

Najib mulls scrapping the ISA for polls momentum
The Malaysian Insider
September 12, 2011
By Jahabar Sadiq

KUALA LUMPUR, Sept 12 — Datuk Seri Najib Razak could dismantle the Internal Security Act (ISA) as early as this week as he seeks to get some new momentum ahead of a general election expected within a year.

Najib came to power in April 2009 with the promise of reviewing the security law but the prime minister, whose reform credentials are seriously in question after flip flops, is considering going all the way and abolish the law that allows detention without trial.

The Malaysian Insider understands there has been some push back from the Home Ministry and right-wing elements within Umno but given that Najib needs to win back middle Malaysia, his advisers think that he needs to make a drastic move.

“His choice is limited and the ISA is a low-hanging fruit to harvest,” a government source told The Malaysian Insider.

“There is resistance to the idea but the PM is convinced that the law is unnecessary as there are other laws to deal with security,” he said, referring to the Emergency Ordinance (EO) used recently to detain six Bersih 2.0 activists seeking free and fair elections.

The six have been released but face other charges in court related to the Bersih rally that was held on July 9. The Najib administration’s handling of the rally has been widely criticised although the police have been singled out as being at fault.

“Najib wants to reclaim the centre after taking over the right fringe,” another source said.

The prime minister has been accused of pandering to the right but he has taken great pains to display his image as a reformer especially in economic matters under the ruling Barisan Nasional (BN). But the ISA review has also been a cornerstone of his return to power.

Najib has used the EO more to detain people for various offences although the ISA was last used against militants last month when three Indian nationals who were members of the Babbar Khalsa International were arrested and deported.

The ISA was used extensively during the 1987 Operation Lalang in which opposition members were silenced, including opposition leaders. Opposition Leader Datuk Seri Anwar Ibrahim was arrested first under the ISA in the 1970s and the second time when he was held for sodomy and power abuse charges.

The ISA took effect on August 1, 1960 with the solemn promise that it would only be used “solely against communists”, an issue that has been revived these past two weeks in the verbal sparring between Umno and PAS.

“My Cabinet colleagues and I gave a solemn promise to Parliament and the nation that the immense powers given to the government under the ISA would never be used to stifle legitimate opposition and silence lawful dissent,” former Prime Minister Tunku Abdul

Rahman had said when the law was tabled.

His deputy, Tun Abdul Razak Hussein, who had tabled the Bill, had also assured the House during heated debates that the law was for two purposes — to counter subversion and to enable measures to be taken to counter terrorism.

Despite their promises, the Alliance government and its successor BN have over the years been accused of using the oppressive act for political reasons — to silence dissenting voices that criticised the government and to prevent the people from exercising their right to free speech.

According to reports over the years, some individuals were detained for offences that did not threaten national security and were punishable under other criminal laws, including criminal acts like counterfeiting coins, falsifying documents, human trafficking and hacking.

Since the ISA was enacted in 1960, some 10,670 people, including young students, rubber tappers and technicians aside from politicians, have experienced what it is like to be imprisoned on mere suspicion, without given the right to a trial.

The Home Ministry announced last year that it was in the final stages of revising provisions in the Act, with amendments revolving around five areas — the length of detention, rights and treatment of detainees and their families, the powers of the home minister, the use of the ISA for political reasons and detention without trial.

The government has also met with key stakeholders such as ministry officials, the Attorney-General, the Bar Council, the Barisan Nasional Backbenchers Club, the National Council for Women's Organisation and the National Civics Bureau to discuss the amendments.

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Source: <http://www.themalaysianinsider.com/malaysia/article/najib-mulls-scrapping-the-isa-for-polls-momentum>