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BEIJING MASSACRE

The brutal suppression of the pro-democracy movement in China is of human rights concern, which no "government leader in Malaysia should warn its citizens not to comment on, says TAN CHEE BENG.

The pro-democracy movement in China is of human rights concern, Malaysia should warn its citizens not to comment on, says TAN Chee Beng on the June 4 massacre of pro-

democracy demonstrators

by the regime in China

shocked the whole world. While most people had expected that the seven-week long student protest in Tiananmen would end with some forms of repression by the regime, no one had expected that the hard-line leaders in Beijing would actually order soldiers to shoot at unarmed civilians.

Armoured vehicles were used to crush the tents of the students, and it was reported that some students were crushed too. The brutality was unprecedented. Even in the context of Chinese history, the June 4

massacre will undoubtedly be remembered as one of the most brutal crimes committed by the rulers against the ruled. No one knows how many were killed and the figures reported ranged from a few hundred to a few thousand.

Nevertheless the brutality committed by the regime was undeniable, and indeed witnessed by people from all over the world.

Worse still, the arrogant leaders in Beijing had added salt to the wound by rounding up protestors and dissidents. The pro-democracy patriots are now labelled counter-revolutionaries. While the government may bring about order through political suppression and force, the oppression will undoubtedly further widen the gap between the government and the people and breed bitterness and hatred. How long can such a government last?

The regime in Beijing was responsible for the senseless killing of students and other peaceful pro-democracy protesters. In particular the hard-line leaders behind the massacre, namely supreme leader Deng Xiaoping, Premier Li Peng and the former general Yang Shangkun, should be held responsible.

They now rank among the worst tyrants in Chinese history. Although the large-scale pro-democracy protests were staged after the death of the reformist ex-party chief Hu Yaobang, it was actually the culmination of the campaign for freedom and democracy by both intellectuals and students in the last few years. In fact, 10 years back the Chinese government had already begun to clamp down

pro-democracy campaigns. 'The then famous dissident Wei Jing-sheng was jailed for pro-democracy writings. He is still behind bars. Last year a video film entitled He Shang (The Tragedies of the River) was produced by a number of scholars. It surveys the tragedies suffered by the Chinese people from the ancient past to the present, and calls for economic and political reforms. The intellectuals call for democracy. The 220-minute long video (in two tapes) became a controversy, and Zhao Ziyang (th. moderate leader who had just 105 power during the recent crackdown of the pro-democracy protestors) was reported to have welcomed the video while the hardliners were against it.

Earlier this year, a group of prominent writers and scholars in China even signed a joint petition to call for freedom of speech and democracy. This was a very significant development.

This year coincides with the seventieth anniversary of the May-Fourth Movement which was an important movement led by intel-

Students in a makeshift tent on Tiananmen Square print the democracy message

lectuals and students for socio-cultural reforms and for bringing about a dignified modern China. The anniversary which fell on May 4, provided pro-democracy scholars and students a great inspiration to demand for political reforms.

Indeed there was a mass protest on the day of the anniversary, although demonstrations had already begun after the death of Hu Yaoban on April 15.

The peaceful demonstrations of the students had the support of the masses. This reflects the widespread dissatisfaction with the economic and political conditions of China. Inflation had become very serious and affected everyone. Corruption and nepotism had become so rampant and this angered many people. The patriotic ones were concerned with the future of the country. The underlying problem is that Deng Xiaoping who pushed for modernization was only willing to allow some liberal economic policies but has been unwilling to allow political reforms. He fails to realize that "modernization" is not possible without some basic political reforms like allowing freedom of speech and the rule of law to check nepotism, corruption, and misuse of power. He does not want political reforms because he and his clique want to hold on to absolute power.

The massacre was most tragic and barbaric. By all accounts the students' protest was orderly and peaceful. They did not seek to overthrow the government. They only wanted the government to agree to bring about some basic reforms to allow greater freedom of speech, rule of law rather than rule by law, and meaningful participation of the people in the governing of the country. They wanted a sincere dialogue. How could a government which governed in the name of the people refuse to have a dialogue with the millions of citizens who had expressed the wish to have one?

Unfortunately the leaders in Beijing preferred violent suppression of the peaceful protest to having a peaceful dialogue. In so doing the regime had not only killed its own young

A peaceful demonstration meets unprecedented brutality in Beijing citizens, it had actually brought disgrace to itself, and indeed it had lost its mandate to rule in the name of the people.

What the students had done was very significant for they sought political reforms through peaceful means. By crushing the peaceful protest through the sheer force of brutality, the Beijing regime had

closed the gate of peaceful political change. It is most sad if reforms become possible only through violent means. Do the people in China have to continue to suffer one tragedy after another, not able to lift themselves from poverty and oppression, as depicted in the video film He Shang?

It is important to note that the pro-democracy protest was not merely due to dissatisfaction with economic conditions. It was actually an unprecedented campaign for political reforms. Indeed, despite two major revolutions in modern Chinese history, the feudalistic political structure has persisted. Each dynasty (regime) was replaced by a more tolerable one until the

new regime became too oppressive and lost the mandate to rule and was eventually replaced by another regime. China has yet to have a modern democratic political system. Until today it has yet to have the rule of law. What the Chinese call gualtaozhuyt or bureaucracy remains a serious problem, giving rise to corruption and nepotism. Freedom of speech has never become an institution, whether under the imperial system or under communist rule. The pro-democracy protesters merely demanded that the government promise to initiate meaningful changes to bring about political reforms to curb absolute rule, nepotism and corruption. The pro-democracy campaign offered a golden opportunity for the Chinese government to take steps to bring about modern political governance and in the long run to ensure political stability and economic development. By rejecting political reforms, the government has lost public confidence. It has lost its legitimacy by the very act of massacre and subsequent rule by oppression. Indeed history may show that the June 4 massacre was the beginning of the end of a dynasty. The massacre has exposed the myth of liberal and benevolent rule. It has unmasked an oppressive regime. It reminds us of an ancient Chinese saying, that tyranny is fiercer than a tiger. Internationally China will not be the same after the June 4 incident. In the past few governments were willing to examine the human rights violations in China in the interest of maintaining good relations between the countries. The June 4 massacre had forced a number of governments to criticize the Chinese government, albeit cautiously. Of course not all governments criticized the Beijing regime. For some this was because they were keen on preserving good relations with the regime. The less democratic governments are not sympathetic towards the demand for reforms and so find themselves more on the side of the Beijing regime. As for individuals, those who have or want to cultivate business interests in Tyranny is fiercer than a tiger: V Deng with grandson he'r Sowing' the seed of democracy: A student falls China are reluctant to criticize the Beijing regime, and may even be glad that the pro-democracy protest was suppressed. The hard-line leftists may still support the Beijing

regime even though the myth of China as a good communist model has been discredited. However the majority of the people all over the world are outraged with the brutality committed by the government of China.

Human rights issues are everyone's issues, not bounded by political borders. No government can kill its own citizens and forbid foreigners to protest, claiming it to be an internal affair.

Similarly no government leader in Malaysia should warn its citizens not to comment on the June 4 massacre in Beijing, claiming it to be the internal affair of China. Human rights violation, whether it is committed by Israel against the Palestinians or by the Chinese government against its citizens is an international issue. It is a moral issue which concerns every living soul, irrespective of race, religion and nationality. Of course in a multi-ethnic country like Malaysia, it is important that both the government leaders and the public should not communalize human rights issues.

We in Malaysia are fortunate to have a fairly democratic political structure established at the time of Independence. Unlike the people in China who are fighting to have one, we are trying to defend what we have from further erosion as a result of increasing executive dominance. The lesson which we can learn from the recent events in China is that it is not easy to bring about a democratic political structure, nor is it easy to bring back one which has been lost. Let us continue to uphold freedom, justice and democracy.

Lastly we call upon the government in China to stop persecuting the pro-democracy leaders and protesters. We also call upon the Chinese government to release all students and political detainees. In fact by stopping all persecution and introducing some reforms, Chinese government can help to ease tension not only in China but also globally.

As for those pro-democracy fighters who were killed, they had not died in vain. The seed of democracy has been sown and will grow. What had just happened in China confirms the concluding remarks in He Shang: the characteristics of autocratic politics is that it is mysterious, dictatorial and arbitrary; the characteristics of democratic politics is that it is open, according to the will of the

people and scientific. 0

SHUFFLING OF CARDS

The bid for Multi-Purpos'e Holdings Bhd
alaysians were misled down the dead-end of racialism while the politicians and their business
ssociates laughed all the way to the bank, says K.J. KHOO in exposing the behind-the-scenes
dealings in the takeover of MPHB.
alaysian Chinese were
Mtreated to a lesson in
takeovers, so-called llhos-
wt and llfriendly" bids, and
ll te knightsll in April and May
this year. Hume Industries and
Kamunting joined Multi-Purpose
:Holdings Bhd (MPHB) as house-
hold names. Passions were aroused
and racial pride was offended.
Accusations and rumours abound-
ed. A ilweh versus lltheml, attitude
was fostered virtually to the point
eof ttido-or-diel, daring-do.
In such an atmosphere, no one
thought to pause for breath and
ask: What are the facts?
MPHB and KSM were vulnerable
to a takeover bid because of plain
mismanagement and the scandalous
behaviour of some managers of
KSM - many of them leaders and
Lassociates of the MCA - who
embezzled the hard-earned money
rdinary working people or
i roperly loaned it out to friends
and associates. This was simply part
of the fall-out from the Deposit-
Taking Cooperatives scandal of
three years ago.
On April 12, Hume Industries
announced its intention to take
over MPHB. The MCA, despite Ling
Liong Sile pledge two years ago to
keep politics and business separate,
swiftly reacted by declaring the bid
llhostilell and hinted that the
ultimate beneficiary of the takeover
bid would be an UMNO-related
company or individuals. The
rumours circulated were less reser-
ved, claiming outright that HUME
was merely a tool, that the real
takeover was coming from UMNO-
related sources. ,
r This objection would have been
valid if the MCA was prepared to
take the stand that no political
party should be engaged in busi-
ness. But the MCA could not do so
in good conscience. Without such a
principle, the MCA really could not
object to anyone, whether UMNO-
related or not, :making abid to take
over MPHB. Businesses, after all,
are always on the look-out for
opportunities for a good buy.
MPHB was a good buy, and its
financial difficulties exposed it to a
takeover. If the MCA did not want
MPHB to be taken over, it should
have ensured that KSM and MPHB
were properly managed. It cannot
do so by asking for tlprotectionll

from normal business practices. But let us grant that Chinese feelings were involved: MPH B is seen as some kind of symbol of Chinese economic strength, even though the vast majority of Chinese have no stake in it at all. Thus, if the rumour was true, it would have shown great insensitivity on UMNols part.

So, what was the basis for the rumour? Simply that Hume Industries had recently obtained a \$500 million contract to supply materials to PLUS, the UEM subsidiary set up for the NorthSouth Highway project. Since it is a requirement of the contract with UEM that all

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companies given large contracts for the North-South Highway project should have 30 per cent Bumiputera ownership, it was assumed that Hume would restructure and give 30 per cent to a bumiputera individual or concern. In fact, even if Hume fell under this requirement, Hong Leong, Humels parent, would still control Hume because the other major shareholder, a Danish company, has always gone along with Hong Leong. Furthermore, Humels proposed bid, if accepted, would have resulted in MPH B's shareholders collectively holding about 47 per cent of Hume, with KSM alone controlling one-half of that.

By this reckoning, it would appear that MCA did not really have much to scream about. But scream it did, whipping up emotions and turning the matter into yet another ethnic issue. It succeeded - many Malaysian Chinese forgot all about the misdeeds that led to the takeover bid in the first place.

Having whipped up emotions, MCA then pulled the rabbit out of the hat just two days before polling day in Bentong. On May 11, another company, Kamunting, made an offer to buy up KSM's assets. The MCA immediately welcomed this as a 11friendly bid? Kamunting was cast as a 11white knight11. The MCA proudly claimed credit for turning back Humels attempt to get MPH B. It seemed

that .the MCA had fulfilled its pledge to give back every dollar to KSMts depositors. MPHb apparently remains a symbol, although somewhat tarnished, of Chinese interests and business acumen. Indeed, everything appears just fine. But again, let us look at the facts.

Who is Kamunting? Kamunting is owned by Seri Angkasa Sdn Bhd, a company majority-owned by Datuk Lim Ah Tam alias Lim Bok Yeng and his family, mainly his son Lim Thian Kiat. Kamunting holds the concession for the toll operations at the Jalan Kuching-Jalan Kepong interchange near Kuala Lumpur, which brings in an estimated \$50,000 a day.

Curiously, while Hume was suspect because of the contract with PLUS, Kamunting's toll concession has not caused the slightest flutter. Instead, Kamunting has been embraced like a long lost brother.

But the matter gets curiouiser and curiouiser. Barely a year ago, the 12Asian Wall Street Journal of May 31, 1988 had a long report on the Jalan Kuching-Jalan Kepong privatisation and the dealings of Seri Angkasa and Kamunting. That report makes fascinating, if distressing, reading.

Seri Angkasa, Kamunting's owner, emerged in that report as a company with quite a history, involving \$2 companies, lots of share shuffling and lots of connections.

Seri Angkasa was formed in December 1981 by the Lim family as a \$2 company. It did nothing until May 1984 when 999,998 new \$1 shares were allocated to three parties: Triple Event Sdn Bhd (30 per cent), Datuk Abdul Ghani Abdul Manap (35 per cent) and a company called Sri Alu Sdn Bhd (35 per cent).

Triple Event, which later changed its name to Triple Construction, was 35 per cent owned by the Lim family, while Datuk Abdul Ghani is a longtime family associate.

The day after the shares were allocated, Datuk Lim's son, Lim Thian Kiat, and Datuk Abdul Ghani joined Seri Angkasa's board. So did Jalan Kuching-Jalan Kepong Toll-Collection : Seri Angkasa will collect \$50,000 a day for the next 16 years Abdul Wahab Zainuddin and Hassan Abas.

Wahab Zainuddin is Finance Minister Daim Zainuddin's brother and has been a shareholder or director in a number of companies associated with Daim. He was a trustee shareholder and director in

Daza Holdings Sdn Bhd, the company that held the Daim family's stake in UMBC until it was sold in late 1986.

Hassan Abas, an accountant, had worked for Daim at Peremba Bhd and played a role in companies associated with the Daim family and UMNO.

Wahab and Hassan were the representatives of Sri Alu Sdn Bhd on Seri Angkasals board. Sri Alu was another \$2 company, the shares being held by Wahab and Hassan.

Sri Alul's registered office was Dain's 14th-floor office in the Hong Kong & Shanghai Bank Building in Kuala Lumpur. Its company secretaries then were Wan Rohayah Wan Hassan and Engku Naiimah Engku Embong, two women who had similar roles in several Daim- and UMNO-associated companies including Hatibudi Sdn Bhd, the trustee company through which UMNO controls UEM.

