

09/08/2000

Where nobody is above the law

JUSTICE, when served, opens itself to opinion. Take the sodomy trial of Datuk Seri Anwar Ibrahim, the former deputy prime minister. He has been found guilty by the High Court on the charges levelled against him and will serve nine years in jail for the crime he was accused of committing. But his lawyers, naturally, did not agree with the judge and said he would appeal, which is also part of the process of justice. It is the same for all democracies.

Democracy also allows the people to express their views. And so, some Malaysians will say the sentence is too harsh while others fully support it. Malaysians have been known to argue and debate over things big and small, let alone the verdict of a high-profile court case. Anwar's trial - the sodomy case as well as the earlier charge on corruption - has no precedence in terms of the length of time and the publicity that it has garnered at home and abroad. The trial, after all, concerns a once-powerful man who had stood on the verge of ruling this country.

But to openly accuse the judiciary system of being corrupt and unfair is an act of disrespect towards all Malaysians. A commentator with an international television station based in the US, interviewed in London after Anwar's verdict in Kuala Lumpur yesterday, claimed that most Malaysians have lost faith in the system of justice of their country. Anwar's conviction, he stammeringly told us on this widely-followed news programme, was yet another proof that the judiciary in Malaysia is partial, and that it is a weapon that Datuk Seri Dr Mahathir Mohamad wields against anyone who dares challenge his position as Prime Minister. This commentator said he would not put much hope on Anwar's appeal and was obviously upset because he had been quite optimistic that Anwar would be acquitted.

While an individual's freedom of expression should be respected, an opinion concerning a revered institution like the judiciary must be made in the most responsible manner. Any view aired during a programme that is watched by millions of television viewers should not be misrepresented. The foreign TV commentator has seen it fit to speak out on behalf of Malaysians and what they think of their judges and Prime Minister. He pre-empted the appeal and questioned the system and process. The TV station itself decided to give only one side of the story as if in attempt to paint Malaysia as a totalitarian nation where all systems including the judiciary are government-controlled.

But then, that unfortunately is how the West still chooses to regard the East. Its own system of justice is supposed to be far superior. But Richard Nixon was never prosecuted for Watergate and Los Angeles tried to free the white police officers who were caught on video mercilessly beating up Rodney King. When the Americans kidnapped Panama's Maneul Noriega and brought him to the US to face justice, did anyone think that the American judges could have found him innocent? When Britain held an unsuspecting and sick Augusto Pinochet its prisoner, whose justice was being served and for whom?

In Malaysia, the system of justice, inherited from the British, has been brought to bear on people with grand titles in and outside the Government. It also saw a ruling party deregistered in 1987 and indirectly caused a division among the Malays that has not quite been bridged until today. The judiciary has tried, and acquitted or convicted locals as well as

foreigners irrespective of their colour, faith, politics and passion. This is a country where nobody is above the law.

(END)