

## **JUDICIAL INDEPENDENCE**

**Chede.co.cc**

**February 17, 2012**

**By Tun Dr. Mahathir Mohamad**

1. According to the former chief justice Tun Mohd Dzaidin Abdullah, "The Federal Constitution lost its fundamental structure when Article 121 was amended in 1988 and the provision in reference to the judicial power in the constitution removed".

2. What is the amendment about? It is about the procedure giving the Attorney General the responsibility for specifying which court should hear a case. Originally Section 418A (1) of the Criminal Procedure Code reads, "Notwithstanding the provision of section 417 and subject to Section 418B, the Public Prosecutor may in any particular case triable by a Criminal Court subordinate to a High Court issue a certificate specifying the High Court in which the proceedings are to be instituted or transferred and requiring that the accused person be caused to appear or be produced before such High Court".

3. In December 1986 when Datuk Yap Peng was charged with criminal breach of trust, the public prosecutor issued a certificate under Section 418A of the Criminal Procedure Code requiring the case to be transferred to the High Court.

4. Datuk Yap's counsel during the trial in January 6, 1987 (before the amendment) argued that the transfer was unconstitutional and that "Section 418A violated Articles 121 (1) and 5 (1) of the Federal Constitution". The trial judge concurred.

5. The Public Prosecutor then appealed to the Supreme Court. The Supreme Court upheld by a 3:2 majority decision, the decision of the trial judge (read here).

6. Interestingly, Tan Sri Hashim Yeop A. Sani and Tun Salleh Abbas dissented against the majority.

7. Tan Sri Yeop Sani said, "Section 418A has been examined by the Courts on a number of occasions". Clearly the courts in the past did not conclude that Section 418A was against the constitution. The practise of the AG transferring a case from a lower court to a higher court must have continued and regarded as part of procedure.

8. Salleh Abbas, giving his minority dissenting view said: "I cannot see how this power...could be regarded as an encroachment upon judicial power of the court. In my view, it is neither a judicial power nor an encroachment of that power".

9. It was probably to make clear the situation and to restore the right of the AG that he decided to include the amendment to Article 121 (1) when the Constitution was to be amended to clarify the role of the Rulers in law-making.

10. I must admit that I did not seek clarification from the AG at that time and regarded this inclusion as not altering the judicial powers in any way. Before the amendment the AG had this power under the CPC. But it was the court which took away this power on the grounds that it violated Articles 121 (1) and 5 (1) of the Federal Constitution.

11. It is normal that whenever a law needs to be amended to facilitate the process of justice, then it would be amended. The Constitution was drafted by mere men and it cannot be perfect.

12. The rights and functions of the judiciary have not been subservient to the politicians or the Prime Minister before or after the amendment. This is because the amendment involves only the procedure in which the AG was given back the responsibility to transfer cases. It did not give the Prime Minister any authority to overrule the courts.

13. Tun Dzaiddin pointed out the case of the removal of Tun Salleh Abbas as Chief Justice as evidence that the judiciary is subservient to the Government.

14. In the first place I was not the one who wanted Tun Salleh to be removed. It was the request (command) of the Agong. I have already explained the circumstances involved in my memoirs.

15. There is provision in the Constitution for a judge to be removed. Neither the Agong nor the Prime Minister can dismiss him. A tribunal has to be set up and the case for dismissal heard.

16. All these procedures were followed to the letter. Two foreign judges were on the panel. The Panel decided on Salleh's removal and not the Prime Minister or the Government. Simply because Salleh was removed in accordance with the Constitution does not mean the judiciary is subservient to the Government or the Prime Minister. If judges cannot be removed at all, the Constitution would say so. But the Constitution carries provision only for a judge to be removed.

17. I would like to know of instances, in the years Tun Dzaiddin was Chief Justice, when I had interfered with the courts in any way.

18. Perhaps Tun Dzaidin might be able to tell more about lobbying for high judicial appointments. Malay adats have a very powerful role in the governance of this country.

## 26 Comments

#

mubarakchan

February 25, 2012 at 1:09 pm | [Permalink](#)

Tun

Spin ! Spin ! Spin !

