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The Next Government Must Pass A Confidence Vote Immediately To Openly Demonstrate Majority Support

In response to the letter by Dewan Rakyat Speaker Azhar Harun to all Members of Parliaments (MPs) to submit their sole Prime Minister (PM) choice to the Palace by 4pm tomorrow, we the undersigned civil society groups, stresses that unlike the Muhyiddin administration, the next government must pass a confidence vote promptly in the Dewan Rakyat, so that their legitimacy is beyond dispute. In forming the new government, legitimacy and clarity are fundamental to stability and must not be sacrificed for pace.

Our full position is as below:

1. The method of assessing the MPs' preference in PM candidates is reasonable only as a preliminary survey to ascertain if an MP who can command the confidence of majority parliamentarians exists, who can then be formally invited to form the government. The request of only one PM candidate is applaudable as it enhances the image of royal impartiality.

2. The number of MPs supporting the candidacy of the PM appointed by the Agong should be published so that the sanctity of the constitutional monarchy would not be eroded or tarnished by any suspicion or allegation of favouritism.

3. If such a majority leader exists, the MP will naturally be invited to formally form the government. If not, the MP with the plurality support must be given the first opportunity to form the next government within a week. After which, the opportunity should be passed to the MP with the next largest number of MPs' support. As this is the second time after last February that a government is to be formed from a hung parliament, it is timely for a constitutional convention to be properly established to reduce uncertainty.

4. Given the existent fragmentation, a new government must be formed based on and bound by agreements between parties, whether they are coalition agreements or confidence and supply agreements (CSAs). The 17-month Perikatan Nasional government was formed without any formal agreement and was dismissed by UMNO as only a government of individual parliamentarians in its first week, foreshadowing its fall. The 22-month Pakatan Harapan government also collapsed over a dispute of the succession plan between the PM and his promised heir.

5. Whoever the PM appointed under Article 43(2) of the Federal Constitution, he or she must immediately convene the Dewan Rakyat and table a confidence motion in him/herself. No quarters must evoke the name of the National Palace to pressure MPs for his/her confirmation. Implied in Article 43(4), MPs' autonomy to place or withdraw their confidence in any PM must be respected. The security and sustainability of the government must be grounded on coalitions, and CSAs (if any), between parties. Most Malaysians crave political stability and want to see political parties intact and not further damaged by splintering.

6. We call upon all quarters, in the intense rivalry for a majority, to act responsibly to protect constitutional monarchy and parliamentary democracy, and build real political stability through cross-party cooperation.

This statement is initiated by the ***Seed Community for a Professional Parliament****, a network of individuals active in civil society organisations, think tanks and academia working towards a professional Parliament that facilitates healthy policy competition between parties.*

Signed by:

1. Coalition for Clean and Fair Elections (BERSIH 2.0)

2. ENGAGE

3. Persatuan Pengundi Muda (UNDI18)

4. Bait Al-Amanah

5. Institute for Democracy and Economic Affairs (IDEAS)