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PERDANA DISCOURSE SERIES 26

Upholding the Constitution: Challenges and Opportunities

5th November 2026

Perdana Leadership Foundation, Putrajaya

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PROGRAMME

9:30 am **Opening Remarks**

9:45 am **Welcome Remarks by**
Mr Mahmood Razak Bahman
Alternate Trustee,
Perdana Leadership Foundation and
Chief Executive Officer, PUSPAKOM Sdn Bhd

10:00 am **Keynote Address with Q&A**
YBhg Datuk Dr Shad Saleem Faruqi
Emeritus Professor (UiTM),
Former Holder of the Tunku Abdul Rahman Chair (UM), Former Holder of Tun Hussein Onn Chair (ISIS Malaysia), and Former Member of the Judicial Appointments Commission

11:15 am **Break**

11:30 am **Panel Session with Q&A**

Moderator:
Mr Ismail Adnan
News Anchor and Presenter,
RTM and Winner of Best TV Commentator, Anugerah Seri Angkasa 2026

Panellists:
Datuk Associate Professor Dr Shamrahayu Ab Aziz
Lecturer, Ahmad Ibrahim Kulliyyah of Laws, IIUM

Dr Ikmal Hisham Md Tah
Senior Lecturer, Faculty of Law, UiTM

Mr Muhammad Faris Fiqran Muhamad
MMU Chancellor's Award Recipient 2025 and Top 10 Tokoh Siswa Negara 2025 & 2026

Tokens of Appreciation to Panellists and Moderator

1:00 pm **Lunch**
End of Programme

FOREWORD BY



YBHG TAN SRI AZMAN HASHIM

Chairman, Board of Trustees,
Perdana Leadership Foundation

I would like to wish a warm *Selamat Datang* to panellists, participants, and guests to the Perdana Leadership Foundation and to the Twenty-Sixth in a sequence of events under the Perdana Discourse Series which debuted on 23rd August 2004.

The Discourse Series is an important part of the activities of the Foundation. It is the Foundation's hope that regular hosting of these intellectual discourses on topics that are uniquely Malaysian will help identify issues relevant to nation-building and the development of a progressive and prosperous society.

On behalf of the Board of Trustees, I would like to express our appreciation to Datuk Dr Shad Saleem Faruqi, Emeritus Professor (UiTM), Former Holder of the Tunku Abdul Rahman Chair (UM), Former Holder of Tun Hussein Onn Chair (ISIS Malaysia), and Former Member of the Judicial Appointments Commission for agreeing to share his views on this topic **"Upholding the Constitution: Challenges and Opportunities."**

I also thank the panellists who will contribute to the discussion with their own unique perspectives, Datuk Associate Professor Dr Shamrahayu Ab Aziz, Lecturer, Ahmad Ibrahim Kulliyyah of Laws, International Islamic University Malaysia (IIUM), Dr Ikmal Hisham Md Tah, Senior Lecturer, Faculty of Law, University Teknologi MARA (UiTM), Mr Muhammad Faris Fiqran Muhamad, MMU Chancellor's Award Recipient 2025 and Top 10 Tokoh Siswa Negara 2025 & 2026 and Mr Ismail Adnan, News Anchor and Presenter, Radio Televisyen Malaysia (RTM) and Winner of Best TV Commentator, Anugerah Seri Angkasa 2026 as the moderator.

This series will not be possible without the support of various individuals and organisations, especially DRB-HICOM Berhad, the series sponsor.

I wish everyone a rewarding discourse series, the outcome of which, we hope, will enhance efforts at making a better Malaysia for all.

ABOUT THE PERDANA DISCOURSE SERIES

Perdana Discourse Series began in 2004 with the objective of facilitating knowledge-sharing and dialogue on issues of national interest between eminent and experienced leaders from the public and private sectors, and Malaysian youth.

