

**KEYNOTE SPEECH BY TUN DR. MAHATHIR MOHAMAD AT
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Bismillahirrahmanirrahim, Assalamualaikum warahmatullahi wabarokatuh dan salam sejahtera kepada hadirin sekalian.

Firstly I would like to thank the organisers of this discourse for once again inviting me to speak on a subject that can be controversial or it can be just an exercise in educating ourselves. We are going to talk today about “National Sovereignty”. Of course, in order to talk about national sovereignty we need to know what the term ‘nation’ means.

Actually, the concept of the nation state did not exist before. In those days, in the old days, in Europe as well as in Asia, there were small fiefs, principalities, dukedoms and regions headed by the local chief. In some instances, the local chief was very powerful and controlled big fiefs. There would be other small principalities where the chiefs were weaker and they would constantly be subjected to pressure and attack by the stronger principalities.

Therefore, it happens that over time, the stronger principalities would subjugate the weaker states. When the leader or prince was particularly powerful, the subjugated states would be brought together to form a nation. The case of Garibaldi [Giuseppe Garibaldi] the Italian leader is an example of how a powerful leader was able to unite so many principalities and to form a new state, and to establish sovereignty for that state. Of course for this to happen it would require subjects with absolute and completely loyalty to the particular state.

It was the same with the Germans. When the Prussians became very powerful they united the German speaking states. In their enthusiasm, they also include the non-German speaking areas like Alsace-Lorraine. In the Far East we witnessed the same phenomenon. We saw many warlords in China and they were constantly waging wars with each other. Strangely however, the Chinese warlords did not manage to unite the Chinese territories. The unity was instead accomplished by the Mongolians. When the Mongols conquered China, they brought the southern and northern parts together to form the great nation of China. China therefore has to thank the Mongols for their unity.

In Malaysia, we had little states, fiefdoms and principalities that we refer to as 'negeri'. These principalities were not defined by officially recognisable boundaries. The states were weak and were submissive to their stronger neighbours, becoming vassal states to more powerful neighbours like Siam, China and Malacca. It was not until the Malayan Union was formed during the British occupation that the Malay states were unified to form a Malay nation.

Similar phenomena occurred in the other parts of the world. Over time there seemed to be a movement towards unity, towards bringing people of the same race and language together as a group. They would form states and pledge allegiance to other states. Over time the concept of nation states became the acceptable form adopted by people all over the world.

Today we talk about states and we consider these as entities that exercise a degree of authority within their own boundaries. In other words, they are sovereign states. Being sovereign however is now always easy. You need to be strong in order to maintain your independence from the threats of foreign hegemony or colonisation. Many of us, once weak states of the world, were colonies of the very powerful nations of Europe.

Colonisation began when Europeans started sailing beyond their shores. In 1492 for example, Columbus (Christopher Columbus) crossed the Atlantic to America. Shortly after, Vasco Da Gama sailed around the Cape of Good Hope and discovered (for the Europeans) the East – India, China, and Japan, including the Malay states. The Europeans were aware of the existence of the East but had no knowledge about these countries and the relationships between nations. There was a conflict between the European's view of relations between nations, and that which actually existed between nations of the east at the time.

In Asia, small principalities were able to govern themselves under the protection of powerful forces in the region. These forces did not exert influence over the internal affairs of the principalities under their 'control'. Therefore, the Malay states remained independent as long as they paid tributes to powerful states such as Siam and China. Such token tributes were mostly in the form of gold and silver flowers sent annually to appease the overlords of these powerful states. Instead of occupying the Malay states, they exerted influence over the states' defence and foreign relations. Otherwise the Malay states were quite independent. This understanding defined the relationship between nations of the east including that of the Malay states. The Malays understood that weaker states submit to and become vassals to more powerful states

but retain the rights to run their affairs within their own boundaries. This was a good and practical arrangement that prevented many wars and allowed the Malay states to retain their Malay identity, culture and characteristics, prior to the coming of the Europeans.

