

SOUTHEAST ASIAN STUDIES



<http://englishkyoto-seas.org/>

View the table of contents for this issue:

<https://englishkyoto-seas.org/2018/12/vol-7-no-3-of-southeast-asian-studies/>

Subscriptions: <http://englishkyoto-seas.org/mailling-list/>

For permissions, please send an e-mail to: english-editorial@cseas.kyoto-u.ac.jp

SOUTHEAST ASIAN STUDIES

Vol. 7, No. 3

December 2018

CONTENTS

Divides and Dissent: Malaysian Politics 60 Years after Merdeka

Guest Editor: KHOO BOO TEIK

KHOO BOO TEIK	Preface	(269)
KHOO BOO TEIK	Introduction: A Moment to Mull, a Call to Critique	(271)
ABDUL RAHMAN Embong	Ethnicity and Class: Divides and Dissent in Malaysian Studies	(281)
JEFF TAN	Rents, Accumulation, and Conflict in Malaysia	(309)
FAISAL S. HAZIS	Domination, Contestation, and Accommodation: 54 Years of Sabah and Sarawak in Malaysia	(341)
AHMAD FAUZI Abdul Hamid	Shifting Trends of Islamism and Islamist Practices in Malaysia, 1957–2017	(363)
AZMI SHAROM	Law and the Judiciary: Divides and Dissent in Malaysia	(391)
MAZNAH MOHAMAD	Getting More Women into Politics under One-Party Dominance: Collaboration, Clientelism, and Coalition Building in the Determination of Women's Representation in Malaysia	(415)
SIMON SOON	Creativity in Dissent: From the Politics of Pedagogy to the Art of Pedagogy	(449)
KHOO BOO TEIK	Borne by Dissent, Tormented by Divides: The Opposition 60 Years after Merdeka	(471)

Book Reviews

KAMOLNICH Swasdiphanich	Chris Baker and Pasuk Phongpaichit, trans. and eds. <i>The Palace Law of Ayutthaya and the Thammasat: Law and Kingship in Siam</i> . Ithaca: Cornell Southeast Asia Program Publications, 2016.	(493)
Darlene Machell de Leon ESPENA	Sir Anril Pineda Tiatco, <i>Performing Catholicism: Faith and Theater in a Philippine Province</i> . Quezon City: The University of the Philippines Press, 2016.	(496)
JIM PLACZEK	Kishore Mahbubani and Jeffery Sng, <i>The ASEAN Miracle: A Catalyst for Peace</i> . Singapore: Ridge Books, an imprint of NUS Press, 2017.	(499)
NATHAN PORATH	L. Ayu Saraswati, <i>Seeing Beauty, Sensing Race in Transnational Indonesia</i> . Honolulu: University of Hawai'i Press, 2013.	(502)

Phill WILCOX	Pál Nyíri and Danielle Tan, eds. <i>Chinese Encounters in Southeast Asia: How People, Money, and Ideas from China Are Changing a Region</i> . Seattle: University of Washington Press, 2016. (506)
Brandon Kirk WILLIAMS	Ang Cheng Guan. <i>Southeast Asia's Cold War: An Interpretive History</i> . Honolulu: University of Hawai'i Press, 2018. (509)
Arunima DATTA	Tiantian Zheng, ed. <i>Cultural Politics of Gender and Sexuality in Contemporary Asia</i> . Honolulu: University of Hawai'i Press, 2016. (512)
Chi P. PHAM	Gerard Sages. <i>Imperial Intoxication: Alcohol and the Making of Colonial Indochina</i> . Honolulu: University of Hawai'i Press, 2017. (514)
Rizal G. BUENDIA	Wataru Kusaka. <i>Moral Politics in the Philippines: Inequality, Democracy and the Urban Poor</i> . Singapore: NUS Press in association with Kyoto University Press, 2017. (517)
Quynh Huong NGUYEN	Edwin de Jong. <i>Making a Living between Crises and Ceremonies in Tana Toraja: The Practice of Everyday Life of a South Sulawesi Highland Community in Indonesia</i> . Leiden: Brill, 2013. (521)
Index to Vol. 7 (525)

Divides and Dissent: Malaysian Politics 60 Years after Merdeka

Preface

An awareness of continual but varied social and political dissent as an important leitmotif of Malaysian politics came to me around 2011 and 2012, while I was working at the Institute of Developing Economies, Chiba, Japan. In that period, seemingly different streams of social and political dissent in Malaysia expanded and converged in anticipation of the 13th General Election (which was eventually held in May 2013). To understand some of the impulses and aspirations of dissent, I conducted interviews with a range of social and political dissidents (whose details are listed at the end of Chapter 9 in this volume). Those interviews made me more conscious of the range of social and political divides in Malaysian society and politics that was too often reduced to a preoccupation with “ethno-religious divisions.” Between 2013 and 2016, moreover, the politics remained fluid owing to an implosion of the opposition coalition that had contested the 13th General Election, a damaging crisis of the regime because of worldwide exposés of corruption that allegedly implicated the Prime Minister, a split in the leadership of the ruling party, and unforeseen but radical realignments of the opposition forces. Preparing for the 14th General Election, which had to be held by mid-2018, the regime and the opposition were engaged in a “war of maneuver.” They did so on political terrain that was shifting with a range of divides and dissent.

It was roughly then, on the eve of the 60th year of Malaya’s independence, that it seemed timely to have a Malaysian Studies Workshop devoted to critical reflections by Malaysian scholars on “divides and dissent” as a leitmotif of sociopolitical life in the nation. It was at such a workshop, held at the National Graduate Institute for Policy Studies, Tokyo, on February 22–23, 2017, that the articles in this special issue were first presented and discussed. Although the papers were revised for publication, the editor and the contributors have not updated or modified them to take account of the result of the 14th General Election of May 9, 2018. That extraordinary electoral outcome will no doubt elicit much comment and analysis in due course. Suffice it here to have this special issue stand as a record of thoughts that were honestly expressed before the general election. A Postscript to the Introduction has been added, however, to bring in summarily the extraordinary outcome of the general election of May 9, 2018, and to discuss how the essays in this volume may provide some guidelines to analyzing “divides and dissent”

of the future.

As the workshop organizer, I wish to record my sincere appreciation of the funding support provided by the JSPS KAKENHI Grant No. 25101004 and Grant No. 25101006, respectively coordinated by Takashi Shiraishi and Keiichi Tsunekawa. Many colleagues from different institutions were unstinting in their support and cooperation. Excellent preparations and presentations were made by the paper presenters, now the contributors to this volume, namely, Abdul Rahman Embong, Ahmad Fauzi Abdul Hamid, Azmi Sharom, Faisal Hazis, Maznah Mohamad, Simon Soon, and Jeff Tan. The workshop had two sessions for special reflections on Malaysian politics. At the first session, Donald Nonini gave an engaging reflection on his vast fieldwork experience in Malaysia. At the second session, the panel of Michael Montesano, Donald Nonini, and Takashi Shiraishi offered fascinating views of “Malaysia in Southeast Asia.” The workshop sessions were ably moderated by Motoko Kawano, Jafar Suryomenggolo, Yusuke Takagi, Keiichi Tsunekawa, and Veerayooth Kanchoochat. Boon Kia Meng conscientiously acted as a rapporteur. And Eriko Kimura, Akiko Ishikawa, Yu Ito, Miori Maeda, and Yasuko Takano very kindly and efficiently managed the logistics of the workshop. I am deeply grateful to all of them.

As the editor of this special issue, I would like to record my gratitude to Caroline Hau for her encouragement and many suggestions, Nathan Badenoch for kindly steering the issue to a successful conclusion, Narumi Shitara for her constant and valuable assistance, and Sunandini Lal and Ayano Yamakawa for their meticulous help in the final stages of production.

Finally, as the author of Chapters 1 and 9, I remember with much gratitude the generous funding and warm support I received from the Institute of Developing Economies in 2012 that started me on this project.

Khoo Boo Teik

The National Graduate Institute for Policy Studies

Tokyo

October 6, 2018

Introduction:

A Moment to Mull, a Call to Critique

Khoo Boo Teik*

The year 2017, which marked the 60th year since the Federation of Malaya emerged from colonial rule to become a new nation, was a compelling moment to reflect on important social, economic, cultural, and political developments and changes that had taken place. Some changes were realized more or less as planned, while others were unforeseen. Some fulfilled hopes, but others scuttled expectations. Many brought lasting outcomes but many more only transitory impacts. This chapter serves as the introduction to a volume of articles that views Malaysia's multidimensional social transformation through lenses of "divides and dissent" to appraise key moments, incidents and expressions of contention, and trends of conflict that have shaped society and politics. The areas and issues covered by this exercise of critical reflection are ethnicity and class, political economy, federal-state relations, Islamism and Islamist practices, law and the judiciary, women's participation in politics, art and pedagogy, and the emergence of new streams of sociopolitical dissent.

Keywords: Malaysia, ethnicity and class, political economy, federal-state relations, Islamism, law and judiciary, women's participation, art and pedagogy, sociopolitical dissent

The year 2017 marked the 60th year since the Federation of Malaya emerged from colonial rule to become a new nation. The appropriateness of commemorating August 31, 1957, the date of Merdeka or Malayan independence, instead of September 16, 1963, the date of formation of the Federation of Malaysia, as National Day was sometimes—and with reason—disputed by people in Sabah and Sarawak, which joined Malaya and Singapore to form Malaysia.¹⁾ Yet there was (more than) a historic ring to "60 years" that made 2017 a compelling moment to reflect on important social, economic, cultural, and political developments and changes that had taken place, many of which had Malayan and not just

* The National Graduate Institute for Policy Studies, 7-22-1 Roppongi, Minato-ku, Tokyo 106-8677, Japan
e-mail: khoo-bt@grips.ac.jp

1) See the essay on Sabah and Sarawak (Chapter 4); its title refers to 54 years of being in Malaysia.

Malaysian roots. Some of those changes were realized more or less as planned,²⁾ while others were unforeseen.³⁾ Some fulfilled hopes,⁴⁾ but others scuttled expectations.⁵⁾ Many brought lasting outcomes,⁶⁾ many more only transitory impacts.⁷⁾ Whatever their sources, internal or external, and however they might have begun, in clarity or in doubt, those changes in their totality had transformed the nation and society from their original state.

Fresh Lenses of “Divides and Dissent”

At a time like this, a standard way of reflecting on the processes of national and social transformation and their consequences is to observe, accounting-like, a record of “continuity with change” or create a register of “change with continuity.” This volume of essays does not tread such a path of commemorative self-reassurance! Instead, the essays view Malaysia’s multidimensional social transformation through contrarian lenses of “divides and dissent” to appraise key moments, incidents and expressions of contention, and trends of conflict that have shaped society and politics.

Even so, this volume does not contain a call to celebrate instability or rejoice in discord. Suffice it for clarification here to recall that after Merdeka, every 10th year before 2017 had seen a major manifestation of social divide and political dissent. In 1967 there was the *hartal* in Penang, the unplanned but violent by-product of which presaged the much worse eruption of interethnic violence in Kuala Lumpur on May 13, 1969. “May 13” itself supplied the state with the justification for the radically transformative but politically divisive New Economic Policy. In 1977 the federal government’s imposition of Emergency rule over Kelantan terminated the collaboration between the United Malays National Organisation (UMNO) and Parti Islam Se-Malaysia (PAS, Pan-Malaysian Islamic Party) in the ruling coalition, Barisan Nasional (BN, National Front). The revived UMNO-PAS antagonism, moreover, reshaped the contours of PAS’s internal politics and

2) Those include major schemes of rural development and projects of urbanization.

3) Singapore’s separation from Malaysia just two years after the latter’s formation was a shocking development.

4) The hopes vested in the New Economic Policy’s twin objectives of poverty eradication and restructuring were realized to a considerable degree.

5) The impact of the East Asian financial crisis of 1997 dashed predictions of continued rapid economic growth.

6) Begun in the early 1970s, export-oriented industrialization retains its economic importance to the present.

7) A policy to change from teaching science and mathematics in the Malay language to English was barely implemented when controversy reversed the switch.

established new parameters for the politics of Islam. Ten years later, UMNO suffered a profound crisis of leadership that split the party and convulsed the entire political system, affecting state and society from the peninsula to Sabah and Sarawak. From the split came a precedent: dissidents forced out of UMNO would mobilize to defeat their former party. A decade after that, the East Asian financial crisis sparked a disaster of political economy that impaired Vision 2020, Prime Minister Dr. Mahathir Mohamad's ambitious project of socioeconomic advancement, and generated waves of political ferment that have not receded to this day. And in 2007, a trinity of mass demonstrations, separately organized by the Bar Council, the Coalition for Clean and Fair Elections (BERSIH), and the Hindu Rights Action Force (HINDRAF), set in motion the momentous "tsunami," or the opposition's unprecedented gains in the general election of the following year.

There were, of course, many other divisive incidents and dissident articulations in the intervening years. Some were more serious and threatening or, conversely, more promising than others. The objective of this volume is to use the theme of "divides and dissent" to look at society afresh by picking out social, economic, and political tensions that have been embedded only to surface in sharp controversies, astounding incidents, or portentous trends. By analyzing the tensions in certain sectors, the contributors to this volume explain how some of the tensions have been resolved and why others have remained unsettled.

Three points about this volume should be made at the outset. First, it is not meant to be a comprehensive 60-year recitation of familiar background and overworked issues. Second, focusing on divides and dissent in sociopolitical transformation does not presuppose conformity with any particular theoretical or paradigmatic stance. Third, not all tensions are assumed to be dismal or ominous; some may provide the impetus for rethinking social change or redirecting institutional reform. As such, each contributor to this volume has been free to be selective (of issues, incidents, and actors), subjective (in vantage point), and, if necessary, searing (in commentary and evaluation) while observing scholastic standards. The goal is a collection of bold and personal but coherent interpretations of the divides and dissent in Malaysian society.

The Structure of the Volume

No social schism in Malaysia has seemed as natural and intractable as its ethnic divide. Ethnicity is invasive in its social life and pervasive in the study of its politics. Still, as Abdul Rahman Embong (Chapter 2) stresses, ethnicity no less than class is a social construct and paradigm. In fact, ethnic and class divides are historically constituted, grounded

in political economy, and moored to state policies that, wittingly or otherwise, provoke dissent in different classes, groups, and organizations. Besides, there has always been a complex contestation between ethnicity and class not only “as social facts, policies, and programs” but also “as paradigms, or ways of thinking and analysis.” In the 1980s, for example, UMNO’s ideologues re-fashioned the “plural society and ethnic bloc” thesis as an ideology of *ketuanan Melayu* (Malay supremacy) by manufacturing notions of Malay “first-ness” and original ownership of the land to legitimize ethnically determined claims on power and privileges. Yet class is ever present in ownership and control of wealth, state-capital relations, transformation of the middle and working classes, politics and civil society organizations, and the workings of globalization. For Rahman, ethnic-class contestation is expressed in the competing visions and struggles of political coalitions that arose or disappeared at different historical moments. In recent times, that contestation and its accompanying dissent partly compelled state economic planning, which long entrenched ethnicity in policy direction and programmatic design, to incorporate “income class categories” to address the class dimensions of “social exclusion and income inequality.” In that continuing contestation lies a hope that Malaysia may not be “trapped in the ethnic paradigm” and Malaysian studies may not be skewed by the “ethnic prism.”

In fact, ethnicity and class and the state interact to produce ruptures and conflict, as Jeff Tan (Chapter 3) demonstrates with his schematic four-phase depiction of economic development from 1957 to 2016 in terms of cycles of accumulation and conflict. For each phase the state was impelled to allocate rents for accumulation and accommodation to balance economic growth with political stability. But emergent Malay intermediate classes tilted the balance toward redistribution, intensifying contestation over rents, factionalizing UMNO, and fragmenting patron-client networks. Politically, the accumulation-accommodation dialectic produced episodic conflict in or around 1969, 1987, 1998, and 2016. Economically, pressures for redistribution subverted the state’s ability to deploy rents for productive accumulation, in manufacturing, say, and diverted learning rents from technological and industrial upgrading to accumulation in unproductive sectors. But the economy could not deliver high enough growth rates to sustain redistribution when manufacturing, previously the engine of growth, faltered. Recent long-term declines in GDP growth, Tan contends, reflect the cumulative effects of unproductive accumulation, including premature deindustrialization. At the center of this situation stands the core constituency of UMNO and the state, namely, the Malay intermediate classes. Large segments of them, unable to rise as a successful Malay capitalist class, rely on rents and state protection for quick profits from unproductive accumulation. The state cannot now undo its previous neglect to enforce discipline or performance targets. The state seeks instead to lead the accumulation process again via government-linked

corporations (GLCs). Tan concludes, however, that the turn to GLCs as a politico-economic response to the failure of Malay capital rigidifies current accumulation preferences and reinforces the shift from higher-level manufacturing.

Sabah and Sarawak, as Faisal Hazis (Chapter 4) shows, have always faced a peculiar divide in their relations with the federal government. Three factors periodically remold those relations. First, there is history. When Malaysia was formed, Sabah and Sarawak were accorded “safeguards”—the “Twenty Points” for Sabah and “Eighteen Points” for Sarawak—or a large degree of state government control of many matters elsewhere administered by the federal government. Second, there is geography. Their physical separation from the peninsula, the locus of federal power and a more advanced economy, rarely eases resentments in Sabah and Sarawak over their domination and neglect by the federation. Third, the states have been ruled by local strongmen who, despite their different interests and agendas, personify the two states’ continual attempts to juggle amity with autonomy vis-à-vis the federal government. Thus, Faisal suggests, the divide between Sabah and Sarawak, and the peninsula crucially rests on center-periphery-like negotiation over power, resources, and the strongmen’s reliability. Out of this comes an amalgam of “domination, contestation, and accommodation,” in Faisal’s view the leitmotif of Sabah and Sarawak’s uneasy 54 years in Malaysia. Rules have been set and reset to manage this elite-level divide before. The situation, however, has become more complex. Sabah and Sarawak, long taken for granted as the BN’s vote banks, are more assertive, Faisal observes, now that BN and the opposition are virtually stalemated in the peninsula. And, if they seem remote from the post-1998 dissident ferment on the peninsula, Sabah and Sarawak could yet experience a contrasting divide as “pockets of resistance” oppose the corruption, abuse of power, inequitable growth, land grabbing, and shrinking democratic space associated with local strongman rule.

Islam as faith and as official religion does not in itself create a contentious divide where the constitution guarantees freedom of worship for adherents of other religions, who form almost half the population. But as Ahmad Fauzi Abdul Hamid (Chapter 5) observes, an interplay of Islam and politics in public space over 60 years has created intra-Muslim and interreligious rifts. One source of the divisiveness is discursive. It lies in an unrelenting engagement by an assortment of politicians, commentators, scholars, bureaucrats, and civil society activists in a discourse of Islamic politics to impose social control or to express dissent. By essentializing Islam for political interests, that engagement arrests the evolution of concepts of “religion” and “secularism” and hardens boundaries between what is considered Islamic or un-Islamic. Here, contemporary Islamic discourse in Malaysia inclines toward a severe politico-legal direction that consigns the philosophical and spiritual aspects of Islam to the periphery of the Malay-Muslim religious

worldview. When it is defined, interrogated, and essentialized through institutional lenses, Islam invariably bears politico-legal coloring. A practical consequence is to undermine a “much-cherished multiculturalism and pluralism” by systematically marginalizing non-Muslim and unorthodox Muslim voices. Another source of divisiveness is policy making that “professes fealty to Islam” while adopting an ideology of Islamism or Wahhabi-Salafi-driven political Islam that is preoccupied with the legalistic injunctions and prohibitions of Islam. Without an internalization of Islam as a religious faith in all its civilizational manifestations, Ahmad Fauzi cautions, it would not be difficult at the present juncture for Islamism to acquire “a little addition of jihadism” and turn toward violent extremism.

In a common law system, Azmi Sharom (Chapter 6) notes, the judiciary bears considerable responsibility for minimizing “partial and imbalanced decision making” to prevent unnecessary conflict and maintain “enough space for dissent.” On this score, and especially in recent times, Azmi Sharom argues, landmark cases show the Malaysian judiciary to have failed. For instance, court rulings on several cases of religious controversy ignored unambiguous constitutional provisions, such as the freedom of worship, or disingenuously interpreted the constitution without offering sound legal reasoning or firm historical foundation. To that extent, the judiciary has not lessened but effectively exacerbated the interreligious divisiveness (to which Ahmad Fauzi’s essay also refers). Nor can the judiciary be credited with upholding democracy. Judges have mostly treated dissent with suspicion rather than protect it by rigorously testing laws that were enacted to quell dissent against fundamental principles of democracy. The constitution does not have an encompassing statement of a “higher ideal,” but, Azmi Sharom argues, other historical documents show the nation’s founders aspiring toward an ethos of equality among citizens. When judges proffer literalist interpretations of the law bereft of a higher ideal, however, they undermine respect for fair electoral choice or transparent decision making. Finally, Azmi Sharom insists that in a nation saddled with ethno-religious schisms, the judiciary is duty-bound to protect the spaces open to lawfully conducted, alternative, and dissident viewpoints on controversial matters. He declines to speculate on judges’ motives but concludes that the judiciary has failed to perform that duty.

Across social divides posed by ethnicity, class, religion, and gender, Malaysian women have never been politically quiescent. They have been involved in a full spectrum of pre- and post-independence political activity, whether they belonged with the establishment, the opposition, or nonpartisan civil society. The prominence of women in the movement for electoral reform, BERSIH, for example, is evidence of their continuing political presence. Yet their representation in formal political positions is not commensurate with their record of activity. Among Southeast Asian parliaments, Malaysia’s has

one of the lowest proportions of women as parliamentarians. Maznah Mohamad (Chapter 7) suggests, though, that women's involvement in formal politics has taken on novel characteristics since new divides and fresh waves of dissent emerged from 1999. She explores the specificities of women's ground-level experience in formal politics to explain what really goes on at the everyday level when women navigate politics that is not favorable to their presence. She asks how women's involvement in formal politics can be expanded via social, political, and administrative processes that can cohere as a strategy for strengthening their electoral advantage. Those processes include the collaboration between women's civil society and state political actors, the cultivation of clientelist and patronage relations, and the maintenance of a cohesive multiparty opposition coalition. Such a combination, Maznah contends, could have a bearing on subsequent "formalization" of women in politics. Drawing from current practices and conscious of the tenuousness of political alliances in the present state of politics, she regards some form of a gender quota mechanism as being part of a more reliable method of increasing women's representation.

The political ferment of the past three decades or so found many forms of dissident creative expression, in literary work, art, theater, film, cartoons, and even posters and banners used in demonstrations. Simon Soon (Chapter 8) posts a reminder, however, that intersections of creativity and dissent need not be demarcated by individual rebellion or precipitated by moments of political crisis. Soon reflects on some artists' projects of "building a critical mass" that depart from the standard narrative of art and politics that links artistic output to critical juncture. With an eye on historical conditions, he examines the thoughts and actions, motives and impacts of at least two generations of artists who have moved from the politics to the art of pedagogy. Soon's subjects cover established artists of international repute, individual figures of dissident art, and loosely structured reading or study or experimental art groups. These subjects form a broad countermovement to the institutionalization of art and pedagogy by dissenting against conventions of postcolonial higher education within. From Soon's perspective, movements of the "art of pedagogy" spurn the sociocultural codes and political decorum of institutions of art in search of an alternative mode of creativity attuned to the current sociopolitical situation. Dissent within the ranks of creative artists is not bound to the conventional idea of an artist producing an image to deliver a political message. Even then, creativity in dissent has become part of social-engagement projects that have seen eruptions of expression, not least in the streets and over cyberspace.

Khoo Boo Teik (Chapter 9) explores connections between social divides, which stimulate or provoke dissent, and dissident interventions that change the contours of social divides. He focuses on dissident convergence and oppositional transformation that

have altered the terrain and terms of politics within the past 20 years. He argues for a dynamic view of waves of dissent that emerged, receded, or resurged to challenge the regime. Separately viewed or organized as Reformasi, BERSIH, and HINDRAF, post-September 1998 dissent mobilized alongside an opposition project that had poor results before making a historic electoral breakthrough in 2008. Another spurt gave the opposition, now institutionalized as Pakatan Rakyat (PR, People's Pact), its best electoral result in 2013; but this second coalition was still unable to unseat the ruling coalition. Thereafter, external repression, internal disunity, and fortuitous events combined to unravel the PR. But ironically, just when the opposition was headed for another nadir, new scandals and fresh crises struck at the regime and once again divided UMNO's leadership. As a result, new sociopolitical divides have sprung up, the regime is hobbled, and a restructured opposition coalition struggles to coordinate dissent. What social transformation has produced this uncharted political terrain? What has been the impact of broad, deep, and sustained dissent on contemporary politics? What are the implications for political contestation when neither the opposition nor the regime can claim a convincing hold over the popular imagination? Addressing these and related questions, Khoo's analysis brings the situation up to the moment of writing (March 2017).

This volume does not offer a collective conclusion on an overall situation that remained fluid. Up to the eve of the 60th anniversary of Merdeka, perhaps only this much could be said with some certainty about current political struggles in Malaysia: the divides and dissent in society and politics endured, not as ossified fixtures but in contingent forms that were dynamically reconfigured as historical conditions and the composition of protagonists changed.

Accepted: June 29, 2018

Postscript⁸⁾

Between the end of 2017 and the beginning of 2018, when the manuscript of this Special Issue was accepted for publication, the opposing sides in the political system made their preparations to contest in the 14th General Election (GE14). There was intensive campaigning even before Parliament was dissolved or the date of GE14 was announced. In the event GE14, that covered the elections for Parliament and the Legislative Assembly in all states except Sarawak, was held on May 9, 2018. There was considerable excitement in GE14 as a new unified opposition coalition, Pakatan Harapan (Harapan, or Pact of Hope) led by Dr. Mahathir Mohamad mobilized to challenge the incumbent Barisan Nasional (BN, or National Front) headed by Prime Minister Najib Razak. The latter expected to win comfortably. Its advantages were obvious: the powers of incumbency, newly passed electoral re-delineation that heavily

8) Written on October 6, 2018.

avored BN's dominant partner, the United Malays National Organisation (UMNO), and the refusal of the opposition party, Parti Islam SeMalaysia (PAS, or Pan-Malaysian Islamic Party), to cooperate with Harapan. The outcome of GE14, known late in the evening of May 9, registered tremendous shock around the world: the two-year old Harapan had won and its 92-year old leader, Mahathir, became the "7th Prime Minister," having been the "4th Prime Minister" from 1981 to 2003.

One must resist passing off hindsight as prescience. Even so one might say with reference to the theme of this volume of essays that Malaysia's "divides and dissent" had culminated via GE14 in "regime change" for the first time in 61 years after Merdeka. How might the analyses in this volume guide an understanding of post-GE14 society and politics? Some pointers may be considered here.

First, a superficial review of the post-GE14 distribution of representation and power suggests that the divides of ethnicity and class persist but in modified forms. In Peninsular Malaysia, Harapan's staunchest support at the national level lay in the urban non-Malay-majority and ethnically-mixed constituencies. While it won a number of rural Malay seats once steadfastly loyal to UMNO Harapan could not match the influence of UMNO and PAS in constituencies with very large Malay majorities. At the state level, Harapan swept the ethnically mixed, highly urbanized, and economically developed west coast from Kedah in the north to Johor in the south. But four predominantly rural Malay states were split between PAS and UMNO. The former retained Kelantan and won Terengganu on the east coast. The latter held onto Perlis, the smallest and northernmost state, and Pahang, the largest and central-eastern state. The post-GE14 balance of power bears a resemblance to the situation after the first Malayan general election of 1959 when the Alliance (BN's predecessor) won all states except Kelantan and Terengganu which were taken by PAS. To some extent, GE14 has reproduced an old rural-urban divide that overlapped with demographic divisions between Malays and non-Malays, and economic differences between less developed and more prosperous communities. But GE14 brought peaceful regime change with no trace of the interethnic tensions that led to violence after the general election of May 1969. Ethnicity and class remain salient but altered sites of social divides (see Abdul Rahman Embong in this volume). Whether and how they serve as sources of dissent towards the new regime will depend, among others, on how all political parties in power or opposition grapple with the ethnic-class implications of GE14 not for their political strategies alone but also policies.

Second, another version of a regional divide—between the peninsula, and Sabah and Sarawak—remains but again it has been modified by GE14. Sabah re-enacted the theme of a "strongman-led" state government seeking balance with a peninsula-dominated federal government (see Faisal Hazis in this volume). This time Shafie Apdal led a new regionalist Parti Warisan Sabah (Warisan, or Sabah Heritage Party) (see Khoo Boo Teik, Chapter 9, in this volume) to form a coalition government with smaller parties. For GE14 Warisan and Harapan were allies. Harapan won some parliamentary seats against BN but stayed away from state contests. Thus, Harapan accepted the old regionalist refrain of "Sabah for Sabahans" that was revived by Warisan's mobilization. For its part, Warisan committed its parliamentarians to the Harapan-headed federal government. In Sarawak, BN's constellation of state-based parties held a majority of the parliamentary seats against several Harapan gains. But when national defeat cast them as the opposition, Sarawak's BN parties abandoned the BN framework. They now form a loose "Sarawak only" coalition that rules Sarawak since there was no state election in 2018. After an eventual state election, probably to be held within two years, a formal coalition will emerge to re-negotiate Sarawak's relationship with the peninsula. Meanwhile Harapan has indicated its willingness to review key provisions that governed the original merger of Sabah and Sarawak with Malaya to form Malaysia in 1963.

Third, much of Harapan's electoral mobilization had drawn on converging streams of popular dissent over quotidian hardships, high-level corruption, institutional degradation, diminished civil liberties, and so on (see Khoo Boo Teik, Chapter 9, in this volume). Mahathir's Cabinet, mostly constituted of

experienced dissidents, responded to mass expectations of reform. It would take longer to overcome economic hardship but the extremely unpopular Goods and Services Tax was abolished. Within days of GE14, a full royal pardon was secured that released Anwar Ibrahim from prison with all charges against him officially erased. Then came an anti-authoritarian turn true to Harapan's promise of a democratic environment with free media and respect for civil liberties. Reform was swiftly conducted in law and the judiciary that had previously been abused for repression (see Azmi Sharom in this volume): politically motivated suits against dissidents were withdrawn; unjust verdicts against oppositionists were overturned; reputable untainted figures were appointed to the offices of Attorney-General, Chief Justice of the Federal Court, and Speaker of the Parliament. The work of repealing notoriously repressive laws was begun. Where the previous regime was suspected of covering up corruption, the new regime legally attacked impunity for high corruption, above all by resuming the official investigation of the 1 Malaysia Development Berhad (1MDB) financial scandal (see Khoo Boo Teik, Chapter 9, in this volume) with the cooperation of foreign jurisdictions. At the time of writing, Najib Razak has been charged with 32 counts of criminal breach, corrupt abuse of power, and money laundering, many traceable to 1MDB. His wife, Rosmah Mansor, faces 17 counts of money laundering and tax evasion. The Malaysian Anti-Corruption Commission (MACC) has frozen 408 individual and/or corporate bank accounts (some belonging to UMNO and BN parties) suspected of receiving money originating in 1MDB. Mahathir acted to reform the civil service. Many high-ranking public officials resigned or were effectively dismissed. The most prominent of them were the Attorney-General, the Chief Justice, the President of the Court of Appeal, the Director of MACC, the Governor of Bank Negara (the central bank), the Secretary-General of the Treasury, and an assortment of senior officials of government-linked corporations. Moreover, the regime terminated 17,000 "political appointments" and closed some agencies as part of conducting institutional cleansing and rationalization on a scale not seen before.

Fourth, it is not only pre-GE14 dissent that matters. Post-GE14 dissent is obviously present. For the time being its principal expressions come from a defeated UMNO and an unvanquished PAS. The principal leaders of the two parties try to erect an ideological "Malay first and Islamist" defense of "race, religion and (Malay) rulers." This politicization of ethno-religious tenets and anxieties (see Ahmad Fauzi Abdul Hamid in this volume) occasionally creates controversies over such matters as sexuality, child marriage, appointments (of non-Malays or non-Muslims) to senior public office, the use of non-Malay languages in public communications, and so on. The ethno-religious attacks on Harapan have not made much headway. The regime's leaders are mostly Malay-Muslim, and Prime Minister Mahathir is iconic of the Malay-led multi-ethnic leadership and "progressive Islam" of his time. In two recent post-GE14 bye-elections (occasioned by the death through illness of the incumbents), UMNO and PAS, which took turns to contest while publicly espousing their alliance, were both defeated by Harapan candidates.

Finally, political economy will surely have an influence over the transition to "New Malaysia," Harapan and its supporters characterize the post-GE14 situation. The defeat of UMNO and the anti-corruption campaign that targets its leaders and their allies have severely diminished the material resources that they once took for granted. As a political party, UMNO is financially strapped as it had never been before. An example is the virtually bankrupt position of Utusan Malaysia, UMNO's Malay-language daily newspaper; its financial losses cannot be offset by fresh infusions of money from either UMNO or the government. Yet one must assume that the ranks of UMNO-associated businesses used to many forms of rent-seeking before (see Jeff Tan in this volume) must harbor grievances that can be readily expressed as political dissent if the economy falters or if they are unable to re-negotiate their way in a milieu where business is largely separated from politics, that being the goal of a good portion of the Harapan leadership that wants to see "good governance, transparency, and accountability."

It is infeasible to cover divides and dissent in many other areas. It is hoped that the Introduction and the Postscript can server as a guide to how the theme may be explored beyond this Special Issue.

Ethnicity and Class: Divides and Dissent in Malaysian Studies

Abdul Rahman Embong*

Ethnicity and class, two major paradigms constructed during the British colonial period, have shaped Malaysian studies until the present. Very few concepts other than ethnicity and class have triggered as much polemics among scholars, public intellectuals, policy makers, and activists in Malaysia. This is especially so in debates over political economy, state power, social change, and the perennial question “Who rules, who gets what, who wins, and who loses?” Ethnicity has become the dominant paradigm in academic analysis, and it shapes government policies, public opinion, and people’s thinking. Ethnic preferences are so entrenched that they form a major cause of divides and dissent in society, and a millstone that constrains social cohesion and progress. Adopting a historical/retrospective approach, this article identifies four defining episodes or watersheds in post-World War II Malaysia that have a significant bearing on the complex relationship and contestation between ethnicity and class. Those episodes are: (1) postwar agenda of crafting the state and envisioning the nation, 1946–48; (2) social engineering under the New Economic Policy and nation building, 1969–71; (3) envisioning a multiethnic developed nation through Vision 2020 and Bangsa Malaysia; and (4) post-2008 transition trap: reining in ethno-nationalist resurgence and moving toward a new Malaysia. It is suggested that the ethnic paradigm, being a social construct, may change and can be changed. However, efforts to change it should be guided by a non-ethnic, inclusive, and class-based paradigm that is sensitive to the complexity of the mediation between ethnic consciousness and cross-ethnic class solidarity.

Keywords: ethnicity, class, social construct, divides and dissent,
Malaysian studies

Introduction

Malaysia is a multiethnic society, with a population of 32.4 million people in 2018 according to official estimates by the Malaysian Department of Statistics. It consists of Malays, Chinese, Indians, Orang Asli, Ibans, Kadazan, Dusun, and about 30 other minority groups

* Institute of Malaysian and International Studies, Universiti Kebangsaan Malaysia, 43600 Bangi, Selangor D.E., Malaysia
e-mail: rahmanhe@ukm.edu.my

besides a few million migrant workers from neighboring countries (Indonesia, Bangladesh, Nepal, Vietnam, Myanmar, the Philippines, Thailand, etc.). Malaysia has evolved from a predominantly rural agricultural society, with only 25 percent of an urban population from independence in 1957 to the late 1960s, to become an industrialized and urbanized society with 77 percent of the population living in urban areas today.

The situation 60 years ago in Malaya (Malaysia) may differ in many respects from the situation today, yet certain aspects of the past resonate in the present. The plural society structure in Malaysia, inherited from British colonialism, was described by many analysts at the time of independence as an ethnically fractured society, with serious concerns that Malaysia may not—and could not—survive as a nation given the conflicts and tension between the different ethnic groups as manifested by the ethnic riots of May 13, 1969. However, the narratives began to change in many ways following the implementation of the New Economic Policy (NEP) (1971–90), and especially after the proclamation of Vision 2020 and *Bangsa Malaysia* (Malaysian nation) in 1991, with aspirations to transform Malaysia into a developed nation by 2020. This was a period of rapid economic growth and rising prosperity accompanied by the rise of a multiethnic middle class, with the Malay middle class beginning to occupy cities and towns, particularly in the 1980s and 1990s as well as the early years of the twenty-first century.

Yet concerns about the past, especially with regard to ethnic divisions and differences, resonate in the present. Today, 60 years after independence, how best can we describe Malaysian society? Is it still “a fractured plural society” (Abdul Rahman 2007) as alleged by some of the early analysts? Or can we go along with the idea that Malaysia is an example of unity in diversity? Alternatively, is it a society in a state of stable tension or one characterized by divides and dissent?

Each of these concepts looks at society from a certain angle or perspective. The “fractured plural society” perspective assumes a pessimistic view of the relations between ethnic groups, especially between Malays and Chinese, as though there was no glue to hold the people together as a cohesive entity—an assumption that has been challenged by later developments and also by precolonial history, which manifested a high degree of pluralist acceptance of the other (see Conclusion).

The “unity in diversity” perspective is an optimistic and triumphalist one, quite the opposite of the fractured society approach. It sees society as comprising a colorful mosaic of peoples and cultures, with various ethnic groups living together for decades and centuries, a situation like in present-day Sarawak, Sabah, and Kelantan.

The “stable tension” (Shamsul 2010) perspective sees the problem as a paradox. While it acknowledges there is stability over the long run, it recognizes the constant tension, conflicts, and contradictions within society—although the latter do not derail

societal development. This is because Malaysians are said to believe in “tongue wagging” rather than “*parang*- or knife-wielding”—i.e., “they talk conflict, but walk cohesion” (Shamsul 1992; 1996; 2010)—and it is believed that what Malaysian society experiences is not “unity” *per se* but “social cohesion” and “moments of unity” (Shamsul 2008; 2010).

The “divides and dissent” perspective, which is the theme of this special issue, is intriguing and has its own edge. We can approach this concept from various angles. For the purposes of this paper, “divides and dissent” is an analytical construct that encapsulates the dialectics of power relations between the state and society: the divides are historically evolved, as a product of the division of labor in the political economy, certain state policies, the perpetuation of a racial superiority ideology, as well as the actions of those who hold the levers of power. The state refers not only to the postcolonial state but also to its predecessor, the colonial state under British colonialism, and the colonial political economy, its migration policies, and the ensuing division of labor as well as the idea of race imported into the Malay Peninsula from Western Europe after the 1850s. As will be shown below, the postcolonial state inherited the structure of division already constructed by the British, created new policies, institutionalized the division through various means, and inherited the race paradigm (today it is referred to as the ethnic paradigm) already embedded but contested during the British colonial period.

While divides were historically constituted, so too were dissent and contestations. The difference is that while divides emanate from or are related to state policies and the political economy, their consequences affect the whole of society, thus creating dissent and contestations from below among the different classes, groups, and organizations. How the dissent is articulated and how it expresses itself may differ during different historical periods and depending on the nature of the divides.

However, this perspective does not merely focus on divides and dissent as though the two sides are mutually engaged in a perpetual struggle without peace or compromise. The other dimension of “divides and dissent” is more forward looking. It adopts a transformative position, which is that state policies and the political economy can be restructured or changed on the basis of social justice and social inclusion, and that social transformation can take place, leading to the creation of a new social order. Such change should be able to minimize the divides and mitigate dissent; as such, it will contribute toward building cross-ethnic solidarity and social compromise, in fact, a new national reconciliation, between people of different classes and groups with the aim of achieving a common national goal.

With the above as the background, this paper seeks to address the question of ethnicity and class within the framework of divides and dissent in Malaysia and Malaysian studies. While taking a broad historical sweep, this paper will provide an overview of

debates on the subject of ethnicity and more so of class, draw some insights from the literature, and discuss prospects for social change into the future beyond ethnicity for a new Malaysia. To move in this strategic direction, the role of social science as an emancipatory project is crucial. It is suggested that the ethnic paradigm, which has characterized much of social science in Malaysia as well as policy making and public thinking, may change and can be changed. However, efforts to change it should be guided by a non-ethnic, inclusive, and class-based paradigm that is at the same time sensitive to the complexity of the mediation between ethnic consciousness and cross-ethnic class solidarity. In this regard, this paper suggests the potency of the *rakyat* paradigm as an alternative and transformative paradigm for a new and better Malaysia.

Ethnicity versus Class: Situating the Debate

Ethnicity and class are two major paradigms or perspectives that have shaped Malaysian studies over many decades, even prior to Malay(si)a's independence and more so during the post-independence period. Paradigm here is taken to mean a way of "making sense of the world, to find patterns there— . . . that helps to define what is important, what problems deserve attention, and how they might be solved" (Milner *et al.* 2014, 4). Both ethnicity and class denote borders. In this sense, they contain the potential for divide by creating the "us" and "them" and subsequently cause dissent. Surveying the literature, arguably no other concept in Malaysian studies has caught the imagination of—and spurred polemical debates among—scholars, public intellectuals, policy makers, and activists more than the intertwined concept of ethnicity and class. This is especially so when the debate is in relation to the question of political economy, state power, and social change, with a focus on the perennial question of "Who rules, who gets what, who wins and who loses?"

Notwithstanding the controversies surrounding these two concepts, ethnicity in particular has influenced and shaped government policies during the post-independence period, especially when it remains entrenched in the NEP, National Development Policy, National Mission Policy, and New Economic Model. The ethnic paradigm also shaped the ideologies and programs of political parties as well as influenced public debates, attitudes, behavior, and interactions among Malaysians and between them and others.

The issue of ethnicity and class from the perspective of paradigms has been analyzed by various scholars (see, in particular, Shamsul 1998; Milner *et al.* 2014, Chapters 1, 2, 3). In an essay published by *Akademika*, Shamsul (1998, 33-59) argues that there are four "competing paradigms" in Malaysian studies: ethnicity, class, culture, and identity.

Of these four, he maintains that two—ethnicity and class—have a longer history as their origins can be traced to the colonial period, while culture and identity are products of the postcolonial era. Indeed, Shamsul (1998) argues that Malaysian social science (read: Malaysian studies) had its origins in colonial knowledge, with the ethnic paradigm and class paradigm as its main organizing concepts.

Shamsul (1998) notes further that both these concepts were first used in the public domain as part of sociopolitical advocacy by public intellectuals and activists before they entered academia and became powerful paradigms, shaping Malaysian studies and public policies. Between the two, the ethnic paradigm has been so pervasive that social science knowledge in Malaysia has undergone an “ethnicisation of knowledge,” and even class—which is non-ethnic—has sometimes been examined based on ethnic categories (Shamsul 1998).

This observation, which was made some two decades ago, is close to reality even today. As the ethnic paradigm has become the dominant paradigm (Milner *et al.* 2014), Malaysian studies and Malaysian policy making have unfortunately been replete with ethnicized analysis, and the knowledge corpus and discourse have also tended to be highly ethnicized. It is even alleged that ethnic preferences or considerations shape the thinking of many scholars and influence their analysis and judgments. For example, M. Shamsul Haque of the National University of Singapore claims that “among the local scholars, with few exceptions, there is a common tendency to support or oppose these ethnic preferential policies depending on the ethnic backgrounds of scholars themselves” (2003, 240). While this claim may be an overstatement that requires careful empirical verification, the point is taken that such a malady does affect many Malaysian scholars.

Based on a reading of history, a number of scholars are generally agreed that ethnicity (previously the term “race” was used) is a social construct, created during the British colonial period in the nineteenth century (Hirschman 1986; Milner 2011). It was the principal organizing concept under the British “plural society” paradigm, which led toward the hardening of ethnic identity among the various ethnic groups in the country and gave rise to the contentious notion that ethnic groups are like social blocs with impenetrable boundaries, not porous or permeable. Racism as an ideology was imported from Europe after the 1850s with the rise of social Darwinism in European social and political thought and in public debates. The significant change in the European ideology about themselves (seeing themselves as superior to other races) and their relations with Asians or colonized subjects had a significant impact on the British colonies, including the Malay Peninsula (Hirschman 1986). This change, together with the influx of immigrants from south China and India, the colonial division of labor, and the colonial divide and rule policy laid the social and ideological basis for the construction of race (read:

ethnicity) in Malaya. While the immigration of large numbers of Chinese and Indians into the Malay Peninsula in the late nineteenth and early twentieth centuries was significant in terms of changing its demographics, it was not merely the presence of immigrants and the British divide and rule policy and the division of labor that created the “race” ideology and racism (and subsequently its ethnic variant). Rather, it was the importation of the European race ideology and the spread of racial theory as well as how the colonial state institutionalized it through the construction of racial categories in census reports and other forms of administrative requirements that provided the staying power of the race or ethnic problem in Malaysia until today (Shamsul 1998; Milner 2009; 2011; Milner *et al.* 2014).

To sum up the discussion thus far, we can discern the two opposing theses or schools of thought that have been at the heart of Malaysian studies. First—and dominant—is the “ethnic bloc” thesis and its variants. This thesis basically argues that ethnic groups that before Malaysia’s independence existed merely as categories have become ethnic blocs; these are “structurally defined ethnic groups” or “structural entities” and can only have “total relations” (Freedman 1960) with one another on a nationwide scale but not as everyday interactions. This thesis, advanced by scholars such as Maurice Freedman and others, was inspired by the work of J. S. Furnivall in the 1930s on “plural society.” To quote Freedman:

“The Malays” did not interact with “the Chinese” and “the Indians.” Some Malays interacted with some Chinese and some Indians. But as “Malays,” “Chinese,” and “Indians” come to be realized as structural entities on a nation-wide scale, they can begin to have total relations with one another. (*ibid.*, 167)

In the current context, the plural society and ethnic bloc thesis has been transformed into a new ideological and political construct, *ketuanan Melayu* (Malay supremacy). This is a new construct that has been advanced by United Malays National Organisation (UMNO) ideologues since the mid-1980s with the intention to exercise Malay hegemony, thus further entrenching the divides.

The second thesis is the class thesis, which argues that society is divided into social classes and that members of ethnic groups are not homogenous socially and economically, and that they belong to different classes. In the Marxian sense, social class is defined in terms of relations with the ownership and control of the means of production, while in the Weberian sense class is seen in relation to market capacity, taking into consideration education and skills. Those advocating a class perspective maintain that ethnicity is a social construct and a legacy of British colonialism in Malaya. Some scholars also emphasize that based on household income and inequality studies conducted in recent years,

intra-ethnic differences are more pronounced than differences between ethnic groups—meaning that ethnic groups are differentiated by class rather than ethnic traits. They argue that ethnicity is not primordial since it belongs to the sociocultural realm, that at the core of ethnicity is a class problem, but it is mediated by ethnic consciousness, meaning that ethnicity and class are intertwined. While what is seemingly racial or ethnic can eventually be changed, efforts toward bringing about the change have to be sensitive to the complexity of the mediation between ethnic consciousness and class interests.

Class in Malaysian Studies: A Selective Overview

In his essay cited earlier, Shamsul (1998) argues that the baseline knowledge of Malaysian studies is to be found in colonial knowledge exemplified by the works of orientalist who studied the Malays and others, and that ethnicity and class are legacies of that era. Indeed, the literature suggests that in Malaysia, class as a concept emerged with the formation of modern classes and the rise of the labor movement since the early twentieth century (see Stenson 1980; Jomo 1986), and that it came into popular usage especially after World War II, at the height of the anticolonial movement.

