

Volume I
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Friday
10th July, 1964

PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

**FIRST SESSION OF THE SECOND PARLIAMENT
OF MALAYSIA**

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MALAYSIA

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

Official Report

First Session of the Second Dewan Ra'ayat

Friday, 10th July, 1964

The House met at half-past nine o'clock a.m.

PRESENT:

- The Honourable Mr Speaker, TUAN SYED ESA BIN ALWEE, J.M.N., S.M.J., P.I.S. (Batu Pahat Dalam).
- „ the Deputy Prime Minister, Minister of Defence, Minister of National and Rural Development and Minister of Lands and Mines, TUN HAJI ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
- „ the Minister of Home Affairs and Minister of Justice, DATO' DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN, P.M.N. (Johor Timor).
- „ the Minister of Finance, ENCHE' TAN SIEW SIN, J.P. (Melaka Tengah).
- „ the Minister of Works, Posts and Telecommunications, DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).
- „ the Minister of Transport, DATO' HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).
- „ the Minister of Agriculture and Co-operatives, ENCHE' MOHAMED KHIR JOHARI (Kedah Tengah).
- „ the Minister of Health, ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).
- „ the Minister of Education, ENCHE' ABDUL RAHMAN BIN HAJI TALIB (Kuantan).
- „ the Minister of Commerce and Industry, DR LIM SWEE AUN, J.P. (Larut Selatan).
- „ the Minister for Welfare Services, TUAN HAJI ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).
- „ the Minister for Local Government and Housing, ENCHE' KHAW KAI-BOH, P.J.K. (Ulu Selangor).
- „ the Minister for Sarawak Affairs, DATO' TEMENGGONG JUGAH ANAK BARIENG, P.M.N., P.D.K. (Sarawak).
- „ the Assistant Minister of Commerce and Industry, TUAN HAJI ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).
- „ the Assistant Minister of Lands and Mines, TUAN HAJI MOHD. GHAZALI BIN JAWI (Ulu Perak).
- „ the Assistant Minister of National and Rural Development and Assistant Minister of Justice, ENCHE' ABDUL-RAHMAN BIN YA'KUB (Sarawak).

- The Honourable the Assistant Minister of Agriculture and Co-operatives,
ENCHE' SULAIMAN BIN BULON (Bagan Datoh).
- „ the Assistant Minister of Youth, Culture and Sports,
ENGKU MUHSEIN BIN ABDUL KADIR (Trengganu Tengah).
- „ the Assistant Minister of Education,
ENCHE' LEE SIOK YEW, A.M.N., P.J.K. (Sepang).
- „ ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Melaka Utara).
- „ ENCHE' ABDUL KARIM BIN ABU, A.M.N. (Melaka Selatan).
- „ WAN ABDUL KADIR BIN ISMAIL (Kuala Trengganu Utara).
- „ ENCHE' ABDUL RAHIM ISHAK (Singapore).
- „ WAN ABDUL RAHMAN BIN DATU TUANKU BUJANG (Sarawak).
- „ TUAN HAJI ABDUL RASHID BIN HAJI JAIS (Sabah).
- „ ENCHE' ABDUL RAUF BIN A. RAHMAN, K.M.N., P.J.K.
(Krian Laut).
- „ ENCHE' ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ ENCHE' ABDUL SAMAD BIN GUL AHMAD MIANJI
(Pasir Mas Hulu).
- „ DATO' ABDULLAH BIN ABDULRAHMAN, Dato' Bijaya di-Raja
(Kuala Trengganu Selatan).
- „ Y.A.M. TUNKU ABDULLAH IBNI AL-MARHUM TUANKU ABDUL
RAHMAN, P.P.T. (Rawang).
- „ TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N.,
S.M.J., P.I.S. (Segamat Utara).
- „ ENCHE' ABU BAKAR BIN HAMZAH (Bachok).
- „ TUAN HAJI AHMAD BIN ABDULLAH (Kelantan Hilir).
- „ ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ TUAN HAJI AHMAD BIN SAAID (Seberang Utara).
- „ CHE' AJIBAH BINTI ABOL (Sarawak).
- „ ENCHE' ALI BIN HAJI AHMAD (Pontian Selatan).
- „ O. K. K. DATU ALIUDDIN BIN DATU HARUN, P.D.K. (Sabah).
- „ DR AWANG BIN HASSAN, S.M.J. (Muar Selatan).
- „ ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- „ ENCHE' JONATHAN BANGAU ANAK RENANG (Sarawak).
- „ PENGARAH BANYANG ANAK JANTING (Sarawak).
- „ ENCHE' CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- „ ENCHE' CHAN SEONG YOON (Setapak).
- „ ENCHE' CHAN SIANG SUN (Bentong).
- „ ENCHE' CHEN WING SUM (Damansara).
- „ ENCHE' CHIA CHIN SHIN (Sarawak).
- „ ENCHE' FRANCIS CHIA NYUK TONG (Sabah).
- „ ENCHE' CHIA THYE POH (Singapore).
- „ ENCHE' CHIN FOON (Ulu Kinta).
- „ ENCHE' C. V. DEVAN NAIR (Bungsar).
- „ ENCHE' EDWIN ANAK TANGKUN (Sarawak).
- „ DATIN FATIMAH BINTI HAJI ABDUL MAJID
(Johor Bahru Timor).

- The Honourable DATIN FATIMAH BINTI HAJI HASHIM, P.M.N.
(Jitra-Padang Terap).
- „ ENCHE' S. FAZUL RAHMAN, A.D.K. (Sabah).
- „ DATU GANIE GILONG, P.D.K., J.P. (Sabah).
- „ ENCHE' GANING BIN JANGKAT (Sabah).
- „ ENCHE' GEH CHONG KEAT, K.M.N. (Penang Utara).
- „ ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- „ ENCHE' HANAFTI BIN MOHD. YUNUS, A.M.N., J.P. (Kulim Utara).
- „ ENCHE' HANAFIAH BIN HUSSAIN, A.M.N. (Jerai).
- „ ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- „ WAN HASSAN BIN WAN DAUD (Tumpat).
- „ ENCHE' HO SEE BENG (Singapore).
- „ ENCHE' STANLEY HO NGUN KHIU, A.D.K. (Sabah).
- „ ENCHE' HUSSEIN BIN TO' MUDA HASSAN, A.M.N. (Raub).
- „ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
- „ ENCHE' HUSSEIN BIN SULAIMAN (Ulu Kelantan).
- „ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN
(Kota Bharu Hulu).
- „ ENCHE' IKHWAN ZAINI (Sarawak).
- „ ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ DATO' SYED JA'AFAR BIN HASAN ALBAR, P.M.N.
(Johor Tenggara).
- „ PENGHULU JINGGUT ANAK ATTAN (Sarawak).
- „ ENCHE' KADAM ANAK KIAI (Sarawak).
- „ ENCHE' KAM WOON WAH, J.P. (Sitiawan).
- „ DATU KHOO SIAK CHIEW, P.D.K. (Sabah).
- „ ENCHE' KOW KEE SENG (Singapore).
- „ ENCHE' EDMUND LANGGU ANAK SAGA (Sarawak).
- „ ENCHE' LEE SAN CHOON, K.M.N. (Segamat Selatan).
- „ ENCHE' LEE SECK FUN (Tanjong Malim).
- „ ENCHE' AMADEUS MATHEW LEONG, A.D.K. (Sabah).
- „ ENCHE' LING BENG SIEW (Sarawak).
- „ DR LIM CHONG EU (Tanjong).
- „ ENCHE' LIM KEAN SIEW (Dato Kramat).
- „ ENCHE' LIM PEE HUNG (Alor Star).
- „ ENCHE' PETER LO SU YIN (Sabah).
- „ DR MAHATHIR BIN MOHAMAD (Kota Star Selatan).
- „ ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- „ ENCHE' JOE MANJAJI (Sabah).
- „ DR HAJI MEGAT KHAS, J.P., P.J.K. (Kuala Kangsar).
- „ ENCHE' MOHD. ARIF SALLEH, A.D.K. (Sabah).
- „ ORANG TUA MOHAMMAD DARA BIN LANGPAD (Sabah).
- „ ENCHE' MOHD. DAUD BIN ABDUL SAMAD (Besut).
- „ ENCHE' MOHAMED IDRIS BIN MATSIL, J.M.N., P.J.K., J.P.
(Jelebu-Jempol).

- The Honourable ENCHE' MOHAMED NOORDIN BIN MASTAN, A.M.N., P.J.K. (Seberang Selatan).
- " ENCHE' MOHD. TAHIR BIN ABDUL MAJID, S.M.S., P.J.K. (Kuala Langat).
- " ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- " ENCHE' MOHD. ZAHIR BIN HAJI ISMAIL (Sungei Patani).
- " WAN MOKHTAR BIN AHMAD (Kemaman).
- " TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- " ENCHE' MUHAMMAD FAKHRUDDIN BIN HAJI ABDULLAH (Pasir Mas Hilir).
- " TUAN HAJI MUHAMMAD SU'AUT BIN HAJI MUHD. TAHIR (Sarawak).
- " DATO' HAJI MUSTAPHA BIN HAJI ABDUL JABAR, D.P.M.S., A.M.N., J.P. (Sabak Bernam).
- " ENCHE' MUSTAPHA BIN AHMAD (Tanah Merah).
- " ENCHE' NG FAH YAM (Batu Gajah).
- " DR NG KAM POH, J.P. (Telok Anson).
- " ENCHE' ONG KEE HUI (Sarawak).
- " TUAN HAJI OTHMAN BIN ABDULLAH (Hilir Perak).
- " ENCHE' OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- " ABANG OTHMAN BIN HAJI MOASIL (Sarawak).
- " ENCHE' QUEK KAI DONG, J.P. (Seremban Timor).
- " ENCHE' S. RAJARATNAM (Singapore).
- " TUAN HAJI RAHMAT BIN HAJI DAUD, A.M.N. (Johor Bahru Barat).
- " ENCHE' RAMLI BIN OMAR (Krian Darat).
- " TUAN HAJI REDZA BIN HAJI MOHD. SAID, P.J.K., J.P. (Rembau-Tampin).
- " RAJA ROME BIN RAJA MA'AMOR (Kuala Selangor).
- " ENCHE' SANDOM ANAK NYUAK (Sarawak).
- " ENCHE' SEAH TENG NGIAB, P.I.S. (Muar Pantai).
- " ENCHE' D. R. SEENIVASAGAM (Ipoh).
- " ENCHE' S. P. SEENIVASAGAM (Menglembu).
- " ENCHE' SIM BOON LIANG (Sarawak).
- " ENCHE' SIOW LOONG HIN, P.J.K. (Seremban Barat).
- " ENCHE' SNG CHIN JOO (Sarawak).
- " ENCHE' SOH AH TECK (Batu Pahat).
- " DATU DONALD ALOYSIUS STEPHENS, P.D.K. (Sabah).
- " ENCHE' SULEIMAN BIN ALI (Dungun).
- " PENGIRAN TAHIR PETRA (Sabah).
- " ENCHE' TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- " ENCHE' TAI KUAN YANG (Kulim-Bandar Bharu).
- " ENCHE' TAMA WENG TINGGANG WAN (Sarawak).
- " DR TAN CHEE KHOON (Batu).
- " ENCHE' TAN CHENG BEE, J.P. (Bagan).
- " ENCHE' TAN KEE GAK (Bandar Melaka).

The Honourable ENCHE' TAN TSAK YU (Sarawak).

- „ ENCHE' TIAH ENG BEE (Kluang Utara).
- „ ENCHE' TOH THEAM HOCK (Kampar).
- „ PENGHULU FRANCIS UMPAU ANAK EMPAM (Sarawak).
- „ ENCHE' YEH PAO TZE (Sabah).
- „ ENCHE' YEOH TAT BENG (Bruas).
- „ ENCHE' STEPHEN YONG KUET TZE (Sarawak).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB (Langat).

ABSENT:

The Honourable the Prime Minister, Minister of External Affairs and Minister of Youth, Culture and Sports, Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M. (Kuala Kedah).

- „ the Minister of Labour, ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).
- „ the Minister of Information and Broadcasting, ENCHE' SENU BIN ABDUL RAHMAN (Kubang Pasu Barat).
- „ DR GOH KENG SWEE (Singapore).
- „ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- „ ENCHE' JEK YEUN THONG (Singapore).
- „ ENCHE' KHOO PENG LOONG (Sarawak).
- „ ENCHE' LEE KUAN YEW (Singapore).
- „ ENCHE' LIM HUAN BOON (Singapore).
- „ DATO' LIM KIM SAN, D.U.T. (Singapore).
- „ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).
- „ DATO' NIK AHMED KAMIL, D.K., S.P.M.K., S.M.J.K., P.M.N., P.Y.G.P., Dato' Sri Setia Raja (Kota Bharu Hilir).
- „ ENCHE' ONG PANG BOON (Singapore).
- „ ENCHE' OTHMAN BIN WOK (Singapore).
- „ ENCHE' TAN TOH HONG (Bukit Bintang).
- „ DR TOH CHIN CHYE (Singapore).
- „ ENCHE' WEE TOON BOON (Singapore).
- „ ENCHE' YONG NYUK LIN (Singapore).

PRAYERS

(Mr Speaker *in the Chair*)

THE CONSTITUTION (AMENDMENT) BILL

Second Reading

Order read for resumption of debate on Question, "That the Bill be now read a second time." (9th July, 1964).

Mr Speaker: The debate on "An Act to amend the Constitution of the Federation" to be read a second time resumes.

Wan Abdul Kadir bin Ismail (Kuala Trengganu Utara): Tuan Yang di-Pertua, saya bangun bagi menyokong Rang Undang² yang di-hadapan kita pada hari ini. Saya merasa bahawa memang-lah pindaan ini perlu pada perkembangan² negara kita yang

sedang bangun, yang sedang maju dan yang sedang berlari pada masa ini. Saya merasa bahawa walau bagaimana pun sa-saorang itu atau sa-suatu parti itu menentang Rang Undang² ini, tetapi sa-bagaimana yang di-katakan oleh Timbalan Perdana Menteri Singapura pada petang sa-malam, ia-itu sa-orang daripada orang yang telah mengkeritik Rang Undang² ini, memang dari masa ka-masa perlu-lah Perlembagaan itu di-pinda menurut keadaan.

Saya sendiri tidak bagitu dapat mengikut logik sa-tengah² Ahli² Yang Berhormat yang telah berchakap pada hari sa-malam saperti Ahli dari Kelantan Hilir yang telah mengatakan bahawa pindaan ini tidak berfaedah dan pindaan ini di-buat menurut nafsu parti yang memerintah sa-mata². Saya boleh-lah berkata kapada Ahli² daripada PAS itu, kerana saya sendiri tahu chara mereka berfikir: tiap² yang hidup itu bergerak, dia tidak beku. Kalau kita hendak sa-suatu perkara itu beku, perkara itu akan jadi batu, tidak akan bergerak dan tidak akan maju. Tidak boleh-lah kita hendak menganggap bahawa Perlembagaan ini kalau sudah bagitu ia bagitu-lah, daripada zaman Nabi Adam sampai Nabi Noah, sampai Nabi Muhammad dan sampai akhir zaman. Ini bukan-nya Kur'an. Ini bukan-nya Firman Tuhan.

Kita ada-lah membuat Perlembagaan ini untuk menyesuaikan keadaan² yang kita hadapi. Maka sebab itu pada masa ini dalam masa negara kita telah menjadi Malaysia, dalam masa menghadapi tanggong-jawab yang bertambah² dan dalam masa menghadapi berbagai² perkara berlimpah² datang-nya dari sa-genap cherok tentu-lah kita kena menengok Perlembagaan kita ini. Ada-kah perlu atau tidak kita tambah di-sana dan tambah di-sini, pinda di-sana pinda di-sini, untuk menyesuaikan diri dengan perkembangan² dan aliran perjalanan suasana. Maka sebab itu-lah dalam Rang Undang² yang ada ini tiga pindaan telah di-adakan untuk membolehkan melantek sa-orang Yang di-Pertua Dewan ini di-luar daripada Ahli Dewan Ra'ayat, jika perlu, dan untuk

menambah dan memasokkan jawatan² Setia-usaha Parlimen dan Setia-usaha Politik dalam Kerajaan. Dan saya sendiri nampak daripada perjalanan yang telah berjalan semenjak beberapa bulan yang akhir ini, semenjak kita telah mengadakan Setia-usaha Politik, maka kelichinan perjalanan Kerajaan dan kelichinan urusan² yang di-jalankan oleh Kementerian² yang berkenaan bertambah²—bertambah² dengan chara yang belum kita lihat masa Setia-usaha Politik ini belum ada dudok dalam Kerajaan.

Saya sendiri kurang bagitu mengerti di-atas sikap daripada Ahli² Petir yang nampak-nya kurang bagitu senang dengan mengadakan jawatan² Setia-usaha Parlimen dan Setia-usaha Politik ini. Memang pada masa sekarang ini, dalam masa kita menghadapi pembangunan yang besar ini, maka susunan pimpinan Kerajaan itu harus di-perkuatkan dengan bagitu rupa sa-hingga dapat-lah tiap² Menteri, Menteri Muda dengan Setia-usaha Parlimen dan Setia-usaha Politik-nya itu menjalankan kerja dengan sapenoh-nya. Kalau hanya sa-orang Menteri atau sa-orang Menteri Muda sahaja menjalankan kerja-nya, maka banyak-lah benda yang tidak akan dapat di-jalankan dengan chekap, chepat dan dengan penoh puas hati kapada pembangunan negeri ini. Tetapi kita tentu-lah tidak hendak buat macham yang di-buat oleh Singapura yang melantek Setia-usaha Politik-nya daripada ahli yang di-fikirkan boleh memberi sokongan kapada-nya dalam satu masa, kemudian tiba² dalam masa yang lain orang² itu-lah yang di-masokkan balek ka-dalam tahanan dan menjadi korban kapada Petir yang mereka itu sokong pada masa yang terdahulu.

Ada juga Ahli² Yang Berhormat pada hari sa-malam menyatakan saperti Ahli dari Batu dan Ahli dari Kelantan Hilir yang meminta supaya pindaan ini, kalau boleh, di-beri dahulu kapada tiap² Ahli dan Ahli² itu pergi meshuarat daripada kampung ka-kampong dalam kawasan-nya. Setelah dapat keputusan—kampung puteh, bagini keputusan-nya, kampung hitam, keputusan-nya bagini, kampung

merah, keputusan-nya bagini, baharulah kita binchangkan ka-mari. Saya fikir kalau kita buat begitu sampai berjanggut puteh pun barangkali kita belum dapat membuat sa-suatu pindaan kepada Perlembagaan kita. Itulah sebab-nya kita ada di-sini. Kita sakalian Ahli² Yang Berhormat adalah menjadi wakil kepada ra'ayat, mencherminkan fikiran ra'ayat, maka sudah chukup-lah masa yang di-beri kepada kita untuk menimbangkan akan segi²-nya pindaan ini dan untuk menyokong atau menentang pindaan ini.

Ada juga sa-malam di-nyatakan pendapat boleh jadi Rang Undang² ini di-buat untuk hendak beri kerja kepada M.P.² Perikatan. Memang untuk beri kerja kepada M.P.² Perikatan—kerja untuk membena negara. Kalau tidak di-beri kerja, kalau kita tidak menjalankan kerja ini, bagaimana kita akan dapat membena negara ini, bagaimana kita dapat menjalankan tugas yang di-serahkan oleh ra'ayat kepada kita sendiri.

Kalau kita hendak buat macham sa-tengah² parti lain yang dapat memerintah saperti PAS di-Kelantan, tidak mahu jalankan apa², hanya tahu terima akhir bulan sahaja. Itu senang-lah. Tidak usah pinda pun tidak apa. Kita bekukan-lah saja macham kehendak Ahli dari Kelantan Hilir tadi.

Ada pendapat² pada hari sa-malam yang menchurigai akan faedah-nya Dewan Negara—tidak ada sa-suatu bukti yang jelas konon-nya Dewan Negara itu telah menjalankan peranannya yang effective di-dalam pemerintahan negara kita semenjak ini, tidak saperti yang di-jalankan, saperti kata Ahli Yang Berhormat dari Batu, oleh Dewan Pertuanan British—House of Lord di-London. Bagaimana kita hendak bandingkan Dewan Negara yang baharu berumur 5 atau 6 tahun itu dengan sa-buah Dewan Pertuanan British yang sudah berumur beratus² tahun. Kita maseh di-pangkal jalan, maka tentu-lah—untuk melihat bagaimana kita hendak mensesuaikan diri, bagaimana kita hendak memajukan lebih jauh—mengambil masa yang lebih lama sedikit. Lima tahun bukan menjadi ukoran bahawa baik atau

tidak baik sa-buah Dewan Meshuarat sa-sabuah negara hendak di-berikan. Sa-panjang yang saya tahu, sa-takat ini, memang-lah Dewan Negara telah memainkan peranan-nya yang tersendiri dalam pemerentahan negara kita pada hari ini, dan kita merasakan maseh perlu dan tetap perlu ada-nya sa-buah Dewan Tertinggi dalam pemerintahan negara kita pada hari ini. Tidak ada sebab-lah bagi siapa untuk menunjokkan bahawa Dewan Negara ini tidak ada faedah maka kita hapuskan-lah saja dia, macham mana kata Ahli Yang Berhormat dari Batu pada petang semalam.

Kita nampak dalam Majlis City Council Pulau Pinang pun ada macham² perkara yang tidak baik, ada-kah kita patut hapuskan City Council Pulau Pinang yang di-perintah oleh Kepala Lembu itu? Bukan-kah pada tahun lepas ada macham² perkara berlaku—macham² enquiry hendak di-adakan dalam City Council Pulau Pinang? Ada-kah ini membolehkan atau mewajibkan kita mesti menghapuskan City Council Pulau Pinang? Kita harus melihat proses perjalanan sesuatu Dewan atau Majlis itu dari sa-masa ka-samasa dan kita baiki-lah, majukan-lah, perjalanan itu dari sa-masa ka-samasa. Dan dalam sa-buah negara yang menjalankan pemerentahan demokrasi memang kita memerlukan sa-suatu Dewan yang menjadi pertimbangan kepada Dewan Rendah atau Dewan Ra'ayat kita yang ada ini.

Ada juga sa-malam Ahli Yang Berhormat dari Kelantan Hilir mengatakan boleh jadi juga-lah dengan menambah Ahli² Dewan Negara dapat-lah di-beri kerja kepada orang² yang kalah pilehan raya; ini macham kata dulang paku serepeh. Tepok ayer di-dulang merechek ka-muka sendiri juga. Bukan semua orang kalah yang di-lantek. Orang kalah yang ada berkelayakan baik satu atau dua orang barangkali di-lantek, tetapi di-Kelantan asalkan kalah ada tempat jadi Senator, ada tempat jadi Setiausaha Politik semua di-sumbat. Yang dahshat lagi ada orang PAS di-Kelantan kalah dalam pilehan-raya Local Council. Perikatan dapat 6

kerusi PAS dapat tiga kerusi, pada satu tempat di-Kelantan. Kerajaan Negeri berhak melantek tiga orang lagi. Oleh PAS di-ambil 3 orang kalah itu di-lantek, jadi-lah 6 sama 6. Oleh kerana sa-orang dari ahli Perikatan yang menang itu jadi pengerusi, Perikatan jadi minority. Ini perbuatan PAS di-Kelantan pada hari ini. Memang-lah sa-mata² hendak memberi kerja, memberi peluang sahaja, kepada orang²-nya baik tidak baik, molek tidak molek, tidak kira, sumbat sahaja, sa-kerat-kah atau sa-paroh-kah, suka hati.

Ada juga pertanyaan dari Ahli dari Kelantan Hilir: apa kebolehan orang² yang di-lantek menjadi Setia-usaha Politik, apa pengalaman, apa kelulusan-nya. Tentang pengalaman dan berkelulusan ini, boleh-kah saya bertanya apa dia degree Setia-usaha Politik Menteri Besar Kelantan yang hari ini dapat pula kurnia Duli Yang Maha Mulia Sultan Kelantan—J.P.—Jaga Pintu atau Jaksa Pengaman, saya tidak tahu. Khabar-nya sekarang ini ada satu kerusi kosong untuk Kerajaan Kelantan melantek dalam Dewan Negara, menggantikan tempat Yang Berhormat Tuan Haji Nik Mohd. Adeeb—Senator yang telah meninggal. Dan saya dengar ada ribut gamat di-kalangan PAS siapa hendak pergi ka-sana. Orang kalah-nya banyak di-Kelantan. Ada yang kata Wan Mustapha, ada kata Dato' Mat Nasir, ada yang kata macham² lagi. Jadi jangan-lah bawa perkara saperti ini. Kalau mengata orang ada parut, parut awak kalau buka lebeh besar (*Ketawa*). Nanti malu lebeh kapada orang yang mengatakan itu.

