

Stage set for deepening political crisis

Anwar Ibrahim jailed for six years in Malaysia

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15 April 1999

In a highly political judgement brought down on Wednesday, Malaysian High Court Judge Augustine Paul found former deputy Prime Minister Anwar Ibrahim guilty of four charges of corruption and sentenced him to six years jail on each charge. The sentences are to be served concurrently, but do not take into account the seven months that Anwar has already been in jail since he was arrested on September 20.

Unless the decision is overturned, Anwar will be legally prohibited from standing for a parliamentary seat for a further five years after he is released from jail. His defence lawyers have indicated that an appeal will be lodged against the conviction and the severity of the sentence. Anwar also faces trial on a further charge of corruption and five charges of sexual misconduct.

Anti-government protesters in the capital of Kuala Lumpur clashed with police both before and after the decision was announced. On Tuesday night, about 300 people chanting "reformasi" and anti-government slogans gathered at a mosque near the federal courthouse. Paramilitary troopers wielding batons broke up the demonstration after protesters refused to disperse. At least two people were detained.

On Monday, Kuala Lumpur police chief Kumarudin Ali had warned of tough action "against anyone found to be organising or participating in any illegal gathering". He stressed that no permits had been or would be issued, and added that those spreading rumours either by word of mouth or via the internet would be liable for criminal charges.

Hundreds of riot police and paramilitary troops were mobilised in the vicinity of the court building on Wednesday. Police, co-ordinated by helicopter, used water cannon, tear gas and batons to break-up repeated attempts by protesters to join up and march through the city. Several of the demonstrators were injured and around 18 were detained by police.

Anwar's wife Wan Azizah addressed a rally on Wednesday night estimated at 10,000, organised by the Islamic

opposition party Parti Islam Semalaysia (PAS) on the outskirts of Kuala Lumpur. The previous weekend she had launched her own opposition party--the National Justice Party. She is seeking to form a coalition with other parties and groups to challenge the ruling Barisan Nasional in national elections due to be called before next April. Azizah has indicated that she will challenge Prime Minister Mahathir Mohamad for his own seat.

Anwar's arrest and trial has opened up and hardened sharp divisions within Malaysian ruling circles. He was dismissed from his posts by Mahathir on September 2 after months of increasingly bitter wrangling within the ruling United Malays National Organisation (UMNO) over the direction of Malaysia's economic policy. The previous day Mahathir had announced a series of far-reaching currency and capital controls, which cut directly across economic program being implemented by Anwar with the backing of the International Monetary Fund (IMF) for further "open market" reforms.

After his expulsion from UMNO, Anwar began to address a series of anti-government rallies around the country seeking to mobilise support on the basis of calls for "reformasi" and an end to government corruption. He was arrested on the evening of September 20 after addressing a rally of 30,000 in Kuala Lumpur, one of the largest demonstrations in recent Malaysian history. Malaysia's then police chief Abdul Rahim Noor has since admitted to personally beating him unconscious on the first night of his arrest.

Anwar was held without charge under the country's draconian Internal Security Act that provides for indefinite detention without trial. Only on September 29, under mounting public pressure, did the government instigate charges of corruption and sexual misconduct against him. The trial began on November 2 into four charges of corruption in which it was alleged that in 1997 Anwar had utilised his position to influence senior police to compel two individuals--Azizan Abu Bakar, the former driver for

Anwar's wife, and Ummi Halfilda Ali, sister of his former private secretary--to retract accusations of sexual misconduct against Anwar.

The five-and-a-half month trial, involving 23 prosecution witnesses and 22 for the defence, has been one of the lengthiest criminal cases in the country's history. A guilty verdict was virtually guaranteed from the outset when Judge Augustine Paul made clear that he regarded the entire defence case as "irrelevant" to the trial. Anwar claimed that he was the victim of a high level conspiracy headed by Mahathir.

Paul's rulings throughout the case have been guided by politics. For weeks, prosecution lawyers used the courtroom to air lurid sexual allegations against Anwar, which were then seized upon by the Malaysian press to undermine his reputation. At one point, the prosecution even introduced a mattress into the court claiming that its stains "proved" that Anwar had engaged in secret sexual liaisons.

But at the end of their case, the prosecution lawyers promptly changed tack and applied to amend the charges so that they did not have to prove the truth of the sexual accusations made by Azizan and Ummi. Paul rubberstamped their unusual application and ordered that evidence related to the sexual allegations be expunged from the court record. As a result, Anwar's defence team was not permitted to challenge or answer any of the material, which had been splashed through the newspapers and exploited by the Mahathir government.

Paul was both judge and jury in the case. In seeking to justify his guilty verdict on Wednesday, he said: "In this judgement, I'm answerable to God. That's why I wrote 394 pages. I did it with great prayers." He claimed that his findings "reduced to dust" Anwar's claims of a political conspiracy. But the extravagance of his statements, the length of his findings and his insistence that the charges were not political, simply reflect the weakness of the case against Anwar and the importance of his verdict for Mahathir and the government.

Even viewed within a narrow legal framework, Paul's findings attempt to straddle a fundamental contradiction. The prosecution case rested entirely on the evidence of senior police officers from the Special Branch that they were approached by Anwar to change the statements of Azizan and Ummi. According to Paul, Anwar entered into a conspiracy with former Special Branch Director Mohamed Said Awang and his deputy Amir Junus without the knowledge of Mahathir, who was then the minister responsible for the police, or the rest of the government. The trial provided a revealing glimpse of the methods of physical and psychological intimidation routinely used by the Special Branch police to "turn" witnesses--that is, to break people

down in order to change their evidence or renounce their beliefs.

But to "prove" the charges, the judge was compelled to accept on face value the truth of the evidence of the very police "conspirators" it was claimed had misled Mahathir and the government. Moreover, the shady character of the Special Branch and its operations was brought into sharp relief when Said unashamedly admitted under defence cross-examination that he would be prepared to lie in court if asked to do so by the government. Yet Paul unreservedly accepted Said and Amir as "credible witnesses" and found that "the defence is unworthy of any credence".

Viewed in the wider context of the political eruptions within the ruling party, it is clear that Mahathir, a devious political operator with decades of experience, has manipulated the accusations against Anwar from the outset. As the struggle between Mahathir and Anwar deepened, the accusations were brought out into the open at the UMNO Congress last year. But the decision to lay the charges was made only after a confrontation with Mahathir on the day of Anwar's dismissal.

On Wednesday, Anwar insisted that he, rather than his lawyers, deliver his mitigation plea. Despite constant interruptions from the judge and prosecution lawyers, Anwar used his allotted five minutes to denounce the verdict and accuse Paul of bias. "Right from the beginning, I had no hope whatsoever that I would be tried fairly. All the instruments of government--including the attorney-general's office, the police and the judiciary--are under the prime minister's thumb."

While Mahathir and his allies have sought to use the case to politically destroy Anwar, the verdict will only lead to a deepening of the divisions and bitter infighting within ruling circles. Neither Anwar nor Mahathir represent the interests of working people in Malaysia and both have been fearful that the conflict may lead to an eruption of widespread social and political unrest. But the trial is nevertheless a sharp warning to working people: if such methods can be used against a deputy prime minister then far worse will be used against workers, students and others.



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