

Dr M's selective amnesia on the ISA
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Kua Kia Soong

Throughout his autocratic reign, former premier Dr Mahathir Mohamad displayed contempt for the rule of law.

Some say he was ignorant of this principle of democratic governance, confounding it with "rule by law".

His frontal assault on the Malaysian judiciary in 1988 was an embarrassment for the nation so much so that his successor had to atone for this injury to "national security" 20 years later.

In his recent blog on the justification for ISA, Mahathir further demonstrates his failure to appreciate the rule of law with this give-away: "Courts take a long time to pass judgment."

He tries in vain to justify his use of this "Insidious Suppression Apparatus" (ISA) especially during Operation Lalang.

He claims that he was trying to save the nation from a catastrophic clash because Umno was threatening to hold a million-strong demonstration, that leaders of both sides of the political divide were detained and "as soon as that threat passed, the detainees were released..."

As a human rights watcher since the 1960s and a victim of Operation Lalang myself, allow me to expose some gross misrepresentation of the facts by the former premier:

'White terror' unleashed

Fact 1: What did Umno want to demonstrate against to warrant a million-strong force?

As I told my Special Branch interrogators, the freedom of assembly extends as far as the police are capable of handling the demonstration in question.

From what Mahathir has said, it seems clear that Umno (and he was the Umno chief) was bent on creating terror.

In fact, on the day the Chinese associations were holding their assembly at the Tian Hou Temple in October 1987 to protest the appointment of non-Mandarin educated administrators to Chinese schools, I was busy papering over the glass windows of my office at the Selangor Chinese Assembly Hall in preparation of this threatening demonstration by Umno.

The million-strong Umno demonstration did not happen because it had been orchestrated, just as May 13, 1969 was orchestrated.

We had a glimpse of what Umno was capable of doing when a few hundred Umno Youth members demonstrated outside the Selangor Chinese Assembly Hall over the Suqiu issue on Aug 18, 2000 and threatened to burn down the assembly hall.

On Oct 27, 1987, Operation Lalang was unleashed to create this "white terror" and it did the

job to allow Mahathir to launch his assault on the judiciary and to solve the Umno dilemma posed by the challenge of Team B in Umno.

Chopped logic in ISA

Fact 2: Why was I and many others detained under Operation Lalang?

Mahathir claims the ISA is a preventive law "to be applied before a crime is committed."

That was why people like me, Prof Chandra Muzaffar, Lim Kit Siang, Karpal Singh, Nasir Hashim and a hundred or more others were detained?

No, from the interrogation by the special branch, I was detained to punish me for writing all those provocative articles in the newspapers during the 80s and writing the book on '*The Root Causes of Racial Polarisation in Malaysia*'.

"Okay, I told my special branch tormentors, If you say my book was a threat to national security, then ban it! You can't say the book is fine but then arrest me for being a threat to national security!"

I pointed out that Mahathir's *Malay Dilemma* was banned because it was considered unsavoury to the Tunku's administration but it wasn't banned. Do you see the chop logic of the ISA justifications?

Clearly, from talking to the other detainees during Operation Lalang, the ISA was used to punish us all for not falling in line with the Barisan Nasional.

In fact, part of the so-called 'rehabilitation' by the special branch was to encourage me to emigrate and stop being a thorn in the side of the Mahathir regime.

So much for 1Malaysia and trying to attract Malaysians back to our country.

Fact 3: Why were no BN leaders sent to the Kamunting Detention Camp?

Selective amnesia

Mahathir appears to be suffering from the common complaint among the ruling elite - selective amnesia. He said, "As soon as the threat passed, the detainees were released."

How can we expect young Malaysians to take an interest in history and human rights if a former prime minister tells such blatant untruths?

During my 60 days of solitary confinement, that was the line I took with my special branch tormentors: "Okay, assuming you are right about detaining us...Now that the so-called crisis is over, shouldn't we be released?"

I expected to be released after the 60 days of solitary confinement but the only people released included all the BN who had been taken in.

The rest of us who were being punished for being dissidents were sent on two-year orders to Kamunting.

There was not a single BN leader sent to Kamunting even though the MCA and Gerakan supported the Chinese associations over the Chinese schools issue.

Clearly, one is considered a threat to national security only if one is opposed to the BN.

