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ISA used less frequently now

Carolyn Hong

KUALA LUMPUR, Mon. - The Internal Security Act has been used far less often in the last 20 years than in the 1970s, and mostly for reasons of safeguarding national security.

During Datuk Seri Dr Mahathir Mohamad's first 20 years as Prime Minister (1981 to 2001), there were 1,203 ISA detentions or an average of 60 a year.

This average is significantly lower than those during the tenures of his predecessors.

* Tun Hussein Onn (1976 to 1980): 1,245 detentions or an average of 249 a year;

* Tun Abdul Razak (1970 to January 1976): 574 detentions or an average of 95 a year;

* Tunku Abdul Rahman (1960 to 1969): 1,199 detentions or an average of 120 a year.

The statistics on ISA arrests and detentions from 1960 to Sept 5, 2001, were made available to the New Straits Times by the Home Ministry.

Among the prominent detainees of the mid-1970s were those picked up over the student protest in Baling. They included Anwar Ibrahim (now Datuk Seri) and Parti Rakyat Malaysia president Dr Syed Husin Ali.

In the later part of the 1970s, following the death of Tun Abdul Razak on Jan 14, 1976, there was another wave of arrests of those who had been in his inner circle.

They included journalist Abdul Samad Ismail (now Tan Sri), and two deputy ministers Datuk Abdullah Ahmad (now Tan Sri) and Abdullah Majid.

The last major round of mass arrests was during Operasi Lallang in 1987, following tension between the Malays and Chinese. A number of MPs and activists were picked up.

At present, there are 73 detainees in the Kamunting detention camp. A highly-placed Ministry source said only six of them have political affiliations - the "reformasi activists" who are held for trying to overthrow the Government by using force.

They are Parti Keadilan Nasional youth chief Ezam Mohd Noor, vice-president Chua Tian Chang (Tian Chua), party Johor youth chief Lokman Noor Adam, activist Hishammuddin Rais, former Jemaah Islamiah Malaysia president Saari Sungib and former lecturer Dr Badrul Amin Baharom.

The rest of the detainees are held for being a threat to national security and for economic sabotage.

Twenty-one are detained for smuggling illegal immigrants; 15 are Al-Maunah members; 11 for counterfeiting coins; seven for forging identity cards and travel documents; four are Free Aceh Movement members; three for arms smuggling; three for international terrorism; and three are Kumpulan Militan Malaysia members. The 73 detainees include nine foreigners.

In the past, detainees have also been held for being communists, leaking state secrets, sabotage of essential services, Islamic extremists, being involved in the Sabah separatist movement, piracy and cloning handphones.

Under section 8(1) of the Act, there are three broad grounds for detention: threat to national security, maintenance of essential services, or economic life of the nation.

Contrary to criticism, the Home Ministry source said, the Government had not expanded the ISA beyond its original scope as these three grounds have

long existed in the law.

Asked about the judicial trend which seemed to favour detainees in habeas corpus cases, the source said there has only been one recent case where two detainees were released. They are Keadilan Youth secretary N. Gobalakrishnan and exco member Abdul Ghani Haron.

However, the source said the Ministry was preparing a checklist for its officers to ensure that they adhered strictly to procedures, to avoid challenge in court.

He also said while ISA had been the focus of criticism, there are actually more people held under the other four preventive detention laws:

- * Dangerous Drugs (Special Preventive Measures) Act: 1,642

- * Emergency Ordinance: 309

- * Crime Prevention Act (restricted residence): 333

- * Restricted Residence Act: 159

(The figures are as of the end of last month.)