

**DAP: Umno should stop abusing Article 153**  
**Malaysiakini.com**  
**September 19, 2010**

DAP claims that Umno is abusing Article 153 of the federal constitution to the advantage of its party cronies, and that this constitutes an infringement of Article 8 of the constitution.

dap pc on keshvinder quit party 160610 ngeh koo hamState chief Ngeh Koo Ham (left) said Article 153 specifies that the Yang Di Pertuan Agong safeguards the allocations of the Malay and the natives of Sabah and Sarawak for reasonable proportions of places in educational institutes and the civil service, for scholarships, and licensing of permits.

"However, Umno has extended this scope of special position as enshrined in the constitution to other rights including houses and shops to be sold at given discounts, and establishing the bumiputera share of corporate equity, comprising at least 30 percent of the total system," the DAP senior lawyer said.

"This is outside the scope and contrary to what has been specified under Article 153 and is an infringement of Article 8 of the federal constitution which states that all Malaysians are equal before the law," the Beruas MP and Sitiawan assemblyperson argued.

"However sad to say the majority of Malays and natives of Sabah and Sarawak have not benefited from this extension of the social contract," Ngeh said.

He also advises Perkasa not to go overboard on milking this issue for political mileage.

He said Umno should wake up to reality and help the poor Malays and natives of East Malaysia to better their economic status and well being.

Constitution confusion

Ngeh was speaking at the ceramah cum dinner at Soon Lee Seafood Restaurant that DAP Aulong branch organised in Taiping on Friday night, that was attended by about 2,000 supporters.

Aulong DAP dinnerThe four-hour function themed 'Transforming Malaysia - the Road to Putrajaya' was attended by several DAP leaders including party secretary-general cum Penang Chief Minister Lim Guan Eng, party state secretary cum Taiping MP Nga Kor Ming and Pokok Assam assemblyperson Yee Seu Kai and Perak Pakatan rakyat chief Mohammad Nizar Jamaluddin.

Yee, who is also a lawyer, in his speech challenged the BN government to point to the constitutional provision that authorises the government to appoint coordinators with allowances.

He also questioned the legality of the appointment of state advisors with executive pay, that Menteri Besar Zambri Abd Kadir implemented when he took Perak over from Pakatan in 2009.

Yee did not spare former premier Mahathir Mohammad, taking a shot at his comment on Article 14 of the constitution that offers equality of education opportunities.

According to Yee, Mahathir has finally admitted after 22 years of premiership that if education is based on meritocracy, most of the Malays would be disqualified from higher education.

The Pokok Assam assemblyperson claimed that under Article 145(3) of the federal constitution, the attorney general (AG) has absolute power to institute, conduct and discontinue proceedings for any offence.

Yee also pointed out that the AG is not answerable to Parliament unlike the United Kingdom and USA.

'Malaysia going backwards'

He also compared Australia giving importance to equality before the law by its Premier Julia Gillard, who appointed the Kota Kinabalu-born Penny Wong to be the finance minister of Australia.

Penny Wong australia finance minister Yee said Wong (left) is only a first generation citizen of Australia whereas in Malaysia the fourth and even fifth generations are still called as 'pendatang' and 'penumpang', and suggests that Malaysia is going backwards.

He again praised Australia for its democratic process of giving the people the power to vote for their own government when Gillard became premier in June after Kevin Rudd lost the support of the Australian Labour Party and made way for her.

She then called for a federal election which saw Labour elected to a second term, although reduced to a minority government.

Yee argued that Julia could have clung to power without calling for elections but chose to give the power back to the people to decide her political future.

"Can we see such democratic process in Perak after the 'three frogs' jumped ship to join the BN state government?" he asked.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.  
Source : <http://www.malysiakini.com/news/143013>