

Dr M: I could not convince Agong, nor did he tell me to shut-up
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Dr Mahathir Mohamad has refused to reveal details of what transpired during his audience with the Yang di-Pertuan Agong on Sept 15, but admitted that he failed to convince the ruler.

Responding to questions on this, the former premier said he and the ruler had a long discussion when he submitted the 1.2 million signatures of the Citizens' Declaration calling for action against Prime Minister Najib Abdul Razak.

"He (the Agong) questioned me about provisions of the law. In the end, I could not convince him... He (the Agong) didn't say anything, he just said that he is not prepared," he told reporters.

Mahathir refused to elaborate on what the ruler said as it was mentioned in confidence, but reiterated that the Agong declined to heed their request.

"What we requested can't be implemented... maybe he thinks he has no power," he added.

Asked if the Agong had advised him regarding his conduct, Mahathir replied: "No, no advice. He did not tell me to shut-up or anything like that."

Mahathir claimed that the ruler did not question the legitimacy of the declaration, nor state that it was an unconstitutional act.

The former premier also dismissed Najib's allegation that he acted beyond the law.

"What I did was not wrong; the ruler need not only listen to the PM. Unlike what Najib said that I went beyond the law... the Agong has the right to appoint the PM... power to appoint includes power to dismiss.

"What I did was not outside the (federal) constitution. It's obvious that the rulers have the power, which was why we appealed to them.

"Unfortunately, we could not get a positive answer but we have to pursue this," he said.

Emphasising that the rulers are responsible for the fate of the people, Mahathir revealed that letters have been sent to the various rulers to consider the appeal to take action against Najib.

"We want to know if the rulers have an opinion on 1MDB and the (US Department of Justice) DOJ lawsuits," he added.

'Agong's intervention is constitutional'

Speaking to *Malaysiakini* later, Mahathir's lawyer Mohamed Haniff Khatri Abdullah, [reiterated](#) his view that the Agong had the constitutional right to remove the prime minister.

"Section 29 (of the Interpretation and General Clauses Ordinance 1948) states that power (of the Agong) to appoint includes power to remove.

"And power to remove itself means power to suspend the person and replace someone temporary," he explained.

But the Agong only had the right to exercise such power when the check-and-balance mechanism of parliamentary democracy had failed, he said.

This is when the legislative body and the judicial system do not function properly, he explained.

"If everything else fails, then the king comes in constitutionally," he said.

Haniff cited as an example Penang Chief Minister Lim Guan Eng's ongoing corruption case; since the courts were able to provide check and balance, the Penang governor had no right to ask Lim to go on leave.

"In that case, I can say that the governor has no power (to intervene), because the system of check and balance is working.

"The power of the king to remove (the head of a government) is the final avenue when other avenues are compromised," he said.

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