

# Malaysian court overturns acquittal of opposition leader Anwar

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A Court of Appeal in Malaysia last Friday overturned the January 2012 acquittal of the country's opposition leader, 66-year-old Anwar Ibrahim, on trumped-up sodomy charges, and sentenced him to five years' imprisonment.

Under Malaysia's reactionary anti-homosexual laws, consenting relations between adults are illegal and carry a possible 20-year jail term. The three-judge panel granted Anwar bail until his appeal against the verdict is heard in the Federal Court.

The ruling is another political judgment, directed against the People's Alliance (PR) parliamentary opposition, led by Anwar. The PR consists of Anwar's ethnic Malay-based People's Justice Party (Keadilan), the Islamist Parti Islam se-Malaysia (PAS) and the ethnic Chinese-based Democratic Action Party (DAP).

The immediate context of the ruling was the PR decision for Anwar to contest a March 23 by-election for the state Assembly in Selangor, which surrounds the capital Kuala Lumpur. If Anwar had won the seat he was set to become the chief minister of Selangor, the country's most populous state, as well as federal opposition leader.

Anwar's bid to take the Selangor post was denounced for weeks in the mass media controlled by the Barisan Nasional (BN) government of Prime Minister Najib Razak.

There was uproar in the court when the verdict was announced. Anwar declared it "a travesty of justice" orchestrated by Najib. Riot police stood outside the court to control a small demonstration and warned that arrests would follow any protest.

Last Saturday, Anwar told delegates to the PR's 5th Convention in Setia Alam that the PR would begin a "new battle" with the BN government. PR members of the national parliament boycotted today's session as a

one-day protest.

Court of Appeal panel member Judge Balia Yusof Wahi said High Court Judge Mohamad Zabidin Mohd Diah, who acquitted Anwar in 2012, had "misdirected" himself on the integrity of DNA samples. These samples were the only evidence supporting the allegation by Anwar's former aide, Saiful Bukhari Azian, of a homosexual liaison with Anwar.

In 2012, the High Court judge ruled that the court could not be certain that the DNA samples were not contaminated. The samples were collected only two days after the supposed encounter, there were other DNA profiles in the samples, they were not frozen when collected and a police officer tampered with them.

It was also proven that Saiful met with then Deputy Prime Minister Najib and his wife and senior police officers two days before his alleged encounter with Anwar in 2008 and continued to meet senior UMNO figures prior to making a formal complaint to police.

In March 2013, Saiful's father, Azlan Mohd Lazim, formally apologised to Anwar and his family for "the slander hurled against Anwar, which involved my son Saiful Bukhari."

The Appeals Court verdict is the second time Anwar had been tried on trumped-up sodomy charges. In 2000, he was convicted in another case despite the evidence falling apart as the trial proceeded. The Federal Court finally overturned this conviction in 2004 but Anwar remained in jail for six years on equally bogus corruption charges.

These frame-ups arose out of a fierce faction fight within the Malaysian ruling elite. Anwar, who was finance minister and deputy prime minister to Prime Minister Mahathir Mohamad, fell out with the UMNO leadership over economic policy following the Asian

financial crisis of 1997–1998. Anwar wanted to impose the pro-market measures demanded by the International Monetary Fund but these threatened the UMNO-related business empires built up during UNNO’s autocratic rule since independence from Britain in 1957.

Anwar represents a section of the capitalist class that has been sidelined by UMNO and its cronies. At the same time, PR seeks to exploit the widespread popular opposition to UMNO’s authoritarian rule and its race-based system of patronage, which has favoured well-off ethnic Malays and selected Chinese and Indian business leaders.

In the 2008 elections, UMNO was staggered by PR electoral gains. For the first time, the government lost its two-thirds majority in the national parliament, stripping it of its power to change the constitution. Najib was installed as UMNO leader and prime minister in 2009 to try to reverse this setback.

At last May’s elections, however, the PR won the popular vote, with 51 percent to the BN’s 47 percent. The government was only being saved by a gerrymander that delivered it 133 seats to the PR’s 89. More than a million people joined opposition protest rallies in May and June—another indication of the depth of hostility to the government. Anwar and the PR leadership called off the demonstrations, however, after their pleas for support from the US and other major powers fell on deaf ears.

US President Barack Obama publicly congratulated Najib last May on his election “victory,” following a perfunctory State Department statement about electoral irregularities. Najib then began to crack down on opposition rallies. Washington had clearly decided to back his regime, which has forged closer economic and military ties with Washington, including 75 joint military exercises last year.

Malaysia is of strategic importance to the US because it lies alongside the Malacca Strait—one of the world’s busiest sea lanes—through which China imports much of its energy and raw materials from Africa and the Middle East. The Pentagon’s plans for a potential war against China envisage blockading this strait to strangle Beijing economically. Malaysia is also part of the Trans-Pacific Partnership Agreement (TPP)—a trade bloc sponsored by the US to undercut China’s economic influence in the Asia-Pacific.

As it did following last year’s election, the US State

Department issued a token statement expressing concerns over Anwar’s conviction, while emphasising that the concerns were raised “in the spirit” of “a strong partnership” with Malaysia. Once again, Washington’s professed defence of legal and democratic rights, repeatedly invoked to pursue its predatory interests in Ukraine, Syria and around the world, is pure hypocrisy.

President Obama is due to make a delayed visit to Malaysia in April. Last October, US Secretary of State John Kerry used a short trip to Malaysia to praise Najib’s government, describing Malaysia as “a human and economic mosaic” and “a model for the world.”



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