

# EDITORIAL

As we celebrate the fourth edition of our journal, we are humbled by the overwhelming response it has received from local writers, academics, politicians, and the public. The number of articles submitted is a testament to your interest and support. On behalf of the editorial board, I extend our deepest gratitude for your continued support of the journal. We want to encourage Members of Parliament to send articles to us to be published. MPs are provided with researchers they can utilise to conduct research and help them complete articles for our journal. Their debate skills honed on the floor of the House should be transformed into articles that critically evaluate issues that touch on the rights and interests of the people.

More than a year since the new government was installed, parliamentary sittings have never been quiet. Issues after issues, bills after bills, debates, discussions, and statements were made. Nonetheless, there is nothing to compare with the controversies surrounding the tabling of the constitutional amendment bill to the citizenship provisions. A brave move indeed, and no other government in the past had been willing to place their necks on the chopping board, given Malaysia's controversial and sensitive nature of citizenship law. The amendment was first tabled on 25 March 2024. Among other changes, the amendments proposed changes to Article 15 and Part II of the Second Schedule to allow children born overseas to Malaysian mothers with foreign spouses to be granted the automatic right to citizenship. The proposal was much applauded, considering the long-standing question of treating both parents equally when granting citizenship rights to their children.

However, some controversies have invited plenty of criticism from many quarters. Instead of maintaining the right of citizenship through law, foundlings and stateless children will have to apply for citizenship through registration. The proposal caused an uproar. On 22 March 2024, YB Datuk Saifuddin said Putrajaya decided to drop two proposed amendments involving Article 19B and Section 1(e) Part 2 of Schedule 2 of the Federal Constitution. If passed, these amendments would have deprived foundlings and stateless children of automatic citizenship and would see them needing to register for it instead. Be that as it may, the

bill has not been finalised and approved by both Houses of Parliament, and once approved, it must be forwarded to the Conference of Rulers for their Royal Highnesses' consent.

Another interesting issue is the Federal Court's decision in the *Nik Elin* case.<sup>1</sup> The Federal Court ruled that 16 out of 18 provisions of the Kelantan Shariah Criminal Code (I) Enactment 2019 are unconstitutional because the State Assembly has no jurisdiction to promulgate such laws. The applicants argued for the validity of 18 provisions under the Enactment of 2019, claiming that the Kelantan State Legislature does not have the power to enact laws on these offenses because there are federal laws covering the same. Most of the Federal Court (Abdul Rahman Sebli, FJ, dissented) decided that approaching the matter based on whether a federal law exists or not on the matter legislated by the state is too simplistic. The right question to ask, according to the Federal Court, is whether, in substance, the law deals with a subject matter that the legislature has the power to make laws on. What is essential is not the appearance of the law, but rather what the law is about.

The Federal Court ruled that 'offenses against the precept of Islam' have two types: controlling the propagation of religious doctrine, and any religious crimes will fall under the State List. The second type is purely religious offenses related to *Aqidah*, the sanctity of Islam or its institution, and those related to morality in Islam. Thus, the Federal Court concluded that if it is a 'purely religious offense,' the state has the power to make law, but if it is a criminal offense that is 'general in nature' and involves elements of public order, public safety, security, and morality, that apply equally to everyone in the country, such as murder, theft, robbery, and corruption, it falls under federal law that Parliament has the power to make law.

The repercussions of the Federal Court's ruling are tremendous. The possibility of more judicial challenges in other states is most likely. The government has taken prompt action after Iki Putra's decision by establishing a special committee to evaluate and propose changes to the law. The Special Committee to Study Issues Related to the Competence of the State Legislature to Enact Islamic Laws was established at the behest of His Majesty during the 70<sup>th</sup> MKI meeting on 28 Aug last year. His Royal Highness Sultan Sharafuddin said the special committee had

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1 *Nik Elin Zurina bt Nik Abdul Rashid & Seorang Lain v Kerajaan Negeri Kelantan* [2024] 2 MLJ 150. See also *Iki Putra bin Mubarrak v Kerajaan Negeri Selangor & Seorang Lain* [2021] 2 MLJ 323.

been given one year to submit its recommendations to the MKI before bringing the matter to the Conference of Rulers.<sup>2</sup>

For this edition, the journal has chosen the following articles to be published:

The article entitled “Measures to Mitigate Covid-19 in the *Dewan Rakyat* (House of Representatives) of Malaysia: Implications to Parliamentary Privileges” explores the extent to which the standard operating procedures (SOP) for COVID-19 in the *Dewan Rakyat* (House of Representatives) of Malaysia should be permitted under the Federal Constitution of Malaysia on parliamentary procedure. Despite attempts to restrict parliament in many countries, legislatures such as in Canada, Australia, and Brazil have demonstrated their ability to adapt and move progressively to minimise disruptions that the pandemic might cause to parliament.

