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Abstract

Malaysian citizens should be aware of their basic rights under the Federal Constitution known as 'fundamental liberties'. However, not many citizens are aware of their basic rights and research on the awareness of citizen's basic rights is sparse. Thus, this study intended to develop a measurement instrument which can later be used to analyse the factors that constitutes the awareness of fundamental liberties among students. An exploratory factor analysis was conducted to find the factors that will be the measurement instrument in identifying the awareness of fundamental liberties among students. This research employed a quantitative research design where an online questionnaire responded by 455 university students was analysed using the Statistical Package for Social Science (SPSS) version 24. A total of 3 factors consist of 17 items were extracted from the exploratory factor analysis. The results will be the measurement instrument for further analysis on the awareness of fundamental liberties among students.
Keywords: Exploratory Factor Analysis, Citizen, Awareness, Fundamental Liberties, Students

Introduction

Federal Constitution is the supreme law of Malaysia as provided in Article 4(1) of the Federal Constitution where any law passed after the Merdeka Day which is contrary to the Federal Constitution shall be void and may be challenged in court. The Federal Constitution is the Malaysia's legal foundation that plays a significant role in determining the identity of Malaysia. It is the most vital document that serves as a social contract between the states and its citizens (Hassan *et al.*, 2018; Fairojibanu, 2018; Khasasi, 2020). Among the important provisions in the Federal Constitution are the fundamental liberties which contain the basic rights of the citizens of Malaysia. The fundamental liberties govern the right to life and personal liberty (Article 5), prohibition on slavery and labour force (Article 6), protection against retrospective criminal laws and repeated trials (Article 7), equal protection of the law (Article 8), right to move freely and reside throughout the federation (Article 9), right to freedom of speech and expression (Article 10), right to profess and practise religion (Article 11), rights in respect of education (Article 12) and rights to property (Article 13). However,

these fundamental liberties are not absolute and subject to certain well-defined restrictions such as security of the federation, public order, morality, and defamation (Nudin *et al.*, 2020).

All citizens should be aware of the basic rights in the Federal Constitution. Lack of awareness and understanding of the basic rights led to problems such as infringement of the Federal Constitution and misunderstanding of the law (Chin, 2017; Anuar, 2018). Controversial cases on infringement of fundamental liberties such as the case of Adam Adli, Alvin Tan, and Namewee became a polemic as to whether the youths are attentive of their rights as citizens or just a 'puppet' to be manipulated by interested parties (Hasan *et al.*, 2018). Hence, it is important that the Malaysians understand and aware of the rights granted in the Federal Constitution.

Fundamental liberties are the main pillar of the Constitution, it needs to be understood by every layer of the society, including the younger generations. Research on awareness of a citizen's basic rights is sparse, thus this study intended to identify the factors that constitutes awareness of fundamental liberties among students. Since this study did not based on any theory, an exploratory factor analysis was employed to establish a validated and reliable measurement instrument before further analysis can be done to examine the factors that contribute to the awareness of fundamental liberties among students.

Literature Review
Federal Constitution and Fundamental Liberties
Fernando and Rajagopal (2017) found numerous legal studies that have been conducted on fundamental liberties in Malaysia which emphasised on the understanding the basic rights of every citizen. They opined that the fundamental liberties are a special set of laws which are designed to protect the citizens' fundamental civil, political, and economic freedoms. Adil and Ahmad (2014) stated that fundamental liberties reflect the basic human rights guaranteed by the citizens. According to Aun (2003), the fundamental liberties in the Constitution act as a safeguard against the abuse of power, namely from the executive authority of the country. Even though the fundamental liberties envisaged the right to legal representation under Article 5 of the Federal Constitution, the author viewed that the biggest power and authority also conferred on the police to arrest any person based on the various legislations. The further stressed that a greater transparency in society would be achieved by observing the fundamental liberties in the Constitution. According to Thurairaj *et al* (2018), the awareness campaigns on the importance of patriotism held by the government through education focusing on young generation has transformed the attitude of Malaysians. These campaigns have created constitutional patriotism, which they take cognizant of their rights to defend their fundamental liberties when they feel they have been treated unfairly.

