a Judge. The first official representative of the Malays in the Federal Council (established in 1909) was the same Raja Chulan from Perak. He was appointed in 1924. By 1925, Tunku Abdul Rahman (later the country's first Prime Minister) had obtained a B.A. degree from St. Catherine's College, Cambridge and, by 1928, Tengku Abdul Rahman (later the country's first Paramount Ruler) had returned with a law degree from Nottingham University and was subsequently appointed Assistant District Officer in Batang Padang, Perak.

It was to perpetuate the same policy that the British, in 1905, established the Malay College Kuala Kangsar which became known as 'the Eton of the East.' To a very large extent, pupils in the school in the earlier phase were culturally Anglicised. For a long time, it was from this college that the Malay Administrative Service (MAS), established in 1910, recruited its staff. Before World War II, many Malays became District Officers, Assistant District Officers and Deputy Assistant District Officers. During the Japanese Occupation, the Japanese depended on them to run the administration of the country.

### 3. British Policy towards the Malay *Rakyat*, Chinese and Indians

The British, although generally very astute, had a wrong perception of the ordinary Malay who was initially believed to be traditionally a peasant whereas the Malays were very much a maritime people. In the past, they were known as *orang laut* (literally 'sea people' but often described as 'sea nomads'). The British in India had provided English education to the locals and the English-educated increasingly turned against the British. Frank Swettenham, regarded as an authority on the Malays, and who had a major influence on Colonial Office policy, declared before the turn of the 20<sup>th</sup> century that "We do not want the Malays to be like the Bengali Baboos." It was decided that the Malay *rakyat* should be entrusted with one very important task - the production of food (planting *padi*) - but there was no need for them to be educated in English.

Over the years, reports on the Malays indicated that they were, if left on their own, unlikely to change. They preferred the security of their own *kampung*. They could not fit into the environment of the tin mines dominated by the Chinese. And when rubber became an increasingly important commodity by the early 20<sup>th</sup> century, they preferred to establish rubber smallholdings rather than work in the foreign-owned plantations. The British were unaware that because the Malays had been traditionally traders rather than peasants, they were unwilling to become *padi* planters because the returns were extremely poor. As a result, when the British introduced *padi*-growing schemes, the Malays refused to participate and the Banjarese (from Kalimantan) were imported to work in the schemes. Three places where there are still large concentrations of Banjarese till today are Krian (North Perak), Sungai Manik (Lower Perak), and Tanjong Karang (Selangor) where there had been government *padi* schemes.

Chinese domination of tin mining did not begin from the time of British intervention in the Malay kingdoms. It began in the early part of the 19<sup>th</sup> century, endorsed by the rulers. At first the Chinese entrepreneurs (Straits Chinese) obtained permission from the Malay rulers to work the mines. By the 1830s, they were able to obtain land concessions from the rulers. But civil wars and secret society disturbances often disrupted mining activities. British intervention brought stability and mining activities flourished. But the Chinese labourers were brought from China by Chinese entrepreneurs and not the British.

In the case of the Indians, the early migrants were traders. In Perak in the 18<sup>th</sup> century, some of them were appointed agents of the rulers (*saudagar Raja*). But most of the early Indian traders converged on Melaka and Penang: in the case of Melaka, as early as the days of the Sultanate.

The Tamil labourers were brought in by the plantations when first sugar, then coffee and later rubber flourished. They were mainly Tamils of the peasant class and therefore had experience in cultivation in India. The European rubber plantations were well managed.

Quarters were built for the labourers and there were hospitals and Tamil schools. An agent from India periodically visited the country to report on the conditions of the labourers. Some of the children from the estates located near urban areas, however, were able to gain admission into English schools run by Catholic and Methodist missions. The English-educated did not continue to work in the estates.

Until the outbreak of WW II, the Indians, and to some extent the Chinese too, had intentions of returning to their homelands. Many of the local Chinese were particularly active in China's politics. When China became a Republic after the Revolution of 1911, branches of China's Nationalist Party (Kuomintang) were formed in many Malayan towns. First anarchism and then communism came to Malaya from China and spread among the Chinese. The communism that came from Indonesia found its adherents only among Malays of Indonesian origins.

