

PARLIAMENTARY INSTITUTIONAL REFORMS IN MALAYSIA: THE CASE OF THE PAKATAN HARAPAN ERA, 2018–2020

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ABSTRACT

The parliamentary institution is the nation's highest legislative body in a democratic system, where it enacts, amends, and approves federal laws, examines government policies and approves government spending. However, in Malaysia, during the Barisan Nasional (BN) era, this institution was frequently criticised due to its numerous flaws. Among them were executive control over parliamentary institutions, disregard for the opposition's role and unequal development provision between government and opposition parliamentarians. Therefore, during the 14th General Election (GE14) campaign, Pakatan Harapan (PH) promised to implement parliamentary reforms, and that pledge carried PH to victory in the GE14. This article utilised the concept of institutional reform as a tool of analytics to discuss parliamentary institutional reforms during the PH's governmental term from 2018 to 2020. The primary sources of this study were interviews and secondary sources, which were obtained through books, journals and newspapers. This article argues that the PH government has successfully implemented several parliamentary institutional reforms in only 22 months. The reforms were the reform of the Public Accounts Committee (PAC), the establishment of more parliamentary select committees, the restructuring of constituency development funds for members of parliament (MPs) and the appointment of non-partisan speakers. All these reforms have benefited Malaysia's parliamentary institutions

by increasing the role of the opposition, allocating fair constituency development funds to parliamentarians and improving the parliamentary image. Nevertheless, comprehensive reforms were not implemented because the PH government was ousted from power at the end of February 2020 because of the actions of several PH MPs who defected from the party.

Keywords: parliament, institutional reforms, Pakatan Harapan, Barisan Nasional, opposition

INTRODUCTION

The parliamentary institution is the highest legislative body in a country. Its primary functions are to enact, amend and approve federal laws, as well as to examine and approve government policies and spending. However, the parliamentary institution is not free from imperfections. In Brazil, for example, the president has the authority to enact laws and policies can be implemented solely through presidential decrees. This contrasts with the practice in other democratic countries, where laws and policies must first be approved by parliament. As a result, between 1989 and 1997, 86% of laws and policies were enacted through presidential decrees, while only 14% were enacted through bills passed in parliament (Negretto 2004). This practice has weakened the parliamentary institution which is caused by the president's excessive executive power.

Another example is Kazakhstan. The main disadvantage of the country's parliamentary institution is the president has veto power over decisions made by parliament. This can be seen during the reign of Nursultan Nazarbayev, which lasted from 1991 to 2019. In 1993 and 1995, Nazarbayev used his influence to force parliament to pass a new constitution to strengthen his position, including the right to reject the results of parliamentary no-confidence votes (Koker 2020). Furthermore, during his reign, he had already used his veto power to reject or postpone six bills passed by parliament. As a result of the excessive presidential power exercised by Nazarbayev, Kazakhstan's parliamentary power weakened. The examples from Brazil and Kazakhstan demonstrate that the parliamentary institution is not immune to flaws and interference from the executive.

During the Barisan Nasional (BN) regime in Malaysia, the parliamentary institution was not free from criticism. One significant disadvantage is that the legislative institution (parliament) is under the control of the executive, which is led by a minister who reports to parliament (Siddiquee 2005). When a minister who is

also a member of the executive dominates parliament, three things become clear. First, there is executive intervention in parliamentary administration. Second, the executive has control over parliamentary institutions. Third, there is no separation of powers between the executive and parliamentary institutions, even though the country's three branches of government should be independent and distinct from one another.

Other countries, such as the United Kingdom and India have parliaments that are not subject to executive control. For example, the chairman of the the Public Accounts Committee (PAC) in these two countries must be chosen from the opposition for two reasons. First, power must be rebalanced between the government and the opposition. Second, it demonstrates the willingness of the majority and minorities to cooperate in the PAC on a bipartisan basis (Stapenhurst and Larson 2018). In Malaysia, the PAC chairman is typically appointed from among the government's parliamentarians, resulting in a conflict of interest and a lack of effectiveness in the check and balance process on government expenditure and finances.

