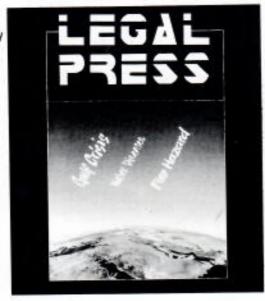


# AU RE VOIR

World Environment: A Question of Accountability



Cover: Haniz

I Hamdulillah, once again the Law Info is back to share with you our thought on diverse issues that may be of common concern. We are nonetheless aware of our shortcomings as human beings and to that end we seek your indulgence. This issue aims to focus on the legal, social and political implications of problems facing the global community as a whole. It includes health, environment, war and the efficacy of laws designed to contain these problems. The Chemical warfare and its unprecedented dimensions, and the functioning of the United Nations Charter as an instrument of stability, peace and security are highlighted.

It is our ardent desire also to apologise to some quarters who took serious exception to issues mentioned in the last edition of this magazine. This is with particular reference to the article entitled "Role of Mass Media in Preventing Sex Violence" we are indeed very concern with your reaction to the alleged offensive passage (e) therein and once again we seek your forgiveness. The same goes to any other person for any similar oversight on our part. We wish to thank the very active members of the outgoing editorial team for their untiring effort and cooperation. They deserve our "bravo" and indeed the whole readership. May Allah reward them in their post academic pursuits. The gap left is nonetheless a difficult one but those willing and able are obliged to contact the relevant authority to make the Law Info a lasting publication. Once again we wish you all success in the forthcoming semester examination particular the law students.

CONSULTANT EDITOR

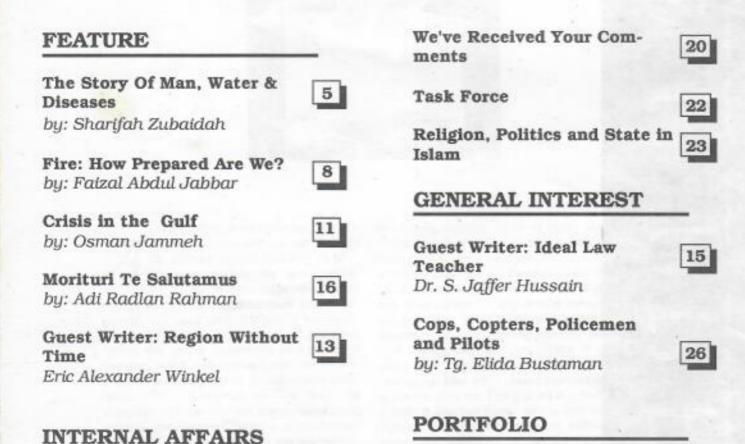
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1990

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### THE STORY OF MAN, WATER AND DISEASES

Text & Illustrations by Sharifah Zubaidah

"Once upon a time, there was WATER.

Water... the pure fountain of life,

Then, MAN came. He settled and filth was born.

Water gulped down man's wastes.

DISEASES emerged. Man dies..."

- THE END -

If that is the end of the story, then there would be no hope left for man. Man has learnt painfully since that he has to improve on his sanitation and water-supply systems to check the spread of diseases. Epidemics like cholera and typhoid, associated with poor sanitation, insanitary water-supply and sewage disposal continue to be important causes for concern in Malaysia. Why?

Trends of Waterborne Diseases In Malaysia (1976 — 1989)

Kelantan, Trengganu and Penang experienced a bout of cholera in the months of April and May of this year. Cholera is a gastrointestinal infection which has been known to bring about periodic devastating epidemics in countries such as India and Bangladesh in the past. It is acquired by ingesting water contaminated with the bacterium 'vibrio cholerae'. When the bacterium reaches the bowels, it will multiply rapidly, adhering to the lining of the intestinal wall. Then, it will produce a toxin which will cause a tremendous outpouring of fluid from the body into the intestinal tract. This is when the victim will experience severe diarrhoea by excreting 'rice-water' stools and also vomitting. If fluid is not provided, the victim will develop shock and die.

Typhoid, on the other hand, has recently struck in Johor and certain areas in Melaka and Selangor. It is caused by a bacterium called 'salmonella typhosa'. Symptoms include high fever, chills, delirium, headache, abdominal pain and constipation. Life threatening complications, such as intestinal perforation or haemorrhage may occur. The typhoid bacteria can persist in the bile passages of persons for an indefinite period of time. These carriers can pass on the infection to healthy persons if they practice poor hygiene or if they are foodhandlers.

These diseases have now been successfully contained by health officials. Nevertheless, can we safely deduce that such epidemics will not recur?

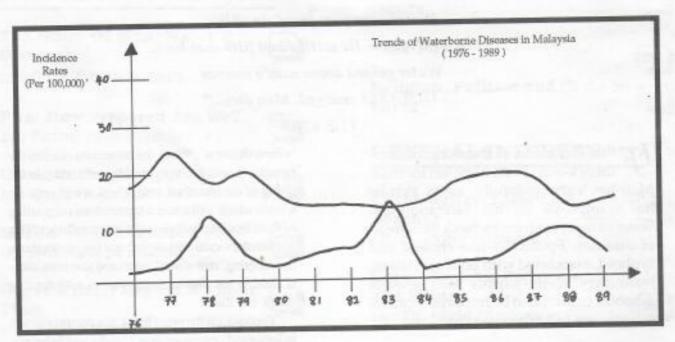
Being waterborne diseases, the most apparent cause of outbreak is the contamination of watersupplies. Laxity in water treatment techniques were shown to be the major cause of outbreaks in Europe in the 19th century.

In Malaysia, the water supply Department (Jabatan Bekalan Air) is in charge of the collection, transmission, treatment, storage and the distribution of water by piped-water supply to the people. The outbreak recently was not caused by piped water but rather, level is called 'surface water' and it comes from lakes, streams and rivers. The lower-level is called 'groundwater'. Most wells in rural areas are only dug down to the 'surface-water' level. This surface water is easily contaminated especially by bacteria and organisms.

The illustration above shows that even sullage water (sewage) and domestic waste can seep into the soil and reach the well. This is often the cause of diseases. Therefore, it would be safer for villagers to dig deeper wells and obtain safer drinking water from the 'ground-water' level.

Crude sanitary arrangements in rural areas have been identified as a major cause of outbreaks. In many remote villages of Kelantan, sanitary vironmental \* Sanitation
Programme, better known as the
B.A.K.A.S. Project (Bekalan Air
dan Kebersihan Alam Sekeliling).
It aimed to reduce the incidence
of waterborne communicable
diseases, through the provision of
water-supply and sanitation
facilities to the rural population at
low cost.

The project which is on-going, seeks to promote the adoption of sanitary/hygienic practices by the public. Its strategies, among others, is to help construct sanitary water supply and excreta disposal systems by providing such technical assistance on a self-help basis. It is, thus, implemented on the basis of total community



by such natural sources as rivers and groundwater. In Kelantan, for instance, samples taken from the Kelantan River were found to contain 'vibrio cholerae'.

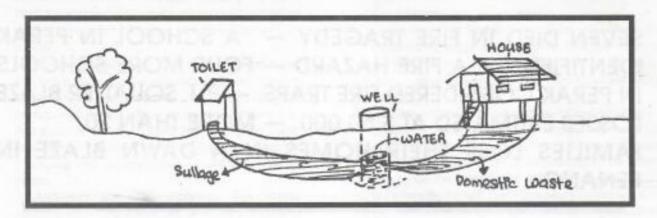
People living in the rural areas often rely on wells for their daily water supply. These wells were found by Health Ministry Officials to be too shallow to allow for completely safe sanitation.

Generally, there are two levels of well-water supply. The upperOfficials have begun projects to assist villagers in constructing sanitary latrines in their homes. However, some villagers are still of poor personal hygiene. Hence, it is crucial to educate this high risk group on the importance of sanitation and personal hygiene.

#### THE B.A.K.A.S. PROJECT

What has been done to minimize this problem? In 1968, the Ministry of Health launched the Rural Enparticipation. Efforts are mainly concentrated in the rural, riverine and squatter areas.

This programme is monitored by the Division of Engineering Services of the Health Ministry with the collaboration of relevant Federal/State/local government/ voluntary agencies. Under the Fourth Malaysia Plan, a budget of 19.5 million ringgit was allocated for this programme. However, the overall coverage for



water-supply and sanitation in rural areas was only 62.3% and 65.1% respectively, which fell short of the 100% target for this decade. As a result, efforts were intensified under the Fifth Malaysia Plan to enable achievement of 100% coverage by 1990.

#### IN THE PIPELINE : Problems and Solutions

Despite the existence of the 'B.A.K.A.S.' project, the epidemics still occur. Malaysia has not been able to wipe-out cholera and typhoid - like the more 'developed' nations have done. There is then a dire need to review and possibly revamp the strategies being used presently. This is not to imply that the B.A.K.A.S. project has failed. The efforts of the Health Ministry so far, have been commendable. The latest statistics show that up to the end of 1988, the coverage for water-supply in rural areas was 70.3% and for sanitation, it was 76.9%. There may be a possibility that the target of 100% coverage may be achieved soon.