The growth of academic analysis using various academic perspectives, namely, ethnicity and class, is related to the growth of universities and social sciences in Malaysia and the training of social science scholars both in Malaysia and abroad. The formation of the University of Malaya in Singapore in 1949 and subsequently the upgrading of the Kuala Lumpur campus into the full-fledged Universiti Malaya in 1961 (with the one in Singapore being renamed the University of Singapore) enabled the early phase of the institutionalization of the social sciences, while the formation of new universities and faculties of the social sciences since the 1970s contributed to a more vigorous contestation between the two schools of thought. Indeed, from the late 1940s to the 1970s ethnicity was institutionalized even academically, with the establishment of the Department of Malay Studies, the Department of Chinese Studies, and the Department of Indian Studies.

This paper will not discuss in detail the formation of the plural society, the colonial political economy, British immigration policies, and the division of labor imposed by Britain that eventually led to the identification of ethnicity with economic functions. This is for a dual reason: there is an extensive literature on the plural society and ethnicity; and the intent of this paper is to examine class as a social formation and an analytical tool, and to suggest going beyond the ethnic paradigm, whereby a class-based perspective—the *rakyat* paradigm—may be a viable alternative.

Despite the dominance of ethnic analysis and ethnicized knowledge, class analysis also flourished. We can see some broad trends with regard to studies of class (including on social stratification) from the 1960s and 1970s until today, which analyze not only new social formations but also the shift in the focus of studies. Studies in the 1960s, 1970s, and early 1980s tended to focus more on the political economy and how classes, especially the capitalist and working classes, were related to this. However, studies of class since the 1990s seem to have changed noticeably, with their focus being on the middle and corporate classes, although studies of political economy, corporate ownership of wealth and control, as well as studies of the working class continue to be undertaken.

In this quick and necessarily selective overview, studies on class during the post-independence period can be classified into several broad themes or categories as follows:

- (1) works on the political economy of growth with a focus on ownership and control of wealth, class formations, and the growth of the corporate sector and its connections with the state;
 - (2) studies on the working class, trade unions, and the state;
 - (3) studies on the rise of the middle class, middle class consumption, politics and civil society organizations, and globalization;
 - (4) works that examine ethnicity and class as paradigms or tools of analysis
- (1) Works on the political economy of growth with a focus on ownership and control of wealth, class formations, and the growth of the corporate sector and its connections with the state

Some of the landmark works in this first genre include James Puthuchear (1960), Jomo K. S. (1986), James Jesudason (1988), and Terence Gomez and Jomo (1999), although they all have a different focus. Puthuchear's magnum opus, *Ownership and Control in the Malayan Economy* (first published in 1960), for example, contains a class analysis of the Malayan economy in terms of who owned and controlled it, stressing that Malaya's wealth was owned and controlled along class rather than ethnic lines. He shows that Malaya's wealth was concentrated in the hands of Western foreign capitalists while Chinese capital was secondary, and that Chinese capitalists were only few in number as the majority of Chinese, like their Malay brethren, were poor and downtrodden. Thus Puthuchear's famous statement that "exploitation and poverty are class problems, not communal problems" (Puthuchear 1960, 174). Puthuchear also demolished the prevailing notion that "the Chinese as a community exploit the Malays—that the Chinese are rich because they exploit the Malays" (*ibid.*).

Jomo's magnum opus, *A Question of Class: Capital, the State, and Uneven Development in Malaya*, also belongs in this category, though it has some differences. In this work, first published in 1986, Jomo takes a long view of history and undertakes a class analysis of the political economy of Malay society during the precolonial or feudal era, before proceeding to examine class formation and class structure in the colonial and post-colonial periods. A theoretically well-informed piece of work, this book discusses class relations in precolonial Malaya, the transformation of Malay peasantry under colonialism, the expansion of capital in the colonial economy, and capitalist fractions and post-colonial development. The focus is on local and industrial capital, the postcolonial state and labor, as well as the ascendancy of statist capitalists, including what the author calls "the administocrats" as a governing group. The book shows that the top capitalist class (employers) totaled approximately 3 percent of the workforce in the last several decades, while the middle and working classes expanded at the expense of the shrinking rural classes.

With a specific focus on Chinese businesses as well as multinationals in the context of ethnicity and the state, Jesudason (1988) examines the effect of the ethnicity-based affirmative action of the NEP on such businesses. He also notes the relaxation of the affirmative policies after the 1986–87 recession in order to attract foreign capital, a move that lifted some restrictions on Chinese businesses. In the 1990s, works on the Malaysian political economy and big business continued to be published. Two of them are Gomez and Jomo (1999) on the political economy of Malaysia, and Gomez's work (1999) on Chinese businesses in Malaysia in which he argues that Chinese companies managed to perform well in Malaysia, especially after the recession in the mid-1980s, due to a clear change in the Malay-dominated government's attitude to Chinese capital.

(2) Studies on the working class, trade unions, and the state

This theme can be seen in some early works such as those by Charles Gamba (1962) on the origins of trade unions; Abdul Rahman Embong (1974) on ethnicity and class; B. N. Cham (1975) on class and communal conflict in Malaysia; Martin Brennan (1982) on class, politics, and race; and Hing Ai Yun (1985) on the question of development and transformation of wage labor in Peninsular Malaysia. In this brief review, we will cite four notable studies on the working class since the 1970s. One of the earlier ones is the study by Michael Stenson (1980) on class, race, and colonialism in Malaysia, in which the author argues that prior to 1969 the failure of capitalist development in Peninsular Malaysia resulted in the persistence of colonial division of labor and slowed the growth of class formation, including the expansion of the working class. Focusing on Indian workers in the plantations, this book attempts to illustrate the structure and functioning of the

colonial and neocolonial order, and the formation of class affiliations and working class alliances after World War II. It notes that the deliberate fostering of Malay capitalist and working classes under the NEP of the 1970s accelerated class formation, unlike during the earlier decades.

Besides Stenson's study on Indian labor, there is P. Ramasamy's 1994 work which discusses the question of plantation labor, trade unions, capital, and the state in Peninsular Malaysia based on his PhD dissertation completed in the 1980s. Accompanying the works on the Indian working class, other writers such as Zawawi Ibrahim (1998) and Donald Nonini (2015) study the working class among the Malays and Chinese respectively. Zawawi, for instance, undertakes a study of the Malay working class on a plantation in Kemaman, Terengganu. Although published in 1998, his book, *The Malay Labourer: By the Window of Capitalism*, was actually based on research conducted in the early 1970s. In this work, Zawawi adds a different dimension to the debate on class exploitation by highlighting not the exploitation of surplus value as suggested by Karl Marx, but status exploitation by superiors toward Malay workers.

The Chinese working class has been relatively understudied as the focus tends to be on the Chinese wealthy class, or the towkays (Nonini 2015; Evers 2016). Fortunately, there are some welcome exceptions. Nonini (2015) in his book *"Getting By": Class and State Formation among Chinese in Malaysia* focuses not on the Chinese towkays but on workers, namely, truck drivers, the largest segment of the Chinese working class in Bukit Mertajam, Penang, where he undertook the study (for a perceptive review, see Evers 2016).

Malaysian workers and their unions, such as the Pan-Malayan Federation of Trade Unions, were active and militant in the 1940s in taking industrial action as well as other moves to support the independence struggle. However, they were ruthlessly suppressed, an act that has continued through the post-independence years until the present, although the form it took differed during different periods. A number of studies on trade unions have been undertaken. For example, Patricia Todd and Jomo K. S. (1988) examine the trade union movement in Peninsular Malaysia from the immediate post-independence years until 1969, highlighting that the trade union movement continued to be a target of repression after 1957 with the suppressing of labor militancy during the 1960s, which almost rendered the movement ineffective. The authors further deepen their analysis in another joint work (Jomo and Todd 1994) that examines trade unions and their relations with the government, the latter's anti-union laws, and the curtailment of trade union activities.

The decline in union membership and activism has become a subject of study in recent years. J. Ganesan (2016) in his study of the decline of union membership in

Malaysia notes that while trade union membership is a vital element in assessing the strength and status of a trade union, trade unionism has suffered a big decline. Based on a study of unionized employees in various sectors, Ganesan concludes that a combination of factors—industrial relations climate, employers' hostility toward unions (adopting suppressive and avoidance tactics when dealing with unions), as well as internal constraints faced by unions, such as the ability to organize, etc.—all affect the membership of trade unions and their roles. Ganesan's study succeeded the one by Peter Wad (2012), which focuses on the question of revitalizing the Malaysian trade union movement using the electronics industry as a case study.

One lacuna in the study of trade unionism is the role of female workers. The growth of the female workforce in Malaysia does not automatically translate into an increased participation of women workers in trade unions, and more so in their leadership. Rohana Ariffin (1989) draws attention to the role of women in trade unions in West Malaysia, a subject that has not been given sufficient attention despite the growth of the female workforce. Her study was followed by Vicki Crinis (2008), who studied women labor activism and unions in the country. Based on data collected through interviews with leaders of the Malaysian Trades Union Congress (MTUC) and various other unions, the author examines the role of women in Malaysian unions since the 1970s by concentrating on MTUC and its private sector union affiliates rather than the public sector unions affiliated to the Congress of Unions of Employees in the Public and Civil Services Sector. Crinis notes that women's union activism in Malaysia has received very little attention—overshadowed by men's—even though women have engaged in strikes and other organized forms of labor protest and have participated in a variety of labor movement activities such as Labour Day celebrations and public meetings on labor policy.

(3) Studies on the rise of the middle class, middle class consumption, politics and civil society organizations, and globalization

The rapid processes of industrialization, urbanization, and economic growth and the accompanying prosperity of the 1980s and 1990s have given rise to a multiethnic middle class in Malaysia, with the most significant phenomenon being the rise of the Malay middle class. The middle class is seen not only as a product of upward social mobility and a force of consumption, but also as a bearer of values, namely, a democratizing force championing democracy, civil society participation, transparency, and good governance as well as the value of tolerance and acceptance of others irrespective of ethnicity and religion.

Studies on the middle class from the late 1980s until the 2000s address these issues in various ways. The role of the middle class in democratization has been a point of debate

among several scholars, for example, Saravanamuttu (1989), Kahn (1992; 1994; 1996a; 1996b), and Abdul Rahman (1995; 1996); while studies on the rise of the middle class—its family, community, lifestyles, and civil society participation—have been undertaken by Abdul Rahman (1995; 1996; 2001b; 2001c; 2001d; 2002a) and others. Middle class consumption has been an important subject of study, as can be seen in the works of Rokiah Talib (2000), who writes on middle class lifestyles and consumption, and Johan Fischer (2008), who examines what he calls “proper Islamic consumption” among the Malay middle class in Malaysia.

Attempts have also been made to take a comparative approach in the study of the middle class, as can be seen in Abdul Rahman (2001b) on the Southeast Asian middle classes, Victor King’s (2008) comparison of the middle classes in Vietnam and Malaysia, and Athi Sivan’s (2014) casting of the debates on the new middle class in Malaysia in the context of the larger Southeast Asian knowledge-scape.

An important aspect of this study is related to the question of the role of class analysis under conditions of being in a connected world in which globalization continuously reconfigures class relations. Is it sufficient to examine class relations merely within nation-state borders and the constraints of methodological nationalism, or is it necessary to take a broader view beyond the nation-state by studying transnational class relations? Important as it is, this dimension remains understudied in Malaysia. One of the few works, though somewhat dated, is by Abdul Rahman (2001b), who argues that attempts at studying transnational classes such as the transnational capitalist class, managerial class, and subordinate classes are fraught with problems of conceptualization and require refinement. However, he maintains that despite the ending of the Cold War, the framework of class analysis remains potent and relevant.

(4) Works that examine ethnicity and class as paradigms or tools of analysis

As explained earlier, paradigms are ways of making sense of the world, identifying patterns and ordering priorities, and problem-solving. How have ethnicity and class been articulated as paradigms in Malaysia, and how should we handle the connections between the two?

Works such as those by Shamsul A. B. (1998) and Charles Hirschman (1986) on this issue have already been referred to at some length above. Other works include those by Hua Wu Yin (1983) on class and communalism or ethnicity, and Collin Abraham (1997) on the British colonial divide and rule strategy as the root of Malaysia’s race relations. However, for reasons of brevity, this section refers to only two other works, both edited volumes, by Syed Husin Ali (1984) and A. Milner *et al.* (2014), which regard ethnicity and class as social constructs reflecting reality on the ground and—also very important—as

paradigms to guide analysis. What is clear in their works is an attempt to find ways to bridge the divides and promote some kind of consensus while maintaining the right to uphold different points of view in Malaysian studies and also in society.

Syed Husin's edited volume *Ethnicity, Class and Development: Malaysia* (1984) attempts to link the debate on ethnicity and class to development and modernization. This is expected and necessary because the concern in post-independence nation building was the creation of employment, increase in income and standard of living, as well as social justice within and among ethnic groups and classes. In the introduction, Syed Husin (1984, 7) notes that not much serious study was undertaken on ethnicity and class despite the recognition that the problem of ethnicity and ethnic relations was ever present in people's daily lives, and that it could be a threat to national unity and people's welfare. But how do we view the relationship between ethnicity, class, and development? Syed Husin argues that "Not only the process of development through time has led to the emergence of ethnic and class groups, but also ethnicity and class can determine the nature of development and its effects on a particular society, community or group" (*ibid.*, 8). He emphasizes further that in Malaysia, discontents—which are essentially class in nature—are often expressed in ethnic terms, meaning that class consciousness is mediated by ethnic consciousness and has to be discerned accordingly. Summing up the situation up to the early 1980s, Syed Husin counsels that

both the ethnic and class forces pull the society apart, in vertical and horizontal directions as it were, but at the present juncture of history the ethnic pull is more forceful and dominant. Thus ethnic dissatisfactions and conflicts voiced through educational, cultural and even religious issues, if examined closely, may be found to have strong politico-economic or class basis. (*ibid.*, 10)

The collaborative work by Anthony Milner, Abdul Rahman Embong, and Tham Siew Yean (2014) is quite different from any of the others. Titled *Transforming Malaysia: Dominant and Competing Paradigms*, the book seeks to analyze the various paradigms that have emerged not only in modern times but—importantly—from the precolonial history of the Malay Peninsula, and to see whether any of these societal paradigms can be tapped for purposes of "transforming Malaysia." What Milner and his colleagues attempt is to move away from merely seeing ethnic groups as a demographic fact and ethnic categories, and to see race (ethnicity) as a paradigm that has become dominant in shaping Malaysia and Malaysian studies despite the divides it creates. The key point running through the book is that since ethnicity is a social construct, the battle is at the level of ideology and ideas and can be changed.

Prior to this important work, Milner published a trilogy—*Kerajaan: Malay Political Culture on the Eve of Colonial Rule* (1982), *The Invention of Politics in Colonial Malaya*

(2002 [1995]), and *The Malays* (2011 [2008])—in which he suggests that baseline knowledge about Malay society can be found in traditional Malay texts about the Malay world and its polity. Importantly, such knowledge was defined by the structure of power then, i.e., that of the *kerajaan* with the *raja* or *sultan* at the apex of power; and that this polity, which developed for centuries well before colonial rule, was legitimated and strengthened by the *kerajaan* ideology and economy. Hence the staying power of the *kerajaan* paradigm, which was essentially a class-based concept.

The other side of the dialectics of the *kerajaan* and *raja* in the *kerajaan* world was the *rakyat* or the people who were subjects of the ruler. What is important to emphasize here is that in the *kerajaan* world, the term *rakyat*—although the latter were relegated as the subject class—did not have racial or communal overtones because the *rakyat*, irrespective of their racial or ethnic origin, were subjects of a ruler. Also, while the *kerajaan* and *rakyat* paradigm originated and was absolutely crucial in the traditional Malay polity, these two concepts—especially the *rakyat*—reverberated into subsequent stages of history and have tremendous relevance for the future (Abdul Rahman 2014, 59–81). Indeed, at the height of the anticolonial struggle for independence after World War II, the term *rakyat* became a principal organizing concept, and the status of the *rakyat* was elevated from a lowly position “to the grand status of the makers of history, and motive forces in the struggle against colonialism and for an independent nation” (*ibid.*, 71). *Rakyat* was not merely an organizing concept at the ideological level; on the ground, the *rakyat* formed the human masses for mobilization in the independence struggle. What is appealing about the *rakyat* paradigm is that it is an inclusive and transformative one originating from below that is not defined by ethnicity, thus indicating the potential to break through the ethnicity-based societal paradigm that has dominated Malaysian history and Malaysian studies in the last six decades.

From this brief overview, we must note three points. First, ethnicity was a social construct, a product of colonialism, and inherited by the postcolonial state. From independence in 1957 until today, it has been used as a strategy to perpetuate and consolidate power by the UMNO-led ruling coalition, a strategy and policy that generates division and dissent in a multiethnic society. Nevertheless, given its nature as a social construct, it provides hope and opportunity for change, but change will be protracted and difficult, requiring nuanced approaches.

Second, Malaysia is both a multiethnic society and a class society. While ethnic identity may be fluid, being members of ethnic groups—except in specific cases—is something ascribed and cannot be changed. Class relations, on the other hand, are social categories and changeable. Members of ethnic groups are found in different social classes together with other ethnic groups as class membership transcends ethnic boundaries.

However, when it comes to managing ethnicity and class, both have to be analyzed together because in Malaysia class and ethnicity are intertwined, and class consciousness is heavily laced and mediated by ethnic consciousness.

Third, the potency and relevance of the *rakyat* paradigm to serve as a mobilizing concept for social change and transformation should be noted and explored further. It has its appeal because not only is it rooted in the country's history and tradition, but it is a class-sensitive concept that is inclusive and transcends ethnic boundaries. It has the potential to serve as an organizing concept not only in social science but also in public advocacy.

Traversing the Route to Independence and After: Watersheds in Malaysian History

The dramatic push against colonialism and toward independence involving people of various ethnic groups and classes in Malaya was a post-World War II phenomenon, while development, nation building, and transformation into a developed nation in the twenty-first century are agendas of the postcolonial state. Looking back over the last 60 to 70 years, we can identify several watersheds in Malaysian history that served as turning points in sociopolitical, ideological, and economic life and saw the acting out of both "divides and dissent" in public debates, mass action, political movements, policy negotiations, attempts at social compromise, etc. The concept of a historical watershed is used here to mean an important historical change, a turning point in history that differentiates an era from the previous one and ushers in something new. For the purpose of this paper, we shall highlight four such watersheds: (1) postwar crafting of the state and envisioning of the nation, 1946–48; (2) social engineering under the NEP and nation building, 1969–71; (3) envisioning a multiethnic developed nation through Vision 2020 and Bangsa Malaysia; and (4) being trapped in post-2008 transition: reining in the resurgence of ethno-nationalism and moving beyond the crossroads to a new Malaysia.

We will discuss at some length the postwar watershed because of certain significant developments and experiences during this period that laid the sociopolitical and constitutional basis for the new Federation of Malaya/Malaysia. The discussion of the subsequent three watersheds from the postcolonial period until the present will, of necessity, be briefer, focusing mainly on the essential events during each phase that are relevant to this study.

Postwar Developments until Independence: Crafting the State, Envisioning the Nation

The most important historical watershed during this period of history was the postwar crafting of the state and envisioning of the nation in 1946–48.¹⁾ World War II was a turning point in world history and the history of Southeast Asia. For Southeast Asians, the defeat of the European powers at the hands of the Japanese during the early years of the war shattered the myth of European invincibility and white man's superiority while inspiring confidence that Asians could rise up and take their destiny in their own hands in the struggle for national independence. These sentiments were sweeping across postwar Malaya, and so when the British returned in September 1945 and reimposed their rule, they triggered a movement on the ground to secure Malaya's future. In fact, the few years after August 1945 saw a hive of activities not only by the British to reestablish their control over Malaya, but among local people, various organizations, and groups, and local leaders emerged. They were awakened and driven by the motivation to craft the yet-to-be-formed independent state and to forge a nation out of the diverse ethnic groups. The constitution, state system, citizenship, government structure, democratic participation, power sharing, and forging of political coalitions were adumbrated during these critical years before 1957.

There were several crucial questions that needed carefully negotiated resolutions. For example, what would be the form of the new state in independent Malaya—a union or a federation? What about the question of citizenship, in particular, how to resolve the tension between indigeneity (being natives of the land) and immigrantism (being people who migrated to the Malay Peninsula)? Would the new political system be a parliamentary democracy, and if so, how would it resolve the tension between the traditional monarchy and the modern system of elected representatives and universal suffrage?

During the postwar period, sociopolitical forces seem to have drawn rather clear ideological lines. On the one hand, those who espoused Malay ethno-nationalism formed UMNO in May 1946 with the slogan "*Hidup Melayu*" (Long live the Malays) and worked with the British. On the other hand, those who espoused progressive nationalism and cross-ethnic solidarity established the Malay Nationalist Party in October 1945 (six months before the formation of UMNO); this party was distinctly anti-British with its historic battle cry of "*Merdeka*" (Independence).

Two constitutional proposals were crafted. One was the top-down Federation of Malaya constitutional proposals that became the basis for the Federation of Malaya Agreement in 1948 and later 1957. The Federation of Malaya constitutional proposals

1) Several parts in the section below are based on or paraphrased from the author's earlier work on envisioning the nation in Malaya (Abdul Rahman 2015).

were formulated during the British-Malay Conference of UMNO and representatives of the Malay rulers between June and December 1946. The Federation of Malaya Agreement came into effect on February 1, 1948, establishing a Malayan Federation without Singapore.

Quite opposed to the Federation of Malaya constitutional proposals was another vision of the nation and state: the People's Constitutional Proposals formulated by Pusat Tenaga Rakyat (PUTERA, Center for People's Forces)-All-Malaya Council for Joint Action (AMCJA) in December 1946 and early 1947 as an alternative to the British-UMNO constitutional proposals. Although there were some convergences between the Federation of Malaya Proposals and the People's Constitutional Proposals—with regard to the position of the Malay rulers, Malay language, religion, and customs—the differences were also sharp. While in the British-UMNO-initiated Federation of Malaya Proposals Singapore was left out of the federation, in the People's Constitutional Proposals Singapore was included as an integral and indivisible part of the Federation of Malaya.

The Federation of Malaya Constitution guaranteed the rights and special position of the Malays as well as rights, powers, and sovereignty of the Malay rulers in their respective states. But how was “Melayu” or “Malays” defined? It is here that the fundamental difference lies. “Melayu” in the People's Constitutional Proposals was fundamentally different from “Melayu” (Malay) as envisaged in the Federation of Malaya Agreement and eventually in the Federation of Malaya Constitution. In Article 160 of the Federation of Malaya Constitution, “Malay” (Melayu) is defined as someone who professes to be a Muslim, habitually speaks the Malay language, and adheres to Malay customs.²⁾

While “Melayu” (Malay) in the Federation of Malaya Constitution emphasizes religion, language, and culture as markers of identity, the People's Constitutional Proposals contained a novelty especially with regard to the question of nationality—*Malayan* or *Melayu*? The term “Malayan” was detested as it was associated with the aborted Malayan Union, but what about “Melayu”? The People's Constitutional Proposals (Section 2) proposed that the nationality be termed Melayu, with allegiance to the federation, and that the term does not carry any religious implications. With the benefit of hindsight, this move was clearly an attempt at mediating between the sensitive ethno-national question (Malays as the original people of the land) and the broad-based class question, which recognized equal rights as citizens before the law. This proposal was seen as more open

2) The question of domicile was also included: the parents needed to be domiciled in the Federation or Singapore on Merdeka Day, born in the Federation or Singapore before Merdeka Day, or born before Merdeka Day of parents one of whom was born in the Federation or Singapore or was a descendent of a member of the Merdeka Day population.

and inclusive by defining Melayu in terms of allegiance to and acceptance of the land, Malaya, which was the object of loyalty (for further discussion, see Abdul Rahman 2015).

The different envisionings of the nation and crafting the state in the post-World War II period, as explained above, were advanced via competing models of consultation and engagement. The British top-down approach began with the Malayan Union Order in Council, April 1946, which was roundly opposed and rejected. Following the rejection and withdrawal, the British announced the setting up of a 12-member Constitutional Working Committee composed of six representatives of the Malayan Union government, four representatives of the Malay rulers, and two UMNO representatives to draw up a new set of constitutional proposals for Malaya to replace the Malayan Union. The Constitutional Working Committee sat for several months from June 1946 and published its constitutional proposals on December 24 that year. But the Constitutional Working Committee was not inclusive—it did not have representatives from the Malay Nationalist Party (MNP), which had pulled out of UMNO in June 1946, and other organizations.

The PUTERA-AMCJA coalition, which came into force in February 1947, had a mass strength of about 600,000, a large number in a small population of about 4.9 million then. Their alternative proposals to the Working Committee's constitutional proposals were formulated based on broad-based consultations. PUTERA-AMCJA was able to mobilize massive rallies throughout the length and breadth of the country, including in Singapore, against British colonialism and advanced the independence struggle. Indeed, its most well-known political action was the launching of a successful nationwide *hartal* (otherwise known as All Malaya Hartal) on October 20, 1947 to coincide with the opening of the British Parliament, where the Revised Constitutional Proposals were due to be debated.

The significance of the PUTERA-AMCJA coalition and model of consultation can be summed up as follows:

- (1) the interethnic coalition was unprecedented in the country's history and showed the formula for future interethnic unity, cooperation, and cross-ethnic class solidarity;
- (2) the coalition was an inclusive multi-stakeholder coalition that included various social forces—workers, peasants, women, youth, intellectuals, businessmen, etc.—throughout the country;
- (3) it was a coalition of organizations that came together on the basis of shared principles and democratic consultations, guided by the spirit of mutual respect, compromise, and acceptance, which was key to the success of negotiations and cooperation; and
- (4) it was a coalition with an imagined nation which was also conceptualized in some

detail through the People's Constitutional Proposals—an envisioning of the nation “from below” that had come to compete with the top-down envisioning proposed through the British-initiated Constitutional Working Committee proposals.

How the British and their local UMNO partners responded to the PUTERA-AMCJA and its People's Constitutional Proposals changed the course of Malaysia's history. The British responded by first pushing through the British-Malay Rulers-UMNO envisioning of the new nation through their constitutional proposals by instituting them in the Federation of Malaya Agreement proclaimed on February 1, 1948. Next, they used force by declaring a state of Emergency in June that year accompanied by mass arrests and the launch of a full-scale war against anticolonial forces under the guise of the “Emergency.” The PUTERA-AMCJA united front and the organizations within the coalition were banned, many of the leaders were arrested and imprisoned, and quite a number retreated to the jungle to wage guerrilla war against the British.

Looking back, we can see that the PUTERA-AMCJA united front was something unprecedented in the country's history and served as a pioneering model for political cooperation and coalition as well as building a new nation together. The essence of cooperation and coalition can be cross-ethnic and class-based like PUTERA-AMCJA, or ethnicity-based like the alliance of three ethnicity-based parties—UMNO, Malayan (later Malaysian) Chinese Association (MCA), and Malayan (later Malaysian) Indian Congress (MIC)—that was formed in the early 1950s and expanded to become Barisan Nasional (BN, National Front) in 1973. The bottom-up consultative approach adopted by PUTERA-AMCJA ensured that the process was inclusive of various ethnic and religious groups, both genders, and, importantly, various classes, namely, peasants and workers who constituted the backbone of pre-Merdeka society in Peninsular Malaysia. In sum, the experience of PUTERA-AMCJA shows that a cross-ethnic multi-stakeholder coalition that is class-based is not only possible but necessary to build an inclusive nation.

Six Decades of Post-Merdeka Developments: Ethnicity versus Class?

The six decades after Merdeka is a highly significant historical era of decolonization, postcolonial nation building, and development. This period has been marked by three watersheds. The first was the social engineering under the NEP, which was formulated and launched during 1969–71; in this the state played an active role in development planning and practice, restructuring society, and rebuilding the basis of national unity. This was followed almost two decades later by a second watershed, which entailed the envisioning of a multiethnic developed nation through Vision 2020 and Bangsa Malaysia with

the promise of going beyond the ethnic paradigm. But the route to Vision 2020 in terms of economy, politics, and society was full of twists and turns as well as reversals, thus pushing Malaysia into a third watershed, the “transition trap” post-2008 general elections with the key challenge being to reign in the Malay right-wing ethno-nationalism pushed by UMNO and its supporters, and to move beyond the crossroads to a new Malaysia.

The first decade or so after independence was a challenging period for Malaysia: the legacies of British colonial rule had to be transformed or changed. To start with, the country’s economic structure was highly lopsided. Western, especially British, foreign capital controlled the lifeline of the economy, with Chinese traders—and to some extent Indian merchants—being dominant in local commerce, trade, and retail. While some members of the Malay elite were involved in government administration and politics, the majority were farmers and fishermen living in rural areas. Chinese lived mainly in urban areas and Indians on the rubber estates. Poverty and unemployment were high. Some 49.4 percent of all households in Peninsular Malaysia were estimated to be in poverty in 1970, with Malay households constituting 74 percent of all poor households. Unemployment, mostly youth unemployment, was dangerously high at 8 percent. What was worse was that while poverty and unemployment were essentially a class problem, they manifested themselves in ethnic forms, and class inequality was seen as ethnic inequality. This was an outcome of the policy of leaving growth and distribution to market forces—admittedly while there was growth, there was greater class inequality (for details, see Abdul Rahman 2002a, 51). This classic case of the identification of ethnicity with differentiated economic functions—a potentially divisive structure with serious implications for ethnic conflict—could create an explosive situation threatening stability and security. This was the structural trigger at the root of the May 13, 1969 tragedy.

This was the context for the introduction of the NEP, which began in 1971 and continued until 1990. It was a massive social engineering exercise to implement an affirmative action policy with the twin objectives of eradicating poverty irrespective of ethnicity, and restructuring society to remove the identification of economic function with ethnicity. In the formulation of the NEP objectives, there was a clever though uneasy intertwining between ethnicity and class, whereby class perspectives had to be tempered with specific ethnic dimensions.

The outcomes of NEP development policies and plans implemented since the 1970s, under the helm of a developmentalist state, are well known (Nelson *et al.* 2008). Economic growth rates were high over the decades. Incomes were rising along with the expansion of higher education and managerial, administrative, and professional/technical occupations. Towns and cities were occupied by a rising multiethnic middle class. After two decades of such growth and expansion, a new mood seemed to prevail—one of psy-

chological confidence and triumphalism, especially among the middle class. This was the context for the announcement by Prime Minister Mahathir in February 1991 of Vision 2020, which was essentially an envisioning of a multiethnic developed nation and the formation of a multiethnic Bangsa Malaysia—Malaysian nation—by 2020 and beyond.

Fast-forwarding to the twenty-first century, we should take note of a few crucial developments. While the rapid industrialization and modernization of the last century have given rise to new social forces, especially the middle class and its civil society organizations, civil society has also been a space seized by un-civil elements—namely, the noisy Right consisting of right-wing Malay ethno-nationalists who raise the banner of *ketuanan Melayu* (Malay supremacy) and vehemently oppose reform and change (Abdul Rahman 2016). This happened in Malaysia especially after the post-2008 transition, which saw serious reversals in the power base of UMNO/BN and a sharp move toward the right with the upsurge of right-wing Malay ethno-nationalists. The struggle has become a sharp tussle between the forces of democratization and reform—which are often class-based and cross-ethnic—on the one hand, and ethnicity-based right-wing backlash and conservatism on the other. The issue is how to rein in ethno-nationalism on the one hand, and on the other to build class solidarity and struggles across non-ethnic lines to move society beyond the crossroads to a new Malaysia.

Looking back, the post-Mahathir era after 2003 under Prime Minister Abdullah Ahmad Badawi promised to be one of opening up, democracy, integrity, transparency, accountability, and social justice. However, these promises were rather short-lived, especially after Najib Razak took over power in 2009, and more so since 2016, with the explosion of his 1MDB scandal and charges of kleptocracy leveled against him and his regime. The sharp right-wing backlash unleashed by Malay ethno-nationalists was not only tolerated or condoned; it was even encouraged, especially by the top UMNO leadership, as the latter were concerned about losing their already weakened power base. The consequence of this is that Malaysia remains trapped in the post-2008 transition, which sees the diverse sociopolitical forces contending with each other and pushing the country in different directions—along ethnic and religious lines as well as lines of class. While democratic civil society organizations such as the multiethnic Coalition for Free and Fair Elections (BERSIH) coalition have been on the rise, with the opening up of spaces to disseminate reformist ideas and progressive mass actions, the same spaces have also been seized by right-wing ethno-nationalists who are hell-bent on preventing reform and change. They use various ideologies for mobilization such as racism, religious bigotry, and perverted patriotism. This can be seen especially in the activities of the Red Shirts, a Malay right-wing movement led by Jamal Yunus, a grassroots UMNO leader who is aligned with the present top UMNO leadership (*ibid.*).

Conclusion: Prospects of Moving beyond the Ethnic Cul-de-Sac

Based on the analysis above, what can we make of the contestations between ethnicity and class as social facts, policies, and programs and as paradigms, or ways of thinking and analysis? Will Malaysia remain trapped in the ethnic paradigm and Malaysian studies continue to be characterized by ethnicized knowledge? Or is there hope of their being more innovative and forward looking and breaking out of this ethnic prism?

Empirical evidence shows that Malaysia today seems stuck in a cul-de-sac, a stalemate of sorts. Politically and socially, it is caught in a tussle between the forces of repression and reaction versus the forces of reform and change. Despite fast losing popular support and being riddled by internal divides and dissent, the UMNO-BN regime still retains power and wants to cling on to it. The Pakatan Harapan parties (comprising Parti Keadilan Rakyat [PKR, People's Justice Party], Democratic Action Party [DAP], Amanah, and its newest member, Parti Bumiputera Bersatu Malaysia), on the other hand—while gaining popular support—are still weak and struggling to cobble up a credible coalition, a unified strategy, a common manifesto, and a logo. Between the two coalitions, UMNO-BN has always operated within the ethnic paradigm while Pakatan Harapan reiterates a commitment to a multiethnic coalition and an inclusive Bangsa Malaysia, thus upholding the class paradigm, although some sections of the coalition—especially its newest members, those from Parti Bumiputera Bersatu Malaysia (the UMNO breakaway party)—occasionally go off track and remain stuck in the old ethnic mold.

Malaysian history has been through difficult and dangerous periods and has come forward with at least two different models of coalition: the PUTERA-AMCJA and National Front (Barisan Nasional). At present, Malaysians urgently need a viable framework of effective collective and sustained action. What lessons can be learned from the experience of the class-based PUTERA-AMCJA in forging unity and cooperation? Also, what lessons can be learned from the experience of the ethnicity-based Alliance and its successor, Barisan Nasional? A viable coalition, a new forward-looking type based on principles of equality and mutual respect, is necessary. It is here that important lessons can be drawn from the PUTERA-AMCJA experience, its broad-based coalition of various classes and groups, and their demonstration of cross-ethnic solidarity and resolute struggles for justice, independence, and social progress.

In terms of government policies and programs, the ethnic paradigm is deeply entrenched. It is at the core of the NEP and subsequent policies favoring the Bumiputera, while data—especially on income, assets, and wealth—is compiled and disaggregated along ethnic rather than class lines. However, there is constant tension and flux between the two, and dimensions of class do emerge quite strongly when social exclusion and

income inequality are examined. For example, Malaysia is committed to the various protocols of the United Nations, including the latest Sustainable Development Goals (SDGs) 2016–30, which emphasize social inclusion and building an inclusive society as part of sustainable development. Such thinking has emerged in the Eleventh Malaysia Plan (11MP) (2016–20), which advances six thrust areas that essentially deal with strengthening social inclusion. In fact, in 11MP the government has also adopted the income class model of analysis, which shows the differences in income, assets, and wealth of the top 20 percent (T20), the middle 40 percent (M40), and the bottom 40 percent (B40). In short, policy makers have made important conceptual concessions by moving beyond ethnicity to class through the construction and application of income class categories, but the dominant paradigm remains ethnicity based.

In Malaysian studies among Malaysian scholars and Malaysianists, ethnicity and class remain important conceptual tools and paradigms. Class analysis remains fresh and vigorous, although it could be sharper, more comprehensive, and consistent, while ethnicized analysis and ethnicized knowledge are widespread. Unlike in policy making and practice, in academia competing paradigms in research and knowledge construction are always welcome; the growth of competing paradigms such as ethnicity, class, culture, and identity, as suggested by Shamsul (1998), or Milner's *kerajaan* and Rahman's *rakyat*, as discussed earlier, is a healthy development. As long as there is constant productive debate between these paradigms with the aim to let truth prevail, there is life and hope in academia. However, social scientists in Malaysia have to take a principled stand. They need to tell truth to power based on their perspectives, convictions, and facts, and not try to be politically correct or let their judgment of policies be clouded by their ethnic origin.

In this regard, the question is whether Malaysian studies—being part of the emancipatory project of social science—can be more innovative and forward looking and break out of the ethnic paradigm. Two points may be noted here, the first related to the culture of society and the second to the nature of knowledge construction and competing paradigms. While there are critical views on the concept of the colonial-constructed plural society, it is important to emphasize that plurality as a concept transcends ethnic boundaries. Malaysia's historical trajectory seems to be—to borrow Shamsul's terminology (2010)—in a plurality continuum: beginning with precolonial plurality, followed by the colonial plural society, and now the new plurality of the post-independence era. By plurality here is meant a free-flowing, natural process articulated not only through the process of migration but also through cultural borrowings and adaptations (Shamsul 2010). This plurality that expresses itself in the culture of public acceptance of others by Malays is something quite ancient in the Malay Peninsula, predating colonialism. Indeed, many

Southeast Asian coastal and riverine societies (e.g., the Melaka Sultanate of the fifteenth century) that became plural in character during the colonial period, or saw the degree of pluralism increase, did so with little social trauma or opposition, showing that the Malay society then was relatively open and accommodative, not exclusivist. (Abdul Rahman 2002b, 40)

What this shows is that Malaysian society is a rich historical and cultural resource, a reservoir of wisdom, understanding, balance, and acceptance of others by people of various ethnic groups toward each other. With such a civilizational resource, what Malaysia needs is a flourishing social science that can confidently advance inclusive and rigorous analytical frameworks in the study of the state, economy, society, and culture, as well as guide policy thinking, formulation, and practice.

This brings us to the final question of whether a multiethnic or class-based paradigm is possible in academic analysis and social interaction. Ethnicity is a challenge to this paradigm, but as shown throughout the paper, ethnicity is a social construct. As such, it may change and can be changed. What is required is consciousness and a strong will to change, and the presence of a viable alternative. Here is the crux of the problem: is the class-based paradigm good and succinct enough? Paradigms involve the power of words, power of analysis, and power of articulation. To have such compelling power, any paradigm has to be analytically sharp and persuasive, historically informed, and able to capture the popular imagination. The paper has shown that the *rakyat* paradigm (Abdul Rahman 2014), which is a variant of the class paradigm in Malaysian studies, may be considered as an alternative. *Rakyat* is not merely an organizing concept at a conceptual level; on the ground, the *rakyat* form the human masses for mobilization in the independence struggle and in subsequent development and nation building. What is appealing with the *rakyat* paradigm is that it is inclusive and class based, embracing Malays and non-Malays, a profound fact that has long historical roots. An inclusive paradigm originating from below, which is not defined by ethnicity, the *rakyat* paradigm has the potential to mitigate the divides and dissent, be most bonding and enduring, and break through the ethnicity-based societal paradigm that has dominated Malaysian history and Malaysian studies over the past several decades.

Accepted: June 29, 2018

References

- Abdul Rahman Embong. 2016. The Noisy Right and the Not-So-Silent-Moderates: Democracy and All That in Malaysia. In *Globalization and Democracy in Southeast Asia: Challenges, Responses and Alternative Futures*, edited by Chantana Banpasirichote Wungaeo, Boike Rehbein, and Surichai

- Wun'gaeo, pp. 45–62. Basingstoke: Palgrave Macmillan.
- . 2015. Revisiting Malaya: Envisioning the Nation, the History of Ideas and the Idea of History. *Inter-Asia Cultural Studies* 16(1): 9–23.
- . 2014. The Rakyat Paradigm. In *Transforming Malaysia: Dominant and Competing Paradigms*, edited by Anthony Milner, Abdul Rahman Embong, and Tham Siew Yean, pp. 59–81. Singapore: ISEAS.
- . 2013. Responding to Globalization and the State: Negotiations and Contestations by the Middle Class in Malaysia. In *Globalization and Social Transformation in the Asia-Pacific: The Australian and Malaysian Experience*, edited by C. Tazreiter and Siew Yean Tham, pp. 63–77. Houndmills: Palgrave Macmillan.
- , ed. 2007. *Rethinking Ethnicity and Nation-Building: Malaysia, Sri Lanka & Fiji in Comparative Perspective*. Bangi: Malaysian Social Science Association.
- . 2002a. *State-Led Modernization and the New Middle Class in Malaysia*. Basingstoke: Palgrave Macmillan.
- . 2002b. Malaysia as a Multicivilizational Society. *Macalester International* 12 (Fall): 37–58.
- . 2001a. Globalization and Transnational Class Relations: Some Problems of Conceptualization. In *Capturing Globalization*, edited by J. H. Mittelman and Norani Othman, pp. 92–106. London and New York: Routledge.
- , ed. 2001b. *Southeast Asian Middle Classes: Prospects for Social Change and Democratisation*. Bangi: Penerbit UKM.
- . 2001c. The Portrayal of the Malaysian Middle Classes. In *Exploration of the Middle Classes in Southeast Asia*, edited by Hsin-Huang Michael Hsiao, pp. 301–341. Taipei: Program for Southeast Asian Area Studies, Academia Sinica.
- . 2001d. Middle Class Politics, Democracy and Civil Society in Malaysia. In *Exploration of the Middle Classes in Southeast Asia*, edited by Hsin-Huang Michael Hsiao, pp. 343–377. Taipei: Program for Southeast Asian Area Studies, Academia Sinica.
- . 1996. Social Transformation, the State and the Middle Classes in Post-Independence Malaysia. *Southeast Asian Studies* 34(3) (December): 56–79.
- . 1995. Malaysian Middle Classes: Some Preliminary Observations. *Journal of Anthropology and Sociology* 22: 31–54.
- . 1974. A Comment on the State of the Sociology of Race Relations and Political Sociology in Malaysia. *Journal of Anthropology and Sociology* 3: 63–68.
- Abraham, Collin. 1997. *Divide and Rule: The Roots of Race Relations in Malaysia*. Kuala Lumpur: Insan.
- Athi Sivan. 2014. Positioning “New” Middle Class Studies: Regional Debates and the Malaysian Discussions. In *Sains sosial dan kajian pembangunan: Kumpulan rencana penghormatan untuk Profesor Abdul Rahman Embong* [Social science and development studies: Collected essays in honor of Professor Abdul Rahman Embong], edited by Chin Yee Whah, Nor Hayati Sa'at, and Sity Daud, pp. 279–300. Bangi: Persatuan Sains Sosial Malaysia and Institut Kajian Malaysia dan Antarabangsa (IKMAS), UKM.
- Brennan, Martin. 1982. Class, Politics and Race in Modern Malaysia. *Journal of Contemporary Asia* 12(2): 188–215.
- Cham, B.N. 1975. Class and Communal Conflict in Malaysia. *Journal of Contemporary Asia* 5(4): 446–461.
- Crinis, Vicki D. 2008. Malaysia: Women, Labour Activism and Unions. Faculty of Arts Papers, University of Wollongong Research Online.
- Evers, H.D. 2016. “Getting By”: *Class and State Formation among Chinese in Malaysia* by Donald M. Nonini (Review). *Sojourn: Journal of Social Issues in Southeast Asia* 31(3) (November): 959–962.

- Fischer, Johan. 2008. *Proper Islamic Consumption: Shopping among the Malays in Modern Malaysia*. Copenhagen: Nordic Institute of Asian Studies.
- Freedman, M. 1960. The Growth of a Plural Society in Malaya. *Pacific Affairs* 33(2) (June): 158–168.
- Gamba, Charles. 1962. *The Origins of Trade Unionism in Malaya: A Study in Colonial Labour Unrest*. Singapore: Donald Moore for Eastern Universities Press.
- Ganesan J. 2016. A Review on Factors Contributing to Declining Trade Union Membership in Malaysia. *International Journal of Advanced and Applied Sciences* 3(11): 93–98. <http://www.science-gate.com/IJAAS/V3I11/Ganesan.html>, accessed February 10, 2017.
- Gomez, E. T. 1999. *Chinese Business in Malaysia: Accumulation, Ascendancy, Accommodation*. Richmond: Curzon.
- Gomez, E. T.; and Jomo K. S. 1999. *Malaysia's Political Economy: Politics, Patronage, and Profits*. New York: Cambridge University Press.
- Haque, M. Shamsul. 2003. The Role of the State in Managing Ethnic Tensions in Malaysia: A Critical Discourse. *American Behavioral Scientist* 47(3) (November): 240–266.
- Hing Ai Yun. 1985. The Development and Transformation of Wage Labour in West Malaysia. *Journal of Contemporary Asia* 15(2): 139–171.
- Hirschman, Charles. 1986. The Making of Race in Colonial Malaya: Political Economy and Racial Ideology. *Sociological Forum* 1(2) (March): 330–361, Eastern Sociological Society.
- Hua Wu Yin. 1983. *Class and Communalism in Malaysia*. London: Zed Books.
- Iguchi, Yufu. 2011. Formation of Social Sciences in Malaysia: Contesting Meanings of “Plural” in Malaysian Studies. *Ritsumeikan International Affairs* 9: 121–144.
- Jesudason, James. 1988. *Ethnicity and the Economy: The State, Chinese Business, and Multinationals in Malaysia*. Singapore: Oxford University Press.
- Jomo K. S. 1986. *A Question of Class: Capital, the State, and Uneven Development in Malaya*. Singapore: Oxford University Press.
- Jomo K. S.; and Todd, P. 1994. *Trade Unions and the State in Peninsular Malaysia*. Kuala Lumpur: Oxford University Press.
- Kahn, J. S. 1996a. The Middle Class as a Field of Ethnological Study. In *Critical Perspectives: Essays in Honour of Syed Husin Ali*, edited by Ikmal Said and Zahid Emby, pp. 12–33. Kuala Lumpur: Malaysian Social Science Association.
- . 1996b. Growth, Economic Transformation, Culture and the Middle Classes in Malaysia. In *The New Rich in Asia: Mobile Phones, McDonald's and Middle-Class Revolution*, edited by Richard Robison and David S. G. Goodman, pp. 49–78. London and New York: Routledge.
- . 1994. Subalternity and the Construction of Malay Identity. In *Modernity and Identity: Asian Illustrations*, edited by Alberto Gomes, pp. 23–41. Bundoora: La Trobe University Press.
- . 1992. Class, Ethnicity and Diversity: Some Remarks on Malay Culture in Malaysia. In *Fragmented Vision: Culture and Politics in Contemporary Malaysia*, edited by J. S. Kahn and Francis Loh Kok Wah, pp. 158–178. Sydney: Allen & Unwin.
- King, Victor T. 2008. The Middle Class in Southeast Asia: Diversities, Identities, Comparisons and the Vietnamese Case. *International Journal of Asia Pacific Studies* 4(2): 73–109.
- Milner, A. 2011. *Malaysia's Dominant Societal Paradigm: Invented, Embedded, Contested*. Bangi: Penerbit UKM.
- . 2009. *The Malays*. Chichester: Wiley-Blackwell.
- Milner, A.; Abdul Rahman Embong; and Tham Siew Yean, eds. 2014. *Transforming Malaysia: Dominant and Competing Paradigms*. Singapore: ISEAS.
- Muhammed Abdul Khalid. 2014. *The Colour of Inequality: Ethnicity, Class, Income and Wealth in Malaysia*. Kuala Lumpur: MPH Group Publishing.

