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Fairness, wit and sense of humour his hallmarks

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TAN Sri Anuar Zainal Abidin had been reading Mufti Lawan Mahathir moments before we arrived.

It is the latest output from the prolific pen of Ahmad Lufti Othman and the book, with its striking cover of Datuk Seri Dr Mahathir Mohamad alongside Datuk Ishak Baharom (ex-mufti of Selangor), was lying face-down on the table.

Not quite the sort of reading material one might expect to find in the home of a retired judge, but then, as those acquainted with this former Chief Judge of Malaya would agree, Anuar is not the archetypal ivory tower judge.

For a start, he has an easygoing charm, laughs easily and even entertains us to a play-by-ear rendition of the romantic Malay number, Kenangan Lalu.

Yes, photographs can be misleading, especially those official prints of him in grim judicial robes, velvet songkok on his head and a scowl on his face.

Up close, his tanned and craggy face boasts a pair of deep, smile lines, while smaller creases fan out from around his eyes when he laughs.

Anuar, at 65, is tall and lean, a legacy of his years as a sportsman. He played a spectrum of games: football, hockey, badminton and cricket.

He also has a passion for the more cerebral game of chess - both the western and Chinese types - and even hosted a series of chess shows on TV in 1972. Photography, too, was an early hobby.

But his game of the moment is golf. He had returned only a day earlier from playing golf in Thailand - two games in Chiangmai, one in Chiangrai and two more in Bangkok.

At this point in time, he is probably teeing off at some golf course in Australia's Gold Coast, this time accompanied by wife Azimah Mohd Ali.

Anuar retired as Chief Judge eight months ago. Inquiries about the still vacant sign on his former position invites nothing more than a studiedly nonchalant shrug of a bony shoulder and pursed lips.

He is, by most accounts, a popular judge among lawyers even when relations between the Bench and Bar was at its lowest ebb.

The reasons are varied. The younger lawyers find him helpful, even kind, on the Bench, while senior lawyers speak of his complete lack of airs and sense of fun, or as one lawyer puts it, "his wonderfully wicked wit".

Apparently, Anuar was not above injecting a bit of humour into hearings.

Says Ipoh lawyer and close friend, A. Mahendran: "He has this poker face while making a joke and they usually don't know what to make of it."

"He did it in a very amiable way. It really relieved tension and pressure," adds Perak Bar chairman C.K. Leong.

But some of his jokes, although immensely ticklish to male lawyers, may not have gone down well with women lawyers, such as the one about not only being able to see a woman's point, but her "two points".

Criminal lawyer Jagjit Singh, who has known Anuar since the latter's days as Chief Registrar in the mid-1970s, declares that "he is still the same approachable and unassuming character".

Lawyers admit he was not in the intellectually rarified ranks of Tun Suffian Hashim or the late Tan Sri Eusoffe Abdoolcader nor did he possess the literary style and bombast that distinguishes a handful of judges.

But, they insist, he was sharp and applied the law well. The proof to

that lies in the relatively few appeals against his judgments. However, what they appreciated most is his sense of fairness in court.

A senior corporate lawyer in Kuala Lumpur puts it this way: "Most litigants want justice. They don't mind waiting years for their case to be heard if they can be assured of a good hearing. With Anuar, you get that."

He was, apparently, more accommodating than most of his judicial colleagues, willing to hear out both sides without losing his patience.

Says one of Penang's most seasoned lawyers Lim Kean Chye: "He maintained the open door tradition towards lawyers, young and old. Just a knock on the door to see him, you know. In that respect, he was truly one judge who had no side to him."

They liked him, too, because he did not scold or humiliate them with unnecessary remarks in open court.

"He rarely lost his cool," says Mahendran.

"But don't try lying to him in court," says Jagjit.

Jagjit recalls appearing before Anuar, then a High Court judge in Ipoh, in a running-down case, legal term for accident cases.

The plaintiff, a male hairdresser, claimed he had been unable to raise his hand above his shoulders since the accident. But Jagjit, representing the defendant, produced a photograph of the man pointing his injured arm skyward.

"Anuar took a look at the photographs and took over the questioning. Was the man put in a spot!" says Jagjit.

Anuar admits he did not believe in belittling lawyers: "As a judge, you may form an opinion early on in the trial but that should not stop others from pursuing a point. If counsel deviates, advise, not punish."

