

**SPEECH BY TUN DR MAHATHIR BIN MOHAMAD at the International Forum
On Pathways of Democratic Transitions: International Experiences, Lessons
Learnt and the Road Ahead in Cairo, June 5th, 2011**

Ladies and Gentlemen,

1. If there is one thing that we should know about democracy, it is that it is no longer the simple system to enable the citizens to elect their own Governments. To it has been added numerous qualifications such as the rule of law, freedoms of speech and of the press, minority rights, the right to form trade unions and to strike and the setting-up of Non-Governmental Organisations etc. But still the essence of democracy is the right of the people to elect their Governments.

2. This seems simple enough. But who among the elected representatives should form the Government? Obviously, not all the elected members. Just anyone would not do either as they would hold differing views on the various issues facing the nation. They would not be able to work as a team, which is what a Government must be.

3. And so the party system was evolved to bring like-minded people together. The party would have leaders who could form the Government if the party wins a majority of the seats in Parliament. This is assuming that majority rule is accepted and not rule by consensus.

4. However if there are too many parties, none may win the required majority. In this situation, a post-election coalition Government may be formed.

5. Unfortunately post-election coalition Governments would be weak and ineffective. If the people are wise and knowledgeable about the workings of a democratic Government, they would reject small parties. But a pre-election coalition is more viable as the constituent parties would not contest against each other. They would have at least a common goal. Supporting each other, the preelection coalition is more likely to win a majority.

6. Incidentally this is the form of coalition adopted by Malaysiaw here the three major races have formed ethnic-based parties, none of which could win a majority. There are at times as many as 14 parties in the Malaysian Government coalition. But it has worked well for nearly half a century. The country achieved political stability which has enabled it to develop and prosper.

7. However an essential element for keeping the coalition intact is a strong core party which would play a leading role. Still representation in the coalition council should be equitable irrespective of the different sizes of the parties.

8. Most of the successful democracies have a two-party system. This requires political maturity among the people. A two-party system would ensure that one or the other would obtain a majority of the seats contested so that a Government can be set up. However if the majority is too small, the Government would not be stable. Otherwise a two-party system is best for a democracy.

9. In some democracies the executive President, as head of Government is elected separately. His cabinet need not be from elected members. Some countries now have proportionate representation. This makes achieving a majority even more difficult as invariably a coalition (post-election) has to be formed and this means weak Governments which are more concerned with party politics than administration.

10. Of particular importance for democracy to function well is the acceptance that losing is a real possibility for everyone, for the incumbent as well as for the opposition. If this possibility is not accepted by anyone then in the struggle to avoid it, things will be done which will mar the election process and cause it to be questioned or rejected.

11. When winning at all cost becomes obsessive there will be corruption and abuses of power, more often by the ruling party but also by the opposition. Where people are inclined towards violence, there will be assassinations of candidates and supporters, there will be riots and breakdown of law and order.

12. Should a Government be formed its legitimacy would be questioned because the losers refuse to recognise it. The agitation against the Government would continue indefinitely and the expectations of the people from the democratic process would not be realised.

13. In extreme cases the Government would fail and there could be anarchy. The danger is that the military might seize power. It may take another uprising by the people to topple a military dictatorship, once established.

14. It is therefore important that the people, particularly the leaders be educated in the need to accept losing in elections. People as a whole must understand the workings of democracy. Ultimately the need is for mindsets and cultural values compatible with democracy.

15. There are of course many other things that have to be in place or needs to be done on the path to democracy. These have to be attended to. It may take time. It may fail repeatedly even. But patience would be needed. Just wanting to be democratic is not enough.

International Experience

16. Democracy is not an instant formula. It took about two hundred years to develop to its present form. Even then it is far from being perfect. After all it is a creation of the human mind.

17. Malaysia chose independent. All the democracy even before it became political parties which struggled for independence adopted the democratic system in their structure, management and the choice of leaders. It was natural that when a commission of eminent judges from foreign countries was set up to write the constitution, the basic law of the country, it was specifically requested to design a democratic system. In the event they recommended the British type of Parliamentary democracy with a constitutional monarchy. The chief executive would be the Prime Minister. India and Indonesia chose to abolish the monarchy and set up republics with an ordinary citizen as head of state. The head of state is non-executive in India but is executive in Indonesia.

18. Malaysia is not a liberal democracy. There are certain restrictions to prevent outbreaks of racial confrontations and violence. The Communist Party was banned because it demanded to retain its armed wing. But the essence of democracy, the free vote and elections are fully observed.

19. The opposition parties never fail to win seats during Malaysian elections. The state legislatures are often won by parties opposed to the Central Government Party. But so far the electorate have chosen the party which won independence to form the Central Government.

20. Where the Government party invariably wins 90% plus of the seats in every election, it can be safely assumed that the Government has cheated and democracy does not exist. Sooner or later this will result in attempts to overthrow the Government by other means, including the use of force. A two-thirds majority will however give the Government sufficient strength while still being subjected to opposition scrutiny and criticisms in parliament and outside.