Malaysia's parliamentary institution is also weakened by the unequal allocation of constituency development funds between the government and opposition parliamentarians (Mohd Azizuddin et al. 2019). During the BN administration, development funds were only given to government members of parliament (MPs) and no funds were given to opposition MPs. For example, in 2010, former Deputy Prime Minister Muhyiddin Yassin rejected the request from opposition MPs who sought development allocations (Zuhrin 2010). As a result, this policy weakens opposition and encourages people to patronise MPs or constituency coordinators appointed by the federal government to gain support (Weiss 2019). This practice differs from India, which provides development funds to all parliamentarians regardless of whether they are members of the government or the opposition. Since 2011, all MPs in India have received development funds of 20 million rupees (Blair 2017). The provision of equal development funds has increased the effectiveness of MPs in carrying out their responsibilities in their respective constituencies.

Hence, when the Pakatan Harapan (PH) government took over the federal government, one of the major agendas they implemented was to reform the parliamentary institutions, as promised in Buku Harapan. The question is, what parliamentary institutional reforms has the PH government implemented during its 22-month tenure? How effective have the institutional reforms been? This article debates and answers those questions.

THE CONCEPT OF INSTITUTIONAL REFORM

Scholars such as Walti (1996), Goldfinch and Hart (2003), Medina (2006) and Zhao et al. (2021) defined institutional reform as the modification and improvement of state institutions to enhance their performance and functions. Institutional reform was defined by Walti (1996) as “to modify the institutional framework in which politics take[s] place in order to change politics.” In this definition, institutional reform refers to the change and improvement of political institutions that lead to the goal of producing political change in the country. He used the example of Switzerland in 1977 when the Furgler Commission proposed institutional reform involving constitutional amendments to give the federal government more administrative power than the local government. The goal was to improve administrative efficiency in providing people with services.

Goldfinch and Hart (2003) defined institutional reform as “deliberate and sustained attempts at non-incremental change in the substance and process of government.” This definition views institutional reform as encompassing changes in policies, and restructuring of the public sector, the economy and the national constitution rather than major changes that directly change the foundation and operations of an institution. The goal of these changes is to improve the efficiency of the government in providing services to citizens while increasing the country’s economic growth. They used the example of Australia during the Labour Party’s rule from 1983 to 1996 which saw the country’s gross domestic product (GDP) increase by up to 5%. This success was due to the Labour Party’s actions in implementing economic institutional reforms such as privatisation, open trade and labour liberalisation policies.

Institutional reform was defined by Medina (2006) as “the reconstruction of the state and democratic political regime and provide instruments for the implementation, development and legitimation of the public policies needed by the country.” Medina’s definition of institutional reform includes three components: state reconstruction, the existence of a democratic political regime and the presence of instruments for the implementation, development and legitimacy of public policy. When all these things are put in place, the country becomes stable, and national institutions function properly. She used the example of Argentina from 1999 to 2003, when the country experienced a political crisis that resulted in the changes of four different presidents. Even though Argentina became a democratic country in 1983, Medina noted that the country’s institutions, particularly the unstable executive and parliament, were embroiled in a political crisis during that time. To restore the country, the government led by Nestor Kirchner, who

took power in 2003, implemented institutional reforms in the implementation of government policies, and strengthened the parliamentary check and balance function on government decisions.

Zhao et al. (2021) referred to institutional reform as “attempts to change the rules affecting human interactions.” This involves changes in the structure of actions, modes of implementation, crisis management and interactions with other entities. Zhao et al. used the United States as an example, when its president, Franklin D. Roosevelt implemented the New Deal to address the country’s economic collapse from 1929 to 1933. Following the implementation of the New Deal, the government reviewed fiscal policies such as cutting civil servants’ and pensioners’ salaries by 15%, re-stabilising the banking system and introducing employment programmes to assist laid-off citizens. As a result of the New Deal, the United States’ GDP was successfully restored to record growth rates of up to 10% until 1941.

The above definitions show that institutional reform is the change and improvement of national institutions to improve their performance and functions. These changes affect the structure, policies and processes of state institutions, which ultimately increase the efficiency of government functions. In Malaysia, after the PH government took over the federal government from the BN in 2018, the government’s main agenda was to implement institutional reform to improve the weaknesses of national institutions, including parliamentary institutions. This is because parliamentary institutions experienced significant weaknesses during the era of BN rule due to executive control over parliamentary institutions, the role of the opposition being side-lined and unfair development funds between the government and opposition MPs. This article discusses the reform of parliamentary institutions during the PH rule to assess the changes that occurred in parliamentary institutions during the PH reign.

