

'88 crisis : money no cure for pain
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The government's decision to offer a 'goodwill payment' to the top judges embroiled in the 1988 judicial crisis and their families has been lauded. However, some felt that an apology would be more valuable.

While they saw the government's admission of having wronged them as positive, there was also the feeling that no amount of money could compensate the pain and suffering endured.

At a special dinner last night, Prime Minister Abdullah Ahmad Badawi announced the decision to make the 'goodwill ex gratia payments' to the six former judges and their families but remained firm on his 'no apology' stand.

Prayer answered

bar council judiciary dinner 170408 salleh abas interviewedThe most prominent casualty of the crisis, former lord president Salleh Abas, who was seated at the main table with Abdullah at the dinner, said his prayer for a moral victory had been answered.

"Come Aug 8, it will be exactly 20 years (since the crisis). I suffered so much humiliation, being shunned by people, vilification, you name it... So much so, that I ran away from the public," he said

Salleh, who now leads a simple life as a farmer in Terengganu, told reporters that the government's gesture was a right step towards the restoration of the judiciary which, according to him, "has never been the same again" since the 1988 crisis which saw him and two other supreme court judges sacked and three others suspended.

Salleh also said that he was "satisfied for the time being" since the government admitted the wrong done unto him and his colleagues after two decades. He stressed that it was not about the money.

"Whatever is done can never be compensated," he said, referring to one of the six judges, the late Eusoffe Abdoolcader who took his own life.

He, however, declined to comment on whether the government's gesture would mark a closure to the 1988 crisis - dubbed as the darkest hour in Malaysia's judicial history and the starting point of the judiciary's decline.

Mahathir must apologise

bar council judiciary dinner 170408 azmi kamaruddinAlso present was Azmi Kamaruddin, the supreme court judge who was suspended then.

He said that former prime minister Dr Mahathir Mohamad, and not his successor Abdullah, who should be apologising to the judges.

"Why should the present prime minister apologise? He has done nothing. (Mahathir) should apologise if he is a gentleman - it is not apologising to the judges but to the country," he added.

Asked if he felt vindicated, he replied: "Not vindicated, but I feel the sacrifices I have made (were worthwhile). So I am a very happy man tonight. Thank God if I die, I have heard this speech."

Azmi also described Abdullah's announcement to reform the judiciary a good start which needs to be carried out step by step.

Out of the six judges, only Salleh and Azmi were present last night.

As for the remaining, George Seah and Wan Hamzah Mohd Salleh were indisposed while Wan Suleiman Pawanteh had passed away in 2000.

Seah's son Boon Hee, who was present, said an apology from the government would be more ideal.

"Just a simple apology will do. Between compensation and apology, I think my father would want an apology, my father is not the type to go for compensation," he told reporters.

"It is like to have an accident, you hit someone, you would have to apologise first, not pay someone to keep him quiet," he added.

Nevertheless, Boon Hee said the family would "go along" with the government's gesture.

Probe the incident

Contacted later, Wan Suleiman's son Wan Noor Azli argued that the payment was not sufficient to clear the name of the judges involved. He said the incident must be probed.

bar council judiciary dinner 170408 wan noor azli"Even if we accept (the payment), we accept it with a heavy heart. People still don't really know why these judges were sacked? Why they were found guilty? Why they acted in such a way?

"People need to know what actually happened. This is a matter of principle," he stressed. "We (the families) are not really disappointed (with the gesture) but we are disappointed that the case is not re-opened (although) the government said it wanted to reform the judiciary, and the 1988 crisis is the mother of all judiciary crisis."

"The very essence of the judiciary was shaken since then because the judges were so afraid to come up with decisions that will upset the government," he added.

Noor Azli, who works as a legal officer, had accompanied his mother Siti Nurhayati to last night's dinner.

bar council judiciary dinner 170408 brenda limMeanwhile, Eusoffe's granddaughter Brenda Lim, said the government's gesture served as a recognition to what her late grandfather had done.

In 1988, Mahathir had convened a special tribunal to try Salleh on charges of misconduct

and for questioning constitutional amendments that seriously eroded the powers of the judiciary. Salleh was subsequently sacked.

Supreme court judges Seah and Wan Suleiman - who had ruled that the tribunal was convened unconstitutionally - were also sacked after being found guilty of misconduct by another tribunal.

Three other judges - Azmi, Eusoffe and Wan Hamzah were suspended.

Other notable personalities present at the dinner were MIC president S Samy Vellu, Gerakan acting president Dr Koh Tsu Koon, MCA's Liow Tiong Lai, de facto law minister Zaid Ibrahim as well as opposition leaders Dr Wan Azizah Wan Ismail, Lim Kit Siang and Nasharuddin Mat Isa.

Senior members of the judiciary and the Malaysian Bar as well as representatives from the diplomatic corp and NGOs were also present.

According to some lawyers, Umno Youth deputy chief and Rembau MP Khairy Jamaluddin was also seated in a quiet corner.

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