The biggest spinners are to be found amongst the detractors of the ruling party. I have waded into some of their major blogs for sometime and found to my horror that the vulgar and abusive comments were all manufactured by one or two gents ( whose English could be easily identified ) using different pseudonyms at different times on different topics. The play was just to create hatred and dissent whether it was right or wrong did not matter. The virtues of their hated subjects were suppressed into oblivion and the smallest flaw or pimple was highlighted to kingdom come. It was alright. Talking is free in our beloved country especially amongst the Netizens.

Taboo subjects on these unnatural blogs are certain foreign leaders who took pains to brainwash them for 3 generations. To these worthy foreign heroes, they kow-tow. When I mentioned in passing that for nearly a lifetime now, I had better entrance marks into a certain University than one of these worthy heroes, they went ballistic. This showed that simple minds were easily brainwashed. It was just a matter of smoke and mirrors. The real truth or backsides of these greener pastures is/was hidden from them.

Even on this blog, I constantly found fawning and naive-minded individuals who thought other countries and their leaders were far better than our beloved country.

The truth is that it is high time our fellow citizens to realise how unique Malaysia is. There is no racial physical strife, no earthquakes, no tsunamis, no typhoons, no chronic diseases, no drought and no shortage of most things except maybe for want of a surplus food supply. And most important of all, a tested and functioning political system with Governments which tried their best to perform and deliver.

Yes ! Certain people are unhappy with this and that. Which country has not ? But Malaysia is a comparatively new country, only 55 years of Merdeka. And it was during this period of time, the majority of the populace was born. Whatever it was, credit must be due to the successive Governments for our country's peace and harmony today.

Peace and harmony are precious attributes. How many of our fellow citizens have experienced the yoke of War – running here and there with bombers overhead dropping bombs with the sirens wailing and people screaming, the indescribable fear of masses of milling people below the dark clouds of burning oil refineries, and to run to the air-raid shelters in the middle of the night for safety, etc. ? I have.

And so it is with the detractors who think that talking without responsibilities and civilities is the way to go. This was what happened to Germany in 1931 and the Brown Shirts. No German stood up to them. And Germany had Hitler and paid the price eventually beyond the price when she lost World War 2. The Americans are still garrisoned in Germany to this day.

Recently, a bog launched a multi-pronged attack on the lady who happened to be the wife of our distinguished Prime Minister with all sorts of accusations and allegations. The only fault I noted was a simple typographical error by the University's public relations department which was situated in a 'lucky country' far away. They always had a good life and an easy mind-set. And in that frame of mind, the error was made technically on paper.

My stand was that the award of honorary degrees to distinguished personalities was a normal function of any University around the World from their very early origins many hundreds of years ago. It was a precious right and prerogative of any University. This was the issue. This was my stand.

As an example, my College, one of the best in this particular University, awarded an Honorary Fellowship ( awarded only to a very rare handful ) to Mr Li Ka Shing, the richest man in Asia, whose forte was not English and he would probably found difficulty distinguishing Charles Darwin from Milton.

This went on for days and eventually the resident cybertroops took my pseudonym and put apologetic words into my mouth when they realised that they were barking up the wrong tree and lost the argument – that every University has the precious right and prerogative of awarding their Honorary Degrees to whom they consider and deem fit to receive them.

Democracy and Judicial Independence to come ?

#

Hajar's Gravatar Hajar

February 25, 2012 at 9:59 am | Permalink

Salam YAB & diKasihi Tun,

Saya percaya hakim-hakim ini ingat mereka saja yang betul dan mereka ingat mereka boleh buat apa saja keputusan berdasarkan apa yang mereka suka tanpa perlu terikat dengan PERLEMBAGAAN Malaysia.

Jika undang-undang tidak menyebelahi mereka, mereka akan kata yang Kerajaan campur-tangan seolah-olah mereka tidak pernah buat salah dalam keputusan mereka. Mungkin mereka ingat mereka BUKAN MANUSIA & tidak pernah buat salah.

Lagi satu, mereka ingat mereka MENGATASI UNDANG-UNDANG & PERLEMBAGAAN. Orang sebegini sebenarnya "gila kuasa".

Terima kasih Tun.

\*\*\* Semoga Allah SWT melindungi Tun sekeluarga. \*\*\*

#

mgpunya's Gravatar mgpunya

February 24, 2012 at 11:27 pm | Permalink

YABhg Tun,

...do they still wear wigs??

#

mgpunya's Gravatar mgpunya

February 24, 2012 at 11:21 pm | Permalink

YABhg Tun,

Iran...!! Nuclear...!! Bomb...!!

