

## THE LIFE OF TAN SRI HARUN M. HASHIM: A MEMOIR

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### ABSTRACT

This article will provide an insight into the colourful journey of Tan Sri Harun Hashim – his life experience, education background, his distinguished career path and achievements as well as contributions made especially to the education sector and the legal profession. It is also an attempt to provide a glimpse of the other side of Tan Sri Harun Hashim, off the limelight – as a father, a grandfather, a mentor and a friend, as he left his footprints firmly etched in the memory of his loved ones. This research employs a qualitative method focusing on in-depth interviews as well as a comprehensive analysis of relevant books, articles, newspaper reports and documentations. In this article, fragments from the colourful journey of Tan Sri Harun Hashim come from stories narrated through interviews with those who were close to him and had personal encounters with Tan Sri while some other information is extracted from his well-known column, “The Benchmark”, appearing in the New Straits Times from 1994 until his demise in 2003. “The Benchmark” provided useful insights into the ideals and aspirations of Tan Sri, and relayed some first-hand information on his life journey and extraordinary experiences. Some information on Tan Sri’s personal life is gathered from exclusive interviews with Tan Sri’s family members themselves, conducted by the authors and Hisham Harun, Tan Sri Harun’s son. This article aims at offering a unique biography of Tan Sri Harun Hashim who was known to be a gem to the nation, especially in the legal and education sectors in Malaysia. It is an effort to highlight and set in stone the legacy left by him so that it becomes a benchmark for the younger generations to follow and emulate.

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**Keywords:** Harun Hashim, Biography, Legal Profession, Legal Education, Malaysian Legal System.

## KEHIDUPAN TAN SRI HARUN M. HASHIM: SATU MEMOIR

### ABSTRAK

Makalah ini akan memberikan gambaran tentang perjalanan penuh warna Tan Sri Harun Hashim – pengalaman hidup beliau, latar belakang pendidikan, laluan kerjaya serta pencapaian dan sumbangan yang diberikan beliau khususnya kepada sektor pendidikan dan profesion guaman. Ia juga merupakan percubaan untuk memberikan gambaran tentang sisi lain Tan Sri Harun Hashim yang jarang diberi perhatian – sebagai seorang bapa, datuk, mentor dan sahabat, sepertimana yang terukir kukuh dalam ingatan rakan-rakan dan keluarga yang tersayang. Kajian ini menggunakan kaedah kualitatif yang memfokuskan pada temu bual mendalam serta analisis komprehensif buku, artikel, laporan akhbar dan dokumentasi yang berkaitan. Dalam makalah ini, maklumat peribadi daripada yang perjalanan penuh warna Tan Sri Harun Hashim datang dari kisah-kisah yang diceritakan melalui temu bual dengan mereka yang rapat yang mempunyai pengalaman berinteraksi secara peribadi dengan Tan Sri. Beberapa maklumat lain diekstrak daripada ruangan terkenal beliau, “The Benchmark”, yang diterbitkan dalam akhbar New Straits Times dari tahun 1994 sehingga 2003. “The Benchmark” memberikan gambaran tentang cita-cita dan aspirasi serta memaparkan beberapa maklumat langsung tentang perjalanan kehidupan dan pengalaman luar biasa Tan Sri Harun Hashim. Beberapa maklumat tentang kehidupan peribadi Tan Sri turut dikumpulkan daripada temu bual eksklusif dengan ahli keluarga Tan Sri sendiri yang dikendalikan oleh pengarang dan Hisham Harun, anak kepada Tan Sri Harun Hashim. Makalah ini bertujuan untuk memaparkan satu biografi unik Tan Sri Harun Hashim yang dikenali sebagai permata yang berharga khususnya dalam bidang perundangan dan sektor pendidikan di Malaysia. Ia adalah satu usaha untuk mengekalkan legasi yang ditinggalkan oleh Tan Sri Harun Hashim supaya ia menjadi penanda aras untuk diikuti dan dicontohi oleh generasi muda masa kini.

**Kata Kunci:** Harun Hashim, Biografi, Profesion Guaman, Pendidikan Undang-Undang, Sistem Perundangan Malaysia.

## INTRODUCTION

The late Tan Sri Dato' Harun M. Hashim (to be referred as 'Tan Sri Harun' or 'Tan Sri' henceforth) has been described by many as a man of integrity, dedication, sincerity and honour. Much has been said about his distinguished legal career and how he was instrumental in the development of the legal and judicial landscape in Malaysia. Tan Sri Harun was well-known as one of the exemplary judges Malaysia has ever had. He was dubbed a fearless champion of justice, a fiercely impartial judge without fear or favour, a staunch believer of justice and fairness, a man of unparalleled integrity and professionalism, and a wise yet compassionate mentor who loved imparting his knowledge to the younger generations.

Tan Sri Harun was in a class of his own. "Experience is the best teacher," says a famous quote. One, thus, cannot help but wonder about the life and the journey that Tan Sri Harun had to go through for him to possess such prominent qualities and characteristics. In this article, some fragments from the colourful journey of Tan Sri Harun – his experiences, life events and people he encountered along the way – are compiled, all woven together to create a beautiful masterpiece, moulding him into the distinguished gentleman he was. This article also provides a glimpse of the other side of Tan Sri Harun, off the limelight – as a father, a grandfather, a mentor and a friend, as he left his footprints firmly etched in the memory of his loved ones.

The research on Tan Sri Harun's biography adopted a qualitative method focusing on in-depth interviews as well as a comprehensive analysis of relevant books, articles, newspaper reports and documentations. Information appearing in this article comes from stories narrated through interviews with those who were close to him and had personal encounters with Tan Sri while other information has been also extracted from his well-known column, "The Benchmark", appearing in the New Straits Times from 1994 until his demise in 2003. During the interviews, many of the people reminisced about his sense of justice and fair play, his passion and dedication in discharging his duties, his compassion on and off the bench, his interest in current issues and his witty sense of humour. Much of the information on his personal life was gathered from exclusive interviews with Tan Sri's

family members conducted by the authors and Hisham Harun, Tan Sri's son. When other sources are used, references will be provided.

"The Benchmark" by Tan Sri Harun on the other hand, had provided useful insights into the ideals and aspirations of Tan Sri, and had interestingly relayed some first-hand information on his life journey and extraordinary experiences, which we felt are too precious not to be included in this article (bits and pieces of it, at least). Reading through his columns one felt like listening to him talking away about his life experiences, and telling stories about his ideals and aspirations for Malaysia.

It is hoped that readers would be able to appreciate and be inspired by Tan Sri Harun's integrity, passion, hard work and professionalism. Tan Sri Harun was a gem to the nation, especially in the legal and education sectors in Malaysia. The legacy left by him should be highlighted so that it becomes a benchmark for the younger generations to follow and emulate.

## **FAMILY BACKGROUND**

Tan Sri Harun M. Hashim was born into a unique and diverse genetic pool, given during the period of that time where interracial marriage, especially from outside the Malay Archipelago, was still considered rare and a non-norm practice. The illustration of his family background will be categorised into stages within the scope of his extended family.

### **Grandfather: A Brave and Courageous Soldier**

Tan Sri's grandfather was Captain Noor Mohamed Hashim bin Mohamed Dally (1880-1944) (to be addressed as Captain Hashim so as to not be confused with Tan Sri's father whose name was also Hashim). The late Captain Hashim was a descendant of Indian-Muslims residing in Singapore, which then was part of the Straits Settlements. Captain Hashim was married to Fatimah Hashim and then

to a Turkish lady (only known as “Che Teh Turki”) who gave birth to Tan Sri’s father, Mahmud Mohamed Hashim.<sup>1</sup>

Captain Hashim was among the earliest Malays to be appointed to the elite Malayan Civil Service (MCS).<sup>2</sup> After retiring in 1935, he was appointed to the Straits Settlements Legislative Council to represent the Malays.<sup>3</sup> Captain Hashim was conferred the Imperial Service Order by the King of England.<sup>4</sup> Captain Hashim died on 22 July 1944, around the age of 64 and was buried at Bidadari Garden, Singapore Downtown, Central, Singapore..<sup>5</sup>

### **Father: A Strict Upholder of Justice**

Tan Sri’s father was Justice Dato’ Mahmud Mohammed Hashim bin Noor Mohamed Hashim (1906-1964). Dato’ M. M. Hashim was first married to Datin Siti Ramlah Shaikh Abdul Latiff Bux, a lady of mainland Chinese origin and then to Helen Nellie Grant, a Scottish lady; the latter was the mother to Tan Sri.

Dato’ M. M. Hashim was trained as a lawyer and notched many years in the Kelantan Legal Service before ending up on the Bench.<sup>6</sup> Dato’ M. M. Hashim was famously known as “Moody Hashim” because of his undeniably firmness coupled with a no-nonsense temperament in the court. Dato’ M. M. Hashim’s intolerance

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<sup>1</sup> This information was obtained from an interview with the son of Tan Sri, Hisham Harun at IIUM Gombak, October 23, 2020.