- Nelson, Joan; Meerman, J.; and Abdul Rahman Embong, eds. 2008. *Globalization and National Autonomy: The Experience of Malaysia*. Singapore: ISEAS; Bangi: IKMAS, UKM.
- Nonini, Donald M. 2015. *"Getting By": Class and State Formation among Chinese in Malaysia*. Ithaca: Cornell University Press.
- Puthucheary, James J. 1960. *Ownership and Control in the Malayan Economy*. Singapore: Donald Moore for Eastern Universities Press (later published by INSAN, Kuala Lumpur, 2004).
- Ramasamy, P. 1994. *Plantation Labour, Unions, Capital, and the State in Peninsular Malaysia*. Kuala Lumpur: Oxford University Press.
- Rasiah, R. 1997. Class, Ethnicity and Economic Development in Malaysia. In *Political Economy of South-East Asia*, edited by G. Rodan, K. Hewison, and Roland Robison, pp. 121–147. Melbourne: Oxford University Press.
- Rohana Ariffin. 1989. Women and Trade Unions in West Malaysia. *Journal of Contemporary Asia* 19(1): 78–94 (published online June 15, 2007).
- Rokiah Talib. 2000. Malaysia: Power Shifts and the Matrix of Consumption. In *Consumption in Asia: Lifestyles and Identities*, edited by Chua Beng Huat, pp. 35–60. London and New York: Routledge.
- Rowley, Chris; and Bhopal, Mhinder. 2006. The Ethnic Factor in State-Labour Relations: The Case of Malaysia. *Capital and Class* 88 (Spring): 87–115.
- Saravanamuttu, J. 1989. Kelas menengah dalam politik Malaysia: Tonjolan perkauman atau kepentingan kelas? [Middle class in Malaysian politics: Communalism or class interests?]. *Kajian Malaysia* 7(1–2) (June/December): 106–126.
- Shamsul A. B. 2010. Unity in Diversity: The Malaysian Experience. Keynote address delivered at a seminar on "Inter-Ethnic and Inter-Religious Experience of Malaysia and Sudan," Khartoum, September 27.
- . 2008. Many Ethnicities, Many Cultures, One Nation: The Malaysian Experience. UKM Ethnic Studies Paper Series, No. 2, November.
- . 1998. Ethnicity, Class, Culture or Identity? Competing Paradigms in Malaysian Studies. *Akademika* 53 (July): 33–60.
- . 1996. Nation-of-Intent in Malaysia. In *Asian Forms of the Nation*, edited by Stein Tonnesson and Hans Antlov, pp. 323–347. London: Curzon.
- . 1992. *Malaysia in 2020: One State Many Nations?* Seventh James Jackson Memorial Lecture. Bangi: Penerbit Universiti Kebangsaan Malaysia.
- Stenson, Michael. 1980. *Class, Race and Colonialism in West Malaysia: The Indian Case*. St. Lucia: University of Queensland Press.
- Syed Husin Ali, ed. 1984. *Ethnicity, Class and Development: Malaysia*. Kuala Lumpur: Persatuan Sains Sosial Malaysia.
- Todd, Patricia; and Jomo K. S. 1988. The Trade Union Movement in Peninsular Malaysia, 1957–1969. *Journal of Asian and African Studies* 23(1): 102–124.
- Wad, Peter. 2012. Revitalizing the Malaysian Trade Union Movement: The Case of the Electronics Industry. *Journal of Industrial Relations* 54(4) (August): 494–509.
- Zawawi Ibrahim. 1998. *The Malay Labourer: By the Window of Capitalism*. Singapore: ISEAS.

Rents, Accumulation, and Conflict in Malaysia

Jeff Tan*

This paper examines conflict in Malaysia through an analysis of rents and the relationship between the economic imperative for growth and political imperative for stability. It links episodes of conflict and political instability to the social forces that drive the allocation of rents and the impact of these rents on the pattern of accumulation. It examines how the emergence and expansion of the Malay intermediate classes increased contestation and conflict over the allocation of rents that compromised the state's ability to balance the political imperative for stability with the economic imperative for growth. It traces Malaysia's long-term economic slowdown associated with premature deindustrialization to the state prioritizing rents for accommodation (redistribution) over rents for learning and accumulation.

Keywords: rents, accumulation, conflict, growth, stability, deindustrialization, Malaysia

I Introduction

Malaysia's political economy is usually analyzed in terms of policy swings between state intervention and economic liberalization. The former is seen as a response to political pressures for redistribution and the latter as a response to the growth imperative. The withdrawal of the state through economic liberalization is thus considered desirable by reducing rent seeking and corruption associated with state intervention. The implicit assumption here is that state intervention is intrinsically inefficient (because politicians pursue their own interests) and is an invitation to rent-seeking behavior. This draws from public choice theory (see, e.g., Krueger 1974; 1990; Buchanan 1980; Boycko *et al.* 1996) and is consistent with the elite-centered approach where state intervention is analyzed in terms of political capture of the state by individual politicians who then redistribute public resources to secure political support (see, e.g., Jesudason 1989; Bowie 1991; Gomez 2002).

Several problems can be identified with the elite-centered explanation. First, the

* Institute for the Study of Muslim Civilisations, Aga Khan University, The Aga Khan Centre, 10 Handyside Street, London, N1C, United Kingdom
e-mail: jeff.tan@aku.edu

public choice critique of state intervention and rents fails to distinguish between different types of rents and ignores the role of some types of rents in the development process historically. Second, the discussion of rent seeking largely excludes discussion of rent seekers, that is, the social forces that pursue rents and influence the allocation of rents. Instead, elite-centered explanations focus on the role of individual political leaders, with analysis of the state and state intervention similarly removed from social forces that the state is invariably connected to. Third, conflict tends to be examined in terms of inter-ethnic rivalries that are seen as the cause of political instability rather than the outcome of pressure from social forces seeking rents.

This paper provides an alternative approach to the issue of conflict in Malaysia through an analysis of rents in order to provide a broad overview of the relationship between the economic imperative for growth and political imperative for stability since independence. It develops a framework to link episodes of conflict and political instability to the allocation of rents and pattern of accumulation in Malaysia. It does this by distinguishing between the different types of rents needed in the development process, the social forces that drive the allocation of these rents, and the impact of the allocation of rents on growth and stability (section II). The paper then applies this framework to Malaysia (section III) and argues that the emergence and expansion of social forces, specifically the Malay intermediate classes, increased contestation and conflict over the allocation of rents. This compromised the state's ability to balance the political imperative for stability with the economic imperative for growth because of the nature of the state's relationship with these classes. Malaysia's long-term economic slowdown can be traced to the state prioritizing rents for accommodation (and hence stability) over rents for learning and accumulation. This corresponds with premature deindustrialization and the increasing frequency and intensity of conflict.

II Rents, Accumulation, and Conflict

The development process entails the transfer of resources from less to more productive sectors and classes. Historically this redistribution has been associated with the process of industrialization and occurred through the allocation of rents for learning (to promote manufacturing) and accumulation (to support the emergence of an industrial capitalist class). As any form of economic redistribution is invariably contested, rents associated with economic growth will usually need to be supplemented with rents for accommodation to secure political stability, usually by buying off dissent or purchasing support during a period of socioeconomic transformation. The allocation of rents in the development

process will thus be informed by the imperatives for growth and stability.

Conflict can be understood as an outcome of the contestation over rents (or rent seeking) that affects the allocation of rents for growth and stability. As contestation involves social forces, the analysis of rents needs to be supplemented with an analysis of the social forces that drive (or oppose) the allocation of rents. At the same time, the analysis of accumulation helps explain growth outcomes based on the types of rents prioritized. The remainder of this section elaborates on the relationship between rents, growth, and stability (section II-1); the role of social forces in shaping how rents are allocated (section II-2); and how contestation and conflict are driven by rent seeking and triggered or exacerbated by economic slowdown (section II-3).

II-1 *Rents and Patterns of Accumulation*

The development process is typically characterized by two competing requirements—the economic imperative for growth and the political imperative for stability. Political stability is both a condition for accumulation and hence economic growth, and also contingent on economic growth because economic prosperity provides the basis for, and the resources to, secure political legitimacy and hence stability. The purchase of political support for stability thus depends on sustainable patterns of accumulation and growth. Declining growth rates can lead to instability by reducing the state's ability to distribute rents and hence dispense patronage necessary for stability. This is also why instability and conflict often coincide with economic slowdown or crises.

Accumulation can broadly refer to the process of wealth creation through productive or unproductive investments in productive or unproductive sectors. Growth associated with productive accumulation in productive sectors tends to be more sustainable than growth from unproductive accumulation in unproductive sectors. The pattern of accumulation describes the prevailing or dominant types of productive or unproductive investment and sectors that characterize an economy, and can be illustrated through the sectoral shares of GDP. Both growth and stability involve the allocation of different types of rents, and the relationship between growth and stability is mediated through these rents. Rents are typically defined in (neoclassical) economics as “excess incomes” higher than the minimum next-best opportunity (Milgrom and Roberts 1992, 269) that should not exist in efficient markets. However, rents have been a central feature of late industrialization as illustrated by the experiences of Japan, South Korea, and Taiwan (see Amsden 1989; Wade 1990; Chang 1994) because new technology needs to be produced and learned and new property rights created (Khan 2000b).

Late industrialization entails the allocation of rents to promote learning for technological adaptation by providing incentives for emerging industries (*ibid.*; Bhidé 2005;

Gries and Naude 2008), particularly as new technology is often only acquired through the process of learning-by-doing (Arrow 1962). These rents include “conditional subsidies” (Amsden 1989) and “performance-indexed rewards” (World Bank 1993) that are “conditional on the achievement of learning over a specified time-frame” (Khan 2000b, 22). Rents for learning are thus potentially productive as they can contribute to technological acquisition and industrial upgrading, even if this entails initial costs and deadweight losses (Khan 2000a).

At the same time, rents for accumulation are needed to create new property rights because developing countries typically lack a domestic capitalist class able to participate in the industrialization process. These rents function to promote accumulation (or wealth creation) and include subsidies (e.g., soft loans) and “transfers . . . which convert public property into private property” (e.g., privatization and land grabs) (Khan 2000b, 36, 38) akin to the process of “primitive accumulation” of the Enclosures Act in England (Marx 1867). As with rents for learning, rents for accumulation are also potentially productive provided they lead to investment in productive sectors. In the context of late industrialization, productive sectors would necessarily center on manufacturing.

The allocation of rents for learning and accumulation will usually need to be supplemented with rents for accommodation to maintain political stability (Khan 1998a). This is because the redistributive features of rents, in particular the creation of new property rights, will invariably be contested, particularly by groups or classes that have been excluded, as was the case in Pakistan in the 1950s and 1960s (Khan 1999). Rents for accommodation can be viewed as side payments to particular groups or classes that potentially threaten political stability and/or whose support the state depends on for legitimacy (Khan 1998a; 1998b; North *et al.* 2007). These can take the form of the “limited access order” (LAO) that restricts access to valuable resources or activities (North *et al.* 2007) or politically motivated redistributive policies that form the basis for a stable “elite bargain” (Di John and Putzel 2009; Varkkey 2014, 189) or that serve to consolidate political control and stability (Dunning 2005). LAOs are often also related to primitive accumulation centered on natural resource extraction that may be productive and form the basis for sustainable growth, for example where timber concessions help create a wood furniture industry. In this case, rents for accommodation also function to promote accumulation. Politically motivated redistribution can range from handouts in the form of small or medium state contracts and public employment, to large-scale cash transfers (Varkkey 2014) and are generally unproductive.

The allocation of both sets of rents thus affects accumulation in different ways. Rents for learning and accumulation associated with industrialization are potentially growth enhancing (depending on how these are allocated and managed) and are thus more

likely to lead to sustainable patterns of accumulation. Rents for accommodation may result in accumulation but are generally unproductive and growth reducing because they are allocated primarily for political expediency and can result in unsustainable patterns of accumulation, even if productive accumulation may sometimes occur as an unintended outcome. They are nonetheless often necessary as political stability is a precondition for accumulation and hence growth.

The sustainability of patterns of accumulation refers to the ability of different types of investments and sectors to sustain long-term growth, and is a reflection of the net effect of productive and unproductive rents. Sustainable patterns of accumulation suggest a positive net effect of rents, where the benefits of rents to promote growth outweigh the costs of rents to maintain stability. Unsustainable patterns of accumulation suggest a negative net effect of rents, where the benefits of rents to promote growth are outweighed by the costs of rents to maintain stability. As it would be difficult to quantify the actual costs and benefits of different rents (see Khan 2000b), determining the net effect can be based on evidence in the literature of the success of rents for learning and accumulation, and changes in the allocation of rents for accommodation.

II-2 *Social Forces and Rent Seeking*

Social forces are central in the discussion of rents because they are both an outcome and driver of rent allocations. Insofar as rents are connected to social transformations associated with the capitalist transition, these will lead to the emergence of new social classes that include both (emerging) capitalist and non-capitalist classes. The former are often the outcome of rents aimed at promoting late industrialization, and the latter typically comprise economically inactive or uncompetitive classes seeking political accommodation. These social classes constitute social forces where they exert political pressure over subsequent allocations of rents.

Rents are typically allocated through informal patron-client networks as part of “traditional” forms of relationships between rulers and the ruled (*ibid.*). Patron-client exchanges are “repeated exchanges between patrons and clients” that survive in early capitalist societies because

personalised and specific payoffs from patrons to clients provide a very efficient mechanism of purchasing political support by allowing the accommodation and incorporation of key groups of clients . . . where the state is not strong enough to enforce order by force. (Khan 1998b, 115)

Patron-client networks “organise payoffs to the most vociferous opponents of the system” and are thus “an effective if costly way of maintaining political stability where there is a lack of support for emerging capitalism and capitalists” (*ibid.*).

This suggests that the impact of social forces on the allocation of rents will depend on: (a) the composition and preferences of new social classes; (b) their connection to the state; and (c) the balance of power between these social forces and the state. Economically active classes include emerging capitalists who are more likely to favor productive rents and sectors. Economically inactive classes include traditional (feudal) pre-capitalist classes and emerging intermediate classes that comprise the petty bourgeoisie, salaried and professional employees, and low-level public officials (Hodges 1961; Khan 2005; 2010). The latter classes are more likely to favor unproductive rents and sectors. These could include rents for accommodation such as (public) employment opportunities and rents for accommodation through accumulation in protected and/or non-tradable sectors.

The influence of these classes will depend on their connection with the state and the balance of power between them and the state. The economic imperative means that the state will tend to prioritize growth when it is connected to economically active classes as the interests of the state and these classes are likely to coincide, and as growth also provides revenue to secure political legitimacy. This is especially so where the balance of power is in favor of the state, enabling it to enforce performance conditionalities associated with learning rents that are necessary for technology upgrading and efficiency gains in dynamic sectors related to manufacturing (Khan 2004).

Where the balance of power is not in favor of the state, even potentially productive rents for learning and accumulation may lead to inefficient outcomes. This is because intense competition between developing countries to move up manufacturing global value chains within global production networks (GPNs), and the high risks with only modest returns in the short term, act as major disincentives for manufacturing (Razmi and Blecker 2008; Whittaker *et al.* 2010). At the same time financialization creates perverse incentives for the pursuit of unsustainable accumulation in finance, insurance, real estate, and other non-tradable, protected, and unproductive sectors (see Brenner 2002; Duménil and Lévy 2004; Stockhammer 2004; 2005; 2008; Krippner 2005). In the absence of sufficient disciplinary capacity, the state will be unable to sanction non-performance by removing rents from underperforming firms or ensure that rents for accumulation lead to investments in productive sectors (Khan 2000b).

The state is more likely to prioritize the political imperative for stability where it is connected to economically inactive classes and where the balance of power is unfavorable. As the domestic capitalist class (where this exists) in developing countries tends to be small and politically weak, the state is more often connected with traditional (feudal) pre-capitalist classes and emerging intermediate classes. Some segments of the intermediate classes may be economically active (e.g., small traders and shopkeepers), but in general these classes tend to be those left behind because they are unable to compete in

the modern economy.

The intermediate classes are, however, often “collectively the most powerful political group in most developing countries” (Khan 2005, 718) and “provided a significant proportion of the political entrepreneurs of recent history” (Khan 2010, 62), thus constituting a major social force seeking rents in many developing countries (Fine 1997; Khan 2000a; North *et al.* 2007). The state’s connection to the intermediate classes is thus usually one based on political support for ruling political parties or the threat of political instability associated with the withdrawal of this support. This “tension between the redistributive demands coming from factional politics and the imperative of ensuring economic growth largely through the capitalist sector can result in sharp shifts in state policy” ranging from politically motivated redistribution to specific patron-client factions and “dramatically pro-capitalist policies” (Khan 2010, 62).

II-3 *Rent Seeking, Contestation, and Conflict*

Conflict arises from contestation by social forces over the allocation of resources in general and rents more specifically. The frequency and intensity of conflict depend on the degree of contestation. The degree of contestation is in turn shaped by the composition of social forces and changes in the balance of power. The propensity toward conflict also corresponds with economic slowdown or crises and is related to the state’s inability to allocate further rents for accommodation because unsustainable patterns of accumulation cannot deliver sufficient growth for redistribution. Patterns of accumulation that are unsustainable, for example where rents are allocated in protected or non-tradable sectors, are thus more prone to conflict, especially during economic crises.

The relationship between rent seeking and conflict can be illustrated in terms of cycles of accumulation and conflict (Fig. 1). The allocation of rents shapes the pattern of accumulation (A) that brings about social transformations and the emergence of new social forces (B). These new social forces contest the subsequent allocation of rents, which in turn fuels conflict and culminates in an episode of conflict (C). The outcome of this conflict depends on the state’s connections with society, the nature of this relation-

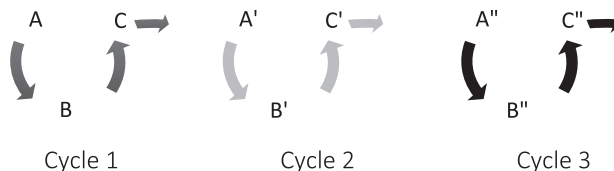


Fig. 1 Cycles of Accumulation and Conflict

Notes: A/A'/A'' (pattern of accumulation); B/B'/B'' (social forces); C/C'/C'' (episode of conflict).

ship, and the balance of power between the state and segments of society it is connected to. The types of rents related to accumulation and accommodation then create a new pattern of accumulation (A') that brings about further social transformations and leads to new emerging social forces (B') through the allocation of rents, setting off a new cycle of contestation and episode of conflict (C') and eventually another new cycle of accumulation and conflict (A''/B''/C'').

III Cycles of Accumulation and Conflict in Malaysia

The framework of cycles of accumulation and conflict can help explain the relationship between accumulation and conflict in Malaysia based on the analysis of rents and social forces. The allocation of rents illustrates the tension between growth and stability that has been a central feature of Malaysia's political economy across four phases of development: Phase 1 (1957–69), Phase 2 (1970–85), Phase 3 (1986–99), Phase 4 (2000–16). Each phase of development broadly corresponds with a cycle of accumulation and conflict that is characterized by a specific pattern of accumulation and episode(s) of conflict. The discussion below is by no means comprehensive but instead tries to provide a historical overview of how social forces influence economic outcomes (patterns of accumulation) and the impact of this on political stability. Patterns of accumulation are assessed in terms of changing sectoral shares of GDP. Indicators of political instability and conflict draw loosely from the idea of “elite fractiousness” that is typically reflected in leadership contests, cabinet changes and dismissals, and party splits (see, e.g., Case 2014).

Section III-1 examines the three types of rents allocated in Malaysia across the four phases of development, and the impact of these rents on the pattern and sustainability of accumulation. Section III-2 looks at the two-way relationship between rent allocation and emerging social forces, where the Malay intermediate classes emerged as a result of early rents for accommodation, and where the subsequent push for an expansion of these rents led to the rapid growth of these classes and specific patterns of accumulation. Section III-3 examines how increasing contestation and conflict over rent allocation are driven by social forces and correspond with economic slowdown related to unsustainable patterns of domestic accumulation.

III-1 *Rents and Patterns of Accumulation in Malaysia*

Rents for Learning

Early rents to promote import-substitution industrialization (ISI) in Phase 1 (1957–69) sought to modernize and diversify the economy through tax exemptions (the 1958

Pioneer Industry Ordinance) and high tariffs after 1966, mainly in the packaging and assembly of imported components for the protected domestic market (Jomo and Edwards 1993; Lim 2011; Rasiah 2011). Rents were also allocated to promote Malay participation in manufacturing through the Rural Industrial Development Authority and by stipulating a 10 percent reservation of share capital for Malays in pioneer industries (Lim 1985, 42). The inherent limitations of ISI in a small domestic market and the failure of import-substitution industries to move beyond basic manufacturing and assembly activities (see Jomo and Edwards 1993) were mirrored in the pattern of accumulation by the end of Phase 1 that was dominated by agriculture (33.1 percent of GDP compared to 13.1 percent for manufacturing) and reflected in a modest average growth rate over this phase of 6.5 percent (Lim 2011). (Unless indicated, data in this section is taken from the World Bank's World Development Indicators.)

Rents for ISI were supplemented with rents to promote export-oriented industrialization (EOI) in Phase 2 (1970–85) through the 1968 Investment Incentives Act and 1971 Free Trade Zones Act. These offered tax holidays, tax and tariff exemptions, investment credits, and infrastructural facilities to attract foreign direct investment (FDI) that “translated into substantial rents” for export-oriented (foreign) manufacturing firms (Rasiah 2011). This coincided with the increase globally of FDI, the emergence of GPNs, and Malaysia's position within the region as a node of, and intersection for, the Japanese and US electronics industry production chains (Tanaka and Kenney 1996). This was reflected in changes in the pattern of accumulation, with the manufacturing share of GDP increasing from 13.1 percent to 19.7 percent by 1985, and in higher average growth rates over this phase at 6.9 percent.

Rents for a second round of ISI in domestic heavy industries in Phase 3 (1986–99) were a response to the limitations of FDI-led industrialization and

an emerging industrial dualism between the foreign domination of a high-technology, dynamic export sector and almost all internationally competitive non-resource based industrial capability, and a domestic manufacturing sector restricted to small and medium domestic firms mainly in assembly and subcontracting and disconnected from high-technology production and heavy industries. (Tan 2014, 158)

These rents were introduced at the end of Phase 2 to support the Heavy Industries Corporation of Malaysia (HICOM), which included Proton—the national car company—through high protection rates and a Vendor Development Programme to guarantee contracts for local companies as part of local content requirements.

Rents were also allocated for EOI in Phase 3 through the 1986 Promotion of Investment Act and 1986 Industrial Master Plan and included incentives for local sourcing,

export credit refinancing, tax relief, tax deductions, and support for export promotions (Rasiah 2011). Rents for learning also targeted high-technology industries as part of wider economic policies to develop human capital and a knowledge economy (Lim 2011). EOI benefited from a second round of (mainly Japanese and Taiwanese) FDI that led to the rapid growth of manufactured exports (from 27.2 percent at the end of Phase 2 in 1985 to 80 percent by 1999) and increased manufacturing growth (from an average of 9.6 percent in Phase 2 to 11.3 percent in Phase 3, in spite of a 13.4 percent contraction in 1998 following the Asian financial crisis). This pattern of accumulation was reflected in the industry and manufacturing shares of GDP (46.5 percent and 30.9 percent respectively), and average growth rate of 7 percent (in spite of a 9.6 percent contraction in 1998).

Rents in Phase 4 (2000–16) focused on industrial upgrading in line with the Second Industrial Master Plan (1996–2005) and the Eighth and Ninth Malaysia Plans (2001–5 and 2006–10). However, the New Economic Model in 2010 marked a shift toward higher value-added activities in resource-based industries, particularly petrochemical, pharmaceutical, and food product industries, through R&D, FDI, and “dynamic industry clusters,” along with greater private partnerships with government-linked companies (GLCs) and a reduction of direct state involvement. This was reflected in the pattern of accumulation where export-led growth in manufacturing continued to rely on FDI while domestic accumulation was largely driven by GLCs and in non-manufacturing sectors, including resource-based industries. This corresponded with a fall in the industry share of GDP from 46.5 percent to 38.3 percent, and manufacturing from 30.9 percent to 22.2 percent, while services increased from 42.7 percent to 53 percent. The growth of the service sector was dominated by the state or by labor-intensive, low-technology services (wholesale and retail trade, hotels, restaurants) with limited scope for productivity increases, and a decline in modern services that are synonymous with support for the manufacturing sector (OECD 2016) that is consistent with premature deindustrialization.

Rents for Accumulation

While rents for learning would normally be complemented with rents for accumulation to promote the emergence of a domestic (industrial) capitalist class, this was not the immediate case in Malaysia because of the nature of social forces. Early rents for learning were not necessarily in manufacturing because of the economic dominance of foreign (mainly British) capital in plantations and mining, the political weakness of a domestic (ethnic Chinese) capitalist class, and preferences of emerging Malay capitalists and intermediate classes (discussed further in section III-2). Instead, rents for accumulation were closely tied with the political accommodation of economically inactive or uncompetitive classes and were already widespread in Phase 1.

Article 153 of the Federal Constitution amounted to “the first legal action to create a Malay bourgeoisie” (Lim 1985, 40) by preserving the “special position” of Malays and natives of Sabah and Sarawak through affirmative action. Malay businesses were offered protection through quotas for transport licenses (in 1958), timber licenses (1964), and government contracts (1964) (*ibid.*). Assistance was provided in the form of credit, the creation of Bank Bumiputera, and training for small businessmen and Malay professionals. The initial process of increasing Malay corporate ownership centered on the 1968 Capital Issues Committee, which set share prices, usually below market value, for Malay individuals and state-owned enterprises (SOEs), with 10 percent of shares of public limited corporations reserved for Malays (*ibid.*; Jesudason 1989). Large government expenditure on infrastructure as part of (rural) socioeconomic policies in the first three development plans provided enormous rents for Malay contractors (Lim 1985, 41).

In the absence of a Malay capitalist class, the state led the accumulation process in Phase 2 under the New Economic Policy (NEP). This centered on the acquisition of shares that provided quick control of well-managed, profitable companies, particularly in the “commanding heights of the economy” (e.g., British plantations and tin mines) (Jesudason 1989). Rents for accumulation were facilitated by regulations and laws to increase Malay equity and access to capital. The Industrial Coordination Act (1975) required companies to set aside 30 percent of shares issued for Malay equity.

Banking guidelines directed lending to priority sectors and categories of borrowers, with the designation of Malays as a “priority group” requiring a minimum of 20 percent of new loans allocated to Malay individuals or Malay-controlled companies (Searle 1999). This was supported by increasing state control and ownership of the banking sector, which influenced lending patterns and ensured compliance with lending targets for Malays (Chin and Jomo 2000). The Credit Guarantee Corporation (1972) provided credit to small and later medium enterprises in agriculture, commerce, and industry. The establishment of Bank Bumiputera in 1965 (as a direct response to Malay demands at the first Bumiputera Economic Congress) and takeovers of Malayan Banking in 1969 and United Malayan Banking Corporation in 1976 provided the state with ownership of the three largest commercial banks. This led to low interest rates, easy credit, and preferential lending for Malay businesses, often with risky forms of collateral and the acquisition of shares without the cash payment of capital but with the future earnings of allotted shares (Tan 1982). The easy access to finance was supported by even larger public funds from the state despite the poor track record of Malay businesses (Jesudason 1989).

Rents for accumulation in Phase 3 centered on privatization and the stock market. Privatization can be seen as a response to the distributional constraints and inefficiencies of the NEP by prioritizing growth over redistribution (Felker 1998). It centralized policy

making and rent allocation more narrowly among a smaller group of businessmen through the management of key government-linked projects, and sought to institutionalize direct, high-level, state-business networks to foster private-public cooperation and consultation for industrial upgrading (Lall 1995; Felker 1998). It also represented an acceleration of the accumulation process through the direct sale of public assets at discounted prices, and tendering of (large) public infrastructure concessions (Tan 2008) that benefited a smaller group of (mainly) Malay capitalists close to the leadership of UMNO (United Malays National Organisation, the ruling Malay party), sometimes as proxies for the party itself (see Gomez 1991). The state promotion, and rapid growth, of the stock market allowed for the capture of rents through higher share prices and access to relatively cheap funds (Chin and Jomo 2001). Investment in equities was encouraged through changes in government lending guidelines in 1992 that authorized banks and non-monetary financial institutions to hold stocks in privatized SOEs, effectively increasing the share prices of these companies.

Rents for domestic accumulation in Phase 4 centered on a new round of state-led accumulation mainly in protected or non-tradable sectors through the investment activities of government-linked investment companies (GLICs) and GLCs. These public corporations represented a return to state-led accumulation following the failure of privatization and bailouts of large (Malay) conglomerates, including some of the largest beneficiaries of privatization (Tan 2008). GLCs received rents through their domination of key economic sectors (most notably banking) and also allocated rents for learning and accumulation through procurement policies and wider entrepreneurship support schemes.

Procurement policies included government (privatization) contracts allocated to large Malay companies for the purposes of accumulation, while small contracts allocated to individual Bumiputera contractors functioned as rents for accommodation. Both types of contracts constituted rents for accommodation in unproductive sectors associated with construction. These rents were also institutionalized within individual state departments and government ministries as quotas for Malay contractors. For example, in 2008 the Ministry of Works introduced a 10 percent “Distribution Policy” to small Class F Malay contractors for projects worth RM10 million and above that was extended in 2010 to larger Class E Bumiputera contractors (Malaysia 2009).

The Bumiputera Empowerment Programme required Malay participation in major infrastructure projects as part of ongoing state privatization contracts for Malay companies (see Tan 2015). RM10.6 billion, or 50 percent of total work packages under Line 1 of the Mass Rapid Transit project, for example, was allocated to Malay contractors (TERAJU 2017). Similarly, Skim Permulaan Usahawan Bumiputera (SUPERB, Bumiputera Entrepreneurs Start Up Scheme) allocated RM100 million to 200 new start-

up companies between 2014 and 2017 (*ibid.*). These functioned as rents for both learning and accumulation.

Rents for Accommodation

Rents for accommodation were related to the political imperative for stability and crises of legitimacy, and were needed to secure political support at each phase of development. These rents also often intersected with rents for accumulation. Early state intervention in Phase 1 to improve the poor socioeconomic position of Malays was necessary to secure UMNO's political support (Lim 1985; Jomo 1990) and a reflection of the state's connection with the Malay rural populace that formed its core constituency. These rents included the creation of public enterprises with redistributive objectives to promote new economic activities, rural development and infrastructure projects discussed previously, and expanded education and public employment opportunities (Salleh and Meyanathan 1993).

Rents for accommodation were greatly expanded in Phase 2 under the NEP, especially through education and employment opportunities, as a direct response to UMNO's electoral losses in 1969 and demands of the Malay intermediate classes, most notably through the youth wing of UMNO. This led to significant increases in government expenditure on education and a university quota system that greatly increased Malay enrollment at university from 1,038 (28.8 percent of total enrollment) in 1967–68 to 17,692 (70.6 percent) by 1980 (Malaysia 1971; 1976; 1981). Greater access to education through a quota system (first introduced by the British for its Malay Administrative Service) also facilitated Malay employment in the public sector, which expanded rapidly as a result. The bureaucracy grew fourfold to 521,818 employees by 1983, public sector expenditure increased over tenfold to RM35.4 billion in 1982, and the number of SOEs increased from 109 to 656 by 1980 (Khoo 1995).

These rents for accommodation were maintained into Phases 3 and 4 and were supplemented with the increased allocation of various privatization contracts for segments of the Malay intermediate classes that had expanded significantly as a result of rents for accommodation and accumulation in Phase 2. Ongoing and increasing allocations of rents for accommodation were related to increasing pressure from low-level UMNO members who constituted part of the Malay intermediate classes, including over 28,000 small (Class F and G1) Bumiputera contractors. Large-scale cash transfers to secure votes were introduced in Phase 4 through Bantuan Rakyat 1Malaysia (BR1M, 1Malaysia People's Assistance) as a response to a loss of political legitimacy after the ruling Barisan Nasional (National Front) coalition lost the popular vote in 2008 and 2013. BR1M disbursed RM5.4 billion to 7.3 million recipients between 2012 and 2016 (Anand 2016). This

paralleled earlier rural (infrastructure) development expenditure.

The Failure of Rents for Learning and Accommodation

The literature on Malaysia suggests that rents for learning and domestic accumulation did not promote industrial upgrading and successful accumulation in manufacturing. The failure of learning rents was evident in each phase of development. Phase 1 was characterized by the inability of import-substitution industries to move beyond basic manufacturing and assembly activities. In Phase 2 domestic manufacturing remained restricted to “small and medium domestic firms mainly in assembly and subcontracting [that was] disconnected from high-technology production and heavy industries” (Tan 2014, 159) with low local content and limited linkages and technology transfer between multinational corporations (MNCs) and domestic firms outside the FTZs (Warr 1989; Jomo and Edwards 1993; Ali 1994; Ariff 1994). Phase 3 suffered from “ongoing structural weaknesses related to low aggregate technology levels, minimal technology spillovers and weak supply chains, with a heavy dependence on imported components” (Tan 2014, 161). The failure of learning and industrial upgrading was reflected in the inability and/or unwillingness of domestic companies to move into higher-technology sectors in the face of increasing competition, and ultimately in the shift away from manufacturing that characterized premature deindustrialization in Phase 4.

Similarly, rents for accumulation were unsuccessful in promoting accumulation, let alone accumulation in manufacturing across all four phases, with the historic failure of numerous high-profile Malay entrepreneurs (Lim 1985; Lim 2000). Early attempts to transfer wealth to Malays in Phase 1, through Amanah Saham Nasional (ASN, National Unit Trust Scheme), for example, reached only a small number of Malays, with many subsequently divesting rather than accumulating. Phase 2 was characterized by Ali-Baba relationships (where politically connected but economically inactive Malays known as “Ali” partnered with economically active ethnic Chinese capitalists referred to as “Baba”) or the divestment of government contracts or concessions for a quick profit. As a result, the NEP did not produce a class of dynamic Malay entrepreneurs (Gale 1981; Jesudason 1989; Salih 1989; Bowie 1991; Khoo 1995; Crouch 1996; Gomez and Jomo 1997).

The failure of rents for accumulation in Phase 3 was reflected in renationalizations and/or the state bailout of numerous prominent Malay capitalists and large Malay conglomerates associated with privatization, including some of the largest privatization projects (Tan 2008). This failure was epitomized by the inability and unwillingness of Proton’s private owner DRB to continue financing substantial R&D costs in the face of global competition and mounting debts, and its subsequent move into largely protected, non-tradable sectors following the renationalization of its subsidiary Proton (*ibid.*; Tan

2014). The failure of HICOM was largely connected to the failure of Proton and highlights the underlying tension between the imperatives for growth (accumulation) and redistribution (accommodation). Proton's competitiveness depended not only on technological acquisition to produce a Malaysian car that was competitive, but also on the efficiency of the Malay vendors from which Proton was obliged to source 80 percent of its components. Proton's inability to acquire and develop its own technology, compounded by ongoing high costs associated with local content requirements, meant that it remained uncompetitive in terms of technology and pricing. This was emblematic of the wider failure of industrial upgrading and the state's inability to ensure learning rents translated into efficiency gains.

The Sustainability of Patterns of Accumulation

The overall failure of potentially productive rents associated with learning and accumulation, and increasing unproductive rents for accommodation suggests a negative net effect of rents. However, this is not reflected in economic growth rates, particularly in Phases 2 and 3. One explanation is that accumulation was largely driven by MNC-led manufacturing exports that occurred outside of the allocation of these rents, with early rents for accommodation, particularly in Phase 2, also financed by natural resource rents associated with high oil and commodity prices (Felker 2014).

Nonetheless, the reliance on MNC-led industrialization and growth had implications for domestic technological and manufacturing capabilities, particularly given the failure of rents for learning and accumulation. This was reflected in the dual industrial structure that emerged in Phase 2, and the shift away from manufacturing associated with premature deindustrialization in Phase 4. The corresponding economic slowdown in Phase 4 reduced available resources for rent allocation in the face of increasing demands for redistribution from social forces, particularly the Malay intermediate classes.

This was illustrated in the increasing demands for more government projects from low-level UMNO members who constituted part of the Malay intermediate classes, which compelled the government to allocate increasing amounts of rents for unproductive and unsustainable forms of accumulation. This included RM600 million in small contracts in 2006 allocated to all 191 UMNO divisions (Ong 2006), "more small-scale infrastructure projects in rural areas throughout the country . . . to cater to the needs of the 28,000-strong Bumiputera class F contractors" in 2014, and continued government assistance (UMNO 2014). Alongside these rents for accommodation were rents for unproductive accumulation in construction, with RM4.4 billion allocated between 2001 and 2005 to 27 Bumiputera contractors (Malaysia 2006, 228).

III-2 *Social Forces and Rent Seeking in Malaysia*

Social forces are central in the discussion of rents in Malaysia and can be seen as drivers and by-products of rent allocations across all four phases of development. The emergence of the Malay intermediate classes was the direct outcome of rents for accommodation in Phase 1 that were institutionalized as part of Malay “special rights.” These rents were aimed mainly at UMNO’s rural constituency by promoting socioeconomic development through infrastructure development, education, and public employment opportunities. The Malay intermediate classes included businessmen, white-collar professionals, civil servants, and middle-income groups (Jomo 1999). The growth of these classes in Phase 1 was reflected in the increase in “middle” social status Malay legislators from 10 percent (1955) to 42 percent (1964) (Neuman 1971). This increase was accounted for by Malay teachers (with 80 percent of the Federation of Malay Teachers Association being UMNO members), Malay businessmen, and junior civil servants (who registered a fourfold increase) (Clarke 1964, cited in Neuman 1971, 229).

This early evidence can be supported by examining official data on the employment shares of ethnic groups in middle class jobs. A breakdown by occupation and sector shows that Malays already dominated “professional and technical” occupations (47.2 percent) compared to Chinese (37.7 percent) and Indians (12.7 percent) in 1970, particularly in the primary and tertiary sectors, where Malays accounted for 55.9 percent and 48.7 percent of employment respectively (Fig. 2.1).

Malay representation was slightly less for total “clerical” positions (33.4 percent) compared with Chinese (51 percent) (Fig. 2.2), but this is far from being poorly represented as is often argued. Only in “administrative and managerial” positions was Malay participation significantly lower (22.4 percent) overall compared with Chinese (65.7 percent) (Fig. 2.3). Even then, the share of Malay administrators and managers in the tertiary sector (34.5 percent) was far from poor and not surprising given that this sector included public administration.

Similarly, there was already a reasonably large number of registered Malay (Bumiputera) professionals, contrary to official NEP figures provided in the various Malaysia Plans. The discrepancy appears to be based on the number of Malay professionals actually registered with their respective professional/trade bodies (architects, accountants, dentists, doctors, engineers, lawyers, surveyors, and veterinary surgeons) rather than the total numbers of people engaged in these professions. As a result, official figures show that there were only 40 Malay accountants, 12 architects, 20 dentists, 79 doctors, 66 engineers, no lawyers or surveyors, and 8 veterinarians in 1970 (Malaysia 1976), which seems rather implausible.

The 1967–68 Department of Statistics household survey (Choudhry 1970, cited in

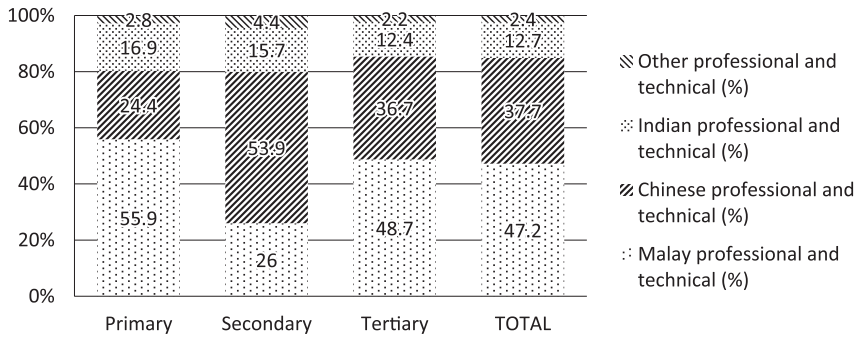


Fig. 2.1 Employment Shares by Ethnic Group and Professional and Technical Category, 1970
Source: Malaysia (1976).

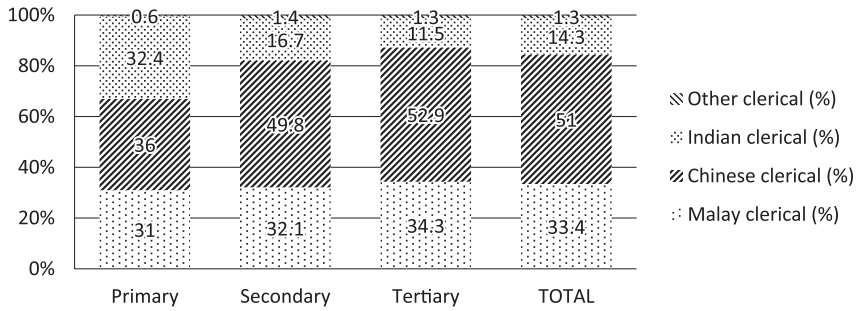


Fig. 2.2 Employment Shares by Ethnic Group and Clerical Category, 1970
Source: Malaysia (1976).

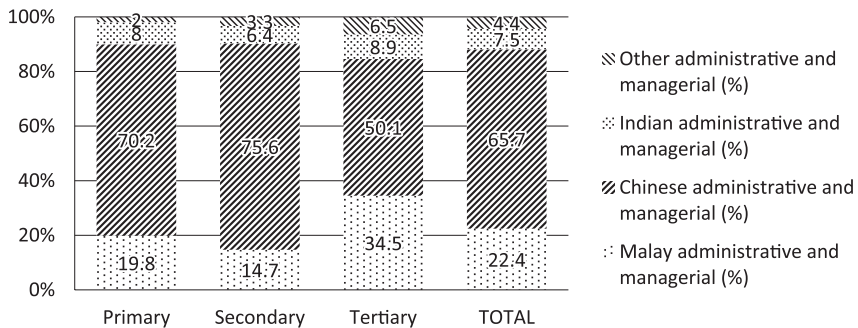


Fig. 2.3 Employment Shares by Ethnic Group and Administrative and Managerial Category, 1970
Source: Malaysia (1976).

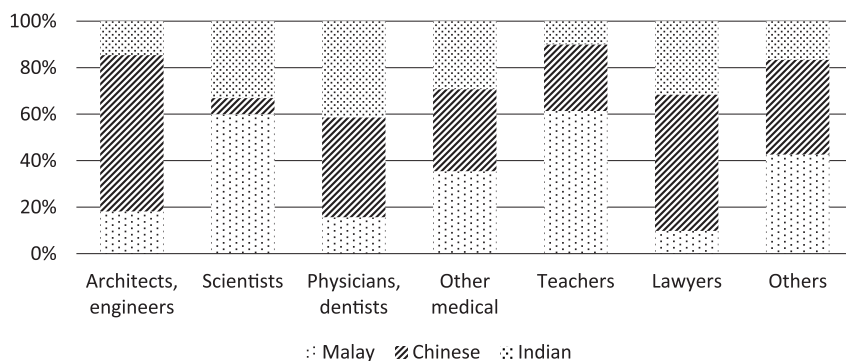


Fig. 3 Professional and Technical Occupations by Ethnic Community (males), Peninsular Malaysia, 1967 (%)
Source: Choudhry (1970), cited in Hirschman (1975).

Hirschman 1975) provides more insight into the size of this segment of the Malay intermediate classes, even if the classification is slightly different (Fig. 3). This shows that in 1967 Malay professionals were overrepresented as “teachers” (62 percent) and “scientists” (60 percent), well represented in “other medical” (36 percent), and underrepresented only as “architects and engineers” (18 percent) and “physicians and dentists” (16 percent). Again, the actual number of Malay registered professionals (in absolute terms and as a share of each occupational category) is not insignificant, particularly the 28,379 teachers who also constituted UMNO’s membership and support base.

The presence of these intermediate classes before 1970 thus constituted the main social forces that were also connected to the state through UMNO and who needed to be accommodated. Heightened expectations and aspirations, along with the inability of the civil service to continue absorbing emerging university graduates, contributed to the impatience of the Malay middle class and demands for greater government intervention in favor of economic redistribution (Tan 1982; Jomo 1990; Gomez and Jomo 1997). Demands made at the first and second Bumiputera Economic Congress in 1965 and 1968 subsequently formed the basis of the NEP in Phase 2.

The NEP greatly increased rents for accommodation and contributed to the significant growth of the Malay intermediate classes. The new Malay middle class grew from 12.9 percent (1970) to 27 percent (1990) (Crouch 1993) and, by one estimate, more than tenfold between 1970 and 1998 (see Jomo 1999). This was mirrored in the expansion of the Malay intermediate classes in terms of “professional and technical,” “administrative and managerial,” and “clerical” occupation categories between 1970 and 1990, where the Malay share of employees increased from 47.2 percent to 60.5 percent, 22.4 percent to 28.9 percent, and 33.4 percent to 52.4 percent respectively (Figs. 4.1–4.3). The increased

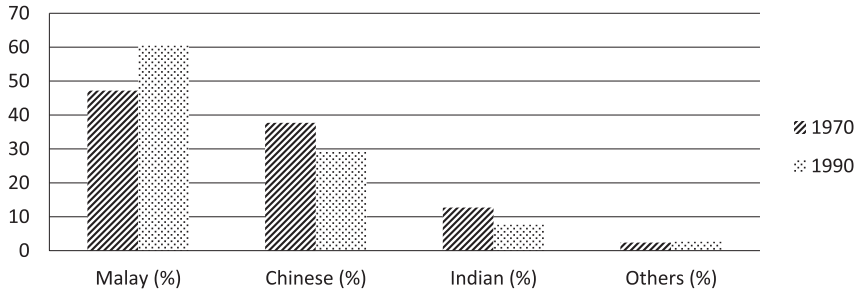


Fig. 4.1 Employment by Ethnic Group and Professional and Technical Category, Peninsular Malaysia, 1970 (%)
Sources: Malaysia (1976; 1996).

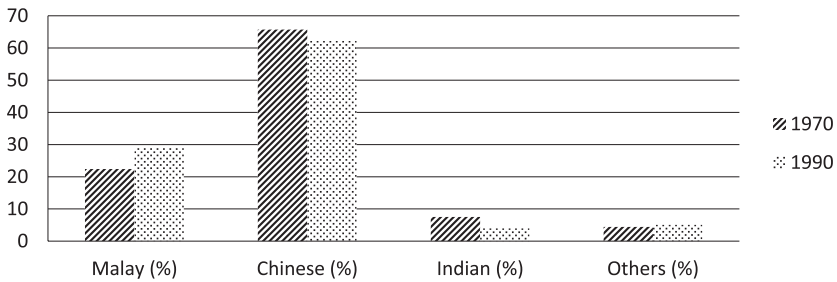


Fig. 4.2 Employment by Ethnic Group and Administrative and Managerial Category, Peninsular Malaysia, 1970 (%)
Sources: Malaysia (1976; 1996).

