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Dr Mahathir confusing the people

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RULERS' POWERS:
Ex-prime minister interpreting Constitution to suit his political agenda



We, too, a British colony, followed the British tradition and our rulers, too, progressively gave up their absolute powers to become constitutional monarchs, who reigned rather than ruled.

Ours is perhaps the world's only system where nine brother rulers come together every five years to elect one among them to be king and preside over the country.

We witnessed this constitutional provision at work on Friday.

The rulers also play their constitutional roles with great finesse.

But Dr Mahathir is now attempting to drag them into mainstream politics by interpreting the Constitution to suit his political agenda, which is to topple Najib.

Dr Mahathir needs a lesson in the basic rules of parliamentary democracy.

Najib is a democratically elected leader who enjoys majority support in Parliament and until he loses that majority, he cannot be removed by any modern-day rulers.

Everybody knows that rulers only reign and not rule in modern societies and that the real power is

vested in Parliament, whose majority party leader is Najib.

Najib is prime minister for five years and until he loses that parliamentary majority, the only people who can remove him are the voters, and not the Yang di-Pertuan Agong or Conference of Rulers.

And, the voters perform that function once in five years, and not at the whims and fancies of anybody.

This is parliamentary democracy 101.

No wonder the king and the Conference of Rulers declined to act on Dr Mahathir's unrealistic request — they knew they didn't have the powers.

This does not mean they don't have powers, they do — as head of Islam or as commander-in-chief or to safeguard the special position of Malays — but not to remove an elected head of government.

But Dr Mahathir is not one to be deterred by any normal argument. He now says the rulers indeed have the powers if the Constitution is properly interpreted.

Dr Mahathir is confusing the people by saying this. He is trying to reinvent the Constitution and confuse the people by showing a purported one million signatures on a document that seeks Najib's removal.

He met the king on Sept 15 and submitted the signatures, and also

wrote to the Conference of Rulers requesting them to act but they have not, knowing the limits of their powers.

Ironically, Dr Mahathir himself had contributed to the rulers' loss of powers because of what is known as the two "Gomez incidents" in 1992/1993, when a ruler and commoners clashed.



Tun Dr Mahathir Mohamad

Dr Mahathir had, rightly, moved to curb the powers of rulers and even earned criticism for his "republican tendencies".

But ironies of irony, the same man who curbed the royals' powers is now urging the royals to advance his agenda and remove Najib.

Everybody should know by now that the rulers no longer enjoy absolute authority or absolute immunity from prosecution and that they too are subject to law.

You don't need to be a legal expert to know that the age of absolute rulers is over for good.

But Dr Mahathir is pulling out everything in his arsenal to create public confusion and to sow uncertainties about the government as to how the supposedly "powerful rulers" are unhappy with Najib.

Dr Mahathir is wrong to interpret the Constitution to suit his agenda.

If there is any doubt about the

Constitution, that same Constitution gives powers to the courts to do the interpreting, and not to Dr Mahathir.

To reiterate, the Federal Constitution is the supreme law of the land and it has laid out the powers of the branches of government and the rulers, who have powers to act only if Najib loses majority support in Parliament.

Dr Mahathir can continue to confuse the people because confusion is a tool of state craft and confusion serves his purpose.

"It is strange that when he needs the support of the rulers to oust Najib, he says the rulers actually have a big say in government administration.

"But when he was going after the royals, he said they had no say at all," said a legal expert, who asked not to be named.

"The truth is Dr Mahathir is desperate for political support because he sees support slipping away.

"He is trying to use the rulers to shore up political support among the people.

"If people are unhappy, they can ask their members of parliament to move a motion of no confidence in Parliament or they can hold their horses until the election comes around," he said.

"That is the legal and accepted way. It is not proper to revive an institution that has been eclipsed and adorn it with powers that it does not have."