Every citizen not only needs to be aware of the constitutional rights available in Article 5 to Article 13 of the Federal Constitution, but they also must be aware of the available remedies for infringement of constitutional rights provided by the law in Malaysia such as prerogative orders, declaration, monetary compensation and consequential orders. Paragraph 1 of the Schedule on Additional Powers of the High Courts in the Courts of Judicature Act 1964 provided the remedies which states, "*Power to issue to any person or authority directions, orders or writs, including writs of the nature of habeas corpus, mandamus, prohibition, quo*

*warranto and certiorari, or any others, for the enforcement of the rights conferred by Part II
of the Constitution, or any of them, or for any purpose"*.

Kai-Ming (2020) referred to the case of *Hasan bin Marsom & Ors v Mohd Hady bin Ya'akop
[2018]5 MLJ 141* where the Federal Court ruled that in every case where a man is wronged,
he must have a remedy especially when his constitutional rights have been infringed. The
author also referred to the case of *Ketua Polis Negara & Ors v Nurasmira Maulat bt Jaafar &
Ors [2018]3 MLJ 184* where the Federal Court's judge, Zainun Ali opined that a breach of a
constitutional rights should result in an appropriate constitutional remedy. This showed that
the courts are willing and empowered to remedy cases on infringement of constitutional
rights for justice. Whenever needed, legal aid will assist vulnerable individuals, including the
non-citizens (Wahab & Khairi, 2020). Without access to legal aid such as private law firms,
law faculties and non-governmental organizations, millions of vulnerable people across the
globe are at risk of their rights being ignored and violated. Ekmekci and Arda (2015) argued
that in many democratic countries, the fundamental rights are already being guaranteed by
the constitution but the failure to provide fair access to legal aid will lead to other deprivations
of liberties and social inequalities.

Awareness
The word "aware" is used in many contexts with many different connotations. According to
Gafoor (2012), awareness means knowledgeable being conscious with an ability to perceive
and to feel objects, events or sensory patterns. The author further emphasized the three
meanings of awareness. Firstly, awareness in the context of education which can be regarded
as knowledge without any direct teaching. Next, awareness can be defined as self-perceptions
from the perspective of psychology where self-awareness such as emotional, body or strength
awareness are indicated as unique perceptions are considered as a higher form of awareness.
The third meaning of awareness that is classified by the author concerns an ability to deal
with the specific task and situation which can be assessed using the Computer Awareness Test
and Awareness Skills.

Malaysians should be aware of the fundamental liberties since these fundamental liberties
may be violated and manipulated by irresponsible parties who have interest and monopoly
over society, failure which may lead to conflict of social inequality (Tehupeiory & Naibaho,
2020). A study conducted by Agarwal (2014) on the knowledge of human rights among people
in Agra City, India, showed that people do not have much knowledge and awareness about
the basic concept of individual rights. The author further remarked that human rights
education is compulsory for the promotion and achievement of harmonious relations among
the society. Thus, legal awareness of fundamental rights should be integrated among the
young generation across the entire school and university activities. Singh and Singh (2015)
viewed that educators play a significant role in the whole teaching and learning in the context
of generating fundamental rights awareness among students. Based on a survey conducted
among hundred students at four B.Ed. colleges from a district of Punjab state, India, the
authors found that most of the students were aware of their fundamental rights. However,
the result showed less awareness of the protection of these rights. Hamid and Mohammad
(2018) suggested that educators should be aware of and comprehend their professions on
legal requirements. Therefore, they must also be familiar with the law and before they can
deliver the knowledge and awareness of fundamental liberties to others this is because the

knowledge on fundamental human rights in universities is imparted via lectures, tutorials, assignments, problem-based learning and assessed in examinations (Nordin & Abdullah, 2017).

Teruel *et al* (2018) stated that multiple studies have been carried out about awareness, providing a constellation of awareness interpretations. According to them, the most widely accepted interpretations are Collaboration Awareness, Situational Awareness, Workspace Awareness, Location Awareness, Context Awareness, Social Awareness, Activity Awareness, Knowledge Awareness and Shared-Knowledge Awareness. Another researcher, Gafoor (2012) emphasized that awareness can be measured with three different nomenclatures, scales, tests or questionnaires which depends on the purpose of the measurement and awareness as self-reports can be explored in the form of opinion or direct questions.