Nonetheless, even if 100% coverage is achieved, epidemics may still occur, mainly because there is no complete guarantee that the water-supply systems especially 'ground-water' wells will be mantained properly by the villagers. Frequent su-pervision by Health Ministry officials may ensure maintenance of the systems but the fact is that 'piped-water' supply remains the best system to prevent diseases. Therefore, the ultimate effort should be to ensure a hundred percent coverage of piped-water supply to rural and urban areas alike. Studies by the World Health Organization have proven that the 'piped-water' system yields substantial improvement in public health. The Malaysian Government could perhaps increase its budget in the 6th Malaysia Plan towards this aim.

It has also been hinted by certain quarters that certain areas in Malaysia are deprived of modern facilities in water-supplies simply because of opposition to the government. How far this is true will reamin a 'political question'. However, this is a minor issue.

Another problem is the mentality or attitude of some villagers concerning sanitation and hygienic practices. Efforts, thus, must be intensified to change bad habits into good ones. The target group is of course, the younger generation.

Poverty among a large portion of the 'high risk' groups also remains a problem. These people cannot afford to pay the costs of connecting waterpipes. The Health Ministry has suggested that 'connection-fees', for the low-in-come group should be waived.

Malaysia does not have a 'Drinking Water Quality Act', in order to ensure that better standards of drinking water are provided for the nation. It is, hence, timely indeed for the policymakers to pass such an Act in Parliament.

As for typhoid specifically, the Food Act seems to be adequate as it empowers health inspectors to close down a food business if it is deemed not to fulfill minimum standards of hygiene. Never theless, though the law is there, it must be fully implemented and enforced.

National health planning is crucial to any country. Malaysia may need to revise and upgrade its health planning policies in the near future in order to bring about a healthy environment, free from epidemic diseases and safe for her people.

Note: Special thanks to Encik Hamidon bin. Osman, Division of Engineering Services, Ministry of Health, MALAYSIA. SEVEN DIED IN FIRE TRAGEDY — A SCHOOL IN PERAK IDENTIFIED AS A FIRE HAZARD — FOUR MORE SCHOOLS IN PERAK CONSIDERED FIRE TRAPS. — P.J. SQUATTER BLAZE LOSSES ESTIMATED AT \$ 50,000. — MORE THAN 20 FAMILIES LOSE THEIR HOMES IN A DAWN BLAZE IN PENANG.

# FIRE: HOW PREPARED ARE WE?

by Faizal Abdul Jabbar

ire can be a most wonderful companion and useful servant when kept firmly under control. But once its immense forces are unleashed it can become one of mankind's most formidable enemies.

The number of fire incidents has risen insidiously through the last few years. In the early 80's, we seldom heard of fire incidents. But today, never a day goes by without our hearing news of another fire incident through the media.

It is only quite recently that fire has began to catch the public's attention in Malaysia. Handicapped by the preconceived notion that fire only causes minor losses, the Malaysian public was shocked to hear of tragedies such as the Madrasah Taufiqiyah disaster in Kedah.

Twenty seven schoolchildren met a horrible end to their young lives in a madrasah in Perak. The madrasah had to be closed down because most of the students' hostel were razed to the ground. Those who survived the fire were unable to continue their studies and had to shift to other schools.

This tragedy provoked many questions. Who was to blame? How did the fire start? Was the school a fire hazard? Did the hostels obtain a certificate of fitness?

A series of fires following the Madrasah Taufiqiyah tragedy further emphasized the threat of fire. A few blocks of the UM modular hostels were razed to the ground and left nearly 300 students without accommodation. A fire in a P.J. squatter area left nearly 20 families homeless. It is sufficient to quote these incidents to help us to reflect upon the damage caused by fires.

Whenever these disasters occured the first question to be asked would be "who, is to blame?" The answer to this question has never been easy. It is not the intention of the writer to point the finger at any particular individual or body. This article only seeks to analyse the measures taken to curb fires and also the public's attitude.

It would be interesting to note that the government has not totally overlooked this problem. A string of legislation has been passed to deal with this problem, namely, the Street and Drainage Act 1976, the uniform Building By-Laws 1984 and most recently, the Fire Services Act 1988.

This legislation seeks to control fire in two ways. Firstly, each building whether old or new has to fulfill certain requirements before it can be declared fit for occupancy.

Under the uniform Building By-Laws 1984, each building owner must ensure that there are adequate fire escapes in his building. Noncompliance could result in closure of the building.

Secondly, the owners must provide sufficient fire-fighting equipment. This equipment comes in the form of water sprinklers and fire extinguishers. Under the Street and Drainage Act 1976, fire hydrants must also be built beside the buildings.

The body which enforces these regulations is the fire brigade. Under the Fire Services Act 1988, the Fire Brigade has the power to reject building plans which do not conform to the requirements under the uniform Building By-Laws 1984. Besides this, they are also empowered to conduct random checks on buildings to ensure conformity with the law.

Punitive measures too have been provided in the Fire Services Act to deal with errant owners. The Act allows the Fire Brigade to execute a warrant of arrest. Owners who do not adhere to the requirements may face a fine of not more than \$ 3000 or 3 years jail or both. A more serious case could enforce the closure of a building and the revocation of the certificate of fitness.

Although the Fire Services Act seems comprehensive, legislation per se is not enough. To make the Act effective, the enforcing body which is the fire brigade should be competent and efficient.

The Madrasah Taufiqiah tragedy is a glaring example of how disorganized the enforcement of fire regulations can be,

It was only discovered after the tragedy that the hostels did not have a certificate of fitness. In short the students were living in a fire trap. Clearly, the authorities had overlooked the need for regular supervision of schools. Though they should not wholly shoulder the blame, the concerned authorities could have prevented a disaster had they checked the school and imposed the fire regulations.

But the questions here is which authority? Is it the Fire Brigade? Or is it the Ministry of Education? Or is it the Local Town Council?

The Fire Brigade says that it was not their responsibility because it was a school. Thus, implying that the Ministry of Education should be blamed. However, it is a private school and the ministry only supervises government schools. And the Local Town Council did not deem it to be part of their responsibilities.

Accountability can be debated forever without ever reaching a conclusion. What really matters is that the damage has already been done. And a contributing factor to the tragedy was the lack of supervision by the authorities, whoever they may be.

This problem arose because the authorities were confused and unsure of who was responsible for the madrasah. Each body seemingly had certain powers but at the same time did not want to trespass into the other's territory. Certainly such a misunderstanding cannot be allowed to continue.

Thus, there is some justification to call for a single body to have the power and jurisdiction concerning fire regulations. By having only one single body, all efforts can be centralised and supervision would be more efficient.

During random checks, the Fire Brigade is solely

empowered to conduct checks on the building plans and structure.

However, the Fire Brigade cannot conduct checks on the wiring system of the building. This duty is placed in the hands of a Supervision Board under the NEB. Action can only be taken by this Board in cases of faulty wiring.

Here we have a unique situation where two agencies have the power to check on buildings but different parts of it. Furthermore, these two agencies do not co-ordinate their checks. Even if part of the building is considered safe by the fire brigade, the other part might still turn out to be a fire hazard. This discrepancy further supports the call for a single body to be formed for the purpose

of supervision.

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Although there is a problem concerning jurisdiction, the Fire brigade has begun to improve. Checks have been conducted regularly. A few schools have been identified as fire traps by the authorities. Hopefully, steps are being taken to ensure that all schools are fit for service. It is not enough for society simply to have fire laws and authorities to enforce them. The public also has a role to play in the fight against fire.

Public cooperation with the responsible authorities would promote a more competent fire prevention system. The role of the public does not lie in the enforcing of

legislation. Nor is it necessary for the public to protest about inadequacies in the administration of fire regulations,

To put it briefly, the public's role is only to be more aware of potential fire hazards. They should form a more serious attitude towards fire. Once the public becomes really concerned about fire, the number of fires caused by negligence or ignorance could be lowered.

Negligence and ignorance are two major causes of fire. In cases resulting from negligence, the authorities usually discover that the source of the fire was a minor negligent act. It could have been prevented from the earliest stage had the negligent person been more concerned and careful.

Investigations of fires originating at home show that common source of fire is eigarettes. Usually, one of the tenants is discovered to be smoking in bed. Subsequently, he dozes off without putting the eigarette out first. It then results in a fire.

The main cause of the Madrasah Taufiqiah tragedy was never ascertained. It could have resulted from a candle. Others say that it was probably the gas cooker. Or perhaps both. A discussion on this point would only be academic. What we should be really concerned about is the negligent act which may have involved the

candle and the gas cooker. According to survivors, the students did not put out the candle and did not switch off the gas cooker before going to bed. Although the initial fire was small the wooden blocks caught fire almost immediately.

An individual survey on the causes of fire would put negligence at the very top of the list, But is negligence really the main culprit? Is a person negligent or ingorant when he smokes in a petrol station? Does a housewife know that overused sockets are fire hazards? The action of a person could be seen as negligent but in actual fact, it is borne out of ignorance.

Is the Malaysian community well prepared for fires? Have they been educated sufficiently? Most Malaysian are not well informed of the fire regulations. Fire equipment is hardly maintained. Water sprinklers and fire extinguishers are provided just as a matter of formality. Building owners are unaware that such equipment cannot last without having to be serviced or cleaned. A plain example is the extinguishers. Every extinguisher has its own servicing period according to its size. Although a person owns a fire extinguisher, he might be ignorant of this fact and also why it must be serviced. It would simply be devastating to find out that the extinguisher is useless in an emergency.

