Original article. Historical science
UDC 94(595)
DOI: 10.31696/2072-8271-2026-2-2-71-159-174

AKTA HASUTAN 1948: THE VANGUARD OF MALAYSIA'S COLONIAL TRAUMA

Nadyaa Afiqah Binti AZERIN [1]

[1] HSE University, Moscow, Russia,
azerinnadyaa@gmail.com, https://orcid.org/0009-0004-6072-8869

Abstract: The Sedition Act has been a permanent fixture in Malaysia's legal system, acting as a censorship tool to curb criticism against the ruling government. While its initial goal was to counter pro-Communist sentiments during the Malayan insurgency (1948-1960), it has since been adapted to fit the current needs of the country after its independence in 1957. One of those needs include the maintenance of Malaysia's colonial trauma, which manifested through the implementation of affirmative action policies that would ensure Malay privileges and status within the country. As the Sedition Act persecutes criticism towards those policies, its *apparent omnipresence* acted as a deterrence from initiating productive discourse, which would prevent the process of *working through* colonial trauma. This deterrence created a monopoly on the narrative pertaining to Malaysia's colonial past, which continued to transmit memory of colonial trauma through *postmemory*, leading to the maintenance of said trauma to the next generation.

Keywords: *Sedition Act, Colonial trauma, postmemory, colonial legacy, collective memory*

For citation: Azerin N. A. B. Akta Hasutan 1948: the Vanguard of Malaysia's Colonial Trauma. *Yugo-Vostochnaya Aziya: aktual'nyye problemy razvitiya*, 2026, Vol. 2, № 2 (71). Pp. 159–174. DOI: 10.31696/2072-8271-2026-2-2-71-159-174

Научная статья. Политические науки

ЗАКОН О ПОДСТРЕКАТЕЛЬСТВЕ К МЯТЕЖУ 1948 ГОДА: АВАНГАРД КОЛОНИАЛЬНОЙ ТРАВМЫ МАЛАЙЗИИ

Надия Афика Бинти АЗЕРИН [1]

[1] НИУ ВШЭ, Москва, Россия,
azerinnadyaa@gmail.com, https://orcid.org/0009-0004-6072-8869

Аннотация: Закон о подстрекательстве к мятежу прочно закрепился в правовой системе Малайзии, выступая в качестве инструмента цензуры для подавления критики в адрес правящего правительства. Хотя его первоначальной целью было противодействие прокоммунистическим настроениям во время малайского восстания (1948-1960), после обретения независимости в 1957 году он был адаптирован к современным потребностям страны. Одна из таких потребностей – сохранение колониальной травмы Малайзии, которая проявилась в реализации политики позитивной дискриминации, призванной обеспечить привилегии и статус малайцев в стране. Поскольку Закон о подстрекательстве к мятежу преследует критику этой политики, его *повсеместное присутствие* препятствует продуктивному диалогу, что мешает *преодолению* колониальной травмы. Это сдерживание создало монополию на повествование о колониальном прошлом Малайзии, которое продолжает передавать память о колониальной травме через *постпамять*, что приводит к сохранению этой травмы для следующего поколения.

Ключевые слова: *Закон о подстрекательстве к мятежу, колониальная травма, постпамять, колониальное наследие, коллективная память*

Для цитирования: *Азерин Н.А.Б.* Закон о подстрекательстве к мятежу 1948 года: авангард колониальной травмы Малайзии // Юго-Восточная Азия: актуальные проблемы развития, 2026, Том 2, № 2 (71). С. 159–174. DOI: 10.31696/2072-8271-2026-2-2-71-159-174

Background

Akta Hasutan 1948 or the Sedition Act is an infamous piece of legislation within Malaysia's legal system, with a reputation of having been used as a tool of censorship and striking down opposition to the establishment. According to cited statistic in a parliamentary session, the year 2025 saw up to 97 investigations opened due to potential violations of the Sedition Act, with 58 of those resulting in arrests, a significant increase from 32 arrests 2024[1]. The increasing intensity in arrests and investigations in recent years was done under the guise of curbing seditious speeches and acts deemed to be a "threat" to Malaysia's racial harmony, with a widespread implications that would not even spare those occupying positions of power. A decade prior, even politicians and members of parliaments could not escape the long arm of the Sedition Act, which saw the current Prime Minister Anwar Ibrahim (then member of parliament and opposition) and his daughter, Izzah Anwar being investigated and charged with seditious speeches[2],[3].

The use, or rather misuse of the Sedition Act has received attention and condemnation from human rights group, including the Malaysian rights group commission, SUHAKAM[4]. SUHAKAM noted the vagueness of the seditious tendencies underlined within the law, leading to a subjective interpretation, opening it to further misuse, as can be seen through its use throughout the years as a political tool[5]. Therefore, the Sedition Act has been mired in controversy, especially in the past few decades with the increasing visibility of its implementation upon the Malaysian populace.

