

Gov't credibility close to edge with suspension

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COMMENT The reasons given by the Home Ministry for suspending The Edge Weekly and The Edge Financial Daily for three months are completely untenable:

(i) that the two publications have raised questions and created negative public perceptions towards 1Malaysia Development Berhad (1MDB) and also implicated the government and national leaders;

(ii) that the published news reports were based on doubtful and unverified information, which might alarm public opinion and could/might be prejudicial to public order and national interest; and

(iii) that the 1MDB issue is being investigated by an investigation team that has been set up and therefore, it is inappropriate for the reporting (on the issue) to create negative perceptions of 1MDB and consequently for the government and national leaders.

The comedy team Laurel & Hardy used to quip: "A fine mess you've got us into!"

Not media's duty to flatter

The government, through its opaque financial dealings using Malaysian taxpayers' monies through 1MDB seems to have gotten the country into a fine mess.

This fine mess has emerged not through the government's policy of transparency as trumpeted in its Transformation Programme, but through the investigative journalism of The Edge, Sarawak Report and The Wall Street Journal and the pursuit of these issues by opposition MPs.

The government seems totally ignorant of the role of the press and peoples' representatives in a parliamentary democracy.

The function of the press and members of parliament is not to "create positive public perceptions towards state institutions and the government-of-the-day and national leaders.

Nay, the free press plays a critical role in ensuring that every citizen has access to information.

Thomas Jefferson once said, "Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter!"

The press serves as the people's independent watchdog, charged with keeping

governments, businesses and other organisations in check.

They do not exist in a democracy to create positive public perceptions of government leaders and state institutions.

Same old 'national security' hogwash

The Home Ministry claimed that "...the two publications were found to contain articles which violated Section 7(1) of the Printing Presses and Publications Act 1984 (amended 2012) which are prejudicial or may be prejudicial to public order, or may alarm public opinion or jeopardise public order and national interest."

Malaysians have heard this 'ghost story' many times already. When Operation Lalang was launched in 1987 to quell a crisis in Umno, I was one of those detained with 105 others, apparently for being "a threat to national security".

At the time, even the Tunku could see through this cynical ploy when he gave short shrift to the government's White Paper on Operation Lalang:

"For the prime minister (Dr Mahathir Mohamad) to repeat (the story of) the violence of the May 13 affair as a warning of what would have happened if the government had not taken appropriate action immediately is like telling ghost stories to our children to prevent them from being naughty.

"This is not a childish matter but a matter of national importance. The tale should not be repeated because it shows us to be politically immature." (Suaram, 'The White Paper on the October Affair and the Why? Papers', 1989: 5)

'National security' should be defined precisely in national law, consistent with international and the federal constitution with a list of specific categories of information to which restrictions may be applied on the basis of national security. Likewise, 'legitimate national security interest' has to be precisely defined.

Protecting nation or politicians?

It goes without saying that the national security interest espoused by the Home Ministry to suspend The Edge is not legitimate since its purpose seems to be to protect government officials from embarrassment or exposure of wrongdoing. Such an interest is completely unrelated to national security.

Such a clear definition of national security will also help us define the corresponding scope of (legitimate) restrictions on the right to information.

The right to information may be restricted only to protect specific interests as defined in international law, including national security, for example, information whose disclosure would be likely to materially harm the state's ability to prevent organised violent attacks

that are so serious that they require a national response, normally involving military action.

A state may not invoke national security as a ground for restricting the right to information on the basis that this is necessary to prevent an impact on the economy, general welfare through negative impressions of the government and its leaders.

Suaram therefore calls on the government to lift this suspension of The Edge Weekly and The Edge Financial Daily immediately because it is completely without justification in our democracy.

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