ABSTRACT

The Police and Political Development in Malaysia: Change, Continuity and Institution-Building of a "Coercive" Apparatus in a Developing, Ethnically Divided Society

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How do governments sustain authority in polities segmented in terms of ethnic compartments, threatened by violent challenges to established order, and divided by the circumstances of geography? As applied to Malaysia, and its precursor form Malaya, this question appears central to an understanding of its political development. The answer to the question, of which this thesis is the result, is that it is best explained by examining the role of the police. The core of the thesis then examines the pattern and problems of institution-building of the police as a national instrument and authoritative structure of government.

The spread of law and order in the form of a police system (meaning both machinery and the system of laws) corresponds to the consolidation of central regime rule in Malaysia in both British and post-British times, but although a unique police doctrine in terms of organization and operation may be said to have successfully evolved, its development has been characterized by much experimentation and is the child of many mistakes. Chapters Two and Three examine the development of the police and the principles underlying its pan-country structure. Although the police is regarded as an inveterate authoritative structure of government highly successful in overcoming violent threats to the regime, nonetheless it is an organization in a state of flux, torn by an inability for steady consolidation as well as overburdened with complex and sometimes conflicting missions.

Apart from close adherence in organization to principles, the police institution enjoys a sense of corporatism in the sense of its national mission, highly buttressed by the nature of its training, leadership and the values of its officer corps, and the treatment of its members ("welfare"). Although a British legacy, indigenous control of the police has signified no real change and therefore a continuity in the nature of the institution. The dynamics of this aspect of institution-building are examined in Chapter Four.

As a "national" institution, the major problem of the police organization has been in the spheres of the nature of its mission and its composition, both of which are inter-related and are colored by the ethnic and geographic cleavages of the country. Related to these has been the nature of the "indigenization" of the Force, both when Malaya
moved into independence in 1957, and later with the amalgamation of Malaya with Sabah and Sarawak at and after the formation of Malaysia. The former aspect of indigenization was Malayanization (the replacement of British officers with indigenes), and the latter refers to Borneonization which was complicated by the fear that it meant Malayanization. The ethnic and indigenous aspects of this facet of police institution-building are discussed in Chapter Five.

A central theme that emerges is that the police has been developed because of the priority accorded it by the ruling Malay elites as a highly legitimate instrument of central state-rule, reinforced by the fact that the overwhelmingly "Malay" police played a critical role in overcoming the largely Chinese communist insurrection of 1948-60. Concomitant with a commitment to the rule of law and less reliance on the police as an instrument of "coercion" -- a British legacy adopted by the indigenous inheritors of power -- the police are perceived as "non-threatening" to the non-Malays but certainly one which assures the protection, if need be, of Malay interests in an ethnically divided society. In addition, that the police is a national instrument has contributed to the state-building capacity of the regime in terms of penetration of a law and order infrastructure, thus enabling the rule of law to prevail as well as the imperative of a strong central government.

Thesis Advisor: Lucian W. Pye
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I owe a special debt of gratitude to the officers and men, serving and retired, of the Royal Malaysia Police and its precursor organizations for their cooperation, help and kind hospitality in the course of research. In a large sense this is their story, although several will probably disagree with some of my story-telling. But, whether over pheasant dinner in a Scottish manor, sipping mango juice in the officers' mess at Kuala Kubu Bharu or over coffee in an office -- to name but only a few delights of field-work -- those I have interviewed, including civilians as listed in Appendix A, have shown an openness and candor which have served to facilitate this research enterprise. It is not possible here to thank each respondent individually but a special note of thanks must be made to YB Tan Sri Haniff Omar, YB Tan Sri Mahmood Yunus, YB Tan Sri Ariff Dârus, YB Tan Sri Claude Fenner, H. R. Middleton and P. B. G. Waller.

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Given the help of so many people, it only remains to be said that the shortcoming and errors arising from the thesis are entirely mine.
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<td>ACP</td>
<td>Assistant Commissioner of Police</td>
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<td>Auxiliary Police</td>
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<td>ASP</td>
<td>Assistant Superintendent of Police</td>
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<td>ASU</td>
<td>Area Security Unit</td>
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<td>CID</td>
<td>Criminal Investigation Department</td>
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<td>CORDS</td>
<td>Civil Operations and Revolutionary Development Support</td>
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<td>CP</td>
<td>Commissioner of Police</td>
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<td>CPC</td>
<td>Criminal Procedure Code</td>
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<td>CPO</td>
<td>Chief Police Officer</td>
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<td>CRO</td>
<td>Criminal Records Office</td>
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<tr>
<td>CT</td>
<td>Communist Terrorist</td>
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<tr>
<td>CTO</td>
<td>Communist Terrorist Organization</td>
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<td>CWEC</td>
<td>Circle War Executive Committee</td>
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<tr>
<td>DCP</td>
<td>Deputy Commissioner of Police</td>
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<tr>
<td>DIGP</td>
<td>Deputy Inspector-General of Police (TKPN-Timbalan Ketua Polis Negara)</td>
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<tr>
<td>D of O</td>
<td>Director of Operations</td>
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<tr>
<td>DO</td>
<td>District Officer</td>
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<td>DSB</td>
<td>Director Special Branch</td>
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<td>DSP</td>
<td>Deputy Superintendent of Police</td>
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<td>DWEC</td>
<td>District War Executive Committee</td>
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<tr>
<td>EPC</td>
<td>Extra Police Constable</td>
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<td>FEO</td>
<td>Federal Establishment Office (now PSD or JPA - Public Services Department [Jabatan Perkhidmatan Awam])</td>
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<tr>
<td>FMSPF</td>
<td>Federated Malay States Police Force</td>
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<td>FRU</td>
<td>Federal Reserve Unit</td>
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<tr>
<td>GD</td>
<td>General Duties</td>
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<tr>
<td>GO</td>
<td>Gazetted Officer</td>
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<tr>
<td>HSB</td>
<td>Head Special Branch</td>
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<tr>
<td>IGP</td>
<td>Inspector-General of Police (KPN-Ketua Polis Negara); also referred to as &quot;IG&quot;.</td>
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<td>IO</td>
<td>Investigating Officer</td>
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<td>IP</td>
<td>Investigation Paper</td>
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<td>IPS</td>
<td>Indian Police Service</td>
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<td>Jr. ADA</td>
<td>Junior Advanced Police Duties and Administration</td>
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<td>JMBRAS</td>
<td>Journal of the Malayan Branch of the Royal Asiatic Society</td>
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<td>MAS</td>
<td>Malay Administrative Service</td>
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<tr>
<td>MCA</td>
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<tr>
<td>MCP(CPM)</td>
<td>Malayan Communist Party (Communist Party of Malaya)</td>
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<tr>
<td>MCS</td>
<td>Malay(si)an Civil Service</td>
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<tr>
<td>MPAJA</td>
<td>Malayan People's Anti-Japanese Army</td>
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<tr>
<td>MPM</td>
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<td>MSS</td>
<td>Malayan Security Service</td>
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<tr>
<td>NBAC</td>
<td>North Borneo Armed Constabulary</td>
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<tr>
<td>NBPF</td>
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<tr>
<td>OCCI</td>
<td>Officer-in-Charge of Criminal Investigation</td>
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<td>OCPD</td>
<td>Officer-in-Charge of Police District</td>
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<td>OCS</td>
<td>Officer-in-Charge of Station</td>
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<tr>
<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>OSPC</td>
<td>Officer Superintending Police Circle</td>
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<td>PI</td>
<td>Probationary Inspector</td>
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<tr>
<td>PIB</td>
<td>Political Intelligence Bureau</td>
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<tr>
<td>PO</td>
<td>Public Order</td>
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<tr>
<td>PSD</td>
<td>Public Safety Division, CORDS</td>
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<tr>
<td>PSSG</td>
<td>Police Special Service Group</td>
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<tr>
<td>PVR</td>
<td>Police Volunteer Reserve</td>
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<tr>
<td>R/F</td>
<td>Rank-and-File</td>
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<tr>
<td>RMP</td>
<td>Royal Malaysia Police</td>
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<td>SACP</td>
<td>Senior Assistant Commissioner of Police (also called &quot;SAC&quot;)</td>
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<td>Sr. ADA</td>
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<tr>
<td>SB</td>
<td>Special Branch</td>
</tr>
<tr>
<td>SC</td>
<td>Special Constabulary</td>
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<td>SEP</td>
<td>Surrendered Enemy Personnel</td>
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<tr>
<td>SOVF</td>
<td>Special Operations Volunteer Force</td>
</tr>
<tr>
<td>SPF</td>
<td>Singapore Police Force</td>
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<tr>
<td>SPO</td>
<td>Subordinate Police Officer or Superior Police Officer [as in 1952 Police Ordinance]</td>
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<tr>
<td></td>
<td>Senior Police Officer [as in 1967 Police Act]</td>
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<tr>
<td>SSPF</td>
<td>Straits Settlements Police Force</td>
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<td>SWEC</td>
<td>State War Executive Committee</td>
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<td>UFMS</td>
<td>Unfederated Malay States</td>
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As the results of this study were being written, the Royal Malaysia Police is once again switching from a peacetime to a 'wartime' footing -- already batches of senior police officers who have never tasted the bite of anti-terrorist operations are being acquainted and trained in the art and mechanics of search procedures and counterinsurgency operations by their experienced counterparts who, interestingly enough, first learned these skills in the early phases of the Malayan Emergency (1948-60). The 'success' of the Malaysian police in combatting the first real communist insurrection in Southeast Asia is well known enough, but it is significant that when that problem arose, the Force had had no previous experience with terrorism -- as Gray, the then Commissioner noted, "it was or had been a splendid, ceremonial police force with simple traffic and crime problems."

Just as the police response to the security challenge was significant to both the organization and the country, so was the social and political environment it operated in, and the following analysis is an attempt to relate the interplay of these factors and its ramifications in terms of Malaysian political development. Major limitations of time and research have, however, delimited this study to a concentration of the institution-building process of the Malaysian police over a twenty-two year period -- from 1945 to 1967 -- albeit this did not preclude analysis outside of these time parameters. Nonetheless, within the period covered, that is from the reestablishment of British authority with the collapse of Japan
in 1945 till the promulgation of the 1967 Police Act comprehensive to the whole of Malaysia, has occurred some of the most important social and political processes in the country as decolonization, the emergence and flowering of modern politics, the transition to Merdeka and the incorporation of the 'new' territories of Sabah (North Borneo), Sarawak and Singapore with Malaya to form the larger Federation of Malaysia, not to mention the very salient backdrop of ethnic relations against which all these events took place.

Interest in this subject was first sparked in 1972 by this writer having to supervise a Diploma in Public Administration Project Paper on the Malaysian police whilst serving as a lecturer in the Faculty of Economics and Administration at the University of Malaya. It was then patently recognized that no academic study had been conducted on the Malaysian police institution, despite the fact of its societal importance, and the effort here represents an attempt to rectify the neglect. Although interest in the subject is no doubt fueled by the writer's own family background of police experience, and which has been an asset in the research, a partisan stand that may be detected in the study is simply borne by impressions gained in the course of analysis.

The exercise of the temporal constraint has consequently affected the coverage of the study as to seemingly neglect the indigenous inputs and certain organizational changes in the RMP as the Salleh policing system, the post-70's streamlining of the Headquarters establishment, the impact on the Force of the 1969 racial riots in Kuala Lumpur and the ongoing "integration" of the Sarawak and Sabah components within the federal police
set-up. However, it became increasingly apparent that information became less forthcoming and less available the more recent the period, and thus for this reason as well as in the interest of more thorough research that the time parameters have been adhered to. Moreover, on a higher plane, the more recent developments do not in any way constitute a vitiation of the propositions outlined in this study, namely that the sustenance of authority in Malaysian political development has been a function of the existence of a police machinery enabling the rule of law to prevail and the imperative of a strong central government.

It should be evident that this study is less a descriptive 'reconstruction' of Malaysian police institution-building as a hermeneutic appraisal of that process and pattern in Malaysian political development. The methodenstreit employed for analysis combines history with social science techniques: apart from documents and other published sources, elite interviews were conducted with various police and civilian persons. Rather than employ existing theory of organizations for appraisal of the police force's 'success' in Malaysia, the factors that are deemed salient and explanatory have been selected from the data collected. This was not pursued by rejecting extant thinking on organizational efficiency and effectiveness -- in fact the literature was consulted for heuristic purposes -- but rather in recognition of the special circumstances of the case. There were no real or available criteria by which one could have measured the efficacy of the police role in Malaysia since the tasks and functions it performed are extraordinary and unique in almost every sense. Thus, this study is more characterological and holistic in approach than may be expected.
The following caveats and observations are also in order as they do impose the conditions restricting or permitting a more exhaustive analysis.

First, British records on Malaysia for the post-1946 era housed in London are still embargoed and will only be released, on a consecutive annual basis, after a 30-year lapse -- that is beginning from 1976 onwards, and clearly beyond the time possibilities of this research enterprise at the time it was carried out. Moreover, some of these records, especially those classified "Top Secret" will remain unopened for a 50-year period. In Malaysia itself, access to internal police documents was never actually gained for a variety of reasons which need not be disclosed. Fortunately, nonetheless, files and papers have the "queer habit of appearing" in unclassified material and other sources and thus, by serendipity, the main methodological thrust of this undertaking has not been seriously impaired.

Second, although every attempt had been made to interview all the major personalities -- police and civilian -- connected with Malaysian police institution-building (a list of persons interviewed is appended in Appendix A), several key figures were not interviewed as they were no longer alive during the period of field research. This is salient insofar as evidences of undocumented information are now lost forever. The list in Appendix A is not a random sample of the police officer corps, but including non-police personalities represents those who have or have had a key hand in policy questions and decisions affecting the police. Except for a very small number that did not respond to being interviewed in the first place, the "willingness to talk" from these respondents has been, on
the whole, excellent. It may also be noted that major police establishments were visited in the field to capture a sense of the environment of police operations.

Third, although the police institution is analyzed, certain aspects of the organization have been omitted from analysis. These include the police clerical establishment, problems of the rank-and-file, various facets of police organizational development as traffic jurisdiction, signals and transport functions, logistics, supply and financial matters, etc. Although some of these aspects are discussed in relevant areas, they have not been included in the scope of the inquiry. In actual fact, inasmuch as the study is judgmental in the sense of analyzing the more salient issues of police institution-building, omissions have been necessary in the interest of parsimony and relevance. The actual organization of the study as laid out in the chapter headings has been 'topical' rather than a continuous description of history, and for this reason certain portions may appear repetitive even if such occurrences have been minimised. Indeed, throughout the research, a middle path has had to be steered to avoid what Pye has described as "the great expanses of truism and of trivia... the empty wastes of generalities or the dense details of the specific."¹

Fourth, although Singapore was part of the Malaysian Federation from 1963 to 1965, discussion is omitted because data was not available. Where possible, and germane, however, Singapore's role in over-all Malaysian police institution-building is mentioned. Discussion on Sabah and Sarawak permeates the relevant portions, but at the same time the "Malayan police experience" would seem to predominate the analysis, as after all, the
Malayan model has been explicitly chosen, in institution-building terms, as the basis for Malaysia's policing system.

Finally, it needs be noted that the two-stage process of Malaysia's political development, that is from Malaya to Malaysia as well as official changes in reference to place-names, has made cumbersome the use of the terms "Malaya," "the States of Malaya," "Peninsular Malaysia," "West Malaysia" and "East Malaysia." For example, up to 1966 the police force in Malaya was referred as the "States of Malaya" component but was later changed to Semananjung or "peninsular" component. Inasmuch as this study is historical, the terms as used have not been changed so as to reflect its usage at that particular time-period the analysis refers to. The term "Force" from the term "police force" has also been used in spite of its odious connotations. Usage of the term is simply in keeping in practice as is employed in the Police Act [T967].
NOTES

CHAPTER I
THE POLICE AND POLITICAL DEVELOPMENT IN MALAYSIA: AN INTRODUCTION
"Next year our country will be passing through the greatest of its constitutional changes. This advance could not have been contemplated if there had not already been in existence institutions which would maintain the rule of law and the authority of the Government. In the problems which independence will bring, the Government and the people know that the police will show the same steadfastness and devotion to duty which have distinguished their service in the past."

-- Chief Minister Tunku Abdul Rahman, Message to the Police, on the eve of Malaya's independence

"The most important lesson that can be learnt from my experience of internal disturbances is that the whole structure of Government and the activities of all departments within that structure may depend for their adequate functioning, and even for their existence, upon the efficiency and strength of the Police."

"...The combatting of subversive propaganda, intimidation, extortion, sabotage and armed terrorism is primarily a police task and this needs to be clearly understood by the police and armed forces."

-- Sir Henry Gurney, High Commissioner, Malaya, 1948-51.

"It is only when one views the peace and tranquillity of Malaya within the context of the upheavals prevailing in Asia as a whole that one begins to appreciate the true value of the police contribution to the economic and political progress and stability in this country where, for example, free elections are consistently held smoothly and without serious incident."

-- Police document for the Government's attention, Malaysia, 1965
A study of the police force of Malaysia, or as it is more usually referred, the Royal Malaysia Police (RMP), may be justified for no other reason than that there has virtually been no analysis of this public service of the Federation.¹ In his important doctoral study of the Public Services of the Federation of Malaya, Robert Tilman noted that the Police Service was (and is) numerically a large portion of the bureaucracy but nonetheless excluded it from analysis by saying:

"..., it could well be argued that its particularized function in the state would normally render its inclusion unimportant in a study of the bureaucracy of a democratic government."²

Such a statement only serves to indicate the lack of understanding of the importance and role of a national police force in modern society, especially in terms of the maintenance of law and order and security. Indeed, the converse of Tilman's argument occurred in Malaya, and later, Malaysia: the development of the police capability as a central institution has ensured law and order and which in turn facilitated the functioning of democratic government and regime authority in a society segmented in terms of ethnic compartments, threatened by violent challenges to established order and divided by the circumstances of geography.

The aim of this chapter is to put this study in perspective by looking at the problem it addresses and how it applies to Malaysia. Although the bulk of the study concentrates on the pattern and problems of police institution-building, it must be specified at the outset that the analysis predicates as a major problem of political development in most 'new' societies the creation and sustenance of authority, and holds as a central assumption that the police institution as developed in Malaysia has been a
prime factor for that country's comparative success in governmental performance. This chapter also includes an exposition on the role of police in society and a brief description of the chapters that follow.

Before proceeding, some remarks are in order on the terms as utilized in this study.

Terminology

As the main focus of this study is on the development of the RMP qua institution -- "institution-building" -- this term requires clarification. By definition, "institution-building" is nonteleological and ergo an ongoing process. Such a process at the same time, however, does not preclude the possibility of stagnation, which, if continues indefinitely, will metamorphose as "institution-destroying." History is replete with examples of the building (more commonly referred as "rise" and "emergence") and destroying ("decay") of institutions. Indeed, odd as it may sound, building and destroying may occur simultaneously, that is in the sense that the seeds of stagnation may be implanted at or during the emergence of an institution.

The term "institution-building" does not of course mean there cannot be institutions -- we are referring to the state or level of institutions and hence there are well-developed or underdeveloped institutions as the case may be. In this respect, Braibanti's definition is most useful: "institutions are patterns of recurring acts structured to condition behavior of their members both within the institution and in its relationship with other units of the social system and to project a force in the social
system in terms of ethos or action." This definition should also indicate that institutions are more than mere organizations.

The level of institutions may be observed along two dimensions, namely capability and complexity. By 'capability' is meant the way a unit performs in its environment; thus when we discuss the police capability in Malaysia, we are referring to the RMP's ability to perform its missions. The more or better its capability, the higher the development of an institution. Complexity, on the other hand, refers to the differentiation and specialization of the institution as, for example, when it acquires new roles or develops new sub-sets of roles.

The differences between "institution-building" and "institutionalization" are very slight but it should be clear that the former denotes a conscious element and intent whereas the latter may be 'accidental.' For our purposes, measurement of institution-building is according to the goals that are established for the institution, that is, the extent to which these goals are attained. These goals need not be written ones -- what is important in any consideration of institution-building are the desired ends by the institution-builders. Finally, it will be useful to analyze any institution-building effort in phases or stages, as they demarcate periods of stress and change in emphasis in the process.

A discussion of police organization, or more properly institution, is incomplete without considering the term "police system." This denotes not only the way it is organized and its mode of policing, but also the legal or social system in which the police operates. The police are charged with enforcing the law and maintaining order so as to regulate social
relations and hence are armed not only with weapons (if need be) but perhaps more importantly, with the legislation to enforce the law. Indeed, a police organization cannot operate well as a public service if it does not have a legal system in which to operate. The more a police organization operates within this framework of the law the higher the level of its institutional development. A police system then, includes both the framework of police operations which permit the rule of law to prevail and the internal rules of organization that are necessary to its functioning. Thus, unless otherwise stated, whenever we discuss police organization or institution, we are also including the ambit of legislation in which it operates, that is, there is an interchangeability of terms between "police organization," "police institution" and "police system."

Although the police is regarded as an institution, specification of what the police is and what constitutes the 'police' is not as easy as it may seem. Different police forces may perform similar or different functions; even within the same country some police duties may be carried out by organizations other than the police, or, police may perform duties not normally pertinent to policing, such as immigration and prison duties. David Bayley's definition of police is most useful: "A police force is an organization authorized by a collectivity to regulate social relations within itself by utilizing, if need be, physical force." This definition fits well with the mandate of the Royal Malaysia Police, as stipulated by statute in the Police Act of 1967 (and indeed of all preceding police legislation):

"The Force shall subject to the provisions of this Act be employed in and throughout the Federation (including the territorial waters thereof) for the maintenance of
law and order, the preservation of the peace and security of the Federation, the prevention and detection of crime, the apprehension and prosecution of offenders and the collection of security intelligence." [Part III:3]

Also, in Malaysia there is only one unit known as "police" which is organized on a nation-wide basis; although there are separate territorial formations and functional commands, these come under one central authority and hence there is no equivalent case of separate -- and rival -- police organizations such as the Corps de Carabinieri and the Guardia de Publica Sicurezza (P.S.) as found in Italy. It needs be noted, too, that the definition of police as used in this study connotes a 'coercive' instrument of state, that is, an instrument which may legitimately employ force to control behavior in the regulation of public liberties. 8 Although armies are also a coercive instrument, their mandate is normally external, whereas that of the police is internal. 9

Political development is a term that is used commonly throughout this study as would seem to imply a "looseness" in its meaning. As applied to Malaysia it may very well refer to the process of the gaining of self-determination or independence from British colonial rule for Malaya in 1957 and later the merger of the territories of Malaya, Sabah (North Borneo), Sarawak and Singapore to form the Federation of Malaysia in 1963. 10 Rather than attempt a composite definition drawn from the conceptions of various writers on the subject, but at the same time to achieve an element of rigor, the Almond and Powell 11 notion of political development is heuristically employed here. According to this conceptualization, political development refers to problems of state-building, nation-building, participation and distribution. 12
State-building "occurs when the political elite creates new structures and organizations designed to 'penetrate' the society in order to regulate behavior in it and draw a larger volume of resources from it. It is related to the development of a centralized and penetrative bureaucracy,"\(^{13}\) whilst nation-building is a "process whereby people transfer their commitment and loyalty from smaller tribes, villages and larger principalities to the larger central political system."\(^{14}\) Participation "has to do with rapid increases in the volume and intensity of demands for a share in the decision-making of the political system by various groups and strata in a domestic society,"\(^{15}\) and distribution relates to "control over values among different elements of the population."\(^{16}\) Because this study is focused on the police, the first two problems of political development may appear more relevant; however, as will be evident from the discussion on the police role as well as the remainder of the study, all these problems we have outlined are inter-related.

**Political Development, Authority and the Police: The Central Problem**

It is now readily accepted that the travails of most of the new states of Asia and Africa are and have been imprinted with failure to cope with simultaneous and formidable problems of state- and nation-hood. Apart from the problem of a breakdown of democratic practices, but which is not unrelated, many of these countries suffer from an inability to perform as governments.

One of the major problems faced by postcolonial or newly-independent governments in many part of the Third World has been and is the sustenance
of authority and the provision of security, both for the government and the people. As opposed to the developed countries of the West where the spread of law and order through the development of professionalized police forces and modern legal systems took a period of two or more centuries, most, if not all, of the countries of the "developing world" have to overcome the obstacle of the lack of law and order in a very telescoped period of less than decades or even just a few years. Most Third World states are confronted with formidable challenges to authority either in the form of subversion or outright armed insurrection, emanating from either or both communist or non-communist sources. How to preserve respect for governmental authority in the face of such challenges becomes therefore a crucial element of regime survival and stability. Although the sinews of government and political resilience may have their many sources, the existence of effective and viable governmental infrastructures is an important bulwark against nonlegal challenges to any regime. Investment in such governmental infrastructures represents a prior investment by regimes and provides that necessary institutional resource for all transitional governments; investment in the establishment of a well-developed and capable police force is most crucial in this respect.

The role of the police in situations in which law and order and governmental authority are endangered and threatened is precisely to overcome such challenges. The existence of a well-organized police force deployed throughout the spread of national territories signifies both the presence of authority and a willingness to govern. Deployment of the police, a civilian instrument, also signifies the fact of civilian control or a civilian power in control, rather than, say, control by military authorities.
The fact of a police presence as a show of governmental authority is of course important only if that presence is effective -- that is, the police are able to perform their mission of law and order and the provision of security in areas of their deployment. Government, in this sense, governs.

A police presence also resolves another problem of political development: most transitional governments are faced with the difficulty of governing over large tracts of territory and therefore there is a problem of "state penetration." A police force that is operationally deployed country-wide provides that capability for the penetration of the state into its peripheral areas and thus ensures better the spread of authority for any government.

Most transitional governments, however, suffer from problems of adequate penetration of their territory and consequently a lack of authoritative control simply because their police forces are not well-organized and their policing systems ineffective. Once their police infrastructure is weak, it becomes very difficult for governments to uphold the rule of law and order and sustain their authority and at the same time ensure minimum conditions of peace and security. In such situations, threat or challenges to the regime in power quickly take ascendancy as the government is weak or unable to counter them.

The police infrastructure that is vital, nonetheless, is only an instrumental force. A government may be weak but if its police force is well-established, then that government may still withstand challenges to it. But if the government is strong-willed but yet does not have a 'strong' police force behind it, then it will face tremendous problems in countering
challenges to authority. Thus, how effective a police force ultimately is will depend to a large extent on the government in charge -- how the police role is conceptualized and what kind of support is given the police by the elites in power. 18

In the preceding we have identified the role of the police in political development as it relates to authority; we need now to look at its general role in society.

Law and Order and the Police Role

As the public agency charged with the responsibility for the upholding of law and order, it is essential to understand this function in society and the corresponding police role. Any police system or institution that abuses this responsibility cannot be said to be a 'good' one and will be one that no longer serves the public good nor the people's interest; either of these situations inevitably leads to the creation of a police-state. 19

The danger that authoritarian regimes will utilize the police, in the name of the law, for more dubious ends, however, exists at any given moment. We therefore mean the rule of law as that conception of the law as formulated by the democratic and popular will. At the same time, it may also mean that the rule of law exists if it is not arbitrary and unjust; in this conception a Roman sense of law and order 20 may also be regarded as not characteristic of a police-state.

All societies are governed by some code of conduct and regulations in order to survive over time. In primitive societies the regulation of behavior among individuals and towards the society as a whole may be effected
by the rule of a powerful individual or individuals, or by a system of unwritten rules, or a combination of both. Deviations from the norm are dealt with by some kind of sanctions and punishments. As societies grow bigger and more complex, however, written laws begin to replace unwritten ones and it also becomes imperative to establish some kind of permanent machinery for the enforcement of the laws and the regulation of society.

It is useful to clarify the terms "enforcement of law and order" and "maintenance of the peace." The first refers to securing observance by everyone of the country's many laws and ensuring order at places of public resort and on public roads whilst the latter refers to ensuring that every citizen or member in society may go about his normal pursuits, secure in the belief that his person will not be subject to violence or his property subject to theft or other harm. These two tasks are basic to any police agency and an adequate police apparatus cannot be said to be in operation if these minima of law and order and peace maintenance are not being ensured.

Nevertheless the establishment of professional police forces as primary agencies for the enforcement of laws and the maintenance of order is a relatively recent phenomenon in the history of Mankind. Some kind of policing system have of course existed from earliest times, but the concept of a modern police force, that is, a public agency organized professionally and entrusted for that purpose of enforcing law and maintaining order within national boundaries, including safeguarding individual rights and liberties and acting within the provisions of codified laws, is new and may be said to have begun only after the establishment of the London Police by Sir Robert Peel in 1829. In fact, as a matter of historical
and contemporary interest, the idea of a police force has always been resisted by the general public in the West.

A police force is deemed essential only in modern society. Some modern nations have been police-states; all, however are policied societies. The police perform two of the tasks that Carl Friedrich identifies with the purpose of modern government, namely, internal peace and security, and which in turn, contributes to a third purpose, prosperity -- with peace and security, the possibilities for commerce and economic growth are surely enhanced. The corollary of the argument of the need for a system of laws and a law enforcement agency is, of course, that it is impossible for a society to function, much less be governed, without such givens. The concept of modern government implies that government governs -- in this sense, then, a police force as a public service is an instrument for public (collective) goods generation.

However, although the police is an appendage of government, it is a rather unique public service -- it is the instrument through which a government governs. A close analogy to this perspective is that the police is like the skin of an orange and the inside of the orange is the government. A police force functions within the framework of the laws of any country and must do so accordingly if it is to remain an impartial organization. Some political direction may, of course, be necessary in certain matters but a police force can only remain professional if it adheres closely to the concept of an "independent" or neutral body with integrity -- above all, a police system must provide the framework for the laws to prevail.

Conversely, however, if societies are overregulated, either by a repressive police machinery or by a system of too many overbearing laws, or both, then
it can be said that a civil state no longer exists. At the same time a
system of many laws may lead to a diffuse situation in which the police
are unable to adequately enforce them. In any police institution-building
effort, then, a balance will have to be struck so as to enable a police
organization to be able to perform its role but not at the same time to
allow it to endanger and suppress public liberties and individual rights.
However, this does not mean that a political regime may not be capricious
even if its police system remains impartial.25

Several other characteristics of a police force must also be noted.
Although it is a public service, the police organization is usually
uniformed and it is the one public agency that is in contact with the
public most of the time. The police may engage in covert operations for
some of their functions and may also appear armed; however, it should
refrain from extreme practices in these two facets if it desires to be
regarded a public service. It is a public agency that contains characteris-
tics of both the army and the civil service, but is unlike either. Most
police forces are also "national" in character, that is, it reflects the
larger socio-political environment it operates in. Localized or
autonomous police forces do exist, but the trend appears to be a
"convergence" of police systems within countries as to conform to a more
similar "technical" format.26 Other than the armed forces, the maintenance
of discipline is a very important element, especially for command and
control purposes, and a strong sense of discipline is an important input
in its institution-building process.

We have already noted that the police deal with the public much more
than any other agency. Indeed, it need not be overstated that a great deal of police work or efficacy depends on public cooperation, trust and confidence. In turn, this public cooperation, trust and confidence leads to the question of information so vital for police effectiveness. The police cannot perform their function well if information is lacking. Since the police are usually armed to enable it to enforce the law, that is, police use of force is legitimate in domestic situations, the more or better public cooperation and trust, the less the necessity to resort to the use of force. However, there are few police forces in the world today that go unarmed and yet enjoy public support and confidence at the same time. On the other hand, where public trust and confidence is lacking, police information-gathering also takes on more odious connotations with or without resort to force; this is usually achieved by the spread of a police spy network, either by the use of paid informants or a system of undercover agents or both. Such situations were achieved in the reign of Cardinal Richilieu and in Tsarist Russia and were in reality police-states.

Contact with the public is also a unique phenomenon for the police. A policeman on the ground has to have a good knowledge of the laws and be able to use his discretion and judgement to interpret the application of the law -- there is less or no time to ponder or reserve judgement for a later date. This is in direct contrast to the soldier who acts on orders from his commanding or superordinate officer or the civil servant who may defer his action to a later date. Of course, a policeman may decide not to act and this consequently affects police performance. In order to achieve
a 'good' police system, a policeman must be able to perform his duty and
gain public respect but at the same time not overdo his task and incur
public fear and hatred. Because a policeman is usually empowered to enforce
the law, a system of inbuilt procedures is also essential so that his actions
are accountable both to his superiors and in a court of law.

Police/public contact also raises the possibility of corruption.29 The
nature of policing is such that it can be said no police force is totally
non-corrupt. It becomes a task for all police institution-builders, there-
fore, to ensure adequate preventive and other measures to overcome and
reduce this problem, since public trust and confidence may be lacking once
there is a widespread belief that a police force is corrupt. The actual
effects of corruption and its relationship to police institution-building,
however, are not crystal clear, but what is certain is that corruption is
a public offence and hence should be handled accordingly in any police force.

It should be readily evident from our discussion that police performance
has wide political implications. However, although there has been a flood
of literature in the area of political development, and although police
science is a well-developed field of study, very little attention has been
focused on police force roles in nation- and state-building analyses. There
are various reasons for this apparent neglect30 which need not detain us
here, but it is pertinent to point out that politicians are and have been
more pragmatic than academic analysts about the importance of the police
role and have accorded the question of police affairs its due regard and
consideration. Pragmatic considerations notwithstanding, conceptions by
politicians of police roles have in their own ways created other problems
in political development, each varying according to the situation.

In any event, and in the light of the preceding discussion, it should be evident that the police have a formative role to play in political development, especially in polities undergoing rapid social change and wherein problems of authority are critical. On the other hand, it is also quite evident that too developed a police institution may garner authoritarian tendencies in a regime which thereby leads to the establishment of a police-state; in other words, the danger always exists that the role of the police may be negative. Against the background of these theoretical parameters, we may now attempt a case analysis of Malaysia, where the police institution has been a crucial authority structure of government in that country's political development.

**Political Development in Malaysia: The Police Role**

Unlike many other Third World countries, the Federation of Malaysia, and its precursor form the Federation of Malaya, has enjoyed a fairly successful journey in the processes of modernization and the travails of state- and nation-building in spite of its social and political adversities. This is even more remarkable when one considers that the emergence and continuance of both these political forms were accompanied by the reality of violence. In an area not unknown for turmoil and instability, Malaysia today has the distinction of being one of the most stable countries in Southeast Asia, with civilians in full authority and a political process that is orderly as well as fairly democratic.
Yet, the very social and political conditions of the polity would have militated against 'successful' political development in Malaya and later Malaysia; in fact, for the latter situation, not only were the socio-political conditions more complicating with the addition of Sabah (North Borneo) and Sarawak to Malaya, but compounded to this was also the factor of geography, since the former two portions are physically separated from the latter by an expanse of sea. [See map] Moreover, even though all were former British colonies and therefore there were aspects of commonality in administration and other matters, their different historical paths per se would have served as a severe obstacle.

Enough has already been stated elsewhere on the nature of the ethnic potpourri of Malaya and Malaysia as to render its description unnecessary here. However, it is important to reiterate that the problem of national unity in Malaysia is real because of the fact of a plural society or probably even more descriptively poignant, one that is divided politically and socially in terms of ethnicity. We have already indicated the problem of geography: in this instance not only are the physical facts of the country important in the sense of a physical division of the polity, but there is also a correspondence of ethnicity with territory. Lastly, but certainly not least, we may note the government of Malaysia (and earlier of course Malaya) was and is continually threatened with violent and nonlegal challenges to its authority in the sense of both insurrection and subversion and presents therefore another major problem of the country's political development. Against the combination of these three problems of ethnic segmentation of society, geographical division, and violent and subversive
threats which combination would have severely undermined authority in the polity, the police has performed a critical role in sustaining government's writ and performance.

It would be incorrect to assume that other factors such as the dynamism, talent and skill of its political leaders to work out conciliatory formulae for seemingly intractable political problems, the very character of the struggle for independence, an economy well-endowed with natural resources and a well-developed economic and commercial infrastructure are not important, but it would be difficult to imagine if it's history would not have been different had it not been for the existence of a well built-up governmental machinery especially in the form of the police to maintain and preserve law and order and thereby enable administration. The crux of the thesis is that the police was a most crucial ingredient in this combination of factors, and the kind of police operations that were conducted provided a decisive instrumental capability for the regime to cope with the stresses faced by a new country just released from colonial bondage. It was this police capability that provided the regime the capacity to contain the threat and handle the actuality of violence.

Contrasted with other countries, especially those in the Third World, it must surely stand out that such a capability as that which existed -- and still exists -- in the Malaysian police is sadly lacking in the context of the performance of custodial, or regulative, governmental functions. It is not overstating the case to say that many developing countries are faced with a host of domestic security problems that require a willful and strong government with the requisite administrative machinery to deal with
them. The combination and timing of factors for 'successful' political development are, of course, vital, but a police capability is a necessary, if not sufficient, variable. Conversely, if police capability is over-developed, political development may be impeded because regimes begin to rely on its coercive machinery to the detriment of all other political and administrative factors. Indeed, a possible reason for Malaysia's comparatively 'more democratic' experience in nation-building has been the balance, so to speak, in the utilization of its high police capability against other considerations.

The police role in Malaysian political development has meant an instrumental capacity to govern -- in this sense the provision of law and order and security services both to the public and the regime in power. Because this basic governmental function is performed, the regime has been able to undertake other governmental operations. More importantly, provision of law and order has been most essential in the Malaysian situation, as the "rules of the game" in the political arena have not yet been agreed to by all.

That the police is an instrument of central state-rule is a potent factor in its utilization as a national institution of authority, both in British and post-British times. The police instrument, because of the strong central impetus in its organization direction, has been functionally important in reducing parochial divisions at the level of the states but at the same time has ensured federal control and "ethnic safety." This requires elaboration.

With regard to the reduction of parochial divisions at the state
level, as a "national" instrument the police have increasingly become a repository of central rule. Several factors may be attested to this assertion. In the colonial era before 1945, although the police were organized on a state basis, and in several instances were commanded by indigenes, British control was almost complete because there was a common officer establishment and unified procedures for all the seven police forces and more importantly, their advice in the organization and running of these forces were sought and accepted as a rule. Indeed, in the Federated Malay States where British hegemony was more complete, one of the early problems of the police was that the state forces were accountable more to the British residents of each state than to the over-all Commissioner; this was resolved by a true amalgamation of the constituent forces answerable to its own Inspector-General.34 Second, of the indigenous rebellions in the east coast states, these were resolved by police action drawn from the strength of the various police forces -- in other words, police suppression of disorder was undertaken on a supra-state basis. Moreover, in the area of subversion, police intelligence operations were highly coordinated.35 Thirdly, with regard to the Chinese, British utilization of the police for control and penetration of the country may be seen as an effort to offset the former's own brand of law and order, whether through the secret societies or the Kapitan China. Although matters affecting the Chinese community later came under the ambit of the Chinese Protectorate (later the Chinese Secretariat), the police became an increasingly critical instrument in central-state control of the law and order problems of this community.
With the collapse of the Japanese imperium in 1945, the British after their return to Malaya set about re-establishing the police, an effort not unlike starting from scratch. In line with the Malayan Union scheme they proclaimed in 1946, in which a unitary form of government was established for Malaya, so was the police organized on a national basis, and not, as heretofore, on a state basis. Although the Malayan Union was replaced in 1948 by the Federation of Malaya Agreement, in which the executive authority of the states was recognized, "police" was made a federal concern and thus did not revert to the control of the states. This arrangement has continued to the present despite a change in authority from colonial to indigenous hands. Indeed, at and after the formation of Malaysia, the underlying principle of command and control of the police forces of Sabah and Sarawak in their amalgamation with the Malayan force has been to structure an organization accountable to a "strong, central government."

With regard to the ethnic problem, "safety" of the various ethnic groups seems more assured if the police were in federal, rather than state, control. In his seminal study on the 'communalistic' nature of Malayan politics, K.J. Ratnam observed the conflict between Malay regionalism (state loyalty) and the necessity to have a strong federal government

"Even those Malays with strong regional sentiments realize that the 'communal problem' will have to be solved at the centre: should the States be allowed to determine their own policies in certain major fields (such as education, Malay rights and so on), it is possible that Malay interests will not be safeguarded in those
States which are dominated by non-Malays; furthermore, the Federation as a whole will not be able to maintain and display the trappings of a Malay State, as the Malays themselves desire. While these considerations are understood, there is nevertheless some resentment among the Malays because administration and policies in predominantly Malay States cannot be more pro-Malay than general national policies permit; and national policies are becoming more and more conditioned by the fact of communal inter-dependence. The non-Malays, generally, have no regional loyalties, and concentrate on safeguarding their interests at the national level.\(^{36}\)

Inasmuch as public order is a police -- a federal one -- responsibility, this has virtually meant that any racial conflagration will be resolved less on racial alignments and as such, the police may be said to safeguard ethnic safety.

That the police has furnished a capability for regime authority in Malay(s)i)a against non-legal, violent threats is provided in a combination of the features: its pan-country deployment and therefore penetration of the country and enabling government's writ, and its own role performance in combatting communist insurrection, both in its violent and subversive forms. During the Malayan Emergency of 1948-60, the fact that the police in their stations performed their duty has been a serious tactical disadvantage to communist terrorist strategy.\(^{37}\) In larger sense, that the police are organized territorially as to correspond with the political and administrative set-up of the country has meant that the police are a vital structure of state, furnishing law and order to the peripheral areas of the country. That internal defense or internal security against nonlegal challenges to the government has been entrusted to the police has meant the importance of the RMP as a bastion of national authority. This is so
not only because internal security is regarded as a 'law and order' problem, as was the Emergency of 1948-60, but also in police performance: police casualties in that 'war' numbered 2947 (1346 killed and 1601 wounded) and were double the number of all other Security Forces' casualties, and of all Communist Terrorist (CT) eliminations -- 10,700 in number -- the police were responsible for eliminating 5,900, or over one-half of the total.\textsuperscript{38}

In addition, the efficiency and effectiveness of the police Special Branch (even during the Emergency, this Branch had been able to virtually pin-point every known Communist Terrorist or CT in the jungle) and other formations (such as the Police Field Force) as well as auxiliary components as the Special Constabulary, have made possible a strong (even if in retrospect "too strong") basis for asserting regime authority in Malaysia's political development. Although this has meant the evolution and existence of a "police doctrine" and a well-built law and order machinery in Malaysia, it has not at the same time meant the growth of a police-state.\textsuperscript{39}

It is noteworthy that measurement of what constitutes "success" is not susceptible to conventional measurement of police efficiency in the Malaysian case. Apart from the unique functions of the Malaysian police in that it includes a large para-military organ, is the country's sole agency responsible for the collection and collation of security intelligence, and prosecutes in the subordinate courts, the fact that the country had experienced an insurrection and which event included curfews and other restricted movement of the population, crime figures were down and therefore not indicative of police efficiency in normal peacetime situations.
Moreover, in that police work is largely preventive (what is called, as a vestige of British influence, "watch and ward") actual commission of crime is no measurement of the RMP's ability to deter crime. As stated by Onraet: 40

"The best fruit of a policeman's work is unspectacular. It is the prevention of trouble rather than forcing a contest with trouble."

Onraet elaborates further that a modern police force's role is essentially the furnishing of security:

"The real value of police work today cannot be judged altogether on the number of arrests made; nor can the test of its success be based solely on the result of investigation. A fair judgement can only be given as the achievement or otherwise of the ideals worked for are or are not carried out into practical effect over a number of years. In two words this means internal security. Internal security grew with the growth of this new institution, and with its growth all the complex structure of modern life became possible -- which is as it should be, for a force that provides this security for all classes represents the reasoned wish of a reason-conscious people. The development of all British police forces has this background, and Malaya was no exception." 41

Thus, in both the colonial and post-colonial periods of Malaysia's history the police have performed a vital role in ensuring peace and stability in the country.

Malaysian Police Institution-Building: A Preview

Having established the importance of the police as an important structure for sustaining authority as well as providing law and order in Malaysia's political development and society, it is now necessary to analyze how it has been possible to have "successfully" built an institution as the Royal
Malaysia Police. It is not implied here that a "magic formula" exists in the form of a Malaysian police doctrine, albeit it was one which operated well in a national setting, both in colonial and post-colonial periods. However, the evolution of the RMP was not without its controversies and dissensions within and without the police organization, even if paradoxically it did not break at its seams when it conceivably could have during its critical periods of expansion and challenges. With the caveat that institution-building is a continuing process and ergo this analysis is limited by its time parameters, we may now turn to an examination of the institutional development and problems of the Royal Malaysia Police.

A series of questions underlie the scope of the inquiry and the resulting analysis is the culmination of the effort to answer them. What principles have been used in building the police organization? How is control of the organization effected? How was control of the police effected from colonial to indigenous authority? What steps were taken by the departing British to enable the take-over? What were the problems, and were there 'breaks' in the system of police organization as a result? Were there basic changes in the policing effect once there was indigenous control of the police? What were the problems of amalgamation of separate police forces in the formation of Malaysia period? How has it been possible to enforce law and order and other law enforcement functions in a multi-racial context, especially since the Force's rank-and-file were (and are) composed of largely one ethnic group in the Malayan component of Malaysia? What is the power and role of the police vis-a-vis the civilian authorities?
What has made possible the seemingly 'unobtrusive' role of the police in the political process, given the enormous legal powers vested in it -- or in other words, given its development, why has there not been created a police-state in Malaysia? Was the lack of coercion by the police a function of its high information-gathering and processing capacity as exists in its intelligence organ, the Special Branch?

In Chapter Two we present a broad overview of the institution-building process of the police according to its historical time-phases. In particular we shall note that whereas the police in the pre-World War Two period performed an exclusively normal law and order (crime and traffic) function, it has in the post-1945 period vacillated between 'wartime' and 'peacetime' functions, and although able to meet its priorities is torn by an inability for steady organizational consolidation.

Chapter Three deals with the principles and set-up of the police in the areas of both territory and function. In particular, we attempt an analysis of its command and control problems. However, it is observed that there is a close adherence to principles in its organizational format as well as in general "doctrine."

Factors which seem to support the close adherence to principles in the police institution in Malaysia are examined in Chapter Four. A corporate sense existing of the officer corps, leadership, the continuing nature of the British impact, training as a high priority of the organization and 'welfare' of the Force are identified as these supporting factors.

In Chapter Five we analyze the major problem of institution-building of the police as a national instrument of central state-rule -- its ethnic
and indigenous characteristics both in terms of composition and its missions.

Chapter Six then concludes the study by recapitulating the central themes of the study and analyses the role of the police in Malaysia in terms of problems and prospects.
NOTES


2. R. Tilman, "The Public Services of the Federation of Malaya," Ph.D. dissertation, Duke University, 1961, p. v. Tilman qualifies the exclusion by the lack of adequate time to separately consider the Police Service, since it was a 'unique' public service and differed from the other public services in matters of terms and conditions of service and disciplinary procedures. It is fair to point out also that some aspects of the Police Service were examined in the thesis. A modified version of the thesis later appeared as R. Tilman, Bureaucratic Transition in Malaya (Durham, N.C.: Duke University Press, 1964).


12. Ibid., p. 35.

13. Ibid.

14. Ibid., p. 36

15. Ibid.

16. Ibid., pp. 36-37


18. Cp. the discussion in Coulter, op. cit.


27. The best example of an unarmed police force is of course the London Metropolitan Police. For an analysis of how this came about, see T. Critchley, The Conquest of Violence (New York: Shacken Books, 1970) and Silver, op. cit.


33. Ratnam, Ibid, chapter one.

34. M. Letchmanan, op. cit. This point is also discussed in Chapter III. The post of "Inspector-General" was created in 1936 to supersede the designation of "Commissioner" in the pre-War SSPF and FMSPF.

35. R. Onraet, op. cit.

36. Ratnam, op. cit., p. 3.


39. On the discussion of why Malaysia is not a police-state see Chapter III.


41. Ibid., p. 72.
CHAPTER II
THE PATTERN OF POLICE INSTITUTION-BUILDING IN MALAYSIA: AN OVERVIEW
"...the Police have become the only executive arm of Government that has an organization covering the whole country."

--- police document, 1965

"The bare requirements for national survival in Southeast Asia against the Communist menace have necessitated, inter alia, that the Federation Government maintain a strong Special Branch, a strong Police Field Force and well trained units for the preservation of public order."

--- the late Tun (then Dato') M. Salleh Ismaël, Commissioner, Royal Federation of Malaya Police, 1963
The high or well-developed state of the police institution in Malaysia may be gauged from the fact that its Police College has served as a training ground for policemen from other, but especially neighboring, countries,¹ and that a 1971 proposed reorganization of the police force of pre-Communist (South) VietNam was based on the Malay(sian) model.² However, although the establishment of a professional and competent police force in Malaysia may be considered largely "successful," the actual process of building the institution was gradual and punctuated in its different phases by varying emphases in its various law and order missions, and certainly not one not accompanied by internal and external organizational problems. The purpose of this chapter is to provide an overview of the institutional development of the Royal Malaysia Police as a law and order machinery in the country; it may, alternatively, also be viewed as the evolution of what may be considered a Malaysian police doctrine. Apart from a description of the process, an attempt will also be made to draw out the more salient and important features of the pattern of Malaysian police institution-building

**Time-phases**

The process of the institution-building of the Malaysian police may best be understood in its various phases. Time-sequences are not only useful in facilitating an analytical survey of the Force, but denote also emphases in the institution-building of the Royal Malaysia Police and its components. Nonetheless, in describing their various phases or stages, we need only offer vignettes to attempt brevity.
It is problematic to actually consider the beginning date of the modern policing system in Malaya or in the other parts of Malaysia. Even dating back to the period of initial British rule, the authorities, both the East India Company and later the Colonial office in India (who controlled British territories in the East), did not go about setting up police forces but preferred instead to allow local groups such as community leaders and business guilds to enforce the law amongst themselves. Later, when police forces were more properly organized, these were deployed largely as paramilitary, or what one may even classify as 'military' formations in support of imperial conquest and rule. These 'early' police units were also not composed of indigenous elements but instead comprised foreign mercenary elements, largely made up of Sikhs, Punjabis and Northern Indians. The police, however, date their origins to correspond with the start of British rule in Malaya in 1786.

We may, nonetheless, consider the emergence of a modern police force in Malaysia as having begun in the post-1945 period, more specifically with the start of the Federation of Malaya Police in 1948. Although the bases of a modern and professional police system had begun to be planted in the period between the two Great Wars, it is only in the post-1948 period that a truly pan-Malayan police force came into operation both in name and organization. As a federal force, it was now 'national' or centrally controlled, and more important, although still led and officered by British or 'expatriate' officers, its ultimate goal was a force to be commanded, controlled and staffed by indigenous officers -- that is, no longer a colonial appendage that it was or had been in the pre-War period. Equally
important, it is the post-1948 structure that has basically persisted
till the present, albeit with some modifications. Many of the present
organizational and policing ideas and practices that are in vogue with
the police leadership today are based on experience that originated after
1948-49, examples being the Headquarters setup and the concept of a police
service. Similarly, it is this period that resulted in the functional
specialization within the police organization in order to meet its various
but nonetheless specific missions such as the paramilitary, intelligence,
criminal investigation and public safety -- though, at the same time,
this specialization has been constrained to allow for the development of
the 'generalist' officer as well as the need to recognize and realize
the concept of the interdependence of all aspects of police work.

Phase I of the police institution-building process is the period from
1786, that is, the start of British rule of Malaya (or at least under
the aegis of British imperium) till the Japanese conquest in 1941-42. We
may properly call this period the 'Colonial' phase. The next phase is
the 'Japanese interregnum' lasting from 1941-42 till 1945 when the British
returned. Then there is the 'Malayan Union period' from 1946 to 1948.
From 1948 to 1951, the police begin the throes of their rebuilding and this
period may be called the 'Gray period.' Phase V is from 1952 to 1962, a
period in which institution-building was at its height and may be referred
as the 'Malayan period.' Finally, up to the purview of our study, there is
the 'Malaysian period' from 1962-1967. 1967 is also the year of the promul-
gation of the Police Act [No. 41 of 1967] comprehensive to the whole country;
Phase VI may as such therefore be seen as the first stage of institution-building of a national police force whose jurisdiction spans three diverse territories, namely Malaya, Sabah and Sarawak.

Each of these phases are chronological divisions which signify trends and characteristics that separate them from one another, and in this sense, are more important than their appellations; these phases also contain subphases within them. To a large extent, the phases correspond with important historical periods of Malaysia's history, and in this vein the development of the Malaysian police differs little from the history of police development in Western Europe. In effect, that police forces are part of a larger system is only a truism.

**Phase I (1786-1941)**

This period relates to the steady spread of British control over Malaya with the concomitant installation and gradual establishment of law and order agencies in the country. The early function of the police forces in this period were largely the control of disorder and thus were organized more as military formations. The earliest military units in Malaya were thus initially police units such as the Perak Armed Police and the Malay States Guides. However, in the settlements of Penang and Malacca, the police forces exercised more of a civilian function as these territories were mainly urban in character. In Sabah and Sarawak, the preWar police forces were also organized more for paramilitary duties and as such performed constabulary roles.
Up to the turn of this century, Morrah notes that the chief factor about the establishment of the police, from a police point of view, was the need for a coherent legal procedure, that is, a set of rules to administer and enforce the law. In the Straits Settlements of Penang, Malacca and Singapore, this was achieved by the coverage of the Indian Police Act of 1856 which thereby placed the whole police organization of the said territories "on a more regular footing." After the transfer of the Straits Settlements from the India Office to British control in 1867, the SSPF operated under the Police Force Ordinance of 1871. The latter ordinance also covered police law enforcement in the Malay states.

The statutory stipulation of police law enforcement and organization had had its various modifications since then but the essential point to note, in institution-building terms, is that its basic format remains to the present. Also pertinent to note is the main legal context or police system in which the police enforce the law. Up to even now and although varying mutatis mutandis in its coverage for the various states of Malaysia, the RMP operates under the aegis of the Penal Code, the Criminal Procedure Code and the Evidence Ordinance -- all derived from India. Added to these the other laws and we find that police work in Malaysia is sanctioned by law, legislated or otherwise. Moreover, as regards the Penal Code, it is a most efficacious piece of legislation as derived from the Malaysian experience -- most suitable and thorough for law enforcement and one not difficult to learn and familiarise with.

The early police forces of Malaya were all organized on a state basis but as the British consolidated their control over the peninsula, they also
centralized their police forces. Thus, when Perak, Selangor, Negri Sembilan and Pahang were amalgamated into the Federated Malay States in 1896, so were their respective police forces merged into the Federated Malay States (FMS) Police Force.

Although there was no 'national' set-up for the whole of Malaya, nonetheless there was central control by the British. The Inspectors-General of the Straits Settlements Police Force and the FMS Police Force reported to the Governor of the Straits Settlements, who was also High Commissioner of the Federated Malay States. The police forces in the UnFederated Malay States (UFMS) were more autonomously controlled in that some of their commanders were indigenous\(^{17}\) and their authority vested in the various Malay sultanates. However, in the UFMS, British advice was sought and accepted in the operation and administration of these forces, and British officers who served or led them were seconded from the FMS or SS Police, both forces sharing in any event a common officer establishment. To all intents and purposes, therefore, the police forces of Malaya served British colonial interests for the whole peninsula.\(^{18}\)

Because these forces were British-officered, there was no really indigenous officer corps, except, perhaps for the Malay ACPs in the FMS Police and the Malay officers in the various UnFederated Malay States. In the Straits Settlements, the British also had a 'British inspector' element but which was not the case for the rest of the peninsula. Indigenous inspectors were classified as "Malay" and "Asiatic" (that is, nonMalay). In the rank-and-file, the British were able initially only to recruit men from their Indian possessions, but through the use of Malay royalty in the
ACP ranks did manage later to draw Malay enlistees. There was no real attempt to recruit Chinese although they were employed as detectives this category being considered distinct from the uniformed branch. In Sabah and Sarawak, the recruitment patterns for the rank-and-file corresponded with the ethnic configurations of the two territories but for the most part, Kadazans (Dusuns) and Ibans were respectively taken in. In the latter two territories, there were no indigenes in the ranks of the gazetted officer corps. In short, British police staffing and recruitment policy adhered to a definite racial stratification pattern, and that the conception of the Malayan states was that they were "Malay."\(^{19}\)

The turn of the century signified certain organizational inputs in the concept of policing in Malaya. In 1904-05, the Police Depot was established in the FMS Police and which has become a traditional item in the police itself -- a center of training, no doubt, but a primary one in which all police officers in Malaysia are familiar with. No Malaysian police force was actually complete without its depot, and even though the names change, the institution remains.\(^{20}\) This was also the period of the building of physical infrastructures for the various police forces, some of which still serve as police buildings in the present time.\(^{21}\)

In the 20s and 30s, the pre-1941 police forces in Malaya reached a standard of excellence equal to any other in the British Colonial empire. The calibre of its officers were first-grade and their status equal to the civilian British administrators of the time. It was at this time that the concept of 'cadet' officers was tried and found useful and came to provide steady recruits for the Malayan Police Service.\(^{22}\) Policing was regarded
as a professional pursuit to be taken seriously. A police magazine was started, a finger-print system most suitable for Malaya invented, and the criminal and intelligence branches (especially in the SSPF) achieved great strides in their respective tasks. It was in this period that the Criminal Registry was started as an integral unit of the Criminal Intelligence Department (C.I.D.).

Hence, as Malaya prepared for the Japanese conquest of Southeast Asia, a well-built police system had already been in existence which furnished in effect a capability for civil administration and which ensured an era of Pax Brittanica. During this period, British rule in the various territories could be said to have been acquiesced in and apart from sporadic and ephemeral outbreaks of violence against British rule, it could also be said a fair and just system of law and order -- even if colonial -- prevailed for the interests of the various communities in the country as a whole.

Phase II (1942-1945)

The Japanese Occupation presents a hiatus in the history of Malaysian police institution-building. Although the period did not signify the non-continuation of certain policing methods that had been established before the War, some of the effects of this interregnum were so profound as to have an impact even up to the present. For the most part, the Japanese retained the legislation for police powers but at the same time they also introduced some rather repressive techniques of law enforcement as was used by their kempeitai ("Gestapo"). The Japanese continued with central control of the
various police formations at state-level but for a certain period did hand over jurisdiction of the police in the northern states of Kedah, Perlis, Kelantan and Trengganu to Siamese (Thai) control.

As the Japanese advanced, the British had disbanded their police forces and allowed the men to return to their kampungs. Once Japanese control was complete, however, many of the local police returned from their kampungs to continue employment under the new authorities. Those who had not left their posts did likewise.27 The nature of Japanese control was such, however, that public confidence in the police reached its lowest ebb. This was because some of those who 'collaborated' with the Japanese used their police powers for more dubious (including personal) ends. In effect, this period marks the demise of the police system that had been built up by the British; succinctly put, "law enforcement collapsed."28

The Japanese period could be considered the culmination of what one observer has described as the "defeat of European colonialism and the triumph of nationalism."29 In terms of the police system, the effect was politically profound in that the Japanese showed that Asians could also enforce the law sans 'white' superiors; if anything, in retrospect it seems clear there could not be a return, in the post-Japanese era, to personnel stratification on expatriate/indigenous lines as was heretofore the practice.

Two other ramifications were important. First, the salience of the racial make-up of the police took a new turn. Because of profound hatred between the Japanese and the Chinese, it was only natural that the
Japanese singled out the Chinese as the leading community for ill-treatment. Rather unfortunately, perhaps, the largely Malay police was used by the Japanese in their persecution of the Chinese. Quite a number of Chinese fled to the jungle and joined the communist-organized Malayan Peoples' Anti-Japanese Army (MPAJA). Thus, Chinese resistance to the Japanese took on the coloration of an ethnic conflict, as most of the Japanese forces hunting Chinese guerrillas were manned by Malays. The dramatic consequence of this matrix took place in the days immediately after the Japanese surrender: large-scale massacres were effected by MPAJA forces of the Malay police and community as they commandeered areas formerly under Japanese control. The Malays of course retaliated with their own attacks on Chinese communities. The significance of all this is underscored by the fact that the atrocities -- committed by both sides -- are still fresh in the minds of both communities. 30

Second, as the Japanese advanced into Malay(sia), not all British officers were able to withdraw and subsequently became Japanese prisoners-of-war. This provided a basis for dissension later when the British returned to Malaya: those "in the bag" (i.e., Japanese POWs) and those "not in the bag" (i.e., those who escaped from Malaya). The crystallization of these groups manifested in almost open animosities in the police officer corps in the post-War period as the force was being set up again. Also, many of those "in the bag" found it difficult to reconcile to technological advances that had been made during the War period and found it difficult to adjust to commanding a force not on pre-War lines.
A third ramification was the atmosphere of recrimination that followed the Japanese Occupation once the British reestablished their authority. For one thing, because of Sikh police collaboration with the Japanese, almost the entire Sikh contingent was sent home. We have already mentioned the problem of "those in the bag" versus "those not in the bag." Nonetheless, the exigencies of the new situation, especially the communist agitation and the furore of the Malayan Union made any real recrimination less an issue.

But in total, the Japanese Occupation had a demoralising effect on both the police and the public so lasting that even in the early and mid-50s, there was anxiety in the British authorities as to whether the police would ever recover from "the dumps."32

Phase III (1946-1948)

This period coincides with the rule of the British Military Administration (B.M.A.), which was essentially to reestablish British authority and recover as much as possible from the disruptions caused by the War. Because of colonial policy decided in London during the War, the British had decided to set up at this time a unitary state for the whole of Malaya called the Malayan Union. However, the Malayan Union scheme was highly resisted by Malay nationalist groups and a new arrangement called the Federation of Malaya Agreement superseded it in 1948.33 During the BMA period, what had hitherto been seven separate police forces under the pre-Japanese British administration were now merged into one and called the Civil Affairs (Malaya) Police. Although the police were still recovering
from the effect of the Japanese Occupation, nonetheless, they were able to act rather well in the suppression of anti-government activities fomented by the communists in the form of labor agitation. The exact directions and policies concerning the police were, however, not clear and the organization of the force inchoate. This is also the first stage in the amalgamation of the police forces of Malaya (the second being effected in the formation of Malaysia period). However, as contrasted with the second stage, the various police forces in Malaya were organized and had developed on very similar lines, especially as they were officered from the same pool of British officers and as such, amalgamation was a mere formality. Moreover, the disruptions caused by the War made it possible, as it were, to start afresh.

It is not meant to cloud over the grave problems faced by the British and the police during the immediate years of the post-War period. Many police records had been lost because of the War and consequently, in the area of security and criminal intelligence especially, the organization was in a state of debility. In fact, in spite of a serious situation that was building up in Malaya and which was only apparent to most people, including the government, police duties were simple and unsophisticated and consisted of the following:

(a) Preservation of Public Law
(b) Beats
(c) Patrols
(d) Criminal Investigation
(e) Prosecution of Offenders
(f) Provision of Regular police personnel as Railway police.
The problems of this phase nonetheless surfaced more 'openly' in the next period.

**Phase IV (1948-1951)**

With the demise of the Malayan Union scheme and its replacement by the Federation of Malaya, the Civil Affairs Police was correspondingly renamed the Federation of Malaya Police. Not only was there a name change, but the leadership now also passed to a Colonel W.N. Gray, hitherto Commissioner of the Palestine Police. In effect this meant that for the first time the police was commanded by an 'outsider,' that is one who had not previously been of the Malayan police; not only was this salient in terms of a "police tradition" but the fact that Gray had been appointed on account of his Palestine experience was also manifested in professional schisms in the officer corps -- no less exacerbated *ad hominem* -- as he strove to orient the Force on an anti-terrorist footing. 36

This phase could conceivably be called the "Gray period" as inevitably many of the police problems centered on the new Commissioner. In retrospect it could very well be considered a very dark hour of the police, but at the same time Gray's steadfastness stood the organization well later.

The problems at this time were formidable. As soon as the Emergency had been declared (in June 1948) it became quite clear that the police would have to bear the burden of meeting the communist insurrection as the army was severely under-strength at that time. More important, the communist insurrection was seen as a "law and order problem" and as such
a police problem. But the police itself was barely equipped for dealing with the "Emergency" situation both in terms of equipment and manpower requirements as well as the kind of operations it would have to mount. Gray's duty was accordingly to expand and reorganize the police as fast as possible without allowing it to break at its seams. At the same time, of course, Gray had to confront with the fact that the police had not yet fully recovered from the effects of the Second World War: the image of the police was still at a low point, and within the officer corps there was serious conflict. In addition, Gray's Palestine experience was considered by the Malays as anathema and this fear of Malaya becoming another Palestine was not assuaged by his recruitment of ex-Palestine police sergeants for the police service which was hard-pressed for junior officers.

The conflict in the officer corps manifested itself in several ways. First, as has been mentioned, there were those who had been "in the bag" and those who had not. Second, there had been in the immediate post-War period an influx of officers, police and non-police, from colonies that had just become independent, especially India. These "other" types were not welcomed by the "Malayan hands," both "in the bag" and "not in the bag." Third, Gray's appointment was also considered unwelcome and was not mitigated by his methods nor by his bringing in of the ex-Palestine sergeants.

A vivid example of anti-Gray sentiment arose from his decision not to provide armor-plating for police vehicles as protection against road ambushes. Those who favored armor-plating argued for the safety of police personnel but Gray's contention was that the police could not exude an
image of ability to protect the public if they (the police) themselves needed protection. Another example of the schism was the 'rapid promotion' of nonMalayan service officers for much needed staff duties at Federal Police Headquarters. At the same time, because of the priority for experienced officers in the field, and which burden therefore fell on officers with Malayan experience, many "old Malayan officers," as they came to be called, felt they were being overstepped in promotion by virtue of field duty. Some of the resentment felt by the latter was, in addition, fueled for various reasons by the planters, an important interest group. Even after the arrival of a special mission to oversee police problems at the time, the tenor of these grievances remained little abated.

As if these problems were not enough, Gray also had to contend with interference in the executive command of the Force: General Briggs who was then overall Director of Operations (D of O) regarded it his prerogative to concern himself with the problems of the police, much to the chagrin of Gray as well as anti-Gray police commanders, especially CPOs.

Fortunately, nonetheless, for all the bitterness and schisms that existed, the exigencies of the Emergency situation evaporated those conflicts that otherwise would have led to an enduring lack of cohesion in the officer corps as a whole.

In the meantime, the Federation of Malaya Police was being expanded and organized to counter the communist threat. Because European economic holdings and commercial enterprises were an important and valuable export earnings source to the British and because these had become prime targets
of the communist insurgents or "bandits" as they were initially referred to (later called CTs), priority consideration was given to their protection, and accordingly, a police unit was specifically raised to provide for such a static defence role; this unit was called the Special Constabulary (SC). The SC was not part of the regular establishment and though it grew in size to be larger than the regular force, its function was ad hoc. They received less training than the regulars and had different conditions of service, but they were an integral part of the Police and served no less gallantly than the rest of the Force. The European police sergeants whom Gray had recruited provided the leadership cadre for these bands of the SC who guarded the tin mines, rubber estates, public buildings and other important real estate and property. As the "Emergency" wound down, however, this force was also gradually disbanded. But much is owed to the Special Constabulary and the European police sergeants who officered them, for despite all odds, they valiantly provided the vanguard of defence against the communist force.

Some indication of the expansion of the Force at this time may be understood by reference to actual numbers. As on the 1st of December of 1951, the strength of the Rank-and-File was 15,361 (authorized 25,000); as on November 30th, 1951, the strength of the Special Constabulary was 38,500 (authorized 40,008). Force expansion was limited by the lack of training facilities, officers and junior leaders: for example, in August, 1951, it was decided to go no further than the 18 already-formed Jungle Companies (plus 3 Companies of Frontier Force men) from an original aim of 45 Jungle Companies. The European police sergeants, after the Police Mission Report, were classified as police lieutenants and their number in
1951 was 717.\textsuperscript{51} Indeed, rapid expansion was such that at the height of the Emergency, police strength had multiplied sevenfold to over 75,000 personnel comprising 31,000 Regular Police and 44,000 Special Constabulary; in addition there were 88,000 Auxiliary Police.\textsuperscript{52}

Because of the expansion of the Force, promotional exercises now took place on no mean scale. The strength of the Inspectorate was increased by suitable indigenes from the rank-and-file, but the gazetted officers category was increased largely by Europeans. What resulted, if no such conscious policy was actually embarked upon, was that command and control of the Force to deal with the immediate problem of the Communist terrorists became an European preserve whilst the basic police work on the ground became a "local" responsibility.\textsuperscript{53}

At the same time that there was expansion, training was not curtailed though of course the training period was lessened for the rank-and-file. Emphasis in training was now directed towards more on jungle tactics and weaponry and less on normal police duties in view of the armed communist uprising. For European gazetted officers, especially those newly-recruited, training was almost completely curtailed; they were simply put on-the-job even though many were cadets.\textsuperscript{54}

The emphasis on the terrorist effort was initially the provision of basic security but as soon as the regular force became more organized, offensive operations were also carried out. So vital was this effort that within two years of the start of the Emergency, all activity was concentrated on the elimination of the terrorist menace; after 1949 the Police Annual Report, for example, was not written right until 1962 so as to reduce 'office work.' Nonetheless, priority for elimination of the CTs on the
ground resulted in Force functional differentiation and specialization in the areas of logistics (transport and supplies, including air-drop), communications (signals), intelligence (Special Branch), operations (permeating to District levels), paramilitary (Jungle Companies) and static but "aggressive-patrolling type" units (Police Special Squad Groups and Area Security Units). 55

But, even though there was expansion and reorganization, all was not going well -- Short reports the Force was breaking down in 1951; 56 with the ambush of Sir Henry Gurney, the High Commissioner, also in the same year, and the seemingly obvious dissatisfaction with Gray, 57 a new period was now ushered in.

Phase V (1952-1962)

It is useful to divide this phase into two subphases, namely, the 1952-1954 period or what may be called the "Templer era," and the 1954 to 1962 period the "indigenous phase;" both subphases are, in any event, related to the takeover of the police from colonial to indigenous hands (hence the phase is considered "the Malayan period") and the emergence of a modern and professional police force. The period begins with a change in the top leadership posts; Gurney's death was followed by the removal of Colonel Gray, and Gurney's post was taken over by Field Marshal Tun Sir Gerald Templer -- and Templer brought along with him Colonel Sir Arthur Young as the new police commissioner.

It is difficult to divorce the Templer impact from the consolidation and further reorganization of the Police Force in Malaya: it was in fact
one of the three specific tasks he was assigned with as High Commissioner. For some in the police, Templer was just what the doctor ordered -- "a shot in the arm," so to speak. Templer saw to it that anybody who did not measure up was removed and he gave virtually everything that the police needed. In contrast to Gray's tenure which appeared dark and gloomy, Templer advocated a more "open" style in responding to the problems from within and without the police organization.