Wahab and Khairi (2020) referred to John Rawls's theory of justice which emphasised that social institutions distribute the social goods should be structured to act in accordance with the principles of justice while distributing the fundamental rights and responsibilities. They further found that Rawls's theory on equal liberty means that each individual should have equal fundamental rights including political liberties, liberty of conscience, freedom of speech, freedom of expression, self-respect, right to property and freedom of thought. Thus, awareness of fundamental rights can be achieved when each individual has access to the services he/she needs (Ekmekci & Arda, 2015). Access to information and dissemination of information in the age of digital information technology is best done by using the internet (Omeje, Osuagwu and Ugwu, 2021). Use of digital technology has enabled an easier access for the students and citizens to know on fundamental liberties contrary to the conventional method of dissemination of information (Nudin *et al.*, 2020). Attending seminars/courses relating to Federal Constitution helped participants to understand and aware of the fundamentals of the law (Hasan *et al.*, 2018).

Research Methodology
This study employs a quantitative research design where EFA was adopted to develop the factors (Williams *et al.*, 2010, as cited in Padil *et al.*, 2020) that can determine the awareness of fundamental liberties among the students of Universiti Teknologi MARA (UiTM), Malaysia. EFA is the first step in building scales or new metrics, used when a researcher wants to discover the number of factors influencing variables and to analysis which variables 'go together' (DeCoster, 1998 as cited in Yong & Pearce, 2013). EFA is a statistical is a technique meant to reduce the large number of items to a smaller number of factors which will be the variables for the study (Spinde *et al.*, 2021).

Data was collected through an online questionnaire from the students of UiTM and 455 students responded to the survey. Collected data was then analysed using the Statistical Package for Social Science (SPSS) version 24. The questionnaire was divided into two parts where Part A was designed for the demographic analysis of the respondents. Part B of the same survey consists of 24 items measured using a five-point Likert scale with response format such as 1=strongly disagree, 2=disagree, 3=neither agree nor disagree, 4=agree and 5=strongly agree. Since the study was not based on any prior theory, exploratory factor analysis was employed to identify the number of factors relevant to the study. Other methods of analysis such as Parallel Analysis and Minimum Average Partial Criteria (MAP) were also

conducted to confirm the number of factors derived from the analysis. The factors extracted from the analysis will constitute the variables for further study.

Result and Discussion
Before EFA can be carried out, the sample size must be determined first to avoid distortion on the results of analysis. The rule of thumb suggested that the subject to item ratio is 10:1 (Hair et al., 2006). In this study there are 24 items, hence a total of 240 samples should be collected. Since this study has collected 455 samples, it can be said that the samples were sufficient to run EFA. Data was screened for extreme scores and normality distribution of data. Mahalanobis distance was used to deal with the extreme scores or the outliers which will affect the results of the analysis. Results from the Mahalanobis distance analysis which have extreme values can be removed from the dataset for being the outliers (Hair *et al*., 1998, as cited in Walsh, 2012). The values were interpreted using the chi-square distribution in order to remove the outliers. Data was transformed and analysed based on the probability values of Mahalanobis distance. Any cases which are less than p-value of 0.001 are multivariate outliers. From the results of p-values, there were 24 cases which were less than 0.001 and have been removed.

Normality test was then conducted to test whether the data was normally distributed. It is important to test the normality of data to decide on the extraction method in the exploratory factor analysis. Shapiro-Wilk Tests are powerful to determine the normality of the distribution (Ogunleye, 2018). From the Shapiro-Wilk Tests, values greater than 0.05 indicated that the data is normally distributed whilst data less than 0.05 indicated that the data is deviated from normal distribution (Sormin *et al.,* 2019). The values from the Shapiro Wilk Tests in this study were significant where $p<0.05$, confirmed that the data were not normally distributed.

From the aforesaid preliminary analysis on identifying extreme scores, 24 cases were removed for being the outliers, the data was then analysed for only 431 cases. Based on the descriptive analysis, the respondents were made up of 29.9% male and 70.1% female. A total of 87.5% and 12.5% of the respondents were from the diploma program and degree program, respectively. Only one student, who made up 0.2% of the respondents was below 18 years old while three students or 0.7% were above 25 years old. A total of 89.1% of the respondents were in the category of 18-21 years old and the students in the range of age from 22-25 years old only made up 10% of the respondents. The overall demographic results on the profiles of the respondents such as gender, age and program are shown in Table 1 below.

