

'Mahathir, Anwar must also answer for Memali'

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Malaysia follows the Westminster system of government and therefore the principle of collective responsibility for the Memali incident should fall on the entire cabinet of 1985, says constitutional expert Abdul Aziz Bari.

In giving his opinion over the **revelation** made by former deputy prime minister Musa Hitam, Aziz said collective responsibility would mean that then prime minister Dr Mahathir Mohamad, and even Anwar Ibrahim, who was agriculture minister then, should also be held accountable.

“The relevant provision under the Federal Constitution is Article 43(3), which states that the cabinet should be collectively responsible to Parliament. Technically, deputy ministers and parliamentary secretaries may not, as they are not members of the cabinet (they are only there to assist full ministers).”

“The individual responsibility of a minister is in respect of the ministry or portfolio under their care. For the home minister, for example, he or she has to take responsibility for any mistakes or wrongs committed under or by the ministry.

“But this is the constitutional aspect and it does not cover criminal aspects,” Aziz, who contested on PKR ticket in the last general election, said in a statement released today.

It means being answerable to Parliament

Responsibility under constitutional law means being answerable to Parliament, which includes making or giving statements.

“In advanced democracies, this may mean parliamentary censure or resignation,” Aziz said, adding that the principle of collective responsibility can also be found in the respective state constitutions involving menteri besar and chief ministers.

Musa said in a statement published by *Malaysiakini* today that nobody from Umno or the government was prepared to **speak the truth** that Mahathir was in the country during the Memali incident of Nov 19, 1985, in Kedah, in which four police personnel and 14 civilians were killed.

Musa, who was also the home minister then, said he had been alone in his quest for justice, that he continued to pray and finally, there was this programme in Kelantan, which he now sees as Allah's answers to his prayers.