

Parliamentary Behaviour of the Members of Opposition Political Parties in Malaysia

Muhamad Fuzi Omar*

Abstract: In a hegemonic consociational system practised in Malaysia, the Opposition can hardly play a dominant role in making democracy work. Nevertheless, a content analysis of the debates in the House of Representatives from 1982 to 2003 show that the opposition members have contributed to the process of check and balance in the government by asking questions to relevant ministries and by initiating adjournment motions. In the process, they not merely attacked the government for their failure but also suggested alternative policies some of which were implemented by the ruling coalition.

Key words: Dewan Rakyat, Barisan Nasional, opposition parties, adjournment motion, question time

Malaysia operates a bicameral parliamentary system. The significant legislative power lies in the House of Representatives or Dewan Rakyat which is composed of members elected directly on the basis of universal adult suffrage using plurality electoral system. The Dewan Rakyat started with a membership of 104 in July 1959 which shot to 159 in 1963 and 222 in 2008. It is directed and controlled by the Cabinet led by the Prime Minister. Given the dominance of the parliament by the ruling coalition, the Barisan Nasional (the BN), it is argued that the law-making capability of parliament has been eroded over the years. The opposition in parliament, after the 1999 elections, consisted of three major parties: the Democratic Action Party (DAP), the Islamic Party of Malaysia (PAS) and the People's Justice Party (KeADILan). The opposition is seen as an alternative government but given the dominance of the BN, this perception is

*Dr. Muhamad Fuzi Omar is Assistant Professor, Department of Political Science, Kulliyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia. E-mail: mfuzi@iiu.edu.my

not acknowledged. Nevertheless, the opposition parties try their best to maintain the independence of the Malaysian parliament. The major role of the opposition political parties in parliament in Malaysia, as claimed by the opposition leaders, is to wrangle with any attempts by the executive to silence the voice of dissent in parliament so that it becomes a minor department of government.¹ The parliamentary opposition parties in Malaysia employed various tactics in order to make the government responsible to the electorate. This study discusses the tactics of questioning the Ministers and the adjournment motion employed by the opposition representatives from the DAP, PAS and KeADILan from the sixth to the tenth parliament, their achievements through these tactics and the constraints they faced in performing their duties.

The Government and the Opposition

J.A.G. Griffith points out that the role of the opposition in a parliamentary system “is to persuade the electorate to throw out the government of the day and to put the opposition party in power so that it may then pursue the policies it believes are best for the nation.”² The political history of Malaysia shows clearly that the opposition did not try to persuade the electorate to throw out the BN government, at least not at the federal level. The parliament has been dominated by the BN with almost constant two-thirds majority and the number of opposition members did not exceed 41 (see Table 1). The opposition in the parliament did take initiatives to bring to the public’s attention “aspects of the government’s policies and administration which would not otherwise be brought before the parliament.”³ The opposition did this by using the processes of asking questions to ministers and the use of adjournment motions.

Questions to Ministers

Ostensibly, the main objective of opposition parties in asking questions to ministers in parliament is to obtain information on any particular matter and to make the public aware of the weaknesses or incompetence of a particular government department or to discredit government policy or action on any issue. Therefore, it has been described as “one of the most powerful implements of democracy.”⁴ A content analysis of the parliamentary debates during 1982-2003

Table1: Number of Members of Opposition Political Parties in the Parliament, 1982-2003

Party	Parliamentary Sessions				
	6	7	8	9	10*
DAP	9	24	20	9	10
PAS	5	1	7	7	27
KeADILan	-	-	-	-	4

Note: *Parliamentary Sessions: 6 (1982-1986), 7 (1986-1990), 8 (1990-1995), 9 (1995-1999), 10 (1999-2003).

Source: Government of Malaysia, *Parliamentary Debates*, various issues (1982-2003).

sessions shows that the members of parliament from the opposition parties raised four types of questions.

Questions on Issues of Members' Constituencies

The most common type of questions tabled by members of opposition DAP, PAS and KeADILan related to issues which affected the people in general and, more specifically, their constituents. In other words, the questions concerned government services provided to the people. By posing questions on different aspects of government services to the people, the opposition parties hoped to put the government in the spotlight and dent its legitimacy in the eyes of the people.

The members of the opposition parties raised nineteen different categories of questions concerning government services during the sixth to tenth parliaments. Most of these questions were on the following issues: education, health, security, housing, supply of electricity and water, tourism, price of petrol, transport, new identity card, insurance, citizenship status, national service, taxes and prices of goods and toll rate.

As shows in Table 2, about 33.3 percent of the selected number of questions asked by the DAP representatives in the Sixth Parliament related to government service issues. The percentage increased to 46.1 percent in the Seventh Parliament and dropped to 44.5 percent in the Eighth Parliament. This may be due to the drop in the number

of DAP representatives from 24 in the Seventh Parliament to 20 in the Eighth Parliament. In the Ninth Parliament, DAP had only 9 representatives which increased by an additional members in the tenth Parliament. As for the PAS representatives, their percentage of questions related to the government service issues ranged between 27 and 43. KeADILan, with 4 representatives, entered the parliament for the first time in 1999 and devoted about 25 percent of the selected questions to government service issues.

Among the government services, education was one important issue of concern to the members of the opposition. Members of DAP were most concerned about the state of Chinese schools in the country.⁵ In addition to embarrass the government, DAP's aim seemed to be to convince the Chinese voters that DAP could hold the BN accountable over the state of affairs in Chinese schools much better than the Chinese-based parties in the ruling coalition (BN), i.e. Malaysian Chinese Association (MCA) and Parti Gerakan Rakyat Malaysia (Malaysian People's Movement Party, Gerakan).

As a party which had been receiving support from the Chinese community, DAP had been using Chinese schools as part of their strategy to gain continuous support from the Chinese community. During the Mahathir period (1981-2003), they raised several questions regarding developments which affected Chinese schools. In the early 1980s, the Education Minister announced the implementation of the "3R" (Reading, Writing and Arithmetic) system in all primary schools. Under this system, apart from teaching Chinese and Mathematics using Mandarin in Chinese primary schools, all other subjects were to be conducted in Malay. Chinese associations looked upon this as an attempt to alter the character of the Chinese-medium primary schools. They sent a memorandum demanding all teaching and reference materials and the medium of instruction except for Bahasa Malaysia and English subjects be in Chinese.