It is a semi-structured communication platform where a prominent presenter will speak on a pre-determined topic addressing its definition and tracing issues like policies, strategies, and challenges. Our Discourse Series has featured YABhg Tun Dr Mahathir Mohamad, YB Tan Sri Muhyiddin Yassin, (the late) YABhg Tun Arshad Ayub, Tan Sri Wahid Omar, Tan Sri Rafidah Aziz, Tan Sri Ambrin Buang, Professor Dr Elizabeth Lee, Professor Emeritus Tan Sri Dato' Dr Dzulkifli Abdul Razak, Dr Nungsari Ahmad Radhi, Tan Sri Dr Munir Majid, and other notable leaders as keynote speakers.

The Perdana Discourse Series is divided into two sections, keynote address and panel session. The keynote session is where the keynote speaker will present and share their perspectives and insights on the topic, followed by a Q&A session with the audience. Subsequently, panellists will discuss key points from the keynote speech, and present their own views on the subject, incorporating as far as possible, comments on government policies and initiatives, past and present.

The Perdana Discourse Series is organised by the Perdana Leadership Foundation and is fully sponsored by DRB-HICOM Berhad.

Objectives of Perdana Discourse Series

- To offer a platform for research on national policies, past and present
- To facilitate the sharing of knowledge and experience on issues of national concern between generations of Malaysians
- To map past and present policies introduced under Malaysia's past Prime Ministers
- To generate fresh discourse and ideas that can aid policy-makers

Discourse Output

Monograph publication by PLF

* *The views expressed by speakers and panellists during the Perdana Discourse Series are their own and do not necessarily represent those of the organiser or sponsor.*

TOPIC BRIEF

Upholding the Constitution: Challenges and Opportunities

The Federal Constitution is the supreme law of Malaysia, providing the foundation for governance, defining the powers of public institutions, and safeguarding the rights and liberties of citizens.

Since independence in 1957 and the formation of Malaysia in 1963, it has served as the nation's constitutional framework, guiding the relationship between the Federal Government, state governments, and the people. However, as Malaysia navigates political change, evolving public expectations and increasingly complex governance challenges, important questions arise about how effectively constitutional principles are upheld in practice. The Constitution's relevance extends beyond legal institutions, influencing everyday life, public administration, individual rights and the country's democratic development. **Is the Federal Constitution still the compass guiding Malaysia's national direction, and how can its principles be upheld amid competing political, social, and institutional interests?**

The Constitution continues to shape Malaysia's political, legal, and social development. Its interpretation and implementation are essential to ensuring that public power is exercised within constitutional limits. In particular, the principles of constitutional supremacy, separation of powers, judicial independence and institutional accountability remain central to maintaining the rule of law. Judicial independence and the constitutional role of the Judiciary are therefore essential to safeguarding these principles.[1]

[1] Semenyih Jaya Sdn Bhd v Pentadbir Tanah Daerah Hulu Langat & Another Case [2017] 3 MLJ 561. In this landmark decision, the Federal Court reaffirmed the constitutional importance of judicial power, the separation of powers, and judicial independence, recognising that these principles form part of Malaysia's basic constitutional structure.

Malaysia's diverse society underscores the importance of constitutional provisions relating to fundamental liberties, citizenship, the position of Islam, the Malay language, the special position of the Malays, and natives of Sabah and Sarawak, and the legitimate interests of other communities. These provisions reflect the historical considerations underlying the formation of the Federation and continue to raise questions concerning equality, national identity, and social cohesion.

Strengthening constitutional governance requires greater constitutional literacy, institutional accountability, and informed civic participation. Political leaders, public institutions, civil society, and citizens share the responsibility of upholding constitutional principles. In an era shaped by social media, artificial intelligence, and misinformation, constitutional awareness is particularly important among younger Malaysians.

Ultimately, upholding the Constitution requires an understanding of its role and importance, and a commitment to the rule of law, fundamental liberties, institutional independence, and accountability. Through responsible leadership, constructive dialogue, and respect for constitutional principles, Malaysia can strengthen public confidence in its institutions and build a more just, inclusive, and resilient society.

Some Questions for Discussion:

❶ Constitutional Relevance:

How does the Federal Constitution shape the everyday lives of Malaysians, and how can public understanding of constitutional rights and responsibilities be improved?

❷ Constitutional Supremacy:

How can Malaysia ensure that constitutional requirements are respected when political or institutional interests conflict with constitutional principles?

