

**Don't destroy your father's legacy, Rafizi says in open letter to PM**  
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In a scathing open letter, Rafizi Ramli has criticised Prime Minister Najib Abdul Razak on the government's actions in "manipulating" the different interpretations concerning PAS president Abdul Hadi Awang's Private Member's Bill, often referred to as the Hudud Bill.

The PKR vice-president warned that it would pit the Muslims against non-Muslims.

'Your government's lack of concern, almost to the point of being indifferent to the criminal activities of the red shirt thugs who provoked racial sentiments, spewed out criminal intimidations and threatened racial bloodbaths, will position race-religion axis as the most emotive national issue of Malaysia to the detriment of the suffering rakyat.

"If you think you can wield all the resources you can muster as the prime minister to dictate the course of events when high emotions out of these issues collide with each other, you are wrong.

"You will be swept away, just as the very foundation of our tolerant multiracial, multifaith society will be broken into pieces. When this happens, you will not be a prime minister anymore and that's why this may very well be your last parliamentary session too," Rafizi added.

Earlier, Rafizi, who is the MP for Pandan, said he believes the current sitting would be the last parliamentary appearance for him.

This is because the verdict on the Official Secrets Act (OSA) charge against him is scheduled to be delivered on Nov 14.

"I expect a speedy appeal process afterwards and that in all likelihood, I may not be around for the March 2017 session," he added.

**Below is Rafizi's open letter to the prime minister:**

Yang Amat Berhormat Dato' Seri Mohd Najib Tun Razak

Prime Minister of Malaysia

I choose to write an open letter to you on the first day of this parliamentary session because of its (the session's) significance to us, personally and to the nation as a whole.

This can be my last parliamentary appearance as the verdict on the OSA charge that your government brought against me will be decided on Nov 14, 2016. I expect a speedy appeal process afterwards and that in all likelihood, I may not be around for the March 2017 session.

Given the brittleness of the state of the nation, your government's actions in manipulating the widespread different interpretations (sometimes deliberately misinterpreted) of the impact of Dato' Seri Hadi Awang's Private Member's Bill to increase the maximum punishment that a syariah court can mete out (to be more in line with syariah requirements) will pit the Muslims against the non-Muslims.

Your government's lack of concerns, almost to the point of being indifferent to the criminal activities of the red shirt thugs who provoked racial sentiments, spewed out criminal intimidations and threatened racial bloodbaths, will position race-religion axis as the most emotive national issue of Malaysia to the detriment of the suffering rakyat.

If you think you can wield all the resources you can muster as the prime minister to dictate the course of events when high emotions out of these issues collide with each other, you are wrong. You will be swept away just as the very foundation of our tolerant multi-racial, multi-faiths society will be broken into pieces. When this happens, you will not be a Prime Minister anymore and that's why this may very well be your last parliamentary session too.

Deliberate manipulation of Rang Undang-undang 355 (RUU355) may lead to hatred between communities

I detest your government's manipulation and inaction that eventually led to the widespread misunderstanding over RUU355. You allowed different interpretations that were taken out of context because the disagreements within the Muslims and between the Muslims and the non-Muslims benefited you politically. The emotive disagreements over RUU355 took the rakyat's focus away from your misdeeds with regard to 1MDB specifically, and your government's incompetence in managing the economy generally.

The Muslims are split between those who believe the refusal to support the motion; even the act of questioning the wisdom of putting through the motion at this time; tantamount to a rejection of Allah's decree (and therefore it compromises our faith in Allah) and those who do not subscribe to the view.

The non-Muslims generally believe that a vote on the motion proposed by Dato' Seri Hadi Awang is equivalent to hudud implementation. Those who are more subtle argue that a 'yes' vote is the first step towards a back door hudud implementation.

Hence, why your lack of concerns over the destructive nature of the disagreements arising out of the misunderstanding over RUU355 alarms me more than I was alarmed over your 1MDB misadventure. It is as if you want the Muslims to view the non-Muslims as being anti-Islam and similarly you want the non-Muslims to be vocally opposed to this so that the Muslims will view each Chinese, Indian, Christians, Hindus and Buddhists as being anti-Islam.

Because this is where your government's manipulation of RUU355 had led us: a very real situation where the disagreements may transform into the hatred of each other because each (Muslims and non-Muslims) considers the other as having breached the mutual respect code that one community shall not meddle in the religious affairs of the other.

## **Clear the air over RUU355 immediately**

I was shocked into a disbelief that it had descended to this point, judging from comments made by average Malaysians in social media and on the web. The issue is actually very straightforward and if you, as a prime minister, had the honour to put the welfare of rakyat ahead of your obsession to remain in office – this issue could have been a non-issue in the beginning. It would have been an academic exercise if the public understands the process that a Private Member's Bill has to go through before it becomes a law enacted by Parliament.

