

## **PAS' legal arm raps Hadi and syura council**

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The PAS' legal and human rights bureau (Luham) said that its president and syura council had breached the party constitution in their conduct in the Selangor menteri besar saga.

It explained that the syura council was "mistaken" in its interpretation that the party president Abdul Hadi Awang had "veto" power to override the central committee and make decisions on his own.

Luham secretary Abang Ahmad Kardee Abang Masagus cited Hadi's move to submit the name of a PAS representative for the menteri besar's post to the Selangor palace, which was endorsed by the clerics in the syura council, overriding the decision of the central committee.

"This is when, prior to this, the president himself said PAS will not demand the post since it belongs to PKR.

"The bureau believes this is based on the muktamar's decision that PAS has political cooperation with Pakatan.

"So, when a PAS representative is also nominated for the post, doesn't it run foul of PAS' agreement in Pakatan?

"And is this not a violation of the muktamar's decision as well?" he asked in a statement.

As for syura council, Abang Ahmad said the party has already decentralised the powers of the president in 1983, so as to allow all decisions to be made through consultations.

The bureau opined that the syura council "had acted beyond its powers" in making a decision involving the Selangor MB's appointment.

Among the salient points of the lengthy 40-page statement issued by Luham are as follows:

- The syura council's powers are based on "referrals" and not "first instance" or "inherent". Unless the central committee had referred to the council to make an interpretation, the council's meddling is a "non-starter".

- If the council intends to add on to the powers of the president, which is not written verbally in the party constitution, it should move for an amendment in the party constitution in the next muktamar.

- The syura council's interpretation of the president's supposedly veto powers was made

on a "wrong premise" and thus is "very difficult to defend."

- It is clear that the president's powers is not separated from the central committee. If the the syura council's interpretation is accepted, the central committee will no longer become relevant in PAS. The president does not have the powers to decide without referring to the central committee.

'Hadi was right'

Meanwhile, PAS-linked NGO Ikatan Ilmuan Nasional Malaysia (Ilmuan), a pro-Hadi faction, released a statement earlier today claiming that the president's actions were right and he had acted within his powers in submitting a different set of names to the Selangor palace.

The NGO's legal cluster chief Aminuddin Omar said that the body had studied all the relevant clauses in the PAS constitution and concluded that Hadi did not breach the party constitution.

"In fact, the actions of the president was in order to fulfill the decree by the Selangor sultan who had asked for more than two names to be submitted to the palace," said Aminuddin.

PAS has been divided into factions supporting and opposing the decision of Hadi and the syura council to send a list different from that was decided during the PAS central committee earlier.

This was after PKR started a gameplan to replace Selangor Menteri Besar Abdul Khalid Ibrahim with its president Wan Azizah Wan Ismail.