Another controversy arose in 1984 when the Education Department of the Kuala Lumpur Federal Territory issued a circular to all Chinese primary schools ordering them to use only Malay in school assemblies and other functions. In 1986, another issue emerged when two Chinese educationist organisations, merged as *Dong Jiao Zong*, called on the government to repeal the controversial

Table 2: Questions on Government Issues by Parties

Party	Parliamentary Sessions				
	6	7	8	9	10*
DAP	48 (33.3)**	205 (46.1)	152 (44.5)	35 (33)	16 (42.1)
PAS	12 (42.9)	9 (26.5)	63 (34.6)	22 (28.6)	21 (35.6)
PKR	-	-	-	-	4 (25)
Total	144	445	342	106	38

Notes: *The dates for five parliamentary sessions are same as in Table 1.

** Figures in parentheses are percentages of the number of questions asked.

Source: Government of Malaysia, *Parliamentary Debates*, various issues (1982-2003).

Section 21(2) of the Education Act, 1961, if the government truly had no intention to change the character of the vernacular schools.

Finally in 1987, the government decided to appoint non-Mandarin-educated headmasters and senior assistants into National-type Chinese primary schools. Naturally, the Chinese feared the quality of education in the schools would be affected and the administration would suffer by the non-Mandarin educated administrators. However, the controversy paled into insignificance when the Mahathir administration launched its *Operasi Lalang* on October 27, 1987 by arresting and detaining over a hundred dissidents under the Internal Security Act (ISA). In addition to these controversies, the Chinese schools faced problems of overcrowding, teacher shortage and financial assistance. All these issues prompted DAP representatives to ask several questions to the relevant ministers in Parliament.

The second issue on education concerned the state of affairs in public universities in Malaysia. The figures published by the Department of Statistics showed that in 1981 there were only 62,993 students and the number doubled in 1990 to 124,346 students and in 1999 to 296,829 students. The DAP, which had been propagating

a “Malaysian Malaysia,” had always sought to ensure that all ethnic groups were given equal rights to continue their studies. They consequently raised questions asking the number of students enrolled in the universities based on ethnic origin (November 7, 1984), and the quota for national universities intake (July 28, 1992).⁶ Though the Malays enjoyed special privileges in terms of university enrollment as enshrined in the Malaysian constitution, DAP persistently raised such questions to reveal the “government secret.”

The opposition also raised the issue of students studying abroad. For example, on October 16, 1985, Lim Kit Siang asked for figures on students studying overseas and those at the local universities. The DAP also expressed concern about the number of self-sponsored students going overseas, especially the Chinese. In 1980, there were 11,533 Chinese students studying overseas compared to 5,194 Malays, and in 1985 there were 13,406 Chinese students abroad compared to 6,034 Malays who were mostly sponsored by the government. As a result, the representatives from the DAP raised the possibility of the government establishing private universities in the country, the Open University and private colleges.⁷ A few years later, when these private institutions had been established, the opposition MPs, especially from the DAP, expressed a different form of concern. They wanted information on the response of the public to these colleges and universities as well as the private institutions.⁸

Another issue of concern, particularly for PAS and the DAP, was the effects of the University and University Colleges Act (UUCA), which they alleged had resulted in increasing interference by politicians and in bureaucratic encroachments by the Public Services Department and the Ministry of Education in the administration of the universities. Consequently, questions on student’s intake, appointments and promotion of staff, the setting up of new courses, examination results and the curriculum as a whole were raised. These issues, according to the opposition, were determined by the government to suit their political interests rather than by academic considerations. Lim Kit Siang, for example, queried if the government would review the Act.⁹ However, despite various criticisms, the Mahathir government rejected the opposition allegations and maintained that UUCA was to ensure excellence in the academic system.

For PAS representatives, religious education was the most important issue and hence their questions related to schools. They queried if the government would upgrade the status of private religious schools, demanded reasons for the poor performance of students in Arabic language examinations, the amount of money channelled to religious schools and the number of students in these schools.¹⁰ Through these questions, PAS hoped to put pressure on the government to support religious schools, especially the private ones.

PAS won the majority of state assembly seats in Kelantan in the 1990 general elections and formed the government in coalition with Semangat 46 and Berjasa.¹¹ Following the PAS victory in Kelantan, there was a widespread belief in Malaysia that the Federal government had undertaken a policy of “neglecting” the development of the state. As such, PAS members frequently asked questions concerning Kelantan’s economic development such as the role of JPP or the Federal Development Committee in Kelantan and the postponement and cancellation of loans for several projects in the state.¹² Evidently, these questions aimed at showing the people that the Federal government was solely responsible for the lack of development in PAS-ruled Kelantan.

Interestingly, DAP members raised issues which directly or indirectly questioned the economy of Malaysia even though Malaysia prospered economically under the BN government. Rather than dealing with hard economic issues, DAP highlighted the plight of those affecting the cooperatives (October 10, 1986), eliminating inefficiency (taxes, inflation, price and loans) and the abuses of power from the public sector companies like the Deposit Taking Companies (DTC).

Suggestions to Improve Government Policies or Programmes

An important function of the opposition political parties in parliament is to offer alternative policies to those of the government by criticising, seeking clarifications or even suggesting new policies. In the guise of questions to government ministers, the members of the opposition political parties forwarded important suggestions and even alternative policies to improve the situation. These suggestions from the opposition political parties were in the fields of economy,

society, religion and election. The following are some of the examples.

(1) Questions on religion, in particular, Islam. Of 59 selected questions under this category, 21 were related to religion, especially, Islam. Most of the questions were posed by PAS members. Even though outside parliament, several PAS leaders denigrated the *Islamisation* policy initiated by the Mahathir government as “cosmetic,” in the parliament they supported the programme and offered suggestions to improve the policy. Thus, when asking questions related to Islamic banking, PAS members suggested the establishment of an Islamic Central Bank, *zakāt* for EPF depositors, the *Halāl* logo, Islamic programmes on television and Hajj administration.¹³ They also suggested practise of the *Shari’ah* law as part of the Malaysian legal system.¹⁴ The DAP member, Karpal Singh, however, wanted an assurance that Islamic Laws would not be imposed upon non-Muslims.¹⁵

(2) Questions on social issues. Of particular interest to the members of the opposition parties were questions on: (a) inter-ethnic relations, and (b) prevention of crimes. As a strategy to promote inter-ethnic relations, DAP suggested the National Service Programme, the establishment of a Royal Commission for Racial Unity, a new national cultural policy, more freedom to build places of worship, recognition of religious festivals and actions against racist instigators.¹⁶ With regard to crime prevention, the opposition representatives suggested new and strict laws to reduce white-collar crimes. In addition, the opposition members urged their ruling counterparts to introduce new steps to reduce ethnic polarisation in Malaysia.¹⁷

(3) Questions related to elections which were crucial for both the opposition parties as well as the ruling coalition. During the Mahathir period, much dissatisfaction was aired by the opposition parties relating to elections. Among others, they queried the role of the Election Commission, the practice of gerrymandering, phantom voters and the process of constituencies’ delineation. The opposition members suggested a few measures to remedy election irregularities.