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Tenders for the Jalan Kuching-Jalan Kepong project were called on Aug 9, 1984. Reportedly, seven companies submitted bids. In April 1985, the Works Ministry awarded it to Seri Angkasa, a company that had never done any business, because apparently it was the most suitable? In announcing the award, Minister of Works Samy Vellu said that Seri Angkasa was the only one to submit a plan to upgrade Jalan Kuching to six lanes and offered the shortest toll-collection period. The toll-collection period has since been extended sixteen years.

On obtaining the award, Angkasa went looking for construction expertise and money. By August 1985, it obtained government permission to subcontract the entire project to Japan's Mitsui Construction Company.

Seri Angkasa then arranged financing for the project. On Oct 30, 1985, it signed a loan agreement with the Singapore branch of Union Bank of Switzerland. On Nov 6, it obtained a guarantee from Malayan Banking for this loan. As security, Seri Angkasa assigned its toll-collection rights to Malayan Banking, with proceeds to be held in a special account at the bank.

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Malayan Bankings guarantee was also secured by personal guarantees of Seri Angkasals directors at the time: Datuk Lim, his son Lim Thian Kiat, Datuk Abdul Ghani and Hassan Abas.

Although Wahab Zainuddin had resigned as a director, of Seri Angkasa on July 2, 1985, he also gave a personal guarantee to Malayan Banking, indicating his continued backing for, if not continuing interest in, the company. Sri Alu, owned by Wahab and Hassan, and Triple Construction issued corporate guarantees to Malayan Banking as well.

In 1986 and 1987, Seri Angkasa continued to juggle its board and its shareholding structure. On Jan 1, 1986, Mohamed Amir Mohamed Sen i became a director. Moham-
nQAmir is Daim Zainuddin's nephew.

By mid-1986, Seri Angkasak shareholders, Triple Construction and Sri Alu, had transferred their registered offices to the Peremba Building. The same building housed the registered offices of UMNO's Fleet Group as well as some companies associated with Daim's family.

At the same time, there was a shuffle of shareholders. Datuk Abdul Ghani sold his 35 per cent in Seri Angkasa to Tjin Sdn Bhd, another \$2 company. Tjin's two shares were held by Lim Thian Kiat and a company secretary. Tjin apparently bought Datuk Abdul Ghanis shares at the original of \$1 a share.

After toll collection began in early 1987, Sri Alu's 35 per cent interest transferred to a new company called Kencana Mewah Sdn Bhd, yet another \$2 company. The shareholders of Kencana Mewah were Jere Mohamed Yahya Ali, an executive of Kamunting, and Ahmad Riad Mohamed Khir, a businessman from Kedah.

These changes left the Lim family controlling directly or indirectly 65 per cent of Seri Angkasa.

Next Seri Angkasa bought publicly-listed Kamunting from government-owned Malaysian Mining Corporation (MMC). In August 1987, Kamunting announced an agreement to acquire Seri Angkasa's toll concession in exchange for Kamunting shares, giving Seri Angkasa majority ownership of Kamunting. This was very quickly approved by the relevant government authorities.

In December 1987, Seri Angkasa

obtained a \$67.5 million loan from Malayan Banking. Although Wahab Zainuddin no longer had any overt interests in the company, he continued to give his backing and helped to secure the loan by giving a personal guarantee. Personal guarantees were given as well by Mohamed Amir, Daim's nephew, and the other directors of Seri Angkasa, namely the two Lims, Datuk Abdul Ghani and Mohamed 'Yahya.

While the Lim family has since stated that it bought out the Daim relatives' interest several years ago, Seri Angkasa's latest records show that as of October 1988, Mohamed Amir was still a director of the company. The Lim family say that the files are out of date.

In any case, what is the meaning of all this bewildering shuffling? Nothing more and nothing less than a multiracial bunch of businessmen with political connections and politicians with business associates shuffling the cards so that it turns up right for them. In this case, Seri Angkasa ends up with control of MPHB. And, the MCA claims the credit of having fulfilled its promise to KSM and to having saved MPHB.

This, then, is the story of Kamunting and Seri Angkasa, the white knight that has come to the rescue of KSM, approved by the MCA as friendly because it safeguards the interests of the Chinese. The interests of the Chinese?

Not by any stretch of the imagination. More like the interests of the politicians and their business associates. While these people are quite capable of transcending race, they have few qualms about misleading us down the dead-end of racialism, even as they laugh all the way to the bank.

The facts, it turns out, point to a conclusion quite different from what has been reported in our local press. The facts do give reason for grave disquiet and concern, but not for the same reasons as have been so widely reported and rumoured. The facts, should teach us not to trust politicians who play on race and drive home the lesson we should all have learnt by now.

The lesson: we should learn to say *no*, to all this evil talk of racial unity and racial interests. We should realise that the only real interest, the only real unity the common people of Malaysia have is one that transcends racial boundaries. The only real interest and the only real cause is the one for democracy and accountability,

against corruption and money
politics. 0

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RELIGION

LIVING RELIGION

Religion must be dynamic and relevant to our daily lives otherwise it will stagnate or decay into obsolescence, writes GERARD KOE.

the founders of all great religions were men of profound understanding of what was essential and vital for man to 'live harmoniously. They were radicals in this sense - radical meaning, their ability to grasp the very roots and essentials for man's ultimate fulfilment. They knew often through divine enlightenment, what it took to bring happiness, meaning and purpose to man's existence. They had a vision of a better world where mankind would be able to live in truth, justice, freedom and love and where sin, hatred and selfishness would cease to be the order of the day. For this vision to become a reality, they realised it was essential for individuals as well as societies to change their values, attitudes, thinking and behavioural patterns.

So they presented alternative values and worked 'energetically to tell people about the change of heart so vital for the transformation of the world and humanity. They challenged people to examine their lives and develop their human potential, and at the same time, to work at eliminating negativity, bad habits, wrong attitudes and values. These religious leaders had as their starting point, the notion of God as all loving, all just and all forgiving. a God, they believed, had a plan for mankind, where there would be love, justice, freedom and solidarity among all. This notion of God and the ensuing relationship drove them to work in order to realise God's plan/purpose.

Another feature common in all the great religious founders was that they always met with opposition from established powers, whether religious or political. Buddha was constantly harassed by narrow-minded bigots, who were preoccupied with superstition and established rituals. Jesus too faced the wrath of the Sadducees and teachers of the law who wielded both religious and political power. The Prophet Mohammad encountered major opposition when he tried to unite the Arab tribes into the belief of the One True God, and when he tried to introduce social and religious reforms. All of them had a profound impact on ordinary people because of their simplicity and the depth of

their message.

The history and evolution of all great religions however, reveal many similar characteristics in terms of moments of initial intensity and fervour; great expansion and growth in numbers; moments of complacency, laxity, superficiality and decline; self-criticism and a return to the origins; and reform and revitalisation.

The 20th century has seen many attacks against religion in general. Superstition, myths of the supernatural, legends of mysterious occurrences often found in religion, have been thoroughly discredited. With the advent of science and rationalism. In the process, religion has often been made to look like an out-dated system of beliefs held by the weak. ignorant and those without any intellectual inclinations. These attacks have in general drawn three prominent types of responses, each with their own peculiar psychological and social consequences on both individuals and societies.

Conservative Response

The conservative: tend to be backward, refusing to see how the external challenges to religion are in fact an invitation to growth, a return to the essentials. Those in this category generally disregard influences outside their religion with various allegations ranging from that of being inspired by the devil, marxist-oriented or that they are an attempt to water down religion by those whose moral lives are loose and permissive. Their immediate reaction is to stop these influences from affecting their own established norms and system of thought, even to the point of cracking down on their members. Authority is often intensified and those having different ideas are treated with great suspicion and sometimes told to conform or get out. In an attempt to curb deviations from orthodoxy, all teaching must be seen to be officially sanctioned by the religious authorities and critical thinking is discouraged.

While the conservative approach brings a certain degree of discipline and uniformity, it causes stagnation in thought and with time, becomes irrelevant and devoid of meaning for those facing the challenges of modern times. Religion then becomes unmeaningful and separated from the realities of life.

Fundamentalist Response

The fundamentalist response has many similarities with the conservative response. Fundamentalists

are essentially persons obsessed

with certain tenets of a particular religion (often tenets are seen in relationship to the overall view of that particular religion) and who gain psychological consolation and security from slinging slavishly to these tenets. Those most prone to fundamentalism are the confused; frustrated and those fed-up with the tensions of life and who lack meaning in life; those who are disillusioned with their jobs, established religion, exploitation, disrupted family life, studies, broken relationships, etc. in their desperation to find stability they sometimes 'short circuit' this search for meaning by seeking instant answers in fundamentalism. They seek answers that are authoritative, punchy and clear cut - 'believe this and all your problems will be solved' or you'll find total happiness', etc. This, coupled with the need to belong and identify amidst their loneliness and desperation makes fundamentalism an easy way out. It is no wonder that the young are most vulnerable to fundamentalism. A prominent characteristic of fundamentalism is the elitist notion that only those who subscribe to a particular set of beliefs will be saved and others will be damned. This notion is misleading because no one religion can make the arrogant claim of having the monopoly of the TRUTH to life's answers. Another characteristic of fundamentalism is the slavish adherence to a pre-determined code of life which includes style of dress, food, usage of catch phrases, styles of worship, reactions against certain socially acceptable norms, unswerving fidelity to the cult, etc. All this is aimed at distinguishing and isolating the believers from the unbelievers. Thus, the more one keeps slavishly to these rules, the more one is assured of salvation. Consequently, their notion of spiritual maturity is when the believer not only subscribes to the beliefs but begins spreading the faith and is actively involved in proselytisation. Fundamentalism is often detached from reality and in some ways is an over-simplistic escapist solution to the conflicts and tensions evident in society.

'Wholistic Response'

The third and wholistic response essentially sees religion in relation to what is happening around us. It views religion as evolutionary a going through a continuous process of discovery, reflection, analysis and growth. It rejects the static

notion that the truths of any one religion have all been revealed at various points of history and that these truths (as in the case of Judaism, Christianity and Islam) cannot be interpreted in any other way. The wholistic approach believes that just as man's intellectual dynamism and capacity for understanding grows with time, so too his ability to delve more into or even beyond these teachings or revealed truths.

In this response, God is not static, nor detached from human activity, but rather is seen as dynamic and actively responsible for bringing about 'truth' in this world. They see God as constantly guiding and motivating man to develop and deepen the quality of his life, his relationship, -in short every dimension of humanity. With this understanding of man and of God, it is not surprising therefore that those of this category see changes and challenges taking place in this world not so much as threats to established beliefs, but rather as invitations to growth. They regard growth as a product of confronting crisis in an open reflective prayer. It is typical for progressives in this category to face rejection and antagonism from established religious authorities, especially those conservative in nature, because they are seen as a threat to established ways of doing things or thinking.

The wholistic response emphasises the promotion of the quality of human and social living more than dogmas and doctrine. In regarding life as a process of growth and development, it aligns itself with any movement or activity that enhances human potential and relationships, fostering of justice and human dignity, etc. Similarly, it rejects all that is corrupt and evil, oppressive and exploitative. It is quick to recognise truth wherever truth is found and is open to the wisdom found in other religious traditions.

Change 01' Die

Religion, if it is to survive the crisis of the 20th Century, must be able to detach from irrelevant 'accidentals' and return to its 'essentials'. These essentials must play a vital role in bringing meaning, purpose, harmony and happiness to man's existence.

Unless religion is able to do this, it will suffer the same fate as other human institutions that have come and gone once as a result of corruption, and spiritual and intellectual bankruptcy. Then perhaps the

fourth type of response to religion,
which has not been mentioned, will
occur. Religion will be discarded
and abandoned by the coming
generations. The challenge that
stands for every other human en-
deavour stands true for religion too
..... progress or stagnate change
or decay. O

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LETTERS

We welcome letter! from readers. Letter: can be other in Endroll orthue Malaysia. Then letters may be edited to! autumn of woe. Ind dafly. The view- may not be than of the Allnn Monthly. Pseudonyml ate loomed but all letter: should include the writer's name and adding. Lotte" eould preteubly be typewritten with double-epeelnq: if handwritten they should be I lble.

Lethon should be addremd to the Edltov, Aliun Monthly, P20. Box 1040, 10830 Penang, Malaysia.

CALLING ALL gYES-EMBLYMENl F ROM

SABAH

Dear Member of Parliament

e are writing to you to express our concern as Miran members and citizens in Sabah. For the past few years, Sabah has experienced numerous problems, and yet, there has hardly been any Sabah MP who has spoken on due hues in Parliament. Al elected Members of Parlia- ment, it is your duty to speak on our behalf. It is also your responsibility to find out the problems faced by the people and consult them before making I stand on any issue brought up in Parlbi;

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ANTI-SMOKING

ll recent issues of Aliran, you have

I highlighted the companies that have

associated witlf South Africa. Among

the companies mentioned was Roth-

mans.

It is regretted that our Malaysian

government has not taken any action

against these companies. As fox those

who still smoke, they should be aware

that Rothmans Malaysia not only sells

Rothmans cigarettes but also the follow-

ing brands:-

Dunhill

Pe ter Stu y vescen t

Malboro

Perill y

m/u'

URGEnE

Martins

Consulate

White Horse

Virginia Gold

St. Moritz

It will be better if smokers stop

smoking completely not only because of

health reasons but also because the other two big companies have multi-national control. The Malaysian Tobacco Corporation is still majority owned by British American Tobacco and R J Reynolds is still 100% owned by an American company.

DR TEOH SOONG KEE

Malaysian Medical Association

Kuala Lumpur

10

SEEING THE MOTE IN THE

EYES OF OTHERS

he Minister of Education has

I seen it fit to hit out at the

Bar Council for the latter's

alleged irresponsible" conduct In

citing the Lord President's

contempt of court. In the meantime

breath, he also lambasted the B"

for its failure to serve the needs of

the poor and neglected sections of

the population. Like Don Quixote.

he once again loudly trumpets the

celebrated cause of the masses - I

cause to which he himself has in no

visible way contributed positively.

The Minister would be well

advised to put his own disorganised house in order first before; reminding others of their duties and responsibilities. It is widely recognised that education is the most effective means of serving the long-term interests of the illiterate and the poor of society. Education is the best solution to the myriad problems that are commonly associated with the poor and the underprivileged. The Minister has failed miserably to recognise the vicious link that connects the poor and uneducated in a third world country like Malaysia. Instead, he has most successfully indulged in hitting out wildly at the Bar Council. This is like the Malay saying, *iiKuman di seberang hut kelihatan, tetapi gaiah di bibir mata tidak kelihatan*!