The social structure of the local society unavoidably changed as more and more people came from outside. Based on the 1931 Census, it was evident that the non Malay population, with Singapore's population included, had out-numbered the Malay population. By then, there were educated Malays who understood the long-term implications and were afraid that the Malays might be displaced in their own country. The first group to warn the Malays was a reformist Islamic group, known as the *Kaum Muda* (Young Cohorts). They published in 1905 a newspaper, based in Singapore, called *Al-Imam* which called on the Malays to exert themselves to keep abreast of the non Malays. They also began to establish modern schools called *madrrasah* in order to keep pace with the English-medium schools. The first school - the Madrasah Al-Iqbal - was founded in Singapore in 1908.

By the 1920s, Malay writers too had begun to take up the issue. At first, the fear of non Malay domination influenced the Malays to distance themselves from non Malay Muslims too. In Singapore, membership of the Singapore Malay Union, founded in 1926, was open to only Malays but not Indian Muslims or Arabs. On the eve of WW II, the Union produced the *Utusan Melayu* with Malay capital. The Penang Malay Association, formed by mainly Indian Muslims, in 1927, was not invited when the Malays held their first All-Malaya Congress in 1939 in Kuala Lumpur.

The Census Reports of 1921 and 1931 show that, in the eyes of the British, a distinction was made between 'Malays' and persons who were native to what was then called the Netherlands East Indies or NEI (now Indonesia). To the local Malays, a general term used to describe those from the NEI was *orang seberang* (those from across the sea). The British administration gave priority to Malays in the subordinate civil service; those who were recent arrivals from the NEI did not enjoy the same privileges. They were not deemed to be subjects of the rulers. In the Census Report of 1931, they were referred to as "Other Malays".

British protection of the Malays continued in the course of its administration in the Malay Peninsula. When the rubber boom of 1910 resulted in foreign entrepreneurs rapidly buying up land to open up plantations, the British stepped in and passed the Malay Land Reservation Enactment in 1913. It was at that juncture that the term 'Malay' was defined for the first time: (i) A Malay must be a Muslim; (ii) speaks Malay habitually, and (iii) practises Malay customs. Land within the Reservation could not be transacted except among the Malays.

The British did not totally neglect the other communities. A major change was introduced after WW I. Previously, from the time of the formation of the State Councils, beginning from

the 1870s, apart from members of the aristocracy as well as *ex officio* members, all others appointed to sit in any representative body were chosen based on their participation in commercial undertakings of which only two were deemed to be of singular importance: mining and plantation agriculture. A Chinese member always represented mining and a European member, agriculture. After WW I, the British decided to appoint members based on their ethnic belonging so that no single group would be neglected. In the Straits Legislative Council, even Eurasians were represented. But there was dissatisfaction later on when the British appointed a Ceylonese to represent the Indians in the State Councils. The Indians then formed, in 1936, the Central Indian Association of Malaya (CIAM) to fight for their rights.

#### 4. Towards the Formation of a Nation State

Further complications arose after the country had been occupied by the Japanese (February 1942 - August 1945). During the war years, Britain decided that there ought to be constitutional changes introduced in Malaya. Administratively, there had been some progress made towards the unification of the Malay kingdoms. The Federated Malay States of 1896 (comprising Perak, Selangor, Pahang and Negeri Sembilan) was the first step. However, attempts to persuade the rulers from the other kingdoms to participate in a broader federation turned out to be futile which indeed is evidence that, legally, sovereignty continued to rest in the rulers despite the presence of the British administration.

By 1943, the British were ready to introduce new and drastic constitutional changes. It was then universally the trend for new nation states to be formed. But Malaya (until then merely a term of convenience) was unusually complex. There were nine sovereign Malay kingdoms as well as a British Crown Colony (the Straits Settlements). One of the crucial questions to be settled was the position of the non Malays some of whom, viz., those born in the Straits Settlements, were British subjects then and therefore entitled to British protection. The British arrived at the idea of a Malayan Union where all who were citizens would enjoy equal rights. Once again, they had to obtain the consent of the rulers to form the Union but again found some of the rulers unwilling to give their consent. This time, the British resorted to coercion.

They decided, under the Union scheme, to withdraw sovereignty from the rulers in order to create a society which would allow equal citizenship. This alarmed the Malays despite the fact that Singapore was deliberately left out of the proposed Union to ensure that the non Malay population would not exceed the Malay population. In particular, without the protection of the rulers, the Malays felt that there was no guarantee that they would not be displaced in their own country.

