
Author: Ghanapal, Sanuj; Sabaruddin, Johan Shamsuddin
Source: Advanced Science Letters, Volume 23, Number 1, January 2017, pp. 000-000
Publisher: American Scientific Publishers
DOI: https://doi.org/10.1166/asl.2017.7269

The Security Offences (Special Measures) Act (SOSMA) 2012 was passed by the Malaysian Parliament and given the royal assent on 18 June 2012 and is the current law in place to counter the grave risks to internal security and public order from threats like terrorism, sabotage and espionage. This research scrutinizes SOSMA 2012 with the principles upheld in South Africa’s Protection of Constitutional Democracy against Terrorism and Related Activities Act (POCDATARAA) 23 of 2004 in light of the standards maintained to uphold basic human rights while protecting the nation’s internal security. The reason for choosing South Africa for comparison is because South Africa is said to have gone through almost similar development in the laws governing internal security like Malaysia. In Malaysia, the Internal Security Act 1940 was repealed and replaced by SOSMA 2012 four years ago. Similarly, in South Africa, the Internal Security Act 1942 was repealed and replaced with a new law in 2004, the POCDATARAA 33 of 2004. This comparison will result in a clearer understanding of the changes in the law.