Sodomy - a ploy to stop tsunami?
Tun Dr Mahathir Mohamad once called Dato’ Seri Anwar Ibrahim a ‘trouble-maker’.

As name-calling goes, that was terse and mild. It was, arguably, not inappropriate.

Anwar had organised student demonstrations against Tunku Abdul Rahman, and was one of the leading figures of the Baling protests of Tun Abdul Razak’s time. He had mobilised opposition to the amendments of the Societies Act that the Tun Hussein Onn government wanted to pass.

Most of all, Anwar was the enduring icon of the Reformasi movement that first rose against Mahathir in September 1998 and morphed into the tsunami of 8 March 2008.

**A thorn by any other name**

It was as if Anwar was up to some mischief every decade. Call a thorn a thorn: he managed to be one, though not always the only or most significant one, in the side of every administration.

A politician with that record gains more than his share of labels and sobriquets. Some of Anwar’s flat-
In our cover story, Khoo Book Teik looks at how Anwar has come to personify many dissident, even conflicting tendencies. His two different images - that of a conquering political leader and frequently disabled politician - capture society’s current predicament. We have moved towards more open dissent; and yet we are unsure if we can really achieve a more open political system. This should be seen in the light of Anwar’s experience of earlier defeat and the different phases of his public life, as outlined in an earlier piece by Boo Teik. Anwar’s experience has given him a better inkling of the issues that concern the rakyat.

These rakyat are now suffering under the burden of neo-liberal ideology, which Wong Kok Keong says has done more harm than good. Look at Tenaga Nasional’s unjust and unfair tariff hike. Ong Eu Soon says that TNB’s huge recent profits suggest that the government is all out to protect the interest of big corporations.

We carry a report on the launch of a cartoon people’s history book, “Where Monsoons Meet”. History has never been so accessible and readable – and to think that the book was written by two engineers and an architect! Another book that grabs our attention is Syed Husin’s “The Malays: their problems and future”. We carry the author’s remarks at the launch in which he proposes that “ketuanan rakyat” should replace “ketuanan Melayu”.

The late activist, Toni Kassim, is honoured in a tribute by Yeoh Seng Guan. We also reproduce speeches marking the unveiling of a portrait of the Tunku, to be hung in Inner Temple, London.

Finally, Johan Saravanamuttu discusses the “Badawied” political transition, during which neither Abdullah Badawi nor Mahathir realised that the rakyat have tired of racial politics.
tered him; at least as many disparaged his character.

He's been admired as a charismatic 'man of the people', even feared as a masterful strategist. He has been commonly cast as a political chameleon and castigated for being a chauvinist, an opportunist, and an extremist.

At one extreme, lest we forget, he was made out to be a wanton womaniser and a secret sodomite.

A person like Anwar invites puzzlement and yet suspicion, too. Hence, the numerous questions that have been raised at each of the turning points of his political career: Will the real Anwar stand up? Shouldn’t he apologise for his time in Umno? Shouldn’t he atone for his mistakes in government? Put simply: Can he be trusted? Do we believe him? What had he learnt from six years' imprisonment? Does he have the party-hopping numbers to form the next government? Will he really reduce the price of petrol?

In a sense, such questions presuppose an Anwar who mastered every bad situation he’d had to face. Who but DSAI could have turned the tables on his tormentors, conjured his deliverance from irrelevance, and reinvented himself to greater advantage following each setback?

Yet, it would be a one-sided perception that sees only an all-conquering Anwar. The trouble with enemies

The simple truth is, no one makes trouble without making enemies. And Anwar, troublemaker, has had many enemies.

In the corporate world that straddled public and private sectors, many vested interests were worried in 1998 that he’d replace Mahathir and deny them the bailouts they needed to survive. Today, Anwar’s return and Pakatan Rakyat’s rise threaten the system of politicised business by which they derived their power, wealth and status.

Within Umno lurk many foes, ancient ones who were overwhelmed by Anwar before, and young, ambitious ones intimidated by him. Since Anwar’s release in 2004, they’ve wished him politically dead. But he’s resurgent on an oppositionist wave that has turned many of them into political flotsam and jetsam in five states.

In the state law-and-order institutions are senior officers he’s accused of framing him in 1998–99 or subverting justice beyond what he was convicted of in 1999. Lingam-gate would have convinced them that it’s not bluff on Anwar’s part when he says he’ll clear his name by bringing them to justice.

One can expect, therefore, that hidden hands have formed stealthy groups of Anwar’s masked enemies in business, politics and government. In 1997–98, enemies of those sorts, with Mahathir’s late but unstoppable intervention, had brought down the ‘anointed successor’. Similar foes must now be plotting to prevent Anwar from becoming the first PR prime minister.

Knowing what took place in the past and sensing what’s happening at present, should one persist in seeing only an Anwar who overcomes all obstacles?

Wouldn’t it be just as compelling and sobering to see a vulnerable Anwar who has been more frequently exposed and disabled than any other prominent politician we’ve known?

Hadin’t he spent two years in Kamunting under the Internal Security Act? Was his black eye in 1998 self-inflicted? Were his arsenic-poisoning symptoms in 1999 contrived? Where did he read the classics for six years if not in Sungai Buloh?

And now, what was he doing in the Embassy of Turkey?

Whose predicament?

These two contrasting images of Anwar – now conquering, now vulnerable – blur the boundaries between his latest predicament and our social impasse.

Anwar’s conquering aspect may be seen in PR’s euphoric recourse to Makkal Sakhti (People Power), promises to undo corruption, and Anwar’s call to Barisan Nasional politicians to desert their coalition.

To be perfectly realistic, there’s nothing truly radical about any of those things, nothing revolutionary about the post-8 March situation as a whole.

As the print and online media’s special report after special report on their ‘100 days’ show, the four new PR state governments
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(Kelantan is old hat) don’t intend to uproot the foundations of society, economy or polity.

Without uniformity in policy and administration, they’ve introduced a few welfarist measures, instituted mild governance reforms, and protested the hostility of the Federal government.

Even when he insists that PR will form a new Federal government by September, Anwar’s trying to co-opt disgruntled BN parliamentarians, not planning to overthrow the system.

To that degree only, Malaysian society has advanced a decade after Reformasi began, four months since the general election.

**Obstruction**

Already, Anwar’s ‘New Dawn’, with its *ketuanan rakyat* and Malaysian Economic Agenda, has run up against an existing system of power and politicised business.

That system has little in common with the New Economic Policy’s original, defensible, objective of restructuring. Indeed, as the composition of Lingam-gate’s *dramatis personae* tells us, a multiethnic oligarchy, that couldn’t care less about any social contract, derives enormous gain and largesse from that system.

More than any other factor, the oligarchy’s manipulations of that system caused the institutional wreckage now discredited as part of ‘Mahathir’s legacy’.

Obviously, the oligarchy battles to preserve their source of power, wealth and status.

Politically, they rely on Umno’s highly developed political machine. Ideologically, Umno frames all issues in terms of *bangsa dan agama* (race and religion). Institutionally, the Umno-dominated Federal government starves the PR state governments of finance.

We haven’t yet seen one other form of response, namely, harsh repression.

That’s partly because the regime is beset by disorder. Dato’ Seri Abdullah Ahmad Badawi’s leadership is besieged by his Umno critics, his unhappy Sabah allies, Anwar’s enticement of BN MPs, and the deteriorating economic conditions.

Crucially, it’s also because PR’s solidarity and public support are intact, despite BN’s hopes and many rumours to the contrary.

**New phase of battle**

Against this chaotic background, it was widely believed that vicious attacks on Anwar’s reputation would mark a new phase in BN’s battle against PR.

In fact, BN had tried to discredit Anwar just days before the general election. But that effort, laced with transparently biased input from intellectual hired guns, was panicky and counterproductive.

But, suddenly, on 28 June, Saiful Bukhari Azlan, a 23-year old ‘aide’ to Anwar, lodged a police report that Anwar had sodomised him.

In response, both sides of the political divide issued accusations and counter-accusations. For now, the public has plenty of conspiracy theories but no sure knowledge of this bizarre development.

**Déjà vu**

Anwar may be vulnerable but not that vulnerable.

Well might the Prime Minister, Deputy Prime Minister and other ministers urge that we should ‘leave it to the police’ to investigate Saiful’s accusations.

That’s chatter, necessary but futile.

Public confidence in police pro-
professionalism is low, among others, because of disappointment over failed high-profile murder cases, resentment against police attacks on peaceful protesters, and a general belief that crime rates have risen.

Confidence in the judicial system is not ‘fully restored’. The government has compensated the dismissed or suspended former Lord President and other Supreme Court judges for their sufferings in 1988, in effect blaming Mahathir for that tawdry affair. But Lingam-gate is unfinished, a reminder that judicial reform has a long way to go.

How, then, can a prosecution of Anwar on new sodomy charges bring anything save domestic and international ridicule?

How will Saiful’s allegations find currency among dissident voters who have psyched themselves to resist a campaign of anti-PR psychological warfare?

Won’t charging Anwar with sodomy again revive on a larger scale the collective Malay disgust with his aib (shame) in 1998–99?

Déjà vu, this sodomy cock won’t fight – not a second time, not when Anwar and Sukma Darmawan’s linked convictions on charges of sodomy were quashed on appeal, not against mass cynicism towards any trial that has a whiff of political victimisation.

**Assassination?**

The websites and blogs that luridly speculated over the ‘who’s, how’s and why’s’ behind Saiful’s allegations had soon to confront something more drastic.

Citing threats of his physical elimination, and not just character assassination, Parti Keadilan Rakyat secretly moved Anwar to the Embassy of Turkey. There he took a day’s refuge, emerging only when he’d received the government’s public guarantee of his safety.

The public is bewildered by this turn but again can’t evaluate the seriousness of the threats Anwar’s received without detailed knowledge and evidence.

But if Datin Seri Wan Azizah Wan Ismail and Syed Husin Ali, no strangers to politically inflicted suffering, take every threat to Anwar’s person with all seriousness, I, for one, would give them the benefit of the doubt.

One doesn’t have to be an unthinking Anwarista to share in the demand that someone of his stature, representing the hopes of one half of the electorate, but perceived as a threat to many powerful quarters, has every right to safety and security.

**Civilisation and savagery**

At this juncture, Anwar’s predicament is not his alone.

Malaysian society and politics have been moving in contradictory directions.

On the one hand, society has surely moved, albeit unsteadily, towards more open political dissent. Demands for greater political space and freedom have mounted, backed by mass readiness to mobilise, protest and demonstrate with lesser fear of repression.

This dissent has been half-tolerated, half-repressed, evidence of a stand-off between the regime and the opposition, between state and civil society.

On the other hand, politics has become more sordid. Unlike in other countries, the murder of politicians is not common: since the 1980s, one politically motivated murder and a couple of unsolved murders of politicians. But the system is flush with money, soiled by character assassination, and riddled with conspiracies.

In the existing political arena, the stakes of office have been raised, the rules of competition bent, and the conduct of politicians often unchecked by institutionalised controls.