The second article, entitled “Empowering Development Planning and Implementation at the District Level of Governance in Peninsular Malaysia” discusses the district’s functions and roles that have seemingly taken a less visible and prominent role in development, particularly for the local communities from the district level and below. This paper provides a brief background on the development of the District Office in Peninsular Malaysia and its role in the development of the Malaysian nation and society. It examines the challenges faced by the District Office in Malaysia. The paper further discusses how the District Office can play a more prominent role in the nation-building and development process of the country, including in implementing an inclusive development agenda for local communities in Malaysia.

The article entitled “Parliamentary Debate Dynamics: Understanding the Paradigm of Young Parliamentarians in the 12<sup>th</sup> Malaysia Plan Mid-term Review Discourse” is a qualitative study exploring the dynamics of parliamentary debates, scrutinising the contributions of young parliamentarians through discourse analysis, utilising the Deliberative Quality Index (DQI) to analyse speeches during the 12th Malaysia Plan Mid-term Review Special Parliamentary Seating. Findings showcased a consistent range of DQI’s scores. Interestingly, no clear correlation between educational background and political exposure was evident, suggesting a complex array of factors influencing deliberative quality.

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2 February 15, 2024, <https://www.nst.com.my/news/nation/2024/02/1013941/decision-mkis-special-committee-will-be-used-reference-empower-syariah>.

The fourth article is in Bahasa Melayu entitled “Helah dan Perbahasan Belanjawan 2024: Analisis Pragmatik (The Art of Evasion and 2024 Budget’s Debate: Pragmatic Analysis)”. The article deals with the tactical approach to parliamentary debate, where politicians master the art of rhetoric, analysis, and inference to navigate the dynamics of political legitimacy. The study used the Hansard as the substantial source, recording the strategies and art of evasive language in challenging-defending policies, addressing-mitigating issues, and strengthening-undermining the image that determines the integrity of the legitimacy of both the Government and the Opposition. Behaviour is more easily defined and justified. Lastly, the discourse background at the policy level is more heterogeneous, thereby enriching the performative nature of Evasive Language.

The next article is “Turning the Tide: A Comparative Analysis of Regional Parliamentary Approaches for Scaling up Climate Action.” The study explores the crucial role that regional parliaments play in promoting climate action across different regions. It underscores the necessity of cross-border climate action, given the interconnectedness of the climate system and the transboundary impacts of climate change. The study concentrates on the contributions of regional parliaments, often overlooked, in enhancing climate action through institutional structure. It identifies the approaches, work done, and strategies implemented by regional parliaments to fill the knowledge gap in the field. By empowering regional parliamentary institutions, this study highlights their potential to drive effective climate action and accelerate the transition toward a more sustainable future.

Another article in Bahasa Melayu, “Undi 18 di Malaysia: Pasca-pelaksanaan dan cabaran berterusan (Undi 18 in Malaysia: Post-implementation and the ongoing challenges), aims to analyse the implementation of ‘UNDI18’ as well as the challenges and post-challenges faced by young voters in this country presented by previous researchers and provide new findings in the aspects discussed by the Parliament of Malaysia. This qualitative study highlights the ‘desktop research’ strategy with thematic, narrative, and descriptive analysis. This article presents three main syntheses on ‘UNDI18’ and the government’s legitimacy formed through the themes generated from the content analysis. This article also found that social factors influence the challenges of young voters in this country and are dominated by external factors of voters.

An article entitled “Exploring the State of Mental Well-Being Among B40 Women” is a study about empowering communities, especially

women, through the All-Party Parliamentary Group Malaysia on the Sustainable Development Goals (APPGM-SDG) through Income Generation (IG) and Community Learning Center (CLC) projects. The initiative consists of twelve modules on entrepreneurship skills and handholding, with a minimum of 10 to 25 beneficiaries from the B40 category who are mentored by the Solution Provider (SP) throughout the following three to four months. Each project was awarded an RM40,000 grant to provide the beneficiaries with skills and knowledge that will allow them to be an independent entrepreneur.

Another study on SDG entitled “Cultivating Sustainable Futures: Community-Led Farming Initiatives in Malaysia by APPGM-SDG” discusses food security and its challenges. Malaysia grapples with pressing food security challenges, marked by uneven resource access, fluctuating agricultural yields, and vulnerability to external factors. Recognising the urgency of these issues, APPGM-SDG has directed its efforts towards fostering food security and safety. With 200 ongoing projects this year and 53 completed projects in the previous year, this journal article explores APPGM-SDG’s initiatives in localising Sustainable Development Goals (SDGs) in Malaysia, specifically focusing on community farming projects. The article aims to offer a holistic overview of these projects, delving into their multifaceted impacts and thoroughly examining their farming practices and socio-economic and community dimensions.

