

Malaysian government tries to railroad opposition leader to jail

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Malaysia's government is using the courts and various police-state laws in a determined effort to undermine the opposition People's Alliance (PR) coalition. Along with a long-running attempt to railroad opposition leader Anwar Ibrahim to jail, at least 14 people, including senior opposition figures, have been charged under the notorious 1948 Sedition Act for criticising the government or government officials.

Anwar is due to appear before the Federal Court on October 28 to challenge a Court of Appeals decision in March to overturn his acquittal in 2012 on a trumped-up charge of sodomy, which is illegal under the country's reactionary anti-homosexual laws. In overturning his High Court acquittal, the appeals court sentenced Anwar to five years' imprisonment, but granting him bail pending his appeal.

The Federal Court is Malaysia's highest judicial body. If it rejects Anwar's appeal and jails him, the result will be a major blow for the opposition coalition and a boost to the government's attempts to cling to power.

The ruling United Malays National Organisation (UMNO)-led coalition, or Barisan Nasional (BN), has held office since the country's formal independence from Britain in 1957 and maintains a tight grip over the state apparatus, including the judiciary.

At the last national election in May 2012, however, BN lost the popular vote to Anwar's PR by 47 to 52 percent and only retained office through a glaring electoral gerrymander. Despite gaining a majority of the votes, PR won just 89 parliamentary seats, compared to 133 for BN.

Prime Minister Najib Razak's government has since stepped up the pressure on Anwar and the opposition. A member of Anwar's legal team, N. Surendran, faces sedition charges. He was charged on August 19 for

criticising the Court of Appeals decision and again on August 28 for stating that the renewed sodomy charge was a conspiracy against Anwar. Surendran is a vice-president of the Anwar-led People's Justice Party (Keadilan).

A statement issued on October 7 by other members of Anwar's legal team pointed to the extraordinary character of the charges. "We believe it is unprecedented for legal counsel to be charged for sedition merely for repeating his client's legal defence," they stated.

The Sedition Act, which stems from British colonial rule, makes uttering "any seditious words" punishable by up to five years' jail and a fine, but does not define "sedition" or seditious words." It bans any "seditious tendency" that would "bring into hatred or contempt or excite disaffection against any ruler or against any government."

On September 26, Anwar himself was questioned by police under the provisions of the Sedition Act and asked if he made remarks about his sodomy trial at a public meeting in March 2011. Anwar told reporters the sodomy case had been reopened on instructions issued by the Attorney-General's Chambers.

A string of other opposition politicians from PR's constituent parties—Keadilan, the Democratic Action Party (DAP) and the Pan-Malaysian Islamic Party (PAS)—have been charged with sedition over the past 16 months.

* In May 2013, Keadilan vice-president Tian Chua and five party activists were charged for remarks accusing the government of voter fraud and suggesting that under current electoral regulations the opposition would never win an election.

* In June 2014, DAP vice-president Teresa Kok was charged over a Chinese New Year video that mentioned

neither the government nor any individual.

* On August 26, PAS parliamentarian Khalid Samad was charged for allegedly criticising the Selangor state sultan and the State Islamic Affairs Council over the confiscation of bibles.

Phil Robertson, deputy Asia director for the US-based Human Rights Watch, commented last month: “The Malaysian government is increasingly using the Sedition Act to instil fear and silence in political opponents and critics. Prime Minister Najib’s crackdown on free expression has shown his true rights-abusing colours.”

The government’s efforts to destroy Anwar and the opposition go back to 1998. Amid the Asian financial crisis, Anwar, who was deputy prime minister and finance minister, fell out with the UMNO leadership. His advocacy of the International Monetary Fund’s pro-market demands put him at odds with Prime Minister Mahathir Mohamad and UMNO’s business cronies.

Anwar was expelled from UMNO, detained and beaten up, then tried and convicted on fabricated corruption and sodomy charges. In 2004 the Federal Court overturned the first sodomy conviction, citing “unreliable” evidence. As Anwar became eligible to re-enter politics in 2008, a second sodomy charge was brought against him on the basis of dubious allegations by a former political aide.

Nevertheless, the opposition PR made significant gains in the 2008 national elections and gained control of several state governments. The BN lost its two-thirds parliamentary majority and thus the power to change the constitution and electoral system at will.

After Najib took over the UMNO leadership in 2009, he sought to undermine the opposition both by pursuing the legal persecution of Anwar and posturing as a reformer. He offered economic concessions and cosmetic changes to the country’s anti-democratic legislation.

At the same time, Najib sought to improve relations with Washington by adapting to the Obama administration’s “pivot to Asia” aimed at undermining and militarily encircling China. Under Najib, the US and Malaysia have established closer military ties, with more than 75 joint exercises and other cooperative activities last year.

After the 2013 election, the PR refused to accept the result and held political rallies involving hundreds of

thousands of people angered by the rigged ballot. The protests were aimed at gathering support from the Western powers, especially Washington, but were ignored by the Obama administration.

The Washington-based think tank, the Centre for Strategic and International Studies, noted three days after the 2013 election: “BN’s continued rule suggests US-Malaysian relations will remain robust, especially if Najib, who drove the process of improving relations with Washington, retains power.”

Obama personally congratulated Najib on his tainted election victory and visited Malaysia in April—the first US president to do so since 1966. He pointedly refused to meet with Anwar or other opposition figures—a snub that undoubtedly encouraged Najib to subsequently step up his persecution of the opposition.



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