

UNDERSTANDING  
THE **DEWAN  
RAKYAT**

edited by Deborah Loh and Jacqueline Ann Surin

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## Understanding the Dewan Rakyat

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FIRST EDITION: March 2011

Published by



ZI Publications Sdn. Bhd.

398105-W

B-2-19, Merchant Square,  
Jalan Tropicana Selatan 1,  
PJU 3, 47410 Petaling Jaya,  
Selangor Darul Ehsan, Malaysia  
E-mail: [info@zipublications.com.my](mailto:info@zipublications.com.my)  
Website: [www.zipublications.com.my](http://www.zipublications.com.my)

ISBN 978-967-5266-18-8

Layout & cover design by



[creativetrees.blogspot.com](http://creativetrees.blogspot.com)

[teckhee@gmail.com](mailto:teckhee@gmail.com)

Perpustakaan Negara Malaysia  
Cataloguing-in-Publication Data

Understanding the Dewan Rakyat / The Nut Graph

ISBN 978-967-5266-18-8

1. Malaysia – Politics and government. I. Title.

344.07409595

Printed in Malaysia by  
Vinlin Press Sdn. Bhd.  
No. 2, Jalan Meranti Permai 1,  
Meranti Permai Industrial Park,  
Batu 15, Jalan Puchong,  
47100 Puchong, Selangor, Malaysia

# CONTENTS

	West Malaysia Constituencies Map	10
	East Malaysia Constituencies Map	12
	Foreword	14
	Introduction	16
<b>Part I</b>	<b>Knowing Malaysia's Parliamentary Democracy</b>	<b>20</b>
	System of governance and the role of Parliament	21
	Malaysia's electoral system	24
	The work of an MP	30
	Funding our MPs	38
	The speaker: Functions and powers	42
<b>Part II</b>	<b>Knowing Malaysia's MPs</b>	<b>54</b>
	<i>MP Watch</i> : who replied, who didn't, and why	55
	MPs and the ISA	63
	MPs and the Islamic state issue	68
	MPs and freedom of information	72
	MPs and separation of powers	77
	The challenges of being an MP	81
	MPs and lawmaking	88
	Strengthening parliamentary democracy	93
<b>Part III</b>	<b>222 MP Profiles</b>	<b>100</b>
Perlis	P.1 Padang Besar <i>Azmi Khalid</i>	102
	P.2 Kangar <i>Mohd Radzi Sheikh Ahmad</i>	104
	P.3 Arau <i>Ismail Kasim</i>	108

Kedah	P.4	Langkawi	<i>Abu Bakar Taib</i>	113	
	P.5	Jerlun	<i>Mukbriz Mahathir</i>	115	
	P.6	Kubang Pasu	<i>Mohd Johari Baharum</i>	116	
	P.7	Padang Terap	<i>Mohd Nasir Zakaria</i>	117	
	P.8	Pokok Sena	<i>Mahfuz Omar</i>	118	
	P.9	Alor Star	<i>Chor Chee Heung</i>	119	
	P.10	Kuala Kedah	<i>Ahmad Kasim</i>	121	
	P.11	Pendang	<i>Mohd Hayati Othman</i>	122	
	P.12	Jerai	<i>Mohd Firdaus Jaafar</i>	124	
	P.13	Sik	<i>Che Uda Cbe Nik</i>	128	
	P.14	Merbok	<i>Rashid Din</i>	131	
	P.15	Sungai Petani	<i>Johari Abdul</i>	133	
	P.16	Baling	<i>Taib Azamuddin Md Taib</i>	136	
	P.17	Padang Serai	<i>Gobalakrishnan Nagapan</i>	137	
	P.18	Kulim - Bandar Baru	<i>Zulkifli Nordin</i>	140	
	Kelantan	P.19	Tumpat	<i>Kamarudin Jaffar</i>	145
		P.20	Pengkalan Chepa	<i>Ab Halim Ab Rahman</i>	147
		P.21	Kota Baru	<i>Wan Abd Rabim Wan Abdullah</i>	149
P.22		Pasir Mas	<i>Ibrahim Ali</i>	151	
P.23		Rantau Panjang	<i>Siti Zailah Mohd Yusoff</i>	154	
P.24		Kubang Kerian	<i>Salahuddin Ayub</i>	158	
P.25		Bachok	<i>Nasharudin Mat Isa</i>	161	
P.26		Ketereh	<i>Ab Aziz Ab Kadir</i>	164	
P.27		Tanah Merah	<i>Amran Ab Ghani</i>	166	
P.28		Pasir Puteh	<i>Muhammad Husain</i>	169	
P.29		Machang	<i>Saifuddin Nasution Ismail</i>	170	
P.30		Jeli	<i>Mustapa Mohamed</i>	171	
P.31		Kuala Krai	<i>Mohd Hatta Ramli</i>	172	
P.32		Gua Musang	<i>Tengku Razaleigh Hamzah</i>	175	
Terengganu	P.33	Besut	<i>Abdullah Md Zin</i>	177	
	P.34	Setiu	<i>Mohd Jidin Shafee</i>	180	
	P.35	Kuala Nerus	<i>Mohd Nasir Ibrahim Fikri</i>	181	
	P.36	Kuala Terengganu	<i>Mohd Abdul Wabid Endut</i>	183	
	P.37	Marang	<i>Abd Hadi Awang</i>	186	
	P.38	Hulu Terengganu	<i>Mohd Nor Othman</i>	187	
	P.39	Dungun	<i>Matulidi Jusoh</i>	188	
	P.40	Kemaman	<i>Ahmad Shabery Cheek</i>	190	

Pulau Pinang	P 41	Kepala Batas	<i>Abdullah Ahmad Badawi</i>	192
	P 42	Tasek Gelugor	<i>Nor Mohamed Yakkop</i>	193
	P 43	Bagan	<i>Lim Guan Eng</i>	194
	P 44	Permatang Pauh	<i>Anwar Ibrahim</i>	195
	P 45	Bukit Mertajam	<i>Chong Eng</i>	197
	P 46	Batu Kawan	<i>P Ramasamy</i>	201
	P 47	Nibong Tebal	<i>Tan Tee Beng</i>	203
	P 48	Bukit Bendera	<i>Liew Chin Tong</i>	206
	P 49	Tanjung	<i>Chow Kon Yeow</i>	207
	P 50	Jelutong	<i>Ooi Chuan Aun @ Jeff Ooi</i>	209
	P 51	Bukit Gelugor	<i>Karpal Singh Ram Singh</i>	210
	P 52	Bayan Baru	<i>Zahrain Mohamed Hashim</i>	212
	P 53	Balik Pulau	<i>Mohd Yusmadi Mohd Yusoff</i>	215
	Perak	P 54	Gerik	<i>Tan Lian Hoe</i>
P 55		Lenggong	<i>Shamsul Anuar Nasarah</i>	221
P 56		Larut	<i>Hamzah Zainudin</i>	222
P 57		Parit Buntar	<i>Mujahid Yusof Rawa</i>	223
P 58		Bagan Serai	<i>Mohsin Fadzli Samsuri</i>	226
P 59		Bukit Gantang	<i>Mohammad Nizar Jamaluddin</i>	227
P 60		Taiping	<i>Nga Kor Ming</i>	229
P 61		Padang Rengas	<i>Mohamed Nazri Abdul Aziz</i>	230
P 62		Sungai Siput	<i>Michael Jeyakumar Devaraj</i>	231
P 63		Tambun	<i>Ahmad Husni Mohamad Hanadzlah</i>	235
P 64		Ipoh Timor	<i>Lim Kit Siang</i>	236
P 65		Ipoh Barat	<i>M Kulasegaran</i>	237
P 66		Batu Gajah	<i>Fong Po Kuan</i>	240
P 67		Kuala Kangsar	<i>Rafidah Abd Aziz</i>	243
P 68		Beruas	<i>Ngeh Koo Ham</i>	244
P 69		Parit	<i>Mohd Nizar Zakaria</i>	247
P 70		Kampar	<i>Lee Chee Leong</i>	248
P 71		Gopeng	<i>Lee Boon Chye</i>	249
P 72		Tapah	<i>Saravanan Murugan</i>	251
P 73		Pasir Salak	<i>Tajuddin Abdul Rahman</i>	253
P 74		Lumut	<i>Kong Cho Ha</i>	254
P 75		Bagan Datok	<i>Ahmad Zabid Hamidi</i>	255
P 76		Teluk Intan	<i>Manogaran Marimuthu</i>	256
P 77	Tanjung Malim	<i>Ong Ka Chuan</i>	260	