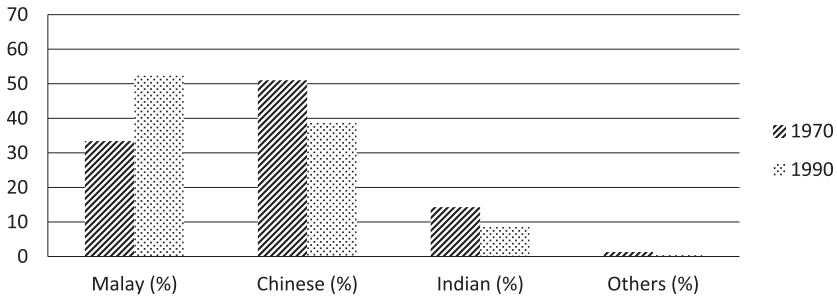


Fig. 4.3 Employment by Ethnic Group and Clerical Category, Peninsular Malaysia, 1970 (%)
Sources: Malaysia (1976; 1996).

share of Malays in these occupational categories was mirrored by a corresponding decline in the share of other ethnic groups.

The most revealing indicator of the growth of the Malay intermediate classes was in the number of registered Bumiputera professionals in the eight prized professions as prioritized by the government, with the most significant increase being in the number of

engineers from 66 (1970) to 7,018 (1990) (Malaysia 1976; 1996). This coincided with an increase in the percentage of Bumiputera contractors registered with the Ministry of Works from under 30 percent (1970) to 63 percent (1980) (Lim 1985) and the longer-term increase in Class F (sole proprietor) Bumiputera contractors, supported by the increase in construction-related privatization contracts (see Tan 2015).

State-led accumulation through the control of publicly listed companies by state agencies also created a small but powerful “bureaucratic-capitalist elite” able to resist government attempts to impose budgetary discipline (Jomo 1986; Mehmet 1988; Bowie 1991; Bruton 1992; Jomo and Tan 1999). A powerful group of professional and trustee Malay executive directors increasingly active in business, former state managers, and Malay millionaires also began to appear in the late 1970s (Lim 1985; Jesudason 1989; Searle 1999). This emerging class of Malay businessmen has been variously described as Malay trustees, figurehead capitalists, executive-professional directors, executive-trustee directors, functional capitalists, bureaucrats-turned-businessmen, and state-managers-turned-owners (Khoo 2005, 28). Also included were politicians-turned-businessmen, UMNO proxy capitalists-turned-businessmen, and UMNO proxy capitalists-turned-corporate captains.

The emergence of these social forces was mirrored in changes in the occupational background and outlook of UMNO leaders and grassroots members, with schoolteachers and other local leaders replaced by businessmen and university-educated professionals produced by the NEP (Crouch 1993; Searle 1999). These classes were directly connected to the state through their membership of UMNO and were able to influence the allocation of rents by providing support for leadership contests, where growing elite fractiousness tilted the balance of power from patrons to clients. “Middle class elements” were able to completely take over UMNO by the early 1980s, and by the time privatization was introduced there was already a large Malay middle class, including younger, more professionally trained managers whose support was important and who had to be accommodated (Jomo 1999; Milne and Mauzy 1999).

The shift from the NEP in Phase 2 to privatization in Phase 3 was in part driven by these social forces, including economically active segments of the Malay intermediate classes and Malay big businessmen who stood to benefit most. Privatization, along with the state promotion of the stock market, accelerated the allocation of rents for accumulation and led to the expansion of Malay large capitalists who were also closely associated with key UMNO leaders (patrons), even acting as proxies for the party or individual leaders and thus deeply entrenched in competing patron-client networks (see, e.g., Gomez 1991; 2002). Smaller privatization contracts also led to the growth of segments of the Malay intermediate classes, most notably Malay contractors.

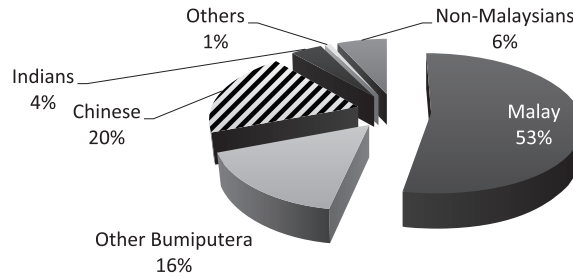


Fig. 5 Employed Persons by Status in Employment and Ethnic Group: Own Account Workers, 2013
Source: Malaysia (2013).

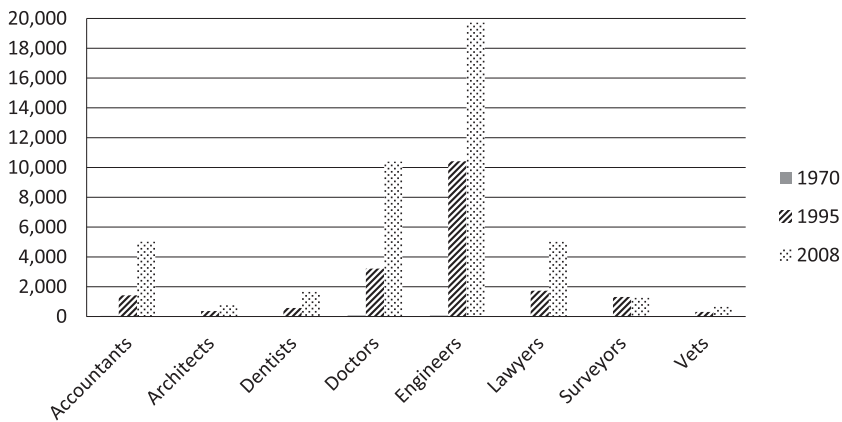


Fig. 6 Registered Bumiputera Professionals, 1970, 1995, 2008, Total
Sources: Malaysia (1971; 1996; 2011).

This accounted for the very high numbers and share of Malay contractors in Phase 4 that was a legacy of early construction-related rents associated with (rural) infrastructure projects in Phase 1. Employment data for “status by ethnic group” in 2013 provides some supporting evidence, with Malays making up only 38 percent of employers (compared to 48 percent for Chinese) but 53 percent of own account workers (20 percent Chinese) (Fig. 5). Own account workers are self-employed, and this corresponds with the rapid growth of Bumiputera professional engineers (Fig. 6) and very large numbers of Class F (sole proprietor) Malay contractors dependent on government (construction-related) contracts (Tan 2015) that constituted emerging social forces in Phase 4.

III-3 *Rent Seeking, Contestation, and Conflict in Malaysia*

Much of the political conflict and instability over Malaysia’s four phases of development can be traced to the growing contestation over the allocation of rents. This contestation

can be observed in key episodes of conflict reflected in elite fractiousness that often diverts attention from the role of social forces driving changes in rent allocation. The emerging Malay intermediate classes in Phase 1 increased demands for greater government intervention in favor of economic redistribution (Tan 1982; Jomo 1990; Gomez and Jomo 1997). Pressure was exerted through UMNO and Malay business associations that largely represented medium-scale enterprises dependent upon bureaucratic patronage (e.g., the Associated Malay Chambers of Commerce, Selangor Malay Chambers of Commerce, and Kuala Lumpur Petty Traders Association) (Lim 1985; Ho 1988; Jesudason 1989; Felker 1999). Demands and threats made at the first and second Bumiputera Economic Congress (itself created in response to Malay business demands) in 1965 and 1968 culminated in “race riots” on May 13, 1969 that were orchestrated by segments of UMNO (Cham 1975; Kua 2007; Raja Petra 2009). The manifestation of violence as “race riots” tends to obscure the underlying conflict over rent allocation within UMNO between rival factions that resulted in the removal of Tunku Abdul Rahman as prime minister and suspension of parliament.

Increased conflict in Phase 2 was the direct result of contestation for rents by the greatly expanded Malay intermediate classes and economic imperatives related to the unsustainable expansion of the public sector. The changing composition of the Malay middle class reshaped the internal politics within UMNO local branches. Increasing economic patronage changed the nature of patron-client relationships, transforming local UMNO representatives into political patrons. Elected Members of Parliament who were previously political patrons (providing political support in return for economic benefits) greatly increased their control of the district development machinery, which enabled MPs to distribute development benefits and purchase continued support (Shamsul 1986).

Malay businessmen became an important force in the internal politics of UMNO, increasing factional struggles for nomination and outbreaks of violence at UMNO branch and division meetings after 1984 (*ibid.*; Khoo 1992; Crouch 1993; Aziz 1997). Increasing contestation in Phase 2 culminated in the UMNO leadership challenge by “Team B” (led by Finance Minister Razaleigh Hamzah and Deputy Prime Minister Musa Hitam) in 1987 (Khoo 1992; Crouch 1993). Prime Minister Mahathir Mohamad’s narrow victory led to the removal of Team B cabinet ministers, the departure of Team B UMNO members, and the creation of a rival Malay political party, Semangat 47. Mahathir’s “Team A” received support from an NEP class of Malay businessmen who benefited from the subsequent introduction of privatization in Phase 3.

Increasing fragmentation of patron-client networks and factionalization within UMNO also made it harder for the political leadership to discipline Malay businessmen whose political support it depended on (see Tan 2008). The constraints on the state’s

disciplinary capacity, along with preferences of the Malay intermediate classes for protected, non-tradable, and unproductive sectors of the economy, affected the types of rents and patterns of accumulation. As a result, rents for accumulation shifted away from manufacturing (where domestic firms generally remained uncompetitive) and into construction, real estate, and finance (Tan 2014).

Conflict at the end of Phase 3 related to the sacking of Deputy Prime Minister Anwar Ibrahim in 1997, which was the outcome of growing contestation and factionalization within UMNO over increasingly personalized patronage networks that centered on individual political leaders (Gomez 2002). The narrowing channels of rent allocation to a small circle of Malay capitalists closely associated with the prime minister, “together with the rapid and visible rise of a few selected Bumiputera businessmen under Mahathir’s leadership . . . led to increasing discontent” and “dissatisfaction over the allocations of government contracts, government funded projects, and the perceived beneficiaries of privatized projects and licenses” (Zainal and Bhattasali 2008, 28).

Phase 4 featured two key episodes of conflict. The first was the removal of Abdullah Badawi as prime minister in 2009 following UMNO’s poor performance in the 2008 general election, highlighting the importance of political legitimacy. The second centered on the dismissal of Muhyiddin Yassin as deputy prime minister in 2015 over questions about the financial scandal at 1MDB. The creation of 1MDB itself was part of state strategies for accumulation by distributing patronage to segments of the Malay intermediate classes, such as Class F contractors. In this case, the negative net effect of rents meant that the pattern of accumulation was increasingly unsustainable, thereby increasing the likelihood of conflict.

Episodes of conflict in each phase of development related to the economic imperative for growth and corresponded with economic slowdown or crises that occurred as a result of external shocks and/or internal factors. Conflict at the end of Phase 1 occurred against a backdrop of high unemployment and poverty that was accentuated along ethnic lines. Low levels of job creation lagged behind population growth, contributing to an increase in unemployment from 6 percent (1960) to 8 percent (1970), while poverty was estimated at 49.3 percent (74 percent for Malay households) (Abdul Rahman 1996).

Conflict in Phase 2 was related to the fiscal burden of a large, financially draining public sector associated with the NEP, which became unsustainable with the global recession in the 1980s when GDP growth fell from 7.8 percent (1984) to –1.1 percent (1985). Government expenditure was further constrained by falling oil prices (1982–86), the collapse of the tin market (1985), and declining prices of other major exports (after 1984) (Gomez and Jomo 1997) that substantially increased the budget deficit from RM120 million (1981) to RM3.5 billion (1987). The fall in oil prices in 1982 coincided with declining

natural resource rents from 29 percent of GDP to 20 percent, leading to a reduction in government expenditure from 18 percent to 14.5 percent between 1982 and 1984 (World Bank), which constrained the state's ability to redistribute.

Conflict in Phase 3 occurred during the 1997–98 Asian financial crisis when GDP growth fell from 10 percent (1996) to –7.4 percent (1998). Again, the very sharp decline in natural resource rents as a share of GDP from 37.6 percent (1979) to 8.1 percent (1999) further curtailed government expenditure, which declined from 16.7 percent (1986) to 9.8 percent (1998) as a share of GDP. Conflict in Phase 4 corresponded with a long-term economic slowdown associated with premature deindustrialization from 2000 that was exacerbated by the global financial crisis in 2008. Average economic growth was the lowest, at 5.1 percent, in Phase 4; and growth was even lower, at 4.6 percent, after Najib Razak's appointment as prime minister in 2009. Lower economic growth made it increasingly difficult to finance and distribute patronage, leading to the prime minister's increased centralization of control of GLICs and GLCs (Gomez *et al.* 2018) and short-term, risky, and blatant forms of accumulation, most notably through 1MDB.

IV Conclusion

This paper has sought to explain conflict in Malaysia in terms of the tension between economic growth and political stability. These imperatives have necessitated the analysis of different types of rent to promote growth and maintain stability, and the influence of social forces in their allocation. Stability depends on sustainable growth for the continued transfer of rents for accommodation. Sustainable growth in turn depends on sustainable patterns of accumulation that require a positive net effect of rents, where the benefits of rents to promote learning and accumulation outweigh the costs of rents for accommodation.

The state's capacity to promote productive accumulation, manage learning rents, and limit rents for accommodation was constrained by its connections, through UMNO, with the Malay intermediate classes, and the threat these classes posed as UMNO's core membership and constituency. These classes increased pressure for redistribution, initially through rents for accommodation that were disconnected from the drivers of economic growth in the manufactured exports sector. Domestic patterns of accumulation that accompanied the growth of the Malay intermediate classes, and the transition of segments of these into businessmen, were often short term and unsustainable, centered on the pursuit of quick profits such as through the sale of shares and contracts allocated to Bumiputera. This required continued state support in the form of protection and

increasing rents for accumulation in unproductive sectors.

Despite what would appear to be a negative net effect of rents across the four development phases, the state was able to promote (non-domestic) accumulation and hence growth through MNC-led industrialization. However, the long-term consequence of the disconnect between domestic accumulation and manufacturing was the lack of domestic technological and manufacturing capabilities to compete globally, a subsequent shift in the pattern of domestic accumulation away from manufacturing, and the long-term economic slowdown after 2000 associated with premature deindustrialization, with growth no longer driven by manufacturing.

Conflicts in each phase of accumulation were related to unsustainable patterns of accumulation arising from the allocation of rents for accumulation in sectors outside of manufacturing, and the state's inability to ensure that learning rents led to technological and industrial upgrading. Conflict across all four phases of development was the logical outcome of increasing contestation in the context of the greatly expanded Malay intermediate classes and economic slowdown and/or crisis. This heightened contestation and conflict over rent allocation led to an increasingly factionalized UMNO and fragmented patron-client networks, shifted the balance of power, and compromised the state's ability to balance economic and political imperatives because political patrons were increasingly reliant on the political support of clients in UMNO elections. This made it more difficult for the state to withdraw rents or enforce discipline and performance targets because the balance of power was not in its favor.

In the absence of a successful Malay capitalist class, the state once again took the lead in the accumulation process through GLICs and GLCs in Phase 4. GLCs were thus an economic and political response to the failure of Malay capital. However, accumulation preferences under GLCs further reinforced Malaysia's shift away from manufacturing and toward unsustainable patterns of accumulation. Political contestation increased pressure on patrons (politicians) to allocate rents for accommodation that increasingly also included rents for accumulation. Hence, where rents for accumulation were previously kept separate and enabled the state to promote accumulation in productive sectors such as manufacturing, the allocation of rents for accumulation for the purposes of accommodation led instead to increasingly unproductive forms of accumulation in unproductive sectors.

Several implications arise from these observations. First, the political influence of the Malay intermediate classes has been largely understudied and underestimated. The creation of these classes was important for achieving interethnic parity and hence maintaining stability, but their expansion fueled further conflict and political instability. Contrary to the elite-centered focus in the literature on conflict in Malaysia, the analysis

of rents and patron-client networks suggests that elite fractiousness is largely a manifestation of underlying political pressure from clients, particularly the Malay intermediate classes, through their connections with various political factions within UMNO.

Second, the idea that the Malay middle classes emerged and expanded as a result of conscious planning by a “developmentalist state” (Abdul Rahman 1996) is based on an elite-centered analysis of the state that is disconnected from society and social forces. The incorporation of the demands of the Malay intermediate classes into the NEP suggests that these classes were already present and exerted political influence. State interventions and motivations thus need to be anchored in an analysis of social forces and their connections with the state.

Third, premature deindustrialization is itself related to the state prioritizing unproductive over productive rents and foreign-led over domestic manufacturing. This potentially increases the future likelihood of increasing contestation and conflict in the absence of alternative sources of sustainable growth.

Accepted: June 29, 2018

References

- Abdul Rahman Embong. 1996. Social Transformation, the State and the Middle Classes in Post-Independence Malaysia. *Southeast Asian Studies* 34(3): 56–79.
- Alavi, R. 1998. Management of Protection Policy: Lessons from Malaysian Experience. In *Malaysian Industrialisation: Governance and the Technical Change*, edited by I. Yussof and A. G. Ismail, pp. 254–265. Bangi: Penerbit Universiti Kebangsaan Malaysia.
- . 1996. *Industrialisation in Malaysia: Import Substitution and Infant Industry Performance*. London: Routledge.
- Ali, A. 1994. Technology Transfer. In *Malaysia's Economy in the Nineties*, edited by Jomo K. S., pp. 171–193. Petaling Jaya: Pelanduk Publications.
- . 1993. Technology Transfer in the Malaysian Manufacturing Sector. In *Industrializing Malaysia: Policy, Performance, Prospects*, edited by Jomo K. S., pp. 190–209. London: Routledge.
- Ali, A.; and Wong, P. K. 1993. Direct Foreign Investment in the Malaysian Industrial Sector. In *Industrializing Malaysia: Policy, Performance, Prospects*, edited by Jomo K. S., pp. 77–117. London: Routledge.
- Amsden, A. 1989. *Asia's Next Giant: South Korea and Late Industrialization*. Oxford: Oxford University Press.
- Anand, R. 2016. Budget 2017 Sees BR1M Hikes. *Malay Mail Online*. October 21. <http://www.themalaymailonline.com/malaysia/article/budget-2017-sees-br1m-hikes>, accessed February 11, 2018.
- Ariff, M. 1994. External Trade. In *Malaysia's Economy in the Nineties*, edited by Jomo K. S., pp. 1–36. Petaling Jaya: Pelanduk Publications.
- Arrow, K. 1962. The Economic Implications of Learning by Doing. *Review of Economic Studies* 29:

- 155–173.
- Aziz, Zariza Ahmad. 1997. *Mahathir's Paradigm Shift*. Taiping: Firma.
- Bhide, A. 2005. What Role Entrepreneurship in India? *Chazen Web Journal of International Business*. <http://www.gsb.columbia.edu/chazen/journal>, accessed February 11, 2018.
- Bowie, A. 1991. *Crossing the Industrial Divide (State, Society and the Politics of Economic Transformation in Malaysia)*. New York: Columbia University Press.
- Boycko, M.; Shleifer, A.; and Vishny, R. 1996. A Theory of Privatization. *Economic Journal* 106(435): 309–319.
- Brenner, R. 2002. *The Boom and the Bubble: The US in the World Economy*. London: Verso.
- . 1976. Agrarian Class Structure and Economic Development in Pre-industrial Europe. *Past and Present* 70: 30–75.
- Bruton, H. 1992. *Sri Lanka and Malaysia*. Washington, DC: Oxford University Press.
- Buchanan, J. 1980. Rent Seeking and Profit Seeking. In *Toward a Theory of Rent Seeking Society*, edited by J. Buchanan, R. Tollison, and G. Tullock, pp.3–15. College Station: Texas A&M University Press.
- Case, W. 2014. Malaysia's Unexceptionalism: Like Elsewhere, Elites Are Fractious. In *Malaysia: Policies and Issues in Economic Development*, edited by ISIS, pp.36–49. Kuala Lumpur: Institute of Strategic and International Studies Malaysia.
- Cham, B.N. 1975. Class and Communal Conflict in Malaysia. *Journal of Contemporary Asia* 5(4): 446–461.
- Chang H.J. 1994. *The Political Economy of Industrial Policy*. Basingstoke: Macmillan.
- Chin K. F.; and Jomo K. S. 2001. Financial Liberalisation and System Vulnerability. In *Malaysian Eclipse: Economic Crisis and Recovery*, edited by Jomo K. S., pp.90–133. London: Zed Books.
- . 2000. Financial Sector Rents in Malaysia. In *Rents, Rent Seeking and Economic Development*, edited by M. H. Khan and Jomo K. S., pp.304–326. Cambridge: Cambridge University Press.
- Crouch, H. 1996. *Government and Society in Malaysia*. Ithaca: Cornell University Press.
- . 1993. Malaysia: Neither Authoritarian nor Democratic. In *Southeast Asia in the 1990s: Authoritarianism, Democracy and Capitalism*, edited by K. Hewison, R. Robison, and G. Rodan, pp.133–158. Sydney: Allen & Unwin.
- . 1992. Authoritarian Trends, the UMNO Split and Limits to State Power. In *Fragmented Vision: Culture and Politics in Contemporary Malaysia*, edited by J. Kahn and F. Loh, pp.21–42. Sydney: Allen & Unwin.
- Department of Statistics, Malaysia. 2015. Malaysia Economic Statistics Time Series 2015. Putrajaya: Department of Statistics, Malaysia.
- Di John, J.; and Putzel, J. 2009. Political Settlements: Issues Paper. International Development Department, University of Birmingham.
- Doner, R.; and Ritchie, B. 2001. Economic Crisis and Technological Trajectories: Hard Disk Drive Production in Southeast Asia. Paper presented at the Workshop on Innovation and Crisis—Asian Innovation after the Millennium, Massachusetts Institute of Technology, September 15–16.
- Duménil, G.; and Lévy, D. 2004. *Capital Resurgent: The Roots of the Neoliberal Revolution*. London: Harvard University Press.
- Dunning, T. 2005. Resource Dependence, Economic Performance, and Political Stability. *Journal of Conflict Resolution* 49(4): 451–482.
- Evans, P. 1995. *Embedded Autonomy*. Cambridge: Policy Press.
- Felker, G. 2014. Malaysia's Development Strategies: Governing Distribution-through-Growth. In *Routledge Handbook of Contemporary Malaysia*, edited by M. Weiss, pp.133–147. Abingdon: Routledge.

- . 1999. Malaysia's Innovation System. In *Technology, Competitiveness and the State: Malaysia's Industrial Technology Policies*, edited by Jomo K. S. and G. Felker, pp. 98–120. London: Routledge.
- . 1998. Political Economy and Malaysian Technology Policy. In *Malaysian Industrialisation: Governance and the Technical Change*, edited by I. Yussof and A. G. Ismail, pp. 82–127. Bangi: Penerbit Universiti Kebangsaan Malaysia.
- Fine, B. 1997. Privatization: Theory and Lessons from the UK and South Africa. *Seoul Journal of Economics* 10(4): 373–414.
- Gale, B. 1981. *Politics and Public Enterprise in Malaysia*. Singapore: Eastern Universities Press.
- Gomez, E. T. 2002. Introduction: Political Business in East Asia. In *Political Business in East Asia*, edited by E. T. Gomez, pp. 1–33. London: Routledge.
- . 1994. *Political Business: Corporate Involvement in Malaysian Political Parties*. Townsville: James Cook University.
- . 1991. *Money Politics in the Barisan Nasional*. Kuala Lumpur: Forum.
- Gomez, E. T.; and Jomo, K. S. 1997. *Malaysia's Political Economy: Politics, Patronage and Profits*. Cambridge: Cambridge University Press.
- Gomez, E. T.; Padmanabhan, T.; Kamaruddin, N.; Bhalla, S.; and Fisal, F. 2018. *Minister of Finance Incorporated: Ownership and Control of Corporate Malaysia*. Singapore: Palgrave Macmillan.
- Gries, T.; and Naude, W. 2008. Entrepreneurship and Structural Economic Transformation. Research Paper No. 2008/62. Helsinki: UNI-WIDER.
- Henderson, J.; and Phillips, R. 2007. Unintended Consequences: Social Policy, State Institutions and the “Stalling” of the Malaysian Industrialization Project. *Economy and Society* 36(1): 78–102.
- Hirschman, C. 1975. *Ethnic Social Stratification in Peninsular Malaysia*. Washington, DC: American Sociological Association.
- Ho K. L. 1988. Indigenizing the State: The NEP and the Bumiputra State in Peninsular Malaysia. PhD dissertation, Ohio State University.
- Hobday, M. 2000. East versus Southeast Asian Innovation Systems: Comparing OEM- and TNC-Led Growth in Electronics. In *Technology, Learning and Innovation*, edited by L. Kim and R. Nelson, pp. 129–169. Cambridge: Cambridge University Press.
- Hodges, D. 1961. The “Intermediate Classes” in Marxian Theory. *Social Research* 28(1): 23–36.
- Jesudason, J. 1989. *Ethnicity and the Economy: The State, Chinese Business, and Multinationals in Malaysia*. Singapore: Oxford University Press.
- Jomo K. S. 2002. Privatization's Distributional Impact in Malaysia. New York: Initiative for Policy Dialogue Task Force Working Paper.
- . 2001. From Currency Crisis to Recession. In *Malaysian Eclipse: Economic Crisis and Recovery*, edited by Jomo K. S., pp. 1–46. London: Zed Books.
- . 1999. A Malaysian Middle Class? Some Preliminary Analytical Considerations. In *Rethinking Malaysia*, edited by Jomo K. S., pp. 126–148. Hong Kong: Asia 2000.
- . 1990. Whither Malaysia's New Economic Policy? *Pacific Affairs* 63(4): 469–499.
- . 1986. *A Question of Class: Capital, the State and Uneven Development in Malaya*. Singapore: Oxford University Press.
- Jomo K. S.; and Edwards, C. 1993. Malaysian Industrialisation in Historical Perspective. In *Industrializing Malaysia: Policy, Performance, Prospects*, edited by Jomo K. S., pp. 14–39. London: Routledge.
- Jomo K. S.; and Tan K. W. 1999. *Industrial Policy in East Asia: Lessons for Malaysia*. Kuala Lumpur: University of Malaya Press.
- Kennedy, J. C. 2002. National Economic Action Council Executive Director Dato' Mustapa Mohamed on Economic Growth and Investment in Malaysia. *Academy of Management Executive* 16(3): 8–14.
- Khan, M. H. 2010. Political Settlement and the Governance of Growth-Enhancing Institutions. Draft

- Paper in Research Paper Series, Department of Economics, SOAS, University of London.
- . 2005. Markets, States and Democracy: Patron-Client Networks and the Case for Democracy in Developing Countries. *Democratization* 12(5): 704–724.
- . 2004. State Failure in Developing Countries and Institutional Reform Strategies. In *Annual World Bank Conference on Development Economics—Europe 2003*, pp. 165–195. Washington, DC: World Bank.
- . 2000a. Rent-Seeking as Process. In *Rents, Rent-Seeking and Economic Development: Theory and Evidence in Asia*, edited by Mushtaq H. Khan and Jomo K. S., pp. 74–144. Cambridge: Cambridge University Press.
- . 2000b. Rents, Efficiency and Growth. In *Rents, Rent-Seeking and Economic Development: Theory and Evidence in Asia*, edited by M. H. Khan and Jomo K. S., pp. 21–69. Cambridge: Cambridge University Press.
- . 1999. The Political Economy of Industrial Policy in Pakistan 1947–1971. Department of Economics Working Paper No. 98, SOAS, University of London.
- . 1998a. Patron-Client Networks and the Economic Effects of Corruption in Asia. *European Journal of Development Research* 10(1): 15–39.
- . 1998b. The Role of Civil Society and Patron-Client Networks in the Analysis of Corruption. In *Corruption and Integrity Improvement Initiatives in Developing Countries*, pp. 111–127. New York: UNDP, Management Development and Governance Division.
- Khoo B. T. 2005. Ethnic Structure, Inequality and Governance in the Public Sector: Malaysian Experiences. Democracy, Governance and Human Rights Programme Paper No. 20. Geneva: UNRISD.
- . 1995. *Paradoxes of Mahathirism*. Kuala Lumpur: Oxford University Press.
- Khoo K. J. 1992. The Grand Vision: Mahathir and Modernisation. In *Fragmented Vision: Culture and Politics in Contemporary Malaysia*, edited by J. Kahn and F. Loh. Sydney: Allen & Unwin.
- Krippner, G. 2005. Financialisation of the American Economy. *Socio-Economic Review* 3: 173–208.
- Krueger, A. 1990. Government Failures in Development. *Journal of Economic Perspectives* 4(3): 9–23.
- Krueger, A. O. 1974. The Political Economy of Rent-Seeking Society. *American Economic Review* 64(3): 291–303.
- Kua, K. S. 2007. *May 13: Declassified Documents on the Malaysian Riots of 1969*. Petaling Jaya: SUARAM.
- Lall, S. 1999. Technology Policy and Competitiveness in Malaysia. In *Technology, Competitiveness and the State*, edited by Jomo K. S. and G. Felker, pp. 148–179. London: Routledge.
- . 1995. Malaysia: Industrial Success and the Role of the Government. *Journal of International Development* 7(5): 759–773.
- Lim, D. 2011. Economic Development: A Historical Survey. *Malaysia: Policies and Issues in Economic Development*, edited by ISIS, pp. 1–38. Kuala Lumpur: Institute of Strategic and International Studies.
- Lim, L. 2000. A Dynamic Bumiputera Commercial and Industrial Class?: A Mismatch with Market Rationality. *Southeast Asian Studies* 37(4): 443–457.
- Lim, M. H. 1985. Contradictions in the Development of Malay Capital: State, Accumulation and Legitimation. *Journal of Contemporary Asia* 15(1): 37–63.
- Malaysia. 2015. *Malaysia Economic Statistics Time Series*. Department of Statistics.
- . 2013. *2013 Labour Force Survey*. Department of Statistics.
- . 2011. *Tenth Malaysia Plan, 2011–15*. Putrajaya: Economic Planning Unit.
- . 2009. Distribution of Work to Contractors Class E (Bumiputera) & F. Ministry of Works. December 16. <http://www.kkr.gov.my/en/node/18320>, accessed February 14, 2017.
- . 2006. *Ninth Malaysia Plan 2006–2010*. Putrajaya: Economic Planning Unit, Prime Minister's Department.
- . 2001. *White Paper: Status of the Malaysian Economy*. Kuala Lumpur: Economic Planning

- Unit. November 30.
- . 1996. *Seventh Malaysia Plan, 1996–2000*. Kuala Lumpur: Government Printers.
- . 1981. *Fourth Malaysia Plan, 1981–85*. Kuala Lumpur: Government Printers.
- . 1976. *Third Malaysia Plan, 1976–80*. Kuala Lumpur: Government Printers.
- . 1971. *Second Malaysia Plan, 1971–75*. Kuala Lumpur: Government Printers.
- Marx, K. 1867. *Capital*, Vol. 1. Moscow: Progress Publishers.
- Mehmet, O. 1988. *Development in Malaysia: Poverty, Wealth and Trusteeship*. Kuala Lumpur: Insan.
- Menon, J. 2008. Macroeconomic Management amid Ethnic Diversity: Fifty Years of Malaysian Experience. ADB Institute Discussion Paper, No. 102. Tokyo: Asian Development Bank Institute.
- Milgrom, P.; and Roberts, J. 1992. *Economics, Organization and Management*. New Jersey: Prentice Hall.
- Milne, R.; and Mauzy, D. 1999. *Malaysian Politics under Mahathir*. London: Routledge.
- Neuman, S. 1971. The Malay Political Elite: An Analysis of 134 Malay Legislators, Their Social Backgrounds and Attitudes. PhD dissertation, New York University.
- North, D.; Wallis, J.; Webb, S.; and Weingast, B. 2007. Limited Access Orders in the Developing World: A New Approach to the Problems of Development. World Bank Policy Research Working Paper No. 4359. Washington, DC: World Bank.
- OECD. 2016. *OECD Reviews of Innovation Policy: Malaysia 2016*. Paris: OECD.
- Ong, A. 2006. How to Spend RM600 Million in 6 Weeks. Malaysiakini. <https://www.malaysiakini.com/news/60243>, accessed June 30, 2008.
- Raja Petra Kamarudin. 2009. *The Silent Roar: A Decade of Change*. Ardrishaig: Argyll Publishers.
- Rasiah, R. 2011. Industrial Policy and Industrialization. In *Malaysian Economy: Unfolding Growth and Social Change*, edited by R. Rasiah, pp. 89–122. Kuala Lumpur: Oxford University Press.
- . 2001. Pre-Crisis Economic Weaknesses and Vulnerability. In *Malaysian Eclipse: Economic Crisis and Recovery*, edited by Jomo K. S., pp. 47–66. London: Zed Books.
- Rasiah, R.; and Shari, I. 2001. Market, Government and Malaysia's New Economic Policy. *Cambridge Journal of Economics* 25: 57–78.
- Razmi, A.; and Blecker, R. 2008. Developing Country Exports of Manufactures: Moving up the Ladder to Escape the Fallacy of Composition? *Journal of Development Studies* 44(1): 21–48.
- Salih, K. 1989. The Malaysian Economy in the 1990s: The Alternative Scenarios. MIER Discussion Paper, No. 27. August. Kuala Lumpur: Malaysia Institute of Economic Research.
- Salleh, I. M.; and Meyanathan, S. D. 1993. *Malaysia: Growth, Equity and Structural Transformation*. Washington, DC: World Bank.
- Searle, P. 1999. *The Riddle of Malaysian Capitalism*. Honolulu: Allen & Unwin and University of Hawai'i Press.
- Shamsul A. B. 1986. *From British to Bumiputra Rule*. Singapore: ISEAS.
- Stockhammer, E. 2008. Some Stylized Facts on the Finance-Dominated Accumulation Regime. *Competition & Change* 12(2): 184–202.
- . 2005. Shareholder Value Orientation and the Investment-Profit Puzzle. *Journal of Post Keynesian Economics* 28(2): 193–215.
- . 2004. Financialisation and the Slowdown of Accumulation. *Cambridge Journal of Economics* 28(5): 719–741.
- Tan, J. 2015. Water Privatization, Ethnicity and Rent-Seeking: Preliminary Evidence from Malaysia. *Journal of Southeast Asian Economies* 32(3): 297–318.
- . 2014. Running out of Steam? Manufacturing in Malaysia. *Cambridge Journal of Economics* 38(1): 153–180.
- . 2008. *Privatization in Malaysia: Regulation, Rent-Seeking and Policy Failure*. London: Rout-

- ledge.
- Tan T.W. 1982. *Income Distribution and Determination in West Malaysia*. Kuala Lumpur: Oxford University Press.
- Tanaka, S.; and Kenney, M. 1996. US and Japanese Electronics Industries in Malaysia: A Comparative Analysis. *Journal of International Cooperation Studies* 4(1): 59–72.
- TERAJU. 2017. *Bumiputera Economic Transformation Roadmap 2.0*. Selangor: Unit Peneraju Agenda Bumiputera.
- UMNO. 2014. More Small-Scale Projects Will Be Provided to Bumiputera Class F Contractors. <http://www.umno-online.my/2014/08/19/more-small-scale-projects-will-be-provided-to-bumiputera-class-f-contractors/>, accessed February 14, 2017.
- Varkkey, H. 2014. Natural Resource Extraction and Political Dependency: Malaysia as a Rentier State. In *Routledge Handbook of Contemporary Malaysia*, edited by M. Weiss, pp.189–199. Abingdon: Routledge.
- Wade, R. 1990. *Governing the Market Economic Theory and the Role of Government in East Asian Industrialization*. Princeton: Princeton University Press.
- Warr, P. 1989. Export Processing Zones: The Economics of Enclave Manufacturing. *Research Observer* 4(2): 65–88.
- Whittaker, D.; Zhu, T.; Sturgeon, T.; Tsai, M. H.; and Okita, T. 2010. Compressed Development. *Studies in Comparative International Development* 45(4): 439–467.
- World Bank. 1993. *The East Asian Miracle: Economic Growth and Public Policy*. Oxford: Oxford University Press.
- Zainal Aznam Yusof; and Bhattasali, D. 2008. Economic Growth and Development in Malaysia: Policy Making and Leadership, Commission on Growth and Development. Working Paper No. 27. Washington, DC: World Bank.

Domination, Contestation, and Accommodation: 54 Years of Sabah and Sarawak in Malaysia

Faisal S. Hazis*

This article traces the major contestations that have taken place in Sabah and Sarawak throughout the 54 years of their independence. The two major areas of contestation are state power and local resources, pitting federal leaders against Sabah and Sarawak's elites. These contestations have forced the federal government to accommodate the local elites, thus ensuring the stability of Barisan Nasional (BN) rule in the East Malaysian states. However, Sabah and Sarawak elites are not homogeneous since they have different degrees of power, agendas, and aspirations. These differences have led to open feuds between the elites, resulting in the collapse of political parties and the formation of new political alignments. Over almost four decades, a great majority of the people in Sabah and Sarawak have acceded to BN rule. However, in the last decade there have been pockets of resistance against the authoritarian rule of BN and the local elites. This article argues that without accountability and a system of checks and balances, the demand for more autonomy by the increasingly vocal Sabah and Sarawak elites will benefit only them and not the general public.

Keywords: East Malaysian politics, Sabah and Sarawak, domination, contestation, elites

Introduction

The ruling Barisan Nasional (BN) has dominated Sabah and Sarawak politics for more than four decades. To maintain its political dominance, the party has resorted to a strategy of accommodation and repression (Chin 1996; Crouch 1996; Chin 1997; Loh 1997; Mohammad Agus 2006; Lim 2008; Faisal 2012). However, this strategy is not unique to the East Malaysian states, i.e., Sabah and Sarawak. The ruling party has adopted a similar approach throughout the federation, albeit with little success in states such as Kelantan and recently (since 2008) Penang and Selangor.

Popularly known as BN's vote bank, Sabah and Sarawak tend to be viewed merely

* Institute of Malaysian and International Studies, Universiti Kebangsaan Malaysia, 43600 Bangi, Selangor D.E., Malaysia
e-mail: faisalhazis@ukm.edu.my

as subjects of the federal government's domination that lack the power and capacity to challenge and resist. However, in the last few years East Malaysian leaders and some members of the public have been vocal in challenging the federal government. They have been demanding autonomy and state rights (Channel NewsAsia 2015), while a small group of the population is openly calling for secession (*Star* 2014a). When Parti Islam Se-Malaysia (PAS), supported by the United Malays National Organisation (UMNO), wanted to table a private member's bill to amend the sharia courts (Criminal Jurisdiction) 1965, Sarawak leaders openly objected to the move. This was an unprecedented move of resistance against the federal government (*Star* 2017).

Over the last decade, the East Malaysian states—especially Sarawak—have been openly challenging the federal government due to their elevated importance in national politics and the weakening power of the federal government. Without the parliamentary seats that Sabah and Sarawak BN won in the 2008 and 2013 general elections, the long rule of BN at the federal level would have ended. Thus, the two East Malaysian states have the capacity to be kingmakers and shape the trajectory of Malaysian politics.

Despite the long BN rule in Sabah and Sarawak, the two states have experienced many episodes of contestation that shaped the nature of politics at both the federal and state levels. This paper traces the major contestations that have taken place in the East Malaysian states throughout the 54 years of their independence. The two major areas of contestation are state power and local resources, pitting federal government leaders against Sabah and Sarawak's elites. These contestations have forced the federal government to accommodate the local elites, thus ensuring the stability of BN rule in the East Malaysian states. However, Sabah and Sarawak elites are not homogeneous since they have different degrees of power, agendas, and aspirations. These differences have led to open feuds between the elites, resulting in the collapse of political parties and the formation of new political alignments. Over almost four decades, a great majority of the people in Sabah and Sarawak have acceded to BN rule. However, in the last decade there have been pockets of resistance against the authoritarian rule of BN and the local elites. This paper argues that without accountability and a system of checks and balances, the demand for more autonomy by the increasingly vocal Sabah and Sarawak elites would benefit only them and not the general public.

Sabah and Sarawak before Malaysia

The idea to organize Malaya, Singapore, Brunei, North Borneo (known as Sabah after the formation of Malaysia in 1963), and Sarawak into some form of union had been voiced by

the British as early as 1887 (Ongkili 1972). The proposal was motivated by the need to protect the future of British interests in the Far East rather than by any aspiration to encourage self-government in the region. The prime minister of Malaya, Tunku Abdul Rahman, again mooted the idea of a merger in May 1961. The response to the Malaysia proposal in North Borneo and Sarawak differed largely along ethno-religious lines (Cobbold Commission 1962). In North Borneo the largest non-Muslim native political party, United National Kadazan Organisation, and the only Muslim party, United Sabah National Organisation (USNO), supported the idea of Malaysia because they felt that it would safeguard the interests of the natives and Muslims against the educationally and economically superior Chinese. The other parties, however, expressed greater reservations regarding the proposal. The National Pasok Momogun Organisation (Pasok Momogun), which comprised mainly non-Muslim Dusun and Murut, opposed the proposal because it viewed it as hasty and preferred a gradual transition from British colonial administration to self-governance for North Borneo. The Democratic Party, the United Party, and the Liberal Party (multiethnic parties but dominated by Chinese) shared similar views with the Pasok Momogun with regard to self-government in North Borneo (Lim 2008).

In Sarawak the main opponents of the Malaysia proposal were the left-wing Sarawak United People's Party's (SUPP) and the Communist Clandestine Organisation. The Communists were well aware that Malaysia's success would present a danger to them (Chin 1996, 80). On the other hand, support for the federation came mostly from the Malay communities, as evident from the endorsement given by the two dominant Malay parties, Parti Negara Sarawak and Barisan Rakyat Jati Sarawak, to the Malaysia proposal. The Iban, on the other hand were too inexperienced in politics to understand the true meaning of a federation and were consequently liable to be manipulated by all sides (*ibid.*, 60).

The biggest and most serious internal challenge to the idea of Malaysia came from the northern part of Sarawak. The Brunei Revolt in 1962 was a failed uprising against the British by A. M. Azahari's Brunei People's Party and its military wing, the North Kalimantan National Army (TNKU, Tentera Nasional Kalimantan Utara), who opposed the Malaysian Federation. Instead, they wanted to create a Northern Borneo state comprising Brunei, Sarawak, and North Borneo. The TNKU planned to attack the oil town of Seria—its police stations and government facilities. However, the attack was stopped within just a few hours of its launch (Harry 2015).

To determine whether the people of North Borneo and Sarawak supported the Malaysia proposal, a Commission of Enquiry led by Lord Cameron Cobbold was established in 1962. The commission concluded that about one-third of the population in both territories strongly favored the early realization of Malaysia without too much concern

about the terms and conditions. Another third, many of them favorable to the Malaysian project, asked with varying degrees of emphasis for conditions and safeguards. The remaining third was divided between those who insisted on independence before Malaysia was considered and those who strongly preferred to see British rule continue for some years to come (Cobbold Commission 1962). There remained a hard core, vocal and politically active, that opposed Malaysia on any terms unless it was preceded by independence and self-government. This hard core might have amounted to nearly 20 percent of the population of Sarawak and somewhat less in North Borneo (Wong 1995). However, Chin Ung-Ho (1996) argues that the commission was hardly impartial as its members were all nominated by the British and Malayan governments, which vehemently supported the formation of Malaysia. Nonetheless, the Cobbold Commission report was an important part of the process by which the agreement to form the Federation of Malaysia was reached. It was generally agreed that the states of Malaya, Singapore, and Borneo would form a federation.

In accordance with the commission's report, the Inter-Governmental Committee consisting of representatives from the British and Malayan governments, North Borneo, and Sarawak was established. They were tasked with working out the future constitutional arrangements and the necessary safeguards that formed the basis of the Malaysia Agreement signed on July 8, 1963. These safeguards included, *inter alia*, complete control over the states' natural resources like land, forests, minerals both onshore and off-shore; local government; immigration; use of the English language in judicial proceedings; state ports; and more sources of revenue being assigned to the Borneo states. The safeguards were later known as Twenty Points for Sabah and Eighteen Points for Sarawak. They were eventually incorporated or embedded in the Federal Constitution and also into crucial legislation such as the Immigration Act 1963 (Chin 1997). However, after independence the safeguards were gradually eroded, prompting a long and continuous struggle to reclaim them (Lim 1997).

The proposal to form Malaysia did not go well with neighboring countries, particularly Indonesia and the Philippines (Milne 1963; Chin 1997). Indonesia under President Suharto saw the formation of the federation as neocolonialism. Sukarno's principles did not augur well with the creation of the federation and resulted in the Ganyang Malaysia (Crush Malaysia) campaign. This period, which was also known as Konfrontasi (Confrontation), lasted from 1963 to 1966. The Philippines, on the other hand, declared its claim over North Borneo in 1962 under the leadership of President Diosdado Macapagal. To date, this claim has not changed. To avoid any further confrontation, the leaders of Malaya, Indonesia, and the Philippines met in Manila in June 1963. The meeting resulted in the Manila Accord, signed on July 31, 1963, which was followed by the Manila Decla-

ration signed on August 3, 1963 and Joint Statement signed on August 5, 1963. The leaders agreed to submit the Borneo case to the secretary-general of the United Nations (UN) for assessment of public opinion in North Borneo and Sarawak (Milne 1963).

The UN began work in mid-August 1963 to assess the response of the people of North Borneo and Sarawak. This situation delayed the scheduled date of August 31, 1963 to officially declare the Federation of Malaysia. The findings of the UN team coincided with the outcome of the Cobbold Commission whereby the people of both states were supportive of the federation. However, the outcome did not sit well with Indonesia and the Philippines. The confrontation with Indonesia escalated with cross-border military attacks in North Borneo and Sarawak as well as in Peninsular Malaysia and Singapore in 1964. The campaign slowly de-escalated by 1965 and 1966 (*ibid.*). However, the Philippines has yet to relinquish its claim on Sabah and intermittently uses it to hype national sentiments during election campaigns and rallies. Chin (1996) argues that colonial officials and elected state leaders swayed the UN Commission, thus ignoring the substantial anti-Malaysia forces. Nonetheless, the Federation of Malaysia was formed on September 16, 1963, minus Brunei. The small kingdom decided not to join Malaysia, largely due to disagreements over the federal-state government division of its oil revenue, the Sultan's status vis-a-vis the peninsular rulers, and the Sultan's eligibility to be elected as the head of state of the federation (Mohammad Agus 2006).

Establishing the “Rules of the Game”: Post-Independence Politics in Sabah and Sarawak

The early years of Malaysia was a period of considerable political turbulence, as the local elites competed against the federal government and each other to establish the rules of the game. Although there were no written or implicit rules to guide the elites in East Malaysia, the political crisis in post-independence Sabah (known as North Borneo before the formation of Malaysia) and Sarawak indirectly spelled out the federal government's demands on the elites. These demands were subsequently agreed on as the rules of the game. Among these demands were: (1) to safeguard national interests over state interests, (2) to maintain Malay Muslim political dominance, (3) to ensure BN's continued dominance in the state and parliamentary elections, (4) to transfer the rights to extract the state's natural resources to the federal government, and (5) to provide political stability (Faisal 2012, 83). In return for fulfilling these demands, the federal government would give a certain degree of freedom to the local elites to exercise their control over local politics, the state economy, and the populace. But if the local elites failed to adhere to

the rules, the federal government would intervene in the affairs of the state, thus restoring the federal government's control (Chin 2014).

In post-independence Sabah and Sarawak, the local elites strived to safeguard state autonomy, which ran contrary to the rules of the game, i.e., upholding national interests. When such conflicts occurred, the federal government employed different degrees of intervention, depending on the seriousness of the conflict. James Chin (1997) argues that Kuala Lumpur had three distinct types of intervention at its disposal: "mild intervention," whereby the federal government co-opted local elites; "mid intervention," where the federal government took a more direct approach in dealing with the issue at hand; and "direct intervention," where the federal government ruled Sabah and Sarawak directly by declaring a state of emergency.

