

NOT UP TO THE MARK

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By WINSLOW WONG

KUALA LUMPUR, Thurs. — Malaysian professionals, including lawyers, have generally not quite succeeded in maintaining the high standards of professionalism expected of them through self-regulation, Datuk Seri Dr Mahathir Mohamad said today.

The Prime Minister said professionals should regulate themselves with two objectives in mind — to ensure that all was well within the profession and that the profession advanced with the public interest in mind.

Dr Mahathir said that in Malaysia, professional bodies in general had had much greater success in ensuring a closed-shop union, a monopoly.

"As such, the members' interests were superior to the interest



Dr Mahathir ... 'self-regulation is needed.'

of the public and indeed the nation," Dr Mahathir said when he opened the three-day 8th Malaysian Law Conference. (Full text of speech on pages 24 & 25)

"It is up to you to ask yourselves what has happened to professional self-regulation — before others do so," he added.

He said the professional bodies had maintained a situation of

short supply so that demand would always exceed supply.

"So it is not surprising that professional bodies have been able to ensure the highest standard of living for their members."

Dr Mahathir said Malaysia's professionals were rich so much so that every newly-arrived practitioner expected to shoot to the top of the income ladder and every Malaysian assumed that this should naturally be so.

Dr Mahathir said there had been genuine grievances from clients of shoddy and poor service, unprofessional soliciting, commercialisation of law, and lack of competence.

He said dishonesty such as shortchanging a client and not giving their best service was "a moral if not a legal crime".

Dr Mahathir also talked on the country's "due process of law" which he said was so slow at times that one might refer to it as the "overdue process of law."

"Justice delayed is justice denied and justice overly delayed is

injustice perpetrated," he added.

Dr Mahathir said both the Bench and the Bar should share the blame for the delay in justice.

He said to have an effective and efficient legal system, those in the legal and judicial service and the Bar must co-operate with each other.

"In law as in other segments of society, there is no place for arrogance.

"Arrogance is a sign of weakness, not strength," he added.

Dr Mahathir took to task certain pressure groups that not only challenged the existing authorities but took on themselves powers that were not legitimately theirs.

He said as a result, legitimate authorities either become repressive or retreat from the responsibility.

He said for democracy to survive, the limits of freedom granted must be observed judiciously.

"Free speech and free press do not mean unlimited licence.

"Minorities too do not have unlimited rights.

"Pressure groups must know when to stop," he added.

Dr Mahathir said the country was fortunate to have a judiciary that was straight and honest and independent of the executive.

He said that in many countries, a man was considered guilty until he was proven influential.

"We are fortunate to have on the Bench men of high professional competence and high moral integrity," he added.

On court injunctions, Dr Mahathir said it was not meant to frustrate the law and what was right and legal.

"Yet we see today many examples of the last minute injunction calculated to frustrate legitimate acts," he added.