

The National Security Council Bill (2015)

Another Child Conceived from the Womb of Democracy

News

The National Security Council (NSC) Bill 2015 which was tabled last month, proposed to allow the NSC - which would be chaired by the Prime Minister of Malaysia - to take command of the country's security forces and impose strict policing of areas deemed to face security risks. According to the Bill, the NSC's jurisdiction takes effect once the Prime Minister designates a location as a "security area" - a status that is valid for six months at a time, subject to renewal by the Prime Minister. Once the NSC takes over control of a security area, security forces will have the right to search or arrest without warrant any individual "found committing, alleged to have committed, or reasonably suspected of having committed any offence under written laws in the security area". The NSC Bill contains a clause that said that the national security is safeguarded by giving absolute power to a council consisting of the Prime Minister and his Deputy, Minister of Defence, Minister of Internal Affairs, Communications and Multimedia Minister, Chief Secretary to the Government, Armed Forces and Police Chiefs. Under the bill, the National Security Council, upon declaring a security area, has the right to control the movement of any person, detain or remove any suspects, seize and search any premises, seize any goods and dismiss inquests proposed by any party against the government. NSC equally provide 'immunity' to any governmental action, no matter how wrong and unjust.

Comment

One big question that must be asked is whether Malaysia is now in a critical and dangerous situation or will soon be threatened such that it requires a major draconian law such as the NSC Bill? This is in contrary to what we often hear of statements from law enforcement agencies, especially from the police that there are no terrorist camps in Malaysia, that there have been many success stories of police crack downs and arrests of suspected terrorists, that the crime rate has been drastically reduced, that the police force is highly capable of tracking activities that are considered as terrorism and many other good news in terms of national security. In short everything seems to be under control due to the efficiency of the police in dealing with criminal activities! This is presented to us repeatedly, hence, if all of these are true, why is the government still insisting on the NSC Bill? And we have not even begun to talk about the increasing number of law enforcement members, increased jurisdictions and the ever increasing amount of funds allocated every year to law enforcement agencies, which are often boasted by the government as a success! Previously, the Internal Security Act (ISA) is often used by the government to arrest and imprison their political rivals. As a result of constant pressure from the people, ISA was finally abolished. However, it does not end there because the government created two other draconian laws, the Security Offences (Special Measures) Act 2012 (SOSMA) and the 2015 Prevention of Terrorism Act (POTA). Not content with two of the said Acts, the NSC Bill is created, which in essence gives unlimited power to the Prime Minister!

Various sickening justifications have been given by the government for the creation of the NSC Bill. 'Security threats' and 'possibility of violence' can never be separated from her lips. What is clear is that the NSC Bill was tabled right after the

arrival of President Barack Obama to Malaysia about a month ago. Obama left an important message that the fight against terrorism and extremism must be the main focus and the Malaysian government had already made a strong commitment to this effect where she even signed a cooperation agreement with the United States in this regard. Thus, the drafting of the NSC Bill is a clear proof of the loyalty of Malaysia to the US in an effort to address the threat of terrorism and extremism. It is obvious that the main targets under this law are those Muslims who disagree with the United States and the Malaysian government whereas there is no dispute that the United States is the world's number one terrorist!!

There is no denying that there had been criminals who commit crimes and threaten public safety, in fact, the government had been so proud of its successes in undermining terrorism, extremism and other crimes, without SOSMA, POTA or NSC. Thus, what is the logic for creating these acts, ostensibly to counter threats, which were successfully overcome before the existence of these acts!? Clearly, there is no logic to the existence of these draconian Acts except that the executive wants unlimited power to remove whatever threatens their interests! With the advent of new laws such as the NSC Bill, it further proves that the government is not only dissatisfied with the current law in protecting their interests and wrongdoing, it also proves that man-made law is utterly unable to manage the affairs of man and will never provide true satisfaction and real justice.

It must be noted that although there have been fierce resistance to the NSC Bill, the opposition is mainly based on the principles of human rights and democracy and not on the basis of Islam! Herein lies the confusion on the part of the proponents of democracy. In reality, on the basis of democracy, they should not oppose the NSC Bill, because this Bill was passed in accordance with the law of democracy practiced in Malaysia. Democracy gives people the right to make laws and government only needs the approval of a majority for the law to be passed. This was what happened with the NSC bill, whose proponents have followed the tenets of democracy. Whether it is contrary to human rights or not is secondary, as long as they are approved by a majority of the legislators, then it is legitimate because it is the rights of the members of Parliament to do so!

In reality it is those who are fighting for democracy that are the perpetrators in scrapping the principle of human rights in their struggle. When will they realize that all the draconian laws that they deny were born from the womb of the 'great democracy' that they themselves glorify? ISA, SOSMA, POTA and now NSC, are all children born out of democracy in a legitimate way! Hence, be aware, O proponents of democracy, especially among Islamists and Muslims. Look at how the democratic system puts sovereignty in the hands of men, rather than to Allah! Do you not see things that are as clear as this? How many more draconian laws that violate the commandments of Allah and His Messenger, that the government has to approve for you to realize that democracy is a Kufr system which is contrary to Islam and it is forbidden for us Muslims to acquire it, practice it and disseminate it?

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