

Did Malaysia's Anwar Say too Much?

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He says accuser acknowledged readying himself for sex

Deep into Opposition Leader Anwar Ibrahim's hour-long attack Monday on the Malaysian court that is trying him for sodomy, a sentence appeared that seems extremely awkward for both prosecution and defense.

Anwar was brought up on the charges by his accuser, former aide Mohamad Saiful Bukhairy Azlan, in July of 2008, five months after the opposition Pakatan Rakyat coalition that he heads scored a historic victory in national elections, for the first time breaking the Barisan Nasional's historic 50-year two-thirds majority in Parliament. It is the second time he has been in the dock on sodomy charges. The first was in 1998, when he was convicted in a trial that has been widely condemned as engineered to end his threat as an opposition leader. He served six years before the sexual perversion charges were overturned.*.

Anwar said in his prepared statement that after Saiful went to Anwar's condo in an exclusive area of Kuala Lumpur, Saiful** admitted that "he had brought along lubricant and had himself voluntarily and without hesitation applied it" to get ready to go ahead with the sexual act.

That sentence would tend to invalidate any assumption that the then-60-year-old Anwar suddenly forced himself on the 24-year-old aide. If, as Anwar says, Saiful brought the lubricant with him, it would certainly indicate that Saiful knew what he was getting into when he went to Anwar's condo that night.

This in turn is hardly helpful for Anwar, who is on trial for his political life in the High Court in Kuala Lumpur over the allegations, because Saiful's statement has the ring of truth to it. If you are going to make up a story about being forced into a sex act, you would hardly acknowledge that you voluntarily lubricated your own anus.

Saiful's defense is that he was afraid of what Anwar might do to him if he didn't submit. Anwar supposedly had the power to hire people do damage to him if he refused.

But that hardly seems realistic. Saiful has also admitted in court that in the days prior to the alleged rape, he met with then-Deputy Prime Minister Najib Tun Razak, Najib's wife Rosmah Mansor, and Rosmah's close friend, former top athlete Mumtaz Jaafar, the executive chairperson of the National Athlete Welfare Foundation, an organization to which Rosmah is the patroness.

Saiful also acknowledged meeting with Rodwan Mohd Yusof, who was the investigating officer in Anwar's discredited first trial for sodomy in 1998 and was accused of fabricating the evidence that put Anwar in prison for six years. He also met with Khairil Anas Jusof, an aide to Najib, and spoke on the telephone with Musa Hassan, now the head of the Malaysian police who led the investigating team in the first sodomy case.

How was a former student whom Anwar described in his statement as "just a university dropout working part time helping out my chief of staff," able to gain access to Najib, his staff members, his wife, one of the country's former top athletes and other officials if he didn't have anything important to talk about?

It is hard to believe that after meeting with several of Malaysia's top law enforcement and government figures before his journey back to Anwar's condo – some with every intention to drive Anwar out of politics and back to jail – Saiful wouldn't feel protected against everything Anwar could throw at him in the way of violence or threats, especially if he told the police he was in danger of being sodomized.

If he didn't tell them he was in danger, why didn't he? If he did tell them, why didn't the police then instruct him to stay away from the condo for his own sexual safety, since he was engaged to be married?

It is not so hard to believe they would have sent him back to the condo with instructions to get Anwar to do something that would be actionable in court. Did they?

In his statement, Anwar said that Najib, Rosmah, Musa Hassan and Rodwan have said they were not prepared to be interviewed over their alleged role in the affair. The defense, he said, must now resort to having subpoenas issued for their presence. It remains to be seen if they will be questioned. But that single sentence about Saiful and the lubricant certainly raises some questions that seem necessary to answer.

A US diplomatic cable on the WikiLeaks website that was [published in Asia Sentinel on Jan. 20, 2011](#), related that "Singapore's intelligence services and Lee Kuan Yew have told the Australian Office of National Assessments (ONA) that opposition leader Anwar 'did indeed commit the acts for which he is currently indicted,' citing unshared technical intelligence. ONA assessed, and their Singapore counterparts concurred, 'it was a set up job -- and he probably knew that, but walked into it anyway.'"

It is hard not to come to the same conclusion.

*Correction: We originally said Anwar was pardoned on the original sodomy charge. A higher court overturned the charges.

**Clarification: Originally we used the pronoun "he" instead of Saiful. Some readers thought the pronoun referred to Anwar.

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