Table 1: Demographic of Respondents

Profile	Frequency (n)	Percentage (%)
Gender		
Male	129	29.9
Female	302	70.1
Age		
Below 18 years old	1	0.2
18-21 years old	384	89.1
22-25 years old	43	10
Above 25 years old	3	0.7
Program		
Diploma	377	87.5
Degree	54	12.5

Source: SPSS Analysis

The data was further analysed using EFA to determine whether the items are within the same construct. Principle axis factoring (PAF) method was used for the extraction in the factor analysis due to the non-normality of the data (Costello & Osborne, 2005). The correlation matrix is the value of the strength of the relationships between the items. Tabachnick and Fidell (2001) suggested that any correlation less than 0.30 is not correlated with any factor and should be removed. From the result, there are three items (i.e., items B2, B3 and B4) to be removed since the correlation values were less than 0.30. From the same analysis, the result of the Kaiser-Keyer-Olkin test of sampling adequacy as shown in Table 2 proved that the sample is adequate since the result is 0.940 which exceeded the minimum value of 0.5 (Kaiser, 1981). The Bartlett Test of Sphericity also showed that the result is significant (p<0.05), and it also suggested that exploratory factor analysis is appropriate and will yield useful information for the study.

Table 2: KMO and Bartlett's Test

Kaiser-Meyer-Olkin Measure of Sampling Adequacy		.940
Bartlett Test of Sphericity	Approx. Chi-Square	6848.756
	df	276
	Sig.	.000

Source: SPSS Analysis

The analysis will also examine for communalities which are the extent when the items correlate with other items, or the variance contributed to the factors in the factor solution. Any value of 0.8 in the communalities is considered high, values between 0.40 and 0.70 is considered low to moderate and any value of communalities which are lower than 0.40 shows that the item is not related to the other item (Costello & Osborne, 2005). From Table 3 below, about four items (i.e., items B1, B3, B4 and B5) were lower than 0.40 and can be removed when exploring the potential factor.

Table 3: Communalities

	Initial	Extraction
A1	.720	.685
A2	.708	.643
A3	.667	.616
A4	.730	.720
A5	.509	.434
A6	.682	.662
A7	.643	.640
A8	.760	.745
A9	.681	.623
B1	.329	.318
B2	.400	.540
B3	.307	.384
B4	.380	.483
B5	.335	.274
B6	.579	.544
B7	.668	.763
B8	.549	.566
B9	.669	.593
B10	.673	.637
B11	.717	.692
B12	.661	.629
B13	.597	.661
B14	.497	.488
B15	.550	.597

Extraction Method: Principal Axis Factoring.
Source: SPSS Analysis

In order to determine the number of factors to be retained, one of the methods is by using the Kaiser Criterion where eigenvalue greater than one are retained for interpretation (Kaiser, 1960, as cited in Haslbeck & Bork, 2021). The extraction for the exploratory factor analysis is using the Principal Axis Factoring since the data was not normally distributed. The number of factors extracted can be seen from Table 4 on the Total Variance Explained where the eigenvalues greater than one were explained at four stages which means if following the Kaiser Criterion, a total of four factors will be retained for further analysis.

Table 4: Total Variance Explained

Factor	Initial Eigenvalues			Extraction Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	10.926	45.524	45.524	10.542	43.927	43.927
2	2.102	8.759	54.284	1.658	6.909	50.836
3	1.456	6.065	60.349	1.025	4.269	55.106
4	1.122	4.676	65.025	.713	2.970	58.076
5	.857	3.572	68.597			
6	.736	3.067	71.664			
7	.721	3.003	74.667			
8	.688	2.867	77.534			
9	.604	2.516	80.050			
10	.545	2.273	82.323			
11	.508	2.118	84.441			
12	.475	1.977	86.418			
13	.415	1.729	88.147			
14	.380	1.582	89.729			
15	.353	1.472	91.200			
16	.322	1.340	92.540			
17	.296	1.235	93.775			
18	.284	1.184	94.960			
19	.262	1.091	96.051			
20	.224	.931	96.982			
21	.208	.868	97.850			
22	.185	.772	98.622			
23	.174	.724	99.346			
24	.157	.654	100.000			