One might say that society has moved ahead of politics and a large proportion of the people have advanced beyond the control of the political class. We’ve arrived at a critical moment, unsure if we can make our political system more open and civilised, or find it descend into something more closed and savage.

In other words, we’re ‘not there’ yet.

Neither is Anwar. Over many years, Anwar, activist and politician, has come to personify many dissident, even conflicting, social tendencies. Precisely now, his two different images capture the predicament of our changing society: like him, we can be both conquering and vulnerable.
Anwar Ibrahim And The Experience Of Defeat

Where does Anwar go from here?

by Khoo Boo Teik

No one can be happy in jail, surely.

Surely not Anwar Ibrahim? Not after three years of incarceration, not while suffering a bad back and injured neck, and burdened with the knowledge that several Keadilan leaders are detained under ISA without even the benefit of a trial?

Yet, even from prison, Anwar would know that his two convictions and sentence to a total of 15 years’ imprisonment have not set aside public memories of the Anwar affair or tarnished his reputation in the eyes of a lot of people.

Besides, it’s UMNO that’s been having a nightmare. Especially for many Malays the party has run out of steam and has no ideas for progressing ‘beyond Anwar’. If anything, the Mahathir-Daim split has brought back the ghost of UMNO’s unending factionalism. Many wonder who will soon part ways with whom.

Anwar would be aware, too, that Barisan Alternatif has still to plot a clear way forward. DAP and PAS are caught in an unproductive polemic over the ‘Islamic state’. If they want to deepen their cooperation, and enrich the critical Muslim-non-Muslim dialogue begun in 1998-99, both must desist from trying to make political capital out of ‘ideological purity’ that bears little relationship to current social and political realities.

To the extent that Malaysian politics remains at an impasse after 36 months of some of the most tumultuous events in our history, were you Anwar, would you not be hopeful that quite possibly the future of Malaysian politics belonged to you?

I’m sure a lot of Malaysians think about the possibility of Anwar’s return although there’s no public discussion of the matter.

PRM which still looks like a good way to create political synergy to overcome their individual weaknesses.

Return To Anwar

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Among them are people who would be hesitant to entrust their future to a man who spent 16 years in the company of the men and women who unceremoniously threw him out of UMNO in September 1998.

There are also people who want to ‘think beyond personalities’, sometimes to the extent of ridiculing Keadilan for being a one-issue party, the issue being Anwar’s freedom.

Most of all, there are many people who wonder if a freed Anwar will re-enter UMNO, forsake his present allies, and re-establish ‘Malay unity’ to restore the legitimacy that Mahathir and UMNO have lost.

No one should dismiss such opinions out of hand.

At this impasse, however, might not the crux of the matter lie elsewhere? Might not the real question be: if Anwar is able to return to the political scene not too long from now, and wants to transform it, can we expect him to go ‘beyond the old Anwar’?

Past And Future

Since we can’t foretell the future, maybe we can start by looking for clues from Anwar’s past.

In a 30-year career of activism and politics, Anwar may be said to have gone through four phases.

During the first phase of the late 1960s, he was a student at the University of Malaya. There he led the Persatuan Bahasa Melayu and Persatuan Kebangsaan Pelajar-pelajar Islam. His Persatuan Bahasa Melayu image and activities drew him to some politicians, like Mahathir, who were admired by some as ‘Malay nationalists’ and feared by others as ‘Malay ultras’.

The second phase came in the 1970s when Anwar founded Angkatan Belia Islam Malaysia (ABIM) and built it into a powerful vehicle of an Islamic resurgence. It was all the more powerful for being the voice of a new generation of Malay-Muslim youth.

The third and longest phase found Anwar in UMNO and government. Between 1982 and 1998, Anwar rose from being co-opted into the early Mahathir regime to being ‘anointed’ as Mahathir’s successor. He rose with a dizzying rapidity that alarmed many of his party rivals.

The present and potentially decisive phase is the post-September 1998 phase when Anwar reinvented himself as the icon of Reformasi.

What can this admittedly bare bit of a personal history of activist involvement and political advancement tell us about Anwar?

Anti-Establishment

One thing is immediately striking. In three out of his four ‘phases’, Anwar was an anti-establishment figure. To put things simply, he was anti-Tunku after 1969, anti-Barisan Nasional in the 1970s, and has been anti-UMNO since 1998.

Only during that long UMNO phase was he a leading figure of the establishment.

His ideological commitments in those anti-establishment phases seem varied enough when taken separately.

Anwar’s Malay nationalism in the 1960s was associated with the promotion of the national language and took in New Economic Policy type issues, too. It is well known that he was a campus ally of Mahathir who let Anwar read drafts of what was published as The Malay Dilemma.

In the 1970s, Anwar’s Islamic
commitments were initially expressed via various Yayasan Anda activities in aid of Malay-Muslim students, and the nascent campus dakwah movement (both at home and abroad). Later Islam became the fount from which Anwar drew his moral criticisms of government policies and their outcomes.

Anwar’s stand on poverty, economic inequality and social dislocation under NEP led him to Baling to support the 1974 demonstrations, and thereafter to Kamunting for a stretch of detention under ISA. In the final years of Anwar’s Islamic phase (before he joined UMNO), ABIM led a coalition of ‘societies’ – what would be better known as NGOs today – in a big campaign against the Societies Act.

Between 2 September 1998, when he was sacked, and 20 September, when he was arrested, Anwar inspired a movement for democracy, reforms and social justice. In prison since, he’s been unable to provide strategic leadership to the multiethnic movement that resulted in BA’s formation. But the image of his raised fist and battered face and swollen eye was evoked by every defiant chant of Re-for-ma-si!

**Common Threads**

Anwar’s ideological commitments of his anti-establishment phases have never been fully spelt out, which is one reason he was often thought to be malleable, if not opportunistic. Yet, viewed collectively, those commitments contained several notable threads.

One thread was drawn from ‘ethnic strands’ of the different phases. It began with the campus Malay nationalism. It was modified by ABIM’s brand of ‘non-ethnic’ civil activism. It was grafted onto reformasi’s to supply an experiment in multiethnic politics. This first thread captures Anwar’s shift, albeit a gradual shift, to a position on ethnic relations that in the 1990s was most liberally called multiculturalism.

A second thread grew from ABIM’s critiques of economic inequalities, social injustice and the restrictions imposed on civil liberties. Over time, they expanded from the defence of the Baling farmers to the national campaign against the Societies Act. After Anwar’s fall, those critiques were dusted from the shelves of his UMNO days and meshed with BA’s opposition to ‘cronyism, corruption and nepotism’.

There is an important third thread. It was not formed by what Anwar stood for, as with whom he most comfortably stood, and who, in his moments of tribulation, would stand most firmly by him – students, youth and civil society. Students and youth featured prominently in all phases of Anwar’s anti-establishment activism, and civil society in his Islamic and reformasi phases.

After September 1998, this third thread allowed Anwar to reinvent himself as an activist and establish an old affinity with groups and people who, in social and political terms, make up floating, transient and marginalized constituencies.

Spin these three threads together and the result is likely to be a fabric with cultural motifs, the concerns of civil society and aspirations for moral renewal. This is precisely the intellectual fabric of The Asian Renaissance, the book that Anwar wrote at the peak of his establishment phase.

It is to this phase that we must now turn.

**The UMNO Phase**

Almost from start to finish, Anwar’s UMNO phase was marked by contradiction.

Joining UMNO, Anwar split ABIM. Taking part of ABIM along with him, he helped to split UMNO.

For him, Islam had nourished a moral critique of society under capitalism. Now he fell in with Mahathir for whom Islam meant a work ethic to serve Malaysian capitalism.

Anwar left civil society to enter the state. But, ‘call me Saudara’, he liked to speak as if the state should behave like a caring civil society.

But reasons of state leave no room for idealism and personal promises. Anwar justified his co-optation as a mission to ‘change things from inside’. By and by, nothing – not SA, ISA or OSA – could be changed ‘from inside’.

Nothing changed except perhaps his mission was personalized as so often happened when a rising star reached for the sky. So, for 16 years, Anwar acculturated himself to party politics that grew murkier by the year.

From the 1980s, UMNO’s infighting whirled out of control. In a milieu where considerations of state power, party influence and corpo-
rate wealth determined where one stood, teams were assembled only to be re-assembled. To survive, one recognized ‘friends’ to the degree that they were the ‘enemies of enemies’. By the time he became UMNO’s deputy president in 1993, Anwar had been a veteran of such politics.

Ambiguities And Apologies

Where, in this kind of a heartless world, does one find a haven for one’s soul?

Speaking politically, not spiritually, Anwar might have thought that he could chart a haven by negotiating between unstoppable political imperatives and unattainable personal impulses.

I mean, for example, that Anwar couldn’t alter the course of Mahathir’s programme of late industrialisation but he would try to put a benign face to it. He couldn’t prevent all kinds of injustices but he wanted to offer sympathy to their victims. He couldn’t control the rapacity of the corporate bosses but he made to spare a thought for the rest of us.

Sceptics call this hypocrisy. A neutral way of looking at it is to regard it as the politics of an uneasy conscience, practised by those who are ‘part of the system’ but believe they haven’t ‘sold out’.

But even if one wanted to, one couldn’t play the political game at the apex, and still switch off the ostentation and insincerity of Kayyel on demand and balik kampung to simplicity and warmth!

In good times, one sounded like a wimp. In tense situations, one was called a non-team player. When the chips are down, one becomes a turncoat. Mahu makan taukeh ke?, they begin to ask in UMNO parlance

Anwar had watched (and maybe helped to make) Musa Hitam fail in this game. The problem was, Anwar, like Musa, probably never quite shared Mahathir’s vision of building Malay capitalism — at least not with the same resolve and purpose.

Mahathir apologized to no one for devoting himself to the hard-nosed preoccupations of the corporate world, money market and global economy. He changed from being a ‘man of the people’ to being the patron of the movers and shakers of our domestic world. For him, people were moved by boundless ambition, ceaseless competition, and actual achievement — or destined for failure.

So to speak, Anwar seemed to apologize on Mahathir’s behalf by dabbling in a vague moral economy, a sort of ‘Anwar’s agenda’.

Anwar’s Agenda

Basically ‘Anwar’s agenda’ contained not much more than a hope that a helping hand might stop the devil from taking the hindmost.

No one really kept a tally of its real achievement as opposed to the rhetorical satisfaction it gained from ‘being concerned with’ low-cost housing, low-cost healthcare, helping the poor, and assisting the dislocated. (After July 1997, for example, Anwar tended to the SMI’s, small and medium industries, the little guys of the industrial system but without much in the way of available funds.)

One final instance, however, tells us something novel. Whereas Mahathir urged Malaysian conglomerates to conquer markets in far-flung places, Anwar seemed excited about sending Yayasan Salam, Malaysia’s ‘peace corps’, to poor places.

That was like spreading ABIM’s Yayasan Anda across the world! It tells us that Anwar’s common threads were perhaps woven across his UMNO phase as well, as it were, in a coexistence of pro- and anti-establishment sentiments.

