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Putting national security on trial

THE report by the Human Rights Commission of Malaysia, or Suhakam, recommending that the Government review certain laws, including those that allow for detention without trial, is one of those few things that make you fall off your chair or spill coffee on your shirt. Suhakam's report to Parliament pulls no punches. It addresses concerns about laws allowing detention without trial, restrictions on press freedom, the independence of judges, discrimination against women, and the treatment of native people. While it recognises the Government's economic development record, it says that for many "a full stomach is no longer enough". The Internal Security Act (ISA) is a successor to colonial legislation passed to quell communist insurgency but Suhakam says the "days of the communist threat" are over.

What raises eyebrows is the fact that Suhakam is an "official" watchdog. Its members were selected by Prime Minister Datuk Seri Dr Mahathir Mohamad and the organisation receives its funding from the Government. For these reasons, its ability to be impartial and credible has been questioned by Malaysia's critics. Several times, Suhakam had to come out to reassure local as well as foreign non-governmental organisations that it was an independent body and was not operating under Government interference or influence, even though it was funded by the Malaysian Government and the taxpayers.

Suhakam is not the only organisation whose integrity has come under suspicion because it is closely-linked to the Government. The judiciary and Bank Negara have been accorded similar treatment from Malaysia's detractors, even though there are more than enough instances to show that they are autonomous. Certain corporate leaders have had credit taken away from them by people who label them "cronies", even though these corporate leaders may have succeeded on their own account and would have been successful business people, anyway, if they had not forged close ties with the Government or individuals in the Government. George Soros, the currency speculator who is closely-linked to some governments in the West, has seen it fit to categorise Malaysia as one of the countries where "unholy" alliances between government and business exist. The point Soros was trying to make was that such an alliance is a major reason for the erosion of freedom and democracy.

Would Soros have applauded Suhakam's report? Perhaps, but what's certain is many observers who have placed Malaysia under their watch will be rather excited: here is an "official" watchdog turning against its own master. But For Malaysians, especially Malaysian NGOs, let's hope the Suhakam report is seen in the right context. Whether or not Malaysians agree with some or everything dished out by the report, the important thing is to ensure that the ensuing debates do not lose sight of a couple of facts of the matter.

Firstly, Suhakam's findings do not necessarily reflect the demand or wish of the majority of the people. The arrests of several people under the ISA recently were seen as necessary by many Malaysians who do not agree with street demonstrations. They have seen how disruptive such protests, from Seattle to Jakarta, could be. Secondly, like the death penalty, no person of sound mind likes the ISA or other such laws. But like the death penalty or life imprisonment, these laws are necessary to deter criminal and destructive activities. Sure, the communist threat has

ended for Malaysia. But that is also true for Indonesia and it does not mean Indonesians do not face other threats. Some of these threats are even bigger than communism, as the Indonesians have discovered. So, are we ready to do away with the protection now and put the nation and people's security on the line just to prove that we are liberal and we are open?

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