Oh no....!!!! Here we go again....

#

kenapa's Gravatar kenapa

February 24, 2012 at 12:16 am | Permalink

Assalamualikum Tun

Bagaimana agaknya kes-kes yang telah diputuskan di mahkamah tetapi hakim dan/atau mahkamah enggan mengeluarkan 'written judgement'?

Siapakah yang berkuasa mengeluarkan 'written judgement' ini. Selagi judgement tersebut tidak dikeluarkan, pihak-pihak yang berkenaan tidak dapat membuat pelaksanaan dan/atau tuntutan yang berkaitan dengan kes terbabit.

Terdapat satu kes dimana pihak swasta membawa badan kerajaan kemahkamah & keputusan telah dibuat tetapi tiada 'written judgement' yang dikeluarkan sampai sekarang – sudah hampir 2 tahun!

I think, up to certain extend, Government still hold certain control especially on cases involving the Government. Please use your good office to 'encourage' the Government/Courts to issue 'written judgements' in order to uphold justice and to avoid the opposition to pick up on cases like these.

#

Botak's Gravatar Botak

February 23, 2012 at 9:12 pm | Permalink

HUMAN LAW IS MAN MADE LAW

LAW IS DESIGN TO AS NEAR TO JUSTICE

BUT TOWARDS THE INTEREST OF THE GOVT IN CONTROL

GOVT IN CONTROL WILL DESIGN LAW TO THEIR INTEREST

GIVING ALL CRAPS OF REASONS

OUR TINY NEIGHBOUR IS SUCH  
USING THE JUSTICE TO BENEFITS THEIR INTEREST  
THEIR INTEREST IS ALSO OF THEIR RACIAL INTEREST  
IS WHO IS IN CONTROL  
LIKE YOU SEE OF THE MALAY FATE THERE  
AND THEY CALL IT JUSTICE

IN DUBAI  
JUSTICE IS PRATICE EVENLY REGARDLESS OF THEIR OWN DUBAIANS  
BUT THE INTEREST  
THE FUTURE OF THEIR OWN CITIZENS IS SECURED  
MALAYSIA SYSTEM LACKS OF SECURITY OF THE BUMIS  
ESPCALLY THE BENEFITS OF THE MALAY

NO BIG DEAL OF BRITISH OR UNITED STATES  
JUDICIAL SYSTEM. WE SEE IT IN THEIR MILITARY INJUSITICE  
IT IS MAN MADE LAW TO SUITS THEIR INTEREST  
SO WHAT,S THE CRAP

JUST DO WHAT WE WANT TO DO

#

Tuntuah's Gravatar Tuntuah

February 23, 2012 at 5:41 pm | [Permalink](#)

“Now, if the judiciary is independent, you need evidence to prove that something has happened. This is not about 10 judges belief on a case. This is what justice is about” :- Juks

He he he,

please read the written verdict.

i dont want to say “google” because you will be mad at me.

hehehe. i gave facts but you say i spun. that is fact but sometimes the fact hurts and people start to say it is spin info. hehehehehe

“democratic” country lah katernyer. hehehehe.

#

Khairul-Dean's Gravatar Khairul-Dean

February 22, 2012 at 11:24 pm | Permalink

How Judge Thee?

(with fear of the lord)

Bagaimana pula dengan Executive Independence, YABhg Dr. Mahathir?

Apakah badan kehakiman kita lebih baik dari negara maju seolah-olah democratic monarchy di barat dan pseudo-feudalism timur?

Bagaimana pula dengan pengaruh genetik dan ‘milieu impetus’ dan dalam pendirian Yang Arif semua? Dan bilakah lagi Yang Arif mahkamah syariah duduk sama rendah dan berdiri sama tinggi dengan rakan-rakan Yang Arif dari Mahkamah Negara dalam semua hal perbicaraan dan di semua dewan mahkamah?

Would non-malay hakims also be susceptible to “Malay adats have a very powerful role in the governance of this country”? How would they judge among themselves – the Shariah Courts and the Federal Courts Yang Arifs, YABhg Tun Dr. Mahathir?

Bagaimana pula dengan Executive Independence sebuah negara yang ‘moderate islam’?

Sekian

#

eanisazman's Gravatar eanisazman

February 22, 2012 at 11:15 pm | Permalink

Salam Tun and All,

I smiled reading Mubarakchan comment. He is stating the obvious. Judiciary system has much been talked about. This is how the early days mobsters in Vegas started making themselves legit, get the best lawyer in town.