Pahang	P 78	Cameron Highlands	<i>Devamany S Krishnasamy</i>	262	
	P 79	Lipis	<i>Mohamad Shabrum Osman</i>	265	
	P 80	Raub	<i>Ng Yen Yen</i>	266	
	P 81	Jerantut	<i>Tengku Azlan Ibni</i>	267	
			<i>Almarhum Sultan Abu Bakar</i>		
	P 82	Indera Mahkota	<i>Azan Ismail</i>	268	
	P 83	Kuantan	<i>Fuziah Salleh</i>	269	
	P 84	Paya Besar	<i>Abdul Manan Ismail</i>	273	
	P 85	Pekan	<i>Mohd Najib Abdul Razak</i>	277	
	P 86	Maran	<i>Ismail Abd Muttalib</i>	278	
	P 87	Kuala Krau	<i>Ismail Mohamed Said</i>	279	
	P 88	Temerloh	<i>Saifuddin Abdullah</i>	280	
	P 89	Bentong	<i>Liow Tiong Lai</i>	284	
	P 90	Bera	<i>Ismail Sabri Yaakob</i>	288	
	P 91	Rompin	<i>Jamaludin Mohd Jarjis</i>	289	
	Selangor	P 92	Sabak Bernam	<i>Abd Rahman Bakri</i>	291
		P 93	Sungai Besar	<i>Noriah Kasnon</i>	292
		P 94	Hulu Selangor	<i>P Kamalanathan</i>	293
		P 95	Tanjung Karang	<i>Noh Omar</i>	296
P 96		Kuala Selangor	<i>Dzulkefly Ahmad</i>	297	
P 97		Selayang	<i>William Leong Jee Keen</i>	301	
P 98		Gombak	<i>Mohamed Azmin Ali</i>	307	
P 99		Ampang	<i>Zuraida Kamaruddin</i>	311	
P 100		Pandan	<i>Ong Tee Keat</i>	314	
P 101		Hulu Langat	<i>Che Rosli Che Mat</i>	316	
P 102		Serdang	<i>Teo Nie Ching</i>	320	
P 103		Puchong	<i>Gobind Singh Deo</i>	323	
P 104		Kelana Jaya	<i>Lob Gwo-Burne</i>	324	
P 105		Petaling Jaya Selatan	<i>Hee Loy Sian</i>	329	
P 106		Petaling Jaya Utara	<i>Tony Pua Kiam Wee</i>	331	
P 107		Subang	<i>R Sivarama</i>	334	
P 108		Shah Alam	<i>Khalid Abdul Samad</i>	338	
P 109		Kapar	<i>S Manikavasagam</i>	341	
P 110		Klang	<i>Charles Anthony Santiago</i>	345	
P 111	Kota Raja	<i>Siti Mariah Mahmud</i>	349		
P 112	Kuala Langat	<i>Abdullah Sani Abdul Hamid</i>	353		
P 113	Sepang	<i>Mohd Zin Mohamed</i>	355		

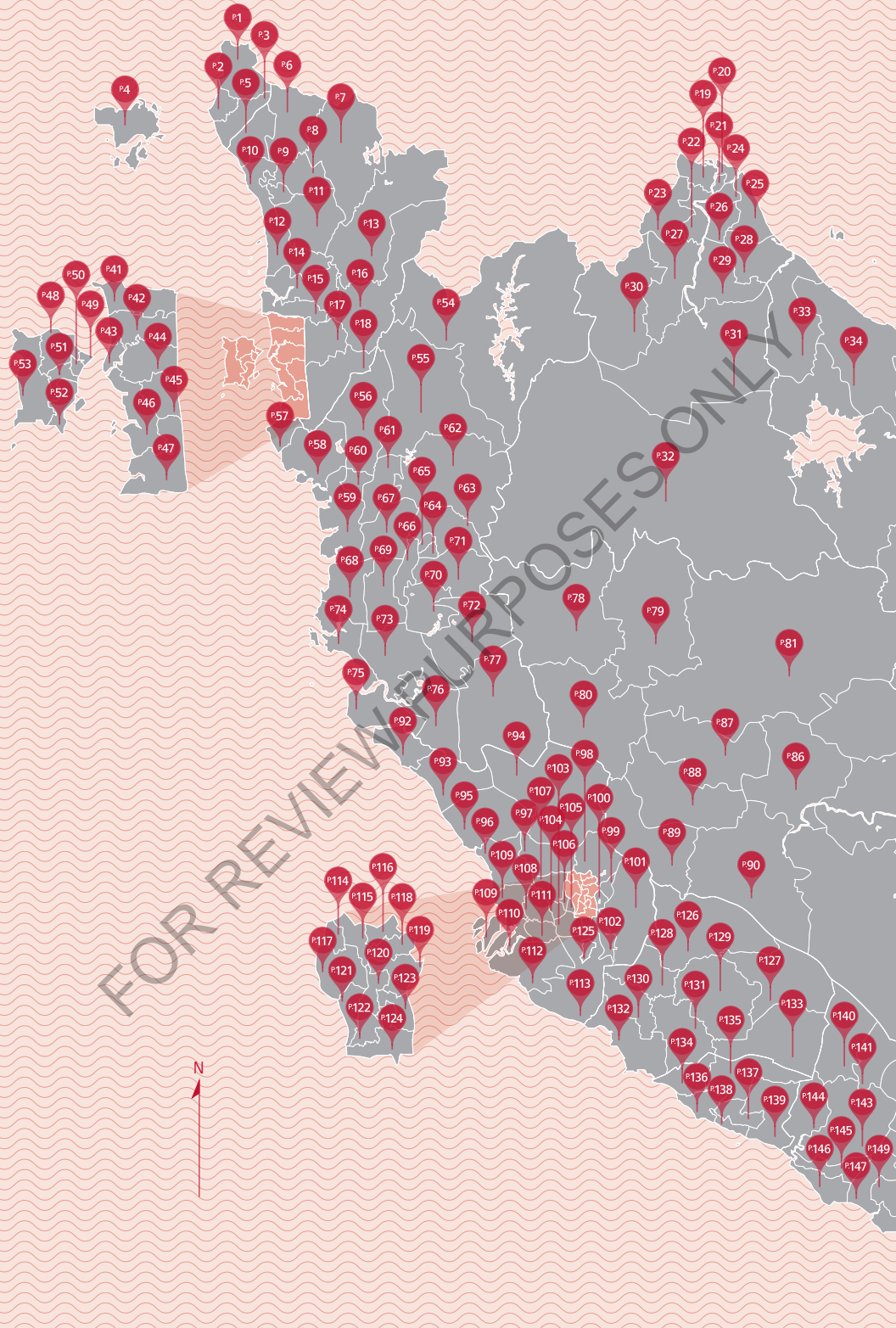
Kuala Lumpur	P 114	Kepong	<i>Tan Seng Giau</i>	357
	P 115	Batu	<i>Chua Tian Chang</i>	359
	P 116	Wangsa Maju	<i>Wee Choo Keong</i>	362
	P 117	Segambut	<i>Lim Lip Eng</i>	363
	P 118	Setiawangsa	<i>Zulhasnan Rafique</i>	367
	P 119	Titivangsa	<i>Lo Lo' Mohamad Ghazali</i>	368
	P 120	Bukit Bintang	<i>Fong Kui Lun</i>	371
	P 121	Lembah Pantai	<i>Nurul Izzah Anwar</i>	373
	P 122	Seputeh	<i>Teresa Kok</i>	377
	P 123	Cheras	<i>Tan Kok Wai</i>	382
P 124	Bandar Tun Razak	<i>Abd Khalid Ibrahim</i>	387	
Putrajaya	P 125	Putrajaya	<i>Tengku Adnan Tengku Mansor</i>	390
Negeri Sembilan	P 126	Jelebu	<i>Rais Yatim</i>	394
	P 127	Jempol	<i>Lilah Yasin</i>	395
	P 128	Seremban	<i>John Fernandez</i>	396
	P 129	Kuala Pilah	<i>Hasan Malek</i>	399
	P 130	Rasah	<i>Loke Siew Fook</i>	403
	P 131	Rembau	<i>Khairy Jamaluddin</i>	406
	P 132	Telok Kemang	<i>Kamarul Baharin Abbas</i>	410
	P 133	Tampin	<i>Shaziman Abu Mansor</i>	413
Melaka	P 134	Masjid Tanah	<i>Abu Seman Yusop</i>	415
	P 135	Alor Gajah	<i>Fong Chan Onn</i>	416
	P 136	Tangga Batu	<i>Idris Haron</i>	418
	P 137	Bukit Katil	<i>Md Sirat Abu</i>	422
	P 138	Kota Melaka	<i>Sim Tong Him</i>	423
	P 139	Jasin	<i>Ahmad Hamzah</i>	425
Johor	P 140	Segamat	<i>S Subramaniam</i>	427
	P 141	Sekijang	<i>Baharum Mohamed</i>	431
	P 142	Labis	<i>Chua Tee Yong</i>	432
	P 143	Pagoh	<i>Muhyiddin Mohd Yassin</i>	435
	P 144	Ledang	<i>Hamim Samuri</i>	436
	P 145	Bakri	<i>Er Teck Hwa</i>	438
	P 146	Muar	<i>Razali Ibrahim</i>	443