Research conducted by fire experts showed that a kitchen is capable of catching fire in two minutes. According to them, it would be advisable to leave the kitchen immediatelly when the kitchen catches fire. But how many housewives are aware of this fact? Sadly, such information is only found in periodicals and books which are seldom read.

Can we actually blame the public for not making more effort to obtain information about fire? Malaysia, is renowned for its strong, stable and efficient government. Those in public offices actually owe a duty to the public to ensure the smooth running of the country. However, legislation and the appointment of enforcing bodies is not sufficient. The efforts to educate the public is not vigorous enough. The best source of information today is television. Nearly everyone watches television. The potential of television as a means to spread this message should not be overlooked. The television's role should not be allowed to develop solely to provide entertainment.

The school curriculum should also educate young Malaysians to have a serious view concerning fire. The consequences of fire should be clearly spelt out to them. Negligent acts which are fire hazards should be made known to then.

The enforcement of fire regulations leaves much to be desired, Random checks on old buildings should be regularly conducted. Though the responsibility of maintaining fire equipment is solely on the owners of the building, the fire brigade should check on this equipment. Schools which have wooden buildings should also be inspected. The attitude of the authorities concerned would only become apparent after a fire incident. A building is only discovered not to have a certificate of fitness after it is razed. What were the authorities doing before the fire?

Are the authorities actually going to wait for another 27 schoolchildren to die before anything is done? They have been provided with wider discretionary powers under by government and local government legislation. They have the necessary workforce and knowledge, It seems they are not lacking in any area.

Fire is a hazard which is capable of claiming lives and destroying millions of ringgit. Serious efforts must be made to prevent and control fire. Whether it is the authorities or the public, everyone has a role to play. The authorities, in particular, should be aware that their contribution is a big factor in the prevention of fire. Surely, we do not need further tragedies to make us realise that fires are not only hazardous but also killers.

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### CRISIS IN THE GULF

#### A VIEWPOINT

#### by Osman Jammeh

August 2nd is bound to remain a memorable day in the history of the Muslim world and the larger universal community. What we saw in Kuwait and later in Saudi Arabia and Iraq is but a salient reminder that all does not auger well for peace and international stability. What would hitherto seem to have been a fairy tale only two years ago, has been suddenly transformed into a staunting reality. Perhaps only the modern fire power is capable of such a dramatic change.

The ongoing Gulf Crisis has to be diagnosed and re-diagnosed against the background of events which would take us to the narration of unnecessary history. But, it is not out of place if one chose to talk about the recent to highlight the possible ramification of the future. The bitter war of the last decade that saw two belligerent enemies causing so much untold misery that posterity shall not forgive its perpetrators. Iran may have the psychological victory today but it was a war of no victors but of victims and no vanguish.

However of much concern to us as Muslim is the present crisis. As stated earlier the invasion of Kuwait by non other than Iraq is bizarre, but let us come to think of it; who are we to blame for escalating tensions in that region? Who is wrong morally? Who is justified in interfering? Who has the mandate to enforce any sanctions? These questions must be answered without necessarily condemning but rather apportioning the proper share of blame as we saw fit.

It has been stated time unend that the greatest violators of international law are the greatest enforcers of this erstwhile code of voluntary restraint not having the force of any municipal law. The United Nations Charter for Human Rights emerged from a compromise among several warring sanctions in the First World War era i.e. in the middle of 1945. Alas, what heralded as the supreme guide for the conduct of nations in an atmosphere of peace became a tool to be manipulated by a few willy nilly.

Of much concern to us today are the following Articles of this universal charter — which in their material particulars spelt out the need for the maintenance of world peace at all

42 need serious consideration in view of the present crisis, the aforementioned Articles 10 and 12 are embodied under Chapter VI of the Charter which has as its fundamental objective "Peaceful Settlement of all disputes between nation states." hence state sovereignty and inviolability remains sacred. Ironically, however this charter vested under Article 12, a near invisible power if not a check in the hands of a five nation group or the permanent members of the Security Council. Among the few amendments, remains crucial as it is, vested yet another power under the Resolution captioned under the heading "Uniting for peace" and by virtue of Article 27 "The veto power" to restrain the larger assembly below. The latter may not proceed on any matter before the former as provided under Article 10 and 12 respectively. The major determinant of any threat or

costs, Thus, Article 10, 12, 13, 24, 27, 39, 41 and

The major determinant of any threat or challenge to the security of the world is hereby vested in this Council perhaps now with its non permanent members like Malaysia and Cuba to name a few.

Once clothed with these powers, Chapter VI and VIII are often invoked as the modus operandi outlined in Article 24 (1) and (2) as regards the peaceful settlement of disputes as in the situation in the Middle East, hence the invocation of Article 39 together with Article 41 if ever proven inadequate the next Article thereafter shall ultimately empower this august Council to use "any force by air, sea or land" in enforcing the perceived will of the world. What we saw in Saudi Arabia is therefore a combination of both Articles 41 and 42.

The unanimity of the powers in condemning lraq for its invasion cannot be faulted. On a second thought however, we should address our minds maturely to the questions raised earlier in this article. Objectivity must necessarily bear a symbolical essence of subjectivity. Notheless the best subjective opinion is worst if devoid of objectively and at best often apologetic.

President Saddam Hussein did violate this Universal Charter on August 2nd 1990. For that I leave you all to judge for you may be better

The world needs to view such crisis with a fair mind.



Preparing For War

judges than I, or least I may be condemned as a voice in the wilderness. President Bush referred to him as "a big liar, a congressman in the U. S. as "the most dangerous man alive". But to others, he is an embodiment of a hero. What a mixed reaction! If any nation saw fit to be the universal policeman, it is morally enjoined to keep an irreproachable past crystal clean. How many violations of this Charter are at the credit of these permanent members? How many crimes are they guilty of against humanity. How many are they condoning or perpetrating to this hour? Again, brothers and sisters, I invite you in your wisdom to answer.

We are told the PLO is a terrorist organisation. So does the ANC and the IRA to name a few. But on the contrary, the contras of Nicaragua, the Swapo of Angola, the Khamer Rouge are all freedom fighters. According to whose lexicon are these groups defined.

Muslims and non-Muslims alike must never shy from the brutality of the Jewish state against the Palestinians in the West Bank and Gaza. Yet we have had resolutions and sanctions pronounced only to be vetoed or down played by the guardians of the Sacred Charter. Panama, Granada, Afghanistan maybe history but to appreciate the present, don't ever forget the past for you never know what the future holds. "Allahua'lam" when did Britain became such a staunch enforcer of sanctions, Kuala Lumpur of October 1989 as a reminder to all.

Let us therefore be cautious as to the designs of many an ally or a foe of Islam. Let us be wary of the terms of this so-called U.N. charter which is stage managed to suit the whim of a few. The time implication and the ultimate dimensions of this crisis may not be known for the moment, but, what is apparent is that — a peaceful solutions must be searched and inplemented. The over dramatising of the scenario is but an attempt to direct Muslim attention from a crucial moral problem in Palestine and elsewhere by a devilish ghost imposing as an ally and protector. Be that as it may, the inevitable support for one side must necessarily be dictated by self interest and fear of offending one of the actors in the show. Look at the situation of Jordan and Egypt.

We hope that first things be addressed first. If Israel and South Africa are allowed to keep a nuclear bomb as a strategic deterrent, is it not hypocritical to say Iraq, Iran, or Cuba should not? Are they showing us that only they have the ability to rationalise and to act according to their norms of civilised behavior. Then if we allow ourselves to be reduced to such a level of humanity of the third state, we must of necessity rethink about these friends of ours.

The rather insoluble has in my opinion a solution which lies somewhere. As Muslims, we are not obliged to be bias against non Muslims or to condemn then unjustifiably. Yet we must remind ourself of the Quran time and again. Thus a serious thought pro-voking ayat is found in <u>Surah 60 V</u>, 8 & 9 — Al Muntahinah, which read:

"Allah forbids you not to act considerately towards those who have never fought you over your religion nor evicted you from your homes, nor (forbids you) to act fairly towards them. Allah loves the fair minded. Allah only forbids you to be friendly with the ones who have fought you over (your) religion and evicted you from your homes and have abetted others in your eviction. Those who be friend them are wrongdoers."

Let us live up to the truth, even if it is against ourselves and our dearest ones. The world needs to view such crises with the fair mind. Kuwait may not be totally free from blame but the recent gulf war is yet a solutary reminder that Muslims should not aid a fellow Muslim in aggression. Saudi Arabia is no exception for your worst enemy could be your best friend and vice versa. The Iraq's military arsenal is but a creation of the Muslims themselves in that region. It is hoped that good sense will prevail to arrest a blood bath. The cold war is being shifted from its dorminant homested to the heart of the Holy land, should be a course for concern and not jubilation in the face of a nearfound threat. Once again I leave this in your court as you may be better judge but Allah alone is infallible we are after all mortals.

# A Region Without Time

by Eric Alexander Winkel



Il praise be to Allah, and may the peace and blessings of Allah be upon Muham mad, his family, and all his companions. Allah commands us to resolve our problems through reference to Allah and His Messenger; this is an attempt to examine certain contemporary issues concerning the gulf area in such an Islamic light.