Judges are human and human is imperfect. There have been a lot of precedent where they can also be subjected to fraud simply because they have the power i.e. opportunities. This mean that they can also make errors, they are no saint.

As much as i adhere to the laws and submit myself to this 'worldly' judiciary system I can't help it to laugh when I heard this jokes: What do you call a thousand lawyers chained in the sea? A good start, ha ha ha....

#

samuraimelayu@gmail.com's Gravatar samuraimelayu@gmail.com

February 22, 2012 at 7:45 pm | Permalink

SALAM KASIH DAN SAYANG

AYAHANDA RAKYAT TUN

Izinkan,

Sdr. Juks said,

... Make up yr mind on certain issues. The main contention here the public has lost confidence in the judiciary system.

May we suggest that young Juks read the post by our grand uncle mubarakchan, February 22, 2012 at 6:44 am and if you have difficulties to digest j the messages therein then just try to understand the last sentence;

‘ What’s wrong with the Malaysian Judiciary System ? NOTHING !

Only jerks ( sound-like juks) appears DUMB enough to allow themselves to be manipulated by the ABI leaders of the Pakatan Rakyat aka Pakatan Rapuh aka Pakatan Rakus aka... PR

ALFATIHAH, AMIN

Ps. We wish young Juks would be educated and excel in his studies to make himself a proud Malaysian if he still is, thereafter.

#

mubarakchan's Gravatar mubarakchan

February 22, 2012 at 6:44 am | Permalink

Tun

I was the Plaintiff in a recent case in a foreign country in which the Trustees of my father's Estate libelled and slandered me after they hi-jacked the Trust out of jurisdiction of Malaysia where it was administered for 53 years. And even though they were non-permanent residents of Malaysia in which the Probate was granted by the Supreme Court of Malaya in 1949, they appointed themselves as Trustees.

The Defendants engaged a firm of Solicitors which did not put in a 'stay of execution' for 7 months. I believed that this should have been carried out soon after I served the Summons on them. When the Suit appeared before the Assistant Registrar, as expected I won.

Thereafter, the Defendants ran to the most famous firm of solicitors known to represent the elite ( the Trio were related to the elite )

However, the tables were turned on me and to my and my solicitor's great surprise ( who had assured me of success ) that the presiding High Court judge could change the laws on the spot without much ado.

The Judgement consisted of 2 parts.

The first was to denigrate my apparently dissolute personal life which had absolutely nothing to do with the Suit. I was taken to task for this with great pains. Oh My ! I was surprised that I was such a dissolute man, a womaniser. No one told me I was a dissolute person until this Judgement. In fact, I thought I had always led a normal and virtuous life.

Strange ! I thought I was the Plaintiff in a libel and slander Suit, and not the Defendant.

The second was to explain in great detail how the law could be changed on the spot.

Indeed, I lost the Suit.

With further encouragement from my Solicitors of the absurdity of the Judgement, I appealed to the Court of Appeal.

The Judgement of the Court of Appeal further underlined my apparent dissolute life which I thought myself was quite virtuous and highlighted with broad strokes the validity of the change of the laws on the spot.

I could only take this with a smile. As it is said, ' I grin and bear it !'

Strange ! I the Plaintiff was publicly stripped of any human decency by these two esteemed Courts when the Trial was only about the ' stay of execution.' in a libel and slander Suit. And I was turned into a Defendant !

Then, I wondered what sort of Judiciary System is this that there is one version of the laws outside the Courts and another version inside them.

And most important of all, that Justice was not served on all those Plaintiffs who thought the laws could not be changed inside the Courts during all those months before the laws were changed on the spot. We could not even hazard a guess how many Plaintiffs lost out this way tthrough injustice !

Strange, is'nt it Tun ! And I was reminded of the joke, ' No need telephone lah ! It is all done by telepathy !'

What's wrong with the Malaysian Judiciary System ? NOTHING !