The Ministry of Education has to date been unable to devise and effectively implement a national programme of adult education, reaching out to both the rural and urban poor. It is easy for the Minister to criticize the Bar Council's alleged failings vis-a-vis the '3 t and uneducated majority. What, if I may ask, has the Minister done towards providing better educational facilities in the Felda schemes, for the Tamil schools in rubber estates and Chinese schools in new villages?

As a former English-language teacher in a Felda scheme, one of the most striking observations I can make is the sorry state of the facilities provided by the Ministry of Education. The schools remain in a state of neglect: the libraries are so poorly stocked and shoddily maintained that the students have no interest in going to it except to while away their free periods. Most of the sports and games equipment were unusable and teaching-aids were sorely lacking. Little wonder, that pupils preferred to stay at home to help their parents earn extra money. The free textbooks provided were torn and tattered and some were wrongly recommended. The Headmaster was preoccupied with beautifying the appearance of the school rather than the substance of the education provided and, most of all, the students attended school not because they really wanted to but only because they had to. The above, I believe, is a red but true reflection of the majority of schools in rural areas.

The Minister of Education should direct his verbal artillery at his own ministry and its state departments and correct the ailments and too-many-to-mention weaknesses of the education system

in this country before he picks on
ndies like the Bar Council. In 1989,
allthel

32 years after independence, Malaysia
cannot boast of a sound and well-
established education system. Too many
weaknesses have been identified in the
KBSR which have yet to be remedied.
Can Malaysian parents have any confi-
dence in the KBSM while there is still a
dearth of information about it? Perhaps
the isuliti syndrome has pervaded the
Ministry of Education beyond the
point of redemption. Today KBSM,
tomorrow what?

The Minister of Education has
much to do if he sincerely hopes to
accomplish anything in the way of
a sound system of education for
this country. Education is the only
means to demolish the in-built
prejudices that still exist among the
different races, to reduce the
glaring disparities between the rich
and the poor, to inculcate a respect
for Truth, Justice and Equality and,
most of all, to serve the long-term
interests of the very people that the
Minister of Education so very often
attempts to champion in his many,
many speeches.

I SINGH

Kuala Lumpur-
GOVERNMENT AN D
RULING PARTY: FAILURE
TO UNDERSTAND THE
DIFFERENCE

was very disgusted and completely
baffled when UMNO Batu used
many valuable hours of National TV
to celebrate the UMNO Anniversary. I
wonder what other national resources
they used.

The legitimacy of UMNO Batu
celebrating this anniversary aside, what
right do they have to use the government
and hence the peoples money and
resources to celebrate a party affair?
Does UMNO Batu own RTM? I am very
confused; someone please enlighten me.

C H LOH

Kuala Lumpur
ISLAMIC LAWS TO APPLY
TO NON-MUSLIMS?

he Malaysian Consultative Council
of Buddhism, Christianity, Hindu-
ism and Sikhism (MCCBCHS)
view with grave concern the recent
newspaper reports that certain states
11

(Penang, Kedah and Selangor) are
proposing legislations making non-
Muslims subject to punishment for the
offence of khalwat (close proximity)
committed with a Muslim.

The MCCBCHS regrets that there was
no prior consultation whatsoever with
the appropriate organisations represent-
ing the non-Islamic religions of Malaysia.
The proposed laws will have a direct
impact and implication on non-Muslims

who are hitherto not subject to Muslim law or laws based upon beliefs peculiar to Islam. The MCCBCHSi position is and remains that general criminal law which legislates offences for the whole Malaysian society should be based upon common religious values.

The MCCBCHS whilst not condoning immorality questions the legality and the constitutionality of such laws. It calls upon the respective State governments to proceed with greater circumspection and regard for the sensitivities of adherents of other faiths especially considering the multi-religious and multi-racial character of our country. This is necessary to dispel all fears and suspicions that the proposed legislations are the beginning of a systematic process of the implementation of Islamic law generally instead of only to adherents of the Islamic faith.

The MCCBCHS repeats again what it has said loud and clear that non-Muslims do not want to be subjected to Islamic laws.

MR JOGINDER SINGH (President)
REV. DR. PAUL TAN CHEE ING s.f.
(Hon. Secretary)

TORTURE - A TOOL OF
THE SPECIAL BRANCH?

read with heartfelt sympathy the inhumane treatment meted out to the ISA detainees. They have to endure the excruciating pains and mental torture during the course of their detention. The atrocities committed by Special Branch interrogators are highly heinous. The traumatic experience which they encounter will rankle their minds until they die.

The incumbent Minister of Home Affairs should be fully aware of the iniquitous system of interrogation of the detainees. It fails to comply with international standards and the Universal Declaration of Human Rights. The flagrant violation of civilised behaviour is a crime against humanity.

All peace loving citizens of Malaysia should be united and take concerted action to ensure that justice prevails in the country. We must restore the cardinal virtues - prudence, fortitude,

temperance and justice. Hopefully. the
Special Branch of Malaysia will not
become like the "Savak" during the
reign of the late Shah of Iran!

FAIZAN B ARSHAD

Butterworth

RELIGIOUS EDUCATION,

PLEASE

im one of your ardent readers. I
support the view of Mr Know of
Kota Kinabalu (Aliran Monthly Vol.
9:3 - Letters to Editor).

His view regarding KBSM, especially
about ttnon-Muslim" students being
allowed to study their religion instead of
this so called "Moral Studies?

I was trained at the Maktab Per-
guruan Sultan Abdul yHalim, in Sungai
Petani, Kedah as a KBSR teacher. We
students had to attend moral lectures for
60 minutes every week from the first
semester to the fourth semester in
college.

In the course of these lectures, our
lecturer tried to impose his religious
views on us.

Pm a Hindu. There were Christians,
Muslims and Buddhists in our class.
Those of us who don't know much
about our own religion tend to grab and
gather whatever was said by the lecturer
and took it as our religious view. I say
this because my friends merei; rrpeated
the things they had heard from the
lecturer during discussions. I believe in
reincarnation and the Law of Karma -
cause and effect. The lecturer did not.
He said there was only one life, etc. This
is just one example.

Why canit we non-Muslims be given
the opportunity to study our own
religion? 2i war students were given the
right religious education apart from
academic education, would"? they
grow up to become loyal. religious,
tolerant, hroadminded and hard-working
people?

Our lecituoer did not follow the
syllabus. He talked about sex, adultery,
petting, etc. very openly in our class
under the topic itMoral". He enjoyed
talking about it, it didnt make us realize
how wrong it is to commit adultery,
indulge in illicit. sex, etc. I feel it is a
waste of time studying imoral educatioif
under unqualified lecturers. On the other
handt religiwis education in itself teaches
(me to barium: ('iF'HQZHY.

Thur mm: imzh ladies and gentle-
men in 1 2:2- (.21 liven the men put their
heads 1 ' (.r'etended to be looking
outside i his stories were so
ujuicyii.

He talkml 'voollt the same iisubject"
again and again in our class and other
classes too, for weeks on end. What an
immoral character we thought he wul
We sat there listening to his "juicy"
stories and got a "C" or "D" for the
whole semester. Until now, nobody
knows what aiterin he used to grade our

work. Moral education is a big bluff!
Teachers walk into (classes and waste
students' time because they themselves
lack knowledge and methodology to
teach it effectively.

GSM

Kelang

J assiea: victlfn'of indecision

POOR JASSICA

am deeply disturbed by the in-
decision of the Syariah Appeal Court
in the case concerning Jassica whose
custody is in dispute.

First of all, I maintain that I do
not intend any disrespect to any
religious body or His Royal Highness the
Sultan of Johore and if I have unwitting-
ly strayed the bounds of modesty or the
limits of journalistic prudence I shall be
eternally grateful if I am forgiven and
my mistake corrected.

The act of referring this case to His
Royal Highness serves not only to
prolong the agony of the parties
concerned and the child in particular but
tends to bring the office of the Ruler in-
to disrepute. His Royal Highness should
not have been put in a state where he
finds himself in a predicament. Under
the doctrine of ministerial responsibility,
acts of the State (i.e. the Executive) are
executed by ministers (or delegated to
deputies) in the name of the King (or
Ruler). Thus evolved the principle that
the King (or Ruler) can do no wrong (in
his official capacity). The Ruler is a
symbol of unity and his residual powers
are largely ceremonial. He is not to be or
made to be a centre of controversy. It
pains me that the Appellate Syariah
Court was not able to arrive at a conclu-
sion.

12

should be the care and welfare 0!, i
child. Julie: is in her infancy - a-
formative and impressionable age. '
trauma at this use especially it ptolo
will have hr reaching undesirable conga.
quences in her adult life. Marriage,
(Imily life, childbirth - which are the
greatest gifts of God to a woman - may
become a taboo to het. Her lite may be
shattered and she may become a rebel
without a cause. _'-

Born of Hindu parents my knowledge
of Islamic Family Law I must admit is, 3'
any, scanty. I value the works of the
openminded contemporary thinkers like
Professor Hassan Hanafi of Egypt 'M
Afghar Ali Engineer of the Institute d
Islamic Studies, Bombay. Islam me
other great religions has common
universal values. My opinion is based
purely on this and I repeat I beg the
indulgence of the reader if there is any
unintended misrepresentation.

It is common knowledge that in a
divorce suit the mother is normally
granted custody of the child. The
reasons are obvious - the mother
having undergone the pangs of gestaa

My or rather our primary eon?
childbirth etc. In any ease the
finds greater comfort and security in .
mother than the father. The ease of
Jassim appears to be even simpler.
Neither parent is demanding sole
custody of the child. Is it not justifiable
that they, being the natural parents be
given custody without delay? To visua-
lise the child's and the parents agony,
just imagine the anxiety if a member of
our family was kidnapped.

Now that the buck has been passed
to His Royal Highness, I urge YAB the
Mentri Besar of Johore to have imme-i
diate consultation with the State Legal
Adviser and the State Mufti and to seek
an audience with His Royal Highness to
present his unbiased recommendation.
May God be with you Jessica.

N PUNJA RAJAH

Penang

WHO NEEDS WHO?

THE HAVE-NOTS

SUPPORTIN G THE HAVES!

read with a deep sense of bitterness
the way the top executives in the
NUPW abused their: positions and
misused the estate workers' hard-earned
subscription. It was reported that the
salaries paid to the executives and the
staff of the NUPW amounted to about
two-thirds of the total yearly subscrip-
tion paid by the estate workers. It is
unethical and immoral of NUPW office
bearers to exploit their OWn members
and betray the trust and hopes they had

was in them. I would say that being lifrnan is: being irresponsible to fellow mm beings. But the elites in the NEW are inhuman for they are not oily irresponsible and unaccountable but have gone further in taking advantage 'of the disadvantaged workers who are at their mercy.

i'The least Mr P P Narayanan and his so-ealled elites mn do nowis to resign immediately and allow dedicated people who will be of service to the community tolreplace them. I sincerely hope that NUPW will be restructured so that it will be more responsible and accountable to those whom it is supposed to serve.

JOHN VINCEANS

Ipoh

'SINCERITY - BARISAN

BRAND!

' e this opportunity to urge the Wremment under Dr Mahathir to bring development and give land to the landless and tackle the problem of poverty regardless of race in the whole of Malaysia and not only in places where by-elections take place.

The government promised a lot of development to places like Johor Batu, Parit Raja, Ampang Jaya and Bentong in the past ten months. Some of the promised development has taken place.

Of course, the promise to build the second)Qauseway (JB) has not been fulfilled, maybe because the Barisan mndidate lost there!

The government has given a lot of people in the above places land titles which they have been denied for many years. That is good. At least now the poor people have something. Deputy Prime Minister, Ghaffar Baba, has said that the government has done that bemuse it is sincere in helping the poor. We are glad that they are sincere. But v ' about others who do not have land t . The government should give them their land titles too. And why does this so-ealled sincerity come only_during by-elections?

Dr Mahathiris government seems to help the people only during elections! Well, in his book, wrhe Malay Dilemma'i he criticised our first Prime Minister, Tunku Abdul Rahman: "Thus, long after the rural development schemes had lost their impact, the government still carried on building mosques and community halls, not because these facilities were thought necessary, but in the mistaken belief that it would favourably influence the voting at the next election. As was expected, as an election approached, the grants for these rural development schemes increased. Until just before and juring election, the ministers were kept Alatas : Challenge by proxy?

busy handing out cheques. The recipien ts of this Iargesse made a great show of gratitude, but it was apparent to those who cared to observe that their

sympathy was not automatically with the government." Dear Dr Mahathir, your words and deeds reveal your true character.

SHAHIDAN

Perak

THINKING BIG - LITTLE

THINGS PLEASE LITTLE

MINDS

fter reading the letter written by 1 Singh' (Kuala Lumpur) in your letters column (Aliran Monthly V0. 9 No. 4), I too challenge the Minister of Information to spend his own money if he is thinking of doing something big and stupid again. There was the big flag then the big ibedoki for the UMNO anniversary celebration. What will the iBig Mani come up with next? Why is this guy spending so much of public money just to enter the Guinness Book of Records? When will this kind of nonsense stop? By spending so much money on such silly things we deny funds for development. Just think of what so much money could do for a small kampung.

D i J OHNS

Sibu, Sarawak

THE VICE OF A VICE-

CHANCELLOR

f the Vice-Chancellor of Universiti Malaya, Professor Syed Hussein Alatas, wants to be the information 13

Musa 2 singled out for attacks officer for UMNO, it is his own business. But what about his position as the Vice-Chancellor? He was quoted as telling his university students that they can know what is happening and give their views about current politics but not support or become a tool for any political party. But what about himself?

We feel ashamed that a Vice-Chancellor from a very prestigious university is getting involved in politics for his own gain. He has been iattacking' Datuk Musa Hitam, the Semangat 46 leaders, DAP and PAS.

But most of the time he seems to be attacking Datuk Musa. As a member of UMNO Wadi Hana branch he has questioned the re-admission of Datuk Musa into UMNO. Is he a spokesman for someone else in UMNO who does not dare face Datuk Musa?

He has even challengbd Datuk Musa to a debate on UMNO and the future of Malaysia. Most people know 'that the person challenging Datuk Musa is not Prof. Alatas. Rather it is a challenge by proxy.

The person behind Prof. Alatas is somebody whom everybody knows. He is the same person who did not like Ungku Aziz formerly. That person mn-not hide any more. If he is a "gentleman politician", he must come out and face Datuk Musa like a man.

Anwar Ibrahim cannot hide any

more. Everybody knows that he and Datuk Musa are political enemies. Although Datuk Musa is now only an ordinary member, he is an influential politician who stands in the way of Anwar Ibrahim's ambition of becoming the nation's next Prime Minister. If Prof. Alatas is so concerned about current issues, why hasn't he talked about issues like financial scandals, the suspension and dismissal of Tun Salleh and the Supreme Court judges, the composition of both the Tribunals, the UEM scandal, ISA, etc., etc? Prof. Alatas must make up his mind whether to be an academic or a politician - but not both things at the same time.

