

Bar auditorium renamed after Raja Aziz Addruse

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It may have been three months since prominent lawyer Raja Aziz Addruse passed away, but his contributions to the Malaysian Bar and the advocacy of human rights were further recognised today when the auditorium of the Bar Council was renamed after him.

The event was witnessed by the Yam Tuan of Negri Sembilan, Tuanku Mukhriz, and his consort Tuanku Aishah Rohani.

Tributes, accolades and words of appreciation further poured in during the private ceremony which was also attended by the late Raja Aziz's widow, Catherine Addruse, and their two daughters, Raja Azrine and Raja Adeline.

Raja Aziz (left), who passed away suddenly at the age of 75 on July 12 after losing the battle against cancer, was described by many and will always be remembered as a towering Malaysian.

Despite being small in build, soft-spoken, quiet and unassuming, Raja Aziz is described by many of his peers today, including former Chief Justice of India Justice JS Verma, as a giant in advocating human rights.

He is the only Bar Council president to have had held the post three times - 1976-78, 1988-89 and again in 1992-93.

During the three occasions, as noted by present Malaysian Bar president Lim Chee Wee in his speech, were when Malaysia faced turbulent times as an emerging democracy.

In his 1976-78 term, Lim said Raja Aziz led the Bar Council to oppose legislation where judges must impose the mandatory death sentence for various offences without allowing them the opportunity to choose other alternative forms of punishment.

"He had written to then-prime minister, Hussein Onn, to voice the Bar Council's objection. The fears were compounded during the same year when a 14-year-old boy was sentenced to death for possession of firearms," said Lim.

Raja Aziz, or affectionately known as Ungku, along with 14 other lawyers also represented then-Lord President Salleh Abas who was forced to face a tribunal during the constitutional and judicial crisis of 1988.

Salleh, along with two then-Supreme Court judges, were sacked by the then-premier Dr Mahathir Mohamad.

'Continue knocking on one's doors'

Former Bar Council president Dr Cyrus Das, in his commemorative speech, remembered Raja Aziz as a highly principled man who had set a gold standard for other lawyers to emulate.

He further went on to describe Raja Aziz as a Chief Justice that Malaysia never had.

Cyrus (right) said that Raja Aziz had taken many constitutional cases, many of which he had lost.

He said that besides the Salleh Abas case, Raja Aziz had also appeared for former Communist Party of

Malaya leader Chin Peng who wanted to return to Malaysia, and Anwar Ibrahim's corruption and first sodomy trials and also Sultan Ismail Petra, who challenged his removal as the sovereign of Kelantan.

"I once asked him why he was willing to take on such constitutional cases, and Raja Aziz said, 'It is important to continue knocking on one's door (despite the losses)'."

Azrine: My father asked about Bersih 2.0

Raja Aziz's daughter, Raja Azrine, remembered her father as a highly principled man who loved watching Alfred Hitchcock movies and ballroom dancing, who also held human rights dear to his heart.

Despite his condition, he was interested in human rights, and at the end, he asked how could someone oppose Bersih 2.0 which had asked for clean and fair elections."

This, she said, was the personal side of her father, of whom many may not have known about his passion for human rights.

Although Raja Aziz was honoured with the Lifetime Professional Integrity Award, Raja Azrine (right) said her father downplayed his contribution to the legal profession.

"My integrity in doing the job is nothing more than that of a taxi driver doing his, my father had remarked," she said.

Bar Council former executive director Catherine Eu said Raja Aziz had four times been offered the title of 'Datuk', but he had rejected all of them.

"He told me that as he has rejected it for the first time, it was not proper for him to receive further offers," Eu said.

What many people may not know of Raja Aziz is that despite being a renowned private practitioner, he first joined the Federal Judicial and Legal Services as a deputy public prosecutor and was a deputy parliamentary draftsman.

He also helped draw up the Legal Professions Act 1976, a law governing those who wanted to practice law.

Lim yesterday read out some of Raja Aziz's memorable quotes, penned over the years as lawyer. They are reproduced below:

Raja Aziz's protest note on the amendment to Article 5 of the Federal Constitution removing rights to a counsel, to know the grounds of arrest and to be produced before a magistrate within 24 hours of an arrest:

"One basic difference distinguishes those who are loyal to this country from those who are bent on overthrowing it; and that is, that the former have respect for the law.

"But harsh and unjust laws cannot command respect willingly; and a law which treats persons who may have committed ordinary crimes in the same way as it does communist terrorists cannot be good law.

"What distinguish our system of government from that advocated by our adversaries is the fundamental human rights protected by the constitution. Are these not what we are fighting the communists for?"

Raja Aziz to then-premier Hussein Onn, after Param Cumaraswamy was required to give a statement to the police in 1977 over a telex note to the prime minister, following the sentencing of a juvenile (14 years old) to death:

There is, to my mind, an inherent danger in the Executive being too sensitive to criticism. As you know, the essence of democracy, as it is practised in this country, is the right to dissent within proper limits; and it would be a very sad day for this country if the police were to regard every person voicing his criticism of government policies or actions within those limits, as a potential criminal or enemy of the state.

"...the Bar Council, in the expression of its views and opinion of government policies and actions, has been motivated solely by a desire to seek justice and to uphold the rule of law. The Council is not interested in politics or ideologies."

Raja Aziz on Justice Lal Chand Vohrah's elevation:

"But whatever the recommended conduct may be, one basic quality there must be: as Francis Bacon said, "Above all things, integrity is their portion and proper virtue." It is this virtue that will inevitably impel a judge to conduct himself in a manner designed to achieve the ends of justice and becoming the dignity of his office – to hear courteously, to answer wisely, to consider soberly and to decide impartially; and this virtue I have no doubt your Lordship has."

Raja Aziz on freedom of speech:

"The government has no right to prevent a man from writing, publishing and distributing a pamphlet or a book.

The government could not keep ideas from being communicated, but it could punish a man for what he has said after he had said it. There are, however, exceptional circumstances which empower the state to impose prior restraint but these should be very limited.

In general, a man must be allowed to say whatever he pleases even though, in some circumstances he may later be punished for having said it."

Raja Aziz on the role of the legal profession:

"As a profession, the Bar is looked to by the public for advice on legal matters whether contentious or non-contentious for the purpose of ascertaining, establishing or enforcing rights.

In the performance of his professional duties as a lawyer, a member of the bar may find himself having to represent his client against influential personalities, powerful organisations and even the Establishment; and if he is to do justice by his client, he must be prepared, and is, by rules of conduct and etiquette applicable to him, enjoined, to undertake his duties without fear or favour.

"The need for the lawyer to act without fear or favour in advocating his client's cause is evident if one considers the nature of his profession."

Also present at the event were former Federal Court judge Gopal Sri Ram, Human Rights Commission chairperson Hasmy Agam, vice-chairperson Prof Khaw Lake Tee, and Court of Appeal and High Court judges.

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