❸ Separation of Powers and Accountability:

Are the existing checks and balances between the Executive, Parliament, and Judiciary sufficient to prevent the abuse of power and ensure accountability? What improvements might be needed?

❹ Federal and State Jurisdictions:

How does the Federal Constitution divide power between the federal and state governments, and where are the main overlaps? What would a more balanced federal-state relationship look like over the next decade?

❺ The Federal Constitution and Syariah Law:

What does Article 121 (1A) do, and how has it shaped the relationship between civil and syariah courts? Are there constitutional, judicial, or legislature reforms that would improve the interface between civil and syariah jurisdiction or is case-by-case resolution still the better path?

❻ Constitutional Law and Custom:

Recent events have shown how unwritten custom and written constitutions can collide. When customary law and constitutional provisions point in different directions, which should guide the outcome and which institutions should decide?

❼ Equality Before the Law:

How can Malaysia promote equal access to justice and ensure that the law is applied fairly, regardless of a person's background, wealth or political influence?

❽ Freedom of Expression:

How can Malaysians, particularly young people, exercise freedom of expression responsibly in an era of social media, artificial intelligence, and misinformation while respecting constitutional rights and democratic values?

❾ Youth Participation and Civic Engagement:

How can young Malaysians contribute more meaningfully to public discourse and policymaking, and what roles can education, civil society, and digital platforms play in facilitating their participation?

❿ The Way Forward:

What practical reforms or initiatives should Malaysia prioritise to strengthen constitutional governance, institutional integrity, and public confidence in the rule of law?

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PROFILE OF KEYNOTE SPEAKER



YBHG DATUK DR SHAD SALEEM FARUQI

Emeritus Professor (UiTM),
Former Holder of the Tunku Abdul Rahman Chair (UM), Former Holder of Tun Hussein Onn Chair (ISIS Malaysia), and Former Member of the Judicial Appointments Commission

Datuk Dr Shad Saleem Faruqi is an Emeritus Professor of Law at Universiti Teknologi MARA (UiTM) and has held distinguished academic chairs at Universiti Malaya (UM), Universiti Sains Malaysia (USM) and the Institute of Strategic and International Studies (ISIS) Malaysia. With 48 years of experience in legal education, he has taught at several Malaysian universities, including UiTM, the International Islamic University Malaysia (IIUM), Universiti Kebangsaan Malaysia (UKM), Universiti Sains Malaysia (USM) and UM, as well as at the Maktab Polis in Kuala Kubu Bharu and Cheras. Throughout his career, he has held several prominent national appointments, including serving as a Distinguished Member of Malaysia's Judicial Appointments Commission from 2018 to 2020, a member of the Government's Malaysia Agreement 1963 (MA63) Committee in 2019, and a member of the Institutional Reform Committee established following the 14th General Election in 2018. He is also an elected Fellow of the Academy of Sciences Malaysia, an Honorary Member of the Society of Retired Human Rights Commissioners (PROHAM), and a judge of the Kuala Lumpur War Crimes Tribunal.

Datuk Dr Shad is the author of ten books, including Document of Destiny: The Constitution of the Federation of Malaysia, Reflections on Life and the Law, Decolonisation of Third World Universities: Towards a Non-Euro-Centric Paradigm, Media Law & Regulations in Malaysia and Our Constitution. Over the course of his legal career, he has written more than 700 articles for academic journals, periodicals and newspapers. He also contributes a fortnightly column entitled "Reflecting on the Law" to The Star. His extensive writings and contributions have established him as a prominent voice on constitutional law, legal education, and Malaysia's constitutional framework.

His expertise extends beyond Malaysia through various international consultancy assignments. One of his most notable contributions was serving as an Asia Foundation Scholar in 1992 to assist in drafting the Constitution of the Republic of Maldives. In Malaysia, he has also chaired or served on several committees responsible for drafting amendments to federal legislation, including the Institut Teknologi MARA (Amendment) Act 1996, the Universiti Teknologi MARA (Amendment) Act 1999, the Universities and University Colleges (Amendment) Act 2009, the Peaceful Assemblies Act 2012 and the Security Offences (Special Preventive Measures) Act 2012.