<sup>2</sup> Harun Mahmud Hashim, *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), xvi.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> “Capt Noor Mohamed Hashim bin Mohamed Dally,” Find A Grave, accessed September 20, 2020, [https://www.findagrave.com/memorial/57944938/noor-mohamed\\_hashim\\_bin-mohamed\\_dally](https://www.findagrave.com/memorial/57944938/noor-mohamed_hashim_bin-mohamed_dally).

<sup>6</sup> Lakshmi Natarajan. “Harun a fearless champion of justice.” *New Straits Times*, October 1, 2003, accessed September 20, 2020, <https://www.malaysianbar.org.my/article/news/in-memorial/in-memorial/harun-a-fearless-champion-of-justice>.

for any sort of noise during proceedings earned him the moniker, “Moody Hashim”.<sup>7</sup>

One senior Malaysian lawyer used to describe that Moody Hashim never liked Europeans despite being married to a Scot. Dato’ M. M. Hashim was also known to terrify police witnesses by taunting them as “lions at their police stations but goats in his courts.”<sup>8</sup> It was said that his reputation as Moody Hashim preceded him as a person, that people feared Moody Hashim more than the actual Dato’ M. M. Hashim in person. Dato’ M. M. Hashim died on December 24, 1964 in Kuantan, Pahang, reportedly caused by a heart attack at the age of 58.

## **BIOGRAPHICAL TIMELINE OF TAN SRI HARUN M. HASHIM**

### **Early Childhood and Education in Kuala Lumpur and Singapore (1929-1942)**

Tan Sri spent a great deal of his childhood living with his grandfather Captain Hashim in Singapore. Being a civil servant, Tan Sri was nurtured by his grandfather to have a good sense of discipline and uprightness. At six years old, Tan Sri was enrolled in his first primary education at Sekolah Melayu Siputih in Kuala Lumpur, a year before moving to Singapore.

Tan Sri then attended Kota Raja Malay School in Singapore following his grandfather Captain Hashim’s transfer to Singapore which was then part of the Straits Settlements. From the beginning of Tan Sri’s education journey, he was always at the top of the class.

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<sup>7</sup> Natarajan, “Harun a fearless champion of justice.”

<sup>8</sup> Biliwi Singh and Saravanan Rajagopal, “Dato’ Balwant: From Milkman to Barrister-At-Law,” *AdRem*, Vol. 1 (2008): 6-9, accessed September 25, 2020, [https://gizwizstudio.sgp1.cdn.digitaloceanspaces.com/sgorbar-wp20181123/home2/sgorbarg/public\\_html/\\_beta/www/2009/02/adrem-june-issue-final.pdf](https://gizwizstudio.sgp1.cdn.digitaloceanspaces.com/sgorbar-wp20181123/home2/sgorbarg/public_html/_beta/www/2009/02/adrem-june-issue-final.pdf).

In 1939, Tan Sri was transferred to Monk's Hill School after passing his Standard Four and maintained his position as the top student in the class of mixed race. Tan Sri always believed in equal opportunity and a level playing field for all students.<sup>9</sup> School days were one of his most treasured memories. In one of his columns in "The Benchmark", he reiterated how each year, he and his friends would relive the past by attending the Old Boys Reunion Dinner where they would meet their former teachers and how the teachers were so proud of them as they made something of themselves in life and projected them as good examples to the present students to emulate.<sup>10</sup>

When World War II broke out, he remained in Singapore. During that time, Justice Dato' M. M. Hashim was stationed in Kota Bharu, Kelantan, as a Registrar of the Supreme Court and Magistrate of the Central Court.

Captain Hashim was appointed as a member of the War Council during the Japanese invasion of Malaya. There were always constant bombings in Singapore, therefore Captain Hashim had to build an air raid shelter behind their house at St. Michael's Road – off Serangoon. During his childhood, Tan Sri had to experience the British and Japanese fighters engaging in dogfights mid-air, and more often than not he found it amusing rather than frightening.<sup>11</sup> He was a man of that calibre.

## **Journey to India 1942**

In 1942, the Japanese successfully invaded the Malayan Peninsular and were preparing to invade Singapore. In February 1942, Captain Hashim instructed his family to board *SS Felix Russell*, a passenger ship to leave the island while he remained in Singapore to fend off the Japanese and planned to join his family later. *SS Felix Russell* was

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<sup>9</sup> Harun Mahmud Hashim, "Don't Douse Enthusiasm of Schoolchildren," in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 307.

<sup>10</sup> Harun Mahmud Hashim, "Different Ball Game for Najib in Education," in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 306.

<sup>11</sup> Hashim, *The Benchmark*, xvii.

miraculously fortunate enough to survive but had its water tank bombed by the Japanese and for the remainder of the journey, the passengers had to survive without fresh water.<sup>12</sup>

The ship then reached Colombo, Sri Lanka, but was denied permission to land. *SS Felix Russell* had to proceed to Bombay, India. The journey took 18 days. Upon arrival in India, Tan Sri and his family were invited by Captain Hashim's friend, an Indian Justice of Peace of Singapore to join him in his village in Edava, Travancore, southern India. This was a Muslim village with substantial houses built with money remitted by the men working in Singapore. The journey took three days by train.<sup>13</sup>

However, they later moved to the State's capital city, Trivandrum (present day Kerala) as the children would have to attend school. They attended a high school in Trivandrum. It was during this time in India that Tan Sri, as the eldest male in the family, took sole responsibility to care and provide for his family. Because of this, he was revered, endeared and respected by his family, and became a source of reference and advice, giving Tan Sri an endearing nickname, "Abang Harun".

In 1944, Captain Hashim passed away and never had the chance to reunite with his family in India. Perhaps this may be one of the most tragic moments to have been passed down as an apologue to generations in Tan Sri's lineage.

### **University Life at the HH The Maharajah's University College of the University of Travancore (1942-1946)**

After passing the Matriculation Examination at the Madras University, Tan Sri was enrolled into the HH Maharajah's University College of the University of Travancore in Trivandrum in the field of Economics and Public Administration where Tan Sri obtained his degree with flying colours. The late Tan Sri had deliberated quite a lot on his University life in a few columns of "The Benchmark" and had always

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<sup>12</sup> Ibid, xvii.

<sup>13</sup> Ibid, xviii.



stressed the importance of tertiary education in shaping a person's competence and behaviour.

During that time, one had to compete for a place at the university. Not everyone can be afforded a place in the university as resources were limited. Entrance to university was thus based on whether a university education given to the applicant would benefit the society and this was determined through a personal interview. "The result was that candidates with the right aptitudes and potential but with lower minimum grades were selected against candidates with merely better grades. This process kept wastage to the minimum."<sup>14</sup> Tan Sri beat 500 Malayalees in their own home ground for a place at the University of Travancore. Travancore had the highest literacy rate in India at that time – 54% compared to 4% in the rest of India.<sup>15</sup>

Tan Sri initially wanted to pursue medicine and become a medical doctor, but after a 20-minute interview with the Board of the University, they decided that Tan Sri would be better off and excel in public administration or law instead of medicine. The chairman of the Board said, "We have seen many young people like you. Your future is in public administration or law. Accept our offer or nothing."<sup>16</sup> He was thus offered the course in public administration, which he accepted, with much hesitation at first. Strangely enough, this was the starting point of his colourful legal career as well as his many contributions to the administration and legal field today, and we have the Travancore University's Board to thank for that! The late Tan Sri would always share this story with his children and younger companions, saying, "at the time, it never crossed my mind to enter into the field of public administration or law as a future career. As events turned out later, I did both, six years of public administration

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<sup>14</sup> Harun Mahmud Hashim, "Meeting Challenge of Next Millennium," in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 313.

<sup>15</sup> Hashim, "Don't Douse Enthusiasm of Schoolchildren," 307-308.

<sup>16</sup> Harun Mahmud Hashim, "Varsity Education is More Than Just Getting a Degree," in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 310-311.

and 40 years of law. Those old, learned and wise men on the Board must have put me through an aptitude test during the interview!”<sup>17</sup>

Tan Sri believed that university life is a period of comprehensive training for adulthood and personality development. The University where he acquired his tertiary education was an old University and was established in the 19<sup>th</sup> century. The lecturers mainly acted as facilitators, where they used to lecture on concepts, telling them what books to read and expecting them to do their own reading and research.<sup>18</sup> This method had trained them to be independent learners and researchers, a skill which proved to be important in his future undertaking.