While the infamy of the Sedition Act lays mainly with its misuse as a political tool, its implementation inadvertently served another purpose pertaining to Malaysia’s colonial past. The coverage of the law included the issue of Malay special rights, a relic of British rule in Malaya and arguably, a manifestation of Malaysia’s colonial trauma and the resulting postcolonial insecurities among its Malay populace. With the curbing of such discourse due to threat of persecution, the law inadvertently acted as a vanguard to Malaysia’s colonial trauma, preventing the disentanglement and the process of working through said trauma.

This article aims to analyse the workings and mechanisms involved in the implementation of the Sedition Act and how it directly and indirectly served to perpetuate and maintain colonial trauma, effectively acting as the last vanguard of this colonial legacy in Malaysia.

Colonial trauma: a brief overview

In the larger field of trauma studies, the standard definition would often involve not only the actual occurrence of the traumatic event, but also the aftermath or the response to said event. This can be seen in how Luxon underline the “standard Western” definition of the term, which involve “a distinct event” that would result in a “psychosomatic response”[6]. This dual-element definition of the term can also be seen in Caruth’s work, who defines trauma as “overwhelming experience of sudden or catastrophic events in which the response to the event occurs in the often delayed”[7]. This can be seen in Visser’s definition, where trauma “denotes the recurrence or repetition of the stressor event through memory, dreams, [and] narrative”, analysing the phenomenon through the lens of Post-Traumatic Stress Disorder (PTSD)[8]. While these definitions did provide an overview on how trauma is understood, they often refer to the occurrence of trauma at an individual level and lack the nuance and the sociopolitical context involved in the infliction of said trauma, as observed by Gooze, who noted how the “politics of trauma” would be overlooked in the study of the phenomenon[9].

The adoption of the term colonial trauma was meant to address this issue, providing additional context and specifically addressing the colonial and historical context in which a trauma was inflicted upon. Colonial trauma itself is a relatively novel term, which refers to a specific form of trauma that is contextualized against the backdrop of traumatic events endured during the process of colonial rule. The use of this specific phrase of “colonial trauma” is not universal, with terms such as “historical”, “colonial” and “postcolonial” also used as a defining trait of this subcategory of trauma. Nevertheless, these terms refer in varying extent to the trauma experienced due to the infliction of violence during the colonizing process.

These terminologies indicated a deeper relationship between the present manifestation of trauma with the occurrence of the past. In this context, historical trauma was studied by contextualizing trauma through political history, such as done by Prussing in his study of the American Indian and Alaskan Natives group (AIAN). Although Prussing used the term “historical”, the examples he cited in his studies pointed towards the colonial experience of the AIAN communities, in which he defines historical trauma as “multigenerational historical trauma response in which AIAN individuals and communities experience unresolved grief over distant historical events of colonial violence”[10]. He also noted how the current circumstances of this group, especially through their “direct experiences” with policies that further marginalised their position in societies, such as boarding schools and relocation programs can trigger this trauma response, which manifested in the form of psychological distress[11]. This terminology of “historical trauma” can be observed amongst other scholars studying the AIAN community, such as Evans-Campbell, who also offered a definition of the term that echoed the one given by Prussing, defining the term as a form of “collective complex trauma” that resulted from a “legacy of numerous traumatic events a community experiences over generations and encompasses the psychological and social responses”[12]. In short, historical trauma was conceptualised through cumulative and collective experience of traumatic events that were results of colonial subjugation.

The cumulative and collective nature of trauma that was due to colonial violence can also be seen in Mitchell’s work through the use of a more specific terminology. Here, Mitchell used the exact phrase of “colonial trauma”, further specifying the context, as well as the role colonialism played in the conceptualisation of this form of trauma[13]. He characterised colonial trauma as “complex, continuous, cumulative and collective with long -term intergenerational effects”, echoing the notion that this form of trauma being multigenerational, cumulative, and experience as a collective rather than as individuals. These definitions underlined the two main characteristics of colonial trauma that sets it apart from the general defintion of trauma within trauma studies. First, colonial trauma is collective in nature, whereby it is not experienced individually but rather as a group. Second, it extends beyond the first-hand experience of the traumatic event, affecting those in generations that came after the one that actualy experienced said trauma. This form of trauma is passed down to the next generations. Boulanger noted how this occurrence of colonial trauma is “not always readily tied to a single event or injury”, indicating its impact that extends beyond the point of contact with colonial or historical violence[14].

