

## **Can Anwar be appointed MB by sultan?**

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YOURSAY 'The sultan cannot impose his candidate on the legislature without risking a vote of no-confidence...'

'Sultan has absolute power in appointing MB'

ACR: By convention only a person born in the state is appointed MB and this is the practice in most Malay states. Hence, Anwar Ibrahim is unlikely to be appointed on this score.

Article 51(2) requires a Malay and Muslim to be MB. But Article 53(4) allows HRH (His Royal Highness) to dispense with this if need be.

Article 53(2)(a) gives HRH the power to appoint as MB a person who HRH feels commands the confidence of the majority of Aduns in the Assembly. HRH only acts on the advice of the MB for appointments of Exco (executive council) and deputy MB.

Though 55(1) mandates HRH to act on the advice given to him, 55(2) gives HRH sole discretion, inter alia, to appoint the MB.

Gerard Lourdesamy: The sultan has absolute discretion in the exercise of the prerogative to appoint the next MB if the current one resigns but the exercise of this power is overlaid by convention.

He will naturally confer with all the party leaders represented in the Legislative Assembly to obtain their views on a suitable person who can command the confidence of the majority.

Even if PAS and BN have different views from PKR and DAP, the latter two parties have a combined majority and the sultan has to appoint a candidate endorsed by both parties. The math does not favour PAS and BN.

The sultan cannot impose his candidate on the legislature without risking a vote of no-confidence against his nominee which can be easily carried by the PKR/DAP majority.

This will embroil the palace in political controversy that may lead to an early state-wide general election which will be very damaging to the ruler since he is supposed to be apolitical and strictly neutral. Plus his candidate may not win the election.

Quigonbond: Of course, former Court of Appeal judge Mohd Noor Abdullah would say that the sultan has absolute power in appointing the MB. He's from Perkasa. He'll subvert the constitution if he gets his five minutes in the limelight.

If the Selangor sultan has absolute power, what's the whole point of having a state election? I'm ashamed to have an ex-judge such as him.

The Pakatan coalition in Selangor has two-thirds majority. They can collectively pick any MB they well choose.

Otherwise, when Abdullah Ahmad Badawi stepped down, it might not have been Najib Razak becoming PM if the king has absolute power - which is exactly what Mohd Noor is also saying by extension.

Ferdan: What stupidity is that? A former judge of the Court of Appeals saying the sultan has absolute power in deciding the appointment of an individual to be the state's menteri besar is out of this world.

Our sultan is a constitutional monarchy and not absolute king who can choose whoever he decides.

Take this scenario and see how ridiculous this ex-judge is. Say Anwar Ibrahim is chosen to be the only candidate for the MB's post, signed by all 44 Pakatan Aduns out of 56 total assemblyperson, doesn't this considers to have the confidence of the majority of the state assembly?

If the sultan were to reject him then he appoints another. What happens next?

Once the state assembly convenes with the sultan's choice as MB, there is no stopping of the majority of the House to pass a vote of no confidence. It will be so easy to topple him by passing a vote of no confidence in the MB as Pakatan has two-thirds majority.

Will the sultan dare to choose another? It would make a mockery of the monarchy if it is so. If Mohd Noor can be the former judge of the Court of Appeals it only shows the standard of our judiciary.

Meh: Luckily, the judge has retired. Otherwise, we would all have to suffer his stupidity. Obviously, he knows nothing about constitutional conventions which even a Form 6 student can teach him.

Please God, spare us of such stupid judges in the future for the sake of this beloved country.

Fernz: This is a misreading of the constitution and law. The sultan is not above the law, he's not the law. The reading in Selangor, an inferior law, must be subject to the superior federal law.

Any inconsistencies in the inferior law with the superior law is null and void.

Fairnsquare: Anwar must feel really confident as everyone is preparing for his victory and even this absurd judge is insinuating the possibility of the sultan not accepting him as the next MB.

HRH will respect the people's choice and we do not need some judge who has lost respect of the rakyat to drag HRH into politics.

Tan Kim Keong: In the forum, titled 'GE13 Post-mortem: Muslim Leadership and Survival', which was organised by UiTM Malaysia Alumni Association and Gabungan Pelajar Melayu Semenanjung, this ex-judge said:

"The Chinese betrayal towards the Malay's hand of friendship - that is true. Because they plotted to seize political power even though they have already have economic power."

So you now know why this judge is making all these statements by assertions without any shred of rationality. Thank God, he is no longer a judge.

Anonymous\_1371608207: Article 53(4) in the Selangor State Constitution 1959 is reads as follows:

"In appointing a Menteri Besar, His Royal Highness may, in his discretion, dispense with any provision in the Constitution of the State restricting his choice of a Menteri Besar, if in his opinion it is necessary to do in order to comply with the provisions of this Article."

I think is self-explanatory. We need not elaborate further.

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