M OHD R OSTA M
Gopeng, Perak

v"- .. w

ttWhere are the other 480,000?"

THE MISSIN G 480,000

ow that the dust has settled after the UMNO Baru celebrations in Johor Batu, I am sure thousands of Malaysians must be wondering what, happened to the crowd of 500,000 which was supposed to have attended the big do. The "mammoth" crowd comprising iitens of thousands" of people (as the New Straits Times reported the following day) turned out to be only about 020,000" (that too given by the Star (a Barisan paper) a day later).

What was really laughable about the whole affair was the pathetic manner in which our Minister of Information attempted to explain the absence of the so-called UMNO supporters. He remarked:

1) It was raining. True, the rain could have driven aWay a few local people, but what about the thousands of supporters from UMNO divisions who were supposed to flock to Johor Batu from throughout Malaysia (Did they have advance warning from the Meteorological Department?)

2) There was a live telecast on TV of the celebration, so millions stayed at home. I wonder where he gets his TV viewing statistics from! I hope not from the same source which predicted the estimated crowd of 500,000! Or perhaps he actually went from house to house to check how many people were watching the tlivei telecast on TV.

3) Loud speakers were placed along the routes leading to the celebrations venue; therefore, many could have followed the proceedings from a distanceh Come on, do you seriously expect us to buy that? Perhaps you think Malaysians have become accustomed to accepting this kind of ulogic" from their ministers. Admit it, more than 95% of your estimated crowd of 500,000 didnt bother to turn up.

However, from the extensive media coverage one could be forgiven for thinking that more than a million people had converged at the lstana grounds. Look how our media is manipulated to make people believe the unbelievable!

14

- Now .

ship has exceeded the million mark. 0 they say UMNO Berni: m where were they during the celelrm I suspect, at home - with their TV off!

Finally, not many could have I , to observe that the "20,000" crowd 13 was no larger than your average fully orchestrated Semarak rally.

HIDUP DEMOKRAS

Butterworth 4

SUPPORT FREEDOM &
JUSTICE

For a few weeks now, the world has been held spell-bound by events in China. Initially, the world watched in awe and admiration, as thousands upon thousands of students and civilians joined in mass protests. The pervasiveness with which pro-democracy values had taken hold among ordinary people and the era exhibited was amazing.

On June 3, events took an ugly turn. The Chinese authorities unleashed violence through the use of guns and tanks. It is reported that more than 2,000 people have died and 10,000 injured.

Many of us empathise with the principles which the demonstrators were willing to die for. The Tiananmen Blood-bath was an indefensible decision and has rightly elicited international censure. The Chinese Government should have exhausted all avenues for a peaceful dialogue. And only then, should non-violent means of crowd dispersal be considered.

Some demonstrators have been reported to have said that, they believed they would not have died in vain, if the world outside came to know of their struggle. That is why, as a group of concerned Malaysians from major ethnic communities, we have decided to join together to sign this letter. We should write in protest to the Chinese Embassy in Kuala Lumpur as we have a moral obligation to denounce the actions of the Chinese regime. We also have an obligation to support values of freedom and justice. Such values are fundamental to humanity regardless of ideology.

(The address of the Chinese Embassy is No. 229, Jalan Ampang, 50450 Kuala Lumpur).

AZZA TKAMAL UDIN
BELLA E.L. LOO,
A. TERRY/L. E.A. NETTO
M UHAMAD BIN BUROK
TONG VENG WYE
MANJI T. K. A. U.
People's Ruling Party

x MALAYSIANS VERSUS

OBSERVER F UND

he TORNADO SALES as report-

.. ed in the OBSERVER should be
, viewed as of national interest by
every right thinking Malaysian who cares
about our country in view of the colossal
sum involved and the alleged unusual
irregularities surrounding the deal.

It has now become a very serious
matter since the OBSERVER had
/thrown a challenge to Malaysia to file a
defamatory suit on these reports after
our PM had dismissed their reports as
MISCHIEVOUS and BASELESS. This is
the time when every Malaysian should
trust our PM and show an undivided
support for the man who has made our
country what it is today. Malaysians
should unite together and take up this
challenge. We don't have to wait for the
cabinet meeting to decide whether or
not to take the OBSERVER to court.

For a contribution of one Ringgit per
citizen we should have enough fund for
this purpose without involving the
country's development fund. A

i ALAYSIANS VS OBSERVER

V ND" should be set up.

UMNO BARU with a membership of

1.3 million must start the fund rolling
since they take the biggest insult of
being allegedly dependent on such
kickbacks. Furthermore it is the Party
President's name that is being tarnished.

MCA, MLC & other Barisan Nasional
component parties should do likewise as
the reputation of their chairman is being
smeared. SEMANGAT 46 should set the
rift aside for old times sake. DAP, PAS
and other opposition parties should join
hands to clear the mess. The BAR
COUNCIL should initiate the legal
proceeding free of charge and every
Malaysian should chip in for the sake of
our Prime Minister's good name who is
a symbol of pride and inspiration to
our people. The press, being the plat-
form for people's voice should play their
part. If the live telecasts of World Cup
Soccer could be financed by the
RAKYAT in the spirit of sports, there is
, reason why they cannot support the
d in the name of NATIONAL PRIDE
AND DIGNITY.

P. RAMLEE

Yong Peng

THE CAUSE OF

DEMOCRACY CUTS

ACROSS BOUNDARIES

he Deputy Home Minister's re-
marks on individuals or organisa-
tions who give moral support to
the pro-democracy group in China lacks
substance and has obviously been made
without careful deliberation of the
ripples it would create in broad minded
thinking Malaysians.

The Deputy Home Minister was
reported to have said that Malaysians
had no muse and should not launch into

i any act of supporting the prodemocracy struggle. He further said that what was happening in China was its own problem which had no bearing on this country. The Deputy Home Minister has perhaps forgotten that Malaysia and even . his own party has extensively supported the Mujahideen freedom fighters in Afghanistan, the Palestinians in their struggle against Israel and the Prime Minister has even been on record to have shown his displeasure against the South African regime. Did we have a cause in the three issues? Certainly what was and is happening in the said three countries have no bearing in Malaysia.

It is not inappropriate to remind the Deputy Home Minister that the struggle for democracy in China is a humane struggle and 2 struggle which crosses all political boundaries. The Chinese are seeking for fundamean rights and such a muse mnnot be confined within China's borders. It is because of the universath of fundamenml rights that the Prime Minister was in a position to ask for the release of Nelson Mandela in South Africa. Otherwise even the Prime Minister would have no cause (locus standi?) to demand the release of Nelson Mandela as Mandelais detention could easily be termed a lowl issue by South Africa and an issue which had no bearing on Malaysia.

I would venture further to say that the pro-democracy struggle in China should be officially supported by Malaysia, otherwise Malaysia would be seen to be interested to see the lids on democracy covered by the authoritarian regime led by Li Peng.

JA DA DISH CHANDRA

Kuala Lumpur

4

Pro-democracy struggle in China : Our government seems to practise selectivity in international issues

15

SCHOLARSHIP

BREAKING THE SILENCE:

n n

Acceptance speech by Dr. Chandra Muzaffar, 1989 awardee
of the Asia Committee of the
Association for Asian Studies for
the award of the Benda prize for
1989. It is an honour which I do
not deserve; there are so many
other scholars who have contribut-
ed much more to Southeast Asian
Scholarship than I have. It is
because I am acutely aware of how
limited my own contribution is,
that I am accepting the prize with a
certain degree of diffidence.
I had the privilege, as an under-
graduate in Political Science at the
University of Singapore, of meeting
the late Professor Harry Benda.
This was in 1968 and he was the
Director of the Institute of South-
east Asian Studies. He gave a talk to
a student audience on the emer-
gence of the New Order (Orde
Bum) in Indonesian politics. I
chaired that talk and remember
most vividly his tremendous erudi-
tion and his sharp wit.
The Orde Baru leadership that
Professor Benda analysed in 1968
has become the established order of
the Indonesia of 1989. Today the
Indonesian leadership aspires to
transform that nation into a Newly
Industrialising Country (NIC).
Achieving Nicdom has become the
cherished dream, the ultimate quest
of a number of Southeast Asian
states including my own country,
Malaysia. That is why there is a
tendency among Southeast Asian
ruling elites to emulate those
nations in East Asia which have
attained Nicdom.
Nicdom means expanding the
manufacturing sector and gearing it
towards an export market. It means
uninhibited encouragement of
foreign investments; it means en-
hancing domestic entrepreneurship.
It means the establishment of a
powerful State which will protect
I would like to thank the South-
of the Benda Prize
CHANDRA MUZAFFAR,
who was awarded the
prestigious Benda Prize this
year calls on academics to
break away from their
preference for silence over
speech to face the challenges
facing Southeast Asia.
Chandra calls the academic-activist
to strive for an orde. baru
and strengthen local and foreign
capital. It means widening the
opportunities for the acquisition
and accumulation of wealth by the
big and the strong. It means moti-
vating the populace to work hard in

order to increase productivity and ensure high growth rates. Nicdom, in short, means seeking the happiness of the many through the prosperity of a few. It is not only through the efforts of individual nation-states in Southeast Asia that the proponents of Nicdom hope to achieve their goal.

16

Japanese investments, trade, technology, managerial skills and even work ethics are expected to play a significant role in the transformation of Southeast Asian economies into Nicdoms. So would South Korean investments and Taiwanese capital. Indeed, the emergence of Nicdoms in Southeast Asia, it is envisaged, would be part of the larger transformation of the Pacific Rim in the coming decades. It would be an integral dimension of the dawn of the Pacific in history - an era which, according to the pundits, would witness a shift in the centre of international affairs to nations around the world's largest ocean. And in this new power constellation, the rising sun, some believe, will once again dominate the region. Japan may even emerge as the single most crucial nation-state actor on the world stage.

The student of society in Southeast Asia cannot help but be concerned about these momentous developments. In their drive towards Nicdom would Southeast Asian states be paving the way - unwittingly perhaps - for the consolidation of new patterns of economic and even political dominance and control by nations outside the region? Would new political blocs crystallise in the Southeast Asian region in a phase in history when blocs are becoming the vogue? Would this be accompanied by the militarisation of the region with all its adverse consequences for the people?

Equally important, would the type of development which is intrinsic to the quest for Nicdom result in greater and greater concentration of wealth in the hands of a few, even if absolute poverty levels are reduced? What

W

Ii . . .

ii)!!! be th tical and social
fepercussions of increasing
economic ineqt es in the midst of
tepid growth? The Southeast Asian
scholar has the experience of South
Korea to reflect upon.

There are other questions which
should also engage her intellectual
energies. Will Southeast Asian elites
continue to allow the exploitation
of female labour in their free trade
zones in the name of industrialisa-
. tion? Will development and in-
dustrialisation - the sacred ttwin
gods' of our age - result in the
. rapid depletion of natural resources
in one of the most richly-endowed
regions of the world? What will
Nidcom do to the physical
environment of the Southeast
Asian? '

. If the Southeast Asian chooses
'to protest against environmental
degradation or exploitation of
,ur or militarisation, will there
space and scope for him to
speak, to act, to organise?
Authoritarianism appears to be a
distinguishing feature of the
established N ICs of East Asia. Is the
increasing authoritarianism of
certain Southeast Asian govern-
ments the inevitable consequence
of their commitment to Nidcom?
There are national leaders who have
made it quite explicit: people have
to choose between food and
freedom. Can the Southeast Asian
choose a path to the future that
assures him of both food and
freedom?

This in fact raises a more funda-
mental issue. Will the drive towards
Nidcom allow those who cherish
0 er visions to pursue other
gas for Southeast Asia? For
outheast Asia, it should not be
forgotten, is the abode of almost all
the great religions of the world #
religions which are living realities
for the people who identify with
them. These religions too embody
images of life and living which in
some important respects may
contradict the sort of society that
Nidcom visualises. For instance, can
the aggressive materialistic, acquisi-
tive thrust of Nidcom ever be
compatible with the perennial
values of simplicity, moderation
and harmony which Buddhism,
Christianity, Hinduism and Islam
cherish?

What sort of tensions will grow,
what sort of turmoil will develop,
when these different world-views
and the vested interests represented
by them, come into conflict? In. a
sense, this has already begun to

happen; Islamic, Buddhist and Catholic revivalisms in various parts of Southeast Asia are undoubtedly serious challenges to the type of development and modernisation pursued by most governments in the region. It is quite conceivable that ruling elites who feel threatened by these and other challenges may seek to deflect or divert them through manipulation of religious or ethnic sentiments. In a Southeast Asia which is multi-ethnic and multi-religious, such manipulation could lead to social tensions and even political chaos.

Confronted by the prospect of conflict and conflagration, those of us in Southeast Asia who study social processes should be more than just concerned researchers and scholars. If circumstances permit and the situation demands, some of us at least should get involved in that never-ending struggle to evolve humane, compassionate societies in our part of the world. There are times when the academic must become an activist. There are times when the analyst of a situation must become the advocate of a cause. There are times when we must cease to be mere chroniclers of the human condition. We must choose to be crusaders on behalf of human dignity and social justice. Today, the academic-activist in Southeast Asia who wants to commit herself to the quest for justice has a new arena of involvement which was almost non-existent two decades ago. This is the Non-Governmental Organisations (NGO) arena - also known as the arena of social 'action groups or cause-oriented movements. In most Southeast Asian countries there are a number of NGOs concerned in one way or another with all the major social challenges facing the Southeast Asia of today and tomorrow. Their concerns range from the status of women to the

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state of the environment; from economic development to human rights.

What is significant is that these NGOs offer an unique opportunity to the academic-activist to place her specialised knowledge, at the service of the community. While championing public causes she can, at the same time, preserve the integrity of her ideals without making the sort of compromises that the politician is often forced to. Besides, NGOs, in spite of their lack of political clout do, now and then, influence the decision-making process, as borne out by a number

of episodes in recent Southeast Asian history. This is why it has even been argued that NGOs with a clear social agenda may well represent the beginnings of a new citizen-oriented rather than party-centred politics of the future. In helping to evolve this new citizen-oriented politics of tomorrow, the academic-activist of today has an important role to play. She can bring into the new politics a holistic vision of a new social order drawn from the sometimes fragmented concerns of individual NGOs. A comprehensive, integrated philosophy of social change which links developmental issues to human rights to some of the profound spiritual yearnings of the people, is what the academic-activist will have to work towards. But more than developing an alternative vision of society, the academic-activist must have the moral courage to strive relentlessly to build a new order, an Orde bam. Courage is vital. For the vested interests associated with the goal of Nicdom are over-whelmingly powerful. Unless the committed academic-activist has the moral courage and the intellectual integrity to persevere, her voice will be lost in the chorus of sycophancy. And yet courage is that one quality that is lacking within academic circles in Southeast Asia and elsewhere. How often, in the long and chequered history of Southeast Asia, have those with knowledge betrayed the cause of justice because they preferred silence to speech? .