LITERATURE REVIEWS ON PARLIAMENTARY INSTITUTIONAL REFORMS

Scholars have conducted numerous studies on the reform of parliamentary institutions to date. In general, they claimed that the reform of parliamentary institutions occurred because of public pressure. For example, Ruland et al. (2005) found that the existence of people’s pressure after the “Black May” uprising on 17 May 1992 was a factor in the reforms of parliamentary institutions in Thailand. This event precipitated the fall of the military regime led by General Suchinda

Kraprayoon, resulting in the adoption of the People's Constitution in 1997. During the Kraprayoon regime, all 299 members of the National Assembly were appointed by the government rather than elected by the people. The majority of those appointed were from Kraprayoon's military faction. However, following the adoption of the People's Constitution in 1997, the people were granted the right to elect 500 members of the National Assembly, 400 members of whom were directly elected and 100 members via the Party List System method. In addition, the enactment of this constitution also saw the establishment of the Senate as the upper house consisting of 200 members elected by the people. On account of these reforms, Thailand's parliamentary institutions are no longer under the control of the government; instead, MPs are elected by the voice of the people.

Sherlock (2010) discovered in his study of Indonesia that during Suharto's rule, the president acted to control parliament to secure his position as president. He had the authority to elect 75 members of the Dewan Perwakilan Rakyat (DPR), which was later expanded to 100 members in 1995 to allow them to participate in the Majelis Permusyawaratan Rakyat (MPR). The goal was to ensure that he continued to be elected president by the MPR, which has the power to do so through the votes of its members. Members of the MPR are drawn from the DPR and the Dewan Perwakilan Daerah (DPD). However, following the fall of the New Order in 1998 due to the people's uprising, the Indonesian parliamentary institution underwent changes when no more members of the DPR were appointed by the president. The Indonesian Constitution, as amended in 2004, states that the people elect all 560 members of the DPR using the Proportional Representation (PR) and Multi-Member Districts (MMD) systems. Furthermore, the president is no longer appointed by ballot in the MPR but instead elected directly by the people through elections.

Pickard (2014) stated in his study of Tunisia that the institutional reforms were prompted by the Arab uprising that began in late 2010. This is because, during President Zine El Abidine Ben Ali's reign, he weakened democracy and state institutions to ensure that his power could not be challenged. As a result, he frequently won elections and most of his party's elected representatives in parliament known as the Chamber of Deputies, were from his party. Following the fall of the Ben Ali regime, the Chamber of Deputies was given the authority to override the presidential veto, dismiss the president and force the president and ministers to testify in the chamber if necessary.

In Malaysia, Khoo (2020) in his article titled "Post-legislative scrutiny in the process of democratic transition in Malaysia" discussed parliamentary institutional reform during the period of PH rule. She stated that prior to the PH era, the

government-controlled parliamentary institutions, resulted in a lack of a check and balance process. This situation has resulted in several cases of abuse of power and poor governance, such as Felda, Tabung Haji and IMDB. After 14th General Election (GE14), the PH government made several changes to reduce executive intervention, such as appointing the PAC chairman from among those who were not government MPs and establishing several cross-party committees such as the Select Committee for Consideration of Bills, Select Committee on Human Rights and Gender Equality and Select Committee on Federal-State Relations.

Muhamad Sayuti and Kartivelu (2021) discussed parliamentary institutional reform in terms of the establishment of parliamentary select committees. They claimed that there were significant flaws in the parliamentary select committee's implementation during the BN administration. The committee's weakness stemmed from the fact that the number of opposition MPs appointed as members was too small, and there were also cabinet members appointed as chairman. For example, during the Abdullah Badawi administration, Dr. Maximus Ongkili, a Kota Marudu MP who was then a Minister in the Prime Minister's Department was appointed Chairman of the Special Select Committee on Unity and National Service. As a result of the lack of checks and balances, the committee was unable to function effectively. Thus, they proposed two reforms: increasing the number of opposition MPs appointed to the committee and not involving cabinet members as chairman. This is to ensure the committee's function as a committee that monitors and balances the government is maintained.

Harding (2021) in his article "The Dewan Negara and constitutional reform: Upper houses in comparative perspective" discussed the need for Senate institutional reform. He identified the Senate's main weakness as the disparity in the number of senators appointed by the state and federal governments. As a consequence of this imbalance, there are not enough state representatives in the assembly to carry out the central government's legislative and monitoring functions. This can be seen when the majority of support is in favour of the executive, as the federal government makes the most appointments. As a result, he argued that the institutional reform of the Senate needs to be implemented. Among them is the allocation of a balanced composition for state and federal appointments to improve the effectiveness and efficiency of the Senate's functions. The Senate can play an even greater role if its composition is balanced, particularly in terms of members' accountability to the state they represent. In addition, Harding proposed that some Senate members be elected directly by the people to ensure that they can carry the people's voice.