Saya merasa bahawa oleh kerana pindaan yang ada dalam Rang Undang² ini, saperti yang di-katakan oleh Yang Berhormat dari Singapura, Tuan S. Rajaratnam pada petang samalam bukan pindaan yang besar, maka saya merasa kita tidak-lah memerlukan perbahathan yang panjang dalam perkara ini, dan saya nampak kalau Dewan yang mulia ini memang sedar akan tanggung-jawab-nya membuka jalan yang sa-luas²-nya kapada Kerajaan yang memegang tampok negara ini untuk berjalan dengan

lichin, untuk berjalan dengan baik, dan bagi Dewan ini untuk berjalan dengan baik, maka tidak ada sebab bagi Ahli² Yang Berhormat dari Pembangkang untuk membangkang Rang Undang² ini. Saya harap kita dengan senang hati sahaja boleh memberi chahaya hijau atau green light kapada Bill ini supaya dengan demikian Kerajaan kita akan berjalan terus menjalankan tanggung-jawab-nya dari sa-masa ka-samasa; dan memang-lah tanggung-jawab kita pula untuk melihat sa-takat mana perjalanan Kerajaan itu, terima kaseh.

Dr Awang bin Hassan (Muar Selatan): Mr Speaker, Sir, as a new comer to this House, I listened with rapt attention to the quotation, parable and sermon delivered by the paragons of political wisdom on this side of the House yesterday whilst speaking on the motion for this Amendment Bill to the Constitution.

Mr Speaker, Sir, we of the Alliance Party are filled with no less reverence for the Constitution and fully realise the implication of even a minor amendment to the Constitution. We have, however, reasons to believe that the Government must be faced with a genuine and urgent need for moving this Amendment Bill and has no alternative step to take.

With the creation of Malaysia, the Central Government has taken over tremendous amount of added responsibilities. Now, the transfer of responsibility for internal security for the State of Singapore, for example, and which has enabled the Honourable Member for Singapore to smile broadly now and sleep peacefully, must have put a severe strain on the Department and personnel concerned.

We are now in the throes of nation-building at home, and abroad we have to make our entry into the international field of politics and commerce in accordance with the demands of the time.

Last but not least, Sir, we have all these dreadful problems of Indonesian confrontation at hand, the end of which we are not able to foresee.

Now, Sir, may I ask the paragons of political wisdom of the other side of the House whether the present political set-up of the Central Government, which has been organised during the pre-Malaysia period, is adequate to cope with the overwhelming increase in domestic and international issues resulting from the creation of Malaysia which are facing the Central Government today. The answer must be obvious, Sir, to any right-thinking person. The political set-up of our Central Government demands immediate attention and strengthening. The appointment of Parliamentary and Political Secretaries is just a common feature of the democratic political set-up, although the Honourable Member from Singapore might feel highly gratified, perhaps, in thinking that the Central Government is taking a leaf from his book in creating appointments of Political Secretaries. In the case of the Central Government there might not be a genuine and pressing need for Political Secretaries in the past, but it has certainly arisen now.

If I may recall, Sir, the appointments of Political Secretaries in the P.A.P. Government, when it first took office, were filled by, or made to accommodate, comrade Lim Chin Siong and others, whose release from the detention was demanded by the P.A.P. as a condition for taking over the Government. I am sure that the appointments of Political Secretaries in the Central Government will be held by persons who will work for national interests.

Now, Sir, with regard to the Senate, it is only right that we, as a young and developing nation, should put our faith and trust in that political genius which has created the Upper House and which, in Great Britain, has stood the test of times and which, in our country, will make for stability and dignity of the nation.

Sir, it calls for great moral courage on the part of the Government to present this Amendment Bill in the face of unsparing criticism from the Opposition and also after realising its necessity and its implications. The Alliance Government, Sir, needs to act with vigour and determination to meet

its added responsibility in these perilous times.

I, therefore, support the motion.

Dato' Abdullah bin Abdulrahman (Kuala Trengganu Selatan): Tuan yang di-Pertua, saya juga bangun menyokong kuat pindaan yang ada di-hadapan kita ini. Pada pendapat saya, sudah-lah sampai masa-nya dan sudah-lah kena pada kehendak suasana dan keadaan di-dalam negeri ini, pihak Kerajaan membuat pindaan yang ada di-hadapan kita hari ini. Jawatan seperti Political Secretary dan Parliamentary Secretary itu ada-lah mustahak khas-nya pada masa sekarang di-waktu mana Menteri² dan Penolong² Menteri terpaksa memikul beban yang lebeh berat dan kerja yang lebeh banyak dengan tertuboh-nya Malaysia. Menteri² dan Penolong² Menteri kita sa-lain daripada membuat kerja sa-hari², mereka itu juga kena pergi menghadhiri meshuarat², menghadhiri parti² atau pun jamuan rasmi dan juga private serta melawat ka-kawasan² mereka dan banyak lain lagi tugas² yang mereka buat.

Nampak-nya banyak bangkangan daripada Ahli² Yang Berhormat dari parti pembangkang mengenai ada-nya peruntukan untuk jawatan Political Secretary dan Parliamentary Secretary itu. Kedua² Ahli Yang Berhormat daripada Singapura dan Ahli Yang Berhormat dari Batu dan juga Ahli Yang Berhormat dari Kelantan Hilir mengeluarkan perasaan kebimbangan, takut² orang yang tidak layak dan orang yang tidak ada pengalaman di-lantek memegang jawatan² itu. Tuan Yang di-Pertua, kita semua mesti ingat ia-itu pegawai² ini bekerja dan akan bekerja dengan Menteri² yang berkenaan. Jadi, ini tidak-lah berpatutan dan tidak-lah munasabah kita memikirkan ia-itu orang² bodoh atau pun orang² yang tidak berpengalaman dan yang tidak berkebolehan akan di-lantek pada jawatan² itu. Kemudian sa-tengah² daripada Yang Berhormat itu ada juga mengatakan churiga ia-itu pegawai² Parliamentary Secretary dan Political Secretary ini bertentangan dengan kerja² yang di-buat oleh pegawai² Kerajaan pada masa sekarang. Mereka bimbang takut² kalau

tidak ada saling mengerti pada menjalankan kewajipan-nya; takut² pegawai² Kerajaan berada di-sa-belah pehak dan Political Secretary dan Parliamentary Secretary pula berada di-pehak yang lain. Di-sini juga patut kita faham ia-itu di-mana² pentadbiran Kerajaan, kita ada dengan General Order kita, kita ada dengan berbagai² circulars, berbagai² directive daripada pehak atas yang menunjukkan kepada Parliamentary Secretary, menunjukkan kepada Political Secretary dan menunjukkan kepada pegawai² Kerajaan umum chara menjalankan kerja. Dari sebab itu tidak mungkin perselisihan faham atau pun tidak mungkin perbalahan berlaku atau pun timbul dari Parliamentary Secretary dan Political Secretary dan Civil Service yang ada sekarang ini.

Yang Berhormat daripada Singapura ia-itu Timbalan Perdana Menteri juga melahirkan, ia-itu barangkali kata beliau elok kita menumpukan lebeh lagi kepada meninggikan taraf, atau pun mencheapkan lagi bahagian pegawai² Kerajaan kita ia-itu Civil Servants daripada memberi perhatian berat, atau pun mengadakan jawatan² baharu seperti Parliamentary Secretary dan Political Secretary pada masa ini. Daripada apa yang beliau lahirkan, nampak-nya beliau memberi faham kepada kita semua ia-itu, barangkali masa-nya belum sampai kita mengadakan jawatan² ini. Saya ta' setuju dengan-nya, pada pendapat saya jawatan ini akan melichinkan tugas² Menteri² kita yang sa-lama ini terpaksa memikul bebanan yang berat, dan saya tahu mereka itu kadang² ta' dapat berehat.

Menteri² kita, Penolong² Menteri kita sa-hingga ta' dapat berchuti, kerana terlampau sebok, kerana terlampau banyak tanggungan dan dengan ada-nya Political Secretary dan Parliamentary Secretary ini, saya perchaya pekerjaan mereka dan tugas mereka itu akan menjadi ringan sedikit dan kita tahu ini ada-lah samata² untuk faedah dan kepentingan kita semua dan kepentingan ra'ayat di-dalam negeri ini.

Banyak pula di-antara Ahli² Yang Berhormat daripada pehak Pembang-

kang marah pada pehak Kerajaan, kerana ta' memberi masa yang panjang kepada mereka itu untuk mereka mendapatkan pandangan daripada pengundi² di-constituency, atau pun di-kawasan mereka.

Tuan Yang di-Pertua, kita harus berfikir waras dan mengambil sikap yang berpatutan di-dalam menghadapi pentadbiran negeri. Sekarang pehak Kerajaan telah mendapati yang pindaan ini mustahak di-segerakan dan pehak Ahli² Yang Berhormat daripada Parti Pembangkang tidak boleh bergaduh, tidak boleh berkata yang mereka tidak di-beri kesempatan untuk berfikir. Kita semua tahu, mengenai pindaan ini—kita di-beri beberapa hari untuk berfikir dan untuk mengeluarkan pandangan² kita dan sa-bagai sa-orang wakil ra'ayat, kita semua patut tahu akan tanggungjawab kita. Kita tahu dan patut tahu pada bila² masa pun apa yang dikehendaki oleh ra'ayat yang kita mewakili-nya itu. Jadi, saya suka juga hendak membuat sedikit kenyataan berhubung dengan apa yang di-tudoh oleh pehak Ahli Yang Berhormat dari Kelantan Hilir yang mengatakan, barangkali pehak Kerajaan sekarang ini tidak menaruh keperchayaan lagi kepada Yang di-Pertua kita yang ada pada hari ini. Pada pendapat saya ini ada-lah satu tuduhan yang melampau. Kita ta' ada membuat syarat di-dalam pindaan ini mengatakan Yang di-Pertua yang ada pada hari ini akan terpaksa kena berhenti dari jawatan. Kita semua tahu ia-itu sa-saorang itu tidak dapat hidup 100 tahun. Kalau bagi sa-saorang yang tempat-nya terpaksa di-ganti dan di-dalam membuat gantian itu, patut-lah kita ada kuasa, pehak Kerajaan ada kuasa mendapatkan sa-orang ganti yang sangat² menasabah dengan jawatan seperti Speaker ia-itu satu jawatan yang sangat penting.

Jadi, sekian-lah sahaja, Tuan Yang di-Pertua, dan saya juga berharap bahawa dengan ada-nya perlantikan Parliamentary Secretary dan Political Secretary ini, maka akan bertambah² lah lagi kecekapan Menteri² kita untuk menjalankan tugas²nya sa-hari²

bagi kepentingan negeri dan kepentingan ra'ayat di-dalam negeri ini; bukan-lah saya berma'ana yang sa-lama ini dengan ta' ada Political Secretary dan Parliamentary Secretary mereka tidak menjalankan kerja²-nya dengan chekap. Memang kita semua tahu yang Menteri² kita dan Penolong² Menteri kita sa-lama ini telah menjalankan kewajipan-nya, walau pun berat, walau pun ta' ada Parliamentary Secretary dan Political Secretary telah dapat menjalankan tugas²-nya dengan baik dan dengan chekap sa-kali. Sekian-lah.

Enche' Ali bin Haji Ahmad (Pontian Selatan): Tuan Yang di-Pertua, bantahan yang umum-nya di-kemukakan sa-chara keras oleh Ahli² Yang Berhormat daripada Parti² Pembangkang ia-lah mengenai chara pindaan ini di-kemukakan di-dalam Dewan Ra'ayat yang mulia ini. Kata mereka pindaan ini di-kemukakan dengan chara mengejut dan waktu yang di-beri untuk memikirkan masalah ini terlalu terbatas, atau suntok. Mereka juga mengambil pandangan daripada negara² di-Eropah dan Amerika. Jadi, soal-nya bagini: kalau di-Eropah dan di-Amerika, proses bagaimana yang kita chapai pada masa ini memakan masa 100 tahun; kita ambil contoh industrial revolution, 100 tahun. Tetapi kita di-sini tidak-lah perlu mengambil masa 100 tahun juga untuk mencapai hasil sa-bagaimana yang di-dapati oleh negara² Eropah itu. Oleh kerana itu kita harus berebut² mengejar masa.

Jadi, kalau di-Amerika dan di-Eropah, sa-suatu pindaan memakan masa berbulan² bahkan bertahun² dan juga sa-tiap pindaan memerlukan referendum, atau sa-bagai-nya, maka tidak-lah kita mesti mengikut chara² negara² ini, sebab-nya bukan-lah chara meminda itu yang penting, tetapi yang maha penting ia-lah tujuan dan hasil-nya. Ini yang penting sa-kali. Kita tahu bahawa tujuan Kerajaan Perikatan meminda ini ia-lah dengan tujuan yang baik dan dengan tujuan untuk mencapai hasil pemerintahan yang baik, yang sa-sungguh-nya mendatangkan faedah yang sa-banyak²-nya kepada ra'ayat dan negara kita. Kalau

di-fikirkan bahawa sa-suatu Kementerian itu hanya mempunyai sa-orang Menteri atau sa-orang Menteri Muda sa-bagai tambahan-nya, maka kalau di-rasakan tidak cukup, maka pehak Kerajaan mempunyai tanggung-jawab untuk meminda atau mengubah sa-suatu untuk melebihi chekapkan lagi perjalanan pemerentahan negara kita.

Kita sekarang bukan-lah sahaja sa-mata² hendak bermegah² dengan demokerasi berparlimen. Kita patut ingat kalau demokerasi berparlimen gagal memberi hasil yang memberi faedah kepada ra'ayat, maka alternative atau ganti-nya ia-lah chara pemerentahan yang bukan berdasarkan demokerasi berparlimen, sama ada yang akan naik ganti-nya itu gulongan kominis, yang kita sudah lihat sepak terajang atau tindak-tandok perjuangan Socialist Front di-negara kita ini yang sa-tiap langkah-nya itu menguntungkan perjuangan kominis di-negara kita atau gulongan tentera. Ada-kah ini sa-bagai latar belakang di-sabalek penentangan Ahli² Yang Berhormat daripada Socialist Front dalam Parlimen ini terhadap pindaan ini ya'ani hendak menggagalkan kejayaan demokerasi berparlimen kita? Atau pun yang akan nanti pemerentahan sa-chara one party system sa-bagaimana yang pernah di-kemukakan oleh Yang Berhormat Perdana Menteri Singapura, dan di-chabar oleh Yang Berhormat dari Batu, di-dalam suatu siaran talivishen dahulu. Saya pun tidak tahu betul. Jadi inikah di-sabalek bangkangan yang di-kemukakan oleh Ahli² Yang Berhormat daripada P.A.P. dalam Dewan ini, kerana kalau demokerasi berparlimen berjalan baik, maka one party system of government tidak mungkin naik di-negara kita ini, dan dengan yang demikian P.A.P. tidak akan dapat merupakan one party system to rule this country. Atau pun junta tentera tidak akan naik memerintah di-negara kita.

Soal yang terletak di-hadapan kita sekarang dalam mengkaji masaalah pindaan Perlembagaan ini ia-lah tujuan pindaan Perlembagaan ini ia-itu hendak memberi pentadbiran dan pemerentahan negara kita ini dengan

sa-chekap²-nya dan menguntongkan sa-banyak²-nya kepada ra'ayat. Ini tujuan-nya. Dan kalau kita menentang pindaan ini, maka bererti apa-kah kita hendak salah satu daripada tiga chara pemerintahan? Bayangan daripada sikap P.A.P. dan tidak di-nafikan oleh Yang Berhormat dari Singapura ia-itu Perdana Menteri-nya di-dalam satu siaran talivishen dahulu tentang one party system of government, atau pun pemerintahan chara komunis sabagaimana yang di-tunjokkan oleh tindak-tandok perjuangan Socialist Front sa-lama ini, atau pun junta tentera. Pileh-lah salah satu alternative atau ganti sistem pemerintahan demokrasi berparlimen kita. Dan kalau saya di-tanya: saya tegas mengatakan bahawa saya memilih demokrasi berparlimen, dan untuk demokrasi berparlimen akan berjaya maka tidak lain dan tidak bukan bahawa sistem demokrasi berparlimen itu hendak-lah sa-sungguh-nya dapat memberi faedah yang sa-banyak²-nya kepada ra'ayat. Dengan sebab itu-lah dan ini-lah salah satu sebab yang penting mengapa saya menyokong pindaan Perlembagaan ini.

Yang kedua-nya, masa yang di-beri itu terlalu suntok. Saya tidak-lah hendak merendahkan kechergasan berfikir Ahli² Yang Berhormat di-dalam Dewan yang mulia ini. Beberapa jam sahaja kita sudah boleh memahami segala sa-suatu mengenai pindaan Perlembagaan ini. Kita tidak perlu memakan masa berbulan dan tidak perlu memakan masa bertahun². Sa-tengah jam sudah habis kita bacha dan sudah pasti kita faham sa-penohnya. Jadi masa yang di-beri itu saya rasa sudah cukup untuk kita memahami kalau sa-sungguh-nya kita mempunyai kechergasan berfikir. Jadi soal kesuntukan masa yang di-beri kepada Ahli² Yang Berhormat dalam Dewan ini saya kira tidak timbul, kechuali kalau kita tidak mempunyai atau kurang kechergasan berfikir.

Ahli² Yang Berhormat daripada parti² Pembangkang khas-nya daripada Parti PAS dan Socialist Front, membantah tentang perkara Setia-usaha Parlimen dan Setia-usaha Politik (Parliamentary Secretary and

Political Secretary). Mereka mengatakannya bahawa sudah cukup-lah dengan adanya Pegawai² Perkhidmatan 'Awam yang banyak, dan di-arahkan pula kepada bangku² yang di-bela-kang barisan saya. Tetapi saya ingin mengingatkan ia-itu Ahli² Yang Berhormat itu sudah sa-patut-nya faham perbezaan kuasa, perbezaan peranan dan perbezaan tugas antara Pegawai² Perkhidmatan 'Awam dengan tokoh² politik dalam sistem pemerintahan negara. Pegawai² Perkhidmatan 'Awam hanya memberikan nasihat profesional atau perjawatan dan melaksanakan-nya, tetapi tugas² tokoh² politik sa-umpama Menteri, Menteri Muda, Setia-usaha Parlimen dan Setia-usaha Politik ia-lah memula dan membentok polisi (to initiate policy). Jadi saya rasa perbezaan tugas, peranan dan kuasa ini sudah terlalu jelas. Ini telah saya kemukakan tadi sabagai satu contoh. Jadi kalau kita banyak mempunyai Pegawai² Perkhidmatan 'Awam, maka tidak bererti-lah kita tidak harus mempunyai lebih daripada Menteri di-dalam sa-suatu Kementerian. Kalau hujah itu hendak di-kemukakan nampak benar-lah kejahilan kita tentang perbezaan di-antara legislative dengan executive dan di-antara peranan, kuasa dan tugas tokoh² politik dengan Pegawai² dalam Perkhidmatan 'Awam Negara. Dan lagi bertambah-nya tokoh² politik chara lebih dekat dan chara lebih langsung ia-itu lebih direct dalam pentadbiran negara ia-lah menguatkan kawalan, menguatkan pengawasan parti yang memerintah negara ka-tas pelaksanaan polisi parti yang memerintah itu. Jadi kalau kita tidak awas dengan sa-cukup dan sa-berkesan²-nya, maka kalau polisi itu tidak berjalan oleh berbagai hal, maka yang akan di-salahkan ia-lah parti yang memerintah. Tetapi di-satu pihak parti² Pembangkang sa-olah² tidak mahu parti yang memerintah dapat mengawal dan dapat mengawasi pelaksanaan polisi² pemerintahan. Ini-lah irony, ini-lah paradox, hujah² atau argument atau logik daripada parti² Pembangkang ia-itu berchakap tanpa berfikir sa-chara mendalam lebih dahulu.

Tuan Yang di-Pertua, Ahli Yang Berhormat dari Kelantan Hilir sa-malam telah menudoh bahawa pindaan Perlembagaan ini di-kemukakan untuk memberi jawatan kepada Ahli² Politik Perikatan yang tidak mempunyai pengalaman. Saya minta bagini-lah: ukor baju di-badan sendiri—(AN HONOURABLE MEMBER: Hear, Hear!)—Kalau Ahli² Parlimen daripada PAS itu tidak mempunyai pengetahuan dan tidak mempunyai pengalaman, maka jangan-lah pula dikenakan ukoran itu kepada Ahli² Politik daripada Parti Perikatan. Lihat sendiri latar belakang, lihat sendiri pengetahuan, lihat sendiri kecekapan Ahli² daripada Parti Perikatan. Jangan-lah mengukor baju orang di-badan sendiri. Itu sahaja. Ini merbahaya. “Macham katak di-bawah tempurong” akhir-nya. Dan patut saya tegaskan di-sini: tuduhan yang sampama ini ia-lah tuduhan yang melulu dan naïve sa-mata². Apa yang di-katakan oleh Yang Berhormat dari Kelantan Hilir sa-benar²-nya “tepok ayer di-dulang mercek ka-muka sendiri”. Ahli² Yang Berhormat daripada PAS yang dahulu-nya memerintah Trengganu, mereka itu tidak mempunyai kecekapan, bergaduh sama sendiri akhir-nya pemerentahan PAS di-Trengganu terlingkup habis jatuh dan ra'ayat-lah yang menderita sehingga Perikatan menyelamatkan mereka di-Trengganu sana. Kemudian kita lihat di-Kelantan, Ahli² Yang Berhormat dari PAS yang memerintah negeri Kelantan itu tidak ada mempunyai kecekapan, tidak ada mempunyai pengalaman. Kita lihat di-Kelantan apa yang telah jadi sampai buat jambatan pun tidak siap—siap sa-kerat itu pun macham² bunyi . . .

Tuan Haji Ahmad bin Abdullah (Kelantan Hilir): Tuan Yang di-Pertua, untuk penjelasan.

Enche' Ali bin Haji Ahmad: Silakan.

Tuan Haji Ahmad bin Abdullah: Ahli Yang Berhormat yang berchakap ini dia tidak tahu kerana jambatan yang sedang di-buat oleh Kerajaan PAS itu akan sudah dalam bulan 9 ini, tetapi kerana kejahatan Yang Berhormat itu . . .

Enche' Ali bin Haji Ahmad: Tuan Yang di-Pertua, “penyu bertelor beribu² kita tidak dengar, ayam bertelor sa-biji heboh sa-buah kampung” (*Ketawa*). Tuan Yang di-Pertua, Ahli Yang Berhormat dari Batu sa-malam memetek pendapat Professor Groves di-dalam buku-nya mengenai Senate—mengenai Dewan Negara kita. Saya tidak tahu Professor Groves mana yang di-maksudkan oleh Ahli Yang Berhormat dari Batu sa-malam. Tetapi saya pernah mengenal sa-orang yang bernama Professor H. Groves yang pada satu masa pernah menghadhiri bersama² dengan saya persidangan First International Conference of South East Asian Historians. Beliau menulis sa-buah kertas kerja yang bernama “Notes on the Constitution of Federation of Malaya”. Untuk pengetahuan Ahli Yang Berhormat dari Batu itu persidangan ini di-adakan pada January, 16 hingga 21 tahun 1961. Professor H. Groves baharu datang dua tiga minggu ka-Persekutuan Tanah Melayu dahulu dan terus membuat Notes on the Constitution of Federation of Malaya dengan mengatakan bahawa Constitution atau Perlembagaan Tanah Melayu tidak demokratik oleh kerana ada-nya hak istimewa orang² Melayu. Jadi di-sini yang menjadi persoalan kepada kita ia-lah sikap atau dasar Socialist Front di-negara kita ini. Kalau betul-lah chabutan ini daripada professor yang saya sebutkan ini, maka nyata-lah ia itu Socialist Front di-negara kita ini merupakan gerakan anti-Melayu sa-mata². Siapa juga yang sama berpendapat dengan-nya walau pun jahil tentang Perlembagaan negara kita maka terus² di-setujui dan di-kemukakan di-dalam Dewan yang mulia ini. Jadi chabutan² yang di-asaskan kepada pendapat² orang yang tidak objective pandangan-nya terhadap negara kita—yang tidak objective pandangan-nya terhadap Perlembagaan negara kita—tidak harus-lah di-bawa ka-dalam Dewan yang mulia ini. Jadi kesimpulan-nya, kejahatan di-luar itu di-bawa oleh Ahli Yang Berhormat dari Batu itu ka-dalam Dewan ini dan hendak di-sogokkan kepada kita pula. Kita dapat menimbang kalau benar-lah Professor

Groves ini dan ini-lah authority bagi Ahli Yang Berhormat dari Batu itu. Jadi saya tidak menghiraukan-lah kalau Ahli Yang Berhormat dari Batu itu menchela Dewan Negara kita ini; tidak menghairankan kepada saya semua sa-kali.