Tan Sri also joined military training to sharpen his natural leadership skill. The young and enthusiastic Tan Sri enrolled in the Officers Training Corps (OTC) of the University, a two-year course of military training, at the end of which the cadet was commissioned into the army as second lieutenant. It taught him how to react to given situations, plan strategies and build his leadership skill.<sup>19</sup>

University life was responsible for the late Tan Sri's developing interest and passion in politics. He took part in the All India Students' Congress and that ended up to be an introduction to active politics with opportunities to develop leadership qualities, initiative and resourcefulness. He took pride in being on the executive committee of the Students' Congress, organising political meetings and demonstrations in India's struggle for independence from the British<sup>20</sup>

In spite of all these extra-curricular activities, Tan Sri passed all his examinations and concluded his University life with flying colours. All the achievements and the footprints he left behind during his University life speak volumes of the young and passionate Tan Sri, ready to take on the world and the significant man he was to become in Malaysia's legal history. During his life as an academia and an educator, he had, on multiple times, highlighted the importance of

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<sup>17</sup> Ibid.

<sup>18</sup> Ibid, 311.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

tertiary education as a platform for students to develop positive personality and for the students to try out as many activities as possible so as to discover their passion and possible hidden talents. Quoting his own words, “a university education is much more than just passing examinations to obtain a degree and the passport to employment or a profession. It is a period of comprehensive training to adulthood and personality development to serve God and society. Looking back, the years at University as a student were the best and most enjoyable part of my life. How time passes us by.”<sup>21</sup>

### **Return to Singapore (1946-1948)**

After the end of World War II in 1945, with the Allies emerging victorious, temporary peace was restored in Malaya and Singapore. Tan Sri returned to Singapore in 1946 to begin his service as a public servant in Kelantan.

However, the minimum requirement to joining civil service in Kelantan and Terengganu during that time was a potential candidate must complete secondary education in Malaya, thus, rendering Tan Sri's Indian certification unrecognised. Tan Sri had to reattend secondary education and resit the secondary education's national examination (this was equivalent to present-day Malaysia's SPM and higher secondary education) in Raffles College Singapore. During this time, Tan Sri's father, Dato' M. M. Hashim had been transferred to the Singaporean island and was with the Attorney-General's Department.

### **Joining Civil Service (1948-1954)**

After completing the Malayan secondary education as prerequisite, Tan Sri emulated the footsteps of his father and grandfather, which was to enter public service. Tan Sri embarked on his first career in civil service in 1948 where he was appointed as an Assistant District Office in the Land Revenue Collection Section in Kelantan.<sup>22</sup> Tan Sri assumed various roles, among them were an ex-officio magistrate, a captain of

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<sup>21</sup> Ibid.

<sup>22</sup> Harun Mahmud Hashim, “A Rewarding Half-Century of Public Service,” in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 196.

the Home Guards, the District Treasurer and the Town Council Secretary. These positions had given him rewarding experiences<sup>23</sup> as an overview of the Malayan administration system.

Serving in various civil sectors had taught Tan Sri to be an all-rounder, picking up all valuable knowledge, experiences and the know-hows of governance. He familiarised himself with the government system of revenue collection and accounting while serving in the Land Revenue Collection Section and was introduced to the intricacies of land title registration under the Torrens System while he was attached to the Land Dealing Section – Land Alienation Section where Tan Sri even took a course in land survey and settlement.<sup>24</sup> He polished up his skills working with elected politicians when he was transferred to the State Capital as secretary of the town council, organising various fund-raising programmes for charities and social welfare projects, athletic sports events, football competitions and agricultural exhibitions.<sup>25</sup> Not only that, Tan Sri was also accustomed to the ceremonies, customs and language of the Malay royalty as he was attached to the Istana concurrently at that time.<sup>26</sup>

Tan Sri's experiences of joining the military during his University life had also proven to be useful when he was transferred to a district upriver consisting mostly of virgin jungle – during the height of the Emergency with communist terrorists all over the place, killing, destroying and committing all manners of atrocities. "As an ex-officio magistrate at that time, Tan Sri regularly had to check on the bodies of terrorists killed by the security forces to dispense with the legal need for autopsies and inquests".<sup>27</sup> Tan Sri was also made captain of the Home Guards consisting of the civilian population to protect their homes and villages whilst the security forces concentrated on fighting communists in the jungle. For this purpose, Tan Sri was sent to undergo military training at an army camp.<sup>28</sup>

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<sup>23</sup> Hashim, "A Rewarding Half-Century of Public Service," 197.

<sup>24</sup> Ibid, 196.

<sup>25</sup> Ibid, 197.

<sup>26</sup> Ibid, 196.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

These various hats Tan Sri wore as a civil servant had undoubtedly equipped him with valuable knowledge and hands-on experiences on the workings of the government, which were proven indispensable as he advanced in his career. Having had the vast “been there” and “done that” experience, as a judge, he developed a calm and collected demeanour, described by many as a fiercely independent judge with great organisational abilities as well as non-tolerance of nonsense from the parties, earning him the well-known “no nonsense” attitude. More importantly, serving the public had always been a calling and a fulfilling journey for the late Tan Sri, where he himself through his writings reminisced on the period of working in the civil service, describing it as a privilege and an honour of having contributed to the public. In his own words, he mentioned, “it has been half a century of public service and I am grateful for the privilege and honour to have served the public. I have enjoyed every moment of it, with job satisfaction always. It seemed only yesterday that I first entered government service. How time passes us by.”<sup>29</sup>

### **Marriage to Puan Sri Nik Esah binti Nik Ahmed Kamil (1951)**

Much like a love story told in ancient times, Tan Sri’s marriage to Puan Sri Nik Esah Nik Ahmed Kamil (to be referred to as ‘Puan Sri’) was made following a pledge made by Tan Sri’s father, Dato’ M. M. Hashim and Puan Sri’s father, Nik Ahmed Kamil Nik Mahmud, during their student days of reading law in England. A note to be taken here was that Puan Sri was not yet born when this pledge was made.

The friendship between Dato’ M. M. Hashim and Nik Ahmed Kamil went way back in history. The late Captain Hashim was once sent to Kelantan leading the Singapore-Malay Volunteer Troops to assist Sultan Muhammad IV in dealing with the rebellion of Tok Janggut against the British. During this time, Kelantan was an independent state with a friendly alliance with the British Empire. Nik Ahmed Kamil’s father, Nik Mahmud Nik Ismail happened to be the Dato’ Perdana Menteri Paduka Raja during that period and thus gave advice to the Sultan on matters of the state and in this case of Tok Janggut’s rebellion, together with Captain Hashim.

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<sup>29</sup> Ibid, 198.

According to Hisham Harun, the son of Tan Sri, his mother had once told them of how she was very curious about Tan Sri's personality prior to their marriage, as she never had the chance to meet Tan Sri in person. Driven by her maddening curiosity, Puan Sri secretly snuck out to the Kelantan Club where the bachelor's party for Tan Sri was being thrown. To Puan Sri, this was the best chance, if not, to see the person whom she was about to marry, and much to her gladness, there stood Tan Sri, a tall, handsome gentleman with an unmistakable aura around him. Needless to say, shortly after, the marriage between the two was solemnised with Tengku Hamzah becoming the *wali* of Tan Sri, representing Justice Hashim who was then a judge in Terengganu. A grand festivity was organised for seven days and seven nights at the heart of Kota Bharu to celebrate the marriage. The marriage was blessed with six children.

### Studying Law at Lincoln's Inn, London (1955-1958)

Sponsored by the Government of Kelantan, Tan Sri was commissioned to study law at the Inns of Court, London in 1955 (part of "*Malayanisation*" of the judiciary). At that time, to be able to read law at the Inns of Court, London, one must have recommendation (or secondment) by an alumni of the said Inn. Tan Sri was seconded by an alumni of Lincoln's Inn who was one of the top judges in Kelantan at that time. Tan Sri left for London alone because his wife was pregnant at that time but he was re-joined by his family later.<sup>30</sup> His voyage to London was recorded in detail in his weekly column "The Benchmark"<sup>31</sup> where he described how he left his position as a magistrate and assumed the role of a student going abroad to further his studies. He added, that, "in life, one has to be practical and not rest on past laurels, to do one's best in the present with hopes for the future."<sup>32</sup>

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<sup>30</sup> Ibid.

<sup>31</sup> Harun Mahmud Hashim, "18-day Voyage to England for Further Studies," in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 301.

