

Lingamgate

On September 20th, 2007 Dato Seri Anwar Ibrahim, the former Deputy Prime Minister of Malaysia released a video tape recording showing a telephone conversation between a senior Malaysian lawyer and senior Malaysian Federal Court judge where the lawyer is seen to be abetting a conspiracy to fix the appointment of judges to the Federal Court.

After months of denying that a conspiracy took place the government finally announced the creation of a Royal Commission of Inquiry to investigate whether questionable practices in the fixing of judges has taken place based on the revelations made by the video.

Since the first segment of the video was released two more were made available by an unnamed source, one in December 2007 and one in January 2008. The videos can be viewed at www.anwaribrahim.com.

Cast of characters

VK Lingam

Prominent Malaysian lawyer seen in the video and known to have close ties to former and current government Ministers and business tycoons. Was caught vacationing with a former Chief Justice Eusoff Chen at the same time he was representing clients in Chen's court.

Ahmad Fairuz Abdul Halim

The man speaking to VK Lingam on the telephone during the first part of the recording. He is the retired Chief Justice of Malaysia who was at the time of the recording the Number three ranking judge in Malaysia. He was promoted to Chief Justice according to the predictions made by VK Lingam in the record.

Muhammad Dzaidin Abdullah

The Chief Justice of Malaysia at the time of the recording and was replaced by Ahmed Fairuz.

Mohtar Abdullah

The Attorney General of Malaysia from 1994 until 2000. He died in 2003 after serving 2 years on the Federal Court.

Vincent Tan

A tycoon close to the former Malaysian Prime Minister Mahathir Mohamed. He is the owner of the Berjaya Group, a holding company with a wide portfolio of businesses in Malaysia including hotels.

Tengku Adnan Tengku Mansor

Currently serving as Minister of Tourism but was a Minister in the Prime Minister's Department at the time of the recording. He is a close business associate of Vincent Tan.

Source: Malaysiakini.com

TRANSCRIPT PART I – Released September 2007

Lingam: The CJ (Chief Justice - judiciary's No 1 post) said his relative is now the Agong, so he wants to stay on to 68, so, Tengku Adnan said - I told Tengku Adnan, yesterday I had a meeting with him - he said PM is already very angry with him ... and ... he said no problem, he is going to make you acting err... confirm your position as PCA (President of Court of Appeal – judiciary's No 2), working very hard, and then get Tan Sri Mokhtar as CJM (Chief Judge of Malaya – judiciary's No 3).

Ah, so we just keep it confidential. I am working very hard on it. Then there is a letter, according to Tengku - I am going to see him tomorrow - there is a letter sent to ... ah ... CJ - I mean Tan Sri Dzaiddin - that Datuk Heliliah, ...er Datuk Ramli and Datuk Maarop be made judges, and he rejected that Dr Andrew Chew and apa itu Zainudin Ismail lah because Zainuddin Ismail who condemned your appointment and Tan Sri Mohtar's appointment.

And then you also, it seems, wrote a letter for the remaining ... confirmed as judges. As per our memo, I discussed with Tun Eusoff Chin and we sent the same memo to PM. I just want to get a copy letter that this has been done.

And then Tan Sri Dzaiddin said he is going to recommend six people for the Court of Appeal, but until today the letter hasn't come to PM. He never discussed, but neither he has sent the letter to PM. He has not sent. So, I know it is under the constitution, for judges all, that is your job, Datuk, to send, but we don't want to make it an issue now.

Ah, okay. Actually I told Tengku Adnan to inform PM, PM to call you for a meeting. But I will organise this so that Tengku Adnan will call you directly. And then I got your number, I will tell him to call you directly to for you to meet PM lah. Ah... So should be okay, then ar... correct, correct, it is very important that the key players must be there.

Correct, correct, correct. Correct, correct. You know that the same problem that Tun Eusoff Chin had. He tried to do all this and yet he has run out of soldiers. He couldn't do it because many were from the other camp. Last time was unfortunate because Tun Daim was doing everything sabotaging, you know lah...

Otherwise how are things with you - everything is okay? No, don't worry. You know sometimes Tan Sri Vincent said that half the time we are talking about judiciary rather than doing the work. But if I don't do this part, my work will be useless. Ha! Ha! Ha!

Ah, yes. Correct, correct, correct, correct, correct. Right, right, right. Correct. Ah. Ah. Right! Susah. You see he has now asked for six Court of Appeal judges, so that he can put his men before he retires.