Kedudukan negeri ini harus kita insafi. Bahawa di-dalam dunia ini tidak ada sa-suatu yang terus-menerus lengkap dengan sempurna, maseh terdapat kekurangan². Mungkin juga pada Senate ini terdapat kekurangan²-nya, tetapi ini tidak boleh di-jadikan alasan untuk kita menentang ada-nya Senate—menentang wujud-nya Senate ia-itu Dewan Negara dan terus-menerus mengatakan Senate tidak memberi faedah dan Senate tidak memainkan peranan yang penting dalam negara kita. Kalau di-England, House of Lords memakan masa beratus² tahun untuk mencapai tradition-nya seperti yang ada sekarang ini, maka bagi kita waktu yang diberikan kepada Dewan Negara itu hanya beberapa tahun sahaja, ibarat kata pepatah Melayu “umor-nya sa-tahun jagong”. Jadi kalau sa-kira-nya terdapat kekurangan² pada Senate maka itu memang-lah perkara yang biasa. Kekurangan² pada Ahli Yang Berhormat dari Batu itu sendiri jelas terdapat dalam Dewan Ra'ayat ini. Jadi, “kuman di-lautan di-nampak-nya, gajah di-depan mata tidak di-nampak-nya”. Ini-lah sifat Ahli Yang Berhormat dari Batu itu, Tuan Yang di-Pertua. Mengenai pendapat Professor Groves yang di-katakan oleh Yang Berhormat dari Batu ia-itu mengatakan Senate tidak memainkan peranan yang utama di-dalam politik negara kita atau sa-bagai-nya maka di-sini harus kita insafi benar² bahawa yang menentukan bentuk-nya, yang menentukan sistem pemerintahan negara kita bukan-lah Professor Groves, dan bukan-lah sa-barang professor dari luar, tetapi ra'ayat sendiri di-dalam negeri ini yang harus menentukan. Ahli² Yang Berhormat di-dalam Dewan Ra'ayat kita ramai²-lah menentukan dan bukan Professor Groves. Saya harap Ahli Yang Berhormat dari Batu itu akan mengambil tahu dan akan menyedari hakikat bahawa sis-

tem bentok apa juga mengenai negara kita ini ada-lah di-tentukan oleh ra'ayat negara kita sendiri dan bukan oleh Professor Groves, dan di-dalam Dewan ini ada-lah di-tentukan oleh wakil² ra'ayat yang telah di-pilih itu, sekian terima kaseh. (*Tepok*).

Enche' S. P. Seenivasagam (Menglembu): Mr Speaker, Sir, I think we can expect quite a large number of backbenchers to speak on this Bill, because there are going to be quite a number of vacancies for Political Secretaries and Parliamentary Secretaries. Perhaps, they hope that by their performance today they may catch the eyes of some Ministers, who might recommend them for appointment as Parliamentary Secretaries. I do not think, however, it is dignified for any Member like the last Member to adopt an attitude in speaking to give the impression that if somebody of the Opposition were standing nearby, he would probably assault him. I do not think that a backbencher has got to go to that extent to catch the eye of a Minister. Sir, let us be dignified in addressing the House.

Now, I think it is most unfortunate, Mr Speaker, Sir, that this Bill seeks to increase the number of inmates, who are going to occupy the home for unwanted politicians in this country—the home which is otherwise known as the Senate. For the past five years, the Senate has been a burden to the people of this country. They have had to pay heavily to maintain these unwanted politicians. Now, even after five years of record, what can only be described as a flop, we find that the Government wants to add ten more Members to that House, which is going to cost the people—at \$750 or \$500, or whatever it may be, for one Member—\$5,000 a month to put in ten more unwanted politicians in the Senate.

Now, let us look at the objects and reasons. They are very vague:

“It is considered desirable to have more persons of wide experience who have voluntarily dedicated themselves to public service and welfare to participate actively in Parliament.”

If we try to recall the five years of record in the Senate, I wonder if any Member who speaks next can refer to any outstanding contribution that the Senate has made to the political and other progress of this country. If, by the appointment of ten new Members, the Government hopes that there will be ten more wise men in the Senate to advise them, then I ask them what is going to happen: if twenty-two wise men could not advise you properly in the past, are thirty-two wise men going to do better?

Mr Speaker, Sir, it is a very, very flimsy attempt to disguise what is no more than a scheme to provide political pensions for those who have supported the Alliance and for those who have been henchmen of the Alliance—and to provide these political pensions at public expense. This is not a Bill designed to serve the people of Malaysia. This is a Bill designed to serve certain individuals, who have been of service to certain leaders of the Alliance. There is nothing else to it.

Coming to Political Secretaries and Parliamentary Secretaries, I concede that it may be possible that in the case of one or two Ministries, perhaps, Political Secretaries and Parliamentary Secretaries may be necessary. But I do hope that it is not going to be made a practice that every Ministry is going to have a bunch of Political Secretaries and Parliamentary Secretaries grouping behind each Minister and Assistant Minister; and I particularly hope that the deficiencies of any Minister are not going to be supplemented by the provisions of a Political Secretary or a Parliamentary Secretary, and I have in mind, for example, particularly, one Ministry which should not be given a Political Secretary or a Parliamentary Secretary, and that is the Ministry of Education, because the Government has put in as Assistant Minister one who cannot perform his duties alone. The remedy would be to throw him back with the back-benchers and find somebody else who can do his duty without a Political Secretary.

Mr Speaker, Sir, the Amendment does not seek, I think, to limit the number who may be appointed. It says "may appoint any number from inside the House or from outside the House". But I hope the Honourable Prime Minister in appointing these Secretaries will bear in mind that he is going to authorise the expenditure of fairly large sums of public funds and that he will only authorise the appointment when he considers it really necessary and not where some Minister, who is unfit to do a job, wants a Political Secretary to be paid out of public funds to do his job.

Dato' Donald A. Stephens (Sabah):

Mr Speaker, Sir, listening to certain Members of the Opposition, one is given the impression that they believe that our Constitution is a sacred thing, that it should be static, and that there should be no change in it. Although I myself agree that the Constitution is sacred and that, as such, it should not be tampered with, I feel that the Constitution should be a live thing and as a live thing it is subject to changes to meet the needs of the times. For this reason, I support this Bill.

Sir, the Bill does not aim to take anything away. The Bill merely serves to provide, as the Explanatory Statement makes it very clear, for the appointment of Parliamentary and Political Secretaries, the appointment of a Speaker, who may not be a member of this Honourable House, and an increase in the number of Members in the Senate. As Members of the Opposition themselves have said, the Political Secretaries and Parliamentary Secretaries could have been appointed without resorting to an amendment in the Constitution. Why then did the Alliance resort to bring about amendments in the Constitution for the appointment of Political Secretaries and Parliamentary Secretaries? The answer is simple. The Alliance has decided to cause changes in the Constitution to allow for the appointment of Political Secretaries and Parliamentary Secretaries constitutionally, because it prefers to do things in the open. (*Applause*).

Sir, listening to some of the Members of the Opposition, again, one is given the impression that by these amendments, the object of which I have just mentioned, we are asked to tear apart the Constitution and we are called upon to break faith with the people by the amendments proposed in the Bill. But the truth, of course, is that we are not breaking faith with the people. We are in no way marring the Constitution at all. What we are doing is merely to help improve the machinery of the Government in the light of experience gained in the past eleven months since Malaysia was established.

What amazes me is that some of the Honourable Members of the Opposition have pretended to be pained by these straightforward amendments incorporated in this Bill because, as the Honourable Member for Pontian Selatan has rightly pointed out, some of the Opposition parties, in fact, are known to be paying only lip service to our Constitution—I say “lip service” because if they were to come into power, it is more than likely that they will not only amend the Constitution but, from the past indications, they will also throw our Constitution completely overboard. (*Applause*). Let us, therefore, not make too much of the criticisms made by the Opposition.

Sir, I call on this House to support the Bill.

Enche' Mohd. Zahir bin Haji Ismail (Sungei Patani): Mr Speaker, Sir, yesterday and this morning we heard so many grounds given by the Members of the Opposition against the proposed amendments to the Constitution. Most of them advanced merely the same reasons as those alleged by the Member from Singapore. The main reason appears to be that the Government had given a very short notice to the Members. In my opinion, whether the notice as given by the Government is short or sufficient is a matter of opinion. A certain Government considered that nine days election campaign was ample to enable the electors to elect their future

Government. The Alliance Government, on the other hand, considered that the electorate should be allowed about one month to ponder and decide which party should form the Government. The Alliance thought that the election of a Government in any country in the world is of vital importance.

It was also alleged that the Alliance Government has been changing the Constitution too often. Mr Speaker, Sir, this may be quite true, but as an elector I would have no objection so long as the amendments serve the interests of the people—and these amendments are for the public good and for progress. I do not want a Government to be retrogressive, or to use the popular term reactionary. In view of the circumstances around us and as time would warrant it, we want a Government that pushes ahead and fast. I think amendments to the Constitution had been made issues in the last general election. The people being progressive minded returned the Alliance into power with an increased majority.

Some of the Opposition Members even suggested that each and every elector should be consulted, or that there should be a plebiscite. If the Government were to hold a plebiscite, then the Opposition Members would be the first to accuse the Government that the Government is squandering public money and that the amendments proposed do not justify the holding of a plebiscite. The Alliance in fielding candidates in all the constituencies in the last election had notified the electorate without any doubt that they would seek certain amendments to the Constitution if the need arose. In fact, almost every political party advocated certain changes in the Constitution in one form or another. The electorate, as I said earlier, returned the Alliance into power and the Alliance now is justified in proposing the amendments without a plebiscite. I do not think that the Government in proposing the amendments, take them light-heartedly or casually as alleged by the Member from Singapore. We realise that the

Constitution is a sacred thing and is supreme, and in introducing these amendments we are very solemn. We introduced the amendments because they are necessary and we do not shirk to introduce them so long as we consider them to be for the benefit of the people.

Some Opposition Members said that the Constitution should not be amended to contain trivialities. If you want Parliamentary and Political Secretaries, they said, by all means have them without resorting to the amendment of the Constitution. Sir, I remember what has been said by the Chief Minister of Sabah, that the Alliance wanted to do things in the open. But, apart from that, in my opinion, these amendments are necessary to be made in the Constitution because if the posts of Parliamentary and Political Secretaries are not written into the Constitution, then they would be termed as members of the Public Service and would have, therefore, to be appointed by the Public Services Commission as stipulated by Part X of the Constitution. Parliamentary and Political Secretaries in relation to Singapore have been embodied in our Constitution and I would refer to Article 160 (2) of our Constitution, and I quote—

“member of the administration” means, in relation to the Federation a person holding office as Minister or Assistant Minister and, in relation to a State, a person holding a corresponding office in the State or holding office as member (other than an official member) of the Executive Council, and includes in Singapore political secretaries as well as parliamentary secretaries;”

Mr Speaker, Sir, the Members from Singapore did not seem to object to the amendment in relation to this part of the Constitution.

A Member from Singapore stated that there was a certain personality in the form of “Senator” Phogbound and he attributed the qualities of this Senator to certain of our Senators. I wish to point out that “Senator” Phogbound was an elected Senator in America. If the Member’s inference as to the qualities of the elected Senators were to be taken as correct, then it follows that any person elected

can be attributed with the same qualities and this of course includes the members of the House of Representatives.

The members of the Senate were alleged by the Opposition to be incompetent and that they have not contributed anything to the public good. Again, Sir, this is a matter of opinion. I personally hold a high opinion of our Senators and I think they have done a splendid job. Sir, the same allegation against them can be made against the members of the Opposition, including the members of the Opposition in the previous Parliament. Our Opposition members have failed to criticise constructively. Some of them failed to play their part as a responsible Opposition. The glaring example is this: in any national crisis in any country, the Opposition Parties should rally round and support the Government in matters affecting the honour and dignity of the country. But it is a matter of great regret to note that a number of the Opposition Parties in our country have failed to abide by this accepted practice of the role of a responsible Opposition Party (*Applause*).

Dr Lim Chong Eu (Tanjong): Mr Speaker, Sir, as I have been trying to catch your eye in these past few hours, I have either been brain-washed to right-thinkingness, or brain-washed to the stage of being addle-pated as I listened to the innumerable speeches of support coming from the Government Benches. However, Sir, I do not wish to participate in this debate in the sense of partisanship, nor in the sense of opposition and government, but as a Member representing a certain portion of our citizens, bearing certain responsibilities and discussing a matter of utmost importance to ourselves—namely, the very Constitution which creates and makes our nation. Sir, on a subject like this, the first reaction that I had—and I stand to be corrected on this point was that following a suggestion made by the Honourable Member from Sarawak, who spoke last night, is that on this very important issue, particularly

because the time allocated for the discussion and for the presentation of the Bill, has been so short that representative Members of this House certainly have had no time either to consult with their parties or with the people whom they seek to represent, so the least that Government can do would be to lift the Whip from amongst their own Members. The guffaws which were accorded this proposal implied that the Government has a Whip on this issue, but I stand to be corrected. If the Government has extended the Whip to all the innumerable numbers that is now possesses in this House, then one is left either to speak with great emotion, or one is left with the choice of not speaking at all. Under the circumstances, where the Government obviously commands under its Whip such large numbers, one must realise that at any time it could change the Constitution on the two-thirds provision that is provided by the Constitution. There is hardly anything, no matter how worthwhile, no matter how serious, no matter how important it is to the nation which the Opposition might try to bring to the attention of this House, that will not meet with exactly the same treatment which a previous Member spoke on earlier—the terrible danger of a one-party government submerging the meaning of democracy in this House.

Sir, I do not wish to be as unkind as the Honourable Member for Menglembu, to suggest that those, who have spoken from the Government Benches, have been stimulated by the prospects of possible appointments in the future. But I certainly do say that with this exercise of the Whip on Government speakers, the meaning of this debate loses its vitality, because no Member from the Government side can contribute any constructive idea to this change of Constitution from a point of view, which might necessarily be opposite to that of the Government.

Sir, I spent last night searching my own conscience and my own heart trying in every way to develop what I believe to be my duty and responsibility to my own constituency—the

duty and responsibility that I must bear as a Member of this very House as how best to try and bring up my views to the Government.

Right from the very outset I wish to urge the Government, and in particular I wish to urge those directly in front of me, with whom I must say I had close association in the past in formulating the basic structure of the Constitution of Malaya, that I did play some little part in the formulation of the Constitution of the former Federation of Malaya. Sir, I have also, in the past, been pictured and characterised in public by my former friends as one who left the Alliance Party through trauma, through misunderstanding, through carelessness. Sir, I want to reiterate here a point which I have made in public, and that is that one of the basic reasons why I found it necessary—and according to my conscience—to dissociate myself from men, whom I had learnt to respect and whom I had worked with with equal loyalty and equal fervour to create this nation of ours, was this issue of constitutional change. It was in part due to the previous elections of 1959—and here it has a little relevance, Sir, though you may rule me out of order, but I hope that if we accept that the Constitution of Malaysia has got a direct bearing with the development of the Federation of Malaya and the Constitution of the Federation of Malaya, you will admit that it is permissible for us to discuss some aspects of the Federation of Malaya—it was over this issue in the 1959 elections, in part due to the fact that the people of the Federation of Malaya at that time, who were newly adjusted to this concept of freedom and independence of our nation, who were not sure about their status, their position and their rights under the new Constitution, that we felt it necessary to advise the Honourable the Prime Minister that it would be unwise for us to make changes to the Constitution no matter how vital they may be, no matter how necessary they may be from the point of view of developing the greater

facilities for the processes of Government administration. The Honourable the Prime Minister, then the Prime Minister of the Federation of Malaya, promised us that no changes to the Constitution would be made. Nevertheless, eventually, changes were made to the Constitution; and then subsequently more and more important changes were again made to the then Constitution of the Federation of Malaya, which involved not only Federal matters but which eventually involved the very elimination of the Federation of Malaya and the creation of Malaysia. The very destruction of the old Constitution and the old nation in the creation of the new nation was a process which we naturally had to accept, but it was also one which we then maintained was so important that it required and necessitated the Government going to the people for another mandate. Sir, I understand from that past experience that these amendments that are contained in this Bill are minor in relation to those amendments made to the Constitution of the old Federation of Malaya for the creation of our new nation of Malaysia. Therefore, to my mind, I want it to be clearly understood that, whilst we were in the process of debating the creation of Malaysia, I and those who supported our Party insisted and advised and advocated to the Government that the Government should seek a mandate from the people.

Sir, I would agree with a large body of this House that on changes of this type to the Constitution, we need not necessarily seek this mandate. However, Sir, the Amendment contained in this Bill can be looked at from several different ways, and our objection to this Bill, and our opposition to this Bill, can be put across in certain ways, and I would wish, Sir, to take a little time to try clearly, dispassionately without rancour towards those who were my former friends, to try and urge them seriously to consider the deeper implications that are contained in this Bill, and to try and understand whether our views are not

to some extent correct—at least, to accept that our contribution to this House stems not from a spirit just of opposition, nor that which was so unjustly and ungenerously attributed to us from a backbencher over there, as being disloyal, but as criticism and opposition which strives to preserve what we believe to be an intrinsic and fundamental character of the nation, which we have built and the nation which we all strive to develop.

Sir, first of all, from the view of timeliness, the Honourable the Prime Minister is not able to be in this House as he is away in London and will be away to other parts of the world trying to prove to the world, and to tell the rest of the world, the importance of our new nation, the democratic nature of our new nation. Sir, under those circumstances, I urge Members from the Government benches not to sit upon our views with the massive weight which they posses and try to squash the Opposition, but to let the rest of the world understand that democracy exists in this House.

Secondly, the Honourable the Deputy Prime Minister, some time earlier this week, had urged this country to unite and to unite strongly in the face of Indonesian confrontation. Sir, we realise that, whether our views can hope to persuade this massive weight carried by the whip of the Alliance or not, whether what we say can convince you or not, whether we agree or whether we do not agree with the changes that are envisaged by this Bill, we shall have to fight and even to die for this Constitution, amended as it is, because we are part of one nation. So, to this extent, I feel there is an untimeliness in the passage of this Bill; and this untimeliness, to some extent, is exaggerated by two factors, one of which, or both of which, had been touched upon in different aspects by various speakers—originally it was mooted by the Honourable the Prime Minister of Singapore—that the time given for Members of this House to discuss and consider the merits and demerits of the Bill was short.

The other issue that was touched upon was that we are trying to move this Bill too rapidly, and that certain aspects of this Bill need not necessarily have been taken as a Constitutional amendment—other procedures could have been adopted to carry out the various needs of the Government to make itself more efficient. But say whatever you like, Sir, with sincerity, there is one thing which the Government must accept and, that is, no matter what the Explanatory Statement may say it is quite clear that when the Government spent months and months and months and months in deliberating over the changes to the Constitution of the old Federation of Malaya and making new provisions so that the new Constitution of Malaysia could be viable, they did not anticipate the enormous amount of work, the enormous amount of added responsibilities, and the intricacies and complexities of the problems that Malaysia would bring to them. To that extent, I sympathise with them, and I have no objection to their request for more assistance and more aid to them. I sympathise with them very greatly, because it would be more preferable in future for us to have a Parliamentary Secretary, or a Political Secretary, to the Ministry of Education distributing funds around just prior to elections rather than have the Minister of Finance himself going around dispensing public monies.

So, let us now examine this Bill in its various aspects. I would like to say right from the outset that I have no objection to Clause 2. I find no objection, because I think that is a necessary amendment that has been made to alter that part of our Constitution which was inadvertently overlooked during the discussions for the Constitutional provisions.

Strangely enough, Sir, I have also no objection to the increase in the number of Members in the Upper House or the Senate. Sir, I feel that the Constitutional provisions, which we have, make it quite clear the relationship of the Upper House to the Lower House. The Constitution makes it quite clear to us as to what part of the

democratic process in this country the Upper House has to play, and under those circumstances whether we add ten more people to rubber-stamp what the Lower House says or another one-hundred more is a matter for the Honourable Minister of Finance to decide. The Honourable Minister may, perhaps, find it more difficult to persuade us in future to try and make cuts and make greater sacrifices for the nation in terms of finance, and he so willingly and so easily agrees to the provisions for, at least, probably another hundred thousand dollars a year for somebody else to rubber-stamp what we have decided down here.

But, Sir, even as we treat this process of democracy lightly in this term, there is a serious aspect, because if you look carefully into Clause 5 of this Bill, sub-clause 43B. (1): "The Prime Minister may appoint Parliamentary Secretaries from among the members of either House of Parliament"—a point which was brought up first by the Honourable Deputy Prime Minister of Singapore—we begin to look at this Bill not from a legislative point of view, but from a Constitutional point of view, and at this stage we begin to search our hearts and try and express what we believe to be right or what we believe to be wrong. And, if I may digress somewhat at this stage, necessarily, I would like to pose a question to this House, and it is just this: what kind of democratic nation are we seeking, are we striving to develop? By the very provisions of our Constitution, and by the very definition in the past, we are attempting to establish a Constitutional democratic nation based upon the institution of parliamentary democracy. Sir, that I believe is a fair and a correct definition of what our Malaysian nation represents in this world and also to ourselves.

It was, I think, a little bit unfair for Members from my own side of the House, Members of the Opposition, to try and derogate the position of the Senate and I was somewhat taken aback, to find that Members from Singapore had a little hesitation over

their acceptance of the Upper House. I had presumed that when they decided to come into Malaysia, and when they expressed great fervour to join Singapore to the Federation of Malaya in the formation of Malaysia, they had accepted our Constitution and our Constitution provides for an Upper House. Sir, I was somewhat taken aback by this reservation—they did have some reservations. Sir, in the past, we did have Ministers who served the Government and who came from the Upper House, and it must be a tribute to the history of this House, if we take the history to the extent not just the first meeting of this House of this particular session but our history to the extent back to the origins and development of the Federation of Malaya, it must be a tribute to the Members of the Upper House that we have had Ministers from the Upper House who have served this nation well and honestly and courageously. I may say that there was one Minister in particular with whom on many occasions I did not agree, or find myself in agreement, but there was no question about the fact that in all his life, according to the merits of the situation, he had served the House to the best of his ability, although circumstances of our political history made it necessary for him to leave our House to join the Upper House. I refer to the late Honourable Tun Leong Yew Koh. We have also this recent experience, which I am less associated with, where a Minister from the Upper House so decided on the importance of the Lower House that he resigned from the Upper House and sought elections and now represents the nation and the Government as a fully elected Member, as a Minister in this Lower House. So, it is merely an academic controversy as to whether what qualifications the Members of the Upper House should or not have. The important issue, however, Sir, is what I have mentioned just now, namely, that this Honourable Member who previously served us as the Minister from the Upper House, has decided to seek elections and now come to the Lower House to be a Minister.

Sir, from my way of looking at things, the fundamental basis of the democracy which we seek to build in this nation, arises from our desire to establish a representative Government. Our Constitution provides that every citizen shall have equality and the right of franchise and that every citizen of this country should have the right of representation in Parliament and that the process of representation should be carried out by a free system of elections. Therefore, the cornerstone of our form of democracy is parliamentary democracy. The cornerstone of the character of our nation is determined by the character of this House. Sir, on this point, I would like to say, as I mentioned earlier, that after much heart searching last night, I have decided to approach this subject on a basis of equality amongst all the various Members in this House, accepting each one as truly elected representative of the people from various parts and from various constituencies in this new nation of ours. I accept this, Sir, even though I have reservations over the methods of elections that prevail in Sabah and in Sarawak. I accept our friends who have been elected by the three-tier system into this House because I understand, and all of us understand, that this is but a transitional stage, and everybody accepts that the time will come when they too will develop the true, final and critical nature of parliamentary democracy and that in Sabah and Sarawak we will also have direct elections and free elections to this House and not by indirect elections.