#

juks's Gravatar juks

February 21, 2012 at 12:54 am | Permalink

Dear Tun,

I have just come across some press statements regarding your belief that racial debate would not

accomplish anything. I am sure that you are now aware of the fact that the minorities are no longer willing to be sidelined. Your views previously re-inforced the idea of helping the Malays to allow them to stand in the social crowd amongst the more successful races. My point is now, one minute our Prime minister is saying 1Malaysia. I am sure you have heard this many times now. What 1Malaysia if the practices do not correlate with its principles. I have come accross some seriously disturbing facts such as the golf club in Subang Jaya allowing for cheaper membership to Malays. Others are charged almost double. Fair enough, foreigners are always at a double standard. But now, we are treating our own citizens in that same manner. I am very much aware of the importance of social standing amongst the Malays. They are majority after all. Through scrapping these policies, Msia has much more to lose rather than listening to the minorities. That is a given. My point is, has there never been a discussion of such where a new policy can be drafted up within the BN govnn to ensure that all can enjoy. After all, Malays who make up majority would be taken care of if policies for poverty is applied. Are you willing to continue allowing the other races to be sidelined???

#

cherry's Gravatar cherry

February 20, 2012 at 4:28 pm | [Permalink](#)

Salam semua,

Tun M is a true example of “without fear or favour” kind of a statesman.

He knows what he is doing.

Take it or leave.

#

HBT456's Gravatar HBT456

February 20, 2012 at 1:03 pm | [Permalink](#)

YAB,

My Dear Good Lord,

1. I am reading news, chedet blog.

2. My vote is for BN in PRU13.

3. I support the leaderships of Lee Kuan Yew and Tun Dr Mahathir bin Mohamad.

4. I support the leaderships of Lee Hsien Loong and DS Najib bin Tun Razak.

5. I support DS Hisham and DS Mukhriz to be the future PMs.

Good day, My Good Lord.

#

Bothman's Gravatar Bothman

February 20, 2012 at 6:35 am | Permalink

AskmTun, semoga Allah SWT terus memberi nikmat kesihatan & kesejahteraan hidup kpd kita semua yg beriman.

Manusia tetap manusia. Kelemahan kerana nafsu tapi Allah beri akal utk berfikir melawan nafsu yg digunakan yg digunakan sepenuhnya oleh syaitan sebagai senjata utk mengalahkan manusia. Hanya orang yg beriman saja yg dapat menggunakan akal utk mengatasi nafsu/syaitan dgn berlandaskan ilmu al-Quran & hadith.

Manusia memang tak pernah puas atas semua perkara kerana pengaruh nafsu. Kalau mereka2 ini sanggup melanggar perintah/hukum2 Allah SWT, apatah lagi hukum2 rekaan manusia yg memang tak sempurna. Olih itu tidak menghairankanlah atas perkara2 yg telah, sedang dan akan berlaku dalam dunia ini. Hanya hukum Allah SWT saja yg haq & sempurna.

Semuga Allah SWT memberi kita perlindungan dari syaitan jahanam.

#

juks's Gravatar juks

February 19, 2012 at 11:37 pm | Permalink

TunTuah,

You cant spin the Anwar case in any favor. Firstly, if the govn is in control, why lepaskan a peliwat? They hate Anwar for a fact. Now, if the judiciary is independent, you need evidence to prove that something has happened. This is not about 10 judges belief on a case. This is what justice is about. You need to prove an occurrence of something, not based on your personal judgements. I guess you are trying to say that govn does not control the judiciary. BUT it is still lacking in terms of justice. Why is gay Muslim still roaming the streets of Msia? But it seems throughout exchanging our views, you seem pretty content with our govn? Make up yr mind on certain issues. The main contention here the public has lost confidence in the judiciary system. Plain fact. You said so yourself. So, why not do somethnig about it.

#

carlosptaseh's Gravatar carlosptaseh

February 19, 2012 at 9:56 pm | Permalink

Assalamualaikum dan salam

Y Bhg Tun dan pengikut ruangan ini

Malaysia diasaskan kepada sistem Raja Berpelembagaan dan demokrasi berparlimen yang terbahagi kepada kuasa eksekutif dan sistem kehakiman.

Demokrasi berparlimen amat mudah untuk ditegur oleh rakyat melalui pilihanraya sekiranya ada perkara dan isu yang tidak disenangi rakyat seperti yang berlaku pada pilihanraya 2008 yang lepas.

Siapakah yang berani dan boleh menegur salah laku dan perkara yang tidak disenangi rakyat oleh Raja Berpelembagaan dan Badan Kehakiman?

Apa yang Tun lakukan semasa pindaan perlembagaan tersebut pada 1988 adalah risiko politik yang sangat tinggi bagi menangani dua institusi ketika itu yang banyak karenah dan sukar untuk ditegur dan ditangani.