	P 147	Parit Sulong	<i>Noraini Ahmad</i>	445
	P 148	Ayer Hitam	<i>Wee Ka Siong</i>	446
	P 149	Sri Gading	<i>Mohamad Aziz</i>	448
	P 150	Batu Pahat	<i>Mohd Puad Zarkasbi</i>	449
	P 151	Simpang Renggam	<i>Liang Teck Meng</i>	450
	P 152	Kluang	<i>Hou Kok Chung</i>	452
	P 153	Sembrong	<i>Hishammuddin Hussein</i>	453
	P 154	Mersing	<i>Abdul Latif Ahmad</i>	454
	P 155	Tenggara	<i>Halimah Sadique</i>	455
	P 156	Kota Tinggi	<i>Syed Hamid Syed Jaafar Albar</i>	456
	P 157	Pengerang	<i>Azalina Othman Said</i>	461
	P 158	Tebrau	<i>Teng Boon Soon</i>	464
	P 159	Pasir Gudang	<i>Mohamed Khaled Nordin</i>	467
	P 160	Johor Baru	<i>Shabrir Abd Samad</i>	468
	P 161	Pulai	<i>Nur Jazlan Mohamad</i>	469
	P 162	Gelang Patah	<i>Tan Ah Eng</i>	470
	P 163	Kulai	<i>Ong Ka Ting</i>	472
	P 164	Pontian	<i>Ahmad Maslan</i>	474
	P 165	Tanjung Piai	<i>Wee Jeck Seng</i>	476
Labuan	P 166	Labuan	<i>Yusof Mahal</i>	478
Sabah	P 167	Kudat	<i>Abdul Rahim Bakri</i>	479
	P 168	Kota Marudu	<i>Maximus @ Johnity Ongkili</i>	480
	P 169	Kota Belud	<i>Abdul Rahman Dablan</i>	482
	P 170	Tuaran	<i>Wilfred Bumburing @ Mojilip</i>	485
	P 171	Sepanggar	<i>Eric Majimbun @ Enchin</i>	486
	P 172	Kota Kinabalu	<i>Hiew King Cheu</i>	487
	P 173	Putatan	<i>Marcus Makin Mojigoh</i>	489
	P 174	Penampang	<i>Bernard Giluk Dompok</i>	490
	P 175	Papar	<i>Rosnah Abdul Rashid Shirlin</i>	491
	P 176	Kimanis	<i>Anifah Aman @ Haniff Amman</i>	492
	P 177	Beaufort	<i>Lajim Ukin</i>	495
	P 178	Sipitang	<i>Saparwi bin Haji Amat Wasali @ Ahmad</i>	496
	P 179	Ranau	<i>Siringan Gubat</i>	497
	P 180	Keningau	<i>Joseph Pairin Kitingan</i>	499
	P 181	Tenom	<i>Raime Unggi</i>	500
	P 182	Pensiangan	<i>Joseph Kurup</i>	502
	P 183	Beluran	<i>Ronald Kiandee</i>	504
	P 184	Libaran	<i>Juslie Ajirrol</i>	507

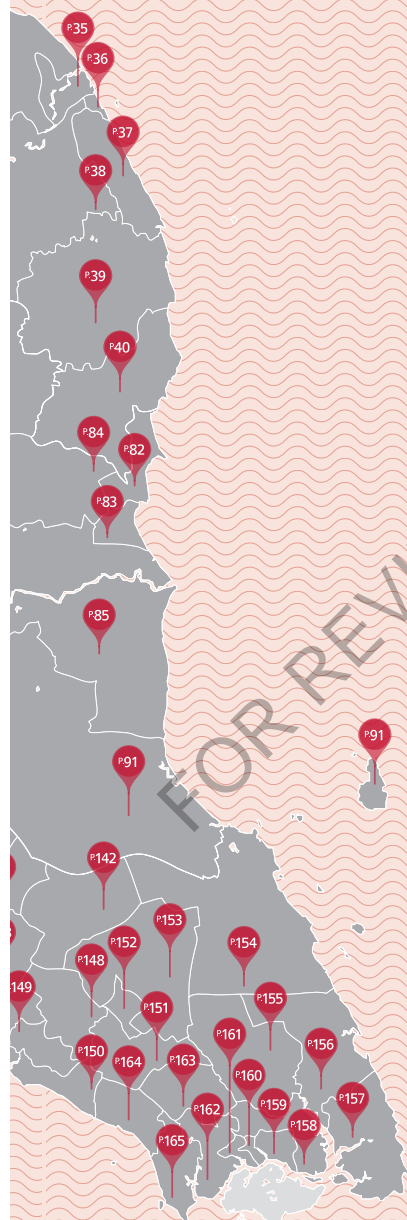


	P 185	Batu Sapi	<i>Linda Tsen Thau Lin</i>	508
	P 186	Sandakan	<i>Liew Vui Keong</i>	509
	P 187	Kinabatangan	<i>Bung Moktar Radin</i>	512
	P 188	Silam	<i>Salleh Kalbi</i>	515
	P 189	Semporna	<i>Mohd Shafie Apdal</i>	516
	P 190	Tawau	<i>Chua Soon Bui</i>	519
	P 191	Kalabakan	<i>Abdul Ghapur Salleh</i>	521
Sarawak	P 192	Mas Gading	<i>Tekbee @ Tiki Anak Lafe</i>	523
	P 193	Santubong	<i>Wan Junaidi Tuanku Jaafar</i>	524
	P 194	Petra Jaya	<i>Fadillah Yusof</i>	529
	P 195	Bandar Kuching	<i>Chong Chieng Jen</i>	531
	P 196	Stampin	<i>Yong Khoon Seng</i>	532
	P 197	Kota Samarahan	<i>Sulaiman Abdul Rahman Taib</i>	533
	P 198	Mambong	<i>James Dawos Mamit</i>	534
	P 199	Serian	<i>Richard Riot Anak Jaem</i>	535
	P 200	Batang Sadong	<i>Nancy Shukri</i>	536
	P 201	Batang Lupar	<i>Rohani Abi Karim</i>	539
	P 202	Sri Aman	<i>Masir Anak Kujat</i>	540
	P 203	Lubok Antu	<i>William @ Nyallau Anak Badak</i>	541
	P 204	Betong	<i>Douglas Uggah Embas</i>	542
	P 205	Saratok	<i>Jelaing Mersat</i>	543
	P 206	Tanjung Manis	<i>Norah Abdul Rahman</i>	544
	P 207	Igan	<i>Abdul Wahab Dolah</i>	545
	P 208	Sarikei	<i>Ding Kuong Hiing</i>	546
	P 209	Julau	<i>Joseph Salang Gandum</i>	547
	P 210	Kanowit	<i>Ago Anak Dagang</i>	550
	P 211	Lanang	<i>Tiong Thai King</i>	551
	P 212	Sibu	<i>Wong Ho Leng</i>	552
	P 213	Mukah	<i>Muhammad Leo</i>	555
			<i>Michael Toyad Abdullah</i>	
	P 214	Selangau	<i>Joseph Entulu Anak Belaun</i>	556
	P 215	Kapit	<i>Alexander Nanta Linggi</i>	557
	P 216	Hulu Rajang	<i>Billy Abit Joo</i>	558
	P 217	Bintulu	<i>Tiong King Sing</i>	559
	P 218	Sibuti	<i>Ahmad Lai Bujang</i>	560
	P 219	Miri	<i>Peter Chin Fah Kui</i>	561
	P 220	Baram	<i>Jacob Dungau Sagan</i>	562
	P 221	Limbang	<i>Hasbi Habibollah</i>	563
	P 222	Lawas	<i>Henry Sum Agong</i>	564

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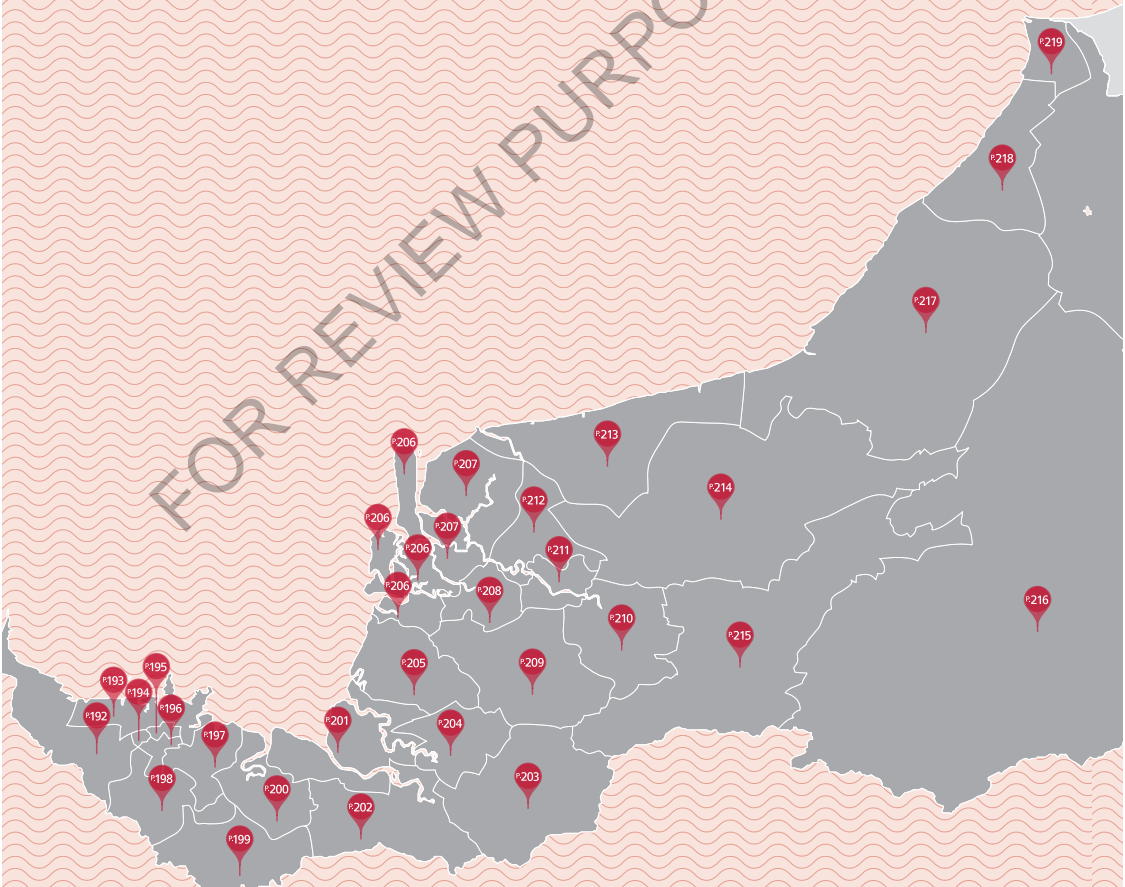
# WEST MALAYSIA CONSTITUENCIES



