

**History Created In Speed With Which A “Revolutionary” Bill Becomes Reactionary**  
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The Prime Minister, Najib Razak has probably created world history in the speed with which a Bill which he described as “revolutionary” became reactionary within 24 hours as to require at least eight amendments.

On Thursday, Najib told Parliament that the Peaceful Assembly Bill was “revolutionary” and “a giant leap” in the political transformation of Malaysia. But in less than 24 hours, the Minister in the Prime Minister's Department, Nazri Aziz was directed by the Prime Minister at Friday's Cabinet meeting to review and amend the “revolutionary” Bill!

This is the latest proof of the haphazard, insincere and irresponsible manner in which Najib is trying to implement his “political transformation” programme – totally at variance with his pledge that under his premiership, the era of “government knows best” is over and that he would fully consult with all relevant stakeholders and the civil society on major reform measures for the country.

The amendments to the Peaceful Assembly Bill, primarily on and consequential to the reduction of the requirement of 30 days to 10 days for notification to the police for any assembly, are not acceptable to give approval to the Bill as they are not wide-ranging enough as there are also other provisions in the bill which strike at the constitutional rights to freedom of assembly.

Apart from the 30-day notice requirement, other objectionable provisions include the arbitrary powers given to the police to impose restrictive and unreasonable conditions for the holding of assemblies, the role of the Home Minister in cases of appeal, the unconstitutional ban on street protests, the list of prohibited areas or 50-metre vicinity disallowing the holding of assemblies, the ban on underaged children and the onerous and crippling fines for offences under the Bill, etc.

The test of whether the Peaceful Assembly Bill is “revolutionary” and “a giant leap” in the political transformation and democratisation of Malaysia is whether the civil society, human rights activists and the political opposition feel freer and more liberated to exercise the fundamental constitutional right of Article 10 on “freedom of assembly” under the new law or they feel more suppressed, restricted and conscribed than even under the regime of Section 27 of the Police Act 1967.

The Prime Minister must take full cognisance that a former Lord President and the country's most outstanding and longest-serving Inspector-General of Police had both regarded Section 27 of the Police Act as unconstitutional and undemocratic in violating Article 10 on the fundamental liberty of freedom of assembly – expressed in the Police Royal Commission Report of 2005 of which Tun Dzaiddin was Chairman and Tun Hanif Omar Deputy Chairman.

The Police Royal Commission 2005 had recommended far-reaching amendments to Section 27 to uphold “one of the most basic and indispensable of the fundamental freedoms necessary for the

functioning of a democratic society and is provided for in the Federal Constitution” but this recommendation of the Police Royal Commission was ignored by the Barisan Nasional government for more than six years.

Now we have the Peaceful Assembly Bill with provisions which are even more inimical to the nurturing of a democratic environment fully respecting the human rights of Malaysians to freedom of speech, expression, association and assembly.

Najib has only one option when Parliament reconvenes on Tuesday if he is serious about his latest slogan of “political transformation” and democratisation – to withdraw the Bill or refer it to a Parliamentary Select Committee to engage all stakeholders, the civil society, human rights groups and the political opposition in a meaningful consultation and full engagement.

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