

Malaysian human rights report details methods of police repression

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Another crack has appeared in the political support in Malaysian ruling circles for Prime Minister Mahathir Mohamad, who has held power for two decades and routinely used the police and the courts in the crudest fashion to deal with his opponents.

Last month the country's Human Rights Commission (Suhakam) released a 66-page report into a police attack on a major political rally organised by opposition parties on November 5, 2000. It is clear from the detailed evidence that the police manufactured the pretext for moving in, then rounded up and detained 116 people. Whatever violence took place was a product of deliberate police provocation.

The findings are the result of a four-month investigation by a panel of three senior Suhakam officials—Tan Sri Anuar Abidin, Professor Mehrun Siraj and Tan Sri Simon Sipaun. The panel took evidence from 46 witnesses, including 16 police officers, and viewed police videotapes. The report ends, as might be expected, with a feeble call for a police investigation into the actions of their own officers. But it does provide a rare glimpse into the police methods and at least hints at the political motives for the action.

The rally last November was organised by the National Justice Party (Parti Keadilan), which was founded by Wan Azizah Wan Ismail, the wife of former deputy prime minister Anwar Ibrahim. Billed as a “people’s gathering” to support Anwar, who is in jail after being convicted of bogus charges of corruption and sexual misconduct, opposition leaders expected to attract 100,000 people.

Mahathir was desperate to prevent such a public show of support and pulled out all stops to prevent the rally and intimidate the opposition. The gathering was originally planned for the Bukit Jalil stadium and, as the commission stated, would have been peaceful if the police had given permission and assisted with crowd control. But the police refused permission and the rally was transferred

to private land owned by Keadilan near the Kemas Highway at Jalan Kebun.

Because the meeting was to be held on private property, the police had no reason to intervene. But two days before the rally, a group of 50 local residents, out of the blue, held a “counter-protest” calling for the opposition gathering to be stopped and threatening to take the law into their own hands if it went ahead. The Suhakam panel pointed out that the police could easily have taken action against the residents but instead chose to use the threats of violence to warn people away from the Keadilan rally and mount a massive operation against it.

Despite the police intimidation prior to November 5, an estimated 5,000 people turned up for the rally. The commission’s report explains that the police had a policy of “total denial and domination.” Roadblocks were set up to stop people getting to the rally, causing chaos and a major traffic jam that was used as the pretext for police action.

When police moved against the crowd they gave only two minutes warning before using water cannon and tear gas. The immediate reason for attacking the protesters was supposedly an assault on a police officer. But the commission found that the police themselves probably orchestrated the incident.

According to the commission, once the assault was under way police used “excessive and unlawful force” on people trying to leave the rally, on those caught in the traffic jam caused by police roadblocks, and on protesters already in police vehicles. The panel found evidence that teargas was sprayed into a police truck full of detained persons.

The report stated that police abuses did not end after the rally. Female detainees, including Norazimah Mohd Nor, who was arrested after setting up a stall to sell caps, shirts and videos of political discussions, were subjected to humiliating treatment at the Kapar police station. She and

eight other women were stripped, searched and then forced to do knee squats while naked.

According to the commission, police used a five-day remand period not for investigations but to gather intelligence and put pressure on the detainees to make statements. “There was also evidence that the police carried out the cruel and inhuman treatment of detainees, and took advantage of their situation for the purpose of forcing them to confess or otherwise incriminate themselves,” it stated.

The commission also found that police abused bail procedures by telling prisoners that they had to report to the police station for an indefinite period after release. They also failed to provide medical attention for injured detainees.

The report is the first by the Human Rights Commission, which was only set up by Mahathir in April 2000 in an attempt to deflect growing criticism, internationally and in Malaysia, of the government’s flagrant disregard for democratic rights. The government handpicked the commission and gave it no enforcement powers.

As the commission itself pointed out, the police treated the proceedings with thinly veiled contempt. Police witnesses would only give prepared answers and refused to answer new questions put by the commissioners in the course of the hearings. The government has virtually ignored the report. Mahathir dismissively accused the commission of preparing a report to please the West.

But the fact that a government-appointed body should explicitly criticise the police, and implicitly the Mahathir government itself, again points to deep underlying rifts in the ruling elites following the removal and jailing of Anwar. At the heart of the split between Mahathir and Anwar were sharp differences over the direction of economic policy in the aftermath of the 1997-98 Asian financial crisis.

Over the last three years, Mahathir has responded to growing signs of anti-government sentiment in the same way that he did to Anwar—the use of crude police methods. A number of opposition leaders have been detained in the course of the year under the country’s repressive Internal Security Act, which allows for indefinite detention without trial. A number of court decisions, however, have recently gone against the government, indicating disquiet over Mahathir even in these usually politically submissive circles.

On August 6, Malaysia’s highest court, the Federal Court, ruled against the government and voted to allow 10

opposition leaders to present affidavits detailing their treatment under the ISA. They were arrested in a crackdown for obtaining weapons and explosives to overthrow the government—allegations for which neither the government nor the police have provided any evidence.

In a press conference on August 29, opposition leaders revealed details from the affidavits. They explained that during the Special Branch interrogation of the accused the charges against them were not mentioned. Instead the detainees were questioned on the politics and organisation of the opposition parties, on their connections with non-government organisations, and on the conduct and funding of a by-election in November 2000, which the government unexpectedly lost.

One line of police questioning points to an area of great concern for the Mahathir leadership. The interrogators asked the detainees about UMNO leaders who the police believed were still supporting Anwar. The affidavits explained that the police went to considerable lengths using “crude, abusive” methods to denounce Anwar’s alleged sex crimes and insist the detainees cease their support for him.

“The interrogation also revealed a shocking and perverse preoccupation within the Special Branch with sexual matters. Detainees were grilled and abused on their personal lives and pressured to make false statements about sexual activities with various persons,” the opposition leaders told the press conference. Such methods were precisely what the police used to obtain “evidence” against Anwar.

These methods have been the stock-in-trade of the state apparatus in Malaysia for decades. The fact that these are now being made public by the actions of a government-appointed body and elements in the judiciary further indicates that the far-reaching political crisis precipitated by the expulsion and jailing of Anwar has not be resolved.



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