

# The Fateful Knock: Internal Security Acts and Threats to Human Rights

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Michael Cheng from Think Centre, a FORUM-ASIA member, details the Internal Security Act in Singapore. Taking into account grave human rights abuses in Singapore and Malaysia as a result of the bill, the article reflects on how similar acts being proposed in Thailand and Philippines could have the same effect.

"The fateful knock came in the middle of the night, bringing me into a life without light.

They took me away from my family. They threw away my rights and my dignity."

Draconian Internal Security Acts (ISA) have long been used by governments to stifle peaceful political dissent. One of the more unfortunate legacies from British times, such acts are still in use in countries such as Malaysia, Singapore and Brunei. Reginald Hugh Hickling, the British lawyer who first drafted the ISA, wrote in 1989, "I could not imagine then that the time would come when the power of detention [...] would be used against political opponents, welfare workers and others dedicated to nonviolent, peaceful activities".

ISAs are laws allowing the government to detain for a practically indefinite period anyone suspected of posing a threat to national security. According to critics, it is basically a free pass for the government to arrest anyone it likes, without any judicial review whatsoever. Considering the amount of criticisms levelled against ISAs, and the available evidence pointing to ISAs as a severe abuse of human rights and civil liberties, it is troubling to note that Thailand and the Philippines are now considering installing similar laws.

"The ISA has been kept in use all this time mainly because it is a very convenient tool at the disposal of the ruling coalition. It has served as an instrument of terror of the state and used consistently against dissidents who have defended the democratic and human rights of the Malaysian people," said Dr Kua Kia Soong in 2005. He is a noted social scientist who is on the board of directors of the Voice of the Malaysian People or SUARAM, a leading human-rights organisation.

Originally created and used as a powerful weapon to bludgeon communist insurgencies in British colonial times, governments have used ISAs against political freedom and freedom of expression.

In Operation Lalang in 1987, 106 people were detained in Malaysia under the ISA for allegedly being involved in activities "prejudicial to the security of Malaysia." The detained included Lim Kit Siang, leader of the opposition, and Dr Chandra Muzaffar, a prominent human rights activist (both detained for two years), as well as university lecturers, environmentalists, businesspeople and some members of the United Malays National Organisation (UMNO); all were critical of the government.

In April 2001, prior to a planned demonstration to mark the second anniversary of the sentencing of prisoner-of-conscience Anwar Ibrahim, Malaysian police detained nine opposition activists and a human rights defender under the ISA.

Chia Thye Poh, a former member of parliament for the Barisan Sosialis Party in Singapore, was detained without trial in 1966 for 23 years, making him the second longest serving prisoner-of-conscience at the time, after Nelson Mandela. Until today, he has denied government claims of being a communist.

It is worth noting that in 1962 (before Singapore's independence), then Malaysian Prime Minister Tunku Abdul Rahman said that Singapore's Prime Minister Lee Kuan Yew "was taking advantage of an atmosphere of urgency to include a

number of political opponents in lists of [ISA] arrests on purely political grounds."

In 1987, 22 Singaporeans were detained for alleged involvement in a Marxist conspiracy. Most of these were English-educated professionals, hardly fitting the profile of those engaged in such activities at the time. The state claimed that they were out to topple the government by illegal means. Critics saw it as a political clampdown, especially when it came to light that many of those detained were volunteers or were in some way involved with the alternative Workers' Party.

Today, with 9/11 casting its long shadow around the world, governments have justified use of ISAs on counter-terrorism grounds. There are currently around 40 terror suspects under detention in Singapore. In Malaysia, more than 100 terror suspects have been detained since 2000. None have been charged in a court of law. None have had access to legal counsel.

The ISA's impact on Singapore society is a lamentable one. Its effect on stifling political dissent and freedom of expression is undeniable. At political activities not officially sanctioned by the government (rare as they are), it is not uncommon to start looking around to try and spot the officers from the Internal Security Department (ISD). Terms such as 'ISA' and 'ISD' in conversations whispered around the island still spark a certain morbid fascination. The climate of fear generated by the use of the ISA in the past have deterred many today from political activities.

Ms Braema Mathi, former president of Transient Workers Count Too (TWC2) put it succinctly, "What got ingrained was the power of the state and the instruments that the state could use. What we embraced was fear. This kind of thing takes a lot of time to shed."

Think Centre President Sinapan Samydorai notes, "If the intention was to break the backbone of a social awakening of people who could become politically active, then I think they [the government] - more or less - achieved it."

ISAs are a prime example of unjust laws that have no place in a democracy. Any basic premise of innocence until proven guilty is thrown out the window. The government does not bring charges against a suspect in a court of law. How then does a suspect have access to legal redress? The suspects are denied access to lawyers, family visits and independent medical care. They are also at grave risk of police brutality and abusive interrogation methods. Numerous accounts exist of humiliating verbal and physical abuse.

Incredibly, there are some who do not realise, or choose to disregard, the fact that ISAs are unconstitutional. As members of the United Nations, states have an inherent obligation to respect and observe all UN Conventions. Thailand and the Philippines, for instance, have even ratified the International Covenant on Civil and Political Rights. They are clearly going against the grain of internationally accepted behaviour. In showing no regard for the conventions signed, the governments have also brought down their standing in the international community.

Governments are threatening to violate human rights and deprive citizens of their civil liberties by enacting anti-terror bills and ISAs. We need to be constantly aware and wary. In the global war against terror, it is easy to be swept up or intimidated by government rhetoric. We must never give the slightest inch in allowing our governments to embark on actions that threaten our human rights.

There are now movements in several countries campaigning for the abolishment of ISAs. If civil society does not speak up against ISAs, rights will continue to be eroded. Governments will be given the right to knock on your door and take you away, removing all human dignity and rights.

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