In the early to mid-1990s, Mahathir wanted an East Asian Economic Caucus and spoke an authoritarian language of ‘Asian values. Anwar wrote The Asian Renaissance and acquired the idiom to go with his moral economy: civil society, universal values, empowerment and sustainable development.

All this shouldn’t make us overstate the policy differences between Anwar and Mahathir (and Daim) that combined with personal considerations to force their showdown after July 1997.

It’s sufficient, though, that Anwar’s ideological threads had garnered a perspective on globalisation that allowed for ‘creative destruction’ where Mahathir only saw conspiracy and speculation.

Seen in this light, Anwar was a putative anti-Mahathirist even before the roof collapsed on East Asia.
New Or Old Anwar?

Likewise, one shouldn’t be blind to Anwar’s habitual use of the ‘standard operating procedures’ of UMNO politics under Mahathir.

Before Anwar’s fall, corporate bosses cultivated the PM-to-be, and wheeler-dealers queued to receive his blessings. His lieutenants took charge where they could, out-bidding, out-influencing and dominating rivals in the party and government. His think tankers and academic advisers used public institutions, universities and foundations to conduct politically motivated ‘research’.

Had Anwar gone on to become PM, many of these people would have become influential beyond their dreams and those ways of pushing Anwar’s agenda would have been institutionalized.

In politics, it’s always risky to trust to the supposed virtues of individual leaders. Yet it’d be a mistake to overlook the common threads in a man’s worldview and ideological commitments. Few people can long behave inconsistently, guided only by opportunism.

Hence, we must ask: come a time when Anwar is re-injected into the political scene, what will Anwar’s past common threads and anti-Mahathirism amount to? Will we then see a new Anwar?

I have been asked this question several times and I have asked it of many friends. None of us has the answer but most believe that much depends on what Anwar has learnt from these past three years.

In the first days of September 1998, Anwar’s hour of need, the politicians and corporate bigwigs who fought to rub shoulders with the ‘anointed successor’ were conspicuously absent. But just when everything seemed lost, thousands and thousands of ordinary people – unnamed students, youth, and members of civil society – rallied to his cause.

Anwar recounted this in Permatang Pauh when he launched Reformasi. He declared he finally knew who his real friends were. They were not the rich corporate and powerful political types whom he’d helped but who abandoned him at the drop of a hat. His real friends, he said, were the common folk whose support allowed him to reinvent himself.

The Experience Of Defeat

It’s fashionable in reformasi quarters to call him DSAI. In political terminology, we can call him a populist. Populism is notoriously difficult to define since populists come in many shades and shapes. Some of them project latent fears and prejudices which can be quite outlandish and disheartening.

The more promising populists purport to articulate the basic interests of ‘the people’, ‘grassroots’ and ‘communities’, in opposition to big business and insincere government, of course, but without demonising others, such as foreigners or minorities of one kind or another.

It’s possible to interpret one part of Anwar’s populism as an expression of his pet caring civil society: assistance for the poor, compassion for the disadvantaged and guidance for our ‘lost youth’. In the present circumstances, another part lies in his anti-establishment criticisms of corruption, authoritarianism and the lack of respect for human rights which today find its broadest appeal in reformasi.

At its best, what populism can promise in our post-crisis situation is a voice that expresses more than nostalgia for rapid growth and a high KLSE index. What it should promise is a programme of socio-economic reform that is not limited to an economic revival that ‘restores investor confidence’ only to the extent of advancing influential domestic interests and foreign investments.

Given his past, will Anwar have a better inkling than most of popular issues such as secure jobs, decent careers, better conditions of work, caring social policies, improved public facilities, meaningful social security measures, upgrading of education, and so on?

If Anwar returns, will he fall back upon his UMNO ways of doing things, only to comfort an uneasy conscience with the bombastic rhetoric favoured by his former speech writers?

Or will he express the concerns of ‘the people’ – including students, youth and civil society who have stood by him – in workable social, economic and political programmes?

The truth is, no one knows. And only time – and Anwar’s experience of defeat – will tell.
Since the 1980s, neo-liberalism has been promoted as a panacea for almost whatever that might ail an economy. It would revive a sagging economy or kickstart one, promising wonderful benefits once the economy opens up everything under the sun for privatisation and commoditisation. And chief among them targeted for privatisation and commoditisation have been essential or basic services/goods such as public utilities (water, electricity), public transportation, and health care.

In recent years, there has been an increasing push to more fully privatise and commoditise health care in Malaysia. As usual, neo-liberals argue that market forces will deliver more efficient, affordable service to all. But this is actually a lie; this trend is actually a capitalist (as opposed to people-oriented) ideology served up to benefit mainly the economic elites.

Just look at the systemic crisis in health care in the US, which has adopted the privatisation policy all along, despite a larger amount of taxpayers’ money being spent on it. And now, all US apologists for the system can say is that their system offers the best kind of health care service, ignoring the fact that even if true, that is only for those who can afford it, that is, the rich.

The neo-liberal approach has led to a major crisis in US health care as its health insurance has put it out of reach of many in the US. It is estimated that 17 per cent of Americans (about 51 million) do not have any health insurance and, by all accounts, this is going to increase in the future. No wonder this has been a constant issue for politicians running in the past few US presidential elections.

About 60 per cent of Americans in recent polls expressed support for universal health care. But politicians who tried to promote universal health care have been unsuccessful in introducing substantive changes that would essentially undercut the neo-liberal approach partly because of strong resistance from major lobbying groups, the Health Maintenance Organisations (HMOs) and insurance companies.

Meanwhile, many Americans like

Certain basic services and goods should not be privatised but should be provided by the government using taxpayers’ money.
to ridicule or slam the health care system of the Canadians, who have resisted the neo-liberal ideology as much as possible by trying not to take their system down the same sorry path as the US even though they know their system can still perform better in the interests of truly providing affordable “universal” health care.

Up until the 1970s, economics textbooks clearly stated that certain basic services and goods should not be privatised or commoditised but should be provided by the government using taxpayers’ money. After all, isn’t that the main purpose of taxation? These basic services included utilities, public transport and, of course, health care.

There were several strong reasons for the thinking. More coordinated implementation of such services by a centralised entity in the form of the government was one and making such basic services affordable to as many people as possible was another.

**An economic burden**

Then came the 1980s and the neo-liberal ideology was promoted to all corners of the world from the US and the UK led by demagogues President Ronald Reagan and Prime Minister Margaret Thatcher respectively. Suddenly, all those basic services could be privatised and commoditised, after all. And many economists like to champion econ as an objective, science subject! And so, for neo-liberals, everything under the sun has become fair game for privatisation and commoditisation.

Here in Malaysia in the 1980s, Mahathir was happy to privatisate all kinds of utilities, public transport and even health care for two main reasons. One was that privately run services were touted to operate more efficiently involving less bureaucratic delays than publicly/state run services. The other was the services could be privatised to his cronies without going through open tender the better to shore up his political support.

Well, we all know now that privately run services are not necessarily efficient while publicly run services are not necessarily inefficient. Singapore’s civil service shows that government- or state-run services, by definition, do not operate inefficiently or are not necessarily riddled with bureaucratic delays. Much, indeed, has been written about its wonderful efficiency. Here at home in Malaysia, the Immigration Department has recently been shown to be fast and efficient in renewing passports within only hours of their application. All the talk about government- or state-run services being inherently inefficient and slow turns out to be a myth.

Also, privatisation of basic services is becoming more and more an economic burden on ordinary Malaysians as private corporations owning and offering these services are driven by their bottom line of profit maximisation. This is shown by the increasing toll charges on the many privatised highways in Malaysia unlike the relatively inexpensive tolls, even to low-income wage earners, on highways built by the state/government in the US before the 1980s.

Furthermore, the bottom-line mentality of private corporations has little if any concern for environmental degradation. This is a negative impact stemming from that mentality but, instead of assuming full responsibility for it, including using some corporate profits to deal with the impact, neo-liberal economists called it an externality. In so doing, they go around promoting the impact as everyone’s problem in order to get the government to set aside more taxpayers’ money to help deal with it.

It is high time that Malaysians become wary of the neo-liberal ideology and not be fooled by its lies about the beauty of health care privatisation. There are other models we can look into besides that of the US, which typifies the neo-liberal approach with all its attendant ills. Many Americans, through ignorance or arrogance, like to make fun of the Canadian model, but the Canadian model is actually more affordable, ethical and caring.

In the final analysis, neo-liberalism does more harm to more people and the environment than good.
Power tariff hike: unjust and unfair

TNB’s profits for the last few years, suggest that the government is all out to protect the interests of big corporations

by Ong Eu Soon

Since the last electricity tariff increase in 2006, Tenaga Nasional Bhd’s profit before tax for the financial year 2007 hit a record high, soaring 73 per cent to RM4.8 billion. Yet we were told then, TNB would go bankrupt if there was no tariff hike.

It is unfair for the people to be absorbing the costs of fuel price hikes while TNB makes indecently huge profits.

On 4 June 2008, the government did it again by allowing TNB to raise power tariffs by up to 11 per cent for households and 26 per cent for commercial and industrial users. Like in 2006, immediately after the news was announced, the share market responded with a ‘buy’ call. Immediately after trading resumed on Friday, 6 June 2008, TNB’s share price surged 85 sen to RM8.15, off an early high of RM8.70.

According to Chief Executive Che Khalib Mohamad Noh, TNB buys subsidised gas from national oil firm Petronas, but the gas price will be raised 123 per cent under the new price structure, part of a revamp of the government’s subsidy scheme. He also pointed out that the price of coal has also shot up by more than 170 per cent since 2006. Thus, TNB had no choice but to revamp the power tariff.

He added the new rates cannot fully cover TNB’s operating costs due to the increased prices of gas and coal, which it uses to power its plants.

TNB expects a lower profit in the 2008 fiscal year. The firm expects a 4.8 billion ringgit increase in revenue from the tariff hike this year but its operating cost will rise even higher by 5.6 billion ringgit, he pointed out.

Combine the profit before tax for 2007 of RM 4.8 billion with the expected additional RM4.8 billion in revenue due to the tariff hike, and off-setting that with the RM5.6 billion hike in operating costs, TNB is expected to make around RM3.4 billion for the financial year 2008. No doubt a lower profit, but much higher than what it earned in financial year 2006, RM2.8 billion, or the previous years.

Power purchases from the IPPs make up 45.1 per cent of TNB’s total costs; oil and gas only 12.6 per cent.

Even thought the price of crude oil has doubled from US$70 per barrel in 2006 to US$130 per barrel now, the cost of fuel cannot be more than 28.1 per cent of TNB’s total cost. According to Goldman Sachs JBWere Pty., Asian coal prices may rise by 22 per cent in 2008; this means the cost of coal will increase to 22.7 per cent of TNB’s total cost.

The power purchases from the IPPs are the real problem that punches a hole in TNB’s earnings, not the fuel hike.

Financial Year | Profit before tax
--- | ---
2004 | RM1.5 billion
2005 | RM1.8 billion
2006 | RM2.8 billion
2007 | RM4.8 billion
2008 | Around RM3.4 billion (estimated)

If we look at the trend in TNB’s profits for the last few year, you will realise that the government is all out to protect the interest of big corporations with total disregard to the interest of the people.

