

RULINGS DIFFER, SAYS PM

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KUALA LUMPUR, Sat. — Datuk Seri Dr Mahathir Mohamad said today Umno Baru will abide by the oral ruling made by Mr Justice Datuk Harun Hashim on Feb 4 declaring the old Umno unlawful.

"We will adhere to the ruling made the first time," he said when commenting on the confusion following the release of Mr Justice Harun's written judgment on April 13.

Dr Mahathir said there now appeared to be a "new phenomenon" in the legal circle in that a judge can give differing views in his oral and written judgments.

"If this continues, it will be difficult for us to accept any judgment," the Prime Minister told reporters here after meeting about 1,000 officials from the Information Ministry.

Dr Mahathir said that lawyers of Umno Baru would look into the implications of the two judgments.

"There will be no credibility to the rule of law if judges change their mind about their judgment.

"In this particular case, it appears that the judge concerned had second thoughts about his first ruling ... if we are to accept this, it would be difficult to trust any other judgments in future," added the Umno Baru president.

(In his oral judgment on Feb 4, Mr Justice Harun dismissed a suit by 11 Umno members and declared that the party was an unlawful society when its 38th general assembly and elections took place on April 24, last year.

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— Dr Mahathir on the judgment by Mr Justice Harun Hashim

gistered by the Registrar of Societies on Feb 12 and Umno Baru was registered. The assets of the old Umno are now vested with the Official Assignee.

(On April 13, Mr Justice Harun released his written judgment in which he said the office-bearers elected at the 37th assembly in 1984 were the lawful office-bearers.

(The judge said the obvious remedy was for the 1984 officer-bearers to hold fresh elections at all levels after obtaining the necessary approvals in respect of the unapproved branches from the Registrar of Societies.

(However, he said that up to the time of the trial, except for three branches in the Rantau Panjang division, no attempt was made to obtain the Registrar's approval.

("It follows that Umno is still an unlawful society," the judge had added.)

Dr Mahathir said the earlier ruling had clearly stated that the old Umno (at the time of its general assembly last year) was unlawful.

"Yet, there are attempts to revive the party. Some quarters are saying that the old Umno had only fainted and will be revived soon.

"They also argued that with Umno Baru, members of the former party will stand to

lose their assets and properties ... something like \$7,000 each ... which they regard as their possession.

"Let me tell them this: the old Umno had debts totalling about \$300 million ... the members are not going to get a cent. Perhaps, they will even have to pay debts," Dr Mahathir said.

To another question on efforts by Tengku Razaleigh Hamzah and others to revive the old Umno, Dr Mahathir said even if the line-up of 1984 was accepted, "I am still the rightful party president."

He said: "The majority of members in the old Umno now accept the new Umno. They have given their support to the new party and its leadership."

He said most of the committee members of Umno Baru would have been in the 1984 line-up because they were elected that year.

Dr Mahathir said Tengku Razaleigh (who contested against Datuk Musa Hitam for the deputy presidency in 1984) would not be in the elected party Supreme Council.

Dr Mahathir said he had anticipated before the (1987) party elections that Umno would be split if there were any contest for the presidency.

"Now it is a reality. One group is siding with the winner chosen by Umno members and one is with the loser.

"Efforts to disunite the party are continuing. But to us, it is not that critical because the majority of Umno members support Umno Baru."

Dr Mahathir said that in areas where (old) Umno candidates won with marginal votes (in the last general election), especially in Kelantan, "there are attempts to weaken Umno Baru."

He said that in such a situation, "PAS will win."

Asked if there would be snap elections as reportedly predicted by Tengku Razaleigh recently, Dr Mahathir said: "(If) it is true, he (Razaleigh) has to start working extra hard."

On the question of old Umno members becoming Independents as in the case of Datuk Shahrir Samad, Dr Mahathir said: "If he is independent ... then he is not an Umno member."