Ufen (2021) also pointed out in his article “The downfall of Pakatan Harapan in Malaysia: Coalitions during transition”, the reforms that have been implemented as well as the factors that led to the PH government’s demise in early 2020. In matters concerning parliamentary institutional reform, he stated that the PH had initially succeeded in establishing six parliamentary select committees that comprised both government and opposition MPs, namely the Special Select Committee for Consideration of Bills, the Budget Select Committee, the Defense and Home Affairs Select Committee, the Special Select Committee on Gender Rights and Equality, the Special Select Committee on Federal-State Relations and the Special Select Committee for Major Public Appointments. The purpose of forming this select committee was to discuss issues that were frequently raised by the public in order to review government policies. For example, when the government wanted to enact the Independent Police Complaints and Misconduct Commission (IPCMC) Bill 2019, the bill was first referred to the Select Committee for Consideration of Bills for review before being tabled in the Dewan Rakyat. Furthermore, for the first time in the Dewan Negara, the Parliamentary Working Committee on Dewan Negara Reform was established at the end of 2019 to conduct studies and recommend measures to improve the effectiveness of the Dewan Negara. Even though PH demonstrated commitment to implementing parliamentary institutional reforms, some parliamentary institutional reforms, such as the appointment of key positions through the parliamentary process, were not implemented. The failure to implement these institutional reforms was caused by the uncertainty surrounding the handover of power between Dr. Mahathir and Anwar Ibrahim, as well as a significant split within the PH, resulting in the Sheraton Move, which overthrew the government.

According to the literature reviews above, the factor in the implementation of institutional reform is the people’s insistence as well as the change of government. The previous studies are interesting, but they do not focus specifically on institutional reform during the period of PH rule. Therefore, this article adds to the analysis of parliamentary institutional reform by focusing on the parliamentary institutional reform implemented during the PH rule from 2018 to 2020.

RESEARCH METHODOLOGY

This article applied a qualitative research design because it is practical in examining the reform of parliamentary institutions during the PH era. Furthermore, qualitative methods can provide more information and data through personal perspectives provided by informants. This qualitative method is also more adaptable, allowing

it to be carried out according to the informant's time and preferences. In terms of data collection, this article relied on primary sources obtained through semi-structured interviews. In a semi-structured interview, the researcher provided a set of questions as a guide and was free to add questions that were not on the list during the interview session if necessary. The informants who were interviewed were former Prime Minister Ismail Sabri Yaakob, former Minister in the Prime Minister's Department (Economy) Mustapa Mohamed, former Rural Development Minister Mahdzir Khalid, former Opposition Leader Anwar Ibrahim and President of Parti Amanah Negara Mohamad Sabu. All these informants were chosen because they were among the parliamentarians involved and had knowledge and experience with the process of reforming parliamentary institutions during the PH rule. Secondary data sources included books, journals, theses, official government documents and electronic media portals. These data were then descriptively analysed using the content analysis method.

FINDINGS AND DISCUSSION

Since its independence from the British in 1957, the Malaysian parliamentary institution adopted the Westminster model, which is bicameral, with the Dewan Negara serving as the upper house and the Dewan Rakyat serving as the lower house. The Dewan Negara is composed of 70 members and divided into two categories: 26 members elected by the State Legislative Assembly (Dewan Undangan Negeri, DUN) representing 13 states (each state is represented by two members) and 44 members appointed by the Yang di-Pertuan Agong on the advice of the Prime Minister, including two members from the Federal Territory of Kuala Lumpur and one member each from the Federal Territories of Labuan and Putrajaya [Article 45(1) of the Federal Constitution]. The Dewan Rakyat, on the other hand, is responsible for enacting and debating bills, as well as discussing government policies and people's problems. According to Article 46(1) of the Federal Constitution, this council has 222 members. They are elected directly by the people in general elections held every five years, and the party or coalition with the most seats will form the federal government.

