

It's not about Anwar, it's about us
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COMMENT In a little while, we will all know whether Anwar Ibrahim will go to jail for the second time and forfeit his position as a duly elected Member of Parliament and as Opposition leader for the second time.

But this is not about Anwar. It's about us.

The difference the judgment makes is whether we will continue to sink deeper into the cesspool of hopelessness, despair, and fear as a nation, or will we dare to begin to dream of a better Malaysia, a country we can all proudly call home.

We either end up as a buggered banana republic or an emerging nation-state ready to take our place among the newly rich countries.

The judiciary is at a crossroad too but it's the people who will judge them.

The bench concerned will go down in history as wise, just and righteous men, or as those who poison the fount of justice to the extent that people in need of adjudication would rather go thirsty than to drink from it.

The attorney-general, and through his advice to the cabinet, principally the prime minister, too, is at a crossroad and under scrutiny.

One turn takes us back into the old century while the other one takes us to a brave new world.

Najib Razak cannot wash his hands off the Anwar trial. Minimally, he's part of the collective scandal to charge Anwar. Thrice. The first two under Dr Mahathir Mohamad and now, under his very own leadership.

The right question

Many a time, well-meaning friends wanted to know the inside story regarding Anwar simply because I am a journalist. Is Anwar a bugger? This really bugs me.

How do I know; I have not seen him doing it.

One gets the wrong answers from the wrong questions.

The right question is, did Anwar get a fair trial – first time round and now?

The right answer is, no!

We need to remember Anwar was at the prime of his career then as deputy president of Umno and deputy prime minister when then-prime minister Dr Mahathir got him thrown into the slammer for six years on trumped up charges of sodomy.

If they can do that to Anwar – a Malay, a Muslim, and an Umno leader with Islamic credentials – they can do that to just about anyone.

You and I have no protection under the law under this kind of regime. That explains the exodus of Malaysians for foreign shores since Anwar's jailing.

Do the right thing

This is what it's all about. It's about decency. It's about playing by the rules. It's about having a government with integrity.

There's really no case against Anwar this time just as there was no case against him previously.

Anwar should be set free unless there are compelling reasons not to. There's no need to be fixated nor preoccupied with trivialities of the law surrounding this case.

We need to ask; did this man get a fair trial? That, fundamentally, is the whole purpose of the law. In Anwar's case, the dice is loaded.

Anwar has actually faced three trials. Following his sacking, he was tried for the first time in 1998 (for corruption relating to the sodomy case) and convicted in 1999 by the High Court and sentenced to six years. Both cases failed at the Court of Appeal and the Federal Court subsequently.

On June 7, 1999, he was charged with sodomy and convicted; the Federal Court acquitted him on appeal in 2004.

By that time Dr Mahathir was forced to step down after 23 years of running the country with an iron fist and replaced by Abdullah Ahmad Badawi.

The talk was it was Abdullah who secured Anwar's acquittal.

This only served to validate allegations that the judiciary can be manipulated; first to serve Mahathir's purposes, then Abdullah's.

Abdullah called fresh elections in 2004 and received an unprecedented electoral victory – the biggest in history – for saving Anwar's skin.

Seeking a reversal

In 2008, Anwar was charged with sodomy again but was acquitted four years later. But the prosecution went to the Court of Appeal and got the acquittal overturned.

The case is now before the Federal Court where Anwar is seeking a reversal of fortunes.

Anwar issued a statement, on Aug 18, 2014, after the dates for his current appeal was fixed – alleging Najib's involvement in that he had met the accuser Saiful Bukhari, Anwar's former aide, on June 24, 2008, which is two days before Saiful claims the alleged incident took place.

"This is blatant conspiracy staring us in the face!" Anwar said.

Meanwhile, out of prison, Anwar proved to be the most lethal for Umno, the dominant Malay party in the 14-component ruling coalition.

In the 2008 general elections, the incumbent regime under Abdullah (right) was nearly wiped out, losing its critical two-third majority in Parliament which had allowed it to amend the constitution at will for the past half a century it was in power.

It also lost Selangor and Penang, the industrial powerhouse of the nation, as well as Kedah and Perak, while failing to regain Kelantan from Pas, the opposition Islamic party.

When Najib Razak, who had taken over the premiership from Abdullah, decided to call for fresh elections in 2013 in order to seek a popular mandate, he was rebuffed by an angry electorate.

The regime lost its popular mandate for the first time in history, with the opposition garnering 52 percent share of the popular vote. The writing is on the wall.

Putting Anwar Ibrahim back behind bars is not going to alter the path of history on the march. It's the court of public opinion that matters really.

Never mind even if justice chooses to be blind.