*For illustration purpose only. Map not up to scale.*

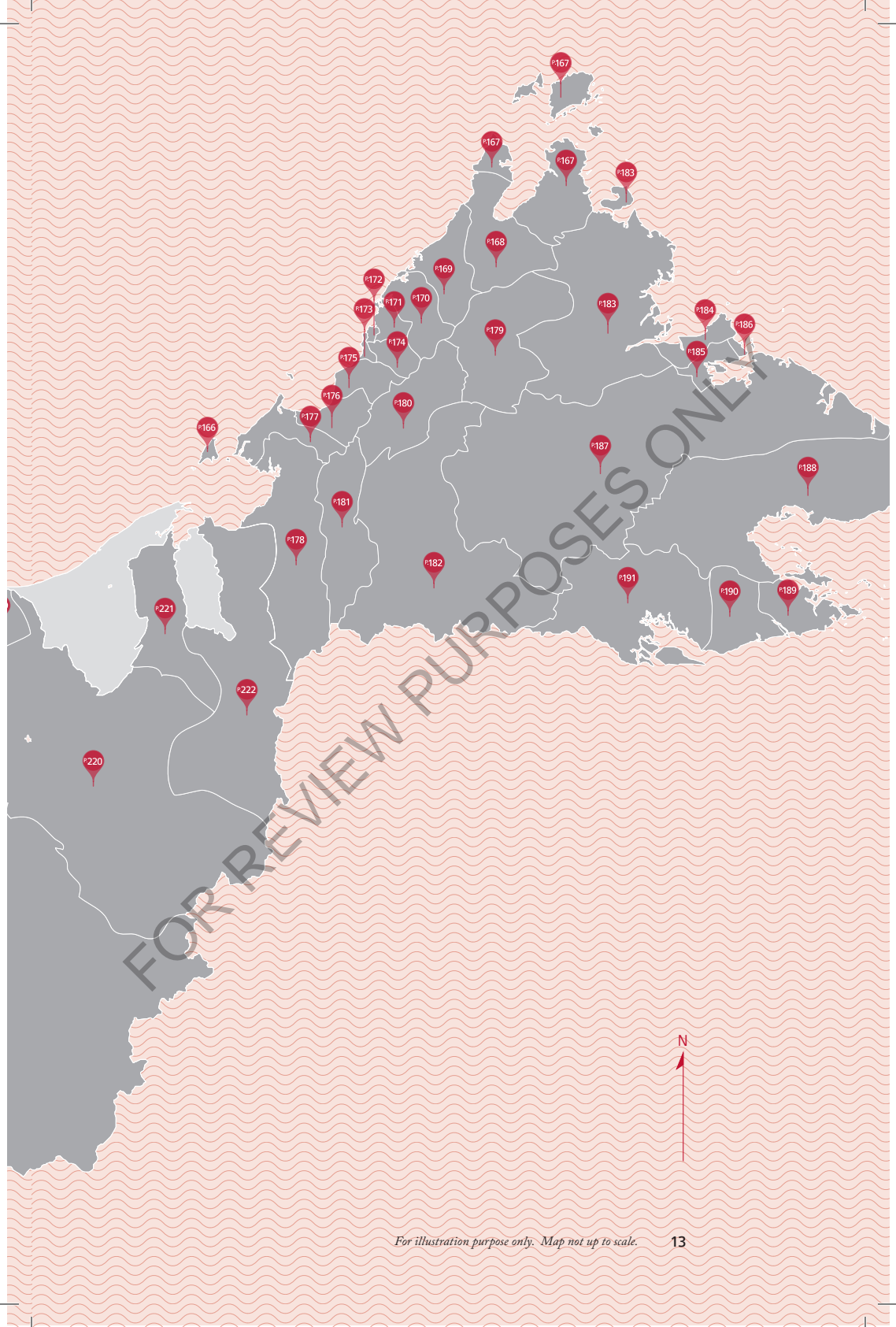
# EAST MALAYSIA CONSTITUENCIES

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## FOREWORD

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THE Malaysian Parliament celebrated its 50th year of existence in 2010. This proves that democracy in Malaysia is working and alive. Parliamentary democracy in Malaysia is based on the Westminster model. Apart from adopting the basic tenets of Parliament as it evolved in Britain, what we have practised since our independence in 1957 is our own style of democratically elected government as enshrined in the Malaysian Federal Constitution.

Currently, as in the House of Commons, the Malaysian Parliament is not only a legislative body. It also serves as an institution where the ruling government is held responsible for its policies, and where issues of national concern are scrutinised.

*The Nut Graph's* initiative in producing this parliamentary guidebook, the contents of which, among others, lists the responses of Members of Parliament (MPs) to six key issues on democracy, is indeed a praiseworthy effort. These responses serve as examples of members' valuable contribution in discharging their duties as responsible parliamentarians.

As members are an integral part of any parliamentary institution's success, I hope that current and future serving Malaysian MPs will understand their role not only as informed and effective legislators and policymakers, but also as responsible parliamentarians who uphold parliamentary decorum.

It is my hope that Malaysia's parliamentary democracy and our parliamentary practice and procedures will evolve in a manner as experienced by western democracies, but tempered with Malaysian idiosyncrasies. I believe that this envisioned Malaysian Parliament will become a reality sooner rather than later if all serving parliamentarians do their part and "show the way" now.

This book is an invaluable source of information for those interested in the working of the Malaysian Parliament. Its publication is indeed timely.

I congratulate the MPs who contributed their time and ideas to this project, and those behind the publication of this book.

---

**Tan Sri Pandikar Amin Mulia**  
Speaker  
Dewan Rakyat  
Parliament of Malaysia  
Kuala Lumpur

December 2010

# INTRODUCTION

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IN Malaysian parliamentary elections, voters end up knowing little about the values and principles of the candidates who offer themselves as Members of Parliament. And once voted in as an MP, most voters are not likely to know how their MP will vote on a particular issue of national interest except along party or coalition lines.

Such has been the nature of campaigning and voting in Malaysian elections. Votes are cast for the party or coalition, and for the development promises of new schools, more houses of worship and financial handouts. Rarely are votes cast for what a potential legislator can bring to the law-making process in Parliament.

This is the context in which the *MP Watch: Eye on Parliament* project was conceived by *The Nut Graph* in early 2010. The idea of approaching every one of our 222 MPs for their positions on key issues of democracy was thought of as a public service to help the electorate know what their MPs stood for. It was also a way of holding elected representatives accountable. By having MPs' views on record in a one-stop online reference, voters could monitor MPs and decide whether to vote for them if they stood for future elections.



In the larger scheme of things, the project was intended as a form of public education for voters, MPs, political parties and Parliament about the health of our parliamentary democracy. Having such a barometer, we hoped, would at least create awareness on what reforms are needed to make Malaysia's Parliament world-class.

What the project demonstrated was that there was a clear need to move politics and Parliament to a higher level where substantive debate on policy, law and institutional reform is prioritised. Critics may hold the view that such “lofty” issues are of no concern to the vast majority of voters who are more preoccupied with making ends meet. Indeed, one or two MPs who were approached for this project suggested as much. No doubt, life for many Malaysians can be a daily struggle. On any given day, national issues are likely farthest from their minds.

But it is fallacy to suggest that human rights, democracy, and institutional reform are of little concern or irrelevant to the masses. Positive nation-building surely involves not only economic but human development. And it would be a neglect of public duty if elected representatives did not also uphold human rights, democracy and reforms where needed.

The *MP Watch* questions that were posed to all 222 MPs were, in essence, concerned with issues of human development: the impact of the Internal Security Act; the impact of an Islamic state or Islamisation on a multiracial nation; empowerment of citizens through access to information; the quality and integrity of the legislative process; the extent of the public delivery system's failure that has turned MPs into municipal councillors; and the degree to which separation of powers exists among the executive, legislative and judiciary and its impact on Malaysia's democracy.

