

Sept 6, 2009, Sun - Q: The concern has always been the politicisation of the ISA. Now, the ISA is being politicised by groups demanding its repeal. How do you see it?

A: Yes, there is a tendency for ISA to be politicised by certain groups. Of course, it was an Act enacted way back in the 1960s for purposes of national security and our main concern then, among other matters, was the communist threat. It is time for this Act to be reviewed and we have already agreed to do that. So why was there a need to create trouble and protests in the streets, and make life so difficult for others? It was very disappointing, especially after we had said that the ISA would be looked at with a fresh perspective taking into account the changing times and changing security issues.

Since you announced your preparedness to review the ISA, has there been any formal feedback, any group stepping forward with proposals and recommendations?

I'm trying to get feedback from various groups such as Suhakam and the Bar Council. The AG's Chambers is looking into the changes that are suitable. The people are welcome to give their views and we will study them.

This month, we are going to invite NGOs, religious groups, academicians and the Gerakan Mansuhkan ISA to get their views. More than 20 groups and individuals will be invited. I am moving on to the stakeholders and am starting with the group which is in support of the ISA, then we will move on to the others. What I hope is mature, rational and constructive feedback, not emotional outbursts.

Many right-minded people want the ISA retained with amendments. There are also those who want it abolished and others want it retained in its entirety. Two former PMs fall into different categories. Can you find common ground?

I have been told that to abolish the ISA and create a whole new piece of legislation will take an enormous amount of effort and time. We have decided to amend the Act and at the same time look at amending the Police Act with regards to allowing people to assemble in a secure environment without having to obtain a police permit.

The Section 23 Shah Alam (cow head) incident is one example of how a genuine protest can go horribly wrong when race and religion are involved without some form of check and balance. The target is for the first reading (of the amendments) to be tabled in Parliament in October.

But if the debate is held then, it will only be over four days and I don't want to be accused of not giving MPs enough time. So, the process could go into January. We will take into account present-day security needs and also what is best for the country and the people. Even in the United States, you have the Patriot Act. In Thailand, they are backtracking because of what is going on there. So, it is national security and national interest versus civil liberty - that is the balance we have to decide on when deciding on these laws.

It is largely expected that the 60-day detention period will be reduced, and that some of your wide powers will be curbed. (Smiles) Is that so? Yes, we are looking at the length of the detention period. About my powers of course it is not good if everything is centred on one man. I can accept that. But when it comes to an Act like the ISA, someone must be responsible. The buck must stop somewhere.

As the minister, I have to be responsible and this is where the buck should stop. With regards to the (detention) period, a suspect should be detained over enough time in order for him to be charged in court, or if not released. That is the move when deciding on the time period.

Certain quarters are exploiting explosive racial and religious issues. Those who protested with a cow head in Shah Alam will be charged in court under the Sedition Act, and not the ISA?

The due process of the law should apply. If there is evidence to act against them, they should be charged in court. The

ISA does not apply here. It should be the Sedition Act. There appears to be a lot of kes hasutan (seditious infringements) these days. I have told the police to investigate the case thoroughly. Actions which threaten the peace and security of the country will not be tolerated.

The change in landscape is with regards to those who incite racial and religious emotions in the Internet. This requires MCMC, police and AG's Chamber to work together. That is why Datuk Seri Dr Rais Yatim (Information, Communications and Culture Minister), Datuk Seri Nazri Aziz (Minister in the PM's Department) and I met recently.

On media and press freedom

It is a 24-hour news environment with information flowing freely and the alternative media thriving. Can the rules be relaxed for the mainstream media?

Good question. I see this as entering uncharted waters. The alternative media have been doing a lot of spinning. Some are truths, while others are half-truths and outright lies. This is also happening with the bloggers. So, the mainstream media has a very important role to play. In the past, we had the problem of poison-pen letters, now we have lies circulating on the Internet. That is the new terrain that we have to navigate. Only now the reach is more extensive and the impact is much more serious. The best thing for the media is credibility though many have tried to demonise even that. That is where the mainstream media has an advantage. They have to work harder, be fair, objective and constructive in their reporting. Then I think the mainstream media can compete and have an advantage over what comes through the Internet. That is why I gave this interview to you, and not to Raja Petra (of the Malaysia Today online portal).