Unlike the studies of trauma that tend to gravitate towards the individual experience, colonial trauma relied heavily on the shared memory of those who have fallen victim to colonial violence. This notion of shared memory can be better understood through Halbwachs and Assman’s respective works on collective and cultural memory, where memory was transmitted and passed down intergenerationally, a mechanism that is intrinsic to colonial trauma. Assman further expanded on this process of memory transmission in his work on cultural and communicative memories. He distinguished the two terms through the way memory was transmitted, namely through interactions for communicative memory, and through the rituals that assign meaning to said memory in cultural memory[15]. In both instances, the memory that was transmitted did not exist in a vacuum, but preserved within a community, which aligns with the collective nature of colonial trauma. While Assman had a separate definition for each of those terms, in the case of colonial trauma, they work in tandem in transmitting a specific form of memory and their meaning not only within those who experienced the memory first hand, but also to their descendants.

While interactions and social practices helped transmit and preserve collective memory of colonial trauma, in postcolonial spaces, another added factor also aided the preservation of memories of traumatic events. This came through “stressors”, where systemic and institutional legacy of colonial rule continued to be practiced in postcolonial spaces, which reinforced the memory of colonial trauma, thus prolonging its impact on the community that had experienced colonial violence[16]. These stressors acted as a reminder to the colonial violence they experienced, further perpetuating the colonial trauma and their responses. While the colonisers were removed, the colonised were not removed from the system left behind by the colonisers. Therefore, the memory of colonial violence and the ensuing traumatic response would continue to be passed down long after the actual event.

In the case of Malaysia, the colonial legacy of racially-based socioeconomic policies that it inherited became part of the ongoing stressors or triggers that continued to propagate memories of colonial violence, and by extension, colonial trauma.

Malaysia's colonial trauma and postcolonial insecurities

As seen above colonial trauma is cumulative in nature and collectively experienced by those who have experienced some form of colonial violence. Malaysia is no exception, which in the case of the subject of this article, refers specifically to the collective trauma experienced by its Malay populace in the Malayan peninsula during five centuries of colonial subjugation. The colonisers not only exploited Malaya's economically, but also imposed their sociopolitical will onto the population through the introduction of colonial policies. Kalman argued that the imposition of colonial policies constituted a form of "symbolic and cultural violence"[17]. The imposition of colonial policies infringing upon the sociopolitical and at times, cultural space of the colonized manifested as forms of colonial violence that would later fester into colonial trauma for the Malays.

To understand the root of colonial trauma among the Malays, their colonial experience must be examined. In the case of Malaya, indigeneity played an important role in shaping the Malays' colonial experience and their ensuing reaction to acts of colonial violence by the British. According to Alfred and Corntassel, the notion of the "indigenous" was a form of identity that was constructed within the context of contemporary colonialism[18]. However, the presence of foreign colonial rule created a need for this categorisation. In the case of Malaya, colonial rule, especially during the British period (1824-1957) exacerbated the need for this categorisation due to the economic and migration policy practiced by the British colonial force in the peninsula.

These British colonial labour and migration policies caused a racial and demographic imbalance that triggered mistrusts among the Malays[19]. Astafyeva noted that this particular colonial policy affected the previously dominant Malay position, as well as diminishing the autonomy of the Malay elites[20]. This significant shift prompted the need for the distinction between the "native" and the non-natives, which can be seen in the categorisation in the Malayan peninsula during British rule[21]. Additionally, the introduction of the infamous colonial policy of *divide et impera* further highlighted the differences between the natives i.e. the Malays and the non-Malays.

Here, indigeneity served the purpose of ensuring a placated Malay population that saw their autonomy stripped down, especially after 1870, with the power of the Malay rulers being significantly diminished through the assignment of British advisors along their side[22]. Additionally, indigeneity was also used as a form of assurance of the status quo in the peninsula, as migrant labours slowly diminished the dominance that the Malays had in the peninsula as the ethnic majority. By assigning the category of "indigenous" or "native" to the Malays, it acted as an acknowledgment that their status as the dominant group in the peninsula remained unchanged despite the demographic shift.

While the employment of indigeneity as a tool remained unproblematic for more than a century of British rule, this "arrangement" between the Malays and the British fell apart in 1946, as the latter proposed a new mode of colonial rule that saw the elimination of the distinction between the Malays and the non-Malays.

In 1946, Malayan Union was proposed in Malaya that would streamline the colonial administrative units with a citizenship policy that sparked uproar among the Malays[23]. Prior to 1946, the Malays maintained their position as the "natives", which came with a set of privileges and clear distinction from those brought into Malaya by the British. However, the new Malayan Union citizenship would be based on the *jus soli* principle, where those born in Malaya after 1st April 1946 would be granted citizenship, regardless of the status of their parents[24]. This raised alarms and posed a threat to the Malay status quo, as by 1941, their dominance in numbers have dwindled and in some parts of Malaya, they were already outnumbered by the non-Malays[25].

