

Malaysian Reform Group says it's back to the streets

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Disappointed with the pace of electoral reform, and with elections looming, Bersih 2.0 calls on its followers to march in April

With the Malaysian election watchdog Bersih planning a third rally for Apr. 28, the stage appears set in Kuala Lumpur for another war of tactics between the government and reformers, who are dominated by the opposition parties.

Ambiga Sreenevasan, the former head of the Malaysian Bar Council who now co-chairs Bersih 2.0, as it is known, told reporters Wednesday that if the government cracks down on protesters, as it did on July 9, 2011, it can expect another massive backlash from voters. That backlash caused Prime Minister Najib Tun Razak's personal popularity to fall to 59 percent. His approval rating has since climbed back to 69 percent, according to the Merdeka Centre polling apparatus.

Interestingly, however, Najib's personal popularity doesn't appear to extend to his party or the Barisan Nasional, the ruling national coalition. The Merdeka poll found that as many as a third of respondents who said they were satisfied with the prime minister said they were inclined towards the Pakatan Rakyat opposition coalition.

Malaysia is now in the throes of preparing for national elections, expected to be called sometime in May or June. A member of the United Malays National Organization told Asia Sentinel that preparations for the election are now in "full swing," with Prime Minister and UMNO head Najib and his colleagues sifting through the party to find new candidates. As an indication of the collapse of the Chinese votes for the Barisan, the source said seats in Malay areas which were previously allocated to parliamentarians for the Malaysian Chinese Association would be taken back and given to ethnic Malays.

Sreenevasan said she is "assuming that sensible advisers of the prime minister will tell him to refrain from using the same tactics."

However, it is possible that there will be another confrontation. Mohamed Nazri Abdul Azis, minister in the prime minister's department and de facto law minister, told reporters later that if the Bersih leaders go through with a plan to sit in at Kuala Lumpur's Dataran Merdeka (Freedom Square), it would be classified as an illegal assembly under the newly-passed Peaceful Assembly Bill.

In the July 2011 confrontation, authorities blocked streets to attempt to foil marchers and used tear gas and water cannons in an effort to disperse them. Some 1,600 people were arrested, with the international media and human rights groups universally condemning the crackdown. It appears there is strong sentiment inside UMNO to do it again.

"If Bersih want to have a street rally, the police will crack down," an UMNO source told Asia Sentinel "A street rally that can disrupt traffic and get followers from off the street is much preferable to them. It has a better psychological effect to create tension. They definitely will not obey the law and will definitely go for street protest and the government will definitely clamp down and the western media will definitely slam the Malaysian government for being oppressive to its people. (Opposition leader Anwar

Ibrahim) and opposition leaders will be the Aung San Suu Kyi for May.”

The source accused the rallies of being funded “by foreign NGOs, which are now being frowned upon worldwide. If Anwar thinks that the Arab Spring momentum given by (the US-funded National Democratic Institute) etc., is a good thing and popular with the people, he got it wrong. People are wary of the effects of Arab Spring, street rallies, foreign funded NGOs, and ‘democracy.’”

Najib is a canny political leader, however, and it has to be assumed that he would discourage such a crackdown. He has sought to bill himself as a “transformative figure” in Malaysian politics, telling the country in the wake of the Bersih 2.0 rally and the international opprobrium the government earned that he would seek to repeal several of the most draconian colonial-era laws that have been used against Malaysian citizens, including the infamous Internal Security Act, which allows for what amounts to indefinite detention without habeas corpus. He also promised reforms of the election laws that led to the formulation of Bersih in the first place.

Some reforms have been put in place including repeal of the Banishment Act of 1959 and the Restricted Residence Act of 1933 and discarding three proclamations put in place by the British during the Communist insurgency of the 1950s. Some electoral reforms called for by Bersih 2.0 have also been put in place.

The Peaceful Assembly Bill, as it was named, is not one of them. The bill, characterized by Najib as a reform of the country’s previous laws on assembly, imposes an outright ban on street protest without a license from the police. Written notice of 30 days must be given, thus outlawing spontaneous gatherings. A total of 11 different provisions have been added that the police must approve before a street protest would be allowed.

Among Bersih’s objections to the 22 recommendations for electoral reform promulgated by a select parliamentary committee is a requirement that overseas voters have to return to qualify. Anywhere from 700,000 to 1 million Malaysians are living overseas, many of whom, particularly Indians and Chinese, who left because of religious tensions or lack of opportunity, the majority of whom could be expected to vote against the government. There is also considerable concern about the existence of false or duplicate identities, and about the registration of thousands of Indonesian Muslim émigrés as voters, who could be expected to vote for the government.

Bersih is also asking that the minimum campaign period to be extended from 10 days to 21 to allow overseas voters to receive, mark and return ballots and to allow all candidates, but particularly opposition ones who are stifled in the country’s mainstream press, to get their message out. Bersih is asking for fair and equal coverage of the campaign and parties with no bias. Identification documents for the police and military should be checked for duplicates. They suspect widespread fraud in the electoral rolls. The electoral commission must be strengthened and made less partisan. Gerrymandering of electoral districts should be reformed.

The election is liable to be a close-run thing although the Barisan is believed likely to pull it out on the sheer weight of the ethnic Malay vote. Malays make up more than half of the population. Najib himself, in interviews, has cast doubt on whether the government can reclaim its historic two-thirds margin in parliament. The government lost its margin in 2008 national elections in which it fared the worst since independence.

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