

# Kit Siang goes to court over PM's

## statement

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KUALA LUMPUR, Thurs. — Opposition leader Lim Kit Siang is applying for leave to initiate contempt proceedings against Prime Minister Datuk Seri Mahathir Mohamad over his statement on the Judiciary in the Nov. 24 issue of *Time* magazine.

His application was filed with the Appellate and Special Powers division of the High Court registry late this afternoon and will be heard before Mr Justice Harun Hashim tomorrow morning.

Mr Lim claimed that the words spoken by the Prime Minister "have scandalised the Judiciary in the country" and is asking the court to grant him leave to apply for an order of committal against Datuk Seri Mahathir for contempt of court.

In his affidavit, Mr Lim said the Prime Minister had spoken about the Judiciary in the country in a statement on page 18 of *Time* Magazine dated Nov. 24 in words as follows:

*"The judiciary says (to us), 'Although you passed a law with a certain thing in mind, we think that your mind is wrong, and we want to give our interpretation.' If we disagree, the courts will say, 'We will interpret your disagreement.' If we go along, we are going to lose our power of legislation. We know exactly what we want to do, but once we do it, it is interpreted in a different way, and we have no means to reinterpret it our way. If we find out that a court always throws us out on its own interpretation, if it interprets contrary to why we made the law, then we will have to find a way of producing a law that will have to be interpreted according to our wish."*

(These words are found in the last paragraph of an article "I Know How the People Feel").

"I am advised and verily believe that the statement by the respondent has scandalised the Judiciary in this country in that, read as a whole, the words uttered by the respondent bring the Judiciary into disrespect, disrepute, offend its dignity and are an affront to its majesty," Mr Lim said.

He also said that the words, "*If we disagree, the courts say, 'We will interpret your disagree-*

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## 'Words a challenge to the judiciary'

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ment" were insulting, cynical, uttered with tongue-in-cheek and intended to ridicule the Judiciary as a whole.

"The said words were uttered by the respondent to needlessly embarrass the Judiciary.

"The said words also amount to a challenge to the authority of the Judiciary and the Doctrine of Separation of Powers guaranteed by the Federal Constitution.

"The said words also amount to threatening and intimidating the Judiciary," he added.

Mr Lim said the court

should take serious note of the contempt indulged by the Prime Minister.

"I respectfully state the honourable court ought to invoke its power to punish the respondent for contempt as it goes without saying that the maintenance of the authority of the Judiciary is indispensable to the stability of Government."

Mr Lim, who is also an advocate and solicitor, DAP secretary-general, Member of Parliament for Tanjung and State Assemblyman for Kampong Kolam, is represented by Mr Karpal Singh.