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Dr M: West's rule of law elusive, contradictory ideal

BANGI, Fri. - Tun Dr Mahathir Mohamad, who was conferred an honorary doctorate in Law by Universiti Kebangsaan Malaysia today, criticised the Western notion of upholding "the rule of law" as an elusive and contradictory ideal.

At a special convocation ceremony at the university, the former Prime Minister questioned whether the concept of governance according to the rule of law really existed, when certain countries that advocated it were blatantly violating internationally-accepted rules and norms.

"They force capitalism on the world, democracy, globalisation and the concept of the rule of law. They are willing to go to war, use sanctions, and instigate citizens to topple the government, just so that the rule of law can be implemented.

"But their very actions do not follow the rule of law; for them, the end justifies the means," he said.

He cited as examples the United States' Anti-Terrorism Act 1996 that legalised measures aimed at curtailing certain political beliefs and public freedom, and the Liberation of Iraq Act 1998 that gave the US Government authority to invade Iraq and enforce a regime change there.

He said the West liked to criticise less-developed countries for preventive laws but, now, faced with the threat of terrorism, they were instituting similar and even more draconian laws. "They give themselves the power to act outside their territory. This violates international laws on nations' sovereignty," he said.

He also said the rule of law was negated when judges who might not like certain legislation tried to over-turn them in their court judgments, when the media conducted their own trial of accused parties in their reports on the proceedings and when human interpretation of the law violated the spirit and objective of the law. He said the concept of rule of law should not be upheld blindly, and that it was more important to try to understand what justice meant, as true justice should be applicable at all times and in all societies.

"The rule of law alone does not guarantee fairness, even though it is useful in preventing crime and injustices from becoming widespread in society.

"Justice can happen only in a society that is highly civilised and practises noble values, where people place justice above other rights, especially individual rights. This ideal is difficult to achieve, but we can start taking steps towards it."

Earlier, UKM Chancellor Yang di-Pertuan Besar Negeri Sembilan Tuanku Ja'afar Tuanku Abdul Rahman conferred the honorary doctorate on Dr Mahathir.

Present were the Tuanku Ampuan Negeri Sembilan Tuanku Najihah Tunku Besar Burhanuddin and Tun Dr Siti Hasmah Mohd Ali.

Dr Mahathir has served UKM as its co-vice chairman of its pro-tem committee before it was formed in 1970, and as chairman of the UKM Council.

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