It is of course refreshing that students are concerned with proposing solutions to problems in the gulf drawn from the Qur'an and Sunnah. We would then have to agree that Indeed there is ample precedent (sunnah) in Islam for avoiding any military alliances with Non Muslims. We would also have to agree that Muslims should not flight each other, and if that terrible situation comes about, a third party of Muslims should fight against the Muslims who are not respecting proper limits. We certainly would run up a long list of faults

and shortcomings among every one of the actors in the guif, But we would not have really addressed the problems.

This is because the current problems in the gulf are related to much larger and more complex intertwined dynamics of historical forces, ethnic pressures, vast socio-economic disparities, and the buffeting of neocolonial and capitalistic forces. We cannot fall into the same faulty thinking as the Americans who are daily fed reified and a historical concoctions expiaining the extremely urgent "Arab" problem, or the "Islamic" question. They treat the gulf as a tabula rasa, a region without time or spatial context, and so infinitely malleable to all kinds of whipped up emotions and sentiments. As a Christian, Tarea Aziz may like to complain that Thatcher and Bush are not acting in a "Christian" manner, but that statement is patently ridiculous (although pertinent in a deeper sense). Rest assured that Bush is not an imperialist because he doesn't know the suffering he and his government causes, because he doesn't realize that American agribusiness accounts for 40,000 dead children daily, for example. Nor, we might extrapolate, do gulf leaders act as they do out of Ignorance of Islamic precepts.

if we can save our breath by not simply informing leaders about islamic concepts, then what
should we do? One of the first things we must do is
reestablish islamic modes of communication.
Muslims throughtout the world now rely on at least
90% of the news they receive from ten corporations, with four of these corporations accounting
for the lion's share (AP, UPI, Reuters, AFP), is there
any hope of developing Islamic consciousness
about issues such as the gulf when all of our
information is coming from transnational corporations based in the U.S. and Europe?

Two, we must strive for self-sufficiency and autonomy in food. It was reported that Iraq depends on food imports for 3/4 of its total food needs. How did this tremendous dependency come about? Briefly, because the socialist projects

(which had their own serious problems) aiming to distribute land and encourage ownership of small lots have been toppled to make way for agribusiness, with its concommitant reliance on oil, fertilizers, pesticides, high technology, and its consequent bias for large-scale farming, cash crops, and the concentration of wealth and land in a smaller and smaller number of hands. 1

Three, we must expunge the worldview continually and aggressively injected in our brains, especially through the TV, which masks the face of the enemy and deludes us into thinking that we will ever be anything but slaves in a world economic system dominated by the "First World." Certainly we as Muslims have considerable differences with other oppressed peoples, and neither non-aligned movements nor Arab movements will establish the shart ah, which we

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must admit is the sine quanon of justice in the world. But oppressed peoples do have a lot in common, and we should work in a united fashion and reject the requests (demands) for alliances with the "developed" world against the undeveloped world, especially when these alliances are against other Muslims. These alliances are certainly more destructive and devastating than inter-appressed communities

alliances. I have no idea whether Saddam Hussein is serious about using free oil to unite the "Third World," but I do know that CNN is devious (but very sincere) in their use of White House statements to report that this move is a "transparent attempt to divert attention from the real issue." There is no doubt that the "real" issue is definitely not whatever the White House says It is; can we not at least discuss among ourselves whether Third World solidarity is a "real" issue?

There are many Muslims clamoring for material development similar (if not identical) to that which has occurred in countries like the U.S. They assume that we are "backward" because we were smitten with taglid, and that if we'had "modern science" and "modern technology," the kind of abuse we Muslims have gotten this century would stop. Now consider this. It would be hard to find a people more wealthy than the Kuwaltis. They are far richer than Americans. They certainly have more education than Americans.

But they lost their country in a day. And their conquerors were predominantly Muslims. Now toss a nuclear bomb into the Kuwaiti arsenal. Would that have saved them? (Where would they drop the bomb?) If all their wealth, and education, and this (hypothetical) nuclear power could not have saved them, then what? And their conqueror was not israel or the U.S.S.R. or the U.S.

Can we still go on saying that we Muslims are backward and would be forward If we had the goodles of the West? Even with all the goodles of the West and more, we would be no closer to emancipation and security and the establishment of good and rejection of evil. Can we not learn a lesson from the gulf, that emancipation and security and establishment of good and rejection of evil comes not from high tech but from inside, from dignified and self-sufficient and confident Muslims, from Islamic personalities and love of the sunnah? The high tech and the agribusiness and the nuclear weapons are counterproductive, tying the rope of colonialism and slavery still tighter, driving a monstrous wedge between those who have and those who have not.

The infusion of people with taqwa into the political and social arena, not the pipe-dream of instituational change by flat, should be the locus of our attention.



#### Footnote:

 Concerning this infitah in agriculture, Jean Leca makes the point that "after the classic agrarian reform period in the 1970s, which placed about half of all cultivated land in collective farms and co-operatives by 1975, the Hussein government gradually changed direction. The number of collective diminished, many co-operatives were abolished, ownership cellings were relaxed, usufruct rights were transformed from the state to private leasees, controls over recipients of agrarian reform land were progressively reduced and rents at law rates were granted by the government to Iraqis and other Arab nationals after the passage of law 35 in 1983. Credit has been more generously extended to private farmers. which enables them to purchase machinery; producers were given direct access to public wholesale markets or licensed private shops... In the Arab State, ed. Giacomo Luciani, Routledge 1990, p. 181. See also Susan George's Fate Worse than Debt. and How the Other Halt Dies.

### AN IDEAL LAW TEACHER:

### Its Implication To Law Life

is said that a person approached Aurangzeb, the Moghul Emperor and asked for a teacher's job. The Emperor knew that, that person was not fit for the job of a teacher. He told the person that if he had asked him (The Emperor) to give all the wealth in the Treasury, he would have done so smilingly, but that he would not give him the job of a teacher.

The moral of the story is clear. It stresses in no uncertain terms the importance and the magnitude of responsibilities that the teaching profession carries with it.

Teaching is an art, a craft and not a science. Teachers who attain the highest level of artistry are characterized by four primary attributes: first, they make great teaching decisions intuitively, second, they

have a strong grasp of their subject; third they are secure in their competence and expected to be successful; and fourth, they are exceedingly imaginative. The more a teacher perfects his craft the more he advances towards becoming an ideal teacher.

There are at least three basic essentials of good and effective teaching. They are: preparation of lectures, communication and dedication to profession.

Teaching is an art, a craft and not a science.

#### Preparing Lectures

The teacher must know his subject. What does this obvious thing mean? It means that the teacher must acquire a comprehensive and thorough knowledge and grasp of the subject he has undertaken to teach. This enterprise involves reading as many standard text books as possible on the subject. An indepth knowledge could be gained by voratiously reading the leading Law Journals and periodicals. This will enhance analytical and critical approach to the subject of study. A little digression into the comparative study of the concepts, principles and doctrines obtaining in other legal system will be highly rewarding and adds a new dimension to the scholarly

The second stage of preparation is the mastery over case law. Marshalling the facts, identifying issues and principles, policy and aims, the juristic techniques employed by the courts form the backbone of the classroom lectures and discussion. The third stage is to write down lecture notes in a logical order, in a clear and understanding way to be presented to the class. It would

be useful at the outset of a lecture to tell to the students the plan, topic and structure of the subject which would be taken up in the class. One important aspect in this regard is to commit to the memory the things one is going to teach. Developing memory is a part of the process of teaching. Poor memory simply retards the growth of professional teaching. A teacher is like a soldier. Just as the soldier keeps all the weapons in his armoury, the teacher too must possess the necessary academic ammunition before he walks into the class.

#### Communication

Communication of the knowledge of the subject is another most important function of a successful teacher. By far the most effective way of imparting legal knowledge is to combine the lecture method with tutorial or socratic dialogue. As respects lecturing the most essential trait is the delivery. Words must be clearly spoken. The voice should not be so loud (as it usually happens when teachers use the microphone) that it is jarring to the ears or has an irritating effect, nor should the teacher speak so fast that the pupils do not follow. The voice should not be so soft and inaudible that puts students to sleep. There is no clear-cut or standard style of teaching. Each teacher has his own style or develops a style of his own as he gains experience. The important aspects are that the teacher must speak with poise, grandeur and determination. The teacher must make sure by asking the students whether his voice is audible. After explaining the principles, propositions or concepts the teacher must also satisfy himself that the students have followed and understood. If not the teacher should explain again by suitable examples and illustrations taken from day to day life. After all law can't be divorced from social realities.

It would be worthwhile for a teacher if he could prepare a small simple questionaire concerning his preparation, teaching, capacity to convey etc. and obtain from the students answers to the queries. This exercise is most rewarding since the teacher gets the feedback from the students. He can rectify his mistakes, overcome his weakness and improve. There is always a scope for improvement.

In the context of communication, language too becomes very important. Language is to law what oxygen is to a living person (or to a dying person!). An excellent command of English, vocabulary, flair, dexterity, forceful presentation, flambouyant style will add lustre to the lectures and discussion.