<sup>32</sup> Hashim, "18- day Voyage to England for Further Studies," 301

With this mentality and his well-known trait of always doing his best in whatever role he assumed, again Tan Sri had chosen to actively participate in the Students' Union. Tan Sri was a member of all three main organisations at the Malaya Hall during his time there as a student, namely the Malay Society of Great Britain, the Malayan Students' Union and the Malayan Forum. Tan Sri, being the passionate man he was, served as the vice-president of the Malay Society (Tun Hussein Onn was the president at that time). They organised Hari Raya Puasa gatherings, annual trips to the mosque and the Merdeka Convention on the eve of independence. Not only had these activities developed further his leadership and organising skills, they had also become a platform where Tan Sri acquainted and made friends with a lot of people from various backgrounds, from university students to government officers passing through to attend courses, and some very interesting people not connected with the government.<sup>33</sup> All these encounters, according to Tan Sri, had not only helped him grow as a person but also widened his view on various issues, as an aspiring young Malayan who had an equal concern about the future of Malaya at that time. He considered the Malaya Hall as "a melting pot, nurturing future Malaysians."<sup>34</sup> To Tan Sri, all these experiences "was an education in itself, in addition to the university degrees and professional qualifications they were acquiring."<sup>35</sup>

After three years of reading law in England, Tan Sri was successfully called to the Bar of England and Wales by the Honourable Society of Lincoln's Inn and completed the post-final practical course by the Council of Legal Education of the Inns of Court (in lieu of chambering) in 1958. Tan Sri returned to Malaya the same year in November.<sup>36</sup>

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<sup>33</sup> Harun Mahmud Hashim, "A Melting Pot for Malaysian Students Indeed," in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 321.

<sup>34</sup> Hashim, "A Melting Pot for Malaysian Students Indeed," 322.

<sup>35</sup> Ibid.

<sup>36</sup> Hashim, *The Benchmark*, xx.

### Joining Legal Services (1958-1994)

Upon returning to Malaya after completing his studies and chambering in London in 1958, Tan Sri was first appointed as the First Magistrate in Penang. Two months later in 1959, he was transferred to Kota Bharu as the President of the Sessions Court.

During his course of duty in legal services, Tan Sri served as the Deputy Public Prosecutor (1962), Federal Counsel; State Legal Adviser (1964-1967); Director-General of the Anti-Corruption Agency (1967-1971); Judge of the High Court (1971); Chairman of the Royal Commission on Salaries and Conditions of Service in Statutory Bodies and Local Authorities; President of the Industrial Court (1980) and finally, as Judge of the Supreme Court (1988-1994) before officially retiring from the legal and judiciary services in 1994.<sup>37</sup>

Hisham Harun, Tan Sri's son, recalled transferring to 11 different schools following the course of Tan Sri's career. The transfers would only end very much later when Tan Sri retired from the public's legal and judiciary system in 1994.

Tan Sri would always be remembered as one of the exemplary judges Malaysia has ever had. Much has been said about Tan Sri's career as a judge. Nearly half of his life was spent as an upholder of justice and it was what Tan Sri was most well-known for. "Patient, incorruptible, dignified, and respectful to those who appeared before him, he was held in high regard by fellow judges, lawyers, and the public."<sup>38</sup> His vast experience in public service before his elevation as a judge had moulded him into a wise judge with a keen eye<sup>39</sup> and a strong sense of justice.<sup>40</sup>

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<sup>37</sup> Hashim, "A Rewarding Half-Century of Public Service," 197.

<sup>38</sup> Natarajan, "Harun a fearless champion of justice."

<sup>39</sup> See Hisham Harun, "Stories of Harun Hashim; the Family Man, and Friend," Unpublished manuscript, September 28, 2020.

<sup>40</sup> Ramdas Tikamdas, "Tribute to the late Tan Sri Harun Hashim." *DAP Malaysia*, November 5, 2003, accessed September 20, 2020, <https://dapmalaysia.org/all-archive/English/2003/nov03/bul/bul2314.htm>.



Tan Sri Harun possessed all the qualities required to be a good judge. He was fiercely impartial without fear of favour, his honesty was unimpeachable, he was rational and decisive in his judgment, and was very compassionate all the same. His impartiality and inherent sense of justice had earned him the titles “a fearless champion of justice”<sup>41</sup> and “a great trial judge.”<sup>42</sup>

Tan Sri Dato’ V.C. George, the former Court of Appeal judge for whom Tan Sri was a mentor figure describes Tan Sri Harun as someone who possessed “excellent management qualities and was a fiercely impartial judge”<sup>43</sup> while Lawyer Tommy Thomas portrays Tan Sri Harun as a very decisive judge and one of the best in Malaysia since *Merdeka*. According to him, Tan Sri was a judge who would not delay giving out judgment, unless for a very good reason (justice delayed is justice denied) and he would keep his judgment simple, concise and on point, saying “he would listen to the lawyers and, after hearing the cases, he would be very decisive. For five minutes, he will sit down and write, and then make his decision. Without postponing, he was very decisive.”<sup>44</sup>

Despite being very strict in upholding what was right and penalising what was wrong according to the law, Tan Sri Harun was also known as a judge with compassion and mercy. Dato’ Zaid Ibrahim who heads the largest law firm in the country depicts Tan Sri as “compassionate and very human on the bench.”<sup>45</sup> The late Dato’ Dali Mahmud Hashim, Tan Sri’s younger brother also shared that Tan Sri would lace justice with mercy if the situation required it. According to him, “there was a time when a person appeared before his court. He pleaded guilty to the crime of stealing food from a restaurant as he had no money to buy food for his family. After convicting him, Abang

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<sup>41</sup> Natarajan, “Harun a fearless champion of justice.”

<sup>42</sup> Joceline Tan. “Judge with compassion and a sense of humour.” *The Star Online*, October 1, 2003, accessed September 20, 2020, <https://www.thestar.com.my/opinion/letters/2003/10/01/judge-with-compassion-and-a-sense--of-humour>.

<sup>43</sup> Tan, “Judge with compassion and a sense of humour.”

<sup>44</sup> Tommy Thomas, telephone conversation with author, November 3, 2020.

<sup>45</sup> Tan, “Judge with compassion and a sense of humour.”

Harun imposed a fine of 25 cents (the lowest he can mete out) and then proceeded to pay the fine himself out of his own pocket.”<sup>46</sup>

His career in the judiciary service was of course never without any hiccups. It was unavoidable and unsurprising for some to disagree with a judge’s decision and that proved to be even truer in the case of Tan Sri Harun as he was known to be a fearless champion of justice and will not succumb to other factors that might have disturbed the course of justice. His strong sense of justice led him to some “controversial” decisions and opinions which did not go well with some.<sup>47</sup>

On Feb 4, 1988, the whole of Malaysia was shocked when Tan Sri Harun ruled UMNO as unlawful. He dismissed the case filed by 11 members against UMNO and stated in his ruling that when its 38th General Assembly and the election took place on April 24, 1987, the group was an unlawful society. In his judgment, he said, “unfortunately, I have to make a finding in law that UMNO was an unlawful society at the material moment.”<sup>48</sup> Despite knowing that it would cause a stir, Tan Sri Harun was decisive in his judgment and made findings based on the facts that were presented before him, without fear or favour. That trait alone was hands down admirable.

According to Hisham Harun, the period afterward was quite hectic. Although it was not the only time the Government had lost their case in Tan Sri’s court, the declaration on the illegality of UMNO at that time so infuriated its members that there was talk of Tan Sri Harun being impeached by Parliament. After consultation with the Chief Justice, however, the Prime Minister agreed that rather than allowing the country to go through another constitutional crisis, it would be easier to just promote Tan Sri Harun to the Supreme Court (as it was

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<sup>46</sup> See Hisham Harun, “Stories of Harun Hashim; the Family Man, and Friend,” Unpublished manuscript, September 28, 2020, typescript.

<sup>47</sup> Tan Sri Harun earned himself a reputation as a controversial judge for being outspoken in reviewing the Federal Constitution and some of his opinions, such as introducing an elected Dewan Negara or repealing the country’s Emergency laws, have not gone down well with some people. See Natarajan, “Harun a fearless champion of justice.”

<sup>48</sup> Ibid.

known then). “There, he will be one of several judges presiding over a case. His sole opinion could only be a dissenting judgment, not the binding judgment when sitting as the only judge in the High Court!” he said.<sup>49</sup> Hisham also shared that Tan Sri used to refer to this situation as being “kicked, but upstairs!”

Hisham also added that Tan Sri’s elevation to becoming a Supreme Court judge was actually the second time that he got “kicked upstairs”. “The first time was when he was the Director-General of the Anti-Corruption Agency. He was called by Tun Abdul Razak, the then Prime Minister, who told him ‘Harun, I appreciate what you are doing. But at the rate that you are getting my Ministers and Menteri Besar(s) convicted of corruption, I will soon have no more Cabinet members!’ He was then immediately elevated to the High Court at the ripe young age of 40 years old!”<sup>50</sup> The case of *Muhammad Habibullah v Faridah Dato Talib* was another landmark case presided by Tan Sri in expounding the interpretation of article 121 1A of Federal Constitution.

