

SPEECH BY
YAA TUN WAN AHMAD FARID BIN WAN SALLEH
CHIEF JUSTICE OF MALAYSIA

on the occasion of the

REFERENCE PROCEEDINGS

in memory of

Allahyarham Tun Mohd. Eusoff bin Chin
Allahyarham Tun Mohamed Dzaiddin bin Abdullah
Allahyarham Tun Abdul Hamid bin Mohamad
Allahyarhamah Tan Sri Siti Norma binti Yaakob

15 SEPTEMBER 2026
MAHKAMAH PERSEKUTUAN 1, ISTANA KEHAKIMAN, PUTRAJAYA

SALUTATION

Bismillahirrahmanirrahim.

Assalamualaikum warahmatullahi wabarakatuh dan selamat pagi.

Yang Amat Berbahagia Tun Arifin bin Zakaria,
Mantan Ketua Hakim Negara;

Yang Amat Berbahagia Toh Puan Rosaini binti Mustaffa,
Isteri kepada Allahyarham Tun Mohd. Eusoff bin Chin;

Yang Amat Berbahagia Toh Puan Hamidah Choong binti Abdullah,
Isteri kepada Allahyarham Tun Abdul Hamid bin Mohamad;

Yang Amat Arif Datuk Seri Abu Bakar bin Jais,
Presiden Mahkamah Rayuan;

Yang Amat Arif Datuk Seri Hashim bin Hamzah,
Hakim Besar Malaya;

Yang Amat Arif Datuk Hajah Azizah binti Haji Nawawi,
Hakim Besar Sabah dan Sarawak;

Yang Berbahagia Tan Sri Mohd Dusuki bin Mokhtar,
Peguam Negara Malaysia;

Yang Arif-Yang Arif,
Hakim Mahkamah Persekutuan, Hakim Mahkamah Rayuan dan Hakim
Mahkamah Tinggi;

Yang Berusaha Tuan Azhaniz Teh bin Azman Teh,
Ketua Pendaftar Mahkamah Persekutuan Malaysia;

Yang Berusaha Puan Murshidah binti Mustafa,
Naib Yang Dipertua Badan Peguam Malaysia;

Ahli-ahli keluarga,
Allahyarham Tun Mohd. Eusoff bin Chin,
Allahyarham Tun Mohamed Dzaidin bin Abdullah,
Allahyarham Tun Abdul Hamid bin Mohamad,
Allahyarhamah Tan Sri Siti Norma binti Yaakob;

Yang Berbahagia Tan Sri/ Dato' Seri/ Datuk/ Dato'/ Datin/ Dif-Dif
Kehormat, Tuan-Tuan dan Puan-Puan yang dihormati sekalian.

INTRODUCTION

- [1]. There is no cause list before the Court this morning. No appellant, no respondent, no record of appeal, not even a case management. The only matter before us today, eventually is a debt of gratitude, owed by an institution to four of its own.
- [2]. I have listened this morning to the Deputy President of the Malaysian Bar, the Honourable Attorney General and to the families of all four departed judicial luminaries. I have no hesitation whatsoever in adopting what they have said. The families in particular have told us, better than any of us on this Bench could, the things that only a family knows. What is left to me, is the part on behalf of the institution they served, to say what they were to us.
- [3]. A judiciary is not built merely of marble and mahogany but upon the legacies of our judicial predecessors. Shakespeare wrote and I

quote, “*uneasy lies the head that wears a crown*”.¹ Now that the judicial crown rests upon my own head, I can say, with some authority, the truth of those words – the head does indeed lie uneasy. But crowns are set down, heads are laid to rest and what outlasts both is what an institution chooses to commemorate.

[4]. It is in that spirit, we gather here today to honour the lives and legacies of our former Chief Justices of Malaysia; the late Tun Mohd Eusoff bin Chin, the late Tun Mohamed Dzaiddin bin Abdullah, the late Tun Abdul Hamid bin Mohamad and our former Chief Judge of Malaya, the late Tan Sri Siti Norma binti Yaakob.

[5]. Both the Honourable Attorney General and the Bar have eloquently revisited their distinguished careers, landmark judgments, and lasting contributions. I adopt their tributes in full, they are already permanently etched into the law reports, which is, after all, where a judge does his real speaking. What is left to me is the part that never reaches the law reports. I wish to reflect on what each of them gave to the Malaysian Judiciary; the work they did, the values they upheld and the institution they entrusted to our care.

¹ William Shakespeare, *Henry IV, Part 2*, act 3, scene 1, line 31.