In 1509 however, the Portuguese arrived in Malacca. With the arrival, the Europeans introduced a new era and redefined the relationships between nations. The Europeans failed to comprehend the nature of the relationships existing between the sovereign states, and between vassal and protector states. The European idea of relations between nations was defined in terms of the positions of conquering state vis-à-vis the conquered state.

When the Portuguese conquered and colonised Malacca in 1511, their occupation was total. They then proceeded to colonise the whole of Indonesia and eventually all of the Malay states.

It is interesting to note that despite the invasion by the Europeans, the Malay rulers still considered themselves as vassal states not colonies. When they initially entered into a relationship with the British, they thought they were becoming vassal states of the British. They mistakenly thought that they could send gold and silver flowers in return for autonomy, to rule their states as they see fit with minimal advice from the British. Unfortunately the British had other ideas. Once they established themselves, they treated the Malay states as colonies over which they exerted their rule and left the local rulers without any authority. The local rulers were told not to be involved in the running of their states and they were compensated in the forms of allowances, palaces to live in, and continuation of royal traditions and practices (for example, the use of yellow umbrellas). These concessions were largely achieved via the use of semantics and agreements, where the British were able to say something yet meant a different thing altogether.

As an example, I used to tell people that they could refer to the Malay sultans as 'the ruler' although in reality the rulers were not able to rule. In parliament for example, you have Members of Parliament and Mr. Speaker. However, Mr. Speaker does not speak while the members are the ones who actually speak. So that is the English language for you. Another example would be the word 'Commonwealth'. The British Commonwealth is a grouping of nations where the wealth is not common. The wealth belongs only to about five nations, while the rest of the nations are poor. However, they still called it the British Commonwealth until today. The British came as 'advisers' but whose 'advice' must be accepted by the sultans. This

simply means that the British were the ones who actually ruled. The British had a very subtle and diplomatic way of accomplishing things without being viewed as imperialistic.

So, when the British came here and signed agreements with the Malay Sultans who naively thought that they would retain their autonomy, they discovered that the British had other ideas. The Malay Sultans were fond of poetry and treaties were often written in the poetry-like Malay language, which often convey ideas that they do not actually mean. In all the treaties signed between the British and Malay Sultans, it was stated that the agreement will last for 'as long as there is the sun, the moon and the stars', which taken literally means permanently. So the agreements signed by the Malay Sultans had the effect of permanently tying the Malay states to the concessions made to the British.

So, thinking that they would remain internally autonomous, the Malay states signed all these treaties only to find later that they had become British colonies. The British tried to bring the Malay states together in a Malay Union in an attempt to facilitate administration of the different states, not to form a nation state. The subjects of the Malay states, although speaking the same language, did not consider themselves as Malays. They considered themselves as subjects loyal only to the ruler of their states. So the people of Kedah was loyal to the Sultan of Kedah, the people of Perlis was loyal to the Raja of Perlis, and so on with the other Malay states.

There was therefore no Malay nation state during the British occupation. This was particularly troublesome to the British because they had to maintain many advisors and residents, and faced difficulties in passing laws for the nine different states. In an attempt to facilitate the administration, after World War 2 the British tried to bring all these states together under a union. We can perhaps say that the formation of Malaysia was actually the result of a British effort rather than a Malay effort.

The Malays were quite happy after the war to return to the status quo of being British-protected states. But the British had other ideas. They came up with the proposal to form the Malayan Union. They proposed that the Malay rulers surrender their rights and authorities and become responsible only for the customs, traditions and the religion of Islam. With this proposal, the Malay rulers would be reduced to being chief 'khadis' of their states. Having previously

signed this agreement with MacMichael (Sir Harold MacMichael), they would actually be reduced to this very status the proposal been accepted.

Fortunately, the 'rakyat' (subject) protested and refused to accept the Malayan Union as proposed. This objection eventually forced the British to replace the concept of the Malayan Union with that of a Federation of Malay states. Under the federation, the states function administratively as a nation state, but with each state maintaining separate identities. The federation obtained independence from the British in 1957 giving birth officially to a Malay nation state.

