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Rulers have to enlighten people

The line that separates the spheres of politics and constitutional monarchy appears to be fuzzy and crucial decisions of rulers need to be better explained to the people, writes ZAINAL AZNAM YUSOF

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ONE of the most interesting developments from the recent general election was the role of the rulers, or the sultans, in determining the choice of the menteri besar of some of the states and also in the composition of the state executive councils. There were some delays in finalising these appointments.

The broad consensus, following the outcome of the stand of the sultans, was that they were acting in accordance with the federal and state constitutions.

A feature of the saga, which was also apparent in the past, was that the basis of the decisions made by the sultans was not spelt out and made clear to the electorate. Because of this lacuna, one was left with an abundance of speculations and rumours.

Why were the original candidates unacceptable? The media, which reported on the events, appeared hesitant and relatively foggy and there is a need for everyone to be better informed.

As it is one of the fundamental institutions in the country, the monarchy or royalty, in the interest of enlightenment and raising the level of consciousness of the public, ought to consider making the basis of its decisions widely known as clearly as it can be done.

In a broader sense, this request should also be directed at the executive branch of government.

As speculation and rumours can be damaging, unless it is part of a deliberate game to gain some unstated ends, the basis of important decisions should be made known.

Even so, the recent royal interventions and vetoes were not unique as there have been differences of views between the federal government and the rulers in the appointments of menteri besar in the past.

The two states that came under the scrutiny of the sultans were Perlis and Terengganu and to some extent Perak and Selangor for the composition of the state executive councils.

For Perak and Selangor, the intervention by the sultans was to ensure that the choice of



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candidates for the state executive councils had the backing of the majority of Pakatan Rakyat, the new grouping of the opposition political parties.

In the case of Perlis and Terengganu, it was simply a case of outright disagreement as to who should be the menteri besar.

The federal government, initially, had consigned itself to endorsing Datuk Shahidan Kassim, the incumbent, to continue to be the menteri besar of Perlis.

The Raja of Perlis disagreed with the recommendation of the federal government and instead decided that Datuk Md Isa Sabu should be the new menteri besar.

For Terengganu, Datuk Seri Idris Jusoh, the incumbent, was the choice of the federal government for menteri besar.

The Regency Advisory Council for Terengganu, however, disagreed and instead decided that Datuk Ahmad Said should be the new menteri besar, despite the strong opposition from many quarters and threats that disciplinary action would be taken against Ahmad Said if he accepted the appointment.

Over the past 50 years, there have been other episodes when rulers have had their differences, including over the appointment of menteri besar, and were involved in tussles

with the federal government.

The line that separates the sphere of politics and the sphere of a constitutional monarchy appeared to be fuzzy and malleable. In 1949, the tussle between Datuk Onn Jaafar and the ruler led to the resignation of Onn as menteri besar of Johor and eventually as president of Umno.

According to Raja Azlan Shah, the deteriorating relationship between the then Sultan of Perak and Tan Sri Ghazali Jawi, the menteri besar, led to the latter's resignation and the appointment of a replacement who was acceptable to the ruler.

In Pahang, menteri besar Datuk Abdul Rahim Abu Bakar had to step down because of worsening relations with the Regent of Pahang.

In Johor, deteriorating relations between the ruler and his menteri besar led to the ruler ordering the latter to vacate his office premises.

In 1982, the Sultan of Selangor was displeased when it was reported that Datuk Ahmad Razali had been nominated by Barisan Nasional as the next menteri besar after the 1982 general election.

Raja Azlan Shah indicated that the ruler's displeasure was due to the act of sending Datuk Harun Idris to submit the name of the nominee to the sultan and that "it would have been

polite and proper if the incumbent menteri besar or the prime minister or his deputy had sought an audience with his Royal Highness to submit the name of the new menteri besar".

In 1983, following the constitutional crisis, constitutional amendments were made to reduce the royal powers in delaying assent to a bill that had been enacted by parliament.

And in 1993 there was the contestation over royal immunities from the rule of law which also caused another constitutional crisis.

In July 1992, six of the nine Malay rulers signed the Proclamation of Constitutional Principles which in essence was a Code of Conduct.

Among others, it re-affirmed that they would not be involved in politics and that constitutional principles would be applied in the appointment of the menteri besar of a state.

The missing element in the recent confrontation between the sultans and the federal government, as well as in similar episodes in the past, was an explicit and clear explanation for opposing the choice of the original candidates for menteri besar.

The past, buttressed by the new political environment, provides clear evidence to expect that there will be more interventions by royalty which will stretch the constitutional boundaries of a constitutional monarchy.

While checks and balances are vital parts of a working democracy, they could be hostage to personalities and idiosyncratic tastes.

Hence, in the interest of transparency and good governance, key decisions made by the sultans that can have far-reaching repercussions will need to be grounded on reason, a justification for their choices and duly recorded.

Enlightened rulers should enlighten their rakyat who should not be left speculating in the dark.