In many ways, his camaraderie with lawyers is reminiscent of how close the Bench and Bar used to be. He makes no bones about enjoying the company of lawyers and the annual games once played between the Bar and Bench often found him chatting and joking with lawyers.

In person, he is debonair, with a laid-back sophistication in spite of the sober outfit he wore for the interview: checked shirt, charcoal grey trousers and one of those foot reflexology slippers with painful-looking spokes and magnetic bits on the soles.

The younger lawyers say he is "cool" (the "All right, man!" kind of cool, that is) while some women lawyers have even described him as having "a certain sex appeal".

Anuar, the younger of two children, was born in Gopeng, Perak. His school teacher father, the late Datuk Zainal Abidin Ali, was without doubt the driving force behind his success. Like many far-sighted Malays of the pre-war era, Zainal Abidin saw English as the window to his son's future.

But before Anuar could start in an English school, the Japanese marched into Malaya. It was not until the end of the war that he was able to have an uninterrupted period of schooling in Sekolah Mahmud, an English school in Raub.

He was 14 years old, in Standard One but three double promotions saw him skipping first from Standard One to Three, then Standard Three to Five and from there to Standard Seven.

By Standard Nine he was deemed smart enough to enter Victoria Institution where he studied for his school certificate, the academic passport to bigger things.

If it was up to him, Anuar says he would have chosen architecture or medicine as a career. Law, in that sense, was his father's ambition for him.

But, where the Japanese Occupation had suspended his schooling, a four-year spell of tuberculosis delayed his law studies at Lincoln's Inn. It was not until 1955 that he sailed for England, seasick throughout the 23-

day journey.

It was an exciting time to be in London which, true to the British sense of fairplay, was a host city of sorts for Malayan activists with independence and self-rule on their mind.

There he met people who were to assume major roles on the political stage back home: Tunku Abdul Rahman, Tun Razak, Lee Kuan Yew, Syed Jaafar Albar, Tun Hussein Onn, the present Yang di-Pertuan Agong, Tengku Razaleigh Hamzah, Tun Daim Zainuddin and many of his future judicial peers.

And when the young Malaysians got together, they talked politics, partied and danced.

"Back then, 99 per cent of Malaysian students danced," says Mahendran who was also studying in London.

Thus, Anuar danced, so did Hussein Onn and Tengku Razaleigh. The latter, says Anuar, was an "excellent dancer" and a "superb cook". Anuar and Daim got along well enough to holiday together on the Isle of Wight.

"Daim was such a simple fellow. He would squat over at our rooms, borrow our neckties, our money. We would ask him to use the bed but he would say, never mind, I'll sleep on the floor."

It was in London, too, that Anuar met his first wife, Hedwig Aroozoo, a Eurasian from Singapore studying library science.

Anuar finished his studies in 1963. By then, his first marriage had also ended ("it was the separation and a lot of differences") and he returned to an independent Malaya and married Azimah with whom he has two children.

He joined the government service as a magistrate and began the somewhat nomadic lifestyle of government servants, posted from one place to another.

But each new posting brought a promotion. Within three years, he rose from magistrate to Sessions Court president. By 1969, he was state legal adviser for Terengganu and, two years later, senior federal counsel.

From there it was a steady climb to Chief Registrar, Judicial Commissioner (the first in the country) and, in 1980, High Court judge.

Anuar admits that when he was appointed Chief Judge of Malaya in 1994, he "jumped over people".

"But a few of them also jumped over me. Eusoff Chin was my junior, so was Lamin," he says. (Tan Sri Eusoff is Chief Justice of the Federal Court and Tan Sri Lamin Yunus, Court of Appeal President.)

Likewise, judges like Tan Sri Edgar Joseph Jr, Datuk Dzaidin Mohamad and Datuk Peh Swee Chin moved up to the Supreme/Federal Court when Anuar was still High Court judge.

Anuar, it must be said, is appealingly self-deprecating about his rather extraordinary career, insisting more than a few times that he is "ordinary", "uninteresting", and "lucky rather than clever".

He also suggests that he is "more of the quiet sort".

He is indeed "a man of few words" as his one-time "boss" Tun Hamid Omar once said in open court, but he is certainly no shrinking violet.

According to another former judge: "Anuar likes parties but he knows the limits."

Anuar does admit that it has not been easy trying to live the "lonely life" that judges are supposed to live.

In that sense, his retirement from the Bench ought to mark the start of a less lonely life.

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