Subjects of a nation state owes loyalty and commitment to the state. For a multi-racial society like Malaysia, it is a challenge to instil a sense of purpose and commitment to the state amongst people of different races, groups, religions and talk different languages and practice separate cultures. Nevertheless, Malaysia has been successful in developing its Malaysian identity while retaining the characteristics and personalities of its people from the different races, groups and religions.

The good thing about Malaysians is that they are peaceful people who do not like violence. If they do not like a leader, they do not resort to exploding bombs and killing the leader. They will tolerate the leader and hope for the best. I think leaders in Malaysia should be happy, as they do not have to worry about being assassinated. I have survived 83 years as a leader. But I suppose in some other countries if I were driven around standing in an open car, I might have to sit down very quickly.

In Malaysia, we have Malays, Chinese and Indians, who are peaceful people and dislike violence. Because of this attitude, it has been possible for us to survive as a nation state. I believe all citizens of this country are very proud to be Malaysians and they would like to remain independent.

But today there is a new trend. As much as in the past when the principalities began to coalesce and form nation states, today nation states are undergoing the same process especially for small nation states, simply because they are not viable on their own, and they need bigger markets or a bigger population in order to compete with other population centres.

It was mentioned just now by Tan Sri Azman that Europe is now a union of many different countries. They have formed what may be called 'the United States of Europe', almost as if the union is a nation state. The union can negotiate on their behalf and can commit all its members to the decisions made by this larger entity.

Of course the model would be the United States (of America), although the United States is not the result of the coming together of nations or principalities. They were the product of the growth in the population of people who settled in the United States, who subsequently got rid of the Red Indians and who occupied their lands. They did not consider the Red Indians as having any rights to the State or to the country that they lived in. They occupied this land and set up their own small states, which belong to the bigger federation or union.

Now Europe is trying to emulate that. To a certain extent, Europe has succeeded in coming together and speaking with one voice, and as a result they have become more powerful. This is despite the fact that they speak different languages and have slightly different cultures. Even in terms of religion they are not the same. But the European civilisation is based on the Greek civilisation and value system. So, there is some commonality there and it is possible for European countries to come together into a European Union, a bigger nation state.

But this trend is also being seen in other countries. Southeast Asia somehow has managed to come together and to work together. A lot of people felt that Southeast Asia could not join as a group because they have competing economies and nationalism and all that, but they did manage to form a grouping of five states, the ASEAN states made up of Indonesia, Singapore, Malaysia, Philippines and Thailand. This then has been expanded to include all the ten states in Southeast Asia. Their cooperation is still minimal, but obviously, if you can find areas of common interests, for example money, we might be able to be united so that the union between us might be stronger.

This morning I read the papers quoted Lee Kuan Yew as saying that we will eventually be like the European Union. I do not foresee it happening in my lifetime (because my lifetime is not going to be very long). You may be able to see it but it will take a long time before we can achieve that. We have to admit that we cannot exist on our own today, that the notion of an independent state is not as practical today as it was at one time when the idea of the nation state was first conceptualised.

So this is something that we have to think about very carefully. Will we remain as Malaysia, an independent state that has sovereignty over all its affairs? Or will we sacrifice some of our sovereignty and join together in a union with the other ASEAN nations? The answer to that will have to come some years later perhaps.

However, in the meantime, do we fight to preserve our sovereignty? This is a very important question. Some people feel that we should be internationalist rather than nationalist in our outlook, that today the nationalism of old cannot be sustained anymore. You need to come together in order to be stronger. There is some merit in that argument. As a union of ASEAN nations we would become a bigger market for example, and we would be able to compete with China. China has 1.3 billion people while Southeast Asia has more than 500 million people. It is a big market about half the size of China and there would be benefits if we can work together. But it will take a long time before we can reconcile the differences in the ambitions, objectives and targets of the different countries.

