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Parsosma Enterprise

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Front cover photo: Fuad Rahmat

Back cover photo: PSM's S. Arutchelvan addressing community leaders from 100 areas and communities that Alaigal, CDC and SWP have organized over the past 30 years. All these community representatives came together for a celebration at KIA Hall, Ipoh on 2 October 2016.

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Labour Day reflections

D. Jeyakumar

HAPPY Labour Day!

Let me put today's event in perspective. Forty-six years ago, in 1970, Malaysia's gross domestic product (GDP) was RM10.5 billion. Today it is RM1,250 billion. Okay, there has been inflation of about 400% between 1970 and now. So RM10.5 billion would be RM42 billion in today's ringgit. So in real terms our GDP is now 30 times bigger than it was in 1970! OK, we also have to factor in population growth. The country's population numbered about 10 million in 1970. We are now 30 million strong. That would mean that per capita GDP in real terms has increased 10-fold over the past 46 years.

But are we 10 times better off? Are we 10 times more comfortable? Certainly not! Our college students are burdened with huge loans that take years to pay. Our young people can't afford to buy houses of their own. Their income just isn't enough! Many ordinary families are struggling to make ends meet despite working overtime. Household debt is at an all-time high!

Why is this happening? We are a rich country. Our per capita GDP has grown 10-fold, yet we are suffering! The problem is that a lot of the wealth

in this country has been grabbed by the top 10%. That is why the rest of us are struggling.

To challenge the top 10% and claim a fair share of the wealth of this nation, the ordinary people have to get together. This is why PSM organizes events like this May Day rally – to bring people together to talk about our issues and demand a better distribution of the wealth we create together.

It is important that we do not remain divided by race or religion but work together to create a fairer society. We should be concerned about the welfare of all Malaysians whatever race they belong to. Only when an Indian activist speaks up for poor Malays, and Malay progressives champion the cause of the Orang Asli, can we build the people's movement that can challenge the greed of the top 10%.

We have in our midst 5.5 million foreign workers. And it is true that their presence poses problems for our working people: because foreign workers can be bullied into accepting lower wages or long work hours without overtime,

Malaysian workers from the B40 (bottom 40% income group) have difficulty finding jobs. The bosses much prefer to employ the foreign workers.

But let's be clear here – the foreign workers are not our enemy, and the way out is for us to empower them. If they are not so easily bullied, then they would not represent such big savings to the bosses. And our B40 would have better access to jobs. Empowering migrant workers is good for our B40.

Unfortunately, many Malaysians do not understand this. Whenever PSM speaks up for foreign workers, there are netizens who are quick to chide us, saying that we should be more concerned about local workers. They do not understand that protecting foreign workers from exploitation is actually beneficial to our workers.

If we wish to redistribute the wealth of this country more equitably, we must understand who the real enemy is. It's not the foreign worker. It's that portion of our elite who make hundreds of millions in commissions and fees from the business of importing foreign labour. It is only when we understand this reality that we can address income inequality in Malaysia in a meaningful way.

Workers of the world unite! Happy Labour Day!

D. Jeyakumar is a PSM Central Committee member. The above is the text of a May Day speech.

This is why we need a Workers Retrenchment Fund, Mr. Minister!

A. Sivarajan

THE recent abrupt shutdown of the High-5 bread factory and the termination of employment for its more than 500 workers nationwide underlines why the government needs to immediately set up a Workers Retrenchment Fund.

Even though the company had been suffering losses for the past few months, the workers were never informed nor given any prior notice. Up to the last day of work, manufacturing was running at maximum capacity. But when they arrived for work on 23 June 2016, they were given termination notices and told not to come for work anymore. The offices were abandoned and the management was nowhere to be seen! They were left in the lurch with only a half-month's salary for June. With the upcoming Hari Raya celebrations in early July, the workers are devastated, faced with empty pockets and lost hopes.

Many will resort to borrowing from "ah long" to ensure the Hari Raya celebrations will continue at least for their children at home. They will be unable to make payments on their car loans and will default on their housing loans. Within just 24 hours, the High-5 work-

ers have been pushed into poverty, and through no fault of theirs!

This is why there is an urgent need for a Workers Retrenchment Fund to assist workers when the employer winds up and absconds without paying his workers their dues according to the Employment Termination and Layoff Benefits under the Employment Act – 20 days' wages for each year of service (if total length of service is more than 5 years). Such a fund will also help the macroeconomy in a recession by preventing too rapid a contraction in aggregate demand, as the retrenched worker will still get some income from the fund and will continue to contribute to aggregate demand.

According to Labour Department figures, the number of workers retrenched was 25,917 in 2014 and it increased more than 45% to 38,499 in 2015. The Department reports that around 31.4% of the retrenched workers do not receive any compensation due to the employer winding up or absconding.

While the interests of investors, banks and secured creditors are safeguarded in the event a company undergoes liq-

uidation, the company will only abide to pay its workers' wages as an unsecured debt. If the investor or creditor banks are unable to recover monies, it would be chalked off as a bad business deal, but for the workers, being unable to recover their wages means that they are unable to put food on the table for their families, and they might see their houses auctioned off!

The Workers Retrenchment Fund has been proposed since 1998 to provide immediate assistance to workers like the former High-5 employees.

PSM proposes that the Human Resources Ministry immediately initiate a Workers Retrenchment Fund with a seed fund from the government, topped up by contributions by employers and employees. A 50 sen contribution from each worker and another 50 sen contribution on the part of the employer would generate RM6 million per month. This fund should be managed by SOCSO and provide immediate payouts to workers so that they do not fall into the poverty trap. – 29 June 2016

A. Sivarajan is the PSM Secretary-General.

Will the government ensure its own contractors pay the new RM1,000 minimum wage?

Rani Rasiah

WILL the government itself abide by its minimum wage deadline? Will all the contract workers working in its various departments be paid the minimum wage for July 2016?

Will the Education Ministry ensure that its own contractors providing cleaning and security services pay cleaners, gardeners and security guards working in its more than 10,000 schools in the country the RM1,000 minimum wage at the end of July?

These questions arise because the government contractors are telling their workers that they have not received instructions yet and that they would not be able to pay the new minimum wage. If this really is true, the Education Ministry is being irresponsible and uncaring towards its contract employees.

There is basis to the doubts over the implementation of the new RM1,000 minimum wage. The damning truth is that a large number (possibly even the majority) of contract work-



Contract cleaners who have not been paid wages for 8 months.

ers under the Education Ministry have to date not been paid even the minimum wage for the year 2013. The government says the onus is on the contractors to fork out the money to pay their workers the minimum wage and then claim afterwards; the contractors on their part blame the government for not making available the differential sum. While the Ministry and its handpicked contractors

play pass the buck, the workers remain deprived of the minimum wage arrears that are rightfully theirs.

Even now, the minimum wage differential sum of about RM2,400-3,000 per worker [RM900 (2013 minimum wage) – up to RM700 (actual wage) X 12 months], which should be in the possession of the Ministry, could be released to the workers immediately.

But the Education Ministry chooses to bind itself to bureaucratic limitations of its own making.

The contract system that has been adopted by the government for jobs of a non-contract nature in government departments is highly exploitative. There are no annual wage increments, so cleaners with 10 years' service, for example, earn the same wages as new workers. The contract workers are not eligible for government housing loans, and their health-care is not covered by the government if they require referral to the National Heart Institute (IJN). They are not eligible for old age pension either. In addition, there are numerous examples of contractors who squeeze their workers by underpaying wages, not contributing to or pocketing EPF contributions, not making SOCSO contributions, etc.

The contract system may be central to the government policy of developing a Bumiputera contractor class but it is definitely at the expense of the impoverishment of a whole category of workers.

The Education Ministry must take immediate steps to ensure that the new minimum wage of RM1,000 is paid, on time, to all contract employees in its premises. – 20 July 2016

Rani Rasiah is a member of the PSM Central Committee and coordinator of its Migrant Desk.

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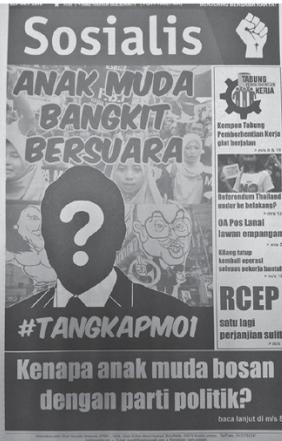
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The *Akhar Sosialis*, established in 2003, is a socialist monthly paper in Malaysia. As of 2015, the publication remains in actively engaging Malaysian marhean with issues that related to them. It aims to present socialist's ideas and shape discussions towards resistance against any form of exploitation and building a genuine people's alternative.

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Bangladeshi workers are not our enemy, the system is!

K. Simon

JARINGAN Rakyat Tertindas (JERIT, Oppressed People's Network) is appalled to see the reaction of various parties to the plan by the Malaysian government to bring in 1.5 million Bangladeshi workers over the next three years. Many are pointing fingers at the Bangladeshi workers and accusing them of being rapists and criminals and of robbing locals of work opportunities. On its part, the government is blaming locals, alleging that Malaysians do not want to work in the so-called 3D – dirty, difficult and dangerous – jobs. The government also claims that the demand for migrant workers was from the employers.

JERIT would like to raise several questions:

- i. Why does the government suddenly want to bring in the Bangladeshi workers when the Malaysian Employers Federation (MEF) has disagreed with this plan? So which employers are the government referring to?
- ii. How true is the claim that Malaysians can't work in 3D sectors? It's a fact that Malaysians used to work



Many work in difficult and dangerous conditions.

- iii. Will the government disclose the agents and contractors appointed to bring in the Bangladeshis and also display the full list of companies requesting additional Bangladeshi workers?
- iv. A few weeks ago, the government announced an almost 100% increase in levy supposedly to reduce dependency on migrant workers (now that idea is on hold). Isn't this contradictory to the intention to bring in 1.5 million migrant workers? To set the record straight, JERIT would like to emphasize the following:
 1. Migrant workers are not our enemies. They're shipped to Malaysia in



Bangladeshi workers pay up to RM14,000 to come to Malaysia.

line with the cheap-labour policy that our government relies on to attract local and foreign investors. This policy was formulated by the Malaysian government, NOT the Bangladeshi workers. It's reported that the memorandum of understanding (MoU) between Malaysia and Bangladesh agreed a minimum wage of RM800 to RM900 for the foreign labour, in contrast to the minimum wage of RM1,000 for Peninsular Malaysia. Isn't this clear and irrefutable proof of the government's cheap-labour policy?

2. There are approximately 5 million migrant workers in Malaysia and most of them are undocumented. On top of this, there are more than 150,000 refugees as well. Foreign workers form about 30% of Malaysia's workforce. Bringing in another 1.5 million work-

ers would only increase our dependency on migrant workers.

3. The level of exploitation will further increase. Apart from their low wages, migrant workers are forced to work in unsafe environments for long hours (exceeding 12 hours), with high charges for levy, work permit and medical fees. A study has shown that one migrant worker dies every day due to occupational accidents.

4. Migrant workers are extremely vulnerable to becoming victims of human trafficking syndicates. Malaysia has a bad record in handling this!
5. During an economic downturn as is unfolding now, the unemployment rate will go up as employers try to reduce spending. According to the MEF three days ago, 26,000 workers were re-trenched last year and more will be losing their jobs this year. What, then, is the rationale for bringing in more migrant workers at this point in time?

This huge mess in the labour sector is NOT caused by the Bangladeshi workers but is due to the government's bad policy and poor enforcement. Our government should immediately stop its exploitative treatment of workers, both local and migrant. Document all the irregular workers, legalize and provide them work with decent pay. – *JERIT press statement (19 February 2016)*



It is very easy for foreign workers to become undocumented.

A comprehensive national policy on labour migration now!

Rani Rasiah

THERE are many contentious issues associated with labour migration in Malaysia, and given the significance of migrant workers to the economy, and their numbers, it is not a problem we can afford to ignore. Migrant workers constitute 33% of our workforce and make up 20% of our population. More than half the migrant workforce in the country is undocumented. Certain economic sectors have become so dependent on migrant workers that there's a fear of collapse if they are withdrawn.

Yet where are we headed? Is this part of some comprehensive, well-thought-out plan made in the long-term interests of the country and the people? Is this a temporary phase of Malaysia's development strategy which we will ease out of gradually? Or is this part of a longer-term plan that will allow for some integration into the Malaysian population? Nothing is clear, and policy decisions don't seem to conform to any particular strategy. Instead, decisions on important issues are frequently reversed and seem influenced by short-term considerations. While official rhetoric on integration seems to point to a big no, unmatched by suitable policy,

an opposite, not unexpected reality appears to be materializing on the ground.

This new wave of labour migration into the country would doubtless have been motivated by a desire to overcome labour shortage in certain sectors, and would have been managed by the government. However, with privatization and its profit motive, it has evolved into a lucrative industry attracting all manner of private agents, middlemen and rent-seekers in both host and sending countries, all rushing to grab a piece of the pie and prepared to use any means, legal or illegal, to get a share.

This major shift in the philosophy behind labour migration underlies many of the problems we face today. The supply of labour doesn't seem to match or be determined by the manpower needs of the country at any time. Likewise, the demand for migrant workers by employers doesn't seem to be to complement the local workforce, but rather to replace it with cheaper, more pliant labour. Both Malaysian and migrant workers are victims of this situation which forces down wages and weakens bargaining power. Migration costs

have also increased.

As long as this situation is allowed to continue, some parties are going to profit enormously, but at the expense of workers and the country. Even if the government takes measures to tackle persistent problems like the growing pool of undocumented workers, human trafficking and forced labour, there will be little chance of success without a total change in the logic of labour migration. This has been amply demonstrated by the repeated failure of government programmes to regularize and rehire the millions of undocumented workers.

There is an urgent need to honestly evaluate the situation and formulate a comprehensive national policy on labour migration that has as its core the good of the country. Such a policy should be based on a reliable assessment of the manpower needs of the country, and respect for the workers' and human rights of the entire workforce, local and migrant. Such a policy should remove the profit incentive from labour migration and help clear, among others, Malaysia's terrible track record in human trafficking and forced labour. – *I August 2016*

Political will needed to resolve labour migration issues

Rani Rasiah



A multi-million-ringgit business for the labour agencies.

A RECENT roundtable discussion on the need for a comprehensive policy on labour migration reveals how much agreement there is among stakeholders on the fundamentals of labour migration. This gives hope that the underlying causes of the many problems plaguing labour migration could be addressed without having to contend with conflicting demands from opposite sides of the divide. It only remains for policymakers to make a sincere attempt to change the situation.

The roundtable, held on 4 August 2016, was organized by the Migrant Workers' Right to Redress Coalition and hosted by the Development Studies Department of the University of Malaya Faculty of Economics and Adminis-

tration. It focussed on the aspects of recruitment and labour, and brought together representatives of the government, employers and workers, including home-country embassy officials, the Malaysian Trades Union Congress (MTUC), civil society organizations as well as groups representing migrant workers.

Removal of the profit motive from recruitment and management

The most significant recommendation put forward by both the Malaysian Employers Federation (MEF) and workers and their organizations was that the profit motive should be removed from the recruitment and management of migrant labour. Recruitment should be

determined by the actual manpower needs of the country; it should complement the local labour force and other existing sources of labour including undocumented workers and refugees.

G to G and the elimination of private agent involvement

In line with this principle, all stakeholders favoured the government-to-government (G-G) mechanism of hiring and managing migrant labour, and the total elimination of private agent involvement. Removing the profit motive, it was agreed, could help overcome the many persistent problems associated with labour migration in Malaysia.

One main problem G-G can resolve is the oversupply of migrant labour that has contributed to the massive numbers of undocumented workers and forced labour, and considerably weakened the bargaining power of all workers. This is in no small measure due to the involvement of private agents in the procurement and management of migrant labour. A recent hiring exercise by the government attracted applications for 21,000 workers for the plantation sector. Official screening

revealed that only 3,000 workers were requested by bona fide employers; the remaining 18,000 workers were sought by bogus employers! Expectedly, G-G is not popular with those whose business is migrant labour supply.