The first was the introduction of a new voter registration process throughout the year. The period-based registration which was practised in the past discouraged many potential voters from

registering since they were given a stipulated period to register which might not be convenient. As a result, some of them missed the opportunity to cast their votes should the Prime Minister declare a snap election. A good example of this was in 1999, when about 600,000 new voters, the majority of whom the opposition parties claimed to be their supporters were not allowed to vote since they were late for registration and their names had yet to be gazetted as eligible voters. The Election Commission later adopted the opposition proposal and beginning from 2003, all eligible voters were allowed to register their names at the post office.¹⁸ This shows that the government accepted the opposition proposal even though it came a little late. The government took similar actions to consolidate the Elections Act to ensure fair and just elections and allowed Commonwealth observers to monitor elections in 1990.

Secondly, the opposition parties suggested that the government allow public rallies during elections. They claimed that people had become more mature and the political situation was more stable. Political rallies might allow the public to participate in the campaigns and directly get information from political leaders. This was not accepted by the ruling party.

Next, the opposition parties also wanted the government to guarantee the freedom of media for the opposition to ensure a free and just election. They demanded equal air time on the government-controlled media to disseminate their political agenda to the public. Another suggestion made to enhance the election process was to invite election observers to oversee the election process. Lastly, the opposition parties also wanted the government to review the Election Act to meet the demands of the present day. In order to improve local government performance, the opposition parties proposed that local government elections, which had been stopped since 1964, as a means of choosing more accountable representatives.¹⁹ As an alternative, they also proposed that only professionals be appointed members of the local government council.²⁰

Progress of the Implementation of Specific Laws and Policies

The representatives from opposition parties also checked the government through questions on the progress or actions which had been taken towards the previous suggestions or changes. These were

related to the progress made in the implementation of certain specific policies and laws of the government. Some of the examples of such questions are as follows.

(1) Questions on social issues. Out of the 75 selected questions on the implementation of specific laws and policies, 37 questions were related to social issues. Among these, the progress made in the investigation of corruption cases attracted the attention of the members of the opposition.²¹ Given the widespread belief that in concert with top officials and a number of politicians, a significant section of the business people in Malaysia were deeply involved in corruption; to the opposition, this issue was a legitimate stick with which to “beat” the government.

Yet, another issue that irked the opposition members was the government’s actions against immigrants. Illegal immigrants, mainly from Bangladesh and Indonesia, had been blamed for petty crimes, and had been held responsible for various social ills including prostitution. In the Dewan Rakyat, the opposition MPs called for answers on the success of government policies in dealing with illegal immigrants such as preventing them from obtaining national identity cards, punishing employers for failing to renew their employees’ work permits and measures taken to prevent further influx of illegal immigrants.²²

(2) Questions on economic issues. At least 18 questions were raised on economic matters, particularly, with regard to the progress of the privatisation policy, the National Economic Policy (NEP), government expenditure, government finance policy and the state of affairs in the Employees’ Provident Fund (EPF).²³ On the privatisation policy, the members of the opposition were suspicious of the criteria used to award tenders especially those involving major projects.²⁴ One example was the case of the North-South Highway project. This was awarded to the United Engineers Malaysia (UEM) Company whose shares were owned by individuals connected to the dominant party, UMNO. It was alleged that tenders from better qualified companies were rejected because they did not have any political connections. On the New Economic Policy (NEP), the opposition members wanted to know the progress made so far in uplifting the poor and uniting various ethnic groups in Malaysia. The opposition representatives were not interested in continuing the

NEP as they alleged that it enriched a few individuals, contrary to its stated goals.

During the 1997-98 economic crisis, representatives from the opposition parties asked several questions on the progress of the measures introduced to overcome the crisis. They raised questions relating to the new exchange rate system, bank mergers and the role of Danaharta and Danamodal which were formed to assist the companies and industries affected by the economic turmoil.²⁵ The main purpose was to determine whether the new strategies adopted by the government were effective in solving the crisis.

Finally, there were also questions on the issue of the Employees' Provident Fund. They cautioned the government, first, about the inability of some companies to invest in the fund and, second, to be careful when investing the fund from the EPF in companies like Rashid Hussein Berhad (RHB), United Engineers Malaysia (UEM), KFC Holdings (KFC) and New Straits Times Press (NSTP). The opposition members wanted to ensure more profits from the investments and also, especially for PAS members, to ensure that the investments were permissible from an Islamic perspective.

Highlighting the Ineffectiveness of Government's Policies

Questions were also raised by members of the opposition parties with the aim of embarrassing the ruling party by portraying ruling party members as inept, inefficient and corrupt. More specifically, they hoped to reveal malpractices and mismanagement in the administration. Specific questions were directed at alleged mismanagement in the privatised projects, corruption involving politicians, irregularities during elections, discrimination against the state of Kelantan, religious issues and alleged undemocratic practices by the government. The examples are as follows:

(1) Questions on alleged corruptions involving politicians from the ruling parties. Cases involving politicians like Tan Sri Rahim Tamby Chik in a sex scandal, Tan Sri Muhammad Hj. Taib for carrying a large amount of cash in his hand luggage, Dato' Seri S. Samy Vellu for corruption in awarding tenders and others were discussed with great enthusiasm.²⁶ Of the 62 selected questions under this category, 17 questions related to corruption of politicians and ministers in the ruling coalition.