Will the Printing Presses and Publications Act be reviewed? Can the annual licensing of newspapers be removed to promote a freer and more vibrant press?

I don't see why not. We can look into this. I've just started in this ministry(four-and-a-half months ago) so give me some time. What we want is to encourage credible journalism and fair reporting. About the print media, it is usually about sensationalising (issues) in order to sell copies. If it is just sensationalising, it is not so bad. But if it is sensationalising with the security of the nation at stake, invoking racial and religious emotions to divide our people even more, then I will have none of it. People are not naive anymore ♦ they can read between the lines, whether there is an intention to sentionalise issues....then you will be no different from the bloggers.

If the mainstream media can operate more independently and investigate, let's say corruption, in a fair and responsible manner and expose these things, that would be all right?

If like you say, it is going to be fair and responsible, then yes. The mainstream media also has to balance its reporting. I monitor what is being reported in the Chinese media and I have been meeting with them every month. I have also been meeting with Utusan (Malaysia) and Berita Harian. For middle Malaysia - The Star and NST ♦ well, I am starting with this interview. I hope it is well-received. We will move on from here.

But how is that a certain publication can get away with stoking racial tensions?

That (feeling) is because more people read Utusan (Malaysia) and not all can follow what is in the Chinese media. As I said earlier, I have met the Chinese and Malay dailies and will continue to engage them. It is not just the question of how many people read what. Just because it is perceived that people cannot read Chinese papers, they do not have to be responsible. It does not take many people to cause unrest in a country like ours. I get reports of what is said in all the newspapers everyday ♦ and this includes even The Star.

On police, crime, caning and whipping

France and Switzerland have a very efficient policing system, and the Australians, as you found out during your recent trip to Canberra. So can a vigilant police cope without ISA

◆cover◆?</p><p>
I think one has to look at various factors, such as the size of the country concerned and the population too. That is why I went to Australia, to get a fairer comparison. It is not very far from us and both our countries share similar regional security concerns ◆ human trafficking, drug trafficking and terrorism. My visit to Canberra was a result of a meeting between the two Prime Ministers recently. Last week, the Australian government sent a high-level delegation to further discuss how we can move forward together. I am pleased with the developments.</p><p>
How do you respond to views that the rising crime rate in the country is due to current punishments having failed to deter criminal tendencies? Some have called for whipping sentences.</p><p>
There are enough case studies for us to determine the trend. I know that many people want stricter punishment to be meted out to snatch thieves and drug addicts. I am thinking more of introducing the community service element. Sometimes, when (a drug addict) comes out (of prison), he instead becomes a hardcore addict. So forcing them to do community service could be a better option.</p><p>
On the caning issue involving a Muslim woman who was caught drinking beer. The international media furore has had a big negative impact.</p><p>
I said that the Prisons Department did not have the expertise to carry out the caning sentence. After that, the Director-General of Prisons and a woman officer who has been trained to cane came to my office and demonstrated how the caning would be conducted. Using the back of a chair, she tapped it with the cane. There was no force involved, and it was not going to inflict pain, certainly not like the caning carried out in schools in those days.</p><p>
I am now satisfied that the caning can be carried out by the department if the courts decide to proceed to enforce the sentence. But I was right that the department had no experience in such caning as the woman (Kartika) would be the first to be caned. Four men who have received caning sentences by the Syariah Court are appealing their sentences.</p><p>
On the merits of the case and whether she (Kartika) should be caned or not, I told the department not to get involved in this. That is not their purview. It is the judicial process which decides that. If the caning sentence is to be imposed, then it is their duty to carry it out fairly as determined by the laws of the land. In any event, let us await developments on the matter.</p>