Post-independence Sabah was dominated by two elites, Mustapha Harun representing the Muslims and Donald Stephens (who later became Tun Fuad Stephens) representing the Kadazan-Dusuns (Chin 1997). When the Alliance government was formed in 1963, Mustapha became the governor while Stephens assumed the position of chief minister. The two powerful elites attempted to dominate the state, thus paralyzing the state government. Under the Sabah state constitution the governor had to give his assent to enactments passed by the State Legislative Assembly, but in many cases Mustapha withheld his assent, causing administrative delay (*ibid.*). The federal government sided with Mustapha, who was seen to be an extension of Malay Muslim political dominance in the state (Loh 1997). Hence, the federal government's support for Mustapha was crucial for his plan to remove Stephens and become chief minister. At that crucial time Stephens increasingly defended Sabah's autonomy and rights, thus becoming a source of concern for the federal government (Lim 1997). As the crisis deepened, Stephens was reluctantly asked to relinquish his position to Peter Lo from the Sabah Chinese Association (SCA) and took up a federal cabinet post. In the 1967 elections the Mustapha-led USNO and the SCA managed to capture 19 of the 32 assembly seats, enough to form a government with the exclusion of United Pasokmomogun Kadazandusun Murut Organisation (UPKO), which managed to secure only 12 seats (Loh 1992). After the elections Mustapha became the third chief minister of Sabah, thus cementing Malay Muslim political dominance in the state. Federal-state relations improved during Mustapha's term as chief minister, but that did not last long. Unintentionally, the federal government had created a very powerful elite that they themselves found difficult to contain. Mustapha exploited his position to amass a tremendous amount of wealth and exercise authoritarian power over the people of Sabah. On top of that, Mustapha angered the federal government by refusing to allow British military exercises in Sabah despite previous agreement by Kuala Lumpur. Another major issue was Mustapha's continued

support for armed rebellion in the Southern Philippines, which could undermine national security (Lim 2008).

In 1975 Mustapha hardened his stance against Kuala Lumpur by circulating a memorandum on April 23 titled “The Future Position of Sabah in Malaysia,” where he argued that Sabah would be better off financially as an independent country. The federal government, however, did not directly force Mustapha to step down despite the chief minister’s bold call for secession (Chin 2014). Instead, it sponsored the formation of a new party, the Sabah People’s United Front (BERJAYA), to challenge Mustapha and USNO. Mustapha’s vice president in USNO, Harris Salleh, turned against him and led the new party. The federal government even encouraged Stephens to resign from his governorship and join Harris to lead BERJAYA (*ibid.*). As Gordon Means (1991) observes, Prime Minister Abdul Razak did not take a confrontational approach in dealing with the East Malaysian elites. Instead, he used the strategy of accommodation by co-opting other elites to subdue Mustapha.

BERJAYA and USNO were both members of BN at the federal level, but at the state level USNO was determined to challenge BERJAYA by occupying the opposition bench. Whilst solidarity within BN was expected from both parties, there was no way the two could work together easily, as there remained USNO supporters within UMNO and also the coalition more broadly. The BERJAYA-USNO rivalry came to a halt when BERJAYA was decisively defeated in the 1976 elections and Stephens became the new chief minister (Mohammad Agus 2006). Unfortunately, Stephens died a year later in a plane crash and was succeeded by Harris (Chin 2014).

After Mahathir became the prime minister in 1981, he pursued an Islamization drive in order to subdue PAS’s increased influence over the Malays. In line with the federal government’s Islamization drive, the BERJAYA-led government in Sabah also did the same, thus undermining its multiethnic character. This trend irked some non-Malay leaders in BERJAYA who later formed a splinter party, Parti Bersatu Sabah (PBS), led by Pairin Kitingan. In the 1985 elections, PBS won 25 seats while USNO made a strong comeback by winning 16 seats. BERJAYA, on the other hand, managed to retain only six seats and PASOK won one seat (Mohammad Agus 2006). Despite PBS’s victory, BERJAYA was able to pressure the governor to swear in Mustapha as the new chief minister. Mustapha’s rule was short-lived because the federal government soon intervened and publicly declared its support for a PBS-led government (Chin 2014). A day later, Pairin was sworn in.

Under the PBS government federal-state relations remained strained, with PBS more willing than other BN parties to speak out against federal government policies. PBS did not set itself up in direct opposition to the BN coalition in Kuala Lumpur and

repeatedly avowed its intention to seek entry to the coalition should it win the election. With only a slim majority in the state assembly and facing legal challenges from Mustapha and Harris and harassment from federal agencies, Pairin decided to call for a snap election in 1986. Pairin won decisively, capturing a majority of the votes and two-thirds of the assembly seats. Faced with such a clear mandate, the federal government admitted PBS to the coalition (Mohammad Agus 2006).

In the 1990 elections Pairin withdrew from BN after the nominations for the election had closed, thus denying BN the chance to field alternative candidates against PBS. PBS retained Sabah, but the federal government came down hard on the PBS-led government. Barely a month after the election, one of Pairin's top aides, Maximus Ongkili, was briefly detained under the Internal Security Act (ISA) for alleged involvement in a secession plan. In the following days, Pairin himself was charged on a minor count of corruption and a number of other PBS leaders—including Pairin's deputy chief minister, Yong Teck Lee—were arrested for participating in an illegal demonstration prior to the election. In 1991 Jeffrey Kitingan was detained under the ISA on charges of secessionism. Federal revenue to Sabah was reduced to a minimum, and a ban was imposed on logging exports from the state (Loh 1997).

PBS responded by reapplying to join BN, but Mahathir was in no mood to accommodate Pairin. At that same time, a spate of defections by PBS leaders began. But the state's Anti-Hopping Law prevented defections by sitting state assemblymen, which BN challenged in the Supreme Court. PBS passed a second law allowing it to expel state assemblymen on the grounds of "indiscipline, abuse, or betrayal of electorates' mandate" (Lim 2008). Shortly after that, the Supreme Court ruled that the original law was indeed unconstitutional and thus void. After Pairin dissolved the state assembly in January 1994, the floodgates opened. The first to go was Deputy Chief Minister Yong, followed by another PBS minister. Yong subsequently formed a new party, the Sabah Progressive Party, which was immediately accepted into BN, while another high-ranking PBS politician, Bernard Dompok, formed his own party, the Sabah Democratic Party. At the same time, UMNO announced that it would contest in the elections and that USNO would be dissolved to pave the way for UMNO's entry into Sabah (Chin 2014). Despite the defections and the grand promises of development by the national BN, PBS retained control of the state by winning 25 of the 45 seats. Less than a month after the election eight PBS assemblymen defected, thus bringing a close to the PBS government. Upon assuming control of the Sabah government BN introduced a policy of rotating the chief minister every two years, thus allowing Yong and Dompok to be appointed. Over the years, UMNO strengthened its dominance over Sabah politics and subsequently dropped the rotation system. The current Sabah chief minister, Musa Aman, is the longest-serving

person in that position, having been at the helm for 14 years. With Musa religiously adhering to the rules of the game, his position as the chief minister is secured and federal-state relations remain cordial.

Over in Sarawak, the Iban elites initially dominated the post-independence government but were subsequently replaced by Muslim Bumiputera elites through the federal government's intervention (*ibid.*). The main reason for the federal government's intervention was Chief Minister of Sarawak Stephen Kalong Ningkan's insistence on championing Sarawak rights and autonomy, thus undermining the rules of the game. Among the issues that upset the federal government were Ningkan's refusal to implement Malay as the official language, the continued use of English, and the role of expatriate officers in the public service (*ibid.*). Ningkan's party, the Sarawak National Party (SNAP), even used the slogan "Sarawak for Sarawakians" in the 1966 elections. In 1966, 21 of the 32 Alliance (ruling coalition) members in the Council Negri (State Legislative Assembly) signed a petition of no confidence in Ningkan as the chief minister. Tunku demanded Ningkan's resignation, but the latter refused. In response to Ningkan's snub, Tunku sent the minister of home affairs, the inspector general of police, and the federal attorney general to Kuching to submit a new candidate for the post of chief minister to the governor. Tawi Sli from Parti Pesaka Sarawak (PESAKA) was appointed chief minister on June 17, 1966, but Ningkan challenged the new appointment in court. In September 1966 the court handed down a verdict in Ningkan's favor, and on September 7 he was reinstated. The federal government swiftly declared a state of emergency on September 15, taking away all Ningkan's powers. The official reason behind the emergency was the claim that the Communists might take advantage of the situation. After much maneuvering, the Council Negri was convened and a no-confidence motion was passed. Ningkan was dismissed the next day, and Tawi Sli was reinstated (Faisal 2012).

Just like in Sabah, the federal government intervened in Sarawak affairs mainly to safeguard national interests. So when an opportunity came to install a pro-federal government, Tunku acted swiftly. The opportunity came after the 1970 election, when no single party won enough seats to rule Sarawak alone: the pro-federal Bumiputera Party (later known as PBB after its merger with PESAKA) won 12 seats, the opposition SNAP and SUPP had 12 seats each, while PESAKA had eight (Chin 2014). After the 1970 election, Tunku orchestrated the formation of a new Sarawak Alliance led by Rahman Yakub from the Bumiputera Party. With federal government support, Rahman was able to transform himself into a powerful elite who used the chief minister's office to build a network of patronage and accumulate personal wealth (Faisal 2012). When Rahman administered Sarawak according to the rules of the game, the state went through a period of order and stability. But the stability did not last long, as an internal split within BN

Sarawak threatened Rahman's hold on power. To make things worse for Rahman, the federal government withdrew its support since there was a leadership change at the federal level. Razak accommodated Rahman's antics, but Hussein Onn—who took over the premiership in 1976—treated the criticism against Rahman quite seriously. There was an attempt by SNAP and SUPP to replace Rahman with SNAP leader Dunstan Endawie, but the plan was halted due to the 1978 election. Feeling insecure, Rahman refused to dissolve the state assembly. This forced Sarawak to have separate parliamentary and state elections (a trend that continues to the present day). Rahman retaliated by allowing the Democratic Action Party to enter Sarawak, thus weakening SUPP. The first Sarawak Muslim Bumiputera chief minister finally stepped down in 1981, citing health reasons (*ibid.*).

When Abdul Taib Mahmud took over from his uncle Rahman in 1981, he inherited a stable and strong BN. Just like his uncle, Taib religiously adhered to the rules of the game in order to secure the federal government's support, which was crucial for remaining in power. Apart from that, Taib was able to dominate Sarawak politics because he had massive wealth, was able to keep UMNO out of Sarawak, and was successful in consolidating Muslim Bumiputera support (Chin 2014). Nonetheless, Taib faced a serious challenge to his leadership in the first seven years of his term as chief minister. Surprisingly, the source of contestation came from Rahman. Prior to the feud between Rahman and Taib, the new chief minister had to contain a serious leadership crisis within SNAP due to the retirement of its president, Dunstan Endawie. This paved the way for a battle between two senior party leaders, James Wong and Leo Moggie. Wong subsequently won the presidency, but the defeated Moggie formed a new party, Parti Bansa Dayak Sarawak (PBDS), in 1983. SNAP was a strong party and the biggest threat to Parti Pesaka Bumiputera Bersatu (PBB) prior to its split. But with the split within SNAP, PBB became the largest and most influential party within BN Sarawak. Taib took advantage of the SNAP crisis by co-opting PBDS into Sarawak BN, to the displeasure of SNAP leaders. This move further strengthened Taib's position.

However, the real test for Taib came when Rahman challenged him through his proxy in PBB and the government. The crisis between Rahman and Taib was due largely to the struggle between two elites who tried to exert their influence and authority over the state. Prior to Taib's rise to Sarawak's highest political office, Rahman was the most powerful elite in the state. Through the exploitation of the powerful chief minister's office and the support of the federal government, Rahman swiftly dominated Sarawak politics, economy, and populace. Since the individual who occupied the powerful chief minister's office had the greatest amount of power, he or she became the most powerful person in the state. Hence, when Rahman stepped down he actually relinquished his

position as the most powerful man without realizing it. Despite losing his power, Rahman was not willing to withdraw from active politics. Taib, on the other hand, refused to let his uncle interfere in the running of the state. This conflict gradually transformed into a major crisis that completely altered the face of Sarawak politics (Faisal 2012).

The uncle-nephew crisis spilled over to PBB, which then became the main battlefield for a proxy war between Rahman's loyalists and Taib's supporters. Just like the political crisis in Sabah, the role of the federal government was crucial in determining the victor. In the case of the Rahman-Taib feud, the then Prime Minister Mahathir Mohamad sided with Taib, thus giving him the advantage. However, Rahman's faction continued to attack Taib publicly. In 1985 Rahman wrote a lengthy personal letter to Taib, which was copied to the prime minister. The letter criticized Taib for his "poor political and personal judgement" (Leigh 1974, 183). Rahman ended the letter with the following words:

I venture to suggest that if you find [*sic*] unable to change from your present thinking and ways of doing things in Sarawak, you had better make an honorable exit. PBB will decide who should be your successor. I don't intend to fight you. You are too small for me. (Faisal 2012, 129)

However, Taib refused to step down, thus making the uncle-nephew feud a major political crisis in 1987.

On March 9, 1987, four Sarawak ministers and three assistant ministers sent shockwaves throughout the state when they suddenly resigned from the state cabinet. The ministers and deputy ministers were later joined by 20 other state assemblymen who flew to Kuala Lumpur and gathered at the Ming Court Hotel (the crisis was popularly known as the Ming Court Affair), where they announced that they had lost confidence in Taib. The 27 assemblymen were accompanied by Rahman and Moggie, the president of PBDS. The group sent an ultimatum to Taib asking him to resign or face a no-confidence vote. Taib brushed aside their demands and called for a snap election. With the might of the government machinery behind him, Taib managed to win 28 seats, three short of a two-thirds majority, in the Council Negri (Leigh 1974). In consolidating his position, he took both repressive and accommodative measures (Faisal 2012). He terminated the services of local chiefs, disciplined public officials who supported Rahman, revoked timber licenses given to Rahman's supporters, and advised the federal government to detain several opposition leaders under the ISA. He took the accommodative step of co-opting several opposition assemblymen with the promise of material rewards and political appointments.

Under the Abdullah Badawi leadership, Taib continued to dominate Sarawak politics and maintained cordial federal-state relations. However, after the 1987 crisis he was confronted by a string of leadership crises within the Sarawak BN component parties,

starting with SNAP, PBDS, and SUPP. The major reasons behind the internal split within these parties were leadership tussles. Most of them led to the collapse and eventual de-registration of the parties, as in the case of SNAP and PBDS. SUPP managed to survive, but it became a spent force because of the emergence of a rival, the United People's Party (UPP). The de-registration of SNAP and PBDS paved the way for the emergence of splinter parties, the Sarawak Progressive Democratic Party (SPDP) and Parti Rakyat Sarawak (PRS), which were subsequently admitted to BN. The internal schism continued when SPDP again faced a leadership crisis that led to the formation of another splinter party, the Sarawak People's Energy Party (TERAS).

Pockets of Resistance: Contesting Strongmen and BN's Electoral Dominance

For almost six decades, local elites have ruled Sabah and Sarawak with the support of the federal government. Throughout this period, influential leaders have skillfully cajoled the electorate through the use of political patronage and powerful party machinery (Faisal 2015). Despite the elite's domineering influence, a small group of people resisted the influential leaders, who were deemed increasingly authoritarian, corrupt, arrogant, and out of touch with ordinary people.

In Sabah, Musa's long rule sparked vocal criticism against his leadership, which was tainted with allegations of corruption and abuse of power. This prompted the opposition to come up with the slogan "*Ubah*" (Change), which it used nationwide in the 2013 election. Although the opposition in Sabah failed to unseat the incumbent government led by Musa, it was able to win 11 seats—the biggest gain since the era of PBS in the late 1980s and 1990s.

Resentment against arguably the most powerful Sarawak elite, Taib, was reignited in the 2006 and 2011 Sarawak state elections, when the opposition was able to win 9 and 16 seats respectively. Although the ruling BN easily defended its traditional two-thirds majority in the two elections, the significant gain by the opposition dealt a huge blow to Taib. Consequently, the strongman was pressured to step down in 2014. Despite relinquishing his powerful position, Taib did not actually retire from active politics since he immediately assumed the governorship. The ethnic Melanau elite continues to dominate Sarawak politics, albeit in a different capacity. But when another Muslim Bumiputera elite, Adenan Satem, succeeded Taib, the electorate returned to BN's fold in the 2016 election with the opposition failing to defend the five seats it had won in 2011. As indicated by the 2016 election, the majority of the electorate in Sarawak still supports BN rule. As long as the ruling party remains responsive toward the needs of the populace,

it will continue to receive support from the masses. Hence, the issues of corruption, illegal logging, disputes over Native Customary Rights land, inequitable growth, weak institutions, abuse of power, and shrinking democratic space that have plagued Sarawak will not be resolved because the old structure remains intact (see Ngidang 2005; Colchester *et al.* 2013; SUHAKAM 2013; Straumann 2014).

Rewriting the Rules of the Game: Sabah and Sarawak Politics after the 2008 Political Tsunami

When the rules of the game were being written during the post-independence period, the position of the federal government was strong; this enabled it to dictate the actions of local elites. Hence, when local elites failed to fulfill the federal government's demands, the government used repressive or authoritarian measures to gain control of the East Malaysian states. However, the 2008 political tsunami had elevated the importance of Sabah and Sarawak in the interplay of national politics. In the past, the federal government could dismiss the voices of East Malaysian elites because it had control over most of the states in the country. However, the 2008 tsunami weakened the federal government because its electoral dominance in the peninsula had been severely challenged. The ruling BN managed to win only 86 seats, 26 short of a simple majority. Hence, without the 47 seats that Sabah and Sarawak BN won in the 2013 elections, the ruling coalition would have lost federal power (see Table 1).

With the new political configuration, the East Malaysian elites are taking advantage of the federal government's weakened position by pushing to rewrite the rules of the game. The foremost rule that Sabah and Sarawak elites intend to review is the suppression of state rights and autonomy in order to uphold national interests. The majority of people in Sabah and Sarawak believe that the safeguards and special rights that were accorded to them as agreed upon in the Malaysia Agreement 1963 have been taken away

Table 1 Seats Won by Political Parties in the 13th Malaysian General Election

	National Front (BN)	Malaysian Islamic Party (PAS)	People's Justice Party (PKR)	Democratic Action Party (DAP)	Total
Peninsular Malaysia	86	21	28	31	166
Sabah	22	0	1	2	25
Sarawak	25	0	1	5	31
Total	133	21	30	38	222

Source: Election Commission (2017).

by the federal government. As noted earlier, Sabah and Sarawak elites tried to defend state rights during the post-independence period but were thwarted by a strong federal government. However, when the federal government became weak after the 2008 election, the East Malaysian elites revived the struggle to reclaim state rights. Since 2008, Sabah Chief Minister Musa has been calling for greater autonomy and state rights (*New Sabah Times* 2016). The Sabah chief minister cannot, however, exercise his power as freely as the Sarawak chief minister because the former is still an UMNO member who has to answer to the UMNO president, who is also the prime minister and his political master. Some quarters in Sabah have criticized Musa for not being vocal enough in pushing for Sabah's autonomy and rights as compared to the Sarawak chief minister (*Borneo Post* 2016a). The Sarawak chief minister, on the other hand, has been able to push the boundaries in terms of reclaiming state power because he is the president of PBB, the second largest party in Malaysia after UMNO. The late Chief Minister Adenan publicly said that Sarawak was demanding full autonomy where federal powers would be limited only to defense, internal security, and foreign affairs (*Free Malaysia Today* 2015b). In fact, the Sarawak BN promised to regain full autonomy as one of the points in its election manifesto in 2016, an unprecedented move by East Malaysian leaders (*Malaymailonline* 2016). It is expected that newly appointed Sarawak Chief Minister Abang Johari Tun Openg will continue Adenan's policies, including his call for autonomy and more state rights. In appeasing the East Malaysian elites, federal government leaders have expressed their commitment to devolve power to Sabah and Sarawak in a gradual manner (Channel NewsAsia 2015). At the moment both parties are in the process of negotiation, but there is growing frustration on the part of Sabah and Sarawak leaders over the slow pace of negotiation. Critics argue that Kuala Lumpur is engaging in delaying tactics since the federal government is perceived to be not keen on pushing for devolution of power. With the centralized federal administration system, the federal government will find it difficult to surrender its power to the state government in East Malaysia.

The strong demand for state rights in East Malaysia took an extreme slant when some people in both states openly called for secession. One of the most popular and vocal groups is Sabah Sarawak Keluar Malaysia (SSKM), led by the London-based Sabahan lawyer Doris Chan (*Free Malaysia Today* 2015a). Established in 2011, the group is calling for Sabah and Sarawak to cede from Malaysia and become independent states known as the Republic of North Borneo and Republic of Sarawak. In pushing for its agenda, the SSKM aims to collect 300,000 signatures, especially from Sabahans, since the group is focusing its campaign in the state. As of February 20, 2017, the group had collected 86,566 signatures. Another secessionist group that has emerged from the rising state nationalism among the people of Sabah and Sarawak is the Sarawak Sovereignty Move-

ment (SSM) led by Morshidi Abdul Rahman. The Sarawak-based group was established just before the 2013 general election. It aimed to collect 300,000 signatures, which the group claimed to have achieved in 2016. SSM's campaign is concentrated largely in the state of Sarawak. Najib denounced the secessionists' demand as "stupid talk" (*Star* 2015b). The federal government took a heavy-handed approach against the secessionists by arresting several SSKM leaders and de-registering an NGO, Sarawak Association for People's Aspiration, which was affiliated with the secessionist group. Subsequently, four men were charged with sedition, while the federal government issued an arrest warrant for Chan (*Star* 2015a). Sabah and Sarawak elites denounced the call for secession. Abang Johari vowed that Sarawak would not support secession and he would be committed to preserving the federation (*Star* 2018), while Musa labeled the secessionists irresponsible and rejected their demand to secede from Malaysia (*Star* 2014b).

Apart from challenging the supremacy of national interests over state rights, the East Malaysian elites want to change another aspect of the rules of the game: federal government control over oil and gas in the two states. When Malaysia was formed, Sabah and Sarawak had control over oil found within their territories, including offshore. But those rights were taken away when the federal government decided to take national control over the oil and gas industry by enacting the Petroleum Development Act (PDA) 1974. Under the PDA, Petrolia Nasional Bhd (Petronas) was formed. The national oil company is vested with the entire ownership of—as well as rights, privileges, and benefits in relation to exploring and producing—oil and gas, offshore and onshore, in Malaysia. With the enactment of PDA 1974, Sabah and Sarawak had to sign an agreement granting Petronas the right to extract and earn revenue from petroleum found in the two states in exchange for 5 percent of annual revenue as royalty.

Since 2014 the BN elites in Sabah and Sarawak have been pushing for a higher royalty of 20 percent. Prime Minister Najib Razak, however, made it clear just a few days before the 2016 Sarawak state election that the federal government would not review the oil and gas royalty (*Daily Express* 2016). This announcement irked Sarawak leaders, who later issued a moratorium on new work permits involving Petronas personnel hiring non-Sarawakians to work in the state (*Borneo Post* 2016b). To resolve the issue, Najib had to intervene. After several series of negotiations, the moratorium was lifted and Sarawak was given a seat on the Petronas board so as to secure the state's interests in future decision making.

Compared to Sabah, Sarawak is in a better position to play the role of kingmaker in Malaysian politics and rewrite the rules of the game that govern federal-state relations because all BN component parties in Sarawak are based locally. The leading party within Sarawak BN is PBB, which became the second largest party within the national BN after

the 2013 election. Sabah BN, on the other hand, is led by an UMNO leader who is still accountable to his political masters in Kuala Lumpur. The federal government has no other option but to accommodate the demands of the East Malaysian elites, especially from Sarawak, since they have to rely on these influential figures to remain in power. However, the federal government is in no rush to rewrite the rules of the game if the local elites do not apply some sort of pressure on them. In this respect, the elites play an important role in pushing for a review of the rules of the game in the East Malaysian states. A vocal and desperate Adenan (he publicly said that he was on borrowed time due to his health; *New Straits Times* 2017) was a confrontational and uncompromising leader, the kind of elite who could persuade the federal government to renegotiate the rules. The responsiveness of federal government leaders to Adenan's demands showed how serious the government was in dealing with the local elites. But the sudden death of the popular chief minister posed questions over Sarawak elites' capability to deal with the federal government. The new chief minister, Abang Johari, is known to be soft-spoken, accommodative, and nonconfrontational. These are not ideal traits in a leader who is expected to deal with the weakened but still undefeated federal government.

Conclusion

The federal government has dominated Sabah and Sarawak politics for more than five decades. However, throughout this period the local elites of Sabah and Sarawak have tried to resist the federal government's intervention, thus forcing the government to accommodate them. In some cases, the federal government resorted to repressive measures in subduing local elites who were deemed to be out of control and too powerful. The co-opted elites, however, are expected to honor the rules of the game that govern federal-state relations and also the way they should run their states. Those who fail to do so will be forced to step down and eventually replaced.

The political tsunami of 2008 weakened the federal government and made it dependent on Sabah and Sarawak. The changing political landscape presented Sabah and Sarawak elites with the opportunity to rewrite the rules of the game and reclaim their autonomy. To do this, Sabah and Sarawak need vocal, bold, and uncompromising leaders to negotiate new rules that would benefit them. Sarawak had such a leader in the form of Adenan, but his sudden departure poses questions over the state's ability to play the kingmaker role.

Regardless of whether Sabah and Sarawak can rewrite the rules of the game, political elites will continue to dominate politics in the two East Malaysian states. Conse-

quently, the rule of the elites has undermined institutions and the rule of law in Sabah and Sarawak, leading to problems such as corruption, abuse of power, inequitable growth, land grabbing, and shrinking democratic space. To resolve these problems, the powers of the elites need to be restrained by strengthening democratic institutions and the rule of law.

Accepted: June 29, 2018

References

- Black, Ian. 1985. *A Gambling Style of Government: The Establishment of Chartered Company Rule in Sabah, 1878–1915*. Kuala Lumpur: Oxford University Press.
- Borneo Post*. 2016a. Not Quite Right to Say Sabah Is Not Doing Anything. July 27. <http://www.theborneopost.com/2016/07/27/not-quite-right-to-say-sabah-doing-nothing-pbs/>, accessed May 2, 2017.
- . 2016b. State Government Issues Moratorium on Work Permit of Petronas Personnel Intending to Work in Sarawak. August 7. <http://www.theborneopost.com/2016/08/07/>, accessed July 12, 2017.
- Channel NewsAsia. 2015. More Autonomy on the Cards for Malaysian States of Sabah and Sarawak. August 11. <http://www.channelnewsasia.com/news/asiapacific/more-autonomy-on-the-cards-for-malaysian-states-of-sabah-and-sar-8237948>, accessed July 17, 2017.
- Chin, James. 2014. Exporting the BN/UMNO Model: Politics in Sabah and Sarawak. In *Routledge Handbook of Contemporary Malaysia*, edited by Meredith Weiss, pp. 83–92. Hoboken: Taylor & Francis.
- . 1997. Politics of Federal Intervention in Malaysia with Reference to Sarawak, Sabah and Kelantan. *Journal of Commonwealth and Comparative Politics* 35(2): 96–120.
- Chin Ung-Ho. 1996. *Chinese Politics in Sarawak: A Study of the Sarawak United People's Party*. Kuala Lumpur: Oxford University Press.
- Cobbold Commission. 1962. *Report of the Commission of Enquiry, North Borneo and Sarawak*. Kuala Lumpur: Jabatan Chetak Kerajaan.
- Colchester, Marcus; Jalong, Thomas; and Alaza, Leonard. 2013. Sabah: Genting Plantations and the Sungai and Dusun Peoples. In *Conflict or Consent? The Oil Palm Sector at a Crossroads*, edited by Marcus Colchester and Sophie Chao, pp. 269–281. Jakarta: FPP, Sawit Watch, and TUK Indonesia.
- Crouch, Harold. 1996. *Government and Society in Malaysia*. Ithaca: Cornell University Press.
- Daily Express*. 2016. Time Not Right for Oil Royalty Talks, Says Najib. May 5. <http://www.dailyexpress.com.my/109426/>, accessed July 18, 2017.
- Election Commission. 2017. Keputusan PRU13. *Suruhanjaya Pilihan Raya Malaysia*. <http://resultpru13.spr.gov.my>, accessed July 12, 2017.
- Faisal S. Hazis. 2015. Patronage, Power and Prowess: Barisan Nasional's Equilibrium Dominance in East Malaysia. *Kajian Malaysia* 33(2): 152–227.
- . 2012. *Domination and Contestation: Muslim Bumiputera Politics in Sarawak*. Singapore: ISEAS Press.
- Fernandez, Callistus. 2001. The Legend by Sue Harris: A Critique of the Rundum Rebellion and a Counter Argument on the Rebellion. *Kajian Malaysia* 19(2): 61–78.
- Free Malaysia Today*. 2015a. Doris Jones Vows to Free Sabah and Sarawak. March 9. <http://www.freemalaysiatoday.com/category/nation/2015/03/09/doris-jones-vows-to-free-sabah-sarawak/>,

- accessed March 9, 2017.
- . 2015b. Adenan Working on Ten Full Autonomy Areas. August 18. <http://www.freemalaysiatoday.com/category/nation/2015/08/18/adenan-working-on-ten-full-autonomy-areas/>, accessed July 26, 2017.
- Hara, Fujio. 2002. The 1943 Kinabalu Uprising in Sabah. In *Southeast Asian Minorities in the Wartime Japanese Empire*, edited by Paul H. Kratoska, pp. 111–132. London: RoutledgeCurzon.
- Harry, Kathleen. 2015. The Brunei Rebellion of 1962. PhD dissertation, Charles Darwin University.
- Leigh, Michael. 1974. *The Rising Moon: Political Change in Sarawak*. Sydney: Sydney University Press.
- Lim Hong Hai. 1997. Sabah and Sarawak in Malaysia: The Real Bargain or What Have They Got Themselves Into? *Kajian Malaysia* 15(1/2): 15–56.
- Lim, Regina. 2008. *Federal-State Relations in Sabah, Malaysia: The BERJAYA Administration, 1976–85*. Singapore: ISEAS Press.
- Loh Kok Wah, Francis. 1997. Sabah Baru and the Spell of Development Resolving Federal-State Relations in Malaysia. *Kajian Malaysia* 15(1/2): 63–84.
- . 1992. Modernisation, Cultural Revival and Counter-hegemony: The Kadazans of Sabah in the 1980s. In *Fragmented Vision: Culture and Politics in Contemporary Malaysia*, edited by Joel S. Kahn and Francis Loh Kok Wah, pp. 225–253. Honolulu: University of Hawai'i Press.
- Luping, Herman J. 1994. *Sabah's Dilemma: The Political History of Sabah, 1960–1994*. Kuala Lumpur: Magnus Books.
- Malaymailonline. 2016. Sarawak Rights Headline Team Adenan's Polls Manifesto. April 26. <https://sg.news.yahoo.com/sarawak-rights-headline-team-adenan-polls-manifesto-033200649.html>, accessed January 3, 2017.
- Means, Gordon. 1991. *Malaysian Politics: The Second Generation*. Singapore: Oxford University Press.
- Migdal, Joel, ed. 1988. *Strong Societies and Weak States*. Princeton: Princeton University Press.
- Milne, R. S. 1963. Malaysia, Confrontation and MAPHILINDO. *Parliamentary Affairs* 16(4): 404–410.
- Milne, R. S.; and Ratnam, K. J. 1974. *Malaysia—New States in a New Nation: Political Development of Sarawak and Sabah in Malaysia*. London: Frank Cass.
- Mohammad Agus Yusoff. 2006. *Malaysian Federalism: Conflict or Consensus*. Bangi: UKM Press.
- Naimah S. Talib. 1999. *Administrators and Their Service: The Sarawak Administrative Service under the Brooke Rajah and British Colonial Rule*. Kuala Lumpur: Oxford University Press.
- New Sabah Times. 2016. Chief Minister Says Sabah Will Adopt a Gentle Approach. August 10. <http://www.newsabahtimes.com.my/nstweb/fullstory/8559>, accessed February 4, 2017.
- New Straits Times. 2017. Adenan Satem, a Politician with an Incisive Intellect. January 12. <https://www.nst.com.my/news/2017/01/203699/adenan-satem-politician-incisive-intellect>, accessed September 9, 2017.
- . 2015. Adenan: Sarawak Government Will Not Entertain Call for Secession. July 22. <https://www.nst.com.my/news/2015/09/adenan-sarawak-govt-will-not-entertain-call-secession>, accessed September 8, 2017.
- Ngidang, Dimbab. 2005. Deconstruction and Reconstruction of Native Customary Land Tenure in Sarawak. *Southeast Asian Studies* 43(1): 47–75.
- Ongkili, James P. 1972. *Modernization in East Malaysia, 1960–1970*. Kuala Lumpur: Oxford University Press.
- Raffaele, Paul. 1986. *Harris Salleh of Sabah*. Hong Kong: Condor Publishing.
- Reece, Bob. 1993. *The Name of Brooke: The End of White Rajah Rule in Sarawak*. Kuching: Sarawak Literary Society.
- Ross-Larson, Bruce. 1976. *The Politics of Federalism: Syed Kechik in East Malaysia*. Singapore: Bruce Ross-Larson.

- Sabihah Osman. 1990. The Malay-Muslim Response to Cession of Sarawak to the British Crown 1946–51. *Jebat* 18: 148.
- . 1983. Malay-Muslim Political Participation in Sarawak and Sabah, 1841–1951. PhD dissertation, University of Hull.
- Sanib Said. 2010. *Malay Politics in Sarawak 1946–1966: The Search for Unity and Political Ascendancy*. Kota Samarahan: UNIMAS Press.
- Singh, Ranjit. 2015. The Formation of Malaysia: Advancing the Theses of Decolonization and Competing Expansionist Nationalisms. *Journal of Management Research* 7(2): 209–217.
- . 2000. *The Making of Sabah, 1865–1941*. Kuala Lumpur: University of Malaya Press.
- Star. 2018. Najib: Government Fully Committed to Uphold Sarawak Rights. February 10. <http://m.thestar.com.my/story.aspx?hl=Najib-Govt-fully-committed-to-uphold-Sarawak-rights&sec=news&id=%7BBD55D75E-1A85-46CF-A3C4-1EFCAD6352F9%7D>, accessed February 19, 2018.
- . 2017. Sabah and Sarawak Leaders: Reject Hadi's Bill. May 8. <http://www.thestar.com.my/news/nation/2017/05/08/sabah-and-sarawak-leaders-reject-hadis-bill/>, accessed July 23, 2017.
- . 2015a. Arrest Warrant Issued for SSKM's Doris Jones. February 10. <http://www.thestar.com.my/news/nation/2015/02/10/sabah-doris-jones/>, accessed January 8, 2017.
- . 2015b. PM Pledges to Up Funding and Cautions against Secession. August 11. <http://www.thestar.com.my/news/nation/2015/08/11/more-power-to-sabah-and-sarawak-pm-pledges-to-up-funding-and-cautions-against-secession/#pd7MX0iKTA7tFfFL99>, accessed June 23, 2017.
- . 2014a. Unknown Sabahan Probed for Secession Call. September 4. <http://www.thestar.com.my/news/nation/2014/09/04/doris-jones-sabah-secession-activist-under-probe/>, accessed July 24, 2017.
- . 2014b. Musa Aman: Call for Sabah Secession Is Irresponsible. September 16. <http://www.thestar.com.my/news/nation/2014/09/16/musa-sabah-secession-calls-irresponsible/>, accessed July 4, 2017.
- Straumann, Lukas. 2014. *Money Logging: On the Trail of the Asian Timber Mafia*. Basel: Bruno Manser Fund.
- SUHAKAM. 2013. *Report of the National Inquiry into the Land Rights of Indigenous Peoples*. Kuala Lumpur: National Human Rights Commission of Malaysia.
- Walker, J. H. 2002. *Power and Prowess: The Origins of Brooke Kingship in Sarawak*. New South Wales: Allen & Unwin; Honolulu: University of Hawai'i Press.
- Wong Kim Min, James. 1995. *The Birth of Malaysia*. Kuching: James Wong Kim Min.

Appendix Table 1 Major Contestations and Resistance in Sabah

1882–1942	North Borneo was governed by the British North Borneo Company.
1888	Padas-Klias rebellion led by Dato Stia Bakti and Banessah
1889	Padas-Damit rebellion in support of a prominent Brunei Pengiran
1891	Malingkote movement was initiated by a Murut warrior.
1894–1905	Mat Salleh rebellion against the British North Borneo Chartered Company
1914	Blayong revolt
1915	Rundum rebellion
1942–45	Japanese occupation
1943	Jesselton revolt led by the Chinese and Suluk against Japanese occupation
1946–63	British Crown Colony
1963	Independence
1964	Donald Stephens pushed for Sabah autonomy and rights; that irked the federal government, which eventually forced him to step down.
1967	Split within the Sabah Alliance that led to the exclusion of UPKO and Stephens from the coalition
1975	Mustapha called for secession, which led to his resignation.
1976–81	BERJAYA-USNO feud
1985	Split within BERJAYA that led to the formation of Parti Bersatu Sabah (PBS), a Kadazan-dusun-dominated party
1986	Sabah riots in Kota Kinabalu, Tawau, and Sandakan after the BERJAYA-led government was defeated in the election
1991–94	Federal-state conflict under the PBS-led government
1994	Split within Parti Bersatu Sabah (PBS) that led to the formation of its splinter party, Parti Bersatu Rakyat Sabah (PBRS), and United Pasokmomogun Kadazandusun Murut Organisation (UPKO)
2011	Sabah Sarawak Keluar Malaysia movement

Appendix Table 2 Major Contestations and Resistance in Sarawak

1835	Sarawak rebellion led by Malay chief Datu Patinggi Ali against the Brunei Pengirans
1841–1941	Brooke rule
1849	The Battle of Beting Maru between James Brooke and the Saribas Iban led by Linggir
1857	Bau rebellion, also known as the Chinese rebellion, against the Brookes
1861	Batang Lupar rebellion led by Rentap
1941–45	Japanese occupation
1946–50	Anti-cession movement
1948–90	Communist insurgency
1949	Governor Duncan Stewart killed by Rosli Dhoby
1962	Brunei revolt in Limbang, Miri, and Lawas
1963	Independence
1963–65	Split within Sarawak Alliance that led to the sacking of Abdul Taib Mahmud and Awang Hipni from the state cabinet
1963–66	Alliance government's pursuit of Sarawak rights, which subsequently led to the sacking of Chief Minister Stephen Kalong Ningkan
1983	Split within SNAP that led to the formation of a breakaway party, Parti Bansa Dayak Sarawak (PBDS)
1987	Split within PBB that eventually led to the failed attempt to remove Sarawak Chief Minister Abdul Taib Mahmud
2002	Split within SNAP that led to the dissolution of the party and the formation of a breakaway party, SPDP
2011	Sabah Sarawak Keluar Malaysia (SSKM) movement
2013	Split within PBDS that led to the dissolution of the party and the formation of a breakaway party, Parti Rakyat Sarawak (PRS)
2014	Split within SUPP that led to the formation of UPP

Shifting Trends of Islamism and Islamist Practices in Malaysia, 1957–2017

Ahmad Fauzi Abdul Hamid*

This article seeks to analyze the evolving development and contestations regarding the interplay of Islam and politics in Malaysia's public space for a period of 60 years (1957–2017) since its independence as a nation-state. A crucial element in this discourse is the official position of Islam as the “religion of the federation” in the Malaysian Constitution, which simultaneously guarantees the freedom of other religions embraced by almost half of the country's population. The population became even more diverse ethnically and religiously upon the formation of the Federation of Malaysia, which replaced Malaya, on September 16, 1963. Closely related to the discourse of political Islam in Malaysia, the evolving concepts of “religion” and “secularism” in Malaysia's Islamic context have undergone considerable shifts as a result of constant public engagement by an assortment of politicians, commentators, scholars, bureaucrats, and civil society activists. As the argument develops, Malaysia's interaction with Islam has been essentialized by political interests such that boundaries are hardened between what is considered Islamic and un-Islamic. The increasingly rigid positions adopted by Islamic stakeholders have arguably worsened both interreligious and intra-Muslim relations, with progressive Muslim voices increasingly finding themselves marginalized in the state-controlled political environment.

Keywords: Islam, Islamism, political Islam, Malaysia, secularism, Mahathir Mohamad, Federal Constitution, hudud, Salafi

Introduction

A “plural society” *par excellence* (Rabushka and Shepsle 1972, 20), Malaysia¹⁾ gained independence from Britain on August 31, 1957 as the Federation of Malaya. The major-

* School of Distance Education and Centre for Policy Research and International Studies, Universiti Sains Malaysia, 11800 Penang, Malaysia
e-mail: afauzi@usm.my

1) On September 16, 1963, the nation-state of Malaysia was founded out of the merger between Malaya, known today as Peninsular Malaysia, Sabah and Sarawak—two states on Borneo island—and Singapore, forming a single federation. In August 1965, Singapore left the federation to establish an independent country of its own.

ity Malays, who are constitutionally defined as Muslims, consistently constitute between 50 percent and 60 percent of the total population, but their numerical dominance does not easily translate into political hegemony. Belying Malaysia's reputation as a Muslim-majority stronghold of Islam in Southeast Asia, where the position of Islam is protected by the state, the country's political positions on Islam, even among its Muslim populace, display a great deal of diversity in spite of state-orchestrated attempts to homogenize Islam in both theory and practice. Malaysia's fragile ethnic composition has meant that ethno-religious demands in favor of greater Islamic input in governance have always faced challenges not only from the non-Muslim minorities but also from Muslims of varying orientations with respect to Islam.

In colonial Malaya, secularization, understood primarily in terms of enforced separation between religion and state in the British-administered body politic, acquired inexorable momentum with the signing of the Anglo-Perak Treaty in Pangkor in 1874. This Pangkor accord stipulated that Malay Sultans seek and act upon a British Resident's advice on all matters except Malay religion and custom. A succession of legal, administrative, and educational reforms followed throughout Malaya as other Malay states concluded similar agreements with the colonial authorities, the net effect of which was to sideline the role of Islam in colonial governance (Ahmad Fauzi 2004, 22–30).

Promulgation of a Federal Constitution in 1957, by crystallizing such separation between religion and state, effectively established secularism as a governing principle despite no explicit verbal reference to it (Rosenthal 1965, 288). Although the word "secular" is not mentioned in the constitution, the secular basis of an independent Malaya was arguably affirmed by parties deliberating the drafting of the document. Tunku Abdul Rahman (1903–90), leader of the Alliance coalition and later the first prime minister of independent Malaya, assured fellow members among the Working Party who reviewed the draft prepared by the British-appointed Reid Commission that the whole exercise of framing the constitution was undertaken on the understanding that the resultant federation would be a secular state (Fernando 2006, 259–260, 265–266).

Article 3(1) of the Federal Constitution pronounces that "Islam is the religion of the Federation but that other religions may be practised in peace and harmony in any part of the Federation" (Malaysia 1998, 1). As clarified by a legislative white paper, however, such a declaration in no way affected Malaya's position as a "secular state." This status was later affirmed by serving chief justices' statements and judgments qualifying the meaning of Islam's formal status as pertaining to rituals and ceremonies on official occasions rather than being prioritized over the secular legislative framework (Suffian Hashim 1962, 8–11; Ahmad Ibrahim 1985, 213–216; Fernando 2006, 250, 262). Article 3(1), moreover, has to be read together with Article 3(4): "Nothing in this Article derogates

from any other provision of this Constitution” (Malaysia 1998, 1). Freedom of religion is guaranteed by Article 11, according to which every individual has the right to profess, practice, and propagate his or her own religion although the propagation of any religious doctrine or belief among Muslims may be legally controlled or restricted, and all religious groups possess authority to manage their own religious affairs, to establish and maintain institutions for religious or charitable purposes, and to acquire, possess, hold, and administer property in accordance with the law (*ibid.*, 6–7).

Since the premiership of Dr. Mahathir Mohamad (1981–2003), totally new contexts concerning the political role of Islam in defining Malaysia’s character and trajectory as a nation-state, with a special focus on the country’s purported transformation into an Islamic state and ramifications arising from the ascendancy of Islamism—referring to a political ideology that demands true Muslims seek to establish a juridical Islamic state governed by the sharia (Islamic law) in order to realize the ideals of Islam as a complete way of life (*din al-hayah*)—have appeared in Malaysia’s Islamic discourse. This article discusses the narrowing of the social space in the practice of Malaysian Islam as reflected in government policies and how interested parties constitutionally interpret them. It traces the ways and means of shifts in the understanding and practice of Islam in a more overtly politicized sense, with potentially devastating consequences on the sociocultural fabric of Malaysia’s plural society.

Political Islam in Postcolonial Malaysia: An Overview

In most postcolonial Muslim states, the delinking between Islam and governance of new nation-states was embodied in the subordination of the sharia to the broader national legal system. A residue of the sharia, catering for Muslim family and personal needs, was reformulated into and codified as a set of Muslim laws tailored to suit particularistic interests rather than all-encompassing Islamic requirements. The framework of reference for post-independence sharia-based Muslim lawyers was the nation-state, in which Islamic laws were subordinated to civil laws rather than the *umma* (global Muslim community) (Hooker 2004, 199).

Tacit collusion between the colonial masters and the “rightist” stream of Malay nationalists, overwhelmingly consisting of English-educated bureaucratic elites whose religio-political outlook was solidified in a secular environment, eventually delivered independence to Malaya (Ahmad Fauzi 2007a, 389). At the other end of the political spectrum was the “leftist” stream of Malay nationalists who had absorbed many facets of Islamic modernist-reformist discourse and whose take on religion and secularism was

more sophisticated and less rigid. One such example was the consummate Malay politician-cum-thinker Dr. Burhanuddin Al-Helmy (1911–69), who saw Islamic political aspirations as blending both theocratic and secular ideals, “secular” insofar as they corresponded to Islamic doctrine that condones application of the rational faculty and democratic consultation known as *syura* (Kamarudin 1980, 209–210).

In the ethnically segmented society of pre-independence Malaya, Burhanuddin also adopted a less racist and more open policy of absorbing non-Malays into the “Malay” category.²⁾ This was vividly demonstrated in the 1947 People’s Constitutional Proposals, which he masterminded as leader of the Malay-dominated Pusat Tenaga Ra’ayat (Centre for People’s Power) in alliance with the non-Malay All-Malayan Council of Joint Action (Ahmad Fauzi 2011, 82). Unfortunately, despite having engendered a kind of pre-nationalism in the 1930s, by the 1940s modernism-reformism had lost most of its appeal among the lay Malay populace, eclipsed by the pressing need for political freedom under the general impression of an enveloping non-Malay threat to Malay hegemony (Ahmad Fauzi 2007a, 381). From 1956 until Burhanuddin’s death in 1969, his political talent was channeled to society in his capacity as president of the Pan-Malayan Islamic Party, later known as the Islamic Party of Malaysia (PAS, Parti Islam Se-Malaysia).

Insofar as the secular relates to this world rather than the next one, the corporeal rather than the metaphysical realm, the Federal Constitution exhibits unabashedly secular characteristics. For instance, rather than being upheld for its intrinsic value as a faith that connects humans with God, Islam is foregrounded to serve a secular purpose, i.e., that of ethno-culturally determining the identity of a “Malay” as defined in Article 160(2): “a person who professes the Muslim religion, habitually speaks the Malay language, conforms to Malay custom” (Malaysia 1998, 113). Through Article 153 Malays, together with natives of Sabah and Sarawak following the formation of Malaysia in 1963, are regarded as the indigenous Bumiputera (lit.: sons of the soil) group, who qualify for secular benefits under the “special position” clause (Means 1978, 393–394; Malaysia 1998, 107).

