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The last resort

THE Internal Security Act, which provides for detention without trial, is being used against those whose activities are detrimental to the security and continued wellbeing of the country. It is not the intention of the authorities to use the legislation against political opponents or in persecution of individuals. However, sometimes the perpetrators of subversive acts are also politicians and their incarceration is exploited and used as ammunition to condemn the government.

It has been the fashion for Opposition politicians, the liberals and human rights activists to cry foul, but in serving the larger interest of the people, the ISA is a necessary evil.

Without its power and authority, those entrusted with the responsibility of preserving peace will be fighting with their hands tied. So long as it is used judiciously, they need not apologise. This resort to preventive detention is not exclusive to Malaysia. Britain uses it. So does Singapore.

Critics who are fond of alleging that the Government under Prime Minister Datuk Seri Dr Mahathir Mohamad is authoritarian because of the detentions under the ISA should instead take a good, hard look at the figures before passing judgment. The number of ISA detentions under Dr Mahathir's administration is fewer than during the time of his predecessors. From 1981 to 2001, there were 1,203 ISA detentions or an average of 60 per year. In comparison, there were 1,245 detentions or an average of 249 a year during the tenure of Tun Hussein Onn (1976-80), 574 or 95 a year under Tun Abdul Razak (1970-75) and 1,199 or 119 a year under Tunku Abdul Rahman (1960-69). Numbers do not lie. Also, the much-criticised ISA detentions are actually fewer than the number of people held under four other preventive detention laws: the Dangerous Drugs (Preventive Measures) Act (with 1,642 detentions), Emergency Ordinance (309), Crime Prevention Act (Restrictive Residence) (333) and Restricted Residence Act (159).

Admittedly there might have been occasions when those detained under the ISA felt they were unjustly held, but this could have been due more to the human failings of those who employed the ISA rather than the weakness of the legislation itself. But this still does not negate the role of the ISA in protecting national security in our multi-racial, multi-cultural and multi-religious society.

The ISA is not an instrument that is used to suppress the democratic system in the country. On the contrary, given the delicate balance of Malaysia's ethnic composition in which sentiments and emotions can be easily stirred up and exploited, the ISA is in fact an instrument to safeguard democratic institutions. Preventive detentions can nip in the bud any trouble that may get out of hand. The ISA, which came into force in 1960 with the official end of the emergency, replaced the Emergency Regulations which were introduced in 1948 when the communists launched their armed struggle. It was used to suppress the lingering threat of communist subversion and armed uprisings.

A democratic government owes it to the people who elected them to use the ISA as long as there is a threat to national security from subversive elements who will not hesitate to create chaos to seize power. However, in keeping with the changing times when great currency is put on transparency and accountability, the authorities have exercised restraint in the use of

the ISA. It is the weapon of last resort.  
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