Therefore, Sir, when you look at this Bill, the first evidence of the contamination and the first evidence of adulteration and corruption of the very status and nature of this House appears in Clause 5, namely, that a Member who is not elected, who has not undergone the necessary process of elections should be admitted to this House—in this particular case, it is admitted from the top, from the Upper House.

The Minister for Home Affairs (Dato' Dr Ismail): Mr Speaker, Sir, on a point of explanation. Several

Honourable Members have formed a wrong impression about these Parliamentary Secretaries. I have made it clear in my speech that a Member, who is elected as a Parliamentary Secretary and who is chosen from among the Members of the Senate, can only speak in that House and that a Parliamentary Secretary chosen from this House can only speak in this House. So, one from the Senate cannot come here to speak in this House, neither the one from here can speak in the Upper House. I have tried to make this clear, because I see that so many Honourable Members, who have spoken, have a misconception of that one—probably because they are busy thinking of reading this Bill, or because they have a short time to read it, or because they just refused to hear my introductory speech, and hence their miscomprehension in regard to Parliamentary Secretaries.

Dr Lim Chong Eu: Sir, I thank the Honourable Minister for his clarification because it is very timely and it has relevance to what I am going to say. I did start thinking along these lines of his very explanation, Sir, on this issue, because part of my argument is the question of the relationship of the Lower House and the Upper House. If, under the Constitution, the Upper House is to have any significance at all, then the rights and duties and the responsibilities of the Members of the Upper House should have a rightful and proper place in our nation. I have no objection to more Members being appointed to the Upper House, nor have I any objection to Members from the Upper House serving as Ministers to this House. But it begins to challenge our meaning and our concept of the relationship of the Lower House and the Upper House if Members of the Upper House are to serve as Parliamentary Secretaries to the Ministers of this House. Sir, under those circumstances, the people who are appointed or the persons who are appointed to the Upper House, whose proper duty is to supervise and re-think over what we debate and decide in the Lower House, will be made tools and adjuncts of the Cabinet and no

respectful man, no person, who accepts his post or appointment with any sense of conscience at all, would accept such an appointment to be a Parliamentary Secretary to a Minister of the Lower House when his rightful position in the Upper House is one which, in brief, is to serve as the conscience and the second thinking that is necessary to be given to our structure of democracy. Sir, this is the point which I wish to introduce: that even if we accept that members of the Upper House have been chosen with care and that members of the Upper House are, all of them, honourable men, justifiable by academic qualifications, by terms of loyalty, by service—lip service and otherwise—to serve in the Upper House, even if we accept all that, Sir, I think it is wrong to complicate, first, the relationship between the Upper House and the Lower House as it exists under the provisions of our Constitution, to make the Upper House an adjunct to members of the front bench of the Government benches here. I think, Sir, it is incorrect to bring in into this category members who have not gone through the process of free parliamentary elections. Sir, if all that I have said with regard to the members of the Upper House prevails, then what I am going to say with regard to the appointment of Political Secretaries must have even greater significance.

Under clause 5—Article 43C (2)—provision is made for the appointment of Political Secretaries. The first point that we note is Article 43C (2) (a)—that shows you the complexity of our thinking—that “A person appointed as a Political Secretary need not be a member of either House of Parliament.” Here, Sir, we come to basic constitutional arguments. Sir, the arguments that I wish to bring up from the constitutional point of view lie in two aspects. The first aspect, to some extent, has been touched upon by various members of the House, namely, that if the Government feels that it is necessary to have more and more people to advise them, more and more people to assist them in the development of this country and in the

administration of this country, then rightfully such persons should go and swell up the ranks of the Public Service or the Government Service. Sir, we would have no objection if the Honourable Finance Minister came forward with a Bill asking us to provide for a greater number of posts to build up the Civil Service of this country in order to assist the Government in the proper administration of this new nation of ours—Malaysia. We would have not objected to that. But it is presented to us in this form of a nether-nether group—neither vampire, bloodsucker nor representative—coming here under the guise of Political Secretary without belonging to either House. We already know of one instance—although I must admit that my personal acquaintance with this person gives me every reason to respect him and admire him—but we already have one instance of an appointment as Political Secretary of a person who stood in the elections and failed to get through and failed to obtain representation from the people—a person whom his own constituency did not see fit to appoint as a representative in this House has been appointed as a Political Secretary. Sir, this concept of bringing in persons who need not necessarily have to go through the process of parliamentary elections, a process which I had earlier maintained as the criterion of the type of democracy that we are trying to achieve in this nation—makes a mockery of the purpose of this House. It will also create problems in the future, and in fact such problems already exist where the Government has appointed persons who are admittedly in the Government Service and put them in the position of Political Secretaries, which could place them in a position of being above the Government Service and below the Government—somewhere in between and betwixt. Sir, if these Political Secretaries are used properly, it has been said, they can be of use to this country. But at the very best, and without any rancour at all, with no implications in mind, the great tendency of such Political Secretaries from what we know from our

experience in the Federation of Malaya and from what we know from the experience in the State of Singapore, which has now joined us, is that Political Secretaries tend steadily and slowly to degenerate into a position which we professedly abhor, namely, to the status of being “political commissars”. Sir, therefore, from the constitutional point of view, the creation of the post of Political Secretary would mean that we will bring in as members of this House, who will directly or indirectly influence the discussions in this House, persons who have not gone through the process of the elections. The appointment of Parliamentary Secretaries, who also may be persons who have not been elected, I feel will to some extent also adulterate the concept of parliamentary democracy which everybody professes they hold so dear and close to their hearts.

Under these circumstances, I feel that it is not necessary for us to create the posts either of Parliamentary Secretaries or of Political Secretaries. Certainly there is no need for us—here, Sir, I am very greatly indebted to the Honourable Member who spoke from the front bench opposite me and who referred to Part X, Article 162 of the Constitution—to give a special constitutional status and position to persons whose jobs should properly be adjunct to that of the Ministers and Assistant Ministers; there is no need for us to give constitutional status to a person who is a Political Secretary—unelected, unwanted and only appointed in unlimitable numbers, apparently to suit the whims of the Cabinet.

Sir, I wish now to touch on the question of the appointment of the Speaker himself. I feel that the provision of this Bill for the appointment of a Speaker who need not necessarily be a member of this House will become the cornerstone of the complete meaninglessness of the parliamentary system of our house. If we are going to have a Speaker who is not necessarily an elected member, not necessarily a member of this House, then why on earth do we spend all these millions and millions of

dollars to have free elections? Why, Sir, do we go on professing that we want to uphold the system of parliamentary democracy? The explanation given by the Honourable Minister when he moved the Bill—I hope I am correct, but if I am not correct I would not mind being corrected because this is important—but the point brought up by the Honourable Minister is that in other countries the Speaker of the House normally is accorded the respect that the other parties do not generally challenge him. Sir, I speak with a certain degree of personal association here, because with great deference to you, Sir, during the last elections our party was the only party which had the temerity and the misunderstanding of putting up a candidate against you (*Laughter*). But there was no indication as far as we knew, Sir, that you would be the next Speaker of the House. The inducements, as we understand it, for persons to seek to be Speakers in the House in the past have been very great. Out of the number of Speakers that we have had, two of them had eventually become Governors of States—and there are new States to become Governors of; others have had inducements and perquisites which make the appointment to a Speakership not a small inducement. Therefore, Sir, I feel very strongly that the Speaker to the House must come from amongst the Members of the House. I can assure you, Sir, if in fact our history proves that Speakers of the House do actually have the courage and the conviction to go back to the electorate, then it is very likely, by tradition, we shall develop a situation where no Opposition Party would put another candidate to fight against the Speaker of the House in an election. But, unfortunately, our history did not provide us with such a situation whereby the Speaker of a previous House had sought re-election in our general elections. So that does not arise, and the probability, I think, is very slim. Speaking on behalf of my Party in opposition, Sir, I would assure you that if in future the Honourable the Speaker of this House decides to stand again in general elections, we, on our

part, can give you an undertaking that we will not put up a candidate against him. (*Laughter*).

Dato' Dr Ismail: On a point of clarification—for the whole Opposition?

Dr Lim Chong Eu: Sir, I feel certain that this particular aspect of our development as a democratic nation, which must develop not through the provisions of law or the provisions of constitutional change but through the passage of time, the tradition and the experience that our nation has, will certainly make it quite feasible that all Opposition Parties will subscribe to the form and manner of our democracy, and will in future certainly respect the position of the Speaker; and if the Speaker so chooses to stand for re-election, they would, I am certain, by tradition, slowly build up a process where that particular seat would not be contested. Sir, however, I do hope that the Alliance Party in its power would not choose under those circumstances to put the Speaker in their weakest possible constituency so that the Opposition is deprived of some of the possible benefits of elections. (*Laughter*).

Sir, I feel from these three points—first, the slow introduction of Parliamentary Secretaries from the Upper House, then the building up of the concept of Political Secretaries who need not necessarily be a member of any House, and now the question of the Speaker, who need not necessarily be a member of this House—all boil down finally to one cardinal aspect of our Constitutional problem. Sir, this matter is really not a matter for us to debate strongly. If the Honourable the Minister of Finance can find the money for all these Political Secretaries and Parliamentary Secretaries, what objection can we have? But the constitutional problems is just whether our country is a democratic country based on parliamentary democracy. Is the nature of this very House itself to be sacrosanct? This House which is the ultimate legislative body of the nation, this House which is the ultimate body to represent the interests of the people, this House which is charged with the

responsibility of preserving the spirit of our Constitution, this House which is charged with the greater responsibility of refining and developing and instilling into our very lives the meaning of the word "democracy" as it appertains to us, should it derive its powers and its position from the process of free elections, or it is going to be contaminated and adulterated by other process, which we cannot accept as truly democratic? That, Sir, is the issue that we have to understand.

Sir, therefore, I would like to end up by saying this. I am quite certain that my former friends on the Front Benches of the Government, with whom I have had long discussions, over nights, days and months, on the question of the Constitution, will appreciate that what I say now from across this side of the floor is not meant in any way to imply any arrogance, any failure of responsibility on their part. I feel that there is still some sensitivity,—although when I brushed with the Honourable Minister of Works, Posts and Telecommunications yesterday his reactions were almost a hyper-sensitivity reaction, one which the Ministry of Health could well look into although I had no desire to provoke any undue response—Sir, I do urge the Front Bench of the Government to appreciate that many years ago we did discuss the question of the appointment of Parliamentary Secretaries, and the development of the concept of Political Secretaries, I think, is an innovation which they have developed themselves. But certainly, Sir, there is no need for any constitutional amendment for the creation of these posts. There is no need for us to halo the position, particularly that of a Political Secretary who has not been elected, or the position of a Speaker, who has come into this House not by the due process of election but by appointment; there is no need for us to amend the Constitution for that purpose.

Dato' Dr Ismail: On a point of explanation. May I elucidate from the Honourable Member, how can one do it without amending the Constitution? I am very interested to know, because

he has not said how it can be done. I would like to know from him.

Dr Lim Chong Eu: That it should not be done at all. (*Laughter*) Sir, I have implied it should not be done at all. I think that we should be happy with the present provisions of our Constitution where the Speaker is appointed from amongst the elected Members of this House and there is no need for us to make an amendment to the Constitution to provide for the appointment of a Speaker, who does not come into this House by the usual, normal democratic means of our nation, of our Constitution—namely, through the process of free and direct elections. Sir, under the circumstances, I must say that our opposition to this Bill stems: firstly, from the point of view of the untimeliness of the Bill—because if we pass this trivial Bill with its deeply important overtone of the adulteration of the democratic process of our country at a time when our Prime Minister is away trying to convince the rest of the world that we are a democratic country, we will be passing it under the power of the Whip; secondly, our nation is going through a period of test of unity throughout the nation—and unity in this House over fundamental issues should be real and flexible; and thirdly, because of the very triviality of the proposition—I mean that the amendments could have been brought in in other forms, (1) for Parliamentary Secretaries, through the recommendation of the House Committee with the approval of the Minister of Finance through an ordinary legislative Bill; and (2) for a Political Secretary to be recognised as more help being required for the Prime Minister with the approval of the Minister of Finance through a Bill asking this House for provision for a greater number of posts in the Civil Service. These are the various ways whereby we can meet the various needs that the Government feels it has.

Sir, in this final and last rejection of what we believe to be sacrosanct, what we believe to be of vital and fundamental importance to our form

of democracy, namely, the position of this House, the position of the Speaker, vis-a-vis this House, the necessity of this House to develop and to be established through the process of free parliamentary elections, all these three factors taken into consideration make it necessary for us at this stage, at this time, to oppose the Bill, and I will strongly ask all those who are convinced in their hearts, not by the exigencies and the needs of the House, but by what they believe to be democracy, as we want to establish it for this country, not to let this Bill go through the second reading in order that we may best preserve the very spirit of the Constitution under which we work, so that we can best assist in the development of the kind of democracy that we want to prevail in our nation.

Enche' Abu Bakar bin Hamzah (Bachok): Tuan Yang di-Pertua, Bismilla hirrahman nirrahim (dalam bahasa Arab).

Mr Speaker: Bahasa yang digunakan di-dalam Majlis ini ia-lah bahasa Melayu dan Inggeris sahaja. Kalau sa-kira-nya Yang Berhormat hendak menggunakan bahasa Arab atau sabagai-nya hendak-lah di-tafsirkan atau di-terjemahkan dalam bahasa Melayu (*Ketawa*), sa-kali pun do'a.

Enche' Abu Bakar bin Hamzah: Tuan Yang di-Pertua, di-dalam mengubah Perlembagaan itu nanti pehak Kerajaan sedang meruntuhkan rumah mereka itu sendiri itu-lah sebab mustahak Uhari ribu (Arab).

Tuan Yang di-Pertua, memandang kapada sebab² atau pun tujuan² dan sa-bagai-nya yang di-terangkan oleh pehak yang mengemukakan Bill ini dan di-tambah pula oleh penerangan² dan penjelasan² di-berikan oleh backbenches dan kadang² malah kerap kali berlawanan balek sa-mula dengan apa yang di-kemukakan oleh Menteri yang berkenaan ia-itu ada di-bahagikan kapada dua sebab, yang pertama oleh kerana Menteri² dan Menteri² Muda kita terlalu banyak tugas-nya kerana yang kedua ia-lah kerana Perlembagaan kita ini ia-lah satu perkara yang hidup dan bukan mati.

Tuan Yang di-Pertua, masaalah banyak tugas ada-lah satu perkara biasa bagi sa-orang Menteri dan saya suka-lah menyebutkan bahawa alasan ini tidak-lah sa-patut-nya menjadi satu sebab dan tujuan sa-hingga Perlembagaan sa-sabuah negara itu diubah sa-kali pun daripada kekurangan kaki tangan yang hendak menjalankan kerja² yang lebeh banyak merupakan routine daripada urusan² yang besar. Tuan Yang di-Pertua, saya teringat satu pantun yang berbunyi: "Kalau takut di-lambong ombak jangan berumah di-tepi pantai, kalau takut tugas yang banyak, jangan chuba masuk partai". Tuan Yang di-Pertua, dalam masaalah perubahan tidak-lah pula kita hendak bahathkan dalam segi Perlembagaan kita yang berchorak rigid atau pun inflexible, saya bersetuju bahawa Perlembagaan kita ini satu perkara yang hidup dan yang hidup mesti bergerak sebab memang sifat bagi yang hidup itu dia bergerak.

Tuan Yang di-Pertua, walau bagaimana pun di-dalam kita hendak mengubah Perlembagaan ini, kita dapati ada dua perkara yang menimbulkan perasaan hairan ia-itu di-dalam Clause 5 Article 43B dan juga 43C ia-itu dalam Clause ini berkehendakkan kapada jawatan² baharu di-dalam Parlimen ini. Pada hal Parlimen kita sudah chukup-lah di-penuhi dengan Ahli² yang di-pilih atau pun yang melalui proses yang munasabah bagi Dewan seperti Dewan yang bertuah ini. Apabila kita tambahkan lagi Ahli² yang tidak menerusi saloran yang sa-benar akan menambahkan lagi jatohnya nama baik Dewan ini kerana pada masa ini juga sudah chukup kita mempunyai manusia² yang masuk kamari melalui jalan² yang tidak begitu sehat. Bagi pendapat saya ia-itu orang² yang kalah boleh dudok semata² menerusi Undang², ia-itu mereka² yang tidak patut dudok di-sini pun ada dudok di-sini. Jadi, Tuan Yang di-Pertua, saya bimbang dengan ada-nya pindaan Perlembagaan ini daripada Article yang di-berikan itu, boleh juga di-buat satu Undang² dan di-masokkan lagi Setia-usaha² Politik itu pada

Parliamentary Secretary dengan Parliamentary Secretary yang sudah ada ini. Jadi dengan perasaan semata² ada Clause dan Article di-dalam Perlembagaan, kita membenarkan kita berbuat begitu. Dengan yang demikian tidak-lah ada nama baik dan dignity atau prestige menerusi proses election atau pilihan raya.

Tuan Yang di-Pertua, itu ada-lah di-dalam kita memikirkan kedudukan Tuan Yang di-Pertua itu ada-lah satu perkara menghairankan dan satu perkara yang lebih hairan dan ajaib ia-lah di-dalam kita memikirkan kedudukan Tuan Yang di-Pertua—Speaker sendiri boleh di-lantek daripada orang² yang bukan Ahli di-dalam Dewan ini atau Dewan Atas. Tetapi yang menjadi hairan dan ajaib-nya Deputy-nya atau Timbalan-nya itu tidak begitu pula. Jadi yang besar tidak mesti, yang nombor dua, mesti—ini-lah saya kata hairan bin ajaib. Kemudian daripada itu, Tuan Yang di-Pertua, yang hendak di-lantek ini nampak-nya akan bertanggung-jawab kepada Perdana Menteri ia-itu tentang perbelanjaan-nya akan di-putuskan oleh Cabinet; duit minta di-situ juga-lah. Dan begitu juga tentang bila dia hendak bekerja dia hendak sumpah, bila dia hendak berhenti semua-nya terpulang kepada Cabinet atau pun sa-kurang²-nya Perdana Menteri memutuskan. Tuan Yang di-Pertua, lantekan bagini menambahkan burok lagi lantekan itu kerana Setia-usaha itu tidak akan dapat bekerja dengan sa-benar kerana dia takut kalau dia itu di-berhentikan kerja atau di-buang. Jadi ada-lah lebih baik kalau jawatan² mustahak ini di-serahkan kepada Civil Service dan saya perchaya Dewan ini akan menerima kalau kita menambah lagi kechergasan mengikut tunjok Perdana Menteri dari satu masa ka-satu masa dengan semata² hendak menjaga kedudukan-nya.

Tuan Yang di-Pertua, kalau-lah Yang Berhormat² Menteri² dan Menteri² Muda itu berhajatkan penolong² dan Setia-usaha² yang sama sa-hulu dengan mereka itu, saya rasa tidak-lah mustahak sangat di-bawa perkara itu di-dalam meminda Undang² Perlembagaan, kerana apa yang dapat saya

faham daripada ucapan² dari parti yang memerintah sendiri, menunjokkan mereka itu mempunyai pengetahuan yang tinggi ia-itu higher calibre membetulkan dari dalam ia-itu memilih Menteri² Muda yang mempunyai degree² dan diploma² supaya tidak-lah pula Menteri yang sa-benar itu dapat Menteri Muda yang gulongan lebih macham Menteri yang atas juga, jadi terpaksa Menteri² itu kita mengadakan Setia-usaha Politik-nya dan Setia-usaha Parlimen-nya. Saya berasa kalau macham itu di-buat, dan kalau macham itu di-pilih ahli² pehak yang memerintah daripada orang² yang berkebolehan dalam satu lapangan itu, saya rasa masalaah itu tidak berbangkit dan apa-tah lagi hendak di-bawa masuk dalam Perlembagaan dan mengubah Perlembagaan.

Saya menchabar Kerajaan menunjokkan kejujuran-nya dalam perkara ini. Saya menudoh Kerajaan, bahawa Kerajaan chuba membuat Perlembagaan ini sa-bagai programme kempen Pilihan Raya tiap² hari, ia-itu bila kosong di-tambah sa-hingga Perlembagaan ini pula yang akan meliputi seluruh Malaysia ini juga di-buat dengan aliran yang begitu. Tuan Yang di-Pertua, kalau-lah pehak Kerajaan yang mengemukakan Bill ini berasa jujur benar² mustahak supaya benda yang hidup itu bergerak boleh diubah, saya chabar pehak Kerajaan supaya mengadakan pindaan berkenaan Nationality bagi bangsa ini—ia-itu nama kebangsaan bagi negara ini di-tentukan lebih baik daripada meminda Undang² dengan sa-mata² hendak memasukkan Political Secretary atau pun Parliamentary Secretary. Jadi, Tuan Yang di-Pertua, masalaah itu lebih besar daripada Setia-usaha Politik atau Setia-usaha Parlimen—yang itu di-tinggalkan, dan yang kecil di-bawa masuk di-dalam Dewan ini. Jadi, Tuan Yang di-Pertua, nyata-lah kalau kita katakan bahawa motive atau pun niat dalam menentukan Bill ini ada-lah akibat daripada kurang puas hati daripada pehak sa-sama yang memerintah itu sendiri, saya rasa tidak-lah mustahak berchakap panjang kerana Ahli² Perikatan lebih interest dalam perkara ini dan mereka

itu memberi jawapan lebih banyak daripada Menteri yang berkenaan yang patut menjawab. Jadi, Tuan Yang di-Pertua, kita dapat-lah memahami bahawa Kerajaan Perikatan yang memerintah sekarang ini chuba hendak menjadikan Perlembagaan Tanah Melayu ini sama-lah dengan Perlembagaan parti politik-nya sendiri sahaja. Jadi, boleh di-tukar perkara² yang kecil, dan kita minta-lah kalau ada pindaan² sa-kali pun biar-lah perkara² yang besar terutama sa-kali perkara yang saya kata berkenaan dengan Nationality itu tentu-lah saya akan sokong. Saya tidak-lah bermaksud hendak meminta supaya Melayu itu atau pun apa² menjadi kebangsaan di-dalam Perlembagaan itu. Tetapi, saya minta perkara yang utama patut di-utamakan.

Tuan Yang di-Pertua, dalam masa-alah ini tidak-lah pula saya berchakap tanpa berfikir lebih dalam sa-bagaimana yang di-katakan oleh pehak² backbenchers itu, kerana saya rasa dalam membangkang itu mustahak sangat berchakap terutama di-dalam meminda Perlembagaan ini. Ada satu perkara, Tuan Yang di-Pertua, yang saya rasa patut kita berchermat meminda Perlembagaan ini ia-itu berkenaan dengan mengadakan jawatan Setia-usaha Parlimen daripada Ahli² mana² satu Rumah sama ada Dewan Ra'ayat atau pun Dewan Negara. Tuan Yang di-Pertua, dalam Dewan ini ada Ahli² yang di-lantek, jadi pada pendapat saya Ahli Dewan Negara ini kerja-nya sa-bagai rubber stamp, tetapi kedudukan-nya lebih tinggi daripada Dewan kita ini. Kalau-lah di-takdirkan, saya perchaya itu akan di-takdirkan oleh pehak pemerintah ia-itu orang yang di-lantek menjadi Ahli Dewan Negara itu akan menjadi Setia-usaha kapada sa-orang Menteri atau Menteri Muda yang oleh kerana kurang chekap-nya bekerja dalam Dewan rendah ini, jadi yang di-atas itu menjadi Setia-usaha kapada orang yang bawah itu. Ini saya perchaya ada kemungkinan sa-kali pun di-dalam penjelasan atau statement itu boleh di-nafikan. Dengan memandang perkara² itu, saya minta pehak Kerajaan ini memikirkan lebih

dalam atau sa-kurang²-nya menang-gohkan pindaan ini kapada meshuarat kita sa-kali lagi, supaya mereka itu tidak-lah melakukan Yuharribunahum Pibuyutihim Biaidihi sakan-lah, Tuan Yang di-Pertua.

Enche' C. V. Devan Nair (Bungsar):

Mr Speaker, Sir, I shall not take much of the time of the House.

