

**SPEECH BY
YAB DATO' SERI ABDULLAH BIN HAJI AHMAD BADAWI
AT THE CLOSING CEREMONY OF THE 12TH COMMONWEALTH
LAW CONFERENCE
AT SUNWAY LAGOON RESORT HOTEL
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You have now come to the end of the last commonwealth law conference of the millennium. I am sure that you must have found this gathering both thought provoking and challenging.

Accepting an opportunity to make a speech to close this august conference is an honour, and it is certainly a weighty privilege to have the last say on the issues that were discussed over the last four days.

I am not a lawyer, however I am a legislator and have recently taken upon the duty of serving as the home minister. As a lawmaker I endeavour to help pass laws which are for the benefit of our people. Therefore, my concerns are largely your concerns. You represent the legal fraternity. I represent the government - the government of Malaysia, which has been democratically elected with a 2/3 majority in parliament - a majority which it has had since the gaining of independence.

Being asked to close a conference of this standing is not easy given the importance of the subjects which have been discussed. Nevertheless I shall attempt to provide my impressions of the issues that you have deliberated upon.

Distinguished delegates,

I take note that the theme for your conference was "law and society in the 21st century". I am pleased that the emphasis of this conference has been to look ahead to the future. Often we are too preoccupied with current issues that we neglect to anticipate the future. This conference, however, has brought together some of the most respected jurists in the commonwealth to chart the way forward.

In Malaysia, we believe that laws must be created for the needs of the future. A country which grows dynamically requires forward looking laws to complement this rapid pace of development. MALAYSIA HAS We have been fortunate because the government has been able to work with the legal fraternity in creating laws that will stand up to the challenges of the new millennium.

For example, Malaysia is one of the first countries in the world to have developed a comprehensive set of cyber laws. We endeavour to be pioneers in this field because we recognize that information technology will be the next engine of growth. We have already actualized world-class physical infrastructure in the form of the multimedia super corridor. And we have now taken it one step further by formulating a legal framework to strengthen this nascent industry.

Our communications and multimedia act of 1998 has taken the brave step of foreseeing and preparing for the convergence of the broadcasting, telecommunications and on-line media. The act also provides for industry self-regulation and the region's first competition laws. The government has also enacted such instruments as the digital signatures act, the telemedicine act and the data

protection act as part of its commitment in helping to broaden our technological horizons. Furthermore, we are striving to consolidate the protection of intellectual property rights to create a conducive environment for the birth of new ideas.

In addition to our preparations for the coming technological age, we have not overlooked our responsibility in strengthening our existing institutions. We have built upon our principles of corporate governance through amendments to the Companies Act, which enhances the protection of our investors and stakeholders. We have also recognised the importance of the protection of consumers and to this end have passed the consumer protection act.

These efforts demonstrate the Malaysian government and legal fraternity's recognition that the law should work for the development of our country. It is such co-operation between the government and the legal fraternity that demonstrates our progress towards an effective solution to our country's particular situation.

Ladies and gentlemen,

We believe that it is pointless to have the ideas and the facilities, if those involved are not protected by a set of laws which will facilitate their success.

Let me assure you that Malaysia recognizes only too well the worldwide development of larger and more sophisticated domestic markets together with the fast pace of globalization resulting in greater interaction between countries. Therefore, in order for our young nation to succeed in such a competitive international arena, priority must be placed on promoting confidence in our institutions of government - the executive, parliament and, of course, the judiciary. It is only through strengthening our institutions can we progress in search of our hopes and dreams.

But such confidence in our institutions must come not from blindly following the dictates of popular criticism, but basing it upon one of our greatest strengths - our common law heritage -and in particular the principle of the rule of law. Having inherited this strong tradition, we have successfully adapted it to our own unique circumstance.

Malaysia is itself a commonwealth made up of many ethnic groups, religions and cultures. We want to continue to build a nation that will not only survive on these differences but in effect, thrive through the celebration of our diversity. This is made possible through the practice of racial and religious tolerance, enabling us to live in peace and harmony.

Malaysians have fought long and hard to create the shared destiny and unity that you now see among our people. When we gained independence 42 years ago we were a fragmented society. We had to build a nation out of an imagined community - one in which people of different race and creed could identify with one another. Let me assure you that it was not an easy undertaking.

But I can safely say that we have been successful - and successful in a very short span of time. The Europeans took over 400 years to forge their nation-states, and this process involved wars and revolutions. Malaysia's only significant racial conflict some thirty years ago pales in comparison to the suffering endured by the European nations in their quest to form their own identities. Malaysia has achieved this because from the beginning we recognized that respect and tolerance must guide our

development. Respect - which is enshrined in our national ideology. And tolerance - which is engrained in our national conscience.

It is because of this that we find it imperative to combat chauvinism, racial hatred and religious intolerance. We do not want peace and harmony to be mere ideals that cannot be translated into action for the benefit of our people. The rule of law in Malaysia serves this function: to preserve our peace and prosperity.

Nevertheless, a time will come when our laws will be open to review. Peace and prosperity will inevitably bring along with it political maturity and a greater sense of responsibility towards a diverse and multi-racial society. When such a time comes, laws can be subject to change in accordance with the people's needs and desires.

The rule of law ensures that laws must be dynamic by their nature - nothing should be cast in stone. And our words are not empty: witness, for instance, the beginnings in the form of our recent institution of a human rights commission which reflects Malaysia's concern for the protection of all human rights.

Therefore, it is our view that concepts such as human rights, democracy and the freedom of the individual should not be used as tools to create chaos within society, but should rather be tempered by responsibility towards one's community.

To live in peace, without fear, cannot be compromised. The exercise of the privileges of liberty cannot be unlimited, but such limitations should only be for the benefit of society.

Wanton disregard for the law and institutions put in place to protect Malaysia's future should not be entertained. To allow such behaviour would be an affront to our struggle thus far.

And just see where we have come: we have been able to create a united nation from a divided people; an industrial economy from an agricultural society; a fiercely independent and proud race from a shackled colony; a nation where its citizenry is proud to raise its flag and be called Malaysian.

Distinguished delegates, ladies and gentlemen,

It has been a great honour for Malaysia to have been given the opportunity of hosting the 12th Commonwealth Law Conference. We are a proud member of the Commonwealth and believe that there is much to be learnt from each other, especially because of our historical ties. This conference has demonstrated that, even in a field as contentious as the law, we are able to meet as colleagues and friends to debate on issues which are of the utmost importance to any democratic society.

Finally I would like to thank the bar council for inviting me to close this conference. It is my hope that at tonight's dinner you will all have an enjoyable time and be able to further enhance cooperation within the commonwealth legal family. This evening will provide you with the opportunity to renew old ties and make new friends and such strengthening of relations can only augur well for the legal community.

On that note, I hereby declare the 12th Commonwealth Law Conference closed.