By keeping a handle on supply and management, G-G can help remove the incentive of trading in migrant labour supply, and thereby curb human trafficking.

The problem of debt bondage and vulnerability, resulting from high recruitment fees charged by private agents in the home countries, can also be meaningfully addressed through G-G. Currently workers are forced to borrow heavily to pay recruitment fees, and thereafter have to forgo wages for up to 6 months in order to settle their debts. The cost of recruitment through G-G is about a quarter of that paid to agents. For example, the recruitment cost for a Bangladeshi worker through G-G is RM3,000 but agents charge RM13,000.

Only one medical report from reputable clinic in home country

Costs can be further cut if the current practice of paying for two medical reports, one in the home country and one in Malaysia, is done away with. Employers shared their discontentment over how the cost per medical examination shot up from RM60 to RM180 after the private entity FOMEMA took over the service from the government. The proposal was for



Roundtable discussion organised by the Right to Redress Coalition at Universiti Malaya.

workers to obtain only one medical report from a reputable medical outfit in the home country.

Only one ministry to handle all aspects of employment

There are currently too many ministries handling labour migration, with poor and little coordination among them. In addition, the Home Ministry, which should be concerned with immigration and security related aspects of labour migration, has the final say on even work-related matters. There was complete agreement that this arrangement was problematic for all stakeholders, and that only one ministry, the Ministry of Human Resources, should be responsible for and manage all matters related to employment of migrant labour.

Political will needed to make changes

What was clear at the roundtable discussion was that existing policies on recruitment and management need to be completely revamped and, importantly too, that key aspects

of it can be done with the full support of workers and employers. It is now in the hands of policymakers to make the changes. The changes proposed are not novel and are already partially in practice now; for example, the government has G-G arrangements with certain sending countries.

What is needed is the political will to make these fundamental changes. Labour migration has become one of the sectors that the government has used for its affirmative action agenda of creating a Bumiputera contractor class. So a big shift in thinking is needed. That will be harder for the reason that it is not just affirmative action pure and simple anymore, as vested interests have hijacked the agenda. Big, lucrative business opportunities have been created in labour migration and gifted to cronies of the political elite.

Taking over recruitment and management from private hands will not be a simple matter for the government. But it is something the government shouldn't postpone doing. – *1 September 2016*

The most inspiring people

Letchimi Devi

SOMEHOW today I have this strong urge to write about refugees. Not because World Refugee Day (20 June) is coming up, but simply because most of the write-ups in conjunction with WRD that I've read focus only on the subject of law and human rights. The people themselves, the refugees, their will to survive and their endurance don't seem to figure centrally.

Nevermind the law! After all, it doesn't even protect all of us who are considered rightful citizens of this country. Laws in capitalist countries are not made in the interests of the ordinary working class but are for the rich and powerful. I'm sure you have heard of the recent study by the International Trade Union Confederation (ITUC) which found that "global supply chains of 50 companies employ only 6% of people in a direct employment relationship, yet rely on a hidden workforce of 94%". There go your laws and human rights!

What about the refugees themselves? Having had the opportunity to work with asylum seekers and refugees for the past 12 years, I find that many among them are the most inspiring people. When they



arrive in Malaysia seeking asylum, the majority practically start from zero – no money, no shelter, no guarantee of a next meal, no idea of who to trust or not trust. Above all, they have to find a way to make a living in hiding to avoid the authorities who deny them the right to work legally. It's even worse if they have medical conditions. The humiliation, hunger and

abuse that they have to endure for years are mind-boggling.

Imagine someone who has fled their homeland with their family, elderly parents and children, and now faces a life of not knowing what is going to happen next in an alien country. Hope and motivation are in desperately short supply and the future appears bleak. Regardless, many asylum seekers

and refugees are surviving here in Malaysia.

Some of them have been here for two generations, some are new arrivals. The communities help each other to live with dignity. They use their skills, knowledge and will-power to move on. Some of them take the initiative to run community schools, organize medical clinics and provide counselling services that range from marriage counselling to assistance in the event of detention and arrest by the police and immigration authorities. They even conduct marriage and burial ceremonies with the help of religious bodies. They reach out to donors and local organizations for support. They try their best to give motivation and some hope to their people through sporting activities, skills training and excursions. They have very little in terms of ringgit and sen but their endurance and humanity is admirable. Whenever there is a cry for help, the community organizations are the first to reach out. Believe it or not, some of these refugee community organizations even extended support and donations to Malaysians



some two years ago during the devastating floods!

I have seen many truly courageous individuals among the refugees, including single mothers who provide for their families by setting up home-based businesses, managing small farms or providing repair and maintenance services. Despite their low and uncertain income, they still share some portion of their earnings to help other community members in need. They share what little space they have with others who can't afford to even rent a room in a flat.

In this tough environment, they are also vulnerable

to criminal activities such as trafficking, kidnapping and begging syndicates, but are they to be blamed when the system is at fault? The current system we are living in breeds war, racial discrimination, institutionalized crime, disease, poverty and environmental disaster.

Let's hope that we Malaysians develop more empathy towards refugees. The imbalanced system is prone to turbulence and upheaval. I am sure that, if some catastrophe were to happen in future and some of us have to flee to another country seeking asylum, we would want to be treated well.

If I were in a refugee's shoes, I don't think I would have the strength and endurance to take care of myself, my family and, on top of that, my community in a country like ours where refugees are denied their fundamental human rights. It is with this humbling realization that I offer a salute to our refugee comrades in Malaysia. – 18 June 2016



Refugee communities have to organize their own classes.

Giving a voice to single mothers

Veronica Anne Retnam

THE term “*ibu tunggal*” draws a lot of sympathy among the Malaysian public. However, PSM’s involvement with single mothers extends beyond a show of sympathy. Sympathy is simply an emotion; it is action that is needed. But in order to take concrete action, one needs to understand the reality so that the action addresses the real problems faced by single mums.

PSM’s experience

Being a political party that is very much rooted in the lives of the marginalized, PSM’s service centres and members come face to face with the harsher realities of life. One group that have been coming consistently for help are women whose husbands are not around or who are no longer breadwinners.

PSM MP for Sungai Siput Dr. Jeyakumar Devaraj invited the author to his constituency in 2005 to conduct interviews with around 40 single mothers he had identified, in order to understand the realities of the lives of these women. Among the salient points raised in that study were the desperately low incomes of many female-headed households and the dire need for a safe place for the children while



Press conference by the Friends of Single Mothers on 8 March 2016.

their mothers went out to work.

The difficulties faced and requests made by the mothers and children were presented to the Ministry of Women, Family and Community Development (MWFCD) in January 2006. However, there was no response from the Ministry. Recognizing the need for a safe place for the children but given the constraints facing PSM in running such a centre, the idea was passed on to an Ipoh-based church group and a childcare centre was set up in Sungai Siput. Transport was arranged for the children to be picked up from their homes by 7am and sent home at about 6pm.

The centre was managed by a committee and staffed by a house mother and a kitchen helper who saw to the children’s meals (breakfast, lunch and evening snack), hygiene and cleanliness. It was a place

where the children made friends and learnt some basic literacy and numeracy. For this purpose, the house mother, herself a single mother with two young schoolgoing children, was trained monthly by a volunteer educationist from out of town. These sessions were over a period of one week for about one year.

Today there is another coalition of faith-based NGOs (Christian and Hindu) that maintains six houses in Sungai Siput and provides accommodation to about 20 women and childcare for about 25 children. Besides providing nutritional support, the childcare centres also offer tuition support for the children.

Growing numbers necessitate a national study

Meanwhile single moth-

ers continued seeking help from PSM's service centres. Growing economic hardships like rising prices of food, increase in rentals and erosion of public transport were adding to the burden of the single mothers, who are among the poorest of the poor in our society.

With the setting up of PSM's Women's Desk, one of the plans made was to take up women's issues from a working-class perspective. There was a need to define more clearly the main issues and policy directions for advocacy.

Towards this end, the Women's Desk undertook a study to investigate the profile of single mothers and the nature of their difficulties. It liaised with all PSM branches throughout Peninsular Malaysia, asking each of them to contact five low-income single mothers with schoolgoing children. Specific questions were framed for interviewing these single mothers. These questions related to the education levels of the women, income earned and financial support received and their respective sources, food and drink patterns for their children under 12, accommodation issues, and schooling-related expenses.

The following are the main findings of the study:

- The majority of the single mothers interviewed were between 20 and 40 years old, with most having no formal education or only up to primary school level, and 90% earned incomes below RM900 doing jobs in the

informal sector.

- Children below 6 were left in the care of older siblings or aged relatives while the mothers were at work.
- Accommodation was a major problem as rentals were high (RM300), forcing some single mothers to leave their children with different relatives, some constantly shifting houses due to the inability to clear rental debts.
- None of the children below 3 in the study were provided with milk purchased with income earned; however, some received donations of milk. Most children below 12 drank plain tea or coffee. The few who drank Milo were from families which received assistance. Children whose mothers owned motorcycles (the better-off ones) also drank plain tea/coffee.
- In terms of nutrition, children below 12 were served chicken one to four times a month and a cheap variety of fish one to four times a month. For those who had vegetables, it was limited to one serving a day of vegetables purchased at RM2 (one bundle) for the whole family. There was one mother who could not purchase any vegetables and could often only provide rice with rasam (a thin, spicy soup) and papadam (a lentil-based

wafer). Many women cooked once in two days to save on gas. Fruit was hardly provided. Some did purchase fruit once a week; this was limited to 3-4 bananas used as offering for deities and then served to the children.

- School expenses were a burden; these included transport costs (about RM50-70 per child), uniforms, shoes and food at school. The mothers wanted tuition for the children but could not afford it.
- The health of the mothers was also a problem.

Forming a coalition for advocacy

Although PSM initiated the single mothers study, we felt that it was necessary to consult with other groups engaged with single mothers in order to validate the results of PSM's study and to help formulate a set of practical suggestions to present to the government.

Invitations were sent out to NGOs, church groups and women's groups. Representatives from eight groups came together to discuss the PSM study over several meetings, and a coalition called Jaringan Rakan Ibu Tunggal (Friends of Single Mothers) was formed. This group worked on recommendations for consideration by the Ministry of Women, Family and Community Development, cognizant of the fact that there are more than 250,000 households headed by women in the country.

A memorandum was presented to the Honourable Minister's representative in Putrajaya in February 2015. The memorandum focused on the issue of the low income of many single mothers and its impact on food, housing, education and transport as has been described earlier in this article. The recommendations put forward included:

1. A review of the official poverty line income. RM720 is far too low for a family with three schoolgoing children, and this unrealistically low figure excludes many single mothers from getting assistance from the Department of Welfare. The poverty line should be set after taking into consideration the minimal costs of housing, food, education, transport and clothing.
2. A voucher system (for food, transport, rent and childcare) for single mothers earning less than RM1,500 with children below 18 years of age. This would necessitate a larger budget for the Department of Welfare.
3. Regular ground visits by trained counsellors to help single mothers cope with their situation.
4. Review and enhancement of effectiveness of rehabilitation programmes at drug detention centres and prisons so that men will be more responsible fathers when they are released.
5. A national database of

single mothers in order for the MWFCDC to implement and monitor an effective programme.

The MWFCDC responded to the Jaringan's memorandum almost a year later. While the Ministry responded positively to some of the recommendations, it defended the use of RM720 as the poverty line income. The Ministry argued that RM720 was sufficient to ensure that members of the household remained healthy and functioned actively in society. It further stated that the poverty line was based on the World Health Organization (WHO)'s balanced food concept and took into consideration household demographic characteristics such as size, composition, age, weight and gender.

The Jaringan felt that the Ministry should do more and called for a press conference on International Women's Day 2016 (8 March), focusing on the need to increase the poverty line income to a more reasonable figure such that more single mothers would be included. The Jaringan also reiterated the other recommendations from the memorandum such as government-funded daycare centres, quality community-based preschools, food vouchers, transport support, subsidized housing and counselling services.

The effort to support single mothers extended to another front through a meeting with the Women's Parliamentary Caucus on 25 May 2016. The Chairperson of the Caucus, YB Azalina Othman Said, and

six other MPs attended this meeting, which had been arranged through YB Kasturi Pato. A group of single mothers together with some representatives from the Jaringan asked the women MPs to lobby for a budget that is double the present amount. It was a short meeting and the group requested for a meeting with the full Caucus at the next parliamentary sitting.

Conclusion

No initiative can succeed in isolation. More civil society groups must come forward in the push to change policy in favour of the poor. The government's poverty line income must be set at a more realistic level and assistance must be forthcoming for vulnerable single mothers and their families. The proposals put forth, such as food vouchers, childcare centres within walking distance in every poor neighbourhood, subsidized housing for the poor and counselling services in poor neighbourhoods, will help these disadvantaged families pick themselves up.

Society stands to gain from such care of the poor. Supporting poor single mothers will mean fewer school dropouts, less juvenile crime, healthier children and happier families. Punishing children for the loss of their fathers makes no sense! Is all this too much to ask? – 4 July 2016

Veronica Anne Retnam is the Coordinator of Jaringan Rakan Ibu Tunggal.

The radical origins of International Women's Day

Choo Chon Kai



Women's Day rally in Russia, 1913.

ON 8 March every year, civil society worldwide celebrates International Women's Day in remembrance of the struggles to uphold women's rights and gender equality. However, many of those who celebrate this day may not know of the radical origins behind International Women's Day.

The Left's theory of women's oppression

Prominent socialists in the 19th and early 20th centuries, including Karl Marx, Friedrich Engels, Clara Zetkin, Rosa Luxemburg, V.I. Lenin, Alexandra Kollontai and Leon Trotsky, developed a theoretical framework regarding the oppression of women in class

society and the need for women's liberation struggle in the building of socialism.

According to Marx and Engels, women's role in the nuclear family in class society is the main cause of the exploitation of women. Women's subordinate role in the production of the material needs for society is a major cause of their subordinate position in society. Women's unpaid and unappreciated role as biological reproducer/housewife lowers their status in society. In capitalist society, the role of women in rich families is to reproduce male heirs while women in working-class families reproduce the future workforce for the capitalist system.

The precondition for

women's liberation from gender exploitation is to end unpaid labour in the family, which is possible only through a socialist transformation of society. The early Marxists believed that these changes would not happen gradually but would unfold through the revolutionary process of class war in which women have an important role.

International Women's Day triggered revolution

The German Social Democratic Party (SPD), a Marxist political organization, formed a socialist women's movement towards the end of the 19th century. In 1891, the SPD created a bureau led by women, with Clara Zetkin as one of its prominent leaders.

On 28 February 1909, the Socialist Party of America organized a rally in New York commemorating a strike by clothing and textile workers (the majority of whom were women) the year before. That rally was seen as a National Women's Day rally with its demands for higher wages, better working conditions and voting rights for women.

In August 1910, an Inter-

national Women's Conference was organized just prior to the general meeting of the Socialist Second International in Copenhagen, Denmark. Inspired in part by the American socialists, German Socialist Luise Zietz put forward a proposal for the establishment of an annual International Women's Day (IWD), which was seconded by Zetkin. Delegates (100 women from 17 countries) agreed with the idea as part of a strategy to promote equal rights including suffrage for women.

The following year, on 19 March, IWD was observed for the first time, by over a million people in Austria, Denmark, Germany and Switzerland. Women demanded the right to vote and to hold public office. They also protested against sexual discrimination in employment. In the early days of the 20th century, IWD was celebrated with strikes, protest rallies and political demands that were considered very radical for those times, for example, universal suffrage.

In 1913, Russian women observed their first International Women's Day. In 1917, women workers in Russia held large-scale demonstrations marking International Women's Day. They went on strike that day for "Bread and Peace", demanding the end of World War I, an end to Russian food shortages and the end of Tsarism. A demonstration was organized by textile workers, the majority of whom were women, on 23 February 1917 (by the Julian calendar; 8 March by the Gregorian

calendar) which led to a mass strike that culminated in the February Revolution that brought down the Tsarist regime. International Women's Day was adopted as a socialist tradition to celebrate and commemorate their heroism in struggle against the capitalist system.