After the fall of the BN government, the main priority of the new PH government was to reform the corrupt government institutions, as promised in its manifesto, *Buku Harapan*. PH promised in *Buku Harapan* to "restore the credibility of parliamentary institutions." The pledge included the appointment of opposition lawmakers to the PAC, the reinstatement of the Parliamentary Service Act 1963, and the appointment of key government positions by parliamentary select

committees. All of these promises are aimed at reducing executive control and giving the opposition a larger role in the country's parliamentary institutions. This offer was sensible in terms of restoring Malaysia's parliamentary institution.

The Reform of the PAC

PH promised during the GE14 campaign to appoint a PAC chairman from among opposition MPs to improve the check and balance process in scrutinising government spending and finances. The pledge was made in accordance with the Westminster model of appointing a PAC chairman from among opposition lawmakers. This is evident in the cases of Malta and Tanzania, where opposition parliamentarians have traditionally held the position of PAC chairman. In Malta, Clause 120E(4) of the Parliamentary Standing Orders requires the opposition MP to be nominated for the position of PAC chairman after consultation with the speaker of parliament. In Tanzania, Clause 87(5) of the Tanzanian Parliament's Rules of Procedure states that the PAC chairman must be chosen from among members of the opposition party (Stapenhurst and Larson 2018). This demonstrates that appointing the PAC chairman from the opposition party is a common practice in most democracies that use the Westminster system. As a result, both countries' PACs have been able to play a more effective role in monitoring the country's finances to prevent widespread corruption.

This practice, however, did not occur in Malaysia during the BN regime. This is because Standing Order 77 of the Malaysian Parliament does not require the chairman of the PAC to be a member of the opposition. In the absence of this rule, the PAC chairman was previously appointed from among government parliamentarians (backbenchers) rather than from among opposition parliamentarians (Harding 2012). Only a few opposition MPs were appointed as PAC deputy chairman and PAC members. As a result, the PAC, which was supposed to act as a check and balance on government spending and finances, was not functioning properly.

Following PH's victory in GE14 in May 2018, parliamentary institutional reform began with the appointment of a PAC chairman from among opposition MPs, as promised in the coalition's manifesto. These reforms were being implemented to increase transparency in government spending. According to the Opposition Leader, Anwar Ibrahim:

The appointment of the chairman of the PAC by opposition MPs should have happened a long time ago. Why should the PAC be chaired by an opposition MP? We want transparency when it comes to government

spending. Because they are also members of the government, if a backbencher becomes chairman, there is a strong incentive to cover up the government's wrongdoing. As a result, these changes are required to prevent widespread corruption and abuse of power, particularly when it comes to government spending.¹

At the time, the BN opposition party named Ronald Kiandee as the first MP from the opposition party to be appointed as the PAC chairman. Ronald left the party to join Parti Pribumi Bersatu Malaysia (BERSATU) and was later replaced by Noraini Ahmad of United Malays National Organisation (UMNO) (Siti Fahlizah 2021). Noraini's appointment made history as the first woman to hold this position. On the grounds of these changes, the PAC appears to be taking a more active role in conducting hearings and issuing reports. For example, in 2019, the PAC issued seven reports on government spending and finances (Parliament Public Accounts Committee 2020). Furthermore, the PAC became more independent and was no longer subject to executive control caused by these changes. Even after these changes, the PAC is seen as brazen in its investigation of public money transparency. For example, after Entrepreneurship Minister Redzuan Md Yusof announced in 2019 that he was developing a flying car with funds from private companies, the PAC announced an investigation into the project to determine whether the funds used were government funds or private company funds (*Malaysiakini* 2019). This was to ensure that government funds were not being used for purposes that were not in the public interest and that there was no abuse of power.

Following the fall of the PH government due to the Sheraton Move in late February 2020, the Perikatan Nasional (PN) government adopted the PH practice. The PN government acted to appoint Wong Kah Woh from the Democratic Action Party (DAP) as the PAC chairman after Noraini was appointed as Minister of Higher Education in the government cabinet (Azril 2020). This demonstrates that the practice of appointing the PAC chairman from among the opposition parliamentarians is beneficial to Malaysian parliamentary institutions and has been accepted by the ruling government, whether PH or PN.

