

REPRESSIVE LAWS AND POLICE POWER FOR CIVIL SOCIETY

Trainer: New Sin Yew

Introduction:

- Government are supposed to protect the law but ironically they usually are the one who abused it
- the first hurdle you will going to face in activism is using the law
- law prevent you to express, assemble and forming groups

Point 1: Law is a tool

- i. Law regulating NGO/association need registration and approval from government
 - ii. Law regulating assemblies need permit
 - iii. Law regulating free speech
- see a lot of messy rallies in Malaysia. But now in Malaysia public assembly start to become common and it is start to legally accepted – just need to give notice beforehand
 - but it doesn't mean police is not going to arrest you
 - will control your freedom of expression and arrest by police
 - law used as tool, which violate your rights

Point 2: Good law vs bad law

- Laws only have effects if only the people respect it.
- Basic human right is the floor
- if you choose to follow unreasonable law, then it will always be there
- it is important to know your right when you are arrested: Have the right to get legal advice and know why you are arrested
- If you are arrested, do not resist. You will be beaten if retaliated. You must document who arrested me and what have they done. Make sure you have a good support system which give public pressure on authority and police
- must always criticize about what authority doing on you
- When you are pushing boundary, you have to prepare to face repercussion. It is inevitable for activism to go against repressive law without facing consequences

Point 3: Civil Disobedience

- Social Noncooperation is another form of public demonstration and government can't punish everyone
- must provoke authority if not you will not know and advance your rights
- the government will not overnumbered the people
- Grund Norm: Law is what the society accepts it to be.
- No provoke, everyone will just accept things as they are