Brother and sister judges, members of the Bar, ladies and gentlemen,

[6]. A country may have courts. It may have judges. It may have a building as fine as this Palace of Justice. None of that proves anything at all. An institution earns its standing only through the character and the conduct of those entrusted with it.

[7]. In saying so, I take permission to reach for Francis Bacon's essay, *Of Judicature*², where he wrote that the office of judges has reference to four: to the parties that sue, to the advocates that plead, to the clerks and ministers of justice beneath them and to the sovereign or the state above them.

[8]. Four duties, owed to the four constituencies a judge serves. I have come to think that each of the four whom we honour this morning received an institution shaped by the other, strengthened it in his or her own way and handed the institution on to the next. Hence, what

² Francis Bacon, "Of Judicature", Essay LVI in *The Essays or Counsels, Civil and Moral* (1625). Accessed link https://www.gutenberg.org/files/575/575-h/575-h.htm#link2H_4_0056.

we have today is not the achievement of any single Chief Justice. It is compound interest.

Brother and sister judges, members of the Bar, ladies and gentlemen,

[9]. **Allahyarham Tun Mohd Eusoff bin Chin** served as Chief Justice for six years and eighty-six days, the longest tenure of any Chief Justice of Malaysia.³ He took Bacon's first duty, the duty owed to the party who sues and reduced it to something unglamorous and absolutely fundamental: that a court must actually sit and sit on time.

[10]. He introduced a clocking-in system for judges which Tun Suffian reportedly told him that he was treating judges like children. But Tun Eusoff was not discouraged. When punctuality outside Kuala Lumpur proved uneven, he phoned judges' quarters early in the morning and told whoever answered that the judge's good friend, Eusoff Chin, was on the line. Punctuality, I am told, improved remarkably.⁴ No more golfing at 2pm on a working day.

³ Azizul A Adnan J, 'Tun Dato' Seri Hj Mohd Eusoff bin Chin', *The Malaysian Judiciary Yearbook 2021* (Office of the Chief Registrar, Federal Court of Malaysia) 129.

⁴ Ibid, 129-131.

[11]. Indeed, such a story may bring a smile to our face but its purpose was simply, discipline. Behind it is a proposition on which every court's directive, disposal targets and deadline in this country rests: that judicial time does not belong to the judge. It belongs to the litigant who has waited years for his day in court.

[12]. On a personal note, I remember as a lawyer, receiving a call from his office, asking to help arrange a meeting with the then Menteri Besar of Terengganu, Tan Sri Wan Mokhtar bin Ahmad. The Judiciary at that point in time wanted to organise the 1998 judges' conference in Kuala Terengganu and it turned out to be the first judges' conference ever held outside Kuala Lumpur. It was a successful meeting and the State Government of Terengganu assisted in many ways. After we met the Menteri Besar, we sat and talked, and he shared an eerie experience from his days as a High Court Judge in Muar — one I'll spare you, but I will never forget the warmth of that conversation.

[13]. The Attorney General has recalled Tun Eusoff's wish, expressed at the age of 87, to be remembered as a fair man and judge who treated his staff with kindness. I repeat it for one reason only: it was a request, and a request made to a court is entitled to an answer.

That is Bacon's third duty, the duty owed to the clerks and the ministers of justice beneath us -answered by a man who had nothing left to prove. **Tun Eusoff, it was a modest thing to ask for. This morning, this Court grants it.**

Brother and sister judges, members of the Bar, ladies and gentlemen,

[14]. **Allahyarham Tun Mohamed Dzaiddin bin Abdullah** succeeded Tun Eusoff Chin in December 2000 and inherited the second duty, the hardest of Bacon's four duties: the duty owed to the advocates who plead. There was a certain fitness in the choice.

[15]. The Bar says of Tun Dzaiddin this morning that he was one of their own. This Bench does not dispute the claim. Tun Dzaiddin was in fact the first Chief Justice of Malaysia to have been appointed from the Bar.

[16]. From the get go, his prime concern as he himself put it - is *"to put our house in order."* In his first address to all judges of this country, he informed that there were already letters of complaint received about judges whose conduct, on and off the Bench, lacked courtesy,

restraint and propriety. His mission, he said, was to return the Judiciary to a time when it was respected as good, strong, efficient, incorruptible and just.

[17]. Tun Dzaiddin served for barely two years and three months. However, he did not confuse a short tenure with a small duty. With quiet resolve, he began work whose full results he knew he might not see. A clairvoyant in his own right, he apprised that judicial conservatism must not stand in the way of technology. Every judge in this room who has conducted a hearing online owes something to a man who saw it coming a quarter of a century ago.