As I have said, in the meantime, we need to safeguard our sovereignty. That means we have to be independent. To be independent means that we would have to be in total control of our country and not let others make decisions affecting our country. We need to be tough on this. We do not want to be dictated by anybody. We must be willing to defend our country against any nation, however powerful, if they try to undermine our sovereignty.

But that depends on our attitude really. Some people say that it is not worthwhile to be independent because we would benefit by submitting to some powerful countries. Well, that is something that we should think about, as we would lose our freedom to decide for ourselves if we do that.

We are small and cannot actually fight bigger and more powerful countries. But we can judiciously maintain our independence without provoking these countries, to the extent that they want to invade and send their troops to shock and awe us. So how do we do this?

I believe that even small countries can maintain its own independence by developing and maintaining relations with different blocs or countries such that we are able to counteract one power against the other. It used to be that during the Cold War small countries tended to

rely on the conflicts between the Eastern and Western blocs in order to sustain their independence, in fact to get support from these antagonists in the Cold War.

Unfortunately the Cold War has ended and for a time there was only one power in the world. We thought that this would mean peace for all. We thought that this would mean that our sovereignty could be sustained because this sole power is dedicated to the rule of law, justice, independence, democracy, etc. We felt reasonably safe.

Unfortunately, this sole power started using things that are not compatible with their declarations regarding human rights and the independence of nations, etc. Today the whole world is being told only one ideology may be practiced by any country and that is democracy. If you are not democratic then you will be hammered into the ground until you say 'Yes we are going to be democratic'. Somehow I think that there is some conflict here between the principles of democracy and human rights, and this hammering that you give to people who do not accept your ideology.

But of course we still live in a world where might is right. And today we are all dedicated towards the propagation of democratic principles in our country, although I have often been accused of not being democratic. The latest to accuse me was this man (Stephen Sackur) on the BBC (British Broadcasting Corporation), although I pointed out to him that he was also not being democratic.

This is the problem that we face. Democracy does not necessarily result in good governance everywhere. In some place it works very well, in others it does not. When it does not work, it weakens and exposes the country to a lot pressure from various quarters.

Today for example, a sovereign nation must not only have borders on land but also at sea. In the good old days, each country can claim maritime sovereignty covering an area three miles from its shores. So three miles from the shore are your waters or national waters. Back in those days, if you fire a cannon, the missiles would go up to a distance of about three miles from the shore. But when they improved the cannon, it could shoot much further. Because of this, some countries want the border to be extended to twelve miles. When you have borders extending twelve miles from the shores very often there will be overlapping claims, which create tension between neighbouring countries.

But beyond their borders countries began to claim rights over the continental shelf. This is a new development. Before, it was not something that was worth thinking about. However, when technology advances to the point where we can drill for oil at sea, this claim to the continental shelf become very important. The continental shelf sometimes extends for two hundred miles beyond the shore. Obviously a country's claims will overlap with other claimants and there will be tension between the countries involved.

Now, how do you maintain your sovereignty when you find people of other countries actually occupying areas that you claim are within your continental shelf? This is something that is challenging lawyers. In Malaysia people who have studied maritime laws still cannot determine precisely the extent of our sovereignty over territorial seas. So we often face overlapping claims. A simple way of solving this would be to draw a middle line between the shores so that the midpoint of the sea then becomes the boundary of the territorial waters. But of course it is not as easy as that.

Malaysia and Thailand for example, had overlapping claims on the part of the sea northeast of Malaysia. Fortunately we were good friends and the Prime Minister who preceded me, Tun Hussein Onn, entered into an agreement with Thailand to share the output of this triangular area claimed by both sides. It was a good agreement if not for the fact that most of the oil and gas found was in the Malaysian portion of the triangular area. But never mind, as we want to live at peace with our neighbours, we are prepared to share.

