

**Terengganu : stalemate continues on Idris' appointment**  
**Malaysiakini.com**  
**Mar 19, 2008**  
**K Kabilan**

Eleven days after the general election, Terengganu remains the only state which has not had a menteri besar sworn in to form a state government.

Jertih state representative and incumbent menteri besar Idris Jusoh was widely tipped to retain his post after BN retained the state comfortably in the elections by winning 24 out of 32 state seats. PAS won the rest.

Idris Jusoh and Terengganu He was even slated to be sworn in on March 10 at Istana Maziah but that ceremony was postponed at the eleventh hour to a date that was to be determined later.

Many believe that the Sultan Mizan Zainal Abidin of Terengganu has a hand in this delay.

Sources previously told Malaysiakini that the palace preferred Kijal assemblyperson and Kemaman Umno division chief Ahmad Said over Idris.

Idris however has the support of Prime Minister Abdullah Ahmad Badawi and 22 of his fellow state assemblypersons, excluding Ahmad.

The sultan is apparently not happy with Idris over the Batu Buruk riot on Sept 8 last year as well as the incident on polling day when the police used strong measures to disperse PAS supporters in Rusila, Marang.

Sultan Mizan Zainal Abidin 13th Agung King Malaysia 121206 3 It is also believed that the sultan (photo) was also unhappy with the "apparent cockiness" shown by Idris during his tenure as menteri besar. On the ground, Idris also faces pressure from Umno members and leaders over his choice of election candidates.

Given these circumstances, sources say, the Terengganu palace was finding it hard to accept that Idris enjoyed the support of the majority to be the menteri besar.

Sources however said that Idris was confident of becoming the next menteri besar with the prime minister's as well as the 22 state representatives' support.

"The only issue now is to pressure the palace to accept him as the menteri besar," said sources close to the state Umno leadership.

**AG's clarification**

They said that the first course of action in putting pressure on the palace was by having the Attorney General releasing a statement on the constitutional role of the Sultan Terengganu or his regent in the appointment of the menteri besar.

In remarks published today, AG Abdul Gani Patail said that the federal constitution does not grant the sultan as the sitting Yang di-Pertuan Agong the right to nominate anyone for the menteri besar post.

abdul gani patai Abdul Gani also said the candidate appointed as the menteri besar was not the nominee of the regent or the Regency Advisory Council but a person who was appointed according to the laws of the state.

He said that the state constitution stated that the menteri besar appointee must be a person who is a member of the state legislative assembly who commanded majority support in the assembly.

The sultan's 11-year-old son Tengku Muhammad Ismail acts as the regent, represented by the Regency Advisory Council in fulfilling his royal tasks.

The AG said that the sultan was fully aware of the provision and that he cannot interfere in the appointment of the menteri besar.

"This is because under Article 34(1) of the Federal Constitution, the Yang di-Pertuan Agong cannot function as a ruler of a state except as the head of the Islamic religion.

"In connection with this, the Yang di-Pertuan Agong does not have his own candidate for the post (menteri besar of Terengganu)," added Abdul Gani.

He also said that king was aware of the fact that appointing of the menteri besar lied fully with the regent and the Regency Advisory Council.

Abdul Gani also clarified that there was no tussle between the regent or the council and the state government pertaining to the appointment of the menteri besar.

### **Constitutional expert disagrees**

However Abdul Gani's clarification on the matter did not sit well with constitution expert Prof Abdul Aziz Bari.

prof dr abdul aziz bari "I do not think it was right for the Attorney-General to make the statement for he is not the legal advisor for the state of Terengganu," Abdul Aziz told Malaysiakini.

"In any case it is more proper for the AG to speak personally with the Agong instead of going public. It is constitutionally improper to do that. Did he actually impute that the Agong had interfered in politics?" asked the law professor from the International Islamic University Malaysia.

He also drew a recent example of Raja of Perlis who used the state constitution to his favour to name Bintong state representative Md Isa Sabu as the new menteri besar in place of Shahidan Kassim who was chosen by Abdullah to continue to be MB.

"The law says that it is the discretion of the sultan, or whoever is put in his place to carry out that function. And this discretion is a subjective," said Abdul Aziz.

"Which was why the ruler of Perlis was right in appointing Md Isa and that it was incorrect to say that the ruler has overstepped the boundaries," he added.

"I do not think it was wise for the AG to go public. For one thing, that can be interpreted as

an attempt on the part of the prime minister to do what he failed to do in Perlis (by having his choice appointed as the menteri besar).

"This is another example of inability to assert his authority on the part of Abdullah," he added.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.  
Source : <http://www.malaysiakini.com/news/80086>