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Peaceful assemblies can go wrong

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TAN Sri Musa Hitam's support for a peaceful assembly on the eve of a proposed unauthorised gathering last Friday in Kuala Lumpur unnerved some people.

The chairman of the newly-formed Malaysian Human Rights Commission thought the criticisms were an affront to him and other members of the commission.

Musa's detractors saw his statement as an endorsement of a protest gathering planned to coincide with the High Court verdict of the sodomy trial of Datuk Seri Anwar Ibrahim.

The protest, billed Perhimpunan Rakyat - Bebaskan Sistem Kehakiman (People's Assembly - Free the Judicial System) - fizzled out when the court postponed the verdict. A smaller gathering took place on Friday and a handful of participants were arrested.

It is understandable that Musa as chairman of the commission would like to establish his reputation as an unbiased and independent protector of human rights in the country. It is, after all, the role of the commission to protect and promote fundamental human rights which include the right of assembly.

But some observers are sceptical. Rightly or wrongly, they sensed politics in his statement. They pointed out that the former Deputy Prime Minister was not politically unbiased.

This, according to some sources, is because Musa continues to talk politics and dispense political advice to his circle of friends and proteges.

Of course, as a prominent Malaysian and one who is committed to democratic ideals, Musa has every right to express his opinion on politics and other issues.

But the circumstances under which the statement was made caused his motive and his wisdom to be questioned.

As the Johor Umno Youth head Dr Nasrah Salim was reported as saying, Musa's statement could be interpreted as giving the green light for the proposed assembly.

He said Musa, as a former Home Minister, was well aware of the risks involved in allowing such an assembly.

The young Johor leader went on to remind his State's elder politician to be mindful of the sensitivities of the Malaysian society and not to be carried away with what he called the Western ways.

Whether they are Eastern or Western ways, I am sure Musa has not forgotten his own experience and involvement in handling these so-called peaceful assemblies. He surely knows just how easy it is for things to go terribly wrong.

Remember the 1974 student-led demonstration in Baling, Kedah, and the ones pitching the Chinese and the Malays in the late 80s?

The latter happened at a time when Umno and the Government were seen as weak following the acrimonious challenge to Datuk Seri Dr Mahathir Mohamad's leadership of the party in which Musa was a key participant.

The assemblies and gatherings, some of which were held in temples, started off as simple protests over the appointment of non-Chinese educated teachers as senior assistants and principals of Chinese schools. But they soon degenerated into a communal confrontation.

Being a democrat and one who, without fear or favour, freely expresses

his opinion of other people and issues, Musa should not be too sensitive to criticism.

It goes to show that there is freedom in this country and that the commission is independent. It has to be when the very same people who debated and approved its formation in Parliament are unhappy with its stand.

BUT to be fair to Musa, we have to acknowledge that he has a point when he said peaceful assemblies should be allowed. He was merely stating a fact.

Such assemblies and gatherings are not alien to this country. They continue to be allowed depending on the assessment of the police and other law enforcement agencies.

Take the election campaign as an example. Despite the restrictions on election rallies, the ceramah that replaced them attracted as many people and were as vociferous.

The speakers taking part in these political talks could be speaking from inside a hall or an enclosed area as stipulated by law, but the audience often overflowed into the nearby coffeeshops, football fields and streets.

Very seldom was action taken against the organisers, speakers and members of the audience for breaking the rules for as long as law and order were maintained.

It becomes a problem only when organisers of these assemblies insist on holding them in the open and linking their protests to an emotionally-charged event or issue.

Surely we have not forgotten the reformasi roadshow of 1998 in Kuala Lumpur and elsewhere?

Despite being held illegally, including at the National Mosque, these assemblies were not stopped until incitement and violence crept in.

Even so, the participants were given repeated warnings and sufficient time to disperse before the police moved in to arrest those who defied the order.

Still, there were casualties on the side of the protesters and the police. The rioters also damaged public property and disrupted business by invading shopping complexes to avoid arrest.

The organisers of these gatherings deliberately chose places and venues that guaranteed them maximum attention, in particular from the Western media.