WOMEN

WOMEN HOLD

UP HALF THE SKY L

JANNIE LASIMBANG on the position of woman in Sabah

WOMEN make up more

than half of Sabah's 1.37

million people. One

would think their sheer number

alone would have rendered them a

powerful political and social force.

Yet the role accorded them in

Sabah is dismal and unreflective of

their potential. t

To a large extent, the role of

women here has been dictated by a

male-dominated system. The main

constraints holding back women's

involvement in the political

economy are their own lack of

economic and political power to

take part in decision-making.

Politically, they have been unable

to assert themselves sufficiently in

demanding their right to hold

positions which would have in-

cluded them in the decision-

making process.

This is sad, but true in both

partisan and non-partisan politics.

In the last general election, more

than half of Sabah's voters were

women. Yet, how many women

were elected? It is also a sad but

general trend for women in par-

tisan politics to confine themselves

largely in mobilising votes and

support for the male candidates,

who eventually move on to make

male-biased decisions.

Such biases are evident in our

present political system, where the

male decision-makers, whom

women have voted for, become the

very stumbling blocks to the

progress of women. One such glar-

ing incident was the parliamentary

debate on rape laws and the long-

overdue enactment of legislation on

domestic violence.

The amendments to rape laws

took years to reach Parliament,

while the proposed domestic

violence legislation has yet to see

the light of the day. Although the

amendments to the rape laws

were eventually passed, the attitude

and behaviour of the male chauvi-

nist MPs during its debate shocked

the nation.

Their deplorable behaviour was

not unique. At one party congress,

the women asked for more of their

kind in posts such as ketua anak

negeri, etc. The male members

present made jokes of the sugges-

tion, posing typical questions such

as: 'Who will take care of our

children?' Others dismissed the

suggestion as emotional and ir-

rational.

According to a New Straits

Times report some time ago, as many as 17 of our laws discriminate against women. These laws pertain-
ed to areas like employment,
income tax and social security.
They were reported to be either
ambiguous as far as women's rights
and welfare were concerned or
blatantly discriminatory.

For instance, - the income tax
laws discriminate against married
women, who have to make a
specific request to be assessed
separately from their husbands,
otherwise their income is automa-
tically assessed with that of their
husbands.

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There is also the Malaysian guar-
dianship laws which clearly rein-
force the ideology of women's
subordination. The lower status
accorded to a mother by the
authorities is evident in the
pertaining to restricted travel a
international passports. A mother
who wishes to include her under-18
child in her passport has to seek the
written consent of the father or
legal guardian. The consent of the
father is unavoidable unless the
mother has been expressly appoint-
ed the child's legal guardian.
There are limited opportunities
for women to take part in the
decision-making process at grass-
root level. Unfortunately, few
venture forth. They are not to be
blamed because most of them
lack the confidence or exposure to
assert themselves. Hence it is rare to
find women chairing Vili'age'

Development and Security

Committees. ,

In most homes, men are still the
household heads and chief decision-
makers, although there is an in-
creasing trend of husbands and
wives sharing such responsibilities.
However, outside the home, women
seldom get elected to head social
organisations. Most of the time,
they end up in charge of refresh-
ments or taking notes at meetings.
Regardless of ethnic back-
grounds, women have been tra-
ditionally perceived as mothers and
wives, roles precipitated by the
patriarchal cultures of our society.
For instance, when guests arrived, it

gthwives and daughters who are
 Tected to prepare and serve food
 fd drinks, while the menfolk
 e'f age in conversation and
 discussions.
 It is not the intention of women
 ta" switch roles, but women should
 be given the chance to devel0p
 themselves so that they would be
 confident to act responsibly when
 the need arises. i
 TVAlthough there have been
 inbreasing oportunities for women
 in. the field of education, the situa-
 tion in rural Sabah is still depresss-
 ins. Male-female enrolment in
 primary schools is quite balanced,
 but the number of women in higher
 education tapers off' as a result 9f
 the priority given to male members
 of the family.
 Female drop-out rate is higher
 hugely because of more responsibi-
 Bt7' nd duties they have to bear
 It me. There was a case where
 l young girl was asked by her
 ments to leave school so that she
 :ould look after her younger
 tiblings, leaving her parents free to
 vork the fields. Her elder brother
 vas allowed to continue schooling
 :s he was considered less competent
 ban the sister in domestic chores.
 Women must struggle to break
 way from such entrenched role.
 tereotyping and work towards a
 ollective consciousness. They must
 cquaint themselves with those laws
 l their favour and demand for
 hange in those discriminating
 gainst them.
 It is not easy for women to
 :and up and make themselves
 ear after generations of being
 el\$d to the background. But
 le lrst step has been taken and
 lore steps are left to be climbed.
 If it is any help, the strength of
 omen lies in their numbers and
 le fact that more wOmen, and
 Ien men, are growing more aware
 .7 the reality that women hold up a
 llf the sky, and a great more
 asides. . a
 llk given at International
 omen's Day Forum, 25 March,
 '89, K0 ta K inabalu.
 Dombzalnld r/
 I wil- mt distant 7n-
 In 19.3 all
 All Mad, Kw .in. M.
 TM hprk and #1334?) few my M
 1:3 Mb dLM m,
 ' Wu G" SutJvaJ
 13%
 This poem was wrmcn by Tea Soh Lung. She
 is still 1)
 Internal Security A c: in Singapore.
 00f
 vl.3a fl! MI! W
 br em l Iowa aw 'wJ-Hr M44,

43!; you M
k1 'de Wm
M sLtPL amsk
eing detained without trial under the
19
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BOOK REVIEW

ASKING FOR TROUBLE

The Autobiography of a Banned Journalist
Donald Woods, a leading journalist in South Africa, found himself a banned person under the apartheid regime's repressive Internal Security Act (ISA) in October 1977.

He was forbidden to write, to be quoted, to be with more than one person at a time, to communicate with any other banned person, to leave his district of residence, to enter printing or publishing premises and to enter any factory or educational institution. He also had to report regularly to the nearest police station.

This book is the result of his defiance and outraged opposition to the racial policies and repressive rule of the South African government.

Woods's story, especially his friendship with Steve Biko, leader of the Black Consciousness Movement in South Africa, has been made into a film *Cry Freedom*. The film selectively drew material from this particular book and another book titled *Biko*, also written by Woods.

While the film dwelt largely on Woods's friendship with Biko, and how he and his family fled their homeland with only the clothes on their back (and his precious manuscript), the book is much more informative, with revealing anecdotes and insights into the apartheid regime.

It is a testimony to Woods's integrity as a journalist and in a way, his awakening and opposition to the injustice of apartheid. Malaysians reading this book will be struck by similarities in the laws governing individual and group freedom in both South Africa and Malaysia. Both countries have the ISA, which allows for indefinite detention without trial, grave restrictions on press freedom and an emasculated judiciary, among other injustices.

The apartheid regime had a Public Safety Act allowing the government to proclaim a state of emergency at any time without giving any reasons, to suspend habeas corpus, to jail anyone without trial during the proclaimed period and to prevent any legal proceedings being taken against the government for any actions against citizens during the period.

They even had a Criminal Law Amendment Act, which made it a crime to oppose any law by campaigning for its withdrawal. The

Senate Act allowed the government to enlarge its Senate whenever it wanted approval of yet another repressive law. By the way, their Parliament is also of the ltrubber. stampil type.

Woods's story begins in one of the tribal reserves of the Wild Coast. By the time he was five, he could speak Xhosa, the Bomvanasi language more fluently than English. His Xhosa name was iizweliyanyikimali, tithe world shakes?

His early mingling with the Bomvanas instilled in him a tolerant attitude towards blacks, but it was not until he left law for journalism that he began to question some of the excesses of apartheid rule.

Until then, his thinking was like many Afrikaners - tlonly a strong white-supremacy government could keep the country strong

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and the white safe". However, h: was not so blindly white as not to notice the absurdity of some- of the apartheid laws such as the Population Registration Act. ,

Under the Act, race classification officials, in cases where: person suspected of being coloured had a very light complexion, had to examine the complexion of the persons relatives, and had to take into account the area where the person lived and the compl and living habits of associates d friends.

One of the more ludicrous criteria used by the officials was to test the thickness of hair by running a standard steel comb through the hair of a person iipassing for white". If the comb failed to pass the person,s hair, he or she was graded non-white and referred for more specific classification in one of the non-white ethnic group. This nonsensical exercise only stopped after someone who failed the comb test was able to prove that he was an Afrikaner with white credentials.

Woods's journalistic career with the independent Daily Despatch provides interesting insights 'to the powers-that-be of the & regime.

The Minister of Justice and Police, B.J. Vorster, later to become Prime Minister, said to Woods, then a junior reporter, uTell me _ why are you so cheeky? when the latter questioned him about a new law introducing imprisonment without trial. Vorster's answer to the Woods query on the undemocratic law was: ltWe are at war Mr. Woods. We are at war with communismlli You see, the apar-

theid regime was very fond of the
communist bogey too.

" ;As expected, the law was passed.
K first it provided for unexplained
letention for 90 days. Then it
vas amended for 180 days, then
inally for indefinite jailing without
rial. The law has since been used
uthlessly against every effective
)pponent of apartheid.
Strangely though, Vorster would
llow Woods an exclusive interview
t the start of each Parliamentary
assion. It puzzled Woods and when
e eventually asked, Vorster replied
luntly: iiltis because I like to
now what the real enemy is
linking?
iWoods rose quickly to become
dit'or of the Daily Despatch. Under
is editorial leadership, the news-
aper took up many issues which
re tightly controlled South Afri-
an press feared to do.
If iting a neWSpaper in South
f- was like iwalking blindfold
cross a minefieldli because the
overnment had at its disposal more
12m 20 statutes governing what
ould be published and several of
iese laws empowered them to
lose down any newspaper arbi-
'arily without court proceedings,
nd to jail or ban any editor with-
ut explanation.
l Woods said: iil pricked as many
ttle holes in the blindfold as I
Duld by studying every aspect of
ress legislation from all con-
;ivable angles?
i He acquired a iifeel" of how far
) go in attacking apartheid as well
:when As such he chose Saturday
lornings for his most strongly
;oyrded editorials, knowing that the
embers of cabinet liked to
the weekend in their posh
r)untry homes, and instant re-
:tion by them to such an editorial
ould mean travelling all the way
510k to Pretoria or summoning
eir secretaries at great incon-
nience. His theory was that by
nonday, their tempers would have
boled or their attention diverted
r something else
He also got in some of the
Barpest jabs during occasions of
:eat national rejoicing, such as
Ilien Professor Christ Barnard per-
rmed his first successful human
art transplant and when golfer
try Player won in the Masters.
The aiiartheid leaders on their
part, reserved their most vicious
attacks on individuals and groups
for the protective session of parlia-
ment when they could safely
defame anyone without fear of
legal action. Where they dared
stray outside parliamentary securi-
r ty, Woods sued them without
hesitation. His policy was to iissue

every government spokesman. who defamed me outside of parliament... it

He won six major defamation suits against big guns including the Minister of Transport who accused him of helping long-haired Communist scum overseas, and the head of the Bureau of State Security for some remarks made about uncertain editors who encouraged subversion?

Woods fought racial prejudices through journalism. He threw out offensive advertisements such as the offering for sale of Reliable watchdogs - trained to bite Natives". The paper also stopped using the term Natives in preference for Africans" despite threats from right-wing advertisers. It carried success stories on American blacks and ran features on black Americans like Carl Stokes, Martin Luther King, Muhammed Ali, Willie Mays and Roy Wilkins. The first black reporters hired by the newspaper were hounded by the Security Police.

Even then, Woods' anti-apartheid views were out of touch with authentic black politics, hence his initial criticism of the militant Black Consciousness Movement spearheaded by young black leaders including Biko. He attacked their movement in editorials and speeches as racist.

So Biko, by then a banned person; sent an emissary to see Woods and arrange a meeting. Their subsequent friendship was to lead to his graduation from comfortable academic condemnation of apartheid to convenient practical activism? 1

He wrote: As our friendship with Steve grew... We began to live in two worlds. One was the white suburban world and the other was the radically different Biko world 21

where Security Police harassment, jailing and physical danger were a part of everyday existence. In the white world you talked of who had dined with whom, and in the black world of who had been arrested or searched that week?

Such was his respect for Biko's work among the blacks that he even risked going to jail in order to nail down a notoriously vicious Security Police officer responsible for wrecking a workshop Biko and his friends had put together.

In September 1977, Biko fell victim to South Africa's growing list of deaths in political detention under the then Minister of Police, J. T. Kruger, who declared: Biko's

death leaves me coldll.

Officially, Biko had died of mal- - nutrition, but even Kruger started backing away from his hunger strike story when Woods challenged the cause of death to have resulted from police violence. Barely a month later, Woods was slammed with a banning order. His family were subjected to round-the-clock surveillance and even gangsterish tactics by the Security Police.

It was at this point that Woods, with the help of his wife, furtively started on the book we are reading today # furtively, because he was not allowed to write as a banned person. As he began writing the last section of the book, he realised that he and his family would have to leave South Africa before the book could be published.

ilThe main reason was because I was calling for economic sanctions against the Pretoria regime - and this was capital punishment under the new Terrorism Act. It was classed as an act of terrorism meritng the death penalty, " he wrote

What followed is now history.

Woods's autobiography is an inspiring portrait of a courageous and uncompromising man at war with the injustice of apartheid. Malaysians reading the book will find that the saying iifamiliarity breeds contemptll can really take on a whole new meaning altogether.

O

- Reviewed by Joceline Tan

DETAINEES WATCH

BARBED FREEDOM

Releasing those roped in under Operation Lallang makes the government look good, but those released face a battery of restrictions, says TONG VENG WYE.

in China has underlined an undying truth - that freedom and justice are the most basic of human values. No matter how oppressive living conditions may be, the aspiration for liberty and equality is universal.

Despite threats to democracy these past two years, Malaysians can be thankful that they have not been pressed into contemplating life and death to secure certain values. Yet we must open our eyes to the fact that it is preferable to nip in the bud any incipient dictatorship rather than allow, through our own apathy, the growth of a full-blown one.

