

Discussion paper talks about possible devolution of power in Tonga

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08 JUNE 2009 SUVA (Pacnews) --- One of the possible changes to the powers of the monarchy in Tonga is likely to be the appointment of the Prime Minister.

The Constitutional and Electoral Commission says it will recommend that the Prime Minister be selected by the Legislative Assembly instead of the King. This is among several observations raised in the 34 page interim report released on Friday (05 June). The discussion paper was released publicly in the hopes that it will 'stimulate further informed submissions' on proposed political reforms in the island kingdom. 'The Commission will consider recommending that the Prime Minister be selected by the Legislative Assembly from elected representatives, and he will appoint his own ministers' 'All will be appointed by the King but His Majesty has accepted as a binding precedent that he will accept the Prime Minister chosen by the Assembly and the ministers recommended to him by the Prime Minister, said the report. But, many Tongans within and those living overseas see the monarchy as a stabilizing influence on the way the country is governed. 'They feel that the monarchy acts as a safeguard against unconstitutional actions by the government. 'Despite the King's wish to give control to the people through elected government, many feel that he should retain some powers to control any possible government disregard of the Constitution or where intervention is necessary because the Legislative Assembly is unable to function, said the interim report. The Commission said there has been no discernable wish to change His Majesty's role as Head of State and it is clearly essential that it is preserved. Under the present system of government in Tonga, the highest executive body is the King in the Privy Council. All government decisions are passed from Cabinet to the Privy Council consisting of the Prime Minister and cabinet ministers with the Governors of Va'u and Ha'apai, presided over by the King. On the role of the Privy Council, many Tongans believe that it should become an advisory body to the King. This is so, if Cabinet and the government are answerable to the Legislative Assembly, which means that the present role of the Privy Council in the executive is lost. At present, the Privy Council is appointed by the King and is made up of Cabinet, Governors and 'any others whom the King shall see fit to call to his Council.' 'As purely an advisory council, it is possible that the Monarch would still include the Prime Minister and possibly some cabinet ministers but they would not be subject to any control by the Monarch of their executive function, said the discussion report. If the role of the Privy Council is to have a formal role, that role will have to be carefully defined to avoid any conflict with the powers of the Executive, Legislature or Judiciary or any independent body established by government. There have also been suggestions to abolish the Privy Council. The Commission also observed that there was no need for a constitutional convention to discuss contents of the draft report, which was set at seven months from the appointment of the Commission. These are issues the Constitutional and Electoral Commission hopes the people of Tonga will consider and discuss in their written submissions, which closes on 06 July, 2009….PNS (ENDS)