A parliamentary select committee on national security and defence needed

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need for royal assent in legislation is especially pertinent. The 1984 constitutional amendment has taught us a lesson that whittling away the powers of the Yang di-Pertuan Agong is a slippery slope that empowers the executive at the expense of other branches of government.

Today, with the realisation that the royal assent is still relevant, Dr Mahathir is supporting Anwar's effort to challenge the constitutionality of the NSC Act.

Experts also say that as a legislation, the NSC Act was poorly drafted.

Tracing its beginnings to 2011, the Act is an unfortunate by-product of the government's revocation of the 1966, 1969 and 1977 proclamations of emergency — all done without adequate preparation. Admittedly, the revocation of the states of emergency, nearly four decades old after their declaration, was appropriate. The emergency proclamations were obsolete and should have been revoked years earlier.

However, they had provided the necessary legitimacy to many laws and agencies such as the untrained paramilitary force RELA (People's Volunteer Corps) and the neighbourhood watch Rukun Tetangga. Thus, the removal of the three proclamations required a coherent mechanism to replace the necessary laws or agencies before the end of the six-month period, following which all would become null and void.

As such, in the April 2011 parliamentary sitting, I submitted a private member's bill calling for the revocation of the emergency declarations, drawing emphasis to a particular clause that sought to empower the relevant ministries to replace crucial legislation that was once under the purview of emergency laws.

Unfortunately, the bill was rejected by the Speaker. Yet, just five months later, Najib tabled a motion to repeal the three emergency declarations. But without detailed provisions to equip the relevant ministries during the transition to an era free of emergency laws, many crucial and necessary laws would become defunct.

Thus, as the six-month transition period lapsed, the revocation of emergencies led to a set of new laws — forced through Parliament without substantial deliberation, debate or engagement. Specifically, the Prevention of Terrorism Act 2015 and the Security Offences (Special Measures) Act 2012 were strongly criticised for human rights violations.

These laws have provisions that make access to legal counsel difficult for suspects, enable detention without trial for up to two years and restrict judicial reviews. The NSC Act's blatant disregard for fundamental human liberties is no different; it allows arrests without warrants, threatens peaceful dissent and disrespects a person's basic rights to a fair trial.

Unnecessary, unconstitutional and unsafe, the NSC Act is the landmark of an insidious new normal in Malaysia. For all rights and freedoms that the NSC Act encroaches upon, we must remember that it is but the tip of the iceberg of Malaysia's oppressive laws — disguised conveniently as the antidote to national security threats, yet in actuality an unmerciful hand to suppress political dissent -- and must be restrained.

The handshake between the former political nemeses marks the start of a political engagement. As a parliamentarian, I have been entrusted with the mandate to engage with my counterparts in fruitful debate and to lay the foundation for sound laws for a better society. Thus, moving forward, Parliament must support the setting up of a parliamentary select committee on national security and defence. Having representatives across the ideological continuum deliberate the nature of Malaysia's National Security Council will prevent the ascendancy of legal creations that only embolden the government by disenfranchising society.

For reasons mentioned above, the NSC Act is a threat not only to national security but also to our constitutional democracy and, by extension, all Malaysians. E

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