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Law-Roles

LAWYERS TOLD TO GRAPPLE WITH NUMBER OF ROLES

SUBANG JAYA, Sept 15 (Bernama) -- Datuk Seri Dr Mahathir Mohamad's remark that the legal profession seems to be quite unconcerned about the "massive and systematic violations of human rights" by currency traders caught the attention of a participant at the 12th Commonwealth Law Conference here today.

The Commissioner of the South African Law Commission, Jeremy Gauntlett who spoke on the topic "The Role of Bar Association in Fostering the Rule of Law" got the participants, mostly lawyers, to examine Dr Mahathir's message in his opening speech at the conference last Monday.

Quoting Dr Mahathir, Gauntlett appeared to have agreed with the prime minister when he said that lawyers have failed to champion abuses of human rights by currency traders who have deprived millions of their jobs and income.

In his opening speech at the four-day conference here last Monday, Dr Mahathir had said that even legal minds, concerned as they were about justice and fairplay, seemed to be quite unconcerned about what was clearly massive and systematic violations of human rights by currency traders.

Gauntlett said lawyers need to grapple with a number of roles.

Among the roles would be for lawyers to ensure that people have the right for counsel.

"Unless we do that, then we are pursuing some country club mirage," he said.

He also said lawyers must be able to provide legal aid in their respective countries, similar to the one provided by the Malaysian Bar Council.

Gauntlett said they must also find a way to lobby to "entrench the independence of courts."

He called on Bar Associations to "secure representivity", meaning open its membership to everyone without discrimination against religion, colour or gender.

Meanwhile, the Bar Council told participants how the organisation and the Malaysian Bar had repeatedly sought for the abolition of the Internal Security Act (ISA) and other legislations that provide for detention without trial, in the name of the rule of law.

"The Bar has made its stand clear that in a democratic society like Malaysia, it does not augur well for the future of the rule of law, if laws allowing for detention without trial remain in the statute books," Bar Council president R.R.Chelvarajah said when delivering a paper on the same topic.

He said it was imperative that the ISA and all similar statutes should be repealed for the advancement of the rule of law and for the full realisation of that objective in Malaysia.

He said members of the Bar have, over and above their ordinary duties as citizens, a special duty to seek ways and means of securing in their own country the maximum degree of independence for the judiciary.

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