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Allow prospective candidates to nurse their constituencies well before polls

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AFTER the Nov 29 election results were announced, public interest turned towards the formation of the new Federal Government and the State Governments.

At State level, the politicians said that the choice of the new Menteri Besar and Chief Ministers was the sole prerogative of the Prime Minister.

As further manifestation of such assertions, the mass media displayed pictures of prospective State leaders presenting the "Letter of Appointment" from the Prime Minister to the respective Rulers.

Under the State Constitution, the Prime Minister has no power to decide, let alone appoint, the Menteri Besar or Chief Minister of a State.

Indeed the State Constitution specifically provides the Ruler may act in his discretion in the appointment of the Menteri Besar.

The State Constitution further provides that the Ruler shall first appoint as Menteri Besar to preside over the Executive Council a member of the Legislative Assembly who in his judgment is likely to command the confidence of the majority of the members of the Assembly and he shall, on the advice of the Menteri Besar, appoint not more than 10 nor less than four other members from among the members of the Legislative Assembly to the Executive Council.

The purported power of the Prime Minister in deciding the State leadership has created a mistaken concept of the constitutional position.

The reality was that the component parties of the Barisan Nasional have entrusted to the chairman of the Barisan Nasional the power to choose the State leaders.

The object of the exercise is to ensure stable and smooth relations between the Federal and State Governments.

It so happens that the chairman of the Barisan Nasional is also the Prime Minister, hence the confusion caused in the minds of the public in not separating the dual functions of Datuk Seri Dr Mahathir Mohamad.

It should be noted that the appointment of the Menteri Besar of Kelantan and the Menteri Besar of Trengganu recently had nothing to do with Dr Mahathir.

Be that as it may, perhaps it is time that the process of forming State Governments should be made more transparent and be in accord with the spirit of the State Constitution.

And it can be achieved by not even having to amend the State Constitution but merely by establishing a tradition or at most by the rules of procedure of the Legislature Assembly.

As soon as may be, say within 14 days after a general election, the new Legislative Assembly should be convened, the members sworn in and proceed to elect the Speaker.

Thereafter, the Assembly shall proceed by secret ballot to elect the leader of the House. The Speaker will then report to the Ruler that a new leader of the Assembly has been elected. The Ruler will thereupon invite the leader to the istana and appoint him as Menteri Besar, or Chief Minister as the case may be.

Such a procedure with its obvious transparency will be seen by the people of the State that their Menteri Besar was elected by the State Legislative Assembly and not by somebody in Kuala Lumpur.

In addition, the Menteri Besar will realise that he owes his position to

the majority vote of the Legislative Assembly and bring into focus the provision in the State Constitution that the Executive Council shall be collectively responsible to the Legislative Assembly.

The Ruler in turn in exercising his discretion and judgment in the appointment of the Menteri Besar is assured that he does so on strong foundations.

As we enter the new millennium, there should be a more purposeful approach to gradually convert our political system from a top-down style to bottom-up in the true spirit of our democratic system of government.

Henceforth, political leaders should initially be elected by members of the party at parliamentary or State constituency levels.

He should be known to the electorate long before a general election. The days of imposing surprise candidates hours before Nomination Day should be history. It is up to the prospective candidate to nurse his constituency well before the election.

Whilst the 14-party coalition of the Barisan Nasional has so far ensured political stability which has enabled the country to achieve economic and social development, the attendant risks of a coalition are always present.

Factionalism within political parties is nothing new and exists in other countries as well. The Congress Party of India, for example, which secured the country's independence and governed India for four decades is now in the opposition in Parliament, its electoral failure largely due to factionalism, complacency and the defects of a system reliant on political patronage.

Pas and PBS of Sabah were at one time component parties in the Barisan Nasional. Ten years ago Umno saw an exodus of members to S46. Recently some Umno members joined Keadilan and Pas.

Perhaps the Barisan Nasional should seriously consider changing its name to Parti Nasional with direct membership of individuals as a component in addition to the existing 14-party membership so that it will have a more solid base. The very name Barisan (Front) indicates that it is a hotchpotch arrangement.

History has shown that fronts have collapsed because it had no back!

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