

Parliament Mahathir

CONSTITUTIONAL AMENDMENTS TO SAFEGUARD RULERS' DIGNITY, SAYS MAHATHIR

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KUALA LUMPUR, Jan 18 (Bernama) -- The move to amend the Federal Constitution to strip the Rulers of their legal immunity is aimed at not only preventing them from committing crimes but also to ensure that they continue to be respected and the institution of constitutional monarchy is preserved.

Prime Minister Datuk Seri Dr Mahathir Mohamad said today the government proposed the amendments not without reason. It wished to safeguard the Rulers' dignity and prevent the people's hatred from building up following recent incidents of Rulers victimising the people.

"Following two incidents of a Ruler and a prince assaulting the people, the government could not view such incidents lightly without affecting its credibility as a responsible government.

"The government has to take a firm stand to protect the people from being victimised by Rulers," Dr Mahathir said when tabling the Constitution (Amendment) Bill 1993 at a special two-day sitting of the Dewan Rakyat.

He said the government took this stand not just because of the two incidents as there had been many previous cases of Rulers victimising the people, Rulers breaking civil and criminal laws, Rulers misusing the government's and country's money and property, and Rulers pressuring and victimising officers. -- more

▼18/01/16-47MST

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Dr Mahathir said the two incidents in Johor were "the straw that broke the camel's back".

The people's reaction towards these incidents clearly showed that they could no longer tolerate such actions and wanted changes, he added.

According to him, the amendments were proposed not because the government or the people wished to indiscriminately drag the Rulers to court.

"The aim is for the Rulers to steer clear of any action that can result in legal action. By this, the Rulers will be respected even more," he said.

Dr Mahathir said the people's respect for the Rulers could not be determined by laws but must be earned.

With the awareness that they could be taken to court, the Rulers would definitely avoid doing anything that could cause the people to lose their respect for them, he added. -- more

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With this, Dr Mahathir said, the institution of Rulers would gain greater respect and be preserved.

He stressed that the Barisan Nasional (BN) government had no intention whatsoever to abolish the system of monarchy and this was clear from the amendments proposed.

Attempts by certain people to mislead the rakyat by accusing the government of wanting to abolish the system of monarchy were mere slander, he said.

He said that to enhance efforts to retain the Rulers and system of monarchy, any suggestion to abolish the system of monarchy would be interpreted as seditious and action would be taken under the Sedition Act.

"The government will take action under the Sedition Act against anyone who calls for or acts to abolish the system of monarchy," he said. -- more

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Dr Mahathir said the government realised that the people, particularly the Malays, accepted and supported the institution of Malay Rulers.

"Allegations by the certain people that the government proposed to abolish the system of monarchy were made solely for their political interests.

"The government, which represents the majority of the Malays and other races, will abide by the wishes of the people and will not do anything they do not like," he said.

+As it is obvious that the majority of the people of various races still want the institution of Rulers, particularly constitutional monarchy, the government will ensure that this system is protected by the Constitution," he said.

He said some people were of the opinion that the Malay Rulers were needed to protect the Malays.

However, the MacMichael Agreement and Malayan Union incidents clearly showed that the ones willing to protect and capable of protecting the Malays were the Malays themselves.

He said: "If not for the Malays who stood up and opposed the Malayan Union, the Malays would be beggars in their own country today." -- more

▼18/01/17-29MST

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The Prime Minister said certain quarters were trying to scare the Malays over the amendments because they wanted to use racial sentiments to further their party's interests.

Their history could not convince the government of their sincerity as they had tried to weaken the Malays by splitting Umno and cooperating with parties which were doubted by the Malays, he said.

The Prime Minister wondered if Rulers would lose their sovereignty and thrones just because they were prevented from committing crimes.

The notion that Rulers could only be Rulers if given rights and privileges to commit crimes was against the concept of Rulers being the fountain of laws, he said.

Citing as examples Western countries which maintain the system of monarchy, Dr Mahathir said the Rulers, government and people knew that if the Rulers committed crimes they could be charged in court and dethroned.

This way, Rulers in Western countries would not intentionally commit crimes, he said.

+Although it is clear the Rulers in the West are not immune from legal and non-legal actions, the Rulers are still Rulers, and are still respected,+ he said. -- more

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He said that during British rule, the Malay Rulers could be installed or removed from the throne by British officials who at one time threatened to expel the Rulers if they did not sign the Malayan Union agreement.

Even in this situation, the Rulers continued to be Rulers and the people did not demand the removal of the Rulers or the abolition of the institution of monarchy though the Rulers had surrendered the Malay states to the colonialists, he said.

Dr Mahathir said the action by the Malays to oppose the Malayan Union clearly showed that the fate of the Malays lay in the hands of the Malay people.

The security of the Malays would not be jeopardised if the Malay Rulers did not possess the right to commit crimes, he said.

He described as mere lies the accusations by certain quarters that Malays would no longer be Malays and would lose their special position if the Rulers were stripped of their right to commit crimes.

"Only the Malays themselves can guarantee that they remain Malays and that their rights are preserved.

"The Malays, through the representatives and government they elect, would be the ones to draw up and implement various programmes to protect and redeem the dignity of the Malay race," he said. -- more

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Dr Mahathir said the legal immunity given to the Rulers had to be abolished if Malaysia wished to remain a country practising parliamentary democracy and constitutional monarchy.

As the constitutions of countries practising constitutional monarchy did not afford their Rulers immunity, stripping the Malay Rulers of their immunity would not erode their sovereignty, he said.

He stressed that in these modern times, preventing Rulers from indiscriminately committing crimes would not undermine their status, especially in a country practising parliamentary democracy and constitutional monarchy.

He said the protection and privileges granted to the Rulers were meant to place them on a high and honourable position.

These were not meant to enable the Rulers to act as they liked, including committing crimes, he said.

In fact, Rulers who understood the actual meaning of the amendments would always keep clear of any action or behaviour that was disapproved of by society, he said. -- more

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"Rulers who are aware will know that actions which ignore the feelings and views of society will ultimately lead to the people ousting the Rulers, and in fact abolishing the system of monarchy.

"This was what happened in other countries which have become republics," he said.

In this connection, he quoted from an article which was sent to The Straits Times newspaper in 1946 by a leading Malay figure when the British proposed the formation of the Malayan Union. The article was not published by the newspaper but was presented to the Prime Minister by the writer recently.

He said the writer had stated that "all intelligent Malay leaders ought now seriously to give most profound and careful thought to the question whether the time has not arrived when the Malay royalty (I mean the Sultan and Raja) should gracefully withdraw themselves all together."

"If such a view already existed in 1946, would it not be possible for it to resurface in 1993 if Rulers are not prevented from committing untoward incidents?" Dr Mahathir asked. -- Bernama

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