

Controlling the judiciary impossible, says Dr M
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KUALA LUMPUR, Feb 24 — Tun Dr Mahathir Mohamad insisted today he could not have controlled the judiciary during his 22 years as prime minister as it would have required conspiring with “hundreds of people.”

The former prime minister has come under repeated criticism since former Chief Justice Tun Mohd Dzaiddin Abdullah said two weeks ago the judiciary had become subservient to politicians after Dr Mahathir (picture) clipped its wings in the 1980s by amending the Constitution.

“Recently, I have been accused of controlling the judiciary and that all judges were under my thumb. But for the PM to decide a court case, he must instruct hundreds of people. The judge, police, the Attorney-General and witnesses must all be told.

“It is impossible to tell so many people without others finding out,” he told about 500 youth leaders at a forum this morning.

Dzaiddin had said the constitutional change was repugnant because Parliament could now decide what powers the judiciary should be given, altering in a very fundamental way the basic structure of the Federal Constitution.

After Dzaiddin’s claim, Dr Mahathir was forced to defend himself from several attacks, stating that the 1988 amendment to Article 121 of the Constitution had not altered judicial powers but merely gave the Attorney-General the responsibility to choose which court should hear a case.

But the Bar Council then accused him of stripping the judiciary of its independence, saying the former prime minister “assaulted” the institution with “Machiavellian ruthlessness” during his tenure.

Council president Lim Chee Wee said the amendment effectively tampered with the judiciary’s independence, forcing the courts to be subservient to the executive arm of government.

“The Malaysian Bar has consistently held the view that Dr Mahathir Mohamad had with Machiavellian ruthlessness assaulted the once great Malaysian judicial institution.

“First with this amendment, then the sacking and suspension of the Lord President and Supreme Court judges and later the appointment of three different Chief Justices, whose reputation the Bar holds in low regard,” he told The Malaysian Insider last weekend.

But Dr Mahathir said again today that “this allegation is without basis.”

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