To rectify the low image the Force suffered as a consequence of the Japanese Occupation, he saw to it that the public relations side of the Force was developed. Himself an intelligence officer, Templer also realized the police were not getting adequate information in the terrorist effort. Thus his strategy in this respect was two-pronged -- first, the establishment of a first-class intelligence branch separate from the C.I.D., that is, a Special Branch within the Force but having some kind of autonomous status; and second, the recasting of the police image from an opprobrious and paramilitary force to a public law and order agency to serve the people. Both prongs were designed to create public trust and confidence in the police.

Although a military man, Templer's policy was to continue to regard the Emergency as essentially a police problem. This was significant in two areas of development. First, because of the tempo of the Emergency, there had appeared a great possibility that the army was to be given the primary role in meeting the communist threat. Templer resisted this possibility but used the army in support of the police. Second, because of the priority accorded to intelligence for successful operations, as we have mentioned earlier, Templer gave this 'baby' to the police rather than
to any other organization, with a policeman as Director of Intelligence.

At the same time that he was giving his attention to the communist terrorist problem, Templer also went about creating a professional Malayan police, meaning (a) a force no longer commanded by Europeans, but by indigenous officers; (b) a force to reflect the ethnic composition of the country and (c) a force not just involved in paramilitary work. The eventual aim, according to Templer, was the creation of "a police force to be trusted by the public of all races and from all walks of life." It was in this period that an Asian was made a Chief Police Officer, and almost every indigenous officer in or slated for the gazetted ranks was sent for courses either at the newly-opened Police College in Kubu Bharu or at police colleges in England, or both. This training was to enable indigenous officers to assume command and control responsibilities from colonial hands.

With regard to the ethnic composition of the police, Templer's policy was to attempt to reduce the image of a predominantly Malay force. A vigorous attempt was made to recruit Chinese into the rank-and-file but this venture was unsuccessful for a variety of reasons. There was no problem, however, in getting Chinese in as gazetted officers, inspectors and detectives. There was also not much difficulty in building up the Special Branch to be staffed mostly by Chinese officers.

The transformation of the force from one performing a paramilitary role to one more involved in 'normal' or peacetime law enforcement was the responsibility of Colonel Young who was seconded from the London Metropolitan Police. Young was to establish a sort of image similar to
that enjoyed by the London "bobbies" and he instructed the police to go out of their way to assist the public. He initiated "Operation Service" to indicate the need for good police/community relations. He also distinguished the paramilitary from the regular police roles. Not only did this help the image of the police but it also helped the organization secure a more firm footing in its various roles; for example the Officer-in-Charge of a Police District (OCPD) could now do his job more properly with the assistance of subordinates with specific staff responsibilities. Young's impact was to place the police as a respected element of government and not just another military force. Young left one year after he arrived, which was the terms of the secondment but left the Force in the hands of his chosen and able successor Carbonell, a pre-War type.

To enable the Federation of Malaya Police to be "able to get up on its feet," it was also deemed necessary to establish the status of the force as one defined and stipulated by statute. As such, the Police Force Ordinance came into effect in 1952. The 1952 Ordinance not only provided for the disciplinary control of the force under the Commissioner of Police, but it also standardised the police hierarchy and set forth the powers and procedure for the organization as a whole. As such, this was an important event in the Malay(sia)n police institution-building process for the Police Ordinance specified the role and status of the force, encompassing therefore the principles of the function of the police organization in society and its accountability to the government and the public. The 1952 Ordinance superseded the more temporary Civil Affairs (Malaya) Police Force Proclamation [BMA Proclamation No. 16].
The second subphase of this period was more or less the extension or continuation of what had happened in the Templer phase. As Merdeka approached, the police was now geared for more normal or 'peacetime' functions such as dealing with the criminal situation again. Also, they began to accustom themselves to duties more in keeping with the needs of a new, independent and democratic country such as safeguarding security of polling stations as the public went about choosing their government. At the same time, as the British prepared to depart from Malaya, suitable indigenous officers from the Inspectorate had to be promoted to replace expatriates in command and control positions. The Force, which had expanded so much in the earlier phase was now contracted as its problems became less of an insurrection and more of basic law and order problems such as the prevention and detection of crime. There would in fact have been a complete diminution of its paramilitary role had there not been its continued responsibilities for fort surveillance in Orang Asli areas and the need for police jungle operations as stipulated in the Malaysia-Thai border agreement. Units for public order were of course maintained as a reserve capability for the force. The end of this phase culminates in the appointment in 1962 of an indigenous officer as the Commissioner, Royal Federation of Malaya Police. It also marks the period when Malayanization was almost completed with the last batch of expatriate officers phased out for leave preparatory to retirement.

It might be remarked that although this Phase appears to be a period of consolidation for the Force, many of the developments that took place had already been initiated in the preceding phase; for example, the
Police College opened in 1952 had been planned and construction begun during Gray's tenure as CP. Also, just as the Force seemed to be collapsing in 1951, it was also the turning-point of the MCP's quest for an armed seizure of power -- thus the Force has an 'easier' time from 1952 onwards to respond to its many problems of mission and organization. Instead of operating at very high personnel levels -- at its highest strength, the Force was easily larger than the rest of British colonial police forces combined\(^{68}\) -- the police now only had to manage with an establishment of 30,000.\(^{69}\)

**Phase VI (1962-1967)**

By 1962 the Malayan Police had begun to steer on an even keel and *ceteris paribus*, would have continued to do so but because of the impending formation of Malaysia (of which Malaya would be a component part with Singapore, Sabah and Sarawak) it became necessary for the Force to reorganize itself in terms of Malaysia's policing needs. The preparation of this reorganization was signified by the appointment in 1962 of the outgoing expatriate CP in Malaya as the Director of Police Affairs.\(^{70}\)

To prepare for the link-up of the police forces of the four territories, a headquarters complement was specifically designated under the charge of the Director of Police Affairs. To fulfill this need, the remaining expatriate officers in the Malayan Police who were already being phased out were now offered further contracts to serve in the soon-to-be-set-up Royal Malaysia Police. That this batch accepted the offer thus meant that Malaynization was not fully achieved until all left in 1966/67.
Although the police forces of Malaya, Singapore, Sabah and Sarawak had been led and officered by the British and there had been a commonality of policing practices, these forces had also developed separately on their own and had established procedures and schemes of service quite different from one another. It also was apparent that, apart from Singapore which had developed a fine police organization, the police forces in Sabah and Sarawak were "underdeveloped" in the areas of indigenous officers, well-trained rank-and-file, procedures and equipment. Thus the creation of the Royal Malaysia Police necessitated the unification of police force organizations which, though similar, were at the same time quite different from one another in several important respects. As opposed to the earlier stage of amalgamation of the police forces of Malaya, this stage led to the creation of "component" police forces and whose integration as a truly federal force is still ongoing. Thus, whereas in Malaya police officers may serve throughout the territory, in the case of the Royal Malaysia Police, Malayan officers posted to Sabah and Sarawak proceed on secondment and no Sabah or Sarawak officers are posted to serve in the Malayan component.

The mechanics of the amalgamation of the four component forces have been, and are, intricate. It had been decided on a governmental level by the parties to the merger of the four territories that the police as an aspect of internal security would be a federal responsibility and therefore under federal control. However, it was not possible nor feasible to exercise complete federal control and thus, although there was in name a Royal Malaysia Police with the formation of Malaysia in 1963, the police
forces of Sabah, Sarawak and Singapore did retain some form of autonomy subject to the directions of Federal Police Headquarters in Kuala Lumpur. This was possible largely (though not only) through the understanding achieved amongst all parties concerned that in the long run, the development of the RMP would take place based on the concepts developed in the larger force, namely, the Malayan component.

Federal control of all components was attained by several factors. First, an Inspector-General of Police was appointed to head the four components; the person appointed to this post was none other than the already-mentioned Director of Police Affairs. Second, Malayan officers were seconded to senior positions in the other components. In addition, several public order units from Malaya were also deployed to the other components. Third, steps already taken to place the four components of the RMP under one separate piece of legislation was hastened but due to the problems of standardization and the factor of the Indonesian Confrontation that the country faced, was not implemented until 1967. In its place, the four forces were governed by an "enabling Act," namely the Royal Federation of Malaysia Police Act, 1963.

The Inspector-General of Police was himself responsible to the Federal minister in charge of the Police and this fact would already in itself signify federal control. However, the sheer personality of the late Tun Ismail as that minister more or less assured central direction of the various police forces irrespective of whatever political interference that could have issued from the "new states." There was indeed fear in Sabah and Sarawak of being "swamped over" by seconded Malayan officers, and worse
still the prospect of advancement to seniority being nullified by the existence of these officers; nonetheless just as the Minister concerned did not tolerate any 'nonsense,' such fears were also attended to with all sensitivity and fairness. Similarly, these fears were also removed by the acts and policies of the seconded Malayan police officers by instilling trust and confidence among the officers of Sabah and Sarawak to command or assume command positions.

At the same time that the Headquarters organization was attempting to resolve the problems involved in the establishment and organizational development of the RMP, it also became necessary for the police as a whole to respond to the threat of Indonesian Confrontation, a threat that was not only in the form of subversion (both within and without) but also that of enemy incursions into Malaysian territory. The police response to both forms of this threat was successful and in fact demonstrated the versatility of this capability since the RMP played an external defense role during the Indonesian Confrontation.

The end of the Confrontation in 1966 meant of course that the RMP could now address itself to the main problem of amalgamation and standardization but the only external or visible development that resulted in the next year was the coming into force of the comprehensive Police Act in 1967. During this period (1966), nonetheless, a Malaysian took over as the IGP and with the retirement of the expatriate officers on contract, the Malayan component becomes completely indigenous. Also, in 1965, Singapore is taken out of the Malaysian Federation and thus from this date the RMP consists of three components. The Police Act then being prepared, which would have encompassed the Singapore component, was correspondingly altered
therefore to exclude this coverage.

Finally, but not least, it must be noted that although the jurisdiction of the RMP spans three broad geographical regions, namely Malaya, Sabah and Sarawak, the Force consists administratively, at the topmost tier of the territorial organizational chart, of ten 'contingents' and two 'components' -- which in effect means its territorial organization corresponds with the various constituent states of the federation. Actually, Malaya had had its own component, known as the "States of Malaya" component, but which was 'dissolved' in 1966 simultaneous with the merging of its Headquarters establishment with that of the RMP's Headquarters. That the breakdown into 'contingents' and 'components' has meant an "equivalence" of the two has itself created problems in standardization of organization and which continue to the present. How this has taken place thus far, however, is beyond the scope of this inquiry and awaits further analysis.

Features of Malaysian Police Institution-building

In the preceding we have attempted, albeit with rather broad strokes of the brush, to provide a chronological overview of Malaysian police institution-building, indicating at the same time of its development the various problems and difficulties. What trends or characteristics and problems can we surmise from this brief outline of the process?

A persistent feature of Malaysian police institutional development, including expansion and contraction in strength, has been its inability to consolidate itself in terms of gradual organizational development though at the same time it has been able to perform its mission(s) in the post-
War period. As soon as the police forces of Malaya (there were hitherto seven separate forces) were re-started in the post-War period as a single federal force in the form of the Malayan Union Police, and steps were initiated to restore public confidence in the organization, the Communist Party of Malaya (MCP) had launched, only three years after the end of the Second World War, a massive armed insurrection against the British-ruled polity. Because the insurrection, or what was officially referred to as the "Emergency" (1948-60) was perceived by the British as an outright challenge to law and order and its authority, it was only natural that the Police was utilized as the primary defense against the insurrectionists. Indeed, the British regarded the restoration of law and order as a major prerequisite for progress on the road to Malaya's independence and self-government.80

Though the Emergency reached its height in 1951-2 (during this time, the communists were at their "peak;" similarly, the police strength also reached the highest figure ever recorded), it soon began to wind down in the years immediately after this period81 and the police were also accordingly reorganized to enable it to perform a 'peacetime' rather than a 'wartime' role. A force that had increased sevenfold in the early years of the Emergency [including an auxiliary police detachment numerically greater than the regular establishment -- the Special Constabulary (SC)], with corresponding increases of four times the number of gazetted officers and two-and-a-half times the number of inspectors, plus the intake of a thousand European police sergeants, now needed to be scaled down. This scaling-down, however, was a complex process -- especially with regard to the
demobilisation or retrenchment of the SC and the Malayanization of the predominantly British officer corps -- and was slowed down soon after it began so as to enable the Police to cope with any potential trouble situations that could conceivably erupt as the country progressed into Merdeka (independence) in 1957.

Very soon after Merdeka, those in command and control of the Police, including of course the civilians running the government, envisaged the scaling-down to continue as planned but the advent of the creation of Malaysia in 1962-63 necessitated a reorganization of the Police Force once again. Not only was it then necessary to amalgamate three other police forces [of Singapore, North Borneo (Sabah), and Sarawak] and the Malayan force into a federal set-up, but the formation of Malaysia was accompanied by what was called the Indonesian Confrontation, which lasted approximately from 1962 to 1966, an event that placed the force back on a "wartime" footing.

Thus it was that the RMP has never been able to evolve steadily in terms of both role and numbers -- it has been switching back and forth from "wartime" to "peacetime" functions and its numerical establishment and strength not characterizable as a straight-line graph indicating steady or normal attrition and growth. Paradoxically, on the other hand, precisely because it is an organization in flux that the Force has been able to develop -- its ability to perform is significantly related to the challenges or threats faced by the government and the response delegated to the police to handle them. That the Police have assumed this major instrumental role for regime (both colonial and indigenous) is attributable to the civilians
in power at the federal level: all challenges and threats were perceived as inimical to the functioning of government and the upholding of authority, and therefore they accorded the attainment of law and order first priority.

An important aspect of the police institution-building process in Malaysia was, and is, the conscious effort by the civilians in power, both colonial and indigenous, as well as the police leadership to instil a sense of professional dedication to policing and organizational neutrality in the political process. During the 'peak' of the Emergency, the police was expanded in strength by almost seven times but it never assumed a role other than in support and defence of the civilian government in power. Partisanship in politics was also deemed a disciplinary offence to achieve this 'neutrality.' Secondly, although unprecedented and extensive police powers were provided for in the Emergency Regulations as well as in other criminal and security laws during and after the Emergency of 1948-60, the police used these powers in their proper legal contexts and hardly transgressed at all the boundaries of its jurisdiction. A strict notion of the accountability of any police action, both in terms of the legal ramifications as well as the organizational authority was stressed in training and actual law enforcement, and knowledge of the law became an important element in the make-up of the Malaysian police officer.

Since law and order is a federal responsibility, it is in this light also that one may understand the thread of amalgamation of the police -- the quest for centralization of separate police forces into one national body under federal control. This process of centralization is of course
Related to the vicissitudes of the police role, that is, the unification of the force to perform a national mission in both 'wartime' and 'peacetime' conditions.

The trend of centralization may also be related to the professionalization of the police mission; in other words it did not simply mean an amalgamation of separate forces under a central authority and responsible only to that authority, but it also signified changes in the police role and accountability of the separate forces. In a multi-racial country as Malaysia, a police force can only be professional if it is a national organization. Whereas the early police forces, especially in the Straits Settlements and Sabah and Sarawak served commercial (the East India Company and the British North Borneo Company) and personal (the Brooke regime) interests, their later roles evolved to serve more imperial interests -- although, of course, imperial interests did not exclude commercial interests. During this evolution, these police forces also developed more specific functions and began to undertake more 'normal' police functions rather than carrying out at the same time varied administrative responsibilities85 which had little to do with actual policing. At the later period, the police began to serve more public interests rather than imperial or even political interests. Centralization assisted in this process of serving public interests in the sense of fulfilling what is defined as the 'national interest.' Thus, although there are state-level formations, the interest(s) of the larger public are considered more important and hence there is central control of the police force.
The question of a national police set-up is also related to the "indigenization" of the police officer corps. This aspect of police institution-building essentially meant two problems: first, the replacement by Malayans of the British or expatriate officers who had assumed command and control positions in the Force due to the exigencies of the first Emergency -- a process called 'Malayanization,' and second, the allocation of 'federal' (read Malayan) officers in the component forces of Sabah, Sarawak and Singapore and the status of local officers in these latter formations as amalgamation of the four forces took place, including also the replacement of expatriate officers in Sabah and Sarawak ("Borneonization"). The second problem -- still ongoing -- is related of course to the greater issue of centralization and federal control of the police force in Malaysia.

At the same time that this centralization or incorporation of the Sarawak, Sabah and Singapore police components together with the Malayan force had to take place, the anticipated Malayanization of the officer crops in the latter component had to be slowed with the advent of the formation of Malaysia. No expatriate recruitment had taken place in the Malayan force after 1957, except for some technical positions, but a number of European officers who had been scheduled to depart were now offered further contracts so as to meet the demand for senior, experienced officers in view of the new force reorganization imposed by the formation of Malaysia. Thus, in effect, the problem of centralization was itself related to the inability of the police organization to consolidate as planned, though by 1966-67, the force (in Malaya) had become completely Malayanized.
A second issue of a national police force in Malaysia revolves around the issue of its ethnic composition. Although discussed more fully in Chapter V, that the objective of recruiting enough Chinese into the police (of which their numbers were and are still few) of a multi-ethnic Malaysia has been unsuccessful, but yet at the same time there being a predominantly Malay rank-and-file remains a major problem of the RMP. At the same time, it needs be said that if law and order is a professional function closely tied in with the rule of law, then the ethnic configuration of the police is not simply a question of Malay versus nonMalay interests.

A Police Doctrine

As we have specified at the beginning of this chapter, institution-building of the police in Malay(si)a may also be viewed as the evolution of a "police doctrine." This doctrine denotes a capability in the RMP which we have argued in the last chapter as highly instrumental in Malaysian political development; at the same time, however, this capability is synonymous with the fact of a professional and multi-functional law and order agency. We need now to elaborate the Malaysian police doctrine.

The well-developed capabilities of the RMP's organization is a concomitant of the development of its doctrine, that is, the way it performs its mission -- both in terms of role and procedure. Procedure has been most vital to the police organization: as the force expanded and its mission became more complex, its capacity to perform was highly related to its leadership's ability to exercise command and control of a large and
diversified machinery and to adapt the organization to meet challenges and changing circumstances. This capability was not achieved overnight, of course, but was built up and experimented with over a considerable period, beginning in the InterWar period and reaching an apogee in the period between 1952-62. Although the tenor of the force changes according to the personality of its top commanders, a basic police doctrine has been evolved and which encompasses as its central element the police capability.

The police capability has meant, first of all, the development of a leadership cadre to exercise command and control over a large organization as well as to perform the various policing missions. Two tiers of leadership have evolved, namely, a gazetted officers' corps to actually exercise command and control, and an Inspectorate responsible largely for much of the basic police work on the ground such as routine investigations of crime, traffic and subversion as well as junior leadership in all areas. During the Emergency period, an additional leadership post was also in operation -- that of police lieutenant -- to provide direction and supervision of SC units. Recruitment and selection of these categories of officers have been closely monitored and the nature of the British impact also encouraged an officer sub-culture complete with ceremonial dress uniforms, messes, and "dining nights." This subculture is partly responsible for an esprit de corps or elan that has evolved and which has held the force together in many times of stress. Entry to and tenure in the leadership cadre are governed by a number of principles that have evolved in the Malaysian police environment: beginning inspectors and gazetted officers are 'tried' or put on probation for a period of years before being con-
firmed; "direct entry" recruitment has been resisted as a procedure for officer selection, and promotional courses and tests have to be taken to ascend the police rank hierarchy.

It also became part of Malaysian police doctrine that as specialization became necessary for the performance of its variegated missions, constraints were imposed so as to allow complementarity of skills and the understanding of the various interdependent facets of police work. This principle has been and is important to the police leadership capability in three respects: first, the ability of a police officer to undertake any post or task he was assigned with; second, it meant that his specialized skills did not become a serious impediment to his promotional and career prospects in the larger organization, and third, the special areas of police work allowed for choice and versatility to the individual officer. In the first instance, a police officer encountered less problems in adjusting to a new post because much of the procedure in police work is quite basic in any sector, be it in a territorial or functional formation. This is in direct contrast to the civil service where for example, an officer from the finance ministry when transferred to a district, encounters difficulty 'fitting in' because of the very different task circumstances. In the second instance, an officer who had acquired a specialization in a certain area, say covert operations, knew that his career prospects and promotion opportunities were not limited to his specialties. An officer who had become a Special Branch man could be promoted to a Field Force post or some other position. This meant that an acquired specialty was not a 'dead end' to an officer's career. In the third instance, even though officers were not allowed to overspecialize
and thus were assigned to various functional areas of police work, they could still exercise choice in these areas; thus, a 'jungle-bashing' type could remain in the Field Force for longer tours than normally the case but of course face restricted possibilities for promotion by 'remaining' in that particular unit.

In all these respects, the notion was really a principle for purposes of command -- officers with varied experience in specialized areas had a better perspective to lead and manage police formations to meet different but interrelated tasks. This was very essential for leadership at the very top -- thus it has been that most of the very senior leaders have experienced tours in Special Branch and General Duties work at some point in their careers. 86

Apart from the officer cadre, another tier of police persons has been evolved -- that of what was called the "Subordinate Police Officer," made up of policemen ranking from corporals to sergeants. No extensive analysis of this cadre has been undertaken in this study, but it is an element that is important in the Malaysian environment. These were men who were not eligible to become officers in the Inspectorate or Superior ranks for a set of reasons, but their role was no less important than any other, for they provided the nucleus of leadership to man many of the police stations and posts in the more outlying areas of the police network. These men usually had the designation of the OCS (Officer-in-Charge station) and were responsible for their respective jurisdictions both in terms of personnel and policing. In other designations, they are usually good drill instructors or provide the junior leadership in small units and formations.
Their role is comparable to that of the Non-Commissioned Officer in the military or the Chief Clerk in a government office and in the police organization they are that stratum that bridges the gap between the police constable and the superior officer, both gazetted and inspectors.

It is not overstating the case that had there not been the existence of these fine men in these junior and senior leadership positions in the RMP, the organization would have been hard put to carry out its mission as needed.

A second strand of the Malaysian police capability is their extensive presence in the various parts of the country. The whole of Malaysia has been divided into sectors for policing purposes but usually corresponding with civilian administrative boundaries. Thus, just as there are administrative districts in Malaya and Sabah there are also police districts; in Sarawak, just as it is organized into divisions, so is the police network organized accordingly. A more important element of this police network has been the ability of the police organization to respond to policing needs and other socioeconomic charges; hence the number of police districts has varied according to both the nature of the police problem in each sector as well as the need to keep up with changes in urbanization, civil administrative redistricting and so on. The concept of a police district is an important reminder of the British impact for it is a notion of the need to effectively supervise areas of control and ensure law and order. Just as the concept of a District Officer is important in the civilian governmental apparatus, so is the concept of an OCPD (Officer-in-charge Police District) important in that apparatus for purposes of law and order.
The OCPD, indeed, in the colonial era, provided for the effective policing needs of empire in its remote areas of territory. So too, in the post independence period, the OCPD and the organization of police districts has provided a potent unifying tool for administering and holding a country together.

More basic than the police district is the network of police stations and posts sited throughout Malaysia and this has meant that the police presence has meant a governmental presence below the district level -- an element that is not furnished by the civilian governmental apparatus. This fact of governmental presence as performed by the police has been important for state penetration: people identify police as government. As instances of this identification, police are responsible for registration of births and deaths in Malaysia and are disseminators of government information. Also, in this role, the police have performed a useful role in keeping law and order and mediating in village disputes. For control purposes, all stations and posts are organized to come under the jurisdiction of police districts; hence the OCPD provides the leadership and supervision of the various OCS's and he provides the link with the next higher formation. From 1948 till about 1966, there were also formations in Malaya known as Police Circles and which comprised two or more Police Districts. Police Circles were commanded by OSPCs (Officer Superintending Police Circle) and these provided the link to the next higher formation, in this case contingents. Sometimes, Police Districts were as important as Police Circles (depending on the policing situation) and as such, that OCPD reported directly to Contingent Police Headquarters.
Contingents are headed by Chief Police Officers (CPOs) and who are usually officers of very senior rank. They were responsible to Federal Police Headquarters but nonetheless were "powerful" men who could advise their superior officers of their assessments of police problems in their jurisdictions. Contingents of course differed in organization and strength according to their problems and needs but all followed the basic format of being structured with a headquarters, circles, districts, stations and posts. Appendix B displays the set-up of the Perak Police contingent as an example of this basic format.

The importance of the police presence meant not only that government was represented in outlying areas but also signified an element of security and information. During the resettlement program of the 1950's (part of the 'Briggs Plan'), no new village was set up unless a police post to provide security for the inhabitants was also included. These police posts were an important input to the conduct of anti-terrorist operations and counter-guerrilla strategy for they provided static defence in the New Villages as well as acted as center for food denial operations against the communist terrorist organization. Once there was security, information vital to the police effort began to flow for this police presence meant less danger of reprisal to the givers of information residing in the New Villages.

Along with the police territorial infrastructure and presence is the existence of a good communications network linking all formations with the headquarters organizations. The establishment of teleprinter and radio facilities was a high priority during the Malayan Emergency and has served
the function of maintaining contact from the center to the periphery and vice versa, and in fact the present telecommunications set-up in the country is based on the police communications network. The existence of this network has meant that government is never "far" from the various areas of Malaya; during the Emergency, any police or governmental outpost being attacked by insurrectionists was able to notify this fact and expect help if required within a short time. It may also be pointed out that in the earlier period of this century and before the advent of more advanced telecommunications and road and rail systems, the existence of police posts throughout the Federation also facilitated mail contact between different areas as mail services were then a police responsibility.

A third strand of the Malaysian police capability that has developed is the instrumentation both in terms of formal procedure and function to serve mission goals. Formal procedure relates to the actual process of coordinating command between formations and the exercise of disciplinary control as well as the machinery for police work such as the legal powers conferred on the police and paper procedures, whilst functional instrumentation is the differentiation of the organization to handle separate tasks such as General Duties or Watch and Ward, covert operations, paramilitary sorties, criminal investigation and prosecution, traffic control, public safety and assistance and public order.

Apart from the territorial organization we have already discussed, the various commands and officers and personnel of the Force are governed by a set of written and well-established rules in the form of the Police
Act, Police Regulations, Force Standing Orders, IGP's Directives, as well as the Government General Orders ('Cap D'). Thus, there are extant and standardized procedures which provide guidelines for the direction and control of the Force as a whole. Perhaps, more importantly, these governing rules provide recourse for review should there by any deviations in the command and discipline of the Force. 90

A related aspect of this formal instrumentation is the "police system" that has evolved, or rather the existence of legislation relating to police work -- legislation that indicates clearly the extent of police jurisdiction in the exercise of their powers. We have discussed this point earlier, 91 but it needs be stated that the RMP operate within the ambit of the Police Act, the Penal Code, the Criminal Procedure Code (FMS Cap. 46), the Road Traffic Ordinance, the Prevention of Crime Ordinance, the Evidence Ordinance, the Public Order (Preservation) Ordinance, and the Internal Security Act. The police may also act under the aegis of other legislation in force.

One particular but important point about the tremendous legal powers that the police may exercise in the execution of their mission is that the police are also responsible for prosecution, a function they undertake on behalf of the Public Prosecutor. For this reason, especially, that police officers are required to know their law(s) very well. In addition, they also have to know very well the Evidence Ordinance -- a factor which has made police officers most sensitive to the issue of accountability of their actions _qua_ police officers. This function of prosecutions performed by the Malaysian police is one of their unique responsibilities, one that is not
shared by most other police forces. Importance of knowledge of the laws is underscored by the requirement that officers may only be confirmed in their posts on the basis of their passing the law examinations.

Apart from the legislative armoury that has been mentioned, during the most hectic institution-building period (Phases IV and V), the police operated in conjunction with a host of 'Emergency' laws and the antecedent legislation to the Police Act, the Police Ordinance of 1952. The Emergency Regulations were a most potent legal apparatus of the police and contributed in no small way to effective and legitimate police action in containing the insurrection faced by the government during the Emergency.92 Similarly, the Banishment Ordinance was an important police 'weapon' in terms of capability.

Both the Emergency Regulations and the other laws that the police may exercise have provided unprecedented legal powers to police officers in the execution of their function. There is an immense variety of offences, referred as "sizable" in legal parlance, that allow a police officer to effect arrest without warrant on the simple basis of suspicion. The wonder is not so much that the police possess these powers but more its reluctance, so to speak, to use them. Importantly, too, in terms of capability, the existence of such legislation provides a legal capability for the RMP to act when circumstances warrant it.

Associated with the formal instrumentation that has evolved in the RMP is the whole paraphernalia of methods, techniques and concepts that have been put into practice, some of which are leading pointers in police science. The writing of investigation papers (IPs) for investigation of crime,
and traffic cases, collection of crime statistics, classification of criminals -- all of which must appear pat and mundane but are nonetheless necessary skills in any efficient police force, have become part and parcel of the procedure and mission of the RMP. The Criminal Registry of the RMP is today the only one of its kind in that part of the world and is one of the most elaborate criminal information and retrieval systems to be found in any police force. Also, a system of Investigating Officers, or better known as "IOs" has come into operation and which provides that manpower resource to do most of the routine police investigations. These IOs are spread all over the country and operate from the district level but serve all subdistrict formations.

The functional instrumentation that has been developed in the RMP has evolved in response to the various missions entrusted upon it; in real terms this capability has developed by way of functional differentiation. Thus, the Special Branch which plays an important role in the police mission today was actually an off-shoot of the Criminal Investigation Department (CID) and the Police Field Force (formed in 1954) became more a permanent feature because the police had to undertake jungle operations during the Emergency.

The investigation, detention and prevention of crime comes under the purview of the CID although the prevention of crime is the responsibility of all police officers. The CID are also responsible for criminal prosecutions because of its investigative capacity. The CID is further specialized into branches for respective tasks such as secret societies, commercial crime and so on. The standard of the CID is quite high and as
has been mentioned, it has been able to amass an elaborate system of registering criminals and criminal records.

The paramilitary mission of the RMP is carried out by the Police Field Force (PFF). Starting first as Jungle Squads and then into Jungle Companies in the first Emergency, these were organized into PFF with the required logistics support once the police could reorganize itself better after 1952. The need for this paramilitary force is conditioned both by the nature of insurgent groups in the country as well as the nature of the terrain, more than three-quarters of it being dense jungle. The fact of the PFF provides an important reserve capability for the RMP -- apart from its own specific operations, units of the PFF may be deployed to assist other formations in both rural and urban areas. PFF personnel have provided part of the penetration capability of the police by way of maintaining a series of forts in remote areas and where contact with the Orang Asli is maintained and have also been used in Malaysia-Thai border operations as stipulated by common agreement between the two governments. Apart from the PFF, other special paramilitary units have also been organized, but more on an ad hoc basis, such as the Police Special Squad Groups (PSSGs), the Border Scouts, the Special Operations Volunteer Force (SOVF), the Frontier Force and the Senoi Praak (both the latter have since been incorporated into the PFF).

For urban public order situations, the RMP also has a reserve capability in the form of the Federal Reserve Unit (FRU). Formed in 1955-6, the function of the FRU is to prevent disorder and illegal demonstrations and control riots in urban areas, but may also be used for other purposes to assist police formations. Like the PFF, the existence of the FRU has made
it possible to use this resource in major police operations, thereby not taxing the strength of the regular police who may then be employed otherwise.

Security information-gathering as part of the Malaysian police capability is the responsibility of the Special Branch under the Director of Intelligence. The importance of the SB is signified by the fact that the Director is usually the second or third most senior person in the police High Command. Also, the Director of SB has direct access to the civilian head of government concerning any piece of security information or development, though at the same time he will inform his superior in doing so.93

The function of the SB is the surveillance of subversive elements and clandestine activities and thus its role in the security maintenance of the country is most critical. The work of SB has been fruitful in contributing to the police success in meeting the communist challenge in the Emergency as well as in dealing with covert attempts to destroy the Malaysian Federation during the Indonesian Confrontation. Before the War, the SB in the Straits Settlements was so first-class that they were able to plan an operative in the communist apparatus who emerged later as its Secretary-General. During the first Emergency, SB was also so good that it practically compiled dossiers on every active communist in the jungle and in the support communist organizations.

Other aspects of the police instrumentation that has developed in Malaysia are the Marine Police for territorial and riverine water policing, a Force Transport Branch to handle police transport problems, Traffic and Arms Branches, Women's Police, a Police Volunteer Reserve (PVR) and
auxiliary formations. Important also is the Training Branch of the Police that is responsible for all forms of police training -- basic, refresher, promotional and specialized.

All these aspects of the police capability that has developed in Malaysia forms part of a "police doctrine" that to all accounts and purposes, must be regarded as successful. The question that is faced by most governments is that of ensuring law and order so that government may function and in the Malaysian case, the nature of its police development has been a critical element. The ability of the police to perform diverse tasks and functions and yet remain an integral and cohesive organization has been an important factor in this development. Nonetheless, the process was developed only over time and was characterized by mistakes and failures.

We have already listed the RMP's inability to consolidate because of varying emphases in its law and order missions and the vicissitudes of switching from 'wartime' to 'peacetime' policing and vice versa; indeed, that it is a civilian police agency but yet retains its paramilitary role leads to a situation in which the latter function is performed at the expense of the former, even if this is not to the security detriment or public order well-being of the country as a whole. All the same, it is a problem which will be recurrent. The following excerpt, for example, is highly indicative:

"A further problem has arisen in that the Special Branch and the new Police Field Force and Federal Reserve Unit formations require to be given preference in the selection of officers. The resulting position is that the CID and General Duties have become the Cinderellas of the Force and have unavoidably not been receiving their just desserts in the matter of staffing. This lack of priority in these branches is particularly unfortunate at a
time when certain serious forms of crime and criminal activities are engaging the special attention of the Force."94

It remains to be seen, therefore, if the RMP will further develop its capability so as to be able to respond to the diverse and changing nature of its challenges and missions.

In summary, we have attempted in this chapter to describe the institution-building process of the Royal Malaysia Police and to analyze the results in the dimensions of its capabilities, trends and problems. If institution-building may usefully be evaluated against the criteria of goals an organization is designed for, it may be argued the establishment of the RMP as a law and order agency has been in the long run successful. Nonetheless, its multiplicity of missions and its operation as a force not cognizantion of ethnic interests in a multiethnic society will remain its major problems.
NOTES

1. Up to the end of the 1975, the Royal Malaysia Police College had trained 1047 foreign officers, certainly a record unmatched by any other police training establishment in Southeast Asia. The figure is obtained from the Royal Malaysia Police College, "Briefing Notes on the Organization and Functions of the Royal Malaysia Police College," nd, p. 2.


4. According to Morrah, Ibid, pp. 53ff., the first police force in the Malay States (that is, the Malay peninsula proper and excluding the Straits Settlements) was the Selangor Military Police Force set up in 1875.

5. Ibid., the Sungai Ujong police in 1874 was "a body of Sikhs" but the Selangor Military Police Force in 1878 was "made up of 277 NCOs and men, all Malays."


12. Ibid.

13. This point is elaborated more fully in Chapter III.

14. Even until now, the former settlements of Malacca and Penang -- in contradistinction to the other Peninsular Malaysia states -- have a slightly different version of the otherwise comprehensive and uniform Penal Code. In Sabah and Sarawak, the Penal Code is also slightly different from that in Peninsula Malaysia.


17. Malaya, Federation of, *The Federation of Malaya and Its Police* (Kuala Lumpur: Government Printer (?), n.d.). Pages 7-10 of this publication contain a listing of Malay commanders of the police forces in the UFMS.


19. The ethnic patterns of the Malaysian police are discussed more fully in Chapter V.

20. According to Onraet, *Singapore: A Police Background* (London: Dorothy Crisp, 1947), p. 76, the Depot of the Singapore Police Force (SPF) was the "finest police training establishment in the East." Located still since where it started, the Depot has now been renamed the Police Academy of the Singapore Police. The present headquarters of the Johore and Sabah police formations are sited in "Depot" buildings. In Kuala Lumpur, the Depot at Jalan Gurney has been renamed "Police Training Center."

22. The 'cadet' system was exclusive to Malaya. Onraet, op. cit., p. 83.


25. Actually, the Japanese conquest was itself a 'shock' to British and Malayan alike, since Malaya was considered an impregnable bastion of British might.

26. Police in the preWar era performed a host of governmental functions such as carrying the mail in the more remote parts of the country, veterinary control, the fire brigade, control of weights and measures, film censorship, overseeing the penal system, railway police, registrations of births and deaths. Some of these activities are still a part of the police function.

27. To many of these policemen, serving under the Japanese was "simply a job," prompted by adverse living conditions, although undoubtedly some also perceived the Japanese as the new power of Asia.


30. von Vorys, op. cit., pp. 53-64.

31. Interview, Kuala Lumpur, 1976. To restore the morale of the police, it was necessary to "eliminate undesirable elements." Royal Malaysia Police, Representation on Gazetted Officers' Salaries by the Senior Police Officers Association, Gazetted Officers Branch, Malaya Component (Kuala Lumpur: Government Printer (?), 1965), p. 3.

32. Interview, United Kingdom, 1975.

33. For an account of the Malayan Union, see J. de V. Allen, The Malayan Union (New Haven: Yale University Southeast Asia Studies Monograph no. 70, 1967.)


35. Representation...Component, op. cit., p. 3.

36. Many preWar types (also called "old Malayan Officers") considered the new stance of the Force as deviating from normal police work.
37. Labelling this phase as such is not meant in a pejorative or witty manner.

38. This was the important policy despatch delivered to the Colonial Office by Sir Henry Gurney, then High Commissioner to Malaya. Malaya, Federation of. Colonial Despatch No. 5 (still graded "Top Secret.")


40. The rationale for this was understandable; after all the High Commissioner, Sir Henry Gurney, was also ex-Palestine.

41. From former Settlements (in China) Police especially; also, many wartime British officers came to Malaya from Britain itself.


44. Interview with W.N. Gray, Scotland, 1976.

45. Malaya, Federation of. Report of the Police Mission to Malaya, signed by A. Maxwell, J. Ferguson and R. Jackson (Kuala Lumpur: Government Printer, 1950). Some officers complained the Report was 'unworthy' as the authors were not themselves police officers.

46. For example, in a directive dated 22nd October 1951, "Police Organization and Training," Briggs began: "As Director of Operations I have to interest myself in the matters of Police organization and training as both these factors bear a vital influence on Police efficiency, morale and operations...."

47. The same Briggs directive drew opposition from many police field and other formation commanders.


50. Ibid.

52. Representation....Component, op. cit., p. 3.

53. Interview, Malaysia, 1976.

54. Interview, Scotland, 1975. See also Chapter IV.

55. Representation...Component, op. cit., pp. 3-4. See also Chapter III.


60. Cp. footnote 55. Although the Special Branch seems to have been reformed in 1949-50, it is probable it was wholly separate from the CID from 1952 onwards.


62. The first Asian CPO was appointed in 1954.

63. On ethnic recruitment, see Chapter V.

64. Templer left Malaya in 1954.


66. Apart from the Federal Reserve Unit (FRU) formed in 1957, Jungle Companies were formed as the Police Field Force (PFF) which served not only as a reserve for public order duties, but also as a paramilitary force. Interview with Tan Sri Sir Claude Fenner, Kuala Lumpur, 1976.

67. On Malayanization, see Chapter V.

68. Short, "Police...Power," op. cit., p. 141.

69. Ibid., p. 142.

70. Tan Sri Sir Claude Fenner.

71. For this reason, a description of the Sabah and Sarawak Police in the other phases appears to have been omitted principally because of a "lack of institution-building." Nonetheless, it is noteworthy that preWar control of Sabah by the North Borneo Chartered Company and Sarawak by the Brooke Rajahs, including their police forces, was handed to the British colonial authorities in 1946.
72. This situation has already started to change beginning with the appointment of a Sarawak officer to RMP Headquarters in 1976.


74. Mainly through the issue of administrative memoranda as IGP's Directives.

75. See Chapter III also.

76. See footnote 70.


78. Discussed in Chapter III.

79. The problems of the RMP especially in terms of getting the Sarawak and Sabah components in line with the peninsular set-up are officially called "integration."

80. This was contained in the directive given to (then General) Sir Gerald Templer by the Secretary of State for the Colonies and read publicly by him in Kuala Lumpur on 7th February 1952, at the ceremony at which he was sworn in as High Commissioner for the Federation of Malaya.

81. The Communist Terrorst offensive also wound down at about this time.

82. That the "Emergency" was defined as a law and order situation itself imposed constraints on the British. See Pye, op. cit.

83. In the early phase, mistakes were committed by the police, but this was quickly rectified or prevented from occurring once the police were able to organizationally consolidate after 1952. See Short, The Communist Insurrection..., op. cit., passim, and Short, "Police... Power," op. cit.

84. See Chapter IV.

85. See footnote 26.

86. Command and leadership are discussed respectively in Chapter III.


90. This was highlighted by the case of Surinder Singh Kanda, a police officer who litigated against his dismissal on the grounds it was contrary to the powers of the Police Commissioner as provided for in the Police Ordinance /1952/. For an account of the case, see Appendices E and F of R. Tiitan, "The Public Services of the Federation of Malaya," Ph.D. dissertation, Duke University, 1961 /Civil Suit No. 232 of 1959, Penang High Court, and FM Civil Appeal No. 30 of 1960/; Sulaiman Hassan, "The Maintenance of Discipline in the Royal Malaysia Police," Diploma in Public Administration Project Paper, Faculty of Economics and Administration, University of Malaya, 1972, pp. 78-80; *Malaya Law Journal*, 115 (1960). Mr. S. Singh Kanda was reinstated to duty following the judgement of the Privy Council /Privy Council Appeal No. 9, 1961/.

91. Page 61, this chapter.

92. The Emergency Regulations are no longer in force but emergency powers are still provided for in the Constitution (Part XI), and powers of detention are also contained in the Internal Security Act /1960/.

93. Interview, Malaysia, 1976.

CHAPTER III

THE POLICE ORGANIZATION AND SET-UP IN MALAYSIA:
PRINCIPLES, COMMAND, CONTROL
"You can do anything with bayonets but sit on them."

-- Cromwell, as cited by
Tan Sri Sir Claude Fenner,
first Inspector-General,
Royal Malaysia Police

"...there must be a centrally directed police organization which could fit into the concept of a strong central government...."

-- internal police document, 1965

"It doesn't matter how many Army patrols pass through the day, unless there is a police station out there at night, functioning, you won't get any information from the people."

-- Brigadier R. Clutterbuck,
Staff Officer, British Army in Malaya, 1956-58.
As has been indicated in the previous chapter, a police doctrine has evolved in Malaysia and which provides even up to now the underlying rationale for the police system in the country. The roots of this doctrine may be traced from the preWar period but the real impetuses for the organizational set-up and development have occurred in the postWar era. Paradoxically, however, at the same time that organizational growth has taken place in terms of specialization, differentiation, and increased capabilities, the police system and role has remained basically the same -- the transfer from colonial to indigenous control has not signified any real change in the policing format in Malaysia.

In this chapter we propose to analyze the structure of the Malaysian police organization and the principles underlying the structure. Whereas in the last chapter we discussed the development or evolution of a police system or doctrine, here we are interested in the tenets of the system, that is, a further elaboration of the doctrine itself. Essentially, our enquiry will address two separable but interrelated questions:

(a) how to police adequately a given area and population, and

(b) how to organize the police force to achieve (a).

These two questions are in turn related to two other dimensions, namely:

(c) control, or accountability; that is, who controls the police, or alternatively, who are the police accountable to, and

(d) how to manage a diversity of police functions -- a peculiar circumstance of the Royal Malaysia Police which is responsible for normal policing as well as extral policing needs such as internal security and intelligence missions.
Put quite simply, the test of a police system qua public service is its efficacy and its accountability. \(^1\) A discussion of principles, therefore, is prolegomenal to an analysis and description of the police system as has been evolved in Malaysia. The rest of the chapter relates how these principles have been applied and the territorial and functional aspects of the police organization. The relationship of the organizational set-up to political and command and control aspects are also discussed.

Command and control aspects of the police organization refer not only to the executive authority within the Force but also to its external or political accountability. "Command" refers to the executive hierarchy or chain of command within the police organization but "control" refers to the supervision of the various levels of the RMP's structure, both in its territorial and functional units. Command and control may be exercised by leadership (through the chain of command), written orders and regulations such as weekly Force Orders, Headquarters Directives, other administrative memoranda and departmental regulations, and inspection. It should be clear that command and control are highly related to one another as well as to that of discipline, since the chain of command and span of control can only be effective if there is discipline.

**Principles**

Obviously, since there are many versions of police systems, there are no universalistic principles -- just as some police forces are "national", others are not; just as some countries have several police forces, others have only one. What, then, were these principles that provided the bases of the Malaysian police system?
To be sure, these were not principles that were simply transplanted in the Malaysian milieu. The British -- who provided the legacy of the police system -- did not come to the Malay peninsula or the island of Borneo with a ready-made formula for the establishment of a police force; indeed, in the earliest phases of British colonization, the imperial authorities from their offices in the Indian subcontinent or later from London preferred law enforcement to be undertaken by the various communities in their Malay(si)an possessions. It was only later, when their policies became more intent and when they regarded the provision of law and order imperative to the safety of British commercial operations and general public tranquillity, that they engendered the development of police forces. Neither, it should be understood, did all their early principles work -- the spread of a modern law and order network in the country and which exists today is the child of many mistakes and difficulties of the past.

It should be understood, too, that the British did not come to Malay(si)a with a technology on policing borrowed from the home country. What came to be the principle or concept of a "national" police organization in Malaysia was certainly not derived from the motherland whose police forces were and are decentralized. As for the content of the legislation undergirding the legal jurisdiction of police work in Malaysia, the major content -- the Penal Code, the Criminal Procedure Code (CPC) and the Evidence Ordinance are borrowed from India. And some early concepts of paramilitary functions were derived from the practices of the Royal Irish Constabulary and the use of Sikhs and Northerners from India. On the other hand, indeed, some policing methods were actually "invented" in Malaysia, such as the
Conlay fingerprint system,⁴ the concept of probationer officer cadets,⁵ and of course the present-day concept of the paramilitary Police Field Force. There was, therefore, some fusion of indigenous elements with British practices (until independence and even later, it was primarily a British-officered force) that finally became police principles.

The set of principles or doctrine, however, was not laid in a single document easily available to the researcher or even to police officials, for that matter, although elements may be inferred from items such as legislation on the police, police regulations, standing orders and the like. Some organizational principles are, nonetheless, explicitly stated in several documents.⁶ Fortunately, the principles that became the underlying rationale of the Malaysian police system were stated quite clearly in a document on the proposed "exportation" of these fundamentals in another context. This important document⁷ was the Report on the National Police Force, Republic of VietNam (hereafter referred to as The Report) released or signed by its authors in Saigon on 29th March 1971.⁸ The authors of The Report, all British, shared one other singular and crucial attribute -- all had had distinguished careers or critical connexions with the Malaysian police.⁹ Although it was not specifically stated, their proposed reorganization of the VietNamese police was modeled on the Malayan force.¹⁰ As a premise, the authors of The Report stated quite succinctly, "above all else we were concerned with the basic principles on which a police force must be founded, from which all details then follow."

Although The Report as a whole is virtually a treatise on police
doctrine and organization, the following major principles or recommendations were enunciated:

3a) that the police be a national and unified force;
3b) that the police be established as a separate Command by statute;
3c) the normal police role should be laid down, first by decree and then by statute;
3d) the Statute should also make provision for the police defence role;
3e) in its normal police role the Force should be independent of Government and political direction and interference;
3f) the Government should give the Force the necessary support to carry out its role effectively;
3g) instruction in the law to be a major part of police basic training;
3h) the missions of the police and other forces operating in an internal security role be clearly defined to avoid overlap and to establish primary and supporting responsibilities.

Overall, the major aim of these recommendations was to achieve the following:

"To create an efficient, unified and independent National Police Force that will be responsive to the needs of the Government in enforcing the law, preventing crime and maintaining internal order and security, and to the needs of the people in protecting life and property, investigating complaints and ensuring justice for all."12

Apart from the eight principles listed, The Report also made 149 other recommendations, but of which many were specific to VietNam. In the
following analysis we shall only refer to the salient ones, that is, those relevant to Malaysia, and of course to the eight major ones listed above.* Before proceeding, it is worth noting that although the principles as spelt out in The Report may have worked well in Malay(sia), it is not altogether clear if they are workable in VietNam. A study of its implementation would have provided an excellent basis for a comparison of police institution-building, but in any event the question is irrelevant since VietNam fell to the communists in 1974.

National and Unified Police Organization

We need to specify at this juncture the meaning of the terms 'national' and 'unified.' \[\text{principle 3a}\]

By 'national' is meant that all police agencies or units designated as such are joined under one central command and are not decentralized; their accountability therefore is also to a single source and not bifurcated as, say, in the case of the Compagnies Republicaines de Securite and Gendarmerie in France. 14 The process of establishing a national organization would entail the amalgamation or consolidation of existing police units (whether territorially or functionally organized) as a single force and that its operations be national in character (that is, it operates countrywide and serves the national purpose). Thus, to illustrate, although the various Indian police forces get their officer elements from a national cadre in the form of the

* For the purpose of facilitating discussion, reference to these principles so numbered would be indicated directly or by squared parentheses in the following inquiry.
Indian Police Service (IPS) and that there is a central investigation bureau and a public order reserve in the form of the Central Police Reserve, it cannot be said there is a national police force in India since there is no single overriding authority for the various state police forces.

By 'unified' would mean that procedures and all matters affecting police organization are standardized or reduced to uniformity. Thus, police formations of a united or national force would enforce the same laws and function as a single service with common operating procedures. Unification would entail, as in the case of the unification of the police forces of Malaysia, federal control and responsibility for personnel matters, recruitment policies, conditions of service (particularly discipline and promotion), training and training establishments, internal security and public order matters, communications, armaments and transport, finance and supply, intelligence functions, and research and planning. Thus, to demonstrate via one instance, a police force cannot be said to be unified if two officers holding the same rank in that service are remunerated differently.

Some of these aspects of unification, it may be inferred, are not only matters of standardization, but are also related to the concept of a national police force, as for instance in the case of intelligence collection and collation -- not only has this function to be uniform for the whole country, but its control also has to be through the police command and ultimately to the central government. Similarly, although formations organized on a territorial basis may exist, and their day-to-day command be under the supervision of their unit commanders, overall command rests in the national police chief.
A national police force may also be said to be national in terms of the ethnic composition (especially if it is a heterogeneous one) of the country, that is, staffed and officered by the elements of the population. However, actual practice and conditions may inhibit the actual creation of a so-called national force and may in fact be an erroneous concept. It is vital, therefore, to understand that a police force, irrespective of whether it is nationally reflective or representative of the elements of the population or otherwise, can only be effective if it performs its roles in the context of the laws of the country. At the same time, nonetheless, any police force can be effective only if it contains some elements of the composition of the population. This particular aspect of the concept of a national police force is discussed more fully in Chapter V.

That a police force should be national and unified is adhered to in the establishment and set-up of the Royal Malaysia Police. By "national" in Malaysia means that it is a federal organization; as stipulated in Article 132 of the Malaysia Constitution, the police is a federal public service. More importantly, especially with the advent of Malaysia, the Force is so organized as to "fit into the concept of a strong central government," an organization "under central command responsible to the Minister of Home Affairs." This concept of a "national" police force, or central control, is important in the context of Malaysia. Not only is there a physical separation of the territories of Malaya with that of Sabah and Sarawak (see map) but, given the differing histories and politics of the three areas which could lead, especially, to fissiparous tendencies, it was necessary
that the police force be under federal control in Kuala Lumpur. This argument had been fortified in any event by the parties to the merger of the three territories -- that as internal security was to be a federal responsibility so it was that the agency charged with internal security, the police, be under federal control. 19

As for the "State of Malaysia" component of the RMP, the concept of central control of the police had been an historical tendency. The establishment of police forces in the Malay peninsula signified not only the spread of a modern system of law and order, but also a most efficient means of colonial governance of the whole area. To be sure there was no single national police force in name until the coming of the Japanese, but to all intents and purposes the police forces that existed reported to one single authority in the person of the Governor of the Straits Settlements, who was also High Commissioner for the Federated Malay States. It could not be said, naturally, that these police forces were not different -- they were separate organizations -- but their policing problems were usually the same. 20 and the common officer establishment for the Straits Settlements Police Force, the Federated Malay States Police and the Police Forces of Johore, Kelantan, Trengganu, Kedah and Perlis practically ensured a commonality of policing practices. Not only were the officers (here meaning 'expatriates') of this common establishment transferable to all the police forces -- and many did -- but so too were the 'native' officers of the SSPF and the FMSPF within those respective jurisdictions. 21 Also, the same laws (the Penal Code, the Criminal Procedure Code and the Evidence Ordinance) with relatively small differences applied to all these territorial units. Similarly, the statutory stipulation of the organization,
discipline, powers and duties (and matters incidental thereto) followed a basic legislative format, applied *mutatis mutandis* to the police forces of these territories. A national policing system could be said, therefore, to have existed in fact if not in name up until the Japanese conquest of Malaya. And for their part, the Japanese ruled Malaya as a single political unit and this, of course, meant a 'national' police force, and importantly also they policed the area with the extant 'British' laws as a legal basis. Thus, although in some institution-building respects the Japanese period was 'harmful' to the police organization, there was at the same time an element of continuity in the sense of a centrally-directed police force in the country.

With the return of the British after the Second World War, the police forces of Malaya were reorganized as a single entity, the Civil Affairs Police, in line with the creation of a single political territory, the Malayan Union. However, the Union Scheme itself was abortive and it was replaced by the Federation of Malaya scheme; although the states of Malaya were allowed intact with the new agreement, the concept of a strong federal government was practically set. Correspondingly, although the police forces were organized as state formations (almost as they had been before the War) control of the police was vested in the central authority in Kuala Lumpur. This distinction needs clarification: although on the civilian side the various Malayan states still retained their respective appelations, and for some also their own state administrations, the police was organized nationally as the Federation of Malaya Police with formations at state level so organized to correspond as much as possible to state boundaries -- in fact, the states of Kedah and Perlis shared one single police formation. In short, although
there were state formations, the states had no control over them.

It is fair to say, then, that the concept of a 'national' police -- in terms of consolidation of separate forces -- has been achieved in Peninsular Malaysia. At the same time, however, due to the federal nature -- meaning, that is, a strong federal government but with certain states' rights -- of this portion of Malaysia, whereupon the police are organized territorially as state formations, it has made difficult any further consolidation (for command and control purposes) of these formations, as evidenced by the failure in the mid60s to reduce the 10 state contingents to four regional commands.24

It is pertinent to note at this juncture the "circumstances" of Singapore. Before the War, Singapore had been part of the Straits Settlements and therefore a part of Malaya. After the War, however, with the promulgation of the short-lived Malayan Union scheme, the island was made a separate colony from the rest of Malaya, and has since then existed as a single territory. In effect, this has meant that in the immediate post-War period the consolidation of the police forces (now separate) of Singapore and Malaya became very remote. Insofar as Singapore was to be regarded (by the British) as an alienable part of Malaya during that time, consolidation or even the prospect of a joint police force was impossible,25 notwithstanding a common expatriate police officer establishment for the two territories (a preWar arrangement) which lasted in fact until 1954. Nonetheless, the close connexions between the two forces especially in terms of policing practices did mean that there was less of a problem of unification at the time of the formation of Malaysia, even if the policing problem in Singapore was more urban in character. In the event Singapore left the
Malaysian federation in 1965, but on the other hand, it is not inconceivable that the problems of police consolidation would have surfaced due to the different histories and political styles of the Singaporean and Malaysian governments, and that the concept of central control of the police force would have been severely tested had Singapore remained in Malaysia.26

In contrast to the Singapore case, however, the uniting of the police forces of Sabah and Sarawak with the Malayan force was quite "easily" achieved, but what remains is the "unification (standardisation) of these separate police forces with differing histories, tradition, conditions of service, law and procedures in a newly formed country." 27 To an extent, the British heritage in these three forces, plus also the fact that quite a number of British ex-Malayan police officers had crossed over (during the closing phases of British rule in Malaya) to serve in the police forces of Sabah and Sarawak, did contain aspects of commonality in policing practice, but their different developmental paths had also resulted in the Malayan force being years ahead of the other two. As measures of their different degrees of development, the force in Sabah was still equipped with obsolete weapons and were poorly-uniformed (some constables did not wear shoes on duty because they had not been trained thus); in both Sabah and Sarawak, entry qualifications for constables were much lower than for the peninsular force; and most important, expatriate control28 of these forces had led to a situation in which there were no indigenes capable or ready after Malaysia's formation to assume 'command and control' posts.

The unification of the Sarawak and Sabah forces with the Malayan force essentially meant streamlining in respect of:29

i) Terms and Conditions of Service;
ii) Educational qualifications for recruitment, particularly for the rank and file;
iii) Laws to enforce:
iv) Service policies on all facets of police functions;
v) Methods and Administrative Procedures;
vi) Equipment, Stores and Supplies;
vii) Training of officers and other ranks;
viii) Extraneous duties which they were required to undertake.

Apart from these, amalgamation was also pertinent in the areas of manpower and command. In terms of strength, in addition to the extra commitment in personnel for Malaysia-wide Internal Security and Public Order contingencies from the Malaya component, there was a definite need to expand the personnel establishments of the Sebah and Sarawak forces if there was to be "adequate police coverage" in those two territories. In terms of command, an outstanding obstacle was, and continues to be, "equivalence in rank" vis-a-vis the commanders of the various forces: briefly put, are the Commissioners of Police of Malaya, Sabah and Sarawak "equal" in terms of responsibility in a national police force? This question was complicated, as indicated in Table 3.1, by the variation in policing needs and problems of the three territories as a consequence of their different geographical circumstances and population size. In the event the rank designation of CP was retained for the various forces but is considered not equivalent in status on a pancountry basis. In short, commonalities notwithstanding between the police forces of Malaya, Sabah and Sarawak, there were considerable problems to overcome if the ideal of a unified and national police organization was to be achieved in Malaysia.
### TABLE 3.1
Comparison of Policing Responsibility and Component Strengths,
Royal Malaysia Police, c. 1966

<table>
<thead>
<tr>
<th></th>
<th>Federation of Malaya Police</th>
<th>Sarawak Constabulary</th>
<th>Sabah Police Force</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>51,660 sq. miles</td>
<td>47,500 sq. miles</td>
<td>29,000 sq. miles</td>
</tr>
<tr>
<td>Population</td>
<td>7,701,753</td>
<td>780,000</td>
<td>475,000</td>
</tr>
<tr>
<td>Police Strength</td>
<td>21,735</td>
<td>3,270</td>
<td>2,577</td>
</tr>
<tr>
<td>Total reports</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>lodged at station (6 mos.)</td>
<td>231,233</td>
<td>6,327</td>
<td>710</td>
</tr>
<tr>
<td>Total reports</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>which resulted</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>in persons</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>charged in court</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>20,530</td>
<td>711</td>
<td>423</td>
</tr>
<tr>
<td>Total reports</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>which resulted</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>in action by</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>summons</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>55,893</td>
<td>456</td>
<td>(not available)</td>
</tr>
<tr>
<td>Total reports</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>of seizable*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>offences</td>
<td>19,257</td>
<td>1,567</td>
<td>292</td>
</tr>
<tr>
<td>Total reports</td>
<td>145,689</td>
<td>1,709</td>
<td>(not available)</td>
</tr>
<tr>
<td>of non-seizable</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>offences</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


* For a definition of "seizable" offences, see footnote 88.
The recognition of this situation in terms of police force unification meant two things: the post-Malaysia police could not standardize as quickly or easily as that that had been achieved in Malaya and the process to bring the Sarawak and Sabah Components in line with the Peninsular force would take place in stages, as indeed has been and is still the case.\textsuperscript{32} The Cobbold Report specifically stated that the incorporation and standardisation of the Sarawak and Sabah forces with the Malayan force would be achieved slowly,\textsuperscript{33} and up to 1966/67, both the former forces operated very much on their own but keeping in line with directives issued from Kuala Lumpur. However, it was stipulated that the creation of a single, unified police service would rest on ideas and practices derived from Malaya, except where it could be shown those in the other forces were superior.

Some of the major aspects of the creation of a national force by amalgamation of the Sarawak Constabulary and the Police Forces of Sabah, Singapore and the Federation of Malaya have already been discussed in Chapter II. It is necessary to bear in mind that the period 1962-1967 (Phase VI) of the RMP is only the initial stage of the creation of a national and unified force. At the same time that some form of consolidation was necessary for the amalgamation of the various component forces, the major command, that is, the Malayan Force, was in great need of reorganization -- an aspect that had been neglected due to the exigencies of the Emergency. Also, to make matters worse, the RMP was faced with the threat of the Indonesian Confrontation.

The goal of a national and unified police force was primarily attained
in any event, by the creation of an overall commander, with the title of Inspector-General of Police (IGP), directly responsible to the Minister of Internal Security (later Home Affairs) for the command and direction of the unified service. The day-to-day command and administration of the component Forces was left to be exercised by the respective CPs, subject to the authority and overall direction of the Inspector-General. These facts have allowed for amalgamation to take place with the minimum possible initial disruption of the existing Forces.

For command and control by the Inspector-General of the national force, a federal police headquarters at the seat of the central government was established. Headquarters organization in the other component forces were also set to be streamlined in terms of the set-up at the Malayan (officially called "States of Malaya Component" at that time) headquarters. By 1967 this was already achieved. Also as indicated earlier, many service aspects were absorbed by the Federal police headquarters.

A unified force also entailed, as has been officially described, "a balanced organization that is effective and capable of rapid decision and execution of such decisions and in which the responsibility of officers are approximately proportionate to rank and experience, i.e., commands at all levels should be similar in organization, and allowing for variation in size and population, of equal responsibilities."34 This has been much harder to achieve and remains even up to the present an elusive concept. For a start, quite a number of "Peninsular" (i.e., Malayan) police officers were seconded to the Sabah and Sarawak components, and every attempt seems to have been made to train officers in the latter components
to assume command and control posts. But the issue of a 'balanced' organization, even though there are now fewer 'peninsular' officers in Sabah and Sarawak, remains. For example, a Chief Police Officer (CPO) of a contingent in the West Malaysia, with the rank of Senior Assistant Commissioner (SACP) is lower in rank to the head of the Sarawak force -- a Commissioner -- but the latter earns about equal pay with the former(!) In terms of a unified and national organization, therefore, rank and salary are not as yet commensurate, and that either may be 'compensated' by the other. Also, this means that territorial formation commanders at the state-level are not 'equal' in terms of duty posts and rank designations. In effect, of course, it may be argued the official argument of a 'balanced' organization in terms of 'standardisation' may be an unrealistic one in that organization and rank are confused as command parameters, since a police force is not easily standardized in the light of differing circumstances of need and problem in each particular territorial police jurisdiction. In terms of the principle of a 'unified' force, similarity rather than standardization may be a more useful, operationalizable goal.\(^35\)

In a time-frame, four phases were designated by police staffers as to the overcoming of the problem of incorporation of the various police forces in the newly-created Malaysian police organization.\(^36\)

<table>
<thead>
<tr>
<th>Phase</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase I</td>
<td>Before Merger</td>
</tr>
<tr>
<td>Phase II</td>
<td>Immediately on Merger</td>
</tr>
<tr>
<td>Phase III</td>
<td>As soon as possible after Merger</td>
</tr>
<tr>
<td>Phase IV</td>
<td>As circumstances permit</td>
</tr>
</tbody>
</table>

We have already discussed some of the problems arising from the attempt to
unify the component police forces into a national organization within the first three phases. The fourth, however, is still continuing but beyond our purview here. In reality, it does appear that the concept of a national and unified police force has been successfully applied in West Malaysia, but as to whether the Royal Malaysia Police is in effect 'national' with regard to its Sabah and Sarawak components remains less clear as a proposition. At the formation of Malaysia, it does seem clear that a united police organization was easily achieved but the extent to which the various forces are unified remains an ongoing problem. Nonetheless, the concept of a standardized police organization throughout Malaysia responsible to a strong central government remains a cardinal goal of the regime.

Other issues of the national and unified nature of the Malaysian police are elaborated below.

**Police Role and Organization**

The police role and organizational set-up are expressly stipulated by statute, thereby making clear its powers, functions and responsibilities. The mission of the police is stated under Part III:3 of the Police Act, 1967 [Malaysia, Act of Parliament, No. 41 of 1967], which reads as follows:

"The Force shall subject to the provision of this Act be employed in and throughout the Federation (including the territorial waters thereof) for the maintenance of law and order, the preservation of the peace and security of the Federation, the prevention and detection of crime, the apprehension and prosecution of offenders and the collection of security intelligence."
The Police Act \[Appendix C\] is an important legal document which designates its role in society and the extent of its powers in the performance of its mission; it is also a culmination (up to this point of writing) of all preceding legislation on police matters in Malaysia and not surprisingly, is not only comprehensive for the whole country, but also in the scope of its duties.

However, we find that the Police Ordinance of 1952 for Malaya \[Malaya, No. 14 of 1952\] \[Appendix D\] contains no reference to the intelligence function of that force and that the 1963 Royal Malaysia Police Act \[Malaysia, No. 3 of 1963\] being an enabling act, modifies the mission with the proviso (italics added therein) "The Royal Malaysia Police shall, subject to the provisions of any other law applicable thereto or the members thereof,..." The former case did not include the intelligence function presumably because at the time of the drafting the actual importance of that function of police work was not yet recognized, and the latter instance clearly made allowance for the peculiar circumstances of the various police forces' service conditions, security problems, and policing laws obtaining in Sabah and Sarawak. Whatever the variation, however, the actual existence of these legislation on police roles and duties do provide a legal basis for police operations, prescribing by law the functions of the Police Force and its organizational status in the machinery of government.

That the police role and command in Malaysia are established by statute pertains to Principles 3b and 3c. We have already outlined the police role in its general terms. The establishment of a police command separate from other public bodies and under the control of the police Inspector-General was not an outright social invention, but one that was attained by experience.
It was found quite simply that policing functions could not be adequately or satisfactorily performed if the police command was answerable to an authority outside the police organization. In the first phase of the Federated Malay States Police, the various contingents comprising it, although under the overall command of a Commissioner, were subject to the approval of the Resident of each state of the FMS for their actions. In effect, therefore, the Police Commissioner had no real authority or command of his force. Because of the inefficiency resulting from this arrangement, the Police Force Enactment for 1903 was set as "to provide for the establishment of a Federal Police Department under the supreme control of the Commissioner of Police who was responsible only to the Resident-General of the FMS." The autonomy of police organization, that is the police being in police hands, was also applied to the other police forces in the Malayan area. Rene Onraet, who served as Inspector-General of the Straits Settlements Police Force and was one of the better-known Malayan police personalities, attributes the consolidation of the principle of police autonomy to Sir Hugh Clifford who had served as Governor of the Straits Settlements. Onraet elaborates: "A succession of trained policemen became heads of the Force and were subject to no extra departmental control other than the legally constituted authority of Government. This meant that the requirements of departmental organization and the expression of departmental opinion went direct from police headquarters to the governing authority." This fact of police autonomy also signified the degree of civilian support necessary for successful operations, a point which we shall return to below.
Once the police role is defined by statute, it also makes possible the meaning of the police role in non-normal circumstances such as external and internal war. In VietNam, it was patently clear that without the statutory stipulation the police role in such circumstances was simply misunderstood. In Malaysia, because legislation on the police provided clear conditions on the commissioning of the police for external defence and 'emergency,' principle 3h7 and just as important, the nature of the command of the police in conjunction with other forces, the police were able to retain their status in the eyes of the population, maintain integrity of command and still engender a situation in which the rule of law prevails over the rule of force. Hence, the commissioning of the police for 'special' circumstances as contained in Part III:7(1), which states:

"the Yang di-pertuan Agong may, in time of war or other emergency, employ the Force or any part thereof to serve in conjunction with the Armed Forces of the Federation or any local Forces established under any law, or otherwise in the defence of the Federation,"

has the provision "that any part of the Force so employed shall continue to be under the command of the Inspector-General or such other police officer as may have been appointed for the purpose."40

The separation of command but the need to integrate with other forces, such as the Army, to counter a problem such as internal security principle 3h7 was also successfully solved in Malaysia; here the principle was not just to coordinate the various forces, but also to prevent a misconception of each organization's roles. In Malaysia, both during the Emergency and the Indonesian Confrontation, the technique of "joint operation" between the police, army, other government departments, and civilians, was clearly specified in terms of roles, although in the former situation the technique was evolved over...
some period of time but which made its application easier in the latter situation.\footnote{41}

Also important, such police legislation comprise extensive documents which provide lawful guidelines for the performance of police missions. Thus, the 1967 Police Act contains provisions for the raising of extra police officers, service conditions, establishment matters (appointments, engagements, discharge), police auxiliaries and reserves, discipline and the Police Fund. As government's principal instrument for law and order, the setting out of police matters by statute provides the legal confines of police authority. As has been said, all police legislation in Malaysia has basically been a succession of the same trend. Thus, for example, the actual specification of police duties in the present legislation \footnote{Appendix C, Section 20:37} differs little from the following listing contained in Enactment No. 8 (1905) of the Police Force Enactment of 1897:\footnote{42}

\begin{itemize}
\item a) Preserving the public peace;
\item b) Preventing and detecting crimes and offences;
\item c) Apprehending and causing to be apprehended, persons who shall have committed, or shall be charged with or reasonably suspected of having committed, or being about to commit any crime or offence;
\item d) Regulating processions and assemblies in public places;
\item e) Regulating the traffic upon public thoroughfares, and removing obstructions therefrom;
\item f) ....;
\item g) Assisting in carrying out the Revenue, Excise, Sanitary, Conservancy and Quarantine Laws;
\item h) ....;
\item i) ....;
\end{itemize}
1) Taking charge of an impounding stray animals;
m) ....;
p) Escorting and guarding prisoners.

This evidence is illustrative of the continuity of the policing format in Malaysia, an important facet of the institution-building process of the RMP. The inference that may be drawn from this discussion is that a police force can function best as an instrument of law and order if its mandate is vested by law and clearly spelt out by statute.

Actual details or specifics of police organization are not contained in the Police Act or in any preceding such legislation, but general aspects of command such as the rank structure /Appendix C, First Schedule/, categorization of levels of police officers /Appendix D, Part I/, the designation of territorial commands and control of formations /Appendix C, Part III:6/, and provisions for conduct and discipline /Appendix D, Part XII and First Schedule/ are outlined.

