

You're wrong on anti-bigotry bills, Dr M told
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The bumiputera will not suffer under a proposed anti-bigotry law as it will not touch the special position of the Malays as enshrined in Article 153 of the Federal Constitution, the National Unity Consultative Council (NUCC) said today.

The deputy chairperson of NUCC's committee on law and policy, Lim Chee Wee, said the three bills proposed by NUCC were very specific in their objectives and were not meant to introduce a system of "meritocracy" in Malaysia, as claimed by Malaysia's fourth prime minister Dr Mahathir Mohamad.

If accepted, the bills would promote measured free speech, uphold the rights of all Malaysians and give bigotry victims an avenue for redress.

"Article 153 contributed to making Malaysia a fairer nation in that it helped to reduce, if not eliminate, the socio-economic disadvantages of the Malays and natives of Sabah and Sarawak, which existed during the formation of Federation of Malaysia.

"The harmony bill seeks to reduce unfair discrimination which exists outside of Article 153 and (allows) fair discrimination," Lim (left) said in an email reply to queries from Malaysiakini.

Lim, a former Bar Council president, explained that "fair discrimination" includes current government affirmative policies for bumiputeras on positions in the public service; scholarships or similar educational or training privileges; special facilities given by the government and permits or licences for the operation of any trade or business as required by law.

"The government's current affirmative action will not be affected if it is within Article 153 or if it is shown to be fair," Lim said.

Mahathir had argued that NUCC was trying to bring "meritocracy" to Malaysia and that this would hurt the bumiputera community, which has the most number of poor people in the country.

'NUCC proposals out to oppress Malays'

Mahathir expressed worry that the proposed NUCC laws were out to oppress the Malays, who were still lagging in economic rights even after 40 years of government affirmative action, as they needed help in education, work and in meeting their basic needs.

"Eliminating race-based discrimination will make us all equal citizens but will not give us equality," Mahathir had said on his blog, chedet.cc.

Lim reiterated that the three bills proposed by the NUCC would do no such thing.

"These bills do not interfere with, derogate from or question any provision of the Federal Constitution, in particular the position of Islam, Malays and natives of Sabah and Sarawak," Lim said

Besides the Harmony Bill, the other two bills proposed by NUCC are the Racial and Religious Hate Crimes Bill and National Harmony and Reconciliation Commission Bill - both of which can, in fact, curb discrimination outside of Article 153, Lim argued.

He reminded Mahathir that some poor bumiputera were now discriminated against by employers, if a recent study from Universiti Malaya was correct. The study, Lim noted, revealed that fresh Chinese graduates were more likely to be called for a job interview based on their resumes, compared to Malay graduates.

A commission to tackle discrimination

This would not be allowed under the new bills, whereby the National Harmony and Reconciliation Commission Bill calls for the establishment of a commission to tackle discrimination conflict "through mediation and adjudication".

Under the Racial and Religious Hate Crimes Bill, the people will also have a bit more room to speak out against discrimination in any form. This replaces the old British-inherited Seditious Act 1948, which has "a low threshold for establishment of criminal offence", Lim said.

The main National Harmony and Reconciliation Bill would enhance Article 8 of the Federal Constitution, which states that there shall be no discrimination against Malaysians on the grounds of religion, race, descent, place of birth or gender.

"The harmony bills merely add disabilities to these prohibited grounds, consistent with the persons with disabilities act," Lim said.

"The harmony bills do not create any new social contract. They merely give meaning and life to Article 8 of our Federal Constitution," Lim added.

Meanwhile, NUCC law and policy committee's chairperson Mujahid Yusof Rawa said that it was also time for Malaysians to "go beyond Mahathir's thought."

This is so that a better environment of unity, not be hindered by racism and religious hatred, can be fostered.

"We would welcome his thought to improve the bill but surely not to hold us back.

"The bill is for the future of our dreams to become one nation that live in respect and harmony," Mujahid, the PAS MP for Parit Buntar, said in a short text message to Malaysiakini.

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