Under the “Bargain of 1957” the aforesaid privileges, together with provisions to ensure the position of Islam as the religion of the federation, of Malay Sultans as heads

2) While it has been axiomatic to speak of Malaysia’s population in terms of the “Malay-Chinese-Indian” ethnic divisions, groups like the Eurasians and various Orang Asli (lit.: Original People) tribes have long been part of the country’s diverse racial makeup, predating independence in 1957. Upon the formation of Malaysia in September 1963, the Bumiputera (lit.: sons of the soil) category was created, subsuming the Malays, all of whom are legally Muslims; the Orang Asli, indigenous groups of Sabah and Sarawak—both Muslim and non-Muslim; and other non-Malay ethnic groups considered native to Malaysia, such as the Siamese of northern Peninsular Malaysia and the Portuguese of Malacca.

of the various states, and of Malay as the national language, were *quid pro quos* for non-Malay demands for relaxed conditions for citizenship, the continued use of the English language in official matters for 10 years, and the preservation of the free market economy (Milne and Mauzy 1986, 28–30). As with other temporal matters, the terms of the Bargain were understood by interested parties of the time to be temporary, i.e., not binding beyond prevailing circumstances where socioeconomic segmentation along ethnic lines was widespread (see Chapter 9). Buoyed, however, since the late 1970s by UMNO (United Malays National Organisation) calls for defending “Malay supremacy” (Ketuanan Melayu)—a notion that appeared only after the New Economic Policy (NEP) had institutionalized affirmative action to empower Bumiputera (Ariffin 2003), the Bargain acquired socio-psychological standing as a “social contract,” a transgression of which was considered to be betraying the terms and conditions on which the nation was supposed to have been founded (Puthucheary 2008, 12–23). This period when the NEP was nearing its end in 1990 coincided with the height of Islamic resurgence in Malaysia (Nagata 1984; Chandra 1987), so much so that Malay supremacy was often conflated as Islamic dominance in spite of the concept’s religiously spurious basis (Muhammad Haniff 2007, 294, 306).

In the immediate post-independence period, the position of Islam as amounting to no further than the country’s official religion was upheld by UMNO leaders such as Tunku Abdul Rahman, who asserted, “. . . this country is not an Islamic State as it is generally understood, we merely provide that Islam shall be the official religion of the State” (quoted in Ahmad Ibrahim 1985, 217; cf. Tunku Abdul Rahman 1977, 246). Jurisdiction over Islam was left to the various states that formed the federation, each of which instituted a Council of the Islamic Religion (Majlis Agama Islam) to aid and advise their Malay rulers in their capacity as heads of the Islamic religion,³⁾ a Department of Religious Affairs (Jabatan Agama Islam) to handle daily affairs of Muslims, and sharia courts to adjudicate in Muslim matters (Ahmad Ibrahim 1985, 216). The authority of the sharia courts covers only Muslim personal law—a successor to the Muhammadan law of the colonial era, subsuming only family law, charitable property, religious revenue, places of worship, and religious offenses such as adultery and other forms of sexual misconduct, defamation, non-payment of alms, and consumption of liquor (Abdul Majeed 1985, 229–235). Even then, sharia courts can only mete out punishments that do not go beyond the stated maximum imprisonment or fine under federal law, making it impossible for them to

3) In the case of states without hereditary Sultans—Malacca, Penang, Sabah, Sarawak, and the Federal Territories of Kuala Lumpur and Labuan—the role of the head of the Islamic religion was assumed by the Yang diPertuan Agong, the constitutionally appointed monarch whose position is rotated every five years among the nine rulers.

impose the Quranic hudud⁴⁾ code. The restrictions on sharia courts, collectively known as the 3-6-5 safeguards, ensure that punishments they impose do not exceed a maximum of three years' imprisonment, six strokes of the cane, and RM5,000 in fines (Abdul Hadi 2002, 30).

On account of such limitations, Malaysia's sharia doyen Ahmad Ibrahim held the view that "the provision that Islam is the religion of the Federation" was of little consequence (Ahmad Ibrahim 1974, 6–7, 11–13). In fact, prior to the onset of Islamic resurgence, the general consensus was that Malaysia's politico-legal makeup was secular in intent even if not fully secular in practice by virtue of the various ways in which the powers that be applied Article 3(1) to their political advantage (Norani *et al.* 2008, xvi–xvii). Nowhere in the Federal Constitution is it mentioned that law in Malaysia is interpreted by recourse to sharia; on the contrary, Article 160(2) defines law as including "written law, the common law in so far as it is in operation in the Federation or any part thereof, and any custom or usage having the force of law in the Federation or any part thereof" (Malaysia 1998, 113). What Malaysia operates is a hybrid system in which there is a gray line between secularity and Islamicity.

However, as judges whose educational experience coincided with the period of Islamic resurgence gradually entered the judiciary, more court rulings departed from the traditional view of Islam's constricted role within Malaysia's constitutional framework, to the extent of compromising constitutionally guaranteed fundamental liberties (see Chapter 6). In his 2001 High Court ruling in *Lina Joy v Majlis Agama Islam Wilayah & Anor*, Justice Faiza Tamby Chik (2004, 128), despite acknowledging the existence of a previous case that established Malaysia as a secular state permitting the implementation of sharia laws insofar as they did not contradict the Federal Constitution, adopted the trailblazing view that

Article 3(4) does not have the effect of reinforcing the status of the Federation as a secular state. . . . Malaysia is not purely a secular state like India or Singapore but is a hybrid between the secular state and the theocratic state. The constitution of this hybrid model accord [*sic*] official or preferential status to Islam but does not create a theocratic state like Saudi Arabia or Iran. . . . Article 3(1) has a far wider and meaningful purpose than a mere fixation of the official religion. (Faiza 2004)

Faiza's verdict opened the floodgates for a flurry of rulings that broadened the interpre-

4) Hudud punishments are criminal penalties instituted by the Quran and Sunna (exemplary traditions of Prophet Muhammad) after lawful conviction in a court of law, such as amputation of the hand for thieves, flogging of 80 lashes for consuming intoxicating liquor, flogging for libel, stoning to death for adultery, and flogging of 100 lashes for fornication.

tation of Article 3(1) such that serious doubts were thrown on Malaysia's "secular state" status. As the argument goes, although the Federal Constitution refrains from explicitly mentioning Malaysia as an Islamic state, the fact that it authorizes the setting up and management of Islamic institutions and the enactment of Islamic by-laws by state assemblies is proof that Malaysia cannot be categorized as a secular state (cf. Norizan 2007; Zainul Rijal and Nurhidayah 2007; Aidil 2014; Concerned Lawyers for Justice 2014). As the legal expert Shad Saleem Faruqi (2005, 270–275) notes, the existence of constitutional provisions that institutionally empower Islam, such as those that legitimize the posts of *mufti*⁵⁾ and *kadi*⁶⁾ and enable the federal government to disburse preferential funds toward the advancement of Islam, would be impossible in a secular state. Article 11(4) even mandates state legislatures and parliament in the case of federal territories to "control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam" (Malaysia 1998, 107). In 1988 a landmark decision was made by amending Article 121 so as to include clause (1A), which prevented federal courts from exercising any "jurisdiction in respect of any matter within the jurisdiction of the Syariah courts" (*ibid.*, 79). Article 121(1A) effectively raised the status of sharia courts and judges to be on a par with their civil counterparts. However, within one decade it had caused disquiet among non-Muslims following a spate of high-profile court cases involving disputed conversions into and out of Islam and claims made by state Islamic authorities to bodies of the alleged converts upon their deaths, on which civil courts were reluctant to interfere, thus leaving non-Muslim litigants with no legal recourse (Ooi 2007, 184–186; Marzuki 2008, 162–169, 172–181).

The shift in legal thinking toward a more all-encompassing understanding of Islam as pertaining to the constitution appeared to have been triggered by greater political will on the part of ruling politicians. At the peak of his power in September 2001, having outflanked a determined challenge to his rule from his former deputy Anwar Ibrahim—whom he had dismissed from UMNO and the government three years earlier—Prime Minister Mahathir Mohamad shockingly declared in front of delegates to the annual assembly of UMNO's coalition partner Malaysian People's Movement (GERAKAN, Gerakan Rakyat Malaysia) that Malaysia had, to all intents and purposes, already become an Islamic state. Astonishing as it was, one should not ignore the fact that immediate

5) A *mufti* is a religious scholar authorized by a government to issue fatwa—an authoritative legal opinion that provides guidance for Muslims. In Malaysia, however, a fatwa is more than just an opinion; it is binding upon Muslims of a particular state after being passed and gazetted by the state legislative assembly. Noncompliance with a fatwa is criminalized, leading to the possibility of being charged and convicted in a sharia court.

6) A *kadi* or *qadi* is a religious scholar qualified to be a judge or jurist or magistrate and based in sharia courts or religious offices that perform extrajudicial functions.

political calculations were foremost in Mahathir's mind. Mahathir's declaration was merely a direct response to PAS President Fadzil Noor's challenge (Liew 2007, 112–113) and intended to pinch the Islamic state agenda away from PAS, whose collaboration with Anwar Ibrahim's National Justice Party (KEADILAN, Parti Keadilan Nasional)⁷⁾ and the non-Muslim dominated Democratic Action Party (DAP) had eroded a huge chunk of Malay Muslim votes from UMNO and the National Front (BN, Barisan Nasional) ruling coalition in the 1999 general election (Maznah 2003, 75–79).⁸⁾

Indications that Mahathir was bracing for his Islamic state pronouncement may be found in an Islamic State Discussion (Muzakarah Daulah Islamiah) hastily convened slightly over a month earlier and chaired by his religious adviser, Dr. Abdul Hamid Othman. Gathering 70 religious scholars and notables, the Muzakarah concluded that Malaysia unequivocally qualified as an Islamic state on the basis that its administrative, political, and religious affairs were controlled by Muslims, regardless of whether hudud was implemented or not (Saifulizam 2001; JAKIM 2008). That Mahathir was being politically expedient more than anything else is underlined by his insistence that despite his declaration, non-Muslims had every right to continue to perceive Malaysia as being a secular state (Asuki and Nizam 2001). The Islamic state he had in mind, in other words, was not meant to be generically applied to all. Exploiting the Islamic sentiments of the Malay Muslims, it was a rhetorical device to convince them that Islam and their fate were

7) By 2001 Anwar Ibrahim was languishing in jail after having been found guilty of corruption and sodomy in 1999. In 2003 KEADILAN merged with the socialist-oriented People's Party of Malaysia (PRM, Parti Rakyat Malaysia) to form the People's Justice Party (PKR, Parti Keadilan Rakyat) led by Anwar's wife, Wan Azizah Wan Ismail, as president.

8) Since 1974 Malaysia's federal government has been helmed by BN, a multiethnic coalition of 13 component parties whose precursor, the Alliance (Perikatan)—made up of UMNO, the Malaysian Chinese Association (MCA), and the Malaysian Indian Congress (MIC)—ruled the country from 1957 until the suspension of parliamentary democracy following racial riots in May 1969. Two former opposition parties, GERAKAN and PAS, which had defeated Perikatan in the states of Penang and Kelantan respectively in the 1969 general elections, were part of the original BN setup, but while GERAKAN remains in BN until today, PAS was expelled in 1977. In the wake of Anwar Ibrahim's expulsion from UMNO and the government in 1998, BN was challenged in the 1999 general election by the Alternative Front (BA, Barisan Alternatif), comprising KEADILAN, DAP, PAS, and PRM. BA, however, lasted only until 2001. In 2008, immediately following the opposition parties' success in denying BN a two-thirds parliamentary majority and wresting the state governments of four other states besides Kelantan, which had been under PAS's control since 1990, the People's Pact (PR, Pakatan Rakyat) was formed to unite DAP, PKR, and PAS. PR broke up in 2015 due to an internal rupture in PAS, whose progressive faction then founded the National Trust Party (AMANAH, Parti Amanah Negara), which continues to cooperate with DAP and PKR in a newly constituted coalition called the Pact of Hope (PH, Pakatan Harapan). Of the three opposition-ruled states in Malaysia today, Kelantan has been a solitary PAS administration since 2015, while Penang and Selangor are officially PH- and previously PR-led governments marshalled by DAP and PKR respectively.

safe in the hands of UMNO. In June 2002 Mahathir reinforced his stance by projecting Malaysia to be a “model Islamic fundamentalist state” rather than a “moderate Muslim state” (Ooi 2006, 176).

Nonetheless, Mahathir’s Islamic state pretensions emboldened a host of doctrinaire Islamists,⁹⁾ many of whom were by now part of the Islamic bureaucracy which had expanded by leaps and bounds during his tenure in power (Norani *et al.* 2005, 90–91; Maznah 2013), to discursively essentialize Islam and secularism in bifurcated terms as binary opposites of one another. In the public space, concepts and ideologies such as “secularism,” “liberalism,” “humanism,” “capitalism,” and “pluralism” were being played out as antitheses to Islam, carrying similar “anti-religious” baggage (cf. Mohamed Elfie 2008; Soon 2008).

Amendments to extant statutory laws were justified by recourse to the sharia as the *Grundnorm* or “cardinal foundational principle” with supposed eternal authority over Malay Muslims (Norani 2008, 46–47). Islamism, referring to a political ideology that urges Muslims to erect a sharia-governed Islamic state in order for them to be able to comprehensively practice Islam as a way of life (*din al-hayah*), was bringing the two hitherto political foes, UMNO and PAS, closer together ideologically, in fact close enough to alarm non-Muslim civil society and political leaders into mobilizing openly against the very idea of an Islamic-oriented polity (Riddell 2005, 182–184). In defense of non-Muslim rights, religious Christians, for instance, were cornered into a position of unabashedly defending the secular state, as defined in contradistinction to an Islamic state (Yeoh 2011, 87–93). UMNO-PAS convergence on Islamist matters appeared in the form of a discursive shift from whether Malaysia should be an Islamic state, to when and how an Islamic state could be achieved to best serve the Malay Muslims (Kessler 2008, 63–64).

Mahathir’s successor Abdullah Ahmad Badawi’s promotion of Islam Hadhari (civilizational Islam)¹⁰⁾ during his premiership (2003–9) failed to defuse the polarizing polemic pitting the Islamist and secularist camps. Deprived of intellectual credibility and perennially suffering from poor implementation and weak infrastructural support from the government’s own Islamic officialdom, Islam Hadhari lost the discursive battle against an ascendant Islamist conservatism which perceived Islam Hadhari as a re-incarnation

9) “Islamist” is used here to refer to the political ideology of Islamism rather than to Islam per se as a religious faith. On Islamism, see the next paragraph.

10) Guided by 10 universal precepts, Islam Hadhari calls for values and principles of a state to be compatible with Islam, without necessarily forging a state that incorporates the Islamic legal framework, understood as being constantly prone to change and not fixed. In practice, Islam Hadhari necessitates a reappraisal of past judgments based on independent reasoning (*ijtihad*s) so as to make them relevant to contemporary developments; see Ahmad Fauzi (2009, 178–179) and Ahmad Fauzi and Muhamad Takiyuddin (2014, 162–163).

of “liberal Islam” (*ibid.*, 71–76; Ahmad Fauzi and Muhamad Takiyuddin 2014). Haji Abdul Hadi Awang (hereafter Haji Hadi), who assumed the leadership of PAS in 2003, castigated Islam Hadhari as being a “hybrid religion” that permitted the simultaneous practice of compartmentalized Islam alongside un-Islamic elements and was thus a potentially deviant *bid’ah* (religious innovation) (Abdul Hadi 2005, 24–34, 50, 90, 130, 196). In response to Islam Hadhari, Haji Hadi outlined four defining features of an Islamic state that he claimed were derived from the Quran and Prophet Muhammad’s traditions: a congregation (*jamaah*) that upholds Islam as the state creed and internalizes it in individual and social lives; an independent and sovereign country; a constitution that exalts the sharia; and citizens administered by Islamic laws’ absolute justice regardless of their religious affiliation (*ibid.*, 54–55). Haji Hadi’s Islamist vision manifestly rules out any legal dualism such as that which Malaysia has been practicing in some jurisdictional areas since independence.

Abdullah Badawi’s Western-educated deputy, Najib Razak, aggravated the developing tension by categorically affirming Malaysia’s Islamic state status to the point of denying that Malaysia had ever been—or would ever be—a secular state, igniting protests from non-Muslim religious and political leaders (Lim 2008; Norani 2008, 49–50; Tan 2008). While Abdullah quickly tried to mitigate the damage by repudiating both a theocratic and secular state designation for Malaysia (Vinesh 2007), the country’s chief justice and attorney general appeared more willing to act on Najib’s than Abdullah’s cue. The chief justice and attorney general floated the idea of a sharia-based code to supplant English common law as the basis of Malaysia’s legal system, triggering voices of disapprobation from the Bar Council, among others (Koshy 2007; Norila 2007; *Star Online* 2007). As the golden jubilee of Malaysia’s independence neared, Faruqi (2007) summed up the worrying state of affairs enveloping Malaysia’s legalscape:

... a critical mass of Muslim lawyers, judges and politicians has adopted the view that Islam is the core, central, overriding feature of the Constitution. ... State Assemblies have been enacting laws and authorising administrative actions that violate the human rights guarantees of Articles 5–13, imposing penalties far beyond their powers, and trespassing on federal jurisdiction. Because all this is done in the name of religion, politicians look the other way. Most judges are reluctant to test these laws or actions on the yardstick of the Constitution. Painful dilemmas are arising in cases where one of the litigants is Muslim and the other non-Muslim. (Faruqi 2007)

Paradoxically, the Malaysian-style shariaization, understood here as the institutionalization of sharia-based values, norms, and categories in the discourse and practice of Malaysia’s legal corpus, was proceeding apace while the country’s sharia institutions were still very much part of the larger constitutionally mandated judicial framework (Ahmad Fauzi 2016a, 32). The gradual incorporation and codification of sharia-based

statutes were dependent on secular structures, personnel, and rationalization, hence enabling one to question whether Malaysia's sharia laws, having themselves been subjected to secularization, were fit to be accorded a hallowed status (Maznah 2010, 512). Seven years after Malaysia's 50-year anniversary of independence, the situation took a turn for the worse in Faruqi's view:

Article 3(1) on Islam is trumping all other provisions of the Constitution, including the chapter on fundamental rights. . . . Are syariah authorities subject to the Federal Constitution? Or is it the case that once they invoke the holy name of Islam, hukum syarah [*sic*], fatwa or a State Syariah Enactment, they have a blank-cheque power to do whatever is necessary to promote good and prevent evil? (Faruqi 2014)

Efforts undertaken by PAS to implement hudud in the states it controlled—Kelantan (since 1990) and Terengganu (1999–2004)—similarly involve human agency. Opinions have diverged, for instance, on the suitability and timing as well as the nature and quantum of punishments prescribed by hudud laws (cf. Kamali 1998; Ahmad Fauzi 2009, 170–176). Even though political dynamics have been more important than one would imagine for issues as central to Malay-Muslim religious lives as that of installing “Divine law” (Ahmad Fauzi 2015), skeptics of hudud were lampooned as diehard defenders of secularism. The question of the extent to which hudud was urgent in a multireligious polity like Malaysia caused a huge split within the ranks of PAS during its General Assembly in June 2015, leading to PAS's professional faction leaving the party en masse and forming a splinter party, Parti Amanah Negara (AMANAH, National Trust Party). Of the many allegations levelled by PAS President Haji Hadi against these deserters who formed AMANAH, the most serious was that they wanted to transform PAS into a secular party (Khalid 2015). In Malaysian Islamists' imagination, hudud has now become the definitive criterion of an Islamic state, with increasing overlapping perspectives between PAS, UMNO, and religious bureaucrats (Norshahril 2014, 54–59).

After several abortive attempts during Najib's premiership (since 2009) to introduce private members' bills to pave the way for the implementation of hudud in Kelantan (Ahmad Fauzi 2015, 209–213), in late May 2016 Haji Hadi managed to present in parliament a bill that would dispense with the 3-6-5 safeguards. Dubbed the “hudud Bill,” the Sharia Courts (Criminal Jurisdiction) Bill 355 (RUU355, Rang Undang-undang 355) seeks to amend Section 2 of the Sharia Courts Act (Criminal Jurisdiction) 1965 (Act 355), thereby empowering sharia courts to mete out heavier penalties than imposed at present against Muslim perpetrators of offenses listed under Schedule Nine of the Federal Constitution, except the death penalty. Although the debating of the bill was postponed to the next parliamentary session, the fact that it could make itself heard on the final day

of the parliamentary session, jumping the queue over government bills listed in the Standing Order, was by itself unprecedented. Speculation had been rife for months that relations between Najib Razak and Haji Hadi had warmed to such an extent that PAS might cooperate with BN after the breakup of the People's Pact (PR, Pakatan Rakyat) coalition, but their tacit collusion over the tabling of RUU355 still caught UMNO's non-Muslim coalition partners by surprise (Chan and Mazwin 2016; Cheng *et al.* 2016).

The latest hudud affair has driven the wedge further between advocates of the secular state on one side of the religio-political divide and its opponents on the other, with non-Muslim members of Najib's cabinet even threatening to resign should RUU355 be passed. This was despite Najib's and PAS's assurances that RUU355's contents did not amount to hudud and would not affect non-Muslims (Adam 2016; Hanis 2016). As far as detractors of RUU355 are concerned, the whittling away of secularism implicit in RUU355's breaching of constitutional guarantees for equal protection of citizens before the law would constitute a fundamental change to Malaysia's politico-legal structure, thus paving the way for it to become a full-fledged Islamic state in the future (cf. Mohamad Siddiq and Fatimah 2016; Singh 2016; *Star Online* 2016).

Political Islam and Its Discontents: Shifts in Islamist Approaches and State-Led Practices of Islamism in Post-Mahathir Malaysia

Over the last two decades, religio-political discourse in Malaysia has ossified in a manner that pits Islam (read: Islamism) and secularism against each other as binary opposites, as institutionally represented in a juridical Islamic state and Malaysia's extant federal state respectively. Society has been polarized along this line, with support for each camp cutting across partisan affiliations. If we take the two extremes of the opposite poles, the ideological positions of PAS under Haji Hadi's leadership and the avowedly secular DAP have reached such irreconcilable proportions that the Anwar Ibrahim-led PR coalition, which both parties participated in and through which they contributed to the opposition's electoral advances in the 2008 and 2013 general elections, broke up in June 2015.

To Haji Hadi, secularism is intimately connected to Christianity in deviant form, Freemasonry, a global Zionist conspiracy, and colonialism (Abdul Hadi 2007, 9–16). Tracing the origins of secularism in the *umma* to the colonial era, the separation of religion and state and the privatization of religion represent the most damaging aspects of secularism on Muslim lives (Abdul Hadi 2008, 173). Haji Hadi is the author of an infamous 1981 tract, *Amanat Haji Hadi* (Haji Hadi's mandate), which has been blamed for causing rampant Malay-Muslim disunity by effectively apostatizing UMNO members for retain-

ing an infidel constitution and separating religion from politics (Badlihiham 2009, 67–73). Despite receiving sustained rebukes over violence allegedly arising from the *Amanat*'s inflammatory message, Haji Hadi has never disowned it. In a treatise defending the *Amanat*, Haji Hadi lambasted secularism for dragging Muslims into committing greater idolatry (Arabic: *shirk Akbar*)—an unpardonable sin in Islam. It was obvious, though, that the secularism Haji Hadi had in mind was the hard anti-religion version practiced by Kemal Ataturk (1881–1938) in early-twentieth-century Turkey (Abdul Hadi 2002, 26–27). In his refutation of Islam Hadhari, Haji Hadi referred to the thoughts of, among others, the Indo-Pakistani Islamist thinker Abul A'la Maududi (1903–79), whose thinking has been influential in shaping the minds of generations of Malaysian Islamists (Kamal Hassan 2003, 430–440), and the Egyptian Ikhwan al-Muslimun (MB, Muslim Brotherhood) ideologue Sayyid Qutb (1906–66), who was himself ideologically influenced by Maududi (Abdul Hadi 2005, 20–21; Wiktorowicz 2005, 78).

It has been noted, however, that in Maududi's worldview secularism is understood as a "religionless" ideology or one embodying "irreligiousness" and is thus but another expression of infidelity (Arabic: *kufir*) (Adams 1983, 103, 113–114; Mazhari 2012, 66–67). This Maududi-cum-Qutb strand of Islamism, embracing a Manichean worldview between good (read: Islam) and evil (read: ignorance [*jahiliyyah*], aka non-Islam) and elevating sharia as part of belief (*aqida*), opened the door for *takfir*—the excommunication of unobservant Muslims (Mohamad Fauzi 2007, 58, 102–109, 132–133). Qutb-cum-Maududi's Islamist formulations dominated the agendas of *usra*¹¹ sessions—frequently more powerful in impact than classroom-based religious lessons, in schools, colleges, and universities. Left uncontrolled, such radical Islamism could provoke rebellion and instigate violence, as when a group of PAS villagers in Memali, Kedah, ideologically driven by *Amanat Haji Hadi*, were involved in a bloody showdown with security forces in November 1985, resulting in 18 deaths (Ahmad Fauzi 2007b, 10–16).

Apart from the Qutb-cum-Maududi framework, another underlying influence behind the *Amanat*'s *takfiri* disposition came from the writings of Abd al-Aziz ibn Baz (1910–99), who became *mufti* of Saudi Arabia in 1993–99 (Abdul Rahman 1998, 363). It was at the hands of the growing numbers of Saudi alumni in Malaysia that Malaysian Islam became gradually Salafized, referring to the exclusivist trend closely connected to Saudi Arabia's Wahhabi¹² school, which seeks to emulate the pious *salaf* generations who lived within

11) Literally meaning "family" in Arabic, *usra* refers to MB-inherited cell-like groups to discuss ways and means of practicing Islam as a way of life, often conducted outside of official working hours. For details, see Nabisah *et al.* (2015).

12) Referring to the puritanical stream pioneered by Muhammad ibn Abd al-Wahhab (1703–92) of Nejd in the Arabian Peninsula.

300 years of the Prophet Muhammad's demise. Powered by Saudi petro-dollars, the impact of Salafization has been deadly to the type of tolerant Islamic discourse that was once the distinctive feature of Malaysian Islam. The tenors of both interreligious and intra-Islamic relations have been marred as Salafi-centric *ulama* increasingly influenced policy making by penetrating UMNO and Malaysia's Islamic bureaucracy (Mohamed Nawab 2014). At the grassroots level, Salafi discourse in contemporary Malaysia is propped up by such nongovernmental organizations (NGOs) as the Ibn Qayyim Institute (IQ Malaysia n.d.), the Association of Malaysian Scholars (ILMU, Pertubuhan Ilmuan Malaysia) (ILMU n.d.), Al-Khaadem Association (Pertubuhan Al-Khaadem n.d.), and Al-Nida' Welfare Organization (Pertubuhan Kebajikan Al-Nidaa' Malaysia n.d.), and championed by such figures as the two-term Perlis *mufti* Dr. Mohd Asri Zainul Abidin, prominent missionary of Chinese descent Hussain Yee, and UMNO Youth executive committee member Dr. Fathul Bahri Mat Jahaya (Ahmad Fauzi 2016b). Mohd Asri, Hussain and Fathul Bari effectively helm the Ibn Qayyim Institute, Al-Khaadem Association, and ILMU respectively.

While Qutb's and Maududi's visions dominated the mindsets of Malaysia's mainstream Islamists in the 1970s–1980s, such as the Muslim Youth Movement of Malaysia (ABIM, Angkatan Belia Islam Malaysia), which Anwar Ibrahim led from 1974 to 1982 (Abdul Rahman 1998, 389), their radical perspectives were balanced by an eclectic reading of thoughts of other scholars such as Syed Naquib Al-Attas (b. 1931) and Ismail Raji Al-Faruqi (1921–86), both of whom laid rival claims as pioneers of the “Islamization of knowledge” project (Wan Mohd Nor 2005, 332–338). Both Al-Attas and Al-Faruqi towered above others as intellectual mentors who shaped Anwar Ibrahim's Islamist outlook (Esposito and Voll 2001, 181; Allers 2013, 46–48), but it was the latter who purportedly convinced Anwar to join UMNO and Dr. Mahathir's government in 1982 in a strategy to Islamize the state from within (Badlihasham 2009, 50).

In their examination of Al-Attas's and Al-Faruqi's rival schemes, Rosnani Hashim and Imron Rossidy (2000, 37) conclude that both are guilty of overgeneralizing “the West as though composing of a particular school of thought, in particular the logical positivist.” While still bearing exclusive connotations, Al-Attas's paradigm vis-à-vis Al-Faruqi's is philosophically “more elaborate and convincing” and his definition of Islamization of knowledge “more coherent and more rooted in the theory of Islamization in general”—not least due also to his methodological incorporation of the Islamic mystical tradition or Sufism (Arabic: *tasawwuf*). By contrast, Al-Faruqi and Maududi display antipathy toward such spirituality (Rosnani and Imron 2000, 33, 35–36). However, in practice, the educational principles of Al-Faruqi and Maududi rather than Al-Attas prevailed among Malaysian policy makers in the form of the International Islamic University of Malaysia (IIUM),

founded in 1983 as a model Islamic university that promotes integrative knowledge interrogated through the prisms of Islamic values and epistemology (Moten 2006, 190–191). Al-Faruqi enjoyed close relations with both Anwar Ibrahim and Dr. Mahathir Mohamad, during whose premierships Malaysia co-opted Islamization as part of its national zeitgeist (Milne and Mauzy 1983; Allers 2013, 72; Schottmann 2013, 61).

As for Al-Attas, whose work *Islam and Secularism*—originally published in 1978 by ABIM—has reached iconic status in the worldview of Malaysia’s Islamist activists (Norshahril 2012, 109–110), he was given carte blanche in 1987 to develop his brainchild, the International Institute of Islamic Thought and Civilization (ISTAC), a research centre for excellence affiliated to IIUM. Such cordial relations with the government made him vulnerable to criticism of being an apologist for state-centric Islamism (Farish 2009, 215–216). Despite hardly making any direct reference to the concept of an Islamic state, Al-Attas’s epistemological deconstruction of such concepts as secularism and secularization has been cited time and again by Islamists as the intellectual justification for the erection of an Islamic moral and political order uniquely derived from Islamic, as opposed to secular, origins (Azhar 2016). Al-Attas’s discourse became a tool to legitimize the Islamist initiatives of the Malaysian state under Dr. Mahathir’s premierships (1981–2003), particularly during the years of Anwar Ibrahim as minister of education (1987–91) and deputy prime minister (1994–98). Decrying the misappropriation of his attacks on secularism and secularization for political purposes rather than as the philosophical program Islamization of knowledge was intended to be, Al-Attas (1993, xv) later admitted that Islam recognized no dichotomy between the sacred and profane and that an Islamic state could be neither wholly theocratic nor fully secular. Al-Attas’s version of Islamism was an attractive alternative to Maududi-Qutb’s scheme, which many Islamists had come to recognize as being way too radical for Malaysian Islam (Abdul Rahman 1998, 365), but it did not survive Anwar Ibrahim’s ejection from the ruling circle. In 2002 ISTAC’s autonomy within the IIUM structure was revoked and Al-Attas’s contract as ISTAC director was terminated, and in 2015 ISTAC effectively closed down following the absorption of all its programs by IIUM’s Faculty of Revealed Knowledge and Human Sciences (Dalia 2016; IIUM n.d.a). Its replacement, the Ibnu Khaldun International Institute of Advanced Research, no longer adheres to Al-Attas’s lofty Islamist vision of producing a “good man” rather than merely a “good citizen” (Al-Attas 1984, 79–80; IIUM n.d.b).

At the other end of the political spectrum, in line with its post-2008 Malay outreach strategy, DAP revamped its political stance by dispensing with democratic socialism in favor of a more religion-friendly social democracy, and adopting a centrist “Middle Malaysia” posture that no longer questioned the constitutional positions of the Malays, Islam, and the national language (Lim 2010; Wan Hamidi 2011). While DAP remains vehemently

opposed to an Islamic state as conventionally understood by Islamists (Lim 2002), it insists that it is far from being anti-Islam. The secular democratic governance that it espouses, long-time party supremo Lim Kit Siang explains, contrasts with typical notions of “secular”; it “is not atheist, anti-Islam, or anti-religion but trans-religion . . . a system of governance which upholds the spiritual and ethical values which are common to Islam and other great religions” (Lim 2001, 54, 73). Such a polity, claims Lim, would in fact be “morality-based and pro-Islam, pro-Christianity, pro-Buddhism, pro-Hinduism and pro-Sikhism in defending and enhancing the multi-religious characteristics and diversity of the Malaysian nation” (Lim 2012). While secularism *à la* DAP does not imply the relegation of religion to the private realm, it advocates state neutrality toward all religions—a notion that would incite protests from PAS, UMNO, and state-connected Islamists who demand that Islam be given a preferential position over other religions.

Importantly for the Malaysian context, DAP launched its own non-communalist vision of an Islamic polity by discursively engaging progressive Islamic intellectuals through the Penang Institute, a think tank of the Penang state government that DAP has controlled since March 2008 (Mustafa Kamal 2017). Although falling short of endorsing an Islamic state *per se*, DAP advances the idea of an Islam that is friendly to good governance, democracy, liberalism, and human rights, thus contesting the official state-sponsored discourse on Islam that often conflates Islamic sovereignty with Malay ethnonationalist supremacy. As for its stance regarding hudud, DAP believes that its application in a modern context would be meaningless if higher objectives of the sharia (*maqasid syariah*)¹³ are not fulfilled (Zairil 2016). This position is in sync with the stance taken by Ismail Raji Al-Faruqi and Abdullah Badawi through his Islam Hadhari scheme (Ahmad Fauzi 2009, 178–179; 2016a, 36). In fact, DAP surmises that terms such as “secularism” and “liberalism,” unilaterally tagged to UMNO’s political rivals, have been deliberately made punching bags by ruling elites in a bid to frighten Malay Muslims from voting for opposition parties, for fear of getting entangled with “anti-Islamic” forces (Zairil 2014).

Interestingly, in adopting a *maqasid*-based approach to sharia, DAP has gravitated closer toward recent positions adopted by ABIM, AMANAH, and another professional-based Islamist movement, Pertubuhan IKRAM Malaysia—de facto successor of the Society for Islamic Reform (Jamaah Islah Malaysia), which effectively served as the channel through which student activists of the British-based Islamic Representative

13) According to the medieval scholar Al-Ghazali (1058–1111), whose thought has been influential on Malaysian Islam, *maqasid syariah*, at its barest minimum, entails the protection of one’s faith (Arabic: *din*), life (Arabic: *nafs*), intellect (Arabic: *aqal*), family (Arabic: *nasl*), and wealth (Arabic: *mal*); see Hasan (2015, 60–62).

Council continued their Islamist struggle upon graduating and returning to Malaysia (Maszlee 2014; 2017). In line with the thought of veteran Tunisian thinker Rashid Ghannouchi, who recently announced his departure from Islamism and embrace of Muslim democracy (Ghannouchi 2016), a *maqasid*-oriented approach to upholding the sharia prioritizes such concepts as human dignity (*karamah insaniyah*), freedom (*al-hurriyah*), justice (*al-'adalah*), good governance, democracy, and plural coexistence with non-Muslims within a citizenship (*muwatanah*) framework that recognizes equality (*al-musawah*). These ideas behind civil nationhood are regarded by second-generation Islamists to be as important as were the notions of hudud and the juridical Islamic state among first-generation Islamists (Rane 2011). PAS seems to be stuck with first-generation Islamism.

In the civil society realm, Muslim endorsement of the secular state has been forthcoming from the Islamic Renaissance Front (IRF), launched in December 2009 and led by the surgeon Ahmad Farouk Musa (Ahmad Fauzi and Che Hamdan 2016, 10). Together with the Muslim women's rights group Sisters in Islam, IRF has become the standard-bearer of liberal Islam in contemporary Malaysia, much to the consternation of mainstream Islamists, both pro-state and anti-state, who see them as acting in complicity with enemies of Islam (Melati 2017). IRF cooperates closely with the Group of 25 (G25), a loose grouping of former high-ranking civil servants who were catapulted into the lime-light by their public letter expressing concern over the encroachment of the sharia into areas where the Federal Constitution is supposed to hold supreme, such as inviolable fundamental liberties (*Star Online* 2014). Both IRF and G25 have been accused by the Department of the Advancement of Islam of Malaysia (JAKIM, Jabatan Kemajuan Islam Malaysia) of importing undesirable preachers whose liberal ideas are a threat to Malaysian Islam as rooted in orthodox Sunni traditionalism (Aina 2017). Both have had their recent publications banned (Amar Shah 2017; FMT Reporters 2017), which is not surprising in view of their open promotion of a neo-rationalist theology that questions the credibility of the whole Malay-Muslim religious worldview (Liber TV 2017). But both also cultivate a cordial understanding with Dr. Mohd Asri Zainul Abidin, whom they regard as a progressive rather than conservative Salafi scholar (Oorjitham 2017). This has brought them at odds with traditionalist scholars, most of whom control Malaysia's state-level Islamic bureaucracies except in Perlis, the Federal Territory, and Terengganu. Many of these traditionalists have organic linkages with resurgent conservative groups determined to defend a culturally conditioned Malay-Islamic *kerajaan* led by the various Sultans as heads of the Islamic religion. Among these new organizations are the Malaysian Association of Ahl al-Sunnah wa al-Jamaah (ASWAJA, Pertubuhan Ahli Sunnah Wal Jamaah Malaysia), led by Home Ministry official Dr. Zamihan Zin Al-Ghari; and the Association of Authori-

tative Sufi Orders of Malaysia (PERTAMA, Pertubuhan Tarekat Muktabar Malaysia), led by ex-civil servant As'ari Haji Ibrahim (Pertubuhan Ahli Sunnah Wal Jamaah Malaysia n.d.; Pertubuhan Tarekat Muktabar Malaysia n.d.). Both ASWAJA and PERTAMA, with overlapping memberships,¹⁴ have come out strongly against what they see as an ongoing Salafi-cum-liberal onslaught against the fundamentals of Malaysian Islam (Anne 2016; Muhammad Saufi 2017).

Notwithstanding the existence of divergent and sometimes conflicting Islamist tendencies, it is fair to say that in the era of Najib as prime minister, conservative Wahhabi-Salafism has prevailed over other Islamist trends as the main plank of Malaysia's Islamic policies (Ahmad Fauzi and Che Hamdan 2015, 312–321). Malaysia's mainstreaming of Wahhabi-Salafism has effectively overtaken Malaysia's *wasatiyyah* (moderation) agenda, even as Najib continues to tout Malaysia's credentials as a moderate Muslim nation-state that reputedly renounces all forms and manifestations of extremism, as showcased, for example, in its patronage of the Kuala Lumpur-based Global Movement of Moderates (El-Muhammady 2015). Despite the existence of a national fatwa pronouncing Wahhabism as unsuitable for Malaysian society (*Malay Mail Online* 2015), the deputy minister in the Prime Minister's Department, Asyraf Wajdi Dusuki (2016), defended Wahhabism in parliament as being part of mainstream Sunni Islam. Meanwhile, Najib himself launched a blistering attack on the ideologies of "human rights-ism," "liberalism," "secularism," "humanism," and "pluralism" as growing threats to Islam (Ahmad Fauzi 2016a, 31).

Najib's administration fails to recognize that moderation and pluralism go hand in hand, and that tolerance of both interreligious and intra-religious differences—something alien to pretenders of Salafism, and its violence-legitimizing Wahhabi version in particular (El Fadl 2005, 45–47, 51–53, 139–140, 199)—contributed to the flourishing of Islamic civilizations of the past. On the ground, the debilitating impact of Wahhabi-Salafi-driven Islamism shows in the steady decline of interfaith initiatives (Osman 2009, 69; Rahimin Affandi *et al.* 2011, 95–97). The lukewarm response of Malay Muslims toward calls for more social engagement with non-Muslims stems from a state-orchestrated discouragement of non-Muslims from participating in public discussion of Islam, further reinforcing the exclusionary character of the Islamist narrative (Hunt 2009, 588).

As Islamism spills over into Salafi-jihadism—a doctrine that traces its origins to Sayyid Qutb's revolutionary thoughts that many Malay Muslims grew up admiring—since mid-2014 Malaysians have been jolted by the shocking news that once-"gentle" Malay Muslims are today joining terrorist groups, carrying out suicide attacks, and killing

14) For example, Zamihan Mat Zin also serves as a member of PERTAMA's central executive committee; see Persatuan Tarekat Muktabar Malaysia (n.d.).

alleged apostates in the most gruesome manner (Tan 2014; El-Muhammady 2016; Utusan Malaysia 2016). These jihadists pose a threat via the “blowback effect” if they return to Malaysia and continue their violent ways closer to home. According to Special Branch Counter-Terrorism Division Chief Ayob Khan, at the turn of 2017, 264 militants had been jailed for crimes connected to the Islamic State of Iraq and Syria (ISIS), or the Daesh terrorist group, with a further 60 remaining in Iraq and Syria. The numbers of ISIS recruits from Malaysia, however, show an upward trend, with no ready solution in sight as religious authorities, private and public institutions of higher learning, NGOs, and government departments continue to patronize preachers with clear Wahhabi-Salafi sympathies (Farik 2017; Muzliza 2017).

Conclusion

Many developing Muslim countries look up to Malaysia as a model of a modern nation-state that has successfully synthesized Islam and modernity. In contrast with many post-World War II Arab governments that marginalized religion in policy making (Sharabi 1965), Malaysia accommodated it. Indeed, barring hiccups such as some racialist aspects of its nation building (Muhammad Haniff 2007), Malaysia has generally been presented as an exemplary success story of a rapidly developing Muslim-majority nation-state (Siddiqi 1995, 20–21, 24). Such claims are backed up by statistical figures. In the Islamicity indices developed by Hossein Askari and Scheherazade Rehman of George Washington University, for instance, Malaysia emerges top among Muslim-majority countries in internalizing Quranic values in spheres of real lives such as economic achievement, social progress, human rights, governance, and justice (Rehman and Askari 2010; McElroy 2014). The historian Cheah Boon Kheng (2003, 406) concedes that, despite its rather ethnically skewed approach toward preferential policies, “Malaysia is a striking example of a fairly successful dominant-ethnic model of nation-building.”

With increasing numbers of Malay Muslims gravitating toward exclusivist interpretations of Islam, leading to rising intolerance amidst the widespread belief that an Islamic state is a necessary condition for the comprehensive realization of the ideals of Islam, the rosy picture above is in serious danger of being overwhelmed by Islamist-driven imperatives, which should be differentiated from what has been traditionally understood as Islamic in the orthodox manner. Being constantly embattled by its slender majority, Najib’s government appears to have struck a bargain with Wahhabi-Salafi elements; this not only confers it Islamist legitimacy but also reifies Islam in a more rigid direction. For some time, the government has placed special importance on Malaysia’s bilateral rela-

tions with Saudi Arabia, from whom Malaysia gets generous pilgrimage quotas and an array of other pecuniary benefits. This makes it unlikely that Wahhabi-Salafism will be banned despite increasing evidence of its association with terrorism (Husain 2014; Asmady 2015, 187, 192–195, 207–208). Of all people, Prime Minister Najib himself has made global headlines by willingly becoming a recipient of Saudi Arabia's largesse (Coughlin 2016). Ironically, Malaysia even seeks to emulate Saudi Arabia's deradicalization program of ISIS-related detainees (Bernama 2016), when it is clear that the Saudi state and ISIS share the same Wahhabi-Salafi ideology (Crooke 2015).

At the present juncture, Malaysia's much-cherished multiculturalism and pluralism are gradually becoming inevitable victims of the country's transformation from a rainbow nation to a Wahhabi-Salafi-driven polity that bases a significant degree of its policy making on the political ideology of Islamism rather than on Islam as a religious faith in all its manifestations. In the emerging Islamist body politic, the voices of non-Muslims and unorthodox Muslims are being systematically marginalized. The current phase of Islamization ostensibly still professes fealty to Islam, when it is really Islamism or Wahhabi-Salafi-driven political Islam that is being upheld, to which a little addition of jihadism could dangerously pave the way toward violent extremism. The whole scenario is not helped by the essentialization of contemporary Islamic discourse in a strongly politico-legal direction, thus consigning philosophical and spiritual aspects of Islam to the periphery of the Malay-Muslim religious worldview. Islam is defined, interrogated, and essentialized through thoroughly institutional lenses, invariably taking on a politico-legal color. Religion is internalized more as a series of physical injunctions and prohibitions, with the emphasis placed mostly on Islam's legalistic rather than civilizational aspects. This is proven by ISTAC's forcible closure in 2015, the increasingly peripheral positions occupied by Sufism and philosophy as tertiary-level academic disciplines in Malaysia (Che Zarrina 2007; Wan Suhaimi 2007), and the banning of neo-traditionalist groups such as Darul Arqam that seek to uphold a progressive and pluralist albeit Sufi-centric vision of an Islamic society (Ahmad Fauzi 2005; 2013).

Accepted: June 29, 2018

References

- Abdul Hadi Awang. 2008. *Fahaman & ideologi umat Islam* [Thoughts and ideologies of the Muslim *ummah*]. Batu Caves: PTS Islamika.
- . 2007. *Islam dan Demokrasi* [Islam and Democracy]. Batu Caves: PTS Islamika.
- . 2005. *Hadharah Islamiyyah bukan Islam Hadhari* [Islamic civilization not civilizational Islam]. Kuala Lumpur: Nufair Street.