PROFILE OF PANELLIST



DATUK ASSOCIATE PROFESSOR DR SHAMRAHAYU AB AZIZ

Lecturer,
Ahmad Ibrahim Kulliyyah of Laws, IIUM

Datuk Associate Professor Dr Shamrahayu Ab Aziz has been a lecturer at the International Islamic University Malaysia (IIUM) since 1991 and currently serves as an Associate Professor. In 2021, she was awarded the Panglima Mahkota Wilayah (PMW) honour by the Yang di-Pertuan Agong, which carries the title "Datuk". She obtained her Bachelor of Laws (LL.B.) in 1991, Bachelor of Laws (Shariah) in 1992, and Master of Comparative Laws in 1993, all from IIUM. She also obtained a Diploma in Shariah Law and Practice in 2000 before completing her PhD at IIUM in 2007 with a thesis entitled *Legal Measures Regulating Offences against Islam in Malaysia*. Her areas of expertise include constitutional law, human rights, Islamic criminal procedure, Islamic criminal law, and the administration of justice, subjects she has taught for almost three decades.

Datuk Associate Professor Dr Shamrahayu is a prolific writer who has published more than 50 journal articles and book chapters, authored six books and co-authored *Social Contract and the Federal Constitution* (2014), which received an award for Best Book in 2015. Her publications include *Religion, Morality and Law: The Malaysian Legal Position* (2025), *Islam in the Federal Constitution* (2018), *Isu Penguatkuasaan Undang-Undang Jenayah Syariah di Malaysia* (2016), *Polemik Pindaan Akta Mahkamah Syariah (Bidang Kuasa Jenayah)* 1965: *Satu Pandangan Perundangan* (2016), *Issues in the Enforcement of Islamic Criminal Law* (2011) *and Criminal Procedure in Syariah Courts* (2011). She has also been a columnist for a Malay-language daily newspaper since 2010 and has contributed more than 500 articles on various legal issues, particularly constitutional and Islamic law, to newspapers and online news portals. In addition, she has presented papers at local and international seminars and has been invited to speak at various government agencies.

Her public service includes serving as a member of the Islamic councils of the State of Perak and the Federal Territories, as well as a member of the Judicial Appointments Commission from 2022 to 2024. In 2025, the Kelantan State Government, her birthplace, honoured her with the prestigious *Tokoh Sayyidatina Khadijah* award in recognition of her contributions and achievements as a woman from the state.

PROFILE OF PANELLIST



DR IKMAL HISHAM MD TAH

Senior Lecturer,
Faculty of Law, UiTM

Dr Ikmal Hisham Md Tah is a Senior Lecturer in Law at Universiti Teknologi MARA (UiTM), Shah Alam. He holds a PhD in Law from the International Islamic University Malaysia, a Master of Laws in International Law from the University of Hull, United Kingdom, a Bachelor of Laws, and a Diploma in Public Administration from Universiti Teknologi MARA.

His expertise includes constitutional & administrative law, public international law, and disability law. His research and publications address human rights issues, parliamentary reform, judicial appointments, and Negeri Sembilan's constitutional traditions. He also supervises doctoral research in constitutional and public law.



MUHAMMAD FARIS FIQRAN MUHAMAD

MMU Chancellor's Award Recipient 2025
and Top 10 Tokoh Siswa Negara 2025 & 2026

Muhammad Faris Fiqran Muhamad is currently serving as a LEAP Executive at Malaysia Aviation Group (MAG), where he is attached to the Transformation Management Office and involved in strategic initiatives focusing on process improvement, operational excellence and digitalisation. He graduated with First Class Honours in Bachelor of Multimedia (Hons.) Virtual Reality from Multimedia University (MMU) and received the prestigious MMU Chancellor's Award in 2025. His achievements have also earned him recognition as one of the Top 10 Tokoh Siswa Negara in 2025 and 2026, as well as the MDEC Premiere Digital Tech Institution Outstanding Student Award in 2024. He is also a registered Graduate Technologist with the Malaysia Board of Technologists (MBOT).