About 40 per cent of Malaysia’s total generation capacity of 19,000 megawatts is not used. TNB and the government should spend more effort in attracting investors to invest in Malaysia, as we have plenty of electricity, while China is facing huge problems after the Wenchuan earthquake.

The government again chose the easy way out by passing the cost and problem to the people, totally ignoring its responsibility towards the people.
A cartoon lesson in history

by Tiang Wei

Where Monsoons Meet -
A People’s History of Malaya
Price: RM18
(Available at Popular Bookstore
and Borders Bookstore)

A newspaper announcement drew my attention to the impending launch of a cartoon history book of Malaya. Expecting little, I decided to attend the book-launch on 24 Nov 2007 at the Caring Society Complex in Penang.

When I arrived, the room was already quite crowded - roughly 120 people. Not bad for a book launch, I thought. Not long after I sat down, the facilitator introduced the agenda for the day.

Mr. Chong from the publisher, Strategic Information and Research Development Centre (SIRD), first explained that this cartoon history book “Where Monsoons Meet” had been published for the third time. It was first published in 1979 in London and again by Insan in 1987 with four pages omitted from the original book. In its third production, not only are the four pages restored, but the Malay and Chinese translated versions of the book are also available.

Two of the authors, Lee Khek Mui and Low Swee Heong, are practising engineers. The third author, Choo Foo Yong, is an architect, now residing overseas. Both Lee and Low spoke at the book launch.

Lee recounted how the idea of a cartoon history came about as a result of the authors’ active involvement in the Malaysian and Singaporean students movement in England during the 1970s and 80s. The authors took advantage of the easy access to libraries in the School of Oriental and African Studies, part of the University of London, to do most of the research.
The idea of coming out with a cartoon history book was inspired by the then popular “Beginners Cartoon” series such as “Einstein for Beginners” and “Marx for Beginners”. Many others contributed in terms of debating and challenging the ideas to be presented. The collective effort eventually resulted in this cartoon book called “Where Monsoons Meet – A People’s History of Malaya”.

Low, on the other hand, spoke about the relevance of this history book in today’s context. According to him, the administration in power decides on the documentation and dissemination of history and its interpretation. To this end, Umno as the dominant political power chooses to emphasise the importance of Umno in the struggle for Independence. In contrast, “Where Monsoons Meet” tells the history of the struggle for independence through the common national aspiration of the multi-racial communities of the land. Hence the authors called it “A People’s History of Malaya”.

A Form Five student then shared her experience of reading “Where Monsoons Meet”. She related the lack of interest in history among students because of the way history text-books are written. The presentation of “Where Monsoons Meet” in the form of a cartoon book is refreshing and captivating. Moreover the book with only 172 pages is so concise that it covered all the material she needed to study over three years in school. She said this cartoon history book was a “must read” for all lower secondary students.

The last speaker, Dunstan Chan, a trained lawyer and motivation speaker, said he found the phenomenon of engineers and architects writing history books intriguing. He felt that it was driven by the salient influence of the period of the students’ uprising in Paris, the anti-Vietnam War and the adventurism of freedom expressed during the era of the flower-power people. He said history was such that when the situation and prevailing conditions were right, the human spirit for freedom of expression would always rise to the fore.

I was pleasantly surprised that a simple book launch turned out to be a rather refreshing lesson about history.

Also available in Malay and Chinese
A comic history that’s no joke

It provides a different perspective because it foregrounds the role of economic exploitation in the shaping of our society

by Amir Muhammad

A few weeks ago, I received in the post a photocopy of a Malaysian book. Yes, yes, I know photocopies breach copyright and all that, but this book has been out of print for years, so do forgive the sender and myself.

Titled Where Monsoons Meet: A People’s History of Malaya, it was written in 1979 by a group of people who chose to be known only as Grassroots. (Who were they and where are they now?) It is a comic history of the country; not comic as in rib-tickling but because it is told through lots of drawings and speech bubbles. Yes, a “graphic non-fiction novel” of sorts. True, it’s not as sleek as something by Neil Gaiman or Frank Miller, but it’s about us, damnit!

The version I have was published in 1987 by Insan. (What complicates matters is that there exists another, different book with the same title published in 1956, but with the subtitle The Story of Malaya in the Form of an Anthology.)

I think that Where Monsoons Meet (the comic, that is) should be required reading in all National Service programmes. In fact, even the kids’ parents should read it, instead of whining all the time about safety standards and whatnot.

Our nation’s history is told through a somewhat different perspective because it foregrounds the role of economic exploitation in the shaping of our society. There are lots of interesting nuggets that may not make it into standard history texts. For example, did you know that 59 per cent of the revenue of the Straits Settlements a century ago was derived from selling opium to immigrant Chinese labourers? And did you know that in 1947, well-organised workers’ movements managed 291 major strikes, resulting in the loss of 696,036 man-days to management? (If you don’t know what a strike is, perhaps this book can serve as a start).

Yes, it is didactic, but the facts and figures are often leavened by wit and sarcasm, courtesy of the drawings, and also a propulsion in the chronological structure. The book also makes you consider parallel scenarios; for example what would have happened if the British had not stopped immigrant Chinese and Indian workers from planting rice? We would now have a multi-racial peasantry, with arguably different repercussions for how we view ourselves now.

Although it ends in 1957, this is not a story marked by mothballs and cobwebs. A progressive history of this country is well worth telling. Although it has it blind spots, these can be better appreciated after reading the whole thing and contrasting it against the standard ethno-nationalist narratives with its ruling-class heroes, which you are presumed to already know about.

It would be great if an intrepid publisher can bring it back into print, on the occasion of the 50th anniversary of the lowering of the Union Jack on these shores. Q

The above is extracted from the preface to the book Where Monsoons Meet.
FOR 3 decades of colonial rule, the British made little or no attempt to incorporate Malays into the higher echelons of the bureaucracy.

SO in 1905, the Malay College Kuala Kangsar was set up for the sons of the aristocrats and the chiefs. By 1910, graduates from the College were appointed to fill the posts of the newly formed MALAY ADMINISTRATIVE SERVICE (MAS).

Although the MAS was envisaged as a stepping-stone to the more prestigious MALAYAN CIVIL SERVICE, it was not all plain sailing.....

IN 31 years only 31 Malays were promoted to the junior posts of the Malayan Civil Service.

THE British failed to induce the Malay peasantry to come forward and work in tin mines or for the British as wage labourers. But large numbers of labourers were urgently needed to open up the land, so labourers from South China and India were imported through recruiting agents.
ALLOW ME TO BEGIN BY NARRATING A LITTLE EXPERIENCE AS A PRISONER OF CONSCIENCE WHICH HAS SOMETHING TO DO WITH THE WRITING OF MY BOOK. AS SOME OF YOU MIGHT ALREADY KNOW, I WAS ARRESTED UNDER THE ISA IN DECEMBER 1974 TOGETHER WITH ANWAR IBRAHIM, FOLLOWING THE HUNGER MARCH OF ABOUT 25,000 PEASANTS IN BALING. MORE THAN A THOUSAND STUDENTS AND STAFF OF THE UNIVERSITIES WERE ARRESTED FOR DEMONSTRATING IN KL TO SUPPORT THE MARCH.

ABOUT A DOZEN STUDENTS, EX-STUDENTS AND LECTURERS, INCLUDING BOTH OF US, WERE SUBSEQUENTLY SENT TO KAMUNTING.

 Written in the mind

After 20 months in that detention camp, I was taken to KL with the promise of release. Later Anwar was also taken there and indeed released before his two years was up. But I was put under solitary confinement in an unknown holding centre to be observed and dissected by a team of Special Branch opera-

dives for more than six months. The outcome was that I had to continue being guest of the Agong for an additional four years. Of course, combined with his period of incarceration following a kangaroo court trial that took place after his sacking, Anwar managed to break my six year record.

In that unknown centre I was under intense interrogation for hours on end, sometimes without sleep, by a regular shift of officers, some playing kind and
some not acting but really cruel. I experienced being spat on, insulted, slapped, beaten or left on many occasions in my cell of eight by eight feet in total darkness. I am sure the same experiences have to be borne by the majority of detainees in Kamunting now, who have been there nearly six years.

Somehow or other, I managed to stop my tormentors continuing to spit or slap merely by smiling or offering the other cheek. I also learnt to hear the sound of but not listen to their threatening tirades. Admittedly, what I found most difficult was to surmount the psychological feeling of loneliness and abandonment in the dark cell. I need not elaborate on these because they have been narrated in my “Two Faces”.

Please bear with me a little bit more about the excruciating experiences in my lonely cell. One of my senior interrogators proudly said he could destroy the only thing I have, my mind. This was after I refused to be coerced into implicating Dr Rajakumar, yes, this Rajakumar as a pro-communist and admitting that I was the intermediary between the then DPM Dr Mahathir Mohamad and the communist underground.

Had I admitted, perhaps the Minister of Home Affairs then, Ghazali Shafie would have made sure that he would replace Mahathir as DPM and then proceeded to become PM. Then we would have had a different type of problems for the country.

Some people asked: “Why didn’t you admit? You could have saved us from Mahathir’s and now Abdullah’s rule.” Of course I would not admit to such a blatant lie. Further any admission would certainly be used as a new ground to extend my detention. Anyhow, Ghazali still signed my two-year extension because the SB officers found I had not been rehabilitated.

Every time I was abandoned in the cell, I would inevitably do three things, to make sure my body and mind remained strong. First, exercise, mostly by pumping and jumping up and down. Second, pray and recite whatever verses of the Qur’an I remembered. Third, sing some old English and Malay tunes that I was familiar with. But these were not sufficient. I wanted to do something more to keep my mind more active.

It was at this time that I remembered a suggestion from my friend Rajakumar, conveyed through my wife during my early days in Kamunting, to write a book on Malay values. But this topic was too specific and needed deep research.

So I chose something easier. When ever I was left in the cell, I thought about and planned this book. After a few months I had practically every page of all chapters clearly written in my mind.

When I was taken back to Kamunting and separated from the other detainees, I had all the time to myself to furiously type out the whole thing within three weeks. So you see, that is the genesis of my book. That is why I have chosen my two long standing and respected friends – Raja and Anwar - one to speak on the book and the other to launch it.

A deterioration

It was before the recent general elections that I decided to update and revise it. I dare say that the Malay problems as I saw them from the dark cell I was dumped into three decades ago have not changed very much. Granted there have been improvements in certain aspects of the conditions of the Malays, but in some others they have indeed deteriorated.

It is true that the incidence of absolute poverty among Malays has decreased, but relative poverty has increased as the gap between the rich minority and the poor majority has widened. It is true there are more Malay new rich produced through the government development programmes, but concentration of wealth and corruption are becoming more chronic especially at the highest level in Malay society. Many new towns have been built with beautiful roads and unnecessary decorative bridges, but the condition of some Malay villages appear to have remained the same since Merdeka.
It is true that there are more Malays who are highly educated and have become successful professionals, but there is alarming deterioration in moral and ethical values among a growing number of Malays, including those holding important public offices. At the same time, there is also an increase in all kinds of criminal as well as anti-social activities. It is true that there are many Malays who have built ostentatious palaces for themselves from the country’s wealth they have robbed. But many in the rural areas still live in run-down huts and study in ill-equipped schools, sans electricity and tap water, while a large number in urban slum areas are living in constant fear of forcible eviction.