Correct, correct, correct, ah, and then, ah, ah, correct, correct, correct, correct, correct.

Ah, never mind, I will do this, I will get er... Tengku Adnan to arrange for PM to call you and Tan Sri Vincent Tan for PM to call. You know why, actually, I am very grateful to Tan Sri Vincent Tan, You know why? I brainwashed him so much I even quarreled with him.

One day I went to Vincent Tan's house, I fired him at night in his house. I said bloody hell, if you don't do this who will do it? All these people, Tun Eusoff Chin, Datuk Ahmad Fairuz, Tan Sri Zainal all fought for ...that. Then he called Tengku Adnan. Tengku Adnan he said, saya bukan Perdana Menteri Malaysia lah, you know. If the old man doesn't want to listen to me, go to hell.

He quarreled with me. I said never mind, never mind, Tan Sri, you talk to PM again tomorrow morning to put Datuk Ahmad Fairuz to CJM. So next day morning he went and he called me back 9.30 that he said PM has already agreed. So I said never mind, we hope for the best. So I said no harm trying, the worst that it can happen is you lose.

Being the old man, he is 76 years old, he gets whispers everywhere, and then you don't whisper, he get taken away by the other side. But, now the PM is very alert because every time he gets letters from Tan Sri Dzaidin, he calls Tengku Adnan, he says discuss with Vincent, come and discuss. And...

Yes, yes, ya. Correct, correct. Ya, but you see although I know PM, but my views ... I am a lawyer in practice... my views are... I go through them, I go through them lah.

Ah. Ah. Ah. Ah.

And then Dzaidin will go and tell them you went and saw PM and make a big issue out of it. Oh ya, I think so, I think so.

Okay, fine, fine, fine, fine. Okay. Okay. Okay. Okay. Okay. Right, okay, okay. Ah. Ah. Correct, correct.

Now I heard Raja Aziz, Raja Aziz ah, two weeks ago spoke to my lawyer Thayalan, and another lawyer Anad, in the High Court - they have a case with each other. So, Thayalan and Anad asked Raja Aziz, how is Tan Sri Wan Adnan?

He said he is on his way down. But you know what is the shocking thing he said? Datuk Fairuz became CJM. He overruled everybody, in three months time, he is going to be PCA, and six months time, he is going to be CJ. He said I can't take this shock. He told lah. Ha!

It seems ah that they are going to organise a campaign ... they are going to organise a campaign to run you down. But you just keep quiet - don't say anything. Don't ... even the press ask, you said I leave it to God, that's all. Don't say. I really like your message. You said I work very hard, what can I do? I leave it to God. That's the best answer, Datuk, that you can ever give. Ah.

Yes... I will also get Tan Sri to remind PM to put a Tan Sri ship this year lah. You know, this will elevate you, you know.

Oh, yes, yes, yes, yes. Ah. Steve Shim got so fast, Tan Sri Chong waited for a whole year to get Tan Sriship.

Ah. My God, that's why, ah. Correct, correct, correct, correct, ya, ya, ya, ya, right, right, right, correct, correct.

Don't worry, we organise this. And if Tan Sri Vincent and Tengku Adnan want to meet you privately, they will, I will call you. We organise a private arrangement, in a very neutral place.

No, don't worry, Datuk, I know how much you suffered for Tun Eusoff Chin. And Tun said Datuk Ahmad Fairuz 110 percent loyalty. We want to make sure our friends are there for the sake of PM and for the sake of the country. Not for our own interest, not for our own interest. We want to make sure the country comes out well.

Well, you suffered so much, so much you have done - for the election petition, Wee Choo Keong, everything. How much, nobody would have done all these.

Yes, you know. Ah. Good lah. You don't worry. I am constantly working on this. I...

Ya, ya, don't worry, don't worry. We work hard on this er Datuk. And if Tan Sri Vincent and Tengku want to see you, I will organise it in a confidential place.

Okay, Datuk, all the very best. God bless you and your family.

Okay. Thank you, thank you. Bye-bye, bye-bye.

TRANSCRIPT PART II – Released December 14, 2007

[Voice off-camera]: Who is that Dato?

Lingam: Chief Justice Malaya.

[Voice off-camera]: Who is that?

Lingam: Dato Ahmad Fairuz

[Voice off-camera]: Oh Ahmad Fairuz.

Lingam: I put him up there. Don't tell this, please. I cannot tell this to Manjit. And he is acting President Court of Appeals Number 2 post. He is next Chief Justice. He always says "I leave it to you."