For a start, you owe it to the public to explain to them the various constitutional safeguards that effectively limit RUU355 to only three different major changes (as far as limit of punishment is concerned) from the status quo:

1. Syariah court may punish Muslims who are found guilty of consuming alcohol under the respective state enactments to a maximum of 40 lashes
2. Syariah court may punish Muslims who are found guilty of sexual slander (accusing someone of adultery without proof) or qazaf under the respective state enactments to a maximum of 80 lashes; and
3. Syariah court may punish unmarried Muslims who are found guilty of having sex outside marriage, or zina, under the respective state enactments to a maximum of 100 lashes (subject to the prosecutor's ability to produce four witnesses who witness the intercourse in accordance with the syariah requirements).

If you are truly concerned about the well-being of the multi-racial Malaysians, you could have clarified from the outset that RUU355 does not have the legal power to enact amputations, stoning to death, beheading or any of the much feared punishments that the opponents of syariah laws often talk about.

It does not have the power because our constitution is very clear on the division of jurisdiction between federal and state governments and between criminal courts and syariah courts; therefore when there is an overlap of jurisdiction for a particular offence (for example theft), it is the criminal courts that shall administer the legal process because the power over policing and home security lies with the federal government.

But you may have chosen to be quiet personally over this very basic rule because it benefits you when the rakyat generally does not understand the distinction. You could have thought that if you had clarified earlier, the Muslim opponents of RUU355 would have pointed out that it is not hudud in entirety, as some quarters could have claimed.

When it is not hudud in entirety, Muslim MPs can discuss on its merits and may agree or disagree accordingly. This would not have benefited you politically, because it benefits you politically when rakyat sees Muslim MPs from the opposition bench as Muslims who sold out to *kowtow* to the Chinese from the DAP.

You were almost most irresponsible when you did not explain to the public that, effectively, any or every decision with regard to RUU355 has to get your consent as the head of government. It is you who has the final say to give the green or red light as to whether Dato' Seri Hadi Awang can or cannot read his motion in Dewan Rakyat (let alone debate or vote for it).

Your government did not explain that the motion RUU355 included in the order paper of Dewan Rakyat is effectively a procedural motion with legislative teeth because only bills presented by the government can be enacted as laws.

Therefore, any opposition MP who wants to push for a specific law has to table a motion on his proposed law (called Private Member's Bill) so that the Dewan Rakyat can vote whether or not the proposed law has merits to be referred to the minister in charge of the areas of law. Even if the motion is allowed to be read and debated and eventually is passed by the Dewan Rakyat, the effect of such a motion being passed by the Dewan Rakyat is nothing more than passing the ball back to your court. To your feet, almost literally.

The standing order is very clear that nothing can happen unless and until the minister in charge (in this case Dato' Seri Jamil Khir Baharom) comes back to re-table a complete and improved bill (taking cue from the Private Member's Bill) to Dewan Rakyat for voting. You could have admitted to the rakyat that the decision whether or not to increase the maximum punishment a syariah court can mete out is actually your government's decision.

### **Save whatever dignity is left of your premiership**

While I understand your shrewdness in not doing your national duty as the highest public official to maintain harmony in our society, I do not understand your lackadaisical attitude towards the damage you inflict to your father's legacy and reputation.

I went to Malay College Kuala Kangsar (MCKK) which had played one of the most prominent roles to shape me as who I am today. Your brother went to MCKK. Your first son was my junior by a year and I met you personally, to receive him in 1994 when he registered as a new student.

We grew up in MCKK admiring your father Allahyarham Tun Razak as a patriot who always put the national interest ahead of his. We were inspired by your father's determination to help the poor people of all races and because of that, he did not have to be apologetic when he rolled out programmes for the poor Malays, because all races understood the necessity of it then.

We understood from your father's leadership that Malaysia is a multi-ethnic, multi-religious nation and it is the duty of the majority (Malays) to be fair to the minorities and to protect them.

Your leadership thus far has only served to undo those key tenets of your father's legacy.

Thus, it is at this junction that I would like to end my open letter to you: even if you cannot

be a statesman like your father, at the very least do not destroy his legacy any much further than you have done already.

Do the necessary, put a stop to the deliberate manipulation of the misunderstanding over RUU355 so that we can go back to the real issue that matters more to the ordinary citizens: your government's inability to create a Malaysia that is prosperous and fair for them.

Rafizi Ramli  
MP for Pandan  
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