

Imagine a Malaysia without ISA
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Our premier Najib Abdul Razak is due in Brunei today to attend the 15th Annual Consultation with the Sultan of Brunei Hassanal Bolkiah.

But the latest word on the block is certainly not about that trip but whether the premier would totally dismantle the Internal Security Act (ISA) to regain lost political ground and add a sting to the momentum towards GE13.

For the record, the ISA took effect on August 1, 1960 with the solemn promise that it would only be used "solely against communists".

Malaysia's Prime Minister Tunku Abdul Rahman was the first to give such an assurance in Parliament, when the law was tabled, that he and his cabinet would never use the ISA to stifle legitimate opposition and silence lawful dissent.

That was not all, a second guarantee was given when his deputy, Abdul Razak Hussein, who had tabled the Bill, had also assured the House during heated debates that the law was for two purposes:

1. to counter subversion and
2. to enable measures to be taken to counter terrorism.

Despite their promises, there have been countless statements that the ISA was used for political agendas and reasons - to silence dissenting voices that criticised the government and to prevent the people from exercising their right to free speech and assembly.

According to reports over the years, some individuals have been detained for offences that did not threaten our national security and were punishable under other criminal laws, including criminal acts like money laundering, arms trade abroad, counterfeiting coins, falsifying documents, human trafficking and hacking.

More so when there are enough legislation for those crimes in our legal system, why was there a need to use the ISA?

There are records that since that awful morning in the 60's when this draconian and vulgar law was enacted nearly 10,670 people, including young students, rubber tappers and technicians aside from politicians, had experienced what it is like to be imprisoned on mere suspicion, without given the right to a trial and defence.

Worse, these were followed with a massive 'trial by media', a very vulgar and despicable form demonising an opponent without giving them an opportunity to defend themselves in a properly constituted court of law.

In the past we have also discussed the need to revise various provision of the ISA and among them:

1. the length of detention,
2. rights and treatment of detainees and their families,
3. the powers of the home minister,
4. the use of the ISA for political reasons and

5. detention without trial.

I am aware that the government in all honesty and goodwill have also met key stakeholders to address the issues involved and how to move forward, which is a brilliant thing to do provided we are getting somewhere along time lines, audits, progress, achievements and actions in light of the world changing post 9-11 and international law being redefined.

There are enough evidence of the necessity of such, in the Arab Spring alone.

As far as I am concerned if nothing else, by dismantling the draconian and unjust ISA, Premier Najib Tun Razak would forever be remembered in Malaysia's history as the man who went that 'extra mile' despite dissent within party, politics, power and policy circles, to get rid of a draconian legislation unfit for a civilised society and country like Malaysia.

Najib will certainly then add a new dimension and stature to his position and win the accolades from all sides of the political divide.

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