International Women's Day thus played an important role in triggering the Russian Revolution and establishing a worker-led state in that country. That was the original spirit of IWD. Have we lost the plot since?

The women's movement today

There was a resurgence of feminism in the West in the 1960s, with women activists agitating against patriarchy and discrimination of women. The struggle for women's rights entered the mainstream of international politics. The United Nations declared 1975 as International Women's Year and, in 1977, designated 8 March as International Women's Day. At present, International Women's Day is widely celebrated and the UN sets a different theme each year. The theme for this year was "Pledge for Parity", in recognition of the fact that there is still much gender inequality in many societies, and a great disparity in economic and political power.

However, at the same time, there has been corporate capture of International Women's Day by the business sector, which offers financial sup-

port for the celebrations and for other related activities. Many governments have also begun to pay lip service to "women's issues". These trends have led to a "sanitization" and "domestication" of the women's movement, with much dilution of the radical anti-capitalist and anti-patriarchal sentiments that defined the women's movement in the early 1900s.

The truth is, although there have been significant improvements in the lot of women over the past 100 years, there is still much gender inequality in our societies. Women workers are not paid as much as men; on the average, they earn only about half of what their male colleagues do (Global Gender Gap Report 2015). Many women in the Third World work in the non-formal sector without a stable income or any social security. In addition, women are under-represented in positions of power and influence within the economic and political structure. In many countries, girls' access to education lags far behind that of boys. Violence against women is a sad reality the world over.

We need to rediscover the radicalism of the women's movement. There is still much to be done to fully liberate women from oppression. To move forward on this, we need to remind ourselves that the liberation of women cannot be separated from the self-emanicipation of the working class from capitalism.

Choo Chon Kai is the Deputy Secretary-General of PSM.

The plight of the Orang Asli

S. Madhavi

“AUSTRALIA – always was and always will be aboriginal land”

That slogan struck me hard during a recent visit to Australia for the Socialism for the 21st Century conference organized by the Socialist Alliance in Sydney. The conference was an eye-opener for me as I got to learn of Australia’s dark history – how the British invaded the continent in 1788 and enslaved the Aborigines, depriving them of their rights to land, freedom, culture and language. Up to this day, the Australian Aborigines remain a marginalized community still struggling for their rights.

Australia was a British settler colony, unlike Malaysia, but the plight of the Aborigines is quite similar to the situation of the Orang Asli (OA) in Peninsular Malaysia, where they are now strangers in their own land. Historically the Orang Asli are the “descendants of the earliest known inhabitants who occupied the Malayan Peninsula before the establishment of the Malay Kingdoms”. However, the government has refused to acknowledge the indigenous status of the OA. Instead, it is



The British formed a special armed unit called “Senoi Praaq” comprising Orang Asli to control communist infiltration in OA settlements.

Malays and the natives of Sabah and Sarawak who enjoy the status of “Bumiputera” or “sons of the soil”.

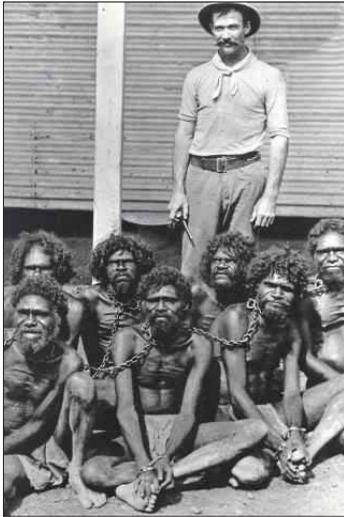
The British formed a special armed unit called “Senoi Praaq” comprising Orang Asli to control communist infiltration in OA settlements.

The early period

In the 18th and 19th centuries, Orang Asli settlements were targeted for slave raids by Batak and Malays to be sold off as slaves to the local rulers or chieftains. In these raids, most of the adult men were killed, while the women and children were taken as slaves as they

were seen as more pliant.

The term “Orang Asli” was introduced by the British colonial government during the communist insurgency of 1948-60 as it is a less derogatory term than the previous label of “Sakai” or “aborigine”. In 1954, the Department of Orang Asli Affairs (JHEOA) was established to relocate the OA from the inner jungle to the outer fringes so that the authorities could control them. The corralling of the OA population in guarded settlements (which resulted in hundreds of deaths due to disease and malnutrition) was an important component of the British strategy to defeat the



Eddie Mabo

- Eddie Mabo was a Murray (Torres Strait) Islander –
- In 1982 Mabo took his land case to court.
- He claimed that his people had been owners of their lands for at least 6000 years
- The case took 11 years
- In 1993 the High Court decided that Mabo's people did own their land
- Eddie had died in 1992.



communist insurgents, who had managed to recruit significant numbers of the OA to their cause.

In Australia, the British invasion sparked waves of disease that killed thousands of Aborigines and many others were massacred in conflicts over land, reducing the Aboriginal population from an estimated one million in 1788 to 60,000 a hundred years later.¹

The Commonwealth Franchise Act of 1902 prohibited Indigenous people from voting. Only after a 1967 referendum did national census surveys start recording the numbers of Aborigines in the community. Compulsory voting for Indigenous people was only introduced at Commonwealth level by the Hawke government in 1983.²

Indigenous peoples and land rights

Indigenous peoples' relationship with their traditional lands and territories is a core part of their identity and spirituality and is deeply rooted in

their culture and history. Throughout history, indigenous peoples' lands, territories and resources have been violated and exploited both in Malaysia and in Australia, leaving them broken and destitute.

However, decades of mobilization and struggle have brought some changes. A landmark 1992 Australian High Court judgment in what is known as the Mabo case after the lead plaintiff, threw out the racist *terra nullius* principle³ on which Australian legal attitudes to Aboriginal land rights had been based. The decision recognized for the first time the existence of Aboriginal "native title" over large parts of rural Australia. Despite victories such as this, many others failed to overcome the many legal hurdles placed in their way by the government's land rights legislation.

According to Sydney-based solicitor Amy Dennison,⁴ legal recognition in Malaysia of the OA's land rights prior to 2002 was similar to the pre-Mabo situation in Australia. Land that traditionally be-

longed to the OA was regarded as belonging to the state. While provisions for the granting of land existed under the Aboriginal Peoples Act 1954, the title conferred was exceptionally weak owing to the ease with which the Minister could revoke such grants, often without consultation with the OA community involved or any compensation to them.

Dennison is of the opinion that the Australian Mabo decision has led to an increased recognition of indigenous land rights in Malaysian courts.

However, according to the Centre for Orang Asli Concerns (COAC), only about 12% of the 869 OA villages were gazetted as Orang Asli Areas or Reserves as of August 2012. This means the majority of OA villages are on "state land", though the OA themselves would not concede to this classification of their land.

The COAC also highlighted the other problems that arise because the land of the OA is not gazetted or titled. Loggers get their concessions

21st-century socialism: The central role of the revolutionary subject

A. Sivarajan

SOCIALISTS around the world are often challenged to put forward a workable alternative to capitalism every time we criticize capitalism for its failures. The general public's view of socialism is tarnished by the authoritarian regimes of 20th-century socialist experiments in the Soviet Union, China and elsewhere.

The question that we have to ask and clarify is: Was it the failure of the alternative model of society that Marx talked about, or was it a diversion that the communist governments of the 20th century took that failed and remained uncorrected?

The Left should return to the true essence of Marx's analysis and focus on applying it to solve the problems we are facing today, rather than justifying the mistakes of the 20th-century communist regimes. Most importantly, we have to put forward a convincing programme that is workable and not fall back on the centrally planned economic model that only strengthened the hold of the communist party elites.

In this article, I would like to share some ideas from Michael Lebowitz, a renowned Canadian Marxist who has written many books on the



Community meeting in Venezuela.

necessary alternatives that socialists of the 21st century should be building. Lebowitz is not merely an armchair theoretician. He was the Director of Programme in Transformative Practice and Human Development in Caracas, Venezuela from 2006 to 2011, discussing many ideas to shape the concept of "socialism of the 21st century", made popular by none other than the late Venezuelan President Hugo Chavez himself.

So what are the elements of socialism of the 21st century that we are talking about here? Lebowitz puts forward the following core characteristics:

- 1) social ownership of the means of production
- 2) social production organized by workers in

order to

- 3) satisfy communal needs and purposes.

As soon as we mention the above three characteristics, free-market advocates would immediately brush this aside as an unworkable model. It would seem that way if we look at it from the logic of capital, but if we view it from the logic of workers and society as a whole, it makes perfect sense. The full development of a society can be achieved only if it provides for the full development of each human being to realize their full potential.

The elementary triangle of socialism

The aspirations of this new society that socialists intend to build stand in

complete contrast to Adam Smith’s logic that “Every individual ... neither intends to promote the public interest, nor knows how much he is promoting it ... he intends only his own security; and by directing that industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intention” (*The Theory Of Moral Sentiments*, Part IV, Chapter I).

The task of socialists is to build “rich human beings” – rich not merely in the sense of the value of one’s material wealth, but rich in that they are able to fulfil their full potential as a component in a larger society. Rich in being able to develop their full potential to provide for the needs of the society and simultaneously be able to satisfy their own needs.

In order to lay the foundation bricks of this new society, firstly, social ownership of the means of production is essential. It is the only way to ensure that social productivity is directed to the free development of all, rather than used to satisfy the private goals of capitalists or groups of individuals or even state bureaucrats.

We need to be very clear that social ownership here does not mean state ownership. State ownership will be consistent with state capitalists, bureaucrats or party elites, rather than the society as a whole, capturing the major benefits of state property. Thus the owner-

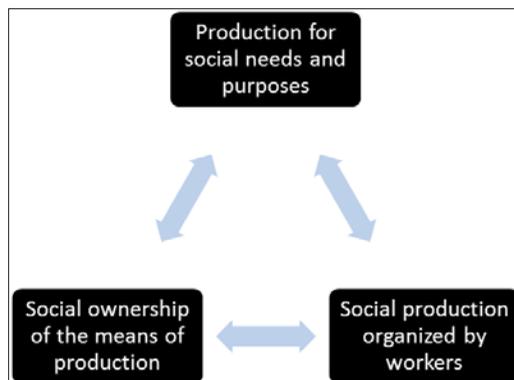
ship mechanism of the means of production has to be developed in such a way that it would truly reflect ownership by the society as a whole and not be centred in the state structure alone.

The second characteristic of this new society that we want to build is an economy where production is organized by workers, where it builds new relationships among producers. The key aspect of this task is that it would finally end “the crippling of the body and mind” that happens under the capitalist mode of production. As long as workers are prevented from developing their capacities by combining thinking and doing in the workplace, they remain alienated and fragmented human beings who are detached from the fruits of their labour.

The third key element is ensuring communal needs and purposes are satisfied by means of identifying and communicating these needs and purposes. For this to happen, we need to further develop the democratic institutions at every level of society so that ordinary people can express their needs. This is key as production will reflect communal needs only when information and decisions flow from the bottom up. This will be in contrast to wholly centrally planned economic structures that attempt to regulate and direct all modes of production from

the top.

This, then, is what Lebowitz calls the elementary triangle of socialism:



For the three characteristic elements to function, it would require thorough unlearning of ideas and concepts that we have become used to, and moving in the direction of building new ideas and capacities among the people. We must remember that the new society has to be built on the remnants of the old capitalist society. Thus, simply overcoming the oppressive political forces alone is not the final task. The task is also to build revolutionary subjects that are able to take up this challenge.

Building revolutionary subjects

In order to understand the task of building revolutionary subjects, it is important to understand Marx’s concept of “revolutionary practice”. “Revolutionary practice” is the simultaneous changing of circumstances and of the human being bringing about the change (self-change). Marx

held that every activity that people engage in forms them. Thus, there are always two products of human activity: the changing of the circumstances (for example, the production process) and, through this, the human subject changes him/herself too.

This is not forgotten in Venezuela's Bolivarian constitution where full participation of the people in the political and administrative processes is seen as essential for their complete development, both as individuals and collectively. Thus, people must be enabled to behave as protagonists, functioning with the ability to make decisions in the workplace and society collectively. We need to develop mechanisms that expand the active involvement of human beings in the new dialectics of production-distribution-consumption.

The communal councils in Venezuela, initiated by Chavez as a programme of the Bolivarian Revolution, provided the framework for the people to discuss and identify communal needs democratically and learn that they can do something about it themselves. As a step further, in line with the "socialist triangle", the decisions of the communal councils could be extended to the management of the local cooperatives and enterprises that produce for local needs. Similarly mechanisms need to be put in place for workers in industries to acquire a greater role in determining how their factories operate.

[Venezuela is hitting the

news these days for all the wrong reasons – shortages of basic goods, double-digit inflation and a seriously high crime rate. But we have to recognize that the current crisis in Venezuela is due to the steep plunge in petroleum prices (brought about by the promotion of fracking in the US and elsewhere) and to economic sabotage by the bosses, which is an important cause of the shortages. The crisis is not in any way due to the more participatory and democratic social institutions that have been the hallmark of the Venezuelan experiment. But it is a timely reminder that greater participation and democracy by themselves do not confer protection against some forms of economic sabotage.]

In such an organic model, the motive of producing for profit is tempered, and the logic of capital is counterbalanced by competing logics of safeguarding the environment, producing for societal need and providing a safe work environment. Thus we begin the process of returning to the very basis of human activity, which is to satisfy human needs and not the greed of the minority.

Parliament of the streets

One might ask: While communal needs may be satisfied via participation and decision-making by the communal councils, what about national policies? How do we come up with national-level laws, policies and regulations? If we choose the easy way and cut off people's participation at

these levels, the new society will in no time revert to the current logic of bourgeois representative democracy or a party elite's authoritarian rule.

Thus, the possibility of developing a "parliament of the streets" must be explored, to see how we can incorporate people in national-level decision-making processes. It should not be mere window-dressing initiatives as currently attempted by both authoritarian regimes and reformist oppositions. Such initiatives are called "consultations with the people" but have no influence on major policy decisions. Instead, people must have the confidence that their ideas and decisions can truly effect policy changes at national level.

We have to institutionalize this process so that people view it as their right to participate (and probably also punish the representatives in parliament or state assemblies who do not honour this right). This is important both in empowering people and in attacking bureaucracy and elitism.

Besides participation and behaving as a protagonist in the whole process, the working class and the oppressed masses, Marx stressed, do not become a revolutionary class just by their nature. The working class makes itself a revolutionary subject through its struggles, which is what we mentioned earlier as the revolutionary practice. Only through their struggles against capitalist oppression can the workers change the circumstances (achieved through victories in

their respective issue areas) and, at the same time, change themselves as revolutionary subjects. A working class devoid of any struggles would become “apathetic, thoughtless, heartbroken, weak-minded, a worn-out unresisting mass”, as Marx explained.

Lebowitz adds: “Struggles are a process of production: they produce a different kind of worker, a worker who produces herself as someone whose capacity has grown, whose confidence develops, whose ability to organize and unite expands. Moreover, we should not think that this is limited to wage struggles. Every skirmish in which people assert themselves, every little battle in which they push for social justice, every struggle to realize their own potential and their need for self-development builds the capacities of the actors.”

Capitalism has been continuously winning the argument (thanks in no small part, of course, to the prominent role played by the mainstream media) that there is no alternative. Capitalism is often held up by right-wing ideologues as the safeguard of freedom, democracy and development. But we are often cheated by the ‘democracy’ and ‘freedom’ that it gives us. Capitalism is not democracy of the people; it is in fact the dictatorship of capital. It purports to achieve fairness for all by claiming that the market is the efficient mechanism that provides for all equally. But that is clearly not the case as the market is dominated by

oligarchies.

Under capitalism, we are not free to choose the best products to meet our needs because those products are available only to the wealthy. Thus there is a clear division between those who have capital and those who don’t. We are fighting for a society where the free development of each is the condition for the free development of all. In contrast, in capitalism the free development of the individual is determined by the size of his/her wallet!

