Election Commission should provide for at least three weeks' campaigning between nomination and polling to ensure 'free, fair and clean' general elections

by Parliamentary Opposition Leader, DAP Secretary-General and MP for Tanjung, Lim Kit Siang, in Petaling Jaya on Friday, January 6, 1995:

Election Commission should provide for at least three weeks' campaigning between nomination and polling to ensure 'free, fair and clean' general elections

The Election Commission should undertake a full review of its conduct of general elections to ensure that it is true and faithful to its Constitutional obligation to conduct 'free, fair and clean' general elections.

The Election Commission was set up by the Constitution with a specific mandate under Article 113 to conduct elections and to enjoy public confidence.

The Election Commission would be failing in its duty if it could not conduct a 'free, fair and claen' general elections. Similarly, the Election Commission would also have failed in its constitutional duty if it forfeits public confidence, as for instance where it could not enjoy the confidence of the opposition parties but only of the ruling parties.

It would definitely be a major blot on the record of the Election Commission if it dare not conduct a wide-ranging review of its role and functions to ensure that the next general elections would be acknowledged locally and internationally as a 'free, fair and clean' general elections.

The task of the Election Commission to conduct elections cannot be confined to the mechanical task of making physical arrangements for voters to cast their votes on polling day but must include the even more important task of ensuring that the election process is 'free, fair and clean' as having free and fair mass media access by all contesting candidates and parties as allowing opposition party leaders equal time over radio and television as government leaders and the curbing of the politics of money.

Furthermore, the Election Commission should act with complete independence and not having to comply with directives from the government, as in determining the election campaign period or even the fixing of nomination and polling dates.

In 1990, the Prime Minister, Datuk Seri Dr. Mahathir Mohamed announced on 4th October 1990 the dissolution of Parliament and State Assemblies.

At that time, the Election Commission Chairman and members were in Ipoh for another meeting, but because of the Prime Minister's announcement, it had to convene a special meeting in Ipoh on 5th October 1990 to decide on the nomination date for 11th October 1990 and polling date on 21st October 1990.

The Election Commission was under such a great pressure that it had to rush news of its decision on the nomination and polling dates to radio and television for announcement on the night of 5th October 1990 itself.

If the Election Commission was not working under a secret government directive to comply with a time-table setting out the nomination and polling dates, why should the Election Commission operate in such indecent haste – making a complete mockery of the Constitutional stipulation that the Election

Commission should be ‘independant’ and not subject to the dictates of any political parties, whether in government or opposition?

This must be the reason why the 1990 general elections, together with the 1986 general elections, was the shortest in Malaysian election history, as shown by the figures below:

General Elections Nomination Polling Campaign Period
1959 July 15 Aug. 19 35 days
1964 March 21 April 25 35 days
1969 April 5 May 10 35 days
1974 Aug 8 Aug 24 16 days
1978 June 21 July 8 17 days
1982 April 7 April 22 15 days
1986 July 24 August 3 10 days
1990 Oct. 11 Oct. 21 10 days

Giving 10 days for a general elections being held once every four to five years is most unfair, stacking all the odds against Opposition, giving the Barisan Nasional parties all the advantages.

During such a short period of campaigning – with all the restrictions on press freedom, freedom of speech as well as the ban on public rallies – the Opposition parties invariably found that before they could get their election campaign into momentum, it was time for polling day.

For this reason, the Election Commission should be more mindful of its responsibilities to conduct ‘free, fair and clean’ general elections and ensure that it has the independence to fix a fair election campaign period where there are at least three weeks between nomination and polling dates to give time for a meaningful election campaign to be conducted by all contesting parties and candidates.