This constitutes an important point for the Malays as it inflicted a tremendous amount of trauma through not the stripping of their privileges and identity through the new citizenship model. According to La Capra, this type of crisis that "harms the collectivity" could transform into a "renewed origin of the myth" that would serve an ideological function[26]. In the case of the Malays, the introduction of Malayan Union, or rather their reaction to it served as a this "renewed origin of the myth", specifically the myth of the foundation of the Malay nation.

This was made apparent through their response to Malayan Union, which eventually resulted in a series of legal measures meant to safeguard their identity and the privileges that came with it. Article 160 of the Federal Constitution underlined the criteria for a Malay while article 153 stated the protection accorded to the Malays on their status and privileges through the role of the Yang DiPertuan Agong[27]. From this day onwards, the Malay identity and the role of the Sultans became highly guarded in anticipation or rather fear of the same threat reoccurring.

It is under this assumption of threat of loss of status and privilege that colonial trauma and the ensuing postcolonial insecurities should be understood. The root of insecurities dates to the gradual stripping of Malay status, autonomy, and eventually privilege throughout five centuries of colonial rule, all of which culminated in the final nail in the coffin through the introduction of Malayan Union in 1946. It is through the reaction of the Malays and the aspect of society that they chose to safeguard that their deepest insecurities are revealed, namely pertaining to their identity as Malays and the status that said identity represents.

The Sedition Act: origin and implementation

While the traumatic event of Malayan Union triggered an immediate reaction, the impact of colonial trauma caused by that debacle reverberated and continued to be propagated for decades after. This manifested through the introduction of the affirmative action regime favoring the Malays, which was built upon the foundation laid by article 153 within the country's Federal Constitution, a part of an ecosystem of laws, institutions, and provision that would ensure the maintenance of the Malay status quo within the country. Part of that ecosystem includes the Akta Hasutan 1948 or the Sedition Act.

While the Sedition Act is an important element within the maintenance of Malay status quo, its existence and implementation predated article 153 as it was initially introduced to serve a different purpose. The law was established to control the masses and censor speeches and actions that went against the official government narrative, which included pro-Communist sentiments[28]. At the time, it was part of the British administration's campaign against the Malayan Communist Party (PKM), despite the absence of any mention of communist sentiments specifically being seditious.[29] As per the nature of the law, any anti-government sentiments were deemed as seditious, which at that time would include those sympathizing with the PKM. This effectively eliminated criticism and opposition to British rule and policies during the critical years of the Malayan Emergency.

When Malaya gained its independence in 1957, the country was still under Emergency Law, therefore, the law which was made to serve colonial interest remained even after the British left. However, even after the end of the Malayan Emergency in 1960, the law remained within the country's legal system and updated to meet the needs of the newly formed nation state. Apart from the minor changes, the main essence of the law remained, serving as a part of the country's colonial legacy from the British era.

Arguably, the law was maintained due to the existing Communist threat, which did not officially end until the ceasefire in 1989.[30] However, this argument fell apart due to an incident two-decade prior that reinforced the government resolved to not only maintain the Sedition Act, but to also employ this relic of its colonial past onto its populace.

In May 1969, a racial riot erupted after the general election saw the ruling coalition barely eked out a win, while the opposition gained seats in major cities[31]. However, the riot was triggered not merely due to the diminishing share of the ruling coalition but what it signified for the Malays. Ever since its first proper election in 1955, the Malayan peninsula has always been ruled by a Malay-majority coalition, assuring that the interest and status of the Malays in Malaya remained secure and safeguarded[32]. This trend continued for decades up until the general election in 1969, which saw an opposition that included the erosion of Malay privilege as part of their party manifesto gaining valuable seats in the election. The opposition at that time mentioned their intention for a more egalitarian society, which implies the removal of Malay privilege stated in article 153 in the constitution[33].

At this point, this "threat" of once more losing their status and privileges acted as a "trigger" or a "stressor" to Malaysia's colonial trauma, evoking a reaction. This reaction came in few different forms, all of which were intended to suppress those perceived threat. One of those reactions came in the form of the use of the Sedition Act, reutilized from its anti-Communist origin into a tool to safeguard Malay privileges and status quo within the country. This was made apparent in the amendment made to the Sedition Act in 1970, a year after the deadly riot, which included this provision as part of seditious tendencies that could be persecuted by law:

1) To question any provision, right, status, position, privileges, sovereignty, or prerogatives that has been set and protected by Part III or Article 152, 153, or 181 of the Federal Constitution[34].

From this amendment, matters pertaining to the Malay special rights, privileges, along with the role of the Yang DiPertuan Agong are off-limits, effectively censoring any criticisms that seek to challenge the validity of the aforementioned matters.