21. Democracy will also fail when democratic freedoms are abused. Street demonstrations and general strikes are democratic but if indulged in without valid reasons it will undermine stability, economic activities and development of the country. We see this happening in several new democracies. No sooner is a

Government elected when general strikes and demonstrations would be launched and kept up until proper administration cannot be carried out. The Government may fall but the next Government elected would face the same problem and would also fail. Democratic freedoms must be used sparingly.

22. It is worthwhile noting that even in mature democracies, like the United States for example, assassinations of leaders have taken place. But the reaction is not general violence and a breakdown of law and order. Instead the Government would take legal action to punish the assailants. The people generally reject such attempts to overthrow Governments.

23. Whenever the elected Government show certain weaknesses or incompetence, and as a result the governance of the country fails to deliver the hoped for or expected results the people can agitate for a new election to be held if the constitution permits. If not the people will have to put up with the incompetent Government until the next election. This is the price of democracy. As we can see it took a long time before people try to overthrow bad Governments. This is because the cost is high and it may fail.

24. A Government must have power as otherwise it would not be able to function. But power corrupts as the saying goes. This poses a major problem for all Governments including democracies. The only real remedy is for the people to reject a corrupt Government at the elections.

25. Corruption is found everywhere, including in the most developed countries. It cannot be eliminated altogether but it can be reduced. The most important player in the fight against corruption is the Executive Head of Government. If he is incorruptible, he may be able to act against corrupt members of his Government and others. If he himself is corrupt there will be no way for corruption to be curbed. In fact a corrupt head of Government will cause corruption to spread throughout the whole administration. With this the country will simply fail.

26. Having given power to the elected representatives to govern the country, there must be provisions to curb as much as possible the tendency to abuse power. The abuses may include the Government acting beyond the provisions of the constitution or taking extra judicial actions.

27. There must therefore be an institution which is empowered to determine the legality of Government action. This institution is the judiciary. For it to function properly it must be independent of the Government. Any act of the Government which breaches the provision of the laws, in particular the constitution can be referred to the judiciary and it can make a ruling. It is important that the people and the Government respect the judiciary.

28. The judiciary is of course concerned mainly with hearing and passing judgement in criminal and civil cases.

29. The other independent institution is the executive. i.e. the permanent administrative service which carries out the policies, plans and projects of the elected Government. Although independent the executive branch cannot make policies or other decisions on its own. Its role is to implement those of the elected Government. However, it may refuse to implement policies or orders which are manifestly against the law or out of order.

30. Provided that each of the three divisions or institutions of Government do not stray beyond the roles accorded them, it would be possible for them to respect each other and ensure that each will curb any excesses by anyone of them.

31. Clearly a democratic system poses many problems. Unless everyone, from ordinary citizens to the head of Government understand their proper roles and keep within them, the system might fail.

Lessons Learnt and Road Ahead

32. Much depends on the sincerity of the leaders and the level of maturity of the people. It is worth emphasising that a Government is not about having power but about using the power for the maintenance of law and order and the ensuring the well-being of the people.

33. There is no way a Government can please everyone. But still it must try to do so. This it can do if it is committed to upholding justice and fair-play. Even the opposition must be given their due. Favouritism and abuses of power have to be avoided.

34. In Malaysia the task is particularly difficult as the citizens are ethnically deeply divided. The indigenous people are generally poorer than the descendents of the migrant races.

35. There will always be antagonism between rich and poor. But when the rich belong to a different ethnic group than the poor the potential for conflict is much greater.

36. But an affirmative action policy has reduced the disparities in wealth between the races. As a result racial conflicts have been largely avoided in Malaysia.

37. Whether the disparities in wealth are ethnic based or not, it is unhealthy to allow poverty to spread. About the first action taken by the Malaysian Government was to create jobs for the people through encouraging businesses. So successful is the creation of jobs in Malaysia that it has now to depend on foreign labour. With almost every adult citizen gainfully employed, there will usually be support for the Government. Of course the support would be greater if the Government succeeds in developing and enriching the country with judicious economic policies. In such a situation it is less likely that the people will agitate for the removal of the leaders.

38. When an authoritarian Government is overthrown, the hope is that a more democratic Government will replace it. This will not happen automatically especially when the uprising by the people is spontaneous and there is no obvious leader or organisation. There can be a violent struggle to seize power. This would be unfortunate. The way forward is for prominent, respectable citizens to come together to initiate the process towards establishing a new constitution for the country.

39. The Constitution should include the provision for elections of the members of the Legislature. The first elections should be held as soon as possible. It is good if foreign observers are invited. Assuming that the election goes well, the winning party should set up a Government. The first task is for parliament to meet to ratify the constitution and validate the election.

40.. It will not be plain sailing. There will be much dissatisfaction. But everyone should be prepared to give the Government enough time to govern the country. If it fails it should be rejected at the next election. In the end it is the maturity of the people that makes democracy work.