- Abdul Hadi Awang, Dato' Seri Tuan Guru Haji. 2002. *Amanat Haji Hadi: Penghuraian dan penjelasan Dato' Seri Tuan Guru Haji Abdul Hadi Awang* [Amanat Haji Hadi: Dato' Seri Tuan Guru Haji Abdul Hadi Awang's explanation and clarification]. Kuala Lumpur: Jabatan Penerangan PAS Pusat.
- Abdul Majeed Mohamed Mackeen. 1985. The Shari'ah Law Courts in Malaya. In *Readings on Islam in Southeast Asia*, edited by Ahmad Ibrahim, Sharon Siddique, and Yasmin Hussain, pp. 229–235. Singapore: ISEAS.
- Abdul Rahman Haji Abdullah. 1998. *Pemikiran Islam di Malaysia: Sejarah dan aliran* [Islamic thought in Malaysia: History and streams]. Kuala Lumpur: Dewan Bahasa dan Pustaka; Penang: Pusat Pendidikan Jarak Jauh.
- Adam Abu Bakar. 2016. RUU Akta 355 tidak boleh digunakan ke atas bukan Islam—Hadi [RUU 355 cannot be applied on non-Muslims—Hadi]. Free Malaysia Today. June 12. <http://www.freemalaysiatoday.com/category/bahasa/2016/06/12/ruu-akta-355-tidak-boleh-digunakan-ke-atas-bukan-islam-hadi/>, accessed March 30, 2017.
- Adams, Charles J. 1983. Mawdudi and the Islamic State. In *Voices of Resurgent Islam*, edited by John L. Esposito, pp. 99–133. New York and Oxford: Oxford University Press.
- Ahmad Fauzi Abdul Hamid. 2016a. Syariaization of Intra-Muslim Religious Freedom and Human Rights Practice in Malaysia: The Case of Darul Arqam. *Contemporary Southeast Asia* 38(1): 28–54.
- . 2016b. *The Extensive Salafization of Malaysian Islam*. Trends in Southeast Asia Monograph Series, No. 9. Singapore: ISEAS.
- . 2015. The *Hudud* Controversy in Malaysia: Religious Probity or Political Expediency? In *Southeast Asian Affairs 2015*, edited by Daljit Singh, pp. 205–219. Singapore: ISEAS.
- . 2013. The Challenge of Religious Pluralism in Malaysia with Special Reference to the Sufi Thought of Ustaz Ashaari Muhammad. *Comparative Islamic Studies* 9(1): 9–39.
- . 2011. Malay Racialism and the Sufi Alternative. In *Melayu: The Politics, Poetics and Paradoxes of Malayness*, edited by Maznah Mohamad and Syed Muhd Khairudin Aljunied, pp. 68–100. Singapore: NUS Press.
- . 2009. Implementing Islamic Law within a Modern Constitutional Framework: Challenges and Problems in Contemporary Malaysia. *Islamic Studies* 48(2): 157–187.
- . 2007a. Malay Anti-colonialism in British Malaya: A Re-appraisal of Independence Fighters of Peninsular Malaysia. *Journal of Asian and African Studies* 42(5): 371–398.
- . 2007b. *Islam and Violence in Malaysia*. Working Paper Series No. 123. Singapore: S. Rajaratnam School of International Studies, Nanyang Technological University.
- . 2005. The Banning of Darul Arqam in Malaysia. *Review of Indonesian and Malaysian Affairs* 39(1): 87–128.
- . 2004. The Impact of British Colonialism on Malaysian Islam: An Interpretive Account. *Islam and the Modern Age* 35(2): 21–46.
- Ahmad Fauzi Abdul Hamid; and Che Hamdan Che Mohd. Razali. 2016. *Middle Eastern Influences on Islamist Organizations in Malaysia: The Cases of ISMA, IRF and HTM*. Trends in Southeast Asia Monograph Series, No. 2. Singapore: ISEAS.
- . 2015. The Changing Face of Political Islam in Malaysia in the Era of Najib Razak, 2009–2013. *Sojourn: Journal of Social Issues in Southeast Asia* 30(2): 301–337.
- Ahmad Fauzi Abdul Hamid; and Muhamad Takiyuddin Ismail. 2014. Islamist Conservatism and the Demise of Islam Hadhari in Malaysia. *Islam and Christian-Muslim Relations* 25(2): 159–180.
- Ahmad Ibrahim. 1985. The Position of Islam in the Constitution of Malaysia. In *Readings on Islam in Southeast Asia*, edited by Ahmad Ibrahim, Sharon Siddique, and Yasmin Hussain, pp. 213–220. Singapore: ISEAS.
- . 1974. Law and Religion: The Malaysian Experience. *Islam and the Modern Age* 5(3): 5–16.

- Aidil Khalid. 2014. Whither the Myth of a Secular Nation. *Malay Mail Online*. June 12. <http://www.themalaymailonline.com/what-you-think/article/wither-the-myth-of-a-secular-nation-aidil-khalid>, accessed March 30, 2017.
- Aina Nasa. 2017. Jakim Accuses IRF and G25 of Attempting to Introduce Deviant, Liberal Ideas to Local Muslims. *New Straits Times Online*. August 28. <https://www.nst.com.my/news/nation/2017/08/273761/jakim-accuses-irf-and-g25-attempting-introduce-deviant-liberal-ideas>, accessed October 5, 2017.
- Al-Attas, Syed Muhammad Naquib. 1993. *Islam and Secularism*. Kuala Lumpur: International Institute of Islamic Thought and Civilization.
- . 1984. *Islam and Secularism*. Delhi: Hindustan Publications.
- Allers, Charles. 2013. *The Evolution of a Muslim Democrat: The Life of Malaysia's Anwar Ibrahim*. New York: Peter Lang.
- Amar Shah Mohsen. 2017. Govt Bans Book Authored by G25, Deems It Prejudicial. *Sun Daily*. July 27. <http://www.thesundaily.my/node/465054>, accessed October 5, 2017.
- Anne Muhammad. 2016. *NGO giatkan lobi anti-Wahabi, hantar memo pada KDN* [NGO activates anti-Wahhabi lobby, sends memo to Home Ministry]. Malaysiakini. September 19. <https://www.malaysiakini.com/news/356172>, accessed October 5, 2017.
- Ariffin Omar. 2003. Origins and Development of the Affirmative Policy in Malaya and Malaysia: Historical Overview. *Kajian Malaysia: Journal of Malaysian Studies* 21(1–2), special issue, The Bumiputera Policy: Dynamics and Dilemmas, edited by Richard Mason and Ariffin S. M. Omar: 13–29.
- Asmady Idris. 2015. *Malaysia's Relations with Saudi Arabia 1957–2003*. Kota Kinabalu: Universiti Malaysia Sabah Press.
- Asuki Abas; and Nizam Yatim. 2001. Malaysia negara Islam—PM: Dr. Mahathir sahut cabaran Fadzil Noor [Malaysia an Islamic state—PM: Dr. Mahathir accepts Fadzil Noor's challenge]. *Utusan Online*. September 30. http://www1.utusan.com.my/utusan/info.asp?y=2001&dt=0930&pub=Utusan_Malaysia&sec=Muka_Hadapan&pg=mh_01.htm, accessed March 30, 2017.
- Asyraf Wajdi Dusuki. 2016. Wahabi bukan ajaran sesat [Wahhabism is not a deviant teaching]. Facebook. April 27. <https://www.facebook.com/drasyrafwajdidusuki/photos/a.148660531830669.27045.116331768396879/1313553488674695/?type=3&theater>, accessed March 30, 2017.
- Azhar Ibrahim. 2016. Secularism as Imagined in the Malay-Indonesian World: Resistance and Its Muted Counter Responses in the Discursive and Public Realms. <http://irfront.net/post/articles/secularism-as-imagined-in-the-malay-indonesian-world-resistance-and-its-muted-counter-responses-in-the-discursive-and-public-realms/>, accessed June 3, 2016.
- Badlihasham Mohd Nasir. 2009. *Dinamisme gerakan Islam dan cabaran semasa* [The dynamism of Islamist movements and present challenges]. Shah Alam: Karisma Publications.
- Bernama. 2016. M'sia Aims to Help End Conflict in Syria. *Star Online*. October 17. <http://www.thestar.com.my/news/nation/2016/10/17/msia-aims-to-help-end-conflict-in-syria/>, accessed March 30, 2017.
- Chan, Adrian; and Mazwin Nik Anis. 2016. MCA: Keep the Spirit of Consensus Alive. *Star Online*. June 9. <http://www.thestar.com.my/news/nation/2016/06/09/mca-keep-spirit-of-consensus-alive-amendments-to-laws-should-be-agreed-upon-by-all-component-parties/>, accessed March 30, 2017.
- Chandra Muzaffar. 1987. *Islamic Resurgence in Malaysia*. Petaling Jaya: Penerbit Fajar Bakti.
- Che Zarrina Sa'ari. 2007. *Pengajian tasawuf di institusi pengajian tinggi awam Malaysia* [The study of Sufism in public higher learning institutions in Malaysia]. In *Pengajian Islam di institusi pengajian tinggi awam Malaysia* [Islamic studies in Malaysia's public higher learning institutions], edited by Mohd Fauzi Hamat, Joni Tomkin Borhan, and Ab. Aziz Mohd Zin, pp. 73–94. Kuala Lumpur: Universiti Malaya Press.
- Cheah Boon Kheng. 2003. The Bumiputera Policy and Nation-Building. *Kajian Malaysia: Journal of Malaysian Studies* 21(1–2), special issue, The Bumiputera Policy: Dynamics and Dilemmas, edited

- by Richard Mason and Ariffin S. M. Omar: 399–408.
- Cheng, Nicholas; Akil Yunus; Rahimy Rahim; Chan, Adrian; Sira Habibu; Beh Yuen Hui; Khoo, Simon; Loh, Arnold; and R. Sekaran. 2016. Liow to Quit Cabinet if PAS' Private Member's Bill Is Passed. *Star Online*. May 29. <http://www.thestar.com.my/news/nation/2016/05/29/if-we-cant-do-it-i-will-quit-liow-to-quit-cabinet-if-pas-private-members-bill-is-passed/>, accessed March 30, 2017.
- Concerned Lawyers for Justice. 2014. Hudud Law Reinforces the Constitution. *Malay Mail Online*. December 17. <http://www.themalaymailonline.com/what-you-think/article/hudud-law-reinforces-the-constitution-concerned-lawyers-for-justice>, accessed March 30, 2017.
- Coughlin, Con. 2016. Saudi Arabia Funds Moderate Muslims, Not Isil. *Telegraph*. January 28. <http://www.telegraph.co.uk/news/worldnews/middleeast/saudi-arabia/12127916/Saudi-Arabia-funds-moderate-Muslims-not-Isil.html>, accessed January 16, 2017.
- Crooke, Alastair. 2015. You Can't Understand ISIS if You Don't Know the History of Wahhabism in Saudi Arabia. *New Perspectives Quarterly* 32(1): 56–70. http://www.huffingtonpost.com/alastair-crooke/isis-wahhabism-saudi-arabia_b_5717157.html, accessed January 9, 2017.
- Dalia Ismail. 2016. Kerajaan digesa hidupkan semula Istac [Government urged to revive ISTAC]. *Malaysia Dateline*. September 1. <http://malaysiadateline.com/index.php/berita-list/15-berita/4441-kerajaan-diges-a-menghidupkan-semula-istac>, accessed February 5, 2017.
- El Fadl, Khaled Abou. 2005. *The Great Theft: Wrestling Islam from the Extremists*. New York: HarperOne.
- El-Muhammady, Ahmad. 2016. Countering the Threats of Daesh in Malaysia. In *Countering Daesh Extremism: European and Asian Responses*, edited by Beatrice Gorawantschy, Rohan Gunaratna, Megha Sarmah, and Patrick Rueppel, pp. 105–122. Singapore: Konrad-Adenauer Stiftung and RSIS.
- . 2015. Applying Wasatiyah within Malaysian Religio-Political Context. *American Journal of Islamic Social Sciences* 32(3): 134–140.
- Esposito, John L.; and Voll, John O. 2001. *Makers of Contemporary Islam*. New York: Oxford University Press.
- Faiza Tamby Chik, J. 2004. *Lina Joy v Majlis Agama Islam Wilayah & Anor*: HIGH COURT (KUALA LUMPUR)—ORIGINATING SUMMONS NO R2–24–30 OF 2000 FAIZA TAMBY CHIK J 18 APRIL 2001. *Malayan Law Journal* 2: 119–144. http://rightsinmalaysiagroup3.weebly.com/uploads/5/4/4/1/54416627/lina_joy_v_majlis_agama_islam_wilayah__anor.pdf, accessed March 30, 2017.
- Farik Zolkepli. 2017. Still Many Joining IS. *Star Online*. January 1. <http://www.thestar.com.my/news/nation/2017/01/01/still-many-joining-is-the-threat-of-terror-group-islamic-state-must-never-be-underestimated-down-pla/>, accessed January 16, 2017.
- Farish A. Noor. 2009. Reformist Muslim Thinkers in Malaysia: Engaging with Power to Uplift the *Umma*? In *Reformist Voices of Islam: Mediating Islam and Modernity*, edited by Shireen T. Hunter, pp. 208–226. New York and London: M.E. Sharpe.
- Faruqi, Shad Saleem. 2014. At the Crossroads. *Star Online*. November 13. <http://www.thestar.com.my/opinion/columnists/reflecting-on-the-law/2014/11/13/at-the-crossroads/>, accessed March 30, 2017.
- . 2007. Bedrock of Our Nation. *Malaysian Bar*. August 22. http://www.malaysianbar.org.my/general_opinions/comments/bedrock_of_our_nation.html, accessed March 30, 2017.
- . 2005. The Malaysian Constitution, the Islamic State and *Hudud* Laws. In *Islam in Southeast Asia: Political, Social and Strategic Challenges for the 21st Century*, edited by K. S. Nathan and Mohammad Hashim Kamali, pp. 256–277. Singapore: ISEAS.
- Fernando, Joseph M. 2006. The Position of Islam in the Constitution of Malaysia. *Journal of Southeast Asian Studies* 37(2): 249–266.
- FMT Reporters. 2017. Govt Bans Books by Mustafa Akyol, Farouk Musa. *Free Malaysia Today*. October 3. <http://www.freemalaysiatoday.com/category/nation/2017/10/03/govt-bans-books-by-mustafa-akyol-farouk-musa/>, accessed October 5, 2017.

- Ghannouchi, Rached. 2016. From Political Islam to Muslim Democracy: The Ennahda Party and the Future of Tunisia. *Foreign Affairs* (September/October). <https://www.foreignaffairs.com/articles/tunisia/political-islam-muslim-democracy>, accessed October 5, 2017.
- Hanis Zainal. 2016. Hadi's Bill Is Not about Hudud, Says Najib. *Star Online*. May 27. <http://www.thestar.com.my/news/nation/2016/05/27/hadi-bill-is-not-about-hudud-says-najib/>, accessed March 30, 2017.
- Hasan, Sheikh Dr. Usama. 2015. *From Dhimmitude to Democracy: Islamic Law, Non-Muslims & Equal Citizenship*. London: Quilliam.
- Hooker, M.B. 2004. Perspectives on *Syariah* and the State. In *Islamic Perspectives on the New Millennium*, edited by Virginia Hooker and Amin Saikal, pp. 199–220. Singapore: ISEAS.
- Hunt, Robert. 2009. Can Muslims Engage in Interreligious Dialogue? A Study of Malay Muslim Identity in Contemporary Malaysia. *Muslim World* 99(4): 581–607.
- Husain, Ed. 2014. Saudis Must Stop Exporting Extremism. *New York Times*. August 22. <http://www.nytimes.com/2014/08/23/opinion/isis-atrocities-started-with-saudi-support-for-salafi-hate.html>, accessed March 30, 2017.
- IIUM. n.d.a. ISTAC: Historical Background. <http://www.iium.edu.my/istac/about-us/historical-background>, accessed March 30, 2017.
- . n.d.b. About Us: The Ibnu Khaldun International Institute of Advanced Research (ISLAH). <http://www.iium.edu.my/istac-11>, accessed March 30, 2017.
- ILMU. n.d. *Pertubuhan Ilmuan Malaysia*. <http://ilmuanmalaysia.com/ulama-muda-umno/>, accessed October 1, 2017.
- IQ Malaysia. n.d. *Pertubuhan Kebajikan Al-Qayyim Malaysia*. <http://al-qayyim.org/>, accessed October 1, 2017.
- JAKIM. 2008. Malaysia negara Islam: March 7, 2002 [Malaysia an Islamic state: March 7, 2002]. In *Religion under Siege? Lina Joy, the Islamic State and Freedom of Faith*, edited by Nathaniel Tan and John Lee, pp. 118–126. Kuala Lumpur: Kinibooks.
- Kamal Hassan, M. 2003. The Influence of Mawdudi's Thought on Muslims in Southeast Asia: A Brief Survey. *Muslim World* 93(3–4): 429–464.
- Kamali, Mohammad Hashim. 1998. Punishment in Islamic Law: A Critique of the Hudud Bill of Kelantan, Malaysia. *Arab Law Quarterly* 13(3): 203–234.
- Kamarudin Jaffar. 1980. *Dr. Burhanuddin Al Helmy: Politik Melayu dan Islam* [Dr. Burhanuddin Al Helmy: Malay politics and Islam]. Kuala Lumpur: Yayasan Anda.
- Kessler, Clive S. 2008. Islam, the State and Desecularization in Malaysia: The Islamist Trajectory during the Badawi Years. In *Sharing the Nation: Faith, Difference, Power and the State 50 Years after Merdeka*, edited by Norani Othman, Mavis C. Puthuchear, and Clive Kessler, pp. 59–80. Petaling Jaya: Strategic Information and Research Development Centre (SIRD).
- Khalid Samad. 2015. *Ke mana hilangnya bijaksana, keikhlasan Hadi?* [Where has Hadi's intelligence, sincerity gone?]. Malaysiakini. October 1. <https://www.malaysiakini.com/news/314215>, accessed March 30, 2017.
- Koshy, Shaila. 2007. Call to Replace Common Law “Baseless.” Malaysian Bar. August 23. http://www.malaysianbar.org.my/general_opinions/comments/bedrock_of_our_nation.html, accessed March 30, 2017.
- Liber TV. 2017. 20170326-Pelancaran Buku: Wacana Pemikiran Reformis Jilid III Part1 [20170326-Book launch: Wacana Pemikiran Reformis Volume III Part 1]. YouTube. April 11. <https://www.youtube.com/watch?v=AnYn-gM5gR0>, accessed October 5.
- Liew Chin Tong. 2007. PAS Politics: Defining an Islamic State. In *Politics in Malaysia: The Malay Dimension*, edited by Edmund Terence Gomez, pp. 107–137. London and New York: Routledge.

- Lim Guan Eng. 2010. 5 Core Principles of Middle Malaysia. DAP Malaysia. November 14. <http://dapmalaysia.org/english/2010/nov10/lge/lge1153.htm>, accessed February 5, 2017.
- Lim, Ida. 2012. DAP's "Secular" Stand Not Anti-Islam, Says Kit Siang. *Malaysia Today*. October 13. <http://www.malaysia-today.net/daps-secular-stand-not-anti-islam-says-kit-siang/>, accessed February 10.
- Lim Kit Siang. 2008. Najib Repudiating the Merdeka "Social Contract", July 17, 2007. In *Religion under Siege? Lina Joy, the Islamic State and Freedom of Faith*, edited by Nathaniel Tan and John Lee, pp. 152–153. Kuala Lumpur: Kinibooks.
- . 2002. Call on People of Penang to Lead Malaysians to Say "No to 911" and "No to 929" to Save the Country from Terrorism and Extremism of Any Form as Well as to Preserve the 1957 Merdeka Constitution "Social Contract" That Islam Is the Official Religion but Malaysia Is Not an Islamic State. May 6. <http://www.limkitsiang.com/archive/2002/may02/lks1539.htm>, accessed February 5, 2017.
- . 2001. *BA and Islamic State*. Petaling Jaya: Democratic Action Party.
- Malay Mail Online. 2015. No Place for Wahhabism in Malaysia, Fatwa Council Says. March 1. <http://www.themalaymailonline.com/malaysia/article/no-place-for-wahhabism-in-malaysia-fatwa-council-says>, accessed January 15, 2017.
- Malaysia. 1998. *Federal Constitution with Index*. Kuala Lumpur: MDC Publishers Printers.
- Marzuki Mohamad. 2008. Religion, Human Rights and Constitutional-Contract Politics in Malaysia. *Intellectual Discourse* 16(2): 155–186.
- Maszlee Malik. 2017. From Political Islam to Democrat Muslim: A Case Study of Rashid Ghannouchi's Influence on ABIM, IKRAM, AMANAH and DAP. *Intellectual Discourse* 25(1): 21–55.
- . 2014. Islamic Movement and Human Rights: Pertubuhan Jamaah Islah Malaysia's Involvement in the "Abolish Internal Security Act Movement," 2000–2012. *Intellectual Discourse* 22(2): 139–165.
- Mazhari, Maulana Waris. 2012. Can Islam and Secularism Dialogue with Each Other? Translated from Urdu by Yoginder Sikand. *Islam and Muslim Societies: A Social Science Journal* 5(1): 66–69. http://www.muslimsocieties.org/Vol5/Can_Islam_and_Secularism_Dialogue.pdf, accessed July 17, 2016.
- Maznah Mohamad. 2013. Legal-Bureaucratic Islam in Malaysia: Homogenizing and Ring-Fencing the Muslim Subject. In *Encountering Islam: The Politics of Religious Identities in Southeast Asia*, edited by Hui Yew-Foong, pp. 103–132. Singapore: ISEAS.
- . 2010. The Ascendance of Bureaucratic Islam and the Secularization of the Sharia in Malaysia. *Pacific Affairs* 83(3): 505–524.
- . 2003. The Contest for Malay Votes in 1999: UMNO's Most Historic Challenge? In *New Politics in Malaysia*, edited by Francis Loh Kok Wah and Johan Saravanamuttu, pp. 66–86. Singapore: ISEAS.
- McElroy, Damien. 2014. Ireland "Leads the World in Islamic Values as Muslim States Lag." *Telegraph*. June 10. <http://www.telegraph.co.uk/news/worldnews/europe/ireland/10888707/Ireland-leads-the-world-in-Islamic-values-as-Muslim-states-lag.html>, accessed March 30, 2017.
- Means, Gordon P. 1978. Public Policy toward Religion in Malaysia. *Pacific Affairs* 51(3): 384–405.
- Melati A. Jalil. 2017. People in Power Targeted by Liberals, Anti-Illuminati Forum Told. *Malay Mail Online*. January 17. <http://www.themalaymailonline.com/malaysia/article/people-in-power-targeted-by-liberals-anti-illuminati-forum-told>, accessed February 5, 2017.
- Milne, R. S.; and Mauzy, Diane K. 1986. *Malaysia: Tradition, Modernity and Islam*. Boulder and London: Westview Press.
- . 1983. The Mahathir Administration in Malaysia: Discipline through Islam. *Pacific Affairs* 56(4): 617–648.

- Mohamad Fauzi Zakaria. 2007. *Pengaruh pemikiran Sayyid Qutb terhadap gerakan Islam di Malaysia* [The influence of Sayyid Qutb's thoughts on Islamic movements in Malaysia]. Kuala Lumpur: Jundi Resources.
- Mohamad Siddiq Azani; and Fatihah Jamsari. 2016. Setting the Record Straight on Hudud and the Constitution. Malaysiakini. July 11. <https://m.malaysiakini.com/news/348152>, accessed March 30, 2017.
- Mohamed Elfie Niesham Juferi. 2008. Of Course Malaysia Is an Islamic State, July 21, 2007. In *Religion under Siege? Lina Joy, the Islamic State and Freedom of Faith*, edited by Nathaniel Tan and John Lee, pp. 167–168. Kuala Lumpur: Kinibooks.
- Mohamed Nawab Mohamed Osman. 2014. Salafi Ulama in UMNO: Political Convergence or Expediency? *Contemporary Southeast Asia* 36(2): 206–231.
- Moten, Abdul Rashid. 2006. Islamic Thought in Contemporary Pakistan: The Legacy of 'Allama Mawdudi. In *The Blackwell Companion to Contemporary Islamic Thought*, edited by Ibrahim M. Abu-Rabi', pp. 175–194. Malden and Oxford: Blackwell.
- Muhammad Haniff Bin Hassan. 2007. Explaining Islam's Special Position and the Politic of Islam in Malaysia. *Muslim World* 97(2): 287–316.
- Muhammad Saufi Hassan. 2017. JAIN bertindak ke atas golongan liberal [State religious departments urged to act against liberals]. *Metro*. July 20. <https://www.hmetro.com.my/mutakhir/2017/07/246186/jain-bertindak-ke-atas-golongan-liberal>, accessed October 5, 2017.
- Mustafa Kamal Anuar. 2017. Islam, Liberalism and the Illuminati. *Malay Mail Online*. January 21. <http://www.themalaymailonline.com/what-you-think/article/islam-liberalism-and-illuminati>, accessed February 5, 2017.
- Muzliza Mustafa. 2017. Polis: Jabatan agama tak cukup gagah tangani ekstremisme [Police: Religious departments not strong enough against extremism]. Free Malaysia Today. January 7. <http://www.freemalaysiatoday.com/category/bahasa/2017/01/07/polis-jabatan-agama-tak-cukup-gagah-tangani-ekstremisme/>, accessed January 16, 2017.
- Nabisah Ibrahim; Siti Rozaina Kamsani; and Julia Champe. 2015. Understanding the Islamic Concept of Ushrah and Its Application to Group Work. *Journal for Specialists in Group Work* 40(2): 163–186.
- Nagata, Judith A. 1984. *The Reflowering of Malaysian Islam: Modern Religious Radicals and Their Roots*. Vancouver: University of British Columbia Press.
- Norani Othman. 2008. Religion, Citizenship Rights and Gender Justice: Women, Islamization & the Shari'a in Malaysia since the 1980s. In *Sharing the Nation*, edited by Norani Othman *et al.*, pp. 29–58. Petaling Jaya: SIRD.
- Norani Othman; Puthuchear, Mavis C.; and Kessler, Clive. 2008. Introduction: A Shared Nation. In *Sharing the Nation*, edited by Norani Othman *et al.*, pp. xiii–xxi. Petaling Jaya: SIRD.
- Norani Othman; Zainah Anwar; and Zaitun Mohamed Kasim. 2005. Malaysia: Islamization, Muslim Politics and State Authoritarianism. In *Muslim Women and the Challenge of Islamic Extremism*, edited by Norani Othman, pp. 78–108. Petaling Jaya: Sisters in Islam.
- Norila Daud. 2007. Undang-undang syariah terbaik—Gani [Sharia law the best—Gani]. *Utusan Online*. August 23. http://ww1.utusan.com.my/utusan/info.asp?y=2007&dt=0823&pub=Utusan_Malaysia&sec=Muka_Hadapan&pg=mh_07.htm, accessed March 30, 2017.
- Norizan Abdul Rahman. 2007. Nilai Islam dalam Perlembagaan [The value of Islam in the constitution]. *Berita Harian*. August 30.
- Norshahril Saat. 2014. The Ulama, Thought-Styles, and the Islamic State Debate in Contemporary Malaysia. *Studia Islamika: Indonesian Journal for Islamic Studies* 21(1): 47–76.
- . 2012. Countering Utopianism: Alatas and the Muslim Resurgence of the 1970s. *Review of Indonesian and Malaysian Affairs* 46(1): 105–125.
- Ooi Kee Beng. 2007. Malaysia: Abdullah Does It His Own Vague Way. In *Southeast Asian Affairs 2007*,

- edited by Daljit Singh and Lorraine C. Salazar, pp. 183–200. Singapore: ISEAS.
- . 2006. Mahathir as Muslim Leader. In *Southeast Asian Affairs 2006*, edited by Daljit Singh and Lorraine C. Salazar, pp. 172–180. Singapore: ISEAS.
- Oorjitham, Santha. 2017. Doing the Right Thing. *Star Online*. July 30. <http://www.thestar.com.my/news/nation/2017/07/30/doing-the-right-thing-despite-having-to-weather-all-sorts-of-criticisms-faridah-khalid-has-persisted/>, accessed October 5, 2017.
- Osman Bakar. 2009. Islam and the Challenge of Diversity and Pluralism: Must Islam Reform Itself? *Islam and Civilisational Renewal* 1(1): 55–73.
- Persatuan Tarekat Muktabar Malaysia. n.d. Ahli Jawatankuasa PERTAMA. http://www.tarekat.org/?page_id=5654&lang=ms_MY, accessed August 9, 2018.
- Pertubuhan Ahli Sunnah Wal Jamaah Malaysia—Aswaja. Facebook. n.d. <https://www.facebook.com/ASWAJAMALAYSIA/>, accessed October 5, 2017.
- Pertubuhan Al-Khaadem. n.d. <http://www.al-khaadem.com.my/>, accessed October 1, 2017.
- Pertubuhan Kebajikan Al-Nidaa' Malaysia. n.d. <http://www.al-nidaa.com.my/seruan/>, accessed October 1, 2017.
- Pertubuhan Tarekat Muktabar Malaysia. n.d. <http://www.tarekat.org/en/>, accessed October 5, 2017.
- Puthuchery, Mavis C. 2008. Malaysia's "Social Contract": The Invention and Historical Evolution of an Idea. In *Sharing the Nation*, edited by Norani Othman *et al.*, pp. 1–28. Petaling Jaya: SIRD.
- Rabushka, Alvin; and Shepsle, Kenneth A. 1972. *Politics in Plural Societies: A Theory of Democratic Instability*. Columbus: Charles E. Merrill.
- Rahimin Affandi Abd Rahim; Mohd Anuar Ramli; Paizah Ismail; and Nor Hayati Mohd Dahlal. 2011. *Dialog antara agama: Realiti dan prospek di Malaysia* [Religious dialogue: Its reality and prospects in Malaysia]. *Kajian Malaysia: Journal of Malaysian Studies* 29(2): 87–106.
- Rane, Halim. 2011. The Impact of Maqasid Al-Shari'ah on Islamist Political Thought: Implications for Islam-West Relations. *Islam and Civilisational Renewal* 2(2): 337–357.
- Rehman, Scheherazade S.; and Askari, Hossein. 2010. An Economic Islamicity Index (EI2). *Global Economy Journal* 10(3): 1–39. <http://hossein-askari.com/wordpress/wp-content/uploads/islamicity-index.pdf>, accessed January 16, 2017.
- Riddell, Peter G. 2005. Islamization, Civil Society, and Religious Minorities in Malaysia. In *Islam in Southeast Asia*, edited by K. S. Nathan and Mohammad Hashim Kamali, pp. 162–190. Singapore: ISEAS.
- Rosenthal, E. I. J. 1965. *Islam in the Modern National State*. Cambridge: Cambridge University Press.
- Rosnani Hashim; and Imron Rossidy. 2000. Islamization of Knowledge: A Comparative Analysis of the Conceptions of Al-Attas and Al-Faruqi. *Intellectual Discourse* 8(1): 19–44.
- Saifulizam Mohamad. 2001. Kita negara Islam contoh [We are an exemplary Islamic state]. *Utusan Online*. August 5. http://ww1.utusan.com.my/utusan/info.asp?y=2001&dt=0805&pub=Utusan_Malaysia&sec=Dalam_Negeri&pg=dn_04.htm, accessed March 30, 2017.
- Schottmann, Sven Alexander. 2013. God Helps Those Who Help Themselves: Islam According to Mahathir Mohamad. *Islam and Christian-Muslim Relations* 24(1): 57–69.
- Sharabi, Hisham. 1965. Islam and Modernization in the Arab World. *Journal of International Affairs* 19(1): 16–25.
- Siddiqi, Muhammad Nejatullah. 1995. Towards Regeneration: Shifting Priorities in Islamic Movements. *Encounters: Journal of Inter-Cultural Perspectives* 1(2): 3–29.
- Singh, Harinder. 2016. Our Constitution: An Undermined Document. Malaysiakini. July 9. <https://m.malaysiakini.com/letters/347979>, accessed March 30, 2017.
- Soon Li Tsin. 2008. Seeing Past the Labels: August 9, 2007. In *Religion under Siege? Lina Joy, the Islamic State and Freedom of Faith*, edited by Nathaniel Tan and John Lee, pp. 159–161. Kuala

- Lumpur: Kinibooks.
- Star Online*. 2016. Malaysian Bar: Hadi's Bill Contains Hudud Elements. June 9. <http://www.thestar.com.my/news/nation/2016/06/09/bill-has-hudud-elements-msian-bar-bill-contains-hudud-elements-malaysian-bar-hadis-bill-contains-hud/>, accessed March 30, 2017.
- . 2014. Group of Prominent Malays Calls for Rational Dialogue on Position of Islam in Malaysia. December 7. <http://www.thestar.com.my/news/nation/2014/12/07/group-prominent-malays-calls-for-moderation/>, accessed October 5, 2017.
- . 2007. Minister: Study Proposal on Switch to Syariah Law Thoroughly. August 24. <http://www.thestar.com.my/news/nation/2007/08/24/minister-study-proposal-on-switch-to-syariah-law-thoroughly/>, accessed March 30, 2017.
- Suffian Hashim, M. 1962. The Relationship between Islam and the State in Malaya. *Intisari* 1(1): 7–21.
- Tan Chee Ing, Paul. 2008. A Constitutional Democracy, Not an Islamic State: July 20, 2007. In *Religion under Siege? Lina Joy, the Islamic State and Freedom of Faith*, edited by Nathaniel Tan and John Lee, p. 171. Kuala Lumpur: Kinibooks.
- Tan Yi Liang. 2014. Wisma Putra Denounces Acts of Terror by Malaysians in Syria and Iraq. *Star Online*. June 24. <http://www.thestar.com.my/News/Nation/2014/06/24/Malaysia-Denouce-terrorism/>, accessed January 16, 2017.
- Tunku Abdul Rahman Putra. 1977. *Looking Back*. Kuala Lumpur: Pustaka Antara.
- Utusan Malaysia. 2016. *Mohd. Rafi jadi pengganas hasil pengaruh buku* [Mohd. Rafi became a terrorist due to the influence of books]. *Utusan Online*. June 27. <http://www.utusan.com.my/berita/nasional/mohd-rafi-jadi-pengganas-hasil-pengaruh-buku-1.347533>, accessed January 16, 2017.
- Vinesh, Derrick. 2007. PM: Malaysia is Neither a Secular nor Theocratic State. *Star Online*. August 5. <http://www.thestar.com.my/news/nation/2007/08/05/pm-malaysia-is-neither-a-secular-nor-theocratic-state/>, accessed March 30, 2017.
- Wan Hamidi Hamid. 2011. From Malaysian Malaysia to Malaysian First. *Rocket*. March 2. <https://www.therocket.com.my/en/from-malaysian-malaysia-to-malaysian-first-by-wan-hamidi-hamid/>, accessed February 5, 2017.
- Wan Mohd Nor Wan Daud. 2005. *Falsafah dan amalan pendidikan Islam Syed M. Naquib Al-Attas: Satu huraian konsep asli Islamisasi* [The educational philosophy and practice of Syed M. Naquib Al-Attas: An exposition of the original concept of Islamization]. Kuala Lumpur: Universiti Malaya Press.
- Wan Suhaimi Wan Abdullah. 2007. *Pengajian falsafah Islam di institusi pengajian tinggi awam Malaysia: Sukatan, masalah dan cabaran pengajian* [The study of Islamic philosophy in Malaysian public higher learning institutions: Content, problems, and challenges]. In *Pengajian Islam di institusi pengajian tinggi awam Malaysia* [Islamic studies in Malaysia's public higher learning institutions], edited by Mohd Fauzi Hamat *et al.*, pp. 35–56. Kuala Lumpur: Universiti Malaya Press.
- Wiktorowicz, Quintan. 2005. A Genealogy of Radical Islam. *Studies in Conflict & Terrorism* 28(2): 75–97.
- Yeoh Seng Guan. 2011. In Defence of the Secular? Islamisation, Christians and (New) Politics in Urbane Malaysia. *Asian Studies Review* 35(1): 83–103.
- Zainul Rijal Abu Bakar; and Nurhidayah Muhd Hashim. 2007. Sejarah bukti Malaysia bukan negara sekular [History is proof that Malaysia is not a secular state]. *Berita Harian*. August 1.
- Zairil Khir Johari. 2016. Apa guna “hukum Islam” kalau gagal maqasid syariah? [What is the use of “Islamic law” if *maqasid syariah* fails?]. Free Malaysia Today. July 22. <http://www.freemalaysiatoday.com/category/opinion/2016/07/22/apa-guna-hukum-islam-kalau-gagal-maqasid-syariah/>, accessed March 30, 2017.
- . 2014. Sekularisme dan Islam yang lebih jujur [A more honest secularism and Islam]. Raketkini. October 5. <http://www.roketkini.com/2014/10/05/sekularisme-dan-islam-yang-lebih-jujur/>, accessed March 30, 2017.

Law and the Judiciary: Divides and Dissent in Malaysia

Azmi Sharom*

Malaysia is a common law country, and as such the decisions of its courts have a binding and law-making force. This means that the Malaysian judiciary is highly influential in setting the tenor of governance. In this article I examine and analyze some key decisions that had an influence on divisiveness and dissent in the country. I point out that the courts have been poor in ensuring that the legal system protects the nation from divisive elements, and the legal system does not do enough to guarantee the fundamental rights and democratic principles that were envisioned by the founding fathers for the citizenry. The article closes with an attempt to understand why this is the case.

Keywords: judiciary, equality, freedom of religion, race relations, freedom of expression, democracy, constitutionalism

Introduction

The history of the modern Malaysian judiciary¹⁾ begins with the purchase of Penang Island from the Sultan of Kedah by Captain Francis Light in 1786. The initial years of British rule over the island saw a rather ad hoc method of settling conflicts, with each of the numerous communities having a head known as a kapitan appointed by Light to settle disputes. The island prospered, and the population as well as commercial activities grew to the point that a more formal legal system was required. In 1807 a Royal Charter was decreed and Penang had its first Supreme Court, which fundamentally enforced British law.²⁾

At this time there was no such thing as a single Malaysian nation-state. What we now know as Malaysia was a collection of sultanates and British-governed territories. The sultanates were Perlis, Kedah, Perak, Selangor, Negeri Sembilan, Johor, Pahang, Terengganu, and Kelantan. The British territories were Penang and Melaka on Peninsular Malaysia and Sabah (North Borneo) and Sarawak on the island of Borneo.

* Faculty of Law, University of Malaya, 50603 Kuala Lumpur, Malaysia
e-mail: azmi.sharom@gmail.com

1) The Malaysian judiciary is divided into two: the civil court and the sharia court. In this paper I shall only examine the civil court.

2) For an interesting history of the development of the Malaysian judiciary, see Foong (1994).

From Penang the British judicial system gradually spread across the peninsula, starting with the other area directly under British control, Melaka. Eventually the various sultanates also acquired British courts and British law. Through a system of Residents and Advisers the British spread their influence into the sultanates, taking over the system of justice from the traditional rulers and leaving only the governance of religion (Islam) and Malay customs in the hands of the Sultans. Sabah (then North Borneo) and Sarawak became British protectorates in 1888, respectively under the administration of the North Borneo Company and the “White Rajah” James Brooke and his family.

By the time independence was achieved for Malaya (the peninsula) in 1957, and later when Sabah and Sarawak merged with the nine peninsular states to form Malaysia in 1963, the British system was firmly entrenched. The nation has two sources of civil law. The first is legislation passed by the Federal Parliament and in the various state legislatures, depending on their own legislative jurisdictions as determined by the Federal Constitution. Another source of law is the common law—laws made by judges by deriving principles of law from the reasoning of their cases.³⁾ This being the case, the Malaysian judiciary practices *stare decisis*. This means the decisions of the higher courts are binding upon the lower courts.⁴⁾ The entire legal system is based on the Federal Constitution.⁵⁾ According to Article 4 of the constitution, the constitution is the highest law in the land: all legislation has to be in line with its provisions. Any law that contradicts the constitution is deemed invalid.

The Malaysian courts are divided generally into two: the lower courts and the high courts. The lower courts are the magistrates’ courts and the sessions courts. Most cases begin at either of these, and the jurisdictions of these courts depend on the severity of the subject matter and the size of the claim (depending on whether the issue is a criminal or civil one). The high courts consist of the High Courts of Malaya and the High Courts of Borneo.⁶⁾ Above them is the Court of Appeal, and finally the highest court in the country is called the Federal Court.

3) Civil Law Act 1956, Laws of Malaysia Act 67.

4) British court decisions before independence are binding, whereas court decisions made after independence are influential.

5) FGN (NS) 885/1957.

6) A slight clarification ought to be made here. The two high courts are the same in terms of their powers; it is simply that cases originating in either Sabah or Sarawak have to go up the hierarchy via their own high court. This was a provision made in the Federal Constitution in order to provide a degree of legal autonomy to the Borneo states when they merged with Malaya to create Malaysia. At the time there was a concern on the parts of Sabah and Sarawak that because the peninsular states had a head start in terms of independence from the British, their more advanced state may lead them to overwhelm the civil and legal service in East Malaysia. Therefore, today there are separate high courts, and only lawyers called to the Borneo Bar are able to practice there.

Since Malaysia is a common law country, the decisions of the courts have a profound effect. Legal decisions and interpretations of statutes—and especially the Federal Constitution—have repercussions on the way laws are enforced and ultimately on the way the country is governed. In this way the courts play an important role in how dissent and potentially divisive actions are handled in Malaysia.

This paper proposes that the main causes of divisiveness in Malaysian society are ethnicity and religion. In this matter the courts can play a role by ensuring a degree of equity when faced with cases dealing with such issues. Decision making based on equality as determined by the constitution is effective in ensuring that there is no question of racial or religious superiority seeping into the ethos of the nation's governance. Conversely, if decisions are made without such an aspiration, then the possibility arises where a judicial decision can create greater divisiveness by placing a particular community and faith above others, creating a sense that the country is divided into separate classes of citizens.

Dissent can occur freely only if there is freedom of expression. And peaceful dissent can occur only if there is a strong democratic system that the people have faith in. The role of the judiciary is in how far they protect the freedom of expression when used for dissent and how far they protect the principles that hold a democracy together. These three themes will be explored in this paper.

The Federal Constitution

At the outset, it would be prudent to briefly discuss the Federal Constitution. As mentioned above, it is the highest law in the land. It was drafted by the Reid Commission, a group of men appointed by the British, and is based on an earlier document called the Federation of Malaya Agreement 1948. The Federal Constitution is a detailed document consisting of 15 parts, 183 articles, and 13 schedules. Reading it, one gets the impression that it is a pragmatic constitution without the usual preamble to establish some sort of national aspiration. This can be problematic as there is no clear overarching principle or principles that the courts can rely on when making decisions regarding the constitution and its interpretation.

Therefore, it is possible to get different reasonings by the courts on certain provisions. One example is Article 3, which states that Islam is the religion of the federation but all other religions are allowed to be practiced freely. In the case of *Che Omar Che Soh v Public Prosecutor* (1988)⁷⁾ it was held by the Supreme Court (as the highest court

7) 2 MLJ 12.

was called at the time) that the provision simply meant that where official functions and the like were concerned, Islamic traditions were to be followed. Islamic laws are limited by the constitution in Schedule 9 to matters dealing fundamentally with family, inheritance, and some property issues. This provision, however, was given vastly different interpretations in later cases, which moves the very nature of the country away from a secular nation to one that appears to float on the fringes of what may be described as an Islamic state. This shall be discussed below.

The constitution places a degree of importance on human rights, although that term is not used. Instead, what we have is Part 2, titled “Fundamental Liberties.” This covers the liberty of the person (commonly known as the right to life); the banning of slavery; protection from retrospective laws; freedom of movement; freedom of speech, assembly, and association; freedom of religion; rights in respect to education (although not a blanket right to education); and the right to property.

Unlike the First Amendment to the US Constitution, Malaysia’s “Fundamental Liberties” comes with detailed legal provisos. For example, freedom of religion may be restricted on the grounds of public order, health, and morality. There is also the potential for laws to be passed restricting proselytization to Muslims.

Article 10(1) on the freedom of expression has heavy provisos in the constitution allowing for parliament to make laws restricting those rights on the general grounds of national security, the maintenance of good international relations, public order, the protection of parliamentary privileges, contempt of court, and defamation and to prevent incitement to commit any offense.⁸⁾ Specifically, parliament can also pass laws restricting expression on matters concerning the sovereignty of Sultans, citizenship, the national language, and the special position of Malays and natives of Sabah and Sarawak.

This brings us to an interesting point regarding the constitution. It specifically allows for affirmative action to conserve the “special position” of Malays and natives of Sabah and Sarawak. Even though Article 8 guarantees the equality of citizens, there is a proviso that allows for specific laws to be passed that may breach equality. Article 153 is one of those. What Article 153 basically does is allow for quotas to be set in education (placements and scholarships), posts in government service, as well as business permits for Malays and natives of Sabah and Sarawak. In other words, it provides for the possibility of affirmative action.

Article 153 was included in the constitution because at the time of independence these communities were deemed so far behind other ethnic groups economically and educationally that such measures were necessary in order to achieve some sort of soci-

8) Articles 10(2) and 10(3).

etal equilibrium. It does not take much imagination to see that it could also be a cause of divisiveness.

One final point regarding the constitution is Part 8, which deals with elections. It is clear that this country is meant to be a democratic one. Part 8 is a technical section that deals with the conduct of elections, the role of the Election Commission, and the drawing of constituencies. What it does not deal with is the meaning of democracy and what being a democratic system truly entails. It is these sorts of philosophical questions that the courts ought to take heed of as they would color their decision making. Without such considerations the constitution can be interpreted in such a manner that the protections, values, and ideals it is supposed to provide become meaningless.

Division by Way of Ethnicity and Religion

As mentioned above, the constitution allows for affirmative action primarily by virtue of Article 153. This provision has led to many governmental policies favoring Malays and natives of Sabah and Sarawak (collectively known as Bumiputera, a political term not found in the constitution). Although Article 153 has existed since 1957, it was used in earnest only from 1970. In 1969 there were racial riots that led to many deaths. These riots were deemed to have been fueled by a feeling of insecurity on the part of Malays that their position in the nation was precarious. The general election of 1969 saw the opposition parties take away the two-thirds majority of parliamentary seats from the ruling party. Since many of the opposition parties were *de facto* non-Malay, this created an unstable situation. Already far behind in economic terms, Malays felt that their political power was being eroded too, which led to the riots.⁹⁾

In order to speed up economic equity, the government devised the New Economic Plan, which was ostensibly intended to reduce poverty in general but ended up being a method to provide affirmative action almost exclusively for Malays. Places in universities had quotas set aside for Bumiputera. At its highest, the ratio was 9:1 places in favor of Bumiputera (Harding 1996). Some educational establishments, such as the MARA Junior Colleges and the MARA Institute of Technology, later to become the MARA University of Technology, were open only to Bumiputera.

Economically, too, Bumiputera received tremendous help. Loans were made easily available to them for businesses, and government policy was such that government proj-

9) There are many theories regarding these riots, known as the May 13 Riots. What I have described are merely broad brushstrokes. For the latest analysis of the racial riots, see Kua (2007).

ects favored Bumiputera contractors. Special trust funds were created by the government that were open only to Bumiputera. Government service saw the shrinking of non-Malay staff to the point that today government servants are overwhelmingly Malay. It is not the place of this paper to provide a detailed list of the pro-Bumiputera policies and actions taken by the government of Malaysia. Needless to say, despite the seemingly good intentions of such policies, this skewed state of affairs led to resentment amongst non-Bumiputera.

The feeling was made worse by the attitude of politicians and Malay nationalist groups who took the privileges provided for by the constitution as a right and as an indication that they were somehow a different, higher class of citizen from non-Malays. Concepts such as “ketuanan Melayu,” a term coined by the late politician Abdullah Ahmad, suggested that Malay leadership of the nation was something that was unchallengeable. All this led to a particularly strange sort of racism in the country, where a sign of weakness (the need for special governmental help) was deemed to be a right and a source of pride that had to be protected.

Any criticism of the situation was made difficult by the Sedition Act 1948,¹⁰⁾ which was amended to make it seditious to question any matter, right, status, position, privilege, sovereignty, or prerogative established by Article 153. It has been suggested that this means Article 153 cannot be discussed, although theoretically this ought not to be the case. The Sedition Act, it can be argued, prevents questioning the existence of Article 153; it does not forbid the criticism of its implementation.

The first legal question is whether Article 153 is a right, equivalent, say, to the right to property. I do not believe this is so. The constitution does not have a preamble; however, one can examine the *travaux préparatoires* of the constitution, which is the *Report of the Federation of Malaya Constitutional Commission*,¹¹⁾ commonly known as the Reid Commission Report. The Reid Commission Report is the document prepared by the Reid Commission discussing the nascent constitution and its provisions. In it there are comments on the draft constitution by the key stakeholders at the time, including the main political coalition consisting of United Malay National Organisation (UMNO), Malayan Chinese Association (MCA), and Malayan Indian Congress (MIC), collectively known as the Alliance; and the rulers. The Alliance made this comment on the report: “. . . in an independent Malaya all nationals should be accorded equal rights, privileges and opportunities and there must not be discrimination on grounds of race and creed . . .” Therefore, the advantages given to Malays (Borneo natives were included only in 1963,

10) Laws of Malaysia Act 15.

11) *Report of the Federation of Malaya Constitutional Commission*, 1957.

when Malaya, Sabah, Sarawak, and Singapore created Malaysia) were meant to be a stopgap measure to aid the economically disadvantaged Malays. This was further confirmed by the rulers themselves, who said that they “look forward to a time not too remote when it will become possible to eliminate Communalism as a force in the political and economic life of the country.”