I am not suggesting that these are exclusively Malay problems. They are also shared by other communities - the Chinese, Indian, Iban, Kadazandusun and many others. But, as I have statistically shown in the book, comparatively a larger proportion of Malays are still lagging behind the Chinese especially and even the Indians too, in income, education, housing and so forth. This, ironically, prevails despite the so-called “ketuanan Melayu” (Malay supremacy), constitutional guarantees on the Malay special position and the New Economic Policy (NEP).

Admittedly, this country has witnessed a lot of development especially after the NEP. But unfortunately, they emphasise more on economic rather than social and human development. At the same time, they stress more on physical or material rather than moral or ethical development. There is more allocation on wasteful mega projects to provide big contracts and commissions to cronies rather than providing social facilities for the greater benefit and welfare of the ordinary people, especially the disadvantaged groups.

Who do I mean by the disadvantaged groups? Of course, basically they are the poor in the lower class. But I must say, they also include the middle income groups who can hardly afford decent living because of their big families to support and the ever-rising prices of daily essentials. In fact, I would not exclude also the professionals, executives, businessmen and others in the upper-middle class who often face discrimination because of their ethnic background or political association, for example.

These disadvantaged groups are from different ethnic groups and not confined only to the Malays. But those who form the majority are the poor and low income groups, the bulk of whom are Malays. In the process of development, the perception and the reality to a large extent is that the Malays from the privileged groups are the greatest beneficiaries. Even the poor and disadvantaged Malays are not given their due share.

Broader approach needed

Several observations need to be emphasised here. First, poverty and low income, although largely are not exclusively Malay problems. There are Orang Asli in the Peninsula and Orang Asal in Sabah and Sarawak who are in more oppressive conditions than a large number of the Malay poor. There are Indians and Chinese in the estates and slum areas who are poor too. But just because their number is small it does not mean we can afford to neglect and exclude them from the development process.

Be that as it may, the fact to be stressed is that the Malays constitute the big majority of the poor and deprived in the country. So, primary attention must justifiably be focused on them; but there is no justification for neglecting the non-Malays in a similar or sometimes worse plight.

Second, in the name of the Malays
as a whole, a small coterie of those in advantageous positions have managed to use or abuse the NEP and the constitutional provisions on Malay special position to enrich themselves. In most cases they succeed, though many of them only temporarily, on the basis of “know who” and not “know how”. The privileges they enjoy are often misinterpreted as those of the whole Malay community. Ironically, beyond beautiful rhetoric, there has been insufficient sensitivity and commitment among many Malay government leaders towards the poor who are the majority Malays.

At the same time, many non-Malay capitalists have become wealthier than the leading Malay corporate figures enjoying special support and sponsorship.

Although far from being Bumiputera, they are able to enjoy the benefits from the big allocations for development under NEP projects, primarily through their “know who” links with powerful politicians whom they can often easily buy off. They certainly have more privileges than the ordinary Malays.

Third, the persistence of absolute poverty and deterioration of relative poverty affect access to good education, health services, housing and so forth among the poor. Since the majority of Malays are poor, they are most adversely affected. Again this plight is not the monopoly of just the Malays for they are shared also by the poor from other ethnic groups. The cause of all these can be traced to the existing socio-economic system and government policies, which are strongly rooted in the dominating free enterprise (laissez faire) philosophy.

There is something inherent in this system and the policies that work against the interest of the poor and the weak. With the influence of globalisation (a new form of colonialism), the prevailing political power structure and the dominating free enterprise philosophy, the system favouring the rich few will persist for quite some time. There is a great need to temper this system with humanitarian and egalitarian values and programmes. There is still need for positive discrimination. But it should be based not on ethnicity, but on necessity that cuts across ethnic line.

I share the view that after nearly forty years, there is a need to reappraise the NEP and replace it with a new Malaysian Economic Agenda (MEA) as mooted by Anwar and accepted as PKR party policy. This agenda contains the following important ingredients:

- it focuses on the poor and disadvantaged, with social facilities provided more for their welfare and emancipation,
- it introduces poverty alleviation and development programmes for the Malay rural poor, but providing similar opportunities and treatment to the other ethnic groups, cutting across ethnic boundaries,
- it restricts powerful political leaders and their cronies accumulating wealth from filthy sources and by dirty means,
- it wages effective war against corruption, waste and mismanagement, and
- it empowers the people, particularly the poor and disadvantaged Malays, so that they can be liberated from slavish mentality and have the courage to promote and defend their basic economic and social rights.

The idea of replacing the NEP with the MEA is to generate balanced development to achieve social justice through fair and equitable distribution of the country’s economic and social resources. Since the policy and orientation of MEA is based on the dictum of kepedulian rakyat i.e. concern for the plight of the people, the poor in particular, it will certainly be most advantageous to the Malays who form the majority poor. At the same time it can guarantee greater ethnic stability because the non-Malays are included in the equation. What is needed is ketuanan rakyat (people’s supremacy). This is the way forward.

Syed Husin Ali is deputy president of Parti Keadilan Rakyat.
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“Liberty of thought means liberty to communicate one's thought.”
Salvador de Madariage 1886 - 1973
Spanish diplomat, writer, critic
It was apt that we began our memorial service at the Annexe Central Market by exchanging hugs with those gathered in honour of Toni. As Pang Kee Teik, organiser together with Jerome Kugan, reminded us, this was the trademark manner in which Toni used to acknowledge her friends. In life, this embrace characterised Toni’s warm personality and her commitment to people and the many causes that she took up. In death, it memorialised her generosity of spirit and the love we have for her.

**Good, passionate, warm-hearted**

The tributes that flowed that Saturday evening – in the myriad forms of anecdotes, poems, songs, short fiction, and video – by her many friends made us cry, laugh, marvel and be grateful that such a person as Toni had enriched our lives through her warm presence and zest for life.

We heard how a young person’s anxiety about her Muslim faith became less daunting because Toni said it was “okay to ask ques-

**Like a star: Zaitun "Toni" Kassim 1966-2008**

With her sparkle, wit, boundless energy, compassion and principled stand on human rights, Toni appeared like a star across the sky and a song in our hearts

by Yeoh Seng Guan
tions”, of how a novice trainer initially intimidated by her illustrious reputation eventually became one of her closest friends. We listened to how she unflinchingly offered comfort to individuals marginalised by the unjust contradictions of societal norms and of her ability to confound sexist and racist platitudes with firmness and good humour.

In all of these encounters, it was Toni’s uncompromising zeal for open, honest and respectful dialogue that grounded her being and which endeared her to many, especially to the young and young-at-heart. Toni was simply inspiring and accessible at the same time.

Good, passionate, warm-hearted
The testimonies also bore witness to her own exemplary range of talents, abilities, interests and diversity of friendships that she was able to make and nurture. Her friends included musicians, journalists, writers, theatre practitioners, film-makers, academics and social activists. What bound all of us together was the knowledge that Toni was a good, passionate warm-hearted person and a deeply committed human rights activist who took up a range of causes that revolved around protecting the dignity of human beings and their freedom of expression.

Toni was born in Ipoh, one of three daughters. Her father passed away while she was young. Her mother resigned from her full-time job as a nurse to look after the family. Toni had her primary and secondary education in Ipoh and Malacca before continuing her tertiary studies abroad in Flinders University, Australia. Whilst in university, she volunteered for the grassroots-based NGO, Community Aid Abroad, and subsequently took up a position with them for six years.

When she returned to Malaysia in the mid-1990s, Toni was quick to re-immerser herself in local and national issues through activism. The list of NGOs that she was involved in and helped to steer throughout the years is broad as it is diverse. They included the Malaysian AIDS Council and PT (formerly known as Pink Triangle) Foundation, where she helped in formulating awareness programmes on HIV/AIDS. At Awam (All Women’s Action Society), she served as vice-president and spokesperson for a time. She was also a key member of Sisters-in-Islam and its principal trainer on women rights and Islam. And Toni was an active secretariat member of the human rights group, Suaram, as well as member of the Malaysian chapter of Amnesty International.

A song in our hearts
Toni’s facilitation skills were well-known, and she was much in demand as a trainer both in local and international workshops. She conducted workshops for diverse individuals and communities - from indigenous peoples, sex workers, transgender persons, persons with disabilities to urban poor communities, youths, Muslim women, and Muslim religious teachers (ulama).

Toni was also active in numerous civil society initiatives that lobbied for more democratic space and social justice in Malaysia. She was part of human rights fact-finding missions and delegations. Somehow, Toni even found the time and energy to review and take part in theatre as well as perform in an a cappella singing group. Her most recent involvement, which gave her much pleasure, was the Fiesta Feminista held in the University of Malaya in early 2007. She felt hopeful about the blossoming of a new generation of gender and human rights activists.

In the political arena, Toni is best known for being the first woman candidate running on a women’s platform in the 1999 General Election. As part of the “Women’s Candidacy Initiative” (WCI), she contested in the Selayang parliamentary constituency to raise concerns that transcended political party lines and to highlight issues of discrimination in the political process. Although she did not win, she was voted one of ten outstanding Malaysian women in 1999 for her pioneering effort. The recent general election saw Toni named as a candidate again for the WCI. Sadly, she had to withdraw because of worsening ill-health, which later claimed her life on 4 June.

Like so many others who knew or had worked with her, we at Suaram deeply mourn her tragic passing. We miss her sparkle, wit, boundless energy, compassion and principled stand on human rights. Only slightly more than a year ago at our Suaram Fundraising Dinner, Toni had chosen to sing a song, “Like a Star” (by Corinne Bailey Rae), to commemorate the lives and contributions of human rights defenders in Malaysia over the decades. Like them, Toni has appeared like a star across the sky and become like a song in our hearts. She will not be forgotten.
After the 1990 general election, Tengku Razaleigh came to Ipoh and we, the late P Patto, Ngoi Thiam Woh and I met Tengku Razaleigh at the Ipoh Casuarina Hotel for an informal meeting.

The revelation that Tengku Razaleigh made surprised us all. During the 1990 general elections, Tengku Razaleigh and Lim Kit Siang flew to Sabah to receive Pairin into the Gagasan Rakyat’s fold. The PBS under Pairin had agreed to leave Barisan Nasional and join Gagasan Rakyat bringing along the state of Sabah. This defection was kept in secrecy — nobody knew about it, not even the BN.

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After this, Tengku Razaleigh was supposed to fly to Johor to meet up with leaders of another major party from the Peninsular Malay-
taken by the Election Commission (EC). Why didn’t the ACA look into this matter? Were they waiting for someone to make a report?