Organization: Territorial and Functional Formations

For the purpose of carrying out its mission, the Royal Malaysia Police is organized into territorial (vertical) and functional formations. Altogether, at the topmost tier there are 12 state police formations in the country -- 10 in peninsular Malaysia and one each for Sabah and Sarawak. Due to the problems of unification, police responsibilities and the nature of the terms of federation, the police formations in the peninsular portion are called "contingents" but those in Sabah and Sarawak are known as "components." Between 1963 to 1966, there were also two other components
the Singapore and the "States of Malaya," the latter of which consisted of the ten contingents. Singapore left Malaysia in 1965 and the States of Malaya Component was split into its ten constituent parts concomitant with the abolishment of the office of Commissioner, States of Malaya in 1966.\textsuperscript{44} The formations in Sabah and Sarawak are commanded by Commissioners, but contingents are led by Chief Police Officers, usually of the rank of Senior Assistant Commissioner of Police (SACP) or Assistant Commissioner (ACP). All formations are commanded by the Inspector-General of Police whose staff responsibilities are handled by the Headquarters formation of the RMP. Each contingent and component has its headquarters organization patterned after the RMP headquarters and acts on policy matters in accordance with the latter.

Each contingent is further divided into districts and subdistricts and then further into stations and village constable (or police) posts. Up to 1966, there were also formations in Malaya known as "Circles," commanded by Officers-Superintending Police Circles, and which was the level between the contingent and the district.\textsuperscript{45} In Sabah and Sarawak, the components are divided into divisions, then districts, and then stations (and posts). Table 3.2 gives statistical information on the levels of police formations existing in the Royal Malaysia Police at around 1966.

Up to 1966, in Peninsular Malaysia, there were also three other major formations each with a commanding officer, quite independent of any contingent, and directly responsible to the Commissioner of Police. These were:

a) The Police Depot (now renamed Police Training Centre)
b) The Police College, and
### TABLE 3.2
Statistics on Levels of Formations, Royal Malaysia Police, c. 1966

<table>
<thead>
<tr>
<th>Peninsular Malaysia (formerly &quot;States of Malaya&quot;)</th>
<th>Sarawak</th>
<th>Sabah</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Component</td>
<td>1*</td>
<td>1</td>
</tr>
<tr>
<td>Police Contingents</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>Police Circle</td>
<td>19</td>
<td>-</td>
</tr>
<tr>
<td>Police Division</td>
<td>-</td>
<td>5</td>
</tr>
<tr>
<td>Police District</td>
<td>87</td>
<td>7</td>
</tr>
<tr>
<td>Police Stations</td>
<td>594</td>
<td>52</td>
</tr>
</tbody>
</table>


c) The Police Field Force. Smaller-scale versions of (a) and (c) also did exist in the Sarawak and Sabah forces but since the formation of Malaysia have come under federal control.

We have already described in Chapter II the various functional formations (or what are known in RMP jargon as "specialist branches") of the Malaysian Police. Suffice to note here that all of these branches and units are directly or indirectly responsible to the Inspector-General through their respective commanders.

An understanding of the RMP's set-up in terms of territorial and functional formations may also be gained from a perusal of the police organization chart Appendices E(i) and E(ii).

Apart from vertical and functional aspects of organization, the RMP is also stratified in terms of its personnel. This specification is interesting not only in terms of hierarchy of command, but also in terms of responsibility. Thus, as examples, constables are not empowered to take statements, and, only 'senior officers' are empowered to erect roadblocks. There is thus a distribution of police powers according to cadre.

As specified in the Police Ordinance, 1952 Appendix D, Part I there are four categories or cadres of police officers, viz.,

'gazetted police officer' - a police officer of any rank from and including the Commissioner down to and including a Cadet Assistant Superintendent;

'superior police officer' - an Inspector of any grade other than a Sub-Inspector, and includes a Police Lieutenant;
'subordinate police officer' - a police officer of any rank from and including Sub-Inspector and Sergeant-Major down to an including Lance-Corporal, and also includes Detectives of all ranks from Detective Sub-Inspector down to and including Detective Lance-Corporal;

'police constable' or 'constable' - a police officer under the rank of Lance-Corporal and also includes Detective Police Constable or Probationary Detective Police Constable and Recruit.

In the Police Act, however, the stratification is lessened by one Appendix C: Part II/, and comprise:

'senior police officer' - of any rank from and including the Inspector-General down to an including an Inspector on probation;

'junior police officer' - of any rank from and including a Sub-Inspector down to and including a Corporal;

'constable' - below the rank of Corporal and includes a Recruit.

A Police Presence

It is necessary to be acquainted with the actual details of the RMP's administrative structure. Since the nature of police work is essentially static, its presence on the ground is almost a sine qua non for good and effective policing. The authors of The Report listed as a principle the police responsibility for providing law and order as a service to the public, arguing that "this in its turn generates mutual trust and public support without which no police force can operate." Arguing further, The Report's authors declare that police/public trust and cooperation can only be established by a network of police stations all over a given territory,
that "every part of the country must come within the boundaries of a police station area." Not only must this network be established, but the police station must also provide the police presence by allowing public access on a twenty-four hour basis, establish a system of police patrols (for rural areas) and beats (for urban areas) within such jurisdictional boundaries and be able to be summoned by the public for quick police assistance.

This method of police presence appears now as well-established in Malaysia and was concomitant with the "British" spread of law and order over the country, even though -- at least in Malaya before the Emergency of 1948-60 -- the smaller stations often closed for the night. In addition to police stations and village constable posts, there was added in the late 1960s even smaller establishments known as pondok polis ("police huts"). The basis of the station network is based not only on population or area considerations, but also in terms of policing need. Thus, although police coverage is necessary, the main emphasis is on a static police presence where it is deemed, from a police view, appropriate to serve a police purpose. The 'static' nature of the police role, as explained by one officer is borne out of the principle that the police "cannot be too mobile" to be effective.

During the Emergency, a "new village" under the Briggs Plan was set up only if a police presence in the form of a police post was assured. The communist insurrectionists, on their part, selected police stations as one of their principal targets to whittle government's writ; indeed, one specific instance of an attack on the Bukit Kepong police station not only
showed the symbolic and practical importance of such a presence, but also became a rallying point for the police in their role of internal security and preservation of the peace. It could be argued, of course, that the presence or absence of police posts and stations during the Emergency was an indicator of the success or failure of the conduct of the counter-insurgency. But, as Anthony Short observed and which merits quotation in full:

"In the early stages Police versatility and the necessity of augmenting the Army in its military operations, had almost been its undoing but, having survived the worst period of 1950 and 1951, both Government and Police rediscovered and reasserted an essentially civilian policy in which in all small inhabited areas the Police role was in support of an original social contract and an emphasis on the consent of the governed rather than coercion. In the darker months of the Emergency the closing down of some Police Stations was regarded as an index of guerrilla success. The fact that this was such a limited occurrence might, alternatively, be taken as the index of the government's comparative victory."

The nature of police stations, and also the stationing of Special Constables in the rubber estates and tin mines to provide static defence was in a sense demoralising, but this was offset by the creation of "Area Security Units" (ASU). ASUs made possible from about September 1950, onwards, an element of mobility in the static and guard nature of both the "watch and ward" police in the stations and the Special Constabulary since it incorporated the aspect of "aggressive patrolling," and at the same time provided a varied and more interesting life for the SC.

All police stations in Malaysia are under the command of an OCS (Officer-in-Charge Station) who is usually a Subordinate Police Officer (SPO) and who normally holds the rank of sergeant. The role of the OCS was and is,
of course, crucial as a police station's effectiveness depends very much on the caliber of the OCS. In the context of government's presence in its domain, it is important to note that the police station provides probably the most ubiquitous sign of the existence of a government, especially in the rural areas. It is the police in these "outposts" who are the disseminators of government information and the distributors of government forms and the like; and, responsibility for the collection of vital statistics is also done via the police station, since this is where the police register births and deaths. In rural areas, especially, it is the police station that people turn to, for example, when in search of a bidan (midwife). And even up to now, since the telecommunication system in the form of the telephone is a luxury still affordable mostly to the urban public, the only and sure way of sending or receiving urgent messages is through the police station. Also, passing through any sizeable human settlement on the highways and waterways of Peninsular Malaysia, one can be assured of finding in it a police presence.

In areas where the terrain is formidable, such as dense jungle and inaccessible hill regions, and where there is sparse human habitation it is not practical to establish a police presence in the form of stations or posts. What has been done instead is to appoint villagers as police auxiliaries and thereby to establish a police presence, or, as in the case of Sabah and Sarawak, to appoint "Border Scouts." The latter not only became the 'eyes and ears' of government, but also performed a dual role by being a ferret force. Border Scouts are posted all along the difficult terrain of the 800-mile Malaysia/Indonesian border. In areas accessible only by river and where
circumstances do not permit the establishment of police posts, police boats have been used as substitutes. 62

In Malaya, the police have also built a network of "forts" in the Orang Asli (aborigine) areas. These forts not only provide a police presence in such 'difficult' (that is, in terms of terrain as well as in winning over the Orang Asli government's battle against communist influence 63) areas, but also serve as bases for Police Field Force (PFF) units on counterinsurgency operations. 64

It is interesting to note that as a symbol of government's authority, the police station during the British period before the 1950s was a positive demonstration of its 'control.' Known in Malay as 'rumah pasong' (literally 'house of handcuffs') its connotation of authority and repression was only too clear. In the later '50s period, however, in order to give a better image and gain public support, the name was changed to 'balai polis' ('police building').

For administrative and organizational reasons, police stations are grouped into police districts which are delineated as far as possible to correspond to civil administrative districts. In Sarawak, there are no districts but the equivalent administrative units is the sub-division. The organization of police districts in Malaysia was a manifestation of British colonial control, but the principle itself has remained to the present. Just as the British colonial concept of the D.O. (District Officer) has been recognized as a distinct British legacy, so too should the concept of an OCPD (Officer-in-Charge of Police District) be recognized as such. As an historical point of note, because Sabah had very few expatriate police officers, district officers acted ex officio as police officers in their
Before independence in 1957, an OCPD's post was an expatriate preserve, but although this is no longer so, the rank designation for such a post is now to be held only by gazetted officers. In exceptional cases, however, a police district was commanded by a non-gazetted officer, but no less than an inspector. In such cases, rank designations follow command responsibilities and the extent of the policing problem of a district -- if a district requires little policing and hence few police personnel, it would not be appropriate as a service principle to deploy a gazetted officer. Conversely, if the policing responsibility of a police district was such as to require a gazetted officer of very high rank, the rank designation of its commander may be the same as that of the commander of the next higher level of police formation, the contingent.

Apart from close correspondence to civil administrative boundaries, the organization of police districts is also predicated on the nature of the policing problem in each designated district. As the policing problem in each district varied according to various kinds of socio-economic changes, the boundaries of each police district would also be adjusted accordingly. In some instances, due to geography and the nature of the policing problem, a police district may even "disregard" the boundaries of a state. A case in point is the Tapah Police District which is under the control of the Perak state contingent [See Appendix B]. Tapah has under its command the Cameron Highlands Sub-District which is further responsible for a number of police stations, even though this sub-district is geographically and politically in the state of Pahang (and should therefore be under the Pahang state contingent). It is, however, easier to deal with the police problem there as a Perak responsibility, especially for
security reasons, and since Cameron Highlands is nearer to Tapah than to the nearest Pahang district formation (Kuala Lipis). Furthermore, the only access road to the Cameron Highlands is from Tapah. 69

The purpose of district formations is also to provide support and coordination of police stations. Since police stations have small strengths -- in rural areas, the minimum complement of a police station is 7 (including the OCS) and the maximum around 30 men -- it is not expected that these would be capable of handling transport and other logistics problems, appreciation of intelligence situations, crime trends, manpower movements, and so on. The purpose of the police station, as has been stated above earlier, is to provide the police presence to the public so that law and order may prevail largely by virtue of the watch and ward duties of the police. The organization of the police district is thus a managerial one, to oversee and supervise police stations within its jurisdiction, to provide all the relevant information to the next higher formation. As and when required, districts would provide Investigation Officers (IOs) for police cases and other assistance as manpower reinforcements. If necessary, a police district would be organized along with a headquarters establishment, and, if the staff of a district formation is housed in the same building as a station formation, as is often the case, care is taken to ensure that a district formation's work does not interfere with a station's normal policing responsibility. Of course, this does not preclude the OCPD's command and control of the other stations in his district:

The next higher police formation in the RMP is the contingent, but this applies only to West Malaysia. In Sarawak and Sabah, the next higher
formation after a district is the division, and in both states all police divisions are under the control of a component, commanded by a Commissioner of Police (CP). The interesting point about all these formations higher than the district level is that they follow or correspond to the political structure prevailing in each territory. As Sarawak is administratively divided into what are called divisions, so is the police organized as such; in Sabah, areas are organized on the civilian side in the form of residencies, but organization-wise the equivalent police appellation is called a division. In both these two cases, divisions are commanded by Superintendents. Divisions comprise two or more districts and their commanders' posts are called Divisional Superintendents.

In West Malaysia there also used to be a formation in between the district and contingents levels known as the Police Circle, but this was abolished in 1966. Headed by an Officer Superintending Police Circle (OSPC), police circles comprised two or more districts. The rank designation of an OSPC was no less than a Deputy Superintendent of Police (DSP). When it existed, the fact of a police circle contradicts the generalization that police organizational structures in Malaysia are a copy version of the civilian administrative structure -- there was never any level of the latter known as a 'circle' or even a level that approximated the police circle. However, police circles were necessary in the police organization in the preWar days so as to provide support to police districts necessitated by conditions of poor communications and geography. During the Emergency, police circles were retained to provide even closer support as well as command and control of police districts for counterinsurgency operations as well as to coordinate better the expansion of the force at these two levels.
Once there was no longer this latter role, police circles became more like "postboxes" for the transmission of information from police districts to contingent headquarters and vice versa, and hence were considered redundant. Moreover, with only 19 police circles, this merely made span of authority in the police organization more complex than need be. It is pertinent to note that with improved communications in Sabah, police divisions are also becoming redundant. In some cases, police districts were not grouped into police circles, but were directly responsible to contingent headquarters, but these were police districts that had policing problems of a certain nature which precluded circle control and which were sometimes as large in area or policing responsibility as police circles. On the other hand, during the Emergency, the conduct of the 'war by committee,' that is, joint operations by the civilian and police departments and the army, made it sometimes not practical to base the committee on a district level -- in these cases, instead of District War Executive Committees (DWECs), special War Executive Committees were formed, but based on a Police Circle, as in the example of the three Circle War Executive Committees (CWECs) in Kedah. But, one other reason leading to the redundancy of police circles is that there are not too many police districts which could not as well be handled by commanders at the next higher level formation and at which level we now attempt analysis.

On a territorial basis which corresponds to the political divisions of Malaysia, police formations at this level are organized into contingents and components. The existence of these formations is a direct consequence of the political histories of the various constituent units of Malaysia. For
that reason, one can surmise why the formations in Sabah and Sarawak are called "components" rather than contingents -- apart from their peculiar policing responsibilities, it is because of the nature of the terms of federation when these two political units joined Malaysia in 1963. But whether contingent or component, the various state authorities in Malaysia have virtually little say in the control of the police formations "resident" in their territories. 71

At the same time, however, close liaison is maintained between state governments and police formations at that level as well as with police headquarters at the federal level. Appointments and transfers of state-level formation commanders, i.e., Chief Police Officers (CPOs) and Commissioners (CPs), are made after consultation with the various state governments 72 although particulars of other officers to be transferred are notified to these administrations for information. 73 Although state formations exist, since 1946 the states of Kedah and Perlis have shared one single contingent. This fact is predicated on the circumstance that the latter state is too small to be served by a contingent-type formation. At the same time, it also indicates that the nature of the federal police force in Malaysia obviates the condition that every state must have its own state-level formation. Thus Perlis has its own state administrative machinery but not its "own police force."

More important, perhaps, as a consequence of the federal nature of the RMP is that the police formations at state level may be answerable to the central government but yet the very state it polices is ruled by an opposition state government. Theoretically, with a powerful federal govern-
ment in Malaysia, such a situation in which an opposition party is in control of a state government could have led to abuse of police powers by the former. This has not been the case probably due to the professional ethos of the police service (to intervene only when there is a transgression of the laws) and more importantly, the central government’s own policy of the need not to overexert its power in such situations. Indeed, the real problem, it seems, of state contingents or components has been the control from the center of the various CPOs and CPs. By virtue of seniority, experience and service, these commanders are very high-ranking officers whose appreciations of the policing situations in their jurisdictions are almost final. They are, above all, to advise the IGP on what needs to be done in their domains. The question, therefore, is one of command and control in the police organizational structure to which we shall turn to later on. However, since we are concerned with principles on police territorial organization, we must briefly deal at this point with the interrelationship of these principles to the concept of a national police force, of which two issues are prominent.

The first issue concerns the degree of control over the various police formations at different levels by the corresponding civilian authorities. It relates to the centralized or decentralized nature of the polity and of the police organization. The organization of police districts in a decentralized polity, for example, would be responsive to subnational needs, or more specifically, district-level government priorities. Presumably also, such an organization would entail a more localized form of police recruitment as well as deployment (our second issue), and more local
accountability of such a police formation.\textsuperscript{75}

It is not clearly known if this concept of a localized police force -- as opposed to a national one -- is more desirable or workable for so-called developing countries. In preCommunist VietNam, endless debate seems to have ensued between American advisors as to the merits and demerits of the system.\textsuperscript{76} Certainly enough, the authors of The Report argued for the continuation in that country of a national force (established since 1962) although in the extenuating circumstances this did not preclude as an interim measure the posting of officers to home territories especially at district and station levels.\textsuperscript{77}

However, the concept of a national force means pancountry deployment of all police personnel. Familiarity of area and population in officers of a certain area because that was their area of origin, plus family and other connexions may impair police efficiency even if it achieves the goal of "responsiveness" to a local government. This is the second issue of police territorial organization and its relevance to a centralized police force. The British policy in Malaysia was to avoid as much as possible the deployment of personnel to their home areas. In the UnFederated Malay States this was, of course, unavoidable, for example, as only Kedahans could serve in Kedah.\textsuperscript{78} In such instances, control of these forces was nonetheless ensured in the British interest since command was in British hands. Indeed, although Perlis had its own 'sons' as the police chiefs, control of the police was more or less a British preserve. In the other parts of Malaysia, centralized British control was even more efficiently established. The net outcome of this principle was to enhance the state-building process
of Malaya as a centralized state by breaking down state or local loyalties through the service principle of full transferability in the police organization.

In the post-British era, there has been less of a follow-through with the notion of avoiding deployment of personnel to home states. To an extent, this is conditioned by the geographical circumstances of Malaysia, the service conditions peculiar to Sabah and Sarawak still obtaining, and existing policy on postings. However, the desired aim of greater control, and the notion of full nation-wide transferability of at least all officers in the police as an index of this control may arrest (at least this appears to be the case) any trend towards decentralization in police territorial organization.

The Police Set-up: Command and Control

As no police force exists in vacuo, an understanding of the issues concerning control of the police and its role as a law and order organization is in order here. The Police Act (see Appendix C, Part III:4 (1)) states quite categorically:

"The Force shall be under the command of an Inspector-General who shall be a police officer and shall be responsible to the Minister for the control and direction of the Force and all other persons appointed or engaged for police duties, and who shall have all the powers conferred on a Commissioner or a Chief Police Officer."

Before Malaysia, each of the component police forces were headed by CPs and responsible to the British colonial authorities in their territories, as for example to the High Commissioner of Malaya in the 1948-57 period. The "Minister" referred to in the Police Act is the Minister responsible
for police affairs, namely the Minister for Home Affairs -- and is, of course, the successor of the British High Commissioner in the postcolonial era.

Although the police ultimately is a responsibility of the Minister, the IGP is in executive command of the police force and formulates policy on all aspects of police organization. Clearly some explication is needed. To understand how it is achieved, it is necessary to differentiate between "Government policy" and "professional service policy." The first is formulated by the Minister of Home Affairs on the advice of the Secretary to the Ministry and the IG -- and is implemented by the IG. The second is formulated by the IG and implemented at the different levels of the police chain of command. Professional service policy is, in fact, the IG's direction to the Force on how it will be organized, administered and operated within the context of Government policy. The IG also provides direction, other than on matters of routine administration, on personnel, conditions of service, recruitment, training, research and planning, Internal Security and Public Order, Communications, Marine, Finance and Supply, Criminal Investigation (the Central Criminal Records Office and Finger-print Registry only) and Special Branch.

For day-to-day command and administration, the various formation commanders -- from component and contingents to stations as well as other units -- are, of course, responsible to their respective higher leaders and ultimately to the IG. The chain of command is as follows:

**Peninsular Malaysia (Up to 1966)**

IG - CP - CPO - OSPC - OCPD - OCS

(when there was one)
For the peninsular force, after 1966, the OSPC-level has been abolished altogether, and the force is no longer a component but ten contingents, and as such the CP's post has also been abolished. In Sarawak, the level of Sub-Divisional Commander has been replaced by the Officer-in-Charge of District (OCD) since the early 1970s, and in Sabah, as we have earlier mentioned, the Divisional Commander is becoming redundant.

At the federal and state levels, the various police commanders are assisted by headquarters staffs for purposes of internal administration. Headquarters organizations may also extend below the level of components and contingents, but this will vary according to the policing need and the importance of the particular formation. As a general rule, the various state formations have headquarters organizations patterned on the federal set-up, or what is known as a "five-fingered" staff organization, and are charged with all subjects that the IG's staff are concerned with except for Training and Research and Planning. Appendix E (i) indicates the headquarters set-up at the federal level and Appendix B illustrates the set-up of a contingent, that of Perak. The smaller the formation (that is, policing need and personnel) the simpler its administrative set-up.

The federal headquarters organization is organized around the subjects the IG is responsible for (discussed earlier) but grouped for convenience into five branches, namely Administration, Personnel and Training (also
referred to as "A" branch); Internal Security and Public Order, Operations, Logistics, Signals and Marine ("B"); Finance, Supply, Stores, Works and Transport ("C"); Criminal Investigation Department ("D"); and the Special Branch ("E"). All were headed by staff officers (usually in the rank of SACP or at least ACP) except for the Special Branch which has always been headed by the second or third highest-ranking officer in the Force.

The organizational pattern of the headquarters staff of course varies according to the policing circumstances -- just as changes in the boundaries of police territorial formations are similarly affected. But it is increasingly clear that the pattern is becoming more complex over time. Using the Malayan formation as an example, Appendix F shows the relatively simple form of its organization from 1945 to 1948. As the police became more organized, however, its organization also became more differentiated and specialized, as illustrated in the 1952 chart in Appendix G. The 1952 organizational set-up, however, has remained the basic pattern until now and provides the set-up for the headquarters format at federal and state levels (and also at substate levels). This is obvious from a comparison of the organization charts in Appendices E (i) and G.

As may be evident from the organizational chart in Appendix H, each Headquarters branch has very complex responsibilities to perform on behalf of the IG. Even though the span of authority of the functional departments of the IGP's staff is limited to five, there are real dangers that control and coordination would not have been adequate. Before 1966-67 there were staff officers in charge of the various branches at federal headquarters who were coordinated by a Principal Staff Officer (usually a DCP) but this
latter responsibility, which also included the ensuring of the implementation of the IG's policy, was then taken over by the Deputy Inspector-General (DIGP). Staff Officers, in turn, have been "transformed" as Directors and accordingly upgraded in rank (DCPs). In a sense, this has also been a result of the Force's expansion thereby creating more promotional opportunities and increase in responsibilities. In smaller formations, staff officers will be less than the usual 'five' and will usually be responsible for a combination of several functions. In matters affecting their departments, all staff officers at the federal level have inspecting authority on behalf of the IG in the state-level formations, and similarly, all staff officers in the latter formations have inspecting authority on behalf of their commanders in the lower formations.

The DIGP also has inspecting authority on behalf of the IG and acts in that capacity in the latter's absence. Prior to the creation of the DIGP's post, the Commissioner for the Malayan component, being the most senior CP, would act as the IGP in the latter's absence. Although specific to Malaysia, the tardy creation of the post of Deputy Inspector-General of the RMP is interesting as a case-study from the viewpoint of institution-building. In 1962, the command of the Royal Federation of Malaya Police was handed over to a Malayan, Tun (then Dato') Salleh Ismael, from the outgoing British expatriate, Tan Sri Sir Claude Fenner. However, with the creation of the Federation of Malaysia in 1963, the latter was asked to remain and serve as the Inspector-General of the RMP by the then Malaysian Prime Minister Tunku Abdul Rahman. Fenner stayed on as IGP until 1966 when he was replaced by Salleh. In that period of Fenner's tenure, matters had however reached a
rather 'sensitive' level because Salleh had been groomed to be the "number one" man in the force and clearly this was not to be the case with the formation of Malaysia and with the RMP under the command of Fenner. To have created the post of DIGP would not have solved the problem since Salleh would clearly fill the slot and effectively become "number two." Indeed, although Fenner and Salleh had previously enjoyed a very close relationship, the circumstances of the formation of Malaysia made that link tenuous and the problem as a whole was not solved until after Fenner's departure from the force. Although an historical point, this event does indicate a form of the command and control problems of the RMP as affected by "inter-personal" conditions at the top levels.

This raises the need to return to the command and control aspect that we have somewhat discussed earlier, that of the police responsibility to the government through the minister in charge of the police, the Home Affairs Minister, and the executive direction and integrity of command of the Force. The actual circumstances of this relationship pertain to Principles 3e and 3f as contained in The Report. Given that the RMP was consciously designed so as to "fit into the concept of a strong central government," it may very well be argued that the Malaysian police is not independent of Government and political direction and interference. Moreover, since the topmost police commanders are "designated" persons and who obviously enjoy the confidence of the government, it may be inferred that the police is not politically neutral. The police may also be said to be politically partial as they are legally empowered simply by dint of extensive legal powers as contained, especially, in the Internal Security
Act, the Prevention of Crime Ordinance, the Criminal Procedure Code and the Penal Code to arrest persons, if need be without warrant, in the interests of public order and internal security; and, furthermore, the control of the Special Branch may be said to be a powerful additive in this vast machinery for coercion.

We have already discussed in earlier paragraphs certain aspects of the nature of command and control of the RMP and its relationship with other government departments and the politicians in charge. In The Report the authors were very conscious of the political ramifications in the sense of partisanship that could develop in any police force, commenting rather poignantly that "in considering the status of a Police Force the most difficult concept to comprehend, and to provide for, is the independence of the Force." Their premise, however, was quite clear: "it is the role of the Police Force to enforce them /The laws/ so that the rule of law and not the rule of force prevails." The function of the police was simply as a tool for law enforcement in the country, not just any government of the day. They nonetheless saw two extremes necessary to guard against:

"The first is that a centralised Police Force should not become a tool of the Government leading to the creation of a Police State; and the second is that the Police Force and its Command should not be so fragmented that its various separate parts can be hired and fired at the whim of local politicians leading to a situation where there is no law enforcement at all." The second condition in the above statement we have already discussed. Of the first, there is no denying that the creation and organization of the RMP are such as to fit into the concept of a strong central government in
Malaysia. However, although a tool of the central government, the Royal Malaysia Police has not become a repressive force leading to the creation of a Police-State. This requires elaboration.

First and perhaps most importantly, the politicians in charge of the police have usually understood clearly the lines of use and abuse in the utilization of the police instrument. A legacy of British colonial rule, the policy of law enforcement in the country has basically remained the same in spite of the indigenous take-over of control of the police: there does not seem to have been any political interference in the internal command of the police organization, and good support seems to have been given the police by the Ministers in charge of such matters. Political ministers who have been in charge of the police have been none other than the leaders of the ruling Alliance Party (now National Front or Barisan Nasional) government itself: Tunku Abdul Rahman (the first Prime Minister), the late Tun Razak (the second Prime Minister) and the late Tun Ismail (who at his death occupied the post of the Deputy Prime Minister). Together with defense, we find that the portfolio of internal security has been under the control of the very senior coterie of the government in power. This senior coterie also shared a bond that practically ensured they did not utilize the police in terms of a power struggle amongst themselves, apart from a continuity and consistency in policy.

In addition, that they were ex-civil servants also strengthened their belief in the 'neutrality' of a police service, that is, a law and order machinery rather than a political instrument. No doubt made easier by the fact that as a ruling group they could impose their political will via non-
police strategies, they did resist political tampering within the police organization, as for example in the Malayanization process when there had been a demand to politically accelerate it and thus de-emphasize professional criteria in the indigenization of the officer corps. Political interference in Force matters was also 'resisted' probably because of the trust and confidence that has existed thus far between the senior police commanders and the politicians in control, buttressed no less by a legitimacy accorded the police by the latter.

On the other hand, functional complexity within the police organization may very well have resulted in police aggrandisement of power. The Head or Director of Special Branch, given the potential abuse he may resort to by virtue of his unit's collection and control of intelligence information, or even its neglect, could very well act independently of the top commander or the politicians in charge. In practice, however, even though the DSB may directly confer with the civilian minister in charge of the police and/or even the prime minister, and in doing so need only inform of such action to the IG, no branch can act independently. This is because of the strict chain and integrity of command understood and reinforced by standing orders and other internal rules of organization, the understanding of the intelligence function by the relevant police officers and the attitudes of the civilian ministers themselves. It is no accident that all the top police commanders since 1953 have been and are ex-Special Branch men and that the post of DSB has been filled by very senior police officers, usually only junior to that of the top commander. Also, thus far (up to the terminal point of this study) civilian heads of government have not used
the SB for more dubious political ends. Furthermore, there seems to have been an acute understanding on the difference between a political and a security threat by both the police and the government and the grounds for legitimate police intervention in such situations. In this regard it is noteworthy that the SB operates on the directions of its 'political masters.'

It may of course be argued that the police have been utilized by the ruling elites in strengthening the government's position in the interests of national security and public order. The issue here is one of definition and is complicated by the thin separation that exists between politics and security: as an example, the suppression of disorder may very well be interpreted as an act of political repression even if implemented in the interest of public peace.

This brings us to our second major point: opportunities for the creation of a Police-state existed and still do, but were never achieved nor desired. In the period of the first Emergency, the existence of extensive Emergency Regulations provided the police "extraordinary powers of search, detention, curfew, the control of movement of persons and traffic, and reintroduced the death penalty for the simple, unlawful carrying of arms," in addition printing and publication of newspapers required a permit. In the early phase, Short characterized the situation as representing "a balance between anincipient police state and a determination to preserve the law." In the event, however, a police-state would have been created if the enforcement had been arbitrary but this did not occur because of the notion that it be legally sanctioned and be applicable to everyone. Although there were certain occasions in which police actions appeared to have been harsh, at no time was police efficiency
allowed to deteriorate to very serious levels. The police organization, indeed, was quick to rectify any serious internal shortcomings and quick to master the art of population control by ensuring its actions were as far as possible, fair, impartial, and legally correct. Although in the beginning phases of the Emergency, things did go wrong, at no time in Malaya was there a situation in which police action resulted in brutal handling of the governed...as had happened in Kenya during the Mau Mau period. Thus, in Malaya even when there was a period in which coercion was required, police utilization of force was effected in the spirit of the law.

The Emergency Regulations in Malaya may have seemed oppressive, but these were, after all, enacted in extraordinary circumstances. In more 'normal' times, there are also legislation which may be deemed oppressive and thereby offer proof of the existence of a police-state in Malaysia. A case in point is the Prevention of Crime Ordinance [Malaysia No. 13 of 1959] which provides for the "more effectual prevention of crime in the Federation and for the control of criminals, members of secret societies and other undesirable persons." As reported by one observer, "the ordinance gave unlimited powers of arrest to the police and set up a special, relatively secret judicial system for hearing cases against members of secret societies." On conviction, some persons are subject to controlled movement and supervision by the police. The merits of this system of law enforcement are, of course, moot, but the situation in Malaya necessitates it thus, given that prosecution evidence from witnesses of such secret society crimes are almost impossible to obtain. Importantly, also, the police have not
misused their powers under this ordinance -- "there is every evidence to the contrary"$^{107}$ -- and besides, the police themselves are very much concerned of the human and welfare aspects of this ordinance.$^{108}$

Third, the police organization itself was (and is) trained to be an impartial law enforcement machinery, and officers are continually made aware of the legal accountability of their actions. Responsible for the prosecution of criminal offenders$^{109}$ (on behalf of the Public Prosecutor), police officers are only too aware of the need to know their laws, especially the Evidence Ordinance, if their cases are to get by in court.$^{110}$ Legal training forms a very substantial part of the training of a police officer in Malaysia. Not only are the laws imparted in training, but passing of the prescribed law examinations constitutes one of several compulsory conditions for confirmation and promotion of probationers in the ranks of the gazetted officers and the inspectorate. Knowledge of the law also forms a major part of junior officer (all ranks below inspector) training and promotion. This situation of legal competence fulfils Principle 3g (as contained in The Report) and undoubtedly has been a contributing factor in the institutional development of the RMP qua a law and order organization. As regards the security and other 'preventive' laws, enough qualifications have been made to check against abuse: (a) actual enforcement of these laws by only certain categories of police officers (usually meaning no less than a senior officer, that is, an inspector) and (b) the institution of inquiry officers and review boards, comprised of civil officials (not police officers) of considerable stature, to oversee cases. In addition, cases are meticulously and ethically conducted$^{111}$ in the best traditions of the police service.
This professional law and order stance of the RMP applies equally to its Special Branch.

At the same time that the police should not be construed as a political actor, police commanders (especially the topmost elements) are conscious of political goals: in terms of government policies the police are to offer their professional advice and opinion to the regime in power at any particular time.\textsuperscript{112} In this sense, as has earlier been indicated, an understanding of the police role is more akin to that of the notion of a 'neutral' civil service. If, however, the police are to play a more distinct political role, then it is simply a politician's decision.\textsuperscript{113}

But, in terms of institution-building, the police in Malaysia was built to be a "nonpolitical" institution.\textsuperscript{114} As an essential service, members of the RMP are prohibited from partaking of political activities such as membership in a political party and the like, and to eschew politics generally except in exercising the citizenship right to vote.\textsuperscript{115} The police are also prohibited from industrial action and have recourse to it only by means of police associations and councils designated specifically for such purposes.\textsuperscript{116} To prevent (especially political) tampering, with the police organization from without, the police are also governed by a service commission as stipulated in Article 140 (1) of the (Malaysia) Constitution:

"There shall be a Police Force Commission whose jurisdiction shall extend to all persons who are members of the police force and which subject to the provisions of any existing law, shall be responsible for the appointment, confirmation, emplacement on the permanent or pensionable establishment, promotion, transfer and exercise of disciplinary control over members of the police force."\textsuperscript{117}
Thus far, there does not appear to have been any interference in the workings of the Commission and, indeed, this principle seems to have been adhered to the extent that even Malayanization -- that is, the process of replacing expatriates with indigenous officers -- was effected on technical rather than political criteria, and partly because of this the process was much slower than the other public services.

In the 1963-67 period, the jurisdiction of the Police Force Commission applied to members of the force "save for those members of the Sabah and Sarawak Components who are seconded (as opposed to transferred) to the Federal Service." The Commission also delegated its power and functions in respect of Inspectors, Subordinate Police Officers (now JPO's) and Constables to the Commissioners (and to certain other police officers) to be exercised in accordance with the various Police/Constabulary Ordinances, and the Regulations made thereunder, in force immediately before Malaysia Day and by the Police Officers specified therein; provided that powers to award disciplinary punishments of dismissal or reduction in rank to Inspectors are delegated only to the Inspector-General.

Apart from attempting to prevent political interference (certain conditions of which are found in Article 142 of the Constitution) in the Police Force Commission, its existence and raison d'etre is also a function of the 'special' nature of the police service. As such, where hitherto the police came under the ambit of the Public Service Commission, it was decided that a Police Force Commission be set up and was accordingly provided for in the Merdeka constitution of 1957; it was stated also that "the Commissioner of Police is the head of a disciplined organization and the
concept of the Force as a self-contained body is important from the point
of view of the morale and loyalty of its members. Thus, the existence
of the Police Force Commission also established the status of the police
force as an independent body of government /Principle 3a/. In general,
this eschewal of 'politics' in the RMP has resulted in it being a tool of
the central government in the sense of establishing and ensuring the rule
of law -- and thereby in the process has not resulted in the creation of a
Police-State.

Command and Control of Specialist Units

We have already elaborated on the development of the various functional
or 'specialist' units of the RMP in Chapter II. It may also be noted that
further differentiation has taken place within these specialist branches:
the Special Branch, for example, is now organized into eight different sub-
areas pertaining to security and intelligence. As we also indicated,
specialization has not been allowed to overdevelop so that a policeman was
at all times a generalist: "a policeman first, always, and last." But,
given that the functions of these units or officers are specific and they
usually operate independently of each other, how are they deployed and
controlled by the Inspector-General?

For purposes of organization, all of these functional formations and
auxiliary units are grouped according to the headquarters organizations.
At the federal level, and duplicated at other headquarters' levels, they
are grouped in the 'B', 'D' or 'E' branches /see Appendices E (i) and E (ii)/.
In addition, a certain set of principles or guide-lines exist as to command
and control of specialist units. First, given that all aspects of police work are interdependent, specialized formations are only ancillary to the RMP as a whole. Second, as has been mentioned, although specialization has taken place, all police officers of all grades and ranks are not allowed to overspecialize. At the same time, nonetheless, promotional opportunities in the larger establishment are not blocked as a result of specialization at any certain point in an officer's career. Third, the functions of specialized units are well specified in administrative orders, the existence of which has prevented a misconception of roles throughout the structure. Fourth, the hierarchical command structure with clearly designated responsibilities and line of authority have probably prevented any general lack of coordination of the various branches in the police organization towards the total police effort. This is strengthened, in command terms, by the sense of responsibility of all branch heads at any headquarters level, but ultimately at the federal headquarters level, to be directly subordinate to the IG.

Concluding Remarks

In terms of institution-building of a national police force, it may be said that the existence of a doctrine or principles in the organizational set-up and role of the Royal Malaysia Police has been a prime factor for its more 'successful' evolution. This is not to say of course that the principles were simply available or ready-made, but as the discussion above should indicate, practice and principle have constantly intermeshed, and that there had been an attempt to adhere as closely as possible to principles and command and control aspects. Nonetheless, the amalgamation of
the constituent police forces of Malaya, Sabah and Sarawak to form the Royal Malaysia Police has taken place even if in its wake problems of management and consolidation have arisen. Moreover, it needs be noted that the concept of a national police force has ultimately meant the consolidation of the central government in a federal set-up in Malaysia. The utilization of the police for both normal and security-related purposes has not led to the creation of a police-state in the country; nonetheless, the presence of an extensive and professional police machinery has resulted in the penetration of government's writ for the whole nation, and in that it is 'national' has probably strengthened the central regime's authority.
NOTES

1. An important question in any organizational analysis is also that of its efficiency, that is, its ratio of resource input and goal output. Measured in real terms, we may ask the minimal costs of adequate policing for a given territory. However, limitations of time have not permitted this study to investigate the issue of police efficiency in financial terms, although references to financial factors may be made. Police efficiency, of course, need not be measured in money terms as will be obvious from our discussion. On 'effectiveness' and 'efficiency' see A. Etzioni, Modern Organizations (Englewood Cliffs: Prentice-Hall, 1964).


5. The "cadet" system itself was borrowed from India, but the concept of placing cadets on probation is peculiarly Malayan.

7. Reference to this Report does not constitute a methodological faute de mieux. Although discussion is facilitated by its reference, actual retrieval of the document was itself serendipitous and certainly fortuitous. It is now known how many other copies of the Report exist but it is, without a doubt, a treatise on police doctrine and organization from a British perspective.

8. The authors were:
   Sir Robert Thompson (formerly Secretary for Defence, Malaya, and Head of the British Advisory Mission, VietNam)
   Sir Richard Catling (formerly of the Palestine and Malayan Police and the Commissioner of Police, Kenya)
   Mr. W. L. R. Carbonell (formerly of the Malayan Police and the Commissioner of Police, Malaya)
   Mr. J. H. Hindmarsh (formerly of the Malayan Police, member of the British Advisory Mission, VietNam, and the Commissioner of Police, Lesotho)
   Mr. D. S. Palmer (formerly Senior Assistant Commissioner, Malayan Police Special Branch and Deputy Head British Advisory Mission, VietNam).

9. See footnote 8. As may be noted, their qualifications and experience were impeccable.

10. Correspondence with W. L. R. Carbonell, September-October, 1976.


12. Ibid., pp. 5-6. The authors of The Report were invited by the Government of VietNam, and which invitation was supported by the United States government, with the following terms of reference: "To examine the problems of the National Police Force in South VietNam in both peace and war, including its responsibility for internal security intelligence, and to make recommendations on the Force's status, structure, organization, training and roles, including its relationship with other forces and government departments.

13. It is not necessary in this study to discuss all the principles of policing. For example, from one interview source, it was considered a principle that "a policeman has no friends outside of the police, only acquaintances" -- the rationale being that if one has to arrest a person, then it was easier if he was not a friend. While this principle is pertinent to policing, it has no relevance to this chapter.


19. Malaya, Federation of, Report of the Commission of Enquiry, North Borneo and Sarawak (Kuala Lumpur: Government Printer, 1962). This report is also known as the Cobbold Report. The members of the Commission comprised:
   
   Rt. Hon. Lord Cobbold, Chairman
   Sir Anthony Abell
   Sir David Waterston
   Dato Wong Pow Nee
   Encik Muhammad Ghazali bin Shafie.
   
   Most of the pro-Malaysia factions interviewed by the Commission were in favor of federal control of internal security. The Sarawak United People's Party (SUPP), however, held a dissenting view. (p. 25).

20. To an extent, their policing problems were different. The Straits Settlements, for example, had a problem of communist subversion not encountered on a similar scale in the other police jurisdictions. R. Onraet, Singapore - A Police Background (London: Dorothy Crisp and Co., Ltd., 1947).

21. Transferability of indigenous personnel was probably more true in the Straits Settlements Police Force and less common in the FMSPF.

22. Interview information from several police officers who had served with the Japanese during the wartime period.


24. The proposal to establish four regional commands is contained in A Report...Regional Police Components, op. cit.

26. It was reported in interviews that the majority of officers in the Singapore Police Force were pro-Lee Kuan Yew, although no documented details are available on how this fact was translated in the actual amalgamation process of the Singapore Component into the RMP between 1963 to 1965.


28. Some interview sources blamed the British for this state of affairs in the police forces of the Bornean states. P. Waller /personal communication, 19777, however, contends that "the much lower educational standard prevailing in Sabah and Sarawak definitely hindered local officer recruitment and development."


30. Ibid. Their strengths were respectively 1,000 and 2,000 strong during the period of the formation of Malaysia.

31. The post of CP in the "States of Malaya" was abolished in 1966, concomitant with the merging of its headquarters establishment with that of the RMP's. The post of CP in Sabah and Sarawak remains but is equivalent in status only to that of DCP in the "peninsular" force. See also footnote 44, this chapter.

32. Most of these conditions are stipulated in police documents of the period. It was recognized that federal control would be established with the least disruption of police operations on the ground. The Sarawak Component, for example, more or less functioned as hitherto and retained its title of "Sarawak Constabulary" right until 1966. Interview at Sarawak Component Headquarters, Kuching, 1976.


34. A Report...Regional Police Components, op. cit., p. 19.

35. I am indebted to Mr. P. B. G. Waller for elucidating this point. Personal communication, 1977.


38. Ibid., p. 23.


40. In the Police Ordinance, 1952 /Appendix D/, the same provision is found in Part II:5.


42. Federated Malay States. State of Selangor Enactment No. 8 of 1905, "An Enactment to repeal and re-enact with amendments the "Police Force Enactment, 1897, Amendment Enactment, 1903," in the Selangor Government Gazette of June 9, 1905, No. 15, Vol. XVI, Notification No. 302. Similar enactments are found in the other government gazettes of the constituent states of the Federated Malay States.

43. With the establishment of Kuala Lumpur as Federal Territory in 1972, that region now has a contingent serving it.


45. Duty posts of OSPCs were abolished in 1966 in accordance with IGP's Directive No. 14, Ibid., p. 2.

46. This information is as reported in A Report...Regional Police Components, op. cit., p. 2.


48. In certain cases, however, such as corruption and security cases, they are empowered to do so.

50. Ibid., p. 15.
51. Ibid., pp. 13-17.

52. Pondok polis formed part of the Salleh system, but was not adequately researched for this study.

53. Interview with a police official, Malaysia, 1976.


55. For a discussion on the ramifications of the danger of government's authority being undermined by communist insurgent attacks on police posts, see R. Clutterbuck, "Communist Defeat in Malaya," in Counter-insurgency Case History: Malaya 1948-60 (Ft. Leavenworth: U.S. Army Command and General Staff College, 1965), pp. 21-22.


58. Ibid., p. 142.

59. As described on p. 139, this chapter. The SPO is now, of course, a JPO.

60. We have already pointed this out in Chapter II.

61. An example given in several interviews, Malaysia, 1975-1976.


63. For an insight of the police/communist 'struggle' for the Orang Asli, see R. Noone, Rape of the Dream People (London: Hutchinson, 1972).

64. A special counterinsurgency unit made up of only Orang Asli -- the Senoi Praaq ("Fighting Senoi") established in 1956 under police auspices, has since 1974 been absorbed as a regular unit in the Police Field Force


67. Before IGP's Directive No. 14, an example was the Kuala Nerang Police District in the Kedah/Perlis contingent.

68. This has been the case of the Kuala Lumpur Police District, now upgraded to "contingent" status.

69. Before the War, a similar case in point was that of Sabak Bernam sub-district, which, although part of the Perak contingent, was geographically and politically part of Selangor. Great Britain War Office. Malaya and Its Civil Administration Prior to Japanese Occupation (London (?): War Office, n.d.), p. 118.

70. According to Waller, personal communication, 1977: "The CWECs in Kedah were based on the civil district and not organized according to the police circles." Waller adds: "A persuasive argument can be made that the police circle normally corresponded with the civil administration district; the OSPC with the D.O. Police districts usually coincided with the civil sub-district, such as Ulu Kinta (Ipoh), Selama, etc."

71. "Residents" in East Malaysia also have little say over police formations.

72. State governments can only veto the appointment of CPOs and CPs.

73. "Brief...Military Officers," op. cit., p. 5.

74. One police officer characterized the state-level police chiefs as "kings in their own right." Interview, Malaysia, 1976.

75. In a different but fundamental sense, local government control could impair police efficiency by interjection of political expediency rather than enforcement of law and order as necessitated by public order situations. This point was underscored by Tan Sri Fenner, ex-IGP, Royal Malaysia Police, in a visit to preCommunist VietNam. Tan Sri Sir Claude Fenner, "Visit to VietNam -- 2nd to 8th August 1971," dated 11 August, 1971, unpublished, pp. 3-4.

76. See the memoranda between Chief, Pacification Group, CORDS, dated June 25, 1969, and the reply by Director, PSD, CORDS, on the subject: "Review of a Study of National Police at District Level."


78. In the preWar Johore police, most rank-and-file were recruited from Malacca as few people in Johore were keen to join the police. Interview with a police officer, Malaysia, 1975.
79. "Brief...Officers," op. cit., pp. 2-3. The explication here is extensively quoted from this document. Similar explanations are also found in other police documents.


81. Interview with police officers, Sarawak, 1976.

82. "Brief...Officers," op. cit., p. 3.

83. The set-up may be understood from any organization chart of the Royal Malaysia Police. Since the early 70s, the Federal Headquarters set-up has been further streamlined. Now, there are four Directors and one Principal Staff Officer responsible for research and planning. The four directorates are Management (general administration, recruitment, training, welfare, terms and conditions of service, public relations, Marine, Signals, Armaments and Auxiliaries); Internal Security and Public Order (including transborder operations, military liaison, logistics); CID (criminal investigation, central records, fingerprint registry and photographic branch), and Special Branch (security intelligence and counter-subversion). The five-fingered division is thus maintained. Royal Malaysia Police Headquarters, "Kerjaya Dalam Pasukan Polis" (Careers in the Police Service), mimeo, nd., pp. 3-4.

84. IGP's Directive No. 14. In the mid1950s, there was in the Federation of Malaya a DCP (Field) who had inspecting authority on behalf of the CP for all field formations.

85. "Brief...Officers," op. cit., p. 3.


87. Part X, Article 140 (4) of the Malaysia Constitute reads: "The Yang di-Pertuan Agong may designate as special posts the posts of Inspector-General of Police, Deputy Inspector-General of Police and any other posts in the police force which in his opinion are of similar or superior status; and the appointment to any posts so designated shall not be made in accordance with Clause (1) but shall be made by the Yang di-Pertuan Agong on the recommendation of the Police Force Commission."
88. Offences are classified into two types: 'nonseizable' and 'seizable.' In the Annual Report, 1962 of the Royal Federation of Malaya Police (Kuala Lumpur: Government Printer, 1963), paragraph 6 (p. iv) of the Preface by the Commissioner is most enlightening:

"To readers outside of Malaya, it might be of interest to point out that the basic criminal laws of Malaya, the Penal Code and Evidence Enactment, are more or less identical with the well-known laws on the same subjects first drafted in India in the 19th century. There are a few important differences -- thus in India extortion is a non-cognisable offence whereas in the Federation it is not only cognisable, or seizable in Malayan legal parlance, but is also regarded by the police as a serious crime requiring immediate action because it often has Secret Society implications.

"Seizable offence" is clarified in the following communication from the Director of the Criminal Investigation Department, dated 7th July 1976.

"Seizable Offence" means an offence where the Police may ordinarily arrest without warrant according to the third column of the First Schedule of the Criminal Procedure Code. The first schedule laid down cases under the Penal Code and any other laws stipulating whether it is a seizable offence or otherwise. Other statutory law does provide powers to the Police to make an arrest as and when an offence is committed. When there is no such provision then the Police will have to revert to the First Schedule of the Criminal Procedure Code for such powers."

89. Pages 131-124, 152, this chapter.


91. Ibid.

92. Ibid., the actual sentence was phrased differently, but somewhat unclearly: "It is the tool of the nation as a whole, not the government of the day."

93. Ibid.

94. That is, appointment of CPOs and CPs are only subject to a veto exercised by the State governments.

95. Zakaria Haji Ahmad, "The Bayonet...Malaysia," op. cit.

96. In this regard of noninterference in the executive command of the Force, one source stated that ministers in charge of the police had been "superb types." Interview, Malaysia, 1976.
97. The problems of Malayanization are discussed in Chapter V.

98. Technically, the Home Affairs Minister (hitherto the portfolio of Internal Security and Defence, and later Justice) was in charge of the police, but in practice the IG also had access to the Prime Minister. Interview with a police officer, England, 1975.


101. Ibid.

102. Ibid.

103. Victor Purcell took to the nth degree the argument of the creation of a Police-State in Malaya. See the discussion in Short, The Communist Insurrection..., op. cit., pp. 379-381. The creation of a police-state was also argued by Jack Woddis, "The Police State in Malaya," Communist Review (March, 1954), pp. 76-82.


106. Ibid., p. 64.

107. Adkins, Ibid., p. 66.

108. Ibid., p. 65. And interview with police officer, Malaysia, 1976.


110. This is coupled with a concern on the administration of criminal justice. In interviews, police officers lament its inefficient administration which has caused recidivism and which aggravates law enforcement. This point is coupled with the human and welfare aspects of criminals (cp. footnote 108). Another point which emerged in interviews is that the
legal profession has grown tremendously in numbers and quality since the War and which has therefore also necessitated expert legal knowledge in police prosecuting officers.

111. Adkins, op. cit., p. 65.

112. Interview with a police officer, Malaysia, 1976.

113. Interview with a police officer, England, 1975. The police role in such a circumstance was simply described by a statement made in this interview: "Any piece of string has got an end."

114. Same interview, footnote 113.


116. Legislation on the police and Police Regulations contain many references to these stipulations. Police Associations are modeled on those in Britain. For an elaboration, see Abdul Rahman Hashim, "The Police Association," Malayan Police Magazine, XXII:4, Christmas, 1956.

117. As noted in Subsection (7) of the Article, "transfer" does not include transfer without change of rank within the police force.

118. Federation of Malaya, Report of the Committee on the Malayanization of the Government Service (Kuala Lumpur: Government Printer, 1954), pp. 90-91. In the formation of Malaysia period, the process of replacing expatriates was also to be effected so as not to cause disruption of the policing function on the ground and at headquarters.


120. "Brief...Officers," op. cit., pp. 4-5.


122. Ibid., p. 1.

123. Interview, Malaysia, 1976.

124. Designated lines of responsibility for command and control are also found in The Report, passim.

126. Chapter II.
CHAPTER IV

OTHER "ORGANIZATIONAL" FACTORS IN MALAYSIAN POLICE INSTITUTION-BUILDING
"The Police have an essential part to play in the future of Malaya. It should be the aim of the Police to become less and less of a Force and more and more of a service. The Police should not only be respected for their competence and ability but they should also be esteemed for their integrity, impartiality and good will."

-- Col. Sir Arthur Young
Commissioner of Police,
Malaya, 1952

"A Police Force must serve whatever Government is holding the reins of office with absolute loyalty and impartiality. Any other line of conduct spells disaster."

-- message to the Malayan Police by Field Marshal Sir Gerald Templer,
High Commissioner for Malaya, 1954
In previous chapters we discussed the ability of the Royal Malaysia Police to carry out its variegated and specialized missions, but yet maintain organizational cohesion and efficacy in spite of changing political circumstances and the exceedingly difficult nature of its tasks as well as its own internal or administrative problems. We have already mentioned the close adherence to internal rules of organization and the excellent working relationship between the police and its "political masters" as explanatory factors for its high level of capability and capacity to enforce the rule of law. We need now to look at the other important variables of the police institution-building process in Malaysia, without which our analysis would be incomplete.

The "organizational" variables salient in reinforcing, if not attributing to, the capability of the Royal Malaysia Police may be listed as the following:

a) the British impact and legacy,
b) the officer corps and its sub-culture,
c) leadership, or the philosophy of leadership,
d) the training function,
and e) force "welfare" aspects.

Although separated for analytical purposes here, these five factors together mesh to form a substantial dimension of the evolution and growth of the police service in Malaysia. In general it might be said that this dimension relates to the "informal" or more personal aspect of the police organization. The RMP is, after all, a human organization and its functioning has been achieved largely because the persons in it have understood and played their respective roles. More importantly, the very nature of
the police tasks demanded -- especially in terms of law enforcement as enacted by individuals in contact with the public -- a high degree of competence in the person within the police organization. In terms of institution-building, an analysis of policemen qua persons is salient as after all, as noted by Pye, "institutions are composed of the act of individuals."¹ The crux of this chapter, then, is an exposition of the underlying realm of the police institution-building process in Malaysia, an investigation of the "subjective" dimension of the police structure.

At the same time that we are analyzing the "human" aspects of Malaysian police organization -- and which is critical in understanding the "underlying (psychological) propensity"² of the structure -- we must also deal with the unwritten use of "devices" in enhancing organizational morale and conditions of service for its members. This latter aspect is much "harder" to get at in terms of documentary analysis for they are not clearly specified as such in the relevant official publications, but they are nonetheless indentifiable analytically in terms of their functions from interview data and personal and experiential knowledge.

A methodological reminder is in order here. No degree of precision from the interview data is claimed because the sample was small and therefore not "statistically representative." However, those interviewed, both expatriate and indigenous and including civilians (as listed in Appendix A) had had or have very much to do with policies regarding the police organization and who also shared or share a "sense" of the problems involved. The nature of the evidence has been content analyzed and presented here in a textual manner to facilitate discussion but no attempt is made to present the evidence in quantifiable form as this would have meant scientific
presumptuousness. Moreover, that the interview sample comprised very
senior police personnel (both retired and serving) would, in any direction,
prejudice to some extent our research findings. 3

The British Impact and Legacy

Modern policing in Malaysia is a legacy that is essentially British
in nature and origin, and may be said to have begun from the start of
British colonization in the Malay peninsula in 1786. Although pre-British
forms of policing did exist, namely the Portuguese, Dutch and indigenous
types, these latter versions were never enduring and even the local policing
system through the use of penghulus (district headmen) was more or less
incorporated within the British concept of law and order. 4 As we have
noted in preceding chapters, the principles for the establishment of
police forces and the practice of the enforcement of the law was developed
over time. Not only is this temporal dimension salient, but very little
of policing practices and methods of organization were imported from
Britain itself; on the other hand, much of what was evolved and learnt in
Malaya (and other colonies, for that matter) were transferred back to the
motherland and elsewhere. 5 Nonetheless, the policing system that was left
behind as a legacy to the postcolonial regime was British not in form but
in its "underlying philosophy." To be sure, this philosophy was never
stated in a whole document but many written and oral statements by British
administrators and police officials provide clues as to what this philosophy
entailed. In the previous chapter we discussed at some length as to the
specific content of the policing philosophy in the sense of principles;
in this section we deal more with the agents of this philosophy.

For our purposes, these agents may be categorized into two groups, namely the colonial civilian administrators and the British Malayan Police officers. The first group may be described as the agents who outlined the more general and police aspects of the role of police forces whilst the second group might be characterized as the actual implementors or translators of the more general roles of the police, although of course this analytical distinction of their impact was more often blurred in practice, since both groups shared similar values. But the second group, as transmission agents of a certain notion or notions of police role and performance, was important in sustaining the British impact, for they officered and led the various Malaysian police forces. By their example, alone, some notion of what an officer cadre should be and what it actually was (both in terms of form and procedure) "rubbed off" onto the indigenous environment it operated in. Within this group is also included that cluster of officers which we characterize as the "Malayan hands." In essence, the notion of "British impact and legacy" in Malaysia is best understood in the sense of what British officers (both civilian and police) saw or conceived as the "correct" principles of police organization and law enforcement, and was not, as might be supposed, a direct form of technology transfer.

At this point it is useful to indicate that measurement of what constituted the "British impact" -- in terms, especially, of transmission of a certain set of values and behavior form one group of persons to another -- is not so simple as may be verbally asserted. The transmission can never be assumed to be complete and neither can it be assumed that the
process was not diluted by other variables. If such "subjective" technology transfer did take place, it is better understood as "technology transformation." However, it is certain that the British did attempt to leave behind, as soon as independence for Malaya was stated policy, the basis and structure of an impartial law enforcement machinery in the country.

Naturally, the British impact and legacy was not a uniform process but we may nonetheless demarcate two broad periods in which the transmission took place: the preWar period during which time the nature of the impact was "colonial," and the postWar period in which the police force in Malaya was transformed into one more responsive to indigenous political requirements and conditions. At the same time, however, it must be noted that this temporal categorization is only analytical since the impact permeated both periods.

Although we are interested here in the impact of the British expatriate component of the Malay(sian) police, it may be equally important to assess the retention of that impact by the indigenous officer component itself. This aspect is discussed somewhat in the section on the officer corps, but suffice to mention at this juncture that it is probable the indigenous officer corps did not become a copy version of the expatriate component it replaced. In his study of the senior Malayan administrative, or as he properly defines it, bureaucratic elite, Robert Tilman⁶ argues that the British impact was such that the indigenous elites became more "anglicized" than the expatriates. This would indicate a successful or complete British cultural impact; however, in this study no similar sense of an "anglicized" indigenous officer corps was felt or detected although
it is argued certain facets of the British impact as professional policing values and an elitist mentality were adopted by Malayan officers in the post-British era. In other words, the British legacy was more "organizational" than social, that there was an adoption by the indigenes of a "police force" model as conceived by the expatriates.

The PreWar Period

In the period prior to the Second World War, the police forces in Malaya were essentially colonial coercive mechanisms -- "armed bodies of men to enforce the imperial writ," or at least that was what the (native) public saw -- and indeed, the development of police forces is directly linked to the spread of colonial influence over the whole Malay peninsula. Moreover, the police were answerable to London -- not to the people of Malaysia. The spread of law and order so as to ensure public peace and tranquility in the interest of British imperial policy in the Malay peninsula was not so much the enforcement of the rule of law as the suppression of disorder or unlawful acts. The quelling of disturbances or disorders in Perak in 1875, in Selangor and Sungai Ujong in 1876, in Rembau in 1884, the Pahang rebellion of 1891-94, and Trengganu in 1927, and the Batu Arang labor troubles of 1936-37, was not achieved by the use of the military but by the utilization of the police or what might perhaps be characterized as "police action." Similarly, the Murut Rundum rebellion of 1915 in Sabah (then North Borneo) was suppressed by constabulary action.

Furthermore, whatever indigenous political activity there was in the pre-World War Two period was actively monitored and suppressed by police.
action. The political intelligence bureaux (PIB) that existed in the C.I.D. of the Police Forces in the Straits Settlements and Federated Malay States were quite active and successful in overseeing the activities of Malay nationalist groups such as the Kesatuan Melayu Muda (KMM) and Chinese political groups in the form of the Nanyang Communist Party and the Kuomintang. Police action in dealing with the former problem was not so much the circumscribing of local political activity as its curtailment so as to "dampen" the leanings of such groups' intentions (namely the Malay ones) of a union of Malaya with Indonesia. The effect has been, over the long run, to effectively mute the Malay nationalist spring of the autochthonous variety and to allow for the predominance, in the post-World War Two Malaysian politics era, of the English educated, Westernized Malay nationalist group. In turn, because this Westernized Malay nationalist group -- most of whom achieved social mobility through the bureaucratic elite ladder and subsequently emerged as the ruling political elites -- identified with the police action by the British on the other elite groups, they thereby did not conceive of it as repressive. And, coupled with the police role in dealing with the violent communist challenge in the Malayan Emergency, this Westernized elite group came to conceive of the police as a legitimate instrument of enforcing authority, of the police as a reliant weapon of central state-rule. At the same time, they also saw the police as an enforcer of the law rather than as a coercive force.

In the situation concerning Chinese political activity, the struggles between the Kuomintang and the Communists were a reflection of the feud in China between their parent groups and as such, were regarded by the
police as "alien" political activity. But undergirding their overseeing of such activity was a manifestation of the anti-communist stand of the police, that the activities of the communists, especially, were designated for the violent overthrow of legitimate authority. In a sense, of course, such suppression of communist activity is not surprising since the police were, and are, responsible for internal security and public order. The actual meaning of this particular ideological strand in the police is discussed more fully below.

Whatever the consequences, however, the more discerning outcome of such police action was the strengthening of British colonial authority in Malaya concomitant with the spread of a coercive apparatus in the various territories. But equally important, if not more so, was the spread and influence of a "modernizing culture" and the penetration of not only a state apparatus but also a uniform set of written laws for the country. In this sense, the police became a repository of modernization, spreading modern skills and attitudes, and was seen as an effective bastion for the upholding of authority, strengthened no doubt by the legal basis of police action, that the principle for law enforcement was sanctioned by law. The nature of this impact was no doubt institutional but it was engendered by the spirit of both the expatriate officers who managed the law enforcement apparatus as well as the bureaucratic machinery. And, as we have suggested, the repercussions of the British impact on the indigenous (read Malay) elites was the conception of the police as an instrument of legitimate authority; they therefore subsequently saw to it that any resources availed in favor of the police as a meaningful activity
In the postindependence epoch.

In a different sense but fortifying the argument that the police was a colonial tool was the fact that the officer corps was largely British and the rank-and-file comprised of foreigners, namely Sepoys and Northern Indians, and even, in the case of the North Borneo Armed Constabulary, the use of Somalis. Historically, it may be noteworthy that early use of British persons or "whites" as ordinary rank-and-file police was soon abandoned, though a "British" inspectorate did continue to exist alongside an "Asiatic" inspectorate. Use of nonMalayans, or nonMalaysians for that matter, was a manifestation of British colonial policy and ideology that premised the existence of "martial-" and "police-race" types. This notion continued right up to the Japanese conquest as evidenced in the personnel policies of the Straits Settlements Police Force and Federated Malay States' Police with their Chinese detective squads and Northern Indian units. The gazetted officer corps of the preWar Malaysian police forces was an orang putih ("white men's") preserve, and although there was a small number of Malay gazetted officers known as "Malay ACPs," they were mainly honorary in rank and received less pay than their British counterparts at that rank level. Even after the Second World War, strands of such a policy survived with such officer classifications and in the maintenance of a police Gurkha company and of course, the recruitment and deployment of the largely ex-Palestine European police sergeants during the Malayan Emergency.

The use of Malays in the police, in fact, was a rather late development. There had been a scattering of Malays in the early British-led police forces, but the British also discovered that Malays generally
shunned service in the police. That the Malay term for "police" was mata-mata (literally "eyes") conveyed the connotation "evil" since it was reminiscent of the sense of being watched, a characteristic of indigenous police activity in the pre-British era. That suppression of disorders, especially Malay-led ones, was police action only confirmed the opprobrious and heinous nature of the police. However, at the turn of the Century, there was an influx of Malay enlistees in the various police forces due largely perhaps to the acceptance by the community that it served their "national" aspirations, especially after the knowledge that Malay royalty had served in the police. Equally important, however, was a conscious and active British recruitment policy to actively recruit Malays at that time. Later, coupled with the effects of the Japanese Occupation during which period the police became almost a Malay preserve, as well as (British) policy carried out in the early phase of the first Emergency in which police recruitment was targeted only at the loyal Malay population against an alien (Chinese) insurrection, this manifestation also crystallized to be one of Templer's problems: that it was "too much a Malay force."

That the postWorld War Two police force in Malay(sia) was not a multi-racial one -- in the sense that it was preponderantly Malay -- in the rank-and-file is attributable to the British impact although in the closing phase of their rule they did attempt "very hard" to make it more ethnically representative of the country. We may pinpoint, for our purposes here, one particular facet of the British impact responsible for the Malay overrepresentation in the police -- namely the "Malayan hands." This was a cluster of British police officers that "emerged" at and since
the turn of the century and who developed during the tenure of their police
service in Malaya an attachment to the country much like their other
"brethren" in the civil service, the Malayan Civil Service ("MCS") types.
However, unlike the latter, the police "Malayan hands" could not be con-
sidered to be a group since they did not articulate as such,\(^{25}\) even if it
may be said that they shared a corporate spirit and held a consensus of
values and predispositions and exercised influence in the general tenor
and character of the Malayan police forces. To be sure, this was a cluster
that did not have additional cohorts after the Second World War (that is,
it was a preWar breed) but its impact endured right through Merdeka. That
this was so was largely because (a) most of their values were shared by the
other "non-Malayan hands" in the Force, (b) the policing model was accepted
intact by the postcolonial regime and the indigenes in command and control
of the police, and (c) their "members" survived up through the 1950s and
that they occupied senior and influential posts in the Force.

What then were the values that were held by these "Malayan hands"
that had had an impact on the force? First and foremost was their attach-
ment to Malaya, the land of the Malays. Recruited as cadets into the
Colonial Police Service\(^{26}\) in the first half of this century, these "Malayan
hands" had come to the East out of lore and adventure but had acquired
a definite taste and love of the people and the land that they served.
Malaya, as it was, was not a political entity in the sense we understand
it today,\(^ {27}\) but to the old Malayan hands, the various constituent states
and settlements in the Malay peninsula was one, especially since they
themselves could and were posted on a countrywide basis.
The "Malayan hands" cluster especially saw Malaya as a Malay land and this was quite evident from their conceptions of the Malay policeman or mata-mata, and which were not unrelated to their belief of the "gentleness" of Malay culture. Officers who served in Malaya proper had, as a requirement of confirmation in service, to be able to speak and write Malay and to pass the Malay language examinations (including Jawi). In any event, facility in the language would have been unavoidable, as most (two-thirds) of the police rank-and-file then (that is, pre-1939) were Malay and the language of command was Malay. Given that these British officers were supplied with munshis (teachers) or language orderlies to teach them the Malay language, it became inevitable that their appreciation of Malay culture was also promoted. "Malayan hands" recall with relish the times they have spent on inspection tours of the "far-flung" police network (when communications and transport was not as developed) because they could spend time with their Malay constables as well as eat rice-and-curry meals with their "charges." There was also a belief among the "Malayan hands" that the Malay police were a reflection of Malay culture, that even as subjugated race, they would not make their British tuans appear as fools.

Malay Subordinate Police Officers (SPOs) were trusted and respected by these "Malayan hands" and in fact most of the latter learned the ropes of their trade, especially as regards on-the-ground policing, from the former. Not only were the SPOs a bridge between the colonial officers and their men, but their (especially those who were drill instructors) advice were often sought in prima facie evaluations of new (British even, it might be noted) officers. Also, the Malay police were seen as a loyal and
courageous lot. At the same time that there was this intercourse and close affinity between the Malay police and their British superiors, it was nonetheless a colonial relationship, as no intimacy was actually developed or allowed to develop between officers and men. Indeed, in matters of the executive command of the Force, there was a strict sense of separation between the expatriates and native officers and men: no familiarity was encouraged, and contact was limited to official transactions. To no small extent this enabled an inordinately high degree of discipline to be exercised in running the police force(s), and which naturally is a factor in Malaysian police institution-building. However, during the postWar phase, the British removed its heretofore barriers and thus allowed common socialization and fraternization in the officer corps between expatriates and indigenes.

To the extent that the majority of the personnel of the various police forces were Malay and therefore Moslem, the "Malayan hands" also saw to it that the cultural values of their men were respected, and in an institution-building sense, "exploited." Thus it was that the mosque parade became a highlight of the week for the mata-mata and for that matter the (Malay) public. The Moslem sabbath was also respected (when possible) and wherever possible, prayer facilities were provided for in police buildings and cantonments. Although this policy may be seen as simply a consequence in the appreciation and respect for the culture and religion of the Malay constable by the police British commanders, there is no doubt it also enhanced morale and motivation in the former, and engendered a corporate identity in the force as a whole.
A second value shared by the "Malayan hands" was the conception that police service in Malaya was a prerogative and privilege that belonged only to their members -- that is, they saw it as an endogamous establishment. A corollary to this view was that all Malayan police officers would have to undergo all the steps in the police hierarchy -- that is, all officers had to begin from the bottom of the officer establishment; in this case, it would mean having to be colonial police cadets first before any career advancement. The rationale was that there should only be one category of police officer in Malaya: those who had come and served in Malaya and had learnt policing through this experience and through the "normal" channels of advancement. Except for Messers Gray and Young, all the other heads of police in Malaya have been "home-grown" types -- indeed, the Malayan police force seems to have been the only British colonial police service that never had had as its top commander anyone selected from another police service. That police officers had to serve an "apprenticeship" before being confirmed in the service has continued from the "cadet" system of the "Malayan hands" to the "probation period" now still required of all Malaysian police officers.