#### Dedication to the profession

Devotion, sincerity and purpose are the

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## MORITURI TE

n the golden years of the Roman Empire, when Christians were sent to the slaughter in the Arena, prior to setting the lions loose, the Roman Emperor would rise and exclaim: 'Morituri te Salutamus' (for those who are about to die, we salute you).

Discarding the analogy of the Christians and the lions with regard to the presentday Gulf crisis, with the advent of more sophisticated arsenal, the Iraq have more than a fighting chance against the United States and its allies.

Retaining the analogy, it would be a terrible tragedy for mothers everywhere if war did break out ......for all lives are significant, at least to their respective families.



Saddiam: We are not annexing Kuwait, we are merely returning it to its motherland

Dear Saddam Hussain,

A right mess you've got yourself into this time. What did you think you were doing? You thought you could get away with invading Kuwait, because it was choking up your economy? Didn't you ever pause to reflect the possible repercussions of your action?

Sure, you might argue that the United States interfered in Korea, that it made a mess of things in Vietnam, that Bush ordered the invasion of Panama because Noriega was becoming an incessant pain in the neck - and the world did not condone America's belligerent attitude, but they didn't make much of a fuss of it either.

Nice try, only thing is Iraq isn't exactly as daunting a global force as the United States of America. Iraq does not have the equivalent to the Monroe Doctrine to grant you the licence to intervene in foreign affairs under the pretext of upholding the sanctity of democracy, to engage in battles to defend hapless nations under the onslaught of tyrants, or to annex little nations who won't submit to your whims and fancies.

Even I could have told you, Saddam, if you had sought wisdom, that mockery of an organization, the United Nations, would gang up on you and do everything mortal man can think of to force your army to re-trace their steps from Kuwait and back to

Baghdad. As if you haven't noticed, all acts of hostility by any nation in this world has to have a prior or post stamp of approval from the United States. Who cares whether the UN condones them or not?

For instance, let's recap the invasion of Afghanistan by the Soviets - sure there was a lot of hue and cry at first, but a little while later everything died down. Pity we can't say the same thing about the war. The United Nations did not pursue that matter with even half as much gusto or dogged determination to force the Soviet out of Afghanistan as it is doing now in the case of Iraq. And why so? Two prevalent reasons spring to mind: one, the USSR is a part of the Big Five in the UN set, up; second, the United States did not want to upset the delicate equilibrium of power between the two superpowers for fear of a hostile retaliation resulting in a nuclear holocaust.

But let us get back to the predicamen at hand lest I go off on a target - so what made you invade and annex Kuwait? After all, they did finance a great deal of your war campaign against Iran. Is it because they weren't wiling to comply with your demands for an increase in oil prices to enable you to meet the billion dollar arms debt owed to the Soviet Union which is aiding your fragile economy? Well, whatever it is, it doesn't matter anymore. What matters is now do you plan to maneouvre yourself out of this sticky situation, now do you pull yourself out from the morass into which you here sunk.

## SALUTAMUS

by ADI RADLAN ABD RAHMAN

It is intriguing, and amusing though, that you can still count on support from some quarters of your Arab neighbours, especially those who have been envious all along of the Kuwaiti Emir's wealth and the rather reckless disposition of certain chunks of it. These people cause the ruling class of Kuwait of being self-centred and indifferent towards the needs of Moslems scattered all around the Arab Peninsula. They accuse the monarch of turning a deaf ear towards the pleadings of starling. Moslem women and children to help alleviate their sufferings. They accuse the monarch of turning a blind eye towards the abject squalor which poverty-stricken families in Moslem territories call home. "The pride of the arrogant shall one day be humbled; how the mighty have fallen".

Yet who am I to believe - the ones levelling the accusations or the ones receiving them? Who am I to criticize? You, Saddam, should know better; you are all Arabs, of a common breed, with a common legacy. You should be able to tolerate each other better. So what can I say. You did what you thought was right, so I guess you'll just have to learn to live with it. Unfortunately, so do the rest of your people. You are the leader of the Iraqis, you have the power to shape the course of your people's destiny, but with great power comes great responsibility.

At least one thing is in your favour : you are destined to clash head-on with the Americans, what your dear and departed friend Ayatollah Khomeini once called 'the Great Satan'. Americans have long been accused of being in courts with the Jews; in fact some people think USA is run by the Jews and nothing incites Moslems more than the prospect of faltering in the cause of Islam or Jihad (the Holy War).

So a winning war of words will have to be played first. If you succeed in portraying your cause as a duel to the death between Moslems and disbelievers (or disciples of Satan - whichever had a more dramatic effect), then you will have succeeded in igniting the flames of Jihad in the hearts of every Moslem all over the world; flames which have remained subdued for centuries. However, you must remain aware of the fact that you do not over-run Saudi Arabia in the process, or it could be detrimental to your cause and the whole thing might just blow up in your face.

All the great men in the world are dead, and I'm also not feeling well. Before I retire to bed, I'd just like to point out that it's ironic that when Khomeini was alive and he said, "making a peace treaty with Iraq (and Saddam) is worse than swallowing poison", the Americans said he was exaggerating and that he was melodramatic.

I wonder what do they think of him now.....



qualities that distinguish an ideal teacher from an idle teacher. Law is Organic. Learning is both a continuous as well as an endless process. The teacher should judiciously balance teaching, learning and research. One should not be sacrificed at the expense of the other. Law is ever changing and evolutionary. Aged old doctrines are thrown overboard. Postulates that have been reigning are challenged. Principles of law change according to the change in society. Judges find solutions. Law teachers must keep themselves up to date in their knowledge of the subject. They should be aware of the legislative as well as the judicial (Interpretative) changes that have taken place. Library should be a sanctuary to a law teacher. Duty of work, love for learning, passion to acquire knowledge determines the ethical and academic worth of a teacher.

Apart from the above stated essentials, there are other equally important virtues that an ideal teacher should possess. They are kindness, compassion, concern and care for the students. Student's interest in the acquisition of knowledge and learning, their motivation for higher values in life should take precedence over any other thing for a teacher. A little encouragement, an affectionate pat, appreciation of sincerity and his work will instill in the student for greater confidence and sense of direction in his future life. Students must be made to feel that their teacher wants to help them, interested in improving their lot, is sympathetic with their difficiencies, takes pride in their achievements. A sense of humour is yet another quality which lights up a dull class in the afternoon, it enlivens the discussion and creates a feeling of togetherness when all have a moment of hearty laughter.

#### Islamic Perspectives

The Holy Quran holds the person who seeks knowledge in high esteem. It declares "Allah will exalt those who believe among you and those who have knowledge to high ranks".2 Further the Holy Quran enjoins us to pray "O my Lordi advance me in knowledge".3 Prophet Muhammad (P.b.u) had clearly exhorted us to seek knowledge even though it be in China. The Prophet himself was the greatest teacher and educator. It is reported by Abdullah ibn Amr that the Messengers of Allah said that he has been sent as a teacher. Another tradition narrated by Ibn Mas'ud is that the Prophet (P.b.u) has said "Acquire knowledge and teach it to the people. Learn the compulsory doctrines and teach them to the poeple. Learn the Quran and teach it to the people because I am a man who is mortal (Dariml)".4

It is reported that there are only two persons that one is permitted to envy: the one to whom Allah has given riches and who has the courage to spend his means for the cause of truth; the one to whom Allah has given wisdom and who applies it for the benefit of mankind and shares it with his fellows.

Imam Ghazali has laid down the following duties for a teacher. A teacher must show kindness and sympathy to the students and treat them as his own children. The duties of a teacher are more than those of the parents.

A teacher should follow the Prophet and his teaching. A teacher should not withold from his students any advice. He should tell them that the object of education is to gain nearness to Allah, not power or riches.

A teacher must protect his students from falling a prey to

evil ways.

A teacher should not belittle the value of other disciplines. For example, Imam Ghazali says that a teacher who teaches grammar should not under estimate the science of jurisprudence or a teacher who teaches jurisprudence should not underrate the science of traditions.

A teacher should not teach more than the students could grasp. He should teach weak students only such things as are capable of understanding.

Lastly, it is the duty of a teacher to do himself what he teaches to his pupils.

#### Concluding Remarks.

There is an opportunity and a challenge to a teacher of whatever discipline he may belong to if he is associated with Islamic institution. Broadly speaking the objectives behind the establishment of Islamic Universities in some parts of the world is to bridge the yawning gap between secular, or liberal education and religious, moral and ethical education. The teacher has to play a crucial role in linking and enriching the secular education with religious motivation. He has to bring to bear upon his professional life and activity Islamic ethos.

Inflation and instability, poverty and petulence, crime and corruption, hunger and highjacking, power and politics, distrust and disease, technology and treachery, fears and tears have all robbed man of his human values. It is time to reaffirm and strengthen our faith in the religion and return to ethics, moral and humanism. It may be pointed out in this context that in the West there is a growing interest currently to teach ethics and morals in the universities and colleges. There is a reemergence of moral education as liberal and general education is in disarray in the Western society.

All told, an ideal teacher instead of adding years to the teaching life he adds life to the teaching years. When an ideal teacher leaves the institution or departs from this mortal world the whole student body nay, the whole community must feel the loss. He does not just go away unheard, unsung and unwent.

This is the greatest reward.

