

BN Accountable For Police Brutality At Bersih 3.0
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By Tommy Thomas - ALIRAN

When a government uses the police to tear gas, water-cannon and physically intimidate large numbers of its people, it loses its moral legitimacy to continue governing.

A repressive government does not deserve to rule. Barisan National's brutal handling of Bersih 3.0's proposed sit-in on Saturday, 28 April 2012 crossed the tipping point of acceptable behaviour, and the people of Malaysia must, by a large majority, punish it at the next general elections. The Najib administration has forfeited any moral right to govern Malaysia!

The barricading of Dataran Merdeka

Is it not an irony of the highest degree that a place in central Kuala Lumpur that bears the name "Merdeka" is closed to its people? Much of the disinformation that emanates from our highly controlled mass media stated that the government had offered Stadium Merdeka and other stadiums to Bersih, which "unreasonably" turned them down, and "stubbornly" insisted on Dataran Merdeka. From the civil liberties perspective, such government propaganda misses the whole point. Freedom of assembly, association and expression belong to the people. They decide to exercise such freedoms at places and times of their choosing. In all the places in Malaysia outside Kuala Lumpur, venues chosen by Bersih were accepted by the authorities - all these rallies occurred without incident. Likewise, in the 80 cities across the globe, events organised by Global Bersih were held at venues chosen by the organisers, and were also held peacefully.

Why should an unelected, unaccountable civil servant called the Datuk Bandar order thousands of Malaysians not to congregate at the Padang, where Merdeka was proclaimed some 55 years ago? Who is he to deny us our fundamental freedom entrenched in the Constitution? The best argument for the return of local government elections is the wholly unacceptable behaviour of the Datuk Bandar last week.

Further, what gave the police the right to put up barbed-wire barricades around the Dataran? The order given by the magistrate (whatever its lawfulness may be!) did not extend to the use of barricades. If the action of the police was illegal, surely people were entitled to breach the barricades, and enter the Padang. Dataran Merdeka does not belong to the government, Datuk Bandar or the police. It belongs to the people.

Hence, my first criticism of government's handling of what was intended by Bersih to be a sit-in was the irrational and unjustified denial of Dataran Merdeka for that purpose. If the sit-in on Dataran Merdeka had been permitted, no incident would have occurred, and it would have proceeded smoothly and peacefully, as happened everywhere else in the world.

"Sit-in" turned into "walk"

With friends, I arrived at Masjid Negara at about 11.30am on Saturday. The barricades were placed about 200 metres from the Masjid (and, thus, about 600 metres from the Dataran). Speeches were given by politicians, which could not be heard. We stayed outside the Masjid until about 1.45pm when the procession to Dataran started. Thousands of people thronged the streets. It was joyful, with a carnival or picnic atmosphere. Slogans were chanted, and the camaraderie among the marchers was fantastic.

People of all walks of life were present. Malaysians, irrespective of race, religion, colour, class, gender and age were amply represented. It was a microcosm of the general population.

When we reached Jalan Tun Perak at the Maybank end, the crowd was absolutely massive. Seas of yellow were everywhere. This would have been about 2.30pm. Speeches were given at the steps of Maybank, but again nothing could be heard. We followed the crowd on Tun Perak, hoping to reach the barricades at the top of the road, but sheer numbers of people did not allow for that. So we turned into Leboh Ampang. At about 3.00pm, while on Leboh Ampang, we saw smoke from tear gas which apparently had been shot over Jalan Tun Perak. We ran into a restaurant to take cover. A few minutes later, I left the restaurant. At that moment tear gas was fired into Leboh Ampang. I ran back into the restaurant, whose staff immediately brought down the shutters. About 15 minutes later, we left the restaurant through a back door, and left the area. One could still smell tear gas in the entire vicinity.

Along the way home, we spoke to numerous members of the public and observers from the Bar Council. They were unanimous in their conclusion that tear gas had been fired for no reason, and without warning. It was as if the police had quotas of tear gas canisters to be finished, so that new stock could be purchased this week. After all, it is not their money!

