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DAP-Hudud

DAP SUPPORTS PRIME MINISTER'S STAND ON PAS' HUDUD LAWS

KUALA LUMPUR, Oct 28 (Bernama) -- The Democratic Action Party (DAP) has come out in support of Prime Minister Datuk Seri Dr Mahathir Mohamad's statement yesterday that the Federal Government would take legal action against any State that implemented hudud laws in contravention of the laws of the country.

Its Deputy National Chairman, Karpal Singh, said that the Federal Constitution was the supreme law of the country and any law, even if passed by Parliament, which contravened the provisions of the Federal Constitution, was void as manifested by Article 4(1) of the Federal Constitution.

"The Syariah Criminal Law (Hudud dan Qisas) Enactment 2003 gazetted by the Terengganu State Government yesterday is clearly unconstitutional apart from being not within the competence of the Terengganu State Assembly to enact on July 8 last year in the first place," he said in a statement here today.

The statement explained at length the Pas-led Terengganu State Government's violation of the Federal Constitution by introducing the hudud enactment.

Karpal said the Federal Government was duty-bound to ensure that all States kept within the parameters of their legislative competence.

"I am suprised that Terengganu Menteri Besar Abdul Hadi Awang, who has repeatedly, when being sworn in as a Member of Parliament, taken the oath to preserve, protect and defend the Constitution, is violating that very Constitution by initiating an enactment which contravenes the Constitution," he said.

In view of this situation, Karpal said the Federal Government should invoke the provisions of Article 130 of the Constitution which is :

"The Yang di-Pertuan Agong may refer to the Federal Court for its opinion any question as to the effect of any provision of this Constitution which has arisen or appears to him likely to arise, and the Federal Court shall pronounce in open court its opinion on any question so referred to it."

In this case, Karpal said the Federal Government should advise the Yang di-Pertuan Agong to refer the issue as to the constitutionality or otherwise of the enactment to the full bench of the Federal Court for its opinion.

He also said that PAS leaders, both in Kelantan and Terengganu, should not defy the Federal Constitution.

"Any ploy, through use of the State Assemblies there, to garner votes does not demonstrate political maturity. It is counter-productive and against national interests," he said.

-- BERNAMA

RBZ AHH SRI