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Political ally, critic or ...

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MALAYSIA "with God's blessing shall be forever a sovereign, democratic and independent State founded upon the principles of liberty and justice and ever seeking the welfare and happiness of its people and the maintenance of a just peace among all nations".

Does the Declaration of Independence, decreed almost 40 years ago, still hold true in these postcolonial times? Is democracy fully experienced through the exercise of fundamental rights, as enshrined in the Constitution? Are Malaysians happy and contented?

The struggle to uphold the above principles is imminently contested as our nation propels itself into the next millennium, and involuntarily rises to exacting demands impinged upon by globalisation.

Economic growth on an unprecedented scale stretches the measure of our political maturity, communal solidarity and spiritual resilience.

Ours is not a liberalisation of sorts, if costs are to be accounted for. Ills such as exploitative labour, ecological destruction, inequitable development, in fringement of human/women's rights, displacement of indigenous communities and persons with HIV/AIDS mar the worth of progress.

A redefinition of development, one that is holistic, human-centred and sustainable, is urgently called for.

To that end, the contribution of certain NGOs, though not often officially endorsed, is invaluable. Foregrounded, as these are deemed to be contentious, are "development NGOs".

Autonomous in nature, they have the potential to be catalysts in the mobilisation and conscientisation of society in affecting change.

Differentiated from GONGOs (Government NGOs), they are self-financing though some receive foreign funding. In their pursuit of a participatory democracy and identification with a specific issue, they serve as pressure groups or watch-dogs to the state.

A reactionary fervour has characterised the Government's attitude towards these activist groups.

Blanket criticisms of the latter (and suppression by prohibitive legislation) as being a hindrance to national progress, threat to national security and subversion of national identity, betray the biased perception, precarious position and oppressive treatment of these NGOs.

Have Government-NGO relations been primarily confrontational in these last four decades of post-Independence? To what extent have NGOs been coopted by, or cooperated, even collaborated with the Government?

"A common disease of many governments in developing countries is its intolerance towards criticism. The unwillingness to debate points to the Government's paranoia about environmental groups because we press for public accountability.

"Ordinary citizens are entitled to articulate their views, whether favourable or unfavourable. That is the essence of democracy. But 'talking politics' invariably means 'oppositional politics' which is synonymous with being anti-Government, (the logical conclusion of) which is a step away from being anti-national," asserts Gurmit Singh, advisor to the Environmental Protection Society of Malaysia (EPSM).

"We've moved away from a state of total antagonism, even from the DOE (Department of Environment), to a consideration of us being constructive. Notwithstanding attempts to coopt us at the Rio Summit, there have been

changes in attitude. For the first time, I have been invited to sit on the National Steering Committee on environmental concerns. That has not been an overnight recognition," he adds.

According to G. Rajasekaran, secretary-general of the Malaysian Trades Union Congress (MTUC), "You assess the wealth of a country by looking at its citizens. Government, employers and trade unions certainly want industrial peace. It is the Government's responsibility that various laws are promulgated in order that employers do not behave like dictators, nor treat their work places like army camps."

The full range of diversification strategies employed in advocating the controversial national union for electronic workers, for the past 20 years, is a test case.

Acquiescence to the Government's persuasive and later coercive policies has resulted in watered-down solutions of a separate union (from electric workers), state-based unions (it is less of a deterrent to foreign direct investments), in-house unions (which are decidedly ineffective) as a reluctant compromise to a complete prohibition.

On the crucial issue of violence against women (VAW), Maria Chin Abdullah, vice-president of the All Women's Action Society (AWAM), comments: "The Government has been rather supportive, particularly Hawa and Datuk Napsiah Omar. There has been that long-drawn impact (since campaigns about VAW in 1985) which one can't quantify as it had been everybody's efforts."

Maria alludes to the synergy of commitment from the Government, NGOs and public which clinched reforms to rape laws (mid 1980s), marriage laws (1976) and the most recent breakthrough, the Domestic Violence Act (1994), reinforced last year.

"However, there has to be an equal partnership. If the Government involves NGOs and feels uneasy about them, there's no trust and respect and the on-going tension, particularly the ever present threat of being clamped down, will always be there."

The legal framework has crippled the concretisation of basic rights and civic responsibility, specifically intrinsic liberties and the freedom of speech, assembly and association (as initially provided for in Articles 5 and 10 of the Federal Constitution).

The too convenient recourse to draconian legislations such as the Societies Act, Internal Security Act 1960 (ISA), Official Secrets Act 1972, Printing Presses and Publication Act 1984, reinforce the state's incontestable control.

Inferred is the subversive potential of any dissent, regardless of its intent and purpose.

Dr Kua Kia Soong of SUARAM attests to the desired marked decline in the level of involvement of activists after the notorious 1987 crackdown of NGOs.

Contrary to state suspicion, often unfounded, NGOs, he insists, "in embodying that spirit of humanity, almost define what a civil society is because they are an intermediary between the Government and community. We want a more mature democracy. The arbitrary use of the ISA is the flipside of Government portrayal of political stability."

Dr Syed Husin Ali, advisor to the Urban Pioneers Support Committee (the JSPB), calls for the abrogation of the following provisions or laws that have not only violated one's indivisible right to shelter, but exploited them as means to forcibly evict, threaten or arbitrarily arrest urban pioneers.

They are the Essential (Clearance of Squatters) Regulation 1969, Land Acquisition Act 1961, National Land Code 1965, ISA and Public Order and Prevention of Crime Ordinance (POPO).

He adds that "a compassionate approach seems to be emerging but is not a way of life yet".

Without the intervention of the JSPB (through legal aid and grassroots empowerment) and the courageous resistance of urban pioneers in facing demolition, physical assault, and unlawful detention, developers would have persisted in their victimisation of the latter, through forced eviction, without alternative housing and adequate compensation.

"Although not acknowledged, NGOs have gained the ear of the Government. NGOs strive to be independent and act in accordance to their functions, in the interest of Malaysians. We won't easily succumb to any directives imposed by foreign funders, which hardly happens anyway," he reasons.

The onus of accountability and transparency (which the Registrar of Societies serves as a regulatory body) of NGOs is imperative.

NGOs are their severest critics, and justifiably so as they, at considerable personal cost, epitomise the voluntary call to civic and civil consciousness, which Malaysians at large should aspire towards in realising the essence of sovereignty.

"The greatest challenge that these public interest organisations face is to assume in this country a position of vulnerability; the greater task of which is maintaining its credibility by being consistent and practising the high-flaunting principles that it articulates," Gurmit Singh succinctly remarks.

The aspirations of NGOs as such are not adversarial to the ends of achieving peace, prosperity and happiness of the nation. But means to that end differ. The compounded challenges that confront NGOs in actualising their potential as elaborated by Marina Mahathir, president of the Malaysian AIDS Council, in her most recent address at the Third International AIDS Impact Conference, Melbourne, are:

- * of being seen to be working out of love for our own country;
- * of being culturally appropriate without sacrificing sound principles (i.e. HIV prevention). In HIV work, we are constantly being accused of trying to impose Western ideas though we are operating on sound public health principles which are viable. The point is, saving lives is not an exclusively Western idea;
- * of coping with limited financial and human resources;
- * of staying in touch with the needs of the community;

The call to protest police brutality and abuse of power is undoubtedly a global one. But the pricking of conscience begins at home when domestic violence festers.

Indeed, democracy should not only be preserved, but also practised.

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