New charges filed against Malaysian opposition leader

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Malaysian opposition leader Anwar Ibrahim and two of his colleagues were charged last week by police in connection to their participation in a mass rally in Kuala Lumpur on April 28 demanding electoral reform. The allegations come only four months after Anwar was acquitted in the High Court of sodomy charges that were a brazen attempt to frame him under Malaysia's reactionary anti-homosexual laws.

Like previous cases against Anwar, the new ones are politically motivated. The government of Prime Minister Najib Razak is targeting Anwar to undermine the opposition coalition—the People's Alliance (PR). While elections are not due until next March, Najib has been preparing the ground to hold them early.

Anwar along with two leaders of his Peoples Justice Party (Keadilan)—deputy president Azmin Ali and youth leader Badrul Hisham Shaharin—appeared briefly in court on May 22 and were granted bail. A trial date will be set at the next court hearing on July 2.

Speaking after his court appearance, Anwar branded the charges as "political intimidation", declaring that "Najib is afraid to face me in elections." In the 2008 national elections, the PR unnerved the ruling Barisan Nasional (BN) by gaining power in five of the country's 13 states and ending the government's two-thirds majority in the national parliament.

The three men were charged with attending the rally at a location banned by magistrate's order and also inciting protesters to breach police barricades. Any criminal conviction that results in a fine of more than 2,000 ringgit makes the person ineligible to stand for political office for five years. The first charge carries a maximum fine of 10,000 ringgit ($US3,100). The two charges together could bring a fine of 12,000 ringgit and a jail term of up to six months.

The government also initiated legal action on May 23 to sue 10 members of the organisation that organised the rally, Bersih (Clean and Fair Elections), including its leader Ambiga Sreenevasan. The government is seeking 122,000 ringgit in compensation for 15 police vehicles damaged during the rally. Police estimated that 50,000 people took part in the protest, but other reports doubled that figure.

Both cases are taking place under the Peaceful Assembly Act, which was presented to parliament last November and only became law a few days before the April rally. Najib claimed that the law was a democratic reform that allowed freedom of assembly "in accordance with international norms". The government has also made cosmetic changes to the country's draconian Internal Security Act that provides for indefinite detention without trial.

The charges against Anwar make clear that the Peaceful Assembly Act is simply window-dressing aimed at defusing popular anger over the government's police state methods of rule. Najib's United Malays National Organisation (UMNO), which is the main coalition partner, has held power for more than 50 years and dominates media, the courts, the police and state apparatus.

The government's anti-democratic methods were evident at the April 28 protest. The police banned the rally from the planned venue at Kuala Lumpur's Dataran Merdeka (Independence Square), obtaining the

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court order the day before the demonstration leaving organisers no time to change it.

The police then provocatively barricaded the Square. The march was peaceful and stopped at the barricades. At 2.30 p.m. Anwar and Ambiga declared the rally over and asked protestors to leave. Most stayed around and at 3 p.m. a small group broke through the barricade. Police then launched a baton, tear gas and water cannon attack on the protest which continued until 7 p.m. Over 500 people were arrested but were later released.

The new charges against Anwar in the lead up to elections reflect deep divisions in the country's ruling elite. In 1998, in the midst of the Asian financial crisis, Prime Minister Mahathir Mohamad dismissed Anwar as deputy prime minister and finance minister over his support for the IMF's demands to open up the Malaysian economy to greater foreign investment. Such a policy would have undermined sections of Malay business connected to UMNO that depend on government protection.

Mahathir expelled Anwar and his supporters from UMNO. When Anwar organised anti-corruption rallies around the country, he was arrested and eventually charged and convicted on trumped up allegations of corruption and sodomy. Anwar was finally released in 2004 after the Federal Court overturned the sodomy conviction due to the unreliability of the evidence. His conviction on the corruption charge meant he was unable to stand in the March 2008 election. He won a by-election later that year but was again charged with sodomy—charges that were dismissed in January.

Mahathir's successors, Abdullah Badawi and now Najib, adopted some of the pro-market policies advocated by Anwar, including relaxing laws giving preference to Malay-owned businesses and removing other restrictions on the operation of foreign capital. UMNO, however, is determined to cling to power by any means.

The government has made limited concessions to working people by delaying an end to food and fuel subsidies and giving small handouts to low-income families. Najib is gearing up for early elections amid signs that the country's export-driven economy will be hard hit by the global economic turmoil, especially in Europe.

The size of last month's rally clearly points to widespread hostility to the government over falling living standards and its abuses of democratic rights. The subsequent charges against Anwar have underlined the deep divisions in the ruling elite. The court's acquittal of Anwar in January was a blow to the government. Now the principal state prosecutor in that case, Yusof Zainal Abiden, has joined Anwar's defence team to fight the new charges.

All of these signs point to a break-up of the UMNO machine that has dominated Malaysian politics for more than half a century.

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