For certain, the old style of relying on “development politics” to woo voters must no longer be the only means by which elected representatives sell themselves to the public. Yes, bread-and-butter politics will continue to be relevant. But as society progresses and becomes increasingly globalised, there will be greater public demand for Malaysian legislators to articulate political ideals that go beyond economic need. Already this has happened among certain segments of the electorate, most notably since the 2008 general election.

An interesting outcome from the *MP Watch* project was how MPs from across the divide were sometimes united in their understanding of what needed to be done, and how their views did not fall rigidly along partisan lines. In this handbook, the reader will find that many MPs from both sides of the divide acknowledge the imbalance between constituency duties and their legislative function. Several admit the difficulty in meeting the demands of both these tasks, especially when MPs should be playing the legislative role only. Indeed, it is evident from the MPs themselves that much change needs to happen in local political culture and parliamentary practice. In their answers on strengthening parliamentary democracy, the MPs have provided a range of suggested reforms.

This handbook is therefore aimed, among others, at MPs themselves, in the hope that it can promote greater bipartisanship as Members of Parliament across the divide discover common ground with regard to parliamentary reforms. The book is also aimed at political parties, the media, analysts and students, as a reference and record of testimonials by elected representatives about what they believe in and the issues they face in politics and government.

The book is divided into three parts. Part 1, *Knowing Malaysia's Parliamentary Democracy*, mostly draws from the *MyConstitution* campaign, the brainchild of the Bar Council, Malaysia's constitutional law committee. The campaign, which aims to provide a guide to the rakyat about the Federal Constitution and Malaysia's system of governance, is necessarily a simple and straightforward exposition of how our country is governed. These chapters, including new material that the *MyConstitution* team worked on for this book, are written in a way that states just the facts, minus any commentary or in-depth analysis, to answer questions that a layperson may be curious about.

Part 1 of the book also includes a chapter by lawyer Norshila Shahar that examines the role and powers of the Dewan Rakyat speaker according to the parliamentary Standing Orders and the Federal Constitution.

While Part 1 provides an explanation and education about how our government functions, Part 2 – *Knowing Malaysia's MPs* – provides an in-depth analysis and critique of all the MP responses to *The Nut Graph's MP Watch: Eye on Parliament* online project. These responses, from 113 MPs – more than half of all MPs – are reproduced in full in Part 3 of the book.

We hope that the analyses in Part 2 paint a picture of the health of our parliamentary democracy, especially within the legislature, and offer insights into the areas that need our attention as citizens if we are to have a robust democracy.

We also hope that by reproducing MPs' responses to the six questions posed in the *MP Watch: Eye on Parliament* project, we are providing voters with the profiles of all 222 MPs who were voted in during the 2008 elections. The *MP Watch* online project approached all 222 MPs between January and July 2010. Each MP was asked to respond within two weeks to six questions about democracy in Malaysia. MPs who were elected during subsequent by-elections were also approached so that the project could be updated. The book contains only the responses of current MPs following these by-elections, and not the responses of the former MPs, which are nevertheless available on *The Nut Graph* website.

All responses, including non-responses, were published on *The Nut Graph* and are reproduced at the end of the book. Information on the MPs' profiles, such as party positions, is accurate as of the time the profiles were published on the website. We hope these profiles provide voters, and political parties themselves, with a clearer idea of just how our MPs will vote on issues of democracy and national interest.

Readers will note the gaps between reality, as articulated by the MPs in their replies, and theory, or what the law provides for, as laid out in the first part of the book. We hope that by identifying these gaps, and then moving the dialogue forward on how to close them, that Parliament and the quality of the MPs we vote in can be raised to even greater heights.

This handbook has been possible with the kind support of Konrad-Adenauer-Stiftung (KAS), a think-tank and educational institution funded by the German government. KAS has been a partner in Malaysia's development for over 30 years.

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Deborah Loh  
Assistant News Editor  
*The Nut Graph*

December 2010

PART I  
KNOWING  
MALAYSIA'S  
PARLIAMENTARY  
DEMOCRACY

FOR REVIEW PURPOSES ONLY

# SYSTEM OF GOVERNANCE AND THE ROLE OF PARLIAMENT

Sourced from MyConstitution's *The Rakyat Guides 2: Separation of Powers*

THE Federal Constitution of Malaysia sets up three institutions to govern the country at the federal level. These institutions are Parliament, which makes laws; the executive, to carry out the laws; and the judiciary, to interpret and enforce the laws.


The constitution also states that it is the supreme law of the land. The three institutions must therefore obey and carry out their functions according to the constitution.

The system of government set up under the constitution ensures that Malaysia is governed according to two important doctrines: separation of powers and the system of checks and balances; and the rule of law.

## SEPARATION OF POWERS AND THE SYSTEM OF CHECKS AND BALANCES

The constitution gives Parliament, the executive and the judiciary different functions and powers each to run the country. What is the reason for having separate functions and powers in different institutions? Why not just have one institution to run the country?

If all power were controlled by one institution only, this institution would be the only body to make laws, to enforce laws, and to decide what the laws mean when there is a dispute. What if this one institution passed a law to say that from today onwards, all property would belong to it, and no one else had the right to own property? The people's properties would be taken away from them. This would be wrong under the constitution, which guarantees people the right to own property.



But who should the people complain to, and how would they recover their property? If there were only one institution which had all the power to govern the country, people would only be able to complain to that institution.

Without separation of powers, the only authority people could complain to would be the same one that made the law in the first place. It would be better if there were a separate and independent institution to handle complaints. A different institution would be able to decide fairly whether the law taking away people's property was correct or not.

This example illustrates what separation of powers is. The power to govern the country is divided among different and independent institutions so that no one institution becomes too powerful or has absolute power.

Separation of powers also puts in place a system of checks and balances. This means that each institution oversees or acts as a check on the other institutions. This ensures that the institutions act in accordance with their constitutional roles, and do not abuse their power.

### RULE OF LAW

Rule of law refers to many ideals about how a good government should function. The system of law itself must be fair and not arbitrary. Some ideals are:

- Parliament, the executive and the judiciary can only do what the law allows them to do;
- a person can only be punished if the courts find him or her guilty of breaking the law;
- laws must be clear and made available to everyone;
- laws must be just, fair, and must respect human rights and the independence of the courts;
- everyone must obey the law;
- everyone is equal before the law.

### PARLIAMENT'S STRUCTURE

Parliament consists of the Yang di-Pertuan Agong (the YDPA) and two Houses known as the Senate (Dewan Negara) and the House of Representatives (Dewan Rakyat).

The Dewan Rakyat has 222 Members of Parliament (MPs) who are elected by Malaysian voters. In electing members of the Dewan Rakyat, Malaysians also indirectly choose the executive, because:

- the prime minister must be an MP and someone who has the confidence of the majority of the members of the Dewan Rakyat. Normally, this means that the prime minister is the leader of the political party or coalition of political parties that wins the majority of seats in the Dewan Rakyat;
- cabinet members are chosen by the prime minister, and collectively, they form the executive. Cabinet members must be either MPs or members of the Senate. Therefore, the executive is normally formed by the political party or coalition of political parties that wins the majority of seats in the Dewan Rakyat.

The Dewan Negara consists of 70 members who are called senators. Of these, 26 senators are elected, with each state legislative assembly electing two senators to represent their state in the Dewan Negara. The remaining 44 senators are appointed by the YDPA. This group comprises two senators from the Federal Territory of Kuala Lumpur, one from the Federal Territory of Labuan, one from the Federal Territory of Putrajaya, and 40 other people.

### PARLIAMENT'S FUNCTIONS

Parliament's main role is to make, amend and abolish laws. The constitution stipulates what laws Parliament can and cannot make.

Parliament's other functions are as follows:

- to control how the country's money is spent;
- to oversee how the federal government runs the country; and
- to discuss the concerns faced by Malaysians.

Is Parliament functioning according to its duties set out in the constitution? There have been calls for parliamentary reform, although such suggestions rarely become a subject of national discussion.

However, the *MP Watch* project indicates that a good number of MPs desire various degrees of parliamentary reform. These calls for reform by MPs are analysed in the second half of this book, as well as their suggestions on how to strengthen parliamentary democracy in Malaysia.

PART II  
KNOWING  
MALAYSIA'S  
MPs

FOR REVIEW PURPOSES ONLY



# MP WATCH: WHO REPLIED, WHO DIDN'T, AND WHY

By Deborah Loh and Koh Lay Chin

THE number of Members of Parliament (MPs) who fully participated in the *MP Watch: Eye on Parliament* project, which ran in *The Nut Graph* between February and July 2010, was just more than half of the total number of MPs in the Dewan Rakyat. One hundred and thirteen MPs out of the total of 222 MPs responded fully to the six questions that were posed to them under the project, likely the first of its kind in Malaysia. Another 109 chose not to participate.

Pakatan Rakyat (PR) MPs were the most participative, with 61 or 80.2% out of 76 PR MPs submitting full replies. The Barisan Nasional (BN) had 46, or 33.6% of its 137 MPs responding to the project.