If this strand of "closed service" could be regarded as a principle of police organization in Malaysia, it's raison d'être is not the actual enunciation of it in doctrine but rather the obvious strong belief in it among the "Malayan hands" and its strong articulation within the police organization demonstrated in the single but important instance against Gray's appointment as CP in 1948. In other words, it was a service principle that became thus only over time, and which only became obvious
under a very special circumstance (that is, Gray's appointment). The "Malayan hands" had built up a tradition of training and service -- a process whereby new entrants to the Force, whether as officers or as recruits to the rank-and-file would be put through a lengthy period of training, and for the European officers a familiarisation with the language, customs and character of the people of Malaya as well as the establishment of close and cordial relations with the subordinate members of the Force -- so that public confidence was or would be gained by such identification. It was obvious this system would no longer be the case after 1945 and coupled with other reasons, ninety-five percent of the surviving "Malayan hands" in the Malayan establishment protested against Gray's appointment in 1948. Indeed, as reported to the Police Mission that came to Malaya in 1950, the main reason for the fears of the "Malayan hands" at that time was that the future of the Force was imperiled by a gap in continuity caused by an influx of "outsiders." Even though in the immediate postwar period there had been a schism between those who had been "in the bag" (that is, those imprisoned by the Japanese) and those "not in the bag," there was considerable cohesion in the "Malayan hands" against Gray; indeed they also did not accept the 1950 Police Mission's Report. We have already discussed in Chapter II the other problems of the Force at that time, but suffice to note that only after Gray's departure from Malaya did the dissension in the force -- caused largely by these "Malayan hands" -- subside and vanish.

A third important value that the "Malayan hands" shared and imparted was the concept of a "generalist officer-type" in the police force. To
an extent this was an outcome of the fact that in pre-1945 Malaya, law and order was simply a crime and traffic operation -- there were no real threats to public order and the body-politic in the form of organized subversion and insurgencies, except perhaps for the Batu Arang labor disturbances of 1936-37. Pre-War Malaya was such a peaceful country that even after the Japanese surrender (the irruption itself was an unexpected shock to its citizens, both British and local), few could conceive or perceive the threat and reality of a Communist insurrection. That the rapid build-up of the police to meet the communist challenge led to a later specialization in the officer corps -- in Marine, Transport, Field Force, Special Branch, C.I.D., and other areas -- did not however alter the generalist principle.

In a sense specialization was not allowed to develop because the "Malayan hands" themselves remained generalists -- at least and otherwise, even if several showed their adaptability and metier in the "newer" areas of police work. But the general overriding principle of police work was the enforcement of the rule of law. That the rule of law would prevail meant that even the specialized branches that dealt with "force" had to act within the ambit of the laws. Some of the "Malayan hands" had indeed feared that the Force in the early and middle phases of the Emergency had degenerated into a paramilitary organ and was not a police force, but this fear was quickly removed with the appointment of Young (seconded from the London Metropolitan Police) as CP in 1952. In the event, then (and now), the police was construed as primarily a body of lawmen, even if the laws took cognizance of many other offences other than just crime and traffic ones and even if it took on the functions of being a paramilitary and intelligence organization.
The other facets of the values of the "Malayan hands" are discussed below in the section on the officer sub-culture but we need now to consider the other essential elements of the British impact and legacy.

The PostWar Period

As has been stated the other broad phase of the British impact and legacy took place in the post-1945 era. In contrast to the earlier one, this phase is most interesting and significant because it coincided with the terminal British colonial period in Malaya's modern political history. The actual period from 1945 to Merdeka in 1957 is itself only a space of twelve years but once it was officially declared that independence was guaranteed, the British also seemed bent, _inter alia_, on bequeathing an effective law and order machinery to the postcolonial rulers.

By and large, there can be no question that the police institution-building effort that occurred was successful, but, it could also be argued that the creation of such an efficacious and efficient police force was largely, if not purely in the British interest since the Emergency was still on. Thus, the protection of British commercial and other interests would have made imperative the existence of a well-organized and efficient police organization; and after all, command and control within the Force did rest firmly in British hands during the transition to indigenous control, and with some justification even after the departure of the imperium. The basis of this argument would be that the postWar British impact was accidental rather than a grand design and hence not really a legacy.

The evidences, however, militate against such a contention and indicate
that the institution-building effort was real and purposeful. In the first instance, even for the purpose of ensuring the security of British commercial interests would have meant both in the short- and long-run the need of a good police set-up, and which of course occurred. Per se, this meant that the indigenous regime simply had to take on or inherit the reins of a built-up police machine. In this respect, the Malayan case of police institution-building represents a stark contrast to the experience of its neighbors, in which there was no real terminal colonial period; thus, whereas Malay(sia) was endowed with the fact of an invertebrate law and order machinery the rest of newly-independent Southeast Asia in the PostWar era had to virtually establish police systems from scratch.

Secondly, whilst it was true that quite a number of senior posts were occupied by British officers or "expatriates," their existence was not so much their capacity to influence policy as the acceptance by the new indigenous regime that their replacement (a process termed "Malayanization") would be gradual. The argument presented to and accepted in good faith by the new indigenous regime was that the Malayanization of command and control posts be not subjugated to political expediencies and that too rapid a process would inevitably result in police inefficiency. In the event the Malayanization of the hitherto British preserve of the police officer corps was so smooth that it was "hardly noticed." Furthermore, even if British officers retained senior police posts, they were directly responsible to the indigenous civilian regime, a fact of circumstance not lost on the expatriates themselves.

Thirdly, although it should not be assumed that the British had a
very clear design on what kind of police force they would leave behind in Malaya, they did act and structure the force within a certain set of precepts. Within the police command itself and of course within the larger British colonial machinery there were disagreements as to what the Force's structure should be and in this sense the actual law enforcement set-up was a result of evolution. We may nonetheless delineate or identify three general but interrelated aims of a somewhat "conscious" design of the Malayan police structure which the British sought to achieve and which bases were also adopted by the incoming indigenous regime:

(a) a professional, service-oriented, effective and efficient police organization
(b) an impartial and non-political force as an appendage of a democratic government
(c) a force that was at least multiethnic in law enforcement if not actually so in composition.

Above all else these three general aims simply meant that the rule of law shall prevail and that that was essentially what the police was all about. Moreover, the concept that "the rule of law shall prevail" also implied the accountability of the police force in its actions.

That British expatriates occupied a fair amount of senior police posts did mean that the "rule of law shall prevail" became an operating principle but this was also made possible by an active and full-fledged training program (which included not least a "socialization into a professional ethos" of the law enforcer or police officer) and actual role-playing with the "policing" practices of participatory politics. Although
no complete statistics are available, many of the gazetted officers of
the RMP have or had taken courses in Britain (up to 1956, 98 Malayans
had been trained there\textsuperscript{35}), and at the Police College in Kuala Kubu Bharu.
In this respect when Malaya gained independence in 1957 she enjoyed the
distinction of being the only independent Southeast Asian country with
such a highly trained police force.

As has been discussed earlier, the nonpolitical nature of the police
is a service principle encompassed in departmental regulations but it
was also an ingrained ingredient in the police officer ideology or sub-
structure. In terms of participatory politics, the police possess tremendous
powers in overseeing the safety of polling stations during an election
period, the granting of permits for political rallies and so on, but the
nature of their jurisdiction has been exercised only within their legal
powers and which is a factor of accountability. This is specifically a
British heritage, a principle constantly drummed on indigenous Malayan
police officers in training and elsewhere,\textsuperscript{36} although to some extent this
"learning" was possible because politics in Malaya (or Malaysia, for that
matter) was rather a "late" development. It is also not inconceivable
that police "non-political" involvement is a function of their distrust
of politicians in the Malaysian case.\textsuperscript{37}

As for the multiethnic content of the police, both in terms of law
enforcement and composition, this is discussed more fully in Chapter V.
But it needs be mentioned that although the police force acts impartially
in terms of race, the British effort to increase substantially the numbers
of nonMalays, especially Chinese, in the rank-and-file failed miserably.
Nonetheless the attempt does demonstrate that the British did have a
framework in which they wanted the police force to be after their departure.

That the British in the postWar era attempted rather seriously to shape the composition of the police force was also, in a different sense, a reversal of its policy enacted in the preWar period. For the preWar period, as we have indicated, the policy was the retention of separate categories of officers and men as well as the upkeep of specific "racial" types of police units. To some extent, this "racial" policy was abandoned rather "late," (about the mid50s) since the conduct of the Emergency still required European police lieutenants (formerly the category known as "European police sergeants"). But as the transition to independence proceeded, the "racial" aspects of preWar British colonial policy also evaporated, what with Malayanization, the abolishment of the rank of lieutenant, and so on. However, certain facets of such rank hierarchies remained, such as perquisites and benefits of service, salary structures and rank designations. Nonetheless, the concept of a "white officer" preserve in the police disappeared altogether.

Structural features such as Force regulations, standing orders and so on were of course built into the formal police organization, but insofar as the police force was to be an impartial, nonpolitical and professional agency (and at the same time be capable of carrying out its missions) the British saw that the purveyor of these qualities would best be inculcated in its leaders -- that is, the officer cadre -- since they would be the ones in "command and control," and since the formal features of police organization would have come to naught if those running the
organization did not adhere to them. It is to this element that we now focus our attention.

The Officer Corps and its Sub-culture

The officer corps in the Royal Malaysia Police is a highly-structured body with rigid rules for membership and probably more extensively, if not better trained, than any other equivalent public service body in the country. Actually of course there are two tiers of officers -- the Inspectorate and the Gazetted Officers -- but we are only dealing with the latter here. It may seem like an error of omission not to discuss the Inspectorate, which generally in numbers is usually substantially larger than the Gazetted Officer category, but this is more than compensated by the fact that more than ninety percent of the latter group have come from the former. Another category of officer, the police lieutenant, is also omitted from the discussion since it was a temporary rank in use only during the Emergency (1948-60) -- to meet the need for junior leaders -- and which was completely abolished before 1962. In any event, as compared to other police departments, notably American and British ones, the Malaysian police officer corps, gazetted officers' category, is significant both in terms of organizational analysis and societal ramifications. At present strength levels, with an officer/men ratio of 1:55, there is not only a sharp span of authority in terms of command but also in the societal sense of its being a colonial legacy, especially since different levels of police officers have different powers of law enforcement.

In terms of a sub-culture, much of the British impact was, and is, contained as a repository in the form of the gazetted officer element even
though such features have become fused with "indigenous elements" in the post-British era. In the pre-War period the officer corps comprised none other than the "Malayan hands" that we have already examined as an important factor in Malaysian police institution-building; in this section we are interested in analyzing the post-War officer corps, its characteristics, its corporate values, and its responsibilities. The categorization of a specific group with a recognizable set of values for each of both periods is, however, blurred, since the assortment of post-War police officer types included a sizeable element of "Malayan hands." As the post-War officer cohorts began to be replaced by indigenes, the test of the continuity of the values held by the former category might be presumed to have also changed but this has not, in a general sense, apparently been the case. Whilst it is true that there has been a change-over from colonial to indigenous control, the principles and values of policing and how a police force will be run has remained essentially the same. It is in this sense, too, that what we have described as the British legacy should be understood since the officer corps provides the effective leadership of the police organization as a whole.

It is useful at this point to be precise about our terms in this section. By denoting an "officer sub-culture" we are indicating the pattern of individual attitudes and orientations towards the police role and function held by the officer corps as part of the larger system, namely the police establishment. By specifying the existence of an officer subculture, we are also including the aspect of recruitment since the roles of this group have to be filled at some point or other by new
sets of individuals, identified for our purposes as "cohorts" according to the year of each recruitment exercise. A "cohort" is defined as "the aggregate of individuals (within some population definition) who experienced the same event within the same time interval," and "each cohort has a distinctive composition and character reflecting the circumstances of its unique origin and history." For our purpose, for example, it is useful to note that the cohort recruited in 1949-50 now form the senior echelons of the Malaysian police and who have gone through an anti-CT experience. No social background information is available from our interview sample but the common socializing pattern experienced by the members of the police officer corps has crystallized as an important attribute of the high degree of police institutionalization in Malaysia. Indeed, as standardization in procedure and training continues to be vigorously pursued in the RMP we can expect the high degree of cohesion in its officer corps to be maintained.

As a whole, the police officer corps may be regarded as a highly select elite group and is the "higher civil service" component of the Royal Malaysia Police -- in other words, the gazetted officer component of the RMP is the functional equivalent of the Civil Service's Division One. As the elite of a uniformed and highly disciplined organization, the bulk of the police gazetted officers have all originated from the junior officer corps, the Inspectorate, which is a "Division Two" establishment. This is in contradistinction to the MCS Division One whose recruitment is more "direct," instead of its numbers being drawn as heretofore from the ranks of the junior civil service elite, the Malay Administrative
And, although this is much harder to prove, the selection process in the police officer corps seems to be much more discriminating than the army's; indeed, even for the rank-and-file of both these organizations the police seem to select the better men. In any event, it should be clear that recruitment to the police officer corps is a highly selective process.

Since 1958, a "direct entry" scheme at the gazetted officer level has been instituted to attract university graduates into the police service but thus far there have been few takers. According to the 1962 Police Annual Report:

"Direct recruitment to gazetted rank remains very much in the trial stage. There is little merit in recruiting direct to the rank of Probationary Assistant Superintendent of Police unless the candidates who come forward have considerably higher academic qualifications than those recruited as Probationary Inspectors. For the time being there is a dearth of graduate material in the Federation and graduates tend to be attracted to other careers rather than to the police."

A projected 40 percent of the gazetted officer strength being comprised of university graduates has therefore not been achieved. But this has also meant that at this level, apart from the army, the police force has been and remains the only major public service in Malaysia that does not draw upon university graduates to fill its "Division One" cohorts. Nonetheless, it was and is the intention of the police top command and the government to obtain, via the direct entry scheme, a graduate cadre so as "to have in the Police a proportion of officers with a better academic qualification than the School Certificate." It is further stated that "such additional education is of importance particularly for the more
senior administrative posts in the Force."49

To an extent the lack of graduates in the police service may be explained by the greater attraction -- for a variety of reasons -- to other branches of the civil service and the private sector (commerce and industry), and, although the unattractive salary scale reason appears to be the official view,50 it is as likely that the existing nature and attitude of the gazetted officer cadre of the police service itself is a high explanatory factor. As we have already noted, the bulk of this cadre has been drawn largely from the Inspectorate. This means that most of them have served at least six-year stints at that level before being promoted to the higher cadre. There is thus a prevailing attitude that all officer entrants to the police force should also first serve at the junior (inspectorate) level. Also, given that most gazetted officers have only the qualification of the School Certificate ("high school diploma"), which is the qualification for entry to the Inspectorate, there is a "fear" in this cadre that they may eventually be replaced or superseded by more qualified persons such as, but namely, university graduates. There also appears to be a view that persons admitted as "direct entry gazetted officers" have not professionally performed better than, if not as well as, their lesser qualified brother officers. This view seems to be supported by statistical evidence. According to a 1965 police document,51 since the "direct entry" scheme was introduced, "there have been five intakes comprising in all twenty candidates, including three graduates and seventeen holders of the Higher School Certificate." The report subsequently states: "Of this total only one graduate and ten holders of the Higher School Certificate have qualified and remain in the Force."
Resistance to university graduates being recruited may also stem from the principle of organizational efficiency. A stint in the inspectorate, or for those recruited direct in the gazetted ranks a tour of duty as OCPDs, makes for a selective process in that aptitude for police work is drawn out. If this aptitude is missing, it is also indicative of a lack of ability to lead and command. From the interview data, it does appear that senior police officers are still to be convinced of the potential ability of officer candidates with university degrees.

Resistance, if this is a correct term, to "direct entry gazetted officer" types amongst the senior cohorts of the police officer corps may be a function of the British impact. During the preWar period, no indigenes except for the category known as "Malay ACPs" were actually recruited as gazetted officers 52 -- with the result that the cadre was solidly a British preserve. In the postWar period, once the British departure was imminent, it was resolved that that gazetted cadre would be filled -- through "Malayanization" -- by suitably qualified personnel from the Inspectorate. The actual method of replacement by indigenes involved a slow but substantial process of "understudy" of expatriates in "command and control" posts. 53 Inevitably some notion of a "gazetted officer" elan and ethos was passed on in the process. There was a view in this ethos that there would be no two grades of officers, that is, one either came up to the gazetted cadre through the Inspectorate (which the British only implemented with the "Malayanization" policy), or, one became a gazetted officer "direct" (only British nationals qualified). In The Report, which we referred to in the last chapter, one of the proposals the authors (all of whom but one were
ex-Malayan Police) recommended for police reorganization in VietNam was an elaboration of this principle, that there be only one grade of officer. In the postcolonial phase, there could not of course be a gazetted officer preserve for British nationals but the principle of not having two grades of officers remains but meaning that gazetted officers should be inspectors initially in their careers. In short, what this has meant is that not only is the gazetted officer cadre in Malaysia a "closed" enclave and one in which vertical entry, not lateral, is the rule, but it is also one with a corporate, if subjective, sense and which is a product of the British period.

In the officer corps, the spirit of the "Malayan hands" that we have earlier described, lives on. A direct manifestation of the concept of an officer corps imbued with the tradition of the Malayan police service (embodied in the "Malayan hands") is a sense of *esprit de corps*, complete with ceremonial uniforms, rank hierarchies, dining-in nights, mess facilities, home leave and so on, which to say the least, are definitely a legacy of British days. One officer characterised this condition or *esprit* as imperative to police efficiency at the officer level: that "one could reprimand a subordinate's actions but yet afterwards enjoy a drink together with the latter in the mess." Just as in the Malayan Civil Service, many of the service benefits and perks of police service were adopted almost wholesale by the postcolonial authorities. Pride in the service and the corps, in particular, is very noticeable amongst its members. This was and is not, incidentally, an accident: it is a socialization process that goes unimpeded in police training. The British, for their part, in that period of institution-building between 1952-1957
we described earlier,\textsuperscript{57} made quite sure the traditions and history of the service was not lost on the newer cohorts of the officer corps and issued in 1952 for all new officer entrants \textit{The Federation of Malaya and its Police}.\textsuperscript{58} For whatever the merits or demerits of its contents, this document is a significant piece of evidence of the British effort to impart a "cultural baggage" in the officer corps -- though it is not directly established from our data as to its actual impact.\textsuperscript{59}

Coupled with the \textit{esprit de corps} in the gazetted officer corps is its high sense of discipline accentuated in part from the nature of its "military-style" formation. Strict adherence to the rank structure, departmental rules and regulations, uniform, as well as the actual rank categories in the command and organization are all features of this sense of discipline. In the British period, the discipline was "iron-clad"\textsuperscript{60} since the force was run as an appendage of colonial rule and organized into officers being British and the rank-and-file as native; in the postBritish period, there appears to be a slackening of discipline,\textsuperscript{61} although the officer corps still remains a cohesive body.

In the preceding we have examined some of the "corporate" characteristics of the officer corps and the nature of its structure. We need now to examine more fully its sub-culture.

\textbf{The Sub-culture}

Professionalization in the policing vocation is a theme that emerges constantly from the interview data that has been gathered. By "professionalization" is meant to act within the confines of the law and a high degree of competence in the enforcement of the laws with the minimum use of force.
It also includes a sense of dedication to the police mission and, ultimately, a sense of the national welfare and well-being. Although all three of these dimensions are an attribute to be "found" in the individual police officer, the ramifications are altruistic in intent, that law enforcement is for the good and safety of the public and the country. There is also an additional notion of "common sense" which denotes not just a sense of discretion in law enforcement but also an understanding that too much law enforcement may lead to abuse.

Professionalization is seen not just as an ideal but also as a necessity of the police mission in Malaysia. There is an explicit realization that any deviation from proper law enforcement spells disaster for both the police organization (whose clientele is the public) and the country. Because of the communal divisions extant in Malaysian society and the overwhelmingly Malay composition in the Rank-and-File of the Force, there is a sharp recognition of the need for impartial law enforcement (that is, law enforcement not favoring any particular race). Within the police officer corps itself, whose composition may be seen in racial terms, there is a professional realization that favoritism on racial grounds -- in terms of promotion, demotion, or otherwise -- shall not be entertained. In a different, though equally important area of police work, there is also a feeling of dealing with crime not only through law enforcement but also in terms of its general prevention, or, a combination of both apprehension of offenders and their rehabilitation. This latter aspect, especially, is an excellent indicator of the professional ethos of the gazetted officer corps for it demonstrates not just an understanding of ordinary law enforcement but also an understanding of the inextricable
link between law enforcement and the administration of criminal justice; some sense of this concern is best illustrated by the following statement as contained in the 1962 Police Annual Report:

"The rehabilitation of criminals is still in its infancy in the Federation. The rehabilitation of many active Communists and their sympathisers and helpers during the Emergency was successfully accomplished and there appears to be no reason why similar success should not be achieved in rehabilitating criminals. There is a limit to the police capacity to take executive action under the Prevention of Crimes Ordinance and rehabilitation should be one satisfactory and effective arrangement aimed at reducing the numbers of potential criminals."

Professional law enforcement -- for the police officer corps in terms of individuals or as a group -- also implies a respect for the laws which they have to enforce. Above all else, the rule of law shall prevail but this has also meant that the laws must not be applied blindly. Since much of police work depends on public trust, confidence and cooperation, the enforcement of the law must also be seen and done in a just and fair manner. This implies the recognition of public liberties and constitutional rights of the individual or individuals, depending of course on the nature and context of the exercise of these rights. If these rights are not legitimately exercised, there is of course the need to apply "force" in the exercise of the law (in which case the interests of the majority of the population is a prime consideration), but should the law be enforced (with or without accompanying "force") unnecessarily, public hatred will be incurred and which will be detrimental to the professional stature of the Force. Respect for the law also means a sense of organizational competence, that all law enforcement is accountable to the police high
command, and, ultimately, if need be, in a court of law itself. Thus, in both an internal and external sense, the meaning of professionalization encapsulates a respect for the laws -- meaning police officers themselves are not above the law -- and a sense of service.\(^6^4\)

A second major variable -- but which is connected to the professional ethos -- of the Malaysian police officer sub-culture is that of its apolitical stance. One of the principles enunciated to support this view is that "A good policeman never gets involved in politics." During the tenure of their rule, the British made a critical delineation of the political and administrative ramifications of the police force's role and specified the latter, as likewise they assigned the civil service, as its proper role and function. Whenever the former role was assumed, quite properly, it may be argued, it was enjoined where there had been a violation of the rule of law. In the post-British era, these practices and its underlying philosophy, was also adopted by the indigenous regime. This strand of thought finds support from within the police officer corps itself.

By "apolitical law enforcement" is meant that the enforcement of the law recognizes no partisanship in the carrying out of the police mission and also that police personnel, both officers and men, may not indulge in political activities and refrain from such except perhaps for the purpose of casting votes in elections.\(^6^5\) Although the intent as specified in already embodied in departmental and public service regulations, it is also an attitude held by police officers. Thus, unlike the Indian Police Service which Bayley\(^6^6\) describes as having been tainted by political
considerations in the transfer (both in terms of postings and promotion) of its officers, by comparison the Malaysian police officer cadre seems not to have undergone this transformation. Political nepotism, for example, seems to be wholly absent as compared to the kind of linkages one may argue exists in the case of the civil service and army in Malaysia.67

That the police are "apolitical" may of course be ascribed to the attitude of the indigenous civilian ministers who have been in charge of the police and who saw the need to preserve the neutrality and impartiality of the Force but equally important -- and no less shared by its political masters -- was the professional recognition in the officer corps that any form of political involvement by the police would be harmful to its integrity in the long run.68 It is exemplified by the nature of the Malayanization process of the police officer corps itself, in which virtually no political criteria were allowed in this vital promotion exercise, and which also explains why the process took so long.

That the police officer corps subscribes to an apolitical stand is also a consequence of the late development of participatory, that is, party, politics in the country. In the transitional period of British departure and indigenous take-over, the budding gazetted officer cohorts came to regard political parties as but a symbol of national independence since the major political party became the ruling party as well as that responsible for gaining independence; other political parties, be it noted, were either too weak or simply illegal. Also, in their training and other socialization, their main lesson was that of impartiality but at the same time loyalty to the party which gains power through a legitimate electoral
victory. To no small extent, this apolitical ideology in the police officer corps was buttressed by the actual excellent relationship between the government in charge (exemplified by the ministers who were actually in charge of the police) and the police. Thus, there was little "cognitive dissonance," if any, in this particular area of Malaysian police officer subculture. Moreover, there is yet to be a "real test" of the apolitical attitude of the police in Malaysia's postindependence history.

Being "apolitical" does not at the same time mean that political problems will not have to be encountered -- indeed, in practice it is a situation which is continually occurring. However, given the nature of the police organization and the federal structure of the government, it is a problem that in the last resort may simply be relegated to the central government for resolution. At the same time, in the police high command itself, it does mean that "political conditions" must always be borne in mind in the management of the force as well as in actual law enforcement.

Related to its apolitical and professional values is the anti-communist nature of the police officer corps. To a large extent, this is directly attributable to the police role in dealing with the communists in the Malayan Emergency, as well as the communists themselves being a banned organization and therefore unlawful. But it is also attributable to the view transmitted to the police officer corps from its former British incumbents, especially the "Malayan hands." This latter point merits reproduction of a view that emerged in 1929:
"The police are not concerned with politics and if Communism were a mere political issue, it would not be a question with which the Police could join issue, but a doctrine of annihilation is a different matter and it would be worse than foolish for the Police to be inactive or indifferent while the Communists propagated their pestiferous doctrines and perfected their plans for causing trouble in Malaya."

Not only was the anticommunist ideology of police premised on illegal and subversive actualities of the communist movement in Malaysia, but it was also an outcome of the "professionalization and competence" ethos in the police organization, that any threat to disorder (from the communists) was and is properly a police concern designated for the good of the country. The anticommunist strand of the police was not an immediate characteristic in the police officer corps but took some time to "nurture" as a value common to or held by the majority, if not all of the officer corps, and, it may be added, also of the other ranks. To an extent, as far as the Malay members of the police were concerned, communism was an "evil" since the majority of those involved in it were the alien Chinese. But, to the rest of the police organization, the Communist threat to be perceived as real needed some "persuasion," as exemplified in this particular instance:

"In conclusion, P.C. -- a Mata-Mata -- would like to answer those critics who regard the spread of communism in Malaya as a harmless bogey confined to the distribution of paper propaganda spread by a few Hailams of the cook and 'tukang ayer' calibre. With the experience gained by being attached to the Intelligence Department, I can assure such critics that the well-planned schemes of the Third International, whereby the sons of the soil in Malaya are to be tinged with 'communism,' have more than once been frustrated by the Police. The Third International has an advance base for the East in China and has ample funds at its disposal."
Our activities must never be relaxed. With the cooperation of the public, Bolshevism must be stamped out like a plague, as it menaces the peace of the world and aims at the annihilation of society." \( ^{73} \)

Also, the anticommunist strand was and is an outcome of the officer composition of the branch dealing specifically with communist subversion. Most of the Chinese inspectors recruited to the Special Branch in the postwar period had been or became in the process "staunch anticommunist" types, an attitude which was not dispelled even after promotion to gazetted rank. Even amongst officers not attached to the SB, a short introduction and exposure to that department is given so as to familiarize SB's functions as an integral part of police work.

Directly related to the value concerns of the officer corps is the amount of responsibility, and the onerous nature of it, actually shouldered by this cadre. Since responsibility covers many areas and differs according to duty post, an understanding of its importance is best achieved by looking at that duty post which all gazetted officers have to hold at some point in their careers, the OCPD (Officer-In-Charge of Police District). As we have mentioned in Chapter III, this duty post is akin to that of the District Officer (DO) in the civil service both in terms of function and impact for Malaysian society. The OCPD's duty post is generally of a "general duties" genre but it nonetheless provides the frame and "groundwork" for basic law enforcement and command experience for all gazetted officers. The OCPD (listed more exhaustively in Appendix I), is responsible in his jurisdiction for the following: prevention of crime, prosecution, railway policing, beats and patrols, traffic regulation, fire precautions, defence of police stations, posts and barracks, major disasters and relief work,
public order, criminal and security intelligence, inspections and parades, tours and visits, prisoners, administrative matters, duty schemes, financial aspects, stores and equipment, transport, licences, welfare and discipline. Appendix J lists the statutory powers of the OCPD in the enforcement of his mission.

In addition to the vast responsibilities of the OCPD, gazetted officers in other duty posts (as well as at the OCPD-level) are required to enforce and/or administer other general laws as listed in Appendix K, plus of course the performance of tasks as is generally stipulated in the Police Act. Add to the fact that police officers are deemed to be "on duty" at all times and one will realize the exacting and demanding nature of police work.

That these "heavy" and variegated responsibilities are shouldered and performed by the officer corps demonstrates its high sense of mission and professionalism, providing a sense of elan to the corps structure and culture as a whole and in relation to other government departments. It is also interesting that, as compared to the civil service where new officers no longer are posted to serve in the districts but may serve immediately on recruitment in federal ministries, officers in the police service in Malaysia are required to serve in the districts and "get their feet wet," so to speak, very soon after recruitment. Whatever the ramifications of this procedure, the officer corps of the police is an elitist concept and as such we need now to turn our attention to the aspect of leadership.
Leadership

In the preceding section we have outlined the salient structural and cultural characteristics of the officer corps of the RMP as an explanatory factor for the organization's high level of effectiveness and efficiency. We have also noted that the officer corps is elitist. The British, for their part, also geared it so as to enable it to provide leadership capacity. There are two aspects of this capacity: (a) the actual philosophy behind the officer corps concept, and (b) the practice of selection for the heads of the police, that is, the very top leadership. In a large sense also, leadership is a very essential element of the police doctrine in Malaysia.

From the British point of view, there appeared to be a recognition that one of the most important requisites of a functioning democracy which they desired for Malaya, was a police force officered by competent but equally apolitical leaders. Since the capacity for police abuse of authority was great, it was imperative that the police organization be led by officers "with the right calibre." To be sure there was no easy or sure means of producing the "correct calibre" but an extended period of service and experience thus gained was seen as primary source of professionalization.

Learning the job via the Inspectorate, the actual stint spent as a probationer, and the requirement of passing all the departmental examinations have virtually ensured in the gazetted officer cadre a steady source of inbred but keen and dedicated professionals. The actual time spent in learning to be an officer of the law has given an aura of service as well as the acquiring of experience and competence. At the same time the whole
process is selective enough so that "those without inclination would ultimately be weeded out."\textsuperscript{74} In addition, it is believed that "if training and education are correct, then efficiency in the officer corps is ensured."\textsuperscript{75} By and large, this process of producing leaders in the Force has been successful, though, on the other hand, it may have generated other problems in its wake.

Leadership is also deemed essential because of the exacting demands required for the purposes of command. The nature of police work is such that it is probably harder to exercise command of a police precinct or unit than of a military formation. As explained by Field Marshal Lord Harding:\textsuperscript{76}

"The big difference between the two services is that for the most part soldiers operate in groups under the direct personal leadership of their officers, whereas policemen work mainly as individuals out of sight of their officers, and often out of contact with them for long periods as well. For that reason alone command of police forces is the more difficult of the two. It is easier to inspire men to do their duty in the face of difficulty and danger when you are with them on the spot, than to do so at the end of a telephone line in an office miles away."

The second area of leadership that needs to be noted is that of the selection of the top command of the police officer corps. At the very top of the police hierarchy, leadership is very selective and has been carried out through the process of "grooming." By this process, the incumbent police chief is "forever looking for a successor to replace him." Thus far, the choices all seem to have been good ones, although one drawback of the process seems to be the long period of grooming itself, since it does invoke a sense of "expectancy" in the person being groomed and which is not conducive to leadership in the long run.\textsuperscript{77}
Complete details of the criteria for successor selection (that is, "grooming") are not explicitly known but the process is an exhaustive one with the objective of appointing a top commander with competence, integrity, and the ability to command and control all branches of the police organization. There is indeed no question that the top leaders of the police have been outstanding personalities -- able to hold their own, for example, with leaders of the civil service establishment and the military. Professional criteria may also be observed in that all the police commanders (especially since 1953) at the apex have held the post of Head of the Special Branch and have been General Duties Officers at some point in their careers.

Apart from professional qualifications and leadership qualities, there is also a political criterion in that the head and deputy head of the police shall enjoy the confidence of the government, or more specifically, the prime minister. As stipulated in Article 140 (4) of the Malaysia Constitution:

"The Yang di-Pertuan Agong may designate as special posts the posts of Inspector-General of Police, Deputy Inspector-General of Police and any other posts in the police force which in his opinion are of similar or superior status."

Clause (5) of the same Article, however, does indicate that the appointment is made on the advice of the prime minister. Since all the heads of police have been selected from the officer corps itself, it may seem that not much importance can be attached to this political selection as it is akin, say, to the selection of career diplomats for ambassadorial posts, but that all the commanders of the police have been Malays is itself significant. Nowhere is it ordained that the top posts in the police are reserved exclusively for Malays, but as the police is regarded to be a
vital instrument of state-rule by the civilian (Malay) elites in control, it followed that the posts be held by Malays. During the transition to independence, the British and the incoming indigenous regime concurred on Salleh as the future police leader in the post-British era, and in this respect it was understood by those selecting that the post would go to a Malay. After Salleh, again the incumbent police top commander and the "political masters" have concurred on the candidates selected. Thus, an excellent working relationship exists between the top commanders and the civilians in control. At the same time, because the police is designated as impartial, the selection of the designated police posts in favor of one ethnic group, the Malays, has implied that non-Malays are not in any sense "endangered." Concurrently also, for the Malay population, that there is Malay leadership of the national "coercive" instrument in the form of the police has meant their "interests" are assured and safeguarded.

Because of this designated selection as well as the actual procedures employed, the police top leadership have enjoyed the confidence of the regime and vice versa. Where these posts have been held by non-Malays, they have been held by British nationals -- precisely, and above all because of the trust placed in them. It is for that reason that "Malayanization" of the top post in Malaya took place only in 1962, and that the first IGP for Malaysia was British.

The specially groomed heads of the police, as we have noted, have been or are persons with special qualities of leadership that defy simple categorization. In turn, they themselves have left their impressions on the Force so that it might be said that the tenor of the Force at any
particular moment is a reflection of the personality and dynamism of its top commander. Reading the history of the Force, one cannot but be impressed by the individual initiatives and leadership that these men have exercised -- personalities such as Syers, Sansom, Cuscaden, Conlay, Bagot, Talbot, Hannigan, Onraet, Gray, Young, Carbonell, Fenner, Salleh Ismael, Rahman Hashim. Even personalities in the second echelons have been outstanding persons.

It may be observed that differences between the top police personalities are usually a matter of style; although there is an individual imprint by each particular personality, a remarkable continuity has been attained in terms of substance of policy. This may be expected in that successors were usually selected on the basis of their qualities and potential to continue the tradition of leadership of the incumbents. Roles are therefore filled in such a way to preserve the structure. That, except for Messers Gray and Young, most of the leaders have been "insiders" (that is, have risen within the organization) is also a principle adhered to in practice -- as such, they knew the people and country, and the Force knew them as part of "theirs."

It is interesting to note that at the same time the top leadership of the Force is crucial, the heavy responsibilities of command to bear at this level may lead to abrupt career terminations or "mysterious silence" during or after critical events, as was pointed out by a police document, for the following cases:
Territory | Officer's Name | Event | Post |
---|---|---|---|
Singapore | Foulger | Hertzog Riots | Deputy Inspector General (Designate), Colonial Police Forces |
Singapore | Wiltshire | Hertzog Riots | Commissioner, Singapore Police |
Federation of Malaya | Gray | Communist Terrorism | Commissioner, Federation of Malaya Police |
Cyprus | Bibles | E.O.K.A. Terrorism | Commissioner, Cyprus Police |
Cyprus | Lock | E.O.K.A. Terrorism | Deputy Commissioner, Cyprus Police |
Kenya | O'Rourke | Mau Mau Terrorism | Commissioner, Keyna Police |

The theoretical significance of these cases may be investigated in other research, but suffice to note the particular crises police leaders encounter or have to deal with as heads of their organizations, and a sense is gained of the "special" qualities required of top police leadership in general.

As for the general leadership in the gazetted officer corps as a whole, a significant attribute of their leadership capacity may be a function of their training, and this is discussed in the next section.

The Training Function

Since the scope and problems of the subject-matter under the rubric of "training" are vast, we shall not attempt a comprehensive overview but rather limit our discussion to relate it to the previous sections; that is, we shall deal only with the training of the officer corps. Prima facie, it would seem that training would be an obvious and inextricable component...
of any organization's capability -- for without training no body of persons would probably have been able to carry out its designated tasks nor for its top persons the ability to lead. In the case of the RMP, training assumes a priority role in terms of mission performance and organizational cohesion, and a substantial amount of time and effort is invested in common and specialized training programmes for its officers. In the terminal colonial period, training for indigenous officers was accorded primacy so that replacement of British officers ("Malayanization") in command and control could take place but at the same time so that police efficiency would not be impaired by incompetence. In the postindependence period, police efficiency remains as a primary goal of training, but concomitant with the formation of Malaysia and the need to "consolidate" a national but unified organization, an equally important training objective is standardized training, as is stated in a document:80

"It is only through a standardized system of training that the long-term aim of a really unified service can be achieved and it is also the only way by which a fair standard of basic qualification can be obtained for the purpose of promotion or advancement."

Thus, the training function of the officer corps has separate but none-theless linked objectives: professional competence and a unified officer establishment.

At the same time that training is functionally important to the RMP, we may note two "paradoxes": (a) during the early years of the Malayan Emergency, during which time the Force expanded on a "crash programme" basis, training of new entrants to the officer corps was sacrificed almost altogether in the interest of exigency and commitment, that is, officers were simply posted to the field without prior training, and (b) training
continues attitudinally to be a "resisted" area in both commanders and serving officers and is often regarded as a "necessary evil." Reference to this "resistance" is often made in police documents to the effect that "training is limited by the organization it serves." Nevertheless, our appraisal of the RMP's capabilities would be deficient if the significance of training is neglected. With regard to the two "paradoxes," the former was after all a short-term event -- as soon as the Force attained peak strength, it consolidated by making training a necessary step before posting. As for the latter, despite "resistance," all officers have been and are continuously trained -- thus, all officers have to attend promotional courses before any career advancement, as well as "conversion" training before posting to other branches.

Moreover, the importance of training is underscored by the following factors. First, that the two major training establishments, the Depot (now renamed "Police Training Centre") and the Police College, are formations directly responsible to the IG and although not empowered with territorial jurisdiction, are nonetheless regarded as contingents. Second, that the training function does not exist in a limbo. As interpreted broadly in a police document:

"The subject is inextricably linked with the day to day supervising responsibilities of every officer and SPO -- from Corporal to Inspector-General. When an OCCI writes a minute in an IP advising a course of action he is training; when an officer makes comments or criticisms during any form of inspection, he is training someone; when an OCS corrects a man's dress or drill movement he is again a training officer. In fact, whenever a superior advises, comments, criticizes, rebukes or otherwise guides, with the object of improving efficiency -- in the organization or the individual -- he is carrying out a training function."
Third, that the probation period for both gazetted officers and inspectors forms an integral part of the overall training of the officers; the period encapsulates not only a process of "learning the job" but also one in which attrition would "take care" of those not really competent to qualify as officer material. In addition, the probation period would have meant at least a six-year apprenticeship in the lower ranks of this stratum for GOs promoted from the Inspectorate (three years for "direct-entry GOs") and thus would have meant, in terms of socialization, quite a sizeable training time. And last, but not least, the training function performed by the RMP's Training Branch has been well recognized by other police departments in the region -- its various training schools have conducted scores of courses for police officers from Burma, Brunei, Thailand, Laos, Cambodia and South VietNam (the last three before the communist takeover); up to the end of 1975, over 1,000 foreign officers had been trained at the Police College alone. 83

As a matter of routine, all gazetted officers (both "direct entry" and those promoted from the Inspectorate) have to attend the OCPD's Basic Course, which lasts nine weeks, and the Junior Advanced Police Duties and Administration Course (Jr. ADA), which is of eight weeks' duration. Combined with other training, "the minimum career training undergone by the average ASP promoted from the Inspectorate is 135 weeks and the maximum for officers of and above the rank of Assistant Commissioner can be as high as 259 weeks. In regard to direct entry ASPs, the comparative minimum and maximum career training figures are 127 weeks and 251 weeks respectively."84 Apart from the usual types of training, officers are also required to take specialist as well as promotional courses locally and
overseas. Appendix L provides a schematic presentation of the general training scheme for officers in terms of general and specialized training as well as the duration of these courses.

Appendix L also provides a list of the prescribed examinations that officers at the different rank levels have to pass to advance up the hierarchy. Thus, training includes also areas of formal assessment which officers have to surpass in order to make the grade. In this respect, departmental examinations constitute a test of officer abilities, and the following excerpt from the 1962 Police Annual Report is instructive:

"The rule is being strictly followed that Probationary Assistant Superintendents of Police and Inspectors who do not pass all their prescribed departmental examinations in the probationary period of three years will be discharged from service. This results in the regrettable loss of potential officers at a time when they are very much needed. Nevertheless it has been noted that the officers who fail to pass their examinations lack the ability to concentrate on their studies. The lack of this characteristic implies that they would be unlikely to make good police officers."\(^{85}\)

However, although the above quotation is now a general principle ("unequivocally laid down"), it may be noted that prior to 1957 ASPs could be promoted without passing all examinations on account of their being engaged full-time in Emergency duties.\(^{86}\)

The passing of the prescribed examinations includes the important element of knowledge of the laws which police officers have to know in order to enforce the law as well as in prosecution, which is also a duty performed by police officers. According to The Report for the reorganization of the VietNamese police (referred in Chapter III) a serious drawback in law enforcement capability in that country's police force was the low deficiency in its officers in knowledge of the laws required for
enforcement, which was itself partly a consequence of the low priority accorded to it in training:

"...the content of courses needs to be re-designed to give the student more knowledge of police work and the law at the expense of the existing high percentage of time devoted to the military aspect (weapons, tactics, tae-kwon-do, and drill.)"\textsuperscript{87}

By contrast, in the Royal Malaysia Police, training in the law occupies 70\% of training content and the remaining 30\% is allotted for drill, weapons training, physical education and other aspects.\textsuperscript{88} In addition, passing of the law examinations is a prerequisite for confirmation in service for both gazetted officers and inspectors.

Apart from content, an exhaustive coverage is also attempted in officer training in the RMP. There is a considerable variety of courses, both local and foreign, available to all levels of officers, as listed in Appendix M. In addition, in some of the local courses, a large number of topics are covered as is shown in Appendices N and O: thus, for the Cadet ASP's course, 141 topics are enumerated; for the OCPD's course, 86 topics -- and both ranging over a wide variety of subjects. In short, the RMP's officer cadres -- that is, both gazetted officers and inspectors -- have been and are subjected to a very comprehensive training programme which is probably unrivalled in Southeast Asia, or even for that matter, the whole world.

Three other aspects of training need to be mentioned. First, it is a "life-long" process and is deemed to be nonteleological -- even the topmost senior officers have to attend high-level seminars. Second, in the officer establishment -- unless this is not feasible as, for instance,
during the early phases of the Malayan Emergency when training was sus-
pended -- there is maintained a "training reserve" which is a group of officers taking on duty posts and thereby enabling another group to attend training courses. Third, a sense of the British heritage exists in the philosophy as well as the actual administrative aspects of training. The Police College, for example, set up by the British in 1952 to train indigenous officers in law enforcement, remains, up to the present the main-stay of the officer training programme. Another instance of the British impact is that Britain remains the primary country for officers attending overseas courses, and in fact, within the present senior establishment (Assistant Commissioners and above) there is hardly anyone that has not attended a course in one of Britain's police or staff colleges.

To recapitulate, the training priority accorded for the officers of the Royal Malaysia Police has been an important aspect of the police institution-building process -- apart from providing competence and thereby leading to the professionalization of the officer corps, training also functions as a socializing process for the purposes of a unified service as well as enhancing officer "solidarity." Also, in effect, although there is "resistance" from police officers for training stints, the principle that "no man is trained unless he is retrained" emanating from the headquarters element has meant that continual training is a facet of the operating procedure of the RMP's organization, and which is a practice carried over from the British period to the postindependence era.
Force "Welfare" Aspects

In the preceding sections we have dealt mainly with "informal" organizational factors which we subscribe as supporting the high level of institutional development in the Royal Malaysia Police but mainly focusing on its officer corps. In this section, we deal with the morale and "welfare" aspects of the organization but which are related to the "human" ramifications and more specifically, albeit not exclusively, as they relate to the Rank-and-File. In addition, as in the previous sections, the British impact and legacy is salient as a related variable, since these aspects were originally "dealt with" in the British period. To an extent, morale and welfare aspects may be considered as devices utilized by the British to garner organizational performance from its members but in another sense, the combined effect of these "welfare" aspects combine to contribute to a high sense of "corporatism" in the personnel of the police as a whole.

Concern for the ordinary mata-mata or police constable, or more generically, the Rank-and-File, is best indicated by the fact of an established post in the form of "Force Welfare Officer" at Force Headquarters. In other formations, welfare aspects are entrusted to designated persons but in temporary ex officio capacities. In a larger sense, every commander is responsible for the welfare of his or her charges in the formation and this is an additional attribute of leadership capacity. In the Malaysian case, not only are commanders concerned with welfare but more often than not, their own spouses have performed this role via the establishment of kaum ibu ("wives") organizations in all formations; although it is difficult
to document, quite often the needs and problems of their men and families become known to commanders as a result of information gathered in the kaum ibu set-ups. It may also be observed that many of the top police commanders have been endeared by their men because of their concern for the welfare of the personnel of the Force.

Examples of the kind of benefits "catered" by the Force Welfare Officer are the following items, as extracted from the 1962 Police Annual Report: "supply of milk for children and pregnant wives of members of the Force," "routine grants for allowances to a clerk and two religious teachers," "grants to handicapped dependents of members of the Force," "funeral and wreaths," and "purchase of awards to best recruits and students."

In police formations, canteen services are also operated under (usually strict) official supervision for the purpose of not only providing meal services, but also food items and household provisions -- all at prices lower than outside commercial rates. For the purposes of monetary support of those welfare "benefits," there has been established a Police Fund operated by the Treasury Accountant (Police). In addition, for long-term welfare purposes, police cooperative societies have been set up and which have been responsible for furnishing housing and other loans to their members. In 1962, for example, M$4 million was disbursed by these societies as loans to members.

A second area of welfare and morale in the RMP is the provision of accommodation for both officers and the Rank-and-File. Indeed, for the Rank-and-File, their Conditions of Service entitle them to free accommodation together with free water supply and lighting. Although this provision, in terms of a "barracks" policy, has its recurring problems in that such
accomodation is not always immediately available for all personnel and that the actual living space may not be adequate,\textsuperscript{95} housing of personnel in formation compounds has the added advantage of logistical proximity of manpower for mobilization purposes. Moreover, that personnel are barracked may insulate police families from outside pressures\textsuperscript{96} and other difficulties. Also, that most personnel in formations are housed in one compound have engendered a sense of organizational togetherness in the Rank-and-File.

The existence of marching bands has been and is another contributing factor of the "corporate" sense in the police organization. Four police bands are presently maintained by the Royal Malaysia Police -- the Central Band, the Kedah contingent band, and the bands of Sarawak and Sabah components -- and apart from instilling pride amongst police personnel, these bands are also used as public showpieces and entertainment. This latter aspect may be regarded as intended to gain public pride and cooperation, especially as the bands are used to beat the retreat and perform at mosque and other parades. For their part, the British actually regarded policebands as a necessary appendage of the police and made sure, in the terminal colonial period, that an indigene would take over from the British band-master in the central band.

Since police personnel are by law prohibited from industrial action and participation in trade unions, the welfare of their working conditions are "safeguarded" by a number of employee associations which may act for that purpose in negotiation with government. The mechanisms for industrial arbitration in the police are the Police Council and the Police Associations, both of which were set up in the terminal colonial period -- the models on
which they are based being derived from British experience. Thus,

"The Police Council functions on the lines of a Whitley Council and deals with representations from the Police Associations forwarded through the Commissioner of Police for consideration. The Council is made up of an Official Side consisting of representatives of the Treasury, Federal Establishment Office and the Royal Federation of Malaya Police and the Staff Side made up of the representatives of the Senior Police Officers' Association and the Junior Police Officers' Association."

There are three branches of the Police Associations, namely, the Gazetted Officers' Branch, the Inspectors' Branch and the Junior Police Officers' Branch. "Gains" made through these mechanisms have included salary revision, travel concessions for Rank-and-File on casual leave, increase in ration allowance for the PFF, and creation of additional posts for Inspectors to relieve their work-loads.

A fifth area of "welfare" is that of the provision of recreational activities as well as the sponsorship of sporting events on an intercontingent basis or otherwise. Apart from providing an outlet from the rigors of police duties, these facilities foster a sense of kindred spirit as well as enhance morale in the Force.

Finally, but not least, dental and medical benefits are provided for all categories of police personnel and their dependents, and although no longer available in all middle-size and large formations as heretofore, are still accessible in government health centres.

The net or combined effect of all these welfare areas has led to a high sense of corporatism in the police organization and has engendered a feeling in all ranks of the police that their needs and well-being are, and will be, looked after by the authorities in command and control, both
the government and the police high command. Together with the other factors we have discussed in this chapter, it may be seen, then, that police institution-building in Malaysia has also been related to the "human" dimension of organizations.

Concluding remarks

In this chapter we have attempted to outline and describe the other "organizational" variables salient in explaining the high level of police institutionalization in Malaysia. Although we have termed the factors of British impact and legacy, the officer corps and its sub-culture, leadership, training and Force welfare aspects as "organizational," they are more appropriately informal or cultural variables and are "organizational" in terms of impact on the personnel in the RMP. Inasmuch as the variables are "cultural" in terms of attitudes, recruitment and socialization patterns, institution-building must essentially be a psychological process in that "it involves the internalizing of norms." Although the British legacy has been treated as a separate factor, it is a thread that runs through the other factors -- indeed, in this sense and in terms of a corporate identity in the whole Force, all the five factors are intertwined.

The example of the Malaysian police officer corps, with its pattern of selective recruitment, seems to provide "proof" to Ben-Dor's assertion that police officer corps -- in contrast to militaries -- share a sense of corporate professionalism and a service ethic that makes it less prone to personal and ethnic factionalism. In terms of Malaysian political development, the sense of corporate identity in the Royal Malaysia Police --
in its personnel generally but especially in its officer corps -- has been important in maintaining the notion of an impartial, apolitical and professional law enforcement agency in a multiethnic country. At the same time, it needs be noted this notion of the role of the police in ensuring that the rule of law shall prevail in the polity has been supported by the indigenous political regime.
NOTES


3. Unless otherwise noted, the evidences used here are derived from the interview data.


10. There appears to be conflicting evidences on the actual organization and details of these intelligence units. According to Jones, ibid, the Malayan P.I.B. was set up in 1921 for the whole of British
Malaya (p. 136), but was abolished in 1930. It was then replaced by the "Malayan Political Advisory Committee." (pp. 138-140). It is not known if the P.I.B. also encompassed the "Special Branch" in the Straits Settlements, although Onraet [Singapore A Police Background (London: Dorothy Crisp, 1947)] mentions only the SB as the police intelligence unit in the Straits Settlements Police Force. According to a well-placed and senior interview source, very little was actually known on the organization and activities of the preWar intelligence organizations, or even of the short-lived Malayan Security Service (MSS) in the postWar period.


14. The Westernized elite group became the nationalist group that fought for Malaya's independence from the British. However, some sections in Malaysia do not concur with this fact. See Z.A. Wahid, ed., Glimpses of Malayan History (Kuala Lumpur: Eastern Univ. Press, 1973) in which the Tunku's role is not given recognition.

15. This is a simplification. There were more than two groups in conflict. For example, the KMT itself was split into its "Right" and "Left" factions.


17. Onraet, op. cit., pp. 82-83.

18. Only in the FMS police.

19. Mention is made in Onraet, op. cit., passim, L.H. Hart, "Police Work in Malaya Fifty Years Ago," Malaysia, September 1969, p. 17, and L.H. Hart, "More Impressions of Police Work in the FMS," Malaysia, January 1970, pp. 9-11. It is interesting to note this Straits Times, 4th November, 1933 report on an honor guard, mounted for the High Commissioner and the Sultans, composed entirely of Malays: "To see this highly trained body of men rendering military honors to their own Rulers was to feel that here was a ceremony symbolic, it might be, of the awakening of the Malay race and to a finer and more constructive concept of patriotism and nationalism than they have hitherto known."

20. P. Morrah, "History of the Malayan Police," Op. cit., pp. 102-103, Hart, 1969, op. cit., does mention that the pay scale introduced at that time by FMSPP Commissioner "Pa" Conlay was a major attribute of recruit attraction since it was above that received by unskilled
laborers.


25. The "MCS" group that had retired before 1945 acted as a bloc against the Malayan Union Proposals. See James de V. Allen, The Malayan Union, Yale Southeast Asia Studies Monograph, No. 10 (Detroit: The Cellar Bookshop, 1967). The "Malayan hands" of the police did not act as such, though, as individuals, may have disagreed with the proposals. The "Malayan hands," however, did articulate as a group within the police organization, discussed infra.

26. The precursor to this was the Eastern service and before that, the IPS (Indian Police Service), but like the administrative services, these schemes were "fiction," as officers who came to Malaya rarely were transferred about to other stations in the east. Quite a number of the police officers recruited for Malaya were "near misses" of the IPS. Hart, op. cit., p. 15. For the argument that the Colonial Administrative service was "fiction," see Tilman, Bureaucratic Transision..., op. cit., pp. 46-48. The same argument may apply to the Colonial Police Service which was established in 1936.

27. In footnote 5, p. 2, Allen, op. cit., notes from the Clementi Papers: "In the Pan-Malayan Durbar of Rulers held by Clementi in Singapore, 11 October, 1930, the Regent of Kedah refused to accept the word 'Malaya'." Allen writes: "there was no such thing, strictly speaking, as British Malaya, or even Malaya at all."

28. The relationship was somewhat akin to that described between Dr. Aziz and the English in India in E.M. Forster's novel, A Passage to India (New York: Harcourt, Brace and World, 1924). For a partial description of the relationship in Malaya, but again a fictional one, see Sheila Ross, A Log Across the Road, Part II: A State of Emergency (London: Collins, 1971).

29. The circumstances are described in Chapter II.


32. Memories of that episode nonetheless linger even up to now.


34. This was apparently also the recommendation of a special committee of indigenous police officers specially convened by Tunku Abdul Rahman in 1954-55 to look into the process of Malayanization in the police. The police officers were Salleh Ismael, Abdul Rahman Hashim and Hussain Sidek. It is not known if they actually submitted a report on their ad hoc work, or, if so, that it exists. All three (the first two attained IGP rank, the third DIGP in their careers) were no longer alive when field-work was in progress.


36. For example, editorials in the MPM in the 50s repeatedly stress the "non-political" nature of the police. Templer's farewell message to the police in 1954 also contains a reference to this point:

"...Before we are much older in this country, State/Settlement and Federal Council Elections will be taking place. If you have a vote, it is your duty to give that vote as you think fit. Otherwise it is your duty to stay clear of politics. A Police Force must serve whatever Government is holding the reins of office with absolute loyalty and impartiality. Any other line of conduct spells disaster."

Excerpted from "Message from His Excellency the High Commissioner To All Ranks of the Malayan Police Force," 8th May 1954.

In an interview with an indigenous officer who had visited police departments in the USA on a study tour, he deplored the "political" nature of American police forces such as the fact that police officers had to indicate their political party preferences (Democrat/Republican) in dossier information.


38. Based on a rank-and-file figure of 38,000. The ratio is even larger in the First Emergency period because of the huge Special Constabulary establishment. In 1965 the ratio was about 1:40. [Inspector-General's Office, Royal Malaysia Police, "Brief on the Organization and Command of the Royal Malaysia Police for a talk to Senior Military Officers," dated 20th November 1965]. A useful caveat to employ is to regard
official published and unpublished police statistics as "probabilistic," as there is often data variation between documents for the same periods.

39. This is not unique to Malaysia. India also retains such differentiation of police powers according to officer ranks. D. Bayley, *op. cit.*, p. 35.

40. The postwar expatriate officer corps included ex-military types, former Palestine Police, elements from the police forces disbanded at partition in the Indian subcontinent, "new" entrants from Britain itself, and ex-Settlement police from China.

41. The conceptual terminology employed here is derived from Almond and Powell, *op. cit.*, pp. 50-72, passim.


44. Tilman, *Bureaucratic Transition...*, *op. cit.*, p. 111, discovered that in his 1962 sample of senior or superscale MCS officers, 79 percent had originally been in the MAS. As opposed to the present MCS, however, which no longer bases its major recruitment from the MAS, the police service continues to draw its elements from the junior establishment, the inspectorate.

45. A factor pointed out in interviews. Selection of better men for police service was also a recommendation in *The Report* (referred to in Chapter III): "The standard laid down for police recruiting into the lowest rank should, therefore, be higher than that for the army." (p. 82, paragraph 204).


51. Ibid., According to the Police Annual Report, 1962, op. cit., p. 11, the intakes between 1958 to 1962 totalled 21, of which 14 still remained in service.

52. The "Malay ACPs" in the FMS Police were either honorary or received less remuneration than their British counterparts.


54. Paragraph 206, p. 83 of The Report:

"We do not particularly care for the present system whereby officers can be recruited at several levels depending on their academic qualifications. This leads to a situation where a young man with, for example, a law degree can find himself in a comparatively senior appointment without any police experience at all. He then becomes reliant mainly on his junior officers to guide him in his duties, which is neither good for him nor for the morale of those below or equivalent to him with vastly more experience."

55. During interviews with retired Malayan police officers in the United Kingdom, it is interesting that, almost to a man, all appeared dressed with their police neck-ties.


57. See Chapter Two.

58. (Kuala Lumpur: Government Printer?, nd)

59. It is interesting to postulate though perhaps overstating, that the document is pro-Malay. For example, in describing conditions of Malay communists, specifically those of the MCP's 10th Regiment, the Malay proverb "Isi lemak dapat ka-orang, tulang dapat ka-kita" (the meat goes to others, only the bones fall to our lot) is invoked. Ibid., p. 43. References as that quoted may be an indication of general British Malayan Police officers' sympathetic attitudes to the Malay cause.

60. A term constantly used by indigenous officers in interviews.


62. Most service matters are handled by the Inspector-General or the Police Force Commission. Disciplinary boards are set up, however, for certain cases and these usually are multi-racial in composition.

64. It is perhaps unfortunate that the interview construct did not solicit certain other forms of attitudinal data. In a study of Malaysian administrative elites, James C. Scott discovered an underlying orientation of the constant pie, an orientation that assumes a fixed scarcity of desired material goods. [James C. Scott, Political Ideology in Malaysia (New Haven: Yale University Press, 1968), p. 94. (Italics in original)]. It would be interesting to discover if a constant pie orientation is also found in police elites and how this is related to professional views on law enforcement. However, it is to be noted that in 1975-76, all Malaysian gazetted police officers were psychologically tested to see if they had partial tendencies in law enforcement, and if so, to be asked to resign from the service.

65. In the editorial of the MPM, vol. 22:4, 1954, it is noted "...Individually, however, the policeman who is a Federal citizen has the democratic privilege of a vote; and as the Commissioner has pointed out, it is his duty to make use of that privilege." (p. 168). See also Royal Malaysia Police, Polis Di Raja Malaysia ("Royal Malaysia Police"), nd, p. 8.


67. This assertion is based on rather flimsy evidence. Whilst one can easily make references to family connections between the ruling politicians in the civil service and the army but not so for the police, the instances of the former cases do not constitute a theoretical case.

68. Discussed also in Chapter III.

69. In one interview, a police officer who after being phased out went on to take a Ph.D. in political science, informed me that the police officer corps was and is pro-Alliance. Tilman, Bureaucratic Transition..., op. cit., p. 129, also argues: "All senior Malayan bureaucrats, regardless of communal origins are followers of the Alliance Party in the same sense that all American bureaucrats are democrats with a small 'd'." See footnote 68.


71. A thin line separates but nonetheless serves as a distinction between "government policy" and "professional service policy" already referred to in Chapter III. See also "Brief...Officers," op. cit., p. 2-3.


74. Interview with Fenner, 1976.

75. Ibid.

76. From an article by Field Marshal Lord Harding, in the magazine of the Police College, Ryton-on-Dunsmore, as excerpted in Representation...Component, op. cit., p. 12. One interview source explained that most of the rank-and-file would persevere at duty posts as long as their commanders did likewise.

77. This is the Salleh/Fenner "problem" alluded to in Chapter III.


79. Representation...Component, op. cit., p. 12.


84. Representation...Component, op. cit., p. 19.


University Experience (New York: Praeger, 1965), p. 19: "The Vietnamese were understandably more willing to be instructed in the use of tear gas or the maintenance of motor vehicles than to be told how they should gather evidence or treat suspects."


89. At certain points in time, the Police College has also been responsible for promotional training of Subordinate Police Officers.

90. Some sense of this is also "captured" in Sheila Ross, op. cit., passim.


92. All police cooperative societies have now been amalgamated, at least for peninsular Malaysia.


94. Ibid., p. 19.

95. In the British period, barracks for the Rank-and-File consisted of what were referred as "square blocks." In the postBritish period, two-room units are provided but are still inadequate since police families are usually large. The major problem concerning barrack provision is land acquisition which requires state government approval and negotiation.

96. This seems to have been a problem of the Palestine police. According to Bowden: "Had the native Palestine force been placed in barracks as were the Royal Irish Constabulary in Ireland it would perhaps have insulated them from some of the pressures they faced from extreme nationalists working in their communities." Tom Bowden, "Policing Palestine 1920-36: Some Problems of Public Security under the Mandate," in G. Mosse, ed., Police Forces in History (Beverly Hills: Sage, 1975), p. 128.


98. Police Annual Report, 1962, op. cit., p. 34.

99. Ibid., pp. 34-35.

100. Pye, in Braibanti, op. cit., p. 34.

CHAPTER V

INSTITUTION-BUILDING OF A 'NATIONAL' POLICE FORCE: INDIGENOUS AND ETHNIC ASPECTS
"A feeling of resentment is growing among all other communities at the apparent reluctance of the Chinese to help. These people
live comfortably and devote themselves wholly to
making money....Leading Chinese have contented themselves with
living in luxury in Singapore and criticising the Police and
security forces for causing injustices. These injustices are
deplorable but are the fault not of the Police but of those
Chinese who know the truth and will not tell it."

-- Sir Henry Gurney, 1951

"In the longer term, Malaysia will be an unreal creation unless
the principle of Malaysianization is accepted. In its absence
the Borneo states will be the first to suffer. Borneo officers
must play their part in helping to frame Federal policies in the
Federal Capital and enjoy opportunities of entering Federal de-
partments of which the Borneo States have no present counter-
parts. Similarly Malayan officers in the Federal Public Service
must be brought to view problems from a Malaysian point of view
that takes full account of the interests, anxieties and hopes of
the Borneo States. They can never do this until members of them
have had reasonable opportunities of serving in the Borneo States
and of being made to be directly responsible for their interests.
If the safeguards provided for Borneanization were used for the
permanent exclusion of Malayan officers from Federal posts in the
Borneo States, Federal policies could not take full account of
the views of the Borneo States."

-- Malaysia, Report of the
Inter-Governmental
Committee, 1962
As has been alluded to earlier, although institution-building of the police as a national law enforcement apparatus was in the main successful, the attempt by the authorities to make the organization more ethnically representative of the multiethnic composition of the country -- and in this sense is meant the effort to recruit more Chinese into the rank-and-file -- failed rather miserably. Outstandingly enough, the government's failure to achieve this particular recruitment goal was due not to its lack of effort, but rather more to the "formidable resistance" at enlistment by the very group being recruited. It is also important to point out that although Chinese recruitment for the police was a failure, its consequences may have been beneficial to Malaysian political development -- put rather simply, at least for Malaya, it did signify at and after independence that the police as a national "coercive" instrument was symbolically and statistically a predominantly "Malay" institution. Table 5.1, for example, illustrates poignantly the Malay/nonMalay composition in the police rank-and-file for the years 1959 to 1962. In Sabah, the police rank-and-file is dominated by Kadazans; in Sarawak by Ibans.

At the same time that the various police formations of Peninsular Malaysia, Sabah and Sarawak are respectively composed predominantly of Malays, Kadazans and Ibans, the nature of law enforcement requires contact with other ethnic groups -- and in the urban areas, especially, with the Chinese. Because of this racial matrix between the police and the policed, the problem, therefore, is the extent to which law enforcement can be impartial in Malaysia. The problem is attenuated by the realization, and here we are oversimplifying a complex situation, that since the police
TABLE 5.1

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<tr>
<td></td>
<td>%</td>
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<td></td>
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</tr>
<tr>
<td>Malays</td>
<td>16,794</td>
<td>85.4</td>
<td>15,957</td>
<td>85.1</td>
</tr>
<tr>
<td>Chinese</td>
<td>1,865</td>
<td>9.5</td>
<td>1,852</td>
<td>9.9</td>
</tr>
<tr>
<td>Indians and</td>
<td>941</td>
<td>4.8</td>
<td>897</td>
<td>4.8</td>
</tr>
<tr>
<td>Pakistanis</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td>57</td>
<td>0.3</td>
<td>50</td>
<td>0.3</td>
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<tr>
<td>TOTAL</td>
<td>18,657 (100.0)</td>
<td>18,756 (100.1)</td>
<td>18,651 (100.1)</td>
<td>19,824 (100.0)</td>
</tr>
</tbody>
</table>

* Subordinate Police Officers and Police Constables. According to the Police Ordinance, 1952 [14 of 1952], a Subordinate Police Officer is "a police officer of any rank from and including Sub-Inspector and Sergeant-Major down to and including Detectives of all ranks from Detective Sub-Inspector down to and including Detective Lance-Corporal."

** To the nearest figure

is a "Malay" institution, they (the police) cannot be "nasty" to, and thereby alienate, the non-Malay population. In short, the RMP has a key role to perform in the problems of a multiethnic society.

Apart from ethnic aspects of the rank-and-file, institution-building of the police as a national instrument must also be seen as a process of indigenization. A process concerning the officer corps, this would refer to the operation by which British nationals in command and control of the police were replaced by Malaysians, or at the earlier stage of Malaysian political evolution, Malayans. In the pre-Malaysia period, indigenization was called "Malayanization," a process which could be said to be complete or at least almost complete by 1962. During and after the formation of Malaysia in 1963, indigenization was a process we shall term "Borneanization," was pertinent to the new states of Sabah and Sarawak, but was a more delicate operation than Malayanization in that it required or meant Malayan officers being seconded to those forces before Sarawakians or Sabahans could take over from posts vacated by the British.

Indigenization -- both Malayanization and Borneanization -- however, did not just simply mean the process of replacement of British or expatriate officers by locals, but was also important in the sense of the resulting ethnic composition of the officer corps. In the case of West Malaysia, it has meant that although the police rank-and-file is overwhelmingly Malay, the composition of the officer corps seems skewed in favor of non-Malays, as is statistically revealed in the government report released after the 1969 May 13th racial riots (Figure 5.1). In the cases of Sabah and Sarawak
however, the process of indigenization has been and is concomitant not with the problem of which ethnic groups of the two states will fill officer slots -- albeit this is and will continue to be an important issue -- but more as to whether it means or meant a "take-over" by West Malaysian officers of posts heretofore held by expatriates.

In terms of institution-building, especially in the West Malaysian situation, apropos the earlier points concerning the predominance in the rank-and-file of Malays but a "more representative" officer corps, the police as an institution cannot be a divided one. Especially germane to this issue is the problem of racial violence: in order for its suppression the RMP must not only be a cohesive and professional body to contain it, but its actions must appear nonpartisan to all ethnic groups. This last condition is not as simple as it may sound. The Malays would expect the police as "their" institution to protect them; the nonMalays would always fear the police because they think it is "Malay." To expect that these
perceptions do not affect similarly the police itself is highly unrealistic

An understanding of the "building" of a national police institution is incomplete without a consideration of (i) the British as an important policy actor, and (ii) the actual or practical remedies of the problems of law enforcement in a multiethnic society as that existing in Malaysia. As an instance of the former factor, the British attempted in the final phase of the terminal colonial period to bequeath a multiethnic police force because their conception of post-colonial Malaya was that of a multi-ethnic polity. As an instance of the latter, and which is not unrelated to the British as an actor, the organizational response of the police to specific law enforcement situations does correspond to the ethnic coloration of such situations; thus, for instance, it would have been tremendously difficult, if not impossible, for the police Special Branch to have dealt so successfully with the largely Chinese Communist Terrorist Organization (CTO) had there not been within the former a predominance of Chinese officers.

The preceding remarks illustrate the complex processes and problems associated with the institution-building of a "national" police force in multi-ethnic Malaysia. It is complicated by the fact of three territorial divisions in Malaysia (West Malaysia, Sabah, Sarawak), each with its peculiar ethnic circumstances. In turn, the organization of the Royal Malaysia Police also reflects or corresponds to this political compartmentalization; there being ten contingents for West Malaysia, and one component each for the Borneo states. The remainder of this chapter will attempt to analyze the institution-building of a national Malaysian police force along the following dimensions:
a) the concept of a "national" police force,
b) British recruitment policy,
c) problems of ethnic recruitment,
d) the ethnic nature of Malaysian law enforcement,
e) "Malayanization," and
f) indigenization in Sabah and Sarawak.

A National Police Force

As may be inferred, the concept of a "national" police force cannot be
divorced from the ethnic ramifications and problems of Malaysian society,
both in terms of the Royal Malaysia Police's personnel composition and its
actual enforcement of the law. This may simply be restating the truism
that no police force and system can be understood out of context or without
a consideration of ecological factors, that is, every police system exists in
a larger environment. In terms of the ethnic nature of Malaysian society
and its "impact" on the police structure which is national in organization,
this may mean two contradicting scenarios. On the one hand, it may mean
that the ethnic problems of the police can only be solved if they are first
solved at the level of the larger society. On the other hand, precisely
because a police force is a microcosm of the larger system, it may in turn
affect its ecology; in no small sense, because the police force in Malaysia
is charged with the enforcement of the law and the maintenance of order --
both functions of which should be effected in impartial fashion and seen
to be effected thus, it may be argued that if the so-called ethnic problems
are resolved within the police organization, then Malaysia's rather unique
problems are not as insoluble as may be imagined. In effect, a clear understanding either or both of the concept and objectives of what is to be considered a "national police force," as especially obtaining in ethnically heterogeneous societies -- and Malaysia in particular -- is more complex to grasp and/or attain.

In Chapter III, we discussed to some extent the "meaning" of a national police force; to recapitulate, we noted the aspects of centralized control and direction, unified organizational procedure, and, ethnic representation in its personnel so as to reflect the over-all composition of the population. We need to discuss at greater length here the third aspect of what is entailed as a "national police force." Although the first two aspects pertain more to organizational procedures, it is nonetheless difficult to discuss the ethnic factor without relating it to the two -- for, after all, control, command and organization of the Royal Malaysia Police would affect or influence the ethnic composition and other related ramifications of the Force.

An ethnically representative police force denotes that the personnel composition of the organization is proportional to the ethnic make-up or ratios of the national population. Although the principle is easily stated, the concept -- apart from the actual problems of implementation (largely recruitment) which are formidable -- is limited by four problem areas, at least or insofar as it relates to Malaysia. These problem areas are inter-related and are described not in terms of sequential importance.