The Union was implemented on 1 April 1946 despite Malay protests. But the inauguration of the Union was boycotted by the rulers. The British finally succumbed. A move was made to review the proposed constitutional changes. They negotiated with the rulers and the United Malays National Organization (UMNO) which had been formed a little earlier to oppose the Union. This was consistent with the British resolution to preserve the integrity of Malay society which comprised the ruling class and the subject class. UMNO was deemed to represent the Malay *rakyat*. Although by then there already existed another Malay party – the Malay Nationalist Party (*Partai Kebangsaan Melayu Malaya*) which

was formed a little earlier than UMNO — the British did not include them in the negotiations because the MNP was founded by a Sumatran communist - Mokhtarrudin Lasso - and its membership comprised largely Malays who belonged to the “Other Malays” category.

On 1 Feb. 1948, the Federation of Malaya was inaugurated. This in effect revived the sovereign position of the Malay rulers and it also meant *ipso facto* the continuation of the privileged position of the Malays. Local-born non Malays, however, were allowed to apply for citizenship. They could choose to be subjects of the rulers (depending on where they were born) or they could become federal citizens, provided their parents were local-born or were British subjects.

The ground was laid for the establishment of a new nation-state. More attempts were made by the British to unite those who would become citizens. A Communities Liaison Committee was formed in early 1949 under the chairmanship of E.E.C. Thuraisingham and the Barnes Committee, formed about a year later, made recommendations for the establishment of ‘national’ schools with Malay and English as the main media of instruction. The abolition of vernacular schools was to follow. But the Chinese objected and the vernacular schools were allowed to continue after another committee (the Fenn-Wu committee) had endorsed them.

By the mid-1950s, the formation of Malaya as a nation-state had become *fait accompli*. A Member (similar to a Cabinet) System had been introduced in 1951 and Federal elections were held for the first time in 1955 (preceded by state elections) after which the Reid Commission drew up the proposed constitution for a new Malayan nation. Significantly, in the constitution, the special position of the Malays was reiterated. This in effect meant that the elected government had to oversee the welfare of the Malays. After the formation of Malaysia in September 1963, the indigenous people of Sabah and Sarawak were given the same privileges as the Malays.

Article 153 of the Constitution deals with the “Reservation of quotas in respect of services, permits, etc., for Malays and natives of any of the States of Sabah and Sarawak”. The task of protecting the interests of the Malays and the natives of Sarawak and Sabah is entrusted to the *Yang di-Pertuan Agong*. It is, for instance, stated specifically that:

- (5) The *Yang di-Pertuan Agong* may, in order to ensure in accordance with Clause (2) the reservation to Malays and natives of any of the States of Sabah and Sarawak of positions in the public service and of scholarships, exhibitions and other educational or training privileges or special facilities, give such general directions as may be required for that purpose to any Commission to which Part X applies or to any authority charged with responsibility for the grant of such scholarships, exhibitions, or other educational or training privileges or special facilities, and the Commission or authority shall duly comply with the directions.
- (6) Where by existing federal law a permit or licence is required for the operation of any trade or business, the *Yang di-Pertuan Agong* may exercise his functions under that law in such manner, or give such general directions to any authority charged under that law with the grant of such permits or licences, as may be required to ensure the reservation of such proportion of such permits or licences for Malays and natives of any of the States of Sabah and Sarawak as the *Yang di-Pertuan Agong* may deem reasonable; and the authority shall duly comply with the directions.

It is stated in Clause (2) of Article 153 that: "...the *Yang di-Pertuan Agong* shall exercise his functions under this Constitution and federal law in such manner as may be necessary to safeguard the special position of the Malays and natives of any of the States of Sabah and Sarawak and to ensure the reservation for Malays and natives of any of the States of Sabah and Sarawak of such proportion as he may deem reasonable of positions in the public service (other than the public service of a State) and of scholarships, exhibitions and other similar educational or training privileges or special facilities given or accorded by the Federal Government and, when any permit or licence for the operation of any trade or business is required by federal law, then, subject to the provisions of that law and this Article, of such permits and licences."

But it is also stated as a follow up that:

- (7) Nothing in this Article shall operate to deprive or authorise the deprivation of any person of any right, privilege, permit or licence accrued to or enjoyed or held by him or to authorise a refusal to grant to the heirs, successors or assigns of a person any permit or licence when the renewal or grant might reasonably be expected in the ordinary course of events.

The government elected after the establishment of a new nation-state in August 1957 was the Alliance - a coalition of three ethnic parties: the UMNO, the Malayan Chinese Association (MCA) and the Malayan Indian Association (MIC). The leaders of the three parties were English-educated and shared basically a philosophy of accommodation.