It seems to me, Sir, that what really worries large numbers of people outside this House is not so much the substance of the Bill—the provisions for Parliamentary Secretaries, Political Secretaries, extra Senators and so forth—but the manner and the method of changing such a vital instrument, a basic instrument, as the Constitution of Malaysia. Whether the Parliamentary Secretaries, the Political Secretaries and the new Senators will do any good, will depend upon the kind of people whom the Government chooses. They may do some good, or they may prove to be chronic embarrassments to the Government, or they may just be mere additions to the galaxy of rather unproductive V.I.P.'s whom we have in this country. But that is the Government's pigeon. What really worries us, Sir, as I said, is the manner and method and the ease with which the Government attempts to change such a vital instrument, a basic instrument of democratic life, as the Constitution, under such short notice.

Sir, some time this morning, an Honourable Member from the Alliance Bench had occasion to refer, in this connection, to the one-Party system and he associated it somehow with the P.A.P. I really did not understand what he was up to, but I may point out, Mr Speaker, Sir, that it is in a one-Party system that Constitutions are changed overnight or within a period of twenty-four hours or in a matter of a couple of days. In a democratic State, in changing such a vital instrument, a basic instrument, as the Constitution of the State, ample notice is given not only to the Members of the House but to the members of the public. But, as I said, the fear that must be assuaged

in the public mind is that the Government will not use this as a precedent to attempt to bulldoze changes in the Constitution, in a basic instrument which governs our life in the same manner, because the Constitution is a basic document which lays down the rules which will govern the running of the State and the nation.

Another Member, in attempting to justify the short notice which was given to the House and to the nation, had occasion to refer to the fact that the P.A.P. in Singapore allowed only nine days for the conduct of election campaigns. Perhaps, the House should be informed that this has become rather a stale objection. This nine days' limit, Sir . . .

Mr Speaker: How long will you take to finish your speech?

Enche' C. V. Devan Nair: Sir, I shall take another three or four minutes at the most.

Mr Speaker: Please proceed!

Enche' C. V. Devan Nair: Thank you, Sir. That was my last point. This, Sir, is a very stale objection. This nine days' limitation for election campaigns was not taken from Soviet Russia or from China or from one-party States, but the practice has been taken from the Mother of Democracies—the United Kingdom—itself; and I don't think it will be seriously suggested that P.A.P. influence has been rife in the U.K. over the last few decades. Also, Sir, perhaps on some occasions in the past few decades, General Election campaigns in the U.K. may have been conducted within this period of nine days. What I would like the Government to assure not only the House but the people is that, in changing the Constitution, much more time will be given in future to the Members of this House and to the nation at large, the Constitution being the basic and vital document that it is to our State and to our nation. Thank you.

Mr Speaker: The sitting is suspended till half past four this evening.

Sitting suspended at 12.00 noon.

Sitting resumed at 4.30 p.m.

(Mr Speaker in the Chair)

Mr Speaker: Ahli² Yang Berhormat, saya suka menarek perhatian Ahli² Yang Berhormat, ia-itu ramai Ahli² sudah mengambil bahagian membahathkan Rang Undang² (Pindaan) Perlembagaan dari hari sa-malam hingga hari ini, dan saya perchaya ramai lagi yang suka hendak berchakap, tetapi oleh sebab di-hadapan kita ini ada 10 Rang Undang² lagi yang patut di-habiskan dalam masa tiga sa-tengah hari lagi, tambahan pula bahathan Rang Undang² Anggaran Belanja Tambahan ini akan mengambil masa yang panjang, dari itu tidak-lah dapat saya memberi peluang kepada Ahli² Yang Berhormat berchakap apakala sampai masa lebeh kurang pukul 5.30 petang ini, kerana memberi peluang kepada Menteri yang berkenaan menjawab atas pandangan, tegoran dan pendapat daripada Ahli yang telah berchakap.

Saya minta-lah dan saya merayu supaya Ahli² Yang Berhormat dapat berchakap dari pukul 4.30 hingga 5.30 sahaja—berchakap sa-beberapa pendek supaya dapat beberapa orang lagi berchakap.

Perbahathan di-atas Rang Undang² (Pindaan) Perlembagaan di-sambong sa-mula.

Dato' Syed Ja'afar bin Hasan Albar (Johor Tenggara): Tuan Yang di-Pertua, dari sa-malam lagi Dewan ini telah mendengar pandangan² yang telah di-churahkan di-dalam Dewan ini oleh beberapa orang Ahli daripada puak² Pembangkang. Kita yang di-sa-belah sini ta' dapat hendak berharap, atau tidak berharap hendak mendengar daripada Ahli² Pembangkang sa-lain daripada apa yang kita telah dengar. Apakala saya mendengar Ahli² daripada puak Pembangkang membahathkan Rang Undang² (Pindaan) kepada Perlembagaan ini, saya terpandang sa-olah² langit ini akan runtoh, dan bumi ini akan kiamat agak-nya. Bagitu hebat dan dahshat sa-kali tegoran² yang di-datangkan oleh Ahli² daripada puak Pembangkang itu. Sa-olah² puak Pembangkang

itu telah menggunakan meriam yang besar untuk membunuh nyamok yang kechil.

Saya dapati ulasan² daripada Ahli² puak Pembangkang itu nampak²-nya terbit daripada fikiran yang keliru dan masing² tidak tahu apa yang di-bangkang-nya dan menjadikan Dewan ini keliru daripada pandangan² yang diterbitkan oleh mereka itu. Kita tidak tahu apa yang di-bangkang dan ta' di-setujukan oleh Ahli² Pembangkang itu. Ada kala-nya kita dapat menangkapi daripada ucapan² mereka itu sa-olah² mereka menentang pindaan itu, perkara² yang di-dalam pindaan itu, dan ada kala-nya mereka menyuarakan tidak setuju-nya Perlembagaan ini di-pinda, dan ada kala-nya pula suara² tepat mengatakan bahawa chara² pindaan itu di-datangkan tidak sesuai, kerana Kerajaan telah bergopoh-gapah meminta Dewan ini meluluskan pindaan ini dalam masa yang singkat, tidak chukup peluang untuk Ahli² Dewan ini memikirkan segala implication daripada pindaan² ini.

Ahli² daripada P.A.P. sendiri daripada Singapura dalam perbahathan mereka, ada kala-nya menggambarkan sa-olah² Kerajaan ini telah membuat satu kesalahan yang besar, kerana membuat pindaan kepada Perlembagaan yang kita sifatkan sa-bagai satu benda, atau satu perkara yang suchi. Kita bersetuju yang Perlembagaan itu satu perkara yang mulia, yang patut di-pertahankan, tetapi bukan-lah kerana Perlembagaan itu mulia, atau suchi, maka kita tidak harus meminda-nya dari satu masa ka-satu masa mengikut kehendak dan keperluan perubahan zaman. Tetapi, dalam tafsiran itu juga, kita dapat memahamkan bahawa bangkangan P.A.P. itu bukan di-tujukan, bukan mereka tidak bersetuju yang Perlembagaan itu harus di-pinda, tetapi yang mereka pertengkarkan dan bicharakan ia-lah chara pindaan ini di-kemukakan kepada Dewan Ra'ayat ini. Mereka menganggap bahawa perkara itu telah di-bawa dengan gopoh-gapah. Saya bersetuju supaya tiap² pindaan kepada Perlembagaan itu di-kemukakan dengan memberi peluang yang chukup kepada Ahli² Dewan ini menimbang-

kan-nya dari segala segi, tetapi pindaan² sa-umpama yang ada di-hadapan Dewan ini, saya berpendapat, Tuan Yang di-Pertua, tidak memerlukan begitu banyak masa, kerana pindaan² ini ada-lah pindaan² yang "straightforward" dan tidak merosakkan sa-siapa, dan tidak merampas hak sa-siapa, dan tidak membinasakan kebebasan sa-siapa, baik dalam Dewan ini, atau pun di-luar Dewan ini.

Ahli Yang Berhormat daripada P.A.P. dari Singapura telah chuba mengatakan bahawa hendak-lah Setia-usaha Parlimen dan Setia-usaha Politik itu di-pilih daripada orang² yang benar² boleh menoleng Kerajaan dan Menteri² serta Menteri² Muda. Saya bersetuju dengan pandangan² yang sa-umpama itu, tetapi kalau P.A.P. berpaling kepada Setia-usaha² Parlimen dan juga Setia-usaha² Politik yang ada di-negeri Singapura itu, barangkali P.A.P. akan berasa perlu menasihatkan diri mereka sa-belum menasihatkan kami yang ada di-sabelah sini (*Tepok*).

Tuan Yang di-Pertua, Ahli Yang Berhormat dari Pulau Pinang—saya tidak ingat kawasan-nya—Tanjong, kalau saya tidak salah—dia tidak ada petang ini—telah berchakup panjang lebar dalam perbahathan berkenaan dengan Perlembagaan ini. Beliau telah berputar belit di-dalam ucapan-nya hendak meyakinkan kita dan hendak meyakinkan Dewan ini bahawa dengan ada-nya pindaan yang ada di-hadapan Dewan ini, maka demokerasi dalam negeri ini telah hanchor-lebor. Tetapi saya ingin bertanya kepada Ahli Yang Berhormat dari Tanjong itu apa-kah hak² asasi yang ada di-dalam Perlembagaan ini yang telah di-rampas dan di-cheroboh oleh pindaan yang kita bawa ini? Ini yang menjadi soal apakala kita membahathkan pindaan yang ada di-hadapan Dewan ini. Ada-kah hak kita memilih atau mengundi telah di-tarek daripada kita dan daripada ra'ayat negeri ini dengan ada-nya pindaan ini? Ada-kah hak² yang halal bagi kaum² yang bukan Melayu yang ada dalam negeri ini telah di-tarek daripada mereka dengan ada-nya pindaan² ini? Ada-kah kebebasan

judicial telah binasa dengan pindaan² ini? Ada-kah kebebasan Perkhidmatan 'Awam telah rosak dan chedera dengan ada-nya pindaan² ini? Ada-kah hak² asasi manusia yang ada terjamin dalam Perlembagaan itu telah tersentuh dan rosak dengan pindaan² yang ada di-hadapan Dewan ini? Satu pun daripada itu tidak ada. Tidak ada satu yang tersentuh. Tidak ada satu yang chedera. Tidak ada yang kita hendak mati kerana-nya dan yang rosak binasa kerana pindaan yang ada di-hadapan Dewan ini. Jadi, saya tidak mengerti mengapa puak Pembangkang begitu ganas sa-kali di-dalam ucapan² mereka membahathkan pindaan yang berupa pindaan straight-forward atau lurus, tidak merosakkan sa-siapa dan tidak membinasakan sa-siapa. Pukul rata puak Pembangkang yang berchakap berkenaan dengan pindaan Perlembagaan ini nampak-nya menyatakan perasaan bimbang mereka atau menyatakan tidak setuju mereka Perlembagaan ini di-pinda. Tetapi daripada perchakapan mereka saya dapat membacha dan memahami bahawa mereka juga kalau dapat peluang akan meminda dan mengoyakkan Perlembagaan yang ada ini (*Tepok*). Jadi, nampak²-nya chara ahli² Pembangkang ini berfikir, ia-itu kamu tidak berhak pinda, tung-gu kami berkuasa, kita akan hanchorkan Perlembagaan itu. Kalau ini-lah chara puak Pembangkang berfikir menghadapi satu soal yang sa-umpama ini, mari kita ucapkan selamat jalan dan selamat tinggal kepada akal fikiran mereka itu.

Tuan Yang di-Pertua, Ahli Yang Berhormat dari Menglembu dan begitu juga Ahli Yang Berhormat dari Bachok sa-malam sama sa-nada dan sama sa-lagu chuba hendak menahan backbenchers atau pun penyokong² Kerajaan daripada berchakap dalam Dewan ini dalam perkara yang sedang kita hadapi. Ahli Yang Berhormat dari Menglembu mengatakan backbenchers yang berchakap itu hanya hendak menunjukkan kebolehan, mudah²an boleh mendapat pandangan daripada Menteri², dan boleh dilantek menjadi Parliamentary Secretary atau Political Secretary. Ini satu

tuduhan yang jahat yang tidak patut terbit daripada sa-orang saperti Yang Berhormat dari Menglembu. Dia tahu benar² Dewan ini tempat kita mengeluarkan fikiran dan pandangan kita. Sama ada fikiran dan pandangan kita itu di-setujui oleh Yang Berhormat dari Menglembu atau tidak—itu soal lain—tetapi untuk menahan dan untuk chuba meletakkan batu penghalang pada kita backbenchers atau penyokong² Kerajaan untuk memberi buah fikiran, ini satu fikiran dan perbuatan yang dia akan berasa malu akan dirinya mengemukakan chakap yang sa-umpama itu. Begitu juga Ahli Yang Berhormat dari Bachok yang mengatakan jangan-lah kamu backbenchers atau penyokong² Kerajaan berchakap, biar-lah Menteri² menjawab. Jadi hak berchakap dalam Dewan ini nampak-nya mengikut istilah Yang Berhormat dari Bachok itu hanya-lah puak Pembangkang dan Menteri². Kita di-sini untuk datang tidor. Kalau Ahli Yang Berhormat itu datang di-sini dengan niat hendak tidor, biar-lah dia tidor lenyak². Tetapi kami akan buka mata dan tidak akan membiarkan sa-patah daripada chakap Pembangkang lalu (*Tepok*) dengan tidak mendapat pandangan dan tegoran yang keras daripada kami di-sabelah sini.

Tuan Yang di-Pertua, Yang Berhormat dari Bachok telah mengang-gap pindaan yang kita bawa ini atau yang Kerajaan bawa ini sa-bagai perbuatan orang yang hendak meruntuhkan rumah-nya sendiri. Jadi, Tuan Yang di-Pertua, Yang Berhormat dari Bachok itu barangkali belum menyemak betul² dan belum membacha lagi kandungan Perlembagaan Malaysia ini. Kalau dia mengerti, barangkali dia bacha tetapi dia tidak mengerti—itu soal lain. Kalau dia mengerti apa isi kandungan Perlembagaan ini dan apa pindaan yang kita datangkan tentu dia tidak tergamak mengeluarkan bahasa yang begitu rupa yang hanya menunjukkan kejahatan-nya tidak lebeh dan tidak kurang daripada itu.

Di-dalam Perlembagaan sa-bagai-mana yang saya telah sebutkan tadi ada terkandung beberapa asas², beberapa hak² yang kita semua akan

bermatian² kerana-nya dan hak² itu tidak di-tentukan bagi rumah yang mana yang hendak roboh. Jadi, Tuan Yang di-Pertua, tidak ada lebeh mudah daripada sa-orang membawa dan menyebutkan kata² daripada lidah yang tidak bertulang itu. Jadi di-sini, Tuan Yang di-Pertua, bagi penyudah-nya saya nampak puak Pembangkang ini membangkang Pindaan Perlembagaan ini dengan satu niat sahaja ia itu kami Pembangkang mesti membangkang bukan ada purpose-nya—bukan ada tujuan-nya, bukan ada apa-nya kerana di-dalam kenyataan Menteri Yang Berhormat tat kala mengemukakan pindaan yang terkandung di-dalam Rang Undang² itu sendiri telah di-sebutkan sebab² mengapa pindaan² ini perlu di-adakan pada masa sekarang ini, dan ini-lah juga pindaan² yang tidak mendatangkan sa-barang kerosakan—sa-barang chachat, sa-barang chedera, sa-barang kerosakan di-dalam isi dan pati serta sari Perlembagaan kita itu. Kalau ada daripada Ahli Yang Berhormat Puak Pembangkang membangkang kerana kita memandai² meminda Perlembagaan itu pada asas²-nya yang besar, maka di-sini saya sa-bagai salah sa-orang yang mempunyai keyakinan yang penoh—dan keperchayaan yang penoh atas hak dan asas² demokerasi yang tulen dan hak peri kemanusiaan tidak akan redza mendiamkan diri apakala sa-suatu hak itu hendak di-chabul oleh sasiapa juga pun. Sekian, Tuan Yang di-Pertua, terima kaseh (*Tepok*).

Tuan Haji Ahmad bin Saaid (Seberang Utara): Tuan Yang di-Pertua, saya bangun untuk menyokong Rang Undang² Pindaan Perlembagaan ini dan sa-sudah saya dengar perchakapan² daripada pehak Pembangkang, saya dapati bangkangan² yang mereka hadapkan kepada Dewan Yang Berhormat ini tidak mempunyai asas atau pun lojik. Yang sa-benar-nya hakikat bangkangan mereka itu tidak lain dan tidak bukan kerana takut jentera pentadbiran Kerajaan Perikatan ini akan menjadi kemas dan menjadi lichin dan lebeh sempurna lagi dan akan memuaskan hati ra'ayat jelata, maka ra'ayat jelata akan mem-

beri sa-penoh² keperchayaan kepada Kerajaan Perikatan maka sebab itu-lah mereka merasa chemburu takut pengaruh akan lebeh² lagi di-dapati oleh pehak Kerajaan yang memerintah. Sebab itu-lah mereka membangkang ini-lah pada pendapat saya tujuan yang sa-benar-nya yang di-bangkang oleh pehak Pembangkang. Alasan² yang lain yang saya dapati tidak ada langsung. Tuan Yang di-Pertua, saya sokong supaya pindaan ini di-luluskan bukan sahaja patut Menteri² mengadakan Setia-usaha Siasah atau Political Secretary atau Parliamentary Secretary tetapi juga saya harap pehak Yang Berhormat Perdana Menteri akan timbangkan supaya tiap² Ahli Dewan Ra'ayat akan di-beri sa-orang Setia-usaha Parlimen (*Ketawa*).

Tuan Yang di-Pertua, harus Ahli² Yang Berhormat dalam Dewan ini tidak biasa dengar apa yang saya sebutkan dahulu. Di-negara² yang maju saperti di-Amereka, di-negeri Jepun yang saya sendiri telah pun melawat negeri Jepun, tiap² Ahli Parlimen ada sa-orang Setia-usaha Sulit-nya sendiri dan ada kerani-nya dan pejabat khas bagi-nya di-tanggung bayaran gaji-nya oleh Kerajaan. Dengan ada-nya Setia-usaha Parlimen atau Setia-usaha bagi Ahli Dewan Ra'ayat maka banyak-lah kerja² yang di-laksanakan dapat berjalan dengan lichin dan sempurna.

Jadi, Tuan Yang di-Pertua, saya harap-lah perkara ini dapat timbangan; dan mula² sa-kali saya dengar dalam negara kita ini di-adakan Setia-usaha Parlimen ia-lah Yang Berhormat wakil Batu. Yang Berhormat wakil Batu sendiri telah pun mengadakan sa-orang Setia-usaha Siasah-nya untuk menyediakan segala perkara yang hendak di-bahathkan dalam Parlimen ini dan dapat-lah beliau membawa perkara² itu kepada Dewan yang berbahagia ini. Jadi Yang Berhormat dari Batu hendak membangkang tentu sa-kali tidak patut kerana beliau sendiri tunjok jalan bahkan molek kita tiru tauladan yang diberikan oleh Yang Berhormat wakil Batu itu.

Tuan Yang di-Pertua, satu perkara yang saya ingin menarek perhatian Yang Berhormat Perdana Menteri ialah mengenai Timbalan Tuan Yang di-Pertua Dewan Ra'ayat. Tuan Yang di-Pertua, ada di-sebutkan Deputy Speaker atau Timbalan Yang di-Pertua Dewan Ra'ayat. Saya berharap Yang Berhormat Perdana Menteri jika hendak mengadakan perjawatan Timbalan Yang di-Pertua itu maka patut-lah di-beri gaji atau allowance yang saimbang dan sa-taraf—sadarjat dengan perjawatan Timbalan itu. Bukan sa-bagaimana yang telah lalu sa-orang Timbalan itu hendak duduk di-atas kerusi itu sa-lama lebeh satu jam baharu-lah mendapat \$50.00 allowance. Jadi ini tidak sesuai tidak patut di-buatkan dan saya harap supaya di-beri gaji yang sa-taraf dengan kedudukan perjawatan itu atau pun dalam bahasa Inggeris "commensurate with the status and dignity of the Deputy Speaker." Jadi saya harap, biar-lah di-berikan pertimbangan di-atas shor² dan pandangan saya itu kerana perjawatan Deputy Speaker atau Timbalan Yang di-Pertua ini ada-lah satu jawatan yang tertinggi dan sangat di-junjong tinggi. Jikalau-lah tidak hendak di-beri gaji yang sa-taraf dengan jawatan itu, patut-lah di-beri dan di-adakan sa-bagai Timbalan Yang di-Pertua Yang Kehormat or as Honourary Deputy Speaker baharu-lah dapat saya fikir di-beri allowance \$50.00 lebeh daripada satu jam.

Mr Speaker: Panjang lagi? Beri-lah peluang kepada orang lain pula.

Tuan Haji Ahmad bin Saaid: Ada sedikit lagi, Tuan Yang di-Pertua. Saya teringat kepada ucapan yang telah di-berikan oleh Ahli Yang Berhormat wakil Tanjong, dia merayu backbenchers ini supaya menggunakan fikiran-nya sendiri waktu hendak mengundi kata-nya. "You all should vote according to your clear conscience"—mengikut fikiran dan pendapat sendiri. Saya fikir Yang Berhormat itu tidak payah-lah mengingatkan kami backbenchers di-sini, kami di-sini memang sa-belum datang ka-Dewan ini telah pun berbath dengan panjang lebar di-pre-Council apa dia

hujah yang akan di-keluarkan oleh pehak Pembangkang memang sudah kami telah halusi dengan sa-penohnya, maka sebab itu kami datang di-sini dengan satu suara—dengan satu arahan dan tanggung-jawab bersama ta' payah-lah Yang Berhormat chuba hendak memecah belahkan kami di-sini saya harap dia ta' usah-lah buat begitu lain kali.

Satu perkara yang di-chakapkan oleh Ahli Yang Berhormat dari Bachok, dia berkata kalau hendak pinda kenapa tidak di-pinda atas soal mengenai Nationality? Saya harap Ahli Yang Berhormat itu sekarang kalau dia boleh chabar pehak Kerajaan, maka saya chabar Ahli Yang Berhormat itu, bawa-lah usul itu ka-hadapan kelak dan Ahli Yang Berhormat itu akan tahu apa jawapannya. Perkara ini sudah di-bahath dahulu, tetapi di-bangkit²kan lagi oleh Ahli Yang Berhormat dari Bachok itu, di-mana ada kempen itu-lah modalnya; saya chabar Ahli Yang Berhormat dari Bachok itu, bawa-lah usul yang baharu, dan dia akan tahu penangan pehak Perikatan (*Ketawa*). Terima kaseh, Tuan Yang di-Pertua.

Enche' D. R. Seenivasagan (Ipoh): Mr Speaker, Sir, I rise to say a very few words in this debate.

The first point I would like to make is that there is no doubt whatever that the late publication of this Bill is regrettable; and it is all the more regrettable because the Government must certainly have formulated the intention to present this Bill to this House a considerable time ago, because already in operation are Parliamentary Secretaries and, I think, Political Secretaries. Therefore, it will be of some interest to us if the Honourable Minister can inform this House in reply as to why this Bill was not laid before us, or sent to us, or published for public information, some considerable time earlier, because already there are Secretaries—Political and Parliamentary—at work. And, according to speakers on the Government side, this is a very short Bill, a very straightforward Bill, and I am sure the framers could have framed it in one day or two days. If so, why is that it

had to be laid on the table on the first day of our sitting?

I would like to recall to this House the comment made by the Honourable Member for Bungsar which, I think, is very material, and that is this: if the Government thinks, "We want Parliamentary Secretaries, we want Political Secretaries—that is your business because you are the Government today." But what is more important is this: are these people going to serve a useful purpose? If they are going to serve a useful purpose, then they will be useful; if they are not going to serve a useful purpose, or are incapable of serving a useful purpose, then they will be useless. Now, if you want a Parliamentary Secretary or a Political Secretary to be of use, then the first question is: are they necessary? I think that they are necessary, because from the answers we get sometimes from the Ministerial Bench, I think a good Parliamentary Secretary will certainly assist both sides of this House very, very much indeed. *(Laughter)* But, Mr Speaker, Sir, for such a Secretary to be of assistance, he must be of a certain calibre, a certain intelligence and, as the Honourable Minister said, of wide experience and knowledge. And I am indeed grateful that the Honourable Minister has made it a point in presenting this Bill that persons appointed will be persons of wide experience, capable of assisting not only the Ministries to which they are attached but also of assisting all Members in this House through their Ministries and through their work. Let us take a hypothetical case, if it is indeed hypothetical any more: let us take, for example, the Ministry of Labour. If you have a person, who was once a clerk to a moneylender's firm, or a manager of a sundry shop, now as a Parliamentary Secretary, or a Political Secretary, a man who cannot speak the national language properly, who cannot speak the other official language—English—properly, of what assistance can he be to anybody on earth as a Secretary in this Ministry? If that assurance is given to this House, I hope the

assurance will be kept, and that only capable persons will be selected.

