

Of suffering and 'cangkul-ing' heads
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The nation's half-a-century-old history is riddled with many black marks. One of the most glaring being the 1988 judiciary crisis during the rein of former premier Dr Mahathir Mohamad. MCPX

Many view this tumultuous episode as the emasculation of an once esteemed institution. An institution which from that point in time has only tumbled further downhill.

For those directly involved, the crisis left a permanent scar. One such person is former supreme court judge Mohamad Azmi Kamaruddin.

azmi kamaruddin interview judiciary crisis 060808 07In an exclusive interview with Malaysiakini, the 75-year-old grandfather recalled the experience and his jovial demeanor had failed to mask the underlying sadness.

Of the five Supreme Court judges who were suspended, Azmi declared that he suffered the most. This is because he had to stay on for another decade with a 'tarnished' reputation.

'I was really lonely'

"I suffered the most because I happened to be young. Then I went back (to work) and everybody was saying, 'It's okay lah at least you got your job back' but that was not the point.

"The point was that when I got back, I did not have the same image as before, (the other judges) were eight or nine years older than me. So after they were restored, they retired two years later.

azmi kamaruddin interview judiciary crisis 060808 01"I was left alone, it was really lonely without them, you know? The others were too young and they are, well, not scared of me but through loyalty or respect, they didn't want to be near me so much," he said.

The former judge opined that a dismissal would have been better than a suspension.

"We knew from the moment we were suspended, we thought we would be dismissed. That would have been fine.

"If we were dismissed, at least we could start our new lives. People will come to us and ask us for our opinions, boleh hiduplah (we can live) but not luxuriously I suppose, but we can survive.

"If (a judge) has done something wrong, you don't suspend, you just call the tribunal as a matter of formality and you dismiss him.

"A judge may be the highest in court but if he committed corruption or a crime he should not be retained even for one day.

"What's the use of suspending him? Once you suspend him, his name is tarnished. He can't go

back. No matter how much the public believes in him, his credibility will not be the same anymore," he explained.

'A very funny decision'

Azmi along with four other Supreme Court judges - Wan Suleiman Pawanteh, George Seah, Eusoffe Abdoolcader and Wan Hamzah Mohamed Salleh - were suspended after granting former Lord President Salleh Abas the ex-parte order to challenge the tribunal that was set up to try him.

While Wan Suleiman and Seah were subsequently sacked by another tribunal chaired by High Court judge Edgar Joseph Jr, the other three were reinstated three months later.

According to Azmi, Joseph's judgment was "a very funny decision" because the five judges had instructed their lawyers to prepare the same defence so a full acquittal or conviction would apply to all of them.

"How on earth did they come up with a judgment saying two guilty, three not guilty? Until today I'm still flabbergasted. If you read the judgment, you'll see it is a funny judgment.

azmi kamaruddin interview judiciary crisis 060808 06 "We were under the impression that he received instructions from somewhere to dismiss only two and not to dismiss the three for fear that the judiciary might collapse (laughs).

"After getting the people to go up (the judiciary), they don't need us anymore. This was a temporary measure," he said.

However, Azmi said he did not resign at that time because he wanted to stay on to restore the judiciary and to keep the acting Lord President Hamid Omar in check.

"The trouble with me is that I wanted to fight. I wanted to restore the judiciary. So I wanted to be there. I don't know what I could do but at least be a pain in the neck for the new Lord President (Hamid), which actually happened.

"I could have resigned but I didn't because I thought maybe this is God's way of asking me to do this job. We humans are like that. Finally we think of God," he laughed.

'Hamid was scared of us'

Despite being treated poorly by Hamid then, Azmi still managed to burst into laughter several times when relating how strained their relationship was.

He said the five suspended judges were still going to court because they were still being paid and wanted to dispose of the writing judgments at least.

azmi kamaruddin interview judiciary crisis 060808 02 "So we went to our courts but Hamid was really harsh on us. I heard he did the same to the others - he wouldn't allow our secretaries to attend to us, he would not allow the office boy to switch the air conditioning on so it was very childish because we understand that he did not want to see us.

"People said he hated us. I don't think he hated us, I think he was scared of us that whenever

he saw our faces he knew he was not in the right, he was in the wrong.

"So he didn't want to see us. Whenever he saw us, he could see his guilt which bothers his conscience. Anyway, I was obstinate and the others too, we went to court as usual," he said.

"I still had my driver. Luckily, Hamid did not take away our drivers (laughs). He forgot about it I think," he quipped.

Azmi, who retired in 1998, also revealed that he became so lonely in his final years as a judge that he began working on his late mother's six acre land in Hulu Langat.

"There were old rubber trees so I cut them all and I started planting [...] with my bare hands, with my children.

"So I use a cangkul (hoe) that whenever I cangkul, I cangkul kepala Hamid (hoe Hamid's head), the Attorney-General's (Abu Talib Othman) head, the chief secretary's (Sallehuddin Mohamed) head. I was angry," he said.

'Never liked Mahathir'

Asked what he thought about Mahathir's actions in relation to the judiciary crisis, Azmi promptly replied that he never liked him.

kubang pasu division meet 090906 mahathir siti hasmah "I feel more disappointed than angry that the PM of Malaysia could do such a thing. I feel that by doing that, by not having separation of powers, he was the enemy of Malaysians," said the former judge.

On whether he met Mahathir since his suspension, Azmi shared an amusing incident where he bumped into the former premier and his wife, Dr Siti Hasmah Mohd Ali at a function.

And they all ended up in the same lift.

"I happened to be in the same lift as him. But his wife was very nice so I salam (greeted) her. Mahathir looked at me, I didn't salam with him (laughs). Not that he cares," he mused.