The decision to appoint a PAC chairman from among the opposition MPs has been met with approval from both political parties and the public. In an interview, Ismail Sabri Yaakob praised PH's decision to appoint an opposition MP as PAC chairman. He stated:

At the time, I supported it because I saw it as a good way to check and balance the government. We did not see the need before, but after it was implemented, we discovered that every expenditure and financial

position of the government and its agencies had been reviewed. If a problem arises, the government must respond at the PAC meeting. So, in this regard, I am in favour of continuing the practice of naming opposition MPs as PAC chairman.²

This indicates that the PH government's decision to appoint an opposition MP as chairman was a positive step towards institutional reform. This can be seen when the PAC became more active in holding hearings and issuing reports on government spending and finances. Furthermore, the PAC was seen as more independent, as it was not subject to executive control. This practice was continued after the fall of the PH government and the emergence of the BN and PN coalition government, despite the fact that the idea for implementing this institutional reform came from the PH. This demonstrates that the PH government's reform of parliamentary institutions has had a positive impact on the process of checking and balancing the government's finances and expenditures.

The Establishment of More Parliamentary Select Committees

According to Standing Order 81, parliamentary select committees on specific issues can be established. Typically, these committees include both government and opposition lawmakers. During Najib Razak's reign, the formation of select committees was seen as rare and limited. Only a few select committees were formed, including the Select Committee on Electoral Process Improvement in 2011 and the Select Committee on the Lynas Advanced Materials Plant (LAMP) project in 2012 (Muhamad Sayuti and Kartivelu 2021).

Anwar Ibrahim in an interview stated that the least of this special parliamentary committee "resulted in a lack of check and balance process in parliament." He continued, saying:

The special parliamentary committee is the most important part of the parliament. When we look at other developed countries, we can see that this special committee monitors the government. If necessary, this committee will summon the parties involved in the government to address issues that arise and require resolution. That is why these committees must be strengthened to hold the government accountable while it governs the country.¹

Select committees are given a larger role in other countries, such as the United Kingdom, where the number of committees established covers every ministry in the government. Each of these committees has at least 11 members made up of government and opposition lawmakers who act to scrutinise, investigate,

and gather evidence on matters pertaining to the ministry. The findings of the investigation are reported to parliament, printed and posted on the parliamentary website, and the government typically has 60 days to respond to the committee's reports and recommendations. The government then provides feedback on whether the proposal should be accepted or rejected (Norton 2012).

This is what PH did after GE14. According to Khoo (2020), the PH established 10 parliamentary select committees based on the promised political reforms.

1. Special Select Committee for Consideration of Bills
2. Special Select Committee on Budget
3. Special Select Committee on Gender Equality and Family Development
4. Special Select Committee on Major Public Appointments
5. Special Select Committee on Defence and Home Affairs
6. Special Select Committee on State and Federal Relations
7. Special Select Committee on Election
8. Special Select Committee on Human Rights and Constitutional Affairs
9. Special Select Committee on International Relations and Trade
10. Special Select Committee on Science, Innovation and Environment

Aside from the mentioned select committees, a caucus with more members had been established, namely the Parliamentary Caucus on Reforms, which was chaired by Anwar Ibrahim.

According to Research for Social Advancement Berhad (REFSA), the establishment of a select committee played a successful role in the government's check and balance system from 2018 to 2019 (Fakhrurrazi 2019). This is evident in government acts and policies that must first pass through this special select committee before being tabled in parliament. In 2019, for example, the Anti-Sexual Harassment and Gender Equality Act was first reviewed by the Special Select Committee on Human Rights and Gender Equality before being introduced in parliament. This includes the IPCMC Bill, which was first referred to the Special Select Committee for Consideration of Bills (Mohd Anwar, Zanariah and Mohd Iskandar 2019).

The PH government's decision to establish more parliamentary select committees has improved check and balance practices against the ruling government, including the reviewing of new bills. This was done to ensure that the bills were thoroughly reviewed before being tabled in parliament. This reform is consistent with Walti's (1996) argument about the concept of institutional reform, which stated that the goal of institutional reform is to change national politics. In this regard, the establishment of more parliamentary select committees has resulted in a more effective political change for the government in the process of checks and balances. In an interview with Mahdzir Khalid, he stated:

I agree that if we create more Parliamentary Select Committees, the government will get more input from these committees before we table legislation in Parliament. The PH government, for example, used to want to implement Independent Police Complaints and Misconduct Commission (IPCMC). I am one of those who believe that the IPCMC bill should be brought before the special select committee first if it is to be properly implemented. We do not want the law to be enacted and then have negative consequences.³

The statement emphasises the importance of reforming parliamentary institutions, including the creation of more parliamentary select committees, in ensuring more effective implementation of checks and balances on the government. This is especially important when reviewing acts or laws that are to be introduced in parliament to obtain the views of MPs before they are tabled. This step is critical to ensure that every act and law enacted has no negative consequences and receives support from both the government bloc and the opposition. As a result, these reforms have the support of MPs, particularly those other than PH.

