

Judgment Day for Anwar Ibrahim
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Case could backfire on the government

Malaysian Opposition Leader Anwar Ibrahim is expected to learn tomorrow whether he will be jailed on sexual perversion charges after a politically suspect trial that has damaged the country's reputation internationally and, according to observers in Malaysia, contributed to rising distrust of the government.

As many as 100,000 people are expected to assemble outside the Kuala Lumpur courtroom where nearly two years of conflicting and often suspect testimony marked by long delays have droned on. Police have said they will allow the demonstration to go ahead although they warned they would take action if it got out of hand.

Anwar himself Sunday wrapped up a tour of 18 cities across the country in which he sought to galvanize his followers, telling them the trial was politically motivated to drive him from politics. He has said he is prepared for a guilty verdict.

The question is whether the opposition leader will be jailed immediately if convicted, as he was following his conviction on similar charges in 1999, or whether he will be freed on appeal, which some legal sources in Kuala Lumpur say could take years.

In a sense the verdict presents the ruling Barisan Nasional and the United Malays National Organization head, Prime Minister Najib Tun Razak, with a Hobson's choice in which neither outcome is to be desired. Given the long series of debatable legal decisions in the two-year trial – including the decision to bring the trial at all after the complaining witness had been told by two hospitals that he had not been sodomized – if Anwar is convicted, his followers and probably a sizeable segment of the electorate will consider him a martyr. If he is judged not guilty, then the government will be shown to have pursued a two-year political vendetta without merit.

"There is a continuously plummeting level of trust in Malaysian institutions," one source told Asia Sentinel. "It reinforces the sense that it is rotten to the core. That is the key point. Even if the demonstrations are not sizeable, it reinforces the sense that nothing in this country is fair and if you cross the line they will screw you."

The trial has been condemned internationally by legal scholars and human rights activists as designed to take Anwar out of Malaysia's political equation. The case has been condemned by the Geneva-based Inter-Parliamentary Union, 60 members of the Australian parliament, Amnesty International and Human Rights Watch and prominent leaders from Commonwealth nations including Paul Martin of Canada and others.

It also compares unfavorably with other trials of top members of the United Malays National Organization, the dominant political party in Malaysia, who have been wrist-slapped or exonerated on far more serious charges – or not charged at all so far, as in the case of Shahrizat Abdul Jalil, the Minister of Women, Welfare and Community Development and head of the women's wing of Umno, whose husband and three children

are embroiled in a massive scandal involving the National Feedlot Corporation.

This was a scheme to raise and slaughter as many as 60,000 cattle per year under Muslim religious practices. However, millions of dollars of Feedlot money were allegedly used to buy Shahrizat an expensive Mercedes-Benz sedan, to provide for travel overseas and to purchase property and a condominium in the upscale Bangsar section of Kuala Lumpur, among other misuses. So far no one connected directly to Shahrizat has been charged in the case, although it is being investigated and charges could be laid later.

The current case against Anwar began when a then-24-year-old former aide, Mohamad Bukhairy Azlan Saiful, made the charge against the opposition leader on June 29, 2008, shortly after he had led Pakatan Rakyat coalition to a historic sweep of five Malaysian states, winning 82 parliamentary seats in 2008 national elections and breaking the ruling Barisan Nasional coalition's two-thirds majority hold on parliament for the first time since the country was founded. Anwar was arrested at his home on July 16 of that year by a contingent of 10 carloads of police commandos and was locked up overnight in a Kuala Lumpur jail.

In the intervening months, as the trial has droned on, an array other doubtful factors have made the case look like it was manufactured to rid the Malaysian political scene of one of its most charismatic figures, and that the country's court system, never regarded as independent since former Prime Minister Mahathir Mohamad fired the Supreme Court in the 1980s, was bending over backwards to do the government's bidding.

For instance, Saiful acknowledged a series of meetings in court, at the home of then-Deputy Prime Minister Najib Tun Razak and his wife, Rosmah Mansor, on June 24, 2008, two days before the alleged sodomy took place as well as others with Rosmah's close confidant, the former track star Mumtaz Jaafar.

Saiful also acknowledged meeting secretly twice with Rodwan Mohd Yusof, a senior assistant police commissioner, before the alleged offence took place. Rodwan became famous, or infamous, in Anwar's 1998 Sodomy I trial when he illegally removed Anwar's DNA samples from forensic custody and planted them on a mattress allegedly used by Anwar for a homosexual dalliance. To protect the integrity of the prosecution's case, the presiding judge, Augustine Paul, expunged the entire DNA evidence at the time.

Opposition Coalition Without Anwar?

There are also obvious questions over the future of the unwieldy three-party opposition coalition if Anwar is convicted and jailed. The coalition consists of Anwar's Parti Keadilan Rakyat, or People's Justice Party, made up largely of urban Malays; the conservative Parti Islam se-Malaysia, or Malaysian Islamic Party, and the Democratic Action Party, which is mostly made up of ethnic Chinese.

Anwar has been regarded as the linchpin that has kept the three parties together, and some observers are raising concerns that the three could drift apart without his charismatic presence. However, his wife, Wan Azizah Wan Ismail, ran the party for the six years after Anwar was jailed in 1999, and, analysts in Kuala Lumpur say, did a competent job and can probably take over the reins again. Also, Anwar's 32-year-old eldest daughter, Nurul Izzah Anwar, is president of Parti Keadilan Rakyat and is given

credit for being a formidable political force.

On the PAS side, Mohamad Sabu, a galvanic public speaker from Penang and a former PKR member, heads a slate of officers that have made dramatic changes in the party's religious role, turning it into a secular party and, despite some strains from disaffected Islamists, is now directed toward recruiting urban and less-strict ethnic Malays.

Najib is reportedly debating now whether to dissolve parliament in advance of an election. Some sources have been quoted in local media as saying he must reshuffle his cabinet first, to get rid of Shahrizat and one or two other top officials who have got themselves into troubles of various kinds. Whether the Anwar verdict will be an albatross hung around the Barisan's neck when that election occurs remains to be seen.

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