(2) Irregularities in the election process. There were 15 out of the selected 62 questions that concerned electoral procedures. The main questions were related to abuse of election laws that were selectively applied favouring government candidates, new parliamentary boundaries that allegedly favoured the ruling coalition and the registration of new political parties that discriminated against the opposition.²⁷

(3) Alleged undemocratic practices by the government. There were 13 questions directed against laws that militated against the operation of the democratic system in the country. The main focus of the opposition parties were: (a) the alleged abuse of the Internal Security Act (ISA) that allows for indefinite detention without trial and allows for arrest without a warrant of anyone believed to have acted or who is likely to act in “any manner prejudicial to the security of Malaysia,” (b) money politics, i.e., bribing to buy office or favour, (c) the Sedition Act that criminalises “seditious words” and acts with a “seditious tendency” and (d) the Official Secrets Act that proscribes the collection, possession, or distribution directly or indirectly of official information. Questions on the abuse of ISA were asked on May 5, 1994 and October 27, 1998 and include whether the government realised if the rule of law was being followed in the ISA cases, police brutality and the number of detainees. On money politics, PAS representative asked whether the government realised that democracy in Malaysia was seriously jeopardised because of bribery and corruption especially during elections. The question was asked on May 5, 1994.

In conclusion, it can be stated that the questions raised by the members of opposition political parties in the Malaysian parliament were not only designed to expose the irregularities and weaknesses of the government but also to reflect the opposition parties’ genuine concern for the welfare of the people. These members of the opposition parties also suggested alternative policies to the government. The questions raised on various issues are summarised in Table 3. It is clear that the questions dealing with government services dominated almost all parliaments. Among the parties, the DAP raised the most questions reaching up to 205 questions in the 7th parliament. In the case of PAS, religious issues also received good deal of attention.

Table 3: Number of Issues Raised by Opposition Members in Five Parliamentary Sessions

Topic	DAP					PAS					Ke ADILan
	6	7	8	9	10	6	7	8	9	10	
Government Services	48**	205	152	35	16	12	9	63	22	21	4
Social Issues	32	61	50	14	3	2	2	18	18	7	4
Legal Issues	5	19	20	9	4	1	1	10		4	3
Economic Issues	36	98	65	29	6	4	3	17	10	18	0
Election Issues	3	9	11	6	0	1	6	0	0	3	2
Religious Issues	2	4	2			6	6	33	17	5	1
International	1	22	24	6	4	2	2	35	7	3	1
General Issues	7	27	18	7	5	5	5	6	3	2	1
Total No.	144	445	342	106	38	28	34	182	77	59	16

Notes: *The dates for five parliamentary sessions are same as in Table 1.

**The numbers shown are the total numbers of the questions raised on selected days.
 Source: Government of Malaysia, *Parliamentary Debates*, various issues (1982-2003).

Adjournment Motion

A motion is a proposal put forward by a member to the House for its decision. The decision arrived at by the House after debating on the motion is termed a resolution. Motions can only be introduced in the House after due notice in writing is given.²⁸ However, there are two types of motions which are considered by the House rather differently from other motions. One of them is the adjournment motion, which is usually tabled by the representatives from the opposition parties.

There are special provisions attached to an adjournment motion which include the conditions and the status of the person who introduced it. In order for this motion to be accepted, it must fulfil three conditions: the matter must be urgent; it must be specific; and it must have the element of public importance. The motion is also considered a private motion, i.e., it cannot be introduced by a minister or his deputy. The manner of its disposal also differs because it does not require the usual 14-day notice and secondly, if the motion is accepted it would be discussed on the same day to the exclusion of other matters.²⁹

During the period under study, the opposition MPs requested this type of motion many times of which this study randomly selected 60 which can be grouped under several headings. One, motions that urged the government to take necessary actions on certain issues, two, to disclose irregularities, three, to express dissatisfaction with ministerial responsibility, four, to suggest solutions and seek clarification from the government, and lastly, to criticise government actions.

Motions Urging Government to Take Necessary Actions

One-third or 20 of the selected motions listed were to seek immediate government actions to resolve certain problems faced by the people especially in their constituencies. In their motions, the opposition sometimes even suggested solutions to the problems to the government. However, out of this number, only one of these motions was considered by the Speaker to have fulfilled the three conditions, and therefore, was allowed for debate in parliament. The issue, which was raised by Husam Musa from PAS, related to the proposal to increase the price of Malaysia Airlines (MAS) domestic tickets by

51.8 percent in 1992. It was debated in the House but the opposition parties' stance was rejected as it lacked majority support.³⁰

DAP members raised 12 of these motions while the representatives from PAS raised 8. These motions covered a number of important national issues. These were: the alleged corruption involving MIC President, ethnic relations issue in the higher secondary school certificate (STPM) examinations, election irregularities involving the voters' registration scandal, abuse of power in the parliament, scandals involving the judiciary, the Bakun privatisation project, a sex scandal involving an MIC leader, toll collections at the Federal Highway II and an international issue involving the Muslims in Bosnia-Herzegovina. All these motions, asking the government to take necessary actions to resolve the issues, were rejected because the Speaker decided that they were not urgent.

PAS also raised about 8 motions which involved the issue of workers' safety, Singapore and Israel relations, alleged corruption in the construction of the Royal Air Force Training Centre (Pularek), the Achenese illegal immigrant issue, the ban on the book *Satanic Verses*, the alleged improper behaviour of the Chief Justice and the issue of apostasy involving 5,000 Malay Muslims in Malaysia. Seven of the motions were rejected for varying reasons.

Motions Criticising Government Actions

The opposition members also submitted 15 motions with the aim of criticising the actions and decisions of the government. Most of these motions (9 out of 15) were on the excessive use of the ISA by the government.³¹ The rest of these motions were on the issue of discrimination towards some contractors and doctors in Melaka, the permit for the distribution of *Harakah* (the PAS-run newspaper), prejudicial statements made by the PM, the alleged intervention of the Prime Minister in the Anti-Corruption Agency (ACA) case and the Constitutional crisis. However, only three of the fifteen motions were allowed to be debated in the House.