The rakyat has lost faith in the ACA. It took the ACA just four days of investigation to clear the former Sports Minister of any wrongdoing. Quote: “After our investigation, we have found out that the former Sports Minister has done nothing wrong and we consider the case closed.”

Lionel Perera
Port Dickon

Samy Vellu and MIC

In reference to today’s The Star, page 25 (17-6-08) with the caption ‘Samy wants devoted successor’.

The Malaysian Indian Business Association (MIBA) welcomes Samy’s call to the MIC members that he would not seek re-election as MIC President come March 2009 if members felt that there should be a leadership change.

The MIBA calls on the MIC members to rise to the occasion. It is not MIBA’s intention to interfere in the affairs of the MIC. However, the MIC and Samy claim that they not only represent their members but also the Indian Malaysian community. Thus, the MIBA is forced to be vocal about some areas of concern that need to be addressed for the community to move forward amidst new challenges.

A new leadership for the MIC will boost the party’s overall image with new plans and a new vision and mission.

At a point in the MIC’s history when the relevance of the 60-year-old party is at stake, the MIC needs to bring about a revolutionary shift in its entire political paradigm in view of new calls to bring to an end communal politics and practices. The door must be opened to more transparency, accountability and democratic practices compared to the more feudal type of system in existence now.

The MIC has been under relentless attack from the Indian Malaysian community especially after the advent of Hindraf, a Hindu organisation that spearheaded a bold movement to combat indiscriminate temple demolitions and to demand equal rights for all races. Hindraf leaders are now under detention without trial under the infamous ISA.

The contributions of the Indian Malaysian community towards the success of this country cannot be denied. Yet, there have only been lukewarm attempts to grant a fair slice of the economic pie to the community under the NEP in the past 38 years.

Indian Malaysians have squarely blamed Samy Vellu for their current predicament and have translated their anger and frustrations into votes in the March 8 general elections. They openly supported all opposition candidates regardless of race and brought an end to the ‘Titanic’ of Sungai Siput.

Samy Vellu has overstayed his welcome in the party over the past 29 years. He has done much for the MIC members, the party and the country. But the expectations of the larger non-MIC members are greater. What else can Samy Vellu offer except the same value?

P. Sivakumar
Johor

Astro is arrogance personified

Recently the Astro sent a Smart (?) Card which the Astro calls the Gold Card. I received one such card on 22 May 2008. Followed the instructions faithfully and inserted the “Gold Card” into the decoder after removing the old card. The Astro channel in the TV went blank. The words on the screen indicated that it would be activated in ten minutes’ but it remained blank even after 24 hours. I could only view TV3. Even TV1, TV2 and TV7 were disrupted. I called the contact number given in the pamphlet received with the micro chip card for assistance.

There was a recorded message: “Our office is currently closed. Call us during office hours.”
The next morning 23 May, I dialled the number. After hanging on for more than 15 minutes listening to silly announcements canvassing Astro’s products a person came on line and instructed me to do a few mechanical acts and insert the card with no result. The line was abruptly cut off. When I called again and after hanging on listening to silly Astro adverts another person came on the line and insisted that I should carry out the same exercise. When I replied that I had already gone through this rigmarole earlier I was told they had to reconfirm to be sure.

I was finally told that someone will call over at the house within 24 hours. I persistently made five intermittent calls and requested that at least the ‘old card’ which was in working order be activated as I wanted to listen to the verdict of the ICJ on Pulau Batu Puteh on TV2. I was told to insert the old card and switch off the TV and pull out the connection and wait for one hour. After one hour I reconnected and switched on the TV, nothing happened.

I made two more calls in vain and when I insisted on speaking to someone in authority I was reluctantly put on to someone who only identified himself as “Wan”. This person instructed me to wait for 72 hours instead of 24 hours.

An Astro employee called at the house at noon the next day 24 May and substituted a new card for one that I received by post.

I rang up the Ministry to lodge a complaint as the Minister could not be contacted. A consoling voice told me that action is being taken against Astro.

I do not know what action is being pursued. All I know is that the Minister of Information is quoted in the Press saying that no more new channels for Astro unless the shortcomings are rectified.

One fails to comprehend the logic in banning new channels for Astro. In what way is this going to hurt or act as a deterrent to Astro continuing its exploitation of its subscribers.

The Astro had recently arbitrarily rearranged the package of its channels and made some of the free or complementary channels such as the Sun TV as a paid channel giving the subscribers a Hobson’s choice.

The Astro is continuing its announcements that the new micro card is for upgrading its service. This is a whole lot of humbug. The service had in no way improved. On the contrary we now have more interruptions with the words “Service strictly not available” displayed in the TV screen. One is at a loss to understand why Astro should shut out at the slight sign of lightning when TV3 can be viewed clearly without any interruption. Why are channels TV1, TV2 and TV7 disrupted when the Astro channel is out. Why is the Astro decoder allowed to disrupt other channels that are not the concern of Astro.

Why are the subscribers of Astro subjected to such humiliation and inconvenience by introducing a new “Gold Smart (?) Card” masquerading as upgrading service and suffer the disruption of service for 72 hours.

All this hassling and humiliation continues simply because Astro has a monopoly and the subscribers are left with no alternative.

We are sick and tired of seeing the same movie shown again and again. If there is a new movie the subscribers have to pay a special fee in addition to the already exorbitant monthly charges. There is no end to the fleecing of the subscribers.

When payment is delayed even by a few days the subscribers are slammed a charge of RM10 which is more than 10 per cent of the amount payable but there is hardly any rebate for the disruptions of service due to no fault of the Astro subscribers.

The main stream press is reluctant to highlight anything concerning Astro. Perhaps this is because of the carrots dished out by Astro by way of full page coloured advertisements which churns in thousands of Ringgit for the main stream press. I called up at least two Hotlines provided by the main stream press only to be told to wait and that I will be contacted which never happened.

The government must step in to regulate the Astro which makes huge profits in the interest of the million over Astro subscribing rakyat.

If nothing tangible happens the subscribers have to unite and demonstrate in the Hindraf style to highlight their plight and to right the wrongs.

Sai N S Wigneswaran
Cheras
Aliran welcomes Home Minister Datuk Seri Syed Hamid Albar’s assurance, “I agree to approve the registration of your political party.” It took him perhaps less than two minutes on the keyboard to give this assurance and remove an injustice and an unwarranted obstacle put in the way of Parti Sosialis registration.

It took a 10-year relentless battle to realise this outcome for their uncompromising struggle. Parti Sosialis must be congratulated for their tenacity of purpose in staying the course in pursuing their ultimate goal.

But let us also remember that it was the present Prime Minister who in his capacity as the then Home Minister who rejected their application in 1999 for no valid reasons. Unjustifiably, they were branded as a threat to national security without a shred of evidence. The Barisan Nasional had acted in bad faith then in denying a legitimate attempt to form a political party.

The High Court in 2003 ruled that the party had not met the ROS requirements to be a national party and upheld the government’s view that the party was a threat to national security. This verdict came as a serious blow to our right of association and made a mockery of our constitutional guarantees.

In view of the Lingam Tape episode, we must wonder whether that decision was an attempt to please the BN government and protect its political interests above the larger compelling interests of democracy and justice.

Let’s not forget that when the BN had an overwhelming majority, it rode roughshod over its citizens, ignoring what was right and just. We must never ever give any political party that kind of majority ever again to lord over us in such a high-handed fashion.

P Ramakrishnan
President
18 June 2008

There are rats everywhere not only in drains and sewers but also in Cabinets & Chambers.

Busy burrowing hither & thither, sowing a virus more contagious than typhus.

Not your common rodent Rattus rattus, but its human equivalent — homo contemptus.

These murine vermin paralysed an entire nation with a plague not bubonic, but endemic, corruption.

In Asia in the 21st Century as in Europe in the 14th Century a right Royal Commission of rat-catchers was cobbled to summon & root out rats responsible for this contagion.

As our Bar & Bench rats in their sleek black coats pattered in one by one to rat on each other with a litany of Mickey Mouse denials:

“It may look like me ...
It may sound like me ...
But I’m not certain it’s me.”

The acrid smell of rat once again seared our nostrils.

Now, in the advent of the Chinese lunar Year of the Rat a nation holds its breath ...

Will dirty rats be ousted in this year of the rodent?

Cecil Rajendra
Inner Temple Honours Tunku

Some time in September 2007, the officials of the Malaysia Inner Temple Alumni Association held discussions with the Treasurer of the Inner Temple, Mr. Stephen Williamson QC, on the possibility of the Benchers of the Inn honouring the first Prime Minister of Malaysia, the Rt Hon’ble Tunku Abdul Rahman Putra Al-Haj who was a Barrister of the Inner Temple. Tunku was called to the English Bar at the Inner Temple in 1947. The Alumni officially followed up with an official letter to London. Subsequently the Benchers of the Inn unanimously agreed in November 2007 that some form of commemoration to honour the first Prime Minister of Malaysia should be commissioned. The Benchers requested the Alumni for proposals as to how best Tunku could be honoured.

The Executive Committee of the Alumni studied this request and finally proposed that a portrait of the Tunku be hung in a prominent place in the premises of the Inner Temple in London. The Executive Committee then commissioned a senior local artist, Encik Amirudin Ariffin to paint the portrait. The portrait was to be presented to the Inner Temple on 30th June, 2008 by the Malaysian delegation at a special ceremony in London. The Malaysian delegation left for London in mid June to participate in the 400th Anniversary celebrations of the Inner Temple. It is such a wonderful coincidence that the presentation of Tunku’s portrait should take place during this momentous occasion.

It was obvious that it would be difficult for many Malaysians to visit London to be part of this significant ceremony. It was therefore felt that in order to provide an opportunity for Malaysians - especially the members of the family of the Tunku - to be part of the function honouring the Tunku, a special unveiling ceremony was held in Kuala Lumpur on 11th June, 2008. The portrait was later taken to London.

The unveiling ceremony was held at 5.00 p.m. on 11th June, 2008 at the Ballroom of the Royal Selangor Club, Kuala Lumpur, well attended by all those who held Tunku in high respect.

The President of the Alumni, Justice Dato’ James Foong delivered the welcome speech. This was followed by the speech of the British High Commissioner to Malaysia, H.E. Mr. Boyd McCleary. The niece of the late Tunku, YM Tunku Dato’ Dr Hajjah Sofiah Jewa spoke on behalf of the family at this event. At the conclusion of the speeches the Minister in the Prime Minister’s Department, YB Datuk Zaid Ibrahim was invited to officially unveil the portrait.

Many judges of the Federal Court, Court of Appeal and High Court and judicial commissioners and retired judges attended this function. Among those who attended included YB Datuk Zaid Ibrahim, his wife, Datin Suliana Shamsuddin, Tun Mohamed Dzaiddin bin Haji Abdullah (the former Chief Justice), Tan Sri Siti Norma Yaacob (former Chief Judge of Malaya), Tan Sri Steve Shim (former Chief Judge of Sabah and Sarawak), Toh Puan Dr. Aishah Ong, the Pro-Chancellor of the University of Malaya, Prof. Dr. Cheong May Fong, the Dean of the Law Faculty, University of Malaya and many members of the family of the Tunku who included his daughter, YTM Tunku Datin Paduka Khadijah binti Tunku Abdul Rahman, Tunku’s cousins, nieces and grandchildren.
It is not uncommon for an old and reputable institution like the Inner Temple to have many eminent members, past and present. However, not all are remembered less having their portraits donning the walls of its great halls and corridors. It is obvious that those who are bestowed with this honour must have achieved some sort of notable distinctions.