Tan Sri Harun’s journey and achievements in the legal and judiciary system in Malaysia have been nothing short of impressive and admirable. His legacy and contributions to the development of Malaysia’s legal and judiciary landscape should become a benchmark for the younger generations to follow. During his nearly 30 years in the legal and judicial service, Tan Sri Harun remained true to his character and values. He was the same man discharging his duties fairly, firmly and independently, whether in his capacity as a Magistrate, a Sessions Judge, a prosecutor in the Attorney-General’s Department, the Director-General of the Anti-Corruption Agency, a Judge of the High Court, the Chairman of Royal Salaries Commission for Statutory and Local Authorities, the President of the Industrial Court or as a Judge of the Supreme Court.<sup>51</sup>

### **Joining Academia (1994-2003)**

When Tan Sri retired from the public’s legal and judiciary system, he was 65, which was the compulsory age (currently, it has been trimmed

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<sup>49</sup> Harun, “Stories of Harun Hashim; the Family Man, and Friend.”

<sup>50</sup> Ibid.

<sup>51</sup> Tikamdas. “Tribute to the late Tan Sri Harun Hashim.”

down to 60) when a government servant has to retire (known as mandatory retirement). After retirement, he went on a holiday around Europe with Puan Sri, for some sort of a “second honeymoon” which may be long overdue since Tan Sri’s career as a lawyer and judge was a lengthy journey.

However, Tan Sri was so used to hustling and bustling in the busy lives of the working class, that even a “second honeymoon” could not rest him easily. Tan Sri gave his son (Hisham) a call just to address how retirement had been extremely difficult for him, a full-time non-stop hustler. Hisham then connected Tan Sri with Prof. Nik Rashid at the University of Malaya (UM). Prof. Nik Rashid was more than elated to have him as a lecturer at UM.

However, on the day when his new position was supposed to be announced, they found out that as a matter of policy, Tan Sri cannot be appointed as a lecturer at UM as he had passed the age of mandatory retirement. Because UM is a public university wholly owned by the Government of Malaysia, the employment regulation remains similar to other sectors of public services.

Upon learning of this *de rigueur* regulation, Tan Sri would then be in touch with Prof. Ahmad Ibrahim of the International Islamic University Malaysia (IIUM). One can say that Prof. Ahmad was joyously ecstatic to have Tan Sri in IIUM<sup>52</sup> as his repertoire of achievements and experiences was essential to inspire hopeful young soon-to-be legal practitioners. As a sign of appreciation to Tan Sri for joining the institution, IIUM introduced the position of Academic Distinguished Fellow to accommodate his stay. Tan Sri was also awarded an honorary doctorate by IIUM<sup>53</sup> and in 1996, Tan Sri was appointed as the Dean of the Law Faculty, IIUM. Besides teaching undergraduate students as his main duty, Tan Sri taught in the 90s postgraduate diploma students (DAIJ) on procedural law where the students were mostly Syariah Court judges. He also supervised Ph.D.

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<sup>52</sup> Ibid.

<sup>53</sup> Rohana Kasman, interviewed by authors, IIUM Gombak, September 8, 2020.

students. Among his student was the former Court of Appeal judge, Hamid Sultan Abu Backer.

Tan Sri was known as someone who was very enthusiastic and passionate about providing the finest education for the younger generations. This can be seen through his regular acquaintances with the younger members of the legal and judiciary system as well as from his writings in the weekly column “The Benchmark” where he regularly commented on education policies and gave various suggestions to improve the education sector in Malaysia. Tan Sri was a natural mentor and he was always eager to share his vast knowledge and experiences with the younger generations. After retiring from years spent in the legal and judiciary service, this teaching opportunity came at the right moment. Tan Sri was elated with such an opportunity, and, as always, hustled up to the challenge. Tan Sri mentioned this in one of his columns, “the day after my retirement from the judiciary, I joined a university as a law lecturer. This was a completely different working environment and culture but intellectually very stimulating. A bonus was the unfailing gratitude expressed by students who have since graduated and are now in law practice or government service.”<sup>54</sup>

Having spent nearly half of his life in the frontline advocating for justice, Tan Sri proved to be a very wise and experienced academician-cum-lecturer. Colleagues and students alike were always eager to learn from his first-hand experiences and listen to stories from when he was a judge. His co-lecturer-cum-mentee, Dr. Azlinor Sufian reiterates that despite his busy schedule as an administrator, he would always find time to discuss the course outline/subject with his colleagues and made sure that his colleagues understand the subject matter of the course being taught. According to her, it was not easy to understand the provisions of the Rules of High Court and their applications with regard to practice and case law. Tan Sri had been very helpful in this regard where he made it a routine for them to have discussions for at least two hours per week where Tan Sri would patiently read through the provisions of the Rules of High Court 1980 (now Rules of Court 2012) and explain the meaning and applicability of the rules in a very simple manner. She adds, “In this regard I was ever so grateful when Tan Sri guided me in my understanding of the

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<sup>54</sup> Hashim, “A Rewarding Half-Century of Public Service,” 197.

rules by relating them to cases that he himself had heard in his court or chambers. From a newly called-to-the-bar law lecturer, who was initially very reluctant to teach the course, I slowly gained confidence with his help and support.”<sup>55</sup>

As an educator, Tan Sri was a staunch believer in teaching and leading by example. He believed that for an educator to produce motivated and well-disciplined students, the one teaching them has to emulate such qualities first. This was why Tan Sri was very strict when it came to working ethics, discipline and professionalism in the working environment. According to Tan Sri in one of his columns, “at school, discipline is the responsibility of the teachers. They should themselves be punctual and properly dressed to motivate the pupils. Punctuality should be a Malaysian cultural habit. Teachers should inspect the uniforms of the pupils to ensure cleanliness every morning before they are allowed to enter the class. If there is indiscipline at school, then we will be raising a generation of undisciplined adults.”<sup>56</sup>

Colleagues remember him as a very professional and hardworking gentleman, a wise and passionate mentor and a man with a sense of humour. His passion for legal education was evident and he had a clear mission and vision for the development of legal education and training in Malaysia. His colleagues indicate that whenever they are not discussing the course, he would always come up with plans that he was so eager to implement in the University and faculty (Ahmad Ibrahim Kulliyyah of Laws)<sup>57</sup> He believed that the only way for students to be able to meet the challenges of the future was to equip them with the necessary knowledge and skills of modern science and technology, economics and the professions in an era of globalisation, in addition to being good practising Muslims.<sup>58</sup>

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<sup>55</sup> Azlinor Sufian, “A Tribute to the Late Tan Sri Harun Mahmud Hashim,” Unpublished manuscript, September 28, 2020.

<sup>56</sup> Harun Mahmud Hashim, “Home is Where Discipline Takes Root,” in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 279.

<sup>57</sup> Sufian, “A Tribute to the Late Tan Sri Harun Mahmud Hashim.”

<sup>58</sup> Harun Mahmud Hashim, “Modern-Day Visionaries Can Serve as a Beacon for the 21<sup>st</sup> Century,” in *The Benchmark*, ed. Zuraidah Omar (Kuala Lumpur: Peninsula Digital Sdn. Bhd., 2001), 133.

### **The Benchmark (1994-2001)**

To be considered for entry into law school or studying law, one must have a credible and profound affinity in reading, writing and speaking. Tan Sri Harun M. Hashim was a man of such calibre. Since 1994, he had been publishing columns every Thursday in New Straits Times (NST) on the opinion page called “The Benchmark”.

Through the column, Tan Sri would share with the public his views and perspectives on a wide range of issues, ranging from legal, education and social services’ points of view. He also would reminisce on his early days as a civil servant and his vast experiences, having sat on the bench and having a legal and judiciary career spanning over nearly four decades. His repertoire of achievements was considered top notch. His articles from the NST would then be compiled into a book entitled “The Benchmark”, released in 2001.

### **Demise (2003)**

Shortly after midnight on 30<sup>th</sup> September 2003, Tan Sri who woke up from his sleep feeling agony in his chest and was profusely sweating, asked his wife for Panadol (paracetamol) and then wanted to go back to sleep. However, Puan Sri was so insistent on having him go to the hospital for a check-up. After some heated exchanges, Tan Sri decided to go to KPJ Damansara Specialist Hospital, Selangor.

Upon arrival, he would open the door himself and admitted himself to the reception that he may have had a heart attack. After some minor check-up, the doctor said, “it was a mild heart attack, but we may have to admit you”.

Tan Sri was then was admitted into the ward. Relatives, children and close acquaintances were informed of the situation. Hisham Harun (Tan Sri’s son) remembered receiving a call very late in the night (which is normally rare unless an emergency) from Tan Sri and from the voice it seemed that Tan Sri was still in a stable condition as he could speak in a normal tone. Panic was at least under control that September 30<sup>th</sup> night.