This effectively prevents any meaningful discussion on the Malay special rights, including the motivation behind its implementation, rooted in colonial trauma and postcolonial insecurities, which severely limits any effort to work through and dismantle the damage done through years of colonial violence upon the Malays. The implementation of the Sedition Act is extensive, and its jurisdiction even overrode parliamentary immunity. According to the constitution, privileges of parliament would allow extensive freedom of speech to members of parliament, as underlined in Article 63(2) and (3), ensuring that productive and meaningful debate can be held in parliament without any fears of persecution[35]. However, an amendment was added to the Article after the May 1969 incident to exclude sedition from being covered under parliamentary privileges. Article 63(4) states:

Clause (2) shall not apply to any person charged with an offence under the law passed by Parliament under Clause (4) of Article 10 or with an offence under the Sedition Act 1948 [Act 15] as amended by the Emergency (Essential Powers) Ordinance No. 45, 1970 [P.U. (A) 282/701[36].

This was made clear with the charge of sedition on opposition leaders, such as Nurul Izzah Anwar in 2015 due to a speech she made that was viewed as seditious[37]. Although the arrest was highly criticized by local and international rights group, the law remains in place and had been used actively throughout the years.

Other prominent cases include the current Prime Minister Anwar Ibrahim, who was then the leader of the opposition due to a statement he made during a political rally in 2010[38]. He was among few opposition figures and student activists that were charged and arrested under the Sedition Act. Although it is apparent that this Act was often used as a tool of censoring political opposition, it had a wider implication on the ability, or rather inability to productively work through colonial trauma and postcolonial insecurities that lay under the affirmative action policies embedded in Article 153 and the NEP.

If even the lawmakers and those in power are prevented from speaking or discussing issues of Malay special rights, the public would have even less opportunities to form their own opinion regarding the matter. Threats of persecution and criminal damage serve as an inhibitor, relegating this important matter into the realm of unspoken taboos that the populace is aware of but dare not speak of.

The Sedition Act: an "invisible guard" within the panopticon

While the Sedition Act was mainly enforced against very few and often targeted towards members of the opposition as a political tool, the looming threat of being persecuted by this law remain. In fact, it appears that the "threat" of being charged by the Sedition Act is greater than the actual meted punishments, leading to self-censorship. This behaviour is akin to the behaviour of prisoners in Jeremy Bentham's panopticon prison model, where the lack of transparency on the authority figure led to the impression of constant surveillance, which prompted the prisoners to behave in a socially and legally conformative manner[39].

In the second half of the 18th century, Jeremy Bentham came up with a prison concept, coined the panopticon, with its name reflecting its 360-

degree overview on the prisoners and prison structure. In his letters, he described the building in great detail as he went through specific measurements and materials that should be used in the construction of the panopticon. Bentham described the building as "circular", containing partitioned cells in the periphery and the "inspector's lodge" in the centre. The cells were partitioned so as to separate the prisoners from one another but as they were fitted with "iron grating" on the side facing the inspectors lodge, allowing for the inspector to see into the cells. However, this access is only unidirectional, as the lodge is equipped with "blinds" that could obstruct the view into the inspector's space[40]. These detailed descriptions painted a picture of a prison that mainly relied not on the physical presence of its guard, but on his "apparent omnipresence"[41].

Instead of relying on numerous amounts of guards, Bentham's panopticon relied on this "apparent omnipresence", the feeling of always being watched and therefore, the need to always behave in a way that would minimize negative consequences and punishments[42]. Information in the panopticon only flowed in one direction and as such, the prisoners altered their behaviour to match the asymmetrical relationship between them and the watcher or guard. Therefore, even without active surveillance, the presumption of active surveillance due to the lack of information given to the prisoners would create discipline and self-regulation.

In the case of Malaysia, the public are the "prisoners", while the Sedition Act, or rather the authority enforcing it is the one residing in the guard towers. As aforementioned, the use of the Sedition Act has been sporadic, inconsistent, and at times, arbitrary. The lack of clear guidelines on how Sedition Act was implemented was compounded by the fact that it has been misused as a political tool. In this case, it is represented by the lack of understanding on how Sedition Act is implemented. Therefore, the public does not know if their speeches or actions would fall under the attention of the Sedition Act. Additionally, the extensive application of Sedition Act that overwrites privileges of the parliament also leaves the impression that no one can escape falling under the "observation" of that piece of legislation.

The looming threat of observation and lack of knowledge of if active surveillance is being conducted affected how society behaves. Strub argues that the lack of transparency would create an "unlimited or unknown centres of point of surveillance", thus leading to constant vigilance and added attention to how they behave[43]. This behaviour was also noted by Foucault as an "exercise of discipline", where coercion was developed through observation, or rather the perception of being observed[44]. As there was limited information, the safest assumption would be to assume they are constantly being watched, leading to internalized coercion and discipline that would conform to the demands of the one doing the surveillance i.e. the source of authority. Applying this rationale to Malaysians and the Sedition Act, the law constitutes a form of surveillance or observation that was used to control and alter the behaviour of Malaysians, specifically in limiting challenges to Article 153 and Malay special rights. The inability to discern between state of being surveilled and being hidden from surveillance led to the least risky position, which is self – censorship.