Isu pemecatan Tun Salleh dan pindaan perlembagaan digunakan sepenuhnya oleh pembangkang 3 serangkai PAS,DAP dan S46 pada masa tersebut.Dahsyat sungguh UMNO dihentam dan dikutuk oleh pakatan pembangkang tersebut.Apa yang menyedihkan ia dilakukan oleh bekas pemimpin UMNO yang menubuhkan S46.

Tetapi betapa mulianya ahli UMNO dan Tun sendiri yang menerima semula S46 kedalam UMNO baru termasuklah yang membakar jambatan.

Pemecatan TS atas arahan Agong dimana “adat istiadat Melayu” dalam pentadbiran kerajaan sangat berkuasa membuatkan Tun yang mewakili mandat rakyat terpaksa akur atas permintaan tersebut.

Kekuasaan adat didalam jiwa Melayu jugalah membuatkan tiada siapa yang berani bertanding mencabar seorang Raja Berpelembagaan yang memimpin persatuan sukan begitu lama tetapi tiada membawa perubahan ketara dalam pencapaian peringkat antarabangsa.

Kita juga maklum beberapa MB tidak upaya melawan arus seperti Tun lakukan demi mendaulatkan kuasa rakyat.

Kegagalan pelaksanaan DEB juga ada berkait rapat kekuasaan adat dalam pentadbiran negara. Kenyataan Raja Nazrin dasar DEB baik tetapi pelaksanaan yang gagal. Bukan sahaja RN malahan rakyat bumiputera marah kepada pembelotan tersebut. Kuota adat inilah yang banyak dialibabakan termasuk permit dan lesen perniagaan mahupun AP dan siapa kah yang membolot kekayaan dari kecurangan tersebut.

Apabila bekas Ketua Hakim dan Menteri (Kehakiman) juga bijak pandai tidak upaya menilai yang tersurat dan tersirat maka rakyat biasa seperti saya ini mungkin lebih keliru?

Apapun kebebasan bersuara dan berdemonstrasi dibenarkan oleh perlembagaan...

Sekian moga Tun sentiasa bersuara untuk rakyat Malaysia khasnya dan dunia sejagat amnya

#

kenapa's Gravatar kenapa

February 19, 2012 at 5:25 pm | Permalink

Assalamualikum Tun

Semua para hakim atau mereka-mereka yang terlibat dengan sistem undang-undang yang menyatakan komen atau 'bunyi bising' hanya setelah mereka tidak lagi 'berkuasa' adalah orang-orang yang sebenarnya 'corrupted' dengan kuasa & kedudukan mereka semasa berkuasa.

Semasa menjawat jawatan mereka tidak 'berani' membuat kenyataan atau teguran. Setelah 'bersara' baru mendapat 'keberanian' untuk berkata-kata.

Malang sungguh Malaysia & bangsa Melayu kerana mempunyai orang yang hanya berani bila sudah

hendak 'mati'. Semasa berjawatan sangat 'takut' sangat-sangat kehilangan jawatan & kedudukan – GADAI HABIS keberanian, kehormatan & kebenaran (kalau benar mempunyai asas).

Pada saya, orang-orang seperti ini adalah sampah yang dihias semasa memegang jawatan.

Berlainan sama sekali dengan Tun, Tun akan kata & buat apa saja yang difikir benar & perlu. Tidak banyak orang macam ini di Malaysia & dunia!

Saya bersyukur kepada Allah & mohon Tun diberi keupayaan untuk terus berjuang dgn konsisten seperti dulu sampai sekarang & dimasa hadapan.

#

sikenit's Gravatar sikenit

February 18, 2012 at 9:29 pm | Permalink

Salam Tun berdua dan pembaca budiman semua,

1. Seperkara tentang undang-undang di Malaysia, ia masih termaktub kukuh dalam bahasa Inggeris, sehingga jika di baca the small writings, 'yang tersirat dalam bahasa Inggeris adalah diguna pakai untuk mengatasi makna-makna yang mungkin lahir dari tafsiran bahasa Melayu'.

