

## Of flags on bums and castrated courts



**James Giggacher takes a cheeky look at this week's Budgie Nine outrage and the rule of law in Malaysia.**

Thank goodness that the long arm of Malaysian law has stretched out to spank the spandex-clad buttocks of some very silly Australians and ensure that the nation's propriety and pride are once again salvaged.

This week the Budgie Nine – named after the Australian slang for tight trunks, '[budgie smugglers](#)' – hit international headlines after pulling down their pants to revel in Australian driver Daniel Ricciardo's Formula One grand prix win on Sunday -- in nothing but swimmers brazenly emblazoned with the Malaysian flag.

There they were – in all their young masculine, pale skinned and in one case very flabby glory – chants of "Aussie, Aussie, Aussie, oi, oi, oi!" only made more resplendent by their quaffing of beer from their footwear; an act known as a 'shoey' and in honour of their revered rev-head's 'trademark' podium celebration.

It's no surprise that the nine – a bunch of [well-bred brats](#) from Australia's so-called [political](#), social and educational elite, one even a staff member for Australia's Defence Industry Minister

Christopher Pyne – found themselves in jail for four days, were charged with a minor offence of public nuisance (but no conviction or fine), and sent packing with their tails well between their legs. (Check their full rap sheet [here](#).)

It's probably not undeserved, considering the gross insensitivities to one nation's customs, culture and sovereignty, as well as the sheer stupidity of their actions. Most importantly, it offers a strong lesson – as harsh as dehydration, sleepless nights, and "filthy" cells with "no toilet paper" may seem.

And while most Malaysians probably saw the whole thing as a joke in poor taste, propaganda portal, [The New Straits Times](#) said that the nine Australians had mocked Malaysia's sensitivities and undermined the nation's flag.

"That is only one facet of the offence," read the paper's editorial. "The other is the obscenity of stripping down to their briefs in public. Such abhorrent conduct is unforgivable."

Even the nine admit the act was dumb. When appearing in court on Thursday they offered an apology, adding that they had "no idea" that their conduct would be considered inappropriate, crass, or even offensive. The incident, they said in a statement, was a moment of "folly, and for that we are truly sorry that we have hurt the feelings of Malaysians in general."

Of course it *may* have been worse.

Earlier in the week the prosecution had considered pursuing the more serious charge of 'intentional insult', which carries a minimum penalty of a fine and a maximum two-year jail term. The lesser charge of insulting Malaysia's national flag, with a maximum term of six months jail, was also deliberated. No wonder one of them fainted during their court appearance.

Serious jail time was always unlikely. Although deputy home minister Nur Jalan Mohamed said that what the young men did had a "political motive" and their display was no prank, even the *The News Straits Times* – a good barometer of high-level government views – called for the nine to be deported but not charged.

And so on Friday the Budgie Nine were set free of their cages, with eight flying home into the eye of a media storm. The ninth, Christopher Pyne's staffer, headed home on Saturday.

Good taste, cultural sensitivities and the indelible rights of sovereign states win again!

But most importantly, all law-abiding and law-loving citizens of Malaysia must be sighing in relief; for this case clearly shows that their country's rule of law still has a beating heart and hasn't been killed off – just yet. In today's Malaysia, [its long life isn't so assured](#). This is particularly so in the face of [alleged interference](#) into 1MDB investigations by PM Najib Razak.

As far back as July 2015, a sometime commentator on *New Mandala* noted that in the face of Malaysia's unfolding financial scandal, and the legal system's handling of it, [the law in Malaysia was an ass](#). Malaysians, he argued, should stand up and demand the justice their laws and judiciary will never deliver in their current incarnation.

So it's wonderful to see, that when it comes to ass – and flags on Aussie bums – you can fight the law, but in Malaysia, the law will always win.

Meanwhile, perhaps our nine lads could have a chat to Hong Kong activist Joshua Wong about getting kicked out of another country [for all the right reasons](#).

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