Besides stifling human development, capitalism has also brought about the total alienation of labour. Even as capitalists reap profits, workers are given meagre wages. In this relationship, workers are alienated not only from the products of their labour but also from participating effectively in the democratic process – alienated from participating and deciding on things that matter. In a capitalist society, workers have no time to participate in communal meetings to share ideas and shape policies and decisions that directly affect their lives. They have been conditioned to spend their wages on products that satisfy their senses, stay at home and accept this as the only option possible; fulfilment comes only from their consumerist behaviour.

Socialism of the 21st century has to create the necessary circumstances to invert this situation so that people as producers and as consumers participate at the community level, the work-

place and in the public sphere to shape and decide on the development of society as a whole. We have to work for a situation where wealth is created to satisfy human development as a whole and not for the bank accounts of a privileged few. When our productive activity is oriented to the needs of others, a new socialist human being develops.

We need to challenge capitalism not only through strikes, protests and rallies but also in the realm of ideas. As mentioned earlier, defeating capitalism without developing revolutionary subjects ready to build a new society would only be a partial victory.

Lebowitz points out that our political project has to walk on both legs. Firstly, we have to defeat and subordinate capital to the logic of the workers (via worker-managed factories etc). Secondly, there is a need to build the new state from below, a state that democratizes its institutions to allow and encourage participation of the people.

Thus, as socialists today, it is important that we understand the missing elements of “human development as a revolutionary subject” and the over-centralization of power within the communist state in the last century. The socialism of the 21st century cannot be merely a rebranding exercise, it should be a return to the core ideas of Marx for a society that strives to build rich human beings working in solidarity and not in competition with one another. – 7 July 2016

Banning of the course on Marxism



AT 10am, 18 March 2016, a PSM delegation met with the Petaling Jaya OCPD ACP Zaini Che Din in relation to a course on Marxism due to be organized by PSM. The delegation comprised PSM Secretary-General A. Sivarajan, Central Committee members, S. Arutchelvan (coordinator of the course), V. Selvam and two other PSM members.

ACP Zaini informed the delegation that the police would not allow the Marxism course, scheduled for 20 March 2016, to be held because of security concerns. He said that the prohibition was based on Section 105 of the Criminal Procedure Code. He claimed that about 107 police reports

had been lodged against this PSM-organized programme and that the police would be manning roadblocks on the routes leading to the programme venue. ACP Zaini went on to suggest that PSM should consider organizing such programmes in university campuses in future.

PSM feels that:

- 1) The prohibition of the programme by the police is against our rights as a registered political party. It violates our right to expression, freedom of thought and peaceful assembly.
- 2) PSM is disappointed with the police for choosing to bow to pressure from those who had lodged re-

ports against this programme. This decision sets a bad precedent whereby any group can lodge several police reports simply in order to bring about the cancellation of programmes that don't go against the law and that are planned to be held in private behind closed doors.

- 3) As the police have indicated that they would take action against all the participants of the programme, PSM has decided to postpone the programme in order to ensure the safety and wellbeing of the 78 participants who have registered for the programme.
- 4) PSM also does not want to help the authorities create issues to divert public attention from more important matters facing the country such as large-scale corruption, abuse of power and the economic crisis.
- 5) PSM will consult with lawyers as to whether there are grounds for instituting legal proceedings against the Inspector-General of Police

(IGP) for criminal defamation, as the IGP has openly claimed that the purpose of this programme was to revive communism. This accusation was made even before the police had commenced investigations. Such legal proceedings might provide us the opportunity to find out whether 107 police reports were actually lodged regarding this programme and how many of them were by police personnel themselves. This would not be the first time PSM has initiated legal proceedings against the IGP. In 2012, PSM sued the IGP for linking the party with communism and wrongfully detaining six party members. PSM settled for an out-of-court compensation of RM200,000.

6) The Malaysian govern-



S. Arutchelvan.

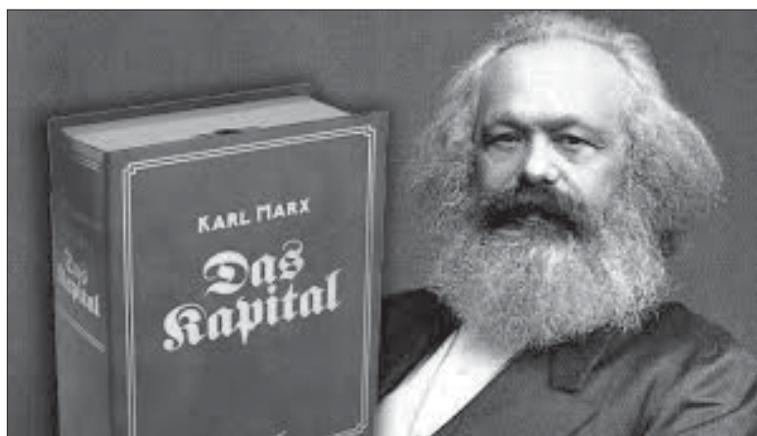
ment has diplomatic and trade relations with almost all “communist” states, and the “communist” parties of China, Vietnam and Cuba are even regularly invited to Umno’s annual general assembly. Doesn’t this signal their endorsement of communism? Why haven’t the police taken action against Umno and its leaders over their relationship with these communist parties? Why didn’t the IGP tweet on this matter when these communist party officials were openly welcomed

by Umno? Isn’t this hypocritical? PSM is disappointed that Cold War-era phobias are being resurrected to stop programmes such as ours despite the fact that Karl Marx has been recognized as one of the great thinkers of the millennium.

7) Finally, PSM wishes to apologize to all the would-be participants of the programme who registered for the event. We will explore alternative options to hold this programme, including through a possible online course. Those who indicated their interest in the programme will be informed in due course.

As a registered leftist political party, PSM has the right as well as the responsibility to disseminate socialist analyses to the people as an alternative to the current neoliberal ideology that is dominating public discourse. PSM is of the opinion that the capitalist system is destroying the environment and inflicting economic hardship on the majority of Malaysians for the sake of the top 1% wealthy elites of our society.

Let the people themselves judge whether PSM and its brand of socialism is relevant to our nation. The people should not be denied their right to think and to decide for themselves. – *PSM Central Committee press statement (18 March 2016)*



The Orlando tragedy and the shallow mentality of Malaysians

Nik Aziz Afiq Abdul

A PARTI Sosialis Malaysia (PSM) Youth leader has lamented general indifference among Malaysians towards the massacre in Orlando, USA as a greater tragedy than the terrorist act itself.

PSM Youth's central committee member Nik Aziz Afiq Abdul contrasted the silence locally over the "shocking" incident involving a gay bar with the reactions to similar attacks in Paris or the Middle East. "What has made me more shocked is how our community has responded to this issue. To me this is a greater tragedy compared to what happened in Orlando," he said in a statement on 16 June.

On 12 June a lone terrorist shot at patrons of a gay nightclub in Orlando, Florida, claiming the lives of 50 people and leaving 53 others wounded.

"I expected our society usually known as ... caring and courteous, would protest and express abundant sympathy as what had happened in the cases involving ... Gaza, Syria, Egypt, the Rohingya refugees, Tak Bai, Paris, Ambon and many tragedies around the world, where we expressed sympathy.

"However this time it was different. The humanity within



Candlelight vigil in Orlando.

us was suppressed because the victims who perished in the horrible incident are from the gay community.

"Because of our antipathy towards gays we have cast our humanity aside as far as possible," he said.

The position adopted by many Malaysians, said Nik Aziz, is one of silence or indifference, or worse, of rejoicing in the slaughter, with some saying homosexuals deserve to be killed.

He likened such apathy to those who would feel unmoved by killings in Palestine because the victims are of a different religion from theirs.

Likewise, religious belief on the issue of homosexuality has no bearing on the fact that human beings have been murdered, Nik Aziz said, asking if

those in our community are now "playing God" as to who gets to live and who does not.

"This is the shallowness of our mentality. When we lobby the issue of Palestine with non-Muslims, we encourage them to show solidarity in the name of humanity, but when the same question of humanity arises with non-Muslims, we take a hands-off attitude. Isn't it sickening?" he asked.

He said PSM condemns all such violence and offers sympathy to the families of the Orlando shooting victims. "It doesn't mean just because we condemn the killings, we suddenly become gay," said Nik Aziz. – *Adapted from a Malaysiakini article (16 June 2016) based on a press release by Nik Aziz Afiq Abdul*

The demise of Selangor's forests?

A. Sivarajan

PSM is appalled by the Selangor government's persistence in degazetting forest reserves for the construction of highways.

The Bukit Cerakah forest reserve and the Sungai Buloh forest will be affected by construction of the Damansara-Shah Alam Highway (DASH) cutting through it. The Bukit Sungai Putih forest in Hulu Langat has also been identified to be degazetted for the Sungai Besi-Ulu Kelang Expressway (Suke). In addition, building works have already begun on the East Klang Valley Expressway (EKVE) which will require the Ampang state forest, the Selangor state park up to the Ulu Gombak forest reserve to be degazetted.

Despite widespread objection by many communities living adjacent to the forest reserves and by environmental organizations, the Pakatan Harapan government of Selangor has decided to bulldoze through the project approvals against the will of the people.

With no other alternatives, three environmental organizations have resorted to a court action to stop the state government from degazetting the Ampang state forest, one of



Selangor forests at risk.

the gateways for the Selangor state park. The EKVE builders Ahmad Zaki Resources Bhd have already begun felling trees to commence works for the road.

As for the construction of the Suke, residents and civil society are crying foul over the questionable procedures carried out by the state government. Only this year, on 16 March 2016, did the State Forestry Department advertise in the newspapers calling for the public to put forward any objections to the plans to degazette the Bukit Sungai Putih forest reserve for the Suke construction. But PSM is informed that the land and property acquisition process along the highway alignment had already begun since 2015.

Worse still, recently (August 2016) we heard that the Suke contractors have already been selected and contracts issued. How can this be? Meetings with those who sent in let-

ters of objection have not even been held yet. No information is given on when the forest was degazetted. The whole process seems to be a farce!

Outraged, the residents sought a closed-door gathering with their elected representatives to enquire about the state government's decision. Only Rafizi Ramli (PKR Secretary-General) attended as the Member of Parliament for Pandan, the constituency affected by the Suke. He refused to answer the residents' queries on why the Pakatan government had reversed its manifesto promise of not allowing tolled highways. He arrogantly stated that he attended the event just to receive the memorandum and left.

Concerns have been raised as to whether the Selangor state government is showing total disregard for the environment and preservation of our natural forest heritage. These concerns await a re-

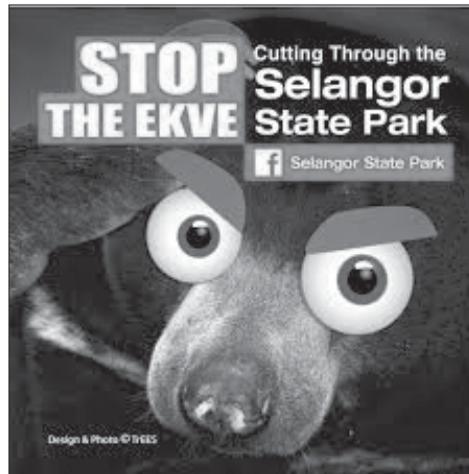


Court action has been filed to stop this project.

sponse from the Azmin Ali administration:

1. What's the rationale in degazetting a forest reserve when it is meant to be a protected area? The Gombak and Ampang forest reserves as well as the Klang Gates Quartz Ridge are part of Taman Warisan Negeri Selangor (TWNS). The gazettement process of this area as a state park began in 2007. As a state park, TWNS is a protected area classified as Environmentally Sensitive Area (ESA) Rank 1 under the National Physical Plan 2005.
2. The Selangor state park that was gazetted by the Barisan Nasional government of Khir Toyo will now be destroyed by the Pakatan Harapan government to whom the people

of Selangor gave overwhelming support in the 2008 and 2013 elections. What a betrayal of the people!



3. The Hulu Gombak and Ampang forest reserves are also classified as water catchment forests under the National Forestry Act Selangor Enactment 2005 as well as the LUAS Enactment 1999.
4. While destroying an existing water catchment

area, Azmin is keen to expedite the Langat 2 water project with the excuse that Selangor will run out of water.

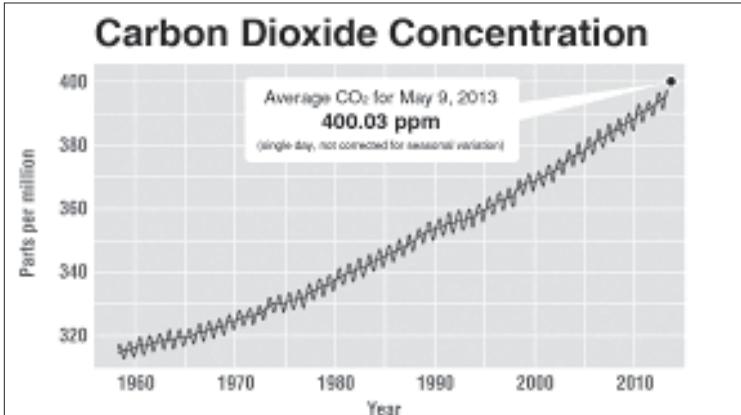
5. In times of climate change and droughts which become more severe every year, why is the Selangor government destroying its readily available water catchment areas?
6. Building more highways in the Klang Valley will not solve the traffic congestion problem. The highways will only serve their purpose for around two years before they are clogged up by ever-increasing traffic.
7. Is saving 20 minutes driving from one toll plaza to another really worth the irreversible destruction of our natural forest heritage? Is it worth destroying sources of water for our future generations?

The Selangor state government is about to perpetrate the worst ever manmade environmental destruction by simultaneously wiping out Selangor's key forest heritage. The Pakatan government has proven to be completely deaf to the people's voice, and its environmental policies and promises are only fit for the waste dump.

PSM immediately calls on Azmin Ali to stop the degazetting of the forest reserves and to cancel the proposed EKVE, SUKE and DASH highway projects. – 6 August 2016

Climate change: The world demands better

Joseph Purugganan



Credit: NOAA/Scriptorium Institution of Oceanography

THE United Nations climate change conference in Paris in December 2015 thrashed out a climate deal that, as expected, is being hailed by proponents as a huge success. On the other hand, around 10,000 people joined the red line action at Arc de Triomphe and later at the Eiffel Tower protesting against corporate capture of the climate talks and the failure of governments to deliver a deal that addresses the root causes of climate change. The #D12 protests, the first demonstrations in Paris since the 13 November attacks, also sent a strong message to governments that the people are ready to act to push for real solutions to climate change, and for systems change.

We expect the battle of

competing narratives to continue in the coming days. Was Paris a success or a failure? Was the deal forged a good or a bad deal for people and planet? Should Paris be a starting point or a turning point? Amid the celebratory mood, it is important to take stock of what the red lines were:

Emissions reduction

We knew coming into the Paris conference that the aspect of emissions reduction was off the table. Instead what will be included are the voluntary pledges contained in countries' Intended Nationally Determined Contributions (INDCs). We knew even before the talks began, based on reviews from

the UN Framework Convention on Climate Change (UNFCCC), UN Environment Programme (UNEP) and the Civil Society Review, that these pledges are inadequate to meet the target of limiting global emission levels to 42 billion tonnes per year by 2030, and will result in temperature rise of just under 3 degrees Celsius (breaching the 2 degree limit set by science) even if the INDC plans are fully implemented.

The coup de grace in Paris was the formation of the High Ambitions Group, a grouping of developed countries led by the United States and the European Union, and developing countries like the Marshall Islands and the Philippines, pushing for a "legally binding, ambitious and fair deal that would set out long-term targets reflecting current scientific knowledge about climate change." The group became the main platform (you can say the US effectively hid its agenda behind this group) for piercing through the principle of "common but differentiated responsibilities" (CBDR). CBDR became subordinated to the idea that "all parties must share" in the load regardless of their his-



People's protest in Paris on the occasion of the UN climate conference.

torical emissions.

