

## **What will PM do to rectify constitutional blunder?**

**MalaysiaKini.com**

**June 3, 2013**

YOURSAY 'Umno-BN has always treated the constitution with contempt. In the past, they amended it as they liked whenever any clause became "inconvenient".'

A constitutional blunder by Najib

your say Kim Quek: Attorney-general Abdul Gani Patail, who has been playing deaf and dumb through all controversies and scandals incriminating BN all these years and successfully getting away from them all, should now stand up and clear the air over the apparent constitutional debacle that PM Najib Razak has plunged the country into.

If Gani continues to keep his infamous silence, he would be deemed to have breached his oath taken before the Agong to protect and defend the constitution.

Universiti Teknologi Mara (UiTM) law professor Shad Faruqi, who has earlier sanctioned these apparently dubious ministerial appointments as constitutional, should also join the discourse to defend his position.

Mohican: When PM Najib Razak took his oath of office before the king, he swore to uphold and defend the constitution which is the supreme law of the land.

If one can violate the supreme law of the land, then I shudder to think with what ease they can do to other laws. What kind of AG and chief secretary of the government do we have? This is utterly disgraceful and incompetent.

Hold Awam Accountable: If there was one area I thought our government really excelled in, it was red tape and bureaucracy. But now, horrors, it seems that even the bureaucratic officials of the Prime Minister's Department have been derelict in their duties.

Kit P: Umno-BN has always treated the constitution with contempt. In the past, they amended it as they liked whenever any clause became "inconvenient".

Since they lost the two-thirds majority, they simply ignore the constitution, when it is really the supreme law of the federation.

Doc: I think most people still think that Malaysia is a parliamentary democracy but

it is in fact an Umno-run democracy or Umno dictatorship, whichever you may want to call it.

Everything that Umno does illegally, like appointing non-elected common folk to be ministers or rigging the election, is fine and dandy.

Not Confused: The BN government is totally unconstitutional, illegal and should resign immediately and call for fresh elections. They won't do this, of course.

They have zero respect for the rakyat, for the constitution (which has been amended out of recognition over the 50 years they have dictated the country), for any kind of freedom of expression, or indeed anything that mature democracies hold dear.

They have so much corrupt baggage behind them that they cannot do anything but cling to power to save their sorry hides.

Outraged: What has the Agong to say about this? One of his servants by the name of Najib has presented him an illegal list of public servants called YBs to be confirmed and ratified.

Shouldn't he sack such a servant for bringing disgrace to his name, the land and the people?

The Rover: Any Form Six student who has studied for 'Pengajian Am' will know this elementary matter - the problem is we have nincompoops who head the government administration yet who carry impressive titles.

They have become our lords - and no longer our civil servants. Idiots all of them.

Vijay47: One can expect the response from Najib and friends to be along the lines of "What does Tommy Thomas know? He is only a constitutional lawyer".

Umno will then consult the latest beacon of jurisprudence, former Courts of Appeals judge Mohd Noor Abdullah, who will make his pronouncement on the ultimate interpretation of the constitution in respect of appointments:

"Whereas such decisions as may be made by any Malay-Muslim prime minister who is from Umno shall be valid and binding for any and all purposes of the constitution and shall be implemented and enforced without let or hindrance nor shall such decisions be challenged in court as wanting in legality."

This explanation will then be supported by the other legal champion, Ridhuan Tee Abdullah. Then what to do, Tommy?

MalaysianTsunami: Reading this article and the posted comments here reminds me of the fable 'The Bell and the Cat'.

Everyone here wants the bell on cat but nothing is said about who should do it and how. My advice is for everyone to do his little bit.

Call for more Bersih events, join the rallies, support the student movement, put some money in the donation boxes, boycott state-run media and events, write constructive comments with actionable items and perhaps the most important, unite as a nation by bridging the rural-urban divide.

2 Tim 1:7: "A government of laws, and not of men." (John Adams, 1735-1826). Yahoo Answers explains this principle:

"It means that laws are to be interpreted objectively, not reread by individuals and are to be applied to everyone without regard for their positions, reputations or personal relationships with others.

"A government of men, on the other hand, would be one that is subjective, depending on the relationship of those enforcing the laws and those against whom the laws might be enforced."

Sinner: Law professor Shad Faruqi cited the case of Abu Hassan Omar who was appointed by then PM Mahathir Mohamad in 1997 as Selangor menteri besar without first being a member of the Selangor state legislative assembly.

He said the Permatang state seat was vacated to pave the way for a by-election for Abu Hassan. This is truly Umno Boleh.

Furthermore, this Abu Hassan case wasn't challenged in court so its legality is not known.

Foo: I am the law? No?

Copyright © 1999-2012 Mkini Dotcom Sdn. Bhd  
Source: <http://www.malaysiakini.com/news/231843>