But in other places the solution is not that easy. Today we have claims over offshore islands. There were conflicting claims between Indonesia and Malaysia on the island of Sipadan and Ligitan. Sipadan is described by Jacques Cousteau (Jacques-Yves Cousteau) as one of the ten most beautiful islands in the world, and therefore very important to us. Both Malaysia and Indonesia claimed the island. The dispute was mediated by the World Court and was ruled in Malaysia's favour. So today Sipadan and Ligitan belong to us.

However, that is not the end of it as we face overlapping claims over the island of Batu Putih. The other claimant referred to the island by a different name to be able to make a legitimate claim on it. This dispute again was brought to the World Court for resolution. The claim started at a time when I was still Prime Minister. It has been 5 years since I stepped down but the decision on the claim is still pending. If our people are unable to argue well or if the

documentation is not proper or complete, we may lose this island. Unfortunately when that happens you also lose part of the seas around the island. And this can lead to more conflicts.

By and large, our boundaries with our neighbours have been well demarcated. We have worked with Thailand on the Thai-Malaysia boundary. We have worked with Indonesia and with Singapore. The boundary between Malaysia and Singapore in the Straits of Johore is the midline; or rather the deepest part of the channel between Malaysia and Singapore. Once that was surveyed and demarcated on our maps, it cannot be changed any more even if the seabed move and the deep part now becomes the shallow part.

If you based your boundary on the deepest point, obviously you are going to have a shifting boundary if the seabed moves, and that can cause problems. But it was decided that once we have demarcated the border which consisted of the deepest part of the channel, it would remain unchanged. So practically half of the straits belong to Malaysia and the other half to Singapore. There should be no problems with this.

We have two links between Malaysia and Singapore. One is the old causeway and the other is the new second link. The old causeway was built in 1926, at a time when it was too expensive to build a bridge. It was not very important then whether boats can sail from east to west. So in 1926 a causeway was built which belongs to both Malaysia and Singapore. Who paid for it I am not sure as both territories (Johor and Singapore) was under British rule at the time, and the British did not tell us where they got the money. The situation remained when we became independent and when Singapore left Malaysia to form an independent state. The boundary remained as it was and half the causeway belongs to Singapore and the other half to Malaysia.

In exercising our sovereign rights we can do what we like with our half of the causeway as long as we do not disturb the Singapore side. We had proposed the building of a bridge from Johor Bahru to Singapore (to replace the causeway). It was not the brainchild or the special project of the Prime Minister then. It was felt that the bridge was necessary to ease the traffic congestion in Johor Bahru. The number of cars was growing and there was a need to find a solution to the problem.

The plan was to build an elevated road to the bridge so that traffic can pass underneath and ease the congestion. This road would then link up with the proposed bridge to Singapore. The Singapore government however decided not to build the bridge on their side, preferring to retain their half of the existing causeway.

In order to build the bridge and get the most out of this project, the bridge need to be elevated high enough (at least 25 metres) so that ships or small boats can pass through under the bridge. To accommodate this height it is necessary to lengthen the bridge in a curve so that the slope is not too steep. The bridge construction would be done on the Malaysian side of the causeway.

Early work on soil investigation was carried out. Unfortunately the government then decided to build a straight bridge and to persuade Singapore to build the bridge on their side. Singapore needs a lot of sand for reclamation projects. So in return for this agreement to build the bridge, Malaysia offered to sell one billion cubic metres of sand to Singapore. One cubic metre of sand from Malaysia may cost about twenty, thirty or forty dollars, I do not know.. but if one cubic metre of sand from Malaysia enables Singapore to reclaim one square foot of land, and one square foot of land in Singapore could sell up to seven thousand Singapore dollars, the deal would indeed be very attractive to Singapore.

Of course Singapore would agree to build a straight bridge in return for the purchase of a billion cubic metres of sand over a period of 20 years, together with permission for Singapore military aircrafts to fly over Johor for some practices. So that was I think agreeable to the federal government. Unfortunately the people of Johor became very difficult. They decided that they did not want to sell the sand nor did they want to have war planes flying over Johor Bahru. They protested and made the deal impossible.

