Press Release from Bersih 2.0

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DISMANTLE EXCESSIVE INCUMBENCY ADVANTAGES OR SHERATON MOVES ARE THE NEW NORM EVEN AFTER GE15

On the 1st anniversary of Malaysia's political coup, popularly called the Sheraton Move, that culminated in the swearing-in of Muhyiddin Yassin as the 8th Prime Minister (PM) on 1st March 2020, the Coalition for Clean and Fair Elections (Bersih 2.0) warns that the changes of government this past year through defections of elected representatives may become the new norm that undermines our parliamentary democracy and economic stability even after GE15.

Excessive incumbency advantages are the real driver of defections. Malaysians who want real political and economic stability and reject corruption must demand the dismantling of such structural flaws to pave way for healthy multiparty competition based on policies and programmes.

Since the Sheraton Move, we have witnessed the collapse of the Federal government and six state governments, counter-coup attempts, and a National Emergency, arguably, to prevent the collapse of the Muhyiddin's Perikatan Nasional (PN)+Barisan Nasional (BN)+Gabungan Parti Sarawak (GPS) government.

The constant rumours of defections and withdrawal of support for the PN+BN+GPS government remain unabated, and yesterday's defection of two Parti Keadilan Rakyat (PKR) MPs, Tebrau MP Steven Choong and Julau MP Larry Sng to Muhyiddin's camp, is the latest but it won't be the last episode.

The Sheraton Move has opened a Pandora's Box of endless political machinations as it exposes *the deep flaw of our winner-takes-all political system, a legacy of BN's one-party state for 61 years that even PH was reluctant to dismantle, thinking that it could benefit from it".

At both the federal and state levels, elections are not competitions on policies, competence or integrity, but fights for excessive incumbency advantages from power, perks, patronage to legal impunity. Elected representatives fall into three classes: ministers and Excos who enjoy vast power and patronage resources, government backbenchers who pick up bread crumbs and opposition lawmakers who are left in the cold.

Naturally, once the old structure was loosened by change of government, the remaining vast disparity in the "three political classes" induces coups and countercoups by defections for

personal upgrade. Opposition lawmakers join governments in the hope to be ministers or at least government backbenchers. Government backbenchers install new governments in the hope to be ministers. Even ministers topple their own government in the hope to be senior ministers or Prime Minister.

We must stop pretending that this political cancer can be resolved by an anti-hopping law, which may make legislatures worse rubber-stamps as an unintended consequence, without dismantling excessive incumbency advantages. And it is hypocritical for any party or coalition to demand dismantling of such advantages at the federal level but retain them at the state level.

Bersih 2.0 calls for the following reforms that would reduce the incentives for elected representatives to defect.

(1) EQUALITY BEFORE THE LAW. Some politicians defect in order to avoid investigation or prosecution as the incumbent government through the office of the Attorney-General, and direct control of key enforcement institutions, can either protect or persecute its opponents. The role of the Public Prosecutor and that of the Attorney-General must be separated.

(2) EQUAL CONSTITUENCY DEVELOPMENT FUND (CDF) ALLOCATION. A common reason offered by defectors is their need for CDF in order to serve their constituency. PN MPs receive RM3.7 million allocation per annum while Opposition MPs receive RM100,000. This unequal allocation is an abuse of power and misuse of taxpayer's money to give an advantage

to ruling political parties. We call for comprehensive laws to ensure non-discriminatory and transparent constituency development fund and public funding of parties alongside transparent, accountable and reasonable private funding.

(3) LIMITING THE NUMBER OF MINISTERS AND DEPUTY MINISTERS AND BARRING PARLIAMENTARIANS FROM LUCRATIVE PUBLIC OFFICES TO STOP "SHOPPING FOR LOYALTY". Most defectors are rewarded with ministerial or deputy ministerial positions in Muhyiddin's enlarged Cabinet and are appointed to Government Linked Companies (GLCs) that come along with huge monthly salaries. Bersih 2.0 calls for a cap to the size of Cabinets to 50 (ministers and deputy ministers) and a total ban on elected representatives being appointed to GLCs.

(4) PARLIAMENTARY REFORMS TO EMPOWER BOTH OPPOSITION LAWMAKERS AND GOVERNMENT BACKBENCHERS. Opposition lawmakers and government backbenchers have very little role to play in the lawmaking or policy making process under the current arrangement. Currently, the Dewan Rakyat has only nine thematic Parliamentary Select Committees (PSC) and about 40% of our parliamentarians are denied any policy-shaping roles through committee participation. We call on the Government and Parliament to form more PSCs and that the composition of these PSCs should reflect the strength of the parties in the House. We further call on the Opposition to form a Shadow Cabinet and for the government to formally recognise it with adequate funding and access to information.

(5) RECALL ELECTION TO DETER PARTY HOPPING. Defections occur as there are no legal or electoral consequences to such actions. While our election system is such that we vote for a candidate, it can be strongly argued that most voters vote on the basis of the party these candidates represent. As such, defections are considered as a betrayal of the voters who voted in these representatives. Bersih 2.0 calls for the enactment of a party hopping mechanism called Recall Election, where the constituency's voters can initiate a process to trigger a

by-election if they are dissatisfied with the defection.

Bersih 2.0 renews our call for all political parties to negotiate Confidence and Supply Agreements (CSA) that include the enactment of laws that would usher in these reforms so that the ghost of Sheraton Move can be exorcised from Malaysian politics once and for all.

Except for separation of the offices of Public Prosecutor from Attorney-General, all the other four can be carried out at the state levels, and Perak has implemented equal CDF since last December. We call upon the PH to fight defection by dismantling excessive incumbency advantages at federal level as well as in the states of Selangor, Penang and Negeri Sembilan it governs. Reforms start from home.

Statement issued by:

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