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PM: Instigators at work (HL)

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PETALING JAYA, Tues. - Datuk Seri Dr Mahathir Mohamad said he did not see any need for the setting up of a tribunal or Royal Commission as proposed by the Bar Council to look into the spat between Datuk Dr Rais Yatim and Chief Justice Tun Mohd Eusoff Chin.

The Prime Minister was asked about his views on the proposal on his return from a working visit to Japan.

He said: "We see an attempt to strip someone of the Chief Justice's post. Before, when we took (similar) action, it was the Bar Council that condemned us.

"It is the same ... if they accused us of sacking a judge because the Government does not agree with him, it seems they are also willing to do the same now. But the problem is that they can do it but not the Government, I don't really understand."

In 1988, the Government set up a tribunal to hear five charges against then Lord President Tun Mohd Salleh Abas, who was under suspension. He was found guilty and was dismissed in August the same year.

The Prime Minister said he believed there were attempts to create friction within the government machinery out of the quarrel between the Minister in the Prime Minister's Department and the Chief Justice.

Asked whether the issue had been blown out of proportion, Dr Mahathir said he believed so, adding that those behind the attempts were hoping that judges would become disillusioned, leading them into making unfavourable rulings against the Government.

"I think there are political motives behind this, with the intention of putting judges and the Government at loggerheads.

"They (instigators) hope that when judges get angry, they will make rulings that will not benefit the Government," he said.

The controversy started over Eusoff's holiday in New Zealand, purportedly with lawyer Datuk V.K. Lingam. Rais had, when asked by an Australian reporter in Melbourne recently, described it as "improper behaviour."

Eusoff has since explained that he paid for his holiday and met Lingam there by chance.

Dr Mahathir said the Government had never complained when the court made rulings unfavourable to it or to parties in the Government as it believed in the independence of the Judiciary.

"We accept this but it looks like those accusing us of not giving the Judiciary independence now want to control judges. And that judges adhering to their wishes is good but not the Government," he said.

Dr Mahathir also raised doubts on whether the tribunal proposed by the council had complied with the procedures under the Constitution on the removal of judges from office.

On whether it was odd that the matter was raised now although the holiday took place in 1994, Dr Mahathir said: "I think there is some political agenda behind this. It may be connected to other things happening in the country."

On the request by Chechen President Aslan Maskhadov that he mediate in getting Russia and Chechnya to start negotiations to end the conflict in Chechnya, Dr Mahathir said he wanted to find out more about what could be done and the role he could play.

"If there is anything we can do towards finding a peaceful solution to

the conflict, we will help, if we can," he said.

When pointed out that he could face problems as Maskhadov was still hiding in the jungle, Dr Mahathir said the President could send an envoy.

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