While the 1.5 degree limit had been the demand by developing countries and the non-governmental organizations (NGOs), the push for ambition had two effects: it diverted attention away from the issue of CBDR which is an important justice indicator; and secondly it gave the US in particular the platform to challenge the position of big emerging economies like India, which argued that it needed the space to push for its own development objectives.

As the Executive Director of the research and advocacy group Focus on the Global South, Shalmali Guttal, pointed out: “Of course we want progress, of course we support the goal of 1.5 degrees, but we cannot fall into this trap. The so-called high ambition proposed by the US-EU is ambition for corporations, not for addressing the root causes of the climate crisis. Many of us from the South are working with grassroots movements and communities to challenge extractive, destructive develop-

ment and over-consumption of the rich in our own societies.”

The Delhi-based policy research group Center for Science and Environment (CSE) did a fact check of the US plan. CSE concludes: “Our report finds that their plan is nothing more than business as usual. Worse, all possible gains of increased efficiency in vehicles or energy use in buildings will be negated because of increased and growing consumption. This needs to be discussed because their lack of ambition means appropriation of the limited carbon budget.”

In the end, what was adopted was a compromised text on a long-term goal to limit global temperature rise “to well below 2°C above pre-industrial levels” and an aspirational line “to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels.”

Finance

There remains a reference to US\$100 billion per year as the floor of commitments, with a promise to scale up after

periodic reviews. The language remains weak and limited to a commitment to “mobilize and facilitate the mobilization” of climate finance. There was a slight improvement in the final text when it comes to the issue of differentiation as the phrase “shared effort” was replaced with a more general “global effort” and the onus of providing climate finance is more clearly placed on developed countries.

Judged against the previous text, the final agreement on the surface shows an improvement. But what exactly do we need under climate finance? A news report from the *New Internationalist* cited figures from the International Energy Agency on the required amount of US\$1,000 billion per year by 2020 to move towards the transformation to a fossil-free world. “Around two-thirds of this – so \$670 billion – will need to be spent in developing nations, hence the need for a significant transfer of finance from North to South.” The report adds that the commitment on climate finance is “inadequate and mean, especially given that governments spend an estimated \$5,300 billion per year on direct and indirect subsidies to fossil fuels.”

Loss and damage

The “loss and damage” mechanism is part of the Paris deal as a separate section (and not subsumed under the section on adaptation as proposed by



Coal-powered plant for generation of electricity.

developed countries). The problematic phrase “and in a manner that does not involve or provide a basis for liability or compensation nor prejudice existing rights under international law” was removed in the final text of the agreement but it appeared as a clause in the decision to implement the agreement. It remains unclear how the mechanism will work to compensate for losses and damages already felt by developing countries.

False solutions

The deal also created a new mechanism to contribute to the mitigation of greenhouse gas emissions and support sustainable development (the dual purpose of the old Clean Development Mechanism (CDM)). The new mechanism will constitute “cooperative approaches that involve the use of internationally transferred mitigation outcomes towards nationally determined contributions.” This mechanism, much

like the CDM, will provide the space carbon offsets which have been criticized as incentives for polluters and corporations.

As Climate Space pointed out: “The Paris Outcome promotes techno-fix solutions like Carbon Capture and Storage (CCS), bioenergy with CCS, and geoengineering. These are phantom technologies that won’t work, but will give their proponents an excuse to keep profiting from fossil fuels.”

The Paris outcome represents the culmination of a process that started in a previous UN climate conference in Copenhagen to change the course of the climate negotiations, moving farther and farther away from the core principle of common but differentiated responsibilities enshrined in the UNFCCC. While there remain references to common but differentiated responsibilities and respective capabilities, in the light of different national circumstances throughout the

text, the principle which was central to the climate justice debate seemed to have lost its significance in the wake of the voluntary, bottom-up regime of INDCs.

Another very clever move (which proponents see as innovation) is the idea of a global stocktake – simply put, a review process that is supposed to scale up the level of ambition to allow for a narrowing down of the emissions gap. Paris therefore is widely seen as a starting point or a foundation for more climate action in the future.

Resistance and real solutions

The climate justice movements have been re-energized by the events in Paris and have vowed to support the continuing struggles of grassroots and frontline communities and intensify actions to push for real solutions. The convergence of two big movements – on trade and climate – has also been strengthened here in Paris, anchored primarily on challenging the notion that trade policies trump climate, and making the links between struggles against new-generation trade agreements like TPP and TTIP and the corporate-driven paradigm that exacerbate the climate crisis. – *13 December 2015*

Joseph Purugganan is with Focus on the Global South, from the website of which this article is reproduced.

If your Lord so willed....

Maszlee Malik and Musa Mohd Nordin



Tahir ibn Ashur.

“IF your Lord so willed, He could have made mankind one people” (al-Quran, 11:118).

But, He created them to dwell in His kingdom in varieties. God created the different sexes and ethnic groups among mankind (30:22) that they might know and understand each other (49:13).

“O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that

ye may know each other [li ta’Arafu].”

The famous Tunisian Islamic scholar Tahir Ibn Ashur, in his commentary on this verse, mentioned that the import of piety after emphasizing the pluralistic nature of humankind was to educate mankind on the true meaning of humility and mutual recognition through the practice of mutually knowing each other (Ibn Ashur, Tahir, undated. *Al-Tahrir wa al-Tanwir*. Tunis: Dar Suhnun,

10/259).

Islam commands the believers to embrace diversity because it is part of the law of nature (*Sunnatullah*) that He created. It acknowledges the plurality of religions and allows the adherents of all religions the plurality of laws to govern their lives within the aegis of their religious beliefs and principles (see al-Quran, 8:72-5; 35:32; 4:95; 60:8-9).

The call of Islam is not

towards the homogenization of society into one culture, identity or faith but the observance and practice of good conduct and civility so as to ensure that diversity will nurture peace and the common good. The Quran proclaims that differences among human beings will remain (see al-Quran, 11:118-9). Hence, it is neither possible, nor commanded, to make everyone believe in one faith (see al-Quran, 10:99).

Peaceful co-existence with the other and mutual respect is a fundamental teaching of Islam. This is manifested through Islam’s commands to respect other faiths and to avoid interfering in matters concerning other religions (see al-Quran, 109:1-6), and prohibitions against any form of compulsion and coercion in faith (see al-Quran, 2:256, 272; 10:99) and rebuking or insulting other faiths (see al-Quran, 6:108).

Peaceful co-existence and harmonious cohesion with other religious communities has been well documented in Islamic history since the Prophet began his call to Islam in Makkah and unfolded one of

the greatest political documents in human history, Sahifah al-Madinah or the constitution of Madinah (622 AD). This treatise embraced 20 major principles including Unity, Diversity, Conduct, Fighting Injustice, Search or Striving for Peace, Freedom of Religion and the Rule of Law.

Another illustrious model was the La Convivencia (co-existence) in Andalusia during the Islamic rule in Spain. The spirit of mutual respect and recognition flourished in the Islamic civilization, enhancing the Christian and Jewish intellectual and cultural environment (Pagden, Anthony, 2008. *Worlds at War: The 2,500-Year Struggle between East & West*. New York: Oxford University Press, 153-4).

Therefore, mutual respect (*tasamuh*) and recognition (*tafahum*) of other believers and their beliefs are sacred and *sine qua non* to ensure a harmonious and peaceful world community.

In contrast, religious hegemony and intolerance in a pluralistic society will invariably result in conflict and will only frustrate the claim that Islam is a religion of compassion, peace and freedom.

Embracing and respecting diversity, loving and cultivating it, is a source of enrichment and beauty, an essential element of our human experience.

Prophet Muhammad (peace be upon him) said: “O humankind! Your Lord is one Lord, and you have one father. All of you are from Adam, and

Charter of Medina

- ❑ 6. In case of aggression against the Jews or the Muslims, both would combine in repelling the aggression.
- ❑ 7. In case of attack against Medina, all sections would combine in repelling it.
- ❑ 8. The Jews would not in any manner aid Quraish or provide refuge or comfort for them.
- ❑ 9. All sections would be responsible for their own upkeep and expenses.
- ❑ 10. Nothing in the agreement would afford immunity to a wrongdoer, or sinner or mischief-maker.

Adam is from dust. The noblest of you is the most God-fearing. No Arab has any superiority over a non-Arab, no non-Arab has any superiority over an Arab, no black person has any superiority over a white person, and no white person has any superiority over a black person – superiority is only through piety” (narrated by al-Tirmidhî).

In the abovementioned final sermon during his farewell pilgrimage (*khutbah al-wida’*), Prophet Muhammad (pbuh) mainstreamed and highlighted the principle of human equality and dignity.

Instead of directing his message exclusively to the Muslim community, the Prophet (pbuh) preceded with a universal appeal to mankind by asserting the principle of equality. This important principle and guidance implies that he is not self-centred nor concerned only about the Muslim community’s interest and affairs, but rather his deliverance as “the mercy for all mankind” as stated in the Quran (3:110).

Historian Arnold Toynbee regarded the Islamic notion of human equality as “one of the outstanding achievements of Islam”. According to him, “in the contemporary world there is, as it happens, a crying need for the propagation of this Islamic virtue” (Toynbee, Arnold, 1948. *Civilization on Trial*. New York: Oxford University Press, 205).

In the same vein, Sir H.A.R. Gibb notes that: “Islam has a still further service to render to the cause of humanity. It stands after all nearer to the real East than Europe does, and it possesses a magnificent tradition of inter-racial understanding and cooperation.” Gibb further insists that: “No other society has such a record of success uniting in an equality of status, of opportunity, and of endeavours so many and so various races of mankind” (Gibb, Sir Hamilton A.R., 1958. *Mohammedanism*. Cambridge: Mentor Edition, 379).

Never since the bloody days of 13 May 1969 has our

nation witnessed such an excess of religious and racial strife. The latest religious edict (fatwa) of the Mufti of Pahang is one such gross aberration from the values of equality, diversity, mutual respect and harmony espoused by the teachings of the Quran and the authentic traditions of the Prophet (pbuh). And unless this malicious abuse of religious authority is checked with an effective and just political and societal governance, we are surely on the slippery slope of anarchy.

The classification of non-Muslim residents in the Islamic state into *harbi* and *dhimmi* is a historical issue that has long been addressed by rulers and scholars alike.

In 1839, the Ottoman ruler Sultan Abdul Majid issued the Khatti-Sherif of Gulhane, proclaiming the principle of equality between the Muslims and the Christians. This virtually erased the classical legal status of the *dhimmis* (Al-Ghunaimi, Mohammad Talaat, 1968, 213).

The Muslim scholar Fathi Osman wrote: “I do not think Muslims have any legal problem with regards to full equality with non-Muslims in rights and obligations. What emerged as the status of ‘dhimmis’ (non-Muslims within the Muslim state) was historically developed rather than built in the permanent laws of the Qur’an and Sunnah. Many scholars,



including the Westerners, admit that the status of non-Muslims in the Muslim world during the Middle Ages was better than what the Jews or other religious minorities received in the Christian countries in those ages” (Fathi Osman, 2002, 152).

Many contemporary Muslim scholars, such as Syakh Dr Yusuf Qaradawi, have opined that the categories of *kafir harbi* and *kafir dhimmi* are no longer relevant and applicable today. Instead, it should be replaced by the term *muwatin*, which means citizen, and *muwatin* are to be granted equal rights similar to the Muslim residents of the nation.

Allah has created all human beings with honour and dignity, Muslims and non-Muslims alike, and has elevated their status above His other creations. Almighty Allah says in the Quran (17:70): “We gave honour and dignity [Karamat] to the children of Adam.”

As much as we would like to be honoured and shown dignity, we have to recognize the dignity and honour of others.

Unfortunately, the actions of a few in our country, which among others have inadvertently equated Islam with racism, their failure to recognize the equality of man before his creator, their parochial understanding of the brotherhood of man and their blatant impingement on other

religions have tarnished the image of the messenger of Allah (pbuh) as *rahmatan lil alamin*, mercy upon mankind.

We hope this inclusive approach helps to reassure our fellow Malaysians from other belief systems of the Islamic position on human relations in our multi-religious community. It is a discourse derived from the original texts of the revealed Quran and the Prophetic traditions.

Together, hand in hand in religious harmony, we can build a “Better Malaysia” founded on the eternal values of justice, equality, mutual benefit (*masalih mushtarakah*) and the brotherhood and dignity of humanity. – *Muslim Professionals Forum press release (30 June 2016)*

Maslee Malik PhD and Musa Mohd Nordin FRCPCH are with the Muslim Professionals Forum (MPF).

Responding to Hadi's bill

D. Jeyakumar

OUR journey towards a fairer, better-governed and harmonious society hit another roadblock on 26 May 2016 with the reading of Marang MP Abdul Hadi Awang's Private Member's Bill in Parliament. I believe it is a problem that we can navigate without worsening the divisions in our society, but only if we take the effort to understand the issue properly and address it smartly and dispassionately.

Hadi's Private Member's Bill

The Malaysian Parliament allows ordinary Members of Parliament to introduce bills to the Parliament. The member desiring to do so has to first submit a notice to the Speaker stating that he/she wishes to move a motion introducing this bill.¹ Most often the Speaker spikes the initiative at this stage by not allowing it onto the "order paper" of the House. In my past eight years in Parliament I have not seen any Private Member's Bill listed in the order paper. I have myself submitted five and none have survived this first stage.

Once the motion pertaining to the bill is put on the agenda (order paper), the next hurdle is that government matters take precedence over the

tabling of the Private Member's Bill. So only when all government matters for the day are completed² can the Private Member's Bill be formally tabled by reading the motion pertaining to it (as Hadi did on 26 May). In other words, the government has to cooperate on this. For if the government keeps adding other bills to the agenda, the Private Member's Bill will never make it to the floor.

Once the motion presenting the Private Member's Bill is read in Parliament, a vote has to be taken, and this without any debate on the subject matter of the bill. If a simple majority of the House votes for the motion introducing the bill, the Private Member's Bill is deemed to have been read for the first reading, and it will be referred to the minister in charge of that issue to look into it and come up with a report.³ Only when the minister in charge comes back with a report can the Private Member's Bill go for the "second reading", which involves debate of its provisions.

What happened on 26 May was that Azalina Othman Said, the minister in charge of parliamentary affairs, stood down government matters and

proposed that Hadi's motion pertaining to the Private Member's Bill, which had suddenly appeared as no. 15 on the order paper that morning, be vaulted over the other 14 motions listed before it, to be read by Hadi. After reading it, Hadi requested that the vote on it be deferred to another session of Parliament.

What does Hadi's bill actually say?

This Private Member's Bill is brief and has only two points, which are reproduced in full below:

1. The Syariah Courts (Criminal Jurisdiction) Act 1965 is amended in Section 2 by substituting Section 2 with the following: "The Syariah Courts shall have jurisdiction over persons professing the religion of Islam in respect of any offences relating to any matter enumerated in item 1 of the state list of the ninth schedule of the federal constitution."

2. A new subsection is inserted: "Section 2A. In exercising the criminal jurisdiction under section 2, the Syariah Court may pass any sentence allowed by Islamic Law in respect of the offences mentioned in section 2 other than the sentence of death."⁴

What does this mean?

Section 2 means that the syariah punishment of amputating a hand for theft is not permissible under this bill because punishment of criminal acts is on the Federal List, and several categories of theft are already listed in the Penal Code. So because theft is not under the state list, it cannot be tried and punished in the Syariah Court. This also means that robbery, also one of the five hudud offences, cannot be tried in the Syariah Court – for the same reason.

So only actions termed as offences under Islamic Law but which are not listed in the Penal Code can be tried in the Syariah Court. Of the five hudud offences, three are not listed in the Penal Code. They are *zina* (sex involving a couple who aren't married to each other), alcohol consumption (*syurb*) and apostasy (*irtidad*).