[18]. There is also a detail in his life that I find quietly instructive. Tun Dzaiddin did not begin in the law. He began as a journalist with the Malay Mail, and later served as a police inspector. It was Tun Suffian who encouraged him to read law, and years later, invited him to the Bench.

[19]. Perhaps that breadth of experience explains his gift. He understood justice not only as judges see it but also through the eyes of the public. **In my humble view, Tun Dzaiddin taught the Judiciary to listen again.**

Brother and sister judges, members of the Bar, ladies and gentlemen,

[20]. **Allahyarham Tun Abdul Hamid bin Mohamad** embodied Bacon's fourth duty owed to the sovereign and the State. That a judge must know both the reach and the limits of judicial power. Bacon's best-known reminder to judges is that judicial office is *jus dicere*, not *jus dare* - to interpret the law, not to make it. Tun Abdul Hamid placed the same principle on the cover of one of his books; in three direct words: *Hakim Bukan Parlimen* (Judges are not Parliament).

[21]. He helmed the Malaysian Judiciary for less than a year. Yet his work has endured far beyond his tenure: 567 judgments, eight books and more than 500 speeches and working papers. His work on the relationship between the Syariah and civil jurisdictions, collected in *Konflik dan Pengharmonian*, continues to be a guide for judges when called upon to decide where one jurisdiction ends and the other begins. This ladies and gentleman, is no small inheritance.

[22]. His proposal on the reference of Syariah questions, as both the Attorney General and the Bar have recalled this morning, became

sections 51 to 58 of the Central Bank of Malaysia Act. A judge's idea that ended as law; but by the proper route, through Parliament, not from the Bench. It remains one of his most lasting contributions to Malaysian law. *Hakim Bukan Parlimen*, to the very end.

[23]. This remarkable body of work reflects Tun Abdul Hamid's lifelong love of writing. It was from Tun Suffian, at whose elbow he served once as Deputy Registrar, where he took four rules of writing that he never once abandoned: use language that people can understand; prefer the simple word to the grand one; keep sentences short; and cut anything that does not assist the analysis.

[24]. I commend all four to every judge in this room, myself very much included. Our grounds would be shorter and our readers considerably happier.

[25]. His motto was two words. *Buat Kerja*. To him, actions speak louder than words. An institution must earn public confidence in exactly the same way. Respect should not come easily with mere conferment of titles. It must be earned through competent and often unglamorous discharge of duty. In a great many of cases, most of which will never make the news headlines.

[26]. I remember him witnessing my swearing in as Deputy Minister at the Istana Negara in 2008, sitting there in his capacity as Chief Justice. I once asked the then Prime Minister whom I worked with, Tun Abdullah Badawi, why Tan Sri Hamid as CJ? The answer came back short and blunt: "Young man, I know him and he's a man of integrity." I also knew that he was a fair judge, not merely by reputation, but because I had appeared before him as counsel. Counsel always knows. You may not know whether you will win. Sometimes, you know perfectly well that you will lose. But you always know whether you have been heard. Before Tun Abdul Hamid, you were heard. When he was warded in the hospital, I was fortunate to visit him and when he passed, I was privileged to pay him my last respects.

[27]. The Attorney General has given this Court his two words, and the meaning he gave them is the right one. Let me take them one step on. Tun Abdul Hamid lived by them even when illness had taken his mobility and most of his voice yet he went on writing. He did the work.

[28]. Now the work is ours to uphold.

Brother and sister judges, members of the Bar, ladies and gentlemen,

[29]. We come now to the last of this quartet, **Allahyarhamah Tan Sri Siti Norma binti Yaakob**, and by no means the least.

[30]. Her list of firsts deserves to be remembered. Allow me to read it aloud in this Court today so that they are not quietly forgotten. She was the first Malay woman barrister to be called at Gray's Inn in 1962;⁵ the first woman to hold an executive post in the Judicial and Legal Service, in 1963;⁶ First female President of the Sessions Court in 1967⁷ and later in 1980, became the first female Chief Registrar of the Federal Court.

⁵ The Straits Times (19 June 1963) Page 5. **Barrister Che Norma Takes Up New Post.** Retrieved from: <https://eresources.nlb.gov.sg/newspapers/digitised/article/straitstimes19630619-1.2.25>.

⁶ Ibid.

⁷ The Straits Times (5 Jan 1967) Page 7. **Sessions Court Gets Its First Woman President.** Retrieved from: <https://eresources.nlb.gov.sg/newspapers/digitised/article/straitstimes19670105-1.2.47>.