The idea of the Alliance was in fact first mooted by two persons, Ong Yoke Lin and Dato Yahya Razak (one from the MCA and the other from the UMNO) who had been classmates at the Victoria Institution, Kuala Lumpur. It was after the UMNO-MCA coalition had defeated the IMP-MIC coalition in the Kuala Lumpur Municipality elections in 1952 that subsequent discussions involving the leaders of UMNO and MCA took place. And it was not until 1954 that the MIC (a party originally based on ideology) decided to join the Alliance. At that juncture, the ordinary members acquiesced. But the ethnic walls separating the people at the grass roots remained firm. Ethnicity stems from emotion more than from the mind. Basically, at the political arena, disagreements have continued to revolve around the special privileges enjoyed by the Malays.

In 1956, another attempt was made to try to bring forth a united Malayan nation. Under Dato' Abdul Razak (later Tun), a committee was set up to create an education system which would prepare the young to become patriotic and loyal citizens. Known as the Razak Report, it stated that the main objective of the country's education policy was national unity. It was not very different from the proposals of the Barnes' Report. Although it was decided that the government would promote only national schools (using Malay as the sole medium of instruction) or national-type schools (not unlike the previous vernacular schools), private vernacular schools could continue to exist. English, as the medium of instruction, would eventually be replaced by Malay.

Another problem which had to be addressed was the economic status of the major ethnic groups. The Malays had long viewed with discomfort the existence of a wealthy class of non Malays. In earlier days, there was a tendency to link those from a particular

ethnic group with particular undertakings or forms of employment. The Chinese were seen as businessmen. The Indians were seen as doctors or lawyers or labourers. In the urban areas, generally, the ordinary Malays were perceived as teachers, clerks, postmen, office boys or gardeners.

Not many non Malays in the past were fully aware of the existence of the Malay royalty and aristocracy as a class. In this respect, the government did not greatly depart from the previous policies. Preference for the Malays in the higher administrative service continued. Malays were therefore given scholarships to study in the University of Malaya, established in 1949, so that they could easily replace the British officers when the Malayisation policy was implemented.

In politics, although the Alliance had proved generally superior, it had to face serious challenges from the Pan-Malayan Islamic Party and the Socialist Front. In the early 1960s, a serious attempt was made to turn the Alliance into a single party when what was called ADMO (Alliance Direct Membership Organisation) was initiated with the idea of allowing those who wanted to be members of the Alliance to join without having to become first members of any one of the three parties. ADMO, however, never took off.

When ethnic riots broke out in 1969, caused largely by Singapore's 'Malaysian Malaysia' campaign of the mid-1960s, the leaders of the UMNO thought that perhaps if the economic position of the Malays - the upper middle class - could be uplifted to be on par with that of the non Malays who clearly dominated the private sector, future confrontation could be avoided. Thus was born the idea of the NEP. To implement the NEP, the government derived its authority from Article 153 of the Constitution. However, the NEP was also intended generally to eradicate poverty among all Malaysians.

## **5. The Contemporary Scenario**

The NEP had hoped to level the playing field within a period of 30 years. In 1991, after a review it became known as the National Development Policy (NDP) and after a subsequent review in 2001, the National Vision Policy (NVP). But substantially, the policy remained the same. Although the NEP/NDP/NVP has undoubtedly uplifted the position of many Malays, especially the upper middle class, according to recent official reports, it has not achieved its target. However, there has been a noticeable difference. Previously, there were few Malay millionaires in the country but since the implementation of the NEP/NDP/NVP, Malay millionaires are no longer rare.

A major step taken in the implementation of the NEP was the establishment of several Government-linked Companies (GLCs). These have been defined as Federal Government linked investment companies that allocate some or all of their funds to GLC investments. The government also appoints Board members and senior management staff and has them reporting directly to the government as well as provides funds for operations and/or guarantee capital (and some income) placed by unit holders. Some of the statutory bodies such as the Employees' Provident Fund and the Retirement Fund Incorporated have been turned into GLCs.

The NEP/NDP/NVP is indeed a continuation of the pro-Malay policy introduced since the days of the British administration. In the past, the policy was confined almost solely to the recruitment of more Malays into the public services. This policy has continued but the

NEP/ND/NVP has since launched Malays into the private sector and also produced (supplementing the Queen's Scholarships) numerous well-educated Malays who are graduates of some of the finest universities in the world.

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