Tunku Abdul Rahman Putra Al-Haj — ‘Tunku’ as we fondly remember him — is one such great. He is not renowned for his excellence in advocacy conducted in the courts of law for which all alumni of Inner Temple were disciplined but rather for his talent as a great statesman. His assets were his simplicity, kindness, humanity and an understanding of the ordinary man. Blessed with these attributes he was able to unite and lead a diverse ethnic population into meaningful and effective negotiations with Malaya’s colonial master and convinced them to voluntarily grant the then Malaya her independence. Subsequently in 1963, he repeated the same process which led to the formation of Malaysia.

Late bloomer with great timing

On two notable occasions, Tunku demonstrated his respect for and upheld the concept of the separation of powers in government

by Justice Dato James Foong
The absence of violence and bloodshed to achieve these ends is a distinction in itself.

In addition to this, and more significant, was his practice of good governance and respect of the rule of the law since Malaysia gained her independence. This hallmark has become the expectation by the citizens of this country and is currently being pursued passionately.

These deeds of Tunku were demonstrated on two occasions where he respected and upheld the concept of the separation of powers in government, particularly between the Executive of the government and the Judiciary; a controversy which is currently under scrutiny in our country. The first was his unsuccessful defamation action against a prominent leader of a political party known as 'Parti Negara' in which a High Court Judge, who was appointed just three months earlier on his recommendation, dismissed his claim for lack of evidence. Though disappointed, he accepted the decision graciously without raising an appeal or commenting adversely on the decision.

The second was when, as Prime Minister, he attempted to have an old friend appointed as a High Court Judge. When the Chief Justice voiced his strong reservations over the suitability of this candidate, Tunku totally and implicitly accepted this opinion rather than insisting that the word “consult”, found in Article 122 B of the Federal Constitution which says that a Prime Minister is to consult the Chief Justice before tendering his advice to the Yang di Pertuan Agong on the appointment of a Judge, be given a narrow interpretation.

Recognising such calibre and brilliance in Tunku, the Inner Temple without hesitation has agreed, upon our proposal made last year, to accept an item in memory of Tunku to be displayed at a prominent place in its premises.

Our committee commenced our deliberation on selecting the most appropriate memento to be presented at the beginning of this year. We took into consideration that the Republic of India had, long before us, presented a sculptured bust of Mahatma Gandhi, which is conspicuously displayed on the first landing of the stairs leading to the Inner Temple’s impressive library. I remember as a student of the Inner Temple in the 1960s, that on each occasion when I visited this library, the message of righteousness symbolised through the features of this icon inspired me to emulate him. Such was the effect of this piece of display.

Of course, aside from this, there are numerous portraits of current and former Lord Chancellors, Chief Justices and Judges of England and Wales and notable Inner Temple personalities. There is one of Lord Denning in his resplendent robes of the Master of the Rolls. So was one added recently of Lord Woolf, the just retired Chief Justice of England and Wales. His portrait was painted by the notable British artist Andrew Tift, who captured his subject in a relaxed and friendly mood wearing a working suit rather than in gown and wig.

After much deliberation, our committee settled on an image of Tunku to be painted in oil on canvas. On the suggestion of Tunku Sofia, a niece of Tunku, and the complier of a recently published book on Tunku entitled Prince among Men, we decided to have Tunku’s image painted from a black-and-white photograph taken when he was called to the English Bar by the Inner Temple in 1947. This, we feel is most appropriate in the light that Tunku was a barrister first before he entered politics and it is at his alma mater, the Inner Temple, that his portrait will be displayed.
amazing portfolios, we finally commissioned maestro Amirudin Ariffin for this project. Amirudin Ariffin, hails from Temeloh, Pahang and is a natural born artist. Before he received any formal training in art schools, he was already a noted portrait painter. He has received numerous accolades both locally and internationally, and many of his works form the permanent collection of our National Art Gallery. He focused in capturing his subjects in their true form. Anyone having his eyes on his portrait of Tunku, would immediately be impressed by the way he captured Tunku’s humility, joviality, and simplicity without compromising on his strong aura of purpose and determination.

Time is never the factor, but timing is

It is common knowledge that Tunku took 25 years to be called to the Bar by the Inner Temple. The reasons for this extended period are diverse. But all agreed, including the former President of India, Shri Fakhruddin Ali Ahmad, a student companion of Tunku in England, that Tunku was then a “fast man, fast cars, fast in his activities and very fast with women” and if I may add, “fast horses” as well. We are also aware that by the time he did pass his Bar Finals he was thrice married with two children. And it is also known that he had never in fact expected to qualify. He admitted this in his opening remarks of a speech delivered on Call Night where he said that “when I registered as a student nearly 25 years ago, little did I dream I would ever make it to be a barrister”.

Nevertheless, there is also another version of the tale provided by Dato Ann Majid, a close friend of Tunku. She was of the view that Tunku was there to secretly prepare himself for his future political activities at home since at that time there was a growing population of young Malay students receiving their tertiary education and Tunku could tap into this pool of potential leaders. Then, of course, there was the intervening Second World War.

Irrespective of the reasons why this late bloomer took so long to attain his professional qualification, Tunku was destined for greatness. In memory and in honour of his accomplishments, the Inner Temple will receive his portrait from us. It is 30 June this year in the Hall of Inner Temple on a ‘Private Guest Night’, an event hosted by Lord Justice May, the current Master of Inner Temple. This is some 18 years after Tunku’s demise and almost 60 years after his call to the English Bar.

Going by Tunku’s experience, time is never the factor but timing is. What is fundamental here is that his portrait will enter into the heritage of the Inner Temple as this Inn celebrates its 400 years anniversary since King James I of England presented the Royal Charter to the Inner and Middle Temple, delineating it as a place to practice and teach law in England. This is indeed a great privilege and honour to our country and our Association.
The move by the Malaysia Inner Temple Alumni Association to honour my beloved uncle the late Tunku Abdul Rahman Putra Al-Haj, is both nostalgic and touching.

Nostalgic because it brings back memories of the wonderful time I had had the privilege of being associated with him during the twilight years of his political life.

And touching to know that despite being no longer with us all these 18 or so years, my uncle continues to be loved and honoured, and on this occasion, by no other more special group of people than the alumni of his former alma mater — the Honourable Society of Inner Temple.

The portrait of my uncle that is about to be unveiled has been painted from one of my uncle’s favourite photographs, taken to commemorate his Call at Inner Temple in 1947.

I was hardly 7 years old then and had certainly not met him in person during the early years of my life.

But I recollect that it was a copy of the Inner Temple call photograph that adorned the home of one of his sisters, the late Tunku Baharum, that first brought to my attention that I had in fact an uncle who had just qualified as a lawyer in England and that his name was Ayah Tam — an affectionate term which simply means Black Uncle because of his dark complexion.

I am sure many former students of Inner Temple present here this evening would remember reading from some source or other of my Uncle’s student days in England, which began at Cambridge in 1922 when, at the age of 19, he entered that great University to read Law and History.

But it was through his association with Inner Temple, into which he gained admission as an external student whilst still at Cambridge, that my Uncle had some of the most memorable moments to remember of his student life.

My uncle had a great attraction for London, and Inner Temple proved to be a convenient passport whenever he wanted to attend social functions in that city during Cambridge term time.

Students at the Inns of Court, as we all know, need to comply with the dining regulations before they can be called to the English Bar. Consequently, whenever he felt like it, my Uncle would apply for

From playboy student-prince to statesman-extraordinaire

Tunku had his most memorable moments at Inner Temple

by Tunku Sofiah Jewa
reason, that he had to eat his dinners at the Inner Temple!

After graduating from Cambridge in 1925, my uncle returned home but was instructed by his elder brother, Tunku Ibrahim, the Kedah Regent, that he was too young for any state job.

And so, in 1926, he returned to London to resume his studies as a regular student at the Inner Temple. But far from being regular, it took my uncle some 25 years before he was finally called to the Bar at Inner Temple in 1947 at the age of 44.

The road which my uncle followed, in the wake of his delayed Inner Temple success, was long and winding and it covered a period of almost another 44 years.

No one expected that the playboy student-prince — my uncle was earlier often portrayed as one — would some day change into a statesman extraordinaire.

By the time of his demise at the age of almost 88 on 6 December 1990, and to the pride of both his family and the nation, my uncle had brought about some land-mark accomplishments to his credit:

- In 1957, without shedding a single drop of blood, he helped our country obtain independence from Britian.
- In 1961, he helped found ASA (Association of South-east Asia) the forerunner of the present day Asean.
- In that same year, he successfully led the resistance against White South Africa’s apartheid policy at the Commonwealth Prime Ministers Conference which forced South Africa out of the Commonwealth.
- In 1963, he was instrumental in the establishment of Malaysia.

But he had, without doubts, his share of failures too, which resulted, according to some, in the May 13 tragedy in 1969.

My uncle’s successes and failures are of course there for posterity to judge.

However, I must add that despite the fact that he gave the best part of his post-Inner Temple days to the nation, my uncle had time for the family.

His daughter, Tunku Khatijah, was in Nottingham accompanying her husband Datuk Syed Hussein who was a student at the University during the anxious moments in our nation’s history when my uncle led several delegations to London to negotiate with British officials for our Independence. On such occasions, he never failed during meeting breaks to meet her and the rest of the family.

His days at the nation’s helm was certainly numbered after the May 13 riots. Nonetheless, on 10 July 1970, just before his retirement as Prime Minister of Malaysia in September of that year, my uncle found the time to accept my invitation to witness my own call to the Bar and that of my husband, Yaacob, at Lincoln’s Inn.

Upon the death of my uncle, Her Majesty Queen Elizabeth II wrote to my uncle’s widow, Tun Sharifah Rodziah, in undisguised fond terms, of her high regard for my uncle in the following words:

He enjoyed a unique position in Malaysia, and was held in the highest regard in Britain, the Commonwealth and the world at large. He will be greatly missed.

Indeed, it is no secret that when he was alive, my uncle always had a special fondness for both Great Britain and the British people and the feeling, I dare say, had always been mutual.

And in more ways than one, the present effort by the Honourable Society of Inner Temple to honour the Tunku in the manner it is now doing epitomises such mutuality.

The above address was delivered at the ceremony to unveil the portrait of the Tunku on 11 June 2008. Q
At the outset I wish to take this opportunity to thank the Malaysia Inner Temple Alumni Association (MITAA) for inviting me to this historic event to honour the first Prime Minister of Malaysia, Tunku Abdul Rahman Putra Al-Haj. I had the privilege of being present at the official inauguration of the Alumni about 18 months ago at this very same venue and am happy to be here again for this historic event.