Section 2A enhances the powers of the Syariah Court to mete punishment. Under the current system there is a “3-5-6” maximum. The maximum length of a jail sentence that the Syariah Court can order is 3 years; the maximum fine is RM5,000; and the maximum number of lashes is 6. However with Hadi's bill, these limits are removed, and the 40-80 lashes for alcohol consumption as specified in the Kelantan Hudud Enactment⁵ can be prescribed!

The punishment for *zina* for persons who are married (to others) or have been married is, under the Kelantan Syariah Criminal Code,⁶ death by stoning (*rejam*). However, this

would not be within the power of the Syariah Court to order, as the death sentence is not permitted under Section 2A. Similarly, the death sentence for apostasy⁷ cannot be ordered by the Syariah Court.

What would be a principled response to this Private Member's Bill?

How do we deal with this in a principled manner? Let me start by asking two sets of questions:

1. Questions for non-Muslims:

- Do non-Muslims have a right to object to the way in which Muslims choose to practise their religion?
- Can we tell Muslims how to practise their religion?
- Do we not believe that each religious community has the right to practise their religion freely?
- Don't we recognize that the entire Islamic world is struggling to define what it means to be true to their faith as Muslims in the 21st century? Do we expect Malaysian Muslims to be unaffected by the ongoing debate/battle?

2. Questions for Muslims:

- Why is it that non-Muslims are so apprehensive of any extension of the powers of the Syariah Court?
- Is their apprehension without any basis?
- Aren't the following valid reasons for the apprehension of non-Muslims?

- The “Kalimah Allah” issue which in fact restricts the way that other religions practise their religion in the privacy of their places of worship.
- Unilateral conversions, e.g., the case of Indira Gandhi.
- The handling by the Syariah Court of divorce and custodial matters of a couple married in the civil system, after the conversion of one of the spouses to Islam.
- The difficulties faced by people registered as Muslims but brought up as Hindus or Buddhists since childhood. They have great difficulty getting permission from the syariah system to drop “Islam” from their personal documents.
- Imposition of over-strict dress codes for visitors to government institutions.
- Would you not agree that the inability (or reluctance) of the syariah authorities, the government and the Islamic party to come to a fair resolution of these issues in a timely manner is another factor that adds to the apprehension?

I would argue that a principled position can only develop if we take the effort to put ourselves in the shoes of the other party and try to understand where they are coming from:

- a. Muslims should make serious efforts to push the authorities to redefine certain laws so that the

(probably unintended) adverse impact on non-Muslims is handled. To do this, Muslims should be sensitive to the issues mentioned above. They have to engage sympathetically with those individuals affected most adversely. And they should welcome input from non-Muslim NGOs and individuals dealing with these issues.

- b. Non-Muslims should accept the principle that each community has the right to practise their religion in the way they see fit. It would not cause any harm for non-Muslims to learn a bit more about Islam. That would help them understand where their Muslim friends are coming from.
- c. We should not be afraid to discuss religious issues, but should take extra care to be respectful of the beliefs of others. This implies a certain acceptance of diversity.
- d. Muslims must accept the fact that non-Muslims need clarifications regarding the Syariah Courts (Criminal Jurisdiction) Act as well as the Kelantan Syariah Criminal Code 2015. Non-Muslims need to be reassured that these new changes will not affect them adversely in any way and that if there are any unintended, unforeseen negative consequences, these will be dealt with expeditiously.

- e. We should not allow our politicians to sensationalize these issues in an attempt to show that they are the true defenders of their faith – MCA vs DAP and Umno vs PAS!

What about Muslims who have objections to Hadi's definition of Islam?

In the course of my discussion with Muslims, I have come across several whose views of Islam differ quite markedly from Hadi's. Let me state a few of their arguments here:

1. There are some Muslims who argue that the hudud punishments represent the maximum punishment permissible, and not the mandatory punishment. They argue that in the "Jahiliyah" period, a poor person who stole from a rich family might have suffered even greater punishment, and that the cutting of a hand after all other mitigating factors had been looked at, represents a much more humane punishment given that historical circumstance.
2. There are some who question the death sentence for apostasy. They argue that in those times, when there was armed conflict between the new Islamic society and the old tribal society, those who left them often ended up helping the enemy attack them. So the death sentence was for treason and not for the

loss in faith. Some Muslims feel that the definition of the offence of *irtidad* in Section 23(1) and (2) of the Kelantan Syariah Criminal Code is dangerously imprecise.⁸

3. Then there are some who point out that the practice of *rejam* for adultery was the practice in that region for 500 years or more before the time of the Prophet. It wasn't something new brought by the Prophet. In fact the extremely high standards of evidence introduced by the Prophet make it nearly impossible to prove *zina*. These friends argue that in effect the Prophet was trying to stop the practice of *rejam* but without saying that openly.

Questions:

– If there are Muslims with a view that is at variance with that of PAS, do these individuals have a right to voice their views?

– Should they voice their views?

– How should differences of opinion be handled by the Muslim community? Persuasion and by example, or in an authoritarian manner?

These are questions that our Muslim friends have to answer for themselves. A related if contentious issue that any multi-religious society has to deal with is: To what extent should non-adherents of a particular religion "look the other way" (because of the principle of non-interference in the religious matters of others)

if that religious community is contravening the principles of universal human rights in its treatment of certain individuals within that community for allegedly “religious” reasons?

Is there an *udang di sebalik batu* here?

Consider:

– The Speaker of the Dewan Rakyat agreed to include Hadi’s motion as item 15 of the order paper on 26 May.

– The minister in charge of parliamentary affairs took the unprecedented step of: (i) standing down government matters, and (ii) promoting item 15 on the agenda to first place.

Neither of them would have acted of their own volition. I have no proof of course, but it seems to me that something as big as this has to come from their number one!

But why? Why bolster PAS just prior to by-elections that the PM has to win big to put an end to the Mahathir insurgency?

Could it be that:

– Najib is already quite sure of winning handsomely as he has reliable information that PAS and Amanah are going to three-corner both seats?

– Najib is already setting his sights on winning big in the next general election? The purpose of this exercise is to drive a wedge between the Muslims and the non-Muslims in Pakatan Harapan. This, I believe, is the “*udang*” (ulterior motive).

– Timing it just before the by-elections is to ensure maximum embarrassment? DAP might feel that it has to show

its supporters that it is the better “defender” of the “secular constitution” compared to MCA. Amanah cannot afford to say that they are against enhancement of the powers of the Syariah Court. Of course, loose language by some leaders or even members of these two parties will aggravate the situation and, with a bit of luck for the BN, result in a public spat between the Pakatan Harapan parties.

Insertion of Hadi’s motion in the order paper in April 2015 was one of the causes of the breakup of Pakatan Rakyat. Someone is obviously hoping that getting Hadi to read it would do the same to Pakatan Harapan.

As for handling of the issue, I believe the only way is to take a principled approach as I have outlined above, and take that first to our own support base to see if we can get a buy-in from them. It might not be so easy because both coalitions – the BN and opposition – have been grandstanding on this issue, taking diametrically opposite stands depending on the ethnicity of the audience. But I think it can be done, and civil society groups also have a part to play. It cannot be swept under the carpet anymore. Our PM has put it on the national agenda and we have to deal with it. We have to trust in the maturity of our people. After all, they were smart enough to vote for us in 2008 and 2013.

Race and religion have been used time and again to divide the people so that the elite can stay in power. The British

did it to put down the radical nationalists. Our own leaders have kept doing the same. How much longer are we going to fall for the same ploy? The answer is in our hands. – *Malaysiakini* (29 May 2016)

Notes

1. Section 49(2), Standing Orders of the Dewan Rakyat.
2. Section 15(1), Standing Orders of the Dewan Rakyat.
3. Section 49(4), Standing Orders of the Dewan Rakyat.
4. The words “other than the sentence of death” were not there in the bill that was submitted by Hadi in April 2015.
5. Clause 22 of the Kelantan Syariah Criminal Code 2015.
6. Clause 13(1) of the Kelantan Syariah Criminal Code 2015.
7. Clause 23(4) of the Kelantan Syariah Criminal Code 2015.
8. Section 23 of the Kelantan Syariah Criminal Code 2015:
“(1) Whoever voluntarily and deliberately does an act or utters a word that affects or is against the faith in Islamic religion is committing irtidad.
“(2) Subsection (1) refers to any word or act concerning the fundamental aspects which are deemed to be known to all Muslims as part of his general knowledge for being Muslim, such as matters pertaining to Rukun Islam, Rukun Imam and matters of halal and haram.”

Opposition hasty again... for the third time!

S. Arutchelvan



Launch of the Pakatan Harapan.

ON 14 July, Dr. Mahathir once again held a press conference, this time to announce the formation of a new party. He didn't announce the name of the new party but said that this party will work with the opposition to topple UMNO-BN in the coming 14th general election.

The disappointing thing about this press conference was that it was again held with the same group of opposition leaders as the main supporting personalities – Mahfuz Omar, Lim Kit Siang, Salahuddin Ayub and several others. It's sad that a former dictator is now calling the shots for the Malaysian opposition!

The faces of the opposition leaders who accompanied

Dr. Mahathir looked empty – no new ideas, as if they were just errand boys for the Tun. The opposition appears to be so desperately devoid of a strategy to oppose UMNO-BN. The widespread exasperation of the public with the disputes within the opposition over the Sarawak state elections and the two recent by-elections in Kuala Kangsar and Sungai Besar does not seem to have awakened the opposition to the reality that Malaysians are crying out for a new brand of politics with new ideas.

The establishment of a new political party to oppose UMNO-BN will of course weaken UMNO, just as the establishment of Amanah has weakened PAS. However, it is

no secret that the main agenda of Mahathir's new party is to topple Najib. The lifespan of Mahathir's new party will end when Najib is overthrown, and after that, it will be back to "business as usual". Its members will rejoin UMNO in the name of Malay unity, just as Semangat 46 members did before. They will then give a new lifeline to UMNO once again.

If we compare Dr. Mahathir's proposed party with Semangat 46 led by Tengku Razaleigh, the agenda is about the same. The difference is that Semangat 46 was a much stronger party whose strength was based not only on opposition support but on support from among the UMNO grassroots. For the record, 1987 was a far cry from 2016. Back then, the opposition did not deny the BN its two-thirds majority in Parliament in the preceding general election. But in GE 13, the opposition won a larger share of the popular vote than did BN. With this under their belt, the opposition today should be much stronger than the opposition during Dr. Mahathir's era as Prime Minister, and should actually be calling the shots.

For me, what is really disappointing is the nature and at-



Launch of the Citizens Declaration.

titude of the opposition where once again, they have made yet another hasty, ill-considered decision. I would have assumed that when Dr. Mahathir indicated his intention of setting up a new party, the opposition would at least have said they needed more time to discuss the proposal with their Central Committees and perhaps also with their members before deciding to support this party. But no, they just jumped onto the bandwagon.

The birth of Pakatan Rakyat

The truth about Pakatan Rakyat (PR) is that it was not the brainchild of opposition leaders but was forced upon the opposition parties by Malaysian voters who, in the aftermath of the 12th general election, wanted the opposition to unite so as to take power in five states. Public pressure was so strong that the DAP and PAS agreed to work together on a common agenda.

PR's spontaneous formation was a high point in the history of opposition politics in our country. PR later held a na-

tional convention and formulated joint positions on several issues which have been enshrined in the Orange Book.

However, PR, which held the promise of replacing the ruling coalition, was killed off by the narrow and short-sighted politics of the DAP and PAS. They failed to sketch out an alternative development path for Malaysia. The death of PR brought profound disappointment and frustration among the people.

The establishment of Pakatan Harapan

After the dissolution of PR, one would have expected the opposition leaders to be more cautious in establishing a new coalition – that they would have taken steps to ensure previous mistakes were not repeated and that contentious issues such as the hudud laws, the New Economic Policy and local government elections were resolved before a new coalition was formed. However, this did not happen.

The opposition formed Pakatan Harapan (PH) rather

hastily. At the time of the announcement of the formation of PH, they did not have a common position and had not yet developed joint positions on crucial issues. In fact, in the two states ruled by PH, they had different coalition partners. In Penang, PAS is in the opposition, while in Selangor, PAS is part of the coalition government. When the media raised questions, they could not answer directly but announced that their Prime Minister candidate was Anwar Ibrahim, who himself was reportedly of two minds about the formation of PH in such a hasty manner.

So, it seems that they have not learned from the failure of PR. Why didn't they take a little more time to form a new alliance that is stronger and more credible? It appears that PH was just in a hurry to replace PAS with Amanah. They also took it for granted that the people would just accept this. They forgot that since the "Kajang Move" and Selangor Menteri Besar crisis, people have been losing faith in the opposition.

The Citizens Declaration

The opposition acted hastily once again when they plunged in to support the Citizens Declaration (CD) that was initiated by Dr. Mahathir. From the beginning, the opposition leaders were confused. They said they supported the CD as individuals and not as a party. This raised some confusion among their own supporters as well as among civil society. Getting Mahathir to lead and



Formation of new party.

hailing him as a champion of democracy was a bit too much to swallow for many. Civil society split into two and so did PKR. The opposition to BN split into two groups – pro- and anti-CD. PH had hoped to split UMNO by working with Dr. Mahathir, but ended up creating splits among themselves.

Again, the question is, why didn't the leadership of the opposition hold thorough discussions within their parties before jumping into the project? Why did opposition and some civil society leaders join in such a haste? The letter from Anwar Ibrahim from prison questioning the Citizens Declaration further created dissension within the opposition. This was the second mistake after the demise of PR, but it would not be the last.

Supporting Mahathir's party

Although hit twice, the opposition continued to display their brand of hasty politics by rushing to support Dr. Mahathir in the same press conference that announced Dr. M's new party. Some are saying that Dr.

Mahathir is now the new opposition leader, replacing Anwar.

It would have been a better strategy for the opposition to allow Dr. Mahathir's party to oppose UMNO separately. By not joining, each of them would have gotten more support to fight UMNO while not alienating their traditional supporters. However, in the latest episode, the opposition once again showed they have no ideas of their own. They just accepted Dr. Mahathir as their leader and appear keen to tango along.

Democracy for dummies

The various steps taken by the opposition show that they are desperate and hasty. They think they are going to win more rural Malay votes just by moving in the shadow of Dr. Mahathir. How are their policies for the rural poor going to be different from and better than those of UMNO-BN? Surely that is a more important plank of any effort to win over the still skeptical rural voters.

The ABC of democracy involves getting the views of the people, talking to ordinary

members and collectively discussing programmes before implementing them. However, the principles of democracy, participation and transparency do not seem to exist anymore. Civil society groups that were previously very active with various creative activities now seem to be increasingly weakened and losing focus. They are also like the opposition parties – without many ideas and hoping that Dr. Mahathir can lead us out of the political impasse we are now in.

Overall, opposition supporters have become discouraged. Some support Dr. Mahathir because they don't have a choice and because there seems to be no leadership from the leading opposition parties.

The ordinary people are suffering from the prolonged economic crisis and the crippling neoliberal system. They are also tired of top-down politics. They will re-engage actively in politics only when they become part of the change and are not reduced to being an observer from the outside.

There is only one way out of the situation that we are in – returning to the grassroots to build a mass movement from the bottom. Only a mass movement with the participation of the workers, peasants, youth and grassroots organizations can rebuild the strength of the people. We must develop a new, more democratic political process from the bottom up if we are to bring about real change.

S. Arutchelvan is a member of the PSM Central Committee.

Let's avert a complete rout of the opposition in PRU 14

D. Jeyakumar

A FEW days ago, at a PSM press conference I warned that the BN will not only hold on to Putrajaya but might also regain its two-thirds majority in the Dewan Rakyat. My reasons for fearing this include:

- The break-up of PAS and the real possibility of three-cornered contests in seats contested by Amanah.
- The rushed decision to form Gerakan Harapan Baru. PKR has chosen Amanah over PAS and this may lead to a diminution of PAS support for PKR in the next general election (PRU 14). This could prove costly to PKR in seats with more than 30% Malay voters.
- The ongoing public squabbling among the opposition parties. The thinking public despair that there isn't much to choose between the BN and the opposition.
- Most importantly for me, the failure of the opposition coalition to address honestly the fact that Malay support for the opposition declined between 2008 and 2013. This was clearly shown in analyses of voting trends in Kedah, Kelantan, Perak and Kota Raja.