The first is that Malaysia's ethnic mix and the nature of the federal union are rather complex so that even if the goal was that of an ethnically representative police force, some form of "national integration" would
probably need to be achieved first. Since the three territorial divisions of Malaysia, namely West Malaysia, Sabah and Sarawak, are different from each other in terms of the ethnic composition of their respective populations, and since their police organizations are run according to their "peculiarities" or differing circumstances even if actually considered part and parcel of a federal force, ethnic representation in the force, or forces rather, will have to be considered on sub-national terms. Thus, it is salient to think of Malay/non-Malay representation in the police contingents of West Malaysia, but such a notion is less applicable when considering similar ethnic representation in the Sarawak and Sabah components; in fact, for the latter two, different forms of ethnic representation come into play.

On a different plane, on a pan-Malaysia basis, ethnic representation may have to include the dimension of regional representation -- that is to say, a national police force will have to take into consideration not only ethnic factors, but also "areal" ones. Put rather simply, the police as a "national" institution will have to apportion personnel on a West Malaysian/Sabah/Sarawak basis in terms of proportional representation of all groups and regions.

The kaleidoscopic nature of Malaysia's ethnic mix and the low-level nature of national integration presents a further problem in the realization of an ethnically representative police force. Even if the goal could be achieved, the lack of understanding of the ethnic potpourri by the population of all three territories would make difficult law enforcement by any group -- to illustrate, the use of West Malaysian police officers in Sabah and Sarawak has been resented, feared, and viewed as the extension or aggrandizement of that territory's arm of the law.

The second problem area in our understanding of a national police force
attaches to the very notion itself. What, after all, is connoted by the term "national?" It could be said that, irrespective of whether the police is or is not reflective of the composition of the country's population, it can only be deemed to be national if it performs in the "national interest," that is, a purveyor of national symbols and aspirations. If a police force acts according to national direction, then it is irrelevant if its personnel is actually proportionally representative of the population. The crux of this definition of the problem centers of course on what is defined as "national," and which may usefully be considered at two levels -- that of the ruling elites and the population. Since the symbols of Malaysian state and nation-hood are or have been designated as to be high in "Malay" content, then it becomes clear why, even if the official recruitment policy did not adhere to that of a predominantly Malay force, the organization's rank-and-file is overwhelmingly Malay -- that is to say, the bulk of the Malay population do perceive the police as a symbol of Malay statehood. On the other hand, it may be argued that the non-Malays (meaning especially Chinese) do not enroll, even after exhortation, in the police precisely because they perceive of the police as largely a Malay preserve.

The "Malay symbolism" of the police as a national instrument largely applies to the Malayan milieu, but is not irrelevant in the larger political context, Malaysia. Insofar as the police organization is structured and performs as an appendage of a "strong central government," some kind of Malay supremacy is assured in terms of national aspiration since control of the federal government is concentrated in Malay hands. Historically, however, the assurance of Malay supremacy in the Royal Malaysia Police in all its constituent organizations has been approached with some delicacy and
in appreciation of the sensitivities of the Sabahans and Sarawakians — indeed, in the light of the present so-called "integration" of the Sarawak and Sabah components in the national police structure, the process will present a continuing problem for the central government. It is additionally complicated by the fact that even the term "Malay" is not fully clear. For example, Malays in Sarawak and Sabah are "different" from West Malaysian Malays; in another instance, the appellation "Bin" in the names of Sabah police officers as had been used as an indication of their being Malay was found to be erroneous.

Some indication of the need to modify the use of the term "Malay" has been underscored in recent years by the increasing use of the term bumiputra (literally "sons of the soil") to include "Malays" and "other natives." Although the term is most inclusive, especially as "other natives" include both Moslem and non-Moslems, it nonetheless denotes the supremacy of Malayness — as against the rights of the nonnatives and nonMalays. In this sense it is instructive to realize that Malayness in the national coercive instrument in the form of the police implies not only the use of Malay symbols such as the Malay language (which is now almost universal practice in the organization) in reports, commands, etc., but also that Malays shall form the backbone of the Force's personnel. The point at issue is then, and will continue to be, not so much as to what proportion of Malays will constitute the Force as what proportion of nonMalays or nonNatives, for that matter, will be used as a recruitment target. It may simply be noted that this issue is recurrent because the "loyalty" (however defined) of the nonMalays is still a matter of doubt. In sum, therefore, the term "national" denotes
a primacy of Malay symbols -- including body count, and makes difficult personnel distribution in the police strictly in terms of population ratios.

The third problem area of the concept of an ethnically representative national police force as defined is that it is not entirely clear if it is desirable, even if the proposition is feasible. Such a notion may look good in a statistical sense, but may deny certain benefits accruing from an overwhelmingly Malay rank-and-file. A reasonable case can be made of the symbiotic relationship between the police and its clientele: in the long run it may be beneficial for Malaysian race relations if the police are largely Malay but that it performs law enforcement as a service -- at least in urban areas -- for a largely Chinese public. Leaving aside the issue of corruption, and which is not irrelevant, a basis of communal interdependence and relationships may then develop between the Malay police and the nonMalay public. That the police are Malay may reinforce cultural beliefs in the Chinese public that the law enforcement machinery is oppressive as well as a Malay preserve but there is some evidence that police as a "protective" service reifies such preconceptions, that Malay police are of utility. In the rural areas, the perception by the (largely Malay) population that the police are Malay does help to reinforce the belief that the police as a national "coercive" instrument is ensconced in Malay control.

A non-realistic appreciation of the problems of law enforcement may be cited as the fourth problem area of the goal of an "ethnically representative" force. This simply indicates that police personnel resources should be recruited or planned according to the racial nature of crime and other police-related functions. Thus, irrespective of the racial composition of
of the population, if the majority of gang robberies are committed by Chinese, as is the case, it may be more useful to have a large Chinese detective force. In other words, an ethnically representative police force need not necessarily be based on the communal composition of the population, but rather on the ethnic coloration of crime and other unlawful activities, just as one major criterion of police territorial organization and strength should be based on policing needs rather than on policemen/area quotas.

The specification of these problem areas is presented only as a means of indicating that the original concept that a prime characteristic of a "national" police force should reflect directly the proportions of the constituent ethnic groups of a country's population, as especially applied to Malaysia, requires revision. It suggests that no facile formula is readily available for the achievement of a national police force so defined. Moreover, although the problem areas are inter-related, they are also contradictory in the sense that the criteria raised are not mutually exclusive, and hence any revision of the original concept demands considerable distillation and collation of objectives, constraints, and desiderata. It is probably fair to assume that population ratios are only a useful guideline for police personnel policies in terms of race but the costs and benefits of such policies are qualitatively important for evaluative considerations, especially in societal and political terms. Moreover, such a guideline as indicated obscures the facts of organizational complexity as that existing in the RMP. As already indicated, it may be very useful to have a predominantly Malay uniformed branch (for political reasons) while at the same time having a predominantly Chinese detective unit (for police reasons).
In another instance, it is useful to analyze personnel policies in terms of race at the levels of officers and men: if Chinese recruits are lacking for rank-and-file, they are certainly in abundance for the officer corps. In sum, then, these facts and considerations only complicate the attainment of the goal and policy of a 'national' police force.

If the concept appears analytically complex, its understanding from the policy-maker's perspective -- British or Malaysian -- is similarly not crystal clear in the sense no objective can easily be defined or identified, and at times these "policies" are subject to the vagaries and "learning episodes" of the times. For example, the Hertogh riots in Singapore in 1950 whereby the largely Malay police seemed reluctant to take action against Moslem demonstrators induced the British in Malaya to retain a Gurkha public order unit since they figured, conceivably, that the latter would be more impartial than a Malay public order unit. The point is not so much that policy makers (police or otherwise) are not appreciative of the ethnic and political ramifications or requirements of a national police force, but rather that the goal is "obscure" from an analytical standpoint. The following statement extracted from the 1962 Police Annual Report is interesting:

"The various races are thus represented reasonably proportionately in the officer ranks of the Force, but the Rank and File is predominantly Malay. This position remains despite country-wide efforts to recruit more persons of other races, and particularly Chinese."

At first sight, the statement seems obvious enough, but, does it tell us what the real policy is? On the other hand, regardless of knowledge of the real policy on the part of the analyst, certain decisions seem to have
been made not so much on ratio considerations as the nature of the policing need for specific circumstances. We have already indicated the role of a predominantly Chinese detective force; in actuality, not only is this the real policy, but even in terms of officer appointments certain posts which require "Chinese" handling -- as in Perak -- have accordingly been assigned to Chinese officers. Questions of deployment and appointment of personnel are therefore just as important to note in an analysis of the ethnic representation of an institution as the Royal Malaysia Police.

Cognizant of these problems, we may now move on to those dimensions related to the ethnic and indigenous aspects of institution-building of a national police organization in Malaysia.

The British Policy and Legacy in Terms of Ethnic Recruitment

Since the police institution in Malaysia is a British legacy, it is pertinent to analyze British policy concerning the ethnic and indigenous aspects of the organization. Indeed, it may be said that most of the problems of the creation of a "national" police force in post-independence times are the very ones the British grappled with in the pre-independence period. Although there are similarities, British policy and practice in terms of ethnic recruitment differs for Malaya and Sabah and Sarawak and hence must be considered separately. In all three territories the outstanding similarity in policy was that the British considered the gazetted cadre of the officer corps a British or "white man's" preserve, at least before the War, but as opposed to Malaya where there was a conscious and real policy of gradual replacement by indigenes ("Malayanization") there was no such process in motion in Sabah and Sarawak, and, when these joined Malaya
to form Malaysia, vacancies created by expatriate retirements or otherwise could not so easily be filled by indigenes.

The Malayan* Situation

In the pre-War period, the British relied on foreign persons for police work rather than indigenes. An inordinately high degree of foreign manpower -- mainly Sikhs, Pathans and Northern Indians -- was used in the uniformed rank-and-file of the early police forces. In a sense this reflected the paramilitary nature -- as it was conceived -- of law enforcement in those times, but it was also a consequence of British thinking of the nature and role of "martial" races. An effort to use Europeans as police constables and SPOs was abandoned early in the era of British rule,¹³ as was the effort to recruit Chinese in the uniformed branch¹⁴ -- in the former case because they were not "suitable," in the latter because the response rate was so miserable. After 1900, the British emphasized less on Indian recruitment but turned to rely on local -- Malay -- manpower. After some difficulty this policy was successful but even as late as the start of the Second World War, one-third of the Forces' combined strength comprised Northern Indians.

As has already been stated, the officer corps of the Malayan police forces was a "white man's" preserve, save those in the UnFederated Malay States which had their share of Malay officers. Even in the latter, however, effective control seems vested in British hands. All of these cases refer

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* "Malaya" here means the Straits Settlements (Penang, Malacca, Singapore), the Federated Malay States (Perak, Selangor, Negri Sembilan, and Pahang) and the UnFederated Malay States (Perlis, Kedah, Kelantan, Trengganu and Johore).
to the gazetted officer cadre. In the inspectorate ranks the picture was different. In the FMS, there were British and Asian (called 'Asiatic') inspectors; in the SSPF, the inspectorate was wholly Asian; and in the UnFederated Malay States, the inspectorate was Malay. Thus, at both levels of the officer corps, sharp distinctions of race were made by the British, both civilian and police, in control.

The British were acutely aware of the problematic nature of police work in a multi-ethnic or plural society like Malaya's, attaching to it an exotic notion. As stated by Onraet, 15

"The nature of police work out East covers a far wider range of activities than that attempted by or indeed necessary for any British force at home. Religions, politics, customs, temperaments, heredity and the influence of environment must be understood and considered. They form a background against which crime or unrest is often only a symptom."

Based on this realization, the British adopted a policy of making senior officers -- via the cadet or probationer system -- learn the cultures and ways of the East and which was obviously successful, leading Onraet to conclude that they (the officers) "helped to build a police force which, when neighboring countries were torn by lawlessness and revolt, has helped to keep Malaya singularly free from similar troubles." 16

Although British officers were conversant or fluent in Malay and/or Chinese (of whatever dialect), the effects of such linguistic capability was not just of utility in police work, but was also important in a "political" sense. As we have already described elsewhere, 17 a category known as the "old Malayan hands" crystallized in Malaya and which saw the country as the "land of the Malays." If implicit, they also saw the police force as one
that would be staffed in the rank-and-file, and largely was over time, by Malays.

At the start of the Second World War, Malays made up two-thirds or about 80 percent of the police strength in Malaya. In some forces, such as Kelantan's, the police was entirely Malay. British attitude and police in favor of the Malays is best understood and summed up in the words of Onraet:

"The people of Malaya call our policemen Mata-mata, the local for 'Bobby.' Mata-mata is the Malay word for eyes, and detectives are called mata-glap -- eyes in the dark. Very expressive, as are many Malay sayings. The 'proud wagon,' for instance, is the Malay for an express train. Mata-mata are fairly good policemen, and in spite of a definite, or shall we say, climatic indolence, some train to a high standard of specialized efficiency. They are naturally courageous and will tackle dangerous or armed criminals by day or night. One of my men struggled back to his station, over a mile away, after being disembowelled by a thief he had surprised breaking into a house. He made his report before asking to be attended to and died shortly after. Another man stood his ground in a village road and took on an armed gang who were looting a pawnshop. During the shooting match, coolly loading and reloading his rifle, he shot dead three robbers and routed the rest. Every police officer, whether in raids against or laying in ambush for a criminal gang, has found his mata-mata to be stout fellows. Properly and intelligently led they are goodish material, and will accept responsibility if properly introduced to it."

Although a few Malays were allowed into the gazetted officer cadre (what were known as the "Malay ACPs"), nonMalays were either recruited as detectives or as, at the most senior post, inspectors (in that category known as "Asiatic inspectors"). Indeed, at the level of inspectors, Malays were distinguished from nonMalays (the term employed in reports would be written "Inspectors, Malay and Asiatic"); at the rank-and-file (uniformed
branch) level, distinction was only made between Indian and Malay. In short, British recruitment policy for the Malayan police before the Second World War period was based on ethnic considerations, and more importantly, took on a pro-Malay stance.

In the post-War period, however, British policy seems to have gone through two stages in terms of ethnic recruitment: in the first, it was a question of enlisting the Malay population to combat an alien communist insurrection, and in the second, it became an issue of recruiting enough Chinese so that some form of a multi-racial police force could be bequeathed to the postcolonial indigenous regime and polity which the British conceived of as "multi-racial." This description of "stages" is, of course, a simplification and is true only as a general characterization. Thus, for example, in the first stage, the British were as interested in Chinese as in Malay recruitment for the police but were unable to draw the former as illustrated in the simple note following a description of police strength in 1948-50:

"The rank-and-file figures include detectives. There are only 326 detectives in the force and 150 Chinese uniformed constables, under training. Very few Chinese are coming forward to enlist."  

The circumstances surrounding the second stage of post-War British policy on Chinese police recruitment in Malaya seems unclear and are shrouded in vague details. Even Anthony Short, who was official historian of the Malayan Emergency and therefore had full access to documents of the period seems able, from his account of the event, only to provide scattered pieces of information. In a footnote reproduced here in full, on Chinese recruitment problems, he writes:
"The Straits Times (July 12th 1952) suggested that Templer's target was to recruit 2,000 young Chinese volunteers for the regular police. Shortly before his death it was said that Gurney had hoped to recruit up to 10,000 Chinese for police service. 'There was full consultation with the leading Chinese but as soon as the men were called up the cry was all for exemptions; 6,000 decamped to Singapore and other thousands to China.'"

According to Carbonell,22 who was CP from 1953 till 1958, the authorized establishment for Chinese police was 10,000, but if this was the number the policy failed, for only 800 actually joined up in a force 75,000 strong.23 On the other hand, in covert police work, the British suffered no difficulty in getting Chinese detectives in both the Special Branch and the CID.

It was known of course that Templer, the High Commissioner and also the Director of Operations (inducing some to call him "Supremo") from 1952-4, favored more nonMalays (meaning Chinese) in the police and other services. Apart but not unrelated to British overall policy that Malaya was and would be a multi-racial country, Templer reasoned that one of the important ways of enlisting the nonMalays in the fight against the Communists and win the Emergency was to make police and public service24 less a Malay prerogative and more a Malayan enterprise.25 In advocating this, Templer did encounter opposition from the Sultans, who saw their role as "protecting the Malays."26

In addition, as we have noted, quite a number of senior British police officers were not entirely in favor of having so many nonMalays in the police. There were two reasons why this stand was taken. First, quite a number of these officers did conceive of Malaya as the "land of the Malays." The second reason, and which is not unrelated to the first, was that it was
considered risky from a security viewpoint to have Chinese in the police and security forces, especially as the then ongoing communist insurrection was a "Chinese" one. In this regard, it is useful to note that Chinese Home Guard units were armed only after some lapse of time.

It has been stated that the Chinese recruitment policy was a failure. It could further be said that the British should and could have tried harder, even if, as Carbonell put it, "We went at it very hard." Actually, of course, it was not all so simple. In fact, the problem was gargantuan. In several of the recruitment drives, it was discovered that the MCA had bribed Chinese youths to enlist, the discovery being made when some of the enlistees complained they were being paid less in "incentives" to join up than others. Short claims this never happened, citing an egregious The Times report. Other sources purport that not only was the incident true about bribery or "incentives," but no official action was taken since "nothing illegal" had had been perpetrated. Still another source claims that the recruitment drive was successful (the "bribery" or incentive story here is denied) but only to fail since most of the Chinese enlistees left after the initial training and a short period of service. Whatever the verisimilitude of each source, however, the picture was clear: there were considerable obstacles in recruitment of Chinese for the police service in Malaya, and Malaysia for that matter, and which shall be discussed in the appropriate section below.

At the officer level, British policy in the post-War period was rather different -- if no other reason than that recruiting and problems of selection were dissimilar to the rank-and-file. After the War European
inspectors as a category was nonexistent, and the only other nongazetted European rank was that of police lieutenant which was a short-term designation to meet the demand for supervisory material at vital low-level formations caused by the exigencies of the Emergency. (The lieutenant rank was abolished shortly before the Emergency was declared over in 1960). It could in fact be said that the inspectorate staffed by indigenes did most of the "basic" police work but that command and control positions were occupied by British officers. As soon as independence became a matter of fact than merely a matter of principle, British policy was to "Malayanize" command and control posts -- that is, replace its expatriate incumbents with indigenes. The Malayanization process is discussed in the appropriate section infra but suffice to note that the British encountered few, if any, problems with nonMalay recruitment at this level as opposed to the situation in the rank-and-file.

The Situation in Sabah and Sarawak

Even though Sabah and Sarawak came under direct British colonial rule only in 1946, preWar police recruitment policies by the British North Borneo Chartered Company for Sabah and the Brooke Rajahs for Sarawak did correspond to "favored races" treatment, that is to say not unlike British policy elsewhere. However, although nonBorneans -- in the form of Sikhs, Dyaks (from Sarawak), Hazaras and Somalis were used in Sabah, 32 no foreign elements were employed in the rank-and-file in Sarawak. As in Malaya the officer corps, which was rather small, in both forces was a "white man's" preserve. In both territories there was no such establishment known as the "European
inspectorate" before or after the War, but indigenes in this junior officer establishment were largely Chinese. As a consequence of Chinese pre-dominance in the officer corps in the colonial era, with the withdrawal of British expatriates from the Borneo territories, the resulting vacancies in the senior officer ranks (that is, the gazetted establishment) have mostly been filled on promotion by Chinese. Thus, unlike Malaya where the officer corps is more representative of the racial composition of the population, the officer establishments in the Sarawak and Sabah components of the Royal Malaysia Police are underrepresented by "natives" and overrepresented by "non-natives." It is also noteworthy that many of these Chinese officers are not "indigenous," but have come over from Malaya and Singapore.

In the days just before the Second World War the rank-and-file establishment of the Sabah police (then called the North Borneo Armed Constabulary) comprised in the main Dusuns, Bajaus, Bruneis and Muruts, but with a small number of Sikhs and Hazaras. As in Malaya, the Japanese Occupation caused an interregnum in the history of the Force, and when Allied Forces (Australians) returned in 1945 many of the pre-War police who had continued to serve under Japanese rule (and who, it might be added, did so under "adverse" conditions) were displaced or left on their own accord. In addition, those who had left -- when they could -- the Japanese controlled Force did not come forward to re-enlist with the return of the Liberation forces. Consequently, Penampang Dusuns who were under "strong" Roman Catholic influence, as opposed to the earlier Dusuns who were Tambunan Dusuns, were recruited to fill the rank-and-file establishment of the early post-War Force.
As social and other conditions improved, however, Tambunan Dusuns and Muruts once again formed the backbone of the ranks. At the same time, due to both official policy and the seeming unreliability of the Penampang Dusuns, 90 percent of this Dusun-type who had joined in the early post-War police left the Force. The term "Dusun" is now no longer in use and has been replaced by "Kadazan" (first popularised by the late Donald Stephens in 1957), but it was British policy to prefer Tambunan Dunsuns who, inter alia, have had only a vernacular education and are considered easier to "mould" as policemen. Not unrelated to these circumstances, the Sabah police continues to be dominated by Kadazans in its rank-and-file.

In Sarawak, although all the State's ethnic elements are represented, Ibans have continuously predominated the rank-and-file of the Force. As in Malaya, the Malays of Sarawak have also shown a proclivity to serve in the police. In 1950, when two chief inspectors were promoted to gazetted rank, one was Dyak and the other Malay. Measurement of post-War British impact in terms of ethnic recruitment policies for this territory, however, is problematic and is in part caused by the fact actual colonial governance lasted only from 1946 to 1963.

It is nonetheless reasonable to infer that British policy of recruitment of Chinese for both the police forces of Sarawak and Sabah were not energetically pursued. No doubt Chinese were "pulled" in as detectives (C.I.D.) and/or for Special Branch work (especially at officer level) but this was dictated by the "Chinese character" of these two areas of police responsibility. Up to the early 60s, British efforts to recruit Chinese
into the rank-and-file was so unsuccessful the attempts had to be reported more as lament than as fact: the 1960 NBPF Report stated that the Force had only 5.4 percent Chinese officers even though this community comprised 23 percent of the population, and the 1961 Sarawak Constabulary Annual Report stated that there was nil response for both rank-and-file and cadet officer positions from the Chinese. Thus, even when efforts were made, Chinese were willing only to enlist as officers or for covert police work (as in the detective and intelligence branches), but not in the uniformed rank-and-file.

The preceding remarks on British recruitment and selection practices in the police forces of Sabah and Sarawak indicate that no real policy, or that it was obscure, existed in the terminal colonial period. Unlike the case in Malaya, there was no attempt in determining the actual composition of the forces in relation to the population heterogeneity in both territories; in fact, in Sabah only certain racial groups were preferred in the police service. There was no effort to ensure that enough "native" officers would be present in the gazetted establishment and no quotas were placed on the abundance of Chinese candidates at this level. In the closing period of colonial rule and the impending formation of Malaysia, the British in fact had to assure Chinese police and government officers of the "sanctity" of their positions once Malaysia was formed.

It cannot be denied, then, that in the transition to independence in Malaya and the formation of Malaysia, British policy concerning the ethnic composition of the police has its ramifications in the postindependence period. It may, of course, be said that the ethnic complexities present in
Malaysia make difficult the creation of a "national police force" and in this sense a certain continuity exists between the organizational and political response to the problem in both British and post-British times. On that note we need now to turn to the problems of ethnic recruitment.

Problems of Ethnic Recruitment

In terms of race or communal group, there are no legal restrictions placed on candidates for the rank-and-file in the police service in Malaysia. Generally, there are no problems in getting most of the communities represented on the Force, but recruitment of Chinese had been and remains the major stumbling block in the creation of national police force in terms of proportional racial representation or even in terms of a "mixed" force. Indeed, at certain recruitment exercises, quotas restricting half non-Chinese as many Chinese candidates have been attempted but to no avail. Because problems of ethnic recruitment do differ between officer and rank-and-file levels, though of course commonalities of the problem exist as both, discussion is here centered on the rank-and-file level. "Ethnic" problems at the officer level are discussed in the section on Malayanization.

Malay Recruitment

There is no problem concerning Malay recruitment ever since 1945 and even prior to the Second World War. Service in the police has always been attractive to the rural Malay and many recruitment drives for rank-and-file candidates have often been conducted simply by word of mouth -- as is described by one informant: "pass the word to the kampongs and hordes will turn up."
A career in government service, including the police, is highly prestigious and much esteemed in the Malay social scale and value preference. This probably explains to a large extent why Malays are drawn to service in the police. It also is more remunerative as compared to rural employment: aside from a steady source of income, Malay policemen on furlough or annual leave back to the kampongs have often demonstrated how much better off they are in terms of "wealth" acquired in their urban vocations. This was not, however, always the case. In the early part of this century, when the British started to actively recruit Malays, there were few takers. This was probably due to the low status accorded at that time to the police profession. According to Morrah, "...in Malay eyes the policeman was among the lowest specimens of humanity; he was known by the opprobrious title of 'anjing company,' which in up-to-date parlance might be freely translated as 'running dog of the government.'"40 This low status perception of the policeman seemed to be shared by all classes of Malay society, and again to quote Morrah, "No Malay of good family, even though he might be on the friendliest terms with individual British officers, would debase himself by joining the force; it would have exposed him to ostracism by his friends and relatives."41 According to Hart, a great impetus was when Pa' Conlay, FMS Police Commissioner from 1916 to 1926, introduced a salary scale for the police rank-and-file which was better than that of the laborer.42 Also, there is some indication that only certain "types" of Malays prefer policing -- for instance, in the 30s, recruitment for the Johore State Police were drawn largely from Malaccan candidates. In any event, it is probably true now and earlier when the British had discovered
that "better pay, good living conditions and direct personal supervision had bred in them a pride of profession where once there was very little." 43

There is no denying that Malays are also drawn to police service for nationalistic reasons. When the British actively went on a recruitment drive for Malays in the 1900s, one of the devices they utilized to attract them was to appoint Malay royalty as officers, of whom the most notable were Raja Alang Iskandar and Tengku Mohammad. Thus, apart from reasons of social mobility, Malays join the police for love of their rulers and country. During the Emergency, the British also used the appeal to nationalism as a rallying point for Malay recruitment in the police. In spite of the great risk of loss of life and low pecuniary rewards and salaries large number of Malays enlisted in the Special Constabulary. Indeed, in the initial phases of the insurrection, police recruitment was targeted only at what was considered the loyal rural population, the Malays. Anthony Short describes that that war was won by the sustained effort (above all and amongst others) of the Malay policeman, "determined to destroy the armed insurrection of an alien race." 44 And, one fear the British had during the short-lived period of the Malayan Union scheme in 1946-8 was that Malays in the police would desert the Force and thereby debilitate even more the security situation since the machinery for law and order was almost wholly manned by Malays. James Allen writes: "A (so far) small number of resignations from the police provided tangible evidence of what might develop, and senior security and administrative officers were unanimous in predicting the growth of a spirit of non-cooperation which west-coast Indonesian elements might well utilize to stir up attacks on other communities." 45
In short, recruitment of Malays for the police service has never been a problem because Malays see it a symbol of expression of Malay national interest and which would thereby safeguard Malay rights and legitimacy and also because of its high rating in their community's social scale and vocational preference.

Indians, Pakistanis and 'Others'

There is no problem in the recruitment of Indians, Pakistanis and "others" for the police service, especially in Malaya, because there has always been 'enough' of such officers. In the drive for more non-Malays in the police in the 1950s, the only problem was getting the desired numbers of Chinese. Templer remarks that there was never any problem with other non-Malay groups: "We had no problem getting the run-of-the-mill Indian- and Pakistani-types. They also made good police." 47

Sabah and Sarawak

In Sabah and Sarawak, as has already been described, there is no problem in general regarding the recruitment of Kadazans and Muruts, and Ibans, in these two respective forces. According to Atkinson, who was CP in Sabah until 1960, "the number of such men applying for enlistment was almost an embarrassment." 48 In fact, Atkinson's description of Kadazans (referred as "Dusuns") and Muruts is not unlike Onraet's description of the Malays as police, that is, as loyal and good "police types." Much less can be written here about Sarawak, but again it can be said the recruitment of "natives" has not arisen as a problem.
Chinese Recruitment

The overriding problem of ethnic recruitment for the police in Malaysia concerns the Chinese community, and its manifestations are common to the subnational police formations in both West Malaysia and Sabah and Sarawak. It may be argued that if the British efforts at Chinese recruitment were unsuccessful, then it would be just as difficult if not more so, to recruit this community under an indigenous, Malay-dominant regime. The problem of Chinese recruitment may be divided into three categories, namely perceptual, cultural and economic. However, Chinese reluctance to serve in the police is often a resulting combination of all these three factors.

It has already been mentioned that the Chinese look on the police as a "Malay force." It is equally important to recognize that Malays hold a fear and antipathy to the nonMalays (meaning largely the Chinese) which militate against the latter being accepted in the police force. Several other considerations are salient in the "perceptual" dimension. First, it has been discovered that a certain incompatibility exists between the two ethnic groups -- Malays and Chinese -- especially when both are training alongside each other at the rank-and-file level. On the other hand, the relationship between the races at the officer level appears to be characterized less by incompatibility as professional jealousies which may then take on a racial basis. It does appear that racially-tainted pre-dispositions in officers -- what may be considered as "chauvinism" -- is more apparent in the younger cohorts of the officer corps. If this is true, at least with regard to the Malays, it is not inconsistent with rising Malay
nationalism. At the same time such tendencies only reinforce non-Malay perceptions that the police service is not suitable as a career. Even though career promotions are to be governed by merit criteria and not on race, and this stipulation is sanctioned in the Constitution, most non-Malays still view prospects of career advancement in a "Malay force" as dim. Second, in the area of officer-men relationships, racial perceptions and images do tend to disappear once officers' qualities of leadership are demonstrated. This is particularly striking as the men are predominantly Malay and the officers largely non-Malay. Thus far, command problems in units led by non-Malay officers do not seem to have been exacerbated by racial biases.

That the police is viewed as a "Malay force" may have been an outcome of the Japanese occupation of Malaya during the Second World War. During that period, due to several reasons, the chief of which was Sino-Japanese hatred for each other, most Chinese were put to extreme adversity by the Japanese forces. At the same time the Japanese, in their operations against Chinese anti-Japanese forces (largely the MPAJA) and civilians, utilized Malays as police auxiliaries either directly or in support of their actions. There is no doubt that public perceptions of the police in the pre-Japanese period was also largely Malay, but its use by the Japanese against the Chinese in the Occupation only made real the perception as held by the Chinese community.

Cultural reasons are often cited as a hindrance to Chinese enlistment in the police. Several Chinese sayings may be cited as evidence of a strong cultural bias against police as a vocation, as "The bandits come, we flee; the soldiers and police come, we flee" and "As nails are not wrought from
quality iron, neither are policemen made from good men." In effect, the policeman occupies a very low rung in the Chinese social scale and the vocation is considered a heinous one. Except at the officer level which seems to carry some status, respect for uniform seems nonexistent and explains why recruitment of Chinese for undercover police work has been successful. It is axiomatic that Chinese recruits in the rank-and-file often request for CID and SB posting on completion of their basic training.

The economic factor is also considered as a partial explanation of the poor Chinese response to service in the police. Police work is simply not lucrative for such a business-oriented community as the Chinese. It has earlier been indicated that Chinese recruits for police service in the '50s came in only after being "bribed" to do so. The economic reason may have a strong "fatalistic" element to it: policing is such a dangerous vocation that the pay is simply regarded as not commensurate. Indeed, yet another Chinese saying strikes home the point: "It is better to be a living beggar than a dead king."

If these three broad areas predispose Chinese not to join the police, it is as important to inquire why there has been success in getting this community in certain police departments such as the detective branch (both CID and SB) and in the officer corps. Paradoxically as it may seem, the very reasons hindering their enlistment may explain why they have been willing to join up in those two branches. Thus, although service in the rank-and-file (uniformed branch) is looked down, there is a high status that inheres in being an officer (inspector and above) in the police and which also is attractive in remunerative terms; and it is quite all right to
be a detective since it is a job that is done in mufti, and, the low pay at this level is more than compensated by the enormous opportunities for "squeeze." One source suggests that Chinese actually like to serve in the police but only as long as they do not have to wear uniforms. Perception-wise, it would also appear that service as officers or as detectives in a Malay-dominated force is not salient as "ability to hold their own" is more or less assured in these two areas of the police organization.

In addition, it is important to note that Chinese serving in the police may have been prompted by an anti-community reasoning. This would pertain especially the category known as "contract inspectors" which was specially recruited during the Emergency. Most, if not all, of this category were Chinese-educated and, as already mentioned, they shared an anti-communist streak. Some of these inspectors in fact were either ex-Kuomintang or non-communist ex-MPAJA types. However, this anti-communist feeling seems unique only to this level of the police in which there has been success in getting Chinese, and which as a category is declining in numbers, and, in any event, contract inspectors are only relevant for Special Branch duty.

On the whole, then, it may be surmised that most, if not all, of the communities in Malaysia are "represented" in the Royal Malaysia Police. As regards the Chinese, their members are not forthcoming in the rank-and-file due to a combination of perceptual, cultural and economic factors, but there has been no problem in getting them as gazetted officers and inspectors and for covert police work. The Malays join the police in droves primarily because of nationalistic reasons and hence there is no problem recruiting them. There has also been no real difficulty in getting other ethnic groups for the police service in Malaysia.
Ethnic Nature of Malaysian Law Enforcement

Reference has already been made in earlier parts of this chapter as to the nature and complexity of law enforcement arising from the fact of ethnic heterogeneity of the country. Indeed, it may be axiomatic that the creation of a national police force cannot be divorced from the ethnic nature of law enforcement. Although no ethnic group is not "criminally-prone," one major problem that is unavoidable as an area of law enforcement is that of dealing with crime and its relationship to the Chinese community.

A story is told by a Mr. C. W. Harrison of a Chinese gang robber who had "decided to come to Malaya 'because he heard that there was no Police in that country.' He was in error. It was perhaps vexation at this mistake which led him to add that in Malaya 'the Government is excellent but the Police are rotten."49 In his monumental study on Chinese secret societies,50 Blythe details many of the complexities the government and police had in dealing with this particularly, albeit not uniquely, Chinese problem. And, in dealing with the postWar problems of reestablishing law and order in Malaya, and in particular with Chinese community agitation, Mr. O'Connell, the Director of the CID in 1947, wrote:

"We are fighting a battle based on Chinese psychology, with, say at the very most, 400 persons who have some idea of what the Chinese does and what the Chinese thinks and some 9,600 persons who are right outside the picture. The machine was built to fight a quite different battle."51

If any notion exists as to the decline of the ethnic nature of law enforcement particularly as it relates to the Chinese community, reference need only be made to the Police Annual Reports. Thus, for example, in de-
tailing increases for crime under the headings of rioting, murder, culpable homicide not amounting to murder, voluntarily causing grievous hurt (under sections 325, 326 of the Penal Code), Robbery and Gang Robbery, and extortion, the 1962 Annual Report attributes these as due to the "high level of Chinese Secret Society and other criminal gang activity."

In the same Report, the observation on the "Chineseness" of the crime problem is described, as in the instance of extortion, with regard to the low resistance of the community as to its perpetration:

"Certain sections of the Chinese population in the Federation have thus become inured to the activities of extortioners and are much more ready to surrender to criminal demands without active resistance than are the other races of Malaya. As is usual with such crime it is very probable that a great many cases are not reported to the police."

Thus it is apparent that the creation of a national police force must take into consideration the ethnic diversity of the population not just in political terms but also in law enforcement terms and in the Malaysian case, specifically in terms of the nature of the Chinese community's attitudes to crime and the police. At the same time, it should be noted that the Chinese community may itself be categorized in its various dialect groupings and which perforce makes the dealing of Chinese crime a specialized undertaking. Aside from the problem of not enough Chinese to join or in the police, this stipulates that the "right type" of Chinese will be required, as for example those with vernacular (Chinese) educational qualifications. The solution, however, is not as simple as stated: a 1976 recruitment exercise aimed in attracting Chinese with Senior Middle Three qualifications and at the same time without the necessary "credit-level" pass in the Malay language now required of all applicants to government service received a totally nil response.
"Malayanization" is a term that was highly used in the terminal colonial period of British rule in Malaya and refers to the process whereby Asians took over from British nationals or "expatriates" positions and posts held by the latter in the public services. As it happened, the process was gradual; that is, it was not rushed at the onset of Merdeka (independence) when political reason and emotion conceivably could have prevailed to Malayanize immediately all posts -- though in some services it was more rapid than in others. If Malayanization had proceeded on the basis of normal attrition, it is most conceivable that the goal would have taken a longer time to be achieved than it actually was. A committee convened in 1954 had had laid down the disadvantages of premature Malayanization but these recommendations were revised and superseded by an "accelerated tempo" basis agreed upon at the 1956 London Constitutional Conference, and as such, the process specifically denotes "the particular program enunciated in 1956 whereby expatriate officers serving in the public services of the Federation of Malaya were to be replaced on payment of fixed scales of compensation by Malayan officers according to a schedule agreed upon prior to independence." Narrowly defined thus, Malayanization was thus put in motion only one year before Merdeka. However, recruitment of indigenes and the anticipation of their replacing expatriates in the senior establishment of the public services had begun before 1956; in 1954, for example, Malayans (Asians) held 114 out of 674 Police Division One posts, or roughly about 15 percent.
As effected, the terms of Malayanization both in terms of the rate it would proceed and of the financial compensation computed on service and other factors were most favorable to the expatriates. While it was agreed by Malayan Ministers at the London Constitutional Conference that "it was unavoidable that expatriate officers should be allowed to go, if they wished, with compensation," they also felt "it was strongly in the interest of their country that a considerable number should stay on, at least until adequate supplies of qualified Malayan staffs should become available." To achieve this, a scheme was introduced and which is best described by Sir Charles Jeffries:

"The Public Service Commission would be established on 1 July 1957 and the compensation scheme introduced on the same date. The Federation Government would assure the public service that until the compensation scheme was introduced no officer would have his services dispensed with except in accordance with traditional service principles. Meanwhile, every pensionable expatriate officer would be asked to say whether he wished to be kept on after 1 July 1957. If he answered yes, his case would be considered and he would be informed of the minimum period for which he might expect, subject to health and efficiency, to be retained. The periods would naturally vary according to the circumstances of each individual; but, while the officer would keep his right to retire under the compensation scheme, the Federation Government would not, for its part, exercise the right, except on traditional service principles, to retire any officer during any period for which he had been promised employment."62

Malayanization of the Police Service

Since the postWar Inspectorate was wholly Malayan, Malayanization of the police service referred solely to the indigenization of "command and control" posts, that is specifically meaning it applied to those positions
held by officers of the rank of ASP and above or more generally; applied to Division One officers. The formation of Malaysia delayed somewhat the achievement of total Malayanization of the police service and, indeed, it was probably the last public service in the country (Malaya) to achieve it -- that is, in terms of having no expatriates. Both at Merdeka and in the first phase of Malaysia, the police had come under indigenous ministerial control but the top command of the Force was still entrusted to expatriate officers, or more specifically, to the very same expatriate officer. In any event, Malayanization of the police service in Malaysia proceeded rather well that it could be said, as like the other public services, that there was little resentment by indigenous officers of expatriates who remained in service late into the postindependence decade and that it was so smooth as to be "hardly noticed."

It could be argued that Malayanization of the police service had in fact begun before the Second World War. There are two instances in support of this argument. As has already been indicated in the discussion on British policy, a certain number of Malays -- known as "Malay ACPs" -- had been appointed to the gazetted rank. Secondly, command had been entrusted to indigenous officers in the earlier decades of this century. For example, the 1931 FMS Police Report states:

"A far greater proportion of responsibility than in former years has been placed on Malay and other Asiatic officers, some of the most difficult districts in the Federated Malay States having been under their charge. At one time or another during 1931, 20 of the total of 41 police districts were in charge of these officers."

Though valid to an extent, both of these points are easily dismissed. Unlike the MAS which was meant to be a junior service to the MCS, the
designation and category of "Malay ACP" was not meant to be a junior or senior police service so as to recruit indigenous persons for the gazetted officer corps. The posts in fact were honorary both in terms of authority and financial emoluments, the latter actually being honorariums. As regards Malay and Asiatics in charge of districts, these were not really high command responsibilities. Indeed, quite apart that some of the police forces of the UnFederated Malay States (before the War) had been commanded by Malays even though real command was actually vested in British hands, the first Malay or Asian, for that matter, to really command a state contingent in the postWar period was given the responsibility only in 1954. As similarly argued by Tilman for the public services in general, use of indigenous officers for the police service may be said to be sporadic and meant to supplement rather than supplant expatriates. Hence, preWar Malayanization was not a purposeful programmatic activity as in the postWar period, and, besides, it was more Malaynization rather than Malayanization.

In deciding the rate of Malayanization of the police service efficiency and competence appears to have been primary criteria, and because entry to the gazetted establishment was not by means of direct-entry but by promotion from the inspectorate, the process has been consequently slower than the other public services. According to the 1954 Malayanization Committee, the then Acting Commissioner of Police had stated that "he could not agree to promotion being governed by political considerations and that merit must be the only consideration." Although full details are not available, a special three-man committee set up in 1954-55 by Tunku Abdul Rahman to look into Malayanization of the police service,
and composed of indigenous officers, also concluded that efficiency and merit be the governing criteria for promotion from the inspectorate as the senior establishment became Malayanized. Interestingly enough, this ad hoc committee comprised Malay officers. 71

In the light of the criteria for Malayanization of the police service that have already been discussed, the significant point that emerges, aside but not unrelated to the "technical" conditions imposed for the promotion of indigenes to command and control posts previously held by expatriates, is the lack of an ethnic and therefore also political stipulation in the staffing of the postindependence officer establishment. Although it was tacitly recognized that the very top leadership positions would naturally be allocated to Malays, there was no move to exclude nonMalays from Division One posts in the police service. It was recognized before 1957 that whereas nonMalays outnumbered Malays in the general Public Service, this was not the case in the Police, and perhaps this may have induced Malay political leaders and the ad hoc committee that no safeguards were necessary to ensure the predominance of Malays in what was and is considered a "Malay institution" and traditional avenue of employment for the Malay community.

There was also an additional prevailing notion by most persons in the government and in the police high command that the process not be rushed as any premature promotion of inspectors to gazetted rank was not conducive to efficiency in an organization as the police. Accelerated promotion of inspectors was considered harmful not only because there was a belief that time was needed before an officer could exercise authority of command in a senior post, but also since it would deplete the ranks of the inspectorate
upon which much of the valuable and important on-the-ground policing work was being shouldered. As regards the latter consideration, it may be remembered that most of the expatriates were holding command and control posts and whose main responsibility at that time was essentially to deal with the problem of the Emergency; hence, inspectors -- all indigenous -- were really bearing the brunt of basic police work. In any event, the exigencies of police service has meant demand for gazetted officers has outstripped supply and has not meant there has not been rapid promotion of inspectors, and in commenting on recruitment to gazetted rank, the 1962 Police Annual Report notes:

"There has been a resulting very considerable and very noticeable dilution in the ability and experience of the Inspectorate as a whole. All outstanding and above average Inspectors have been, and for sometime longer will continue to be, promoted soon after they have completed six years service in Division II.

...The Inspectorate has thus been weakened mainly in order to maintain the calibre of the gazetted police service."^2

**Statistical Results of Malayanization**

There are two statistical aspects of Malayanization which need to be considered. First, there is the rate of Malayanization, that is, how the expatriate establishment was run down. It might be stated here that although the police was the last wholly Malayanized service, no overseas recruitment direct to gazetted rank was undertaken once Merdeka was imminent. The second aspect relates to the resulting ethnic composition of the indigenous officer corps of the police, or put another way, which ethnic group seems to have "benefitted most" from the indigenous assumption
of command and control posts previously assumed by expatriates. In general it might be said that both of these aspects seem to have been predicated on an efficiency criterion rather than ethnic or political preferences, and the statistical analysis seems to bear out this assertion. Another significant point is that, unlike other services which have direct entry recruitment, Malayanization of the gazetted cadre (i.e., Division One) has proceeded almost wholly by promotion of inspectors (Division Two Officers).

The general details of the terms of Malayanization are elaborated in Tilman\textsuperscript{73} but suffice to note the terms apply similarly to the police service. The process entailed terms of compensation to those who would be Malayanized and such officers who accepted the terms were labelled "entitled officers." The number of entitled officers remaining in service therefore provides a good indication of the rate of Malayanization. Table 5.2, which is a quarterly statistical summary of Malayanization in the various services from 1957 to 1960, gives an excellent indication of the extent of the process in the police service. It will be seen that, in the period covered in Table 5.2, Malayanization was coming along in all the services but the police still remained the one with the largest number of officers entitled to Malayanization compensation and entitled officers remaining in service. In 1962, top command of the Force was taken over by an indigenous officer and would have signified complete Malayanization; the creation of Malaysia, however, made it imperative to retain for at least another two years the services of 32 expatriate officers as well as the outgoing expatriate Commissioner,\textsuperscript{74} and only in 1966/67 could it be said that Malayanization was fully achieved.
Tables 5.3 to 5.5 provide a statistical breakdown by ethnic group of the senior establishment (Division One) or gazetted officer cadre of the police service in Malaysia in West Malaysia for various years from 1947 to 1967. It is shown that from a high figure of 85/6 percent in the early '50s, the number of expatriates has decreased to 12 percent in 1962. It has already been stated the number of European gazetted officers remaining in service after 1962 but the obvious conclusion is that the de-Europeanization of the police officer corps (previously a "white man's" preserve) has taken place.

An equally, if not more significant point of the tables, however, is the diversity of indigenization resulting from Malayanization. There are two facets of this resulting ethnic composition of the police officer corps, namely, (i) the Malay/nonMalay distribution, and (ii) the ethnic representation of the gazetted establishment.

In 1947, Malays outnumbered nonMalays (Chinese, Indians and "others") by 9 percent, but over the years the margin has been narrowed, and by 1957 the latter had already overtaken in net terms the former by 2 percent (Tables 5.3 and 5.4). In 1966 (Table 5.5), the difference between the two groups was 38 to 56 percent (the remaining number being expatriate) and, as shown in Figure 5.1, Malays have remained at that level (with slight variations in the intervening years) but the number of nonMalays has increased even more, and may be said to have dominated the slots vacated by departing Europeans. Although latest figures are not included here, the present ratio is about 55:45. For the period under study, the intriguing question is of course why there had been a trend towards a preponderance of
### TABLE 5.2
QUARTERLY MALAYANIZATION STATISTICS

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A* Expatriate officers entitled to Malayanization compensation, June 1957
B* Entitled expatriate officers remaining in the services
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### Town Planning

<table>
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<th>March</th>
<th>June</th>
<th>September</th>
<th>December</th>
</tr>
</thead>
<tbody>
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<td>1959</td>
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<td>1960</td>
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### Treasury

<table>
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<tr>
<th>Year</th>
<th>March</th>
<th>June</th>
<th>September</th>
<th>December</th>
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<td>1</td>
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<td></td>
<td>1</td>
<td>-</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>1960</td>
<td>1</td>
<td>-</td>
<td>1</td>
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### Veterinary

<table>
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<th>December</th>
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</tr>
<tr>
<td>1960</td>
<td>8</td>
<td>-</td>
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</table>

### Miscellaneous

<table>
<thead>
<tr>
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<th>September</th>
<th>December</th>
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</thead>
<tbody>
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<td>14</td>
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<td>13</td>
<td>25</td>
</tr>
<tr>
<td>1960</td>
<td>25</td>
<td>13</td>
<td>25</td>
<td>11</td>
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</table>

**TOTALS**

<table>
<thead>
<tr>
<th>Year</th>
<th>1959</th>
<th>1960</th>
</tr>
</thead>
<tbody>
<tr>
<td>March</td>
<td>577</td>
<td>1564</td>
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<td>June</td>
<td>608</td>
<td>492</td>
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<td>September</td>
<td>1576</td>
<td>1564</td>
</tr>
<tr>
<td>December</td>
<td>632</td>
<td>555</td>
</tr>
</tbody>
</table>

### TABLE 5.3
ETHNIC COMPOSITION\(^1\) OF DIVISION ONE, POLICE SERVICE (WEST MALAYSIA), 1947-1953\(^2\)

<table>
<thead>
<tr>
<th></th>
<th>1947</th>
<th>1950</th>
<th>1951</th>
<th>1952</th>
<th>1953</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expatriate</td>
<td>133 (85)(^3)</td>
<td>316 (82)</td>
<td>422 (87)</td>
<td>524 (88)</td>
<td>541 (86)</td>
</tr>
<tr>
<td>Malay</td>
<td>19 (12)</td>
<td>52 (13)</td>
<td>40 (8)</td>
<td>45 (7)</td>
<td>55 (8)</td>
</tr>
<tr>
<td>Chinese</td>
<td>2 (1.5)</td>
<td>6 (2)</td>
<td>8 (2)</td>
<td>14 (2)</td>
<td>17 (3)</td>
</tr>
<tr>
<td>Indian (^4)</td>
<td>2 (1.5)</td>
<td>9 (2)</td>
<td>12 (2)</td>
<td>13 (2)</td>
<td>16 (3)</td>
</tr>
<tr>
<td>Other</td>
<td>--</td>
<td>3 (1)</td>
<td>5 (1)</td>
<td>6 (1)</td>
<td>1 (0)</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>156</td>
<td>386</td>
<td>487</td>
<td>602</td>
<td>630</td>
</tr>
</tbody>
</table>

1. Determined by tabulating names of officers and inferring their family origins.
2. Figures for 1948 and 1949 not available.
3. Figures in parentheses refer to percentages, arbitrarily rounded off to the nearest percent.
4. Includes Pakistanis.

**NOTE:** See also footnote 75.

**SOURCE:** Malaya. Annual Staff Lists (Kuala Lumpur: Government Printer); statistics and computation done by Ms. Jemima Lau especially for this study.
TABLE 5.4
ETHNIC COMPOSITION<sup>1</sup> OF DIVISION ONE, POLICE SERVICE (WEST MALAYSIA), 1957-1962

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Expatriate</td>
<td>345 (62)&lt;sup&gt;2&lt;/sup&gt;</td>
<td>248 (45)</td>
<td>160 (32)</td>
<td>140 (24)</td>
<td>110 (18)</td>
<td>110 (12)</td>
</tr>
<tr>
<td>Malay</td>
<td>99 (18)</td>
<td>129 (23)</td>
<td>145 (29)</td>
<td>147 (32)</td>
<td>156 (34)</td>
<td>169 (36)</td>
</tr>
<tr>
<td>Chinese</td>
<td>51 (9)</td>
<td>85 (15)</td>
<td>99 (20)</td>
<td>99 (22)</td>
<td>108 (24)</td>
<td>124 (27)</td>
</tr>
<tr>
<td>Indian&lt;sup&gt;3&lt;/sup&gt;</td>
<td>52 (9)</td>
<td>82 (15)</td>
<td>85 (17)</td>
<td>89 (20)</td>
<td>96 (21)</td>
<td>99 (21)</td>
</tr>
<tr>
<td>Other</td>
<td>11 (2)</td>
<td>12 (2)</td>
<td>12 (2)</td>
<td>8 (2)</td>
<td>13 (3)</td>
<td>18 (4)</td>
</tr>
<tr>
<td>TOTALS</td>
<td>558</td>
<td>556</td>
<td>501</td>
<td>454</td>
<td>456</td>
<td>467</td>
</tr>
</tbody>
</table>

1. Determined by tabulating names of officers and inferring their family origins.

2. Figures in parentheses refer to percentages, arbitrarily rounded off to the nearest percent.

3. Includes Pakistanis.

NOTE: See also footnote 75.

SOURCE: Malaya. Annual Staff Lists (Kuala Lumpur: Government Printer); statistics and computation by Ms. Jemima Lau especially for this study.
TABLE 5.5
ETHNIC COMPOSITION\(^1\) OF DIVISION ONE, POLICE SERVICE
(WEST MALAYSIA), 1963-1967

<table>
<thead>
<tr>
<th>Year</th>
<th>Malay</th>
<th>Chinese</th>
<th>Indian(^3)</th>
<th>Other</th>
<th>TOTALS(^1)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>166 (37)(^2)</td>
<td>122 (27)</td>
<td>96 (22)</td>
<td>17 (4)</td>
<td>445</td>
</tr>
<tr>
<td>1963</td>
<td>170 (39)</td>
<td>123 (28)</td>
<td>94 (22)</td>
<td>7 (2)</td>
<td>435</td>
</tr>
<tr>
<td>1964</td>
<td>187 (38)</td>
<td>141 (29)</td>
<td>114 (24)</td>
<td>6 (1)</td>
<td>486</td>
</tr>
<tr>
<td>1965</td>
<td>183 (38)</td>
<td>149 (31)</td>
<td>112 (23)</td>
<td>7 (2)</td>
<td>479</td>
</tr>
<tr>
<td>1966</td>
<td>222 (41)</td>
<td>152 (29)</td>
<td>125 (23)</td>
<td>11 (2)</td>
<td>534</td>
</tr>
</tbody>
</table>

1. Determined by tabulating names of officers and inferring their family origins. "Expatriate" as a category omitted, but calculated for percentage purposes.

2. Figures in parentheses refer to percentages, arbitrarily rounded off to the nearest percent.

3. Includes Pakistanis.

NOTE: See also footnote 75.

SOURCE: Malaya. Annual Staff Lists (Kuala Lumpur: Government Printer); statistics and computation done by Ms. Jemima Lau especially for this study.
nonMalays over and above the number of Malays, albeit of course the numbers of both groups have been increasing.

The substantial number of nonMalays over Malays is an indication that the criteria of Malayanization has been adhered to, that is, merit and efficiency rather than ethnic preference having been used for the purposes of promotion of inspectors to gazetted rank. Although direct recruitment to gazetted rank is governed by a quota of 3:1 in favor of Malays over non-Malays, there is no such official quota for promotion from the inspectorate. However, a quota principle on the same basis has been used as a "guideline," so to speak, as it had been found that nonMalays would simply inundate the gazetted ranks if it were not done; the practice thus had been to fill a certain number of vacancies with Malays prior to filling all other available slots with nonMalays in promotion exercises of inspectors to the senior establishment. Unfortunately, nonetheless, the validity of this assertion in practice cannot be verified statistically, as no information has been made available on the racial composition of each cohort of gazetted officers promoted from the inspectorate.

It may be pertinent at this point to look at the ethnic composition of the junior officer corps, the inspectorate, for which such figures are available for only 1959 and afterwards and which are presented in Table 5.6. The striking features of the inspectorate at least up to 1967 are that (a) the proportions of Malays to nonMalays seems to be 'levelling off' to about equal vis-a-vis each other, and (b) that the Malay proportion seems to be increasing whilst the proportions of the other ethnic groups appear to be decreasing. In 1959, the proportion of Malays was about 38.6 percent as
TABLE 5.6

ETHNIC COMPOSITION OF THE INSPECTORATE, POLICE SERVICE (WEST MALAYSIA), 1959-1967

<table>
<thead>
<tr>
<th></th>
<th>Malays (36.6)</th>
<th>Chinese (36.2)</th>
<th>Indian (21.6)</th>
<th>Others (3.6)</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>1959</td>
<td>408</td>
<td>382</td>
<td>228</td>
<td>38</td>
<td>1056</td>
</tr>
<tr>
<td>1960</td>
<td>374 (37.9)</td>
<td>366 (37.1)</td>
<td>211 (21.4)</td>
<td>35 (3.5)</td>
<td>986</td>
</tr>
<tr>
<td>1961</td>
<td>403 (39.8)</td>
<td>364 (36.0)</td>
<td>211 (20.8)</td>
<td>34 (3.4)</td>
<td>1012</td>
</tr>
<tr>
<td>1962</td>
<td>491 (43.3)</td>
<td>382 (33.7)</td>
<td>226 (19.9)</td>
<td>35 (3.1)</td>
<td>1134</td>
</tr>
<tr>
<td>1963</td>
<td>487 (42.7)</td>
<td>387 (33.9)</td>
<td>232 (20.3)</td>
<td>35 (3.1)</td>
<td>1141</td>
</tr>
<tr>
<td>1964</td>
<td>536 (43.8)</td>
<td>401 (32.7)</td>
<td>252 (20.6)</td>
<td>36 (2.9)</td>
<td>1225</td>
</tr>
<tr>
<td>1965</td>
<td>567 (46.2)</td>
<td>385 (31.4)</td>
<td>243 (19.8)</td>
<td>33 (2.7)</td>
<td>1228</td>
</tr>
<tr>
<td>1966</td>
<td>521 (45.9)</td>
<td>364 (32.1)</td>
<td>222 (19.6)</td>
<td>27 (2.4)</td>
<td>1134</td>
</tr>
<tr>
<td>1967</td>
<td>555 (47.7)</td>
<td>359 (30.8)</td>
<td>227 (19.5)</td>
<td>23 (2.0)</td>
<td>1164</td>
</tr>
</tbody>
</table>

1. Includes Pakistanis

2. Figures in parentheses refer to percentages, calculated to the nearest figure.

NOTE: Refer also to footnote 79.

SOURCE: Headquarters, Royal Malaysia Police.
compared to 61.4 percent nonMalays, but by 1967 the proportions were more equal, Malays comprising about 47.7 percent and nonMalays 52.3 percent. The proportion of Malay inspectors has steadily increased from 38.6 percent in 1959 to 47.7 percent in 1967, but Chinese inspectors has decreased from 36.2 percent in 1959 to 30.8 percent in 1967; the net decrease in Indian inspectors has been small (from 21.6 to 19.5) and in fact seems to be levelling at the 19/20 percent mark, but "others" as a category has decreased from 3.6 percent in 1959 to 2 percent in 1967. Generally, the numbers of all ethnic groups in the inspectorate have been steadily growing up to 1965, except for the "other" category, but since the total establishment has hovered around the 1000 to 1200 figure, these increases and decreases already described for the particular ethnic groups may be considered "real," at least for the time-span in question. It would be quite easy to conclude that recruitment of inspectors has tended to favor Malays but it should also be recognized that there is no shortage of Malay candidates at this level. Indians have always "held their own" in their share of posts but "others" as a category seems to decline for unexplained reasons. As for the Chinese, their declining proportion may be an indication that this level of officer service is not as attractive as gazetted rank, and the numbers may not be forthcoming since the Emergency has ended. In any event the "dynamics" and configuration in ethnic terms of the junior and senior officer corps are rather different.

Ethnic composition of the officer corps as a consequence of Malayanization may also be seen in terms of ethnic representation. Thus far we have been discussing the ethnic composition of the gazetted officer corps mainly
in terms of Malay/nonMalay axis. Since nonMalays are often considered "Chinese" rather than inclusive of all nonMalay communities, it may be useful to look at the "representation" of all ethnic groups. Table 5.7 provides a statistical summary of the ethnic representativeness of the three major groups, Malays, Chinese and Indians.

It will be seen that in 1957 all three communities were underrepresented in their share of Division One posts, even though Malays comprise double the proportion of nonMalay officers. By 1962, all groups have increased their share of posts but Malays and Chinese are underrepresented whilst Indians are overrepresented. The 1962 picture is similar for 1967. It is salient to point out that although Malays and Chinese are underrepresented, their proportions of Division One police posts are not large enough as to cause concern -- in this respect it may be noted the Chinese proportion to their expected share is much closer than as compared to the Malay one. Observations made from a similar study but analyzing the public services in general are also relevant:

In all these services except the police, the proportion of posts held by Malays is considerably below their proportion of the employable population. In three of the four services (public works, education and police), however, the proportion of Malays has increased from what it was in 1957....And only in education and the police have the Malay proportions increased more than those of the other groups since 1957. Generally speaking, Malay representation is greatest and has increased most in the less specialized or technical services, police and education, while Chinese representation is greatest in the more specialized or technical services, medical and public works (engineering). In the medical and education services, Chinese representation, which increased from 1957 to 1962, declined from 1962 to 1968, while in public works and the police, the Chinese proportion increased since 1962. Indian representation, on the other hand, has increased steadily in all four services."82
TABLE 5.7

<table>
<thead>
<tr>
<th>Ethnic Groups</th>
<th>% of Employable Population(^1)</th>
<th>% of Employable Population</th>
<th>% of Employable Population</th>
<th>% of Employable Population</th>
<th>% of Employable Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malay</td>
<td>51.1</td>
<td>18</td>
<td>51.3</td>
<td>36</td>
<td>51.5</td>
</tr>
<tr>
<td>Chinese</td>
<td>34.0</td>
<td>9</td>
<td>34.5</td>
<td>27</td>
<td>35.3</td>
</tr>
<tr>
<td>Indian(^3)</td>
<td>12.2</td>
<td>9</td>
<td>11.6</td>
<td>21</td>
<td>10.8</td>
</tr>
</tbody>
</table>

---

1. " Employable population" means the total number of people between the ages of 20 and 54. Ethnic percentages of this group were derived by tabulating the age group 20-54 on the basis of the 1957 Census Report (Malaya, 1962: Tables 7.14A, 7.14B and 7.14C) and the projections provided based on medium fertility for 1962 and 1967.

2. "Others" not included.

3. Includes Pakistanis for the police tabulations.
Although the reasons for these proportions may be delved into, as far as the police is concerned the data only reinforces the fact that Malayanization of the officer corps in terms of selection procedures has not favored any group, even if Indians seem to occupy more posts than is warranted by their ratio in the population.

It is of course relevant to inquire into the ethnic composition of the posts actually held rather than just in broad terms as has been attempted here, but information of this nature is very difficult to obtain and may be entirely unnecessary. In general, then, Malayanization had been successfully implemented in the Police Service in West Malaysia, and that the resulting ethnic configuration of Division One posts had not been influenced by political or ethnic criteria but rather more by "technical" conditions laid out for the basis of promotion of indigenous officers to replace departing expatriates in the gazetted establishment.

**Indigenization in Sabah and Sarawak**

As opposed to Malayanization, indigenization of the public services in Sabah and Sarawak -- called "Borneanization" -- has been a much more politically problematic process for a complex variety of reasons. Although the process, at least for the police, has almost been completed in Sarawak, it is still ongoing in Sabah, and for this reason discussion will not include a statistical analysis but will instead focus on the general aspects of the problem. As such, albeit it is important, no attention is here given on the (resulting) ethnic diversity of the police officer corps of both states.

Not unlike Malayanization, "Borneanization" may be defined as the
process of replacing expatriate officers in the Sabah and Sarawak public service establishments with indigenous officers. Although the stipulation seems straightforward, the shortage of suitably qualified Sabahans and Sarawakians meant that, in the interim, Malayan (West Malaysian) officers had to be employed to fill posts vacated by expatriates. There thus arose, as perhaps mildly put by Milne and Ratnam, "the additional possibility that when expatriate civil servants left they might be replaced not by local people ("Borneanization") but by civil servants from Malaya ("Malayanization"). The complications of this process have been discussed elsewhere but suffice to note that, generally, the conditions and rates of indigenization for Sabah and Sarawak had been laid down in the Report prepared by the Inter-governmental Committee.

It is pertinent to note here that indigenization does not refer to Malaysianization. As regards the police as a federal service, this would have meant the transferability of West Malaysian officers to Sabah and Sarawak, and Sabahans and Sarawakians to West Malaysia. However, the process has been, with rare exceptions, one-way, that is West Malaysians to Sabah and Sarawak, and also, such personnel postings are only on secondment. The IGC Report stipulated that police officers of the Sabah and Sarawak components could abide by their pre-Malaysia terms of service and many have exercised this right and therefore are not transferable outside of their force.

There was a great fear among politicians and police officers alike in both Sabah and Sarawak that West Malaysian officers would simply "swamp" the vacancies created by departing expatriates in their police organizations.
Although West Malaysian officers were seconded in not insubstantial numbers, Borneanization has not meant Malayanization even if it does appear to be so.

In Sarawak, the Constabulary (which retained its name up to 1966) was commanded by an expatriate right up to 1966. Command of the Force was then taken over by a West Malaysian officer and the evidence seems to indicate that all steps were taken to enable locals to take over gazetted positions. It has been described that the "sheer personality"\(^8\) of this West Malaysian commander did much to assuage the fears of Sarawakian officers and today the component is entirely led in its upper echelons by local officers.\(^8\) Unlike Sabah, the British record in training indigenous officers for eventual emplacement on the senior establishment in Sarawak has been much better\(^8\) and Borneanization in the early Malaysia period has really been to "strengthen" the confidence of locals for command responsibilities.

In Sabah Borneanization has been much slower and has been retarded by the fact of a much lower educational quality in the state in general, and which therefore makes it difficult to draw upon an available pool of suitably qualified candidates for senior posts. Although there had been a British directive in the 1950s to Borneanize the gazetted ranks, this was not acted upon because it was felt it would have been implemented at the expense of efficiency.\(^9\) At present West Malaysians occupy most senior posts but the general eventual objective is to fill these posts with Sabahans.

As has already been alluded to earlier in this chapter, indigenization of the officer corps in Sabah and Sarawak has made plain the predominant
availability of Chinese to occupy the ranks of the senior establishment -- the problem is not so much their great numbers but rather their over-representation in terms of the ethnic composition of the two states. Also, unlike Malaya, the issue of ethnic representation of the officer corps is seen in terms of "natives" and "nonnatives" rather than in the numbers of Malays versus nonMalays.

The brief remarks in this section serve to indicate the complexity of indigenization in Sabah and Sarawak; at the same time it also indicates the complications that are inherent in the quest of building a national police force. As shown for the Sabah and Sarawak cases, indigenization can only proceed in stages and does not necessarily imply "Malaysianization."

Concluding Remarks

It is undeniable that the objective of creating a national force in terms of ethnic and indigenization dimensions is laced with immense and complex problems. Although it is erroneous to regard a national police force as one which is proportionally representative of the composition of the population, there appears to be an implicit belief that the police as an organization to allow for the laws to prevail must be "nonracial," especially in terms of the enforcement of its missions.

In retrospect of what has been discussed in this chapter, it could be argued that the police has acted as an instrument of national policy of a federal government dominated by Malays but at the same time mindful of the lawful rights of the nonMalays. In relation to Sabah and Sarawak, the Malay-dominated central government has ensured the priority of federal
interests in the two territories but has not, in the matter of indigenization of command of the police components, allowed Borneanization to be in effect Malayanization.

The police in Malaysia could be a powerful balancer of ethnic interests if the regime so decides, and in this respect, Malayanization of the officer corps (in West Malaysia) seems to have been predicated on non-ethnic criteria. The growing ascendancy of ethnic interests in the country, and more acutely as it appears in the Malay community, however, may flower in its wake a sense of racial chauvinism that may not be impervious to the police officer corps. That the police has acted as more neutral in terms of ethnic interests may be a function of ministerial control over this security agency being vested in English-educated, Westernized Malay ruling elites, and whose values have been shared by Malays in the police high command.

Even though the police is recognized as a security agency protective of Malay interests and in this role it performed in countering the largely Chinese communist insurrection of the Malayan Emergency, there is a recognition that its debilities may be more pronounced if its Malayness is overasserted since by and large the problems of law enforcement are non-Malay, more specifically Chinese, in nature and origin. In point of fact, the major outstanding problem of police institution-building in terms of the creation of an ethnically mixed force has not been that its recruitment and composition appears overwhelmingly Malay but rather that there has been a very poor response from the non-Malays, specifically again the Chinese, in participating in the law and order machinery, and where Chinese have
participated, they have avoided the regular or rank-and-file police vocation but have preferred instead covert operations and/or appointments in the officer levels of the police. It may be noted also, that for the period under study, the record of the indigenous regime is dealing with the problem of creating a national police force has been no less unsuccessful, it it could be considered thus, than that of the precursor British regime. It may be argued that because the police has been a central regime or "national" instrument, sectarian or communal interests has been subservient to its more primary concern of the maintenance of law and order and in fact this has made possible the continuity from the British epoch through the indigenous period of a reasonably just and fair policy towards all ethnic groups in the polity.

Nonetheless, the issue remains that as long as the police is regarded as a "Malay" instrument in a multiethnic society, the problems of law enforcement will persist and probably be a perennial one as long as ethnicity pervades the whole gamut of social and political relations in Malaysia.
NOTES

1. For more details of this organizational complexity, see Chapter III.


3. I have elsewhere propositioned that racial issues in the police will 'wither away' if they are solved at the national level. Zakaria Haji Ahmad, "The Bayonet and the Truncheon: Army/Policce Relations in Malaysia," Journal of Asian Affairs, forthcoming, Fall, 1977.


5. "Integration" here is meant as cultural rather than structural.

6. A term used in internal police documents.

7. The terms of this 'integration' are based on the principles agreed upon by the governments concerned. See Malaysia, Report of the Inter-Governmental Committee 1962 (Kuala Lumpur: Government Printer, 1962), hereafter referred as the IGC Report.

8. According to the Malaysia Constitution (Article 160) "Malay" means a person who professes the Muslim religion, habitually speaks the Malay language or conforms to Malay custom.

10. "Bin" means 'son of' and is derived from religious (Islamic) custom. As used in Sabah, it did not imply the person as Moslem, and therefore Malay. The term masok Melayu, meaning "to become a Malay" is used for persons who have converted to Islam (to become a Moslem is to become a Malay) and indicates therefore the importance of religion in Malay ethnic identity. Cp. Footnote 9.

11. Actually there was a Gurkha unit in Singapore at that time (which had been formed to replace the Sikh contingent). Malay troops called out in the Hertogh disturbances performed well and impartially. In effect, inability to control the disorders were due more to police inefficiency and ineptness. See Colony of Singapore, Report of the Singapore Riots Inquiry Commission, 1951 (Singapore: Government Printer, 1951). Vacillation in policy in the British as regards how certain ethnic elements of troops or police would perform in racial situations is also indicated in other cases, as for instance the Malay States Guides after a case of their "mutiny." "The problem of the Guides was thus left to the authorities in Malaya, who still felt that the disgruntled soldiers would be reliable in the event of Malay or Chinese disturbances but not if there were riots among local Indian communities." Alun Jones, "Internal Security in British Malaya, 1895-1942" Ph.D. thesis, Yale University, 1971, p. 44.


13. R. Onraet, Singapore: A Police Background (London: Dorothy Crisp, 1947), states that "European constables were first recruited in 1881, and after a trial of twenty-five years it was decided to abolish all European subordinate ranks below that of Inspector." (p. 82). Morrah, however, states that European ranks were only abolished in 1912. P. Morrah, "The History of the Malayan Police," JMBRAS, vol. 36: Part Two (1963), p. 115.


16. Ibid., p. 53.

17. Chapter IV.
18. Onraet, op. cit., p. 75.


24. Templer was responsible for opening up the MCS to non-Malay Asians in 1952.

25. According to Templer, "the emphasis at that time was to be sure that all sections of the community, whatever their racial origin, would consider their duty to be to Malaya." Interview, London, 1975.