[31]. Tan Sri Siti Norma went on to become the first woman appointed to the High Court in 1983, the first to sit on the newly established Court of Appeal in 1994 and the first to be elevated to the Federal Court in 2001. On 8 February 2005, she became the first woman sworn in as Chief Judge of Malaya.⁸

[32]. Her distinction extended beyond retirement and our shores. She was the first Malaysian elected President of the Commonwealth Magistrates' and Judges' Association (2006)⁹ and in 2008, the first female judge from Malaysia to be appointed to the Dubai International Financial Centre (DIFC) Courts.¹⁰ She was also the inaugural Chairman of the Malaysia Competition Commission (MyCC) after its establishment in 2011.¹¹

[33]. The Attorney General has spoken of the doors she opened. From where this Bench sits the effect is easier to see than to describe: a rising tide lifts all boats and there are judges sitting in this building

⁸ <https://www.malaysianbar.org.my/article/news/bar-news/news/tan-sri-siti-norma-retires-tomorrow-after-43-years-of-exemplary-service>.

⁹ Ibid.

¹⁰ https://www.kln.gov.my/web/are_dubai/post/tan-sri-dato-seri-siti-norma-yaakob-difc-court-judge.

¹¹ <https://www.freemalaysiatoday.com/category/nation/2026/03/13/pioneering-judge-siti-norma-yaakob-dies>.

this morning who are here because of the tide that Tan Sri Siti Norma raised.

[34]. The Bar has already reminded us of her own two-word answer: **patience and incorruptibility**. I have never in my life heard the judicial oath better summarised and I have read that oath many times. Permit me, then, to take each of the two a little further than she, in her modesty, ever did.

[35]. Centuries apart, she had arrived at Bacon's second duty, the duty of hearing. Bacon wrote that patience and gravity of hearing is an essential part of justice and that an over-speaking judge is no well-tuned cymbal. Tan Sri Siti Norma understood that duty well. On the Bench, patience means hearing a party fully, even when we think we know where the case is going. It means allowing ourselves to discover that we may be wrong. Those of us who sit in judgment know that this is sometimes harder than it sounds.

[36]. And incorruptibility in the widest sense: not merely of the pocket, but of the mind. Proof against flattery, proof against pressure and proof against that quiet temptation to decide a case according to who is

standing before you rather than what the law requires. Every person who enters our courts is entitled to that assurance.

[37]. These qualities matter most, perhaps, to the person who loses. An unfavourable decision is never easy to accept. But a litigant should leave knowing that the judge listened, considered the case fairly and decided without fear or favour. That is how we earn the public's trust, one case at a time.

Brother and sister judges, members of the Bar, ladies and gentlemen,

[38]. And now, permit me to bring matters full circle.

[39]. Four lives have been placed before us today. Tun Eusoff Chin gave this Judiciary discipline. Tun Dzaiddin set about restoring its trust. Tun Abdul Hamid gave lasting expression to principle and to restraint. Tan Sri Siti Norma gave us the whole nation to draw our judges from. Not one of those four things are sufficient on its own.

[40]. These four jurists are a substantial part of the proof. They have done their part. It now falls to us to do ours for those who come after. To

their families, we offer more than formal condolences. The nation knew them by their offices; you knew the people behind the titles. Public service makes demands not only of the officeholder but also of those who wait at home. For that sacrifice, the Malaysian Judiciary owes you its gratitude and place on record our profound appreciation for the service of these four distinguished jurists.

[41]. Before I conclude, there are prayers before the Court. The Deputy President of the Malaysian Bar and the Honourable Attorney General have each asked that the record of this morning be preserved in the archives of this Court and that copies be conveyed to the families. Those prayers are granted. Let the record of these proceedings be entered and preserved in the archives of this Court, and let certified copies be conveyed to the families whom we have honoured this morning. It is so ordered.

[42]. May Allah Subhanahu Wa Ta'ala forgive their shortcomings, shower their souls with His mercy, place them among the righteous and grant strength and comfort to their families. May the knowledge they shared, the institutions they strengthened and the justice they served remain a continuing charity in their favour.

[43]. *Innalillahi wainna ilaihirojiun* (Indeed we belong to Allah, and indeed to Him we will return). As a mark of respect, may I invite all Muslims present to offer Al-Fatihah and for non-Muslims to observe a minute silence. May Allahyarham and Allahyarhamah be placed among those who are guided and rewarded with Jannah.

[44]. Their chairs are now empty. Their standards remain. And so, does our duty to carry the work forward.

Thank you.