Extraction Method: Principal Axis Factoring.
Source: SPSS Analysis

The next method used to determine the number of factors to be retained was by examining the scree plot in Figure 1. The point where the curve starts to level at the eigenvalue=1 is in between the factor number 4 and factor number 5. Based on the point of intersection it can be concluded that there are four factors that can be derived from the analysis.
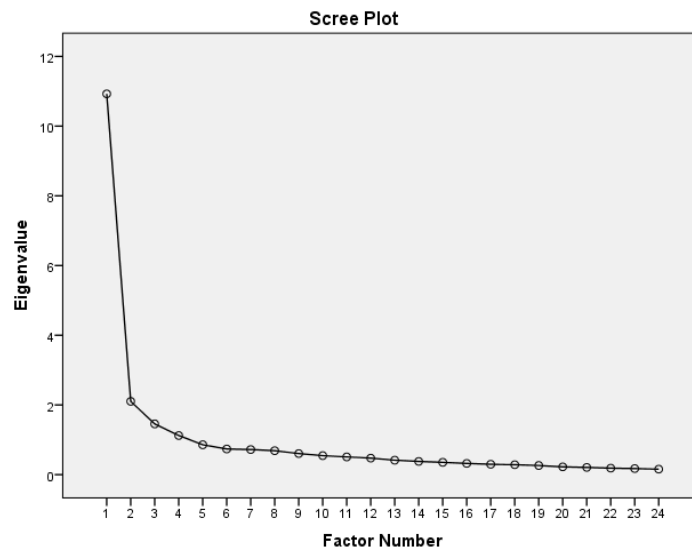
Source: SPSS Analysis
Figure 1: Scree Plot

However, the result in Figure 1 cannot be taken as final that only four factors can be extracted. A further analysis using the SPSS Syntax for Parallel Analysis (O'connor, 2000) was performed to obtain an accurate number of factors. In the Parallel Analysis, the eigenvalues from exploratory factor analysis will be compared with the eigenvalues of generated random data. The factor will be retained if the eigenvalue in exploratory factor analysis is higher than the eigenvalue of random data generated in the Parallel Analysis. The decision of the analysis is in Table 5, and it can be concluded that only three factors can be extracted from the exploratory analysis.

Table 5: Parallel Analysis

Eigenvalues from Factor Exploratory Analysis	Eigenvalues of random data	Decision
10.926	1.449427	Retain
2.102	1.379544	Retain
1.456	1.323682	Retain
1.122	1.277635	Reject
0.857	1.233294	Reject

Source: Own Analysis Based on SPSS result and Parallel Analysis

The study was further analysed using the Minimum Average Partial Criteria (MAP) to determine the number of factors to be extracted (O'connor, 2000). The MAP test was run in SPSS using the syntax MAP and it produced the result "The Number of Components According to the Revised (2000) MAP Test is 3". This confirms that the number of factors to be extracted is 3.

Next, a rotation was performed in the exploratory factor analysis to obtain a structure of loadings to interpret the factors. This study assumes that the factors were correlated and hence an oblique rotation using promax was performed. The Pattern matrix produced in the

output was used to examine the factor loadings and the Structure matrix is the report on the correlation between the items and the latent variables. The Pattern matrix was examined for item loadings and any item less than 0.3 has been excluded based on the suppression during the analysis. Items with cross loadings were identified and items which more than 0.32 on at least 2 factors were deleted. At this juncture, items B9, B10 and B11 will be deleted due to cross loading and item B2 will be deleted for no loading. Then the number of items within each construct was examined and Hair *et al*. (2010) suggested that each construct should contain at least 3 items to be better explained. Any loading below than 0.4 was also dropped from the factors since Guadagnoli and Velicer (1988) considered scores greater than 0.4 to be acceptable.

All the three factors were then tested for validity and reliability. If the measures showed high validity, it means that the concept studies are accurately represented by the items of the instrument. This study further examined the discriminant validity on the extent to which the factors are distinct and uncorrelated. The discriminant validity measures that the constructs theoretically should not be highly related to each other. The factor correlation matrix in Table 6 should not exceed 0.7 (Gaskin, 2021) since any correlation that is greater than 0.7 indicates a majority of shared variance. The result in Table 6 shows that discriminant validity is achieved, and no issue of multicollinearity is present.

