

Only Agong's Forgiveness Can Set Anwar Free
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KUALA LUMPUR, Feb 10 (Bernama) -- The legal avenue for Datuk Seri Anwar Ibrahim to set himself free from his conviction and five-year jail sentence for sodomising a former aide ends Tuesday with the Federal Court dismissing his appeal.

Now, the only chance for him to be a free man is to be granted a pardon by the Yang di-Pertuan Agong.

Universiti Utara Malaysia (UUM) Dean of the College of Law, Government and International Studies, Prof Dr Ahmad Marthada Mohamed said this was because the Federal Court was the highest court in the judiciary system in the country and its decision was final and cannot be appealed.

He said Anwar could only be freed if he were to be granted a pardon by the Yang di-Pertuan Agong.

"This comes under Article 42 of the Federal Constitution which says that the Yang di-Pertuan Agong has power to grant pardons," he told Bernama.

The Federal Court today dismissed Anwar's final appeal against his conviction and jail sentence for sodomising Mohd Saiful at Unit 11-5-1 Kondominium Desa Damansara, Jalan Setiakasih in Bukit Damansara, between 3.10 pm and 4.30 pm on June 26, 2008.

Chief Justice Tun Arifin Zakaria, who led a five-member panel, delivered the judgement and upheld the five-year jail term imposed by the Court of Appeal on March 7, last year.

Ahmad Marthada said in granting pardons, the Yang di-Pertuan Agong shall act on the advice of the Pardons Board, consisted of the Federal Territories Minister, Attorney-General and not more than three other members.

He said the free pardon for a convict was usually granted by the Yang di-Pertuan Agong on his birthday upon the government's proposal.

Meanwhile, Universiti Teknologi Malaysia's (UTM) geostrategic lecturer Dr Azmi Hassan the decision of the Federal Court was a manifestation of equality under the law.

"Under the law, everybody is equal regardless of status or position," he said.

He said the judgement also proved that the court had made its decision based on facts submitted by both parties and not by any outside or political interferences.

Political analyst, Dr Baharuddin Aziz, said the decision was also a justice for the victim, Mohd Saiful Bukhari Azlan, who suffered implicit and explicit pressure from the community

and the opposition.

"This is a matter of dignity, no one is willing to tell the world about the bad thing that happened to himself, especially if it involves his dignity.

"Besides, he is just an ordinary guy who does not have any influence and has to fight for seven years just to prove that he was right," said the former senior communication lecturer at the International Islamic University of Malaysia.

In KOTA BAHARU, UUM Institute for Malaysian Political Analysis (MAPAN) director Prof Muhamad Ali Embi said with Anwar to serve five years in jail, the opposition pact had lost its captain to continue its political journey.

As such, he said a new captain must be appointed soon to unite members of the opposition pact, especially after the disputes between DAP and PAS over hudud law and local government elections.

"PKR President Datin Seri Wan Azizah Ismail is no longer suitable to take over Anwar's role as PAS will reject her," he said.

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