

Umno wrong about people power and elections, experts say
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By Jennifer Gomez

Umno leaders are wrong in saying the people's power to choose a government is only valid during elections, political observers said, adding that this was a "perverse" interpretation of parliamentary democracy.

Responding to Datuk Seri Najib Razak's statement that the people's right to change the government was only applicable during elections, Dr Wong Chin Huat said the prime minister was "usurping Parliament's powers" and should in fact be referred to the house's privileges committee.

Wong, a Penang Institute fellow, said a prime minister in a parliamentary democracy had much less job security and protection than a president in a presidential democracy.

Najib, therefore, did not enjoy any legal immunity and his fate was dependent on votes in the Dewan Rakyat, which is the Malaysian Parliament's house of representatives, Wong said.

"He has no legal immunity and the Parliament can sack him any time on the ground that he has lost the confidence of majority of the parliamentarians.

"Parliament is exercising the people's power on their behalf.

"His only other option is to seek fresh elections to see on whose side the people are on," said Wong, a political scientist and also resource person for electoral reform watchdog Bersih 2.0.

Even in a presidential system, Wong said, Congress may move to impeach the president if he committed grave crimes or misconduct. In such a system, the people's power was exercised through the Congress.

Amid talk of a no-confidence vote against Najib in the Dewan Rakyat by opposition lawmakers with like-minded MPs from the ruling Barisan Nasional (BN), Najib in Pasir Salak, Perak, on Friday night said the right time for people to choose a government was at the polls, and not in between elections.

He the Federal Constitution stated the people's power to do so was only once in five years.

"In between elections, we cannot do anything that contravenes our country's constitution and laws," the prime minister, who has been implicated in alleged corruption involving a RM2.6 billion donation to his personal bank accounts, had said.

But Lawyers for Liberty executive director Eric Paulsen (pic) rubbished Najib's logic, saying that if that was indeed true, it would mean that the prime minister was only accountable once every four or five years and would be free to commit all kinds of wrongdoings, including corruption and abuse of power in the interim period.

Paulsen added that all over the world, presidents and prime ministers have resigned or were ousted through parliamentary means, including through a vote of no-confidence.

"Guatemala's president just resigned after a corruption scandal – so why should our PM be so special that he can only be ousted through an election?"

"He should resign immediately if he has any pride and dignity left."

At the very least, Najib should allow a motion for a vote of no-confidence motion to be tabled in Parliament, the lawyer added.

This would show once and for all whether he still commanded the majority in Parliament.

Another Umno leader who has backed Najib on limiting "people power" to elections is Communications and Multimedia Minister Datuk Seri Salleh Syed Keruak, who blogged on Saturday that changing the government outside of elections was a "fallacy".

Talk of people power and the various avenues to oust Najib comes after former prime minister Tun Dr Mahathir Mohamad recently urged BN lawmakers to support a vote of no-confidence against the prime minister, saying such a move was both legal and necessary.

Dr Mahathir had said that BN would still remain in power, since it had the majority in the Dewan Rakyat.

The Dewan Rakyat has 134 MPs from BN, 87 from the opposition, and one independent.

There has been mounting pressure for Najib to step down, especially after it was revealed in July that RM2.6 billion, which he later said was a "donation", had gone to his personal bank accounts.

The prime minister is also advisory board chairman of state investment firm 1Malaysia Development Bhd (1MDB), which has been criticised for racking up debts of RM42 billion.

Yesterday, Minister in the Prime Minister's Department Datuk Seri Azalina Othman Said there was no reason to convene an emergency sitting of the Dewan Rakyat, as

Najib still commanded the confidence of the majority of MPs. – September 7, 2015.

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