Among the key BN parties, the lead party, Umno, had the lowest participation rate. Only 24 out of 78 MPs replied in full, a participation rate of only 30%. Of the MCA's 14 MPs, nine or 60% of the total replied. For the MIC, all four of its MPs participated, and for Gerakan, one out of its two MPs responded.

In the PR alliance, Parti Keadilan Rakyat (PKR) had the highest response rate, with 21 or 87.5% of its 24 MPs submitting full replies. A PKR MP said that soon after the *MP Watch* project was launched, PKR's parliamentary research unit brought it to all party MPs' attention. PKR MPs had prior knowledge about the project by the time they were individually contacted by *The Nut Graph*.

For PAS, 18 of its 23 MPs, or 78%, replied; and in the DAP, 22 of its 29, or 76%, of its MPs did the same. Among the opposition party heads, only DAP chairperson Karpal Singh<sup>1</sup> and PKR adviser Datuk Seri Anwar Ibrahim<sup>2</sup> participated.

### EAST MALAYSIAN MPS

By region, West Malaysian MPs provided the majority of replies. Only 16 out of 56 East Malaysian MPs participated, comprising 14% of the 113 MPs who replied.

Of the 16, 12 were from Sabah, which has 25 MPs, and four were from Sarawak, which has 31 MPs.

The 12 from Sabah were Maximus Ongkili<sup>3</sup> (BN-Kota Marudu), Abdul Rahman Dahlan<sup>4</sup> (BN-Kota Belud), Hiew King Cheu<sup>5</sup> (DAP-Kota Kinabalu), Anifah Aman<sup>6</sup> (BN-Kimanis), Siringan Gubat<sup>7</sup> (BN-Ranau), Raime Unggi<sup>8</sup> (BN-Tenom), Joseph Kurup<sup>9</sup> (BN-Pensiangan), Ronald Kiandee<sup>10</sup> (BN-Beluran) who is also Dewan Rakyat deputy speaker, Liew Vui Keong<sup>11</sup> (BN-Sandakan), Bung Moktar Radin<sup>12</sup> (BN-Kinabatangan), Shafie Apdal<sup>13</sup> (BN-Semporna), and Chua Soon Bui<sup>14</sup> (SAPP-Tawau).

The four from Sarawak were Wan Junaidi Tuanku Jaafar<sup>15</sup> (BN-Santubong) who is also Dewan Rakyat deputy speaker, Fadillah Yusof<sup>16</sup> (BN-Petra Jaya), Nancy Shukri<sup>17</sup> (BN-Batang Sadong) and Joseph Salang Gandum<sup>18</sup> (BN-Julau).

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1. <http://www.thenutgraph.com/mp-watch-karpal-singh>
  2. <http://www.thenutgraph.com/mp-watch-anwar-ibrahim-permatang-pauh>
  3. <http://www.thenutgraph.com/mp-watch-maximus-ongkili>
  4. <http://www.thenutgraph.com/mp-watch-abdul-rahman-dahlan-kota-belud>
  5. <http://www.thenutgraph.com/mp-watch-hiew-king-cheu>
  6. <http://www.thenutgraph.com/mp-watch-anifah-aman>
  7. <http://www.thenutgraph.com/mp-watch-ranau>
  8. <http://www.thenutgraph.com/mp-watch-raime-unggi>
  9. <http://www.thenutgraph.com/mp-watch-pensiangan-joseph-kurup>
  10. <http://www.thenutgraph.com/mp-watch-beluran>
  11. <http://www.thenutgraph.com/mp-watch-liew-vui-keong>
  12. <http://www.thenutgraph.com/mp-watch-kinabatangan>
  13. <http://www.thenutgraph.com/mp-watch-mohd-shafie-apdal>
  14. <http://www.thenutgraph.com/mp-watch-tawau>
  15. <http://www.thenutgraph.com/mp-watch-wan-junaidi-tuanku-jaafar-santubong>
  16. <http://www.thenutgraph.com/mp-watch-fadillah-yusof-petra-jaya>
  17. <http://www.thenutgraph.com/mp-watch-nancy-shukri-batang-sadong>
  18. <http://www.thenutgraph.com/mp-watch-julau-joseph-salang-anak-gandum>

## CABINET MEMBERS

By government position, only 18 of the 56 cabinet members who are elected MPs responded. The whole cabinet comprises 72 members, of which 30 are ministers and 42 are deputies.

Among ministers, of the 24 who are elected MPs, only a quarter replied. They were Rural and Regional Development Minister Shafie Apdal, Science, Technology and Innovation Minister Maximus Ongkili, Health Minister Liow Tiong Lai<sup>19</sup>, Human Resources Minister S Subramaniam<sup>20</sup>, Foreign Affairs Minister Anifah Aman, and Housing and Local Government Minister Chor Chee Heung<sup>21</sup>.

Ong Tee Keat<sup>22</sup>, the former transport minister, also gave a full reply while he was in cabinet, but he was subsequently removed on 1 June 2010 in a minor cabinet reshuffle.

Of 32 deputy ministers who are elected MPs, only 12 replied. They were Chua Tee Yong<sup>23</sup> (agriculture and agro-based industry), Joseph Kurup (natural resources and environment), Joseph Salang Gandum (information, communications and culture), Wee Ka Siong<sup>24</sup> (education), Fadillah Yusof (science, technology and innovation), M Saravanan<sup>25</sup> (federal territories and urban well-being), Saifuddin Abdullah<sup>26</sup> (higher education), Hasan Malek<sup>27</sup> (rural and regional development), Razali Ibrahim<sup>28</sup> (youth and sports), and Liew Vui Keong, Ahmad Maslan<sup>29</sup> and SK Devamany<sup>30</sup> (Prime Minister's Department).

19. <http://www.thenutgraph.com/mp-watch-liow-tiong-lai>

20. <http://www.thenutgraph.com/mp-watch-ssubramaniam>

21. <http://www.thenutgraph.com/mp-watch-chor-chee-heung>

22. <http://www.thenutgraph.com/mp-watch-ong-tee-keat>

23. <http://www.thenutgraph.com/mp-watch-chua-tee-yong>

24. <http://www.thenutgraph.com/mp-watch-air-hitam>

25. <http://www.thenutgraph.com/mp-watch-tapah>

26. <http://www.thenutgraph.com/saifuddin-abdullah-temerloh/>

27. <http://www.thenutgraph.com/hasan-malek-kuala-pilah/>

28. <http://www.thenutgraph.com/mp-watch-razali-ibrahim>

29. <http://www.thenutgraph.com/mp-watch-ahmad-maslan>

30. <http://www.thenutgraph.com/mp-watch-ds-krishnasamy>

## ATTITUDES TOWARDS MP WATCH

*The Nut Graph* has some internal assumptions as to what factors may have influenced the response rate. One reason could be the varying degree of awareness about *The Nut Graph's* presence and popularity as a news analyses and commentary website as compared with other breaking news sites.

Another reason is, perhaps, the inaccessibility of a large number of BN MPs from East Malaysia and from rural parts of the peninsula who are possibly less frequent internet users. This appears to have some correlation to the low response rate from BN MPs in East Malaysia, as the project questionnaire was sent to each MP via e-mail, either to his or her e-mail account or to an aide's. Questions were also sent by fax in cases where MPs requested it or had trouble accessing the internet.

A third reason could be that MPs might have preferred to respond through a personal interview with someone they could put a face and a name to, rather than to compose their answers via fax, e-mail or over the phone. We discovered this in some cases in the course of collecting responses.

A fourth reason may be the different opinions MPs have about the value of such a project. MPs were not uniform in their appreciation of *MP Watch*. Among those who did not reply, one MP said his stand on such issues had already been frequently expressed through other channels like personal blogs, speeches or writings. At least two MPs who were BN component party members said their answers to certain questions might put them at odds with the BN whip.

Another said the topics asked were not priority issues for people compared to development and economic issues. Another view was that rural constituents without internet access would not be able to read the MPs' responses anyway.

Many also said they were busy and declined upfront to participate, or said they would attempt to reply but did not in the end.

## LATE REPLIES

Each MP was given a two-week response deadline, and for those who missed it, a “No Reply” was published against their profile on *The Nut Graph*. However, the project allowed them to submit late replies, which were used to update their profiles. This was deemed the most feasible and transparent way to inform readers that an MP had been contacted but had not been able to respond within the allotted time. Setting a deadline was also a way to gauge the efficiency and accessibility of an MP’s office in handling queries on legislative issues.

Some MPs, including from the PR, were not pleased with this approach and were no longer keen to participate once they had been published as a “No Reply”.

