

Attend Bersih sit-in, urges MP who sat on PSC

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By Koh Jun Lin

People should attend Saturday's Bersih 3.0 rally because after each Bersih rally, there has been some improvement to the electoral system, says an opposition member of the parliamentary select committee (PSC) on Electoral Reform.

To make his point, DAP's Rasah MP Anthony Loke said after the first Bersih rally in 2007, the Election Commission (EC) agreed to a longer, 13-day campaign period, and to use indelible ink, although the plan for the ink was dropped just before the 2008 general election.

NONEThe second Bersih rally on July 9 last year, Loke said, pressured the government into setting up the PSC.

"To convince you why we need to sit: every time we have a Bersih (rally), either 1.0, 2.0, or 3.0, there will be something happening. They (the government) will be pushed further," Loke (right) told a forum last night.

He was a speaking at the forum with the theme "To sit or not to sit: does electoral reform begin with the law?" held at KDU College's SS13 campus in Petaling Jaya, Selangor.

The Bersih 3.0 rally is scheduled to be held at Dataran Merdeka, Kuala Lumpur, on Saturday afternoon.

However, another panellist, Gerakan's Kedah Youth chief Tan Keng Liang, disagreed.

"We have to look at whether it is constructive to sit down at Dataran Merdeka just because people don't accept our views. Have we considered that our views are not suitable in the current situation?" Tan asked.

Differing views the norm of democracy

He said differing views were the norm in a democracy and that differences should be accepted as it would only be a matter of time before views that are correct would be adopted.

NONEGiving an example, Tan (right) said many people suggested having automatic voter registration in the 1980s, but it was only now that technology has made this possible, and it is also one of the PSC's recommendations.

On the other hand, the lawyer conceded that Bersih was entitled to hold its rally if it did not inconvenience others, and Bersih's organisers should be more open to suggestions for alternative venues.

"If you stay or work near Dataran Merdeka on that particular day, I don't think you would want to see traffic jams, correct? A stadium would be more appropriate, with ample parking space," Tan said.

Another panellist, Bar Council's Constitutional Law Committee chairperson Syahredzan Johan, countered that the right to assemble peacefully is guaranteed under Article 10(1)(b) of the federal constitution.

This, Syahredzan said, was subject to restrictions that are deemed necessary in interest of national security or public order, and even then, the Federal Court had ruled that such restrictions should be "reasonable".

NONE"So, these two things only. It cannot be restricted because there is going to be a traffic jam!" he

said, drawing a rapturous applause from the audience of about 100.

"For 50 years we have been told that we cannot exercise our rights because of inconvenience, whereas the federal constitution guarantees it," Syahredzan (left) said.

He added the traffic jams were caused by the police, who "locked down" the city, referring to the roadblocks prior to the Bersih 2.0 rally.

Tan in his rebuttal of this argument said "public order" has not been clearly defined, but that it should cover traffic.

"That's why the Peaceful Assembly Act does not allow street demonstrations. Hopefully, those parties that wish to demonstrate or hold assemblies will consider the interests of others." he said.

Syahredzan also told the forum that despite the talk about not allowing Bersih, he anticipates a "very, very nice picnic", with the police keeping watch, because they have realised that it would be counter-productive to stop the rally.

"But, if they do arrest people, my advice would be to run very fast... run to the nearest lawyer you can find."

The Bar Council would have its observers at the rally, with its legal aid team on standby, said Syahredzan, who added that the people should read the council's guidebook on their rights when under arrest.