I am aware—and I do not think there can be much doubt about it—that when the Government chooses these people, they will choose Party supporters, Party workers, persons known to be inclined to support the Alliance policies—perhaps, that is understandable. There will be many, and amongst these many, choose those who are capable, not those to whom you want to give favours although they are incapable of fulfilling their duties in these posts. For example, clerks of moneylenders, managers of shops, how on earth can these people ever become Political Secretaries or Parliamentary Secretaries and can serve any useful purpose even to the Ministry concerned, leave alone to this House or to the general public?

As far as the public is concerned, it is also important, because Political Secretaries will be dishing out statements, answers, information from the Ministry to the public for their consumption; and it is necessary, I think, that the public should have a degree of confidence in these Political Secretaries, confidence in their ability, confidence in their integrity—by that I mean their integrity to work—and in their capability. The first point is this: I do not think that those who were defeated at the General Elections should be rewarded by being made either Political Secretaries or Parliamentary Secretaries. Now, the Honourable Member for Tanjong has given one example of one defeated candidate who has already got such an appointment. Many of us in this House and outside know that that was a pure and simple reward for past services. How is that to be reconciled with the statement of the Honourable Minister that men of wide experience will be selected to fill these posts, because certainly as far as the Ministry of Labour is concerned, the one person now selected is not with wide experience and certainly not capable of serving that Ministry, or any Ministry, or any individual Member of this House in any capacity whatsoever. Another point with regard to the

Ministry of Labour—I don't think it should be the policy of Ministers to employ their ex-employees as Parliamentary Secretaries or Political Secretaries, unless, of course, they are capable men—so capable that nobody else can replace them.

Mr Speaker, Sir, speaking on Senators, I think it is known throughout the world that the Malayan Senate is one of the most inactive Senates that ever existed in any democratic country, because out of that Senate has come nothing of substance, nothing of any value to this nation or to the individuals of this nation, or to the world. Now it is proposed to increase the number of Senators. The usual procedure in respect of Senators is to appoint men of distinguished service to the country, men of distinguished knowledge and learning. If you are going to increase the number of Senators, then increase it by getting men of that calibre into the Senate, so that they will know what it is to be Senators, what rights they have and what duties they have to perform. It is not merely a post office to affix another stamp when things go out from this House to be passed on to another Department. But we are all aware that the choice of Senators has become a shameful racket of rewards for decrepit politicians who can no longer face the electorates of this country, for unwanted persons who term themselves leaders but who no longer have the right to call themselves leaders.

These, Mr Speaker, Sir, are the comments I make on this and I would end by saying that if the backbenchers think that our criticisms are made purely for the sake of criticism, they are entirely wrong. They are made honestly and genuinely, because we are here to make honest criticism where necessary and, where right and proper, even to support any move that may come from the Government side.

Enche' Mohd. Daud bin Abdul Samad (Besut): Tuan Yang di-Pertua, saya suka juga mengambil bahagian berchakap sedikit di-dalam Pindaan Rang Undang² ini. Tuan Yang di-Pertua, pada mula-nya sa-sudah sa-orang daripada Ahli PAS di-dalam

Parlimen ini dapat berchakap, maka rasa saya chukup-lah bagi menyampaikan sa-suatu dalam Dewan ini, tetapi bangun sahaja Ahli daripada pehak Kerajaan dari Pontian Selatan, kalau tidak salah saya, maka saya-lah yang menjadi kechaman dan sasaran, ia-itu kata-nya Kerajaan PAS di-Trengganu tidak chekap yang di-pimpin oleh saya, dan telah jatuh, sebab itu-lah saya mengatakan kalau benar²-lah Kerajaan Perikatan ini sa-buah Kerajaan yang chekap, kenapa-kah di-kehendaki lagi Parliamentary Secretary? Jangka-nya sudah chukup-lah dengan apa yang ada sekarang ini. Tuan Yang di-Pertua, sa-sudah saya mengikuti di-dalam Dewan ini dua kali, maka saya dapat lihat, bahawa ada beberapa orang yang chuba menunjol²kan diri dan mengaku² bahawa aku-lah pandai, tetapi tidak dapat menjadi Menteri. Orang itu-lah yang susah sangat saya nampak. Jadi, jaga-lah Yang Berhormat Menteri² itu, saya rasa akan di-rampas dan di-rebut oleh orang² yang ada mempunyai degree university dan mengaku² diri-nya pandai.

Tuan Yang di-Pertua, tidak hairan-lah kalau Rang Undang² (Pindaan) Perlembagaan ini di-pinda daripada satu masa ka-satu masa, sebab dari dahulu lagi, kalau kita mengikuti Perlembagaan Persekutuan Tanah Melayu ini, memang kalau kita mithalkan anak, maka telah di-peranakan dengan chachat-nya dan chuba pula di-beri ubat yang tidak betul dengan penyakit-nya, maka akan semakin chachat-lah Perlembagaan kita.

Tuan Yang di-Pertua, kenapa saya berkata demikian? Tadi, Ahli Yang Berhormat dari Pontian Selatan yang mengaku² diri-nya pandai dan orang lain ini bodoh, dan saya ada-lah orang yang sa-bodoh² di-dalam Dewan Parlimen ini yang menyebabkan jatuh-nya Kerajaan PAS di-Trengganu. Tuan Yang di-Pertua, jadi terang dan jelas yang Ahli Yang Berhormat itu telah menyatakan dan mengatakan bahawa Parliamentary Secretary ini di-adakan ia-lah dengan tujuan hendak membuat policy. Jadi, nyata-lah dan itu-lah satu pengakuan yang terang dan nyata di-dalam Rumah

yang mulia ini bahawa Kerajaan Perikatan itu ia-lah sa-buah Kerajaan yang tidak chekap, sebab itu-lah hendak di-tambah pula Parliamentary Secretary untuk membuat policy lagi, ta' chukup dengan Menteri², Menteri² Muda, expert atau pun pakar² dalam negeri ini yang di-datangkan dari luar negeri untuk ikut sama membuat policy. Alham dulillah, saya sambuat dengan muka yang tersenyum mengatakan Kerajaan PAS itu dan orang² PAS tidak pandai, tetapi apa yang saya tahu, kalau dudok dalam PAS tidak pandai; kalau sudah melompat ka-Perikatan, pandai selalu. Maka itu-lah tafsiran Perikatan (*Tepok*). Lihat-lah kapada wakil Hilir Perak, kalau ta' salah saya—pandai selalu, apabila dudok dalam Perikatan; waktu dalam PAS, bodoh benar—(demo ni cherdek!) Bila-kah ditukarkan otak orang itu?

Tuan Yang di-Pertua, saya pantang di-sentoh, kalau di-sentoh, Tuan Yang di-Pertua, insha' Allah tempat ini ada-lah tempat berchakap dan saya akan menyampaikan perchakapan saya sebab saya di-pilih oleh ra'ayat untuk berchakap.

Tuan Yang di-Pertua, saya tidak tahu sama ada orang ada mempunyai degree atau tidak, tetapi "Wisdom is gifted by God"—kebijaksanaan sa-saorang itu ada-lah pemberian daripada Allah subhanahu wata'ala, jangan-lah hendak-nya membanggakan.

Tuan Yang di-Pertua, yang menjadi masalaah-nya dengan bertambah-nya Parliamentary Secretary ini dan mengikut kata kawan saya Ahli Yang Berhormat dari Pontian Selatan tadi, tujuan-nya ia-lah untuk membuat policy, mengawasi dan mengawali segala kerja² bagi menjalankan policy dalam negeri ini, tetapi apa yang saya tahu menambahkan banyak lagi orang² politik berkuasa bagi menjalankan pentadbiran dalam negeri ini yang mempunyai sentiment politik yang tebal, maka akan merosakkan dan menyusahkan ra'ayat. Saya dapat tunjukkan satu chontoh ia-itu di-tempat saya, di-Besut ada sa-orang Pegawai Daerah. Orang ini chukup kuat dengan rasa sentiment Parti

Perikatan, sa-hingga apabila sampainya ra'ayat untuk bertemu dengan dia hendak mendapatkan sa-suatu, maka dia bertanya: "Awak ini parti apa? Parti Kepala Lembu-kah, Parti Bulan Bintang-kah, Parti Kapal Layar-kah?" Jadi, kalau Parti Kepala Lembu dan Parti Bulan Bintang—ta' boleh.

Jadi, ini-lah saya mengingatkan dalam Rumah yang mulia ini, kalau terlantek-lah Parliamentary Secretary ini, hendak-lah jalankan kehendak ra'ayat itu dengan tidak memandang walau apa parti pun, sebab yang saya kesalkan, Tuan Yang di-Pertua, di-waktu ra'ayat membayar hasil dan chukai—tidak pernah di-tanya: "Tuan ini, atau pun awak ini datang daripada parti apa?" Jadi, ini-lah democracy yang telah berjalan dalam negeri ini.

Tuan Yang di-Pertua, barangkali sama ada betul, atau pun tidak untuk mengadakan Parliamentary Secretary ini, maka sama-lah bagaimana apa yang telah di-chakapkan, atau dikatakan oleh Perdana Menteri Singapura, satu masa dia mengatakan "Angin Perubahan", barangkali Kerajaan Perikatan telah menyedut "Angin Perubahan" daripada Singapura itu. Kalau dahulu Singapura telah makai Parliamentary Secretary dan angin itu telah sampai pula ka-sini.

Tuan Yang di-Pertua, yang menjadi masalaah-nya, jaga-lah baik² "Angin" itu, sebab kalau ta' kena sedut angin itu, maka akan berlaku-lah sa-bagaimana di-Singapura. Kita tahu, barangkali oleh kerana banyak champor tangan daripada Parliamentary Secretary di-Singapura itu dan kita harap tidak akan berlaku di-Tanah Melayu ini, maka itu-lah yang menyebabkan orang² Melayu di-Singapura itu sudah lupa parti apa sa-kali pun—bunyi² nya, atau apa rupa-nya, sudah hendak berhimpun sama² puak Melayu. Jadi, saya harap, jangan-lah hendak-nya, kalau terlantek-nya Parliamentary Secretary itu, maka akan banyak gangguan, atau pun tekanan kapada ra'ayat yang akan menyusahkan, bukan bagi menyenangkan kapada ra'ayat, tetapi untuk menyusahkan ra'ayat, atau pun merosakkan ra'ayat, tegas-nya orang² Melayu di-pantai timor.

Tuan Yang di-Pertua, ini-lah masa-alah-nya dan ini-lah perkara yang patut di-timbangkan dan di-fikirkan, walau pun pehak Kerajaan mengatakan yang kami ini hanya hendak bangkang, hendak berchakap macham langit hendak runto, bumi hendak terbalek—entah apa lagi, tetapi pengakuan juga telah di-beri bahawa sama ada pehak Kerajaan atau pun pehak Pembangkang ada mempunyai kewajiban dan tugas yang sama didalam Dewan ini ia-itu berchakap dan menyampaikan sa-suatu yang di-fikirkan dan di-pandang baik bagi kebajikan bangsa Melayu dan ra'ayat negeri ini. Tuan Yang di-Pertua,

Mr Speaker: Panjang lagi? Kalau dapat saya hendak beri sa-orang lagi berchakap.

Enche' Mohd. Daud bin Abdul Samad: Sadikit lagi, Tuan. Tuan Yang di-Pertua, oleh kerana masa pendek, kalau tidak saya berchadang hendak bersharah panjang juga pada petang ini (*di-sampok*) Tuan Yang di-Pertua, jangan suka—tunggu—Parlimen ini 5 tahun. Tuan Yang di-Pertua, (*di-sampok*) Nampak-nya tidak ada kehormatan, Tuan Yang di-Pertua. Dewan yang mulia ini jangan-lah kita jadikan market ikan. Hormati-lah Dewan yang bertuah yang berharga mahal ini.

Tuan Yang di-Pertua, kalau benar² Kerajaan Perikatan yang memerintah Malaysia ini benar² chekap, kuat dan utoh saya mengatakan maka hendaklah di-tinggalkan atau pun di-jadikan satu Perdana Menteri sahaja, tetapi dalam sa-buah negara yang ada mempunyai 10 juta umat ini ada dua Perdana Menteri. Ini-lah menunjokkan kelemahan Kerajaan Perikatan yang memerintah Malaysia ini.

Enche' Kam Woon Wah (Sitiawan): Mr Speaker, Sir, before I reply to some of the speeches made by the Honourable Members from the Opposition, I would like to say at the outset that I do not stand up hoping to catch the eyes of the Ministers and hoping to be made a Parliamentary Secretary or a Political Secretary. This was said by the Honourable Member for Menglembau this morning. Sir, the

Honourable Member for Menglembau said this morning . . .

Mr Speaker: It is not menglembau; it is Menglembu. (*Laughter*)

Enche' Kam Woon Wah: I am sorry, Sir. I mispronounced the word. Sir, I do not know why he and the Honourable Member for Ipoh in the last parliamentary sitting both went against the Honourable Member for Sepang, who happens to be the Assistant Minister of Education. Sir, I think we should put a stop to this and I would say that our Honourable Assistant Minister of Education is here as of right and his right is the same as the Honourable Members of Ipoh and Menglembu.

Mr Speaker, Sir, I am in favour of this motion that more political and parliamentary secretaries should be appointed, because, by their appointments, the Ministers and Assistant Ministers will be quite relieved and they will be of help to them in their work. This is the main reason why there is such a motion. In this case, if the reason is good for the people of the country, I will always support it.

Sir, the Honourable Member for Batu said yesterday that there may be too many Secretaries in this Government. Sir, we all have read in the newspapers of the Honourable Member for Batu appointing two political secretaries; these are the official ones and I do not know how many are unofficials. (*Laughter*). So, comparing his constituency with a Minister of the whole country, I think the Minister alone should be entitled to at least twenty political secretaries. (*Laughter*).

Sir, another fear expressed by them is that Government is too hasty with this small amendment, and they have advised caution. I would say, Sir, that their fear is unnecessary because Government can differentiate the sheep from the goat. So, Sir, I say their opposition is not genuine; I, therefore, support the motion.

Tun Haji Abdul Razak: Mr Speaker, Sir, I wish to make a few observations in reply to some of the remarks and allegations made by Honourable Members of the Opposition on this Bill to

amend the Constitution. Some Members of the Opposition, in their criticism of this Bill have been, as usual, carried away by sentiments and emotions which make them speak on matters far beyond the scope and intention of this Bill.

The Honourable Member for Tanjong, in a somewhat long speech, expounded on a number of subjects, and I must say that I find it difficult to follow the logic of his arguments on some of the subjects. However, Sir, I am pleased that the Honourable Member still remembers and cherishes his past association with us, but since he has parted from our company, I have noticed that he has lost considerably his sense of proportion and his sense of reasoning. (*Laughter*). I am also pleased, Sir, that the Honourable Member has admitted that he had a share in the formulation of the basic structure and the basic principle of the present Constitution and that he stood by what he agreed to at that time. However, Sir, his speech indicates as if the proposed amendments contained in this Bill have altered the basic structure of the Constitution and the basic principle underlying our democratic nation. As my Honourable colleague, the Minister of Justice, in moving this Bill had explained, the amendments to the Constitution proposed in this Bill are simple and non-controversial, and they do not in any way alter the basic principles enshrined in our Constitution, nor do they alter in the least the fundamental liberties, the rights of our people, nor do they alter the structure of the States in the Federation, and nor also do they alter the basic safeguard in the Constitution either for the old States or the new States.

Now, Sir, I have listened to the speeches of the Honourable Members of the Opposition with some care and, as I said, most of them were carried away by emotions, by sentiments, far outside the scope of this Bill.

A number of Honourable Members of the Opposition commented that they had not been given enough time to study the Bill, and objected to the casual manner in which the amend-

ments were put forward. Sir, this Bill was presented to this House in the normal way following our Standing Rules and Orders. As I said, the Bill is simple and non-controversial, and it is not thought it would take much time for Honourable Members to understand the provisions of this Bill. This Bill was presented to this House from Monday and Honourable Members have had at least four days to study this simple, short and non-controversial Bill. If the Bill had proposed major amendments to the Constitution, obviously we in the Government would give Honourable Members more time as we had done in the past. Some Honourable Members have suggested that they have to consult their constituents before they can express their views in this House. Sir, if this is the procedure that we have to follow, obviously we can never carry out the business of this House expeditiously, as we have been trying to do. Honourable Members of this House are appointed to represent their constituencies, and it is for them to find out, to know, the views of their constituents on various matters. It is for them to express their views here. If before they express their views they have to consult their constituents, obviously it is not possible for this House to carry out any business at all.

Also, Sir, I would like to explain that it is necessary for us to bring in this Bill to amend our Constitution in order to carry out and implement the agreement we made with Singapore on the question of reciprocal restriction of movements within the States of Malaysia. Therefore, we thought that as we had to bring in the Amendment Bill to the Constitution, it would save time if we do bring other amendments at the same time.

Now, Sir, a number of Honourable Members of the Opposition spoke about Parliamentary and Political Secretaries and, I think, most of the points raised have been adequately replied to by Members on this side of the House, but I would like to say that this is only an enabling clause to enable the Government to make

appointments, if Government considers them necessary. Some Honourable Members spoke as if, as it were, that if this Bill were approved this day, tomorrow the whole House will be inundated with Parliamentary Secretaries and Political Secretaries. Sir, this is certainly not the case. We are a responsible Government. We will only make appointments if we consider them necessary in the interest of efficiency and good government of this country. As Honourable Members know, the Alliance Government has been in power for the last ten years, (*Applause*) and although we have absolute discretion to appoint any number of Ministers we like, or what we consider necessary, we have kept the number of Ministers to the absolute minimum, so much so that some of the Ministers have to hold more than one portfolio and have carried out the burden with great strain. Sir, up till now, after ten years, we have not considered it necessary to have these appointments of Parliamentary and Political Secretaries, but with the establishment of Malaysia and with the considerable increase in the pressure of work, we have thought it desirable to have this power to appoint Parliamentary Secretaries and Political Secretaries to enable the Government to make the appointments, if it considers necessary. Some Honourable Members thought that we could make these appointments without amending the Constitution. Sir, we in the Alliance—as I said, we are responsible Government—we would like to do things properly; we would like to do things in the open; we do not like to make appointments, as it were, under the counter. If we consider these appointments are necessary, then provision for such appointments should be made in the Constitution so that this House and the country will be able to give its approval.

Dr Tan Chee Khoon: Mr Speaker, Sir, on a point of clarification. The Government has already made several appointments, perhaps under the counter.

Tun Haji Abdul Razak: No, Sir, we have made appointments of only

Political Secretaries. As I said, we want to give these appointments constitutional and legal status. Sir, that is why we thought that it would be better to give these appointments constitutional and legal status.

Now, Sir, I think the Honourable Deputy Prime Minister of Singapore, and some Honourable Members of the Opposition, suggested that instead of appointing Political Secretaries and Parliamentary Secretaries we should increase the number of appointments in the civil service. Sir, the work and functions of Political and Parliamentary Secretaries are different from those of the civil service. They have functions which could not be carried out by civil servants. Some Honourable Members also said that we should take measures to strengthen our civil service. We have done all these, Sir. We have not only increased the strength of our civil service, but we also have carried out their training; and as Honourable Members know, we have opened a new Service Training Centre in Petaling Jaya last year.

The Honourable the Deputy Prime Minister of Singapore talked about frictions between State and Federal Government officers. Well, Sir, in the early years of the federation this is bound to happen, but if all concerned agree to put the interest of the country as a whole before any other interest—political, sectional or State interests—and give goodwill and sincerity, all these frictions could be smoothed out.

Now, Sir, I come to the question of the membership of the Senate. I very much regret the disparaging remarks made on Members of the Upper House, an institution enshrined in our Constitution. The Member for Batu called our Senate a discredited and useless House and, I think, another Honourable Member called it outmoded. These remarks, Sir, are unfair and unjustifiable. Now, the Alliance Party believe in democracy. We sincerely believe in making democracy grow and become part of our way of life. When we formulated the Constitution in 1956, we suggested, and our suggestion was accepted by the Reid Commission, that we should have

a bicameral legislature. We believe that in a democracy there should be checks and balances, so that when the Lower House became fully elected we would have another Chamber where interests not fully represented in the Lower House could find representation—notably State interests. Now, Honourable Members might remember, before this House became fully elected, the Chief Ministers and the Menteri² Besar from the States sat in the House as State representatives. Also, Sir, it is necessary for us to have representatives from other interests, such as minorities, businesses, professions, which may not be able to obtain adequate representation through electoral processes. Of course, the Senate not being a fully and directly elected House should not be in a position to frustrate the wishes of the electorate reflected in the Lower House. That is why under our Constitution the Senate has only a delaying power and can only delay the legislation for one year other than money bills. It is only intended that the Senate should act as a filter House for the Lower House. The Senate should be able to reflect public opinions on measures which occasionally may be hurried through the Lower House, so that cool reasoning and goodwill will be ventilated and will prevail. But our Senate is a new institution, and it is only fair that we should give it time to grow. However, the fact that the Senate has not been able to initiate any legislative measure—and indeed in the history of this Chamber up to the last ten years no one, other than the Government, has ever initiated legislative measure—is no reflection on the Senate but rather shows the efficiency and the competency of the Alliance Government. (*Applause*).

Now, the Honourable Member for Batu asks, “Where are the eminent Members of the various professions in the Senate, where are the eminent lawyers, doctors, etc.?” There are, Sir, distinguished lawyers and doctors in the Senate, but it is not our intention to have a Senate only of lawyers, doctors and engineers; there must be

other people too—there must be politicians, laymen and businessmen—as we have in our Senate. So, Sir, I must resent these disparaging remarks on an institution which is enshrined in the Constitution and which is endeavouring to do its duty under the Constitution.

Now, I come to the question of the appointment of Speaker. A lot of criticisms have been put against the Government for amending the Constitution in respect of the appointment of Speaker. I should like to say that the proposed amendment does not take away the power of this House to appoint its own Speaker: the amendment rather gives this House a wider discretion in appointing the Speaker, either from among Members of this House or from outside, as this House thinks fit and proper, but it does not derogate from the privilege and the dignity of this House, and this House is the judge and the guardian of its own privilege and dignity. So, it is a matter for this House to decide whom it should appoint as the Speaker.

Sir, I come to the allegation made by an Honourable Member of the Opposition which, I must say, I greatly resent. The allegation was made by the Honourable Member for Menglembu that our back-benchers have supported this Bill, because they are stimulated by the hope that they will be made Parliamentary Secretaries and Political Secretaries. I must say, Sir, that I am greatly surprised that such an allegation should have come from the Honourable Member for Menglembu. I think it is not a very fitting statement at all from a man of his standing. Sir, the appointment of Parliamentary and Political Secretaries under the amendment is a matter at the absolute discretion of the Prime Minister, and no one has a right to claim to any of the appointments.

Now, Sir, lastly, I come to the remarks made by the Honourable Member for Tanjong again. I must say that I started with him and I would like to end with him. The Honourable Member insinuated that, because we have a massive majority in this House, we would make other

amendments to the Constitution whenever we like. Sir, this is not a fair insinuation. The people of this country have known the Alliance Government for ten years. They know that we are a responsible Government. That is why for three times they have voted us into power with an overwhelming majority. (*Applause*) They know that they can trust us; they know that we have never misused our powers; and they know that we will never misuse our powers. Therefore, such an insinuation is quite unnecessary. The people of this country have now an experience of democracy and they know where honesty and sincerity lies. They have shown confidence in us for the last three elections, and I am sure they have and will continue to have confidence in us for many more years to come. (*Applause*) So, there is no need for the Honourable Member to insinuate that we may misuse our powers. (*Applause*).

The Minister of Home Affairs (Dato' Dr Ismail): Mr Speaker, Sir, I would like to begin my reply, if any reply is needed by now because the debate is so exhaustive, by replying to the Member for Ipoh. The Member for Ipoh wants to know why the Members of this House are given such a short notice as regards this Bill. My colleague, the Deputy Prime Minister, has quoted me as saying that this Bill is very simple and also straightforward; and the provisions in this Bill, if I may say so, are domestic provisions with which we, Members of this House, are more conversant than the members of the public. However, Sir, my assumption that this Bill is simple seems to prove to be false. I overestimated the intelligence (*Laughter*), the ability, of the Members of the Opposition to shoulder responsibilities to their constituents.

