

## **Putrajaya has no respect for judiciary, says Ambiga after Sedition Act changes**

**The Malaysian Insider**

**April 8, 2015**

**By Elizabeth Zachariah**

The people need to understand how little respect Putrajaya has for the country's judiciary, said former Bar Council president Datuk Ambiga Sreenevasan, after the government yesterday tabled amendments to the Sedition Act, which will also include refusing bail to those charged under the colonial-era law.

She said Putrajaya did not seem to care that the constitutionality of the act was being challenged in the court by academic Dr Azmi Sharom and as such, any amendments to it was "absolutely appalling".

Azmi was charged under Section 4(1)(b) and Section 4(1)(c) of the Act over his comments in a news article titled "Take Perak crisis route for speedy end to Selangor impasse, Pakatan told".

Azmi then filed an application, saying that Section 4 was unconstitutional and violated Article 10 of the Federal Constitution, which guarantees freedom of speech. The case was referred to the Federal Court.

"The Sedition Act is being challenged by Azmi with the argument that it is unconstitutional and is, therefore, null and void," she said in a forum titled "What is a moderate Malaysia for Malaysians?" in the capital city of Kuala Lumpur last night.

"And what does the government do before the decision by the court? They put in amendments. They don't care what our federal courts have to say about the Sedition Act. To me, this is absolutely appalling."

Ambiga, who is the patron of people's movement Negara-ku, said Putrajaya had not discussed the amendments with any stakeholders, including civil society and the opposition, before tabling the amendments which were "extreme".

"They have not given any time (for discussion). To me, this is all very extreme. Extreme measures being taken by the government to seal our lips."

Ambiga also touched on the Prevention of Terrorism Act (Pota), which was passed in Parliament early yesterday after more than 14 hours of debate, calling it a law with "horrendous provisions".

"It is not just the rehash of the ISA (Internal Security Act). They have added to it," she said to a crowd of about 150.

"And this is very strange because it is more oppressive than the laws in countries where the threat of terrorism is worse. Besides, they arrested 17 people without the

need of Pota. How much legislation do our authorities need, really?"

The former Bersih co-chair said despite Putrajaya's assurance that the law would not be used against political dissent, there was no reason to trust the government's promise.

"In light of all these, can we believe those who go to Parliament and say, 'Oh we will not be using this against the politicians'. Can we believe that? In fact, can we believe anything they say?"

She was referring to the fact that in the last month, more than 100 people, including opposition politicians and activists, have either been arrested or investigated under the Sedition Act, Peaceful Assembly Act and the Penal Code.

Prime Minister Datuk Seri Najib Razak had earlier given his assurance that the new law would not be used for political purposes, saying that the executive arm of the government would have no say in whether to detain an individual.

However, opposition lawmakers have poured water on Najib's assurances, following his dismal track record of keeping promises.

This includes the promise Najib had repeatedly made to repeal the Sedition Act but later backtracked.

Ambiga said what was troubling was the fact that Putrajaya was practising selective prosecution, where certain groups or people were "completely exempt" from the law while others were hauled up for minor things.

"In fact, we are beginning to look ridiculous. Seriously ridiculous.

"What the government doesn't realise is that extremism is not only about racial or religious extremism but it is also about an extreme abuse of power. Total and utter abuse of power," she added.

Attacks on the press, the lawyer said, were also a sign that Putrajaya was becoming more desperate, referring to the arrests of two senior executives and three editors from The Edge and The Malaysian Insider under the Sedition Act over a report published on March 25, which said the Conference of Rulers had rejected a proposal to amend a federal law that would pave the way for hudud to be enforced in Kelantan.

"When they start muzzling the press, we really have a problem. Before we had issues with the publishing licences but now they arrest editors and keep them in prison overnight. What is the thought process that goes into that, really?"

"These extreme measures taken to stifle views are not going to stop many of us but it will stop others. Some people will be afraid."

However, all hope is not lost, Ambiga said.

"Our hope lies in the next generation. I can tell you, they are... I was very impressed. They are not buying everything that is being said to them.

"You may not feel it but there is hope." – April 8, 2015.

Copyright © 2015 Edge Insider Sdn Bhd

Source:

<http://www.themalaysianinsider.com/malaysia/article/putrajaya-has-no-respect-for-judiciary-says-ambiga-after-sedition-act-chang>