#### Footnotes:

- Louis J. Rubin, Artistry in teaching, (1985) P. 17.
- 2. (Q. 58: 11)
- (Q. 20: 114)
- Abdur Rahman, The Rights of Allah and Human Rights 1981 (I am grateful to Dr. Thameem Usama Department of Islamic Revealed Knowledge and Heritage, I.I.U. for directing my attention to this work and other materials).
- Imam Ghazali, Ihya Ulum-id-din, vol. 1, (Translated by Maulana Faziul Karim, 1982 P. 61).



# Registration

by Ummu Kolsome

he beginning of the academic year of 1990/91 brought with it the 'flexible' total Credit Hour System (TCHS). I guess I wasn't really aware of the purpose of the TCHS until I had completed the almost never-ending process of the new system of registration.

I must confess that the Registration System was a threat to my 'seniority' complex in campus, Rather, I felt like a disorientated and confused freshie who in his/ her case is given the privilege of feeling thus.

Undaunted, I armed myself with the pretty pink schedule of classes and dilligently undertook to obey the guidelines for registration. In pursuance thereof I marched confidently into my advisers room. I was lucky for unlike some advisers who weren't aware of their role in the registration process and some who were on leave, my adviser was present. He gave me the requisite registration forms to fill. On completion he neatly scribbled his signature in a place reserved at the bottom of the form.

I was successful in my first stage of registration and so were many others. The real impediment came when we received our confirmation slips. Noted in a column at the right side of the paper were the remarks; "clashed" or "closed". Most startling of all was that the number of course confirmed were less then the number of course we registered for. In order to remove those nasty little remarks many students including yours truly had to go through the tedious process of filling in those ruthless 'add' and 'drop' forms. This supposedly easy remedy was made difficult owing to the limited number of sections for a respective course. If the preferred section is closed one would have to sign up for an 'open' section. This is easier said than done as the only open

section could clash with a section for another course which has already been confirmed. To avoid the domino effect and thus the entire reworking of the time-table one could always, resert to the position of a patience purchasers of shares. This implies that one could always wait for any student to drop out from the section one wants to sign up for.

Computers were used throughout the registration process. The narrow area outside the 'operation room' was swarming with students who were anxious to get over the whole business of registration and to start learning. As for myself I was driven to the verge of conspiring with others to 'blow up' the computers. Fortunately due to my cowardice the computers are here to stay and run our academic lives. Nevertheless I must say that I marvelled at the humour of some students who interpreted the crowded and humid scene outside the 'operation room' as reminiscent of the Al-Muassin tunnel, The humour was a little dry but it did wonders to ease the tense atmosphere.

All things must come to an end,... so did my personal registation for course with my sixth confirmation slips. The amount of paper produced throughout the registration week would make any recycler of paper jump for joy. Despite the ordeal, I had taken a liking to my confirmation slips. It will serve as a reminder of my first true registration process. I just pray that I need not add to my collection. Being an optimist at heart I hope only for the best that the future can hold. Until the next registration process I hope to discover as to how the TCHS can be of benefit to law students. Wish me luck in my endeavour until we meet again. I hope not in the Muassin tunnel.



# We've recei comments.

he Law Society office bearers 89/90 have just handed over their badges. Throughout their term, they have tried to serve the IIU community as best as they could; juggling between the students' needs, study workload and administrative pressures. As the students are the best judge as to how well they have performed their duties, Legal Press has conducted a short survey with a few of the students.

#### Rohana Abd, Rahman 2nd year:-

"Generally the programmes are well organized and planned. Nury K-21 and the Council of Common Peers were programmes which would have really benefitted the students. However, the objectives are usually hampered because of the reluctance of the law students to participate.

As a whole, the activities organized are usually confined to internal activities only. Only the recent Seminar on Religion, Politics and State in Islam and legal clinic have enabled the law students to interact with the society. There should be a balance between such programmes. More effort should have been put to assist students especially in the first year to cope with the burden and bulk of studies in the university. This is particularly necessary because the burden of studies in university is definitely heavier than other

instituations of higher learning.

Another portfolio which has not been really effective is the Sports Secretariat. The inter-law faculty moots and games is a clear example. As far as moots is concerned, it is very well organized and prepared. However, it is a sad thing that for games, we have to "import" players and usually compete without adequate training.

Undoubtedly, the Law Society 89/ 90 has tried at its level best to cater the students' needs. But there is always room for improvement.

In future, the Law Society's programmes should have long term as well as short term objectives. There should be a variety of programmes which could cover most of the students needs in future.

In the area of education, the Law Society can develop a lot of beneficial programmes for the students. Research groups to compile notes or production of compilation of cases should also be encouraged.

The Law Society's programmes largely focus on the legal profession or the law subjects that are being taught. There should be more dialogues or discussions to promote the Shariah. What we are learning here is more of the comparative side of law.

#### Abdul Rahman Ahmad Mahidin2n year:-

"The Law Society has done well in organizing enough programmes for the students. However, these programmes seldom achieve their objectives. This is mainly due to the fact that the presence of these programmes are rarely felt. There should be more effort on the part of Law Society to generate interest among the majority of the law students.

Naturally, the question to be asked is why are the students not responding to the programmes. Most of these programmes are not attractive. They usually come in the form of seminars and talks. Instead, these programmes should emphasize students needs for eg the method of study, discussions of the syllabus and mini lectures.

Another interesting point is lack of publicity whenever there is a programme. Students are seldom aware when a programme is being organized. Mooting for eg which is supposedly to be a training ground for future lawyers, seems to cater to an exclusive set of students. Students genuinely interested in the programme are turned off by the notion that one have to be an above average student to qualify as a member.

#### Mariam Abd, Jabar 3rd year:-

"The Law Society has been particularly impressive in its organization of moots, debates and public talks. However internal activities such as trips or visits should not be forgotten.

In a sense, the activities organized by the Law Society is not varied. Moots

# ved your



The previous Law Exces.

and debates would only attract the attention of those who have the gift of the gab. But the students who are not interested in

these type of activities should not be left out. There must be activities which could cater and suit to their interest.

What has never been done by any Law Society committee is intellectual discourses or synopsis on topics of law. We fail to make use of the prominent figures in our kulliyah to generate more interest among the law students.

These discourses could delve on recent developments of the law, any controversies surrounding a particular principle and so forth.

The practical side of law should also not be forgotten. The Law Society could introduce more workshops pertaining to the legal profession to the students. And these programmes should be able to cater to the majority of the Law students.

The main reason for lack of cooperation from students towards to



society's activities is that the programmes are not attractive enough. Probably, the Law Society cold start a survey on what the students feel is the best type of activities which would suit their interest.

Recent developments in law should

not be left unnoticed by the law student. The Law Society could formulate activities centred around the current issues such as Bahasa Malaysia in courts."

#### Zairus Effendi 1st vear.

"Having only entered the university for about two months, I can only make an assessment of the Law Society based on the few programmes that I have attended.

Thus far, I have benefitted a lot from the mini lectures conducted and also the talks on how to study law. However there seems to be too much stress on the academic side of our degree. There are no specific programmes which deal with the future of LLB holders particularly the avenues open to law students after they graduate (career opportunities).

Such programmes would enable the students to choose a suitable career.

The sports secretariat should play a more active role. Sports activities are not meant to be leisure activities for the

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he Law students who had graduated from the International Islamic University in 1989/ 90 faced a problem while in the course of their pupillage, in that they were barred from completing their short call to the Bar before the convocation.

In respect of the above matter, a Special Task Force headed by Bro. Wafi Nazrin has been set up with the objective of overcoming the said predicament.

Among the measures to be taken are:

- a) A push for amendments of:
- The Legal Profession Act or
- The Regulations made by the Qualifying Board, by referring the matter to the Minister of Justice or the President of the IIU.
  - b) Collaboration with other universities

Each member of the Task Force has been assigned various duties towards the realisation of its objectives.

These include correspondence, interviews with the authorities concerned and research into the laws and regulations governing the present situation.

The solutions suggested are:

- A. Amendments of the Legal Profession Act
- a) to insert IIU into s.3 (a) of the Legal Profession Act. S.3 of the LPA defines the term "qualified person". Therefore IIU Law gradutes would be headed under S.3
  - b) Repeal of S.3 (a)
- If this is successful, all Law gradutes would be on equal footing.
- B. Repealing of Penyata Undang-Undang (B) 466/ 1987.
  - a) to change the words used in S.3 (c).

the material words are "....any person whom has been conferred the LL.B degree by IIU, Malaysia is a qualified person for the purposes of the Act (LPA).

#### Computer Course For Law Student

The Law Society has recently taken the initiative to organise a computer course for law students. It is designed to provide future graduates with the basic knowledge in computer. Computer illiterates are welcome. Priority, however will be given to final year students.

Interested parties may register with the members of the Research and Development Secretariat.

### THE TASK FORCE

the words were used to describe a "qualified person" in S (3) (a) of the LPA.

-We hope to change the above words to "....any person who has passed the final examination leading to the LL.B degree of IIU, Malaysia" is a qualified person for the purposes of the act.

C. to bring forward the date of confirment of degree i.e. the Convocation date.

 this will enable the IIU Law graduates to become "qualified persons" for purposes of the LPA.

We hope to shorten this period so that the date of the final exam results and degrees can be finalised and presented earlier.

The alternative is to abolish the "appeal period" in toto. This way the details of the result slip and subsequently class of degree may be determined once the exam manuscripts are marked.