2. Kerana itulah, dunia perundangan di Malaysia ini dikuasai oleh sebahagian kecil warga negara ini yang lebih kuat penguasaan Bahasa Inggerisnya berbanding anak-anak Melayu yang kerap tertekan dengan adat budaya dan ketaksuban kepada bahasanya hingga menekan kemajuan mereka. Hilangkah jati diri seseorang hanya kerana dia menguasai suatu Bahasa lain selain bahasa ibundanya?

3. Apa pun, undang-undang ciptaan manusia boleh dan patut diubah jika keadaan sudah berubah sejak undang-undang itu digubal berbanding keadaan semasa.

4. Sebaliknya, undang-undang ALLAH SWT melalui al-Quran dan Hadith-hadith NABI SAW, tidak wajar sama sekali diubah, juga tidak wajar andai undang-undang tersebut dikatakan juga sebagai tidak relevan.

5. Semoga ALLAH SWT memberi kita semua taufik dan hidayatNya untuk sama-sama taat, patuh, mengamalkan ajaran Islam, menyeru kepada kebaikan dan mencegah kemungkaran.

6. Semoga ALLAH SWT memberi kekuatan kepada kita semua untuk sama-sama berjuang memperkukuhkan kalimah ALLAH SWT di bumi Malaysia tercinta ini khususnya, dan di bumi ALLAH SWT yang luas ini amnya.

7. Penjual-penjual agama sudah terbongkar... marilah kita semua sama-sama menolak orang-orang ini daripada cuba-cuba menjadi pemimpin di negara ini.

8. Ayuh, tuan-tuan- penuhkanlah masjid-masjid dengan saf-saf yang lurus dan panjang. Masukkan gentar ke dalam hati petualang-petualang agama dengan laungan gema ALLAHU AKBAR!!! – laungan yang bertempat- bukan yang dilaungkan sebagai modal undi.....

9. Apa sudah jadi kepada agama kita yang suci? Kenapa bijak pandai dalam agama begitu berani menjadi petualang memperlekehkan agama dan saudara seagama sendiri? Sehingga seolah-olah agama milik eksklusif satu kumpulan sahaja di Malaysia ini?

10. Pakar-pakar dalam undang-undang, sebagaimana pakar-pakar dalam agama- SILA AMBIL INGAT.

11. Hanya kerana tuan-tuan pakar dalam hal-hal tersebut, jangan ingat hanya tuan-tuan sahaja yang pandai. Dunia ALLAH SWT ini amat luas.

12. Jika pokok lebih tinggi dari rumput, bukit lebih tinggi dari pokok. Jika bukit lebih tinggi dari pokok, gunung lebih tinggi dari bukit. Jika gunung lebih tinggi dari bukit, awan lebih tinggi dari gunung.... BEGITULAH...misalannya buat yang mahu mengerti.

sikenit

yang dhaif- tapi masih ingin berkongsi rasa hati

#

AdiY's Gravatar AdiY

February 18, 2012 at 10:22 am | Permalink

judiciary vs executive :)

who will win ?

Fantastic Car Wash

Aman Kampus

#

musato's Gravatar musato

February 18, 2012 at 8:46 am | Permalink

Assalamualaikum Tun.

Sememangnya adat adat Melayu amatlah berkuasa dalam mentadbir negara. Kita perlu hormat kepada orang lain.

Bagaimana nak hormat, ada caranya. Contohnya tunduk membongkok sambil menghulurkan tangan semasa melintasi orang yang sedang duduk.

Saya juga tertarik dengan penulisan terbaru Dr Maza berkenaan bermimpi melihat Rasulullah s.a.w

Kita mungkin tidak pernah melihat Rasulullah s.a.w dalam zaman baginda. Tetapi walaupun dalam mimpi, terdapat ciri ciri yang ianya adalah menggambarkan Rasulullah s.a.w

Sudah tentu apabila kita terlihat orang tidak dikenali kita akan minta dia perkenalkan dirinya. Saya sendiri sehinggakan meninggikan sedikit suara minta diri diperkenalkan siapakah gerangan yang mengubati saya sambil membaca ayat ayat yang tidak saya dengari sehingga saya berasa rimas.

Begitulah lamanya Rasulullah s.a.w memegang badan saya. Sehingga rimas.

Keduanya, wajah Rasulullah s.a.w bercahaya. Kebetulan saya terdengar ceramah ustaz Badlishah dari Pahang bercerita bahawa cahaya wajah Rasulullah bukan dibuat buat. Ia adalah nyata.

