

**Political Issues Best Not Dealt With By Courts, Says Academician**  
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**By Tengku Noor Shamsiah Abdullah**

SINGAPORE, Jan 11 (Bernama) -- Political questions or issues are best not dealt with by the courts as they tend to undermine and weaken the standing of the judiciary, said a law lecturer.

Prof Eugene Tan, Assistant Professor of Law at the Singapore Management University, said that in recent years, there had been attempts by both sides of the political divide in Malaysia to drag in the judiciary into their political battles.

"This attempt at judicialisation of politics and the concomitant perception of the politicisation of the judiciary results in the judiciary being undermined. It enervates the standing of the judiciary," he told Bernama.

Prof Tan said there was a popular misconception that the Malaysian judiciary was not independent, and that the politicians from the ruling coalition tend to come out favourably in matters brought before Malaysian courts.

"But the reality of the matter -- and this is under-appreciated -- is that "political questions" are not best dealt with by the courts," he stressed.

Prof Tan said too often, critics looked at the outcomes of politically charged cases to make up their minds about the judicial system in Malaysia.

One case alone cannot be generalised for the overall national condition, he said.

In the Anwar Ibrahim case, he said if Anwar were to be convicted, then the immediate criticism would be that the court was doing the bidding of well-placed politicians out to destroy Anwar's political comeback.

If, however, Anwar was acquitted -- as he had been -- then the dominant discourse was that the judiciary was independent and that judges were free to rule as they saw fit, he said.

Again, Prof Tan said the judiciary often bore the brunt of the criticisms both ways.

He said despite the dramatic turns and strong accusations from the Anwar camp during the trial, the Opposition politician seemed to have gotten a fair hearing.

Prof Tan said with the government now asserting that "it does not interfere in the judiciary and that justice cannot be bought in Malaysia", the verdict now also provided that golden opportunity for Malaysia, in light of an imminent general election, to focus on issue-based politics rather than on personalities, and that winning the hearts and minds of voters would not depend on the use of the judiciary for proxy battles.

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