The system presently adopted is a flexible one, at the discretion of the Kulliyyah.

- C) Abolition of the Class of degree.
- Problems:

It will be difficult to compare our qualifications with those of graduates from other universities as their degrees are categorised according to the "class system", for purposes of:

- employment: would be employers would be doubtful as to our academic performance compared to other graduates from other Universities.
- academic institutions would find it difficult to ascertain our degree for the purposes of post-graduate education.

The Task Force will be presenting the above proposal to the relevant authorities for consideration:

Please forward all inquiries to the TASK FORCE.



## Religion, **Politics** & State In Islam

After 2 months of tedious preparation and planning, the seminar on Religion, Politics & State in Islam finally started at 9.00 a.m. sharp, Saturday, the 15th of September, 1990.

The SRPS was officially opened by the Deputy Prime Minister of Malaysia, Y.A.B. En. Abdul Ghaffar Baba, and the closing ceremony was helmed by Y.A.A. Tan Sri Hashim Yeop Sani, the Chief Justice of Malaya. Among the topics discussed was: 'Freedom of Religion in Islam', 'Political Rights of non-Muslims in Islam', and 'Islamic State: Concept & Hierarchy'.

Distinguished speakers who presented their views in the seminar included Dr. Abdul Hamid Abu Sulayman (Rector of IIU) and the Dean of Student Affairs IIU, Dr. Mohd Nur Manuty, Participants also got a chance to hear the views of Dr. Alaciddin al Kharufa (Senior lecturer, Kulliyyah of Laws) and Dr. Anis Ahmad (from IRKH, IIU), both of whom are new lecturers of IIU.

The response from the public was good, and among them were representatives from government departments as well as individuals. The largest group was from the Inter Faith Council which sent 60

participants.

the SRPS's Although objective was to educate the public on Islam's view point, never theless there was a tendency on the part of participants to confine the discussion on Islam from the view of the indigenous laws. This resulted in dissatisfaction among certain quarters when their 'views' on the 'shortcomings' of Islam as 'incorporated' into the indigenous laws were overlooked by the panelists. Nevertheless, at the end of the day, good sense revailed and the participants were reminded of what the 'SRPS' was all about.

All in all, the SRPS went on without any hitches, and Kudos should be given to the Organizing Communittee for their cohesive team-work. Everyone played their part well as gathered much experience on what team work is

all about.

Special thanks should be given to the Director of INTAN, Dr. Johari b. Mat for allowing the use of INTAN'S Main Auditorium free of charge. The Organizing Committee also cherishes the support given by our honorable Rector who attended the Seminar from the beginning to the very end; to our knowledge, this is that first time (Insya Allah not the last time) that the Rector has actively participated in a seminar organised by the Law Society. There are too many personalities who gave us thier support in organizing this seminar that to put thier names on paper would be a mammoth task. Nevertheless, Allah knows who they are, and Insya Allah they will all be rewarded by Him in the HereAfter.

For Allah, He is the All-Knowing. Kushairi Abdul Karim, President, Law Society, Chairman, organizing Committee.



#### 'THE LEGAL INFORMATION CLINIC'

here we were, sitting on tiny wooden chairs, a quarter our size, at the back of a narrow classroom, trying to look cool, calm and collected. After all, the 'makchiks' and 'kakaks' in front of us were potential 'clients' and we were potential 'lawyers'.

Kak Naim (lecturer) was chit-chatting with a group of 'mak-chiks' on the side, obviously on marital matters as the words 'nikah' and 'ceral' kept coming up. Kak Bashiran was with the brothers in front, listening to a 'pakchik' relating his legal problems.

And still the makchiks in front of us, all sitting in a row like school-children, were peering curiously, sometimes smilling shyly, sometimes yawning. (It was a humid day!) Our eyes beckened at them, trying to say 'it's okay. Come forward, sit, talk to us. We'll be glad to advice you on your legal problems....' Finally, a 'kakak' came forward and began telling us about her legal problems. After that, the ice seemed to break and soon many other ladies came forward. The problems ranged from family matters to land and inheritance.

This was the scene at the Batu Arang Madrasah where the third legal information clinic was held. In a normal session of the clinic, four or five students, mostly from the Final Year, assisted by a lecturer, will sit in one counter whilst another counter in front will receive 'clients' (the advice is given free of charge). The 'clients' will fill in a form giving their particulars and will also state the nature of their legal problem. This will then go to the 'lawyers' who will contemplate on the problem for five minutes. Then the 'client' is invited to meet the 'lawyers' and the 'interview' will begin. At the end of the interview, after having understood the full scope and nature of the problem, legal advice will be tendered to the client in the most simple way possible.

The first clinic was held during Convocation Day at IIU's Moot Court. During the two days, about six 'clients' came. On the first day, Assoc. Prof. Syed Ahmad Alsagoff assisted us. We learnt many things about 'interviewing clients' from him, namely, to answer a client's question as generally as possible and to distinguish between legal problems and social ones. It was not our duty to advice on the latter. On the second day, sister Madieha Harullah assisted us.

The subsequent clinics were held outside of the confines of the campus as it was felt that the clinic should reach out to the people. The target group was those coming from the lower income group.

Kampung Baiduri in P.J. hosted the second clinic. The people of Kg. Baiduri responded pleasantly to the clinic. Many family law questions cropped up.

The next trip was to Batu Arang, Selangor. Amusingly, due to miscommunication, the folks of Batu Arang assembled at the small madrasah ready to listen to a

'ceramah' (lecture) by the future lawyers of IIU! We then explained how the legal clinic was to be conducted and the rest of the session went well. There was a very cordial atmosphere in Batu Arang (we were even served with meehoon at tea-time!). We ended our session there with an open dialogue, it was evident that the dominant question was on the practice of poligamy in Malaysia. The case of Noorkumalasari, highlighted in the press recently, was raised and the decision was questioned. Fortunately, sister Naemah Amin had brought along the actual decision in that case and managed to a certain extent, to quell the doubts from the male audience!

The last clinic was held at the District Officer's Meeting Room in Cameron Highlands. Many of our 'clients' there were farmers, thus, we had to deal with land-law and contractual matters. It was here that we discovered how most of the problems faced in land-matters were due to red-tape and the long processes in the land-office.

The experience gained from the legal information clinic was invaluable as we had to deal with real-life situations, it clearly dawned on us that four years of law school will not be enough to equip us with the aptitude to swim through a successful career in the legal profession. Nothing is more precious than experience.

#### Mini Lecture Programme

As has been noted that it is the practice of the Kulliyyah of Laws to recruit new lecturers from among IIU graduates, the Law Society humbly aspires to furnish the Kulliyyah able prospective academicians from among the students.

Hence, the Law Society will be organising the above programme to serve as the platform for IIU Law students who are keen to pursue the academic field. This, we believe, will be the avenue for them to acquire the essentialities of being able academicians.

The Law Society therefore calls upon aspiring academicians from the 3rd and Final year students to seize this opportunity and volunteer to serve as presenters whose task is to lecture on any 1st or 2nd year law subject.

Anyone interested may register with:-

- 1. Kushairi Abdul Karim
- 2. Habeeb Abdul Rahman
- 3. Ainul Azam
- 4. Nimma Safira



students. Instead, this is a means for the students to interact between each other.

Programmes such as the seminar on Religion, Politics and State in Islam are programmes which expose the true concept of Islam to the community. These programmes are commendable and hopefully there will be follow-up programmes in the future.

The welfare secretariat too could play a role in identifying students weaknesses. They should consult the students and if possible set a specific time as a period for consultation."

#### Miss Sheila - 3rd LLB

"The Law Society does not really make its presence felt - We do not feel a sense of affinity to the Law Society, Perhaps the students themselves are to blame for they rarely participate in any programme."

Miss Norie - 4th LLB - add in - 'One of the factors that students do not participate could be that they do not have enough time, what with their assignments and classes.

Furthermore, the programmes are not varied or atractive enough. We are fed with an overdoes of seminars. These are boring for they are not much different from attending lectures. The time factor should be considered. The time factor should be considered. Nury K-21 for eg is a very useful programme but sadly not many are able to attend. It should have been held earlier in the beginning of the semester.

Sheila - 'must of the programmes are held within the vicinity of the campus. I think it would be a good idea to hold them outside! Both Norie and Shella agrees that the seminar on Religion, Politics ad state in Islam was the

best organised by Law Soc.

'We can see that a lot of students gave their support to the SPR seminar which was held in Intan. I like to suggest that the Law Soc. hold programmes which discusses the practical side of the law. They should be designed in such a way that students can actively participate in it; for eg the SPR symposium, Legal Aid Clinic, Mini Lecturers. Inter year games & sports - that would really require all law students to participate.

The mooting programme is very interesting and given a chance there are many who would like to join it. However, students feel that there are certain standands which must be complied with in order to be in

the team, In this respect. The Excos have failed to dispel the notion that the mooting team is only for a certain group of people (elite group).

'We would enpect the future Excos to be able to cany out their responsibilities well; have good interaction with the students, sensitive to the students' needs and able to represent the Law students."

#### Sulaiman Azmit:--

From a very broad prospective, the Law Society has done relatively well - measuring against the previous Excos.

