

Malaysia:

## Anwar's resumed trial produces further evidence of a political frame-up

**John Roberts**  
14 February 2000

The trial of Anwar Ibrahim, former Malaysian Deputy Prime Minister and Finance Minister, resumed in Kuala Lumpur on January 25 after a two-month recess. Anwar, who is already serving six years on trumped-up charges of corruption, is being tried under Malaysia's anti-homosexual laws on charges of sodomy and faces a further 20 years in jail if convicted.

The trial was adjourned in November just days after Prime Minister Mahathir Mohamad announced a snap general election. The presiding High Court judge Arifin Jaka claimed to have suddenly developed a serious back pain, which he gave as the reason for the adjournment. The long recess, however, conveniently suited the government's need to shut down the trial during the election period. Anwar has become a rallying figure for opponents of the Barisan Nasional (BN) government led by Mahathir's United Malays National Organisation (UMNO), which has held a stranglehold on political power in Malaysia since independence in 1957.

On the day the trial resumed, 100 protestors defied police and chanted slogans outside the court denouncing the government, supporting Anwar and demanding political reforms. Several hundred onlookers watched as police arrested 10 demonstrators before the rally finally broke up.

From the outset Anwar has claimed that the charges against him, like those in the first trial in 1999, are part of a political frame-up orchestrated by Mahathir and others. Speaking in his own defence on the first day, Anwar told the court: "I was convinced there was a high-level conspiracy, involving prominent politicians." It was aimed, he said, at preventing him becoming prime minister and exposing corruption in high places.

Last Friday, for the first time, a witness gave direct evidence of the UMNO leadership's involvement in Anwar's judicial persecution. Raja Kamarudin Raja Abdul Wahid, an UMNO member and head of a local party branch, told the court that he had been summoned to the office of Aziz

Shamsuddin, Mahathir's political secretary in 1998, and told to organise the political destruction of Anwar and his supporters.

Raja Kamarudin testified that Aziz had admitted in a private June 1998 meeting that he was responsible for the circulation of the "50 Reasons Why Anwar Cannot Become Prime Minister". The book, containing lurid details of sexual allegations against Anwar, was circulated at the 1998 UMNO conference, during which the feud between Anwar and Mahathir first erupted. The police used the allegations to justify their investigation of Anwar.

Raja Kamarudin said Aziz had told him that money was not a consideration in dealing with Anwar. "He said he didn't care if the operation cost millions. He told me just to send him the bill."

This startling evidence from a self-confessed conspirator confirming the defence case was brushed aside by the presiding judge, who without a jury will decide on the case and bring down the sentence. Arifin demanded that Anwar's lawyers stick to allegations of sodomy, saying: "To me, political assassination is not an issue. It happens everyday. You must connect it to the sodomy case."

Arifin deliberately ignores the obvious connection: if Anwar's allegations of conspiracy are correct then the credibility of the prosecution witnesses and the motives of the police are in doubt. By accepting the police case on face value, Arifin, as did judge Augustine Paul in Anwar's first trial, is effectively ruling in advance that Anwar is guilty. Like the rest of Malaysia's judiciary, the government has handpicked him.

Anwar's lawyers have indicated that they want to follow up evidence of a top-level conspiracy by calling Mahathir to the stand this week. But already the case has all the hallmarks of a political frame-up.

The prosecution case rests entirely on the testimony of Anwar's former family driver Azizan Abu Bahar, who alleges that Anwar and his adopted brother, Sukma

Darmawam, sodomised him.

Azizan is hardly a credible witness. He first made the accusations against Anwar in 1997 on the urging of Anwar's sister in law, Ummi Halfilda Ali, some four years after the events were alleged to have taken place. Ummi, a businesswoman, has close connections with Anwar's rivals in UMNO. Before taking her own and Azizan's allegations to Mahathir, she consulted with Anwar's rival and current Finance Minister Daim Zainuddin.

By any objective standards, the case has been a farce from the start. The prosecution's key witness Azizan has been very explicit about the lurid details of the sexual activity, which have been splashed throughout the government-controlled media, but very inexact about when it was supposed to have taken place.

When filing the case the prosecution had to twice change the date of the alleged offence. First it was alleged to have taken place in May 1994. Then the date was changed to May 1992 and subsequently, after it was discovered that the scene of the "crime"—an apartment—had not been built, it was changed again to 1993. The prosecution baldly claimed the last mistake was due to a typing error. Judge Arifin has accepted all the changes in the prosecution's case without batting an eyelid.

Having finally settled on a year, the prosecution—having been badly burnt once—left itself as much room to manoeuvre as possible when working out a more exact day and time. Eventually, Azizan proposed that the offence took place precisely at 7.45pm but left the day up in the air—sometime in the three-month period of January to March 1993. His selective amnesia, like the judge's back pain, appears to be neatly tailored to the government's requirements.

In the first week of the resumed trial, Anwar's lawyers showed that Anwar had a clear-cut alibi. Much of the time was ruled out by the prosecution's own evidence. A bed had been produced as evidence but it had not been delivered to the apartment until February 11, 1993. Azizan had testified that the sexual activity did not take place in the Muslim holy month of Ramadhan, which in 1993 was from February 23 to March 26.

The defence used Anwar's official program and diaries giving details of overseas trips and official functions to account for the rest of the time. Among the dates cited was on a 10-day European trip from February 4, 1993 during which Zainuddin and central bank governor Ali Hassan Sulaiman accompanied him. From February 21 to 23 Anwar attended an ASEAN finance ministers' meeting in Bangkok.

In the resumed trial's second week, Anwar explained to the court that the police had stripped and intimidated his adopted brother Sukma into confessing, a confession he later

recanted. Anwar's lawyers referred to a copy of a letter passed to Anwar by Sukma while they were under arrest in September 1998 in which Sukma asked for forgiveness for making false statements against him.

Anwar also testified that police had approached others to make allegations against him. According to Anwar, one man had told him that the police had threatened to throw him into a detention camp for illegal immigrants if he did not make statements against Anwar.

The government's determination to press on with the flimsy case against Anwar is a further symptom of the deep rift in Malaysian ruling class that opened up after the Asian financial crisis erupted in 1997. Anwar, who had been tipped to succeed Mahathir as prime minister, increasingly fell out of favour as he implemented the IMF's demands for further economic deregulation. He was sacked and expelled from UMNO in September 1998, just days after Mahathir ordered the imposition of capital and monetary controls designed to protect sections of business, particularly those with close connections to UMNO.

The ongoing scandal has produced widespread anti-government disaffection, particularly in the Malay community. In the national election held last November, the ruling coalition maintained its stranglehold on parliament but UMNO lost heavily among the Malay voters, particularly to the Islamic Parti Islam SeMalaysia (PAS). UMNO's seat count in the national parliament fell from 94 to 72. PAS retained the state government in Kelantan and won control of the oil-rich state of Trengganu.

The UMNO leadership reacted quickly to its electoral losses. As Anwar's trial was to resume, police rounded up a number of key opposition leaders, including Kapal Singh, Anwar's main defence lawyer and a leader of the opposition Democratic Action Party. In an unprecedented legal move, Singh was charged with sedition for remarks he made in court while defending Anwar.

Anwar's ongoing trial is likely to expose further cracks in UMNO's monolithic rule.



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