The people of Johor protested for good reason. You know when you take sand from the seabed you will cause erosion of the shoreline. Besides that you will destroy the breeding ground for fishes and that will affect the livelihood of the fishermen. So, Johor refused to sell sand to Singapore and the straight bridge proposal with Singapore was aborted, and with it the proposal for the crooked bridge.

As a sovereign nation we have a right to build anything within our own territory. So we could have gone ahead with the plan for the crooked bridge, but the government decided not to go ahead with the project.

Lately I hear something that I find to be most disturbing. There is a document or something similar that stipulates that ownership of the causeway is vested with both Malaysia and Singapore. What does this mean? It means that the whole causeway belongs to both Singapore and Malaysia. Singapore has a right to the Malaysian half of the causeway and Malaysia too has a right to the Singapore half of the causeway. This agreement however infringes on the principle of national sovereignty, which is, a sovereign nation is free to do as it likes within its territory. However, if a part of your territory is now jointly owned with your neighbour, then you lose some of your sovereignty. Perhaps I am wrong but this is my interpretation. So you can see that when you talk about national sovereignty there can be this little problem.

Of course we can facilitate and improve relations with our neighbours by agreeing that a part of our territory also belongs to them. This kind of 'Quid Pro Quo' agreement should be welcomed by everyone.

We unfortunately have not been very good at claiming our rights. When we entered into agreements we signed off what belonged to us so very easily, especially when we let treaties be valid 'for as long as there are stars, moon and sun'. We did not foresee that in the future people might want to be independent or want to change the conditions of the treaty. That is very bad. There must always be an 'exit' provision in any agreement so that a certain stage in the future the treaty could be renegotiated or terminated.

We were also careless when we drew up the agreement to supply water to Singapore. Of course as human beings we sympathise with the people of Singapore. We do not want them to die of thirst in Singapore. So way back in 1960, we were prepared to sell one thousand gallons of raw water to Singapore at three Malaysian cents (RM 0.03) per gallon.

Today, what can you buy with three cents? Not even *nasi lemak*. However the agreement was drafted in such a way that we cannot change the rate charged for this water unless Singapore agrees. That is the condition of the agreement. Any change to the agreement

must be through mutual agreement between Singapore and Malaysia. So of course if you have an agreement to buy one thousand gallon for three cents, why would you want to change it for a higher price? We were therefore not able to revise the rate.

The treaty will lapse by the year 2011. Another treaty will only lapse in the year 2060. So we will continue to get three cents per thousand gallons of water that we supply to Singapore, which according to them is extremely equitable. They in return sell one thousand gallons of water to their public at fourteen dollars, and to ships berthed at their port, about forty dollars per thousand gallons. So I think that they make quite a bit of profit on this deal. On top of that we buy treated water back from them fifty cents per thousand gallons. So with the fifty cents they get for selling treated water to us, they can pay all the raw water they take from us.

So it is a very neat arrangement for them. It does not speak well of our understanding of international treaties. But that is our problem, we were not very smart and we were a bit naive. For the British this arrangement worked well as both Singapore and Johor were part of their colony. So the British made this arrangement and we are now the benefactors of these arrangements.

So, if we understand the meaning of sovereignty, we must be very guarded about how we enter into agreements with other nations. If you are not then you stand to lose your sovereignty.

I would like to go back a little and mention that before the British came we did not have a proper survey team. When the British came, they set up and trained survey teams and surveyed the borders. With regard to the border with Thailand for example, a lot of Malaysian land was lost because we were not able to identify that lands belonging to us. So we find people living at the border areas who speak our language while the land they live on belongs to Thailand.

So, if you want to remain sovereign as a state you must always be alert and guard your possession. Otherwise you will not be a sovereign state for long. Anyway, I would like to end by saying that there is a need for us to understand the meaning of sovereignty and the nation. If we really care to become a nation state or a sovereign nation, then we must make sure that our leaders are equally well educated in this matter. Otherwise we are going to lose part of our sovereignty and we will not be truly independent. Thank you.