Cahayanya lebih terang dari cahaya bulan. Sehinggakan terdapat kisah bahawa Aishah r.a mencari jarum dalam bilik yang gelap dengan hanya disuluh oleh cahaya dari wajah Rasulullah s.a.w

Saya sendiri terkejut melihat cahaya Rasulullah s.a.w sampai mengucap SUBHANALLAH!!!

Saya merekodkan ini semua kerana Tun Mahathir masih hidup dalam menguruskan blog ini.

Setiap penerangan dari ustaz dan ulama' ahli sunnah wal jamaah adalah membenarkan dari setiap apa yang saya lalui.

Walaupun saya kekurangan pengetahuan secara rasmi pasal agama,tapi saya bersetuju dengan ahli sunnah wal jamaah kerana ilmunya adalah benar.

Salam ke atas Rasulullah s.a.w dan selamat menyambut Maulidur Rasul.

Terima kasih Tun.

#

Tuntuah's Gravatar Tuntuah

February 18, 2012 at 2:55 am | Permalink

anugayrah always claim our judiciary are bad and be controlled by the government.

but why the latest verdict he got scott free eventhough liwat happenned. same like the first one, he was not being punished even the liwat was happened and been agreed by 10 judges. did the government instructed judges to lepaskan this guy?

apala government ni.. gave the wrong signal to people that you can liwat and bebas. and why the seksualiti merdeka still tak puas hati? why juks also tak puas hati?

if government control the judiciary, why mr nga still free walaupun dier racist kutuk mb perak hitam metalik? suarez dah kene gantung 8 games. john terry silap silap masuk jel.

if government control the judiciary, why nak hapuskan isa? no need isa pun boleh humban korang masuk jel kalaulah government pegang tlor hakim.

tak de otak ke orang mesia ni? tu la suruh belajar nak demontrasi.. ini lah yang kiter dapat..  
mahasissewel... macam budak tak dok mesia tu...

#

Khairul-Dean's Gravatar Khairul-Dean

February 18, 2012 at 1:44 am | Permalink

Dr. Mahathir Mohamad

Salam Hormat

This news is good news.

<http://www.bernama.com/bernama/v6/newsgeneral.php?id=646320>

The jury is having lunch on Mukhriz ability to charm the Arabs. They know his father well, that goes without saying.

Sekian

#

samuraimelayu@gmail.com's Gravatar samuraimelayu@gmail.com

February 17, 2012 at 5:11 pm | Permalink

SALAM KASIH DAN SAYANG

AYAHANDA RAKYAT TUN

Izinkan,

...’ the Hon Chief Justice ( rtd ) Tun Mohd Dzaidin Abdullah’

We wish to submit herein that ( rtd ) is meant to be read as ‘retired’ and NOT ‘retarded’ as some friends have poked.

No malice intended.

ALFATIHAH, AMIN

Ps. Yang tersurat itu Pengetahuan, Yang tersirat itu Ilmu

#

samuraimelayu@gmail.com's Gravatar samuraimelayu@gmail.com

February 17, 2012 at 1:57 pm | Permalink

SALAM KASIH DAN SAYANG

AYAHANDA RAKYAT TUN,

Izinkan,

The 'samuraimelayu' wish to submit an amendment to the last para of his submission.

'.. and let us ( the Rakyat) be the judge to abstain or overrule the submissions' is hereby amended to read as ' let us (the Rakyat) be the judge to sustain or over-rule the submissions.'

We rest our case honourable judges of anakanda rakyat Chedet.cc

ALFATIHAH, AMIN

#

samuraimelayu@gmail.com's Gravatar samuraimelayu@gmail.com

February 17, 2012 at 1:27 pm | Permalink

SALAM KASIH DAN SAYANG

AYAHANDA RAKYAT TUN

Izinkan,

' Law made simple' by Tun Dr. Mahathir Muhamad but unfortunately there are still many 'DUMBs' and 'ABIs that will doubt and dispute Ayahanda Tun simple and crystal clear explanations..

Thank you beloved Ayahanda Rakyat.

Yes, we are also too eager to know about exhibits no. 17 and 18 from the Hon Chief Justice ( rtd ) Tun Mohd Dzaidin Abdullah and let us ( the Rakyat) be the judge to abstain or overule the submissions.

ALFATIHAH, AMIN

Ps. Antara yang tersurat dan yang tersirat..

<http://chedet.cc/blog/?m=201202>