[Voice off-camera]: I thought you were very close to Tun Eusoff Chin, Datuk?

Lingam: He is Eusoff Chin's man, Eusoff Chin retired. But Dzaidin hates Eusoff Chin, you understand? Ah..

[Voice off-camera]: Because you know I...I...I..as far as I know you are very...

Lingam: Eusoff Chin and I are extremely close. Because you know...Yeah. Eusoff Chin in power, I can straight and get in Pom! Pom! Pom! Pom! But now Dzaidin is there. So Dzaidin is attacking our cases. That means what? James Kumar is aligned to Dzaidin. But Dzaidin is retiring in 15th of September. He is finished.

[Voice off-camera]: Next year?

Lingam: So Dzaidin really wants to go...Don't worry. Dzaidin recommended Malik Ahmad to be Chief Judge of Malaya. But we went and "cut" "cut" "cut" "cut" I and Tengku Adnan and Vincent told PM. I stop him for now, because he is anti-PM. We put Fairuz in. And we put...I told you three months ago he became CJM [Chief Justice Malaya]. He said "Don't believe." Then he got it. He rang up to thank me. And all that. He now acting PCA because Wan Adnan is sick. Right? This. Apart from law knowledge you need kow tow. Please understand that. You need to know the emperor. Knowing the law doesn't give you the winning formula, you must also kow tow to the emperor. Correct or not? So now I am working very hard. So he agreed to meet Vincent Tan and PM and...what you call Tengku Adnan.

[Voice off-camera]: Do you think Vincent has an interest over PM?

Lingam: You don't know about the history. Businesswise may not be successful. Robert Kuok is very brilliant. Lim Goh Tong is very rich. Vincent Tan, you know what PM say? He went to Averton he went to Langkawi. He said bincang. I want you to build a hotel here. His wife pulled him away. [Inaudible] He said Dato Seri I will think about it. The wife pulled him away. There is another [inaudible] cannot get a bank loan. Vincent there. Vincent, can you build a hotel? Ready for next Air show?

I want you do it in 6 months. 'Datuk Seri, Don't worry, I will get it done.' He paid double the price to get all of them. A big loss lah. Then Solomon Island and Fiji and all, he said, Vincent go and invest there, he went and bought... [inaudible] the government factory [inaudible] you do this project a bit and cover up your loss. PM will do what he want to do to cover your backside.

[Voice off-camera]: Vincent is very close to him.

Lingam: That's right. Don't ask... because Vincent has taken me to PM's residence... the house ... [inaudible]... Anwar's case... the lawyers... Wee Cheong ... [inaudible]. But I cannot go and talk to PM just like that and say promote this and that...

Because ah, he knows... I am a... but when PM calls me on Anwar's case, I can tell him... he'll listen... But if I go promote so and so, that means I got interest. So, I don't do that. I use Vincent and Tengku, go and do that. I don't f*** them up. They go

and do that. But I tell you this lah. Don't tell in front of people, of course. Life, one thing go confidential wrong is dangerous. Ah. Never, never say... You should... never. Even though to PM. You should never say. I don't know. I always say "I don't know." That's all.

[Voice off-camera]: Everybody... I think many people know. Even the son case, everything I talk the father, Talk until he agreed.

Lingam: You know me [inaudible]. But I never talk about it. Even the son's case, I do everything. I talk to the father... Talk until he agreed. But if it is a big crisis that affects him,I can talk, he will listen. But if I want to favour somebody, that I cannot guarantee. Because my interest is not his interest. You know what I mean. Tomorrow invest your interest involving your father, I can come say this this this, you will listen. But tomorrow I appeal for me, you are not obliged to listen. Because you are a politician, PM. Politician is what is your interest, not what is my interest. But if I am giving advise on your interest, you will listen. On my interest, you will not. You must be careful about this.

[Voice off-camera]: Datuk, I need to ask you this question.

Lingam: Ask me. Ask me.

[Voice off-camera]: For a while now...

Lingam: Because we can talk behind these people.

[Voice off-camera]:... Actually, I think, you know, Daim has more equity interest in Berjaya than Vincent Tan, isn't that true?

Lingam: Let me tell you something ... [inaudible] was bought by Daim ... [inaudible]. Later on he did some deals where Daim supposed to help him. One or two he helped. Supposed to give him some money. Didn't give. Part was paid, part not paid. Later on Daim called up and he got paid.

Transcript Part III – Released January 28, 2008

Lingam: The constitution judges said the constitution said, in the opinion of the prime minister he recommend.

