

By ALBERTINA ALMEIDA



When Malaysia Looks like India and Vice Versa

Malaysia's Bersih movement was in the news recently. The Bersih movement is a movement for free and fair elections. It has raised questions of how electoral rolls come to be drawn, and how constituencies come to be delimited in ways that ensure that the ruling party's vote banks are appropriately configured within each constituency so as to give the ruling party a lead. This is so familiar to us in Goa where such constituency delimitation has been reorganised to facilitate the ruling party.

The similarities don't stop there. The Bersih movement was said to be an urban movement, which could well have been the case, however Bersih activists have demystified the process of elections and governance in Malaysia to the extent that even ordinary people from the rural areas have participated in the annual Bersih rally. The Government had been playing the racial card of divide and rule throughout, which is so familiar to Goa. The Government asserted that the Malays are the original people and whoever else has migrated, no matter how long ago such as the Chinese and Indians, are the ones who are fuelling the Bersih movement.

This all too familiar strategy plays out on the basis of religion and caste in India. The people are sought to be polarised so that they cannot unite and organise. We know what happened during the Baina evictions. People were polarised as sex workers, Fakirs, migrant trawler workers, fisher people, local people from Vasco so that they may not organize against port privatisation and the multi lane highways to Verna meant to benefit a high level of trade from the Marmugao port to the Verna industrial estate.

Another familiar strategy was the raids conducted on the Bersih office on the eve of the rally of 19<sup>th</sup> November, ostensibly looking for incriminating material Bersih's use of foreign funds to challenge the parliamentary sovereignty of Malaysia. As a matter of fact, the Bersih leader Mandeep Singh was arrested on charges of sedition, just the day before the rally. The offence of sedition forms a part of the same Penal Code that is a legacy of the British in India as well, except that Malaysia has moved to modify the Code to include more sub provisions within 'sedition'. This again was reminiscent of India, where human rights defenders are being

harassed and the 'foreign funding' flag is being waved to mislead.



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As if this was not bad enough, the Malaysian Police applied the Security Offences (Special Measures) Act, 2012, (SOSMA) against Bersih leader Maria Chin Abdullah, and arrested her from the Bersih office on the eve of the Rally. The SOSMA law is something akin to India's National Security Act and does not require the arresting authorities to produce the accused before the Court in 24 hours as is otherwise necessary under the law. This is similar to the draconian laws that are enacted in India in the name of curbing terrorism and ensuring security; while the same are invoked against marginalised sections of society who resist oppression, and human rights defenders. Abdullah upon being arrested was kept in solitary confinement with a plank for a bed, two light bulbs switched on the whole night and no immediate access to lawyers or even immediate information as to where she was finally whisked away to. It was said that, as is possible in SOSMA, she would be detained for 28 days without production before the Magistrate.

But this is where the plus side begins. With global solidarity, it was possible to apply the necessary pressure on the Malaysian Government which finally resulted in her release. As we brace up for elections in Goa, where there is intense dissatisfaction with a Government that rode to power on an anti-incumbency wave, there is every chance that political dissenters and activists exposing harsh realities will be tormented. It is important to be aware of possibilities of global, regional and national solidarity and human rights standards that countries are committed to by their Constitutions and by the International Treaties that they have signed and ratified.

The Malaysian Government reneged on its promises by enacting a law replacing the Internal Security Act, which it promised to repeal with a law called the Peaceful Assembly Act which has all the trappings of a law meant to curb political dissent. For instance, the law does not allow street rallies, which are defined as rallies started from specified meeting places and then marching in support of a cause! And then a couple of months ago, Malaysia enacted a National Security Act, which the Malaysian Government was also threatening to invoke against Bersih leaders as they were organising towards the rally. It is therefore important to watch out for possible legislation or policies that are getting enacted/adopted under some benign covers such as curbing black money.



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