That is why we still continue to highlight the issue of the ISA detention although all Operation Lallang victims have been released. In the near future we hope to carry news of those still under ISA detention. In this issue, we highlight the unfair restrictions imposed on most of those recently released. There are 16 persons released from the Kamunting Detention Centre recently who face a combination of restrictions in the form of a standardised list of conditions of release, which the authorities may choose to adopt in toto, partially, or even add on. The pro-democracy movement

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conditions can curtail a person's activities, places of residence and employment, hours of outdoor mobility, his or her freedom of movement, speech and expression. On being released, a detainee is served with his or her restrictions either in the form of a restriction order or a suspension order. A restriction order is issued by the Home Minister under Section 8(5) of the ISA and has a maximum operative life of two years after which the Minister can extend the order for a further period (not exceeding two years). This can go on indefinitely. There is little recourse to the courts and the Home Minister is invariably the final arbiter.

A suspension order on the other hand, is given by the Home Minister under Section 10(1) of the ISA. As the name suggests, it suspends the operation of an existing detention

order. but usually with the imposition of all or some of the restrictions imposed by a restriction order. In terms of duration a suspension order is more favourable than a restriction order for it

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(u

remains in force for the unexpired portion of the period of the suspended detention order. Thus while a restriction order can run a full two years before it is time for possible renewal, a suspension order is for a shorter period.

In the case of the ex-detainees from Operation Lallang, it appears that those with suspension orders have slightly less stringent restrictions than those with restriction orders.

It is clear that the power of renewal given to the Home Minister by the Act can create a situation whereby an ex-detainee perpetually lives under the yoke of restrictions. The restrictions are highly unfair for they have no sanction whatsoever of any independent court of trial, yet they have the power to deny a person's full existence as a human being. The Home Affairs Minister is both judge and prosecutor. This is the crux of the problem because the Minister can be more of a politician than a public servant in wielding his power. Reproduced below is a list of the standard restrictions.

. He shall live in and reside
Within the, area covering the
FEDERAL TERRITORY OF
'KUALA LUMPUR and the
- Polide District of PETALING
' i JAYA (referred to in this
. , Order as 2the area") and shall
i not leave or depart from the
t area without obtaining prior
2 written permission from the
Chief Police Officer of
I 2.He shall not ehange his
place of residence in the area
01' move ,to any other Police
District Without prior written
permission of the Chief Police
Officer of ;
3. He shall report himself and
sign a register at the
Police Station between
..... am and pm
on the of every
month; provided that if permis-
sion is given under condition 1
or condition 2 for him:-
we read through the list it
e pertinent to note at least
ree points. First, none of the ex-
:tainees have been proven guilty
' the governmentis
allegations
against them.
Second,
(a) to lease or depart froni the
area;
(b) to change his place of
residence in the area;
(c) to' move to any other Police
District;
the Chief Police orncaof the
District or State in which he is t
restricted may change this
conditionx to enable him to
report himself at a more
convenient Police Station in
view of the place he is restrict-
ed to (condition 1) or his place
of residence (condition 2).
4. If he is allowed to leave or'
depart from the area tempo-
rarily under condition 1, or to
change his place of residence in
the area or to move to any
other Police District under
condition 2, all the conditions
in this Order shall, until altered
or revoked, continue to apply
to him in the same manner as
they apply to him in the area
or in his former place of
residence respectively;
even
23
The allegations are
thus arbitrary from start to finish.
if the authorities
should so claim to have substantia-
ted their allegations through investi-
Provided that, during the
time that he is allowed to be
absent temporarily from the

area under condition 1 Or if he
'is allowed to change his place
of residence to another Police
District under condition, 2, he
shall report himself and sign a
register under condition 3 at
any Police Station as stated by
the Police Officer giving the
permission;

5. He shall be in his house or
place of residence between
..... pm and am
every day except with the
authority of a written permit
given by the Chief Police
Officer of a :.:.:.

6. He shall not address public
meetings or hold office in, or
take part in the activities of or t
act as adviser to trade unions .
or political parties, or take part
in any political activities
except to vote in elections in
which he is qualified to vote.

gative interrogation,

)te: The 16 ex-detainees from Kamunting who live with restrictions are Mohd Nasir Hashim,
i: K K Tan,

Chow Chee Keong, Cecilia Ng, Irene Xavier, Tuang Pik King, i: Lim Chin Chin, Mohd Yunus L
ebai, Sebil

hn, ii Anthony Rogers, Arokia Dass, ii Chee Heng Leng, Lim Fong Seng, Sim Mou Yu, Kua Kia
Soong and

Han Jeyaseelan.

These detainees were in formed by police on 15-6-89 that the conditions imposed on them h
ad been lifted.

- Editor

one should

remember the cases of torture that

have come to light. And third,

attempt to imagine what life would

be like under similar restrictions. 0

APARTHEID

OVERCOME

Mounting pressure against Shell
in South Africa

There is no question about whether Shell should disinvest in South Africa, says TONG VENG WYE in further revealing Shell's involvement in the apartheid regime.

disinvestments and sanctions
alone can bring the apartheid
regime in South Africa to its knees.

The final denouement can only
come about through the internal
dynamics of South African society.

But those in the campaign to de-
Shell South Africa believe dis-
investments and sanctions can
accelerate the exit of apartheid. We
also believe that such forms of
economic pressure are crucial to
moving non-violent social change in
South Africa. The longer apartheid
It would be naive to claim that
festers in South Africa, the greater
the likelihood of violence playing a
decisive role in the struggle towards
post-apartheid society.

This was eminently pointed out
by the Commonwealth Eminent
Persons Group, which after investi-
gating the situation in South Africa,
concluded: "Put simply, the blacks
have had enough of apartheid. They
are no longer prepared to submit to
its Oppression, discrimination and
exploitation. They can no longer
stomach being treated as aliens in
their own country".

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As to the question of sanctions,
the Group added: "The question in
front of heads of government is in
our view, clear. It is not whether
such measures will compel change;
it is already the case that their
absence and Pretoria's belief that
they need not be feared, defers
change. Is the Commonwealth to
stand by and allow the cycle of
violence to spiral? Or will it take
concerted action of an effective
kind? Such action may offer the
last opportunity to avert what
could be the worst bloodbath since
the Second World War".

Apartheid, disinvestments and
sanctions are likely topics at the
Commonwealth Heads of Govern-
ment Meeting in Kuala Lumpur
October. After all, the conference is
to be held in the capital of a
country which has often spoken
strongly against apartheid.

As such it would only be appro-
priate for the government to
prepare and publish a list of all
multi-national companies in Malay-
sia which also have interests in
South Africa. The list should give
information on the nature of their
activities in South Africa as well as
figures on ownership and inter-

mediaries. Companies whose names are included in such an anti-apartheid list could be strongly encouraged to influence their parent companies to withdraw from South Africa. It need be, a boycott of their products would also? order. If such a list were drawn up, it is very likely that Shell would have the dubious honour of being somewhere at the top.

Guidelines On Disinvestment

It is sometimes argued that disinvestment by foreign companies in South Africa would hurt the blacks jobwise. This would be true if it was done insensibly which is why certain guidelines have been drawn up based on those suggested by the Chemical Workers' Industrial Union, an affiliate of COSATU (Congress of South African Trade

i;

Unions) and the US- based Inter-faith Centre for Corporate Responsibility. These include:

" Consultation and negotiation Should be undertaken with unions and union federations, or with workers where there is no ' union. Management must provide sufficient time for consultation and supply full information.

" Adequate provision for workers must be made in the form of severance pay, social security, pension/provident funds and trust funds where there is full disinvestment, and guaranteed conditions of employment, continued recognition of the union and consultation about changes in shareholding in cases of partial disinvestment.

' Open and honest information must be given to the public.

it

the case of partial disinvestment an undertaking must be made not to do business with homeland or government structures.

i A public statement should be issued on the disinvestment including demands of a political nature. In partial disinvestments, a written undertaking and statement must be made that the corporation,s presence will be reconsidered if certain changes do not occur.

' The social wealth embodied in the company - assets or proceeds of the sale - must remain the property of the oppressed people of South Africa as plant, / fits, a fund or in some other cepted and negotiated form.

Where a fund is established the manner in which this happens must be negotiated with the relevant parties.

At this point, it may be useful to :capitulate a bit on Shellis contri-ution t0 apartheid. Shell is the lajor supplier of oil to the South african regime and above all to the lilitary and police. It handles, rfines and markets oil in South frica, where it is the overall arket leader. It co-owns and)erates an offshore station

SHELL PRODUCTS TO BOYCOTT

All Shell products are boycott targets until Royal Dutch/Shell withdraws from South Africa.

Some examples include:

Gasoline Products: Piba (additive)
0 Shell Dieseline uShell of the
Future 0 Shellldyne 0 Silver Shell,
SU 2000, Golden Shell (lubri-cants).

Motor Oils: Mysella o tAeroshell o

Rimula o Rotella 0 Shell Super X
0 Fire and Ice 0 Shell X-100.

Automotive Products: Comfort Ride, Shell Radial
Ride, Shell Radial II, Shellride, Super Shell Aramid,
Super Shell Snowshoe (tires) 0 Meridyne (radios) o
Sentinel (batteries, repair service) 0 Shell Superlife
(batteries).

Home Products: Heritage (furniture polish) 0 Shell
Flea Collar 0 Child Protector Top (safety lids) 0
Home Freshener (room deodorizer) 0 Citrus Blossom,
Open Air, Wild Flower, (solid air fresheners) o Tegen
(roofing).

SHELL SINGLE!) our BY
SOUTH AFRICAN LEADERS

"If Shell is really serious about contributing to the
l struggle against apartheid, it will have to bring itself
to seeing things from our perspective And it is from
that perspective that we have been calling for Shell
and other multinationals to withdraw from our
country. "

(Mr Sydney Mafumadi, Deputy Secretary-General,
Confederation of South African Trade Unions
(COSATU), interview on Ikon Radio, Netherlands,
24 January 1988).

"What is required now is that the entire freedom
loving world community should impose mandatory
and comprehensive sanctions against South Africa
Your task is to intensify your tireless efforts in the .
anti-apartheid struggle, such as the boycott of
multinationals like Royal Dutch/Shell with
apartheid blood on their hands. "

(Speech by James Motlasi, President of the
National Union of Mineworkers, South Africa,
Howard University, Washington 30 October 1987).

through which most of .South Africals imported oil is delivered in spite of an international oil embargo against South Africa. The SAPREF Shell/BP refinery is the biggest in Africa, refining much more of the embargoed oil imports than any of the other three South African refineries. Shipments of Shell Brunei Petroleum oil have ended up in South Africa. Shell has also provided a great deal of technological assistance to the South African regime. Thanks to Shell, South Africa now has the ability to obtain oil from coal, of which it has in abundance thus helping to offset the impact of the oil embargo. In 1984, the company registered 86 patents in South Africa, many of which originated from the laboratories of Royal Dutch Shell in the Netherlands. In 1986 Shell South Africa shipped 22 per cent of all South Africals thermal coal exports to European ports by vessels either owned or chartered by Shell. This came to light after years of refusal by Shell to comment on its role in transporting South African coal to the European market.

_ In what can be described as unethical, Shell has agreed to abide by laws passed in 1977, 1979 and 1985 which allow the apartheid government to take over the company's operations in the event of a national emergency and which prohibit the company from disclosing facts about how much petroleum it supplies the South African government and for what purposes. What this really means is co-operation with a repressive regime as well as a major psychological reassurance for the minority in South Africa which wields power in ways that keep more than 80 per cent of the population herded into designated living areas and reservations, confined only to approved jobs and separated from other family members.

Shell's interest in South Africa is not only in oil and grease but extends to the acquisition of sugar plantations where it is likely to become involved in blending ethanol from sugar to get transport fuel. Its interests also extend into minerals and mining, a timber treatment plant and even wax production. The cumulative effect of all this is it helps the South African government to be more self-reliant and less dependent on imports and hence, less answerable to world opinion.

The struggle against injustice in the form of apartheid by the blacks

in South Africa concerns us directly as human beings. The human bonds of - kinship are common to all irrespective of race and creed and iniquities, wherever they may occur would be an affront to our common human heritage. Indeed they would also be an affront to all that is sacred. It is significant that all the major religions of the world speak with a moral voice never directed at just one or two particular cultures or communities to all of humankind. This is the struggle against apartheid which is ultimately a spiritual struggle which would involve human beings everywhere.

Finally, there exists a great question mark we don't mind admitting. How many of us have actually made a conscious decision to steer clear of Shell? It may not be a handfull. But the real struggle is the one that takes place on moral grounds and for that, numbers are not always necessary. Sometimes just one is sufficient to achieve victory. One only needs to ask who, in the last 27 years has held the higher moral ground - Nelson Mandela or the entire government of South Africa?

APARTHEID: The Statistics

Total Population

Numbers

26 313 898

913 000 2.6%

3 060 000

4 911 000

African

Asian

Coloured

White

Education

Pupil/Teacher Ratio:

Proportion

74.7%

8.7%

14.0%

Economically active population that has not

All-Indian 41:1

Coloured 35:1

Asian 2.121

White 161

completed more than primary School:

African 84%?

Coloured 59%

Asian 24.7%?

White 1.07

Per Capita Expenditure 1986/7

Africans 1"

Coloureds

Asian

White

(R) Including

Capital 11 xpcnd.

476.95

1 031-41 887.08

1 004.20 1 714.03

3 508.00 2 299,1)(1

R lvixuluding
Capital lkpvd.
363,50
" Excluding the bantustans
Average Monthly Earnings
African
R/month
423
500
- v--
Asiuu (lolomcd
R/nIoIIIII R/llHIlllll
705 552
913 (134

\$231, 1.

5 54

7E .

ewasa ini akhbar-akhbar dan
te'levisyen sering menyiar-
kan lapuran tentang ke-
chman terhadap Majlis Peguam oleh
fffang-orang kerajaan, terutamanya
MQnteri-menteri. Majlis Peguam di-
hidas kerana tidak bersungguh-
melaksanakan seruan
terhadap penggunaan

33a Malaysia di Mahkamaw'

A tidak memikul tanggungjawab
untuk menjayakan dasar bahasa
(ybangsaam (Lihat misalnya ken-
fqtan Menteri Pendidikan, En.
anwar Ibrahim, dalam Watan
celuaran 11 May 1989).

Kenapa tiba-tiba pihak berkuasa
menyerang' Majlis Peguam?

Kenapa media kerajaan (bulgan
media massa) kini ghairah mem-
buruk-burukkan Majlis Peguam?
(enapa kin! Majlis Peguam di-
gambarkan sebagai sebuah badan
rang anti-nasional dan anti-Bahasa
vialaysia? Bilakah bermulanya
:empen menentang Majlis Peguam
n1?