The role of *postmemory*: inherited colonial trauma and its maintenance

The internalized coercion produced by the Sedition Act had a larger implication on the preservation of colonial trauma and postcolonial insecurities. Besides its role in shielding hierarchy-enhancing mechanisms in affirmative action policies, it also created a condition where the lack of discourse on the subject led to a monopoly by the authority in determining the narrative that should be propagated to the public. As Sedition Act is employed and self-censorship was practiced, there is a lack of meaningful discourse on the subject of Malay special rights. When diverse or contradicting narrative is absent, the pre-existing narrative i.e. the one produced by the government, becomes dominant in public consciousness. This narrative would be reinforced and reproduced with no meaningful challenges and propagated through every section of society. The assumption that affirmative action is a necessary evil to maintain social harmony is widespread beliefs among many Malaysians, with many citing the "social contract" as part of the deal[45].

The lack of diverse narrative, particularly due to self-censorship, as well as the Sedition Act to discourage new and alternative discourse on affirmative action created a vacuum, which is filled with the official version of history that continued to be recycled and reinforced with each generation. This is problematic as the justification of affirmative action and Malay special rights was built on top of a foundation of colonial trauma and postcolonial insecurities. Therefore, continuous propagation of this narrative would only prolong and reaffirm Malaysia's colonial trauma instead of working towards dismantling it. In short, instead of allowing colonial trauma to heal with time, it was being reinforced as each generation would "inherit" the narrative surrounding the subject of Malay special rights instead of being allowed to form their own due to the legal limitations placed by the Sedition Act.

In this sense, Malaysia and its inability to move on from its colonial trauma, is suffering from the postmemory effect, where trauma was inherited and propagated through generations. Marianne Hirsch describes this process as such:

"To grow up with such overwhelming inherited memories, to be dominated by narratives that preceded one's birth or one's consciousness, is to risk having one's own stories and experiences displaced, even evacuated, by those of a previous generation. It is to be shaped, however indirectly, by traumatic events that still defy narrative reconstruction and exceed comprehension. These events happened in the past, but their effects continue into the present"[46].

Malaysia's colonial trauma constituted this "inherited memories" that permeates every section of society, and whose dominant narrative put forward by the government manages to hinder the production of new narrative by the younger generation. Therefore, even when the traumatic events preceded the younger generations of Malaysians, because they were prevented from producing their own narrative due to the Sedition Act, they could only inherit said narrative, along with the colonial trauma and postcolonial insecurities that came along with it. This act of collective remembering, either through first hand experience or inherited memory, helps preserve and perpetuate colonial trauma. Additionally, this process of remembering was also being highly curated and intervened by the government by regulating the type of narrative that was allowed to be circulated among Malaysians. This added element of control and censorship further added to the preservation of colonial trauma.

Conclusion

Colonial trauma is a complex and temporally multifaceted phenomenon, with its intrinsic link to the past while also being susceptible to present-day occurrences, such as the aforementioned ongoing stressors and triggers. These present-day occurrences are courtesy of colonial legacies left behind by the British colonial rule that manifested in the forms of institutions and legal systems currently being used in Malaysia. Therefore, while the perpetrators of colonial trauma left in 1957, the post-independent Malaysian society is still not fully removed from the remnants of the suppressive system that caused the trauma in the first place. As a result, even after decades since the traumatic events occurred, the reminders of said trauma continued to exist within the same space as the victims, perpetuating and prolonging the phenomenon.

Dismantling colonial trauma therefore requires a systemic overhaul that would not only address the root of Malaysia's colonial trauma but also remove the ongoing stressors that could trigger a sense of postcolonial insecurities among the Malays. However, both aspect of this process of healing or "working through" Malaysia's colonial trauma are hindered by the enforcement of the Sedition Act, which bars any discourse deemed to be critical of the current affirmative action regime, and by extension, the discussion on its justification, which is the protection of Malay status and privileges in the country. Naturally, any mention of reforms to the current system would also come under the scrutiny of the Sedition Act, as it would be equated as a criticism on the current government and can be construed as seditious due to the vague wording of the law on what constitute a "seditious tendency".

This threat of a vague yet far reaching enforcement of the Sedition Act has an effect beyond its original intention of curbing criticism against the government as it inadvertently prevented the process of working through colonial trauma in Malaysia. The lack of discourse that resulted from the enforcement of the Sedition Act led to the curated narrative that feeds into colonial trauma to continue to be propagated among the populace, further reinforcing the insecurities among the Malays. While it was not initially introduced as a tool to maintain colonial trauma, by proxy it did just that by preserving the system that represented a reaction to said trauma, as well as institutions that continue to propagate colonial trauma and postcolonial insecurities of the Malays. Through this function as a tool of censorship, the Sedition Act unwittingly became a vanguard to Malaysia's colonial trauma and its manifestations in Malaysian domestic policies. Until this stumbling block is removed, colonial trauma, along with postcolonial insecurities will continue to exist as part of the Malaysian postcolonial experience.