Faris has a strong interest in digitalisation, immersive technologies and innovation, having received numerous accolades in national and international competitions. His achievements include the Grand Prize and Special Outstanding Award at the Digital Innovation Creativepreneur (DICE) 2.0 competition, as well as the Gold Medal and Best Poster Award at the 1st World Innovation in STEM Competition 2025. He was also selected as the only Malaysian among 15 students worldwide to attend the GOBELINS Paris Summer School in France for a two-week programme on game development using Unreal Engine, sponsored by the French Embassy. Born and raised in Gua Musang, Kelantan, he developed *Layangan Warisan*, a gamified virtual reality experience aimed at preserving Malaysia's traditional kite (wau) heritage. The project secured a RM46,000 grant from the National Department for Culture and Arts (JKKN) and led to an academic publication at the International Conference on Advancing and Redesigning Education (iCARE 2025).

Beyond his professional and technological pursuits, Faris is passionate about public speaking, youth development, and civic awareness. He serves as an Eloquent Junior and public speaking trainer at the Malaysian Institute of Development Professional (MIDP). His public speaking achievements include winning the Champion and People's Choice Award at The Trophy International Public Speaking Competition for Hopeful Youth 2025. In 2026, he won the Champion title in the Open Category and the Best Overall Performance award at the Pidato Rukun Negara Piala TYT Melaka, reflecting his commitment to national identity, civic consciousness, and the principles of the Rukun Negara.

PROFILE OF MODERATOR



MR ISMAIL ADNAN

News Anchor and Presenter,
Radio Televisyen Malaysia (RTM) &
Winner of Best TV Commentator,
Anugerah Seri Angkasa 2026

Mr Ismail Adnan is a news anchor and presenter with Radio Televisyen Malaysia (RTM) TV1. Since 2014, he has been actively involved in broadcasting and has hosted numerous high-profile national events, including Wacana Sinar Harian, royal ceremonies at Istana Negara, official launch events, the Royal Concert, and the installation ceremonies of the Sultans of Perak, Johor, Kedah, Pahang and Negeri Sembilan.

He holds a Master of Laws (LL.M) in International Law and a Bachelor Degree of Laws (LL.B) from the International Islamic University Malaysia (IIUM), a Master of Business Administration (MBA) from Kolej Teknologi Antarabangsa Cybernetics, and a Diploma in Human Capital Management from Universiti Sains Malaysia (USM). He is also an Associate Member of the Institute for the Future of Malaysia (MASA).

TUNKU ABDUL RAHMAN PUTRA AL-HAJ

1957 - 1970

Remembered as the Father of Independence, Malaysia's first Prime Minister, Tunku Abdul Rahman, had recognised the vital importance of fostering cooperation among Malaysia's various ethnic groups as a way to overcome political problems. It was also Tunku who proposed the idea of Malaysia – a federation of Malaya, Singapore, Sarawak, and Sabah which was established in 1963. Perhaps Tunku Abdul Rahman's greatest single achievement was in giving Malaysians a sense of pride and nationhood.



"Right from the moment when I became Prime Minister, my aim, my thinking, my planning and as a matter of fact my whole heart was set on building up a prosperous and happy Malayan society."

Tunku Abdul Rahman

TUN ABDUL RAZAK HUSSEIN

1970 - 1976

Tun Abdul Razak masterminded and implemented Malaysia's New Economic Policy (NEP), vigorously tackling the economic and social disparities which had fuelled racial antagonism. The NEP set two basic goals: to reduce and eventually eradicate poverty and to eliminate the identification of race with economic function. For his contributions to national and rural development, he is known as the Father of Development.



"As we move along the road of nationhood we will have to make adjustments and re-adjustments in order that our people of various races should have a rightful place in our society."

Tun Abdul Razak

TUN HUSSEIN ONN

1976-1981

Tun Hussein Onn was renowned for emphasising the issue of unity through policies aimed at rectifying economic imbalances among the races. These included the launching of the National Unit Trust Scheme. He also dedicated his tenure as Prime Minister to creating a culture of discipline, purpose and integrity. For his efforts at promoting goodwill among the country's various communities, Tun Hussein Onn is remembered as the Father of Unity.