Table 6: Factor Correlation Matrix

Factor	1	2	3
1	1.000	.501	.604
2	.501	1.000	.576
3	.604	.576	1.000

Extraction Method: Principal Axis Factoring.
Rotation Method: Oblimin with Kaiser Normalization.
Source: SPSS Analysis

The extracted factors were then tested using the Cronbach's alpha coefficient of internal consistency to investigate how well the items that make up the instrument in this study fit together. George and Mallery (2003) provide that Cronbach's alpha ≥ 0.9 is considered excellent, ≥ 0.8 is good and ≥ 0.7 is acceptable. Based on the reliability test in Table 7, the results showed Cronbach's alpha values above 0.8 which further mean that the instrument is reliable.

Table 7: Reliability Test Result

Factors	Cronbach's Alpha	No. of Items
Factor 1	0.940	10
Factor 2	0.831	3
Factor 3	0.810	3

Source: SPSS Analysis

Based on the factor analysis and confirmation on the reliability of those items in the factors, a total of seven items were dropped from the factors. This produced a result of 17 items which can be classified in three distinctive extracted factors as shown in Table 8.

Table 8: Extracted Factors

Factor	Item
Factor 1	I am aware of the protection of right to life and liberty.
	I am aware of the prohibition on slavery and forced labour.
	I am aware of the protection against retrospective criminal laws and repeated trials.
	I am aware of the equality before the law and equal protection of the law.
	I am aware that no citizen shall be punished from the federation & that every citizen has the right to move freely throughout the federation & to reside in any part thereof.
	I am aware that every citizen has the right to freedom of speech and expression, to assemble peacefully and without arms & to form association.
	I am aware that every person has a right to profess and practice his religion and subject to Article 11 (4), to propagate it.
	I am aware of the protection of the rights in respect of education whereby there shall be no discrimination as to religion, race, descent or place of birth.
	I am aware that every citizen has the right to own property.
	I obtain information on Fundamental Liberties from friends.
	I know that the restrictions on 'Fundamental Liberties' are reasonable.
Factor 2	I have heard the words 'Fundamental Liberties'.
	I am familiar with the meaning of 'Fundamental Liberties'.
	I have learned about 'Fundamental Liberties'.
Factor 3	I know that the list of restrictions is not exhaustive.
	I know that excessive restriction can abuse the 'Fundamental Liberties'.
	I understand that restrictions on 'Fundamental Liberties' show that most of these provisions are not absolute.

Source: SPSS Analysis

The three extracted factors are the variables in the study which will be categorised according to its group. The variables are attributable to a distinct factor and that factor will be renamed. Factor 1 will be renamed as "Awareness" while Factor 2 and Factor 3 will be renamed as "Familiarity" and "Restrictions" respectively. The new variables will be used for further analysis in future research.

Fundamental liberties are important in the citizen's daily lives. Factor 1 gathered items relevant to the awareness of fundamental liberties and this will be the dependent variable in the next research. Both Factor 2 and Factor 3 are the independent variables which can be further tested for their relationship with the dependent variable.

Conclusion & Recommendations
The study analysed the factors which will be used in determining the awareness of fundamental liberties among students. Analysis of the EFA resulted to a reduction of 24 items to 17 items in 3 factors. The factors can be renamed as "Awareness", "Familiarity" and "Restrictions". This study discovers the relationship between knowledge and restrictions with the awareness of the fundamental liberties. The relationship of the factors indicated that from the students' point of view, they will only be aware if they are familiar and know the restrictions when the dimensions of rights under the fundamental liberties involve a lot of

elements such as rights relating to social life, human values, citizenship and other civil rights. The study contributes to the literature on EFA and a better understanding as how to advocate citizens in knowing and aware of their rights. The results of the EFA produced a validated and reliable measurement instrument for further research and help to develop a measurement instrument to assess the awareness of fundamental liberties among Malaysian citizens. It is recommended to increase the number of items and respondents to obtain more factors for a better measurement instrument in future research.

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