ИНФОРМАЦИЯ ОБ АВТОРЕ

АЗЕРИН Надия Афика Бинти, аспирант, Факультет гуманитарных наук, Школы исторических наук, Национальный исследовательский институт «Высшая школа экономики», Москва, Россия

Статья поступила в редакцию 15.05.2026;
одобрена после рецензирования 29.05.2026;
принята к публикации 30.05.2026.

INFORMATION ABOUT THE AUTHOR

Nadyaa Afiqah Binti AZERIN, PhD Student, Faculty of Humanities, School of History National Research University – Higher School of Economics), Moscow, Russia

The article was submitted 15.05.2026;
approved 29.05.2026;
accepted to publication 30.05.2026.

[1] Peningkatan Tangkapan Akta Hasutan 2025: KDN Jelaskan Justifikasi & Proses // Dr. Shamsul Anuar Nasarah. URL: https://www.shamsulnasarah.com/peningkatan-tangkapan-akta-hasutan-2025-kdn-jelaskan-justifikasi-proses/
[2] Cory N. Surge of sedition charges in Malaysia arrests Najib's reform agenda // East Asia Forum. 2014. Oct. 16. URL: https://eastasiaforum.org/2014/10/16/surge-of-sedition-charges-in-malaysia-arrests-najibs-reform-agenda/
[3] Nurul Izzah ditahan di bawah Akta Hasutan // Portal Rasmi Polis Diraja Malaysia. – 2015. – URL: https://www.rmp.gov.my/news-detail/2015/03/16/nurul-izzah-ditahan-di-bawah-akta-hasutan
[4] Kenyataan Media No. 21_SUHAKAM Seru Nilai Semula Semula Undang-Undang Susulan Penahanan Pengguna Media Sosial // SUHAKAM : website. – 2026. – 17 April. – URL: https://suhakam.org.my/ms/2026/04/media-statement-no-19-2026_suhakam-calls-for-restraint-and-review-of-laws-following-arrest-of-social-media-user/
[5] Kenyataan Media No. 21_SUHAKAM Seru Nilai Semula Semula Undang-Undang Susulan Penahanan Pengguna Media Sosial.
[6] Luxon, N. The Archives of Colonial Trauma: Politics and Psychiatry in North Africa / N. Luxon // PS: Political Science & Politics. – 2024. – Vol. 57, no. 1. – P. 90. – DOI: 10.1017/S1049096523000781.
[7] Caruth C. Introduction: The wound and the voice // Unclaimed experience: Trauma, narrative, and history / ed. by C. Caruth. Baltimore, MD: Johns Hopkins University Press, 1996. Cited in: Ward A. Understanding postcolonial traumas // Journal of Theoretical and Philosophical Psychology. 2013. Vol. 33, no. 3. P. 177
[8] Visser, I. Trauma Theory and Postcolonial Literary Studies / I. Visser // Journal of Postcolonial Writing. – 2011. – Vol. 47, no. 3. – P. 272. – DOI: 10.1080/17449855.2011.569378.
[9] Goozee, H. Decolonizing Trauma with Frantz Fanon / H. Goozee // International Political Sociology. – 2021. – Vol. 15, no. 1. – P. 113.
[10] Prussing, E. Historical trauma: Politics of a conceptual framework / E. Prussing // Transcultural Psychiatry. – 2014. – Vol. 51, no. 3. – P. 437 – DOI: 10.1177/1363461514531316.
[11] Prussing, E. Historical trauma: Politics of a conceptual framework.
[12] Evans-Campbell, T. Historical trauma in American Indian/Native Alaska communities: A multilevel framework for exploring impacts on individuals, families, and communities / T. Evans-Campbell // Journal of Interpersonal Violence. – 2008. – Vol. 23, no. 3. – P. 320
[13] Mitchell, T. Colonial Trauma and Political Pathways to Healing // Colonial Trauma and Pathways to Healing / eds. S. L. Stewart, R. Moodley, A. Hyatt. – London : Routledge, 2017. – P. 146-147
[14] Luxon N. The Archives of Colonial Trauma… P. 90.
[15] Assmann J. Cultural Memory and Early Civilization: Writing, Remembrance, and Political Imagination. Cambridge: Cambridge University Press, 2011. P. 6–7.
[16] Evans-Campbell T. Historical trauma in American Indian/Native Alaska communities… P. 318
[17] Kalman, S. Colonial violence / S. Kalman // Historical Reflections/Réflexions Historiques. – 2010. – Vol. 36, no. 2. – P. 2
[18] Alfred, T. Being indigenous: Resurgences against contemporary colonialism / T. Alfred, J. Corntassel // Government and Opposition. – 2005. – Vol. 40, no. 4. – P. 597
[19] Астафьева, Е. М. Британский колониализм и его влияние на межнациональные отношения в Малайе и Сингапуре // Историческая психология и социология истории. – 2019. – Т. 12, № 2. – С. 75-76.
[20] Астафьева, Е. М. Британский колониализм и его влияние на межнациональные отношения в Малайе и Сингапуре… С. 75-76.
[21] The term “native” was used in colonial reports. See: The National Archives (TNA), Kew. Colonial Office (CO). Records of the Straits Settlements : CO 273/675/11.

