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Misguided enthusiasm

PERLIS Menteri Besar Datuk Seri Shahidan Kassim has gone too far. His decision to extend the school hours in the State from March 1 is a slap-in-the-face to Education Minister Tan Sri Musa Mohamad and an assault on the country's federal system of Government.

No matter how innocent or noble the intention, the plan disturbs "the federal balance", that is, the balance of powers provided in the Federal Constitution. Education is a purview of the Federal Government. The States do not have any constitutional carte blanche to innovate the national school system.

Any State encroachment into Federal powers would set a dangerous precedent. As it is, Kelantan and Terengganu have attempted to erode the institutional integrity of the country's federalism with their hudud. The survival of the Malaysian polity is ensured by limitation of the powers of the two levels of Government - Federal and State. Neither level of Government is intended, in the absence of distinct provision to the contrary, to erode or weaken the capacity expressly conferred on the other.

Shahidan was quick to translate what he claimed as Prime Minister Datuk Seri Dr Mahathir Mohamad's idea. An admirable trait perhaps. But such actions should not upset federal equilibrium or preempt the ministry's decisions and worse, mandate new responsibilities. The question is: Why subject the teachers and students to a hotch-potch of superficial arrangements? His proposal that the teachers be given vouchers for "tuition classes" would manifestly be an abuse of the ministry's Targeted Supplementary Education Voucher Scheme, which is meant for the pupils from lower-income households in the first four years of primary school.

Unless and until the Federal Parliament enacts an education flexibility law, giving States the freedom to use federal funds for education priorities, there is no room for constitutional misadventures. We do not want a situation where constitutional federalism is alive in scholarly treatises but has expired as a practical political imperative and reality.