

Anwar's rival rules out court action
Malaysiakini.com
May 24, 2007
Beh Lih Yi

Anwar Ibrahim looks set to win the PKR presidency with less than 48 hours to go before the delegates cast their vote in the party's triennial election.

Rival Abdul Rahman Othman has made it clear that he would not resort to the court to prevent Anwar from contesting in the party poll this weekend although a question mark still hangs over the party advisor's eligibility as a candidate.

"I won't resort to such an action. I have that avenue but I won't do it," Rahman, who is also the PKR Muar division chief, told malaysiakini today.

"They are using all the power to put Anwar in the throne. They really want Anwar to contest but I think this will be a good political education process for party members," he said, adding that it is "sad" that all measures were allegedly used to prevent him from winning.

Asked whether he is ready for defeat, he replied: "Let the delegates decide."

Fears in Anwar's camp

Speculations have risen that Rahman will resort to court action after he failed in an earlier bid to disqualify Anwar's candidacy through the party's election committee.

The ex-party treasurer had lodged a complaint to the election committee against Anwar on the ground that the party's constitution disallows anyone who is barred by law from holding posts in any society to be elected or nominated for party posts.

Societies Act 1966 (Revised - 1987)

9A (4) Any person who is subject to any disqualification ... may apply to the Registrar to be exempted from the application of such disqualification, and the Registrar may, if he deems it proper to do so, grant him such exemption for such period as the Registrar may specify and subject to such limitations, restrictions, terms or conditions as he may decide to impose.

Azlan Zamhari / Malaysiakini

However, the committee had reportedly replied that Anwar's lawyer had advised that he could contest the post because the latter had requested an exemption from the Registrar of Societies (ROS).

Anwar's five-year ban from active politics, a result from his previous conviction of corruption charges, will only be lifted next April.

Anwar is locked in a three-cornered fight for the presidency with Rahman and his wife, incumbent Dr Wan Azizah Wan Ismail, who had earlier decided to give way to her husband.

Wan Azizah's candidacy however is seen as nothing more than a preventive move to stop Rahman from getting a walkover on the election day, should the couple's rival gets a court order to disqualify Anwar.

Fears nevertheless remained in Anwar's camp despite Rahman's statement today.

It is learnt that Anwar has sought legal advice and met with a prominent lawyer today on his rival's possible move to legally challenge his candidacy at the eleventh hour.

Anwar could not be reached for comment today despite numerous attempts by malaysiakini.

Possible scenarios

Prior to this, several possible scenarios have emerged on the Anwar-Azizah strategy apart from the possibility of a court action by Rahman.

One was that Wan Azizah will pull out at the last minute to pave way for a straight fight between her husband and Rahman in order to present the 1,775 delegates with a 'clearer' choice on who to vote for.

This, as some argued, is due to fears that there might be a split of votes for the couple and subsequently could not ensure second place for Wan Azizah in the race, resulting in a favourable situation for Rahman instead.

In the event this happens, and if ROS turns down Anwar's application for an exemption, it may then affect a possible plan to justify Wan Azizah taking over the helm from her husband.

Even though the party's constitution states that the deputy president will assume the No 1 post if it is vacant, Dr Syed Husin Ali (right) - who has won the No 2 post unopposed - has made it clear that he is not keen to take over the top post and preferred Wan Azizah instead.

A legal practitioner who observes the PKR polls closely suggested a simpler scenario.

According to him, all need to be done should Anwar's qualification is ruled illegitimate later - after exhausting all the avenue to appeal - is to hold a fresh election for the presidency as stipulated under the Societies Act, which is different from what is stated in the PKR constitution.

"The party's constitution is always inferior to the Societies Act," he pointed out.

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