[22] Hirschman, C. The making of race in colonial Malaya: Political economy and racial ideology // Sociological Forum. – 1986. – Vol. 1, no. 2. – P. 336
[23] The National Archives (TNA), Kew. Colonial Office (CO). Records of the Straits Settlements : CO 273/675/21
[24] The National Archives (TNA), Kew. Colonial Office (CO). Records of the Straits Settlements : CO 273/675/21
[25] The National Archives (TNA), Kew. Colonial Office (CO). Records of the Straits Settlements : CO 273/675/21
[26] LaCapra, D. Writing history, writing trauma / D. LaCapra. – Baltimore : Johns Hopkins University Press, 2014. – P. xii
[27] Malaysia. Constitution (1957). Federal Constitution of Malaysia. Art. 153; Art 160
[28] Kheng, C. B. The communist insurgency in Malaysia, 1948–90: Contesting the nation-state and social change / C. B. Kheng // New Zealand Journal of Asian Studies. – 2009. – Vol. 11, no. 1. – P. 136
[29] Kheng, C. B. The communist insurgency in Malaysia, 1948–90...– P. 136.
[30] Tong, G. Commemorating Hat Yai Peace Accord 30 years later / G. Tong // Malaysiakini : website. – 2019. – 1 December. – URL: https://www.malaysiakini.com/news/501967
[31] Ratnam, K. J. The 1969 Parliamentary Election in West Malaysia / K. J. Ratnam, R. S. Milne // Pacific Affairs. – 1970. – Vol. 43, no. 2. – P. 203–226
[32] Ongkili, J. P. The British and Malayan Nationalism, 1946–1957 / J. P. Ongkili // Journal of Southeast Asian Studies. – 1974. – Vol. 5, no. 2. – P. 266.
[33] Drummond, S. The Malaysian Elections of 1969: An Analysis of the Campaign and the Results / S. Drummond, D. Hawkins // Asian Survey. – 1970. – Vol. 10, no. 4. – P. 320–335.
[34] Malaysia. Akta Hasutan 1948: [Akta 15] / published by the Commissioner of Law Revision, Malaysia in collaboration with Malayan Law Journal Sdn Bhd and Percetakan Nasional Malaysia Bhd. – Kuala Lumpur, 2006.
[35] Malaysia. Constitution (1957). Art. 63.
[36] Malaysia. Constitution (1957). Art. 63.
[37] Nurul Izzah ditahan di bawah Akta Hasutan // Portal Rasmi Polis Diraja Malaysia. – 2015. – URL: https://www.rmp.gov.my/news-detail/2015/03/16/nurul-izzah-ditahan-di-bawah-akta-hasutan
[38] Cory N. Surge of sedition charges...
[39] Galič, M. Bentham, Deleuze and beyond: An overview of surveillance theories from the panopticon to participation / M. Galič, T. Timan, B-J. Koops // Philosophy & Technology. – 2017. – Vol. 30, no. 1. – P. 12.
[40] Bentham, J. Panopticon; or, The Inspection-House / J. Bentham ; ed. M. Bozovic. – London : Verso, 1995. P. 29-32
[41] Bentham, J. Panopticon; or, The Inspection-House... P. 37-40.
[42] Bentham, J. Panopticon; or, The Inspection-House... P. 37-40.
[43] Strub, H. The theory of panoptical control: Bentham's panopticon and Orwell's Nineteen Eighty-Four / H. Strub // Journal of the History of the Behavioral Sciences. – 1989. – Vol. 25, no. 1. – P. 41.
[44] Foucault, M. Discipline and Punish: The Birth of the Prison / M. Foucault ; trans. A. Sheridan. – 2nd ed. – New York : Vintage Books, 1991. – P. 170-171
[45] The Malaysian Social Contract: A Historical Perspective / M. R. Azfar [et al.] // Journal of Ecohumanism. – 2024. – Vol. 3, no. 3. – P. 150–151.
[46] Hirsch, M. The generation of postmemory // Poetics Today. – 2008. – Vol. 29, no. 1. – P. 107