Who the prime minister recommend?

So you are Dzaiddin, you are chief justice, you recommend 10 names, I consent, I said I want these 15 names, can't do anything. He recommend to rulers, rulers only consulted, not approve, only consult. You Know?

[Voice off-camera]: Because if it goes up to the Court of Appeal...

Lingam: Now Dzaiddin wants to come through the PM because he wants his Tun-ship. So...he doing everything to please the PM lah, but he recommended five judges, three...three approved, which is Tun Eusoff Chin's men, two not Eusoff Chin's men which we objected. I prepared the report and rejected... but he wants to appeal again lah.

[Voice off-camera]: Can he appeal?

Lingam: He can appeal lah, but will be rejected lah.

[Voice off-camera]: I never know appointment can be rejected you know?

Lingam: No, recommendation can be rejected. The PM shall recommend so and so, after consulting so and so. So, PM suppose to consult Loh Mui Fah before he recommends. So Loh Mui Fah recommend 10 names, he in fact can say I disagree with your 10 names, I recommend Gurm...Lingam and so and so. Nothing you can do. You are only...you are supposed to be consulted, not to be approved. You see the point or not? The constitution said consult.

I suppose to consult my father before I marry, I consulted him, he disagreed but still I married!

[Voice off-camera]: Because that is not final, ah.

Lingam: Right, consult is to discuss. That's all. But if I must get my father's approval before married, then different. Approval different from consult.

[Voice off-camera]: So, who is the lord president now?

Lingam: Now chief justice Dzaiddin.

[Voice off-camera]: Dzaiddin...

Lingam: But between you and me. We have taken Dzaiddin for dinner three times.

[Voice off-camera]: Three times already.

Lingam: And we have given him the most expensive gift. Don't ask about it lah. I have given him and Vincent Tan has given him. So, he also cannot attack us. Tomorrow we go say we give you this this this. He cannot go and say you are an agent. Correct or not? So, he is neither here nor there lah. That's all.

[Voice off-camera]: But... Chief Justice..

Lingam: But in the court when I argue with him. He said, Datuk Lingam you said you will take one hour. I said, my Lord, it is only 50 minutes, I got another 10 minutes. But...I appreciate. Thank you, thank you... He is very nice with me, very polite with me. I have been sending cakes every hari raya. Vincent has been sending. He can't go and say he is very clean, correct or not?

[Voice off-camera]: But then he is...

Lingam: But he is playing his game lah. He got the job, that's it. Now, September he is finished that's all. Make sure he is not extended.

[Voice off-camera]: But, he may ask for extension.

Lingam: He is hoping... he told somebody that he likes the job very much. Then he likes...Let him dream lah.

[Voice off-camera]: Above him is the Lord President?

Lingam: He is the number one man, Dzaidin.

[Voice off-camera]: Whose the Lord President?

Lingam: He is called... those days called lord president, now called chief justice, federal court.

[Voice off-camera]: Oh... it is the same title.

Lingam: Number two President Court of Appeal, that Wan Adnan, my personal friend. He was sick. Nobody knows he is close to me. Right, in fact, he never knew his name is going up until I told him. Then number three, Ahmad Fairuz, Chief Judge Malaya. Ahmad Fairuz is going to be acting, now acting...number two. Right?

So, next minute, even Raja Aziz said he is going to be the next top job. He is...definitely number one lah.

So, he told me I leave it all to you and you must help me and all...I said I'll arrange for you to meet Tengku Adnan, Vincent and meet with PM lah...

But this bugger is sometimes a bit scared. Ah...I must play shadow from the behind. Nobody should know I know you. Then you can help more. But people, see you know more, like Eusoff Chin, because I met him in New Zealand, became a problem. But if I didn't meet him in New Zealand, it's a... no problem.

Correct or not? Unfortunate.

[Voice off-camera]: Then, in your...then they said you have taken photograph with him holidaying in...huh...huh...

Lingam: But unfortunately, I didn't know. The worst thing I didn't know Eusoff Chin put his hand like that! Alamak...so...I also didn't know about it. What to do?

[Voice off-camera]: Then... then...

Lingam: Do you know, today one o'clock, Eusoff Chin having lunch in his house today. Hari Raya today. He called me and my wife to come. I told him we don't go today, we make it another day. I don't come but my wife and children will come. You know or not?

I told my wife to call...[unclear]...

[phone rings]...

Lingam: Hello...Joe Ah...!

Note: Because some parts of the recording are inaudible the transcript may not be 100% accurate.