27. Interview with Carbonell, 1975.

28. An assertion obtained in many interviews.


33. This account of the Sabah police is based on the article cited above and from an interview with J. B. Atkinson (who as CP there from 1945 to 1960) in London in 1975.


37. An understanding also laid down in the IGC Report, op. cit., passim.

38. Unless otherwise stated, much of the material for the account that follows has been derived from the interview data.


40. Morrah, op. cit., p. 102.

41. Ibid.


43. Onraet, op. cit., p. 76.


46. "Others," which usually means Eurasians, is so small a category it is often omitted from discussion.


49. As recounted in Jeffries, The Colonial Police, op. cit., p. 79.

50. Blythe, op. cit.


52. Op. cit., p. 13. Another heading, housebreaking, seems to be related to the Chinese community; in fact, it is more a "Malay and Indian problem."

53. Ibid., pp. 13-14.

55. The term is popular usage. Theoretically, and even technically, a Malayan could be a nonAsian, though the instance is rare. A 'Eurasian' was and is regarded as "Asian." "Asian" was and is used to distinguish such from Caucasians.

56. The term also applies to nonBritish persons but is usually reserved only for Caucasians. A Japanese could be an "expatriate" but is hardly regarded so in popular usage. The term arises from the fact that British officers serving in Malaya also received, on top of local pay, expatriation allowance so as to enable them to pay for upkeep of families in the mother country.


60. 1954 Report, p. 90.


62. Ibid., p. 94.

63. Police, under the portfolio of Internal Security and Defence, actually came under indigenous ministerial control as early as 1955.

64. There was, of course, the Fenner-Salleh schism reported in Chapter III, although, when the Force was handed over by Fenner to Salleh, it was a very emotional and tearful event for both personalities. Fenner was asked to remain and become the first IG of the Malaysian police by Tunku Abdul Rahman. There could have been resentment by expatriates of indigenous officers who were promoted above them in the police service, but the evidence is very sketchy. Tilman, Bureaucratic Transition..., op. cit., pp. 66-67, states that such discrimination "seemed to be accepted philosophically and with good humor by most expatriates," and this was generally true for all the public services.
In similar vein for the general public services, Tilman, ibid., p. 63, writes: "Of course, 'Malayanization' in the broadest sense did not suddenly emerge as an immediate pre-independence phenomenon."

FMS, Report...1931, op. cit., p. 15.

Tilman, Bureaucratic Transition..., op. cit., pp. 63-64.

Ibid., p. 64.

1954 Report, p. 11.

It is not known if its findings were published. Cp. footnote 34 of Chapter IV.

Tun Salleh Ismael, Abdul Rahman Hashim and Hussein Sidek. The first two attained IGP rank, the third DIGP.


Tilman, Bureaucratic Transition..., op. cit., pp. 63-68.

1962 Police Annual Report, op. cit., p. 10. Fenner, as outgoing CP, was appointed Director of Police Affairs to look specifically into the problem of reorganization of the police force(s) with the advent of Malaysia.

These tables (5.3 to 5.5), to quote Tilman [Bureaucratic Transition..., op. cit., p. 69, fn], "reflect many of the problems connected with the gathering of statistical data in Malaya" and more generally, Malaysia. Based as they are on the Annual Staff Lists, discrepancies are bound to occur and which are in fact unavoidable. Ethnic origins, for example, are determined by tabulating European (for "expatriates"), Malay, Chinese and Indian names. For the most part, such names are sufficiently distinct to keep errors of validity to a minimum. Exceptions are Indian Muslim names and Indian Christian names. The former are sometimes indistinguishable from Malay names, the latter from European names. As a result of these difficulties, some Indians might have been counted as Malays and others as Europeans. The Indian group may, therefore, be smaller than it is in reality, while the Malay and European (expatriate groups) may be larger than they are in reality." D. S. Gibbons and Zakaria Haji Ahmad, "Politics and Selection for the Higher Civil Service in New States: The Malaysian Example," Journal of Comparative Administration, vol. 3:3 (November 1971), p. 345, fn.

Some cross-checking with official police documents also reveals discrepancies with the data collected here; indeed, even police documents for the same period differ in their statistical breakdowns. Cp. footnote 38 of Chapter IV and footnote 79 of this chapter.
Thus, although these discrepancies are not large enough to really affect the findings, "however carefully the necessary tabulations are done, and regardless of the number of rechecks, the results are sometimes less than satisfactory." Tilman, ibid.

In addition, the following caveats for the tables presented are in order:
(a) Indigenous names from 1947 to 1953 include those not in the Malayan establishment shown by an asterisk in the Staff Lists.
(b) Those expatriates serving in Singapore are excluded from the count; however, there are those seconded to Singapore. It also cannot be determined if those on leave are serving in Malaya or Singapore.
(c) After 1964, "date of arrival" is not noted and hence this makes difficult the identification of European and Eurasian names.

(Note: a joint officer establishment existed up to 1954 between Malaya and Singapore.)


77. Interview with a senior police official (an expatriate), Malaysia, 1976.

78. The Police Force Commission Report referred in footnote 76 provided statistics on numbers of those promoted but said nothing on their ethnic identities (pp. 5-6). Discussion with officers at Federal Police Headquarters also revealed the difficulty of obtaining such information.

79. These figures were sent to the author at the latter's request. It is not known how the figures were derived at but it is very likely ethnic identity was established by tabulating names of officers. Nonetheless, these official figures are also subject to the limitations explained in footnote 75; in fact, they differ with another set of official set of police statistics [Federation of Malaya, Police Annual Report, 1962, op. cit., p. 91], as illustrated.

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<td>Malays</td>
<td>479</td>
<td>408</td>
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<td>Chinese</td>
<td>383</td>
<td>382</td>
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<td>Indians</td>
<td>233</td>
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<td>Others</td>
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The outstanding points of the two statistical counts are that Malays seem to have been undercounted in the latest statistics but that there is hardly any difference in the counting of non-Malays. It should be noted, of course, that both sets of figures do not indicate if women inspectors, temporary inspectors, probationary inspectors, contract inspectors, PVR inspectors, honorary inspectors and sub-inspectors are included or excluded.

80. Until the promulgation of the 1967 Police Act, which designates both gazetted officers and inspectors, including probationary inspectors, as "senior police officers," the inspectorate had been considered the junior establishment (called "superior" officers in the 1952 Police Ordinance).

81. "Representativeness" here is defined the proportion of posts held by any ethnic group one would expect given their percentage of the employable population. Cp. D.S. Gibbons and Zakaria Haji Ahmad, op. cit.

82. Ibid., p. 338. The terms and definitions in the Gibbons-Zakaria study are used in this analysis and therefore the comparisons are germane. The other services looked at, apart from the MCS, are Medical, Education and Public Works.


85. IGC Report. As regards the Public Services, the Report (p. 46) elaborated on arrangements for three purposes: to provide for the proper functioning of the Federalised and State Departments in the Borneo States when Malaysia comes into being while preserving the existing terms of service of serving officers, to provide for the progressive Borneanization of the State Departments and over an interim period of the Federalised Departments, and subject to these interim arrangements to provide for the full integration of the Federalised Departments with the Federal Public Service as a whole.

86. Except on secondment.

87. This officer served up till 1970.

88. At present only the Field Force (Sarawak Brigade) is commanded by a West Malaysian.

89. Cp. footnote 34.

90. Interview with Atkinson, 1975.
CHAPTER VI
THE POLICE AND POLITICAL DEVELOPMENT IN MALAYSIA:
CONCLUSIONS
"The police are always ready to learn from the observations and experiences of members of the public of all ranks and races. For a police force to remain effective there must be a free and frank inter-change of views and ideas."

-- Tun (then Dato) Salleh Ismael
Commissioner,
Royal Federation of Malaya Police, 1963.

"In the past ten years the maintenance of law and order has come to mean something more than just the preservation of public tranquillity by routine police duties, such as the man on the beat, crowd and traffic control. Whilst such duties remain an important aspect of our daily lives, the ability of the Force to meet the threat of disorder created by actual or threatened riots and civil disorders arising from political, religious, communal or industrial issues is becoming more and more important....I also feel that Public Order is going to need more and more attention from us all in the foreseeable future due to the ever present threat of racial disturbances, which I am sure must be obvious to you all.

-- Tan Sri Sir Claude Fenner,
Inspector-General, in an address to senior officers of the Royal Malaysia Police, 1965.
The presence of a police machinery in the form of the Royal Federation of Malaya Police, and later in its successor form the Royal Malaysia Police, has made it possible for Malaya to advance to political independence in a comparatively more peaceful fashion and certainly one in which the transition was not accompanied by violence; it may, in fact, be argued that the existence of such a law and order infrastructure, as that that had been developed, provided the incoming indigenous regime with the capacity to oversee and contain violence, as indeed it did since Merdeka (independence) was achieved with an ongoing communist insurrection in the country. Prior to independence, already the ministerial control of the internal security (and defense -- thus including police and army matters) portfolio had been vested in indigenous hands, indicating therefore an early exposure to the soon-to-be post-British regime of the policing needs and problems of a multiracial society; subsequently, also, experience in controlling the police apparatus made it cognizant of that institution's role as a centralizing state-building tool which it sought to apply (and has fairly succeeded) at a later period of political development, that is, when Sabah and Sarawak were incorporated with Malaya to form Malaysia.¹

It is interesting to speculate what form or mode of national political performance would have ensued in Malay(s)ia had there not been a heavy emphasis by both the pre-independence (British) and the post-British indigenous regimes on police institution-building concomitant with a stress on the rule of law. In the pre-War period, although more closely administered than, say, a larger but also British colonial territory as
Burma, it could not be said any semblance of a police-state existed in Malaya as that had existed, as argued by Benda, in Indonesia. In the post-War period, as compared to the rest of Southeast Asia, Malaya alone enjoyed an era of terminal colonial rule in spite of an ongoing communist insurrection, and which gave pause for a more orderly political process to emerge and at the same time flowered a situation in which administrative operations of government, with a heavy "custodial" emphasis on the rule of law, could ensue. Had the British responded and maintained the challenge of the communist insurrection as anything but that of law and order, and the British approach was similarly adopted by the indigenous inheritors of power, it is not inconceivable Malaysian political development would have traveled a different, and perhaps chaotic, path. These circumstances, as such, would explain how change in authority from colonial to indigenous control was effected without loss of ability in the police to perform their role, as well as the regime's capacity to utilize the police. Indeed, this case-study of the institution-building of the Malaysian police may very well signify in theoretical terms, that the issue of the role of the police in political development is not so much the setting up of a national police force as the establishment of the rule of law and that the police will bear this responsibility.

Although the Royal Malaysia Police is in "a high state of flux" resulting from its being charged with complex missions, it is a vital institution in the country's political development because of its organizational set-up and pan-country deployment. In that it has played a critical role in countering violent threats, of which the Malayan
Emergency was the most important, it has assumed a "protective" function highly accorded so by a Malay-dominant government -- consequently, the police is highly "favored" and regarded as a legitimate instrument of central state-rule.

As an institution which combines elements of both a civil service and the military, but is neither, the police is highly critical when compared to both. The police as a whole is more centralized than the Malay(si)an Civil Service (MCS) not only in matters of organization, but also in the extent of its "penetration" of the countryside. In the latter respect, although the emphasis on indigenization in the postMerdeka era has meant the use of local terms, the acronym "OCPD" (Officer-in-Charge of Police District) is still popularly used. As contrasted to the army, the police maintains a strong sense of a corporate structure that is affected neither by specialization of task in its roles nor by officer corps factionalism. It is not overstating to argue its primacy in overcoming both internal and external threats to the regime has led to its being an important bulwark against the army's potential interventionist role in politics, and in this regard reinforces the notion of civilian control in politics. At the same time, because of certain powers vested in police hands, the police cannot avoid being a political organization -- that is, in the sense of not being an actor articulating or aggregating for political power but that its activities having political ramifications. In short, the police in Malaysia performs an important state-building role.

In addition, the high premium placed on law and order by the regime
has been and is perceived as not threatening to the rights and interests of the nonMalays simply because enforcement of the law is considered impartial enough as to recognize no racial alignments, even if the police are commonly perceived as overwhelmingly "Malay." NonMalays, meaning especially but not exclusively the Chinese, are themselves "unsure" of the police as a "coercive" (that is, legitimate control of violence) instrument, and inasmuch as police powers have not been indiscriminately utilized against them on racial grounds, this has not led them to view with concern Malay control of this institution, albeit of course this does not preclude a fear it can or may be thus used. Nonetheless, it is probably fair to state the nonMalays see the police as an issue out of their "domain." 6

To the Malays, on the other hand, the role which has been assigned to the police, as a result of it's pattern of institutional development in Malaysia -- itself (the police experience) probably unique in the travails of newly-emergent nations -- has been exaggerated. That the Malays and an overwhelmingly Malay police came out of the Malayan Emergency experience as shouldering the burden of countering the communist -- largely Chinese and therefore "alien" -- threat has led to a strong sense of identification in the Malays for the police; not only do they see it as a "benign" force but they also see its development as meaningful. The police experience itself provided both a channel of upward social mobility and a sense of cohesion to the Malays, the effects of which reduced provincial divisions in this community and helped garner a sense of Malay nationhood.
As an elaboration of these leitmotifs, the remainder of this chapter will attempt an holistic evaluation of the role of the police in Malaysian political development, and assess the future implications of this role in terms of both problems and prospects. This chapter is also a recapitulation and synthesis of the issues outlined in preceding chapters. In that the role performance of the police is highly related to problems of political development, that is to say, the police provide the regime both in terms of structure and function an institutional capacity to govern, an evaluation of the Royal Malaysia Police need not be concerned solely with its programmed missions.

Police in the Context of Political Development

In Chapter One, we described the theoretical context of the police role in terms of political development and society, and noted that two real problems for most newly-independent countries have been (and are) the sustenance of, usually civilian, authority and provision of security for both government and public, and the governance of large tracts of territory. The role of the police in meeting these two challenges are directly related to political development. We have already indicated on particular framework for understanding -- even if heuristically -- the latter, namely the Almond and Powell conceptualization of political development, which comprise the inter-related problems of state-building, nation-building, participation and distribution. 7

As has been stated, a central theme that emerges in this study is that a high state of police institution-building has been achieved in
Malaya, and later Malaysia, because of a high regime identification with the police as a legitimate instrument of "coercion" as well as of central state-rule, and that this identification is ethnic, none other than Malay. We have already specified the bases of this identification according to the pattern of institutional development of the police. That control of the police has been concentrated in the hands of a very small coterie of the ruling Malay elites (as has been described in Chapters III and IV) -- the regime -- has probably been a fortuitous but important factor in Malaysia's experience in police institution-building. It has meant that a high degree of support has been given to the police and that there has been a minimum of interference with the executive command of the Force. In the words of one expatriate informant, those in ministerial charge of the police have been "superb" types because they understood and respected the lines of demarcation between political authority and police jurisdiction and control. In addition, this elite's conception of the police instrument as a law and order instrument itself accountable to the law probably explains why a police-state has not been created in Malaysia.

Related to this theme is also the importance attached to the police qua national institution primarily responsible for law and order. The RMP has been able to perform this mission because, even though it is organizationally decentralized, its purposes and duties recognize no sub-national priorities. In part, law and order is conceived by the regime to be in the national interest, and therefore there is no recognition of local jurisdiction of police affairs, and in part the enforcement
of law and order in a multiracial society is seen best performed on a national basis. In effect, that "the rule of law shall prevail" is a high central regime value, and, in the words of Edward Feit, the police is an institution because it is an organization that has acquired value.  

Police and State-building

In Chapter Three, it was described that the police are territorially organized into formations arranged in a structural hierarchy which corresponds to the civilian administrative units, namely states and districts. We have also noted that the chain of command of the Malaysian police, both in terms of territorial and functional organization, is not bifurcated in that executive authority is clearly delineated in departmental hands through its topmost commander and accountable to a single source of ministerial responsibility. Bayley has argued that, *ceteris paribus*, if the police are organized nationally and are not locally accountable, then this will reinforce centralizing tendencies in the regime.  

In this case-study, in both the political systems of preMalaysia Malaya and Malaysia, the organization of the police had been and is "national" as has been stipulated in the constitutional formulae of the 1948 Federation of Malaya Agreement, the 1957 Merdeka Constitution, and the 1963 Malaysia Agreement. It is not intended here to review the whole, complex web of center-periphery relationships of the federal structure in the Malayan or Malaysian polities; to be sure, with regard to the police as a national apparatus, the strength of the federal government is not solely one of establishing authority and a unified law and order system
over the constituent states of the country. However, the trend in centralization of the police organization(s) in Malaysia is irreversible. It is traceable to or concomitant with preWar developments -- to wit, the consolidation of British rule over the Malay peninsula -- beginning with the transfer in 1867 of authority from India of the Straits Settlements Police Force, followed by the creation of the Federated Malay States Police Force in 1896. Even in the 1920's, when there were attempts to decentralize the administration of the Federated Malay States, the police remained unaffected because "no devolution was practicable on any considerable scale without loss of efficiency."10 A fortiori, it may be noted that albeit there were altogether in the pre1945 period seven police forces, their commanders were directly or indirectly responsible to the Colonial Secretary, who was also the High Commissioner for the Malay States; if some semblance of state police forces existed, as then extant in the UnFederated Malay States, their inspiration, if not direction, came from British officers who were drawn from a common Malayan establishment. Hence, a national police force could be said to have existed, and, as events followed, was not altered in any real sense by the Japanese interregnum.

After the War, the short-lived Malayan Union scheme established a pan-country police organization but the 1948 Federation of Malaya Agreement which superseded it only ratified the de facto centralized set-up of the police. Although the 1948 Agreement, which has remained the basis of all succeeding constitutional documents, had allowed for the "retention of an institutional structure based on the existing Malay state
The pursuit of federal interests assumes priority over state interests. Consequently, the government's law and order infrastructure reflects a heavy central bias: more so than the civil bureaucracy which has both federal and state services, the police has continued as a single service, and through the nature of its deployment, reduces, if not actually eliminates, any parochial (that is, state) loyalties or divisions.

Nonetheless, in the case of Malaya, the exact nature of federal/state relations with regard to police matters, except perhaps in matters of federal government consultation with the states over the selection of senior officers in top state-level command posts, is not known. Little is known, for example, of police/politician relationships in states or areas controlled by opposition parties or opposition MPs whereas the federal government which controls the police is ruled by the Alliance (later Barisan Nasional) party; in fact, not much is also known of police/politician relationships in areas controlled by the ruling Alliance. The police themselves are apt to declare these "gaps" in knowledge as non-issues -- as they are "above politics" and that their law and order mission is by nature apolitical.

As for the politicians, on the other hand, strong central control of state-level political organizations within the ruling party has probably precluded the use of the police in regime handling of recalcitrant political personalities (and party organizations) except, of course, in instances where violations of law and order have been clearly perpetrated; and where politicians have sought to "complain" of inept police action or otherwise,
the central elites in charge of the police have, as we have argued,\textsuperscript{12} carefully eschewed such political interference in clear-cut police affairs and law and order matters. This would of course explain, again as we have indicated,\textsuperscript{13} why Malayanization of police posts did not proceed as quickly as it would have otherwise have been had political and chauvinistic reasons pre-empted other criteria.

After the formation of Malaysia, the whole nature of federal-state relationships, especially Kuala Lumpur vis-a-vis Sabah/Sarawak, has been more complex and will continue to be for some time. It was agreed by the parties to merger that internal security be a concern of the central government, and by definition this included responsibility for the police. In the planning stages of the amalgamation of the various police forces of the pre-Malaysia political entities, the outstanding principle of organization was the imperative of structuring the police to fit with the concept of "a strong central government." We have already outlined the details of this unification process, one which is still ongoing. As in pre-Malaysia Malaya, centralization of federal rule in Sabah and Sarawak has centered more on political strategems and thus has precluded resort to "police action" in the two states. But, more so than Malayan politicians, those in Sabah and Sarawak have been more prone to "discuss" political (meaning federal versus state) control of the police and of the Borneonization of command and other senior posts.\textsuperscript{14} In any event, unlike the Indian situation where a certain parallel exists in the legacy of political circumstances and administrative set-up, the federal government in Malaya has not had to resort to overt police action to secure compliance from
the states, nor indeed, it may be argued, of strengthening or creating police institutions to consolidate central rule. In short, center-periphery relations in Malaya have not been characterized by the resolution of centrifugal tendencies (at the level of the states) through overt use of force via the police, primarily because of regime style and the organizational nature of the police.

Within the police, however, center-periphery relations have been more "problematic." Although the existence of the states may remain a cardinal point of federation -- and may explain why a proposed mid-1960's reorganization plan of the police, whereupon police formations would be even more centralized in regional commands and thus, inter alia, obviate a need for police organization to correspond to state administrative boundaries, was not accepted -- state authorities are "weak" as compared to the federal government due to the nature of the federal set-up. But, at the state-level, police formations are "strong" as opposed to federal police headquarters, and are almost autonomous in the execution of law and order matters. State-level police commanders, by virtue of rank, seniority and experience, have always been given the confidence to exercise judgment in their areas of jurisdiction, and have exercised this preogative sometimes to the "chagrin" -- quite apart from personality differences, which in any event are almost unavoidable in any human organization -- of their superiors at headquarters, not excluding their "political masters."

The detailed nature of such a problem is yet to be investigated but to illustrate, the following examples are enlightening. In a directive issued in 1966, the following extract reads:
"The I.G.P. is, in so far as the Police Service is concerned, the ultimate interpreting authority of each Service and Government policy. His opinion and ruling will be sought, through the proper administrative channels, whenever doubts arise. His opinion and ruling will form the guideline to be followed at all levels and will be implemented and executed according to local conditions. It is not correct that every policy decision must generate an irrevocable and stereotyped decision or course of action irrespective of peculiar and different sets of circumstances obtaining in different localities at different times. Correct executive decisions can always be made from policy decisions without involving any abandonment of the spirit of such policy decisions. All policy decisions are capable of being implemented in such a way as to suit local conditions. Notwithstanding this, any decision which is likely to have serious political repercussions must first be cleared with the I.G.P."

The "spirit" of this directive may appear simple and clear-cut, but does not preclude differing interpretations. Indeed, in Penang sometime in the late '60s when it was deemed by the federal government that all political demonstrations not be allowed, the Chief Police Officer nevertheless did not adhere to the federal government's instruction since he considered the situation was secure. A propos the first directive, the state commander's rationale was that his decision suited "local conditions" and was unlikely to have "serious political repercussions," but needless to say, this action incurred the displeasure of the federal government.

A different instance of "strong" state-level police formations which has become problematic is that relating to Sabah. Here, there appears to have been some evidence of the police consorting with ruling local politicians, especially in the arrests of other politicians, and which has only necessitated a "tighter" selection of commanders to this formation so as to restore the impartiality of the police.21
It is to be noted that these two instances of "strong" state-level police formations are internal to the police structure and do not reflect strong parochial (state) loyalties against the authority of the federal government. However, the instances do raise an interesting point about the nature of national law enforcement in Malaysia. It is tempting to ask, in the context of a burgeoning police bureaucracy, if law enforcement should be decentralized. An approach that predicates on the enforcement of the law from a "national perspective" surely negates the local nature of violations of the law and makes officers of the law accountable only to the federal government. Nonetheless, the social, geographical and political conditions of Malaysia may nullify a more localized control of the law enforcement function, and, since the police are also responsible for intelligence and paramilitary matters, it may be more fruitful to retain a national police force on the existing lines. But, what may be required is to reform the police so to be more "responsive" to crime problems at the local level.

Separate but not unrelated to state-building is the question of the police as an instrument of public order. Linked to the more general problem of policing a multiracial society, this is one of the most difficult challenges for the police -- as the organization itself is a multiracial one, being overwhelmingly Malay in the rank-and-file, but more ethnically mixed in the officer corps. The issue is not just one of the composition of the Force, that is, who gets recruited, but also the larger one of whether it performs on the basis of racial alignments. From the viewpoint of the regime and the police, the RMP is "above race" and its primary
duty, even if prophylactic in nature, is to suppress racial conflagra-
tions. To a large extent this has meant in practice a vigorous police
policy in suppressing all disorders, since it appears axiomatic all
disorders eventually develop into racial ones. Although the police record
of impartiality and effectiveness in handling of racial disorders has been
good, the police themselves recognize the problem is beyond their control.
Given also its intelligence and information-gathering capacities, there
appears to be a regime tendency -- as was discovered by a social science
team to investigate national unity -- to rely on the police and in the
attempt to contain the signs and actuality of racial violence. However,
even if the police are able to solve their own internal racial problems
and/or are able to act as a cohesive force in dealing with racial
disorders, the root of the ethnic problem surely lies in non-police
measures and policies.

Police and Distribution

The police as an institution of public order relates to the problem
of distribution in political development. It is indisputable that the
allocation of goods and services in society cannot function without a
sense of law and order; in addition, all other activities of government
can only take place if security, real or apparent, is assured. In
Malaysia, the police as a well-established and penetrative state apparatus
has created favorable conditions for "distribution," but as for conflict
over distribution, we shall discuss the police role in the section on
"participation" below.
Police and Nation-building

The role of the police in nation-building in Malaysia may appear dubious because, as a "coercive" instrument it probably alienates rather than garners allegiance to the nation. This issue is different, although the line of separation is very thin, than that of whether the police are used as a repressive instrument of state. Russians, after all, are still Russians even if the police instrument is very repressive.28

In Malaysia, although there has been no mass survey of public attitudes -- meaning therefore that we do not know if public views are positive or negative -- toward the police, the role of the police in nation-building still remains to be exploited. The issue is of course complicated by the fact of several, above all, ethnic publics, since it is an ethnically divided society. But, if the police perform and are perceived in their functions as "above race," then its value as a nation-building instrument is greatly enhanced. As an ubiquitous government agency and by the very nature of their vocation, the police mingles or deals with the public more so than any other government organ. Police act out the "ritual drama of government,"29 such as regulating traffic, apprehending criminals, and so on, and in fact, are seen by the public as symbols of authority. In short, there is great scope for utilizing the police as a socializing agent.30

It is possible to see nation-building in the police along two dimensions: internal and external to the organization. In Chapter Four we argued that the Malaysian police enjoyed a great sense of cohesion as a corporate structure and in its sense of national mission. The police is
in many ways a "melting pot" and a modernizing agent. In this regard, the Malaysian police, because of its actual complex ethnic composition, does not exhibit a characteristic of being divided within the organization or in terms of its policing function with its various clienteles -- as, say, compared to, as argued by Boehringer, to the police forces of Northern Ireland. Recruitment and postings are open and "national" in character where applicable, and the organization has always offered a place for the rural Malay to do well in a modern society. That the police shouldered the main burden of dealing with the communist insurrection of 1948-60 has made it highly conscious of its being a guardian of national sovereignty. In a sense, although police officers are less willing to admit, their organization also serves as an obstacle to a military takeover. Externally, the police themselves are interested, apart from playing their nation-building role, in securing a better public image of their organization, as through their "weeks" and so on. In "Operation Service," an earnest attempt was made to project the image of the police as a "friend" rather than "foe" of the public. Such similar attempts have periodically been made since then. Police cadet units have also been formed in schools to help instil a sense of public empathy of the police role in younger elements of the population.

In these efforts it is probably realistic not to expect too much. In the United States, where good police/community relations are considered an imperative of most police departments and efforts are strenuously made to secure this goal, studies have shown that public attitudes remain rather ambivalent; those of the public who have "contact" with the police
with the police have different views than those who do not, but most people think of the police only when they need them. Such a perceptual situation is probably not dissimilar from the situation of Malaysian publics, especially in the urban areas -- indeed, one problem in criminal investigation is that people are reluctant to testify as witnesses in an open court of law, and in general, it is not incorrect to state there is public apathy towards the police.

In rural areas, especially with regard to Malay publics, however, the police image is very good and fosters the authority of government; in many remote kampongs, for example, the policeman is often the only symbol and presence of a central, larger authority. In his study of a rural village in Northern (West) Malaysia, C. Bailey found that the policeman performed, apart from that of being a law enforcer, the role of mediator. According to Bailey, the policeman's role as a mediator in a certain dispute in Sik has led one villager to comment that "He uses the power of the middle-man, not the power of the police." ("Dia pakai kuasa orang tengah, bukan kuasa polis.") But in Sarawak, in spite of a largely Iban police, rural Dayak folk do see the police as a "Malay force." In many "New Villages" in Malaya, police stations are usually "Malay" outposts in such areas inhabited by Chinese clientele but how this is translated in nation-building terms remains unclear.

Related to the nation-building problem is corruption. According to Huntington, "He who corrupts a system's police officers is more likely to identify with the system than he who storms the system's police stations." We have argued earlier that a symbiotic relationship between
a largely Malay police and the Chinese public may be useful for political
development in Malaysia; corruption of Malay police by the Chinese public
in this scenario cannot be ruled out. Nonetheless, accepting that no
police force can remain "non-corrupt,\textsuperscript{38} corruption in the police must be
a controlled element or constantly suppressed. No national regime can
survive as a political entity if distrust in the police is prevalent
because of corruption. There is increasing evidence of corruption in
the Malaysian police that is tarnishing its public image. Effective and
vigorouos steps in curtailing this pernicious trend must therefore be
implemented: not only in guaranteeing adequate pay conditions\textsuperscript{39} and the
invocation of the usual departmental disciplinary measures but also in
public education. In this effort, deterrence is a function of intent;
the regime must lead the way -- no attempt at curbing corruption in the
police (or in any other government department for that matter) can succeed
if the politicians and certain members of the police high command themselves
are known to be the "big fish.\textsuperscript{40}

As has been stated, the nation-building role of the police remains to
be exploited. Regardless of results, there is still room for effort.
Civic instruction in the schools may "enlighten" the police role -- to
some extent this is already being done through talks given to school
children by police officers and through the establishment of police cadet
units. But the Malaysian police need to have a more active role in
educating the general public. In legitimate control of violence to
sanction compliance in public behavior, they can enforce the law more
imaginatively with less resort to punitive punishment. Less taking of
bribes will also help. They could go to the people rather than "wait" for them. A great deal of trust may be achieved through the image of a benevolent policeman; warnings, for example, without the possible loss of authority could be issued instead of fines. The quality of police could also be improved, even if training is already of a high standard. All of these aforementioned suggestions should gain public respect for the Force, which benefits are invaluable not only for its missions but also as a national institution.

Police and Participation

As conceived by its top commanders and "political masters," the police role in Malaysia is strictly one as of an arm of civilian authority -- this is no doubt buttressed by the very virtue of its missions. It is unlikely, therefore, if the police will intervene as a major actor in the political process.

Inasmuch as the enforcement of the law and the maintenance of order encompasses not only the police instrument but also the legal machinery (what we have termed together a "police system") as the basis for "coercion," regime style in effecting a balance between authoritarian and democratic politics is most critical. At independence for Malaya in 1957, the regime inherited a vast police machine as well as extensive legal powers -- in short there was a great concentration of power in the indigenous government which potentially could have been utilized in non-democratic ways and ultimately to the creation of a Police-state. Thus far, as well described by Groves with its accompanying caveat there does not appear to
have been abuse of these powers:

"That the Federation government has never yet made the fullest use of its arbitrary strength is a credit to those in whose hands these controls have been lodged. To expect that all politicians into whose hands these great weapons could constitutionally come will always employ them with even some benignity is to take a most hopeful view of the future."41

As we have argued earlier, the civilians in control of the police apparatus have consciously kept separate, albeit the distinction is thin, issues of politics versus security. The police themselves are very aware of the vast powers in their hands. Apart from safeguards built into the police system, the fact that the police do not have to employ these powers unnecessarily may very well be their efficiency in the information-gathering (intelligence) function.

Bayley has observed that the police "bear primary responsibility for maintaining stable conditions of social life"42 -- however, in doing so they may also be viewed as a "repressive" institution. In Malaysia, the police are responsible for quelling disorders of all genre and also certain distastful duties as eviction of squatters. Presumably, when they are suppressing racial rioting they are viewed in a "positive" light, but when it is a question of dispersing student demonstrations or evicting squatters they are seen as a repressive instrument, that is "negatively." These views are actually irrelevant. The police are only enforcing the law and even in the use of force have acted with utmost restraint. Senior police officers are themselves hesitant to employ the force at their disposal and only do so as a last resort; in situations of "sensitive law enforcement," there is a standing regulation for its conduct
by rank-and-file policemen to be performed in the presence of senior or commanding officers. Police officers have straightforward views on disorders and their perpetrators: concerning student demonstrations, for example, they do not understand why students act thus; their (police) notion is that "students should study, not demonstrate."

As an instrument of regime rule, the police may arbitrarily be used for dubious political ends, but this is a function of ruling elites' policies. As pointed out by Huntington and Nelson, ruling or aspirant elites who wish to overcome resistance to policies may have to consider choosing a strategy of simple repression, direct or indirect, and which demands a loyal and efficient military and police. On the other hand, as stated by Bayley, it is also possible "a government could be capricious and arbitrary while the police conscientiously acted within the provisions of codified law." It would appear that the police in Malaysia, although acting within the confines of codified law, are a regime tool. This is largely explained by the vast scope of police powers, although as we have already stated, these powers have not been capriciously used. Recently there has been a challenge in the courts that the Police Act [1967] is ultra vires and in violation of the fundamental liberties clause enshrined in the Constitution. Whatever the decisions of the judiciary, that the case is in litigation demonstrates that police powers are not absolute but subject to legal review. However, the Malay(sian) experience in communist insurrection and an atmosphere charged with subversion and potential racial violence perforce leads to a retention of strong police powers. As we have argued, the presence of these powers and not so much their
utilization has provided a means of upholding governmental authority. Thus, the police have been and are by and large "repressive" to the extent it is acting within its mandate. As for police officers, they consider themselves apolitical and professional in their vocation, and even if the majority are probably pro-government, that is the ruling regime, are only so as Americans are democrats with a small 'd'.

**Mission Problems**

Organizationally the police must face up to being a complex bureaucracy that may be too wieldy -- this may affect both its administration as well as its capacity to achieve its diverse and demanding missions. In a report on the Malayan police between 1948-55, it was observed that police efficiency had suffered from a shortage of officers in relation to men, lack of qualified officers in the CID and Special Branch, lack of sufficient Chinese personnel, and lack of equipment. Although the situation has generally improved, some of these problems, even if to a smaller degree, still persist.

The police are themselves aware too much staff work is being done at headquarters (especially Federal) formations by senior officers to the disadvantage of lower formations: adequate supervision at lower levels is therefore being sacrificed for high-quality paper shuffling. The Force still suffers from a lack of good junior leaders, and in the CID and Special Branch good gazetted officers. In addition, not enough Chinese are coming forward to serve in the police, especially in the rank-and-file.

The police are an overburdened organization and in that it is a
centralized apparatus, its monistic structure may suffer the eroding consequences of its immunity from honest and open reporting and criticism and an over-reliance on it by the government. To some extent, the "pull" or emphasis on centralization as a key element of police organization is off-set by a recognition that there be no disruption to on-the-ground policing in lower formations. However, as indicated in Chapter III, the dynamics of effecting a national and unified structure are very complex and beset with difficulties in spite of a close adherence to principles of command and control.

Police officers from the colonial era have suddenly found themselves in the postcolonial period confronting all kinds of problems which seem to impinge on law and order...such as, for example, tourism. Yet the police machinery remains essentially what it was in the pre-independence period. There is a vast scope for "development administration" in the police organization just as there has been in the general public services; in this respect the police themselves are in favor of modernization (especially in terms of equipment and facilities), but at the same time dislike any "encroachment" (from non-police sources) on their areas of expertise. The police organization is still far from achieving its target of having 40 percent of its gazetted establishment being comprised of university graduates. Perhaps one way of partly attaining this objective and at the same time of having officers with legal qualifications is to recruit law graduates to serve as prosecuting officers. Complex management problems could also be attended to by graduates with relevant university qualifications. Recruitment of both these categories of university
graduates does not imply the preclusion of the need for these entrants to be also basically police officers. At the same time, the police service must be attractive to officers as well as potential recruits. Deemed on duty on a twenty-four hour basis, faced with danger in the line of duty, and accountable to the law, this is a hazardous and onerous vocation. In addition, that an officer spends an average of fifty-five hours on over-time per month (without pay) is only an indication that calls for their dedication is not sufficient if their pay is inadequate.

Insofar as internal defense and public order priorities will remain as important regime problems, the important role of the police will not diminish. The dangers are that its usefulness will be overstretched and/or as we have already mentioned, there will be an over-reliance on the police. An increase in participation can be dealt with by mechanisms other than the police; given the "flexibility" of the Malaysian political elites this is not an idealistic comment. It is interesting to ask if the police should retain their paramilitary and intelligence roles and concentrate on more "civilian" functions. There is no question its capacity as a crime unit suffers because of its predominant attention to security matters. If separation of mission via the establishment of more specialized agencies external to the police organization may diminish the RMP's present role and vitality, perhaps attention to matters of this nature should proceed by overcoming its debilities. The police are, of course, jealous of their present "control" of various responsibilities, and as examples, feel the investigation of corruption and the suppression of narcotics should not have gone out of their jurisdictions -- their rationale being that in
the former their investigative capabilities are most ideal, in the latter it is essentially a "police problem." At the same time, the police are aware their role in certain problems are limited. We have already mentioned the question of the resolution of ethnic issues which is not simply a police prerogative. In recurrent fishermen's disputes which frequently necessitates adjudicative solutions, the police are anxious this problem be handled by more appropriate authorities. The police are also of the opinion a review of the criminal justice system is overdue: too much reliance on penal solutions for criminals does not alleviate the crime problem.50

The Royal Malaysia Police has had a formative role to play in the political development of the country because it is an institution highly identified with dominant ruling ethnic interests committed to a rule of law, but it could easily be manipulated for more dubious ends. But if political development, as declared by Pye, is that of relating "administrative and authoritative structures of government to political forces,"51 this thesis is supported simply by the lack of an "inequal balance" between the police and political forces. In this sense, too, state-building has not meant the use of the police for encroaching on regional rights by a strong central government, even if the trend in centralization appears inexorable.

There is a vast scope for the police to be seen as a benign force to all sectors of the population, without prejudice to race, rank, class or creed -- in this, perhaps, its strength lies more in quality than in quantity. The Force itself recognizes training is a continuing process imperative to the professional standards it sets itself, and accordingly
practices as best it can this priority. However, there is some evidence that discipline has declined in the Force. Beyond the temporal purview of this study, there has been some indication that there has been some interference with the integrity of command in the Force -- although this has apparently now been rectified.

No doubt an authoritative institution, the Royal Malaysia Police is an excellent insurance against internal and external threats -- in the existing circumstances -- to the regime; but in the vicissitudes from normal, "peacetime" (crime and traffic regulation) to "wartime" policing and vice versa, the former responsibility has remained its Achilles' heel, and its structure still reels from a need to consolidate in "steady growth" terms. These and the other problems we have outlined here are in need of consideration by the appropriate authorities, but it seems clear its existence as a "national" and professional law and order institution must be maintained. If the price of liberty is eternal vigilance, the role of the police in Malaysia is formative and remains imperative.
NOTES

1. Singapore was part of Malaysia from 1963 to 1965. For reasons already explained in the Preface, the organization of the RMP with regard to Singapore's police in that brief period is excluded from this study.


3. Now called the PTD (Perkhidmatan Tadbir dan Diplomatik) or ADS (Administrative and Diplomatic Service). The "MCS" acronym, however, still retains its popularity and remains a household word.

4. For a detailed discussion of these roles and army/police developments, see Zakaria Haji Ahmad, "The Bayonet and the Truncheon: Army/Police Relations in Malaysia," Journal of Asian Affairs, Fall, 1977.


6. However, in the official report on the 1969 racial riots in Kuala Lumpur, one of the reasons leading to already tense racial tensions was a non-Malay demonstration which included a call for the ouster of all Malay police. Malaysia National Operations Council, The May 13 Tragedy: A Report (Kuala Lumpur: Government Printer, 1969). See also Felix V. Gagliano, Communal Violence in Malaysia 1969: The Political Aftermath (Athens, Ohio: Ohio University Center for International Studies, Southeast Asia Series No. 13, 1970). Since the non-Malay demonstration (described above) was organized by political parties outside of the Alliance formula, the assertion that the police is regarded "out of their domain" in the text applies to the ruling elites of the MCA and the MIC. Given the compromises and bargains worked out between the latter two parties with the dominant partner of the Alliance, the UMNO, this assertion is very probable.


12. Chapters III and IV.

13. See Chapter V.


15. The corollary of this is that if there is resistance and/or violence to the efforts at centralization of national authority, then the police acquires a significant political role. Bayley, op. cit., p. 361, ff.


17. Royal Malaysia Police, A Report of a Study to Reorganize the States of Malaya Component of the Royal Malaysia Police into Four Regional Police Components, IG (SR) 156/34.

18. Bayley, op. cit., has hypothesized that "the greater the scope of police operations, the more bureaucratic police accountability."

19. For an account of such problems between CPOs and Federal Headquarters and also schisms between the Director of Operations and the Police Commissioner in the early years of the Malayan Emergency, see A. Short, The Communist Insurrection in Malaya 1948-60 (New York: Crane, Russak, 1975), passim.


21. The present Sabah CP is considered "no-nonsense and above politics," as contrasted to his earlier predecessors. In the 1976 elections, federal police (PFF) units were used to oversee the political situation. See R.O. Tilman and J.H. Tilman, "Malaysia and Singapore 1976: A Year of Challenge, A Year of Change," Asian Survey, XVII:2 (February, 1977), p. 145.

23. This is not to say the police are neglecting their primary task of crime prevention and detection. As discussed infra, the police are overburdened with conflicting task demands and their attention to national security has sometimes resulted in a lowered capacity for normal (crime) law enforcement. There appears to be some public dissatisfaction with the efficiency of the police in this regard, as expressed by none other than Malaysia's elder statesman, the Tunku, in his "As I See It" column in The Star [Tunku Abdul Rahman, "Urgent Need for Reappraisal of the Police Force," The Star, February 2, 1976].


28. In pre-1917 Russia, a strong sense of nationalism may have been provoked, inter alia, by Tsarist repressive policies through the use of the secret police. Adam Ulam, The Bolsheviks (New York: Collier Books, 1965), pp. 21-95. Other examples abound with regard to this fact. However, it is not suggested here that the police be used as a repressive instrument so as to encourage nationalism.


34. Ibid., p. 56.

35. According to an anthropologist working in Sarawak, Ms. Christina Padoch.


37. Chapter V.

38. Even the famed London Metropolitan police is not immune from this problem. See *New Straits Times*, March 1, 1976.

39. An improved pay scale was implemented in 1976.

40. I am presently researching on the "effects" of Malaysian police corruption.


44. Bayley, *The Police...In India*, op. cit., p. 11.

45. *New Straits Times*, June 24, 1976. The case involved a writ of summons issued against one Hasnul Abdul Hadi [national deputy chairman of the Partai Sosialis Rakyat] for contravening one of the conditions of a licence issued to him under the Police Act for a public rally. He was alleged to have allowed one Kamaruzaman Yacob to speak at the rally at Bukit Duyong, Malacca, on August 12, 1974, when his name was not included on the list of speakers approved by the OCPD of Melaka Tengah. Defense argued that this restriction by the police was contrary
to Article 10 of the Constitution. The case has been referred to the High Court.

46. This is the way Tilman describes the MCS. Bureaucratic Transition in Malaya (Durham: Duke University Press, 1964), p. 129.


48. J. LaPalombara, Alternative Strategies for Developing Administrative Capabilities in Emerging Nations (Bloomington, Indiana: Indiana University Press, 1966). According to this excellent article, "optimal administrative capacity is likely to be associated with a pluralistic rather than a monistic arrangement." This source was obtained, and is also germane to the discussion of Malaysian centralized structures, from R.S. Milne, "Political Modernization in Malaysia," Journal of Commonwealth Political Studies, VII:1 (March, 1969), pp. 3-20.

49. When the police supply function was "taken over" by the MCS in 1969 but retained in the Home Ministry of which portfolio the RMP falls into, the police were rather "unhappy" as they felt they knew best what they needed. At the time of writing, this writer understands the police have once again secured this function.

50. This is an interesting issue which merits systematic study. A product of British practice, first-time offenders are given "heavy" sentences in Malaysia. Wilson, op. cit., has argued that the US should adopt the British system, as it apparently reduces recidivism.


APPENDIX A

List of Persons Interviewed in Malaysia, the United Kingdom, Hong Kong, Bangkok, and the U.S.A.

YTM Tunku Abdul Rahman
Former Prime Minister, Malaysia

YB Tan Sri Abdul Kadir Yusof
Attorney-General, Malaysia

YB Tan Sri M. Haniff Omar
Inspector-General, Royal Malaysia Police

YB Tan Sri Mahmood Yunus
Deputy Inspector-General, Royal Malaysia Police

YB Tan Sri M. Ariff Darus
Police Force Commission, Malaysia

YB Tan Sri Sir Claude Fenner
Previous Inspector-General, Royal Malaysia Police

J. Ritchie

K. Sockalingam

N. Nadarajah

Datuk Bashah Talib

Datuk Mahbob B. Datuk Ahmad

Sher Mohd

J. J. Raj Sr.

J. J. Raj Jr.

I. M. Yusof Khan

Abdul Kudus Alias

Burhan Kuntom
H. R. Middleton, MBE
Datuk Ng Khin Yee
Dato' Albert Mah
Datuk Hamdan Sirat
Zamani Abu Samah
Sulaiman Hassan
William Chapman

Commandant and Officers
Royal Malaysia Police College
Kula Kubu Baru

J. B. Atkinson, CBE
Formerly Commissioner
North Borneo Police Force

Dick Robertson

Gerry Stephenson

Patrick Morrah
Formerly Press Officer
Federation of Malaya Police Force

James MacNab

W. L. R. Carbonell
Former Commissioner of Police
Federation of Malaya Police

Col. W. N. Gray
Former Commissioner of Police
Federation of Malaya Police

H. W. Strathairn

J. M. M. Maclean

Dato' R. T. M. Henry
Formerly Commissioner,
Sarawak Constabulary
Field Marshal Tun Sir Gerald Templer
High Commissioner, Malaya, 1952-54

Guy Madoc

T. Q. Gaffikin

Richard Clutterbuck
ex-British Army, Malaya

Stanley Bedlington

P. B. G. Waller, OBE

NOTE: Unless otherwise noted, all persons were or are officers of the
Royal Malaysia Police and/or its precursor organizations. For
purposes of confidentiality, some of the respective rank-
positions held or being held by various persons have not been
included.
APPENDIX "B"

ORGANIZATION OF A POLICE CONTINGENT (PERAK CONTINGENT)

Chief Police Officer

Deputy Chief Police Officer

Police Field Force

Circles and Districts

OSPC
OSPC
OSPC
OSPC
OSPC

Batu Gajah
Taiping
Tapah
Kangar
Kuala Kangsar

OCPD Ipoh
Two
Districts

OC "A"
Division

OC Traffic
Branch

OC Sub-District
Cameron Highlands

OC "B"
Division

OSPC Tapah

OSPC Slim River

OSPC Tapah

OCPD Telok Anson

Two
Districts

OCPD

OC Sub-District

OCS

Bidor

VPC Post,
Kampong
Cold
stream

Three
Police
stations

Six other
Police
stations

Contingent
Administration
Officer

Contingent
Finance "Q"
and Works
Officer

Contingent
Transport
Officer

Contingent
Signals
Officer

Office-in-
Charge
Criminal
Investigation

Head, Special
Branch

Self
Accounting
Stores Unit

Deputy OCCI

A/OCCIs

Secret
Societies
Branch

Court
Prosecuting
Officers

NOTE.—OCPDs Ipoh and Telok Anson are known as Independent OCPDs as they are responsible direct to the CPO and not to an OSPC.

Abbreviations:—

D/OCCI = Deputy Officer-in-Charge Criminal Investigation
A/OCCI = Assistant Officer-in-Charge Criminal Investigation
OSPC = Officer Superintending, Police Circle.
OCPD = Officer-in-Charge, Police District
OCS = Officer-in-Charge, Station (i.e., Police Station)
VPC = Village Police Constable.
APPENDIX C

MALAYSIA

Act of Parliament
No. 41 of 1967
POLICE ACT, 1967

ARRANGEMENT OF SECTIONS

Part I
Preliminary

Section

1. Short title, application and commencement.

Part II
Interpretation

2. Interpretation.

Part III
The Royal Malaysia Police

4. Control of the Force.
5. Appointment of Inspector-General, etc.
6. Control of Royal Malaysia Police in a State, etc.

Part IV
Extra Police Officers and Watch Constables

8. Extra police officers.
9. Watch constables.
Part V  
Service Outside the Federation and Service of Police of Other Territories in the Federation

10. The Yang di-Pertuan Agong may direct the Royal Malaysia Police to serve outside Malaysia.
11. Officers serving outside Malaysia shall be subject to this Act.

Part VI  
Appointment, Engagement, Service and Discharge

13. Declaration by police officer on appointment.
15. Retirement or resignation in time of war or emergency.
16. Resignation while pending disciplinary proceedings.
17. Arms, accoutrements, etc., to be delivered up on ceasing to belong to the Force.
18. Police officers subject to provisions applicable to public officers.

Part VII  
Duties and Powers of Police Officers

19. Police officers to be deemed on duty.
20. General duties of police officers.
22. Unclaimed property.
23. Unclaimed estates.
24. Power of police officers to inspect licences, vehicles, etc.
25. Power to detain and search aircraft.
26. Power to erect road barriers.
27. Power to regulate assemblies, meetings and processions.
28. Power to regulate the playing of music in public places.
29. Power to make rules and orders for the control of traffic.
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MALAYSIA
Act of Parliament
No. 41 of 1967
POLICE ACT, 1967
An Act to consolidate and amend the law relating to the organisation, discipline, powers and duties of the Royal Malaysia Police and to provide for matters incidental thereto.

[*29th August, 1967]*

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

Part I
PRELIMINARY

1. (1) This Act may be cited as the Police Act, 1967, and shall apply throughout the Federation.

(2) This Act shall come into force on such date as the Minister may by notification in the *Gazette* appoint, such date not being earlier than that on which the notification is published.

Part II
INTERPRETATION

2. In this Act unless the context otherwise requires --

"ammunition" means ammunition for any arm, and includes grenades, bombs and other like missiles, whether capable of use with arms or not, and any ammunition containing, or designed or adapted to contain, any noxious liquid, gas or other thing;

"arms" includes ammunition;

"Chief Police Officer" means any police officer vested by the Inspector-General with the control of the Royal Malaysia Police in respect of any area or State under section 6 and designated as such by the Inspector-General;
"Commanding Officer" means any police officer vested by the Inspector-General with the control of the Royal Malaysia Police in respect of any State, area, place, formation or police district under section 6 and designated as such by the Inspector-General;

"Commissioner" means a Commissioner of Police appointed under section 5;
"constable" means a police officer below the rank of Corporal and includes a Recruit;

"Deputy Inspector-General" means the Deputy Inspector-General of Police appointed under section 5;

"Inspector-General" means the Inspector-General of Police appointed under section 5;

"junior police officer" means a police officer of any rank from and including a Sub-Inspector down to and including a Corporal;

"Minister" means the Minister charged with the responsibility for the police;

"police district" or "police division" means any area designated as such by the Inspector-General under section 6 (b) and unless and until areas are so designated, means any area constituted or recognised as a police district or police division at the commencement of this Act;

"police officer" means any member of the Royal Malaysia Police;

"senior police officer" means a police officer of any rank from and including the Inspector-General down to and including an Inspector on probation.

Part III
THE ROYAL MALAYSIA POLICE

3. (1) All persons who are immediately before the commencement of this Act members of the Royal Malaysia Police established under the Royal Malaysia Police Act, 1963, shall upon the commencement of this Act become members of the Royal Malaysia Police under this Act (hereinafter referred to as "the Force") with corresponding ranks and in corresponding capacities.

(2) Every person aforesaid shall be employed on the same terms and conditions as were applicable to them immediately before the commencement of this Act.

(3) The Force shall subject to the provisions of this Act be employed in and throughout the Federation (including the territorial waters thereof)
for the maintenance of law and order, the preservation of the peace and
security of the Federation, the prevention and detection of crime, the
apprehension and prosecution of offenders and the collection of security
intelligence.

4. (1) The Force shall be under the command of an Inspector-General who
shall be a police officer and shall be responsible to the Minister for the
control and direction of the Force and all other persons appointed or engaged
for police duties, and who shall have all the powers conferred on a
Commissioner or a Chief Police Officer.

(2) There shall be appointed a Deputy Inspector-General who shall be
a police officer and shall be under the direction of the Inspector-General.

(3) The Deputy Inspector-General shall have all the powers conferred
on a Commissioner or a Chief Police Officer.

(4) Any act or thing which may be done, ordered or performed by the
Inspector-General under this or any other law may subject to his orders
and direction, be done, ordered or performed by the Deputy Inspector-
General, a Commissioner, a Deputy Commissioner, a Senior Assistant
Commissioner, or an Assistant Commissioner generally or specially authorised
in that behalf by the Inspector-General; and in the event of his absence
from Malaysia or in his incapacity or when he is on leave, his functions
under this or any other law may be discharged by the Deputy Inspector-
General or such other police officer not below the rank of Commissioner
as may be authorised by the Yang di-Pertuan Agong.

5. (1) There shall be appointed an Inspector-General, a Deputy Inspector-
General and such Commissioners and Deputy Commissioners and such senior
police officers and junior police officers and constables as may be deemed
necessary for the purpose of carrying out the provisions of this Act.

(2) The ranks of Senior Police Officers and Junior Police Officers are
set out in the First Schedule.

6. The members of the Force shall in relation to --

(a) any area or State as the Minister may determine, be controlled
    by a Commissioner or Chief Police Officer; and

(b) any formation, police district or police division or area
    thereof or any place, be controlled by such police officer
    as the Inspector-General may specify either by name or
    office.

7. (1) The Yang di-Pertuan Agong may, in time of war or other emergency,
employ the Force or any part thereof to serve in conjunction with the Armed
Forces of the Federation or any Local Forces established under any law
or otherwise in the defence of the Federation:

Provided that any part of the Force so employed shall continue to be under the command of the Inspector-General or such other police officer as may have been appointed for the purpose.

(2) For the purpose of this section the expression "the Force" includes all bodies established or raised for police duties under the provisions of this Act.

Part IV

EXTRA POLICE OFFICERS AND WATCH CONSTABLES

8. (1) A Commissioner or Chief Police Officer may, with the approval of the Inspector-General employ persons to serve temporarily as extra police officers of or below the rank of Sergeant Major.

(2) An extra police officer shall be deemed to be under engagement to serve from month to month, every such engagement being held to commence on the first and to be terminable on the last day of each successive month.

(3) An extra police officer may be discharged or may resign on being given or giving, by or to the Commissioner or Chief Police Officer one month's notice in writing.

(4) An extra police officer shall have and may exercise all the powers and privileges of, and shall be subject to the same authority and discipline as, a member of the Force of corresponding rank, and shall obey all lawful directions in respect of the execution of his duties which he may from time to time receive from his superior officers.

9. (1) A Commissioner or Chief Police Officer may, with the approval of the Inspector-General, on the application of any person (hereinafter in this section referred to as "the applicant") for a constable to be employed on special duties, engage any suitable person as a watch constable for the purposes of such special duties only. Such watch constable shall be employed at the expense of the applicant, who shall provide such accommodation and sustenance for such watch constable as the Commissioner or Chief Police Officer may require, and may also be required to pay for any uniform supplied to such watch constable or such proportion thereof as the Commissioner or Chief Police Officer may determine:

Provided that the applicant may, on giving one month's notice to the Commissioner or Chief Police Officer, require that such watch constable be withdrawn from such special duties, and, in such case, such applicant shall not be liable for any expense in connection with the employment of such watch constable incurred after the last day of the month following that in which the notice is given.
(2) Any amount due from an applicant under the provisions of this section may be recovered by the Commissioner or Chief Police Officer as a debt, and, when received, shall be paid into the general revenues of the Federation.

(3) A watch constable shall have and may exercise all the powers and privileges of, and shall be subject to the same authority and discipline as, a constable of the Force.

Part V

SERVICE OUTSIDE THE FEDERATION AND SERVICE OF POLICE OF OTHER TERRITORIES IN THE FEDERATION

10. (1) The Yang di-Pertuan Agong may, on a request in that behalf being made by a Government of a territory outside the Federation, by order direct such part of the Royal Malaysia Police as to him seems expedient to carry out police duties in such territory and he shall in such order specify the purposes for which such direction is made.

(2) No order under this section shall be made unless the Yang di-Pertuan Agong is satisfied that adequate provisions have been or will immediately be made in the law of that territory aforesaid --

(a) for enforcing in that territory any contract of service entered into between members of the Royal Malaysia Police and the Government of the Federation;

(b) for giving police officers of the Royal Malaysia Police serving in that territory under this section the powers and duties of police officers in that territory; and

(c) to ensure that there is accorded to the Government of the Federation a reciprocal treatment.

(3) Subject to the provisions of sub-section (2), no police officer shall be sent outside the Federation under the provisions of this Part unless the Minister is satisfied that appropriate arrangements have been made for the service of police officers of the Federation with the authorities of the territory aforesaid.

11. All police officers serving in a territory outside the Federation pursuant to sub-section (1) of section 10 shall be subject to the provisions of this Act.

12. (1) Whenever at the request of the Government of the Federation and in pursuance of an order made by the Government of another territory members of the police force of that territory are sent to the Federation to carry out police duties in the Federation, such members shall subject to sub-section
(3) be under the orders of their own senior officers present with them and shall be subject to the same regulations as when on service in such territory.

(2) Whenever any member of the police force of another territory is, pursuant to sub-section (1), present in the Federation any contract of service made between any member of such body and the Government of such territory may be enforced in the Federation in the same manner and with the like effect as if such contract had been made between such member and the Government of the Federation.

(3) Any member of the police force of another territory present in the Federation as aforesaid shall have and may exercise the powers, and shall be liable to perform the duties, of a police officer of the Force; and such member of the police force of such territory shall be subject to the overall control of a senior police officer of the Force.

Part VI
APPOINTMENT, SERVICE, ETC.

13. Every police officer and extra police officer shall, on first joining the Force or before entering on the duties of his office, make before a senior police officer of or above the rank of Superintendent the declaration set out in the Second Schedule in such manner as he may declare to be most binding on his conscience.

14. A certificate of appointment, in such form as may be prescribed by Police Regulations, signed by a Commanding Officer or a senior police officer, extra police officer and watch constable and shall be evidence of his appointment under this Act.

15. No police officer may retire or resign from the Force during war or whilst a Proclamation of Emergency is in force:

Provided that a police officer may be retired or allowed to resign if so recommended by the Inspector-General.

16. Notwithstanding the provisions of section 15, no police officer shall, without the permission in writing of the Inspector-General, resign from the Force during the pendency of any disciplinary proceedings or prosecution instituted against him in respect of any offence of which he may be accused.

17. (1) When a police officer ceases to be a member of the Force he shall forthwith deliver to the person appointed by the Inspector-General for that purpose, or to the police officer in charge of any part of the Force at the place at which he was last stationed, his certificate of appointment and all arms, ammunition, accoutrements, uniform and other equipment which have been supplied to him and which are public property:

Provided that the Inspector-General may, subject to any Rules made under
this Act, in special cases authorise the retention of specific articles, other than arms and ammunition, on such conditions as may be prescribed by Standing Orders.

(2) Any police officer who having ceased to be a member of the Force, without good cause fails to comply with the provisions of sub-section (1) shall be guilty of an offence and shall be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment, and, in addition thereto, shall be liable to pay the value of the property not delivered up, and such value may be ascertained by the court in a summary manner and shall be recoverable as a fine.

(3) In sections 15 and 16 and this section the expression "police officer" includes all persons appointed or engaged for police duties under the provisions of this Act; and the expression "the Force" includes all bodies established or raised for police duties under the provisions of this Act.

18. Save as otherwise provided in this Act and in the Rules and Police Regulations made thereunder, every police officer shall unless expressly excluded be subject to the same provisions as are applicable to other public officers of corresponding status in the service of the Government of the Federation.

Part VII
DUTIES AND POWERS OF POLICE OFFICERS

19. Every police officer, extra police officer and watch constable shall, for the purposes of this Act, be deemed to be always on duty when required to act as such and shall perform the duties and exercise the powers granted to him under this Act or any other law at any place in the Federation where he may be doing duty.

20. (1) Every police officer shall perform such duties and exercise such powers as are by law imposed or conferred upon a police officer, and shall obey all lawful directions in respect of the execution of his office which he may from time to time receive from his superior officers in the Force.

(2) Where any duty, power or discretion is imposed or conferred by or under this Act or any other law on a police officer of any specified rank or holding any specified office, such police officer shall, in the performance of such duty or the exercise of such power or discretion, be subject to the orders and directions of any police officer to whom he is directly subordinate, and any such last mentioned police officer, if the occasion arises and he deems it expedient so to do, shall himself perform any such duty or exercise any such power or discretion.

(3) Without prejudice to the generality of the foregoing provisions or the provisions of any other law, it shall be the duty of a police officer
to carry out the purposes mentioned in sub-section (3) of section 3; and he may take such lawful measures and do such lawful acts as may be necessary in connection therewith, including --

(a) apprehending all persons whom he is by law authorised to apprehend;

(b) processing security intelligence;

(c) conducting prosecutions;

(d) giving assistance in the carrying out of the provisions of any law relating to revenue, excise, sanitation, quarantine, immigration and registration;

(e) giving assistance in the preservation of order in the ports, harbours and airports of the Federation, and in enforcing maritime and port regulations;

(f) executing summonses, subpoenas, warrants, commitments and other process lawfully issued by any competent authority;

(g) exhibiting information;

(h) protecting unclaimed and lost property and finding the owners thereof;

(i) seizing stray animals and placing them in a public pound;

(j) giving assistance in the protection of life and property;

(k) protecting public property from loss or injury;

(l) attending the criminal courts and, if specially ordered, the civil courts, and keeping order therein; and

(m) escorting and guarding prisoners and other persons in the custody of the police.

(4) A police officer shall when performing the duties mentioned in paragraph (m) of sub-section (3) be deemed to be a prison officer, and shall have all the powers, protection and privileges attaching to a prison officer.

21. (1) It shall be the duty of police officers --

(a) to regulate, control and divert any traffic;

(b) to keep order on public roads, streets, thoroughfares and landing places, and at other places of public resort and places to which the public have access; and
(c) to prevent obstruction on the occasions of assemblies and processes on public roads and streets, and in any case, when any road, street, thoroughfare, landing place or ferry may be thronged or liable to be obstructed.

(2) Any person who obstructs, opposed or disobeys any reasonable direction given by any police officer in the performance of his duties under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(3) Any person who commits an offence under this section may be arrested without warrant unless he gives his name and address and otherwise satisfies the police officer that he will duly answer any summons or other proceedings that may be taken against him.

22. (1) Subject to sub-section (2), it shall be the duty of every police officer to take charge of unclaimed movable property which is handed by any person to, or found by, him; and he shall deliver such property to the officer in charge of the nearest police station, who shall cause to be posted in some conspicuous place at the police station a notice specifying such property and calling upon any person who may have any claim thereto within two months from the date of such notice to appear and establish his claim.

(2) If the property aforesaid is of a perishable nature the officer in charge may cause it to be sold forthwith and shall forward to the Officer in Charge of the Police District the proceeds of such sale; and such proceeds shall, after the deduction of any expenses reasonably incurred, be paid to the person who within the period specified in sub-section (1) establishes his claim thereto.

(3) Any property aforesaid which is not claimed within the period specified in sub-section (1) may be sold or otherwise disposed of or destroyed in such manner as the Commanding Officer may direct; and the proceeds of any sale of such property shall, after the deduction of any expenses reasonably incurred in such sale, be apportioned in the following manner --

(a) such proportion as the Commanding Officer may direct may be paid to the finder of the property;

(b) the first fifty dollars of the balance, if any, shall be paid into the Police Fund established under Part XIII and the remainder shall be paid into the general revenues of the Federation.

(4) No police officer or extra police officer shall purchase any property sold under this section; and any police officer or extra police officer who contravenes the provision of this sub-section shall be guilty of an offence against discipline.
23. (1) Whenever any person dies leaving in the Federation movable property which by reason of the absence of any person entitled thereto or the absence of any claim to such property for the purpose of administration, is taken charge of by a police officer for the purpose of safe custody, the Commanding Officer shall forthwith notify the Official Administrator, Probate Officer or Administrator in the State wherein the property is situated that it is in his charge; and pending the directions of the Official Administrator, Probate Officer or Administrator, the Commanding Officer shall retain the property in safe custody.

(2) In the case of property which is of a perishable nature or likely to deteriorate in value, a Commanding Officer or any officer authorised by him in writing may order it to be sold and the proceeds of such sale shall be handed to the Official Administrator, Probate Officer or Administrator.

24. (1) Any police officer may --

(a) stop and detain any person --

(i) whom he sees doing any act or who is in possession of any thing; or

(ii) whom he has reasonable grounds for suspecting is doing any act or is in possession of any thing;

for which a licence, permit or authority is required under the provisions of any law in force, for the purpose of requiring such person to produce such licence, permit or authority;

(b) stop and search without warrant any vehicle or vessel which he has reasonable grounds for suspecting is being used in the commission of any offence against any law in force:

Provided that such vehicle or vessel shall not, subject to the provisions of sub-section (4), be detained longer than is reasonably necessary to complete such search.

(2) Any person who fails to produce a licence, permit or authority under sub-section (1) (a) when called upon by a police officer so to do may be arrested without warrant unless he gives his name and address and otherwise satisfies the police officer that he will duly answer any summons or other proceedings that may be taken against him.

(3) Any person who fails to obey any reasonable signal of a police officer, requiring any person to stop any vehicle or vessel under the provisions of sub-section (1) or who obstructs any police officer in the execution of his duty being exercised under the provisions of that sub-section, shall be guilty of an offence under this Act, and any police officer may, without warrant, arrest any such person unless he gives his name and address and otherwise satisfies the police officer that he will
duly answer any summons or other proceedings that may be taken against him.

(4) Any police officer may cause any vehicle or vessel, which he has reasonable grounds to suspect has been used in the commission of an offence against any law in force or to be evidence of the commission of any such offence, to be moved to the nearest Police District headquarters or other convenient place, and the Officer in Charge of such Police District may thereupon cause such vehicle or vessel there to be detained, pending enquiries, for a period not exceeding forty-eight hours, or if, within that period, there are commenced proceedings in respect of any such offence in which the vehicle or vessel is liable to forfeiture under any law or may properly be produced in evidence, until the final determination of those proceedings:

Provided that the Officer in Charge of such Police District may, notwithstanding the provisions of this sub-section, direct the release of any such vehicle or vessel where he is satisfied that the owner or person in charge of such vehicle or vessel will duly produce such vehicle or vessel before the court when required, and for such purpose may require such owner or person to execute such bond or deposit such security as he may deem reasonable.

25. (1) Subject to sub-section (2), any senior police officer may at any aerodrome or at any other place in the Federation detain and without warrant search any aircraft (not being an aircraft belonging to, or exclusively employed in the service of, the Government or of any foreign State); and in relation to any such aircraft which is in motion at any aerodrome or at any other place in, or is in flight over, the Federation, a senior police officer may, subject as aforesaid, order such aircraft to stop or to land at any aerodrome or other place specified by him.

(2) The power conferred on a senior police officer under sub-section (1) shall not be exercised by him except --

(a) where he has reasonable grounds to believe that the aircraft mentioned in that sub-section is being or has been used in the commission of a seizable offence; or

(b) for the purpose of arresting any person reasonably suspected of having committed a seizable offence.

(3) Any order to stop or to land given under subsection (1) shall be transmitted to an aircraft by the officer for the time being in charge of air traffic control; but no aircraft shall be ordered to land at any aerodrome or at any other place which, in the opinion of the officer for the time being in charge of air traffic control, is unsafe for use by such aircraft.
(4) The provisions of section 24 relating to the moving, detention and release of any vehicle and vessel detained under that section shall apply to an aircraft detained under this section as if references therein --

(a) to any police officer shall be construed as references to a senior police officer;

(b) to the nearest Police District headquarters or to any Officer in Charge of such Police District were construed as references to the nearest aerodrome and to the Officer in Charge of the Police District in which such aerodrome is situated.

(5) Any person who fails without reasonable cause to comply with an order given under sub-section (1) shall be guilty of an offence under this Act.

26. (1) Notwithstanding anything contained in any other law, any senior police officer may, if he considers it necessary so to do for the maintenance and preservation of law and order or for the prevention or detection of crime, erect or place or cause to be erected or placed any barriers on or across any public road or street or in any public place in such manner as he may think fit; and any police officer may take all reasonable steps to prevent any person from passing or any vehicle from being driven past any such barrier.

(2) Any person who fails to comply with any reasonable signal of a police officer requiring such person or vehicle to stop before reaching such barrier shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding twelve months or to a fine not exceeding one thousand dollars or to both such fine and imprisonment; and any police officer may, without warrant, arrest such person unless he gives his name and address and otherwise satisfies the police officer that he will duly answer any summons or other proceedings that may be taken against him.

(3) No police officer shall be liable for any loss, injury or damage caused to any person or property consequent upon his taking the steps mentioned in sub-section (1).

27. (1) Any Officer in Charge of a Police District or any senior police officer duly authorised in writing by him may direct, in such manner as he may deem fit, the conduct in public places in such Police District of all assemblies, meetings and processions, whether of persons or of vehicles and may prescribe the route by, and the time at, which such assemblies or meetings may be held or such procession may pass.

(2) Any person intending to convene or collect any assembly or meeting or to form a procession in any public place aforesaid, shall before convening, collecting or forming such assembly, meeting or procession make to the Officer-in-Charge of the Police District in which such assembly, meeting or procession is to be held an application for a licence in that behalf,
and if such police officer is satisfied that the assembly, meeting or procession is not likely to be prejudicial to the interest of the security of the Federation or any part thereof or to excite a disturbance of the peace, he shall issue a licence in such form as may be prescribed specifying the name of the licensee and defining the conditions upon which such assembly, meeting or procession is permitted:

Provided that such police officer may at any time on any ground for which the issue of a licence under this sub-section may be refused, cancel such licence.

(3) Any police officer may stop any assembly, meeting or procession in respect of which a licence has not been issued or having been issued was subsequently cancelled under sub-section (2) or which contravenes any of the conditions of any licence issued in respect thereof under that sub-section; and any such police officer may order the persons comprising such assembly, meeting or procession to disperse.

(4) Any person who --

(a) disobeys any order given under the provisions of sub-section (1) or sub-section (3); or

(b) contravenes any condition of a licence issued under the provisions of sub-section (2),

shall be guilty of an offence.

