

Government lawyer red-faced over Bersih ban suit
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By Melissa Chi

KUALA LUMPUR, Sept 19 – A senior federal counsel tripped up in court today and drew sniggers failing to explain why electoral reform group Bersih 2.0 cannot sue the government for outlawing it.

Datuk Kamaludin Mohd Said appeared to be arguing from Bersih 2.0's standpoint when he echoed his opposing counsel, Tommy Thomas, who said a loose coalition of NGOs is not a society, which removes it from under the authority of the Societies Act.

In the order banning Bersih 2.0, the Home Minister had referred to it as a coalition and a movement that was "prejudicial to security interests" of the country.

Trial judge Datuk Rohana Yusof appeared confounded by this argument and directed the government lawyer to explain himself better.

"I'm confused from the beginning," Kamaludin replied, his ruddy complexion turning darker at the embarrassment as the public gallery chuckled at his slip.

The senior federal counsel was representing the Attorney-General, the Home Minister and the Inspector-General of Police who have all been named respondents in the judicial review.

Prominent lawyer and former Bar Council chief Datuk Ambiga Sreenevasan and her colleagues in Bersih's steering committee want the Barisan Nasional (BN) government to lift its July 1 ban against the movement.

They also want the court to issue a restriction order against the authorities to stop government officers from entering and raiding their premises and to return all the Bersih 2.0 property and materials seized in the last two weeks, ranging from the yellow T-shirts, posters, placards, pictures, members' list.

But Kamaludin argued that Ambiga was only a "busybody" and has no legal standing to represent Bersih 2.0 in court, despite being its head.

He insisted that the movement's other leaders file their suits separately.

The 13 other leaders are named in the court filing as Maria Chin Abdullah, Datuk Toh Kin Woon, Zaid Kamaruddin, Dr Ahmad Farouk Musa, Arul Prakash Sinnappan, Haris Fathillah Mohamed Ibrahim, Andrew Khoo Chin Hock, Liau Kok Fah, Wong Chin Huat, Datuk Yeoh Yong Poh, and Yeo Yong Woi.

The loose coalition of 62 registered civil societies led tens of thousands to demand for free and fair elections in the capital city, which resulted in some 1,600 arrests but ultimately resulted in the government agreeing to set up a bi-partisan parliamentary polls panel last month.

The court will decide on whether to grant Bersih 2.0 leave to challenge the Home Minister's order on September 28.

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