Around 3 o'clock in the morning, Tan Sri had another attack and was put on a ventilator and machinery. By then, his condition had worsened and led to some organ failures. He was too weak to be transferred to the National Heart Institute (IJN). The doctor also explained that if he made it through the morning, he had a high chance of being in a vegetative state.

The pain became immensely unbearable for Tan Sri that he drew his last breath at 3.30am, leaving behind his wife, Puan Sri, 69 at that time, six children and numerous grandchildren. His family remained by his side when he died due to myocardial infarction. He was 74 when he passed away.

The news of Tan Sri's demise spread like wildfire and struck like lightning. Everyone was utterly shocked because never once had Tan Sri shown any sign of ailment and he had been relatively healthy.<sup>59</sup> In his service to the government spanning over 46 years, never once had he taken a day off for a medical reason<sup>60</sup> and he continued this trend even after his withdrawal from the government service and joining the academia.<sup>61</sup> He was described by his subordinates as being his jolly self before the incident, even participated in the discussion for a Ramadan preparation with them at the Muhibbah Restaurant.

Tan Sri's burial was held at Kampung Tunku Muslim cemetery, Petaling Jaya.<sup>62</sup> His residence was flooded by people wishing to pay their very last respects to him. "Apart from family and friends, there were members from the judicial and legal fraternity, politicians from both sides of the divide, academicians from IIUM,

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<sup>59</sup> Bernama, "Suhakam's Harun Hashim dies after heart attack." *The Star*, October 1, 2003, accessed September 25, 2020, <https://www.thestar.com.my/news/nation/2003/10/01/suhakams-harun-hashim-dies-after--heart-attack>

<sup>60</sup> Tan, "Judge with compassion and a sense of humour."

<sup>61</sup> Rohana Kasman, interviewed by authors, IIUM Gombak, September 8, 2020; Hisham Harun, interviewed by author, Gombak, October 23, 2020.

<sup>62</sup> Bernama, "Suhakam's Harun Hashim dies after heart attack."



where he had taught, and colleagues from SUHAKAM (Human Rights Commission of Malaysia) of which he was the deputy chairperson.”<sup>63</sup>

His former personal assistant from IIUM, Rohana Kasman, recalled that the *Janazah* prayer had to be done in multiple sessions because people were flooding nonstop to join the prayer.<sup>64</sup>

Rohana affirms that, “those who turned up to pay their last respects to the late Tan Sri Harun Mahmud Hashim, 74, reflected in many ways the varied career experiences of the former judge who passed away in the early morning following a heart attack.”<sup>65</sup>

Time waits for no one. When one’s time is due, one will eventually go. What remained of it in the world are their kindness, achievements, accolades and marks. For a person with multiple repertoires of achievements such as Tan Sri Harun M. Hashim, surely his departure was a colossal loss, laced with insurmountable grief, for his family, relatives, friends, colleagues, students and acquaintances. His legacy will remain for lionhearted and aspiring youth wanting to traverse into the legal profession, with challenges and obstacles awaiting along the road.

## TAN SRI HARUN – THE MAN

Tan Sri Harun was a man with many colours. He was a loving father, a dedicated husband, a generous grandfather, a reliable brother, a passionate upholder of justice, a strict judge, a wise mentor, a dedicated colleague, a witty friend, an icon for the younger generations and many more. He was an all-rounder, a multi-dimensional human being with distinguished personal and professional lives, hobbies, interests, friends and family that it was almost impossible to sum it all up in a mere article. Nevertheless, as we listen to the stories about Tan Sri from his family members, friends, former colleagues and acquaintances, we could not help noticing that there are some common signature traits that more or less define Tan Sri Harun as a distinctive

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<sup>63</sup> Tan, “Judge with compassion and a sense of humour.”

<sup>64</sup> Rohana Kasman, interviewed by authors, IIUM Gombak, September 8, 2020.

<sup>65</sup> Tan, “Judge with compassion and a sense of humour.”

man he was, irrespective of the various hats he wore. In this section, we compile those traits as best as possible from what has been described by Tan Sri's beloved family, friends, colleagues and acquaintances as they reminisce on the loving memory of Tan Sri Harun.

## **Character and Personality**

### ***A Dapper Gentleman***

For those who had the pleasure of personally encountering Tan Sri Harun, his dapper image of a properly dressed and well-groomed gentleman would surely come to mind whenever his name was mentioned. Tan Sri was always appropriately dressed whenever and whatever the occasion was, and this was a well-known fact among his colleagues, friends and family. The importance of being well-dressed was emphasised repeatedly by Tan Sri Harun, as according to him, it hints of discipline, well-manners and professionalism. Tan Sri would tell stories of how he was brought up by his grandfather Captain Hashim, who would make sure that they were properly dressed, military-style, at all times. According to Tan Sri, after breakfast and dressed for school, they would present themselves before Captain Hashim for a kit inspection – hair must be properly combed, shirt properly tucked in, the belt buckle in the centre and properly strapped, socks properly turned up, shoelaces tied properly in exactly the same length on both sides and the shoes, white clean with no part of the bottom lining covered with any dripping of the Blanco (a substance used back in the day to whiten belts, shoes, or other equipment, especially in the army). Finally, both arms outstretched to show that the nails were well-manicured.<sup>66</sup> The stringent method adopted by Captain Hashim might felt tiring back then, but it proved successful when this habit was well-ingrained into Tan Sri Harun's life and he had been observing this dressed-up discipline ever since.

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<sup>66</sup> Hashim, "Home is Where Discipline Takes Root," 279.

### *A Man of Discipline and Dedication*

When prompted to choose one word that would be most fitting to describe Tan Sri Harun, many of his former colleagues and acquaintances would describe him as a man of discipline and dedication. For Tan Sri, discipline was the key to productivity, and by discipline, it includes pride in personal appearance, punctuality and dedication to work during working hours.<sup>67</sup> The importance of discipline was also emphasised multiple times in his writings, pointing out what it meant to be a man of discipline, and how the lack of it is very corrosive and would negatively affect society as a whole; “a truly discipline person is an honest person and instinctively abhors corruption, fraud, theft, greed, or abuse of power and position. He does not throw rubbish all over the place, polluting rivers, he cares for the environment. There must be a limit to personal freedom. Lack of discipline is very corrosive and affects society as a whole.”<sup>68</sup>

Tan Sri was a man of his words. Tan Sri’s former personal assistant, Rohana Kasman testified on how Tan Sri was always the walking example of discipline and dedication. According to her, Tan Sri was always sharp on time, never late to attend meetings or classes, and never took even a day of medical leave during his time serving as an academician at IIUM. When Tan Sri had to attend meetings outside of IIUM, he would always come back to his office immediately after the meeting, even when he had only half an hour left before office hours ended. He would make sure that any correspondence would be settled on the same day and would not postpone it to tomorrow. She adds that there was one time where Tan Sri suffered from a toothache and had to visit the dentist for treatment. Immediately after the dental visit, he came back to the office with his gums still bleeding from tooth extraction and treatment. When asked whether he was given Medical Certificate (MC) from the dentist, he replied “yes,” showed her the MC, went back to the office and resumed his duty regardless.<sup>69</sup>

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<sup>67</sup> Ibid

<sup>68</sup> Ibid.

<sup>69</sup> Rohana Kasman, interviewed by authors, IIUM Gombak, September 8, 2020.

This was why when Tan Sri had to take leave prior to his passing, it came as a shock to everyone as he never took any MCs or leave, so when he did, they figured that it must be very serious.

### ***Unparalleled Integrity and Professionalism***

One of the defining traits of Tan Sri which was consistent throughout his life was his unparalleled integrity and professionalism. Everyone who experienced working with Tan Sri would testify to this. For Tan Sri, honesty is always the best policy. The late Dato' Dali Mahmud (Tan Sri's younger brother) shared a story of how Tan Sri was very strict in observing integrity and honesty back in the day when he had just graduated from the University of Malaya. Right after graduation, he was offered a position with the Ministry of Foreign Affairs and upon Tan Sri's (whom he affectionately refers to as 'Abang Harun') invitation, he decided to stay with him at his government house at Guillemard Valley Road in Kuala Lumpur as Dali's entitlement to his own government quarters was not yet available. Later as he was preparing to make his claims that came with his first pay-check, Tan Sri noticed that he was filling in the form for the housing allowance. "What are you doing?" he asked. "Claiming my housing allowance", Dali replied. "But you are now staying with me, in a government quarter", exhorted Tan Sri. "Are you willing to swear under oath that, at the point in time that you are making that claim, you were not avail to the benefits of a government quarter?" Realising then how Tan Sri was very affirmative when it came to a sense of integrity, Dali decided not to submit his housing claim, agreeing with Tan Sri's point on how honesty and accountability is a matter that should not be taken lightly.<sup>70</sup>

Tan Sri was also very cautious in drawing a firm line between his work as an academic staff when he was serving in IIUM and his other responsibilities that he considered separate from his job scope in the University. For instance, Tan Sri used money out of his own pocket to reward his Personal Assistant (PA) for typing his handwritten version of "The Benchmark" each time it was sent to the News Straits

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<sup>70</sup> See Harun, "Stories of Harun Hashim; the Family Man, and Friend."

