

Sedition Act replacements will worsen racial disparity, Dr M says
The Malay Mail Online
June 12, 2014

KUALA LUMPUR, June 12 — Tun Dr Mahathir Mohamad doused Putrajaya's Sedition Act replacement Bills in cold water today, predicting that instead of achieving equality, the new legislation would only maintain existing injustices and disparities among races here.

The former prime minister said the proposed laws — National Harmony Bill, National Unity Bill and National Unity and Integration Commission Bill — will spell the end of the New Economic Policy (NEP), an economic model mooted in 1971 to close the socio-economic gap between the largely-urban Chinese and the rural Malays as well as other indigenous Bumiputera.

While he said it may seem fair to promote equality among the races, doing so within Malaysia's racial makeup would only result in the country's existing rich getting richer, while the poor continue to languish in poverty.

“Malaysia is a multi-racial, multi-cultural country,” Dr Mahathir said in his latest blog posting.

“In Malaysia, we maintain our racial origins, language, culture, our schools, even our universities. Following that, we live in different areas, practice different lifestyles and our activities differ too.

“In our respective businesses, each have our own networks based on race, language and culture,” he explained.

Among the races, Dr Mahathir said the Chinese are the most successful of all ethnic groups here, followed by the Indians who are just ahead of the Malays.

This disparity, he said, renders it difficult to force harmony and unity among the races through such laws.

The NEP was mooted for this very purpose — to close the gap between the poor, rural Malays and other Bumiputera groups, and the other races — Dr Mahathir pointed out.

“If the National Harmony Bill is passed, then the NEP cannot be carried out any longer. This means the country will practice meritocracy — those with merit and high capabilities will get it all.

“Scholarships, university placements, contracts, job opportunities and many other things will be awarded based on merit,” he said said.

“Of course this is fair. But there is a high likelihood that the poor, those whose poor backgrounds do not accord them the opportunity to live in a better environment for

study; who lack the opportunity to go to established private schools; who lack good food; good health... this is the group that would not fulfil the necessary requirements or possess the necessary merit to get anything.

“Perhaps they may not even be called in for interviews. And because of this merit system, the poor (Bumiputera) will stay poor and the rich will become richer,” he added.

As such, the country's longest serving former prime minister maintained that the new laws to replace the Sedition Act would not bring about equality but widen existing disparities among the races.

“Indeed the Bills would only destroy the remnants of past efforts to maintain economic balance among the races,” he said.

Prime Minister Datuk Seri Najib Razak announced two years ago that his government will repeal the controversial Sedition Act, a 1948 British-enacted preventive law that critics said have been abused to silence opposition dissent here.

Last week, the National Unity Consultative Council (NUCC) revealed details on three separate Bills meant to replace the Act, including one to promote harmony and another prescribing mediation as a means to resolve disputes.

The conciliatory tone of the National Unity Bill is a departure from the restrictive nature of the colonial-era Sedition Act, as it aims to promote mediation as a means to solving any dispute that come under a list of “prohibited grounds”.

The list covers race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

It also includes other grounds where discrimination “causes or perpetuates systemic disadvantage”, “undermines human dignity”, or “adversely affects the equal enjoyment of a person’s rights and freedoms in a serious manner” based on colour, descent or ancestry, nationality or national origin, ethnicity or ethnic origin, or religion.

Another proposed law, the National Harmony Bill, also seeks to spell out offences that will come under its purview, instead of the broad interpretation of sedition that has seen the law being applied to a broad range of instances.

Dubbed the National Harmony Bill, it outlines a list of punishments for conduct that is deemed to be deliberately aimed at instigating or leading to threats or actual acts of physical harm based on racial and religious hatred.

The bill also proposes to outlaw incitement against the Rulers, racial or religious hatred — proposing a penalty of RM5,000 fine, up to seven years’ jail time or both for each of the three categories.

The third bill will deal with the formation of a National Unity and Integration Commission, which will be tasked to promote national unity, integration, equality and non-discrimination, among others.

It will also be empowered to investigate complaints of discrimination, leading to the establishment of an unfair discrimination tribunal should mediation efforts fail.

© Copyright © 2014 The Malay Mail Online

Sources: <http://www.themalaymailonline.com/malaysia/article/sedition-act-replacements-will-worsen-racial-disparity-dr-m-says>