The Restructuring of Constituency Development Funds

The PH government has also restructured the constituency development funds as part of its reform of parliamentary institutions. This measure was designed to ensure that all members of parliament had the financial resources they needed to carry out their responsibilities and manage their respective service centres. During the BN regime, opposition MPs were never given development funds, and this was one of the few privileges enjoyed by government MPs. In areas where there were no BN MPs, they appointed parliamentary coordinators to act as liaison representatives between them and the government. According to Weiss (2019), the BN's refusal to provide development funds to opposition MPs was a BN strategy to increase patronage practices and discriminate against opposition MPs. In an interview, the President of Parti Amanah Negara, Mohamad Sabu, acknowledged this:

Previously, when I was a member of parliament in opposition, we received no development funding at all. We used our own money from our salaries. Due to limited funds, we were unable to do much since we had to use our own salary. However, once PH became the government, we followed through on our promise to provide opposition MPs with development funds in stages. This process is repeated until all MPs received equal development funds.⁴

The previous BN administration's policy was distinct from that of other countries, which also provided equal development funds to all members of parliament. Beginning 1990, the Lok Sabha in India established a programme to provide equal funds to all MPs, with each MP earning 5 million rupees. In 2011, the amount was raised to 20 million rupees (Blair 2017). As a result, when it comes to development funds, democratic practices in India are seen as good when they do not discriminate against opposition parliamentarians.

Hence, after PH took over the government, opposition MPs were given constituency development funds of RM100,000 for the first time (Rahimah 2018). Although the amount was considered low in comparison to government MPs who received RM500,000 in funds, it was an important milestone in the reform of parliamentary institutions because opposition MPs were also given funds in comparison to the BN era. This action demonstrates that the role of opposition MPs is recognised when development funds are allocated to them.

MPs applauded the move as well. In an interview, Mahdzir Khalid stated that the provision of development funds to opposition parliamentarians signifies that Malaysia's democracy is maturing. He continued, saying:

If people say we must limit allocations to opposition MPs because they will use them to bring us down, I believe this is an outdated practice. This should not be the case in our mature democracy. It is not fair to punish them because they are opposition MPs. After all, they are elected by the people. So, I believe this is a wise decision.³

Mustapa Mohamed, agreed with the statement. He stated:

I believe it is appropriate for us to distribute to all MPs, both government and opposition. If we continue to block it, it will have a negative impact on the country's economy and democracy. That is why I believe that limiting the development funds for opposition MPs is no longer the best way to compete in politics. We need to look at other developed countries that have been doing this for a long time.⁵

The reform of parliamentary institutions in terms of restructuring the constituency development funds for MPs has an impact on the country's democratisation process and provides a fair space for them to serve by using the funds provided. This reform supports Medina's (2006) contention that institutional reform must include elements such as the presence of a democratic political regime and development instruments in the country. This restructuring of constituency development funds demonstrates that the ruling government is democratic in that it provides equal and fair development funds to all parliamentarians, regardless of whether they are members of the government or the opposition. Aside from that, the equal funds for the development of the constituency shows the country's existence of effective development instruments.

The Appointment of Non-Partisan Speaker

Another reform of parliamentary institutions undertaken by the PH government is the appointment of a speaker who is free from party influence, as promised in the GE14 manifesto, which is, "the Speaker of the Dewan Rakyat and the President of Dewan Negara will be members whose integrity and credibility are respected by their peers. The Speaker of Dewan Rakyat and President of Dewan Negara must retire from partisan politics as soon as they accept their posts" (Pakatan Harapan 2018). The promise requires two things: the speaker appointed by the Dewan Rakyat or the Dewan Negara must be an individual of integrity and credibility, and the speaker must leave party politics after accepting the position.

In Malaysia during the BN government, the position of speaker does not require the individual to retire from politics. For example, when Pandikar Amin Mulia was appointed as the speaker of Dewan Rakyat in 2008, he only resigned as UMNO's Kota Marudu Division Chief but did not leave the party (*Malaysiakini* 2021). Thus, when PH took over the federal government following GE14, they nominated Mohamad Ariff Md. Yusof, a former judge of the court of appeal as the candidate for speaker (Babulai and Fahmi 2018). To keep PH's promise, Ariff decided to resign from all his positions in Parti Amanah Negara and leave the party before being appointed as the speaker (*The Star* 2018). The goal was to ensure that he is perceived as fair and impartial while performing his duties as a speaker.

