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`Judicial system not beholden to Govt'

THE country's judiciary is fair and not beholden to the Government, Prime Minister Datuk Seri Dr Mahathir Mohamad said yesterday in response to foreign views that seem to doubt Malaysian courts' impartiality.

Dr Mahathir said there have been numerous instances where the courts ruled against the Government.

"I don't know what else you can say about the judiciary being fair when the same judiciary has decided very much against the Government in many instances.

"We are not saying that it is unjust but the same judiciary had, for instance, declared Umno as an illegal party and we had to reform Umno (and) were put into very big trouble by that decision," he told newsmen after chairing a two-hour Dewan Rakyat/Dewan Negara pre-council meeting in Kuala Lumpur.

The Prime Minister was asked on concerns expressed by various quarters abroad on the impartiality of the Malaysian judiciary in the trial of former Deputy Prime Minister Datuk Seri Anwar Ibrahim.

Apart from this, Dr Mahathir said the judiciary had also in the past sentenced many party officials, including those who held high posts in the government such as ministers, menteri besar and chief ministers.

"They were convicted by the judiciary but we never complained, we didn't demonstrate," he added.

As proof that the court is not beholden to the Government, Dr Mahathir cited a case where an opposition Member of Parliament (MP), who was found guilty by the court, was fined less than RM2,000 for a certain offence which allowed him to retain his seat.

(Under the law, an MP may be disqualified if he is fined RM2,000 or sentenced to a year's jail).

"We did not protest. So, the judiciary in Malaysia is not beholden to the Government, unlike the judiciary in some other countries where you can be sure they will decide for the Government and make sure whoever attacks the Government will be punished to a point where there will be no return for them.

"In Malaysia, it seems to us that decisions by courts are made without any regard to the Government. Not at all," he added.

On demands by certain groups in the US that Malaysia ensures justice is done in Anwar's case, Dr Mahathir said they should take a look at themselves first before making such a statement.

"They should look at themselves. For example, when the white police beat the blacks half-dead, the courts decided that the police were not guilty. As a result, riots occurred in Los Angeles.

"Recently, a black man was dragged with his legs tied behind a lorry until he died ... A Japanese asking for directions was shot by a houseowner who feared that he was a robber. And what was the court decision? Not guilty.

"This means that they can shoot anyone ... this is their kind of justice. They preach to us about justice when over here we do not discriminate over the hair, skin colour, Government or non-Government," he added.

Asked about statements made about Malaysia, especially in relation to Anwar's case, that were made by quarters within Asean, Dr Mahathir said it is their right to do so. By the same token, he said Malaysia can also

comment on what goes on in their countries.

On the consistency of the statements made by Asean members, which a reporter suggested seemed to indicate the unkindness of the judicial system towards Anwar, Dr Mahathir said:

"Yes, I wish they would give the chance for the courts to decide. That is the legal system in this country. Maybe, in their country it is not the court which decide, it is the mobs on the streets which decide.

"In these countries, we see the mobs making the decision, not the courts. But in our system, the courts make the decision and the people make the decision through the process of democratic election."

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