

Malaysia's questionable process of law reform

JAG

MalaysiaKini.com

May 15, 2012

The hasty withdrawal of the bill to amend the Election Offences Act highlights flaws in the system of law making in Malaysia.

It shows the lack of genuine public consultation and meaningful parliamentary debate.

The bill to amend the Election Offences Act was pushed through the Dewan Rakyat on 19 April 2012, the final day of its sitting.

Insufficient time was allocated to enable full debate of these amendments.

On 9 May, the Minister in the Prime Minister's Department, Nazri Aziz, reportedly said that among the reasons for the subsequent withdrawal of the bill from the Dewan Negara was that he had read blogs on the internet which opposed the bill.

While it is admirable that an attempt at gauging public sentiment was made, the perusal of blogs cannot be deemed genuine public consultation.

For the record, JAG and many civil society organisations had severe misgivings about the bill as it would have reduced scrutiny at polling stations.

In 2006, women's human rights groups were represented in a committee set up to amend the Islamic Family Law Act.

After this committee of experts agreed to the amendments, the draft bill was shelved.

Six years have passed and still there has been no move to introduce the bill to Parliament.

From a positive start, this particular example of law reform fizzled out.

These two instances are prime examples of Malaysia's questionable process of law reform.

Genuine public consultation must occur at an early stage to ensure that the views of citizens and experts are taken into account.

The bill drafted must then be reviewed by the consultative committee and enough time must be allocated for debate in Parliament.

Only when this takes place will Malaysians have confidence that our parliamentary democracy could have the potential to reflect the will of the rakyat.

Such good governance practices will result in a law that enjoys public support as it genuinely

addresses public concerns.

Only when this takes place will Malaysians have confidence that our parliamentary democracy could have the potential to reflect the will of the rakyat.

Copyright © 1999-2012 Mkini Dotcom Sdn. Bhd
Source: <http://www.malysiakini.com/news/197960>