Times, even when supposedly a PA was given a special allowance to do such tasks for the person they were assigned to.<sup>71</sup>

As much as Tan Sri was a family man, he was also very professional and careful not to mix family and work matters. He rarely called out using the University phone as it was reserved for work matters only. He was very strict in adhering to this code of professionalism, so much so that his colleagues never even had the opportunity to meet his wife, Puan Sri Nik Esah in person. Their first personal encounter with Puan Sri was during Tan Sri's funeral.

### *Enjoyed Imparting Knowledge to Younger Generations*

Tan Sri loved to impart his knowledge and know-how to younger people. He enjoyed telling them stories and answering their queries. His vast experience had taught him many life lessons and he was more than pleased to share his tips and tricks with the younger generations, some may not have made sense immediately, but almost always proved to be useful and important later on in life.<sup>72</sup>

Tan Sri Harun was readily happy to give advice, especially to young lawyers. At the Selangor Club where he frequented, he would often be swarmed by young lawyers, excited to listen to his stories. He would sometimes assume a lighter tone and sometimes a stern one, depending on the situation. On this note, Tan Sri Dato' V.C. George, one of Tan Sri Harun's close friends while serving in the judiciary remembered an incident where some lawyers in the Selangor Club greeted him by name and was called out by Tan Sri Taib Andak for not observing proper etiquette. Tan Sri Harun who was seated with Tan Sri Taib Andak at that time then went on to advise the lawyers that as they would in the Court itself, you would rise when a Judge enters the room. The Judges would be more than happy to socialise with members of the Bar outside the courtroom, but the decorum between Bench and Bar is never forgotten. Tan Sri Harun went on to say that, as much as the

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<sup>71</sup> Rohana Kasman, interviewed by authors, IIUM Gombak, September 8, 2020.

<sup>72</sup> Ibid.

lawyers were all right to be seen with the Judges, their clients are never welcomed to do so!<sup>73</sup>

### *A Wise Storyteller with a Healthy Dose of Wit*

Tan Sri Harun always had a story to tell and he had a unique way of associating his story with current issues as a way of proposing solutions to the problems in discussion.<sup>74</sup> This was a well-known trait of Tan Sri, especially among colleagues and students, making him the ideal person to go to in seeking opinions or for bits of advice. His former Personal Assistant, Rohana Kasman described Tan Sri as “more like a father than a boss or superior”<sup>75</sup> as he was an easy-going person, a good listener and a wise advisor on top of that. Dr. Azlinor Sufian also shared that Tan Sri was the person that she would always turn to for advice, even when she was on break from teaching duty while pursuing her Ph.D degree as Tan Sri would always readily lend his ears to hear every problem she faced during her Ph.D journey.<sup>76</sup>

As much as Tan Sri was recognised to be a very strict and no-nonsense judge, off the bench he was known among friends and family as someone who was very witty and a man with a clever sense of humour. He always had an interesting story to tell, regardless of who the audiences were and he never failed to crack a joke that related to the story he was telling.<sup>77</sup> His eloquence in telling interesting stories coupled with an incomparably witty flair had effortlessly made him a favourite at parties or social gatherings. His table would be swarmed by people eager to listen to his stories. Ismail, a relative and a family friend, recalled that Tan Sri (or ‘Uncle Harun’ as he called him) had always been a favourite to give the key speech at weddings, be it amongst family or close friends. One of the many pieces of advice he would give, which he himself had been using on the occasion of his

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<sup>73</sup> See Harun, “Stories of Harun Hashim; the Family Man, and Friend.”

<sup>74</sup> Rohana Kasman, interviewed by authors, IIUM Gombak, September 8, 2020 and Sufian, “A Tribute to the Late Tan Sri Harun Mahmud Hashim.”

<sup>75</sup> Hisham Harun, interviewed by authors, IIUM Gombak, October 23, 2020 and Rohana Kasman, interviewed by authors, IIUM Gombak, September 8, 2020.

<sup>76</sup> Sufian, “A Tribute to the Late Tan Sri Harun Mahmud Hashim.”

<sup>77</sup> See Harun, “Stories of Harun Hashim; the Family Man, and Friend.”

own children's weddings was this witty quote from Tan Sri, "For a successful marriage, the husband has to be stoned deaf, and the wife has to be blind!"<sup>78</sup> Later it was learned that this was one of the famous quotes that Tan Sri dispensed at every wedding and many remembered it as funny and clever at the same time, finding it relatable in an amusing way.<sup>79</sup>

## A Family-Oriented Person

### *A Reliable Man of the Family*

When Tan Sri's family escaped the Japanese occupation by sailing to India, there were only 16 of them; two adults, three helpers and 11 children. Tan Sri happened to be the oldest male in the family, thus he had taken up the responsibility to take care of the family despite himself still being a child back then (he was 12 or 13 years old at that time). He was looked upon to get things organised for the family, negotiating on behalf of the family with "the others" and so on.<sup>80</sup>

For example, Tan Sri wrote to the Malayan representative in India and obtained allowances from his grandfather's Widows and Orphans Pension Fund. He also succeeded in getting a portion of his father's salary. These enabled the family of 16 to live moderately in a rented bungalow. "As the oldest male, I had become the head of the family at the age of 12!" said Tan Sri in one of his columns in "The Benchmark".<sup>81</sup>

Tan Sri was very close to his siblings and step-siblings from different mother. He was a man relied upon by his family, a counsellor and a man who provided guidance and comfort, not only to his immediate family but also to his extended family. His uncles (stepbrothers of his father Justice Hashim, who were mostly younger than Tan Sri) called him 'Abang Harun' and always sought his advice and consultation on various matters.<sup>82</sup> His brothers looked up to him as

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<sup>78</sup> Ibid

<sup>79</sup> Tan, "Judge with compassion and a sense of humour."

<sup>80</sup> See Harun, "Stories of Harun Hashim; the Family Man, and Friend."

<sup>81</sup> Hashim, *The Benchmark*, xviii.

<sup>82</sup> Hisham Harun, interviewed by authors, IIUM Gombak, October 23, 2020.

a second father rather than a brother as they were more comfortable sharing their problems and seeking consultation with Tan Sri than with their father (they were afraid of the stern Justice Hashim, also known as “Moody Hashim”).<sup>83</sup>

The late Dato’ Dali Mahmud Hashim, Tan Sri’s younger brother who was only six years old when he was repatriated together with Tan Sri Harun to India, remembered those days as confusing and Tan Sri was the one who provided them with guidance and comfort throughout the journey. Dali recalls Tan Sri’s advice to him the first evening they met whereby Tan Sri instructed him to recite Surah Al-Ikhlâs seven times before he sleeps so that Allah will take care of him and love him. This advice from Tan Sri was very powerful and he still holds on to this practice to this day. Dali, in his own words, “I was only six years old then. I have been reciting that *surah* every day since then without fail. And I am almost 80 years old today!”<sup>84</sup>

Mohd. Hashim Mahmud Mohammed Hashim, another of Tan Sri’s younger brothers also recalls, “I have always looked up to our eldest brother, Abang Harun, for advice and guidance. In fact, when our father passed away in 1964, I was still a student in London. I would keep him posted about my studies, and he guided me on what I should do with my life. From that date onwards, Abang Harun was not only a big brother but also acted as father to me and my other siblings.”<sup>85</sup>

Tan Sri was a well-known family man. He loved the family life. Not a week would go by without there being a family outing. Hisham Harun shared that a dinner out (or lunch during the weekends or public holidays) with the family at a favourite restaurant or the Club (this being either the Selangor Club or Lake Club) was an event they would always look forward to. Sometimes this outing would include the extended family; the uncles and aunts and their families, mostly on Puan Sri’s side. “Outings with the extended families on my father’s side tend to be more formal events”, he said.<sup>86</sup>

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<sup>83</sup> See Harun, “Stories of Harun Hashim; the Family Man, and Friend.”

<sup>84</sup> Ibid.

<sup>85</sup> Ibid.

<sup>86</sup> Ibid.



