

by Zainon Ahmad

**SHORTLY** before the convening of the present Parliament in 2004 and about a year following that, there was a lot of euphoria about a new world-class and independent legislature rising from the ashes of the 10th Parliament. Today, the dream may be in tatters.

While there were already quite a few cynics then, the enthusiasm that had gripped almost the whole nation is understandable following the ushering in of a new administration led by the very personable Datuk Seri Abdullah Ahmad Badawi as prime minister.

He was going to ensure that the executive, the legislative and the judiciary are equal partners in governing the country. The integrity of each would be enhanced and for parliament, this meant a round of reforms to have its integrity and independence restored.

For those versed in matters of government and parliament, the declaration conjured up a vision of a truly independent legislature, one which would no longer be seen as an appendage of the executive branch of the government, but which is able to make its own decisions.

They visualised a parliament which no longer perfunctorily vets proposed laws of the executive branch of government, as it does now, but is very much involved in the making of those laws.

The new MPs also looked forward to playing their role, like other legislators elsewhere, in drafting proposed laws or bills and thereby giving true meaning to their role as lawmakers.

"Should all these things hap-

# World-class Parliament still a dream

*The Sun - 29/12/2006*

pen, parliament would become meaningful and relevant to the rakyat again," said Datuk Shahrir Samad (BN-Johor Baru) just after he was sworn in as a new MP after a long exile.

Because of the new mood, even Lim Kit Siang (DAP-Ipoh Timur), who was returning to Parliament after losing his seat in 1999, dared dream. He was among those who enthusiastically promoted the idea of parliamentary reforms to reflect the new mood so that a world-class parliament would indeed be created.

Some saw it as important for the Parliamentary Services Act 1963 which provided for the Malaysian legislature to conduct its own administration, staffing and financing but which was unilaterally repealed by the previous Speaker, the late Tun Zahir Ismail, to be revived.

Kit-Siang and Datuk Zaid Ibrahim (BN-Kota Baru) and some others did not think that it is vital. To them it is fine to have parliament conduct its own affairs but what is more important is the attitude of the government towards the legislature – whether it wanted it to be an independent institution or a mere appendage of the executive.

Many suspect that the government's attitude has not changed. For instance, attempts to get the Parliamentary Services Act reinstated were very rudely snubbed.

There is now a senior civil servant administrating parliament.

MPs are not allowed to vote according to their conscience, especially on an Opposition motion even if it was only to censure one of their colleagues for an inappropriate action.

Shahrir did, but was not supported by the others after what happened to two of their colleagues. As a consequence he had to resign as chairman of the BN backbenchers club. "I wanted to see integrity among MPs but sadly I was not supported," he said, explaining his reason for quitting in May this year.

The motion, even had it been carried, would not have brought the government crashing down but would instead have strengthened its integrity and given it much moral uprightness.

Two government MPs – Datuk Mohamed Aziz (BN-Sri Gading) and Datuk Bung Mohtar Radin (BN-Kinabatangan) – were censured for supporting an Opposition motion. They defended their action by saying that they owe it to their constituents but finally accepted the reasoning of the whip.

Some BN MPs were still uncertain that the government was not kindly disposed towards those wanting to vote according to their conscience even if this was already amply demonstrated by what happened in the Dewan Negara in December 2005.

Sixteen women senators had opposed the Islamic Family Law (Federal Territories) (Amendment) Bill 2005 but were told by Minister in the Prime Minister's Department Datuk Seri Nazri Aziz that the government would take note of their grouses but "the cabinet did not allow senators to exercise conscience voting on this issue".

The MPs thought that as elected representatives of the people and under the "new openness", they enjoyed a certain freedom and were therefore free to vote according to their conscience on issues that would not hurt the government. They were, of course, mistaken.

Angry with their failure to reinstate Shahrir as their leader, a group of BN backbenchers

requested for government MPs to be given greater discretionary powers to vote on motions tabled in parliament. It was a small revolt.

But Abdullah shot this down, saying party members have "no leeway or freedom to do as they like".

Kit Siang blamed the lack of will to change to the "brute majority" the government has in the Dewan Rakyat. The BN controls 91% of the seats in the 219-seat House.

But there are certain improvements, which may not be much in terms of making the country's parliament a world-class legislature, but which are gradually making the practice of democracy a little more participatory.

There is the revival of the committee systems – the life-blood of

legislatures in Britain and the United States – which generate all kinds of activities in parliament building even when the legislatures are in recess.

For instance, the Public Accounts Committee under Shahrir's chairmanship is a powerful and feared panel that supervises government administration.

There is hope that as the government gains more confidence in itself, the little tentative steps it takes towards giving the rakyat greater opportunity to participate in legislation would eventually lead it to making greater strides towards creating a legislature with integrity.

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