(5) Any assembly, meeting or procession --

(a) which takes place without a licence issued under the provisions of sub-section (2); or

(b) in which three or more persons taking part neglect or refuse to obey any order given under the provisions of sub-section (1) or sub-section (3),

shall be deemed to be an unlawful assembly, and all persons taking part in such assembly, meeting or procession and, in the case of an assembly, meeting or procession for which no licence has been issued, all persons taking part in convening, collecting or directing such assembly, meeting or procession, shall be guilty of an offence.

(6) Any police officer may, without warrant, arrest any person reasonably suspected of committing any offence under this section.

(7) Any person aggrieved by the refusal of the Officer-in-Charge of a Police District to issue a licence under sub-section (2) may within forty-eight hours of such refusal appeal in writing to the Commissioner or Chief
Police Officer; and the decision of the said Commissioner or Chief Police Officer thereon shall be final.

(8) Any person who is guilty of an offence under this section shall be liable on conviction to a fine not exceeding five hundred dollars or imprisonment for a term not exceeding six months or to both such fine and imprisonment.

28. Any Officer-in-Charge of a Police District or a senior police officer in that District may, in such manner as he may deem fit, regulate the extent to which musical instruments may be played in public places in such Police District.

29. (1) A Commissioner or a Chief Police Officer may in respect of a State, with the approval of the Mentri Besar or the Chief Minister of that State, as the case may be, make rules for --

(a) keeping order and preventing obstruction or inconvenience on public roads, streets, thoroughfares, landing places and ferries and at public places and at places of public resort (whether such places are on State land or otherwise);

(b) prohibiting the use of specified public roads, streets, thoroughfares, landing places and ferries either absolutely or conditionally.

(2) A Commissioner or a Chief Police Officer may make orders prescribing the routes by which vehicles shall, for the purpose of setting down and taking up persons, drive up to and leave any landing place, ferry or place of assembly or of public resort, and the places where and the order in which such vehicles shall wait for the purposes aforesaid:

Provided that no order for the parking of vehicles upon land in private ownership under this sub-section shall be made except with the consent of the owner or occupier of such land.

(3) There may be annexed to the breach of any of the rules or orders aforesaid a penalty not exceeding two hundred dollars.

30. (1) A Commissioner or a Chief Police Officer may, with the approval of the Minister, by order, generally or in respect of specified times or places or in specified circumstances, prohibit in the State --

(a) the flying, exhibition or display of any flag, banner, emblem or placard or other devices;

(b) the use of any loud speakers, amplifiers or other appliances; in a manner likely to excite a disturbance of the peace; and any police officer
may remove any flag, banner, emblem, placard or other device or any loud
speaker, amplifier, or other appliance flying, exhibited, displayed or used
in contravention of the said order or in circumstances likely to excite
a disturbance of the peace.

(2) Any person who contravenes an order made under sub-section (1) shall
be guilty of an offence under this Act.

31. (1) A Commissioner or a Chief Police Officer may, if he considers it
necessary in the interest of the security of the Federation or any part
thereof or public order, by order require, subject to such conditions or
exemptions as he may deem expedient, every person within such area of his
jurisdiction as may be prescribed in the order to remain within doors
between such hours as may be specified therein; and the Commissioner or
the Chief Police Officer shall in such manner as he deems fit bring or
cause to be brought to the notice of all persons likely to be affected
thereby the contents of such order.

(2) A person remaining out of doors during the hours specified in the
order shall be guilty of an offence under this Act unless such person
possesses a written permit in that behalf from --

(a) the Commissioner or the Chief Police Officer aforesaid;

(b) a police officer not below the rank of Sub-Inspector directly
under the command of the Commissioner or the Chief Police
Officer aforesaid; or

(c) a public officer authorised in writing by the Commissioner or
the Chief Police Officer aforesaid to issue such written
permits.

(3) No order under sub-section (1) shall apply to --

(a) the Yang di-Pertuan Agong, a Ruler, a Yang di-Pertua Negara or a
Governor;

(b) any police officer or any member of any naval, military or air
forces established or serving in the Federation when on duty;
or

(c) any person or class of persons specified in the order as being
persons exempted from the provisions of the order.

(4) No order made under the provisions of sub-section (1) shall remain
in force for more than twenty-four hours from the making thereof:

Provided that the Minister may, on or before the expiration of any
such order, direct that order shall continue in force for such further period
not exceeding fourteen days as he may specify and, upon the making of any such direction, the order shall continue in force for such further period.

(5) The provisions of sub-section (1) relating to the giving of notice of the contents of an order made under that sub-section shall apply to a direction of the Minister made under sub-section (4).

32. (1) Where the defence to any suit instituted against police officer, an extra police officer, volunteer reserve police officer or an auxiliary police officer is that the act complained of was done in obedience to a warrant purporting to be issued by any competent authority, the court shall, upon production of the warrant containing the signature of such authority and upon proof that the act complained of was done in obedience to such warrant, enter judgment in favour of such police officer, extra police officer, volunteer reserve police officer or auxiliary police officer.

(2) No proof of the signature of such authority shall be required unless the court has reason to doubt the genuineness thereof; and where it is proved that such signature is not genuine, judgment shall nevertheless be given in favour of such police officer or extra police officer if it is proved that, at the time when the act complained of was committed, he believed on reasonable grounds that such signature was genuine.

33. (1) Subject to the provisions of sub-section (2) --

(a) the pay and allowances of a junior police officer or constable shall not be assignable or transferable or liable to be attached, sequestered or levied upon for, or in respect of, any debt or claim whatsoever;

(b) no junior police officer or constable shall be liable to be imprisoned under an order of any court by reason of non-payment of any debt which he may have incurred or for which he may become liable.

(2) The provisions of sub-section (1) shall not apply to --

(a) a debt due to any Government in the Federation;

(b) a fine imposed under any law;

(c) an order for the payment of dowry, alimony or maintenance made under any law.

(3) The pay and allowances of a junior police officer or constable shall not pass to the Official Assignee on the bankruptcy of such police officer nor shall they form part of his estate for the purposes of any law in force in the Federation relating to bankruptcy.
Part VIII
ROYAL MALAYSIA POLICE VOLUNTEER RESERVE

34. (1) There shall be established in and for the Federation a body to be known as the Royal Malaysia Police Volunteer Reserve (hereinafter referred to as "the Volunteer Reserve") which shall consist of such number of senior volunteer reserve police officers, junior volunteer reserve police officers and volunteer reserve constables as the Yang di-Pertuan Agong may from time to time sanction.

(2) For the purpose of this Part the expression "volunteer reserve police officer" means any member of the Volunteer Reserve.

35. Any person (not being a member of the Armed Forces of the Federation or any Force established under any written law) not below the age of eighteen or over the age of fifty years, and is in possession of such qualifications as may be prescribed may volunteer and be accepted for appointment in the Volunteer Reserve.

36. (1) Senior volunteer reserve police officers of and above the rank of Assistant Superintendent may be appointed, promoted or dismissed by the Inspector-General, with the concurrence of the Minister, on behalf of the Yang di-Pertuan Agong.

(2) Senior volunteer reserve police officers of and below the rank of Chief Inspector may be appointed, promoted or dismissed by the Inspector-General.

(3) Junior volunteer reserve police officers and volunteer reserve constables may be appointed, promoted or dismissed by a Commanding Officer.

(4) The appointment, promotion, resignation, discharge or dismissal of every senior volunteer reserve police officer of or above the rank of Assistant Superintendent shall be published in the Federal Gazette.

37. Persons appointed into the Volunteer Reserve may hold the rank of senior volunteer reserve police officers, junior volunteer reserve police officers or volunteer reserve constables, as the case may be, according to their qualifications.

38. A volunteer reserve police officer may be required to resign by the appointing authority if it appears to him that such officer is for any reason unable to discharge efficiently the duties which he is or may be called upon to perform as a member of the Volunteer Reserve.

39. Every volunteer reserve police officer shall, before assuming the duties of his office, make before a senior police officer not below the rank of Assistant Superintendent in such manner as he may declare to be most binding on his conscience the declaration set out in the Second Schedule.
40. A certificate of appointment, in such form as may be prescribed, shall be issued to every volunteer reserve police officer and shall be evidence of his appointment under this Act.

41. A volunteer reserve police officer may resign from the Volunteer Reserve by giving one month's notice in writing to a Commanding Officer:

Provided that when the Volunteer Reserve or any part thereof is mobilised, a volunteer reserve police officer shall not resign unless expressly authorised in writing so to do by a Commanding Officer.

42. (1) Subject to the provisions of sub-section (2), a volunteer reserve police officer shall serve voluntarily and shall not be entitled to claim any remuneration for his services, save for such allowances as may be prescribed.

(2) When mobilised, a volunteer reserve police officer shall receive such pay and allowances as may be prescribed for a police officer of corresponding rank and seniority in such rank.

43. (1) For any purpose connected with the peace and good order of the Federation or any part thereof the Inspector-General may, with the prior approval of the Minister, mobilise for police duties the Volunteer Reserve or any part thereof; and such mobilisation shall not cease to have effect until otherwise provided by an order made by the Inspector-General with the prior approval of the Minister.

(2) Every volunteer reserve police officer mobilised under the provisions of sub-section (1) shall assemble at such place as the Inspector-General shall direct.

(3) A volunteer reserve police officer mobilised under the provisions of sub-section (1) who without reasonable cause, the onus of proof of which shall rest with him, refuses or neglects to serve shall be guilty of an offence under this Act.

44. When the Volunteer Reserve is not mobilised, the Inspector-General may employ a volunteer reserve police officer on such police duties as he may direct.

45. A volunteer reserve police officer when performing police duties shall have the same powers and duties and the same protection and immunities and shall be subject to the same authority and discipline as a police officer of corresponding rank.

46. (1) It shall be the duty of the employer by whom any volunteer reserve police officer was employed for a period of at least three months immediately preceding the day on which such officer was mobilised under this Part to re-employ him on the completion of active service pursuant to such mobilisation including any leave earned by such service in an occupation and under
conditions not less favourable than those which would have been applicable to him had he not been mobilised.

(2) Any employer failing to re-employ any volunteer reserve police officer under sub-section (1) shall be guilty of an offence and shall subject as hereinafter provided, be liable on conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment:

Provided that in any proceeding under this sub-section it shall be a defence for the employer to show that the volunteer reserve police officer formerly employed by him did not, before the expiration of one month after completion of active service, apply to the employer for re-employment or that, having been offered re-employment by him, such officer failed without reasonable excuse to present himself for employment at the time and place notified to him by the employer, or that by reason of a change of circumstances (other than the engagement of some other person to replace him) --

(a) it is not practicable to re-employ him; or

(b) his re-employment in an occupation and under conditions not less favourable to him than those which would have been applicable to him had he not been mobilised is impracticable, and that the employer has offered to re-employ him in the most favourable occupation and under the most favourable conditions reasonably practicable under the circumstances.

Part IX
AUXILIARY POLICE

47. (1) The Inspector-General may, with the concurrence of the Minister, appoint or promote any person to serve in the Auxiliary Police as a senior auxiliary police officer with the honorary rank of Superintendent, Deputy Superintendent, Assistant Superintendent or Inspector, and may prescribe the area in which he shall serve.

(2) A Commanding Officer or any police officer authorised by him in that behalf, may, with or without written engagement, appoint or promote any person to serve in the Auxiliary Police as a junior auxiliary police officer with the honorary rank of sub-inspector, sergeant-major, sergeant or corporal or as an auxiliary police constable, and may prescribe the area in which he shall serve.

(3) For the purpose of this Part the expression "auxiliary police officer" means any member of the Auxiliary Police.
48. Every auxiliary police officer shall, before entering on the duties of his office, make before a senior police officer not below the rank of Assistant Superintendent the declaration set out in the Second Schedule to this Act in such manner as he may declare to be most binding on his conscience.

49. A certificate of appointment in such form as may be prescribed by Police Regulations, signed by a senior police officer not below the rank of Assistant Superintendent authorised in that behalf by a Commanding Officer, shall be issued to every auxiliary police officer and shall be evidence of his appointment under this Act.

50. The Yang di-Pertuan Agong may by rules or regulations prescribe the duties, powers and privileges of an auxiliary police officer and the area within which such duties, powers and privileges may be exercised or enjoyed by such officer.

51. (1) There shall be established a Royal Malaysia Police Reserve (hereinafter referred to as "the Reserve").

(2) The Reserve shall consist of such police officers who become members of the Reserve under the provisions of this Part.

52. (1) Every retired Police officer shall be a member of the Reserve if he is appointed as a police officer on or after the coming into force of the Act and he is a citizen at the time of his retirement.

(2) This section shall not apply to any police officer who has been retired on grounds of ill health or physical or other disability.

53. (1) Notwithstanding section 52 a police officer who is not liable to serve in the Reserve on the grounds that his appointment to the Force was before the date referred to in that section may be enrolled as a member of the Reserve:

Provided that no police officer shall be enrolled as a member of the Reserve if he has been on retirement for a period of ten years or has attained the age of five years greater than the age for compulsory retirement, whichever is the earlier.

(2) The provisions of the following sections of this Part shall apply to a police officer enrolled as a member of the Reserve under this section as they apply to a police officer liable to serve in the Reserve.

54. Every member of the Reserve (hereinafter referred to as "a reserve police officer") shall, subject to the provisions of sections 62, 63 and 64, serve in the Reserve for a period of ten years from the date of his retirement or until he reaches an age five years greater than the age for compulsory retirement, whichever is the earlier.
55. (1) The Reserve or any part thereof may be mobilised by an order of the Yang di-Pertuan Agong at any time when the security of the Federation is threatened or when a Proclamation of Emergency is issued.

(2) The provisions of sub-section (1) shall not affect any reserve police officer who is a Member of Parliament or of the Legislative Assembly of a State or who holds a salaried appointment in the Government of the Federation or of any State, for so long as he is such a Member or holds such appointment.

56. Every reserve police officer mobilised under section 55 shall report in person at such place and at such time as the Inspector-General or an officer duly authorised by him may order.

57. A reserve police officer when mobilised shall have the same powers and duties and the same protection and immunities as a police officer of corresponding rank and shall be subject in all respects to the provisions of this Act, and of any rules, regulations and standing orders made thereunder.

58. A reserve police officer shall not be required to serve in the Reserve in a rank lower than that held by him on retirement.

59. The pay and allowance of a reserve police officer who is mobilised to serve in the Force shall be the pay and allowance which may from time to time be prescribed for an officer who has been granted a pension under any law relating to pensions and who is re-employed in the public service.

60. A reserve police officer shall, during the period he is mobilised, earn full pay leave at the same rate as a police officer of corresponding rank.

61. A reserve police officer shall during the period he is mobilised continue to draw the full pension to which he is entitled, but the period during which he is so mobilised shall not be treated as pensionable service.

62. A reserve police officer may be released from the Reserve --

(a) if he takes up permanent residence outside the Federation; or

(b) if he is certified by a Government Medical Officer to be Permanently unfit for duty.

63. (1) A reserve police officer who by his conduct has shown himself unsuitable for further service may be dismissed, and any reserve police officer whose services are for any reason no longer required may be discharged, from the Reserve by the Inspector-General:

Provided that a reserve police officer who has been mobilised for service under section 55 shall not be dismissed or discharged except by the Police Force Commission.
(2) Any reserve police officer who is aggrieved by his dismissal or discharge (except where the dismissal or discharge is by the Police Force Commission) may appeal to the Minister against such dismissal or discharge; and the decision of the Minister thereon shall be final.

64. Notwithstanding sections 15 and 54 but subject to section 62 every reserve police officer shall during any period of emergency or war continue to serve in the Reserve --

(a) for so long as the emergency or war lasts;

(b) until he has completed his fifteenth year of retirement from the Force; or

(c) until he has attained the age of sixty-five years, whichever of the events mentioned is the earliest.

65. (1) A reserve police officer shall retain in his possession and maintain in good order such articles of uniform and equipment as may be prescribed; and such articles of uniform and equipment shall not be worn save when the said Reserve is mobilised or on special occasions for which specific permission is granted by the Inspector-General.

(2) The provisions of sub-sections (1) and (2) of section 17 shall apply to a reserve police officer on his ceasing to be a member of the Reserve.

66. (1) It shall be the duty of the employer by whom any reserve police officer was employed for a period of at least three months immediately preceding the day on which such officer was mobilised under this Part to re-employ him on the completion of active service pursuant to such mobilization including any leave earned by such service in an occupation and under conditions not less favourable than those which would have been applicable to him had he not been so mobilised.

(2) Any employer failing to re-employ any reserve police officer under sub-section (1) shall be guilty of an offence and shall, subject as herein-after provided, be liable on conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment:

Provided that in any proceeding under this sub-section it shall be a defence for the employer to show that the reserve police officer formerly employed by him did not, before the expiration of one month after completion of active service, apply to the employer for re-employment or that, having been offered re-employment by him, such officer failed without reasonable excuse to present himself for employment at the time and place notified to him by the employer, or that by reason of a change of circumstances (other than the engagement of some other person to replace
him) --

(a) it is not practicable to re-employ him; or
(b) his re-employment in an occupation and under conditions not less favourable to him than those which would have been applicable to him had he not been mobilised is impracticable, and that the employer has offered to re-employ him in the most favourable occupation and under the most favourable conditions reasonably practicable under the circumstances.

67. A reserve police officer mobilised under the provisions of section 55 who without reasonable cause, the onus of proof of which shall rest on him, fails to report at the place and at the time specified in an order made under section 56, properly uniformed and equipped to the scale prescribed, shall be guilty of an offence and shall on conviction be liable to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand dollars or to both such fine and imprisonment.

Part XI
ROYAL MALAYSIA POLICE CADET CORPS

68. (1) There shall be established in and for any area in the Federation as the Minister may by order declare, a body to be known as Royal Malaysia Police Cadet Corps (hereinafter referred to as "the Cadet Corps") which shall consist of such number of senior Cadet Corps officers, junior Cadet Corps officers and cadets as may from time to time be sanctioned by the Yang di-Pertuan Agong.

(2) The Cadet Corps shall be organised in such divisions, sub-divisions and units as may from time to time be prescribed.

(3) The Cadet Corps shall be affiliated to the Force but members of the Cadet Corps shall not be police officers within the meaning of this Act.

69. (1) Any person (not being a member of the Armed Forces of the Federation or any force established under any written law), not below the age of twenty-one or above the age of fifty years, who is in possession of such qualifications as may be prescribed, may offer himself and may be accepted for appointment as a senior Cadet Corps officer.

(2) Any person, who is undergoing full time education in such school as may be prescribed by the Minister, may enrol and be accepted in the Cadet Corps as a cadet.

70. (1) Cadet officers may be appointed to the rank of senior Cadet Corps or junior Cadet Corps officers, as the case may be according to their qualifications.
(2) Senior Cadet Corps officers of or above the rank of Assistant Superintendent may with the concurrence of the Minister be appointed, promoted or dismissed by the Inspector-General.

(3) Senior Cadet Corps officers of or below the rank of Chief Inspector may be appointed, promoted or dismissed by the Inspector-General.

(4) Junior Cadet Corps officers and cadets may be appointed, promoted or dismissed by a Commanding Officer:

Provided that the person empowered to appoint any cadet officer or cadet under this section shall have the power to require the said cadet officer or cadet to resign if it appears to such person that the cadet officer or cadet is for any reason unable to discharge efficiently the duties which he is or may be called upon to perform as a cadet officer or cadet.

71. Any member of the Cadet Corps may resign from the Cadet Corps on giving to a Commanding Officer one month's notice in writing.

72. A member of the Cadet Corps shall serve voluntarily and shall not be entitled to any remuneration for such service, save for such allowances as may be prescribed.

73. Whenever it may appear to him to be expedient so to do, the Minister may, with the approval of the Yang di-Pertuan Agong, disband or discontinue the Cadet Corps or any part thereof.

Part XII
DISCIPLINE

74. All members of the Force shall be subject to the provisions of regulations relating to discipline as may from time to time be made by the Yang di-Pertuan Agong under Article 132 (2) of the Federal Constitution or under section 96 of this Act.

75. All fines imposed by or under the authority of the Disciplinary Authority in respect of offences against discipline shall be recovered by stoppage from the pay, less allowances and trade pay, due, or to become due, to the offender:

Provided that such stoppage shall not in any case exceed one seventh of the monthly pay, less allowances and trade pay, of the offender, and, if more than one order of stoppage of pay is in force at one time against the offender, so much only of his pay shall be stopped as shall leave him at least three-quarters of such pay, not including allowances and trade pay.
76. No pay or allowance, including trade pay but excluding rent allowance shall accrue to any police officer in respect of any period during which he is absent from duty without leave or good cause, or is undergoing any sentence of imprisonment:

Provided that the Disciplinary Authority may, in its discretion, authorise the payment of such proportion of pay, allowances and trade pay, not being more than one half, as it may think fit.

77. Notwithstanding anything contained in any other law, if any police officer pawns, sells, loses by neglect, makes away with or wilfully or negligently damages any firearms, ammunition, accoutrement, uniform or other article being property entrusted to or lawfully in the possession of the Force and supplied to him, or any property committed to his charge in the course of his duty, or any property seized or taken charge of by him in the course of his duty, he may, in addition to or in lieu of any other penalty, be ordered to make good, either wholly or partially, the value of such property or the amount of such loss or damage, as the case may be, and such value or such amount may be recovered by stoppage from his pay, including allowances, other than rent allowance and trade pay.

78. (1) If it deems necessary in the public interest that a police officer should cease to exercise the powers and functions of his office instantly, the Disciplinary Authority may interdict from duty such police officer, pending any enquiry into the conduct of such police officer under the provisions of this Act or of any Police Regulations made thereunder or of any regulation or order applicable to other officers of corresponding status in the public service.

(2) The powers, privileges and benefits vested in a police officer interdicted under sub-section (1) shall during his interdiction be in abeyance:

Provided that such police officer shall continue to be subject to the same authority and discipline as if he had not been interdicted and he shall not by reason only of such interdiction cease to be a police officer.

(3) During any period in which a police officer is under interdiction awaiting trial or disciplinary proceeding resulting in a conviction or a finding of guilt he shall receive one half of his pay and allowances, save that rent allowances shall be paid in full. No trade pay shall accrue during any period of interdiction:

Provided that the Disciplinary Authority may, in its discretion, authorise the payment of such higher proportion of pay and allowances as it shall think fit.

79. (1) A Commanding Officer may convene a Committee of Enquiry to enquire into the death or injury of any police officer or into the loss of or damage to any property entrusted to or lawfully in the possession of
the Force. Such Committee of Enquiry shall consist of a President, who shall be a senior police officer not below the rank of Assistant Superintendent, and one or more members, as the Commanding Officer may direct.

(2) A Committee of Enquiry convened under the provision of sub-section (1) to enquire into the death or injury of a police officer shall be empowered to make findings and recommendations as follows:

(a) whether the deceased or injured person was on duty at the time of such death or injury;

(b) whether the death or injury was directly attributable to the nature of the duty on which the deceased or injured person was engaged;

(c) whether the death or injury was due to the default of the deceased or injured person;

(d) whether a pension, gratuity or allowance should be paid in accordance with the provisions of Rules made under this Act or the provisions of any other written law;

(e) whether any action is necessary to prevent the future occurrence of similar death or injury to other police officers.

(3) A Committee of Enquiry convened under the provisions of sub-section (1) to enquire into any loss of or damage to any property entrusted to or lawfully in the possession of the Force shall make findings and recommendations to the Commanding Officer as follows:

(a) estimated cost of loss or damage;

(b) individual responsibility for such loss or damage;

(c) action necessary to prevent the future occurrence of similar loss or damage;

(d) the manner in which the cost of such loss or damage may be recovered or made good to the lawful owner of such property.

(4) In this section the expression "police officer" includes all persons appointed or engaged for police duties under the provisions of this Act; and the expression "the Force" includes all bodies established or raised for police duties under the provisions of this Act.

80. (1) A senior police officer authorised to make an enquiry into an offence against discipline and the President of any Committee of Enquiry convened under the provisions of section 79 may apply to a Magistrate for a summons to secure the attendance before such police officer, as a witness, of any person who appears to be acquainted with the circumstances of the
the case. Thereupon the Magistrate may issue a summons accordingly and the witness shall be bound to answer truly all questions relating to such case as may be put to him by such police officer, and shall produce all documents relevant to such case.

(2) Any person summoned as a witness under the provisions of sub-section (1) who fails to attend at the time and place mentioned in the summons or on adjournment, or refuses to answer any question that is lawfully put to him or to produce any such document which it is in his power to produce, shall be guilty of an offence under this Act and shall be liable to a fine of one hundred dollars or to imprisonment for a term not exceeding one month or to both such fine and imprisonment:

Provided that nothing contained in this section shall render any person compellable to answer any question or produce any document in respect of any matter which would have been protected from disclosure on the ground of privilege if the proceedings had been held in any court.

Part XIII
POLICE FUND

81. (1) There shall be established a fund to be known as the Police Fund which shall be operated as a Trust Account within the Federal Consolidated Fund.

(2) The Police Fund (in this Part referred to as "the Fund") shall consist of --

(a) fines inflicted on police officers in any disciplinary proceedings;
(b) one-half of the sums paid for extra or special services of police officers;
(c) all sums of monies and other property offered to police officers and forfeited by an order of court;
(d) any sums paid to the Fund under the provisions of section 22;
(e) donations or rewards offered to the Fund or to individual members of the Force respectively and accepted by the Inspector-General; and
(f) income arising from disposal of property purchased or arising from investments from the monies of the Fund.

82. (1) The Fund shall be controlled by the Inspector-General subject to any rules or regulations made under this Act.

(2) The Fund shall be applied for the purpose of --
(a) rewarding police officers for extra or special services rendered by them;

(b) procuring for police officers who are serving or who have retired or have been discharged on pension, gratuity or allowance such comforts, conveniences or other amenities or advantages not chargeable to public revenue; and

(c) granting loans on terms prescribed by the rules to police officers who are serving or have retired or had been discharged on pension or gratuity or to the dependants of deceased police officers.

83. All monies and other assets or properties if any comprised in or held under or on behalf of any police fund constituted or established under the provisions of any law repealed by this Act including any interest accrued thereon if any immediately before the commencement of this Act shall upon the commencement of this Act be deemed to be transferred to and shall form part of the Fund established under this Part.

84. In this Part the expression "police officer" includes an extra police officer, a member of the Police Reserve, the Police Volunteer Reserve and the Auxiliary Police and any member of the police force of any territory present in the Federation under the provisions of this Act.

Part XIV
GENERAL

85. A police officer may in the performance of his duties carry arms.

86. (1) Any police officer who, without reasonable cause, the onus of proof whereof shall rest with him, absents himself from duty for a continuous period of twenty-one days or in circumstances which show that he has the intention of not returning to his duty shall be deemed to have deserted, and shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding twelve months.

(2) Where a person has been convicted under this section, the Disciplinary Authority may direct that all arrears of pay due to such person be forfeited.

(3) In sub-section (1) the expression "police officer" includes an extra police officer, a member of the Police Reserve and Police Volunteer Reserve when mobilised under the provisions of this Act and any member of the police force of another territory present in the Federation under the provisions of this Act.

87. Any police officer who causes, incites, or joins in any mutiny or disaffection in the Force or conspires with any other person to cause such mutiny or disaffection, or does not use his utmost endeavour to suppress
any such mutiny or disaffection or, having knowledge of any mutiny or
disaffection or intended mutiny or disaffection, does not, without delay,
give information thereof to the police officer to whom he is subordinate,
shall be guilty of an offence and shall be liable on conviction to imprison-
ment for a term not exceeding five years.

88. (1) Any person who causes or attempts to cause or does any act
calculated to cause disaffection amongst the members of the Force or
induces or attempts to induce any such member to withhold his services
or to commit a breach of discipline shall be guilty of an offence and shall
be liable on conviction to imprisonment for a term not exceeding one
thousand dollars or to both such fine and imprisonment. Any senior police
officer may, without warrant, arrest any person who is reasonably suspected
of having committed an offence under this section.

(2) In section 87 and this section the expression "police officer"
includes all persons appointed or engaged for police duties under the
provisions of this Act and any member of the police force of another terri-
tory present in the Federation under the provisions of this Act; and the
expression "the Force" includes all bodies established or raised for
police duties under the provisions of this Act and the police force of
another territory of which any member may be present in the Federation under
the provisions of this Act.

89. Any person, not being a police officer, who --

(a) is found in possession of any article which has been supplied
to any police officer for the execution of his duty, or any
medal or decoration granted to any police officer for gallantry,
service or good conduct, and who fails to account satisfactorily
for his possession thereof, or who, without lawful authority,
purchases or receives any such article, medal or decoration or
who aids or abets any police officer in selling or disposing
of any such article, medal or decoration;

(b) without lawful authority, manufactures, sells or supplies, or
offers to sell or supply, a reasonable facsimile of any badge
or device used to indicate that a person is a member of the
Force or of any body established or raised for police duties
under the provisions of this Act, or a reasonable facsimile of
any badge or device used to indicate the rank of a member of the
Force or of a member of any body established or raised for police
duties under the provisions of this Act, or a reasonable
facsimile of any medal or decoration granted to any police
officer for gallantry, service or good conduct or who aids or
abets any person in manufacturing, selling or supplying such
facsimilies; or

(c) without the permission of a Commanding Officer, unlawfully wears,
uses or displays otherwise than in the course of a stage play
or other theatrical performance, any uniform of the Force or any badge or device to indicate that he is a member of the Force or of any other body established or raised for police duties under the provisions of this Act, or any dress having the appearance of or bearing the distinctive marks of such uniform,

shall be guilty of an offence under this Act.

90. Any person who, in a police station, behaves in a riotous, indecent, disorderly or insulting manner shall be guilty of an offence under this Act.

91. Any police officer may, without warrant, arrest any person who contravenes or who is reasonably suspected of having committed any offence under the provisions of sections 31 (2), 86, 87, 89 and 90.

92. (1) Notwithstanding anything contained in any other law, any police officer who, subject to the provisions of this Act, becomes or after the expiration of one month from the coming into force of this Act remains, a member of any trade union, or of any association with political objects, or any political party shall be guilty of an offence under this Act.

(2) For the purpose of this section any question whether any body is a trade union or association to which this section applies shall be determined by the Minister.

(3) In this section the expression "police officer" includes an extra police officer and any member of the police force of another territory present in the Federation under the provisions of this Act.

93. For the purpose of enabling police officers to consider and bring to the notice of the Government all matters affecting their welfare and efficiency, including pay, pensions and conditions of service, other than questions of promotion affecting individuals and of discipline, there may be established one or more associations which shall operate and be administered in accordance with rules. Any such association and any branch thereof shall be entirely independent of and unassociated with any body or person outside the Force, and shall be exempt from the provisions of any law relating to the registration of societies.

94. Any person who is guilty of an offence under this Act for which no other penalty is expressly provided shall be liable to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

95. (1) The Yang di-Pertuan Agong may make rules, not inconsistent with the provisions of this Act, for carrying out the purposes of this Act.
(2) In particular and without prejudice to the generality of the foregoing, the Yang di-Pertuan Agong may make rules relating to all or any of the following matters --

(a) the classification and seniority of the various grades, ranks and appointments in the Force and in all other bodies established or raised for police duties under the provisions of this Act;

(b) the grant in special cases of honorary rank to any person and the occasions on which such person may wear the uniform of such honorary rank;

(c) the payment of pensions and gratuities, pay and allowances and compensation of members of the Force and of members of all other bodies established or raised for police duties under the provisions of this Act;

(d) the administration of the Police Fund;

(e) all matters which, under the provisions of this Act, may be provided for or prescribed by rules;

(f) generally for the good order and government of the Force and of all other bodies established or raised for police duties under the provisions of this Act.

96. (1) The Yang di-Pertuan Agong may make regulations to be called "Police Regulations" not inconsistent with the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing, the Yang di-Pertuan Agong may make Police Regulations, relating to all or any of the following matters --

(a) promotions and reductions in rank;

(b) discipline, including the definition of disciplinary offences, disciplinary procedure and the regulation and carrying out of punishment;

(c) promotion and proficiency examination;

(d) the description and issue of arms, ammunition, accoutrements, uniforms and necessaries to be supplied to members of the Force and to members of all other bodies established or raised for police duties under the provisions of this Act;

(e) leave of absence;

(f) the fees to be charged to members of the public or statutory authorities (Act #45) for extra or special police services and for copies of reports, plans and photographs made by police
97. The Inspector-General may issue administrative orders, to be called "Standing Orders", not inconsistent with the provisions of this Act or of rules or Police Regulations made thereunder, for the general control, direction and information of the Force and of all bodies established or raised for police duties under the provisions of this Act.

98. The laws specified in the Third Schedule are hereby repealed:

Provided that any rules, regulations or orders made under the provisions of the laws repealed under this section in so far as they are not inconsistent with the provisions of this Act shall remain in force and continue to have effect until replaced or revoked by rules, regulations or orders made under the provisions of this Act.

99. (1) With respect to members of the Force as constituted under this Act, the following provisions shall have effect —

(a) except as provided in paragraph (b) for the purpose of the payment of pensions, gratuities, or other allowances to members of the Force the Pensions Ordinance, 1951, of the States of Malaya and any rules, regulations and orders for the time being in force in the States of Malaya shall apply to such members; and for the purpose of this paragraph the Ordinance, rules, regulations and orders aforesaid shall be extended to the States of Sabah and Sarawak with such modifications as may be necessary to put the provisions of this paragraph into effect;

(b) members of the Force to whom the provisions of any other laws relating to pensions, gratuities and other allowances apply immediately before the commencement of this Act shall continue to be governed by the provisions of such laws; and where any such law is repealed by this Act such law shall notwithstanding such repeal and for the purpose only of this paragraph continue to be operative and to have effect on such members;

(c) as respects members of the Force in the States of Sabah and Sarawak nothing in this section shall affect or take away from any such members any such terms or conditions or service conferred upon or enjoyed or acquired by them immediately before the commencement of this Act.

(2) With respect to members of any auxiliary bodies established or raised under any of the laws repealed by this Act such members shall notwithstanding such repeal continue to be members of such bodies as if such bodies were established or raised under this Act until discharged or
appointed in accordance with the provisions of this Act.

100. Any reference in any other laws to ranks provided for or allowed by any law repealed by this Act shall after the commencement of this Act be modified and construed as the equivalent rank provided for or allowed by the provisions of this Act.

FIRST SCHEDULE
(Sections 2 and 5 (2) )

POLICE RANKS

1. SENIOR POLICE OFFICERS --

   Inspector-General
   Deputy Inspector-General
   Commissioner
   Deputy Commissioner
   Senior Assistant Commissioner
   Assistant Commissioner
   Superintendent
   Deputy Superintendent
   Assistant Superintendent
   Chief Inspector
   Senior Inspector
   Inspector
   Probationary Inspector.

2. JUNIOR POLICE OFFICERS --

   Sub-Inspector
   Sergeant-Major
   Sergeant
   Corporal.

3. CONSTABLE
APPENDIX D

FEDERATION OF MALAYA

No. 14 of 1952

THE POLICE ORDINANCE, 1952

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1. Short title and commencement.
2. Interpretation.

Part II

CONSTITUTION AND ADMINISTRATION

4. Functions of the Force.
5. Employment of the Force in time of emergency.
7. Control of police, etc.

Part III

APPOINTMENT, ENGAGEMENT, SERVICE AND DISCHARGE

8. Appointment, etc., of gazetted police officers.
9. Appointment, etc., of superior police officers, subordinate police officers and constables.
10. Engagement of superior police officers, subordinate police officers and constables.
11. Declaration to be taken by police officer.
15. Police officer not to engage in other employment.
16. Police officer not to be member of trade union, etc.
17. Resignation.
18. Prolongation of service in event of hostilities.
19. Discharge of superior police officer, subordinate police officer or constable.
20. Rules for reckoning service for purposes of pension, etc.
21. Arms, accoutrements, etc., to be delivered up on police officer ceasing to belong to the Force.
22. Police officers, subject to this Ordinance, liable to same provisions as other public officers.

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WOMEN POLICE, EXTRA CONSTABLES AND WATCH CONSTABLES

23. Employment of women police.
25. Employment of watch constables at expense of private persons.

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FEDERATION OF MALAYA

No. 14 of 1952

THE POLICE ORDINANCE, 1952

Their Highnesses the Rulers of the Malay States assent hereto

I assent

Witnesses to the affixing of the Rulers' Seal:

ABU BAKAR bin ABDULLAH
(in Malay)
Sultan of Pahang

G.W.R. TEMPLER,
High Commissioner

RAJA YUSSUF Sultan of Perak

19th April, 1952

15th April, 1952.
An Ordinance to provide for the organisation, discipline, powers and duties of the Police Force and for matters incidental thereto.

[1952]

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States with the advice and consent of the Legislative Council as follows:

Part I
PRELIMINARY

1. This Ordinance may be cited as the Police Ordinance, 1952, and shall come into force on such date as the High Commissioner may, by notification in the Gazette, appoint.

2. In this Ordinance unless the context otherwise requires --

"arms" includes firearms;

"Chief Police Officer" means the officer appointed to be in charge of the police in any State or Settlement under section 7 of this Ordinance;

"Commanding Officer" or "Officer Commanding" means the Commissioner, a Deputy Commissioner, A Senior Assistant Commissioner, a Chief Police Officer, a Commandant of a Police Depot, and any officer lawfully acting in any of such appointments;

"Commissioner" means the Commissioner of Police;

"extra constable" means any person engaged as such under section 24 of this Ordinance;

"the Force" means the Federation of Malaya Police Force established by this Ordinance;

"gazetted police officer" means a police officer of any rank from and including the Commissioner down to and including a Cadet Assistant Superintendent;

"Officer in Charge of a Police District" and "Officer Superintending a Police Circle" respectively, mean any police officer appointed as such and, when any officer so appointed is unable through absence, illness or otherwise to perform his duties, means the police officer designated, under the authority of the Commissioner, to act for him;

"police constable" or "constable" means a police officer under the rank of Lance-Corporal, and also includes Detective Police Constable or Probationary Detective Police Constable and Recruit;
"Police District" and "Police Circle" respectively, mean any area designated as such by Police Regulations, and, unless and until areas are so designated, mean any area constituted or recognised as a Police District or Police Circle, as the case may be, at the commencement of this Ordinance;

"police officer" means any member of the Force, but does not include any person engaged for police duties under Part IV of this Ordinance;

"Police Regulations" means Regulations made under section 81 of this Ordinance;
"reserve police officer" means any member of the Police Volunteer Reserve constituted under Part VIII of this Ordinance;

"Rules" means Rules made under section 80 of this Ordinance;

"Standing Orders" means Orders made under section 82 of this Ordinance;

"subordinate police officer" means a police officer of any rank from and including Sub-Inspector and Sergeant-Major down to and including Lance-Corporal, and also includes Detectives of all ranks from Detective Sub-Inspector down to and including Detective Lance-Corporal;

"superior police officer" means an Inspector of any grade other than a Sub-Inspector, and includes a Police Lieutenant;

"watch constable" means any person engaged as such under section 25 of this Ordinance.

Part II
CONSTITUTION AND ADMINISTRATION

3. There is hereby established a Police Force, to be known as the Federation of Malaya Police Force, which shall consist of such number of gazetted police officers, superior police officers, subordinate police officers and constables as may from time to time be sanctioned by the High Commissioner in Council and enrolled in the Force.

4. The Force shall, save as provided in section 26 of this Ordinance, be employed in and throughout the Federation for the maintenance of law and order, the preservation of the peace, the prevention and detection of crime and the apprehension of offenders, and, for the performance of such duties, police officers may carry arms in accordance with Standing Orders.

5. The High Commissioner may, in case of war or other emergency, employ the Force or any part thereof to serve in conjunction with Her Majesty's armed forces, or any Local Forces established under any written law, or otherwise in the defence of the Federation:
Provided that any part of the Force so employed shall continue to be under the command of the Commissioner or such other police officer as the Commissioner may appoint for that purpose.

6. (1) The Commissioner shall, subject to the provisions of this Ordinance and of any regulations made thereunder and to the orders and directions of the High Commissioner, have the command, superintendence, administration and direction of the Force, and of any other persons appointed or engaged for police duties under the provisions of this Ordinance, and be responsible for the control of all expenditure in connection therewith.

(2) Any act or thing which may be done, ordered or performed by the Commissioner under this or any other law may, subject to the orders and direction of the Commissioner, be done, ordered or performed by a Deputy Commissioner, a Senior Assistant Commissioner, or an Assistant Commissioner.

7. (1) The control of the police in any place shall be vested in such police officer as may be appointed by the Commissioner to be in charge thereof.

(2) In the absence or incapacity of a Chief Police Officer, a Deputy Chief Police Officer, or any gazetted police officer authorised in that behalf by the Commissioner, may exercise and perform the powers conferred and duties imposed by any law on a Chief Police Officer.

Part III
APPOINTMENT, ENGAGEMENT, SERVICE AND DISCHARGE

8. (1) Gazetted police officers shall be appointed in the same manner as other public officers of corresponding status in the service of the Government of the Federation, and shall be subject to the same disciplinary provisions.

(2) The appointment of every gazetted police officer shall be published in the Gazette.

9. (1) A superior police officer may be appointed or promoted within that grade by the Commissioner.

(2) A subordinate police officer may be appointed or promoted by the Commissioner.

(3) A constable may be appointed or promoted by the Commissioner, and may be promoted up to the rank of Corporal or Detective Corporal or advanced in class, by a Commanding Officer.
10. (1) A superior police officer, subordinate police officer or constable shall engage to serve in the Force for such periods and on such conditions as may be prescribed by Police Regulations.

(2) Every such engagement shall be in writing signed by the person engaged in such form as may from time to time be prescribed by Police Regulations and shall --

(a) if made in the Federation be signed by a Commanding Officer or any other officer authorised in that behalf by Police Regulations; or

(b) if made outside the Federation, be signed by some person authorised in that behalf by the High Commissioner.

(3) Notwithstanding anything contained in any other written law any male person not below the age of eighteen years shall be deemed competent to enter into an engagement under this Ordinance.

11. Every police officer shall, on joining the Force or before entering on the duties of his office, make before a gazetted police officer of or above the rank of Superintendent the declaration set out in the Second Schedule to this Ordinance in such manner as he may declare to be most binding on his conscience.

12. A certificate of appointment, in such form as may be prescribed by Police Regulations, signed by a Commanding Officer or any gazetted police officer authorised by him in that behalf, shall be issued to every police officer and shall be evidence of his appointment under this Ordinance.

13. (1) Every subordinate police officer or constable who has completed the period of service for which he engaged may offer himself for re-engagement for a further period, and, if approved, may re-engage on such terms and conditions as may be prescribed by Police Regulations.

(2) Every such re-engagement shall be evidenced by an endorsement on the original engagement signed by the person re-engaged and by a Commanding Officer or other officer authorised in that behalf by Police Regulations.

14. (1) Every subordinate police officer or constable who continues in the Force after the completion of the period of service for which he engaged shall, unless he re-engages for a further period in accordance with the provisions of section 13 of this Ordinance, be deemed to be under engagement to serve from month to month, every such engagement after the first month's service being held to commence on the first and to be determinable on the last day of each successive month.

(2) Any such subordinate police officer or constable may resign and may be discharged from the Force, after one month's notice in writing in either case:
Provided that where a subordinate police officer or constable has completed ten years' service, he shall not be discharged from the Force without the approval of the Chief Secretary thereto first being obtained.

(3) The notice in writing shall be given on or before the first day of the month at the end of which such officer intends to resign or is to be discharged, as the case may be.

15. (1) No police officer shall, without the permission of the Commissioner, engage in trade or in any other employment.

(2) In this section "police officer" includes a woman police officer, extra constable and any member of the police force of the Colony present in the Federation under the provisions of section 29 of this Ordinance.

16. (1) For the purpose of enabling police officers to consider and bring to the notice of the Government of the Federation all the matters affecting their welfare and efficiency, including pay, pensions and conditions of service, other than questions of discipline and promotion affecting individuals, there may be established one or more associations which shall operate and be administered in accordance with Rules. Any such association and any branch thereof shall be entirely independent of and unassociated with any body or person outside the police, and shall be deemed not to be a trade union within the meaning of the Trade Union Enactment of the Federated Malay States, and shall be exempt from the provisions of the Societies Ordinance, 1949.

(2) Subject to the provisions of sub-section (1) of this section, no police officer shall become, or after the expiration of one month from the coming into force of this Ordinance be, a member of any trade union, or of any association having for its object or one of its objects to control or influence the pay, pensions or conditions of service of any police force or body, or of any association with political objects; and any police officer who contravenes this provision shall be guilty of an offence against this Ordinance:

Provided that where a police officer was a member of a trade union before joining the Force, he may, with the consent of the Commissioner, continue to be a member of that trade union during the time of his service in the Force:

Provided further that the Chief Secretary may declare, by notification in the Gazette, that the provisions of this section shall not apply in respect of any association or any particular membership or class of membership of an association to which this section applies.

(3) Any question whether any body is a trade union or association to which this section applies shall be determined by the Chief Secretary.
(4) In this section "police officer" includes a woman police officer, an extra constable and any member of the police force of the Colony present in the Federation under the provisions of section 29 of this Ordinance.

17. (1) Subject to the provisions of sub-section (2) of section 14 of this Ordinance, no superior police officer, subordinate police officer or constable may resign from the Force, except on completion of any period of engagement, unless expressly authorised in writing so to do by the Commissioner and unless he complies with such conditions as may be prescribed by Standing Orders.

(2) For the purpose of this section and section 18 of this Ordinance, where there is a written contract of service containing an option to terminate the contract, any such optional termination shall be deemed to be the period of engagement or service.

18. Any police officer whose period of service or engagement expires during a state of hostilities may, on the direction of the High Commissioner, be retained in the Force and his service extended:

Provided that such extended service shall expire on a date not later than six months after the cessation of hostilities.

19. A superior police officer or subordinate police officer may be discharged by the Commissioner, and any constable may be discharged by the Commissioner or a Commanding Officer, at any time --

(a) if the Commissioner or Commanding Officer, as the case may be, considers that he is unlikely to become or has ceased to be an efficient police officer; or
(b) if he is certified by a Government medical officer to be physically or mentally unfit for service in the Force; or
(c) on reorganisation or reduction of establishment of the Force:

Provided that, except in the case of a Probationary Inspector discharged as unlikely to become an efficient police officer, or any other non-gazetted police officer discharged for a similar reason within two years of joining the Force, no police officer shall be discharged under this section without the approval thereto first being obtained of, the High Commissioner in the case of a superior officer and the Chief Secretary in the case of a subordinate police officer or constable.

20. In reckoning the service of any subordinate police officer or constable for the purposes of calculation of pension or gratuity, there shall be excluded therefrom all periods during which such officer or constable has been absent from duty for any of the following reasons --

(a) imprisonment for any cause, save that of detention while awaiting any trial which results in his acquittal or discharge;
(b) desertion;
(c) absence without leave exceeding forty-eight hours.

21. (1) When a police officer ceases to belong to the Force he shall forthwith deliver to the person appointed by the Commissioner for that purpose, or to the officer in charge of any part of the Force stationed at the place at which he was last stationed, his certificate of appointment and all arms, ammunition, accoutrements, uniform and other equipment which have been supplied to him and which are public property.

(2) Any police officer who, having ceased to belong to the Force, fails without good cause to comply with the provisions of sub-section (1) of this section, shall be guilty of an offence and shall be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment, and, in addition thereto, shall be liable to pay the value of the property not delivered up, and such value may be ascertained by the Court in a summary manner and shall be recoverable as a fine.

22. Save as otherwise provided in this Ordinance, every police officer shall be subject to the same provisions as are applicable to other public officers of corresponding status in the service of the Government of the Federation.

Part IV
WOMEN POLICE, EXTRA CONSTABLES AND WATCH CONSTABLES

23. (1) The Commissioner, and any Commanding Officer authorised in that behalf by the Commissioner, may engage such numbers of women to be employed as women police officers as may, from time to time, be sanctioned by the High Commissioner.

(2) Women police officers shall be appointed to such ranks, perform such duties, exercise such powers, enjoy such privileges and be subject to such authority and discipline as may be prescribed by Police Regulations, and, except in so far as the same may be modified by such Regulations, shall be subject to the provisions of this Ordinance and shall be deemed to be police officers for the purpose of any written law:

Provided no powers in excess of those conferred by or under this Ordinance on a police officer of corresponding rank shall be conferred on a woman police officer by any such Regulation.

24. (1) A Chief Police Officer may, with the approval of the Commissioner, employ persons to serve temporarily as extra constables.

(2) An extra constable shall be deemed to be under engagement to serve from month to month, every such engagement being held to commence on the
first and to be determinable on the last day of each successive month.

(4) An extra constable shall have and may exercise all the powers and privileges of, and shall be subject to the same authority and discipline as, a constable of the Force.

25. (1) A Chief Police Officer may, with the approval of the Commissioner, on the application of any person (hereinafter in this section referred to as "the applicant") for a constable to be employed on special duties, engage any suitable person as a watch constable for the purposes of such special duties only. Such watch constable shall be employed at the expense of the applicant, who shall provide such accommodation and sustenance for such watch constable as the Chief Police Officer may require, and may also be required to pay for any uniform supplied to such watch constable or such proportion thereof as the Chief Police Officer may determine:

Provided that the applicant may, on giving one month's notice to the Chief Police Officer, require that such watch constable be withdrawn from such special duties, and, in such case, such applicant shall not be liable for any expense in connection with the employment of such watch constable incurred after the last day of the month following that in which the notice is given.

(2) Any amount due from an applicant under the provisions of this section may be recovered by the Chief Police Officer as a debt, and, when received, shall be paid into the general revenues of the Federation.

(3) A watch constable shall have and may exercise all the powers and privileges of and shall be subject to the same authority and discipline as a constable of the Force.

Part V
SERVICE OUTSIDE THE FEDERATION AND SERVICE OF COLONY POLICE IN THE FEDERATION

26. The High Commissioner in Council may by order prescribe the purposes for which, in the interests of peace and good order of the Federation, police officers may proceed for service to the Colony or elsewhere outside the Federation, and the High Commissioner may, whenever he deems it necessary, direct such number of police officers as to him may seem expedient to proceed for service accordingly.

27. Any police officer serving outside the Federation under the provisions of this Part shall, in so far as the law of the Federation is applicable to him, be subject to the same Rules, Police Regulations and Standing Orders as when on service in the Federation.

28. (1) No police officer shall be sent to the Colony under the provisions of this Part unless the High Commissioner is satisfied that
satisfactory provisions have been, or will immediately be, made in the
law of the Colony --

(a) for enforcing in the Colony the engagement of service between
colony officers of the Federation and the Government of
the Federation;
(b) for giving police officers of the Federation serving in the
Colony under this Part the powers and duties of police officers
within the Colony;
(c) for enabling Magistrates of the Colony to hear and determine
charges against police officers of the Federation serving
in the Colony in respect of offences against discipline as
provided in Police Regulations, and for the infliction of
punishments, not exceeding those prescribed in this Ordinance,
in respect of such offences;
(d) reciprocal and corresponding to the provisions of section 29
of this Ordinance.

(2) Subject to the provisions of sub-section (1) of this section, no
police officer shall be sent outside the Federation under the provisions
of this Part unless the High Commissioner is satisfied that appropriate
arrangements have been made for the service of police officers of the
Federation with the authorities of the place in which such police officers
are to serve.

29. Whenever in pursuance of an order made by the Governor of the Colony,
with a view to the preservation of order and the protection of life and
property in the Federation, a body of police from the police force of
the Colony is present in any part of the Federation, the members of such
body shall be under the orders of their own senior officers present with
them, if any, subject to the control of the senior police officer present,
whether he is a member of the police force of the Colony or of the Force,
and shall be subject to the same regulations and, so far as possible,
perform the same duties, as when on service in the Colony:

Provided that the powers given by section 31 of the Police Force Ordinance,
1941, of the Colony to the Commissioner of Police of the Colony to punish
for offences committed by Inspectors may, in the case of such Inspectors
present in the Federation under the circumstances referred to in this section,
be exercised, in the absence of the Commissioner of Police of the Colony,
by the senior gazetted police officer of the Colony who may be so present.

30. Whenever any body of police from the police force of the Colony is
present in the Federation under the circumstances referred to in section 29
of this Ordinance, any contract of service made between any member of
such body and the Government of the Colony may be enforced in the Federation
in the same manner and with the like effect as if such contract had been
made between such member and the Government of the Federation.
31. Any member of the police force of the Colony present in the Federation under the circumstances referred to in section 29 of this Ordinance shall have and may exercise the powers, and shall be liable to perform the duties, of a police officer of the Federation.

32. Any President of a Sessions Court or a Magistrate may hear and determine charges against members of the police force of the Colony present in the Federation under the circumstances referred to in section 29 of this Ordinance in respect of the offences mentioned in section 30 of the Police Force Ordinance, 1941, of the Colony:

Provided that no such President of a Sessions Court or Magistrate shall inflict any greater punishment than is provided in such section in respect of any such offence.

Part VI
POWERS, DUTIES AND PRIVILEGES OF POLICE OFFICERS

33. (1) Every police officer shall exercise such powers and perform such duties as are by law conferred or imposed upon a police officer, and shall obey all lawful directions in respect of the execution of his office which he may from time to time receive from his superiors in the Force.

(2) Where any power, discretion or duty is conferred or imposed by or under this Ordinance or any other written law on a police officer of any specified rank or holding any specified office, such police officer shall, in the exercise or performance of such power, discretion or duty, be subject to the orders and directions of any police officer to whom he is subordinate, and any such last mentioned officer may himself exercise any such power or discretion or perform any such duty if occasion arises and he deems it expedient so to do.

(3) Without prejudice to the generality of the provisions of sub-section (1) of this section it shall be the duty of police officers to take lawful measures for:

(a) preserving the public peace;
(b) preventing and detecting crimes and offences;
(c) apprehending all persons whom they are legally authorised to apprehend;
(d) assisting in carrying out the revenue, excise, sanitary, conservancy, quarantine, immigration and registration laws;
(e) assisting in preserving order in the ports, harbours and airports of the Federation, and in enforcing port regulations;
(f) executing summonses, subpoenas, warrants, commitments and other process lawfully issued by any competent authority;
(g) exhibiting informations and conducting prosecutions;
(h) protecting unclaimed and lost property and finding the owners thereof;
(i) taking charge of and impounding stray animals;
(j) assisting in the protection of life and property at fires;
(k) protecting public property from loss or injury;
(l) attending the criminal Courts and, if specially ordered, the civil Courts, and keeping order therein;
(m) escorting and guarding prisoners;
(n) executing such other duties as may by any written law be imposed on a police officer.

34. (1) It shall be the duty of police officers --

(a) to regulate and control traffic;
(b) to divert all or any particular kind of traffic, when, in the opinion of any police officer above the rank of Sub-Inspector, it is in the public interest to do so;
(c) to keep order on public roads, streets, thoroughfares and landing places, and at other places of public resort and places to which the public have access;
(d) to prevent obstruction on the occasions of assemblies and processions on the public roads and streets, and in any case when any road, street, thoroughfare or landing place may be thronged or liable to be obstructed.

(2) Every person who obstructs, or opposes or disobeys a lawful order given by any police officer in the performance of his duties under this section shall be guilty of an offence and shall be liable to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding two months or to both such fine and imprisonment.

(3) Any person who obstructs opposes or disobeys a police officer in the performance of his duty under this section may be arrested without warrant unless he gives his name and address and otherwise satisfies a police officer that he will duly answer any summons or other proceedings that may be taken against him.

35. Every police officer, woman police officer, extra constable and watch constable, shall for the purposes of this Ordinance be deemed to be always on duty when required to act as such and shall perform the duties and exercise the powers granted to him under this Ordinance or any other written law at any place in the Federation where he may be doing duty.

36. Where a police officer is carrying out the duties of a prison officer, while engaged in any such duty, shall be deemed to be a prison officer, and shall have all the powers, protections and privileges attaching to such officer.

37. (1) Any police officer may --

(a) stop and detain any person --
(i) whom he sees doing any act or who is in possession of any thing;
(ii) whom he has reasonable grounds for suspecting is doing any act or is in possession of any thing;

for which a licence is required under the provisions of any law in force in the Federation, for the purpose of requiring such person to produce such licence;

(b) stop and search without warrant any vehicle or vessel which he has reasonable grounds for suspecting is being used in the commission of any offence against any law in force in the Federation: Provided that such vehicle or vessel shall not, subject to the provisions of sub-section (4) of this section, be detained longer than is reasonably necessary to complete such search.

(2) Any person who fails to produce such licence when called upon by a police officer so to do may be arrested without warrant unless he gives his name and address and otherwise satisfies the police officer that he will duly answer any summons or other proceedings that may be taken against him.

(3) Any person who fails to obey any reasonable signal of a police officer, requiring any person to stop any vehicle or vessel under the provisions of sub-section (1) of this section, or who obstructs any police officer in the execution of his duty being exercised under the provisions of such sub-section, shall be guilty of an offence against this Ordinance, and any police officer may, without warrant, arrest any such person unless he gives his name and address and otherwise satisfies the police officer that he will duly answer any summons or other proceedings that may be taken against him.

(4) Any police officer may cause any vehicle or vessel, which he has reasonable grounds to suspect has been used in the commission of an offence against any law in force in the Federation or to be evidence of the commission of any such offence, to be moved to the nearest Police District headquarters or other convenient place, and the Officer in Charge of such Police District may thereupon cause such vehicle or vessel there to be detained, pending enquiries, for a period not exceeding forty-eight hours, or if, within that period, there are commenced proceedings in respect of any such offence in which the vehicle or vessel is liable to forfeiture under any written law or may properly be produced in evidence, until the final determination of those proceedings:

Provided that the Officer in Charge of such Police District may, notwithstanding the provisions of this sub-section, direct the release of any such vehicle or vessel where he is satisfied that the owner or person in charge of such vehicle or vessel will duly produce such vehicle or vessel before the Court when required, and for such purpose may require such owner
or person to execute such bond or deposit such security as he may deem reasonable.

38. (1) Notwithstanding the provisions of any other law in force in the Federation, any police officer above the rank of Sub-Inspector may, if he considers it necessary so to do for the maintenance and preservation of law and order or for the prevention or detection of crime, erect or place barriers in or across any public road or street or in any public place within the Federation, in such manner as he may think fit.

(2) Any police officer may take all reasonable steps to prevent any vehicle being driven past any such barrier, and any driver of any vehicle who fails to comply with any reasonable signal of a police officer requiring such person to stop such vehicle before reaching any such barrier shall be guilty of an offence, and shall be liable to imprisonment for a term not exceeding twelve months or to a fine not exceeding one thousand dollars or to both such fine and imprisonment, and any police officer may, without warrant, arrest such driver unless he gives his name and address and otherwise satisfies the police officer that he will duly answer any summons or other proceedings that may be taken against him.

(3) No police officer shall be liable for any loss or damage resulting to any vehicle or for any injury to the driver or any other occupant of such vehicle as a result of the driver of such vehicle failing to obey any police officer acting under the provisions of sub-section (2) of this section.

39. (1) Any Officer in Charge of a Police District may, in such manner as he may deem fit --

(a) regulate the extent to which music may be played on public roads, streets or at places of public resort, in such District;

(b) direct the conduct of all assemblies, meetings and processions on public roads or streets or at places of public resort, in such District, and may prescribe the route by which, and the time at which, any such procession may pass.

(2) Any person who is desirous of convening or collecting any assembly or meeting or of forming any procession in any public road or street, or at any place of public resort, shall first make application for a licence in that behalf to the Officer in Charge of the Police District in which such assembly, meeting or procession is to be held, and if such police officer is satisfied that the assembly, meeting or procession is not likely to excite a disturbance of the peace, he shall issue a licence in such form as may be prescribed by Police Regulations, specifying the name of the licensee, and defining the conditions upon which such assembly, meeting or procession is permitted:

Provided that such police officer may at any time cancel such licence if he has reasonable grounds to believe that the assembly, meeting or procession
in respect of which the licence is issued is likely to excite a disturbance of the peace.

(3) Any police officer may stop any procession which is not duly authorized by a licence issued under the provisions of sub-section (2) of this section, or which contravenes any of the conditions of such a licence, and may order the persons comprising such procession or assembly to disperse.

(4) Any person who --

(a) disobeys any order given under the provisions of sub-section (1) or sub-section (3) of this section; or
(b) contravenes any condition of a licence issued under the provisions of sub-section (2) of this section,

shall be guilty of an offence against this Ordinance.

(5) Any assembly, meeting or procession --

(a) which takes place without a licence issued under the provisions of sub-section (2) of this section; or
(b) in which three or more persons taking part neglect or refuse to obey any order given under the provisions of sub-section (1) or sub-section (3) of this section,

shall be deemed to be an unlawful assembly, and all persons taking part in such assembly, meeting or procession and, in the case of an assembly, meeting or procession for which no licence has been issued, all persons taking part in convening, collecting or directing such assembly, meeting or procession, shall be guilty of an offence and shall be liable to a fine not exceeding two hundred and fifty dollars or imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(6) Any police officer may, without warrant, arrest any person reasonably suspected of committing any offence under this section unless such person gives his name and address and otherwise satisfies the police officer that he will duly answer any summons or other proceedings that may be taken against him.

40. (1) A Chief Police Officer may, with the approval of the Mentri Besar of the State or the Resident Commissioner of the Settlement, as the case may be,

(a) makes rules for --

(i) keeping order and preventing obstruction or inconvenience on public roads, at public places and at places of public resort, whether such places are on State land, Crown land or otherwise;
(ii) prohibiting the use of specified public roads either absolutely or conditionally or at stated times to specified descriptions of traffic;

(b) by order prohibit the flying, exhibition or display, either generally or at specified times and places, or in specified circumstances, of any flag, banner, device or emblem likely to excite a disturbance of the peace, and any police officer may remove any flag, banner, device or emblem exhibited or displayed in contravention of any such order or in circumstances which are likely to excite a disturbance of the peace.

(2) A Chief Police Officer may make orders, prescribing the routes and gates by which vehicles shall drive up to and retire from any place of assembly or of public resort, for the purpose of setting down and taking up persons and fixing the places where, and the order in which, such vehicles shall wait in the interval:

Provided that the Chief Police Officer shall not make any order for the parking of cars upon land in private ownership except with the consent of the owner or occupier thereof.

(3) Any person who contravenes any rule or order made under this section shall be guilty of an offence against this Ordinance, and any police officer may, without warrant, arrest any such person unless he gives his name and address and otherwise satisfies the police officer that he will duly answer any summons or other proceedings that may be taken against him.

(4) All rules made and orders given under the sections of the Minor Offences Ordinance of the Straits Settlements, the Minor Offences Enactment of the Federated Malay States, and Kelantan, and the Small Offences Enactment of Johore, Kedah, Trengganu and Perlis which are repealed by this Ordinance shall, in so far as the same are subsisting at the commencement of this Ordinance and are not inconsistent with the provisions of this Ordinance, be deemed to have been made and given under this Ordinance.

41. (1) Where the defence to any suit instituted against a police officer is that the act complained of was done in obedience to a warrant purporting to be issued by any competent authority, the Court shall, upon production of the warrant containing the signature of such authority and upon proof that the act complained of was done in obedience to such warrant, enter judgment in favour of such police officer.

(2) No proof of the signature of such authority shall be required unless the Court has reason to doubt the genuineness thereof; and where it is proved that such signature is not genuine, judgment shall nevertheless be given in favour of such police officer if it is proved that, at the time when the act complained of was committed, he believed on reasonable grounds that such signature was genuine.
42. (1) Subject to the provisions of sub-section (2) of this section --

(a) the pay and allowances of a subordinate police officer or constable shall not be assignable or transferable or liable to be attached, sequestered or levied upon for, or in respect of, any debt or claim whatsoever;

(b) no subordinate police officer or constable shall be liable to be imprisoned under an order of any Court by reason of non-payment of any debt which he may have incurred or for which he may become liable.

(2) The provisions of sub-section (1) of this section shall not apply to --

(a) a debt due to any Government in the Federation
(b) a fine imposed under any written law;
(c) an order for the payment of dowry, alimony or maintenance made under any written law.

(3) The pay and allowances of a subordinate police officer or constable shall not pass to the Official Assignee on the bankruptcy of such police officer nor shall they form part of his estate for the purposes of Part VI of the Bankruptcy Ordinance of the Straits Settlements, or of Part Vla of the Bankruptcy Enactment of the Federated Malay States in its application to the Malay States.

43. (1) It shall be the duty of every police officer to take charge of unclaimed moveable property handed to him by any other person or found by such police officer to be unclaimed and to deliver the same to the officer in charge of the nearest police station, who shall cause to be posted in some conspicuous place at the police station a notice specifying such property, and calling upon any person who may have any claim thereto to appear and establish his claim within two months from the date of such notice:

Provided that if the property is of a perishable nature such officer in charge may cause it to be sold at once and the proceeds of sale shall be forwarded to the Officer in Charge of the Police District. The proceeds of such sale, after the deduction of any expenses reasonably incurred, shall be paid to the person who establishes his claim thereto within the above-mentioned period.

(2) Such property, if no person has within two months from the date of such notice established his claim thereto, may be sold or otherwise disposed of or destroyed in such manner as may be prescribed by Standing Orders or as the Commissioner may direct. The proceeds of any sale of such property shall, after the deduction of any expenses reasonably incurred in such sale, be apportioned in the following manner --
(a) such proportion as the Chief Police Officer may direct, may be paid to the finder of the property;

(b) the balance, if any,

(i) if it does not exceed the sum of fifty dollars, shall be paid into the Police Fund; or

(ii) if it exceeds the sum of fifty dollars, as to fifty dollars thereof, shall be paid into the Police Fund, and as to the remainder, shall be paid to the general revenues of the Federation.

(3) It shall not be lawful for any police officer to purchase any property sold under this section, and any police officer who contravenes the provisions of this sub-section shall be guilty of an offence against discipline.

44. (1) Whenever any person dies leaving movable property in the Federation under one thousand dollars in value which property is, in the absence of any person entitled thereto, taken charge of by the police for the purpose of safe custody, the Chief Police Officer of the State or Settlement wherein such property is situate shall forthwith notify the Official Administrator of such State or Settlement that such property is in his charge and shall retain such property in safe custody subject to the directions of such Official Administrator.

(2) When the total amount of such property left by a deceased person does not exceed one thousand dollars, the Official Administrator may, if he thinks fit, direct that the same or any part thereof be delivered, without letters of administration taken out, to any person or persons appearing to him to be entitled thereto, if he is satisfied as to the title of the claimant and the value of the property by the oath or affirmation of the claimant or by such other evidence as he may require and may in his discretion take such security as he may think proper from such person or persons for the due administration of such property or for the protection of the rights of any other person.

(3) Nothing in this section shall affect the right of any person to recover the whole or any part of the property so delivered under sub-section (2) of this section from the person to whom it may have been delivered.

(4) In the event of any such property being of a perishable nature or likely to deteriorate in value by being kept in custody the Chief Police Officer, or any police officer authorized in writing by him, may order its sale and the proceeds of such sale shall be dealt with in the same manner as the property is by this section ordered to be dealt with.

(5) Any property taken charge of under this section and not claimed within the period of one month may be sold by the direction of the Official Administrator and the proceeds, if not over the value of one hundred dollars,
shall be paid into the Police Fund, and, if over that value, shall be paid to the general revenues of the Federation:

Provided that, if at any time thereafter, the owner of such property appears and claims the same, restitution shall be made, on the claim being established to the satisfaction of the Accountant-General, out of the Police Fund or the Federal Treasury, as the case may be.

(6) If the property described in sub-section (1) of this section is of no appreciable value, or its value is so small, in the opinion of the Official Administrator, as to render impracticable the sale of such property as provided by this section, the Official Administrator may direct such property to be destroyed or otherwise disposed of as he thinks fit.

Part VII
DISCIPLINE

45. (1) Any superior police officer, subordinate police officer or constable who is found guilty, by an officer authorised in that behalf, of any offence against discipline shall, subject to Police Regulations, be liable to such punishment as is set out in the First Schedule to this Ordinance.

(2) Any gazetted police officer duly authorised in that behalf by the Commissioner, whether by name, rank or office, may exercise the jurisdiction and powers vested by this section in an Officer in Charge of a Police District, or in an Officer Superintending a Police Circle, or in a Commanding Officer, as the case may be.

46. (1) In every case where it appears to the Commissioner or a Commanding Officer that any offence against discipline committed by a superior police officer, subordinate police officer or constable which is reported to him cannot, by reason of its gravity or by reason of previous offences against discipline committed by the police officer guilty of such offence or for any other reason, be adequately punished by the imposition of any of the punishments which he is authorised by this Ordinance to impose, the Commissioner may, or such Commanding Officer may upon first obtaining the approval in writing of the Commissioner thereto, by order in writing, direct that the officer charged with such offence be taken before a Sessions Court to be dealt with under the provisions of sub-section (2) of this section.

(2) Where a police officer is taken before a Sessions Court under the provisions of sub-section (1) of this section, he shall, if guilty of the offence of which he is charged, be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred and fifty dollars or to both such fine and imprisonment:

Provided that no proceedings before a Sessions Court shall be taken against
any police officer under the provisions of this section in respect of any
offence against discipline for which he has already been punished.

(3) Any order purporting to be an order of the Commissioner or a Commanding
Officer made under the provisions of sub-section (1) of this section shall
be accepted by any Court as prima facie evidence of the lawful making
thereof, and no proof of the signature of the Commissioner or the Command-
ing Officer, as the case may be, on any such order shall be required unless
the Court has reason to doubt the genuineness of such signature.

47. Every conviction had and punishment imposed under section 45 of this
Ordinance shall be subject to appeal and review in such manner and to such
extent as may be prescribed by Police Regulations, and upon any such
appeal or review the punishment imposed under such section may be confirmed
or reduced.

48. Any subordinate police officer dismissed from the Force under the
provisions of section 45 of this Ordinance shall be reduced to the ranks
before dismissal.

49. (1) All fines imposed by a police officer in respect of offences
against discipline shall be recovered by stoppage from the pay due, or
to become due, to the offender.

(2) The amount of such stoppage in respect of any such fine shall be
in the discretion of the police officer authorised to impose such fine,
but shall in no case exceed one seventh of such pay of the offender, and, if
more than one order of stoppage of pay is in force at one time against the
offender, so much only of his pay shall be stopped as shall leave him at
least three-quarters of such pay.

50. (1) Subject to the provisions of this section any punishment awarded
under section 45 of this Ordinance may be suspended --

(a) in the case of a punishment awarded to a superior police officer,
by order of the Commissioner; and

(b) in the case of a punishment awarded to a subordinate police
officer or constable, by order of a Commanding Officer,

for such period not exceeding six months as the Commissioner or Commanding
Officer, as the case may be, may determine.