Then again, there is a difference in treatment meted out to detainees from the BN and the rest of us.

I happened to be in the next cell to a datuk from the BN and I could hear his high spirits every time he was brought back from "questioning".

Clearly, while the rest of us were subjected to harrowing questioning and some, even horrendous torture, these BN detainees were being taken out and feted.

Torture one, feed the other

Fact 4: Torture under the ISA has been going on for years, including under Operation Lalang.

Mahathir chides the US for torturing their detainees. Does he not know that the Malaysian police have been torturing detainees for years?

One only needs to look at the statutory declarations by Munawar Anees and others detained in the last 10 years on the internet to see the depravity of our state torturers.

One of the earliest documents I have seen is this excerpt from a statement by "political prisoners of Kawasan A, B, and C" dated May 1, 1969, Batu Gajah Detention Camp:

- "1. We political detainees have undergone days and nights of endless interrogation which have inflicted grave toll on the mental condition of many detainees;
 2. During interrogation, we have been handcuffed, had our abdominal parts kicked, our heads bashed against the wall until they bled, and some have had to be hospitalised;
 3. We have had needles stuck in our fingernails and pencils used to squeeze our fingers between them;
 4. We have been burnt with cigarette lighters and hit with elastic bands; some have had nails inserted into their genitals;
 5. We have been asked to strip off our pants and to sit on open bottles;
 6. We have been made to take off our clothing and to stand before fans and air conditioners until we have passed out;
 7. The Banishment Law has been invoked to force political detainees out of the country, while those who do not accept banishment are kept on long-term detentions.
- Some at the Seremban Detention Camp have already been detained for between 10 to 20 years already;
8. We political prisoners here have been detained for between four to eight years without trial;
 9. The riot squad has been mobilised to storm our detention camp in order to force those who have refused to wear handcuffs when they leave the camp to do so. In the process,

there has been bloodshed;

10. Health and medical services are very poor in the camp. Those who leave for hospital treatment are forced to be handcuffed. After nine o'clock, we are forced into hot and stuffy cells..."

On Mahathir's own watch during the Operation Lalang he unleashed, and this is the affidavit of Yeshua Jamaluddin, who was detained for being a Malay Christian convert.

Yeshua's affidavit

One might pose this question to our former premier. How was Yeshua a threat to national security during that particular moment in time?

His affidavit at his *habeas corpus* hearing in October 1988 is surely comparable to what was inflicted on the Guantanamo detainees:

"I was not allowed to sleep for days at a stretch and was warned that I would not get any food if I did not cooperate.

One Inspector Yusoff also threatened to disturb my girlfriend if I did not give any information. I was assaulted by Inspectors Yusoff, Zainuddin, Ayub and another officer on a number of occasions.

On one occasion I was knocked to the ground and injured my back. Since then, I have been passing blood in my urine and have been suffering from pains in my lower back constantly...

On another occasion during interrogation, Inspector Yusoff forced me to strip naked and to enact the crucifixion of Jesus Christ. Inspector Yusoff also forced me to crawl on the floor in a naked state...

A police constable forced me to stand on one leg with both my arms outstretched holding my slippers. He made me remain in this position for two hours. He then called in a woman constable and her young daughter and asked them to look at me saying: "This Malay is not aware of who he is. He changed his religion. He has no shame!" (Kua, K.S., "445 Days Behind the Wire", 1999: 194)

Is there any wonder the Malaysian government has still not ratified the Convention against Torture?

If Mahathir is so incensed about the US torturing detainees, why didn't he ratify the Convention against Torture during his watch?

Terror, tool of the ruling class

Fact 5: The ISA has been a convenient tool to be used by the ruling BN coalition against detractors

The primary function of the ISA is to terrorise Malaysians. We have all grown up in the terrorising shadow of the ISA - the solitary confinement, the torture with impunity, the renewable years of detention.

When I was sent to Kamunting detention camp on Dec 27, 1987, my roommate was Loh Ming Liang - he had been detained for 16 years. Such deterrence is part of the terrorising intent of the ISA.

The ISA is clearly a blatant abuse of human rights and has no place in a society that claims to be morally and spiritually upright.

KUA KIA SOONG is the director of human rights movement Suaram. He was detained under ISA in 1987 and wrote about his experience in '445 Days Behind the Wire'.

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