Tan Sri would also keep tabs on the well-being of his relatives and their family, and he was loved and respected by all for his thoughtfulness and affectionate tendencies. “He was forever looking out for other people,” said Tan Sri Sulaiman Sujak, one of the close relatives of Tan Sri’s family. “Whenever he can, he will enquire about the well-being of family members, how one is doing. And he was a good listener. He was a judge, after all! I remember one time when there was a *kenduri* at my house. My son had just returned from his studies overseas. Having not seen my son for a few years, he was impatient to meet him. Whilst the Ustaz was in the midst of reciting the *doa*, he called out to my son across the room and asked to be beside him and proceeded to wring out information from my son about his studies!”<sup>87</sup>

### ***A Firm yet Fair Father***

According to Tan Sri, “discipline at home is the responsibility of parents who themselves should be disciplined to impart discipline to children.”<sup>88</sup> In fact, discipline was part of the family’s tradition and upbringing (Tan Sri’s father and grandfather were very strict and disciplined with their children) and this apparently rubbed off on Tan Sri too.

Tan Sri spent his childhood with his grandfather in Singapore where he was brought up in a strict military style. The three brothers (who lived with their grandfather, Captain Hashim in Singapore) had their own “*amah*” (called ‘*black and white*’ back in those days because of their uniform) who made sure that the children observed their meal time and were properly dressed for every occasion. Everyone had to be seated at their designated place prior to each meal and the *amah* would all stand behind each child, more or less like a scene from an old English movie. However, despite the strict eating habits and table

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<sup>87</sup> Interview with Tan Sri Sulaiman Sujak, in Hisham Harun, “Stories of Harun Hashim; the Family Man, and Friend,” Unpublished manuscript, September 28, 2020.

<sup>88</sup> Hashim, “Home is Where Discipline Takes Root,” 279.

manners to be observed, Tan Sri admitted to enjoying their meals together back then, as the family atmosphere had always prevailed.<sup>89</sup>

Fast forward to when Tan Sri became a father himself, naturally he wanted to emulate the same values to be practised by his family. His children called him “*ayah*”. As a father, he was firm in his predisposition, yet was always fair in his decision. When asked about Tan Sri as a father, Hisham Harun affectionately recalls, “I have known my father to be a person of firmness but fair, not selfish with advice, a person of tradition and order and yet receptive of new ways, especially amongst the young. He liked things to be organised in the household. Breakfast at specific times, the family sitting down to dinner together, high tea during the weekends and the annual family holidays to Port Dickson over the Chinese New Year! He would give everybody his ears to air out their grievances whenever a quarrel breaks out amongst the children, but once he has meted out his ‘judgment’, he wished not to hear another word from any one of us. More often than not, each one of us will get ‘punished’ in one way or another!”<sup>90</sup>

### ***Nurtures the Children to Follow Their Own Path***

Coming from an established line of generations consisting of upholders of law and judicial and public services, one would expect that Tan Sri to be a strict and disciplined man, would impose on his children to pursue law as a career, but that was not the case. When asked whether Hisham Harun was a lawyer by his own choice or was it following Tan Sri’s wish, he laughed and explained that despite being a strict disciplinarian, Tan Sri never imposed on his children to follow a certain path. Tan Sri granted them a degree of freedom and allowed them to make their own decision to do whatever they wanted, as long it was something that benefits society and mankind. He continues to say that he himself wanted to be an architect when he was young, as he grew older he wanted to be an accountant, but ended up pursuing legal studies for the love of the law after taking up a part-time position at Zain’s (a good friend of Tan Sri) legal firm. Zain was the one responsible for persuading Hisham to pursue law, not Tan Sri himself.

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<sup>89</sup> Ibid, 279.

<sup>90</sup> Harun, “Stories of Harun Hashim; the Family Man, and Friend.”

Tan Sri would also nurture his children to put in efforts to achieve what they wanted in life, apart from teaching them that there is no shortcut in living life. He did not use “his connections” to help out his children’s search for a job. Instead, he helped them by providing whatever they would need to get something done. He once told his children, “try to do things yourself first without depending on others to do it for you instead”.<sup>91</sup>

### ***Dinner is Always at Home***

For Tan Sri, mealtimes were always a time to get together as a family. Tan Sri would always engage his children in conversations during mealtime, told them stories and commented on current affairs. Even when he served as an academician in IIUM, he would always reserve having rice as a meal to be eaten with his family while he would usually only have naan at the Kulliyah.<sup>92</sup>

### ***A Man with Green Fingers***

Despite his busy schedule, Tan Sri would always find time for gardening. His favourite was the orchid and Hisham Harun recalls always having an orchid patch in the house. He also recalls Tan Sri raised chickens in his younger days, and despite Hisham and his siblings being “bullied” to feed the chickens, Tan Sri himself was the one who slaughtered the chickens every single time when needed.<sup>93</sup>

### ***A Loving and Generous Grandfather***

One of the activities Tan Sri found enjoyable in his older days was spending time with his grandchildren. His grandchildren called him ‘Tok Ayah’ and would frequent his house from time to time. Sometimes they were allowed to sleep over at Tan Sri’s place where they would eat out and spend quality time together with their

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<sup>91</sup> Interview with Syakira Tajudin in Hisham Harun, “Stories of Harun Hashim; the Family Man, and Friend,” Unpublished manuscript, September 28, 2020, typescript.

<sup>92</sup> Rohana Kasman, interviewed by authors, IIUM Gombak, September 8, 2020.

<sup>93</sup> Ibid.

grandparents. Nadia, one of his granddaughters, lovingly remembers Tan Sri as a caring and doting grandfather who would make sure that she did her best in whatever she chooses to do, “I once entered myself for a Malay Mail Big Walk competition that would start from the Sri Aman School which is just down the road from Tok Ayah’s house. So I stayed over. I was woken up at 4 am by Tok Ayah himself and then he made sure that I had proper breakfast. He would always say that breakfast is the most important meal of the day! He would then walk me to the gate and watch me go down the street in the darkness of early morning to the school. I would then cross the road and turned around to wave at him, and there he was still standing at the gate of the house with a lighted cigarette in his hand, making sure that I got safely to school.”

Spending time with grandchildren is said to bring out one’s tenderness and gentleness, and with Tan Sri Harun, it was no exception. Despite being a strict disciplinarian with his children, Tan Sri was known as a kind and gentle grandfather among his grandchildren. He joked around with them a lot and spoilt them with gifts and toys whenever they came for visits.<sup>94</sup> “My childhood memory showed the kind of cheeky and affectionate person my grandfather was,” said Syakira Tajudin another of Tan Sri’s granddaughters. “As a child, it was a favourite thing of mine for Tok Ayah to ‘catch my nose and hide it’. I always panicked fearing my nose will disappear. Tok Ayah will just laugh and ‘put the nose back’. He will then give me a big hug.”<sup>95</sup>

Tan Sri also enjoyed shopping for his grandchildren. Nadia affectionately recounted those times when the late Tan Sri would always bring his grandchildren to a toy store and told them to pick whatever they liked from the store. Once it was her birthday and Tan Sri told her to choose anything that she would like as a gift. She decided on a Barbie doll and Tan Sri proceeded himself to pick up not just one,

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<sup>94</sup> Ibid.

<sup>95</sup> Interview with Nadia in Hisham Harun, “Stories of Harun Hashim; the Family Man, and Friend,” Unpublished manuscript, September 28<sup>th</sup>, 2020, typescript.

but a few more Barbie dolls for her until Puan Sri had to tell him to stop!<sup>96</sup>

## FOOTPRINTS TAN SRI LEFT BEHIND

The departure of Tan Sri Harun Hashim signifies a huge loss, not only to his family and friends who hold him dearly in their hearts but to this country as a whole, as Tan Sri was a glorious gem within the legal fraternity. He was instrumental in the development of Malaysia's legal and judicial landscape, a staunch believer of justice and a prominent educator who always had his eyes on bringing changes for the better. Tan Sri's life was a colourful one, very much like a beautiful tapestry – woven with a variety of colours and textures, each thread resulting in a complex yet amazing picture. There was never a dull moment in his life journey, every little second was filled with enthralling moments and heartwarming memories, eventually shaping him into the magnificent man he was.

On the bench or off the bench, he was more or less the same person. His moral compass had never once wavered and his intrinsic sense of justice had always been admirable. He was the same passionate man albeit all the various hats he wore. While the legal fraternity might recognise him as a fierce champion of justice, a wise judge, or a man of unparalleled integrity and professionalism, Tan Sri Harun was much more than that. He was also a loving father, a dedicated husband, a generous grandfather, a reliable brother, a wise mentor, a dedicated colleague, a witty friend and many more. Tan Sri carried with him an unmistakably strong character and a dependable aura, yet at the same time, he emitted compassion and empathy which radiated joy and happiness to people around him.

His passing had left irreplaceable footprints in the hearts of those fortunate enough to cross paths with him during the course of his extraordinary life and eventually left the nation with a high benchmark to follow and adhere to, especially for those in the legal fraternity. The late Tan Sri Harun Hashim's career, service and contributions to the

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<sup>96</sup> Ibid.

nation can be characterised as distinguished, colourful and inspirational. His legacy shall stand as an example to all of us. His integrity, professionalism, passion and hard work should serve as an inspiration to future generations.