Sir, when I moved the Bill, I also said that every right thinking Member of this House, and indeed every Member of the Opposition, should support it and give it an unanimous approval. I forgot, Sir, that in this House we have "left" thinking people (*Laughter*). Now, Sir, if you give a gem, a diamond, to a right thinking person, he

spontaneously reacts to the beauty of the diamond glossing over the flaws. If you give it to a left thinking person, he looks for the flaws forgetting the beauty and always suspecting that the gem may be a glass. (*Laughter*) Here is a gem useful to the Members of this House, to whatever party that comes into power. But here again I forgot that there are Members of the Opposition Parties who have given up hope of ever becoming the Government of the country (*Laughter*) because, I think, only on those grounds can you attribute to this long debate on this simple Bill.

They were frightened of the abuse that the Alliance might put to use the provisions in this Bill. But, as stated by the Honourable Deputy Prime Minister, we stand on our record. This is the second time that we have . . .

AN HONOURABLE MEMBER: Third time!

Dato' Dr Ismail: . . . third time—I stand to be corrected—that we have a two-third majority in this Parliament, and that is the more reason why you should have confidence in us that we will not abuse the provisions of this Bill.

Now, Sir, the Honourable Dr Toh Chin Chye spoke of Parkinson's Law. With the ways the Ministers of the Alliance Government are being exploited, Sir, it is more appropriate to say that the law of diminishing return (*Laughter*) should be applied to them, because if we do not get enough Political Secretaries, enough Parliamentary Secretaries, our output of work will naturally diminish—the more we are exploited, the less we will be able to produce the work. Probably, that may be the intention of the Members of the Opposition! I am so ashamed that such a thing should have come from the Member for Batu, who always advocates that nobody should be exploited. He should champion this cause (*Laughter*) and he knows that we, Ministers, are exploited. He knows that my colleague the Deputy Prime Minister, when all the other Ministers are away, will hold 10 portfolios. I have to do the same thing. We have

been exploited (*Laughter*). He should champion our cause and say that Parliament must unanimously support this Bill (*Applause*). But, Sir, there you are, because he belongs to a party that will never be able to make use of the provisions of this Bill, so he forgets the crusade of his party to defend the people who are being exploited. It is not too late to reconsider his decision, Sir, (*Laughter*).

Sir, I do not think I need try to reply to every observation made by the members of the Opposition, because they have been replied to by the members on this side of the House and, more adequately, by the Deputy Prime Minister. All I would like to say is that there is no intention of trying to trick the Honourable Members of the Opposition by presenting this Bill at such a late hour, and I am sure they know that too. I am

sure they know, because deep in their hearts they agree with the provisions in this Bill. But I must say, Sir, that as members of the Opposition, they have done good work, although they did not believe in what they were trying to oppose (*Laughter*). So, Sir, I would like just to say one last point before I finish my reply and that is that we should regard our Constitution as sacred, but not to the extent that it cannot be changed. We agree that amendments to the Constitution should not be taken lightly or with ease and facility, as members of the Opposition have said. We agree with those views and our past record shows that we have done that. But why did we give this Bill such a short notice? Because it is so simple—a simple Bill. So, Sir, if I were to keep on talking, I would be merely repetitious. So I think there is no need for me to say anything further. Thank you.

Question put.

The House divided: Ayes 110; Noes 12; Abstentions 4.

AYES

Tun Haji Abdul Razak bin Dato' Hussain
Dato' Dr Ismail bin Dato' Haji Abdul Rahman
Enche' Tan Siew Sin
Dato' V.T. Sambanthan
Dato' Haji Sardon bin Haji Jubir
Enche' Mohamed Khir bin Johari
Enche' Bahaman bin Samsudin
Enche' Abdul Rahman bin Haji Talib
Dr Lim Swee Aun
Tuan Haji Abdul Hamid Khan bin Haji Sakhawat Ali Khan
Enche' Khaw Kai Boh
Dato' Temenggong Jugah anak Barieng
Tuan Haji Abdul Khalid bin Awang Osman
Enche' Mohd. Ghazali bin Haji Jawi
Enche' Abdul-Rahman bin Ya'kub
Enche' Sulaiman bin Bulon
Engku Muhsein bin Abdul Kadir
Enche' Lee Siok Yew
Enche' Abdul Ghani bin Ishak
Enche' Abdul Karim bin Abu Wan Abdul Kadir bin Ismail
Wan Abdul Rahman bin Datu Tuanku Bujang
Enche' Abdul Rauf bin A. Rahman
Enche' Abdul Razak bin Haji Hussin
Dato' Abdullah bin Abdulrahman
Tunku Abdullah bin Al-marhum Tuanku Abdul Rahman

Tuan Haji Abdullah bin Haji Mohd. Salleh
Enche' Ahmad bin Arshad
Tuan Haji Ahmad bin Saaid
Che' Ajibah binti Abol
Enche' Ali bin Haji Ahmad
Dr Awang bin Hassan
Enche' Aziz bin Ishak
Pengarah Banyang anak Janting
Enche' Chan Chong Wen
Enche' Chan Seong Yoon
Enche' Chan Siang Sun
Enche' Chen Wing Sum
Enche' Chia Chin Shin
Enche' Francis Chia Nyuk Tong
Enche' Chin Foon
Enche' Edwin anak Tangkun
Datin Fatimah binti Haji Abdul Majid
Datin Fatimah binti Haji Hashim
Enche' S. Fazul Rahman
Datu Ganie Gilong
Enche' Ganing bin Jangkat
Enche' Hamzah bin Alang
Enche' Hanafi bin Mohd. Yunus
Enche' Hanafiah bin Hussain
Enche' Harun bin Abdullah
Enche' Stanley Ho Ngun Khiu
Enche' Hussein bin To' Muda Hassan
Enche' Hussein bin Mohd. Noordin
Enche' Hussein bin Sulaiman
Enche' Ikhwani Zaini

Enche' Ibrahim bin Abdul Rahman
Dato' Syed Ja'afar bin Hassan Albar
Pengkulu Jinggut anak Attan
Enche' Kadam anak Kiai
Enche' Kam Woon Wah
Enche' Edmund Langgu anak Saga
Enche' Lee San Choon
Enche' Lee Seck Fun
Enche' Amadeus Mathew Leong
Enche' Ling Beng Siew
Enche' Lim Pee Hung
Enche' Peter Lo Su Yin
Dr Mahathir bin Mohamed
Enche' T. Mahima Singh
Enche' Joe Manjaji
Dr Haji Megat Khas
Enche' Mohd. Arif Salleh
Enche' Mohamed Idris bin Matsil
Enche' Mohamed Noordin bin Mastan
Enche' Mohd. Tahir bin Abdul Majid
Enche' Mohamed Yusof bin Mahmud
Enche' Mohd. Zahir bin Haji Ismail
Wan Mokhtar bin Ahmad
Tuan Haji Mokhtar bin Haji Ismail
Tuan Haji Muhammad Su'ant bin Haji Muhd. Tahir
Dato' Haji Mustapha bin Abdul Jabar
Enche' Ng Fah Yam

Dr Ng Kam Poh
Tuan Haji Othman bin Abdullah
Enche' Othman bin Abdullah
Abang Othman bin Abang
Haji Moasili
Enche' Quck Kai Dong
Tuan Haji Rahmat bin Haji Daud
Enche' Ramli bin Omar
Tuan Haji Redza bin Haji
Mohd. Said

Raja Rome bin Raja Ma'amor
Enche' Sandom anak Nyuak
Enche' Seah Teng Ngiab
Enche' Sim Boon Liang
Enche' Siow Loong Hin
Enche' Sng Chin Joo
Enche' Soh Ah Teck
Enche' Suleiman bin Ali
Pengiran Tahir Petra
Enche' Tajudin bin Ali

Enche' Tai Kuan Yang
Enche' Tan Cheng Bee
Enche' Tan Tsak Yu
Enche' Tiah Eng Bee
Enche' Toh Theam Hock
Penghulu Francis Umpau anak
Empam
Enche' Yeh Pao Tze
Enche' Yeoh Tat Beng
Tuan Haji Zakaria bin Haji
Mohd. Taib

NOES

Enche' Abdul Samad bin Gul
Ahmad Mianji
Enche' Abu Bakar bin Hamzah
Tuan Haji Ahmad bin Abdullah
Wan Hassan bin Wan Daud
Tuan Haji Hussain Rahimi bin
Haji Saman

Enche' Khoo Peng Loong
Dr Lim Chong Eu
Enche' Mohd. Daud bin Abdul
Samad
Enche' Muhammad Fakhruddin
bin Haji Abdullah

Enche' Mustapha bin Ahmad
Enche' Ong Kee Hui
Enche' Tama Weng Tinggang
Wan
Dr Tan Chee Khoo
Enche' Stephen Yong Kuet Tze

ABSTENTIONS

Enche' Abdul Rahim Ishak
Enche' Ho See Beng

Enche' S. Rajaratnam

Enche' D. R. Seenivasagam

Bill accordingly *read* a second time.
The Constitution (Amendment) Bill
committed to a committee of the
whole House.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Clauses 1 to 4 ordered to stand part
of the Bill.

Clauses 5 to 8—

Mr Speaker: Clauses 5 to 8 stand part
of the Bill?

Dr Lim Chong Eu: Mr Chairman,
Sir, is it proper for us to comment at
this stage?

Mr Chairman: Yes.

Dr Lim Chong Eu: Sir, I would like
to take this opportunity to reiterate
some of the points that I previously
made. The Honourable the Deputy
Prime Minister with his usual aplomb
and capability did refer to the fact
that he in the past . . .

Dr Lim Swee Aun: Mr Chairman,
Sir, on a point of order. When you, Sir,
has already stated that Clause 5 be
made a part of the Bill, there is no
more debate on this point.

Mr Chairman: Yes. We are now
dealing with the clause, not debating.

Dr Lim Chong Eu: I am not
debating, Sir. I wish to make a
comment.

Mr Chairman: Comment on what?

Dr Lim Chong Eu: I want to indicate
quite clearly that our opposition to
these Clauses 5 to 8 stems . . .

Enche' Khaw Kai-Boh: On a point
of order. May I know on which
particular Clause the Honourable
Member is commenting on? He can-
not deal with the clauses generally.

Mr Chairman: Yes. It is better for
you to mention which clause it is. I
have said just now Clauses 1 to 4 stand
part of the Bill. Then after that, I said
Clause 5 to 8—which clause are you
referring to?

Dr Lim Chong Eu: Sir, we have no
objection to Clauses 1 to 4. Now we
are discussing Clauses 5 to 8.

Mr Chairman: Yes. Which clause is
it?

Dr Lim Chong Eu: Clause (5) (i)-
43B (1) "The Prime Minister may
appoint Parliamentary Secretaries from
among the members of either House of
Parliament;". Sir, I have indicated
quite clearly that whilst we have no
objection to the problem of the
appointment of Parliamentary Secre-
taries, nor to the number of Parli-
amentary Secretaries that the Govern-
ment may choose to appoint in order
to assist them, there is one constitu-
tional aspect involved; namely, by

admitting the appointment of Parliamentary Secretaries from the Senate, from the Upper House of our Parliament, we do, in fact, touch upon the structure and the spirit of the Constitution. It is not so easily and facily put aside, as has been suggested by the Honourable the Deputy Prime Minister that the Bill does not touch on constitutional aspects.

Sir, the point that we wish to raise—and the House must be clear on it—is that the very fact that the Honourable the Deputy Prime Minister has gone back to the past history of the intention of providing for an Upper House, which would be to provide a check and balance, with delaying power over the deliberations of the Lower House, makes it quite clear that if Parliamentary Secretaries are to be appointed by the Prime Minister for the purpose of carrying out the function of Government in the Upper House, then the responsibilities and the duties of the Senators to some extent will be affected. Sir, if it is the intention, as has already been said by the Honourable Minister of Interior and Justice, that these Parliamentary Secretaries will act in the Upper House, one would have assumed that in making an amendment to the Constitution the procedure would have been to appoint or create a post of Leader in the Upper House, and the appointment of the Parliamentary Secretaries to the Upper House should be appointed by the Leader in the Upper House and not by the Prime Minister of this House. So, to this extent, while the structure of the Constitution is not involved, while the structure of the Parliamentary institution that has been created is not involved, the spirit of the relationship between the Upper House and the Lower House is, to some extent, affected—and this is the point I would like to develop.

Sir, under Clause 5 also, 43C. (2) (a) "A person appointed as a Political Secretary by virtue of this Article need not be a member of either House of Parliament." Sir, again, on this issue, I would like to reiterate the point that I made earlier: namely, that by

appointing Political Secretaries who are not Members of this House we will, and we shall, certainly to some extent derogate from the sanctity and the status of Parliament itself.

Sir, Clause 7 (1), sub-clause (1) reads as follows:—

"The House of Representatives shall from time to time elect—

(a) as Yang di-Pertua Dewan Ra'ayat (Speaker), a person who either is a member of the House or is qualified for election as such a member"

Sir, the explanation made by the Honourable Deputy Prime Minister in this instance satisfies us that the Government has no intention immediately to apply this Bill and thus augments the power of this House, and we hope certainly that in future when the Party in power decides to choose a Speaker from outside this House, proper consultation and due weight and account would be given to the opinion of the Opposition.

Tun Haji Abdul Razak: Mr Chairman, Sir, the Honourable Member for Tanjong has mentioned me particularly in his speech. I would like to reply to him. First, I must say I cannot follow his logic when he commented on Clause 5, that is, on the question of the appointment of Parliamentary Secretaries. I do not wish to say here, Sir, whether we intend to appoint Parliamentary Secretaries from the Senate or not, but that is a matter for the Government—the Amendment gives power to the Government to do so, if the Government so wishes. If the Government appoints Parliamentary Secretaries or Assistant Ministers from the Senate, it does not mean that that would affect the relationship between the Senate and the Lower House. Sir, it is usual in a country, which has a bicameral legislature, for Ministers of the Government to be drawn from the Lower and the Upper House; and as we have a Party Government it is for the Party in power to appoint Ministers either from the Lower or the Upper House. Indeed, if we do appoint Ministers, Junior Ministers, or Parliamentary Secretaries from the Senate, it would help the proceedings of the Senate in the sense that we shall have

Members of the Government in the Senate who could expound Government policies to the Senators and also defend Government policies on behalf of the Government in the Senate. So, to that extent, I cannot see how appointments of Ministers, Junior Ministers, or Parliamentary Secretaries from the Senate will affect the relationship between the two Houses.

Sir, the second point is the question of the appointment of Political Secretaries. Political Secretaries need not be Members of this House. A Political Secretary's functions are merely to assist Ministers in carrying out their Political duties, and the fact that we have Political Secretaries, who are not Members of this House, would not in any way derogate the dignity of this House at all. Of course, we can have Political Secretaries from outside the House or from this House. That is a matter for the administration of the Government.

On the third point, I think the Honourable Member misunderstood what I have said. What I said is that this Amendment does not take away the power of Parliament to appoint its own Speaker, whether he be a Member of this House, or someone outside this House. That is all I said and I did not say anything more than that. Therefore, I say again that that Amendment does not take away the power of Parliament in the appointment of the Speaker, and it is for Parliament to decide whom this Parliament wants to appoint as Speaker. This Amendment will give Parliament a wider choice rather than having to confine the appointment to Members of this House: Parliament can appoint someone who is not a Member of this House but who is qualified to be a Member of this House.

Dr Tan Chee Khoon: Mr Chairman, Sir, both the Honourable the Acting Prime Minister and the Honourable Minister of Justice have several times stated that this is a very simple Amendment, and as such it should not take more than four days for us in this House to understand it. Mr Chairman, Sir, among other things in this House in the last few days I have

been called, "kepala batu"—kepala saya tidak ada otak atau akal (*Laughter*)—

Wan Abdul Kadir: Clause mana yang di-binchangkan oleh Ahli Yang Berhormat itu.

Mr Chairman: Dia belum chakap lagi. Dia mengata kepala batu dia sahaja. (*Laughter*):

Dr Tan Chee Khoon: As such, Mr Chairman, Sir, I may be pardoned by Members of the opposite side of the House if I say a few foolish things in commenting on Clauses 5 to 8. I wish to re-echo what the Honourable Member for Tanjong had said.

Mr Chairman, Sir, may I ask a few questions on Clause 5 (1) 43C (2) about the appointment of a Political Secretary? Sir, in a very adroit manner, both the Honourable Deputy Prime Minister, now the Acting Prime Minister, and the Honourable the Minister of Justice have evaded the question posed by the Member for Ipoh, who commented a great deal about a person who has been appointed as Political Secretary to one Minister. We on this side of the House have still to hear an explanation from the Minister concerned. I would be very grateful if a clarification can be given to us.

Mr Chairman, Sir, the Honourable the Deputy Prime Minister has stated that it was not Government's desire to do things under the counter. I have pointed out that Political Secretaries have already been appointed by the Government. If that is constitutional, then I do not see any reason why that practice cannot be carried out without tinkering with the Constitution—that is our objection. The Government has the power to do these things. If it is so, why amend the Constitution?

Mr Chairman, Sir, the Honourable Member from Singapore very early on in his speech talked about cooks and the like, and said that increasing the number of cooks does not shorten the time of cooking a meal—he mentioned stew yesterday. I wish to draw the attention of the House that we on this side have stated that if men of ability,

men of calibre, men of stature, who can really assist the Ministers concerned were appointed, then perhaps we on this side of the House will have less objection. But, Mr Chairman, Sir, if the Government goes on appointing defeated or discredited politicians, then naturally the question arises as to whether this power that is sought for has been wisely and judiciously applied. Mr Chairman, Sir, nobody in this House, and I hope nobody on the other side, can accuse me of being personal, although I have been vilified many a time. But as I said, this "Kepala batu" can take on any number of vilification and still, I hope, exist and last five years in this session.

Now, Mr Chairman, Sir, it is well-known that the Honourable Prime Minister has already appointed a defeated candidate in the last election. He is none other than the man who chose to knock his head against the "batu"—the stone wall. To that extent, we on this side of the House have shown that at least one defeated candidate in the last election has been appointed, and I do hope that no more such appointments will be made. I regret that I have to be personal in pointing this out. Again, I repeat, Mr Chairman, that I do not wish to be personal in my remarks in this House. I have no desire to antagonise anybody and I do hope that Members on the other side of the House will realise that in this instance I am forced to do so.

Mr Chairman, Sir, may I come to Clause 6? Here, the intention of the Government is to increase the number of appointed Senators from 22 to 32. Again, the Acting Prime Minister has so adroitly evaded the question that I posed in my speech yesterday. The question I posed was not that I wanted to pack the Upper House with Members of the professions such as medicine, law, engineering and architecture—that was not the question that I posed. Indeed, I have no desire to see the Upper House packed with Members of the professions. It will be a terrible thing to have too many people of such high learning or high training in such an Upper House. We

want to have a good mixture. But the question I posed was, "Can the Government or the Minister concerned, point out to this House whether in the Upper House there is a lawyer, a doctor or an engineer, who is an acknowledged leader in his own profession?" That is the question that I pose. If the Government benchers can elucidate that point, we on this side of the House will be very grateful. I, for one, Mr Chairman, Sir, speaking of my own profession, will be very glad if the Minister concerned can inform of an acknowledged leader of the Upper House from my own profession.

In my speech yesterday, I have also mentioned the fact that I do know that at least one body, that is the University of Malaya Graduates Society, has written to the Government on this matter. If it is the declared intention of the Government to follow the Reid Commission and appoint people in the professions, people in industries, people in businesses as Members of the Upper House, then certainly the Government should consult the professional bodies. I do not know whether the Government has, in fact, consulted professional bodies in the past. Here, again, I will be grateful for an answer from the Government benchers. I do know that the University of Malaya Graduates Society has written to the Government, and I also know for a fact that it has got no answer from the Government. Mr Chairman, Sir, I do hope that when these ten new Senators are appointed, members of the Government will not only consult the captains of industries—they are well represented there—businessmen and minority groups but also will consult professional bodies, so that we can see that the intention of the Reid Commission is respected.

Finally, Mr Chairman, Sir, I come to Clause 7. Here, it is the intention of the Government perhaps now, perhaps tomorrow, perhaps at some future date, to find a new Speaker who is not a Member of this House. May we, on this side of the House, have an assurance from the Government

that this particular Clause has not been tailored for some particular person? If it is so, Sir, then it is a very dangerous thing—just because you want to appoint a particular person to this House, then you must amend the Constitution. I personally, and the Members behind me, will be very grateful for an assurance from the Government that this is not the intention of the Government in bringing this amendment.

Dato' Dr Ismail: Sir, I will be very brief because, as I said, the Bill is a very simple one and if Honourable Members of the Opposition choose to make it complicated, it is their business. We say that we want the Political Secretaries to be included in this Bill, because we want to give them constitutional status.

The Honourable Member for Batu wants to know whether there is an acknowledged leader of the doctors' profession or the lawyers' profession in the Senate. But it is not stated in the Constitution that we must choose an acknowledged leader of the medical profession to be in the Senate; and it is not stated in the Constitution that we should have an acknowledged leader of the legal profession there. They have not gone there to debate on penicillin or what not (*Laughter*) or, for that matter, on the criminal procedure or something like that.

As regards the assurance in regard to the appointment of the Speaker, I would inform the Honourable Member, "You just be patient and wait till the time comes." (*Laughter*).

Dr Lim Chong Eu: Mr Chairman, in view of the fact that so eminent a person, as the Honourable Deputy Prime Minister, finds it difficult to follow the logic of my argument, I crave the indulgence of this House to try and explain what is my intention, because it is not my view to try and prolong this debate, but it is my view that not only the Members of this House but all the citizens of this country should understand the full implications of this Bill and the amendments to the Constitution that we are going to make. With all written

Constitutions, there will always arise areas of controversy . . .

Dato' Dr Ismail: Sir, on a point of order, can we know on what Clause or Article of the Bill the Honourable Member is talking about?

Dr Lim Chong Eu: The Honourable Deputy Prime Minister referred in particular . . .

Dato' Dr Ismail: Sir, I would like to know on what particular Clause is the Honourable Member speaking?

Mr Chairman: When you are going to speak on this, you must mention which Clause you are talking about?

Dr Lim Chong Eu: Clause 5 (1)—Article 43B (1)—that is in regard to the relationship between the Upper House and this House. When we created this concept of a nation with a bi-cameral legislature . . .

Dr Lim Swee Ann: Sir, on a point of order—S. O. 55 (1) which says:

"Any Committee to which a Bill is committed shall not debate the principle of the Bill but only its details."

Sir, it is not my intention to rob the Honourable Member's freedom of speech, but he should conform with the parliamentary practice.

Dr Lim Chong Eu: I am learning a great deal. The detail is only in the phrase "either House". But in order to try and define what we mean by "either House", we have to pose the question, "What do we mean by 'either or'?" So, "either House" must imply the Upper House and the Dewan Ra'ayat itself. Therefore, Sir, in order to try and define this phrase or attempt to bring about our views over the importance of it, I naturally have to go into diverse aspects of the issue. We are taking a lot of time, and I do hope that Honourable Members from the Government Benches will not think that we are trying to delay the passage of this Bill. I feel this is a very important point, and what the Honourable Deputy Prime Minister has said, I think, is also very important and should be clearly understood. Sir, this relationship between the Upper House and the Lower

House was created under our Constitution, whereby the Upper House will have a separate identity and a separate dignity of its own and a responsibility which, in terms of the Honourable Deputy Prime Minister, should be to provide check and balances. Sir, we agree . . .

Mr Chairman: How long will you take to finish your speech?

Dr Lim Chong Eu: Very soon, Sir, if I am not interrupted. (*Laughter*).

Mr Chairman: Time is up!

EXEMPTED BUSINESS (Motion)

Tun Haji Abdul Razak: Sir, may I have your permission under S. O. 12 (1) to move that the House shall not adjourn until the proceedings of this Bill is completed?

Mr Chairman: Permission granted.

Tun Haji Abdul Razak: Sir, I beg to move:

That, notwithstanding the provisions of S.O. 12 (1) this House shall not adjourn until the proceedings on this Bill is completed.

Enche' Tan Siew Sin: Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That, notwithstanding the provisions of S.O. 12 (1) this House shall not adjourn until the proceedings on this Bill is completed.

