

**Repeal sedition law to prove political willpower, DAP urges Najib**  
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**By Debra Chong**

KUALA LUMPUR, Feb 9 — Prime Minister Datuk Seri Najib Razak must abolish the Sedition Act to prove his pledge to reform the judicial system and safeguard civil liberties, the DAP said today.

Because the law existed, the courts were still using it to justify the authorities' move to gag a person's right to free speech even though it was unconstitutional besides breaching the UN's global stand, opposition leader Lim Guan Eng added.

"As long as the Sedition Act still remains, Malaysians will never be able to enjoy the basic human right of freedom of speech that is enshrined in the UN Universal Declaration of Human Rights.

"Or will Malaysia remain one of those countries that proffers freedom of speech but not freedom after speech?" he asked in a statement.

Lim (picture) was responding to a Court of Appeal ruling yesterday to reverse DAP chairman and lawyer Karpal Singh's acquittal from a charge of sedition two years ago.

Karpal, who is also Bukit Gelugor MP, had been charged under section 4(1) of the Sedition Act 1948 for saying the Sultan of Perak could be sued while at the height of the Barisan Nasional (BN) coalition's controversial coup against the then ruling Pakatan Rakyat (PR) bloc in the silver state.

The DAP veteran is at risk of losing his seat in Parliament and may be barred from playing an active political role ahead of crucial elections as he can be fined up to RM5,000 and jailed three years.

Under Malaysian law, an elected representative is disqualified if he is convicted of an offence and jailed for a term of not less than one year or fined not less than RM2,000.

Lim reminded Najib that he had previously promised to revoke all Emergency laws, including the Internal Security Act 1960, the Restricted Residence Act 1933 and the Printing Presses and Publications Act 1984.

The DAP secretary-general said the Sedition Act too should be among the list of laws that should be revoked as it was draconian.

He said: "BN will not achieve their stated purpose of promoting political transformation and greater civil liberties if Malaysia's foremost lawyer and opposition legislator, Karpal Singh, can be charged for sedition and face fines or imprisonment merely for speaking the truth and stating the facts."

He noted that the sedition law was enacted by the colonial British government to curb the spread of communism during the mid-20th century.

He further noted that under English common law, a person can only be guilty of sedition if he utters words that are likely to incite violence, tumult or public disorder; while Malaysia's Sedition Act provides for a person to be found guilty even though there is no likelihood of incitement of that nature.

A three-man panel of judges in the Court of Appeal yesterday ruled that the rights and freedom of speech enshrined in the Federal Constitution are not absolute.

As a result, Karpal's statements to a news conference in 2009 about Sultan Azlan Shah of Perak in relation to the political crisis in the state at the time had crossed the boundaries permitted by the law and amounted to sedition.

Karpal's case has been returned to the High Court and he now has to enter his defence at the next hearing, which is fixed for May 30 and 31.

Karpal will give his evidence under oath, his son and lawyer Gobind Singh Deo said.

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