Ia bermula beberapa hari selepas
27 Mei 1988, hari Tun Salleh Abas
ligantung daripada jawatan Ketua
r1 ' Negara. Sewaktu Tun Salleh
Hg tung, diTribunalkan, dan
lipecat, sewaktu lima Hakim
dahkamah Agung digantung, di-
Fribunalkan, dan dua dipecat,
dajlis Peguam telah sungguh-
urigguh berusaha membela mereka.
a telah berusaha menegakkan
:ebenaran dan keadilan. Ia telah
terusaha menentang kepalsuan,
nenentang suatu ketidakadilan
uesar yang dilakukan terhadap
Iakim-Hakim kita yang berlaku
enar dan jujur itu. (Nama-nama
nereka yang menganggotai kedua-
Lua Tribunal itu patut dicatatkan
.alam sejarah negara ini. Biarkan
enerasi-generasi akan datang
Efingguh
kgrajaan

,1MAJLISPEGUAM DAN

mengetahui siapakah gerangan
mereka yang telah membuat
sumbangan kepada Tribunal-
Tribunal ini. Wasa" mereka tidak
harus dilupakan.)

Sewaktu Majlis Peguam berusaha
membela Hakim-Hakim tadi dari-
pada penganiayaan segolongan
manusia yang sanggup melakukan
apa sahaja untuk terus berkuasa
,atau maik pangkat' itulah maka
mula kedengaran suara-suara,
nMajlis Peguam tak sungguh-
sungguh gunakan Bahasa MalaysiaP
Ini tidak lain adalah bertujuan
untuk mengalihkan perhatian
rakyat daripada isu sebenar yang

dihadapi, suatu perkara yang sudah beberapa kali dilakukan oleh kerajaan. Memang di negara ini ramai pakar dalam bidang mengalih perhatian rakyat ini. Bagaimanapun kepada sebahagian besar rakyat sudah jelas apa sebenarnya yang dilakukan terhadap kehakiman. Mereka tahu kebenaran di pihak siapa. Mereka tahu kebenaran sudah digantung.

Kita tidak boleh menafikan perlunya penggunaan sepenuhnya Bahasa Malaysia dalam bidang undang-undang. Tetapi antara bahasa dan keadilan, tentunya keadilan lebih penting dan perlu diberi keutamaan. Kalau mahkamah tidak dapat menjamin kebenaran dan keadilan, tidak ada ertinya lagi samada yang kita gunakan itu Bahasa Inggeris atau Bahasa Malaysia.

Timbul persoalan kenapa hanya Majlis Pegti'am yang dijadikan sasaran kecaman kerana gagal melaksanakan penggunaan Bahasa Malaysia di mahkamah? Bagaimana dengan peranan Dewan Bahasa dan Pustaka? Sudahkah ia menyemak istilah dan ungkapan undang-

27
undang dalam Bahasa Malaysia? Belum, kerana mengikut kenyataan Tun Hamid Omar (NST 2 Jun 1989), HDBP telah berjanji akan menyemak istilah dan ungkapan undang-undang dalam Bahasa Malaysia untuk menyeragamkan penggunaannya. Maka apakah munasabah kita mengharapkan peguam-peguam yang rata-ratanya terdidik dalam Bahasa Inggeris dan merupakan lulusan daripada Lincole Inn dan Middle Temple itu untuk menggunakan Bahasa Malaysia sepenuhnya padahal badan tertinggi bahasa dalam negara belum menyemak istilah dan ungkapan undang-undang? Dan bukannya benar bahawa masih banyak Akta yang belum diterjemahkan dan sesetengah Akta yang sudah diterjemahkan pun (termasuk oleh pihak-pihak lain) terjemahannya tidak lengkap dan sempurna malah bercelaru? Dan bagaimana pula dengan peranan Kementerian Kehakiman? Apakah ia telah atau sedang melakukan sebarang usaha sistematik ke arah penggunaan sepenuhnya Bahasa Malaysia di mahkamah? Tidakkah Kementerian ini harus lebih dipertanggungjawabkan atas kegagalan penggunaan Bahasa Malaysia daripada Majlis Peguam? Dan bagaimana pula tentang peranan Menteri Kehakiman sendiri?

Timbul juga persoalan kenapa hanya bidang undang-undang yang

dijadikan sasaran oleh para pe-
juang bahasf padahal dalam
bidang-bidang lain juga, terutama-
nya bidang urusan bank, sektor
keuangan dan ekonomi, pengguna-
an Bahasa Malaysia masih jauh
daripada memuaskan. Misalnya,
Presiden Kesatuan Guru-Guru

Mellyu Semenanjung, qui Nordin
Mahmud, sewaktu menyokong
penggumman Bahm Malaysia :11
mahkamah berkata, "Penuunna
Bahama Malaysia kin! d1 bank-bank
dun inititunl-Imtituul kewangan
manih nepertl d1 zaman penjnqah
wnlaupun usaha-usnha untuk men-
judiknn Bnhm Malaysia Iebugal
bahnsa rasmi audnh lama dijalnkn.
Kemjaan mempunyai , kepentmgnn
besar dalam bnnyak humus! sektor
swam, termuuk bank-bank,
namun Bnhasa Inggeris manih dl-
gunnkan dalam urusniaga sehari-
harinn dan dalam dokumen-
dokumen awam". (Lihat NST 2 J un
1989).

Make bukankah benar bahawa
soal bahasa yang ditimbulkan kini
hanyalah sebagai 2modal' untuk
mengecam Majlis Peguam dan
mengalmkan perhatian rakyat dari-
pada isu sebenardalam kehakiman?
Kenapakah mereka yang begitu
hebat mengecam Majlls Peguam kini
tidak langsung menimbulkan soal
penggunaan Bahasa Malaysia dalam
bidang-bidang yang disebutkan
tadi? Jawabnya mudah. Kerana
golongan berkuasa tidak meng-
hadapi masalah dengan mereka
yang berada dalam bidang-bidang
lm.

Akhbar Watan (11 May 1989)
juga melapurkan bahawa En. Anwar
Ibrahim membidas Majlis Peguam
kerana memohon perintah mahka-
mah untuk memenjarakan Ketua
Hakim Negara, Tun Hamid Omar,
atas dakwaan menghina mahkamah.
uTindakan Majlis Peguam ini me-
malukan", kata beliau. Maka apa-
kah tindakan bekas Hakim
Mahkamah Agung, Tan Sri Wan
Suleiman, yang memohon perintah
yang sama, juga memalukan? Kalau
pun memalukan, memalukan siapa?
Sebenarnya tindakan mereka ini
tidak memalukan sesiapa pun,
kecuali beberapa orang yang tebal
mukanya.

Apa yang sebenarnya memberi
malu kepada negara ini, terutama-
nya kepada kerajaan, kehakiman
dan kedua-dua Tribunal yang
masyhur itu, ialah resolusi-resolusi
yang diluluskan oleh International
Commission of Jurists dan
Commonwealth Maglstrates' and
JudgevAssoclatton yang mengecam
penggnntungan' dun pemecatun
Hakim-anim km. Lebih memllu-
kan lag! illlh kenyutnan pegunm
Geoffrey Robertnon QC, yang men-
yimkan hpunm Tribunal yang
'menyimt' Tun Sulleh ubagai
"dokumen paling him dalnm
sejmh perundngnn modem".
Sewaktu mengumumknn ke-
putusan kablnt untuk mengemukn-

kan pindann kepada Akta Bahm
 Kebangsaan 63/67, bag! meningkat-
 kan penggunn Bahasa Malaysia dl
 mahknmah, En. Anwar berkata
 Bahasn Inggeris maslh boleh di-
 gunakan jika Hakim memakan
 perlu untuk menegnknkan "ke-
 adilan". Kenyataan ln! agak
 mengelirukan. Apakah ada waktu-
 nya apabila Hakim meme tidak
 perlu untuk menegakkan keadilan?
 Atau mungkinkah kadang-kadang
 Hakim merasa perlu untuk me-
 negakkan ketidakadilan?
 Tambah En. Anwar di bawah
 pindaan ini peguam-peguam yang
 mahu menggunakan Bahasa Inggeris
 perlu memohon kepada Hakim. Di
 sini kita tidak boleh menolak
 kemungkinan adanya Hakim-Hakim
 yang tidak mahu membenarkan
 permohonan seseorang peguam
 dalam kes-kes tertentu atas sebab-
 sebab tertentu. (Kita tidak boleh
 mengharapkan peguam-peguam
 yang terdidik sepenuhnya dalam
 Bahasa Inggeris dan lulus daripada
 universiti luar negara untuk meng-
 gunakan Bahasa Malaysia sepenuh-
 nya di Mahkamah, terutamanya
 dalam kes-kes yang terlalu rumit
 dan teknikal. Lainlah halnya
 dengan peguam-peguam yang lulus
 daripada universiti tempatan)
 Berlakunya hal seperti di atas
 pada masa depan tidak mustahil.
 Banyak perkara mustahil telah ber-
 laku kepada kehakiman kita. Kita
 harus belajar membiasakan diri
 dengan kemustahilan begini kerana
 negara kita kini telah sampai ke
 suatu zaman serba kemungkinan.
 En. Anwarjuga tidak lupa untuk
 membidas Majlis Peguam kerana ke-
 curangan yang dilakukan oleh bebe-
 rapa peguam. "Majlis Peguam harus
 berusaha bersungguh-sungguh
 mengatasi masalah kecurangan dan
 penyelewengan peguam kerana kes-
 kes demikian sering dilapurkan",
 kata beliau. Kita berse'tuju dengan
 v.1.
 kenyntnn lm. Momma kmm
 an in! kej:dhm-kejadl:nh pg m
 dun penye ewenun 00 pa -
 pegunm Iemnkln memml.
 Mnl nh bukln mum pman
 nahm, norms balm midltm
 telah didlkwikmm menlpwlmk
 Negm ubunyak 22 jut: '1
 din norms lag! manhunt? _
 dikmknn bend: dI knwmnpir-
 gunungnn Nepal) teh dldlkm
 kerlna menerlmn mulh.
 Tentunya manI-mmml paulm
 yang menipu wang orangumd-luu
 wan; mebuah Iymklt pltutsil-
 kenakan hukumnn yang utimpal.
 Penipuan dan penyekwonm,
 barang siapa sekalipun yang me-
 lakukannya, tidak boleh dilapglkln

begitu sahaja. Tetapi kit! tidlk
boleh menyalahkan Majlis Pegulm
seluruhnya atas kecurangan bebo-
rapa orang peguam. Dan lmm
boleh menyalahkan Po
Doktor-Doktor Malaysia kmm
adanya Doktor yang menyeleweng-
kan wang orangramai sorta men-
datangkan bermacam-macam jenis
penyakit.
Sebagaimana juga kita tidak
boleh menyalahkan En. Anwar
kerana lapuran akhbar Observer di
London bahawa UMNO mendapat
habuan sebanyak \$300 juta hasil
pembelian senjata bernilai \$4,500
juta dari Britain, walaupun En.
Anwar adalah Naib Presiden
UMNO. Mungkin lapuran Observer
itu tidak benar, dan kalau ia benar
(Observer telah mencabar kerajaan
kita untuk menyamannya) tentu
sekali En. Anwar tidak tahu-
menahu mengenainya. Kenna se-
orang pemimpin seperti En. QB!
(dan beberapa orang pem pin
lain) yang selalu bercakap tentans
2maruah2, 2nilai-nilai mum? dan
2akhlak yang tinggi', kalau tahu
mengenainya, sudah 'tentu tidak
akan teragak-agak untuk meletak
jawatan dalam parti dan kerqjaan.
Kalau skAndal begini berlaku di
Jepun, dan kalau sebuah akhbal'
mencabar kerajaan Jepun untuk
menyamannya, dan kalau kmjann
tidak berani saman kerana lapurm-
nya itu benar, maka munlvkin
beberapa anggota kabinet akan
membunuh diri(harakiri). , .
R. Elamovan

CURRENT COMMENT

A record of Aliran's complete press statements made in the preceding month.

I i DETENTION WITHOUT

f f TRIAL - UNISLAMIC!

Ll

he month of Ramadan, a time
I for fasting and prayer is with
l us again. It is an appropriate
l; time in multi-cultural Malaysia for
l Muslims and non-Muslims alike to
reflect on the cruelty of detention
I under the ISA - the injustice of
i being imprisoned without any fair
at)" ublic trial.

gem is no question that the

, I

is abhorrent to the universal
l principles of justice embodied in
l 9 Islam, other religions and demo-
: cratic philosophies.

l! _ We say that the cruelty done in
the name of ISA by imprisonment
and torture for almost thirty (30)
i years must be brought to an end.

VI We ask this government to show
33 commitment to justice in this
special month. It can do so, as it
q has been asked repeatedly, by
f releasing all ISA detainees held in
(Kamunting Detention Centre and
H Police Remand Centres (at least 70
Etc 80, according to official state-
p ments), by lifting all restrictive
conditions imposed on released ISA
P detainees and by removing the ISA
.S from our statute books.

This statement is signed by the
following 22 political parties and
soci 1 organizations listed in alpha-
) order:

5 1 Aliran

)

X

V

lk

i

b The above statement has not appeared in any daily - Editor)

What is morally wrong

t can never be

i? politically right.

ABRAHAM LINCOLN

2) Association of Women Lawyers

(AWL)

3) Chemical Workers Union

4) Civil Rights Committee

(Selangor Chinese Assembly

Hall)

5) DAP

6) Educational & Research

Association (ERA)

7) Electrical Industry Workers

Union

8) Environmental Protection

Society Malaysia (EPSM)

9) Federation of Malaysian

Consumers Association

(FOMCA)

10) Malayan Sugar Employees

Union

11) Malaysian Trades Union

Congress (MTUC)
12) Metal Industries Employees
(MIEU)
13) National Union of Industries &
Smelting Workers
14) Persatuan Sahabat Wanita
(PSW)
15) PAS
16) Pentas Drama Kreativiti
(Pentas)
17) PSRM
18) Selangor Graduates Society
(SGS)
19) Selangor Consumers
Association (SCA)
20) Transport Workers Union
21) Women's Development
Collective (WDC)
22) Workers Organization (WO)
April 1989

29

THE ARMS SCANDAL -
WHY NO ACTION?

liran is surprised to learn
that the Malaysian govern-
ment does not intend to
institute legal proceedings against
the Observer of London for
their news story on the receipt of
kickbacks by UMNO and others in
the \$4.5 billion arms transaction
between the British and Malaysian
governments.

The Prime Minister has explain-
ed that legal action in such cases
has never been effective. This is a
conspicuously timid position to
adopt considering the Prime
Minister's well-known concern for
the honour and dignity of UMNO
and of the nation. In contrast
Singapore's Prime Minister, Lee
Kuan Yew, has never hesitated to
commence defamation suits against
newspapers like the Utusan Melayu
(in 1967) and the Star (in 1988) for
various news reports which he
considered untrue and mischievous.
If the government is reluctant to
get involved in law suits in London,
they should at least carry out a
public enquiry into this matter in
order to show the nation and the
world that the government has
indeed nothing to hide.

