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US lawmakers should review their `petition`

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OUR country achieved independence in 1957. We have our own written Federal Constitution.

For purposes of constitutional analysis, it must be recalled that the functions of our Government are divided into three distinct components, namely, legislative, executive and judicial.

The legislative branch deals with the creation of laws, the executive branch the enforcement of laws and the courts the application of laws in individual cases.

The primary function of the judiciary is to settle any dispute over questions of fact and law in accordance with the law laid down by Parliament.

Thus, are the seven US Congressmen who have submitted a resolution in the Datuk Anwar Ibrahim case trying to imply that our courts are incapable of trying the former Deputy Prime Minister's case?

Their action implies that the trial was conducted unconstitutionally.

However, throughout Anwar's trial, our judges ruled in accordance with the laws already enacted.

There was no overnight creation of new laws. There is no violation of the Constitution, either by the legislative or the executive wings.

As stated by Pas president Datuk Fadzil Noor, the filing of the resolution is not a surprise. He was saying that if we could object to the cruelties in Israel and Serbia, we ought to accept outsiders' views about cruelty and unjust actions in our country.

I agree with him that if we accept globalisation, then we cannot limit people's right to express their views.

But there are differences between the two stated situations.

In Israel and Serbia, the killings are because of the maladministration in the two countries.

As a result, many innocent people were killed in those countries. Compare this with Malaysia. As a citizen, I can see hardly any instance of the above.

There is no brutality and cases were and are being tried in accordance with the law.

One may wonder why the Congressmen are interfering. Some say it is because Anwar was treated unjustly, but others say they are opposed to Prime Minister Datuk Seri Dr Mahathir Mohamad.

In general, it is not easy to determine whether the boundary between constitutional and unconstitutional conduct has been crossed, especially when there are no universally accepted rule of conduct.

I hope the Congressmen will sit back and ponder their "petition" carefully. Malaysia has been an independent country for 43 years. I believe that our judiciary is capable of handling cases that come before it.