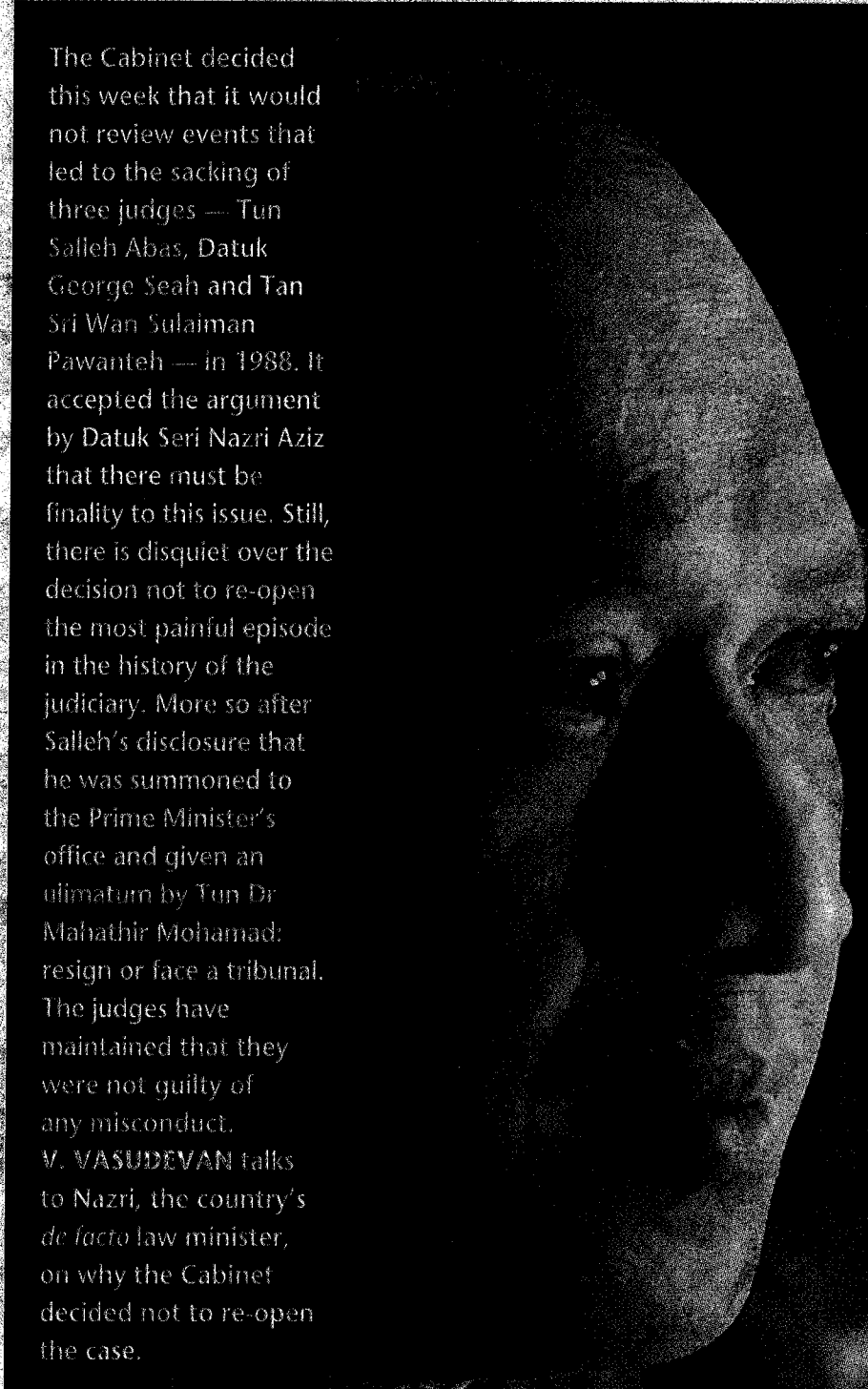


'We're professional, not personal'

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The Cabinet decided this week that it would not review events that led to the sacking of three judges — Tun Salleh Abas, Datuk George Seah and Tan Sri Wan Sulaiman Pawanteh — in 1988. It accepted the argument by Datuk Seri Nazri Aziz that there must be finality to this issue. Still, there is disquiet over the decision not to re-open the most painful episode in the history of the judiciary. More so after Salleh's disclosure that he was summoned to the Prime Minister's office and given an ultimatum by Tun Dr Mahathir Mohamad: resign or face a tribunal. The judges have maintained that they were not guilty of any misconduct.

V. VASUDEVAN talks to Nazri, the country's *de facto* law minister, on why the Cabinet decided not to re-open the case.

Q: Don't you think the three judges have a right to clear their names? They have always maintained they were innocent.

A: Their fate was decided by the panel of judges. If the panel of judges felt they had nothing to answer, they would have said so.

Q: Some people say the tribunal was nothing more than a kangaroo court.

A: It is like people saying that Anwar's (former deputy prime minister Datuk Seri Anwar Ibrahim) case was heard by a kangaroo court. Anybody can say that. It was a panel of Tun Salleh's peers.

Q: There remain questions on the composition of the tribunal. For example, Tun Hamid Omar was on the panel and he went on to become the Lord President after Tun Salleh was sacked.

A: Put it this way. Tun Salleh was the Lord President. It means he was number one judge. You cannot find someone who was more senior than him. The next in line was Hamid. We had judges from overseas, active judges and former judges on the tribunal.

Q: Still, there is a belief that Hamid stood to gain if Tun Salleh was found guilty.

A: You want to talk about Hamid Omar benefiting. There was also the other side of the argument. You must remember they were judges, there was also the possibility that Hamid Omar would not decide against his boss. There was also that worry. The fact is that you needed an active judge to be part of the tribunal. Hamid was the most senior and the right person.

Q: So you do not accept the criticism that the tribunal proceedings were a

sham?

A: It wasn't a sham. As I have said earlier, I do not believe judges want to do a deal to fix their own brother judge.

Q: Why are you so reluctant to pursue this matter of a judicial review?

A: I want you to know that I have no personal interest in this. I am looking at things objectively. I wasn't even a party to this. I wasn't even a minister then. I see no new facts or evidence to persuade me that there should be a review. I have been saying this from the beginning.

Q: What new facts are you looking for?

A: I am looking for new facts to show that there was a miscarriage of justice during the hearing of the tribunal. I am looking for one of the five judges who heard the case to come forward and say we were forced to make that decision.

Q: Looking at the sequence of events, you can't help but get the impression that from the moment Tun Dr Mahathir Mohamad met Tun Salleh and asked him to resign, there were going to be questions over this whole issue.

A: I can't confirm this as fact. It was between him and Tun Dr Mahathir. It was Tun Salleh saying something against Tun Dr Mahathir. All this happened before the tribunal hearing.

Q: Right now Tun Dr Mahathir and the government are at logger heads. The decision to remove Salleh was not popular with a whole lot of people. Would you not be scoring points, if you were to allow for a review?

A: This shows that we are being professional, not personal.