15 May 1989 Gan Teik Chee

' Exco Member

(The above statement has not
appeared in any daily - Editor)

UMNO BARU'S MAY 11

CELEBRATION

liran is disturbed that
UMNO Barui's celebration of
the 43rd birthday anniver-
sary of the original UMNO violated
certain basic principles of consti-
tutional government and parliamen-
tary democracy.

Radio & Television extended
transmitting hours on 11 May to
accommodate UMNO Barui's celebra-

tion. In fact, it was treated as a great national event. There was no distinction between a party matter and a national affair. UMNO Baru may be the main party within the ruling Coalition. But the celebration of its so-called birthday is its own business. It should not involve the government and certainly should not involve the entire nation.

In a parliamentary democracy a distinction has to be made between

party and government. It is only in totalitarian societies that there is no distinction between party and state. State resources should never be used for party activities. It is a pity that this has happened. It is equally sad that His Royal Highness the Sultan of Johore was drawn into UMNO Baruls celebration. Our Sultans are constitutional monarchs who are above party politics. Their non-political positions should be respected by all.

16 May 1989 Mohamed Kadir

Exco Member

(The above statement has not appeared in any daily -- Editor)

Thye Poh released : no justice

THE RELEASE OF

CHIA THYE POH

liran welcomes the release in Singapore of Chia Thye APoh who had been held in detention without trial for 23 years. It is gross injustice that a person can be detained for close to a quarter of a century without having been given a fair opportunity for self-defence. There was no trial, no judgement; only an arbitrary exercise of executive powers without the due process of judicial restraint.

This is why laws like the ISA are inherently unjust and can and do become fountains of injustice. With nothing proven through the due process of law there is no justification for Chia Thye Poh to be imposed severe restrictions which restrict his freedom of movement,

THE FINAL NAIL IN THE COFFIN

No majority vote

Is mandate absolute

Fo'r the manipulation

Of our Constitution.

A single amendment the original changes, Sufficient amendments the original replaces.

Majority and minority included

Have a say in any constitution amended.

Thus with the vehicle of referendum

Can government and people work in tandem.

If an amendment need be made ever

Be it towards a society freer

But oppression of the people never.

Article one foumme a carte blanche it provides

The articles five and nine and ten and thirteen

On fundamental rights the culprit overrides

A draconian law like ISA it invites.

Tightened the Internal Security Act'

All their acts done and decisions made a pact.

The final nail driven into the coffin '

Stakes attic i five wo) of the constitution

L

'onemments have the boldness to
east serious allegations against
9 tizens then they must also have
y e nobility to. prove their allega-
T-tions in open court.

Tong Veng Wye
,i'e-May 1989

Assistant Secretary

(The above statement has not
appeared in any daily - Editor)
.Aliran condemns the massacre of
patriotic Chinese citizens
MASSACRE IN CHINA

liran strongly condemns the
indiscriminate _ shooting of
_ unarmed students and de-
monstrators by army units in
Peking over the last few days.
This _unprecedented massacre
eretrated against patriotic
e citizens who were merely
ldemonstrating their commitment to
basic human rights and democratic
governance.

We call upon the United Nation
Human Rights Commission and all
'human rights movements through-
out the world to express their
disapproval of the Deng Xiaoping
regime's brutality in the strongest
terms.

We would urge all concerned
Malaysians to send letters or
elegrams to the Embassy of the
?eoples Republic of China as we
lave done condemning the
:ontinued violence and suppression
)eing carried out in Peking.

iJune 1989 Gan Teik Chee

Acting President

Are you aware of the issues affecting our future?

Do you want to know what is really happening?

Get a grasp of the issues and events that affect us as Malaysians
whatever our ethnic or religious background.

Read Aliran Monthly.

We have tackled all sorts of national and global subjects. Poverty,
corruption, democracy and national unity in Malaysia, apartheid,
Third World development and human rights. Our approach to
these issues is non-communel, non-secterien and truly multi-
racial.

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THE RULE OF LAW i

UNDERMINED

he removal of the principle of
judicial review from the Inter- i
nal Security Act, the Public
Order & Prevention of Crime

Ordinance and the Dangerous Drugs Act, is yet another vicious attack upon the sacred values embodied in our Constitution. , Our Constitution provides for judicial review since it recognises the separation of powers between the Executive and the Judiciary, The Judiciary is given the right and the authority to check the exercise of powers by the Executive. The Judiciary's right to question how the Executive exercise its powers is particularly important in the case of the three Acts mentioned above. For these Acts without the Executive to detain individuals without a proper trial. Arbitrary detention without trial as embodied in the Internal Security Act (ISA) for instance has been misused and abused on numerous occasions since 1960.

The proposed amendments - especially in relation to ISA - will undoubtedly lead to even greater abuse of power on the part of the Executive. What is tragic is that it will not be possible any more to check this abuse through the Courts. It is hard to believe that the amendments will now remove the right of a citizen to apply for any of the prerogative orders of mandamus, prohibition and certiorari, injunction or a writ of habeas corpus.

By legalising the right of the Executive to exercise unfettered, untrammelled power in matters related to fundamental freedoms, the Barisan government is legitimising arbitrariness. The arbitrary use of power is characteristic of totalitarian societies. When arbitrariness is legitimized, the rule of law is undermined.

It is wrong to argue that the Executive should be allowed to exercise its power without submitting itself to judicial review because conditions in Malaysia are different from other countries. Security should not be used as an excuse to curb liberty. There are certain basic rights which are the common heritage of all human beings. Judicial review - the right of independent courts of law to question the actions of the Executive - is one such basic right. It is a right that is

5.11 the more precloue when what in
It Iteke in the life and liberty of I
humen being.

This Is why the Universal Decla-
ntlon of Human Rights, like the
International Covenant on Political
6 Civil Rights, upholds the right of
,the Judiciary to check Executive
lotion. Indeed, our 'own Rukune-
guru recognise: this vital principle In
- ltl dencriptlon of whit a democratic
jociety II.

, Detaining a person without trial
in one of the most undemocretlc
practices ever conceived. Denying
Inch 5 person the bunk: right to
queetlon hie unjuet detention
through I court of law in one of the
most lnhumn acts that ha- occured
(in the nnnale of Malawian hhtory.
21 June 1989 Dr Chandra Muzaffa-
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KHOMEINI : AN ASSESSMENT

continued from page 36

did not offer a rosy future, but rather promised a return to a golden past, based principally on the experience of 13 brief years during which the Prophet had ruled the present kingdom of Saudi Arabia, some 14 centuries ago. His most famous essays are *Kashf al-Asrar* (Key to Secrets), published in 1942, and *Hukumat-i-Islami* (Islamic Government), written in 1971. Both have been translated into several languages, including English. His convoluted style of writing, and the manner and tone of his speeches, became legendary in Iran. None of his speeches can be literally translated into any language without first rewriting the text in plain Persian. Central to the Ayatollah's thinking was the pivotal role of Islam in any Islamic society, in social, cultural, economic and even political matters. And since it is only the Ulama and the Fagaha (the religious jurists) who are informed and learned enough about Islamic matters, it is only natural that they should lead and guide the Ummah (the Muslim community).

The Ayatollah declared that "since Islamic government is a government of law, those acquainted with the law, or more precisely, with religion, must supervise its functioning. It is they who supervise all executive and administrative affairs of the country, together with all planning."

The Fagih (as Ayatollah Khomeini became) is ultimately 'empowered to supervise and monitor the external progress of Islamicisation and the perpetuation of the Islamic state. This constitutionally-created status of the Fagih, wholly absent from the majority Sunni sect of Islam, guarantees an indefinite "dynastic" continuity of the clergy's control over all spiritual, legal, political, economic, social and foreign affairs in Iran.

Ayatollah Khomeini argued that God intended the virtues, characteristic of Islamic government from the dawn of Islam to the reign of the Twelfth (Hidden) Imam, be perpetuated, and that a competent man, combining in himself these supreme virtues, appears and founds a true Islamic government, it means that he has been invested by the Almighty with the same mandate as the Holy Prophet to lead the people, therefore it is the people's absolute duty to follow him." Therefore, once you have an Islamic revolution and an Islamic

state you can strive to create the nearest thing to what the Imams had intended. Since Ayatollah Khomeini was found to have the appropriate virtues, it was only natural that he should lead and that the masses and their representatives should follow.

Posing the question in such polemical terms, the Ayatollah's notion of *ttsink* or *swimli* is unintentionally reminiscent of the debate over the possibilities of *itsocialism* in one country *il* after the 1917 Russian Revolution. Ayatollah Khomeini's *ttStalinist* position regarding the legitimacy of the revolutionary regime, expressed in such dramatically ideological terms, has so far guaranteed the survival of *iiIslamic* government in one country", despite the overwhelming internal and external opposition to its very right of existence. Just as Stalin argued for the consolidation of Bolshevism at home as the best means of defending the revolution, Ayatollah Khomeini, 50 years later, argued that *llnot* to have an Islamic government means leaving our boundaries unguarded. Can we afford to sit nonchalantly on our hands while our enemies do whatever they want?"

Ayatollah Khomeini involved his clergy followers at every level of government and administration. It has been estimated that of the top 1,000 key posts in the country, some 600 are held by Sayyeds (the direct descendants of the Prophet whose religious gown is distinguished by the wearing of a green belt and a black turban), and 50 key posts are held by the Ayatollah's own relatives.

Furthermore, the Islamic state spends an estimated \$3 billion a year on internal security, ensuring the smooth functioning of the

34

4 freely and happily whose *eve* *ttonly* government that *reas* accepts as legitimate and *welcom* 1 act is just and whose right it is rule over the whole world *i'*. Ab these measures were not *enou* a the Ayatollah sanctioned Islam: state coercion by stating "Den forget that killing is also a form mercy There are *ills* that *cann* be cured except through *burnint* The corrupt in every society *shou* be liquidated?

The monopolisation of political power by the clergy is consistent with Ayatollah Khomeini's vision of an Islamic state, as he expressed it long before the victory of the Revolution. The accusation by his opponents, however, that the Ay

tollah behaved contrary to his own: declarations and pronouncements regarding the nature of the revolutionary regime, and the role of the clergy in it, is valid in so far as Khomeini, in his haste to keep the opposition forces united under his leadership, did make "liberal and democratic" promises. The Islamic Revolution in Iran was, according to Ayatollah Khomeini, basically different from all the other ungodly revolutions in history", because it was the first to be based on the will of God. The question may arise that it is and whether other Islamic countries (particularly in the Arab world) were to experience their own such revolution who could legitimately lead it? Unless the Sunni sect of Islam fundamentally transforms its traditions, its Ulama will be unable to lead and govern the ensuing Islamic movement. But the monarchical hierarchy, essential for the organisation of any revolution, is manifestly available in the Shiite sect of Islam. As previous Middle Eastern revolutions and uprisings have illustrated! their inadequacies and failings it would seem that the mullahs in Iran feel qualified to spearhead the late charge of political Islam towards the twenty-first century. According to the formula developed for the "Islamic liberation" of Iraq, the Lebanon, Bahrain, Kuwait and even Saudi Arabia, all with sizeable Shia populations, are ripe for the divine movement.

, short-comings of Arab Nationalism
Put in 'these terms, the Islamic
alternative will undoubtedly seem
attractive, even to the Sunni
Muslims, as the only true indige-
nous alternative to iisatanic rule" in
various Muslim countries, after the
Communism and Arab Socialism,
and Palestinian Populism have be-
come frustratingly clear to the
rulers and the ruled alike. But
perhaps the most attractive aspect,
to Arab peoples, of the Ayatollah
Khomeinils regime has been his
forceful condemnation of things
Western.

The Ayatollah often warned that
everything Western is satanic and
must be rejected. The ultimate
purpose of Western powers in the
Muslim countries is nothing more
than to dominate the land and
undermine Islam. iiWe are not
made to lose your ability to
linvincedii he said iithat you have
istinguish between good and evil,
in exchange for a few radio sets and
ludicrous Western hats. Your atten-
tion has been attracted to the dis-
robed women to be seen on
thoroughfares and in swimming
pools."

What was needed, therefore, was
a righteous force to come along and
remove the Western trappings of
life, so that the believers could see
the true path again. But, as they
surrendered to righteousness, the
use of legitimate Islamic justice
(i.e. force) was essential, both for
the salvation of the individual, and
for the good of society as a whole.
The unwelcome Western in-
fluence was present even in the
" erfluos bureaucracies and the
wms of file-keeping and paper-
shuffling that is enforced in them".
These modern concepts of bureau-
cracies and administration were,
AyatoHah Khomeini decreed, ltto-
tally alien to Islam". The correct
procedures of administering a
modern state, such as Iran, had long
existed: uthe method established
by Islam for enforcing peoples
rights, adjudicating disputes, and
executing judgements is at once
simple, practical, swift. When the
juridical methods of Islam were
applied, the Shariah judge in each
town, assisted only by two bailiffs
and with only a pen and an inkpot
at his disposal, would swiftly re-
solve disputes among people and
send them about their business?
This si lification of the con-
cept of tl ithering away of' the
stateil
?Js proved unobtainable in
practice. Just as the Soviet and
Chinese societies are burdened by

their respective vast and sprawling bureaucracies, the Islamic Republican regime, far from simplifying the exercise of the will of God on earth, routinely presided over the Shah's huge state machinery, utilising it to great effect. The mullahs positively utilised the bureaucracy in ensuring the national impact of the Islamic government, saving its ruthless efficiency to fight Islam's internal and external enemies. Even administering simple justice has been impossible without the machinery of the Pahlavi Justice Ministry, which since the revolution, has been headed by high-ranking Khomeini-minded Ayatollahs.

The phenomenon of Khomeinism, this peculiar Shiite sense of Islam, is likely to dominate the Iranian and (regional) Islamic political scene for many years after and ref 0

He who asks of life
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of his own Wrojan 6!
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the Ayatollah's death. In the absence of an equally powerful alternative, Ayatollah Khomeini's simple and basic notions of life, death; politics and society will more than likely attract young and politically frustrated Muslims, from the shores of the Persian Gulf, to the Red Sea, the Pacific Rim, and as far away as China, the Philippines, and South Africa.

History teaches us that great revolutionary leaders leave their hallmarks on their transformed societies. History also tells us that any grand revolution intends to reconstruct the world in its own image: the United States, after 200 years and the Soviet Union after 70 years of their respective revolutions are still justifying their internal interests in ideologically universal terms. The Iranian (Islamic) Revolution is but the latest contender for universal supremacy - more potent, as it squarely confronts the legitimacy of both the competing Western ideologies in the international arena. 0

The Independent

5 June 1989

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An Assessment
KHOMEINI :