

'But criticism is necessary for sense PM: Judiciary must of perspective' be free

By Farush Khan

KUALA LUMPUR, Thurs. — Datuk Seri Dr Mahathir Mohamad said today the judiciary must be free to discharge its duties, but added that absolute freedom could lead to possible abuses.

The Prime Minister said members of the judiciary needed freedom to discharge their responsibilities and to carry out their administrative duties, but added that there could not be 100 per cent freedom.

Dr Mahathir said: "If you are free from criticism, then you may lose your sense of perspective when discharging your duties.

"For example, if a judge is 100 per cent free and no one can criticise him, he may end up dispensing injustice to others. There must be a boundary for freedom.

"It cannot be denied that there are judges who fail to discharge their duties fairly."

The Prime Minister said this in his opening remarks prior to a closed-door dialogue with officers from the Judicial and Legal Service here.

Dr Mahathir stressed that the judicial system must be given the freedom to function efficiently, and this must be respected.

But he also expressed the fear that if the judiciary was given too much freedom, it could make mistakes.

He added that if the mistakes made by the judiciary could not be corrected through criticism, then it could find itself relegated to a less respected level, and this would not be good at all.

The Prime Minister said the three branches in government — the legislative, executive and judiciary — carried out their different duties with the freedom accorded to them respectively.

Dr Mahathir said: "They may be free to carry out their duties, but there must be co-operation in their work. They must be aware of their areas of responsibilities... everyone, including the rakyat, must know their

responsibilities and the limit of their power and authority."

Dr Mahathir said he was glad to note that all sectors within the civil service were now very conscious and concerned about excellence.

The Prime Minister said: "I am proud that there appears to be a new culture in the country, a culture of excellence. Everybody is conscious of the need to do well in their chosen fields, and this is a good thing.

"I'm also encouraged by the steps taken by the Attorney-General towards this direction," he said.

He said Malaysia had managed a measure of peace and stability because of its adherence to the principles of democracy, which was tempered with a degree of responsible freedom.

This had enabled democracy to work for the country, he said, adding that the people must understand the functions of the Government. On the other hand, they must also know what could and could not be done.

He said that if the people understood this, besides the mechanics of government, then the country could enjoy more peace and development.

He spoke on the rapid economic development of the country and the Government's aspiration to achieve the objectives of Vision 2020. The country needed highly-skilled Government administrators to achieve this, he added.

"Anything can happen anywhere along the way," the Prime Minister said, adding that the political, economic and judicial systems could "break down."

Therefore, it is everyone's duty to help make sure that this does not happen.

He said: "The best way to counter this is for everyone to know what exactly needs to be done. I'm convinced that all officers in the legal service understand their role.

"As members of the legal

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PM on need for all to be committed

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service, they are responsible for not just defending the Government, but also justice.

"If the Government acts contrary to the law, of course it is not fair for it to expect any form of defence from the legal service.

"Everyone must realise

that they cannot abuse their power. Hence, we cannot expect the legal service to defend us when we are doing it (abusing power)," he said.

Dr Mahathir said a Government elected by the people could not necessarily be correct all the time and the people had the right to reject any Government every five years — a normal demo-

cratic process.

"The freedom to throw out a government is the greatest freedom of all.

"There are other freedoms which are important, but none as important as the power to throw out a government," he said.

He also spoke on the need for everyone to be committed to making Malaysia a

developed country by 2020.

Dr Mahathir said that achieving the objective of Vision 2020 was not impossible.

"All we need is an annual growth of seven per cent to achieve the target of a developed country by the year 2020.

"So we are not being over-ambitious. We have planned

within our means."

He said that some people had a kind of inferiority complex regarding this goal, as they believed that only others could achieve this.

Such feelings and attitude should be discarded, he said. "Anything that others can do, we can do too," he said.