

Democratically impossible is possible undemocratically  
Malaysianmirror.com  
17 December 2010

What is not democratically possible, it seems, can be achieved undemocratically.

We witnessed this despicable undermining of parliamentary democracy in the shameful episode of the Perak debacle.

We have witnessed today (16 December, 2010) another sordid attempt to make a mockery of the parliamentary system in the quest for power.

The pattern is obvious; the method is devious. It is undoubtedly a deliberate attempt to secure the two-third majority the BN lost in the 12th General Election in March 2008.

Apparently, in this attempt justice is being trampled upon with impunity and shamelessly. The lust for power drives the BN to adopt unethical means to pulverise the Opposition by the tyranny of the BN majority.

It is a pity that the august institution of Parliament was reduced to a shambles, ignoring totally the sacred principles of natural justice. There was not even the pretence of going through the motion of a civilized debate. It was bizarre!

How could the Parliamentary Rights and Privileges Committee deny Anwar Ibrahim the right to be heard and defend himself? How could this Committee come to any conclusion by refusing to hear Anwar's right of reply? How could this Committee lay any claim to being fair, unbiased and guided by the principles of justice when it did not even allow Anwar to be represented by his Counsel?

The Chairman of this Committee was the Speaker of Parliament. According to the records of the Hansard, the Speaker had assured Anwar that he would be given the opportunity to defend himself at the rights and privileges committee meeting.

Yet as Chairman of the Committee, he did not honour his word and permit Anwar to appear before the Committee to defend himself.

He cannot claim that "there was a motion from the committee member, saying that there was no need to listen to the defence... And then, I put it to vote. That was all. I didn't vote in the committee." There is no merit in his statement.

He had a solemn duty to guide the Committee to observe the principles natural justice. He had violated this sacred duty by seemingly allowing himself to be led by his nose. His task does not simply imply that he only presides without exercising responsibilities of a chairman entrusted to him.

He cannot justify his action by simply stating, "I was just a chair of the rights and privileges committee... I didn't vote.

"As Speaker, he does not vote either but that does not mean he cannot exercise his discretion to come out with a ruling. Doesn't he as Speaker over-rule motions submitted for debate and uphold certain points raised by the MPs?

Doesn't he have certain authority as Chairman to ensure that the conduct of the Committee is rooted in justice?

Karpal had a point when he pointed out that there was a conflict of interest in the Speaker when he chaired the House session. Pandikar was the Chairman of the committee which recommended Anwar's six-month suspension from Parliament.

How can he be neutral in this issue when he presides as Speaker? Karpal rightly pointed out, "You have lost your moral authority to sit in the chair."

From what was reported, Karpal was to be admonished according to the report of the Rights and Privileges Committee.

How then did it take a turn and suddenly become suspension from Parliament? Who twisted this fact to punish Karpal? The suspension of Azmin and Sivarasa was also very peculiar.

They were not asked to show cause and neither were they allowed to defend themselves. No sufficient notice was given; instead the whole charade was rushed through as if the BN just wanted to get over with this nasty episode.

Without a tinge of conscience the tyranny of the majority prevailed for a purpose. The BN now is within sight of a two-thirds majority in Parliament. If it achieves that, it can do whatever it wants without a care for the rights of the minority.

The Federal Constitution is in danger of being mutilated, as has been the case, under the BN.

We are reminded of what Edmund Burke said about tyranny: "The greater the power the more dangerous the abuse." As some wit once said, a government that fails to honour the law on which it is based only invites rebellion. No sane Malaysian wants to go that way.

P Ramakrishnan is president of Aliran

\* The views expressed here are those of the writer and do not necessarily represent the views of Malaysian Mirror and/or its associates.

Copyright © 2009 [www.malaysiamirror.com](http://www.malaysiamirror.com)

Source : <http://www.malaysianmirror.com/media-buzz-detail/6-nation/51146>