The appointment of Mohamad Ariff was well received by the public. Professor Shad Saleem Faruqi, for example, believed Mohamad Ariff's appointment was well suited to his expertise (Razak 2018). According to him, while serving as a judge of the court of appeal, Mohamad Ariff was known as a fair man with an independent mind. In fact, the appointment of a former judge is not a new thing

because Dewan Rakyat once appointed a former high court judge, Dr. Mohamed Zahir Ismail, who was the speaker of the Dewan Rakyat from 1984 to 2004.

This reform is consistent with other developed countries' practices. In the United Kingdom, for example, the appointed speaker of the House of Commons is required to cut all ties with political parties (Strom 1995). This step is taken to ensure that the speaker is perceived as fair and impartial in decision-making. As a result, the speaker is not involved in the debate and is not permitted to vote in parliament unless there is a voting tie. This demonstrates that the PH government's decision to appoint a speaker who is not affiliated with the party is consistent with the concept of institutional reform being implemented. Because of the appointment of this independent speaker, parliamentary institutions are no longer perceived to be under executive control, and there is separation of powers between parliamentary and executive institutions.

This analysis has focused on four parliamentary institutional reforms implemented by the PH government during its tenure, namely PAC reforms, the establishment of more parliamentary select committees, the restructuring of parliamentary development funds, and the appointment of a speaker who is unaffiliated with any political party. All of these are stated in the PH manifesto in *Buku Harapan*. These changes are viewed positively because the PH government recognised the importance of opposition parties in parliament. Furthermore, the institutional reforms demonstrate that the PH government treated opposition MPs fairly, particularly when it came to development funds.

CONCLUSION

This article discussed the institutional reforms implemented by the PH government from 2018 to 2020. The discussion revealed that the PH government has implemented four successful parliamentary institutional reforms, namely PAC Committee reform, the establishment of more parliamentary select committees, the restructuring of development funds for members of parliament and the appointment of a speaker who is not a member of any political party. The reforms implemented by the PH government have had a positive impact on the country's political development. First, the PH government's acknowledgement of opposition parties' roles, such as the appointment of the PAC chairman from opposition MPs and their participation in parliamentary select committees, has resulted in a more effective check and balance role for the executive. Second, the PH government's more equitable development funds to opposition MPs have increased MPs' effectiveness in carrying out their duties. Third, the appointment of a

speaker who is free from political influence has improved the image of parliament. This action has an impact on the parliamentary institutions' independence from executive control.

Although the PH era's reform of parliamentary institutions had a significant impact, other reforms have yet to be implemented. This is due to challenges such as a short tenure, a lack of a two-thirds majority in parliament to amend the constitution, a time-consuming implementation process and a lack of strong political will to implement parliamentary institutional reform. All these challenges have resulted in the failure to implement a number of other parliamentary institutional reforms during the PH era. These challenges are the next reforms that need to be implemented by the government of the day to ensure that a more comprehensive reform of parliamentary institutions can continue after the PH government had initiated it.

Following the overthrow of the PH government, the Ismail Sabri-led government was seen as willing to implement parliamentary institutional reforms that had not been implemented during the PH government's tenure. This can be seen in the Memorandum of Understanding (MOU) signed between the government and PH, where one of the points agreed upon by both parties is the implementation of parliamentary institutional reform. Despite the change of government, the BN government's agreement to implement parliamentary institutional reform represents a positive development in Malaysia's implementation of parliamentary institutional reform.

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NOTES

1. Dato' Seri Anwar Ibrahim. Interview at Anwar Ibrahim's Office, Petaling Jaya on 17 September 2021.
2. Dato' Sri Ismail Sabri Yaakob. Interview at the Tropicana Golf and Country Resort, Petaling Jaya on 21 October 2021.
3. Datuk Seri Mahdzir Khalid. Interview at MARA Building, Kuala Lumpur on 8 October 2021.
4. Datuk Seri Mohamad Sabu. Interview at Berjaya Times Square Hotel, Kuala Lumpur on 26 September 2021.
5. Dato' Sri Mustapa Mohamed. Interview at the Prime Minister Department Office, Putrajaya on 7 September 2021.

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