

The speech that wasn't delivered
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OPINION AUG 7 — 50 years of ISA — Enough is enough!

This is our 53rd year of independence. But for 50 years, that independence has been marred and rendered meaningless by the continued existence of the ISA.

It has been used and abused to silence critics and put away dissidents. It is an instrument that threatens our freedom and our civil liberties. It creates a climate of fear.

That is why the indomitable D R Seenivasagam called the ISA "a vicious and repulsive document, a document which is repulsive to all those who believe in democracy."

He found it "difficult to believe any citizen of this country could have drafted this Bill if he has the interests of his fellow citizens at heart".

He was right there. The ISA did not serve the interests of the citizens; it only served the interests of those in power.

Under the guise of national security, the ISA has been turned into a political tool to serve the ruling elite to remain in power. Any time and every time the Barisan Nasional was in a fix, it resorted to the ISA to safeguard and entrench its position.

Some 10,000 innocent people have fallen prey to this obnoxious legislation. Without any justification, they have been detained unfairly and unjustly.

Not a single one of them has been charged or convicted in a court of law. They were not brought to court simply because the government had no specific and legitimate charges against them, and their flimsy reasons for detaining them would not have stood up in a court of law.

That is why the court's jurisdiction to review or challenge their detention has been ousted. The Minister's decision cannot be challenged in any court of law.

The Minister's decision is final. End of the matter. That is wrong.

And the Minister has that absolute undemocratic right to extend a detainee's detention every two years indefinitely. That is wrong.

The detainee can periodically appear before the Advisory Board to state his or her case. Very often it is a waste of time. The Advisory Board that hears a detainee's representation can only make recommendations to the Home Minister which he usually brushes aside. That is wrong.

Friends: It is a mockery to have a law that does not provide for your defence in a court of law in keeping with natural justice.

It is a mockery to the rule of law when a detained person has no legal access to a lawyer.

It is a mockery to our democratic system when a person can be held in solitary confinement for up to 60 days without family visitation rights whatsoever.

It is a mockery to us as human beings that this terrible law has been allowed to be around for half a century.

Friend, don't waste your time asking for the repeal of the ISA. It won't happen. It is the armour that protects the BN. The BN will never throw away this protective shield. The BN will not repeal the ISA. Let's accept that as a fact.

The only way to remove the ISA is to remove the BN from power. The moment you remove the BN, the ISA will disappear. As long as the BN exists, the ISA will exist.

We should target the BN and channel our energies for the defeat of the BN. When the BN becomes the Opposition in Malaysia, that day will spell the end of the ISA.

Our slogan should be "Remove the BN" — not "Repeal the ISA". — aliran.com

* P. Ramakrishnan is president of Aliran. He was supposed to deliver this address before an anti-ISA vigil in Penang on 1 August 2010, but before he could speak, four activists were arrested and police dispersed the crowd.

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