(2) Where any punishment has been suspended under this section, the
Commissioner or Commanding Officer, as the case may be, or such other police
officer as may be directed by the Commissioner or Commanding Officer,
shall, at the expiration of the period of suspension, review the case,
taking into consideration such reports on the conduct of the offender
during the period of suspension as may be available. Such reviewing police
officer may thereupon order the punishment to be remitted or reduced, in
which case he shall cause any entry relating to the offence which has been made in the records of the offender to be expunged or altered, as the case may be, or he may order the punishment to be forthwith carried into execution:

Provided that if, during the period of suspension, the offender is convicted of a further offence against discipline, the suspended punishment shall forthwith be carried into execution.

51. (1) No pay shall accrue to any superior police officer, subordinate police officer or constable in respect of any period during which he is absent from duty without leave or good cause, or is undergoing any sentence of imprisonment or detention, as the case may be:

Provided that, in any case, a Commanding Officer may, in his discretion, authorise the payment of such proportion of pay, not being more than one half, as he shall think fit.

52. (1) If he deems it necessary in the public interest that a police officer should cease to exercise the powers and functions of his office instantly, the Commissioner may interdict from duty such police officer, and for the same reason a Commanding Officer may interdict from duty any non-gazetted police officer, pending any enquiry into the conduct of such police officer under the provisions of this Ordinance or any regulation or order applicable to other public officers of corresponding status in the service of the Government of the Federation, but such police officer shall not, by reason of such interdiction, cease to be a police officer:

Provided that the powers, privileges and benefits vested in him as a police officer shall, during his interdiction, be in abeyance, but he shall continue to be subject to the same authority and discipline as if he had not been interdicted.

(2) Half pay shall accrue to any police officer in respect of any period during which he is under interdiction awaiting trial which results in his conviction either for an offence against discipline or for any other offence:

Provided that the Commissioner may in the case of a gazetted police officer, and a Commanding Officer may in any other case, in his discretion, authorise the payment of such higher proportion of pay as he shall think fit.

(3) The interdiction of any gazetted police officer or superior police officer shall forthwith be reported to the High Commissioner.

(4) In this section "police officer" includes a woman police officer, extra constable and watch constable.

53. If any police officer pawns, sells, loses by neglect, makes away with or wilfully or negligently damages any arms, ammunition, accoutrement, uniform or other article supplied to him, or any vehicle or property
committed to his charge, he may, in addition to or in lieu of any other penalty, be ordered to make good, either partially or wholly, the value of such property or the amount of such loss or damage, as the case may be, and such value or such amount may be recovered by stoppage from his pay.

54. (1) The Commissioner or a Commanding Officer may, by order, convene a Court of Enquiry into the loss of or damage to any Government property entrusted to the Force. Such Court of Enquiry shall consist of a President, who shall be a gazetted police officer, and one or more members, as the convening officer may direct.

(2) Courts of Enquiry convened under sub-section (1) of this section shall be empowered to make findings in respect of any loss of or damage to Government property entrusted to the Force as follows:

(a) estimated cost of loss or damage;
(b) individual responsibility for such loss or damage;
(c) recommendations as to the manner in which the cost of such loss or damage may be recovered or written off against public funds.

(3) The findings and recommendations of such Court of Enquiry may be confirmed by the Commissioner in cases where the loss or damage does not exceed five hundred dollars and by the High Commissioner in cases where the loss or damage exceeds five hundred dollars.

(4) Standing Orders may provide for the procedure that shall be applicable to Courts of Enquiry.

55. (1) A police officer authorised to make an enquiry into an offence against discipline may apply to a Magistrate for a summons to secure the attendance before such officer, as a witness, of any person who appears to be acquainted with the circumstances of the case. Thereupon the Magistrate may issue a summons accordingly and such witness shall be bound to answer truly all questions relating to such case as may be put to him by such officer, and shall produce all documents relevant to such case.

(2) Any person summoned as a witness under subsection (1) of this section who fails to attend at the time and place mentioned in the summons or on adjournment, or refuses to answer any question that is lawfully put to him or to produce any such document which it is in his power to produce, shall be guilty of an offence and shall be liable to a fine of fifty dollars or to imprisonment for a term not exceeding one month or to both such fine and imprisonment:

Provided that nothing contained in this section shall render any person compellable to answer any question or produce any document in respect of any matter which would have been protected from disclosure on the ground of privilege if the proceedings had been held in any Court.
Part VIII
POLICE VOLUNTEER RESERVE

56. There may be established in and for the Federation a force to be known as the Police Volunteer Reserve.

57. The Reserve shall consist of such number of gazetted reserve police officers, superior reserve police officers, subordinate reserve police officers and reserve constables as may from time to time be sanctioned by the High Commissioner.

58. Any person, other than a member of Her Majesty's Naval, Military or Air Forces or of any Local Forces established under any written law, offering his services may be accepted for appointment as a member of the Reserve.

59. The administration and control of the Reserve shall be vested in the Commissioner.

60. (1) Gazetted reserve police officers may be appointed and promoted by the Commissioner for and on behalf of the High Commissioner and every such appointment shall be published in the Gazette. Gazetted reserve police officers may be dismissed by the High Commissioner.

(2) Superior reserve police officers may be appointed, promoted or dismissed by the Commissioner.

(3) Subordinate reserve police officers and reserve constables may be appointed, promoted or dismissed by a Commanding Officer.

(4) The High Commissioner in the case of a gazetted reserve police officer and the Commissioner in the case of any other reserve police officer, may require any such reserve police officer to retire from the Reserve if it appears to him that such person is unable to discharge efficiently the duties which he is or may be called upon to perform as a member of the Reserve.

61. Every reserve police officer shall, before entering on the duties of his office, make before a gazetted police officer the declaration set out in the Second Schedule to this Ordinance in such manner as he may declare to be most binding on his conscience.

62. A certificate of appointment, in such form as may be prescribed by Police Regulations, signed by a Commanding Officer or any gazetted police officer authorised by him in that behalf, shall be issued to every reserve police officer and shall be evidence of his appointment under this Ordinance.

63. Any reserve police officer may be discharged or may resign on being given or giving, by or to a Commanding Officer, as the case may be, one
month's notice in writing:

Provided that when the Reserve or any part thereof is called out for active service, a reserve police officer shall not resign unless expressly authorised in writing so to do by a Commanding Officer.

64. (1) When a reserve police officer ceases to belong to the Reserve, he shall forthwith deliver to the person appointed by the Commissioner for that purpose, his certificate of appointment and all arms, ammunition, accoutrements, uniform and other equipment which have been supplied to him and which are public property.

(2) Any reserve police officer who, having ceased to belong to the Reserve, fails without good cause to comply with the provisions of sub-section (1) of this section, shall be guilty of an offence and shall be liable to a fine not exceeding one hundred dollars or imprisonment for a term not exceeding three months or to both such fine and imprisonment, and, in addition thereto, shall be liable to pay the value of the property not delivered up, and such value may be ascertained by the Court in a summary manner and shall be recoverable as a fine.

65. (1) Subject to sub-section (2) of this section a reserve police officer shall serve voluntarily and shall not be entitled to claim any remuneration for his services.

(2) When called out for active service, a reserve police officer shall receive such pay and allowances as may be prescribed by Police Regulations.

66. (1) For any purpose connected with the peace and good order of the Federation the Commissioner, with the prior approval of the High Commissioner, may call out the Reserve or any part thereof for active service. Such service shall continue until an order is made by the Commissioner, with the prior approval of the High Commissioner, specifying the date of the termination of such service.

(2) Every reserve police officer called out for active service in accordance with the provisions of this section shall assemble at such place as the Commissioner shall direct.

(3) Any reserve police officer called out for active service who without reasonable cause refuses or neglects to serve shall be guilty of an offence and shall be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

67. Every reserve police officer when called out for active service shall have the same powers and duties and the same protection and immunities as police officers of corresponding rank.

68. When the Reserve or any part thereof is not called out for active service, the Commissioner may employ without pay any reserve police officers
who volunteer for such duty to assist the Force in the execution of its duty. Every reserve police officer when so employed shall have the same powers and duties and the same protection and immunities as if he had been called out for active service.

69. (1) Police Regulations may provide for all or any of the following matters --

(a) the uniforms and equipment of reserve police officers;
(b) the arms to be carried by reserve police officers;
(c) the training of reserve police officers;
(d) the discipline of reserve police officers;
(e) the duties and responsibilities of reserve police officers when not called up for active service;
(f) any other matter necessary or expedient for the carrying out of the purposes of this Part.

(2) Rules may provide for the pensions and gratuities which shall be payable to reserve police officers injured in the discharge of their duties under this Ordinance, or to the personal representative, widow or children of a reserve police officer who dies as a result of injuries received in the discharge of his duties under this Ordinance.

(3) The provisions of section 73 of this Ordinance shall apply to pensions, gratuities and allowances payable to reserve police officers.

Part IX
POLICE FUND

70. (1) There shall be established a fund to be known as the Police Fund.

(2) Such fund shall consist of --

(a) fines inflicted on police officers under the powers conferred by this Ordinance;
(b) one half of sums paid for extra or special services of police officers;
(c) fines levied for assaults on police officers;
(d) all sums of money and other property offered to police officers and forfeited by an order of Court;
(e) any sums paid to the Fund under the provisions of sub-section (2) of section 43 or sub-section (5) of section 44 of this Ordinance;
(f) donations offered to the Fund and accepted by the Commissioner.

(3) The Fund shall be controlled by the Commissioner, subject to any Rules made under this Ordinance, and shall be applied for the purpose of --

(a) rewarding superior police officers, subordinate police officers and constables for extra or special services rendered by them;

(b) procuring for superior police officers, subordinate police officers and constables who are serving, or who have been retired on pension or gratuity, comforts, conveniences or other advantages not chargeable to the public revenue; and

(c) granting loans, on terms prescribed by such Rules, to police officers who are serving or who have been discharged on pension or gratuity, or to the dependants of deceased police officers.

(4) In this section "police officer" includes a woman police officer, extra constable, watch constable and any member of the police force of the Colony present in the Federation under the provisions of section 29 of this Ordinance.

(5) Upon the coming into force of this Ordinance all monies comprised in any Police Reward Fund constituted under the provisions of any Ordinance, Enactment or Proclamation repealed by this Ordinance shall be deemed to be transferred to and shall form part of the Police Fund constituted by this Ordinance.

Part X
PENSIONS

71. (1) There shall be charged on and paid out of the general revenues of the Federation such sums of money as may from time to time be granted by way of pension, gratuity or other allowance in accordance with this Ordinance or any Rules made thereunder to subordinate police officers and constables who have been members of the Force and to their dependants.

(2) Rules may provide for the granting of such pensions, gratuities and allowances, and any such Rules may provide for the forfeiture, in events to be specified, of any pension granted under this Ordinance or the Rules made thereunder.

72. No subordinate police officer or constable or dependant shall have an absolute right to a pension, gratuity or allowance under this Ordinance or the Rules made thereunder, nor shall anything herein contained limit the right to dismiss a subordinate police officer or constable without compensation.
73. No pension, gratuity or allowance granted under this Ordinance or under any Rule shall be assignable or transferable, except for the purpose of satisfying --

(a) a debt due to the Government of the Federation or to the Government of any State or Settlement; or

(b) an order of any Court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child, whether legitimate or not, of the officer to whom the pension, gratuity or allowance has been granted, and shall not be liable to be attached, sequestered or levied upon, for or in respect of any debt or claim whatsoever.

74. The Commissioner may, with the approval of the Chief Secretary require any subordinate police officer or constable to retire from the Force at any time after he has attained the age of forty-five years or such other age as may, under the Rules for the time being in force, render him eligible for a pension.

Part XI
GENERAL OFFENCES AND PENALTIES

75. (1) Any police officer who unlawfully or in breach of his engagement absents himself from duty under circumstances which show that he has the intention of not returning to his duty shall be deemed to have deserted, and shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding twelve months, and all arrears of pay due to him may be forfeited by direction of the Commissioner.

(2) Any police officer may arrest without warrant any person upon reasonable suspicion that such person is guilty of an offence under sub-section (1) of this section.

(3) In sub-section (1) of this section the expression "police officer" includes a woman police officer, extra constable, watch constable and any member of the police force of the Colony present in the Federation under the circumstances referred to in section 29 of this Ordinance.

76. Any person, not being a police officer, who --

(a) is found in possession of any article whatsoever which has been supplied to any police officer for the execution of his duty, or any medal or decoration granted to any police officer for gallantry, service or good conduct, who fails to account satisfactorily for his possession thereof, or who, without lawful authority, purchases or receives any such article, medal or decoration; or
(b) without the permission of a Chief Police Officer, unlawfully wears, otherwise than in the course of a stage play or other such theatrical performance, any uniform of the Force or of any other body established or raised for police duties under this Ordinance or any other written law, or any dress having the appearance of or bearing the distinctive marks of that uniform,

shall be guilty of an offence against this Ordinance, and any police officer may, without warrant, arrest any person reasonably suspected of having committed an offence under this section.

77. Any person who, in any police station, police office or lockup, is guilty of any riotous, indecent, disorderly or insulting behavior shall be guilty of an offence against this Ordinance, and any police officer may arrest without warrant any person who, within his view, commits any offence under the provisions of this section.

78. (1) Any person who causes or attempts to cause or does any act calculated to cause disaffection amongst the members of the Force or induces or attempts to induce any such member to withhold his services or to commit a breach of discipline shall be guilty of an offence and shall be liable upon conviction before a Sessions Court to imprisonment for a term not exceeding two years or to a fine not exceeding one thousand dollars or to both such fine and imprisonment. Any police officer not below the rank of superior police officer may, without warrant, arrest any person who is reasonably suspected of having committed an offence under this section.

(2) In this section a member of the Force shall be deemed to include a woman police officer, an extra constable and a watch constable and any member of the police force of the Colony present in the Federation under the circumstances referred to in section 29 of this Ordinance.

79. Any person who is guilty of an offence against this Ordinance for which no other penalty is expressly provided shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding five hundred dollars or to both such fine and imprisonment.

Part XII
RULES, POLICE REGULATIONS AND ORDERS

80. The High Commissioner in Council may make Rules, not inconsistent with the provisions of this Ordinance, relating to all or any of the following matters --

(a) the classification and seniority of the various grades, ranks and appointements in the Force;

(b) the pay and allowances of members of the Force and of all other bodies established or raised for police duties under this
Ordinance;

c) the administration of the Police Fund;

d) the administration of any association established for the
welfare of police officers and the control of the funds of
any such association and the collection from members thereof
of subscriptions thereto;

e) all matters which, under the provisions of this Ordinance,
may be provided for by Rules;

(f) generally for the good order and government of the Force and
all other bodies established or raised for police duties
under this Ordinance.

81. The Chief Secretary may make Police Regulations, not inconsistent
with the provisions of this Ordinance or any Rule made thereunder, relating
to all or any of the following matters --

(a) the organisation and distribution of the Force and the designation
of areas as police districts, police circles or otherwise
for police purposes;

(b) promotions and reductions in rank or class;

c) discipline, including the definition of disciplinary offences,
and the regulation and carrying out of punishment;

(d) promotion and proficiency examinations;

e) the description and issue of arms, ammunition, accoutrements
and uniforms and necessaries to be supplied to members of
the Force;

(f) leave of absence;

g) all matters which, under the provisions of this Ordinance, may
be provided for or prescribed by Police Regulations;

(h) the fees to be charged to members of the public for extra or
special police services and for copies of reports, plans
and photographs made by police officers.

82. The Commissioner may issue administrative orders, to be called
"Standing Orders", not inconsistent with the provisions of this Ordinance
or of Rules or Police Regulations, for the general control, direction and
information of the Force.

Part XIII
MISCELLANEOUS

83. (1) The Enactment specified in Part I of the Third Schedule to
this Ordinance is hereby amended to the extent specified in the third column of such Schedule.

(2) Subject to the provisions of sections 84 to 87 inclusive of this Ordinance, the Ordinances, Enactments, Proclamation and Regulations specified in Part II of the Third Schedule to this Ordinance are hereby repealed to the extent specified in the third column of such Schedule.

84. (1) Upon the commencement of this Ordinance, every person who, immediately before such commencement, was serving in the police force constituted by the Civil Affairs (Malaya) Police Force Proclamation shall be deemed to be immediately transferred to and to become, at his rank and seniority immediately before such transfer, a member of the Force as if he had been engaged or appointed under the relevant provisions of this Ordinance and shall, notwithstanding anything contained in this Ordinance, enter upon his duties immediately upon such transfer without any further engagement or declaration, and the relevant provisions of this Ordinance shall extend to every such person accordingly, and service under such Proclamation and service under any Ordinance or Enactment repealed by this Ordinance shall, for all purposes, be deemed to be service under this Ordinance.

(2) The authority or warrant card or certificate of appointment issued under any Ordinance or Enactment repealed by this Ordinance, to any person transferred under the provisions of subsection (1) of this section shall be deemed to be a valid certificate of appointment issued under the appropriate provisions of this Ordinance.

(3) For the purposes of sub-section (1) of this section any person who was, immediately before the commencement of this Ordinance, receiving pay as a member of the police force constituted by the Civil Affairs (Malaya) Police Force Proclamation shall, notwithstanding that he has not signed an agreement to serve in such force or that any agreement in that behalf signed by him is not in the form prescribed by such Proclamation, be deemed to be serving in such force.

85. All Regulations and Rules made, orders and directions given, and penalties incurred, under the Police Force Enactment of the Federated Malay States as extended throughout the Federation by virtue of section 5 of the Civil Affairs (Malaya) Police Force Proclamation shall, in so far as the same are subsisting at the commencement of this Ordinance and are not inconsistent with the provisions of this Ordinance, be deemed to have been respectively made, given and incurred under this Ordinance, and all such Regulations, Rules, orders and directions shall, unless of local application only, extend to and apply throughout the Federation, and may be repealed, revoked, varied or amended, accordingly.

86. (1) The Emergency (Police Force Pensions) Regulations, 1948, shall have effect as if they were Rules made under section 71 of this Ordinance, and may be revoked, varied or amended accordingly, and subject to any
such revocation, variation or amendment, shall continue in force notwithstanding any revocation of the Proclamation dated the twelfth day of July, 1948, published in the Gazette on the thirteenth day of July, 1948, under section 3 of the Emergency Regulations Ordinance, 1948.

(2) Any Rules made under this Ordinance for the purpose of varying or amending such Regulations may be given retrospective effect to any date not earlier than the twelfth day of July, 1948.

87. Nothing in this Ordinance shall affect any pension, gratuity or other allowance accrued under the provisions of any written law repealed by this Ordinance and payable to any person before the commencement of this Ordinance.
<table>
<thead>
<tr>
<th>Maximum Punishment</th>
<th>To Superior Police Officer</th>
<th>To Sub-Inspector, Sergeant-Major or Sergeant</th>
<th>To Corporal or Lance Corporal</th>
<th>To Police Constable or Police Recruit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Dismissal</td>
<td>Commissioner of Police</td>
<td>Commanding Officer</td>
<td>Commanding Officer</td>
<td>Commanding Officer</td>
</tr>
<tr>
<td>2. Reduction in rank, stoppage of increment or forfeiture of approved service for increment</td>
<td>Commanding Officer</td>
<td>Superintendent</td>
<td>Superintendent or Officer Superintending a Police Circle</td>
<td>Superintendent or Officer Superintending a Police Circle</td>
</tr>
<tr>
<td>3. Fine not exceeding one month's pay</td>
<td>Officer Superintending a Police Circle</td>
<td>Assistant Superintending a Police Circle</td>
<td>Assistant Subordinate Superintendant or Officer in Charge of a Police District</td>
<td>Assistant Subordinate Superintendant or Officer in Charge of a Police District</td>
</tr>
<tr>
<td>4. Caution, reprimand or severe reprimand</td>
<td></td>
<td></td>
<td></td>
<td>Superior police officer with at least three years service as such</td>
</tr>
<tr>
<td>5. Detention for a period not exceeding fifteen days</td>
<td></td>
<td></td>
<td></td>
<td>Officer in Charge of a Police District</td>
</tr>
<tr>
<td>6. Extra guard, fatigue or other duty, or punishment drill, not exceeding fifteen days</td>
<td></td>
<td></td>
<td></td>
<td>Superior police officer</td>
</tr>
<tr>
<td>7. Extra guard, fatigue or other duty, or punishment drill, not exceeding five days</td>
<td></td>
<td></td>
<td></td>
<td>Subordinate police officer, not below the rank of Sergeant, authorised in that behalf by a Commanding Officer</td>
</tr>
</tbody>
</table>
SECOND SCHEDULE  
(Sections 11 and 61)  

DECLARATION OF OFFICE  

I, (insert name), do solemnly, sincerely and truly declare that I will well and faithfully serve as...........(appointment)........of the Federation of Malaya and will obey, uphold and maintain the laws of the Federation of Malaya, and that I will execute the powers and duties of my office honestly and diligently. 

Declared at........this........day of........, 19......  

.................................................  
Signature.  

Before me........................................  

THIRD SCHEDULE  
(Section 83)  

Part I  

AMENDMENT  
(1)  
No.  
(2)  
Title.  
(3)  
Amendment.  

F.M.S. Cap. 6 ... ... The Criminal Procedure  

The definitions of "Police District" and "Officer in Charge of a Police District" shall be deleted and the following definition shall be substituted therefor --  

' "Police Districe" and "Officer in Charge of a Police District" respectively have the meanings assigned to those
expressions by section 2 of the Police Ordinance, 1952;'

Part II
REPEAL

<table>
<thead>
<tr>
<th>(1) No.</th>
<th>(2) Title.</th>
<th>(3) Extent of repeal.</th>
</tr>
</thead>
<tbody>
<tr>
<td>S.S. Cap. 24 ... ...</td>
<td>The Minor Offences Ordinance</td>
<td>Section 5</td>
</tr>
<tr>
<td>S.S. Ordinance No. 39 of 1941</td>
<td>The Police Force Ordinance, 1941</td>
<td>The whole</td>
</tr>
<tr>
<td>F.M.S. Cap. 6 ...</td>
<td>The Criminal Procedure Code</td>
<td>Section 434</td>
</tr>
<tr>
<td>F.M.S. Cap. 34 ...</td>
<td>The Police Force Enactment</td>
<td>The whole</td>
</tr>
<tr>
<td>F.M.S. Cap: 46 ...</td>
<td>The Minor Offences Enactment</td>
<td>Section 3</td>
</tr>
<tr>
<td>Johore Enactment No. 6</td>
<td>The Small Offences Enactment</td>
<td>Section 3</td>
</tr>
<tr>
<td>Johore Enactment No. 32</td>
<td>The Police Force Enactment</td>
<td>The whole</td>
</tr>
<tr>
<td>Kedah Enactment No. 78</td>
<td>Enactment No. 78 (Police Force)</td>
<td>The whole</td>
</tr>
<tr>
<td>Kedah Enactment No. 111</td>
<td>Enactment No. 111 (Small Offences)</td>
<td>Sections 2, 3, and 4</td>
</tr>
<tr>
<td>Kelantan Enactment No. 2 of 1925</td>
<td>The Police Assistance Enactment, 1925</td>
<td>The whole</td>
</tr>
<tr>
<td>Kelantan Enactment No. 5 of 1932</td>
<td>The Minor Offences Enactment, 1932</td>
<td>Section 3</td>
</tr>
<tr>
<td>Kelantan Enactment No. 38 of 1939</td>
<td>The Kelantan Military Police Force Enactment, 1939</td>
<td>The whole</td>
</tr>
<tr>
<td>Perlis Enactment No. 4 of 1340</td>
<td>The Police Force Enactment, 1340</td>
<td>The whole</td>
</tr>
<tr>
<td>Perlis Enactment No. 7 of 1356</td>
<td>The Small Offences Enactment</td>
<td>Section 3, 4 and 5</td>
</tr>
<tr>
<td>Enactment/Proclamation</td>
<td>Act/Regulation</td>
<td>Section or Whole</td>
</tr>
<tr>
<td>------------------------</td>
<td>-----------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Trengganu Enactment</td>
<td>The Small Offences Enactment</td>
<td>Section 3</td>
</tr>
<tr>
<td>No. 11 of 1356</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trengganu Enactment</td>
<td>The Police Force Enactment</td>
<td>The whole</td>
</tr>
<tr>
<td>No. 50 of 1356</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B.M.A. Proclamation</td>
<td>The Civil Affairs (Malaya) Police Force Proclamation</td>
<td>The whole</td>
</tr>
<tr>
<td>No. 16</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. of M. L.N. 40/49</td>
<td>The Emergency (Police Force Foreign Service) Regulations, 1949</td>
<td>The whole</td>
</tr>
</tbody>
</table>
APPENDIX E (ii)

MALACCA

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ORGANISATION OF THE STATES OF MALAYA COMPONENT
COMMISSIONER OF POLICE

Department

PA or C.P. (ASP)

Deputy Commissioner

PA

Assistant Commissioner

Kuala Lumpur District (ASP)

Klang

Chief Police Officer

In. Chief Police Officer

Trans. PC & WO (ASP)

Field Force

Kuala Lumpur

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APPENDIX F

CHART OF POLICE ORGANISATION 1945-1948

COMMISSIONER OF POLICE

DEPUTY COMMISSIONER

ADJUTANT | PAYMASTER | PERSONNEL OFFICER | DIRECTOR CID
## DUTIES AND RESPONSIBILITIES OF POLICE DEPARTMENTS
(SANS 'E' DEPARTMENT - SPECIAL BRANCH)

<table>
<thead>
<tr>
<th>PARTMENT</th>
<th>B DEPARTMENT</th>
<th>C DEPARTMENT</th>
<th>D DEPARTMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>ISTRATION</td>
<td>PUBLIC ORDER, POLICE FIELD FORCE, AUXILIARIES AND COMMUNICATIONS</td>
<td>FINANCE AND SUPPLY</td>
<td>CRIMINAL INVESTIGATION</td>
</tr>
<tr>
<td>ONNEL AND AINING</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **Orders and Instructions to the Force**
  - Headquarters Operations Branch.
  - +Stores Procedure
  - +Criminal Investigation
- **Office Procedure**
  - +Operations Rooms
  - +Stores Stock Verification
  - Scientific Aids
- **Procedure**
  - +Immediate Reports and Daily Situation Reports
  - Local Orders, Tenders and Contracts
  - +Banishment
- **Forms and Books**
  - Air Support - Naval Support
  - +Rations
  - +Police Supervisees, Registered Bad Characters and Local Bad Characters.
- **Filing and Handing Duty Posts.**
  - +Curfew Orders
  - +Courts of Enquiry into Loss of, or Damage to Government Property
  - +Firearms/Ammunition - Lost or Found.

Note: At I.G.P's Headquarters, Peninsula Headquarters, and Contingent Headquarters, each Department has duties and responsibilities for the items shown. + Officers in charge of Police Districts have also duties and responsibilities for those items marked with an asterisk (+).
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Honors &amp; Awards - Letters of Commendation and Appreciation - Favourable Entries in Records of Service</td>
<td>Control of Explosives</td>
<td>Accommodation and Furniture</td>
<td>Photographs of Accused Persons.</td>
</tr>
<tr>
<td>Traffic and Mobile Patrols</td>
<td>Flood Reports</td>
<td>Air Movements</td>
<td>The Deputy Public Prosecutor.</td>
</tr>
<tr>
<td>Accident Investigation and Prosecution</td>
<td>Road Convoys &amp; River Travel</td>
<td>Armament Stores Procedure</td>
<td>Information of the Commission of An Offence: Police Reports.</td>
</tr>
<tr>
<td>+Alarm Schemes</td>
<td>Federal Reserve Units</td>
<td>+Arms Holdings</td>
<td>+Arrest, Production and Bailment of Accused Persons</td>
</tr>
<tr>
<td>+Note Books, Diaries and Visitor's Books</td>
<td>Carrying of Passengers in Police Launches and Craft</td>
<td>+Accounting Procedure - Petrol, Oils and Lubricants</td>
<td>+The Betting Ordinance No. 47 of 1953</td>
</tr>
<tr>
<td>+Official Enquires within the Force; Courts of Enquiry; Boards of Enquiry</td>
<td>+Accidents involving Police Launches and Craft</td>
<td>Finance - General, Annual Estimates, Virements</td>
<td>+The Common Gaming Houses Ordinance No. 26 of 1953</td>
</tr>
<tr>
<td>+Routine Inspections, Visits, Parades and School Periods.</td>
<td>+Police Volunteer Reserve</td>
<td>+Payments and Salaries</td>
<td>+Opium Offences</td>
</tr>
<tr>
<td>+Police Escorts</td>
<td>Police Reserve</td>
<td>+Financial Arrangements at the End of the Year.</td>
<td>+The Restricted Residence Enactment.</td>
</tr>
<tr>
<td>Police Boundaries - Circles, Districts</td>
<td>Auxiliary Police</td>
<td>+Petty Cash Imprest Accounts</td>
<td>+Counterfeit Currency</td>
</tr>
<tr>
<td>+Establishment and Strength</td>
<td>Aborigine Auxiliary Police</td>
<td>Payments to the Police Fund</td>
<td>+Mentally Disordered Persons</td>
</tr>
<tr>
<td>Increments: Good Conduct Allowance</td>
<td>-</td>
<td>The Employees' Provident Fund</td>
<td>+Unlicensed Wireless Receiving Sets</td>
</tr>
<tr>
<td>Conditions of Service</td>
<td>Ex-Home Guard Auxiliary Police</td>
<td>+Open Vote Employees</td>
<td>+Illegal Immigration</td>
</tr>
<tr>
<td>-----------------------</td>
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</tr>
<tr>
<td>+Courts of Enquiry into Injuries received by Members of the Police Force</td>
<td>Non-operational Defence Planning</td>
<td>+Travelling and Transport</td>
<td>+Fires and Sudden Deaths</td>
</tr>
<tr>
<td>+Retirement, Resignation, Discharge, and Dismissal</td>
<td>+Vital Points</td>
<td>+Trade Pay</td>
<td>+Incidents and Offences involving Members of the Armed Services</td>
</tr>
<tr>
<td>Pensions and Gratuities - Subordinate Police Officers and Constables</td>
<td>+Vulnerable Points</td>
<td>+Fees and Allowances - Casually Employed Women for Police Lock-Ups; Searching and Escort Duties in connection with Female Prisoners; and Female Accused Persons in Police Custody.</td>
<td>+Criminal Offences by Government Servants</td>
</tr>
<tr>
<td>+Discipline - Defaulter charges and Orderly Room cases</td>
<td>+Key Points</td>
<td>+Acquisition of Land</td>
<td>Detectives</td>
</tr>
<tr>
<td>+Maintenance of Records of Service</td>
<td>+Riots and Civil Disorders</td>
<td>+Accommodation and Works</td>
<td>+C.I.D. Inspectors</td>
</tr>
<tr>
<td>+Confidential Reports</td>
<td>+Calamities</td>
<td>+Minor, Electrical and Emergency Works</td>
<td>+The Use of Firearms by the Police</td>
</tr>
<tr>
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</tr>
<tr>
<td>Orderly Allowance</td>
<td>State Security Executive Committee</td>
<td>+Force Transport</td>
<td>+First Information (Pol. 51A)</td>
</tr>
<tr>
<td>Educational and Efficiency Allowance</td>
<td>+Administrative and Civil Control Centres</td>
<td>+Accidents involving Force Vehicles</td>
<td>+Agens and Sources</td>
</tr>
<tr>
<td>Detective Allowance and Plain Clothes Allowance</td>
<td>+Vigilante Corps</td>
<td>+Use of Force Transport</td>
<td>+Secret Societies</td>
</tr>
<tr>
<td>+Police Patrols - Foot and Bicycles</td>
<td>Police Museum</td>
<td>Ammunition Scales Carried on Routine and Operational Duties</td>
<td>+Prosecutions</td>
</tr>
<tr>
<td>+Prisoners and Police Lockups</td>
<td>Marine Branch</td>
<td>Air Supply</td>
<td>+Court Exhibits</td>
</tr>
<tr>
<td>Language Allowances for Subordinate Police Officers and Constables.</td>
<td></td>
<td></td>
<td>+Special Crime (Anti-Corruption)</td>
</tr>
<tr>
<td>Uniform Grants - Gazetted Police Officers</td>
<td></td>
<td></td>
<td>+Commercial Crime</td>
</tr>
<tr>
<td>Bandsmen's Allowances - Band of the Royal Malaysia Police.</td>
<td></td>
<td></td>
<td>+Enquires into Petitions.</td>
</tr>
</tbody>
</table>
Recruitment
Officer Supervising
Women Police

Training
Training Policy -
Direct Entry
Probationary Inspectors
and Women Probationary
Inspectors

Departmental Law
Examinations

Welfare, Recreation &
Health

Police Messes

Protective Security
within the Police -
General

Protective Security -
Security Classification &
Custody of Documents

Protective Security -
Official Secrets Ordinance

Protective Security -
Classified Areas
Protective Security -
Breaches of Security.

Research & Planning.
APPENDIX I

DUTIES AND RESPONSIBILITIES OF THE
OFFICER-IN-CHARGE OF A POLICE DISTRICT

The Officer-in-Charge of a Police District (OCPD) is responsible for the maintenance of law and order in his District. In addition to the general powers, duties and responsibilities of Police Officers under the Police Ordinance, 1952, special power is imposed on him under certain laws, and he may be required to administer and/or enforce, or prosecute under, other laws.

Prevention of Crime

2. He is required to exercise constant and close supervision on matters pertaining to the prevention and detection of crime and offences; the apprehension of criminals and offenders and the supervision of Police Supervisees, Registered Bad Characters, Local Bad Characters, etc. as required under the Criminal Procedure Code, Restricted Residence Enactment, Prevention of Crime Ordinance, etc.

3. He has to keep abreast of the daily crime situation in the District and plan preventive measures with regard to crimes of opportunity and design. He has to liaise with and advise local authorities and issue instructions with particular reference to immediate action in a preventive role.

4. He attends daily crime conferences with his subordinates and organises planning committees in respect of serious and complicated crime.
5. All reports of serious crime are reported immediately to the OCPD's responsibility either to investigate personally or to direct personally the investigation of all serious crime in the District, and he may not depute a subordinate to do so.

Prosecution

6. The OCPD is required either to prosecute personally, or to supervise the prosecution of, all serious or complicated cases in subordinate courts. He is required to prosecute often and has to keep himself abreast of reported cases. He has to maintain a correct liaison with the Magistrate and court staff, and supervise his prosecuting officer.

7. He has to ensure that there is no delay in investigation and prosecution. Whenever necessary he is required to submit Investigation Papers (IPs) to the appropriate authority, with his views and recommendations, for ruling.

8. He has to maintain overall supervision of investigation and prosecution. He carries out frequent checks on IP Registers and physical checks on IPs to ensure that all cases are speedily and efficiently dealt with in court.

Railways

9. The OCPD is responsible for the security and policing of all railway and harbour property within his District, and for the provision of railway escorts whenever necessary. He is required to work at all times in close liaison with the Railway CID.
Beats and Patrols

10. He is personally responsible for the Beat and Patrol Scheme in respect of every Station in his District. He has to ensure that:

(a) all villages and areas within the District are covered by beats and patrols;
(b) Beat areas and Patrol areas are covered by adequate routes to ensure effective coverage;
(c) Beat and Patrol cards showing the routes, important buildings, telephones, fire hydrants, addresses of VIPs etc. are up to date;
(d) all new Constables are fully trained in the operation of the beat and patrol system; and
(e) improvised Beat and Patrol coverage to deal with day to day crime, social functions, and security situations, is arranged.

Traffic

11. The OCPD is responsible for the regulation of traffic within his District and is responsible for:

(a) Accident Prevention;
(b) Mobile Enforcement;
(c) Prestige Outriders;
(d) 'Stationary' Enforcement;
(e) Public Functions - control of parking and traffic
(f) Accident Investigations;  
(g) Statistics of Accidents;  
(h) Escorts.

12. The OCPD is responsible for carrying out investigation into traffic accidents of a serious nature and also accidents where Superior Police Officers are involved.

Fire Precautions

13. The protection of life and property at outbreaks of fire and the investigation into any outbreak of fire whereby there is a loss of life are the personal responsibilities of an OCPD. In this connection he has to ensure that all his station personnel comply with Station Standing Orders on fire alarm by holding frequent practice turn-outs for fire fighting, and by inspections of fire fighting equipment held at all stations.

Defence of Police Stations, Posts and Barracks

14. It is his responsibility to ensure that a defence scheme is contained in all Station Standing Orders by the inclusion of a defence plan in respect of each Station and Post. Such schemes will cater for Immediate Action Drills, Crash Drills and Jail Breaks. This is in addition to the Public Order Scheme. (See para 16).

Major Disasters

15. Whatever the form of major disaster, the OCPD has to pre-plan for
all types of disasters and draw up standing orders for his personnel, laying down the general principles to deal with any type of disaster. In such cases, it is his responsibility:

(a) to implement rescue operations;
(b) to mount anti-looting and security measures;
(c) to organise crowd and traffic control;
(d) to notify the essential services in the order in which their services are required;
(e) to co-ordinate the activities of the various services;
(f) to liaise with the Civil Administrative Committee;
(g) to have a mobile control centre manned; and
(h) to carry out specific police functions.

**Public Order**

16. He is responsible for initiating the planning, and the organisation, training, and co-ordination of such police action with Military and Civil planning, and the combined schemes have then to be tested regularly under his auspices to ensure their efficiency.

**Criminal and Security Intelligence**

17. He is expected to supervise the collection of criminal and security intelligence and to take appropriate action, particularly on criminal intelligence.
Inspections and Parades

18. He will carry out Station Inspections of not less than two Police Stations within his District each month and submit inspection notes to his Chief Police Officer. There is an average of six stations in each District. (Note: each Station Inspection takes at least 4 hours).

19. He has to visit, either by day or by night, each Station within the District at least once in every two weeks.

20. He has to attend at least one parade and one school period a week at one of his Stations.

21. He has to perform at least one night round per week during which he has to visit selected sentries, guards, beats and patrols and initial all pocket books that he has checked.

22. He has to prepare a monthly duty scheme for his subordinates in relation to:

   (a) attendance at parades at District Headquarters and out-stations;
   (b) night rounds;
   (c) hospital rounds;
   (d) Rank and File law classes;
   (e) checking pawnshops, second-hand dealers and other licensed premises;
   (f) kit and barrack and station inspections; and
   (g) attendance at Roll Call at all stations.

23. He has to ensure that all his personnel undergo weapon training and fire their quota of ammunition for classification annually. (Note: the
Tours and Visits

24. An OCPD should be acquainted with all the important happenings within his District and on the occasion of visits of senior police officers he must be prepared to discuss all matters connected with his District.

25. On the occasion of visits from VIPs he is responsible for all local security measures during such visits and has to draw up operational orders for security measures, crowd and traffic control, provision of prestige outriders, etc.

26. He is required to make himself known to all the leading citizens and persons of influence in the District and gain their confidence and co-operation.

Prisoners

27. The OCPD is designated the OC Lock-ups under the Lock-up Rules, 1953. He is therefore ultimately responsible for the custody of all prisoners in Police Lock-ups in his District.

28. It is his responsibility that places kept for the custody of prisoners are gazetted as Lock-ups and that they are administered in accordance with the Lock-up Rules, 1953, the Prisons Ordinance and Commissioner's Standing Orders A.120. He is required to issue instructions to all his stations covering the responsibility for the custody and security of prisoners and has in addition to visit lock-ups at District Headquarters daily and those at outstations as often as possible. His orders have to provide for
the security of lock-ups; the welfare of prisoners; the storage of prisoners' property; and medical facilities for prisoners.

Administrative Responsibility

29. He is in administrative command of all police personnel, police clerks and other civilian employees posted for duty in his District. He is ultimately responsible for the maintenance and security of all Government buildings allocated to or belonging to the Police Force, for the maintenance of police compounds and ranges, and of police vehicles and police launches attached to his District.

30. His responsibilities also include the following: -

   (a) Pay and Allowances;
   (b) Increments of Clerks, Rank and File and Subordinate staff;
   (c) Stores, Furniture and Equipment;
   (d) Arms and Ammunitions, including Arms Repairs;
   (e) Signals Administration;
   (f) Conditions of Service;
   (g) Pensions and Gratuities;
   (h) Local, Medical and Vacation Leave;
   (i) Routine Establishment matters;
   (j) Buildings and Quarters.

Duty Scheme

31. He will ensure that duty schemes exist for every Station on the basis
of an equal distribution of work with a day off per man each week. Such
duty schemes must be reviewed constantly by him and amended to ensure
that all the essential functions in the station are carried out.

Financial Responsibility

32. The OCPD is designated a Collector of Revenue and is financially
responsible for such public monies as are collected by the Police. He
has to provide for an efficient system to ensure the adequate protection
and safe custody of all revenue, revenue books, property, and records
within his District in accordance with the provisions of:
   (a) Financial General Orders;
   (b) Commissioner's Standing Orders.

33. He has to make himself fully conversant with all instructions on
the preparation and posting of all bills, vouchers, records, returns and
correspondence in addition to the disbursement of all pay, allowances and
other monies chargeable to Police Votes, or for which he is responsible
as a Government Servant.

34. He is required to carry out daily checks on Cash Books and counterfoil
receipt books and will initial them at the end of each day. He is respon-
sible for payment of all salaries and allowances.

Stores and Equipment

35. The OCPD through the District Storemen is responsible for all stores,
arms and equipment held on charge in his District. The procedure for
indenting for and distributing stores, uniform and equipment is in accordance
with Commissioner's Standing Orders. It is his personal responsibility to carry out physical checks on stores at specified intervals and he is liable for any deficiencies or irregularities.

**District Transport**

36. The OCPD, through the District Transport Officer, is directly responsible for all District transport under his command. He is to carry out inspections of transport, particularly to check the accounting of petrol, oil and lubricants.

**Licences**

37. Many and varied applications for licences are constantly received by the OCPD. Whether they are to be approved by him or by the Chief Police Officer, it is his responsibility to ensure that each application for licences in respect of arms, ammunition, second-hand dealers, house to house and street collection, and processions and assemblies is carefully checked.

**Welfare**

38. It is a major responsibility of the OCPD to take an active interest in the welfare of all ranks in the District and to foster all forms of physical and recreational activities.

39. He is required to visit all ranks who are admitted to the hospital to ensure the welfare of the individual and his family.
40. He is responsible for ensuring that police canteens are operated satisfactorily. The canteen agreement by which the canteen is operated will be kept under revision and any discrepancy or breach of contract has to be brought to the notice of the contracting parties.

41. The OCPD is the responsible officer in respect of the Police Club Fund, whose committee is representative of all ranks. He supervises the operation of the bank account and financial activities of the Club which is subject to independent audit.

**Discipline**

42. He is required to maintain a high standard of discipline and is responsible for the discipline of all ranks under his command, whether temporarily attached or otherwise. He personally adjudicates the more serious and important disciplinary cases.
APPENDIX J

Statutory Powers of an OCPD

The main statutory powers of an OCPD are as follows:

<table>
<thead>
<tr>
<th>Legislation</th>
<th>Section/Rule</th>
<th>Power</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal Procedure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Code Cap. 6</td>
<td>109(a)</td>
<td>To certify copies of reports.</td>
</tr>
<tr>
<td>&quot;</td>
<td>329</td>
<td>To enquire into death.</td>
</tr>
<tr>
<td>&quot;</td>
<td>388</td>
<td>To grant bail.</td>
</tr>
<tr>
<td>Police Ord. No.14/52</td>
<td>37(4)</td>
<td>To detain vehicles.</td>
</tr>
<tr>
<td>&quot;</td>
<td>89</td>
<td>To regulate, direct and license assemblies, meetings, or processions.</td>
</tr>
<tr>
<td>&quot;</td>
<td>First Schedule</td>
<td>To impose punishment on PCs and/or Cpls.</td>
</tr>
<tr>
<td>Lock-up Rules, 1953</td>
<td>3(2)</td>
<td>To be responsible for the enforcement of Rules.</td>
</tr>
<tr>
<td>&quot;</td>
<td>21</td>
<td>To give suitable work to convicted prisoners.</td>
</tr>
<tr>
<td>&quot;</td>
<td>22, 24</td>
<td>To authorise visits to prisoners.</td>
</tr>
<tr>
<td>&quot;</td>
<td>25</td>
<td>To allow prisoners to write and receive additional letters.</td>
</tr>
<tr>
<td>Legislation</td>
<td>Section/Rule</td>
<td>Power</td>
</tr>
<tr>
<td>-------------------------------------</td>
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<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Lock-up Rules, 1953</td>
<td>26, 27, 28</td>
<td>To authorise the provision of luxuries, books and writing materials to prisoners.</td>
</tr>
<tr>
<td>&quot;</td>
<td>30</td>
<td>To punish prisoners.</td>
</tr>
<tr>
<td>Minor Offences Ord. 3/55</td>
<td>27(a)</td>
<td>To license hawkers.</td>
</tr>
<tr>
<td>Explosives Ord. 40/57 (when passed)</td>
<td>13(1)</td>
<td>To issue search warrants to search for explosives.</td>
</tr>
<tr>
<td>&quot;</td>
<td>14</td>
<td>To issue search warrants against a person.</td>
</tr>
<tr>
<td>&quot;</td>
<td>15(1)</td>
<td>To enter and search for explosives.</td>
</tr>
<tr>
<td>&quot;</td>
<td>16(1)</td>
<td>To compel persons to produce licences and account for explosives.</td>
</tr>
<tr>
<td>Control of Imported Publication Ord. 44/58</td>
<td>15(2)</td>
<td>To issue search warrants.</td>
</tr>
<tr>
<td>The Public Order (Preservation) Ord. 46/58</td>
<td>4(a)</td>
<td>To close roads, etc.</td>
</tr>
<tr>
<td>&quot;</td>
<td>5(1)</td>
<td>To prohibit and disperse assemblies.</td>
</tr>
<tr>
<td>&quot;</td>
<td>7(1)</td>
<td>To impose curfews.</td>
</tr>
<tr>
<td>&quot;</td>
<td>8(1)</td>
<td>To exclude persons from a District, etc.</td>
</tr>
<tr>
<td>Legislation</td>
<td>Section/Rule</td>
<td>Power</td>
</tr>
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<td>-------------------------------------</td>
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</tr>
<tr>
<td>&quot;</td>
<td>16(1)</td>
<td>To issue permits to registered persons to associate with other registered persons.</td>
</tr>
<tr>
<td>Road Traffic Rules, 1959</td>
<td>49</td>
<td>To issue permits for advertisements by certain vehicles.</td>
</tr>
<tr>
<td>Internal Security Act. 1960</td>
<td>49(4)</td>
<td>To issue permits in controlled areas.</td>
</tr>
<tr>
<td>Internal Security Act, 1960</td>
<td>50(3)</td>
<td>To authorise any person to search some other person in or about to enter a protected place.</td>
</tr>
<tr>
<td>&quot;</td>
<td>51</td>
<td>To exclude persons from an area, etc.</td>
</tr>
<tr>
<td>&quot;</td>
<td>52</td>
<td>To impose curfews.</td>
</tr>
<tr>
<td>&quot;</td>
<td>54(1)</td>
<td>To order the destruction of certain unoccupied buildings</td>
</tr>
<tr>
<td>&quot;</td>
<td>55(1)</td>
<td>To control roads, etc.</td>
</tr>
<tr>
<td>Legislation</td>
<td>Section/Rule</td>
<td>Power</td>
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<td>-------------------------------------------------</td>
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<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>&quot;</td>
<td>56(1)</td>
<td>To authorise any persons to seize rice and other food.</td>
</tr>
<tr>
<td>&quot;</td>
<td>57(2)(c)</td>
<td>To exempt a person from the provisions of Sec. 57(1)(a) and (b) requirement to show lawful excuse for possession of arms and ammunition in a security area.</td>
</tr>
<tr>
<td>&quot;</td>
<td>65</td>
<td>To empower a person with powers of search.</td>
</tr>
<tr>
<td>Internal Security (General) Regulations, 1960</td>
<td>3(7)</td>
<td>To open an entry point in a perimeter fence.</td>
</tr>
<tr>
<td>&quot;</td>
<td>3(10)</td>
<td>To exempt persons from the provisions of Reg. 3(5) in relation to perimeter fences in a security area.</td>
</tr>
<tr>
<td>Internal Security (Restriction and Prohibition of foodstuffs and other supplies) Reg. 1960</td>
<td>8</td>
<td>To authorise any women to search women suspects.</td>
</tr>
<tr>
<td>&quot;</td>
<td>18(1)</td>
<td>-do-</td>
</tr>
<tr>
<td>Legislation</td>
<td>Section/Rule</td>
<td>Power</td>
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<tr>
<td>--------------------------------</td>
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</tr>
<tr>
<td>Internal Security</td>
<td>3(3)</td>
<td>To issue permits.</td>
</tr>
<tr>
<td>(Rubber Control)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reg. 1960</td>
<td>25</td>
<td>To issue warrants to search for arms and ammunition.</td>
</tr>
<tr>
<td>Arms Act 21/60</td>
<td>26</td>
<td>To issue search warrants against persons.</td>
</tr>
<tr>
<td></td>
<td>27</td>
<td>To enter and search.</td>
</tr>
<tr>
<td></td>
<td>28(2)</td>
<td>To authorise any police officer not below the rank of Cpl. to inspect licences and arms and ammunition.</td>
</tr>
</tbody>
</table>
APPENDIX K
List of Laws which Gazetted Officers may be required to administer and/or enforce or under which they may be required to prosecute.

<table>
<thead>
<tr>
<th>ORDINANCE</th>
<th>Administration</th>
<th>Enforcement</th>
<th>Powers</th>
<th>Prosecution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Abduction and Criminal Intimidation of Witness Ordinance 26/47</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>2. Advocates &amp; Solicitors Ordinance 4/47</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Animals Ordinance 17/53</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>4. Arms Act 21/60</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>5. Banishment Ordinance 11/59</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>6. Bankers Books Evidence Ordinance 52/49</td>
<td>-</td>
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<td>Yes</td>
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<tr>
<td>7. Betting Ordinance 47/53</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>8. Births &amp; Deaths Registration Ordinance 61/57</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>9. Boarding Houses Enactment Cap. 87</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>10. Buffaloes Enactment Cap. 194</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>11. Children &amp; Young Persons Ordinance 33/47</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>12. Cinematograph Films Ordinance 76/52</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>ORDINANCE</td>
<td>Administration</td>
<td>Enforcement</td>
<td>Powers</td>
<td>Prosecution</td>
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<tr>
<td>13. Civil Marriage Ordinance 44/52</td>
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<td>Yes</td>
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<td>14. Common Gaming Houses Ordinance 26/53</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>15. Constitution of Malaysia G.N.(N.S.)885/57</td>
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<td>Yes</td>
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<tr>
<td>16. Control of Imported Publications Ordinance 44/58</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>17. Corrosive &amp; Explosive Substances &amp; Offensive Weapons Ordinance 43/58</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>18. Courts Ordinance 43/58</td>
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<td>Yes</td>
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<tr>
<td>19. Criminal Procedure Code Cap. 6</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>20. Customs Ordinance 42/52</td>
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<td>Yes</td>
<td>Yes</td>
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<td>21. Dangerous Drugs Ordinance 30/52</td>
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<td>Yes</td>
<td>Yes</td>
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<tr>
<td>22. Education Act 43/61</td>
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<td>Yes</td>
<td>Yes</td>
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<td>23. Election Offences Ordinance 9/54</td>
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<td>Yes</td>
<td>Yes</td>
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<td>24. Electricity Ordinance 30/49</td>
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<td>Yes</td>
</tr>
<tr>
<td>25. Employees Provident Fund Ordinance 21/51</td>
<td>Yes</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>26. Entertainments Duty Ordinance 25/53</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>27. Evidence Ordinance 11/50</td>
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<td>28. Excise Act 34/61</td>
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<td>29. Explosives Ordinance 40/57</td>
<td>Yes</td>
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<td>30. Extradition Ordinance 2/58</td>
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<td>31. Financial Procedure Ordinance 62/57</td>
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<td>32. Fisheries Ordinance 8/63</td>
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<td>33. Forest Enactment Cap 153</td>
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<td>34. Fugitive Offenders Enactment Cap 22</td>
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<td>36. House to House &amp; Street Collections Ordinance 18/47</td>
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<td>37. Immigration Ordinance 12/59</td>
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<td>38. Indecent Advertisements Ordinance 16/53</td>
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<td>42. Labour Code Cap. 154</td>
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<td>44. Life Assurance Companies (Compulsory Liquidation)</td>
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<td>Act 1/62</td>
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<td>52. Municipal Ordinance SS Cap 133</td>
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<td>53. National Emblems (Control &amp; Display) Ordinance 69/49</td>
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<td>55. National Service Ordinance 37/52</td>
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<td>56. Official Secrets Ordinance 15/50</td>
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<td>57. Passports Act 33/60</td>
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<td>61. Pensions Ordinance 1/51</td>
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<td>62. Police Pensions (Temporary Provision) Ordinance 4/54</td>
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<td>63. Post Office Ordinance 34/47</td>
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<td>64. Police Ordinance 14/52</td>
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<td>65. Poisons Ordinance 29/52</td>
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<td>66. Preservation of Peace Ordinance S.S. Cap 37</td>
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<td>67. Prevention of Corruption Act 42/61</td>
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<td>68. Prevention of Crime Ordinance 13/59</td>
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<td>69. Prisons Ordinance 81/52</td>
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<td>70. Protected Areas &amp; Protected Places Ordinance 33/59</td>
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<td>71. Public Order (Preservation) Ordinance 46/58</td>
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<td>72. Racing (Totalisator Board) Ordinance 10/61</td>
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<td>73. Railway Ordinance 8/48</td>
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<td>74. Registration of Criminal Ordinance 18/48</td>
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<td>75. Restricted Residence Enactment Cap. 39</td>
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<td>76. Road Transport Ordinance 49/58 and Traffic Rules</td>
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<td>78. Sale of Food &amp; Drugs Ordinance 28/52</td>
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<td>80. Sedition Ordinance 14/48</td>
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<td>81. Societies Ordinance 28/49</td>
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<td>82. Statutory Declarations Act 20/60</td>
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<td>83. Stamp Ordinance 59/49</td>
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<td>84. Theatres &amp; Places of Public Amusement Enactment 47/36</td>
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<td>85. Town Boards Enactment Cap 137</td>
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<td>86. Trade Disputes Ordinance 4/49</td>
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<td>87. Trade Marks Ordinance 26/50</td>
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<td>88. Vagrants &amp; Decrepit Persons Enactment Cap 191</td>
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<td>89. Vehicles Enactment Cap 167</td>
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<td>90. Visiting Forces Act 23/60</td>
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<td>91. Weights &amp; Measures Enactment Cap 67</td>
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<td>92. Wild Animals &amp; Birds Protection Ordinance 2/55</td>
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<td>93. Women &amp; Girls Protection Enactment Cap 156</td>
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## APPENDIX M

### OVERSEA & LOCAL COURSES FOR GAZETTED OFFICERS AND INSpectors

#### OVERSEA COURSES

<table>
<thead>
<tr>
<th>TYPE OF TRAINING</th>
<th>DURATION</th>
<th>PLACE OF STUDY</th>
<th>RANK</th>
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<tbody>
<tr>
<td>1. Imperial Defence College course.</td>
<td>1 year</td>
<td>Imperial Defence College, England.</td>
<td>SAC and above.</td>
</tr>
<tr>
<td>2. Joint Services Staff College course.</td>
<td>6 months</td>
<td>Joint Services Staff Supt. and AC.</td>
<td>Supt. and AC.</td>
</tr>
<tr>
<td>3. FBI course.</td>
<td>12 weeks</td>
<td>FBI National Academy, Washington DC, U.S.A.</td>
<td>ASP and DSP.</td>
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<tr>
<td>4. Staff Officers course up to Divisional level.</td>
<td>10 months</td>
<td>Military Staff College, Quetta, Pakistan.</td>
<td>ASP.</td>
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<tr>
<td>5. Senior Staff Course.</td>
<td>6 months</td>
<td>Bramshill Police College, England.</td>
<td>Supt.</td>
</tr>
<tr>
<td>6. Senior Course of Advanced Police Training.</td>
<td>11 weeks</td>
<td>Scottish Police College, Scotland.</td>
<td>DSP and ASP.</td>
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<tr>
<td>TYPE OF TRAINING</td>
<td>DURATION</td>
<td>PLACE OF STUDY</td>
<td>RANK</td>
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<tr>
<td>10. Special Branch Course (Advanced Intelligence Operations).</td>
<td>5 weeks</td>
<td>London, England</td>
<td>ASP and DSP.</td>
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<tr>
<td>11. Technical Motor Transport course.</td>
<td>18 months</td>
<td>Attachment to the Metropolitan Police Force and to various motor firms in England.</td>
<td>Insp. and ASP.</td>
</tr>
<tr>
<td>12. Traffic course.</td>
<td>10 months</td>
<td>Attachment to Lancashire County Constabulary and various Transport HQ's in London, England.</td>
<td>Insp. and ASP.</td>
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<tr>
<td>13. Bandmaster's course for LRAM, ARCM,</td>
<td>3 years</td>
<td>Royal Military School of Music, Kneller Hall, England.</td>
<td>Insp. and ASP.</td>
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<tr>
<td>14. Detective Training course.</td>
<td>6 months</td>
<td>Melbourne, Australia. Inspector.</td>
<td>- do -</td>
</tr>
<tr>
<td>15. Marine Diesel Engineering course.</td>
<td>1 year</td>
<td>Rangoon, Burma.</td>
<td>- do -</td>
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<tr>
<td>16. Technical Armaments Course in U.K. and Belgium.</td>
<td>1 year</td>
<td>Six months at Armourers School REME, Gosport; one month at 28 Command W/Shop REME, Hill sea; 3 months at School of Ammo., Brambley, England; one month at FN Factory, Liege,</td>
<td>- do -</td>
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<tr>
<td>TYPE OF TRAINING</td>
<td>DURATION</td>
<td>PLACE OF STUDY</td>
<td>RANK</td>
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<tr>
<td>17. Marine Launch Familiarisation course.</td>
<td>4 months</td>
<td>Friedrichshafen, West Germany.</td>
<td>Inspector Marine Maintenance Section.</td>
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<tr>
<td>19. Fingerprint course</td>
<td>6 weeks</td>
<td>West Riding Constabulary, Wakefield, England.</td>
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<tr>
<td>21. Explosives course</td>
<td>18 months</td>
<td>Attachment to various army establishments in U.K.</td>
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<tr>
<td>22. Technical Signals Crouse.</td>
<td>18 months</td>
<td>Southampton Technical College and thereafter attachments to various establishments in England.</td>
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<tr>
<td>23. Police Dog Unit - Organisation and Training.</td>
<td>12 weeks</td>
<td>Metropolitan Police Dog Training School Hendon, England.</td>
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## LOCAL COURSES

<table>
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<th>DURATION</th>
<th>PLACE OF STUDY</th>
<th>RANK</th>
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<tr>
<td>25. Junior Advanced Police Duties and Administration.</td>
<td>8 weeks</td>
<td>- do -</td>
<td>ASP and DSP.</td>
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<tr>
<td>26. OCPD Basic.</td>
<td>9 weeks</td>
<td>- do -</td>
<td>Inspector and ASP</td>
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<tr>
<td>27. ASP Basic.</td>
<td>16 weeks</td>
<td>- do -</td>
<td>Probationary ASP</td>
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<tr>
<td>28. Prosecuting Officers.</td>
<td>8 weeks</td>
<td>- do -</td>
<td>Inspector.</td>
</tr>
<tr>
<td>29. Criminal Investigation.</td>
<td>12 weeks</td>
<td>- do -</td>
<td>- do -</td>
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<tr>
<td>30. ASP Basic (To be followed by a 16-week administrative and police duties course at the Police College).</td>
<td>39 weeks</td>
<td>Police Depot, Kuala Lumpur.</td>
<td>Probationary ASP.</td>
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<tr>
<td>31. Probationary Inspectors Basic.</td>
<td>39 weeks</td>
<td>- do -</td>
<td>Probationary Inspector (Trainees).</td>
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<td>33. Special Branch Basic</td>
<td>3 weeks</td>
<td>Special Branch School</td>
<td>Inspectors and above.</td>
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<tr>
<td>34. Special Branch Revision.</td>
<td>3 weeks</td>
<td>- do -</td>
<td>- do -</td>
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<td>TYPE OF TRAINING</td>
<td>DURATION</td>
<td>PLACE OF STUDY</td>
<td>RANK</td>
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<td>35. Special Branch Advanced.</td>
<td>3 weeks</td>
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<td>- do -</td>
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<td>36. Special Branch Specialist.</td>
<td>1 week</td>
<td>- do -</td>
<td>- do -</td>
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<td>37. Special Branch Revision for Uniform Branch Officers.</td>
<td>1 week</td>
<td>- do -</td>
<td>- do -</td>
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<tr>
<td>38. Special Branch Intelligence Procurement Course.</td>
<td>5 days</td>
<td>- do -</td>
<td>- do -</td>
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<td>39. Junior Command and Staff Course.</td>
<td>6 months</td>
<td>Armed Forces School of Instruction.</td>
<td>ASP.</td>
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<td>40. Jungle Warfare.</td>
<td>5 weeks</td>
<td>FARELF Training Centre.</td>
<td>Inspector and ASP.</td>
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<td>41. Advanced Tear Smoke and Riot Drill.</td>
<td>2 weeks</td>
<td>Police Depot.</td>
<td>All ranks up to DSP.</td>
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<td>42. Forensic Science.</td>
<td>2 weeks</td>
<td>Chemistry Department.</td>
<td>ASP and above.</td>
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<td>43. Fingerprint</td>
<td>1 week</td>
<td>Criminal Records Office.</td>
<td>Inspector.</td>
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<td>44. PFF Conversion Course - Officers.</td>
<td>10 weeks</td>
<td>Police Field Force Training School.</td>
<td>Inspector and above.</td>
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<td>45. PFF/Public Order Platoon Retraining</td>
<td>3 weeks</td>
<td>- do -</td>
<td>Inspector and his platoon.</td>
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<td>46. Advanced Company Training.</td>
<td>12 weeks</td>
<td>- do -</td>
<td>ASP.</td>
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APPENDIX N

CADET ASPs COURSE

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<th>Serial No.</th>
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<tr>
<td>1.</td>
<td>The Organisation of the Royal Malaysia Police Force.</td>
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<td>2.</td>
<td>The Organisation and Functions of 'A', 'B', 'C', 'D' and 'E' Department.</td>
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<td>3.</td>
<td>The Police and The Public.</td>
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<td>4.</td>
<td>The Staff Officer.</td>
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<td>4.</td>
<td>Appreciations, Plans and Orders.</td>
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<td>Verbal and Written Orders.</td>
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<td>7.</td>
<td>Public Speaking.</td>
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<td>10.</td>
<td>Leadership &amp; Command.</td>
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<td>12.</td>
<td>'Q' Procedure - Self-Accounting Units.</td>
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<td>14.</td>
<td>The duties of Officer-in-charge Station.</td>
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<td>15.</td>
<td>Police Ordinance and Police Regulations.</td>
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<td>17.</td>
<td>Special Branch Subjects.</td>
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20. Meetings & Committees.
23. The Marine Branch.
24. The Duties of Officer-in-charge Police District.
25. The Use of Firearms by Police.
27. Police Traffic Duties.
28. The Technique of Interviewing.
29. Courts of Inquiry.
30. Inspection of Police Stations.
32. Agreement Sheets and Records of Service.
33. Orders & Instructions.
34. The Conduct and Discipline of Government Officers.
35. Note Books and Diaries.
36. Prisoners and Lock-Ups.
37. Do's and Don'ts for Officer-in-charge Police Districts.
38. Confidential Reports.
39. Police Action in the event of Major Incidents.
40. Institutional Funds.
41. Welfare, Health & Recreation.
42. General Orders and Financial General Orders.
43. Accounts, Book-Keeping, Cheques and Drafts.
44. Writing for Police Work.
45. The Women Police.
46. Organisation, Methods and Planning.
47. Defaulter Reports and Disciplinary Procedure.
48. Commissioner of Police: His Point of View.
49. Officers' Diaries.
50. The Custody and Handling of Public Monies.
51. Commissioner's Standing Orders.
52. Licensing of Arms, Meetings and Processions.
53. The Police Associations.
54. The Registration of Criminals.
55. The investigating Officer.
56. How to direct an Investigation.
57. The Functions of Registrar of Criminals.
58. Search & Search List.
59. Police Reports and First Information.
60. The scene of Crime.
62. Secret Societies.
63. Powers of Observation.
64. Fingerprints.
65. Descriptions.
66. How to put up Investigation Papers.
67. Supervision of 'D' Branch Personnel.
68. Police Report Book and Diaries.
69. Detective Journals and Service Abstracts.
70. Lock-up Rules.
71. The Deputy Public Prosecutor and the Police.
72. The Charge.
73. Witnesses.
74. Plan Drawing.
75. The Prosecuting Officer.
76. Public Order (Preservation) Ordinance.
77. Confessions.
78. Evidence.
79. The Road Traffic Ordinance.
80. Police Preventive Action.
81. Informers, Their Uses & Abuses.
82. Identification Parades.
83. Police Supervisees, Local Bad Characters and Registered Bad Characters.
84. The Investigation of Homicide.
85. The Prevention of Crime Ordinance.
86. Banishment and Restricted Residence Ordinances.
87. Corrosive, Explosive Substances and Dangerous Weapons Ordinance.
88. Housebreaking & Kindred Offences.
89. Offences Against the Body.
90. Forms in Current Use.
91. Arms & Arms Licensing.
92. Prevention of Corruption Ordinance.
93. Liaison Between Investigating & Prosecuting Officers.
94. Commissioner's and Senior Assistant Commissioner 'D's Instructions.
95. Investigation Papers: Their Enclosures and Numbering thereof.
96. Court Prosecutions.
97. The Custody and care of Exhibits.
98. The Jurisdiction of the Courts.
100. Agent Provocateurs and Accomplices.
101. Unlawful Assemblies.
104. The Burden of Proof.
105. Possession and 'Mens Rea'.
106. Forgery and Fraud.
107. House to House and Street Collection Ordinance.
108. Knowledge of Local Thieves.
109. The Juvenile Courts Ordinance.
110. The Officer-in-charge of Criminal Investigation: His Point of View.
111. Arrest with and without Warrant.
112. Statements to Police and Courts.
113. The Minor Offences Ordinance.
114. Exhibits.
115. Summary Trials.
116. Bail and Bond.
117. The Preliminary Inquiry.
118. Murder and Rape.
119. The Right of Private Defence.
120. Births and Deaths.
121. The Common Gaming Houses Ordinance.
122. Pawn-brokers and Second-hand Dealers.
123. Offences Against Property.
124. Beats and Patrols.
125. Sudden Deaths - Powers Under the Criminal Procedure Code.
126. Impeaching the Credit of Witnesses.
127. Brothels and Prostitution - Prosecution.
128. The Animals Ordinance.
129. The Courts Ordinance.
130. The Children and Young Persons Ordinance.
131. Prosecution of Members of Secret Societies.
133. The Organisation and Functions of Ministry of Defence.
134. Practical Police Problems.
135. Practical Exercises - Administration and Criminal Investigation Department.
137. Weapon Training.
138. Riot Drill.
139. Arms Drill.
140. Foot Drill.
141. Physical Education (i.e. unarmed combat, boxing, First Aid, Life Saving, etc.)
APPENDIX O

OCPD's COURSE

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Talk on the Royal Malaysia Police.</td>
</tr>
<tr>
<td>2.</td>
<td>The Duties &amp; Responsibilities of the Officer-in-Charge Police District.</td>
</tr>
<tr>
<td>3.</td>
<td>OCPD's Orders.</td>
</tr>
<tr>
<td>4.</td>
<td>Handing/taking over duties/Clerks Handing-over files.</td>
</tr>
<tr>
<td>5.</td>
<td>Talk on Station Inspections.</td>
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<tr>
<td>7.</td>
<td>Institutional Funds.</td>
</tr>
<tr>
<td>10.</td>
<td>Information Room.</td>
</tr>
<tr>
<td>17.</td>
<td>Confidential Report Writing; Exercise;</td>
</tr>
<tr>
<td>18.</td>
<td>Inspections of Stations by students.</td>
</tr>
</tbody>
</table>
22. Office Procedure: Mail & Registry.
23. Leadership.
24. Defaulters/Legal Aids and Disciplinary Procedure.
26. The Organisation & Functions of 'A' Department.
28. The Technique of Administration.
29. Operational Orders.
30. The Police & The Press.
33. Liaison between Police & other Departments.
34. Command.
35. Point of View - A.C. Area Singapore.
36. The Chief Police Officer's Point of view.
37. The Inspector-General's Point of view.
38. Assessment of Task & Duty Scheme.
41. Internal Security Act: Discussion.
42. Public Order: Background & Planning.
43. Organisation & Functions of 'B' Department.
44. Marine Police & Responsibilities of an O.C.P.D.
45. Police Volunteer Reserve.
46. Public Order Exercise.
47. Police Communications & Responsibilities of an O.C.P.D.
48. The Custody and Handling of Public Money: Surprise Check of Cash Book and common errors encountered at O.C.P.D. level.
50. Arms & Ammunition - Supply & Accounting.
51. Financial Responsibilities of an O.C.P.D.
54. Stores Organisation & Supply Scheme.
55. Stock Verification at District level.
56. The Scene of Crime.
59. The Preparation of Papers under Banishment Ordinance and Restricted Residence.
60. Crime Prevention: Planning Committees at District and Station level.
61. Disposal of Property.
62. Illegal Taxis: Diary Investigation and Prosecution.
63. Tape Recording - Admissibility.
64. Commercial Crime & Prosecution.
66. The Registration of Agents and Informers.
67. Brothels & Prostitution.
68. The Organisation & Functions of 'E' Department.
69. The C.P.M. & Its Aim, & Satellite Organisations.
70. Communist Subversion of Political Parties.
71. The Art of Interrogation.
72. Special Branch Report Writing.
73. Special Branch: The External Threat.
74. Communist Subversion of Labour and Youth.
75. Outline of Communist Subversion.
76. Protective Security.
77. Secret Service Funds.
78. Prosecution of Members of Visiting Forces.
79. Liaison Between the Police and the Deputy Public Prosecutor.
80. The Law pertaining to the Armed Forces, Liaison between Military/Police.
81. The Constitution - Fundamental Liberties.
82. Jurisdiction of the Courts - Malaysia.
83. Introduction to Group Work and Recording of Personal Particulars.
84. The Technique of Public Speaking.
85. Lecturelettes.
86. Prepared Lectures.
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Zakaria Haji Ahmad was born in Singapore on August 3, 1947. Now a Malaysian citizen, he received his education in Singapore and graduated from the University of Singapore in 1970. In 1971 he received his M.A. from McMaster University (Hamilton, Ontario, Canada). He has also attended the University of Ljubljana in Yugoslavia. Before joining the Universiti Kebangsaan where he is presently a staff member, he taught at the University of Science in Penang and the University of Malaya. He has also served in the Malaysian Foreign Service and the Prime Minister's Department, Malaysia. Albeit eligible, he remains, alas, single.