The first motion was on the issue of the hunger strike by ISA detainees at the Kamunting camp presented by Lee Lam Thye from DAP in 1988. The motion was raised to refute the allegation by the Deputy Home Minister, Megat Junid, that Lim Kit Siang and his son declared a hunger strike just for fun and farce.³²

The second motion was raised by Mahfuz Omar from PAS on July 19, 2001 on the issue of the detention of some university students under the ISA. Even though only a few opposition leaders participated in the debate of the motion, they managed to send a signal to the government that the detention might create feelings of hatred towards the ruling leaders amongst some university students.³³

The third motion accepted for debate was raised by Fadzil Noor on August 8, 2001. It involved the detention of 10 activists for an alleged involvement in the *Mujāhidīn* Movement. During the debate, the opposition leader, Hj. Fadzil Noor, condemned the use of the ISA against these people who were PAS supporters.³⁴

These three motions were accepted because the Speaker of the House was satisfied that they fulfilled the three important criteria. This required the opposition representatives to ensure that the issues they desire to raise are urgent, specific and are of public interest. They must come to the House with solid evidence to back up their arguments.

Motions Exposing Irregularities

Members of the opposition put forward 12 motions with the aim of exposing alleged irregularities by the government. Only 4 of these motions were accepted for debate all of which were related to police administration.³⁵ The main issue raised by the opposition parties concerned the death of detainees under police custody, and one motion on the Memali incident in 1985.³⁶ These motions were initiated by members from the DAP. However, only one motion was accepted for debate on October 26, 1989 presumably because the Deputy Home Minister, Megat Junid, was better prepared to provide an explanation on the actual situation.³⁷

Beside the police, other government agencies covered by these motions were Central Bank issues, the *Dewan Bandaraya Kuala Lumpur* (DBKL) case, the Kuala Lumpur Stock Exchange (KLSE) issue, the corruption issue involving the Chief Minister of Melaka, and the Perwaja scandal moved by Lim Kit Siang on July 26, 1999.

Another three motions were accepted by the House as the Ministers were ready to reply to the motions. For example, in the loss of the foreign exchange rate, the Finance Minister, Anwar

Ibrahim, was ready to provide the explanation to the House, and, for the load shedding crisis, the Deputy Finance Minister provided an answer to the issue raised by Lim Guan Eng.³⁸ However, other motions were rejected because the government had taken its own initiatives to deal with the issue. For example, when Lim Guan Eng raised a motion on May 9, 1994 on a corruption case involving Rahim Tamby Chik, the Speaker responded that an ACA report had been made; hence it was unnecessary to proceed with such a motion.

Expressing Dissatisfactions with Ministerial Responsibilities

Members of the opposition parties also expressed their dissatisfaction with the performance of Ministers by suggesting a cut in their salaries through motions. There were at least two such motions initiated by members from the DAP against the Transport Minister, Ling Leong Sik.³⁹ A member belonging to PAS tabled such a motion against the Prime Minister himself.⁴⁰ The motions on the Minister of Transport and on the Prime Minister were debated in the House but both were rejected by the House after deliberations. These motions were allowed by the Speaker for general reasons. First, the opposition representatives succeeded in bringing a specific case which had public interest in their motion. Secondly, even if the motions were debated, they would not be supported by the majority of MPs who were loyal to their leaders.

Suggesting Solutions and Seeking Clarifications

Motions were also raised by the opposition members to seek clarifications and to provide suggestions on a variety of issues. Of the 10 such motions, three were tabled by PAS representatives during the Tenth parliament and seven motions by DAP representatives during the Sixth, Seventh, Eighth, and Ninth Parliaments.⁴¹ However, only three of the motions were accepted for debate. The first motion debated was the suggestion by Lim Kit Siang to refer the NEP programme to the Parliament Select Committee to evaluate its performance. His suggestion was not supported by the members of the ruling parties.⁴² The second motion for debate was also presented by Lim Kit Siang on the role of the Public Accounts Committee. He suggested that the House accept the report on its activities for the past few years and to provide more financial support for its activities as well as to debate the reports in the House. However, a majority of

the members again disagreed with his proposal. Lastly, the House accepted the suggestion made by Dr. Syed Azman from PAS to debate on the US attack on Afghanistan. He proposed that the House be adjourned to discuss the issue, which affected credibility of Malaysia as a Muslim nation, and the abuse of the human rights. The members took keen interest in the debate and supported the motion.⁴³

The success of some of the motions moved by the opposition shows that the Malaysian parliament did provide avenues for the opposition representatives to get clarifications from Ministries and to provide suggestions to the House. At the same time, the number of motions raised also shows that the opposition representatives were never tired of trying to influence the government through the motions to get clarifications and to provide suggestions.

Responses and Constraints

The opposition tactics on questions and motions were largely successful in that they evoked responses from the government. Question time was the most important proceeding in parliament. The exchanges amongst MPs at times, depending on the topic, were overly heated. The main advantage of the question session was the direct verbal answers or feedback from relevant ministries. However, the number of questions from the opposition MPs that were accepted for debate were much smaller compared to the questions permitted from the Barisan Nasional components. Some of the questions were rejected without any valid reasons. Some of the permitted questions from the opposition MPs were given less priority compared to the questions allowed for the ruling party's members. This can be seen in the written reports, which were made available at the end of each parliamentary session.

Most of the questions related to the opposition members' constituencies were responded to positively by relevant ministers or their representatives. These questions were considered to be important as they involved the welfare and interest of members of the public. In addition, the detailed answers were important facts to prove that the relevant ministry was responsible for matters within its purview.⁴⁴ For example in response to the queries raised on the Chinese educational system, the Education Minister made a pledge that the government would continue to support the vernacular school

system. The Mahathir government also made changes in the University enrolment policy by changing the basis for the University intake from the quota system to merit-based system beginning from 2001. The Mahathir government also decided to relax its all-Malay policy for all Mara Junior Science Colleges with a 10 percent entry quota for non-Malays. The change in the policy shows that the Mahathir government took a serious view in tackling the issue. At the same time, the government wanted the Malays not to remain complacent and urged them to become more competitive with others.⁴⁵ The government also responded positively to the demand by the opposition members for more private universities and colleges. The Education Act was amended to allow the establishment of private universities and colleges in the country. During the Fifth Malaysian Economic Plan, private educational institutions had emerged as an important avenue to meet the increasing demand for higher education among Malaysians. The enrolment of students in these institutions at the degree, diploma and certificate levels increased from about 15,000 students in 1985 to about 35,600 students in 1990.

The government also responded positively to some of the suggestions to improve government policies or programmes. For example, in response to DAP suggestion for the National Service Programme, the government approved the National Service Act 2003 and implemented the programme a year later. The government also recognised several Chinese cultural activities like the lion dance as part of the national culture. The government also reformed voters' registration process which allows eligible voters to register their names at the post office at any time.

