

Sodomy Rally : Anwar Ibrahim's Last Effort To Change The Course?
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KUALA LUMPUR, Jan 7 (Bernama) -- Opposition leader Datuk Seri Anwar Ibrahim began a tour on Jan 3, a week before his sodomy trial verdict, in a series of efforts analysts believe calculated to convince the public that he is innocent.

A verdict in Anwar's sodomy trial is scheduled for Jan 9.

Some political observers say the current tour resembles what happened on Sept 2, 1998, when he was sacked by then-Prime Minister Tun Dr Mahathir Mohamad.

At that time, Anwar, who knew he would be arrested, initiated Reformasi movement and continued holding non-stop political "ceramah" throughout the country.

On Sept 20, Anwar had planned to give a speech at the Dataran Merdeka but moved to the Masjid Negara, with nearly 50,000 people at the rally, before he was arrested at his house in Bukit Damansara that evening.

His emotional supporters trailed the police patrol cars that took him to the federal police headquarters in Bukit Aman and shouted the slogan of "Reformasi." Later, there were almost weekly street demonstrations.

However, many do not agree such mass rallies are needed at the court on the day when the verdict is expected.

Undeniably, Anwar is the Pakatan Rakyat leader, and if he is put behind bars, it might result in friction within the pact. But Anwar himself has said the opposition pact has a contingency plan should he be found guilty and face a jail sentence.

This means, even if Anwar is convicted, there is no such need for massive rally.

As pointed out by Roger Tan, a lawyer and former member of the Bar Council who is also a columnist with The Star, Anwar still can appeal the decision if he is convicted.

Such a rally, Tan said, can be perceived as an attempt to intimidate the judiciary.

"You can cause the verdict to be postponed or you can be held for contempt of court," he said.

Tan explained that such rallies, sometimes called "civil disobedience", appear to be popular, the "in-thing" among politicians, particularly those from the opposition, with the backing from non-governmental organisations, civil rights and liberties movements.

"It is becoming a popular tactical weapon used by them to justify their violation of laws that, in their view, are unjust, apart from indulging in some polemics," he told Bernama.

He further explained that pressure groups around the world have, over the years, resorted

to this means to secure their desired legal and social changes, but those who participate in acts of disobedience must be prepared to accept punishment for breaking the law.

"This is, in fact, fine with them, as the court room will give them the publicity they seek for the causes and issues they are advancing," he added.

Tan said many renowned jurists have stressed the importance of the rule of law.

According to the advice of St Thomas Aquinas (1225-1274), he said, unjust laws violate the conscience, but obedience to law is still required to avoid disorder.

"The United States Supreme Court Justice Abraham Fortas (1910-1982) also argued that "each of us owes a duty of obedience to law. This is a moral as well as a legal imperative."

The father of the concept of separation of powers, French jurist Montesquieu (1689-1755), once said liberty is the right to do as the law permits.

On Sept 30, 1962, president John F Kennedy (1917-1963) said in his radio and television address to his countrymen: "Our nation is founded on the principle that observance of the law is the eternal safeguard of liberty, and defiance of the law is the surest road to tyranny. Americans are free, in short, to disagree with the law but not to disobey it."

"It follows there are several valid arguments against civil disobedience. First and foremost, if the laws have been passed by a government democratically elected by the people, then it is undemocratic for anyone to disobey the laws," Tan said.

Tan's point is shared by Deputy secretary-general of the Federation of Chinese Associations of Malaysia (Huazhong), Dr Chin Yew Sin, who said, regardless of political affiliation or background, nobody should resort to "any extraordinary measures" in order to influence the judiciary in delivering its judgement.

Irrespective of who is involved, he said, the rule of law must be respected.

"Judicial decision should not be influenced by the public. We should uphold this. They still can appeal to the higher court if they are not satisfied with the decision. Once this precedent is broken, any court decision will not be respected. There will be chaos," he said.

"I say this not because it is Anwar, but for anybody, including those in the government, this rule of law must be respected," he added.

For Dr Sivamurugan Pandian, political analyst at Universiti Sains Malaysia (USM), Anwar's efforts to hold the rally resemble what he did while a student leader in 1974.

On Dec 3, 1974, Anwar Ibrahim led student protests against what he claimed as "rural poverty and hunger," throwing in the fabricated news that a family in Baling, Kedah, had died of hunger.

"He is trying to revive what he did in 1974. This time, he is testing the government and the authorities, to see if they will allow a peaceful assembly, particularly after the passing of the Peaceful Assembly Bill," he said.

However, Dr Sivamurugan pointed out, the ultimate objective of this rally is not the number of people attending, but the impact through the social media.

He said Anwar has listed few activities and programmes throughout the country, in order to influence public perception after the campaign through the social media.

"I don't think joining the rally is important, What is more important is that those who don't attend will become their targets through the social media. In the virtual world, there is no way the police can stop this," he said.

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