Among the notable programme are ALSC, Legal Press, mini lectures - where the faculty can use it to measure whether the students concerned are good academically or they have what it takes to be a good lecturer; the National Legal Essay Competition though it is unfortunate that there's no similar competition in the language.

'As for the Law Excos, I should say that they're done certain things that they should. However, there are occassions where instead of taking the students' side, they appear to represent the faculty. For eg - the upheavals with regards to moots programme.

The moots team lack good instructors who can train and prepare the mooters for competition. How can there be competition without training?.

I hope to see an emphasize on current legal issues. For eg, in the ALSC, one of the seminar sessions discussed a very recent issue - 'Piracy in the Music Industry, Seminars should be geared towards that if we are to present ourselves as dynamic Muslims.

As a whole it would seem that the Law Soc. has planned and organized beneficial programmes for the students. However, as pointed out by the respective

students, there is still room for improvenent. The future Law Soc. exco should bear in mind that the number of law students have increased through the years. The society should realise its true potential as a representative of the law students.



# COPS, COPTERS, POUCEMEN, opport from a where cause other he said

by Tg. Elida Bustaman

he proverbial frog who lives underneath the coconut

shell is not necessarily in his own world only by reason of spatial restrictions. Like him, we are sometimes guilty of creating our imaginary shells, beyond which we refuse to see and explore possibilities. This is a sorry thing, because the expanse of our resources is now limited to only what we already have. "People are our best asset" might sound like a corporate cliche to you, but it is absolutely true in UIA. So maybe we are not important lawyers or legislators YET, but think of the potential! (Anybody who thinks I might make it big, better be nice to me - that's what I mean). Moreover, there are people around us who have already acquired the much-sought experience of working, and we should make the conscientous effort to glean from them insights, not to mention valuable connections. (Let's be frank, sometimes life is a little easier when you know people in the right places, yes!) Want to sample what these folks can tell you? Read on.

Captain Wan- Mazlan Wan

Jaafar and Police Inspector Izany Abd. Ghany have been in their respective professions for more than 10 years. On the occassion of our interview, we were brought into The Sungai Besi Air Base, something which does not happen everyday to civilians like us. (All girls out there who dream of airmen in flying suits can now get access to the Base through our very own Capt. Wan Mazlan). When asked about his service, Capt. Wan Mazlan replied that he started in 1976 in the army Engineering Corps, and was later selected to go for a flying course at Fort Rucker, Alabama and Lackland Air Base, Texas. When he returned he served all over Malaysia and was once an Instructor in the Cadet School in Port Dickson. Insp. Izany joined the Police Force in 1979 and had so far largely served in Kuala Trengganu as a Prosecuting Officer and also as the officer in charge of traffic. No wonder they are called mature students. Experience like these do not imprint itself upon the lives of greenhorns like me. (or maybe you).

Becoming a pilot had been a lifelong dream for Capt. Wan Mazlan, and he found his work to be as exciting as he expected it to be. The nature of his job brings him into contact with all sorts of people - "from Orang Asli to YDPA" - besides affording him the unique

opportunity of seeing the country from up above. "I get to go places where nobody else gets to go because there simply are no roads or other ways to reach there by land," he said. Flying, I imagine, is an experience far removed from arduous hours spent digesting cases in the cold and relatively dull library.

Unlike his friend, Insp. Izany did not nurse an ambition to become a defender of law, but chose his vocation simply because it was the only job available to him at that time, although he was quick to add that he never regretted the decision. Meeting people is part and parcel of his work, and kampung folks, he says, are the ones he sees the most. "They really look up to policemen!" he laughed," we have to solve all sorts of problems for them. It gives the police some headache, but when I think about it, it makes me feel good because to them, I am important and needed. I feel I have lived the motto "Berkhidmat Untuk Negara!"

Captain Wan Mazlan who flies the Nuri Helicopter, transports troops and supplies in military operations but he also does evacuation work as well as handle booby trap cases. Outside of his work with the Army, he pilots civil mercy flights, in the event of natural disasters like floods, transporting them medical assistance or getting them to urban clinics when the need arises. He had probably helped more people during his career than we did during our lifetimes. "The easy jobs," Capt. Wan Mazlan explains "are communication flights, where I just ferry Ministers here and there."

Most of us know that the Nuri Helicopter had been an aircraft given to air-mishaps; and Capt. Wan Mazlan has apparently survived a few of his own. There has been a few emergency landings, including ones which called for him to sleep in the aircraft until the weather clears up. He recalls that the worst experience he ever had was when his engine stalled in mid-air but somehow or other he managed to correct the fault. And we complain about the lifts not working!

Inspector Izany concedes that the life of a policeman is not exactly like that on TV but he has had his share of investigating 'big' cases. The one he remembered well was and this kind of behaviour exist the rape and robbery of vietnamese refugees in Pulau Redang, Trengganu, "We couldn't stick the rape charges though," he said " it was finally ammended to attempted Izany had the opportunity to actu-

from young. All of us remember them out). being reminded with "Nanti Polis thought to be those who lead the sisters! (No ulterior motive, they

hard-drinking, womanizing trail. Most women will agree that pilots, especially air force pilots had always held the same attraction as stewardesses do to men. The Captain stresses that although he cannot outrightly deny the existence of some 'misbehaving' pilots but to call it a general rule is a fallacy. When asked about bribery among the police, Inspector Izany echoed that it happens among a small group only and not all policemen are cor-

"People are people, actually, even outside the military and police circle, but because the uniform is normally associated with rigid descipline, any lack of it would be unusually highlighted;" Capt. Wan rape only." Unlike many of us, Insp. Mazlan states. As for the enigma and glamour attributed to pilots he ally live out the otherwise dry thinks it is because flying is still a Criminal Procedures we learn now. new experience to humankind and Insp. Izany complains that the therefore people are still in awe of biggest stumbling block in his work pilots who possess such skills. is the reluctance of the public to co- Maybe all the Top Gun genre is also operate with the police. He attrib- to blame for the interest in airmen. utes it to the general apprehension (RMAF pilots don't look like Tom of people towards The Force, even Cruise by the way. I've checked

When asked about whether tangkap" (The Police will catch they face any problems coming you) when we are up to mischief. He back to school at a later age, they say says that the public must realise that that so far they have encountered the police are to serve the public, and none. Money of course, is a little not to detain people for no apparent tight, but financial trouble happens reason. Capt. Wan Mazlan agrees even outside of school. However, that there are misconceptions when they voice out that they would preit comes to pilots as well. For so long fer more interaction with the this group of people have been younger students - especially the

Capt. Wan Mazlan often laments that a large number of students tend to keep within their own small circle of friends and this would benefit nobody. He points out that the mature students have already established a network of profriends, whereas the fessional 'fresh' students are the ones with the energy to go places. They each have something to gain from each other. For example, most police officers, Insp. Izany explains, will continue to prosecute after graduatand inspiring magistrates would do well to know them now. Good rapport between them could make the dispensing of their duties a lot easier.

Makes sense doesn't it? So come on, get yourself introduced to as many people as possible. You don't want to end up saying "Ah Yes, the Prime Minister, he used to be in my class, but I don't know him personally." What you want to say is, "Ah Yes, the PM - he's been my friend since college days!"

## Seasons In The Sun

Time has finally caught with us; signifying the end of an arduous and interesting journey.

The aspiring journalists (members of the Press) had once more taken up their trusty pens and ventured to bring forth ideas from the windmills of their thoughts for the last time.

From a little seed that has grown into a sequia of a tree, Legal Press has evolved from a kernel of an idea into a sequia of a magazine, fertilised by the creative minds of various individuals.

Many a time the wind had hatched it down below the base of its trunk; but fortunately its roots are dug deep into the earth so as not to break off in the storm. It had stood firm and remained unswayed in turbulent weathers. As such stormy weather passes, new branches sprung and it merely keeps on growing.

We have also grown. We have learnt that it takes more than enthusiasm to produce a magazine. It takes more than obstinacy and zealousness to see it published. In the course of its growth the magazine has been subjected to aberrant prejudices and overzealous editorship which resulted in some immatured articles. We have our ups and downs as well as good and bad writers. But most importantly we learnt what it means to be wholly responsible for our actions. Responsibility connotes the willingness to face up to the consequences of our actions; be it good or downright nasty. It also means that right from the start we were committed to giving our best; nothing less will do.

We went through a process of learning and in doing so we have committed many errors. This is only natural for we are only human, and as mortal beings there are times when our good sense of judgement fails us. Alhamdulillah, we realise that only by admitting our mistakes can we proceed and develop ourselves, ultimately for the betterment of the magazine.

Throughout our tenure we have gained some valuable insight into the intricate webbing of life. Such experiences will certainly stand in good stead later. On a personal note, I have been very fortunate to have the strong backing of some individuals who had trusted and believed in me. It has indeed been a pleasure working with them.

We hope that we have carried out our role as a responsible communication body well and effectively. We tried to be the conscience of the IRI Law students, and where we have failed, I'm sure others will succeed.

#### Our Best Compliments to:

- ALSA Organising Committee,
- Academic and Student Affair Division,
- Unit Koperasi IIU,
- En. Mohd. Soffian Samin
- Komaj Enterprise
- Staffs of Promarketing Publications.

# DONT CRACK UNDER PRESSURE.

25th. Oct. to 10th. Nov. 1990 The Heat is On.

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