

RULE OF LAW

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Tun Dr Mahathir Mohamad

1. The rule of law is an integral part of a democracy. In Malaysia today there is obvious disrespect for this principle. We are seeing many instances where the rule of law is ignored.

2. Normally when a report is made about breaches of the law by anyone, the police or the other enforcement bodies would investigate to find out whether indeed the allegation is right or not.

3. But when a report is lodged with the police on the wrong doing of the Prime Minister, the person reporting was investigated, detained, jailed and charged in court as a terrorist.

4. In another case when three major Government institutions made reports on the alleged diversions of money belonging to a Government company, the 1MDB by the PM, all the reports were declared by the A.G. to be without basis of any wrong doing by the PM. The reports were not acted upon or investigated by the police. Instead the reports were declared as Official Secrets and hidden from public scrutiny.

5. Normally the reports, especially the one by the Public Accounts Committee would be open to the public. But by making them official secrets, the purpose of making them a basis for criminal investigations were denied. Again the rule of law is not honoured.

6. In fact hiding evidence of a crime is a crime. Yet the A.G. did just this.

7. Citizens and companies have to pay income and corporate taxes. But the Income Tax Board now demand that additional taxes be paid. There is no basis for this extra taxes. But the tax people would threaten to carry out a raid, to seize account books and records. These raids may involve three busloads of tax personnel and they damage the image of the company.

8. Faced with these threats some businesses would pay the additional tax. But when the additional tax runs into millions, the businesses may challenge the tax department in the courts. This is their right.

9. But the legal process will take much time. In the meantime the tax people would insist on payment. If no payment is made then the office of the company will be ransacked and account books seized. Money in the banks will be frozen, preventing business from being done.

10. All these constitute abuses of the law.

11. There is no law which gives Government the power to close premises from being used by any group of people. Yet the Najib regime not only deny opposition parties the use of public halls but even privately owned halls may not be used by the opposition. Threats are issued to hotels not to rent out their halls to opposition parties.

12. Sometimes even open fields within the jurisdiction of a town council are denied usage by the opposition. Tents and platforms are not allowed to be put up for rallies by the opposition. The rights of citizens are denied. The laws of the country no longer protect citizens.

13. On the other hand when clear evidence show that bribes have been given openly during elections, neither the police, nor the anti- corruption commission have

taken any action. Certainly they have not acted against the culprits. This is also not in accordance with the law.

14. The whole world knows about the 681 million U.S. dollars in Najib's private account at Ambank. No PM can have this amount of money. Explanations by Najib are without collaborating documentary evidence. Yet the police and MACC did not carry out investigations. The A.G. simply declared there is no evidence of Najib's wrongdoing in the reports by Bank Negara, PAC and MACC. And as pointed out above, the A.G. hid the reports by declaring them to be official secrets.

15. Now a yacht was bought by Jho Low allegedly with money stolen from 1MDB. The FBI and Department of Justice openly declared that the purchase was part of the process of laundering the money stolen by Jho Low. The Malaysian Government has remained silent, although Indonesia actually named the Prime Minister of Malaysia as being involved in the criminal acts. The Malaysian Government has not protested against this open defamation of the PM. It can only be because the allegation is true.

16. Again we see the rule of law being ignored several times. The Malaysian Government should actually seize the yacht and arrest Jho Low. Instead the Government seems to be protecting Jho Low. Although Jho Low declared that the yacht is his, a Malaysian Minister denied that it belongs to Jho Low. Another minister even said that the yacht does not belong to Malaysia.

17. Now a Government agency has refused to acknowledge that it received letters from the Pakatan Harapan.

18. Governments are set up in order to serve the country and its citizens. To do this the Government is endowed with the right to approve certain activities of the public. This it does by responding to requests by the public.

19. One of the agencies of Government is the Registrar of Societies. The ROS is empowered to approve or disapprove the setting up of organisations of citizens. It is not set up to ignore the applications by citizens while making it clear that its approval is necessary.

20. But the application of the coalition by the opposition parties has neither been acknowledge nor replied to.

21. The ROS is therefore failing in carrying out its responsibility. Even a court's order for ROS to reply has been ignored.

22. Clearly ROS is ignoring the rule of law, specific or implied.

23. On the other hand a questionable postponement of a general meeting of a Government party, the UMNO, has been approved with alacrity.

24. A Government agency should be neutral. But ROS is acting with partiality toward a Government party. This it should not be doing. It should treat all its clients equally.

25. When a Government has no respect for the rule of law, it cannot be regarded as a democratic Government. In the case of the Government of Dato' Sri Najib it is clear it is not democratic. Not being democratic, its conduct of the coming election would confirm its deviation or otherwise.

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