

Dewan Negara: Anwar's next juggling act

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Kow Gah Chie

Last month, Prime Minister Anwar Ibrahim silenced naysayers who doubted his support in Dewan Rakyat but the upper house could be a different story.

Currently, there are 35 senators on the government side and 16 from the opposition. On paper, Anwar should have two-thirds control of the Dewan Negara.

However, unlike lower house MPs who are elected based on five-year terms, senators' appointments and tenure expiry happen all year round.

This means that Anwar's numbers will change from time to time - while providing allied coalitions and parties leverage in making demands on legislative matters and the composition of the Dewan Negara itself.

Of the 35 senators on the government side, 23 are from BN and six are from Gabungan Parti Sarawak (GPS). The Pakatan Harapan coalition, which Anwar

leads, has only five.

The bulk of the BN senators was appointed when Ismail Sabri Yaakob was prime minister and thus, their allegiance to Anwar remains unproven.

Consensus building

Come February, when Dewan Negara convenes again, Anwar will be expected to vigorously seek a consensus among coalition partners to ensure the complete passage of government bills - including the Supply Bill 2023, according to political analyst Wo Chang Xi.

"The predicament or challenges that Anwar possibly faces are not peculiar to Dewan Negara. Its roots are in the nature of the post-electoral coalition government - how to reach consensus and deal with differences among the coalition partners which all of them will compete against each other in the next election.

"There must be a consensus between the three major blocs in the coalition government - Harapan, BN, and GPS, which all have senators - before putting a government major policy to the House which usually starts in Dewan Rakyat.

"Without such consensus, the coalition government will not secure a safe majority to pass its legislative agenda.

"Thus, if the major blocs reach a consensus, it will instruct its senators to vote accordingly and there is no issue of government of the day securing support from only a minority of senators in the Dewan Negara," he said.

Wo serves as a research associate at Sustainable Development Solutions Network Asia (SDSNA), Sunway University.

Unlike MPs, senators are not subject to the anti-hopping laws provided by the Federal Constitution, thus making it more challenging for parties to impose discipline.

Neither party nor the prime minister can compel a senator to step down. Senators can only step down on their own accord or wait for their term to expire.

Numbers game

According to the Federal Constitution, there shall be 70 members of the Dewan Negara, of which 26 are appointed by the state legislative assemblies.

Although there are 19 vacancies currently, Anwar can only fill 12 of them - at most by February - because the balance is to be filled by state assemblies.

Kedah, Penang, and Selangor will fill in two vacancies each while Terengganu and Perak can fill one each. Some senators from these states resigned prior to Nov 19 elections last year to be candidates for the lower house elections.

Wo noted that since the deal between Harapan and other allied coalitions was silent on the appointment of senators, Anwar could technically increase Harapan's numbers to 20 at the maximum in Dewan Negara, thereby, still requiring the help of allies to pass bills.

"Without the support of its coalition partners, especially BN, Harapan can't secure a majority in the House," he said.

Should the Dewan Negara strike down a regular bill, Wo noted, it can only serve to delay the passage of the proposed legislation.

This was because the law allowed for the Yang di-Pertuan Agong to provide royal assent for a bill, should it get defeated twice by the Dewan Negara.

An exception to this was constitutional amendments bills that required a two-

thirds majority, added Wo.

DAP to bite the bullet again?

Meanwhile, Universiti Malaya political analyst Awang Azman Pawi noted that Anwar should be cautious with the appointment of new senators because his rivals are continuing to harp on race and religion.

"In order to avoid negative perception toward DAP, the formula adopted by the government in the distribution of cabinet portfolio should be used as a reference in formulating the composition of Dewan Negara.

"It is important that the prime minister needs to be more sensitive about this issue as Kelantan, Kedah, and Terengganu will call for state elections in a few months before Ramadan.

"So, Perikatan Nasional may once again play on ethnic and religious issues as well as DAP's involvement in the government until they snowball into a major issue," said Awang.

Currently, there is only one DAP senator in Dewan Negara.

DAP was given four minister posts in Anwar's 28-member cabinet despite the party winning 40 parliamentary seats out of the 82 won by Harapan.

Anwar later appointed six deputy ministers from DAP.

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