And what could be more visible than the vicinity of Dataran Merdeka, which is one of city's busiest spots, and the National Mosque nearby?

Furthermore, we must understand the predicament of the law enforcement agencies. They cannot afford to risk another violent incident soon after the Al-Ma'unah debacle which claimed the lives of two non-Muslims - one a policeman and the other a soldier.

With the benefit of hindsight, it would have been better if Musa and politicians had not been involved in endorsing or condemning the proposed gathering.

The organisers might have a political motive in wanting to stage the protest. But at the end of the day, it boils down to law and order. As such, it should have been left entirely to the discretion of the police.

IT is a relief to hear the assurance by the Attorney-General, Tan Sri Mohtar Abdullah, and the Inspector-General of Police, Tan Sri Norian Mai, that the 27 members of the deviationist Al-Ma'unah group involved in the theft of firearms from two military installations in Grik, Perak, early last month would be charged.

There was confusion and fear that the criminals would not be charged when their custodial remand was changed to detention under the Internal Security Act earlier in the week.

Following the ISA detention, the prosecution of the group was deferred. Norian said they would be charged in two weeks' time.

They are expected to face charges ranging from robbery to kidnapping and murder. One or more of these charges can lead to a death sentence.

Mohtar said he was satisfied that there was sufficient evidence to warrant the prosecution of those involved.

"In the interest of national security, I have decided to defer the prosecution of these criminals for the time being," he added.

Mohtar said the investigation into the incident had been completed, and that police had submitted their reports to his office.

"I am satisfied that police had conducted a thorough investigation," he said, adding that he and his senior officers had conducted a detailed study on the papers.

In the meantime, it is interesting to see if any lawyer or party will come forward to represent these people. Of course, they are entitled to a court-appointed counsel if they do not have one or cannot afford one. Alternatively, they may choose to defend themselves.

DEPUTY Prime Minister Datuk Seri Abdullah Ahmad Badawi blamed the hijack of a police car and the theft of a submachine gun in an attempted robbery on July 27 on kecuaiian (negligence).

It is reassuring that "Mr Nice Guy and Mr Clean" is talking straight and not making excuses.

It does not do the image of the country any good when fully armed policemen lose their patrol car and weapon to a bumbling robber.

Fortunately, the perpetrator was not a professional robber but a drug addict and small-time felon. Had he been a real criminal, the patrol car and the gun would not have been so speedily recovered.

Many police and military weapon lost or stolen had never been recovered. Many may have ended up in the hands of criminals and used in robberies and murders.

As for the Deputy Prime Minister, I am sure he knows that being Mr Clean and Mr Nice Guy alone is not enough. He has to be tough when toughness is required. Otherwise, there is danger that some unscrupulous people may take advantage of his niceness.

But he cannot do it alone. The people who proclaim that they love him, respect him and are working for him should not say or do things that could tarnish his image like scrambling for projects and using his name to get one.

I am not saying they are doing this and I am not suggesting that Abdullah is allowing it to happen. It is just a thought.

I THANK a fellow scribe (or, shall I say, a former scribe since like me, she too left the employment of this newspaper), for the encouraging e-mail.

In an e-world, e-mail is becoming e-must. But like everything else, too much e-mail is not good. Too much time spent reading and even more time responding. The latter is not always possible.

But unlike me, the scribe does not continue writing her hugely popular weekly analysis. She should have if she can.

She said the trouble with people is they like to over-pat themselves on the back for capturing the tiger, when, in the first place, they should not have allowed it to escape.

But let me assure her that I was not after Defence Minister Datuk Seri Najib Tun Razak's blood. I have no reason to.

I have known him a very long time and I think we understand each other well enough. I first interviewed him in 1977 when he was a political greenhorn. Since then he has come a long way.

The problem, if any, is with people who have a penchant for reading

media criticism as an orchestration or a dark agenda.

I thank Najib for accepting my criticism in good spirit.

I also thank reader S.A. Rahim of Kuala Lumpur for his response to last week's column. He was of the opinion that foreign investors are holding back "because of uncertainties brought about by actions taken by the authorities which created non-transparencies and without (good) corporate governance although we preach both matters".

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