Of the MPs who did not respond within two weeks, only 19 came back with full responses after their two-week deadline was over. They were Ab Aziz Ab Kadir<sup>31</sup> (PKR-Ketereh), Abd Khalid Ibrahim<sup>32</sup> (PKR-Bandar Tun Razak), Abdullah Sani Abdul Hamid<sup>33</sup> (PKR-Kuala Langat), Abu Bakar Taib<sup>34</sup> (BN-Langkawi), Amran Abdul Ghani<sup>35</sup> (PKR-Tanah Merah), SK Devamany (BN-Cameron Highlands), Fadillah Yusof (BN-Petra Jaya), N Gobalakrishnan<sup>36</sup> (PKR-Padang Serai), Hasan Malek (Kuala Pilah), John Fernandez<sup>37</sup> (DAP-Seremban), Karpal Singh (DAP-Bukit Gelugor), M Saravanan (BN-Tapah), Maximus Ongkili (BN-Kota Marudu), S Subramaniam (BN-Segamat), Siringan Gubat (BN-Ranau), R Sivarasa<sup>38</sup> (PKR-Subang), Tan Ah Eng<sup>39</sup> (BN-Gelang Patah), Tony Pua<sup>40</sup> (DAP-Petaling Jaya Utara), and Wan Abd Rahim Wan Abdullah<sup>41</sup> (PAS-Kota Baru).

31. <http://www.thenutgraph.com/ab-aziz-ab-kadir-ketereh-updated-15-july-2010/>

32. <http://www.thenutgraph.com/mp-watch-khalid-ibrahim>

33. <http://www.thenutgraph.com/mp-watch-abdullah-sani-abdul-hamid>

34. <http://www.thenutgraph.com/mp-watch-abu-bakar-taib>

35. <http://www.thenutgraph.com/amran-ab-ghani-tanah-merah-updated-15-july-2010/>

36. <http://www.thenutgraph.com/mp-watch-padang-serai>

37. <http://www.thenutgraph.com/mp-watch-john-fernandez>

38. <http://www.thenutgraph.com/mp-watch-r-sivarasa>

39. <http://www.thenutgraph.com/mp-watch-gelang-patah>

40. <http://www.thenutgraph.com/mp-watch-tony-pua-petaling-jaya-utara>

41. <http://www.thenutgraph.com/wan-abd-rahim-wan-abdullah-kota-baru/>

A few among these MPs replied after being approached and reminded in person by *The Nut Graph* reporters in Parliament. Others who replied late said they still felt it was important to do so because of the relevance of the questions, even if they had been too busy to meet their original deadline. PR MP Sivarasa said: “The questions were important and [the project] provided a forum for communicating to a particular audience.”

An aide to BN MP and Human Resources Minister Subramaniam said he preferred to reply in person, which he did through a personal interview, as he did not have the time to write his answers in an e-mail.

Another BN MP, Siringan Gubat, said he had intended to answer but cited time constraints in meeting the original deadline.

### NET-SAVVY MPS

Of the 113 MPs who replied, 31 were found on Twitter<sup>42</sup>. But there were also MPs who were active Twitter users who did not participate.

MPs from Sabah and Sarawak were by far the least social media-savvy and were also the toughest to communicate with using the internet. Sabah MP Siringan Gubat said he did not use either Twitter or Facebook, but kept a blog. “However, I understand the importance of social media to let people know what is happening in my constituency ... and to let them know what I am doing,” he said in a post-project phone interview.

MPs in rural constituencies were less likely to use social media tools given that, as Siringan also said, “many people [in my constituency] are [relatively] deprived when it comes to information technology. Though many now have handphones, radios and television, most still cannot afford Astro or computers ... Many do not even have [reliable] electricity supply.”

In comparison, an urban MP like Subang’s Sivarasa said he used Twitter, Facebook, his blog and interviews or statements issued to online news portals as a means to communicate with the public.

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42. See <http://www.thenutgraph.com/mp-watch-twittering-mps-who-replied/>

Some MPs who kept blogs also posted their responses to *MP Watch* or wrote about it on their personal websites<sup>43</sup>. The project, however, did not appear to get wide coverage on social media or blogs except for a few<sup>44</sup>.

In the traditional media, the only organisation to give media coverage to *MP Watch* was Astro Awani<sup>45</sup> through a news report broadcast on 18 February 2010. *The Nut Graph* had not requested for publicity with the channel or any other media organisation.

Mandarin news portal *Merdeka Review* was also the only other news organisation that picked up on the project by analysing the BN<sup>46</sup> and PR<sup>47</sup> MPs' responses to the Islamic/secular state issue.

### POINTS TO PONDER

The MPs' response rate, some of their reasons for not replying, and the project's reach through traditional and social media suggest a few things. For one, not enough MPs make the connection between the issues raised in the survey questions and their role as federal lawmakers.

Secondly, MPs appear more concerned with what their immediate constituency thinks about them than with how other citizens, like those in urban areas with internet access, view them as national leaders. The notion that MPs also make laws and represent the interests of a broader spectrum of Malaysians is not widespread.

Third, in this day and age of online technology, many MPs are still uncomfortable with using the medium as a communications channel. And fourthly, the limited media reach on *MP Watch* suggests that not enough citizens, including journalists, considered this a valuable project that allowed the public to press MPs about their positions on issues of democracy.

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43. See <http://www.thenutgraph.com/mp-watch-on-mps-blogs/>

44. See <http://www.thenutgraph.com/mp-watch-on-blogs/>

45. See <http://www.thenutgraph.com/why-mpwatch/>

46. See <http://www.thenutgraph.com/bn-divided-on-islamic-state-issue/>

47. See <http://www.thenutgraph.com/pr-shies-away-from-islamic-state-issue/>

Notwithstanding these issues, however, the responses from the 113 MPs who did participate in the *MP Watch* project, and whose responses are reproduced at the back of this book, provide nuanced and rich information about who Malaysia's MPs are and how they might serve democracy in the country.

The following chapters in this book will provide an in-depth analysis, including additional interviews with academics, experts and political observers, of how our MPs responded to the six questions that were posed to them in *MP Watch*. These analyses will look at what Malaysian MPs' position are on the Internal Security Act; on the Islamic state issue; on freedom of information; on separation of powers; and their proposals for strengthening parliamentary democracy.

Additionally, one chapter deals with the challenges that MPs face in their respective constituencies as well as in Parliament. And another chapter looks at the process of law-making in Malaysia, and asks the question, if MPs are not being entrusted to make laws in Malaysia, what will it take for them to play their rightful role?



# PART III

## 222 MP

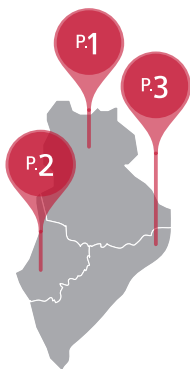
### PROFILES

#### GLOSSARY OF POLITICAL PARTIES

<b>DAP</b>	Democratic Action Party
<b>Gerakan</b>	Parti Gerakan Rakyat Malaysia
<b>LDP</b>	Liberal Democratic Party
<b>MCA</b>	Malaysian Chinese Association
<b>MIC</b>	Malaysian Indian Congress
<b>PAS</b>	Parti SeIslam Malaysia
<b>PBB</b>	Parti Pesaka Bumiputera Bersatu Sarawak
<b>PBRS</b>	Parti Bersatu Rakyat Sabah
<b>PBS</b>	Parti Bersatu Sabah
<b>PKR</b>	Parti Keadilan Rakyat
<b>PRS</b>	Parti Rakyat Sarawak
<b>PSM</b>	Parti Sosialis Malaysia
<b>SAPP</b>	Sabah Progressive Party
<b>SPDP</b>	Sarawak Progressive Democratic Party
<b>SUPP</b>	Sarawak United Peoples' Party
<b>Umno</b>	United Malays National Organisation
<b>Upko</b>	United Pasokmomogun Kadazandusun Murut Organisation

## Perlis

P.1	Padang Besar	<i>Azmi Khalid</i>
P.2	Kangar	<i>Mohd Radzi Sheikh Ahmad</i>
P.3	Arau	<i>Ismail Kasim</i>



FOR REVIEW PURPOSES ONLY

## P.1 AZMI KHALID



**Constituency:** Padang Besar

**Party:** Umno

**Years as MP:** Since 1995

**Government position:** None

**Party position:** None

**Membership in parliamentary committees or caucuses:**

Public Accounts Committee chairperson

**Blog/Website:** None

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Would you support the abolition/review of the Internal Security Act, in particular the provision that allows for detention without trial?

I disagree that the ISA should be abolished. I agree it should be reviewed. It should be confined to security issues only. Whether a case constitutes a security issue or not should be determined by the court (to be heard in camera) on a case-by-case basis.

Do you think Malaysia should be a secular or an Islamic state? Why?

The present system is ok as it is enshrined in the constitution (one should study Malaysian history to understand how it evolves).

How do you define your role as an elected MP? Does Parliament provide you with the necessary infrastructure and support to fulfil your role?

I am an elected representative of the people in my constituency. Yes, Parliament provides me with all the support to act as a parliamentarian.

Would you support a Freedom of Information Act? Why or why not?

The Official Secrets Act should be abolished to allow for more transparency.

If there was one thing you could do to strengthen parliamentary democracy in Malaysia, what would it be?

There should be more select committees to go through bills before they are passed by Parliament.

Do you believe in separation of powers among the government, Parliament and judiciary? Why or why not?

Yes, there should be clear-cut definition and separation of powers.