The reticence of rural Malay voters towards the PR

The standard Pakatan Rakyat (PR) spiel re PRU 13 is that the election was stolen from the opposition by a combination of favouritism on the part of the Election Commission, ballot stuffing and the introduction of mysterious additional ballot boxes at the main counting centres, large numbers of illegal Bangladeshi voters, etc. Why didn't this affect the urban votes? The truth is, if the support of the rural Malay voters in Peninsular Malaysia had remained at 2008 levels, Anwar Ibrahim would now be in Putrajaya, not Sungai Buloh.¹

So why did rural Malay support decline for the PR? Why were the rural Malays more susceptible to BN propaganda? I would have thought that this should be a burning issue that the leaders of the opposition focus on, analyze and come to some consensus as to how to deal with. But we are not seeing this. The best minds in the PR seem to be focusing on corruption in UMNO – and there is certainly a lot to talk about there – but would those kinds of exposé lead the rural Makciks and Pakciks to vote opposition? I think rural Malays are aware of corruption

and misuse of power by UMNO but clearly, for them, a corrupt UMNO is a safer bet than the PR. Why?

Some individuals outside the PR have suggested some very plausible reasons. Dr Wong Chin Huat has argued that the PR hasn't yet clearly articulated how it is going to deal with rural Malay poverty. The BN system of subsidies and provision of infrastructure has not resolved the problem. But if the PR proceeds to cut back on NEP-type programmes, wouldn't the Malay poor in the countryside be in a worse-off situation? This, argues Wong, is one major cause of Malay anxiety regarding regime change.²

I agree fully with him on this. Until the opposition elevates the issue of persistent rural poverty as a central issue that it is committed to resolving, we can say goodbye to rural Malay votes in PRU 14 – and given the extra weightage of rural seats, it's quite a big number!

The causes of rural poverty among Malays

I carried out a survey covering 130 Malay families in Sungai Siput in August 2015.³ Among my key findings were:

- 45% of these families had household incomes of

less than RM1,200 per month. Another 40% had incomes of between RM1,200 and RM2,000 per month. Only 15% of these families earned more than RM2,000 per month.

- 55% of the main breadwinners (men aged between 30 and 50 years) in this survey were wage earners. 37% of the wage earners earned less than the minimum wage of RM900 per month.
- There was a high level of hidden unemployment. 43% of the men aged 30-50 years worked fewer than four days each week.
- 65% of the men between the ages of 30 and 50 were not contributing to EPF or SOCSO. This will have serious negative implications when they become senior citizens.

The major cause for this state of affairs is something that Marx termed “the army of the unemployed”. The existence of 3.5 million undocumented foreign workers in Malaysia drives down the wage floor in addition to creating under-employment. A local trying to get a job as an agricultural labourer would have to settle for rates that the “PATI” (immigrants without documents) agree to – i.e., around RM700 per month with overtime at the 1.0 rate. I expanded on this point in some detail in my 2016 Budget speech.⁴

Another cause of rural Malay poverty is the persistence of a feudal culture that aids and abets those who are

continuously siphoning off funds meant for poverty alleviation into their and their crony-partners’ pockets. The government allocates more than RM15 billion per year for poverty eradication in rural areas as follows:

- Ministry of Agriculture: subsidies covering padi farmers, rubber smallholders, vegetable farmers, fishermen, etc;
- Ministry of Rural Development: houses, bridges, roads, plantation projects, grants/loans for agro-businesses, MARA residential schools;
- Ministry of Education: primary schools in rural areas;
- Etc. The above list is not exhaustive.

Unfortunately, the manner in which this aid is given is opaque. The rural poor, the target population, are not informed of the actual allocation for the project in their kampung, its actual specifications, the quantum of the contracts awarded, etc. The poor communities are not in any position to monitor the execution of these projects. In the absence of proper checks and balances, officers from the ministry concerned, the local district officer and his staff, the politically connected contractors and the local UMNO ADUN and MP collectively siphon off a significant portion of the funds allocated. This portion can come up to 50% of the actual sum allocated! The irony of it is that the rural community being “helped” turn up at the launching of these projects and quite literally kiss the hands of the parties who are robbing them

of the full share of the allocation!

Practical solutions addressing persistent rural poverty in the Malay community

1. The precarious nature of the “army of the unemployed” has to be addressed, for this is the primary cause of both the under-employment and low wages in our B40 (bottom 40% income group) population of all races. The factors that turn foreign workers into PATI must be understood and xenophobic emotionalism has to be avoided. PSM’s suggestions are:

a. Ensure the right to redress for foreign workers. It is because they cannot fight back and at the same time need to send money home before returning that they feel compelled to go underground and become PATI. The moment they are dismissed because of complaining to the Labour Department, they should automatically get a pass that allows them to find another employer in the same sector.

b. Get tough on employers who employ PATI. At present the PATI are flogged but the employers pay their way out!

c. Point “b” will impact very negatively on the roughly 100,000 refugees in Malaysia. Right now, almost all of them are working in the black economy, for Malaysia refuses to recognize them as refugees but groups them with the economic migrants as PATI. PSM’s suggestion is that refugees should be registered and allowed to work legally. What’s

100,000 refugees compared to the 2 million documented foreign workers?

2. Remove the existing economic disincentives to hiring Malaysian workers. At this point in time, documented foreign workers are cheaper than Malaysian workers. The employer has only to pay the minimum wage to foreigners and their levy is deducted from their pay. The same employer has to pay RM117 extra as EPF contribution for a Malaysian worker with RM900 pay; levy payments must be fully borne by the employer.

The above two measures will not be popular among businessmen but are crucial to tackling rural poverty. Are the opposition parties prepared to take this stand?

3. Empower the rural kampungs so that they can play a role in monitoring how the allocations meant for them are utilized. This should be coupled with the guarantee that the current level of budgetary allocations for the rural poor will be maintained under the PR. But of course, much more will go to the people as corruption and cronyism would be brought under better control. The following should be done:

a. All allocations for projects should be displayed in the Land Office as well as online. Information on the amount allocated, the specifications for the project and the main contractor selected should all be made available so that the kampung people know the full situation.

b. The Public Complaints Bureau should be expanded

with enough staff to go and investigate cases flagged by the kampung people. And action must be taken.

4. The post of Ketua JKKK must be elected. At present the district officer and the UMNO ADUN are the main determinants of the Ketua Kampungs. But these two are the persons most likely to pilfer funds meant for the kampung! Ketua Kampungs who owe their position to the kampung folk will be in a stronger position to play the role of check and balance regarding funds for poor rural communities.

The above two policy positions would be hugely popular with the kampung people, especially those below 60 years of age. It would help ensure that opposition politicians will not degenerate into BN types after a few years in power!

5. The fifth policy should be to address the problem of poor social protection in old age. The PR should announce old-age pension of RM200 per month for all Malaysian citizens and red IC holders aged more than 70 years. Only those receiving government pension or Socso pension should be excluded from the scheme. This would be very popular with all social classes. Its annual cost would be about RM200 X 12 months x 800,000 people over 70 years old = RM1.92 billion.

6. Finally, the PR should state that the privatization of public services – healthcare, tertiary education, transport, water supply, rubbish collection, etc. – will be stopped. The

privatization of basic services and their transformation into commodities really pushes up the cost of living.

There could be more ideas in the policy mix that we the opposition present to the rural poor in particular and to the Malaysian public generally. There needs to be an in-depth discussion among opposition parties as well as individuals and NGOs who are really interested in ushering in regime change in Malaysia. We should only make these promises if we seriously intend to implement them if we win! It is an important discussion if the opposition wishes to avoid a great setback in PRU 14, which the BN will probably call within a year of retiring Najib. That day may not be very far off! – 29 February 2016

Notes

1. Of the 71 seats won with a less than 10% majority, 43 were won by the BN. www.themalaysianoutsider.com/opinion/thomas-fann/article/focus-on-marginal-constituencies (89 PR seats + 43 = 132 = Putrajaya)
2. Paper presented by Dr Wong Chin Huat at PSM Congress, 13 June 2015.
3. “Kajian Terhadap Ekonomi Masyarakat Desa”, in Koleksi Perbahasan Ahli Parlimen Sungai Siput.
4. 2016 Budget speech, delivered in November 2015. The original BM version is in the Koleksi Perbahasan Ahli Parlimen Sungai Siput, which is available at the PSM headquarters in Brickfields.

Public funding for political parties

D. Jeyakumar

THE democratic system itself has become an important cause of corruption in many countries including Malaysia. This is because democracy in a capitalist country is expensive! All political parties which wish to compete in the election system need funds. Money is needed to open branch offices, pay for office staff and equipment, transport leaders to various meetings all over the place, rent halls to have talks, hire research staff, print party material etc etc.

In countries like Malaysia, where there is no provision for public funding of political parties, there are only three ways to collect funds for political activities:

1. from party members and supporters (hardly enough!);
2. from businessmen;
3. from cronies who are the beneficiaries of over-generous government contracts.

Giving contracts to cronies at an inflated tender price is corruption. The people are cheated as their money given in trust to the government has been misused. Donations from corporate figures also undermine democracy because there is usually a hidden agenda attached. Corporate figures who donate expect something in return – maybe a licence, a contract, a more business-friendly policy etc. The reliance of political parties on the corporate

sector for funds renders these parties less responsive to the views and needs of ordinary people as these parties need to cultivate their wealthy funders.

This issue of political funding became one of the core issues in the primary elections of the Democratic Party in the United States, with presidential contender Bernie Sanders claiming that the other candidates are excessively influenced by the richest 0.1 % who donated millions of dollars to their campaigns.

One of the ways to overcome this problem is to allocate a certain amount from the Federal Budget to be paid to each political party every year and to strictly limit and monitor donations from the corporate sector. The distribution of government allocation to political parties must be done fairly. In the Malaysian context, it shouldn't be left to the Election Commission, which has up till now conducted itself as an appendage of the ruling coalition. Dividing up the funds based on the popular vote would be a fairer method, but would tend to disadvantage smaller parties which refrain from fielding candidates so as to not break up the opposition vote.

The fairest and most democratic method of allocating public funds for political parties would be to allow the voters themselves to decide how the funds should be apportioned. Under the present

system, in every general election, a voter gets two ballot papers – one ballot paper to choose a Member of Parliament and another to choose the State Assembly Representative. PSM would like to recommend a third ballot paper which lists all the political parties registered with the Election Commission whether or not these parties are competing in that constituency. Thus each voter will get the chance to select the party that should receive their financial support by indicating their choice in this third ballot paper. Each party will then receive RM10 every year from the Federal Government for every such vote cast. These payments will continue yearly till the next general election. An additional RM10 per vote received will be given when parliament is dissolved prior to the next general election.

There are now some 13 million voters in Malaysia. An amount of RM10 per voter adds up to RM130 million per year. It looks like an immense sum but is actually barely 0.05% of the total Federal Budget (of RM260 billion). This is surely a worthwhile investment as it would liberate the political process from the grip of the richest 0.1% and the corporate sector, and make political parties more responsive to voters, and our political system much less corrupt.

Turkey: The coup that failed

Choo Chon Kai

ON 15 July 2016, a faction in the Turkish army attempted to stage a coup during the night, in an attempt to topple President Recep Tayyip Erdogan and the government led by the Justice and Development Party (AKP).

Erdogan, who was on holiday in Marmaris in the southwestern part of Turkey when the coup was launched, called on his supporters to gather in the main squares and in the airport to defend the Republic and the elected government. Tens of thousands of Turks took to the streets on the night of the 15th to protest the coup attempt. Within the next few hours, the coup attempt was defeated by another section of the armed forces and the huge masses of Turkish citizens who mobilized to defend the democratically elected government.

Armed clashes took place on the night of the 15th in Ankara, the Turkish capital, and Istanbul, the largest city in the country. The parliament building and the presidential palace were attacked by the forces involved in the attempted coup. By the next morning, the situation had stabilized sufficiently for Binali Yildirim, the Turkish Prime Minister, to announce that the

coup had been defeated.

According to reports, over 300 people died in the attempted coup, including soldiers for and against the coup. More than 1,400 people were injured. Immediately after the foiled coup attempt, the Turkish government started rounding up those suspected of involvement in the plot to overthrow the government and made arrests on a large scale. At least 6,000 people were detained in the first 48 hours after the coup.

The military coup drama ended in failure. The Turkish people managed to save the democratically elected AKP-led government. However, this does not mean that the Turkish state has fully resolved its crisis. The coup attempt is but the latest episode in the political turmoil of that country and it gives us a glimpse of the contradictions within the ruling elite of Turkish society. Erdogan's crackdown in the wake of the coup seems to indicate that Turkey is moving in an authoritarian and repressive direction. If anything, the political crisis in Turkey has gotten more serious!

The AKP has ruled Turkey since 2002. In the past 14 years, it has won every election. In the first ever presidential

election on 10 August 2014, Erdogan, who was at that time Turkey's Prime Minister, won an outright majority of 51.79% of the vote in the first round, rendering further rounds of voting unnecessary.

Erdogan has been trying to change the political system in Turkey from a parliamentary system with the Prime Minister as the chief executive of the government to a presidential system. A constitutional amendment referendum in 2007 enabled direct voting by the people to elect the president. Erdogan has been planning further constitutional amendments to expand the executive powers of the president. However, his efforts to broaden presidential powers were disrupted for a while by the failure of the AKP to win an outright majority of the seats contested in the parliamentary election of 7 June 2015.

The situation of relying on smaller parties to hold power led to another general election on 1 November 2015. The AKP won 317 of 550 parliamentary seats (more than half) to maintain its position as the ruling party, in an election which saw the AKP deliberately inciting conflict in Kurdish territory, indulging in rampant political violence,

including physical violence against the opposition, and generally restricting the democratic space.

Ever since 2001 when Erdogan and the AKP he led came to power on a nationalistic (to restore Turkey to the power it held as the Ottoman Empire) and populist platform, the AKP government has consistently implemented neoliberal economic policies. Turkey has liberalized the economy and opened the door to multinational corporations to invest and squeeze cheap labour in the country.

This led to a steady increase in the GDP but at the same time, the share of wealth held by the richest 1% of the population increased from 39% in 2002 to 54% in 2015. In other words, the distribution of wealth in Turkish society became worse under the neoliberal economic policies implemented by Erdogan. The life of the ordinary citizens has gotten more difficult while wealth is increasingly concentrated in the hands of a small upper class.

In the past few years, the economic crisis in Europe has impacted Turkey, causing a sharp reduction in the rate of growth of the Turkish economy. This has exacerbated the social contradictions in Turkey. The coal mine disaster in Soma in May 2014, which claimed the lives of 311 workers, is just one example of the plight of workers under the pro-corporate regime of the AKP.

The AKP regime has been using harsh methods to

suppress the voice of the opposition and has become more repressive over the past few years. However, since Turkey is an important ally of the United States, the government of Turkey under Erdogan has always been glorified by the Western media as an example of “Islamic democracy”.

Turkey has played an important role in the geopolitics of the Middle East. The AKP regime supported the US military attack on Iraq. Turkey also played an important role in the Syrian civil war that has claimed more than 400,000 lives and created more than 4 million refugees fleeing the country (in addition to more than 6 million internally displaced refugees in Syria itself). The Turkish government has secretly supported armed groups opposing the Assad regime in Syria, and was instrumental in the rapid development of extremist armed groups, such as Al-Qaeda and ISIS.

However, since September 2014, the AKP government changed tack and joined the US-sponsored military operation against ISIS. Since then, Turkey has become the target of ISIS terrorist attacks and the government of Turkey has used the excuse of terrorism to further constrict the democratic space. In operations justified as part of the campaign against ISIS, the Turkish military has also targeted the Kurdistan Workers Party (PKK) in northern Iraq.