"Our successes have been founded on moderation. In a multiracial country, moderation requires strong disciplines. It demands sacrifices by all communities in the overall interest of the nation. It requires us to seek solutions which are acceptable to all communities rather than to any particular community."

Tun Hussein Onn

TUN DR MAHATHIR MOHAMAD

1981-2003 & 2018-2020

Tun Dr Mahathir bin Mohamad opened the country to foreign investment, reformed taxation, reduced trade barriers, privatised numerous state-owned enterprise, besides creating a world-class physical infrastructure. He also sought to bridge Malaysia's ethnic divisions by increasing general prosperity. In 1991, he launched the New Development Policy, which emphasised industrial and commercial development and the elimination of poverty. Under Tun Dr Mahathir's leadership, Malaysia developed into one of the most prosperous and dynamic economies in Southeast Asia, with a burgeoning manufacturing sector, an expanding middle class and an enhanced quality of life.



"Malaysia is our country, we are born here, we grow up here, make a living here and here we will die. Whether this country is good or bad is because of us. We can choose. Choose wisely because our lives are at stake."

Tun Dr Mahathir bin Mohamad

TUN ABDULLAH AHMAD BADAWI

2003 - 2009

Tun Abdullah Ahmad Badawi, the fifth Prime Minister of Malaysia, is well-known for his efforts to fight corruption with his initiative to set up the Malaysian Anti Corruption Commission (MACC) and his initiative to address bureaucracy in business-government dealings with PEMUDAH (Pasukan Petugas Khas Pemudahcara Perniagaan). In the economic sphere, he focused on modernising the agriculture sector and initiated plans for various economic hubs, namely, Iskandar Malaysia (in Johor) and the East Coast Economic Region (ECER). With more than 30 years' experience in public administration, Tun Abdullah improved the efficiencies of public sector services for the convenience of Malaysian citizens.



" The quest to find what we stand for is the work of many generations. But in the final analysis, we can agree on one thing: that we love (Malaysia's) diversity and its eccentricities. This is the only country we have, the only place where we feel truly at home, and we want it to succeed."

Tun Abdullah Ahmad Badawi

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ABOUT
PERDANA LEADERSHIP FOUNDATION

PERDANA LEADERSHIP FOUNDATION
YAYASAN KEPIMPINAN PERDANA

Perdana Leadership Foundation was established in January 2003 with the aim of preserving, researching, and disseminating materials by and on Malaysia's past Prime Ministers as well as events connected to them, with particular emphasis on the policies, strategies, and initiatives they adopted. Premised on the belief that past leadership can yield valuable insights for present and future development, the Foundation's objective is to increase awareness and appreciation of Malaysia's history and leadership legacy.

The Foundation's physical home in Precinct 8, Putrajaya, was completed in October 2003. The stately building now houses the Perdana Library, an auditorium as well as a multi-purpose hall in addition to the office of the Foundation's Honorary President who is the country's fourth and seventh Prime Minister, YABhg Tun Dr Mahathir bin Mohamad.

The Foundation operates the Perdana Library which houses 12,000 physical titles and more than 290,000 digital documents, including speeches, policy papers, and articles.









The Foundation's objectives are:

1. To research, document, disseminate, and publicise the intellectual legacies of Malaysia's past Prime Ministers.

2. To create awareness of the development process of the nation and draw lessons from the nation's history to enhance future development

3. To illuminate the contributions of Malaysia's past Prime Ministers in the social, economic, and political development of the nation.

4. To be a resource centre of policies, strategies, and initiatives that were adopted under Malaysia's various Prime Ministers which may be used and adapted as models for the development of other nations.

The Foundation also has a broader objective which is to promote global understanding by providing a channel for scholars and thinkers to undertake research and idea-sharing for lasting, peaceful resolutions.

www.perdana.org.my



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Today, DRB-HICOM remains one of Malaysia's most established listed companies, thanks to an innovative and committed approach to its diverse portfolio. It has the advantage of being able to capitalise on synergistic opportunities, making it an important contributor to national development and economic growth.

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