

The Perak Crisis – Questions to Ponder

1. Is it proper for either party to have been encouraging party-hopping?
2. Is it proper for MPs/MLAs to change party allegiance without reference to their electors?
3. Is it proper for parties to hold undated letters of resignation signed by MPs/MLAs?
4. Is it proper for the Speaker to act as a partisan supporter of the ruling party?
5. Is it proper for the Election Commission and Civil Service to act as agents of the federal Government?
6. Was it proper in this case for the Ruler to have withheld consent to a dissolution of the Legislative Assembly?
7. Is it proper that opposition MPs/MLAs are suspended to suit the convenience of the ruling party (e.g. to prevent a vote of no confidence)?
8. Is it proper for the MB to refuse to resign when he has clearly lost the confidence of a majority in the LA and the Ruler has refused a dissolution?
9. Is it proper for the Ruler to (effectively) dismiss the MB without a vote of no confidence by the LA? (This is the issue in the Federal Court case)
10. Is it proper for the Judiciary to intervene in the decisions of the Legislative authorities (e.g. on the suspension of MPs/MLAs)?
11. Is it proper for the Civil Service to interfere in the running of a state Legislature?
12. Is it proper for the Police to act as the partisan strongmen of the ruling party?
13. Did the conduct of the courts in this case satisfy the requirement of speedy justice?
14. Did the conduct of the courts in this case satisfy the maxims that justice must be seen to be done?

Glossary

CA – Court of Appeal, EC – Election Commission, ExCo – Executive Council, FC – Federal Court, HC – High Court, J – High Court judge, JC – Judicial commissioner, MB – Menteri Besar, MLA – Member of the Legislative Assembly (ADUN), MP – Member of Parliament, LA – Legislative Assembly (DUN).