The process of reconciliation between Turkey and the PKK has been destroyed and

the conflict in Kurdish territory has been getting more serious in recent years. The Kurdish armed groups were a major force in the battle against ISIS in Syria and Iraq. Turkey’s military action against the Kurds is actually helping ISIS. The Kurds living in Turkey are also facing the threat of attacks from government supporters. The headquarters and branches of the leftist and pro-Kurd Peoples’ Democratic Party (HDP) have been attacked by thugs many times.

The current atmosphere of violence and tension in Turkey has been used as an excuse by the AKP government to strengthen its iron fist. Media freedom has been restricted, narrowing the democratic space in Turkey.

The real motives behind the botched coup in Turkey remain unclear. What is clear is that the contradictions of Turkish society are becoming increasingly serious and the Erdogan regime will probably become more and more repressive after this. No wonder a conspiracy theory has been floated suggesting that the coup attempt was a plot directed by Erdogan to enable him to intensify his control over the nation and extend his lengthy reign.

Naturally we should protest any military coup that attempts to overthrow any democratically elected government, but this does not mean that we should idolize a government that is closely allied with Western imperialist powers, practises neoliberal economic policies and is getting more authoritarian and repressive by the day.

Small country, big win against a giant

Mary Assunta

APART from its prowess at football, we hear little about Uruguay, a small South American country with a population of about 3 million. On 8 July, Uruguay was handed a monumental victory after a six-year legal battle brought against it by Philip Morris International (PMI). Uruguay's victory against the world's largest transnational tobacco company is reverberating hope around the world especially for developing countries.

To protect public health, Uruguay passed legislation in 2006 requiring tobacco companies to apply 80% pictorial health warnings to cover cigarette packs and limit the sales of cigarettes to only one variant per brand to prevent smokers from being misled into thinking one variant was safer than another. At that time, Uruguay's 80% pictorial warnings were the largest in the world



and welcomed as a bold step by a small developing country.

PMI, a multi-billion-dollar company, responded to this public health measure by using its arsenal of lawyers and big war chest to launch a legal challenge against the government in March 2010 in the World Bank's International Centre for Settlement of Investment Disputes (ICSID) in Washington DC. Based on an obscure 1991 Switzerland-Uruguay bilateral investment treaty, PMI claimed

its intellectual property rights had been violated and sales had been hurt.

Uruguay's cigarette market is not big, and it has fewer smokers than Malaysia. However, using the trade platform to challenge Uruguay, PMI was really sending a message to the rest of the world – “be ready to be sued if you strengthen tobacco control measures such as enlarged pictorial warnings on cigarette packs or plain packaging”.

While Uruguay did not have the finances nor the technical expertise to fight this challenge, it did have an oncologist for a president, who was committed to protecting his people from the ravages of smoking and who spearheaded the anti-smoking campaign. Fortunately for Uruguay, a generous private American philanthropist stepped in and provided funds and technical



PHILIP MORRIS

because most developing-country governments simply do not have the funds for protracted legal challenges. Previously Philip Morris has sued the Malaysian and Thai governments on other tobacco control measures. These cases delayed government efforts in reducing tobacco use.

Recently, Australia won a similar challenge brought against it by Philip Morris Asia, which again used a bilateral trade agreement to challenge Australia's plain packaging laws.

The Malaysian government can take heart from the victories of both Uruguay and Australia, which affirmed that adopting stringent tobacco control measures is the sovereign right of the government. The government must protect public health from a harmful business which causes 20,000 deaths in Malaysia every year.

If Uruguay can prevail against the tobacco giant and win, so too can Malaysia. The government should proceed with its plans for plain packaging and ban cigarette pack display at retail outlets. – 14 July 2016

Mary Assunta is senior policy advisor at Southeast Asia Tobacco Control Alliance. The above article was carried in Malay Mail Online and Malaysiakini.

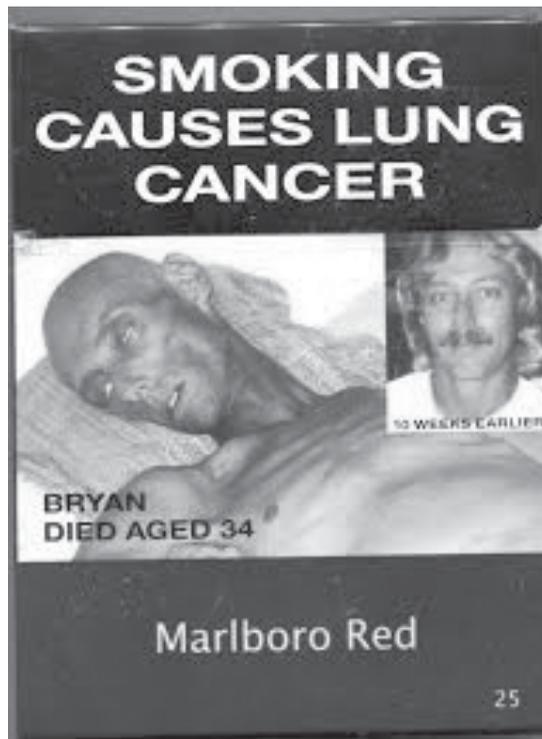
support for its defence through the six years until its victory against the tobacco giant.

Uruguay did not back off nor suspend its strong tobacco control measures. On 8 July, it was vindicated for exercising its sovereign right to protect public health. The Washington DC-based tribunal ordered PMI to pay Uruguay US\$7 million and reimburse other costs associated with the case.

According to a statement from Uruguay's president, "the health measures that we have imposed to control tobacco and protect the health of our people have been recognized as legitimate and adopted as a sovereign function of our republic."

Plethora of protests

In Malaysia, ever since the Health Ministry announced plans for plain packaging in



February, there has been a plethora of protests from the tobacco industry and its sympathizers with similar arguments – how this will violate intellectual property rights, even violate human rights – warning the government of repercussions.

Suing a government is a well-known intimidation tactic

Living in a Time of Deception – a historical memoir

Terry Xu

OVER 300 people turned up for the launch of one of the most important publications in Singaporean history. The historical memoir by Dr. Poh Soo Kai, *Living in a Time of Deception*, documents not only his life as a student, a medical doctor and a politician during the pre-independence period in the 1950s but also the political development of Singapore as he lived through the nation-changing events in the 50s and 60s.

Dr. Poh is a man with a rich history; he was a founding member of the People's Action Party, the Assistant Secretary-General of Barisan Sosialis, and a founding member of the Singapore Medical Association. Dr. Poh also has a distinguished family background, with prominent millionaire businessman and philanthropist Tan Kah Kee as his maternal grandfather.

On 2 February 1963, Dr. Poh, along with 112 other individuals, was detained without trial under “Operation Coldstore”, an operation which the government claimed was meant to cripple the Commu-



nist open front. He was detained twice for a total span of 17 years.

Dr. Hong Lysa, a Singaporean historian, described the book as not just a historical memoir but also a historic publication, because this book is the first publication that accounts for events in the 1950s and 60s, linking Singapore from its postwar era right up to the present day – an account that does not run along the lines of the conventional Singapore story.

Dr. Hong took the opportunity during her speech to express appreciation for the publication of this memoir: “The chances of having this book become a reality are actually very slim if you think about how many people in their

80s have the ability to recollect experiences more than 60 years ago.” She went on to comment on the timing of Dr. Poh’s publication: “The passage of time has in fact sharpened his analysis, he has never stopped to think about what to write about.”

Tan Kok Fang, a former detainee under the Internal Security Act, referred to a 20-character Chinese couplet written by Dr. Poh’s grandfather Tan Kah Kee for a Burmese newspaper. Tan Kah Kee wrote that a commoner has responsibility for the success and fall of a country; one can sacrifice one’s fortune but one cannot fail to distinguish right from wrong. Tan Kok Fang said that these words from Dr. Poh’s grandfather aptly set the direction of this book – the need to debunk Lee Kuan Yew’s story of Singapore.

Dr. Poh, in his speech, thanked local NGO Function 8 for its assistance in publishing his book and the organizing of the book launch. He also brought up the difficulties faced by him and Function 8 in

securing the venue of the book launch. Dr. Poh's application to use the Medical Alumni Auditorium for the launch was rejected despite his being an alumnus and a founding member of the Singapore Medical Association (SMA). Even when the SMA tried to assist in the booking of the venue in the name of the organization, the Medical Alumni again rejected the application.

Function 8 then booked the Tan Kah Kee Auditorium from the Singapore Chinese Chamber of Commerce and Industry (SCCCI) and paid the booking deposit. However, within just a week, the booking was cancelled, with no reasons given. Dr. Poh said it was sad that, as a grandson of Tan Kah Kee, he was unable to launch his memoir in the hall named after his grandfather and to pay homage. He remarked that these were signs of a "sick society".

Dr. Poh welcomed criticism and scrutiny of his book and said, "History is not a tale that can be fabricated or conjured out of thin air. A Singapore story cannot masquerade as the history of Singapore." He went on to cite two "inaccurate historical facts" taught as Singapore history as examples of the "Singapore story".

The first is the incident at Beauty World, where the Secretary-General of Barisan Sosialis, Lim Chin Siong, was



Dr. Poh Soo Kai.

accused of instigating the crowd to beat up the police by saying "*Pah mata*" (beat the police). However, the record of his speech recently found in the British Archives debunks this allegation.

The second is the allegation by the Internal Security Department (ISD) that Dr. Poh, his wife and Dr. G. Raman visited Masai, Johor to treat an injured bomber. Dr. Poh denied this allegation and said that immigration records could easily prove that it was untrue but the government chose not to check these records. His wife was detained for a month by the ISD.

Such inaccurate representations of history may be unsettling for many who have been taught otherwise. R. Joethy, a lawyer and former member of the University Socialist Club, addressed this in his speech by saying, "Sometimes the facts may not be acceptable, but we must dare to know the facts." Saying that Dr. Poh has taken great pains

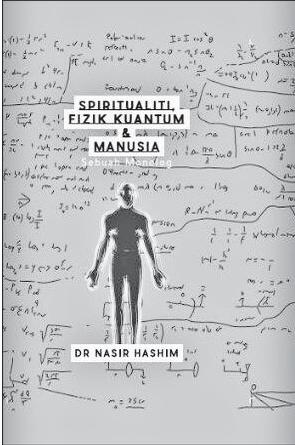
to record the political developments, he added that there have been "far too few" histories of that particular period written from a non-establishment point of view, giving context from Dr. Poh's perspective on how decisions were made by the British government and the colonial civil servants in Singapore.

Mr. Joethy also noted that this book is for the future generation because it is not going to be taught in school. "This book is like wine, take it, keep it, savour it once in a while."

The speakers at the book launch unanimously agreed that there will be accusations that the book attempts to rewrite history, but welcomed scrutiny of the book grounded in fact. And it is to facilitate a constructive discussion with would-be critics that the book carries numerous references to sources based on the Hansard, British archives and other relevant documents. "One can argue over the interpretation, but the facts must be there," said Dr. Poh.

When asked in the Q&A session to give advice to Singaporeans, Dr. Poh said, "Those in power will do everything to keep themselves in power, so those who oppose have to realize that the road ahead will be tough ... On the other hand, one has to feel committed, committed to your cause." – *The Online Citizen* (14 February 2016)

PSM Publications



Spiritualiti, Fizik Kuantum Dan Manusia

Author: Dr. Nasir Hashim
Language: Malay
No. of Pages: 112
Price: RM18

Buku ini bagus untuk menjadi bahan rujukan atau koleksi bagi mereka yang berminat untuk menjenguk apa cerita yang ada di dalam... cuma istilah atau perambangannya lebih kepada bahasa-bahasa sains dan akademik...

Untuk saya buku ini adalah tentang asas pengenalan bagi mereka yang berminat dengan alam hakikat dan manusia... Siri-siri monolog, persoalan dan apa saja membentuk kefahaman bagi individu itu sendiri dalam mengenai Tuhannya.

– Meor Yusof Aziddin



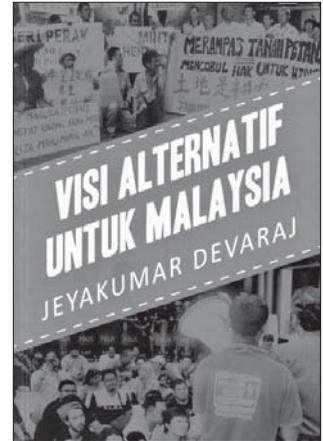
Kaatu Perumal

Author: Dave Anthony
Language: English
No. of Pages: 118
Price: RM15

This is a historically important booklet, a 'must' reading for people like me who do not know much about how the Emergency had affected the Tamil communities in the rubber estates. The horror of Chinese squatters herded into New Villages is better known compared to the sufferings of their Indian compatriots within the concentration camps of the plantations.

The inspiring and heroic life of Kaatu Perumal reflects their struggle for a just economic existence, and for human respect and dignity.

– Poh Soo Kai



Visi Alternatif Untuk Malaysia

Author: Jeyakumar Devaraj
Language: Malay
No. of Pages: 156
Price: RM20

Samada seseorang itu kapitalis, sosialis atau hanya berminat dengan tadbir urus yang baik, ternyata akan mendapat manfaat dengan membaca koleksi ucapan dan kertas kerja oleh Dr Jeyakumar, seorang ahli politik berprinsip yang saya hormati. Seperti yang dijangkakan, setiap kata dalam penulisannya dinilai dan dipertimbangkan dengan teliti dan penuh cermat. Hasilnya ialah koleksi yang mencabar kita dalam memikirkan kembali faedah dari sistem kita mutakhir ini dengan meletakkan ia selari dengan falsafah 'rakyat didahulukan', dalam erti kata yang sebenar. Anda akan menemu konsep bahawa pemimpin politik harus hidup bersederhana, mengisytiharkan harta mereka dan berperilaku dengan bermaruah. Sungguh memberansangkan! Namun kekuatan sebenar kata-kata Dr Jeyakumar terletak pada kenyataan bahawa dia bukan sekadar tulis atau mengatakannya. Beliau hidup dengannya.

– Dato Ambiga Sreenevasan

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**ARISE YE WORKERS FROM YOUR SUMMERS
ARISE YE PRISONERS OF WANT
FOR REASON OR REVENGE NOW THUNDERS
AND AT LAST ENDS THE AGE OF RAIN.
AWAY WITH ALL YOUR SUPERSTITIONS
SERVILE MASSES ARISE, ARISE
WE'LL CHANGE HENCEFORTH THE OLD TRADITION
AND SPURN THE DUST TO WIN THE PRIZE.**

**SO COMRADES, COME HULLY
AND THE LAST FIGHT LET US FACE
THE INTERNATIONAL UNICES THE HUMAN RACE.**

**NO MORE DELUDED BY REACTION
ON CYRANES ONLY WE'LL MAKE WAR
THE SOLDIERS GOD WILL TAKE STRIKE ACTION
THEY'LL BREAK RANKS AND FIGHT NO MORE
AND IF THOSE CANNIBALS KEEP TRYING
TO SACRIFICE US TO THEIR PRIDE
THEY SOON SHALL HEAR THE BULLETS FLYING
WE'LL SHOOT THE GENERALS ON OUR OWN SIDE.**

**NO SAVIOUR FROM ON HIGH DELIVERS
NO FAITH HAVE WE IN PRINCE OR PEER
OUR OWN RIGHT HAND THE CHAINS MUST SHIVER
CHAINS OF HATRED, GREED AND REAR
STAY THE THIEVES WILL OUR WITH THEIR HOOKY
AND GIVE TO ALL A HAPPIER LOT.
EACH AS THE RONGE MUST DO THEIR DUTY
AND WE'LL STRIKE WHILE THE IRON IS HOT.**

**SO COMRADES, COME HULLY
AND THE LAST FIGHT LET US FACE
THE INTERNATIONAL UNICES THE HUMAN RACE!**