

## **They Are Going To Convict Anwar - That Is Certain!**

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What wasn't expected surprisingly happened. The High Court acquitted and discharged Anwar. That decision took everyone by surprise and they hoped that it would be the end of this sordid affair.

What the vast majority of Malaysians had hoped for following Anwar's discharge did not happen. The Prosecution shocked everyone and appealed the High Court decision.

What will happen following this appeal is predictable. We have said as much in our previous statement on 23 December 2009. This is what we said:

"Aliran has been keeping track of recent Court decisions and with this knowledge we must warn the jubilant litigants not to get carried away easily. This is Round 1 and Round 1 usually goes in favour of truth and justice. It is here where the facts are scrutinised diligently and justice has its sway. It is as far as justice can go!

"In Round 2, this decision will almost certainly be overturned, as has been the case on many occasions. It is here where facts don't matter but technicalities will be the overriding factor and justice will be forced to take a back seat.

"This glaring outcome is inevitable in our system of justice. We have witnessed this without fail in Anwar's cases, in the Perak Pakatan government's tussle for democracy, in the Kampung Buah Pala residents' plea for justice and in the MACC case involving Tan Boon Wah's human rights."

Based on the track record of the Judiciary, it is not difficult to predict the outcome of Round 2. Anwar's freedom must be curtailed and his fundamental rights must be denied to ensure the very survival of the Barisan Nasional.

The only person who can wreak havoc and destroy the entrenched power of the Barisan Nasional through Pakatan Rakyat is Anwar and therefore he must be put away. And to give this political plot a semblance of legality, knowing Malaysians argue, the Judiciary has to play the subservient role it has been accustomed to since 1988.

It is a great tragedy that the Judiciary – except for some rare occasions when a few brave and honest Judges stood firm on the side of truth and justice – had been such a terrible disappointment. It is so tainted and tarnished that it no longer commands the respect of Malaysians. By its very questionable conduct, it has brought upon itself the loss of public confidence and earned itself the disrepute that it deserves.

What is the game plan? Well, the Anwar hearing will come very near to the election in order to tie him down with his case. He has to be convicted just before the election so that he would be disqualified to contest the poll.

Alternatively, the case can drag on until the election. Or the judgment could be delayed until the election. Whatever course the case takes, the intention remains the same. Don't give Anwar the breathing space to campaign.

All these underhanded tactics can only be prevented when there is a change of government. The only way to redeem the Judiciary is to bring about a government that will respect the separation of powers.

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