Whenever members of opposition parties asked questions to highlight the ineffectiveness of government policies, they would receive more negative reactions from the ruling party's representatives. Sometimes, the ministers themselves declined to answer the questions raised by opposition MPs. Only their deputies or Parliamentary Secretaries were present in the House to address the issue. As a result, satisfactory answers could not be obtained by the House. Upset with situations such as this, on July 28, 1993, Lim Kit Siang issued a motion under meeting rules no. 26(1)(p) to refer the Parliamentary Secretary in the Prime Minister's Department to

the Privileges Committee for the lackadaisical answers he gave to parliament. In reply to a question on corruption in Malaysia, the Parliamentary Secretary said the situation was under control. In an attempt to probe whether the ACA had submitted a new anti-corruption law draft, the Parliamentary Secretary responded in the negative.⁴⁶ Dissatisfied by such an attitude Lim alleged that the Parliamentary Secretary's answers did not bear any justification and were, therefore, against the privileges of the parliament and in fact misled parliament. The Speaker, however, wanted Lim to provide a written motion before it could be considered.

In another instance, on March 20, 2000, Muhamad Sabu, a PAS member, issued a motion to deduct RM10 from the salary of the Prime Minister under rule No.66 (9). He argued that the Prime Minister had not attended a single parliamentary sitting to answer questions directed to the PM's office since the beginning of the parliamentary session. He also claimed that the PM's Department especially JAKIM (Jabatan Kemajuan Islam Malaysia/Islamic Development Department of Malaysia) had failed to protect the image of Islam when many writers published articles which were adverse to Islam. In addition, many applications had been submitted by Muslims who wished to change their religion for another. The motion was discussed in the meeting but the majority of the members voted against the motion.⁴⁷

At times, opposition members, dissatisfied with brief and irrelevant answers, would strongly object to the answers given and walk out from the House. For example, on March 20, 2000, all opposition members walked out from the sitting because they were dissatisfied with the answers given by the Minister in the Prime Minister's Department, Pandikar Amin Hj. Mulia, who, they claimed, did not know how to answer the questions. In another case on November 26, 1986, Lim Kit Siang issued a motion on the abuse of the rights and freedom of the meeting procedures. The motion requested parliament to discuss a matter of privilege that the answer given by the Deputy Finance Minister on the issue of MAMINCO to the parliament was incorrect. The Speaker of the House, however, turned down this motion as there was no need to give privilege to this issue. The Speaker, however, asked the Deputy Finance Minister to give his answer at a later date, i.e., November 27, 1986.

The negative responses notwithstanding, the opposition MPs contributed towards the process of check and balance of government activities through the answers provided to them. The government even accepted some of the suggestions they raised. This was admitted by PAS Secretary-General, Nasharuddin Mat. Isa, during an interview with the author. Nasharuddin cited the female police uniform as an example of opposition influence in the parliament. Previously, female police personnel were not allowed to wear the *hijāb* but after the suggestions made by the PAS MPs, they were allowed to do so. Given such outcomes, the opposition parties in Malaysia had never boycotted the elections even though they could not unseat the ruling coalition at the Federal level.⁴⁸

Unlike the tactic of questioning ministers, the tactic of issuing motion was less helpful to the opposition parties. Members of parliament did not take these motions seriously and consequently these did not lead to a heated debate. Despite appeal from members of the opposition parties that their motions required urgent attention, most of them were rejected for reasons of not fulfilling the conditions. The Speaker frequently cited Standing Order 43, which provides that the decision of the Chair shall be final and it is not open for appeal or review except by way of a substantive motion, which does not require more than two days' notice. As a result, this tactic has become less valuable to the opposition parties to check the government. The parliamentary opposition leader, Lim Kit Siang, complained of the existence of double standards in parliament where privileged motions against the opposition were given priority while privileged motions against government MPs and ministers were "killed" by the parliamentary manoeuvres of not giving time.⁴⁹ Nevertheless, attempts to move the motion alerted the government that the opposition representatives were either revealing their weaknesses or attacking them.

When the opposition members raised motions to seek immediate government actions to resolve certain problems faced by the people, they were rejected because they were not considered urgent. Sometimes these motions were rejected because the Speaker claimed that the government had taken their own initiatives to deal with the issue. Even when the opposition members were allowed to table their motions, like the three motions raised to criticise government

actions, they were not supported by the majority of the members from the ruling parties.

However, the House might allow the motion by the opposition member so that the minister could use the opportunity to shed light on certain issues. For example, the Speaker once allowed the motion by the opposition members to expose government irregularities so that the minister could provide an explanation on the actual situation.

Other types of motions like the developmental motions by the members of ruling parties were usually accepted and debated smoothly by the House. Members of the opposition sometimes supported the motions while at other times opposed the motions. For instance, on April 6, 1999, the opposition leaders participated in the discussion on the government motion on a white paper on the Malaysian Economic Status which was presented by Abdullah Ahmad Badawi. In his speech, Lim Kit Siang condemned some of the government policies and actions which he described as “unconventional.” He condemned the physical injury inflicted by the Inspector-General of Police on the former Deputy Prime Minister while in police custody, the conviction of the MP for Kota Melaka, Lim Guan Eng, for helping a 15 year-old Malay girl in a rape case, and the approval of UMNO’s constitutional amendment within less than a month by the Registrar of Societies when other parties had to wait for months or years for any approval. He also condemned the privatisation policy, which he labelled as “piratisation,” for being one of the factors damaging the Malaysian economy and, to make matters worse, the government was helping its cronies in such policies. Lim also suggested several strategies to combat corruption, which included the reconstitution of a cabinet committee to fight corruption, the declaration of assets by the new Finance Minister and all Cabinet Ministers, and the formation of a commission of inquiry to assess the assets and properties owned by Anwar Ibrahim who was Finance Minister from 1991 until 1998 and the previous Finance Minister, Tun Daim Zainuddin, from 1986 until 1991. Lastly, he made five suggestions to overcome the financial crisis; first, stop all bail outs; second, have a more efficient central bank; third, safeguard workers’ savings in EPF, and SOCSO; fourth, have a safety net programme for retrenched workers, and lastly, the government must respect the people’s rights as enshrined in the Constitution.

