

## **Anwar walking a tightrope contesting Kajang seat, say analysts**

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Datuk Seri Anwar Ibrahim is walking a tightrope by contesting the Kajang state seat by-election with the sodomy case still hanging over his head, say political analysts and lawyers.

They said the scenario in Pakatan Rakyat will be complicated if the superior courts overturn Anwar's acquittal for sodomising his former aide.

"There will be by-elections in Permatang Pauh and Kajang and also if Anwar is then the menteri besar, that position will also have to be vacated," said Professor James Chin, a political analyst with the Monash University Malaysia.

Chin said Anwar would have to vacate his parliamentary seat (Permatang Pauh) if he was found guilty, adding that giving up the state seat of Kajang was not a big deal.

"However, the bigger mess will be if he is the menteri besar. His conviction will create a big mess for the state," he said.

Chin said Anwar had "star power" attraction and should have no problem winning the Kajang seat, provided there was no internal sabotage by his party members.

He, however, said most voters in Kajang would not think rationally about the bigger picture.

"They are just going to vote for him without understanding the consequences." PKR has confirmed that Anwar is its candidate for the Kajang by-election which must be called within the next 60 days.

The sodomy offence which Anwar is facing carries a jail term of up to 20 years and whipping.

Under the law, an MP or assemblyman, who is jailed for a year or more and slapped with a fine of RM2,000 or more, will be disqualified and a by-election will be held.

Lawyers said the prospect of Anwar being found guilty was there as the case could go up to the Federal Court.

Putrajaya has appealed against his acquittal and the Court of Appeal has fixed two days from February 12 to hear the case.

Commenting on Anwar's candidacy, political analyst Khoo Kay Peng said to start with, a by-election was unnecessary as PKR was using voters to solve its internal problems.

He said PKR would use the sympathy card and claim that Anwar was persecuted and Barisan Nasional had a hidden agenda.

"PKR is going to town with the story that Putrajaya had used the judiciary to curtail Anwar's political career. They will build this perception in the minds of voters," said Khoo.

S.N. Nair, who is counsel in Anwar's legal team, said what mattered most was the final decision of the Federal Court.

"I believe this case will go up to the apex court even after Court of Appeal delivers its ruling," Nair told The Malaysian Insider.

He said Anwar could still apply for a stay of execution (sentence) should the Court of Appeal allow the public prosecutor's appeal.

Datuk Baljit Singh Sidhu said Anwar was "walking a fine line" by contesting in the by-election despite knowing his sodomy case was not over.

"Based on current trend, the court will impose a jail term of anything between seven and 10 years if convicted and this will disqualify him from holding public office," he said.

Lawyer Datuk Sallehuddin Saidin said Anwar was merely exercising his right to contest because there was no legal obstacle to stop him from offering himself to the Kajang electorate as their representative.

"What happens in the near future is a risk he and his party have to face but at this juncture, he had fulfilled all the legal requirements to contest," said the former deputy prosecutor.

The High Court freed Anwar in 2012 for allegedly sodomising his former aide Mohd Saiful Bukhari Azlan in a Desa Damansara condominium unit in Bukit Damansara in 2008.

Next month, the Court of Appeal will be asked to re-evaluate testimonies of two local chemists against the evidence of two Australian experts when the case is heard before a three-man bench.

The prosecution in its petition of appeal filed in 2010 said the findings of local chemists Dr Seah Lee Hong and Nor Aidora Saedon were more credible compared with that of forensics expert Dr David Wells and molecular geneticist Dr Brian Leslie McDonald. – January 30, 2014

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