THE CONSTITUTION (AMENDMENT) BILL

Debate resumed.

Dr Lim Chong Eu: Sir, I am most obliged and I think it is very important; it is a long time since we have had a chance to converse over this issue and probably our lines of thinking do not click in the same wave length. Sir, this Upper House, which I have referred to, was created so that it could have a separate identity and dignity and responsibility of its own—we understand that these have all been written into our constitution.

Appointments of the members of the Upper House under our present Constitution are made by His Majesty the Yang di-Pertuan Agong, and the members are appointed to the Upper House, firstly by recommendation of the Prime Minister, and secondly by appointments through the various States, in that, each State Legislative Assembly has 2 representatives in the Upper House. As I have already indicated earlier, we have not quarrelled over the desire of the Government to increase the number of members in the Upper House. The point we wish to make is that when we make this provision, the amendment under clause 5 (1), Article 43B (1), for the Prime Minister to appoint members from the Upper House to be Parliamentary Secretaries—admittedly to be Parliamentary Secretaries functioning only in the Upper House—it makes it too blatant, Sir, that the Upper House is subject to the control of the Prime Minister and subject to the policies of the Cabinet and therefore the proper rights, proper place and proper responsibilities of the Upper House are to some extent ameliorated by these changes. Sir, that is all I am implying. I understand the exigencies, I understand the expedencies which have forced the Government to take these steps to move this amendment. But I do say, Sir, that in taking these steps and in solving their needs by making amendments to the Constitution, we have today, by passing this Amendment to the Constitution, taken away something from the spirit of the Constitution which we knew it to be.

Dato' Dr Ismail: Mr Speaker, Sir, I want to make it quite clear to the Honourable Member that I agree that the Senate exists as an entity and the House of Representatives exists as an entity. But the Constitution does not completely separate the Senate from the House of Representatives. If the Honourable Member would refer to Article 61, it says—

“In addition to his rights as a member of one of the Houses of Parliament every member of the Cabinet shall have the right to take part in the proceedings of the other House.”

That alone shows that the Senate is not completely separated from the House of Representatives when a Minister of this House, a member of the Cabinet, can go to the Senate and address that House, which I am told is not done in the House of Lords.

It is also said in the Constitution that His Majesty the Yang di-Pertuan Agong may appoint a Minister from either the House of Representatives or the Senate and that Minister can be a member of the Cabinet. There again, there is no complete separation between the two Houses. The only thing the Honourable Member says is that the Members of the Senate are appointed by His Majesty the Yang di-Pertuan Agong, but that in this case the Parliamentary Secretary in the Senate will be appointed by the Prime Minister. Well, Sir, that is the wish of this Government—that the Prime Minister should appoint a member of the Senate as a Parliamentary Secretary if he so desires. How does that conflict with the Constitution when there is no complete division between the Senate and the House of Representatives? If there is a complete division as in the House of Lords—and even in the case of the House of Lords the Prime Minister can appoint his Secretary of State from the House of Lords, and even the present Prime Minister of England, when he was the Foreign Minister, he was in the House of Lords. But, there you are, the Honourable Member is trying to apply Constitutions from other countries, written or unwritten, and he gets himself confused and is trying to confuse the House.

Dr Tan Chee Khoon: Before I touch on what the Honourable Minister of Justice has justified, I crave the indulgence of the members of this House for using the wrong words. Just now I asked the Minister concerned whether he can point out to me any member of the professions in the Senate who is an acknowledged leader in his profession. Mr Speaker, Sir, I quote from Article 45 (2) of the Constitution: "The members to be appointed by the Yang di-Pertuan Agong shall be persons who in his opinion have

rendered distinguished public service or have achieved distinction in the professions . . .". I would be very grateful if the Honourable Minister of Justice can point out to this House the members of the professions in the Senate who have achieved distinction in the professions as written in the Constitution. That is point number one.

Mr Chairman, Sir, the Honourable Minister of Justice just now also pointed out that it is the prerogative of the Government to appoint members from the Upper House to become Cabinet Ministers and they can sit in this House. We do not quarrel with him. He pointed out that the present Prime Minister of Great Britain was a member of the Upper House when he was appointed Foreign Secretary. He forgot conveniently to point out to this House that when that appointment was made it created such a rumpus that all political shades of opinion in Great Britain took exception to that, and we do hope that, while the Government has the power to appoint members of the Senate as Cabinet Ministers and sit in this House, the Government will be charrý of using that power.

Dato' Dr Ismail: First of all, I would like to draw the Honourable Member for Batu's attention that the words used are "achieved distinction in the professions", but the words used by him were "acknowledged leader of the profession."

Dr Tan Chee Khoon: I have pointed out that I should have used the words "achieved distinction in the professions". Can he point out to me those members of the professions in the Upper House who have achieved distinction, particularly in my own profession?

Dato' Dr Ismail: Sir, it is no use arguing on this matter, whether a fellow has achieved distinction or not. If I name an Honourable Member of that House, he will say "That is your judgment."

The other point in his observation was that when the present Prime Minister of England was appointed

Foreign Minister there was a hue and cry there. If it did not deter the Conservative Government to appoint Lord Home at that time to be the Foreign Minister because of the opposition from the left, neither will it deter this Government here whatever row you make in this House if we want to appoint Parliamentary Secretaries in the Upper House.

Dr Lim Chong Eu: Mr Chairman, Sir, I would like to thank the Honourable Minister of the Interior for having kindly looked up the Constitution to elucidate my point, which only stressed the fact that shortness of time does not allow us to refer back to our Constitution; but on referring to Article 61 (c) of the Constitution itself, it is quite clear, even from the explanatory statements made by the Honourable Minister, that under the existing circumstances the Ministers in the Upper House are appointed by His Majesty the Yang di-Pertuan Agong. Sir, to that extent, there is still this constitutional separation between the Upper House and the Lower House. We agree that the appointments to the Upper House are made by His Majesty constitutionally on the advice of the Honourable the Prime Minister. But, Sir, I would like to stress again this point: that the appointment of Parliamentary Secretaries by the Prime Minister, to our mind, does derogate to some extent the dignity and the separation of the Upper House.

Enche' Tan Siew Sin: Mr Chairman, Sir, it was not my intention to intervene in this little debate but, perhaps, I might make an attempt to make things clearer to the Honourable Member for Tanjong.

The Honourable Member, I think, will agree that although the Senate and the House of Representatives (the Dewan Ra'ayat) are two distinct organisations, they are parts of the same body; and my ground for saying this is that when you use the term "a Member of Parliament", he could either be a Member of the Dewan Ra'ayat or a Member of the Dewan Negara. That is the first point, I think, which the Honourable Member might bear in mind. Secondly, if we

were to push the arguments of the Honourable Member for Tanjong to its logical conclusion it must mean, apart from anything else, that you must have two distinct administrations—one for the Senate and one for the Dewan Ra'ayat, and that is not done, I think, in any country in the world. Apart from the question of administrative inconvenience, it costs a lot of money and, most important of all, it would obviously create confusion, because then you will have one set of Ministers for the Senate and another set of Ministers for the Lower House. I think it is as simple as that, and it is unfortunate that the Honourable Member has chosen to make a simple thing extremely complicated.

Dr Lim Chong Eu: Mr Chairman, Sir, I again thank the Honourable the Finance Minister for his very lucid definition of the function of the Upper House and its relation to the Lower House. What he says is quite clear and I am sure everybody understands that. What we are trying to gather is something more intangible and, perhaps, therefore more difficult to understand.

Sir, there is no question that the Upper House and the Lower House are parts of one body. However, in creating the Upper House and the Lower House as parts of one body, we have in the previous Constitution admitted that the function of the Upper House is a deliberative check and balance, giving it delaying power—and as such we have given it a certain identity and certain dignities of its own. Sir, therefore, all that we maintain is that it is not so simple a matter, and it is not a matter which does not involve structural change. The amendment in this Bill is not a matter that does not cut into the democratic institution that we had in mind.

Sir, we understand your needs, but I do say that in trying to solve your needs you have asked this House to give away a part of that spirit, which motivated the Constitution, because it is quite clear now that the Upper House, if it is a part of this Parliament, is also just a tool of the Lower House.

Tun Haji Abdul Razak: Sir, I would just like to explain. I must bring the Honourable Member back to the time when we formulated this Constitution. I think he is confused with the United States Constitution and the British system. We decided not to follow either. The American Senate is, of course, different from our Senate. We decided to have a system of our own, that is to say, the Upper House; and although it is called a Senate, it has the power and function of the House of Lords with delaying power. So, the Senate is part of one body—as the Minister of Finance says, it is part of one Parliament. Two Houses make up one Parliament—you cannot separate the two. I must say that the Honourable Member is a little bit confused with the Senate in the United States.

Dr Lim Chong Eu: Mr Chairman, Sir, this is the last time I shall stand up. As the Honourable the Deputy Prime Minister earlier in his remarks kindly began with me and ended with me, so I shall end my remarks with regard to him.

Sir, I am not confusing myself over what happens in the United States or what happens in the United Kingdom. I am only concerned with the Constitution as it applies to our nation, and I am trying to elaborate, trying to define, the development of parliamen-

tary democracy and the development of our Parliament within the context of our national experience, within the context of the Malaysian experience. Sir, I am not confused about what happens; nor am I bothered about what happens in the other countries. What bothers us and what bothers me in this House is the fact that this amendment, as it goes through, must and will derogate some of the spirit of democracy prevailing in this House.

Clauses 5 to 8 ordered to stand part of the Bill.

Tun Haji Abdul Razak: Mr Chairman, Sir, I beg to move that the Bill be now reported back to the House.

Dato' Dr Ismail: Sir, I beg to second the motion.

Question put, and agreed to.

House resumes.

Third Reading

Tun Haji Abdul Razak: Mr Speaker, Sir, I beg to report that the Bill has been considered in Committee and agreed to without amendment. I accordingly move that it be read a third time and passed.

Dato' Dr Ismail: Mr Speaker, Sir, I beg to second the motion.

Question put.

The House divided: Ayes 110; Noes 12; Abstentions 4.

AYES

Tun Haji Abdul Razak bin Dato' Hussain
Dato' Dr Ismail bin Dato' Haji Abdul Rahman
Enche' Tan Siew Sin
Dato' V.T. Sambanthan
Dato' Haji Sardon bin Haji Jubir
Enche' Mohamed Khir bin Johari
Enche' Bahaman bin Samsudin
Enche' Abdul Rahman bin Haji Talib
Dr Lim Swee Ann
Tuan Haji Abdul Hamid Khan bin Haji Sakhawat Ali Khan
Enche' Khaw Kai Boh
Dato' Temenggong Jugah anak Barieng
Tuan Haji Abdul Khalid bin Awang Osman
Enche' Mohd. Ghazali bin Haji Jawi
Enche' Abdul-Rahman bin Ya'kub

Enche' Sulaiman bin Bulon
Engku Muhsein bin Abdul Kadir
Enche' Lee Siok Yew
Enche' Abdul Ghani bin Ishak
Enche' Abdul Karim bin Abu Wan Abdul Kadir bin Ismail
Wan Abdul Rahman bin Datu Tuanku Bujang
Enche' Abdul Rauf bin A. Rahman
Enche' Abdul Razak bin Haji Hussin
Dato' Abdullah bin Abdulrahman
Tunku Abdullah ibni Al-marhum Tuanku Abdul Rahman
Tuan Haji Abdullah bin Haji Mohd. Salleh
Enche' Ahmad bin Arshad
Tuan Haji Ahmad bin Saaid
Che' Ajibah binti Abol
Enche' Ali bin Haji Ahmad
Dr Awang bin Hassan

Enche' Aziz bin Ishak
Pengarah Banyang anak Janting
Enche' Chan Chong Wen
Enche' Chan Seong Yoon
Enche' Chan Siang Sun
Enche' Chen Wing Sum
Enche' Chia Chin Shin
Enche' Francis Chia Nyuk Tong
Enche' Chin Foon
Enche' Edwin anak Tangkun
Datin Fatimah binti Haji Abdul Majid
Datin Fatimah binti Haji Hashim
Enche' S. Fazul Rahman
Datu Ganie Gilong
Enche' Ganing bin Jangkat
Enche' Geh Chong Keat
Enche' Hamzah bin Alang
Enche' Hanafi bin Mohd. Yunus
Enche' Hanafiah bin Hussain

Enche' Harun bin Abdullah
 Enche' Stanley Ho Ngun Khiu
 Enche' Hussein bin To' Muda Hassan
 Enche' Hussein bin Mohd. Noordin
 Enche' Hussein bin Sulaiman
 Enche' Ikhwan Zaini
 Enche' Ibrahim bin Abdul Rahman
 Dato' Syed Ja'afar bin Hassan Albar
 Penghulu Jinggut anak Attan
 Enche' Kadam anak Kiai
 Enche' Kam Woon Wah
 Enche' Edmund Langgu anak Saga
 Enche' Lee San Choon
 Enche' Lee Seck Fun
 Enche' Amadeus Mathew Leong
 Enche' Ling Beng Siew
 Enche' Lim Pee Hung
 Enche' Peter Lo Su Yin
 Dr Mahathir bin Mohamed
 Enche' T. Mahima Singh

Enche' Joe Manjaji
 Dr Haji Megat Khas
 Enche' Mohd. Arif Salleh
 Enche' Mohamed Idris bin Matsil
 Enche' Mohamed Noordin bin Mastan
 Enche' Mohd. Tahir bin Abdul Majid
 Enche' Mohamed Yusof bin Mahmud
 Enche' Mohd. Zahir bin Haji Ismail
 Wan Mokhtar bin Ahmad
 Tuan Haji Mokhtar bin Haji Ismail
 Tuan Haji Muhammad Su'at bin Haji Muhd. Tahir
 Dato' Haji Mustapha bin Abdul Jabar
 Enche' Ng Fah Yam
 Dr Ng Kam Poh
 Tuan Haji Othman bin Abdullah
 Enche' Othman bin Abdullah
 Abang Othman bin Abang Haji Moasili
 Enche' Quek Kai Dong

Tuan Haji Rahmat bin Haji Daud
 Enche' Ramli bin Omar
 Tuan Haji Redza bin Haji Mohd. Said
 Raja Rome bin Raja Ma'amor
 Enche' Sandom anak Nyuak
 Enche' Seah Teng Ngiab
 Enche' Sim Boon Liang
 Enche' Siow Loong Hin
 Enche' Sng Chin Joo
 Enche' Soh Ah Teck
 Enche' Suleiman bin Ali
 Pengiran Tahir Petra
 Enche' Tajudin bin Ali
 Enche' Tai Kuan Yang
 Enche' Tan Tsak Yu
 Enche' Tiah Eng Bee
 Enche' Toh Theam Hock
 Penghulu Francis Umpau anak Empam
 Enche' Yeh Pao Tze
 Enche' Yeoh Tat Beng
 Tuan Haji Zakaria bin Haji Mohd. Taib

NOES

Enche' Abdul Samad bin Gul Ahmad Mianji
 Enche' Abu Bakar bin Hamzah
 Tuan Haji Ahmad bin Abdullah
 Wan Hassan bin Wan Daud

Tuan Haji Hussain Rahimi bin Haji Saman
 Enche' Khoo Peng Loong
 Enche' Mohd. Daud bin Abdul Samad
 Enche' Muhammad Fakhruddin bin Haji Abdullah

Enche' Mustapha bin Ahmad
 Enche' Ong Kee Hui
 Enche' Tama Weng Tinggang Wan
 Dr Tan Chee Khoon

ABSTENTIONS

Enche' Abdul Rahim Ishak
 Enche' Ho See Beng

Dr Lim Chong Eu

Enche' S. Rajaratnam

Bill accordingly *read* the third time and passed.

ADJOURNMENT

Tun Haji Abdul Razak: Sir, I beg to move that the House do now adjourn.

Dato' Dr Ismail: Sir, I beg to second the motion.

ADJOURNMENT SPEECHES

SUNGEI BULOH SETTLEMENT

Dr Tan Chee Khoon: Mr Speaker, Sir, the House has had an exhausting day, and it is not my intention to take up all the 7½ minutes at my disposal. I have no doubt that the Honourable Minister of Health in his own facile way will give me a short and sweet answer.

Mr Speaker, Sir, I wish to bring to the notice of this House the shabby treatment given to the inmates of

Sungei Buloh Settlement. I think the Minister of Health knows that the inmates of this place have suffered very much and many of them are not able to walk about as freely as we can and worse still they are not in a position to feel their way about in the dark. Without consideration for the disabilities of these people the Government has thought fit to switch off all the lights by 10 p.m. Some of them live in huts and at times have to move about to the toilet in the night. I have been told that there had been a few fatal accidents at night and that many have fallen and hurt themselves. At any rate the switching off of the lights has definitely aggravated their sufferings. If there is any spark of humanity left in the Ministry of Health, it should let the inmates of the Sungei Buloh Settlement have the use of the lights throughout the night.

Some of the inmates work in the compound of the Settlement, for which they are paid. But it is most inhuman of the Government to cut their pay to the tune of 20 per cent of the standard Government rate. It is true that since they are disabled they cannot do the same amount of work as any ordinary worker. It is equally true that the majority of the workers there belong to this category. The Government encounters great difficulty in recruiting healthy staff to work there. The moment some of them learn that they are about to be posted there, they hand in their resignation within twenty-four hours. Hence, the Government is blatantly exploiting this category of workers by imposing this 20 per cent disability cut in their salary on them. I, therefore, appeal to the Government, and in particular to the Minister of Health, to be reasonable and restore at least part of the 20 per cent cut.

Beside this there is the frequent change of the Medical Superintendent. These cases need special attention and before a doctor has the chance of studying the cases he is transferred. This has had an adverse effect on the patients and, therefore, I would like to urge the Government to stop making frequent changes with the post of Medical Superintendent. The present incumbent is a doctor of considerable length of service though new to his work there, and I do hope that the Minister will think it fit to keep him there for some time and not to transfer him just when he has learned the job and then bring in yet a newcomer.

Another point which is a constant grouse of the inmates is over the food and the living conditions which needs looking into and definitely can be improved.

Lastly, I am ashamed of the disgraceful manner in which M.A.L.R.A. (Malayan Leprosy Relief Association) has been exploited by both the Malayan Chinese Association and the Alliance Party. I believe that the funds for this Association are provided by the Lotteries Board. It gives relief to ex-lepers to rehabilitate them. But I have yet to see any accounts of this

Association being published—I stand corrected on this point.

I mention this because many of the gifts made by this Association for the settlement have been made out as being presents from the Malayan Chinese Association. When I went round the hospital during the recent election, I saw some television sets in the settlement. I was told that they were presents from the Honourable Enche' T. H. Tan! Of course, they were not his personal presents but were gifts of M.A.L.R.A. May I ask the Minister of Health to clarify whether these amenities were provided by the Association or by the Malayan Chinese Association? If it is provided from the funds of the Association, then it is typical of the way that the Malayan Chinese Association and the Alliance Party exploit public funds for their ends.

This sort of practice is quite rampant amongst members of the Alliance, who being members of these quasi-Government or public bodies, quite unashamedly and very brazenly claim personal or political credit.

These are some of the things that have caused misery to the unfortunate victims of leprosy, and I hope the Government will give an assurance that it will look into these and remedy them, so that the lives of the victims of this dreaded disease will be ameliorated.

Enche' Bahaman bin Samsudin:
Tuan Yang di-Pertua, untuk menjawab Ahli Yang Berhormat dari Batu itu, suka-lah saya menyatakan di-sini bahawa pekerja² yang di-ambil daripada orang sakit yang telah baik di-Settlement Sungei Buloh itu, di-beri perchuma tempat tinggal, lampu ayer dan juga bahan² makanan yang sa-hari². Sa-belum bulan March tahun 1964 satu ringgit sa-hari ada-lah di-potong daripada elaun pekerja² itu untuk bahan² makanan mereka.

Dengan permintaan Jema'ah atau Council pekerja² itu potongan satu ringgit sa-hari itu telah di-hapuskan dari semenjak bulan March. Berkemaaan dengan gaji ini ada-lah benar, pada

keseluruhan-nya gaji pekerja² itu ia-lah 20% kurang daripada gaji lazim di-luar settlement itu. Tetapi ini ia-lah di-sebabkan oleh keadaan chachat chedera mereka maka kerja² yang di-buat di-settlement itu sa-benar-nya tidak-lah sama dengan kerja² yang di-buat oleh pekerja² biasa di-luar settlement itu.

Berkenaan dengan lampu, oleh sebab mustahak di-jimatkan perbelanjaan terpaksa-lah di-tahan sedikit, sa-kali pun begitu sa-bagai perhubungan semenjak bulan May tahun 1964 lampu ada-lah di-beri dari pukul 6 petang sa-hingga pukul 6 pagi. Tentang soal makanan suka-lah saya menyatakan bahawa makanan yang di-adakan ia-lah mengikut yang di-nasihatkan oleh bahagian zat makanan Pusat Penyelidikan Perubatan Malaysia. Makanan yang di-beri tidak-lah lumayan atau luxurious, tetapi mengandongi zat yang mustahak untuk kesihatan. Berkenaan dengan Penguasa Perubatan yang galak bertukar itu suka-lah saya menyatakan, pertukaran itu oleh sebab² yang tidak dapat di-elakkan, semenjak bulan August tahun 1960 sa-telah Penguasa Perubatan telah berhenti di-Sungai Buloh itu dengan tamat-nya contract mereka, dan sa-orang lagi oleh kerana pergi ka-England untuk melanjutkan pelajaran-nya dalam bahagian sakit kulit.

Perkara lain yang di-kemukakan oleh Yang Berhormat itu saya akan menyiasat-nya dan tindakan yang sawajar-nya akan di-ambil. Dia menyebutkan berkenaan dengan Leprosy Association tadi, perkara itu saya akan menyiasat-nya. Saya akan melawat ka-settlement itu tidak lama lagi dan chuba memperbaiki keadaan di-tempat itu.

PIG AND POULTRY FARMING, ULU KINTA

Enche' Chin Foon (Ulu Kinta): Mr Speaker, Sir, my constituency is a very ideal place for rearing pigs and poultry farming extensively. I am not aware, nor can I get detailed information from the Ministry, as to whether the Ministry has in stock for the development of husbandry extensively or as to whether it has any programme or

illustrated scheme for the development of husbandry and the introduction of the same in my area. I wish to request the Minister concerned to furnish me with such particulars, so that I may take up the matter at the State and District levels. I bring this matter here with a view to encourage the residents in the area to invest their knowledge and the small savings they have in this land, so that it may play a very prominent part in the self-sufficiency of the District, the States and, if possible, for the purpose of export. Thank you.

The Minister of Agriculture and Co-operatives (Enche' Mohd. Khir Johari): Sir, the basic policy of the Government in regard to agriculture has very often been repeated by me both in the House and outside, that is to strive for self-sufficiency in basic foodstuff and for agricultural diversification in order to reduce the country's dependency on rubber. Following this, it has been my Ministry's aim to improve the quality and increase the volume of production of livestock in this country. Wherever possible, help and guidance has been given to farmers to achieve this aim, and in Ulu Kinta, in particular, a number of goats and chickens have been given to various farmers under the *pawah* system in the case of goats and outright in the case of chickens. Since 1961, a total of 75 goats and 3,200 chickens have been given out to the farmers of Ulu Kinta. Since the area represented by the Honourable Member is mostly a mining area, it has been found not very encouraging to rear large animals such as buffaloes and oxen. In this area there is no fodder sufficient to support large herds of cattle. In addition to encouraging the farmers there, by giving them goats and chickens, the Government has for some time stationed one Veterinary Assistant in that area to look after the interests of the farmers in that area. A Veterinary Sub-centre has also been planned for this year in order to give permanent residence to the Veterinary Assistant.

With regard to pigs, the Veterinary Department has been encouraging the rearing of pigs in order to improve production. New breeds such as the

Buckshire and Thumward (?) have been introduced in this country with this in view. The boars have been loaned to pig rearers in case where pig breeding is done on a large scale. However, this is still considered to be in the experimental stage and it is, therefore, not possible to extend it to other places as yet.

Finally, Sir, I would add that if there is any further information that the Honourable Member for Ulu Kinta

would like to have from my Ministry, I shall be very pleased to inform him with such information if he can communicate with my Ministry or with me direct.

Question put, and agreed to.

Mr Speaker: Meshuarat di-tanggohkan pada pukul 10 pagi hari Ithnin, 13 haribulan July, 1964.

Adjourned at 7.10 p.m.