FOR REVIEW PURPOSES ONLY



## P.2 MOHD RADZI SHEIKH AHMAD



**Constituency:** Kangar

**Party:** Umno

**Years as MP:** 1982-1990 (Kangar)  
2004- (Kangar)

**Government position:** None

**Party position:** Perlis information chief

**Membership in parliamentary committees or caucuses:** None

**Blog/Website:** None

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Would you support the abolition/review of the Internal Security Act (ISA), in particular the provision that allows for detention without trial? Why or why not?

I do not support the ISA's abolition, especially the provision allowing for detention without trial, as I believe in its usefulness. However, I do support a review of the ISA to make it more transparent and accountable to Parliament.

In such a review, I would suggest inserting the provision similar to the Dangerous Drugs (Preventive Measures) Act 1985, whereby the life of the Act is extended by Parliament every five years. By letting Parliament decide on the life of the Act every five years, MPs can debate this law, amend it, even abolish it. By allowing this debate, the public will be informed of the Act's effectiveness, if there has been any mistreatment or abuse under the law, or how many have been detained, and other details.

This provision is absent from the ISA, which was enacted in 1960. When we did the Dangerous Drugs (Preventive Measures) Act 1985, I was then chairperson of the special select committee going around the country to get public feedback. Tan Sri Lee Lam Thye, who was then with the DAP, Tan Sri Dr Koh Tsu Koon, and the current Sarawak Deputy Chief Minister Datuk George Chan were also MPs and sat on the same select committee. I was the one who wanted that clause on the Act's lifespan to be inserted. That Act is similar to the ISA with regards to detention without trial.

This provision should be inserted in the ISA under any review. It will keep the authorities on their toes. They will know that their actions will come before Parliament every five years.

Another part that should be reviewed is the first 60 days' detention period prior to the two-year detention order. Sixty days is too long. I think 30 days is sufficient. But within that first 30 days, detainees must have access to legal representation, and they should be allowed to challenge allegations against them, not in a court trial, but in a hearing before some kind of board which makes recommendations to the home minister.

If the board recommends to the minister that he [or she] is to be detained for two years, the detainee should be given avenue for appeal within the first three months of detention to another board comprising persons of integrity with a public service record.

Before the end of the two years' detention period, the detainee should be accorded legal representation if the minister intends to detain [him or her] for a further two years. The detainee's family must be informed and his [or her counsel] allowed to be present. Police must also table to the board what progress the detainee has made during the last two years. And during the two years, the detainee must be given access to his [or her] family at least once a month.

Even other countries which have condemned the ISA have their laws on detention without trial, like Britain and the US.

**Do you think Malaysia should be a secular or an Islamic state? Why?**

I think Malaysia is neither a secular nor Islamic state. But the official religion is Islam. And this has worked well since Independence. We have religious tolerance. Although Islam is the official religion, we allow temples, churches and other places of worship to be built. I would leave it at that.

How do you define your role as an elected MP? Does Parliament provide you with the necessary infrastructure and support to fulfil your role?

Firstly, my primary obligation is to the people who put me in Parliament. That, I feel every MP must not forget.

I first became an MP in 1982. I go around the constituency attending to the people. You cannot just be an MP who attends official functions with all the kompang. You must be there for official and unofficial functions. You visit the sick, the elderly, the poor, attend weddings and funerals. You must always be accessible to your constituents. Nowadays the young people demand a lot of your time and attention.

As for resources from Parliament, it is not enough. I would love to have better infrastructure, but I understand it depends on the budget. I am only provided with a laptop, handphone, and travelling expenses for functions. But I do get annual government allocations to help my constituents.

Would you support a Freedom of Information Act? Why or why not?

I have no comment on this point, except to say privacy of personal information should be valued.

If there was one thing you could do to strengthen parliamentary democracy in Malaysia, what would it be?

I wish for more accountability by the government in a lot of aspects. And less talk and more action. For example, why should we wait for the media to expose environmental disasters before action is taken?

Now that we have the National Key Result Areas<sup>1</sup>, the authorities should swing into action the minute a complaint is made by the public, and not wait until the media exposes it.

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1. <http://www.bernama.com.my/bernama/v5/newsindex.php?id=428195>

Do you believe in separation of powers among the government, Parliament and judiciary? Why or why not?

Of course. We have been practising it since Independence and should continue with it. But I would say that in Parliament, more time should be given for MPs to read the bills tabled and study and do research before debating them.

Bills should be handed out to MPs at least one session before. The opportunity must be given to everybody to do research and contribute to the debates. By giving them more time for research, the quality of debates can be enhanced. MPs won't just be calling each other names. They can participate more meaningfully if they get the time to research and prepare.

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## P.3 ISMAIL KASIM



**Constituency:** Arau

**Party:** Umno

**Years as MP:** Since 2008

**Government position:** None

**Party position:** Arau division deputy head

**Membership in parliamentary committees or caucuses:** None

**Blog/Website:** Facebook

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*The following is a translation of Ismail Kasim's reply, which was originally in Malay.*

**Would you support the abolition/review of the Internal Security Act (ISA), in particular the provision that allows for detention without trial?**

In principle, I agree that the Internal Security Act should be reviewed because this Act has been in place for a long time. But I do not agree that it should be abolished, although there are some situations, such as detention without trial, where we need to regulate the authorities who are given these detention powers. We are concerned that such power can be abused if it is not wielded wisely, or if there is an agenda by those who wish to abuse such power for the sake of political or ideological interests, and the like.

However, the ISA needs to be continued in some situations that involve terrorism and the entry of international terrorists into our country. Even the US, which is considered a country well-known for upholding human rights, is still at the stage of studying and implementing such an Act. This matter should be examined carefully so that there is no abuse; that is most important. A review is needed on this count.

Do you think Malaysia should be a secular or an Islamic state? Why?

I subscribe to the constitution. I think Malaysia has become a true Islamic state; the only question now is the manner by which we are an Islamic state compared with 36 other Islamic countries, with regard to implementation or matters involving our laws, or regarding racial tolerance. Because as an Islamic state, we need to think about issues involving other races. We have three major races in our country, and we need to get different views, even though it is enshrined in the constitution that Islam is the religion of the country and other religions can be practised freely and without disturbance.

This is proof that religious tolerance has been practised in our country. Additionally, the festivals of other religions have been acknowledged as national holidays. Therefore, for me, we are an Islamic state but in our own mould and context, and based on the aspirations of our society's racial composition.

How do you define your role as an elected MP? Does Parliament provide you with the necessary infrastructure and support to fulfil your role?

An MP's role is divided into several parts. Firstly, to deal with subjective matters such as in villages [under his or her constituency] that involve the trust and responsibility given to us as people's representatives. We are given the people's mandate, and we must carry out our responsibilities by helping to fulfil part of the delivery system and implementing the government's efforts to solve the people's problems.

Then, we have duties that commonly involve general or official events which may be organised by anyone. Thirdly, we have to attend parliamentary sittings, which are compulsory.

In my opinion, Parliament provides enough resources. But in terms of allowances, we receive among the lowest in Asia. Let us not even compare with developed countries. Nevertheless, this is not an obstacle. If we have chosen to be a people's representative, and if we are only thinking about getting a higher salary, I think we should have chosen another sector to work in. This is a sacrifice. Facilities are sufficient, and we have good relationships with all government departments in order to fulfil the duties entrusted to us.

### Would you support a Freedom of Information Act? Why or why not?

I partially support and partially am not in favour of such an Act. Firstly, in terms of our level of thinking, we have not reached the stage where citizens as a whole are on the same page in our efforts towards becoming a developed nation. Overall, there are still people who close their minds to the latest information, even the latest readings.

I would agree only if such an Act is intended for good purposes in implementation, research, knowledge, business and others. But if it is to provoke and to cause negative consequences, there must be control. There can be freedom but with some control. Perhaps in 10 or 20 years, we can achieve that level of thinking.

### If there was one thing you could do to strengthen parliamentary democracy in Malaysia, what would it be?

We want elections to be clean. Elections must also be transparent. I agree that there are times when dirty tactics are used, and it is not only within the ruling Barisan Nasional party, but in other parties as well. We need the right ethics so that we do not emulate the principle of “the ends justifies the means”. This is not our political culture. We need to have a culture of healthy competition. There must be ethics in politics.

We also need to think about the future. Let us set a good example for the younger generation who is watching all that is happening in our country. We must be centred on an axis of justice, peace and tolerance, and not one based on communal sentiments, whereby if we are Malay, we only protect Malay interests, or where the Chinese are only concerned about Chinese issues. In the end, we must understand the laws of our country and abide by them.

### Do you believe in separation of powers among the executive, Parliament and judiciary? Why or why not?

In principle, I agree with the separation of powers among the executive, Parliament and judiciary because it allows transparency in decision-making and ensures justice for individuals and the people. This allows us to live in harmony and fairness. Parliament has its own affairs, and there was once the Parliamentary Services Act, which has since been

repealed because of executive interference in Parliament in the matter of positions and so on. This needs to be reviewed. Let Parliament be Parliament, let the courts uphold the law of the land, and let the executive deal with matters under its jurisdiction.

Regardless of the situation, everything is working, only that there are a few weaknesses which need to be rectified. In my opinion, the separation of powers is very necessary in order to return our country's administration to a path that is fairer and more effective, forever.

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