Britain has enjoyed a long and strong relationship with Malaysia. Still today the links between our two countries are close in a wide range of areas, but none closer perhaps than in the field of law.

Right up to the 1970s and 1980s no less than 70 - 80 per cent of all those called to the Malaysian Bar were Barristers from England. They include very many luminaries of political and/or legal influence. For example: three of Malaysia’s five Prime Ministers - Tunku Abdul Rahman Putra Al-Haj, Tun Abdul Razak and Tun Hussein Onn - around one third of Malaysian cabinet ministers; three of the 12 Kings (Agong); and all but two of the ten Lord Presidents/Chief Justices of

Great Leader and Statesman

He was self-evidently a fine man and a great Prime Minister

by H.E. Mr. Boyd McCleary
Malaysia since Independence have been Barristers from England. About three quarters of currently serving judges are Barristers from England; as are many, many individuals holding senior positions in government and the private sector.

**Rule of law:**

The strongest legacy

This strong British influence on Malaysia’s legal profession and system has helped to shape and underpin Malaysian attitudes to the rule of law, which is perhaps the strongest legacy from the colonial period and remains a critical component in Malaysian society today.

I am delighted that the Tunku will be honoured by his alma mater, the Inner Temple at the end of the month during a year which marks the 400th anniversary celebrations of the Inner Temple. The preliminary discussions to honour the Tunku were held at my residence during a dinner my wife and I hosted on the occasion of the visit of the Treasurer of the Inner Temple, Mr. Stephen Williamson Q.C. and his wife, Mrs. Pauline Williamson last September. I thus have some personal attachment to the decision to honour the Tunku in this way.

I have read a great deal about the Tunku. He was self-evidently a fine man and a great Prime Minister. Last year, Tunku’s niece, Tunku Sofiah Jewa gave me two copies of the book on the Tunku, entitled, *Prince Among Men*, a compilation of articles on Tunku by those who knew him. One copy was for me and the other for Her Majesty Queen Elizabeth II. I was happy to forward this. The Private Secretary to Her Majesty the Queen not only replied to Tunku Sofiah Jewa on behalf of Her Majesty acknowledging receipt of the book but also conveyed Her Majesty’s strong and warm memories of the Tunku and Her high regard for him.

The book, *Prince Among Men* helped me to understand the personality of Tunku. I was struck in particular by the following passages from Tun Suffian’s article.

**Friendly, hospitable, jovial, generous**

“Tunku and the Malays in London clicked easily. Though a prince he was more democratic than some who claimed to be democratic. Even as a student, he displayed the qualities which endeared him to so many. He was older than most of us. He was friendly, hospitable, jovial and generous to a fault to those of us who were not well off and there wasn’t a single student who in those austerity days had not enjoyed his genial hospitality. His attitude to us was avuncular: in fact some of us who later became Sultans addressed him as Ayah”.

“Although he seemed to have money, he was not extravagant. He ran a small second hand 10 h.p. Morris which was usually seen carrying two of three student friends of his. Our favourite place was Freddie Mills Chinese Restaurant in a basement on Charing Cross Road in which the then well-known boxer had an interest though we had never seen him there. Students from Malaya when we ate out together went Dutch. Each man paid for what he ate and drank. We did not ask for one bill, and then divide the total amount by the number in the group, as was and is the practice in our country. We did not follow this custom when we went out with Tunku; he paid the entire bill. This suited us well, especially since Tunku liked company and hated to eat alone”.

Tun Suffian also dealt with the learning experience of the Tunku:

“Now that he was back in London he did not find it easy to read boring law books. Tunku was a man who learned better by seeing and listening, which served him well in politics. He never forgot a face or names, or what he had actually seen and heard. There was jubilation among his friends when news came through that he had passed – against all the odds. There was also sadness, because soon he would go back home to resume work as a civil servant and remaining students would lose a friendly and generous uncle, who was always ready with advice and help and a constant source of fun.”

I am pleased and privileged to be associated with this historic event of honouring the first Prime Minister of Malaysia, Tunku Abdul Rahman Putra Al-Haj - a great leader and statesman.
eral election could be best explained first, by the BA’s self-destruction without the steadying hand of Anwar Ibrahim, then languishing in prison, and second, by the debunking of Mahathir by his own party, the United Malays National Organization (Umno). In my view, Mahathir resigned only because he was under great pressure by his party to do so.

With Anwar back in action in 2008, we saw him galvanise a newly minted alternative coalition for the 2008 election, and, along with a revitalised civil society, this proved too insurmountable for the new leader of the ruling coalition. Abdullah failed to deliver the all-important two-thirds majority of seats in Parliament and lost five states. A plethora of scandals, impending rising costs, the spectacular Mongolian murder and trial, and the constant barrage of criticisms from his predecessor augmented Abdullah’s problems.

Debilitating period

The post-election situation has been especially debilitating for Abdullah. He is still faced with internal criticism and challenges from within his own party and faces an open challenge to his leadership from Tengku Razaleigh Hamzah and his own International Trade and Industry Minister, Muhyiddin Yassin. Abdullah’s hand has been forced to agree to hold party elections by December this year, when these challenges will be formally mounted against him. An enviable position, if any!

In the meanwhile, the opposition coalition, the People’s Alliance, has declared through its putative leader Anwar Ibrahim that it will form the new government by Malaysia Day (16 September) from impending crossovers of BN MPs. I recalled that many of us were dubious when Anwar announced two days before the general election that the opposition had definitely crossed the 75-seat barrier of denying the BN a two-thirds majority. We were proved wrong when the opposition swept some 82 seats on 8 March.

Now comes another unprecedented action in Malaysia’s political history, namely the announcement on 18 June by a component of BN, the Sabah Progressive Party (Sapp), that it would move or support a vote of no confidence against Abdullah Badawi in Parliament. While no vote of confidence against Abdullah has so far materialised, Sapp’s action lends credence to the Anwar claim that defections from the BN could be imminent. With rumours adrift that even members of the Malaysian Chinese Association (MCA) may cross over to the PR or not support Abdullah, the plausibility of a PR takeover by 16 September cannot be entirely dismissed.

Admittedly, the Sapp move has not delivered the penultimate knock-out punch that some more hopeful PR supporters anticipated. In fact, it has led to a backlash in the form of Parti Bersatu Sabah (PBS) leader Joseph Pairin calling for Sapp’s expulsion from BN. The lame duck Abdullah, however, has been content to let matters percolate. Even so, the revival of an ACA investigation on Sapp leader Yong Teck Lee smacks of revanchist tactics that surely makes the government look weaker than it already seems.

Nor does the economic situation favour the embattled Abdullah. If it were a game of golf, he seems to have bogeyed on all holes so far while a double bogey is awaiting him in the final hole. The hiking of the petrol price by 41 per cent and diesel by 63 per cent on June 4, held back during the election period, was a decision which has baffled analysts. His nemesis Anwar swore that, were he prime minister, oil prices would be reduced not increased because of Petronas’ copious profits and Malaysia’s status as a net-exporting oil state.

Malaysia’s pump prices exceed all of the major net oil-producing countries. Abdullah’s action has led to more street protests and a planned mammoth rally on 6 July, to be held by the opposition parties. For now, the Abdullah government survived the oil price hike in a motion in parliament linking it to the doling out of one-off cash subsidies.

Abdullah’s problems do not end here. The scandal of judicial impropriety (admittedly not of Abdullah’s doing but that of his predecessor) is more palpable after the V K Lingam expose and the Royal Commission’s recommendations of legal action against various protagonists. A Sabah judge’s revelation about a judicial “boot camp” has added grist to the mill. The appointment of Zaid
Ibrahim as de facto Law Minister to assuage the legal fraternity and to apparently reconstitute an independent judiciary may still be a tall order, and at best, a long way from fulfilment. The loss of Pulau Batu Puteh /Pedra Branca to Singapore makes another dent on Abdullah’s political image among Malays.

Most problematic would be the manner Abdullah deals with the new ramifications of the Altantuya murder case. Raja Petra Kamaluddin’s sensational allegations in a sworn affidavit that the deputy prime minister’s wife, Rosmah Mansor, was at the scene of the murder together with Rosmah’s aide de camp and her husband, one colonel Aziz Buyong, clearly lands Abdullah’s government into a new quandary. Najib’s denial followed by Abdullah’s is neither here nor there; it is one person’s word against another and the police are still legally bound to investigate Raja Petra’s sworn statement. The police have apparently taken a statement from Rosmah. Should they not also seek sworn statements from Aziz Buyong and wife? Meanwhile the Altantuya trial should enter its second phase where the alleged abetment of Razak Baginda in the murder will be heard.

Malaysia’s political transition will clearly be stalled as long as the symbol of its impasse, Abdullah Badawi, remains at the helm. The more sanguine have argued that the badawied political process is salutary as it allows for many belated and necessary reforms to the Malaysian political system. In truth, Abdullah’s stymied political hand only allows for tinkering rather than an overhauling of all that is wrong. Thus, if I may explicate further the badawi epithet, it is only a condition that presages a political opening but never its eventual closure on a newer plane of attainment.

Practically speaking, an Abdullah government could hardly debunk the deeply embedded racial politics of Umno and Malay supremacy as its concept. Nor could it bring a genuine institutional transition to a more participatory democracy which is what citizens have indicated they want through the historic 8 March general election.

Moreover, the deeply racial character of Malaysian politics has been roundly jettisoned by citizens but neither Abdullah nor his predecessor Mahathir seem to realise this. Both are hanging on to the already moribund political formula of the BN, where racial parties jockey for political advantage and neglect the larger purposes of national governance.

It is an unfortunate truism for the current prime minister that unless he relinquishes power, the movement to the next stage of Malaysian politics will not happen.

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hundred days or more after the 8 March 2008 general election has not seen closure to the turbulent terrain of Malaysian politics. Malaysia may have escaped such earthly disasters as cyclones, earthquakes and floods but instead it has been immersed in a seemingly interminable political flux under the troubled leadership of Abdullah Badawi. The joke making its rounds is that “badawi” may soon be accepted as a neologism by Oxford Dictionary to mean “to start something full of promise but end in disappointment, failure and/or disaster”. So, an example of its usage would be “France badawied their Euro 2008 campaign”.

This notwithstanding, it has been a time of great political opening or perestroika in Malaysia. So, let me put a slightly more positive spin to the ‘badawi’ epithet in an alternative submission to Oxford, viz. “beginning a process of change without knowing exactly or anticipating its final outcome”.

In hindsight, one could argue that the badawied political transition began at the close of the Mahathir era. Since then we have seen Malaysian politics move in a trajectory towards a more democratic mould. The current phase should be seen as the extension of the new idiom of politics created by the Reformasi movement of 1998, which gave life to the activism of civil society forces in electoral politics. While the ensuing 1999 election results were a disappointment for the Reformasi forces, Malaysia saw the emergence of an Alternative Front (Barisan Alternatif, BA) and the birth of the multi-ethnic Malaysian Justice Party (PKR). But the BA soon fell to intra-party and inter-party bickering.

Abdullah Badawi’s apparent stellar performance in the 2004 gen-

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