An example of a motion denied was on April 3, 2001 when members of the opposition parties opposed the development motion tabled by the Prime Minister on the ground that they had not received enough time to study the motion. The Prime Minister tabled the Third Outline Perspective Plan or (RRJP3) for the period between 2001 and 2010. However, the members of parliament were given only a day to study the 210-paged motion. The opposition members claimed they needed adequate time for the debate. Fadzil Noor insisted that the economic plan should not be treated as an instant *roti canai* (puffed bread). They demanded the motion be postponed. Kerk Kim Hock, however, suggested that the motion could be read on the same day but the debate should be delayed to the following week. The Speaker of the House, however, claimed that there were no restrictions on the motion and continued with it. Several opposition members like Dr. Tan Seng Giaw reluctantly participated in the debate.⁵⁰

Given the existence of what Lim Kit Sing called “double standard” in the parliament, the representatives from the opposition parties at times were frustrated and tried to take their case directly to the general public. They would publicly criticise the government as authoritarian and the Speaker of the House as mere a “rubber stamp” acting at the whims and fancies of the ruling party. However, by and large, the opposition representatives would act from within the parliament and tried to check the excesses of the government through questions and motions and through these tactics would force the government to improve its delivery system for the welfare of the Malaysian public.

Conclusion

Questions to the Ministers and adjournment motions were two important strategies available for the opposition political parties to check government activities. Even though the members of the opposition parties brought many issues to public attention and helped the government to improve its performance through criticisms and suggestions, they suffered from several handicaps. First, the number of opposition MPs elected up until 2003 was very low compared to over two-thirds majority enjoyed consistently by the ruling coalition. In addition there were only a few opposition members who

possessed relevant experience to be good parliamentarians. Second, the time allocated to them for an effective use of these two strategies was very short compared to other agenda. Third, priority was always given to the government activities compared to the activities suggested by the opposition parties. All these factors created a stumbling block to the representatives of the opposition parties to achieve their objectives in the parliament. Consequently, the opposition parties appealed to the people to support them for reforms in the government. The opposition parties, however, continued to work within the parliament and thus made democracy work albeit within limits.

Notes

1. Lim Kit Siang, "Role of Parliament" in *Reflections on the Malaysian Constitution* (Kuala Lumpur: Aliran, 1985), 122.
2. J.A.G. Griffith, *Parliament: Functions, Practice and Procedures* (London: Sweet and Maxwell, 1989), 338.
3. Ibid.
4. Ahmad Abdullah, *The Malaysian Parliament: Practice and Procedure* (Kuala Lumpur: DBP, 1969), 78.
5. Kua Kia Soong pointed out in *A Protean Saga: The Chinese Schools of Malaysia* that in 1980, there were 1,312 Chinese schools in Malaysia with 581,696 students and in 1985, there were 1,286 Chinese schools with 585,082 students. There were also 583 Tamil schools in 1980 with 73,958 students and 555 schools in 1985 with 76,653 students.
6. *The Social Statistics Bulletin Malaysia* published the statistics on the number of institutions of higher learning, the number of lecturers, number of students in institution by gender and course and the number of graduates.
7. *Parliamentary Debates, 6th Parliament, Third Session*, vol. III, No. 29, (Tuesday, October 22, 1985).
8. The questions were raised on July 7, 1994 and May 4, 1994 on the number of private colleges and the responses from the public.
9. *Parliamentary Debates, 7th Parliament, 1st Session*, vol. 1, no. 24, (Friday, November 7, 1986).
10. Ibid., *8th Parliament, Fourth Session*, vol. IV, no. 60, (Monday, December 12, 1994).

11. PAS also won 6 Parliamentary seats: Nik Abdullah (Pengkalan Chepa), Wan Jamil (Tumpat), Dr. Sanusi (Rantau Panjang), Mohamad Sabu (Nilam Puri), Hj. Bunjamin (Bachok) and Ibrahim Mahmood (Kuala Kerai).

12. *Parliamentary Debates, 8th Parliament, Third Session*, vol. III, no. 43, (Wednesday, November 10, 1993). Example of the cancellation of loans were the project to widen the Sultan Ismail Petra Airport, the new Campus project for Islamic Academy and the Navy Airport project at Gong Kedah. Example of the postponement of the project was the postponement of the small port project at Kemasin, Semerak which has been approved under the 5th Malaysian Plan.

13. The question on Islamic Central Bank can be found in *Parliamentary Debates, 8th Parliament, Third Session*, vol. III, no. 5, (Tuesday, May 4, 1993). Question on Islamic programmes were stated in *Parliamentary Debates, 8th Parliament, Third Session*, vol. III, no. 3, (Thursday, April 29, 1993).

14. *Parliamentary Debates, 10th Parliament, Third Session*, vol. III, no. 9, (Wednesday, April 4, 2001).

15. *Ibid., 8th Parliament, Second Session*, vol. II, no. 22, (Tuesday, July 28, 1992).

16. Refer to *Parliamentary Debates, 7th Parliament, First Session*, vol. I, no. 5, (Monday, October 13, 1986), *Parliamentary Debates, 9th Parliament, First Session*, vol. I, no. 8, (Wednesday, June 21, 1995) and *Parliamentary Debates, 7th Parliament, First Session*, vol. I, no. 29, (Monday, November 17, 1986).

17. *Parliamentary Debates, 7th Parliament, First Session*, vol. I, no. 28, (Thursday, November 13, 1986).

18. The new registration or change of address can be made at any post office in Malaysia. This is in line with the change in the Election Act (Voter Registration) 2002 which have been approved in the Parliament.

19. The elected local government was introduced in Malaya in 1954. The Local Government (Temporary Provisions) Act, in 1974, abolished all the elected local authorities, and gave power to appoint local authorities to the State Governments. *Parliamentary Debates, 7th Parliament, First Session*, vol. I, no. 9, (Friday, October 17, 1986).

20. *Parliamentary Debates, 7th Parliament, First Session*, vol. I, no. 51, (Tuesday, March 17, 1987).

21. Among the cases which they raised were the BMF scandals, Maika Holdings, Telecom Company projects scandal, Central Bank foreign exchange scandal, and the DBKL scandal.

22. *Parliamentary Debates, 9th Parliament, First Session*, vol. 1, no. 15, (Tuesday, August 15, 1995).