The Bahasa Melayu article with the title “Masyarakat Pribumi: Cabaran Masyarakat Orang Asli Peta Dalam Mencapai Pembangunan Mampan Di Taman Negara Endau - Rompin, Mersing, (Johor Indigenous Communities: The Challenges of Peta Indigenous Communities in Achieving Sustainable Development In Endau-Rompin National Park, Mersing, Johor) studies the implementation of various national development projects involving various agencies and the private sector, including in Orang Asli village areas, especially in achieving the 17 sustainable development goals that have been recommended by the government since 2015. However, the involvement and development changes in Orang Asli areas are still left behind now, and they should be considered so as not to disturb their original socio-culture. Therefore, this study was conducted in the Orang Asli Peta village (Endau Rompin National Park), Mersing, Johor, to examine the challenges of the Orang Asli Peta community in achieving sustainable development.

The article “Conceptualizing the People’s Parliament Approach in the Parliament of Malaysia” explores the Parliament of Malaysia’s transition

towards a more public-friendly institution, part of a global trend towards transparent and people-centric parliamentary processes. Utilising 16 articles from the Inter-parliamentary Union's Public Engagement Hub and additional literature, the research compares Malaysia's initiatives with those of the U.K., Australia, and New Zealand. The analysis focuses on public engagement strategies such as public broadcasting of sessions, committee hearings, public visits, research services, and the potential for a parliamentary budget office and petition systems. Findings indicate Malaysia's progress in some areas, like public broadcasting and committee hearings, while identifying gaps in others, like interactive visitor experiences and comprehensive digital engagement.

An article about SDG discusses SDG innovations and their impact. The article "SDG Innovations & Impact: Relational Approach in Enabling Innovative Solutions and Impact Creation at the Grassroots" where SDG localizing is a primary goal of APPGM-SDG and solution projects are the key component in this effort. Formed in 2019, mirroring the UK Parliament setup, the APPGM-SDG Malaysia has been the forefront organization in localizing SDGs in parliamentary constituencies. Despite Covid-19 and other practical challenges. The grounded research approach undertaken by APPGM-SDG paved the way for innovative grassroots solutions designed and undertaken by local organizations targeting vulnerable communities in their locality. From 2020 to November 2023, APPGM-SDG has undertaken targeted solution projects at an unprecedented level, with 664 SDG solution projects in 4 years with 364 solution providers around the country. These innovative solutions are developed through a unique relational approach between multiple stakeholders and engagements in multiple processes in the making.

The article "The Importance of Inclusive Development Planning to Ensure Social, Economic and Environmental Sustainability: Case Study of Kuala Langat Parliamentary Constituency" narrates the All-Parties Parliamentary Group Malaysia - Sustainable Development Goals (APPGM-SDG), the principle of "Leave No One Behind." Based on the findings of the issue, a mapping study conducted by APPGM-SDG in the Parliament of Kuala Langat in 2023 shows that inclusive development planning is seen to have a significant impact on ensuring social, economic, and environmental sustainability. This is evident when considering the level of awareness among the population in the Parliament of Kuala Langat regarding local government development plans, such as Local Plans and Proposed Development Reports, especially for industrial

development planning and new development areas, which are given significant attention.

The article “Youth participation in SDG-oriented volunteerism: Insights from Malaysia’s APPM-SDG platform” explains that engaging youth is paramount for advancing the United Nations Sustainable Development Goals (SDGs). The quantitative research studies the active involvement of Malaysian youth as volunteers in initiatives centered around the SDGs, specifically focusing on the All-Party Parliamentary Group Malaysia on Sustainable Development Goals (APPGM-SDG) platform. Data was gathered from 323 volunteers who applied as volunteers at the Malaysian Youth SDG Summits, the Young Asian Voices for the United Nations We Need, and the Malaysian Youth SDG Agent 22/23 and 23/24 Cohort initiatives. The study aims to identify youths’ demographic involvement in volunteerism through the initiatives of APPGM-SDG. This research analyses the nature of youth participation in SDG-oriented volunteerism, investigating their demographic concentration in active engagement, including engagement by gender, organisational affiliation, and prior experience in volunteerism actively contributing to voluntary works related to the SDGs.

Finally, the article “UN Resolutions on the Role of Parliaments and Parliamentarians in Accelerating the Achievements of the SDGs.” discusses the impact of the adoption of “Transforming our World: the 2030 Agenda for Sustainable Development” on 25 September 2015 at the United Nations General Assembly. Strong calls for multi-stakeholder engagements have been in line with SDG 17.17 on partnerships between public and public-private sectors and civil society. This article highlights the role of four parliamentary groups actively mobilising MPs engaged with the SDGs at the international level. These are the *Inter-Parliamentary Union (IPU)*, the *Commonwealth Parliamentary Association (CPA)*, *Parliamentarians for the Global Goals*, and *Parliamentarians for Global Action*. These four groups have been pivotal in linking MPs with the UN on SDGs. The article ends with reflections and lessons on the role Malaysian MPs are playing through the APPGM-SDG. There is a need for greater visibility in public policy advocacy in Malaysia and on the global stage. To this end, more resources must be made available to MPs to encourage active involvement, especially at the United Nations in New York.

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