Many comments were expressed during our walk that the government was using our (tax-payers') money to bully and intimidate us. The use of helicopters hovering at low heights, the massive deployment of the police, and the use of tear gas and water cannon were all paid for by tax-payers. Here was the police turning their arms, paid for by us, on us. Insult to injury!

The critical observation to make is that as a result of the government's prevention of the planned sit-in, hundreds of thousands of people converging from numerous roads into the barricaded Dataran were stopped from entering it. Before the crowds could depart by walking on roads already absolutely packed with thousands of people, tear gas was fired, causing injury, panic and stampede.

Alleged violence

Spin-doctors went into over-drive after the event to highlight the alleged violence against police and their property. The oldest trick in the book, employed for centuries by police and law enforcement agencies globally, when trying to control crowds in large rallies and marches is to use police operatives in plain or unidentified clothes to work as agents provocateurs to start trouble. Unless an independent, credible organisation reviews all the evidence, and makes a finding that the Bersih marchers were actually responsible for causing violence, I am not prepared to accept the police version. In any event, one must also consider their provocation and intimidation that resulted in such behaviour. The entire context must be taken into account.

It was clear to me after spending more than five hours on the streets last Saturday, that those who walked were absolutely peace-loving, and opposed to any physical action, let alone violence. Bersih is a genuine people's movement, a bottom-up manifestation which has struck a chord among millions of Malaysians. The government's demonisation of Ambiga Sreenevasan unjustifiably personalises a movement which cannot be stopped, regardless of the wishes of its leaders. Bersih has a dynamic life of its own. Thus, if a referendum is held in Malaysia today on the single question: "whether the voter supports Bersih's campaign for free and fair elections", an overwhelming majority of Malaysians would say yes.

Likewise, the much-repeated statement that the Pakatan opposition parties have hijacked Bersih for their own selfish political purposes is not supported by the facts. Admittedly, thousands of Pakatan marchers walked the streets on Saturday. They were noisy, boisterous and loud in the support of their leaders. That only represents a partial truth. An equal, or perhaps larger numbers of persons walked, not because they support Pakatan, but because they are totally disgusted by the Elections Commission. If Pakatan benefits electorally by securing the votes of this large group of persons, Barisan Nasional and its proxy, the Elections Commission, only have themselves to blame. They are the authors of their own misfortune. The latest revelation that the Chairman and Deputy Chairman of Elections Commission were former members of Umno merely confirms why they have never been neutral in the discharge of their duties.

General elections

Although Bersih was the organiser of this highly successful walk in the streets of Kuala Lumpur, I suggest that the causes which propelled the majority of protesters to walk were not limited to just having a free and fair election. Conversing with scores of fellow protesters, I got the distinct impression that Bersih is just the final straw, the tipping point. The underlying causes of grave unhappiness among Malaysians include a profound sense of injustice, rampant corruption which (like cancer) is killing the vital institutions of the nation, inflation, growing disparity between the rich and the poor, excessive development (Lynas), unregulated immigration, increase in crime, breakdown of law and order, and so forth. Bersih was merely the catalyst for action. From my vantage point, about 100000 people attended the rally in Kuala Lumpur. According to Bersih, which had the benefit of observers in all the areas of Kuala Lumpur where the crowds converged, it was as large as 250000 people. By any yardstick, this was a fantastic turnout, and Bersih must be congratulated for a grand job. A special tribute to brave and cool Ambiga, as the very acceptable face of Bersih.

A mark of its success is that Najib will not be rushing to call elections. Damage control will take months. Meanwhile, the hundreds of thousands of protester in Malaysia and elsewhere - apparently 80 places, including Mount Everest, celebrated Bersih on Saturday afternoon - must spread the word about the unfairness of our electoral system, and the determination of Barisan Nasional to win at all costs, regardless of means. The heavy-handed treatment of Bersih marchers on 28 April must be the spring-board from which a nation-wide movement must be launched to end 55 years of continuous, unbroken one party rule at the ballot box. The time for change is now! - ALIRAN

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