23. Several questions on NEP were raised on the new programme after NEP (October 25, 1985), the achievements of NEP (October 8, 1996), and the new economic principles after NEP (November 13, 1996). The questions on the government expenditure included the national debt and the Millenium Jump project (February 15 and 23, 2000). Questions related to finance policy included the exchange rate system, strategies to ensure profitable business, and the role of Danaharta and Danamodal.

24. The Report on Malaysia Economic Plan outlines nine modes of privatisation which involve sale of equity, sale of assets, lease of assets, management contract, management-buy-out (MBO), Build-Operate-Transfer (BOT), Build-Operate (BO), Build-Transfer (BT).

25. On May 20, 1998 the government announced the creation of a national asset management company (AMC) and on June 20, 1998 Danaharta was incorporated to tackle the NPL (Non-Performing Loan) problem that arose during the Asian financial crisis. Its main objectives were to remove the NPL distraction from the financial institution and thereafter extract maximum recovery value from the NPLs. Danamodal was established as a special purpose vehicle to revitalise the Malaysian Banking section.

26. Questions on Tan Sri Rahim were asked on November 2, 1993, May 13, 1993, and May 3, 1993. Question on Tan Sri Muhammad was on the RM2.4 million owned by him at Brisbane Airport in Dec. 1996. The question was asked by a DAP representative on March 25, 1997.

27. Example of the questions on election laws was stated in *Parliamentary Debates, 9th Parliament, Fifth Session*, vol. V, no. 4, (Monday, April 12, 1999). Question on the new parliamentary boundaries was stated in *Parliamentary Debates, 7th Parliament, First Session*, vol.1, no. 2, (Wednesday, October 8, 1986). One of the questions on the party registration was on the application by the Malaysian Socialist Party which had not been approved by the ROS.

28. Motions are of several types:procedural motions, government motions, adjournment motions and the motion on the development.

29. Ahmad Abdullah, *The Malaysian Parliament: Practice and Procedure*, 97.

30. *Parliamentary Debates, 10th Parliament, Second Session*, vol. II, no. 43, (Thursday, July 13, 2000).

31. The motions on ISA were raised by Lee Lam Thye on August 11, 1988, October 28, 1988, November 2, 1988 and March 11, 1988; Hj. Fadzil Noor on August 8, 2001; Mahfuz Omar on July 19, 2001; Tan Seng Giaw on June 11, 1990 and March 23, 1989; and P. Pato on March 22, 1989.

32. *Parliamentary Debates, 7th Parliament, Second Session*, vol. II, no. 41, (Wednesday, November 2, 1988).

33. Ibid., *10th Parliament, Third Session*, vol. III, no. 31, (Thursday, July 19, 2001).

34. Ibid., *10th Parliament, Third Session*, vol. III, no. 42, (Wednesday, August 8, 2001)

35. The motions involve the issue of the death of detainees under the police custody. First, it was moved by Goh Hock Seng on November 1, 1982, and also on November 20, 1985, and also by Dr. Chen Man Hin on the death of Anthonysamy on October 20, 1989 and lastly, by Karpal Singh who moved a motion on October 26, 1989 on the death of 30 to 40 persons under police custody.

36. Memali is a village in Baling, Kedah. The Memali incident took place in the wee hours of November 20, 1985 where about 4,000 policemen tried to detain Ibrahim Libya and his followers under the Internal Security Act. However, when they refused to surrender, the police took action and a series of attacks occurred. As a result, about 18 people died including Ibrahim Libya, 4 policemen and 13 of his followers. However, until today the court still could not prove that this group was criminals and deviant.

37. According to the Deputy Minister, the 30 to 40 deaths reported by members were not correct. According to him from 1980 until 1989, only 12 prisoners died during detention or police custody in Kuala Lumpur.

38. *Parliamentary Debates, 8th Parliament, Third Session*, vol. III, no. 1, (April 27, 1993); *Parliamentary Debates, 8th Parliament, Third Session*, vol. III, no. 14, (May 20, 1993).

39. The first motion was moved by Kerk Kim Hock from DAP on December 8, 1994 and the second one was by Lim Guan Eng on November 27, 1997.

40. Muhamad Sabu moved a motion against the Prime Minister for his failure to attend the sitting to answer questions directed to the Prime Minister's Department.

41. The three motions moved by PAS representatives were the plan to upgrade the ITM status moved by Dr. Hassan Ali; the arrival of USSR navy vessels with nuclear power at Port Klang by Mahfuz Omar on April 26, 1994; and the attack on Afghanistan by Dr. Syed Azman on October 10, 2001. The motions by the DAP representatives were on the NEP by Lim Kit Siang on July 26, 1985; the charge against the Al-Arqam movement by Ahmad Noor on July 4, 1994; the performance of PAC by Lim Kit Siang, the Highland Towers tragedy by Dr. Tan Seng Giaw; the condition of illegal immigrants at Semenyih Immigration Camp by Lim Kit Siang on July 4, 1994, performance of the UN Secretary-General to help Muslims in Bosnia by Lim Guan Eng on April 26, 1994, and the explanation on endemic virus by Lim Kit Siang on April 6, 1999.

42. *Parliamentary Debates, 6th Parliament, Third Session*, vol. III, no. 24, (Friday, July 26, 1985).
43. *Ibid., 10th Parliament, Third Session*, vol. III, no. 46, (Wednesday, October 10, 2001).
44. Interview with Lim Kit Siang at DAP Headquarters, P. Jaya, Selangor, June 12, 2004.
45. G. Manimaran, "Pelaksanaan Meritokrasi: Dua Pengajaran Penting," *Massa*, No. 448, (June 5-10, 2004), 10.
46. *Parliamentary Debates, 8th Parliament, Third Session*, vol. III, no. 23, (Wednesday, July 28, 1993).
47. *Ibid., 10th Parliament, Second Session*, vol. II, no.19, (Monday, March 20, 2000).
48. Interview with Nasharuddin Mat Isa at Taman Melewar, Gombak, Selangor, October 10, 2004.
49. "Tyranny of the Majority in Parliament" in Lim Kit Siang, *Selected speeches and press statements II*, (Petaling Jaya: DAP, 1993), xxi.
50. *Parliamentary Debates, 10th Parliament, Third Session*, vol. III, no. 8, (Tuesday, April 3, 2001).