

**'Dr M was law-illiterate like Musharraf'**  
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**Soon Li Tsin**

Former premier Dr Mahathir Mohamad and Pakistan's General Pervez Musharraf have one thing in common...  
MCPX

They do not know anything about the law, according to former Bar Council chairperson Raja Aziz Addruse - who was embroiled in the storm which hit the Malaysian judiciary in 1988.

raja aziz addruse interview judiciary crisis 060808 06Recollecting the crisis, the prominent lawyer told Malaysiakini that Mahathir was wrong to have attacked the judiciary.

"I think he did not know anything about law, just like Musharraf. He thought, 'Why should I have all these judges? I will dismiss them and have those that would confirm that my appointment remains'."

"That was democracy to him. Mahathir didn't do it in a blatant way like Musharraf but that's a fact," he said during the interview at his office in Bukit Tunku, Kuala Lumpur.

Last year, Musharraf suspended the constitution, jailed lawyers and judges including their chief justice days before the Pakistani Supreme Court was to decide on a petition challenging the constitutional validity of Musharraf's re-election as president.

### **Salleh was shocked**

Raja Aziz also stated that it was wrong for Mahathir to use the Parliament to run down judges and for the executive to dictate to the judiciary.

This was the feeling that motivated him to lead the defence team in the tribunal that sealed former Lord President Salleh Abas' fate.

judiciary forum lingam tape 171107 salleh abbasRaja Aziz explained that he represented Salleh (right) out of principles and not because they were friends.

"Salleh and lawyers were never close. He was an aloof person. We represented him not because he was our friend but because we thought that it was not right that the executive, particularly the PM to dictate to the judiciary.

"It was wrong for him (Mahathir) to use Parliament to run down judges for example. So we defended him on that basis.

"In fact, I am not sure whether you could look at it as if we are very close to him and that's why we defended him. That is not the case at all. It was a matter of principle," he said.

Raja Aziz - who was heading the Bar Council during the judiciary crisis - revealed that Salleh was shocked with what the government did.

"I think he was shocked that the government - whom he thought was doing the right thing all

these years - suddenly became like this.

"That judges were treated in a very shabby way. So I think they were taken aback," recalled the soft-spoken senior lawyer.

Raja Aziz also related how he had heard about Salleh's suspension from fellow lawyer GTS Sidhu and personally went to see the Lord President for clarification.

When he reached his office, Raja Aziz was told by Salleh's personal assistant that the Lord President was not in but the then attorney-general Abu Talib Othman appeared from the judge's office.

It turns out that Salleh and another Supreme Court judge Eusoffe Abdoolcader were present but both had declined to talk about the rumoured suspension.

### **Letter to PM**

It was only later that Raja Aziz was asked to represent Salleh in the tribunal which decided on his removal after the latter defied Mahathir's wish for him to resign voluntarily.

mahathir pc 260608 05"(T)hat was the first time that he (Salleh) said he wanted to be represented and that he wanted me to act for him.

"It turned out that he sent a letter to the prime minister to say all sorts of things and that he has changed his mind over the arrangement and that he had made a mistake.

"That was when we wrote that letter to say that he was not resigning and I think Mahathir subsequently came out and blasted him saying that Salleh can't keep changing his mind or something.

"And that was the beginning of the events in 1988 and the rest is history, which you can read," he said.

### **Better times ahead**

Asked whether there were any suspicions that judges were being controlled by Mahathir, Raja Aziz said, "No."

"But I don't think they would support the government at all cost. They won't be dictated to by the prime minister nor will the prime minister at that time be dictated to by any judge.

raja aziz addruse interview judiciary crisis 060808 08"But it is of course up to a judge to decide to be sympathetic to the government or not and there have been cases where judges have not been sympathetic but there was nothing to it.

"A judge can decide in one way or another but nobody makes a big thing out of it because you've got your appeal.

"But during this time (1988) when judges decided in a certain way that was not acceptable, they were taken to task. So that was the beginning of a change in the way the judiciary was being treated," he replied.

Despite of the rot that the judiciary is currently in, Raja Aziz believes that better times will come for the esteemed institution but is not certain how.

"It has to be better but I don't know how it is going to get better. It can't be like this forever. It's at its lowest ebb at the moment.

"We can't just go on like that so we must get better but I'm not sure whether they will not get worse first," he said.

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