In addition, Ooi Kee Beng asserts that Tun Dr. Ismail, one of the nation’s founding fathers, in his journals likened the special privileges of Malays to a golf handicap, to be used only until such time as a crutch was no longer needed (Ooi 2006). It is clear, therefore, that the political elites and the traditional rulers of the country did not envision “special privileges” to be permanent, nor did they envision them to be some sort of special right. In this light, to treat special privileges as though they are an inalienable right is utterly wrong.

The aspiration of the founders of the country, that is, their wish to see a nation where all were treated equally, is reflected in Article 8 of the constitution. The basic premise is one of equality; the only exceptions are those specifically provided for by the constitution. Therefore, Article 153 is in fact merely one of those express situations where the constitution provides the government permission to take action that treats people in a way that is not equal. It is not a right.

Furthermore, Article 153 makes clear that any such affirmative action must be reasonable in nature. Reasonableness is a factor that requires open discussion and data upon which to base a judgment. It is also a principle that can be adjudicated upon by the judiciary. What all this points to is that it is indeed possible for the implementation of Article 153 to be challenged in court. This would give the court the opportunity to determine definitively the nature of Article 153, as to whether it is a right or not, as well as to determine whether the government’s actions in implementing affirmative action have gone beyond the boundaries of reasonableness.

Unfortunately, this has never occurred; and the judiciary has not been able to play a role in helping to define and refine a constitutional provision that has contributed to interethnic divisiveness in the country. Yet, when examining how the courts have dealt with another divisive matter, religion, it is perhaps just as well that they have not been given the opportunity to judge on Article 153.

There has been a growing Islamization of Malaysia, which impinges on the freedoms guaranteed in the constitution and leads to decisions by the court that are fundamentally unjust. One of the problems is the assertion that Malaysia is an Islamic state. There is no clarity as to what exactly an “Islamic state” means, but what has happened is that so-called Islamic values have been imposed on the reasoning, or lack thereof, behind legal judgments. Before we discuss some of those judgments, it would be prudent to briefly

discuss the nature of Malaysia: Is it an Islamic state or a secular one?

The root of the issue is Article 3 of the constitution, which reads: "Islam is the religion of the Federation; but other religions may be practiced in peace and harmony in any part of the Federation." Does this phrase mean that Malaysia is an Islamic state? The answer is clearly in the negative, for two main reasons. First, the Reid Commission Report states that the Alliance, upon examining the draft constitution, had this to say about Article 3: "The observance of this principle . . . shall not imply that the State is not a secular state."¹²⁾

It is very clear, therefore, that Malaya was not to be an Islamic state. This is not an assertion made by the Reid Commission; it is an assertion made by the very people who were to become the government of the newly independent nation. This statement combined with Article 4, which places all laws in the country under the overarching principles of the constitution, means that to claim Malaya was meant to be theocratic in any way is disingenuous. The contention that Malaysia is a secular country is further strengthened by the decision of the Supreme Court in the case of *Che Omar Che Soh v Public Prosecutor* (1988), where it was held that secular law governed the nation and Islamic law was confined only to the personal law of Muslims. Article 3 was taken to mean that as far as official ceremonial matters were concerned, Islamic form and rituals were to be used.

What about the freedom of religion? Article 11 is explicit: "Every person has the right to profess and practice his religion and subject to clause 4 to propagate it." Clause 4 allows the state governments (and the federal government in the case of the federal territories) to control proselytization to Muslims. This is not limited to non-Muslims proselytizing to Muslims; it includes Muslim-to-Muslim proselytization as well.

A.J. Harding (1996) suggests that "... the restriction of proselytism has more to do with the preservation of public order than with religious priority." He argues that even states like Penang, which do not have Islam as their official religion, have laws regarding proselytization to Muslims. Therefore, it cannot be assumed that Islam is deemed superior in some way. If we were to work on this premise, then it would appear that this limitation, as restrictive as it is, does not actually stop individuals of any faith from choosing their religion.

This can be seen in the Supreme Court decision of *Minister of Home Affairs v Jamaluddin Othman* (1989).¹³⁾ In this case a Muslim convert to Christianity was detained under the Internal Security Act 1960.¹⁴⁾ It was held that such a detention had to be made for the purpose of national security. The conversion of this individual did not breach

12) See Reid Commission Report, p. 73n13.

13) 1 MLJ 369.

14) Laws of Malaysia Act 82.

national security, and his detention was in breach of his freedom to choose his religion as enshrined in Article 11. Thus, although proselytizing to Muslims is restricted, Muslims' freedom to choose their religion would appear not to be.

In recent years, however, the courts have moved away from the decisions of *Che Omar* and *Jamaluddin* and have made decisions that appear to be contradictory to the constitution. The controversy involving the Catholic Church and the Malaysian government is an example of this. The Catholic Church in Malaysia publishes a newsletter titled *The Herald*. In compliance with the law regarding proselytizing, it is clearly printed on each copy that the publication is meant for non-Muslims only. This newsletter is bilingual, in English and Malay. In the Malay section of the *Herald* the word for God is "tuhan" while the word for Lord is "Allah."

Like all publications, the *Herald* requires a license according to the Printing Presses and Publications Act 1984. This license was withdrawn by the government on the grounds that it was an offense for the *Herald* to use the word "Allah." The government contended that the word could be used only by Muslims. This caused great consternation in the Catholic community as they had used "Allah" to mean "Lord" for a long time, probably since the nineteenth century. Furthermore, until this point there had been no untoward incidents or complaints. In the high court the Church won.¹⁵⁾ The judge held that Article 3 guaranteed that everyone had a right to practice their religion peacefully. Furthermore, the only specific restriction on this right was the limitation placed on proselytizing to Muslims; there was no evidence of the Catholic Church doing this via the newsletter.

This decision was overturned in the Court of Appeal.¹⁶⁾ Apandi Ali, the lead judge in the Court of Appeal, held that Article 3 had greater meaning than any ordinary understanding of the words. He said:

It is my judgment that the purpose of and intention of the insertion of the words: 'in peace and harmony' in Article 3(1) is to protect the sanctity of Islam as the religion of the country and also to insulate against any threat faced or any possible and probable threat to Islam, in the context of this country, in the propagation of other religion to the followers of Islam.¹⁷⁾

He went on to say that the *Herald's* use of the word "Allah" was a threat to public order, reasoning

15) *Titular Roman Catholic Archbishop of Kuala Lumpur v Menteri Dalam Negeri & Ors* (2010) 2 MLJ 78.

16) *Menteri Dalam Negeri & Ors v Titular Roman Catholic Archbishop of Kuala Lumpur* (2013) 6 MLJ 468.

17) *Menteri Dalam Negeri & Ors v Titular Roman Catholic Archbishop of Kuala Lumpur* (2013) 6 MLJ 468.

that based on the facts and circumstances of the case, the use of the word “Allah” particularly in the Malay version of the Herald without doubt do [sic] have the potential to disrupt the even tempo of the life of the Malaysian community. Such publication will surely have an adverse effect upon the sanctity as envisaged under Article 3(1) . . .¹⁸⁾

When the Catholic Church tried to appeal the decision in the Federal Court, its application was disallowed.

If we examine the reasoning of the judge in the Court of Appeal, it appears to be disturbing. The judge ascribed greater meaning to Article 3 without having any evidence. As stated earlier, in the Reid Commission Report the comments made regarding Article 3 were pithy and made clear that despite this provision, the constitution was a secular one. Nowhere is it stated that Article 3 was intended to protect the sanctity of Islam. This is an interpretation without any foundation. Furthermore, the use of the public order argument is unsatisfactory. It is true that there were protests against the *Herald*, but there were no untoward incidents regarding this publication until the government made it an issue. In other words, the *Herald* captured the public imagination due to government action rather than any Church activity.

Article 3 had been interpreted in such a way as to go beyond its ordinary meaning, and the right of a community to peacefully practice their religion had been taken away on the unjustifiable pretext of “protecting the sanctity of Islam.” Furthermore, a group that had done no wrong according to the law (in the sense that there was no proof that they were proselytizing to Muslims) were deprived of their rights using the angry protests of a few as an excuse. It would appear that if Muslims do not like something, and if they were to make an issue of the matter, the rights of other people can be taken away. This judgment is an example of disrespecting the freedom of religion, and it is also the type of judgment that normalizes and justifies divisive behavior.

Whereas this case was about an entire community, there have also been cases regarding individuals that serve to strengthen the impression that in matters involving Islam, the protections of the constitution can be disregarded. In the Lina Joy case¹⁹⁾ a woman who was born into a Muslim family converted to Catholicism. Her attempts to change her religious status on her identity card were rejected by the National Registration Department. Her case went all the way to the Federal Court, where in a majority decision it was held that the power to declare whether a Muslim was no longer a Muslim rested with the sharia courts. Her application was therefore rejected. In effect, what the Federal Court did was to abdicate its responsibility and instead transfer it to the sharia

18) *Menteri Dalam Negeri & Ors v Titular Roman Catholic Archbishop of Kuala Lumpur* (2013) 6 MLJ 468.

19) *Lina Joy v The Federal Territory Islamic Council & Ors* (2007) 3 AMR 693.

court. What the majority judgment did not decide on was the fundamental issue that Lina Joy had a right to choose whatever religion she wanted according to Article 11, which is clear and unambiguous.

If one goes through the sharia system to convert out of Islam, there can be repercussions. In some states it is a crime. For example, Kelantan makes apostasy an offense punishable with two years' imprisonment. In other states those converting out of Islam can be sent to a "rehabilitation camp," which is what occurred with M. Revathi, a woman of Indian descent (see Sharom 2009, 133–134). Her parents were Hindu, but they converted to Islam. Revathi, however, did not grow up with her parents and was instead raised by her Hindu grandmother. Revathi was raised as a Hindu and believed herself to be one.

In 2004 she was married to a Hindu man in a Hindu customary ceremony, and the couple subsequently had a daughter. The marriage, however, was not registered, as she was legally deemed a Muslim and in Malaysia a Muslim cannot marry a non-Muslim. When Revathi tried to change her religious status in the Melaka Sharia Court she was detained and sent to a rehabilitation camp, where she was held for six months. During this time she was not allowed to see her husband, and her daughter was seized from her husband and sent to live with Revathi's Muslim parents. Upon her release Revathi was ordered by the court to live with her parents. If she attempted to live with her husband she could be charged in the sharia court with the offense of *khalwat*, or close proximity,²⁰⁾ for she would be living with a man who was not legally recognized as her husband.

The courts failed in their responsibility to enforce Article 11. In cases such as Lina Joy's, they chose not to confront the issue head on even when given the opportunity. Any law that is in contradiction to the constitution is void per Article 4. Yet there are various Islamic laws that clearly contradict the constitution but continue to operate. The argument of those who support such laws is that under the constitution it is permissible for Islamic laws to be made in order to create offenses that go against the "precepts of Islam." Just what these precepts are is not defined. And surely such offenses cannot be those that are in contradiction to the constitution.

Another case with disturbing implications is that of Subashini Rajasingam. In 2001 Subashini married Saravanam Thangatoray in a civil ceremony. They were both Hindus at the time of their marriage, and they had two sons. In 2006, without informing his wife, Saravanan converted himself and his sons to Islam. He then began divorce proceedings in the sharia court. Subashini objected because the sharia court was accessible only to

20) It is an offense under Malaysian sharia law to be alone in a private place with a person of the opposite gender who is neither a spouse nor a close relative.

Muslims, and thus she would have no standing in the proceedings. She brought her case to the civil court requesting an order that any divorce proceedings should be in the civil court as well as objecting to the conversion of her sons.

The case went all the way to the Federal Court,²¹⁾ where it was decided that indeed both the sharia court and the civil court had jurisdiction and that Saravanan as a parent had the right to convert his children. This decision is unsatisfactory on many levels. First, it is confusing to state that two courts have jurisdiction over the same case. This is bound to lead to an unnecessary conflict of jurisdiction. Furthermore, it is illogical to state that the sharia court has jurisdiction when it is clear that it does not have jurisdiction over one of the parties. It is akin to saying that a military court can hear cases involving civilians. Subashini was married under the Law Reform (Marriage and Divorce) Act 1976,²²⁾ and if her case had been heard in the sharia court, which could not apply that law, whatever protection she may have had under the Act would be unavailable. As it happened, the case did not go to the sharia court and the civil case is over, leaving things in limbo.

The decision regarding the conversion of the children also leaves much to be desired. The court made the decision based on Article 12(4) of the constitution, which states: “. . . the religion of a person under the age of eighteen years shall be decided by his **parent or guardian**.” Because the term “parent or guardian” is in the singular, the court took this to mean that any one parent could convert a child. This is irrational because if it is taken to its logical conclusion a child’s religion could change on the whim of either parent, leading to a strange situation. The court also did not take into account Schedule 11 of the constitution, which says that in the construction of singular or plural, words in the singular include the plural and vice versa. Therefore, Article 12(4) was wrongly interpreted.

All these cases are extremely divisive in nature. They disregard legal reasoning as well as constitutional provisions in what appears to be a bias toward Islamic authorities and Muslim individuals. Malaysia’s multireligious demographic requires a court that is able to fairly balance the rights of all people of all faiths. When there is seeming prejudice even in the highest court of the country, the idea that the court is impartial becomes illusory and can only lead to dissatisfaction and greater societal divisions.

21) *Subashini Rajasingam v Saravanan Thangatoray* (2007) 3 CLJ 209.

22) Laws of Malaysia Act 164.

The Freedom to Dissent

When discussing dissent, the key question is whether people have the right to dissent, which is best reflected in their right to expression. In the section above we saw how the courts have moved away from ensuring the secular status of the nation and the freedom of religion, toward giving Islam more influence than was intended in the constitution as well as showing an unwillingness to protect religious freedom. This paper contends that this movement is a negative one and is a cause of divisiveness. With regard to freedom of expression there has not been such a backward slide, but then neither has there been much forward movement.

In Malaysia publications are administered by the Printing Presses and Publications Act 1984.²³⁾ According to this law, periodicals—such as newspapers—require a license to operate. Although the law was amended to remove the requirement of an annual license renewal, the minister still has the power to revoke a newspaper's license at any time. Apart from this power the minister may also ban books deemed “undesirable.” Past cases—such as the *Aliran Monthly* case (1990)—have shown the court to be reluctant to declare the minister's action as unlawful.²⁴⁾ The bilingual English and Malay publication *Aliran Monthly* was not granted a license to publish. Although the minister's decision was deemed unreasonable by the high court, the Supreme Court reversed that decision and upheld the minister's decision.

More recent cases have seen the court upholding ban orders on books by the minister. In the case of *Arumugam a/l Kalimuthu v Menteri Keselamatan Dalam Negeri & Ors* (2010),²⁵⁾ a book named *Mac 8*—about racial riots in Kampung Medan—was deemed to be a threat to public order by the minister and banned. This may have been because the book portrayed the Indian community as victims of the riots and Malays as the perpetrators. In the Court of Appeal it was held that the test to determine the validity of a ban was whether the decision was reasonable or not. In this case “reasonableness” was based on whether the minister, based on facts available to him, could conclude that there was indeed a threat to public order. There need not be an actual threat; the minister merely needs to think that there could be one. The court said, “. . . this court should not supplant the Minister's subjective satisfaction with its own unless the bounds of legality, in the sense explained above, are clearly transgressed.”

In the case of *Yong They Chong @ Kim Quek & Oriengroup Sdn Bhd v Menteri Dalam*

23) Laws of Malaysia Act 58.

24) 1 MLJ 351.

25) 3 MLJ 412.

Negeri & Ors (2014)²⁶⁾ a book critical of the ruling party was banned, this time on the grounds of upholding the reputation of the people criticized in the book. Once again the ban was upheld by the Court of Appeal, which held that the “high octane” language of the book would be an “impetus to further fuel” those who were opposed to the government. This is an odd value judgment. It is subjective whether language is “high octane” or not, and a book written by someone who is with the opposition political party would naturally be written in order to fuel opposition to the government.

These cases contrast with the case of *Sepakat Efektif Sdn Bhd v Menteri Dalam Negeri & Timbalan Menteri Dalam Negeri* (2014),²⁷⁾ where the court overturned a ban on two books of cartoons. However, the judgment makes clear that the decision was based partly on the fact that the books contained cartoons and thus were by their nature meant to be satirical and mocking; but no *ratio decidendi* can be found supporting the freedom of expression generally, and so any future case can easily be distinguishable by a court based on a difference of facts. Neither can such a *ratio* be found in another encouraging case where the high court quashed the minister’s order revoking the license of the newspaper *The Edge* on the grounds that the show cause letter delivered to the paper was vague and unclear, making it difficult for the paper to respond properly and thus creating a breach of natural justice.

It is evident that the courts are pragmatic in their approach toward the banning of books and publications, with each case being dealt with on an individual basis. There is a lack of underlying support for an aspiration to freedom and its importance. To have a healthy system that provides the necessary democratic space for dissent, such an ideological slant is necessary. Yet it does not exist. This can be seen also in the manner with which the courts deal with cases of sedition.

One of the tools that the government has been using to quell dissent is the Sedition Act 1948. According to Amnesty International, the period 2013–16 saw 170 people being investigated for, charged with, or tried on sedition in Malaysia. In 2015 alone there were 90 such cases (Amnesty International 2016). This is in stark contrast with the period 1948–98, when there were approximately 20 sedition cases.

In the case of *Public Prosecutor v Azmi Sharom* (2015)²⁸⁾ the Federal Court had an opportunity to declare the entire constitution void. The argument for this was based on the fact that Article 10 of the constitution states that only parliament can make laws restricting freedom of expression. The Sedition Act, which makes it a crime to raise discontent against the government, the rulers, or the administration of justice, is a law

26) 1 LNS 1459.

27) Civil Appeals No: W-01-500-2011 & W-01-501-2011.

28) 6 MLJ 751.

restricting freedom of expression, yet it was not made by parliament. It was passed during the time of the British, and therefore, Azmi Sharom's lawyers argued, it ought to be void. In response, the government argued that the Sedition Act was existing law. Existing laws are laws that existed at the time of independence, and these laws, according to Article 162 of the constitution, are valid even if they contradict the constitution.

A literal reading of the constitution says that this is so, and that was the line the Federal Court took. However, surely existing laws were not meant to continue in contradiction to the constitution *ad infinitum*. The reason why it is only parliament that can make laws restricting speech is that such an important right should be in the hands of the highest legislative body in the land. Unfortunately, this line of thinking was not followed by the court in this case or the case of *ZI Publications Sdn Bhd v Kerajaan Negeri Selangor, Kerajaan Malaysia and Anor* (2015).²⁹⁾

In this case, the Malay translation of Irshad Manji's book *Allah, Liberty and Love* was banned by the Selangor Islamic Religion Department using the state's Islamic criminal law. This was clearly against the constitution, because the law that was used was made by the state legislature and not parliament. The Federal Court held that the law was not about freedom of expression but had been made on the premise that Islamic laws could be made to punish offenses that went against the precepts of Islam, and that the contents of the book went against the precepts of Islam. This argument is weak because the English version of the book was available without any problems. Furthermore, the provision in Article 10 of the constitution is unambiguous: only parliament can restrict freedom of expression. The law used to ban the book—regardless of what its intention may have been—was in fact restricting freedom of expression.

Surely one of the reasons for making sure that only parliament can restrict freedom of expression is because the fundamental liberties of the citizens of Malaysia ought to be uniform throughout the nation and not differ from state to state. It is this kind of deeper thought that seems to evade the Malaysian judiciary, and instead what we have is a literalist interpretation of legislation that may be correct according to the letter of the law but hardly the spirit; and thus the protection that is supposed to be provided by the constitution is lost.

Supporting and Protecting Democracy

In a democracy the will of the people has to be treated with care and respect. One way

29) 8 CLJ 621.

of doing this is by respecting their choice of government. Because Malaysia practices the British Westminster style of government, the party or coalition with the most seats gets to choose the head of government. Therefore, according to Article 43(2)(a) of the Federal Constitution and the various state constitutions, the head of state (the King for parliament and the various Sultans and governors for the state legislative assemblies) has to select the person they believe has the confidence of the house to be prime minister or chief minister. What happens if that person loses the support of the house? The court's approach when dealing with this issue has changed over the years, and it has not been an improvement.

Stephen Kalong Ningkan was the first chief minister of Sarawak after the creation of Malaysia in 1963. There was no single ruling party in Sarawak; instead, Ningkan headed a coalition of several parties, and they were all allies with the federal government. However, it was not a solid coalition, with infighting and power struggles among the different parties.

Despite these problems, Ningkan ruled as chief minister for a relatively stable three years with the support of the federal government. However, as time went on he started to alienate Kuala Lumpur as well as his own allies in Sarawak. It is reported that he had a penchant for working largely with expatriates in his civil service (Lee 2007, 79). This galled the federal government, which thought it was done dealing with the British. Ningkan was also sympathetic with Singapore, which despite being a party to the Malaysia Agreement had left the Federation in 1965 and was now a sovereign nation in its own right. This sympathy hinted at a similar desire for Sarawak and did not sit well with the central government.

The above complaints were given the added color of Ningkan's own behavior, which became progressively more and more embarrassing. He publicly threatened Sarawak parliamentary MPs as well as state legislative assemblypersons whom he did not like. The threats included bodily harm, expulsion from Sarawak, and secession—peppered with references to his own strength and virility (Ross-Larson 1976).

The dissatisfaction with Ningkan reached a point where 21 (of the 42) state legislative assemblypersons signed a letter stating that they no longer had any confidence in Ningkan to be chief minister. This letter was handed to the governor of Sarawak with the assertion that since Ningkan had lost the confidence of the state legislative assembly he should resign, along with his entire cabinet. The governor, being the head of state, should then prepare to appoint a new chief minister.

The governor wrote a letter to Ningkan stating that he had received this complaint and requested Ningkan to appear before him. Ningkan refused, saying that he was indisposed. Instead, he requested that a sitting of the state legislative assembly be called and

the question as to whether he had the confidence of the house be put to the test by a vote in the house. The governor did not do this. He dismissed Ningkan and the members of his executive. Ningkan challenged this decision in court and in so doing started a series of cases with serious implications for constitutional law in Malaysia.

Ningkan's dismissal was dealt with in the case of *Stephen Kalong Ningkan v Tun Abang Haji Openg* (1966).³⁰ The key issues were Articles 6(3) and 7(1) of the Sarawak Constitution, which respectively state that the governor is to appoint a person who has the confidence of the majority of the state legislative assembly and that if the chief minister loses that confidence then he should resign unless he requests the governor to dissolve the assembly in order to have fresh elections.

Ningkan asked for a dissolution of the assembly, a request that was denied. Could the governor then dismiss him? It was held by the Supreme Court that the wording of the Sarawak Constitution did not give the governor that power. Furthermore, the "confidence" of the house was a term of art and could be determined only by a specific vote of no confidence in the house or a vote on some other crucial matter, which went against the desires of the chief minister. Therefore, Ningkan's firing was deemed void and he was reinstated as chief minister.

Contrast this case with what occurred in Perak in 2009. The 2008 Malaysian general election produced some incredible results. Barisan Nasional (BN), the ruling coalition, lost its two-thirds majority in the Dewan Rakyat (the elected lower house of parliament) and at the state level; and four states fell to the opposition alliance (Kelantan remained with the Malaysian Islamic Party [PAS], the brief period of BN rule in the east coast state having long been over). The four states were Kedah, Penang, Perak, and Selangor.

Of these four states, the Perak state legislative assembly was in the most tenuous situation. A government was formed with Nizar Jamaluddin from PAS chosen as the Menteri Besar (chief minister). The opposition won 31 of the state seats, and BN won 28. The majority was only three seats, and it would soon prove to be too narrow. In January and February 2009 three state legislative assemblypersons from the opposition alliance (two from the People's Justice Party and one from the Democratic Action Party) left their respective parties and declared themselves independent.

There is some controversy as to whether they actually resigned from their seats in the legislative assembly, but ultimately they declared that they did not. All three wrote to the Sultan of Perak stating that they no longer supported the Menteri Besar. On February 4, Nizar requested that the Sultan dissolve the state legislative assembly in order for fresh elections to be held. The Sultan did not accede to this request, reportedly

30) 2 MLJ 197.

needing some time to think about the matter.³¹⁾

On February 5, Deputy Prime Minister Najib Razak had an audience with the Sultan in which he stated that the BN had the majority support in the house. Later that day Najib brought the 29 BN legislative assemblypersons plus the newly independent trio for an audience with the Sultan to say that they no longer supported Nizar and wanted Zambry Abdul Kadir (from BN) to be the new Menteri Besar. The Sultan appointed Zambry and thus effectively dismissed Nizar.

Nizar challenged the decision, and in the high court he won.³²⁾ The court held that his dismissal was unlawful.³³⁾ One of the issues that decided the judge was that whether Nizar had the support of the house or not had to be determined by a vote of no confidence in the house itself, as laid down in the Ningkan case. This clearly did not occur. It is this point that is going to be examined here.

The Court of Appeal reversed the high court decision,³⁴⁾ based on a few reasons. First, the Sultan had absolute discretion on whether he wanted to dissolve the assembly or not. Second, the court held that a vote of no confidence was not necessary to determine whether the Menteri Besar had the support of the house. Therefore, the Sultan was acting within his powers to appoint someone who he thought had the confidence of the house through other means: in this case the meeting with the 31 state assemblypersons.

It was disappointing that the Court of Appeal (which was later supported by the highest court in Malaysia, the Federal Court)³⁵⁾ chose not to follow the Ningkan case. Instead it followed *Datuk Amir Kahar bin Tun Dato' Haji Mustapha v Tun Mohd Said bin Keruak Yang Di-Pertua Sabah & Ors* (1995),³⁶⁾ which on the face of it was similar but was actually significantly different. In the Amir Kahar case the chief minister of Sabah had resigned, having lost the confidence of the state legislative assembly—although in a manner that was not through a vote of no confidence, which the judge held as acceptable.

31) As stated in the Court of Appeal case *Dato' Dr Zambry bin Abd Kadir v Dato' Seri Ir Hj Mohammad Nizar bin Jamaluddin* (2009) 5 MLJ 464.

32) Judicial Review No R6(R3)-25-25 of 2009 (High Court, Kuala Lumpur).

33) For an analysis of this decision, see Harding (2009).

34) For a critique of the Court of Appeal's decision, see A.J. Harding, Gobbledegook and Regurgitation Galore in the Two Written Judgments of the Court of Appeal in *Zambry v Nizar*, parts 1 and 2, Malaysian Bar, http://www.malaysianbar.org.my/general_opinions/comments/gobbledegook_and_regurgitation_galore_in_the_2_written_judgments_of_the_court_of_appeal_in_zambry_v_nizar.html and http://www.malaysianbar.org.my/general_opinions/comments/part_2_gobbledegook_and_regurgitation_in_the_written_judgments_of_the_court_of_appeal_in_zambry_v_nizar_postscript_zainun_ali_jcas_judgment.html respectively, accessed January 1, 2017.

35) *Dato' Seri Ir Hj Mohammad Nizar bi Jamaluddin v Dato' Seri Dr Zambry bin Abdul Kadir* (2010) 2 MLJ 285.

36) 1 MLJ 169.

This is different from the Perak situation because the Sabah chief minister resigned voluntarily while Nizar did not. The opinion of the judge in Amir Kahar regarding the manner in which no confidence could be expressed was therefore merely *obiter dicta*. In the Ningkan case the issue was fundamental, and thus the judge's decision was clearly *ratio decidendi*.

The Court of Appeal also supported its decision by pointing out that the Perak Constitution did not specifically spell out the manner in which confidence was to be determined. Therefore, any method would do. Once again we see a literalist approach in reading a constitution. This may be factually correct, but it is seriously flawed because by taking this approach the Court of Appeal (and later the Federal Court) did not take into consideration the principle behind the importance of a vote of no confidence in the house.

In a parliamentary democracy the executive is created from and by the legislature. The will of the citizens is reflected in that legislature, and therefore any changes in the executive ought to be made through the legislature. This is especially true when considering the situation in Perak. The people of the state voted in favor of the opposition. The balance of power shifted not through any democratic means but through the defection of three state assemblypersons. This can be said to be contrary to what the electorate wanted. It would seem that ideally fresh elections should have been called, but failing that at the very least there should have been an open debate in the house with a vote of no confidence as its climax. The people have a right to see how their elected representatives argue and act in a transparent forum. In the words of Harding:

It is of course usual in Westminster type constitutions to judge a chief minister's own assessment of his political viability by his willingness to test it on the floor of the legislature. There is indeed no reason to suppose that he should not have the right to do so. There was in this case no obstacle, such as a threat of violence, to prevent the assembly meeting. Clearly in a confused political environment the only definitive opinion is that of the assembly. Members have the right to express their views, consider whether they are persuaded by anything they hear in the debate which would follow a motion of no confidence, and finally to cast their vote on the motion. Anything else is surely a denial of democratic process. (Harding 2009)

The Perak crisis ultimately resulted in the will of the people being overlooked via a literalist court that had overlooked underlying principles of democracy that the state and federal constitutions support.

Conclusion

In any country it is important for divisiveness as a result of partial and imbalanced decision making to be minimized, in order to prevent conflict. In a democratic country one would hope that there is enough space for dissent to be heard. In a common law system like Malaysia's, the judiciary has an important role to play in this. Yet from this paper we can see that the judiciary, especially in recent times, has failed to minimize division and to allow democratic space for dissent.

With regard to religious divisiveness, the courts have made decisions that have exacerbated the problem. They have done this by ignoring clear constitutional provisions such as the freedom of religion or by interpreting the constitution in a manner that was disingenuous in its lack of sound legal reasoning or historical foundation. Dissent is treated with suspicion, and the laws that exist to quell dissent are not rigorously tested against the principles of democracy. Indeed, democracy itself is given short shrift with the court passing judgments that undermine the importance of the elected legislature and the need for transparency in decision making.

The reason for the court's behavior may be partly that the constitution of Malaysia lacks any overarching principle or ethos, for example in the form of a preamble. However, there are sufficient historical documents to suggest what the ethos might be. Equality, for example, was clearly an aspiration for the founders of the nation. Yet, time and again the courts have made decisions that are literalist in their interpretation of the constitution without taking heed of the reasoning and the purpose of the provisions that they use in coming to their decisions. It would appear that they have not had the will or the capacity to tread into the realm of philosophy to examine the law in the light of some sort of higher ideal and ethos.

A more disturbing possibility for this lack of will may be linked to the question of the impartiality and independence of the Malaysian judiciary. In 1988 the Lord President (as the head of the judiciary was then called) was sacked. The grounds for his sacking were tenuous, and the panel appointed to conduct the investigation into his alleged misconduct was headed by a man who would replace him as Lord President if he was found guilty.³⁷ The result of this sacking was a strong perception that the executive was interfering with the judiciary and thus diminishing its independence. This perception was due to the fact that the creation of the panel was at the behest of the prime minister at the time.

As it is, the executive has tremendous powers in the appointment of the head of the

37) Analysis of this episode can be found in Abas and Das (1989), Wu (1999), and V. Sinnadurai (2007).

judiciary. It used to be that the sole prerogative was in the hands of the prime minister. Today there is the Judicial Appointments Commission Act 2009, although the prime minister still has the final say.³⁸⁾ The Judicial Appointments Commission, however, does not put to rest any concerns about executive influence. The commission consists of the heads of the Federal Court, the Court of Appeal, and the two high courts along with five other persons appointed by the prime minister. And although the commission now provides suggestions for the appointment of the head of the judiciary, the prime minister still has the final say.

Ultimately the prime minister has the power to hire and fire the top judge of the country. And the head of the judiciary naturally has an influence on the tenor of the judiciary as a whole. This sense that the executive has too much influence over the judiciary has been given credence by some recent developments. The “Lingam Tapes” scandal of 2011 hinges on a secretly recorded video showing a senior lawyer apparently brokering the promotion of a judge. Federal ministers were implicated in the tape. A royal commission was convened, and it found that indeed a serious wrong had occurred. And yet the attorney general’s chambers did not see fit to take action (see Sharom 2011).

More recently, the current chief justice was involved in a scandal regarding appointments. He was due for retirement, but through an unorthodox use of an appointment procedure he was appointed as an “additional judge” and his tenure was extended. This appointment was made by the chief justice previous to the current one. It was unusual because conventionally appointments are made on an ad hoc basis for recalling a retired judge in order to fill a needed quorum or to exploit his or her expertise in a particular case (*Star* 2017). The strange manner in which the chief justice has managed to hold on to his post, along with his record of giving judgments in favor of the government, raises questions as to the real reasons for his unorthodox appointment.

There is no hard evidence of the executive giving orders to the judiciary. Yet it cannot be denied that the separation of powers appears to be very fragile. Furthermore, in all the cases analyzed above the government was the initiator. One could hypothesize that since Malaysia is a “pseudo-democracy” (Case 2001) it serves its government to keep the citizenry divided, dissent repressed, and democratic principles to a minimum. It is also helpful if the judiciary is pliable to such demands.

Whatever the real reasons behind the decisions of the courts, it is clear that these decisions have had a negative consequence on the country by adding to an atmosphere of divisiveness and at the same time undermining the right to dissent via either the freedom of expression or the most basic of democratic manifestations, respecting the

38) Laws of Malaysia, Act 695.

electoral choice of the people. The irony is that in a nation that has schisms based on ethnicity and religion, there is an even greater need to have a method with which to counter such divisions in a meaningful and intelligent manner by proffering alternative viewpoints. The ability to give alternative viewpoints in turn needs a safe democratic space, and it also needs a sound democratic system that citizens can believe in so as to enable the peaceful transition of power which may be necessary to elicit change. Although it has the potential to be an agent to protect such spaces and to limit ideas and policies that are supremacist in nature, the Malaysian judiciary has failed to do so.

Accepted: June 29, 2018

References

- Abas S.; and Das, K. 1989. *May Day for Justice*. Kuala Lumpur: Magnus Books.
- Amnesty International. 2016. Malaysia: End Unprecedented Crackdown on Hundreds of Critics. <https://www.amnesty.org/en/press-releases/2016/03/malaysia-end-unprecedented-crackdown-on-hundreds-of-critics-through-sedition-act/>, accessed March 29, 2017.
- Case, W. 2001. Malaysia's Resilient Pseudodemocracy. *Journal of Democracy* 12: 43–57.
- Foong, J. 1994. *The Malaysian Judiciary: A Record from 1786 to 1993*. Kuala Lumpur: Malayan Law Journal.
- Harding, A.J. 2009. Crisis of Confidence and Perak's Constitutional Impasse. Malaysian Bar. June 8. http://www.malaysianbar.org.my/general_opinions/comments/crises_of_confidence_and_peraks_constitutional_impasse_andrew_harding.html, accessed January 1, 2016.
- . 1996. *Law, Government and the Constitution in Malaysia*. Kuala Lumpur: Malayan Law Journal.
- Kua K. S. 2007. *May 13: Declassified Documents on the Malaysian Riots of 1969*. Petaling Jaya: Suaram.
- Lee H. P. 2007. The Ningkan Saga: A Chief Minister in the Eye of a Storm. In *Constitutional Landmarks in Malaysia: The First 50 Years*, edited by Andrew Harding and H. P. Lee, pp. 77–87. Kuala Lumpur: LexisNexis.
- Ooi K. B. 2006. *The Reluctant Politician: Tun Dr Ismail and His Time*. Singapore: ISEAS-Yusof Ishak Institute.
- Report of the Federation of Malaya Constitutional Commission*. 1957. Rome: Food and Agriculture Organization of the United Nations.
- Ross-Larson, B. 1976. *The Politics of Federalism: Syed Kechik in East Malaysia*. Singapore: Bruce Ross-Larson.
- Sharom, A. 2011. Malaysia Report. In *Rule of Law for Human Rights in the ASEAN Region: A Base-line Study*, edited by D. Cohen, K. Y. L. Tan, and M. Mohan, pp. 134–152. Jakarta: Human Rights Resource Centre.
- . 2009. The Pontius Pilate Syndrome: How the Abdication of Constitutional Responsibility Leads to Broken Families. In *Impact of Law on Family Institutions*, edited by Jal Zabdi Mohd Yusof et al., pp. 131–140. Kuala Lumpur: University of Malaya Press.
- Sinnadurai, V. 2007. The 1988 Judiciary Crisis and Its Aftermath. In *Constitutional Landmarks in Malaysia: The First 50 Years*, edited by Andrew Harding and H. P. Lee, pp. 173–195. Kuala Lumpur:

LexisNexis.

Star. 2017. Uneasy over Additional Judges. July 19. <http://www.thestar.com.my/opinion/columnists/brave-new-world/2017/07/19/uneasy-over-additional-judges-the-way-the-new-chief-justice-of-the-federal-court-and-president-of-th/>, accessed October 12, 2017.

Wu M. A. 1999. The Malaysian Judiciary: Erosion of Confidence. *Australian Journal of Asian Law* 1(2): 124–153.

Getting More Women into Politics under One-Party Dominance: Collaboration, Clientelism, and Coalition Building in the Determination of Women's Representation in Malaysia

Maznah Mohamad*

Malaysia's representation of women as parliamentarians remains one of the lowest in comparison to other Southeast Asian and global parliamentary democracies. However, when contextualized against Malaysia's politics of divides and dissent starting from 1999 onward, there are some newer characteristics of women's involvement in formal politics. This paper explores the specificities of women's experience in formal politics under the one-party dominant rule of the National Front before it was defeated in the May 2018 general election. The paper questions various incidents of political transition from an old to a newer political regime. Processes such as the collaboration between women's civil society and formal state political actors, the cultivation of clientelist and patronage relations, and the maintenance of a cohesive multiparty coalition as a strategy for electoral advantage have all had fruitful bearings on the way the formalization of women in politics has developed. However, given the insufficiency of these developments for increasing women's representation, this paper proposes the more reliable gender quota or reserved seats mechanism as one of the considerations for gender electoral reform.

Keywords: Malaysian women, politics, election, representation, gender quota, electoral reform

Introduction

Despite the best efforts of both the government and civil society, Malaysia's proportion of women parliamentarians remains one of the lowest in the world (Joshi and Kingma 2013, 361). As of March 2017, Malaysia ranked 156th out of 190 in the global list compiled by the Inter-Parliamentary Union (Women in National Parliaments). Female political representatives in its national parliament are fewer than those in other regions and con-

* Department of Malay Studies and Department of Southeast Asian Studies, National University of Singapore, Block AS8, #06-03, 10 Kent Ridge Crescent, Singapore 119260
e-mail: mlsmm@nus.edu.sg

Table 1 Proportion (percent) of Seats Held by Women in National Parliaments: Malaysia in Comparison to Other Regions, 2016

	Percent
Malaysia	10.40
East Asia & Pacific (excluding high-income)	19.81
Europe & Central Asia (excluding high-income)	18.40
Middle East & North Africa (excluding high-income)	17.56
Latin America & Caribbean (IDA & IBRD* countries)	25.49
South Asia (IDA & IBRD countries)	19.41
Sub-Saharan Africa (IDA & IBRD countries)	23.50
WORLD	23.02

Source: World Bank.

Note: * IDA and IBRD are international financial institutions that offer concessional loans and grants to the world's poorest developing countries.

Table 2 Proportion (percent) of Seats Held by Women in National Parliaments in ASEAN Countries, 1998 and 2016

Country	1998	2016
Brunei		6.5
Cambodia	5.8	20.3
Indonesia	11.4	17.1
Lao PDR	21.2	27.5
Myanmar		9.9
Malaysia*	7.8	10.4
Philippines	12.4	29.8
Singapore	4.8	23.8
Thailand	5.6	6.1
Timor-Leste		38.5
Vietnam	26.2	26.7

Source: World Bank.

Note: * In the latest general election, held in May 2018, the percentage of women in national parliament rose to 14.4 percent. This figure has not been updated in the World Bank database at the time of writing.

tinents (see Table 1). Within ASEAN Malaysia ranks fourth from the bottom, above Brunei, Thailand, and Myanmar (see Table 2). However, of these four, Malaysia has been the longest stable democracy with regular parliamentary elections.¹⁾ This record of low female participation in elected and political office should thus be of concern to scholars, social activists, and policy makers alike. The question of maximizing women's represen-

1) Myanmar had its first general election only in 2012, while Thailand's parliamentary democracy has been suspended since 2014 with military rule. Brunei does not have an elected parliament.

tation is not least a human rights issue, as women make up slightly more than half of all voters in Malaysia. In the general election of 2013 (GE13), female voters comprised 50.23 percent of all voters (Kartini 2014, 107). In the 14th and latest general election (GE14) the proportion had risen, with 7.3 million women making up 50.44 percent of total registered voters (*Star Online* 2017). As early as 1976 women had already formed half the membership of Malaysia's largest political party, UMNO (United Malays National Organisation) (Noraini 1984, 249).

Increasing women's representation in politics recognizes the value of women as an important political group deserving of a say in decision-making processes. It is believed that the formal political sphere will benefit from certain attributes that women can bring, and that not involving women at this level would be nothing less than an "affront to the ideals of democracy and justice" (Lister 1997, quoted in Tan and Ng 2003, 109). Having a critical mass of women in decision-making positions would increase the odds of improving the effectiveness of female politicians and of evoking real change for women (Tan and Ng 2003, 111–113). Another reason why it is important to increase women's participation in politics is due to the policy commitment that Malaysia has made as a signatory to the United Nations treaty on women's equality, or CEDAW (Convention on the Elimination of All Forms of Discrimination against Women). Having endorsed CEDAW, Malaysia is obliged to ensure equality for women in political and public life by implementing policy measures to ensure their equal participation.²⁾ Undoubtedly there has been no overt, explicit, or legal discrimination against the participation of Malaysian women in the public and political sectors. Nevertheless, there have been no vigorous or sustained measures to ensure that women are as visible as men in political office.

This article largely limits the research observation to the period before Malaysia's 14th and latest general election held in May 2018 (GE14). The study is focused on looking at the dynamics of gender reforms under a one-party dominant state. It documents some of the efforts of the state, civil society, and political parties to navigate their way through Malaysia's sociopolitical context to increase women's participation in political office. Since 2008 there has been an atmosphere of a political transitioning, with the incumbent ruling party being challenged through the loss of its two-thirds parliamentary majority and the control of two key states—Penang and Selangor—by opposition parties since the last two consecutive GEs. The ruling coalition, BN (Barisan Nasional, National Front), had never lost an election from the country's independence in 1957 until the 2018

2) In eliminating discrimination against women and ensuring equality between men and women in public and political life, Article 7(b) of CEDAW requires that signatories formulate government policy and its implementation to ensure that women "hold public office and perform all public functions at all levels of government."

general election. Three conditions are examined as outcomes of this political transitioning, as they relate to women's role in politics: (1) the collaboration between women's civil society interest groups and formal state political actors in building institutions for change, (2) the cultivation of clientelist and patronage politics among women politicians in retaining and expanding the constituent support base, and (3) the maintenance of a cohesive multiparty coalition in strategizing for electoral advantage as it relates to women's changing roles in politics. The three factors have some bearing on how the formalization of women in politics has developed in Malaysia, or the country's path toward the "feminisation" of politics (Rai 2017). This article assesses the extent to which these three outcomes have affected the way women participate in formal politics, and whether newer forms of participation arising from these outcomes can lead to an increase in women's representation in formal politics.

Reviewing Malaysian Women's History of Political Underrepresentation

For at least three decades previous studies on women's political role and participation in politics have consistently recorded their underrepresentation in political office and their secondary roles within their political parties (see Manderson 1980; Noraini 1984; Dancz 1987; Jamilah 1992; 1994; Karim 1993; Rashila and Saliha 1998; 2009; Tan and Ng 2003; Tan 2011; Sharifah 2013; Kartini 2014). Exclusionary cultural and social norms, unequal gender division of labor leading to a productive/reproductive divide and gender asymmetry within the labor market, as well as structures of centralized or decentralized governance can make a difference in the way women participate in formal politics (Rashila and Saliha 1998, 99–101; Tan 2011). The other general factors identified as impediments are the "glass ceiling," "double burden," and "invisible woman" syndrome (Ng and Lai 2016).

Cultural and ideological factors have been blamed as major contributors, with women themselves not wanting to be in the forefront of political activism and leadership due to prevailing gender norms about the suitability of roles for men and women (Manderson 1980; Rashila and Saliha 1998; Kartini 2014). For example, the precursor to Wanita UMNO, the Kaum Ibu, whilst very active during election time was only partially successful as a special interest group (Manderson 1980, 167–192). The Kaum Ibu, although impressive in its organizational capacity and visibility, remained subordinate to UMNO and its male leaders, as women were expected to "have a role outside the home provided it is supportive of the role of men" (*ibid.*, 202). Furthermore, the division of roles within UMNO allowed for "traditional values and attitudes" to be carried into and "accommo-

dated within quite non-traditional settings, structures, and activities” (*ibid.*, 207). A survey in the 1990s on women politicians and voters indicated that qualities such as “friendly disposition,” “extrovert personality,” “interest in extra-curricular activity,” and “confidence in intersexual mixing” would be needed to provide for a successful political socialization of women (Karim 1993, 112). However, women did not necessarily prefer women candidates over men, although they were gender-neutral when it came to voting for the right candidates (*ibid.*, 126). As a whole, women do not view politics as an important strategy for status elevation. This view is reinforced by conventional views of “dirty politics” and a preference for stable, high-status professions that are less taxing on the self and family (Mulakala 2013). Hence, while professional achievement is an important goal, political achievement is not.

However, structural factors—primarily political party structures—are equally to be blamed for creating barriers to women’s progression in leadership roles within and outside the party. Reasons for a low numerical or descriptive representation of women include the way political parties select candidates, especially in relation to the status of women’s wings as an appendage of the party (Tan 2011, 102). With regard to the latter, a recurrent feature of all Malaysian political parties is their auxiliary branches, or wings (which include those for women, young women, and youths). One study of women in politics focused on their roles within party auxiliaries and found them to be strategically significant and essential though secondary when it came to decision making and leadership of their parties (Dancz 1987). The existence of party auxiliaries inherently limits women’s autonomy in decision making within party structures: one needs to be the head of a party division in order to be selected for candidacy or ministership in the cabinet (Maznah 2002; Derichs 2013). But very few women have ever been the heads of party divisions or branches. Only the head or deputy head of a women’s wing has conventionally been appointed as cabinet minister (Jamilah 1994, 112). It is difficult for women to be nominated or elected to executive positions at the local level of party leadership, such as the party branch or division level (Noraini 1984, 249). As women’s wings occupy a subordinate status within their parties, women’s nomination to stand as elected leaders is prioritized lower than those from the main, central party wing. Subsequently, when women are nominated and then elected, it is not unexpected for them to be beholden to their male patrons within the party. In this atmosphere of *quid pro quo* deals, women politicians tread carefully between toeing dominant party lines and appeasing women’s rights lobbyists, usually to the detriment of the latter. Such a compromising and wavering posture typically ends up with women politicians contributing very little toward the democratization of gender politics, within as well as outside their party structure (Maznah 2002).

Highlighting the role of party structures, Claudia Derichs lists at least three reasons that impede Malaysian women politicians from having fair competition with their male counterparts. First, there is no encouragement from men for women to rise to the highest ranks within the party. A second reason for the poor record of women being fielded and elected is the first-past-the-post system in which the winner takes all, thereby reducing the chances of women being selected as candidates. The third reason is ethnic politics, which trumps gender as the distributive goal in Malaysian politics (Derichs 2013, 304–305). Derichs particularly emphasizes the inhibiting role of the women’s wing structure of almost all political parties in Malaysia:

Entering politics through the women’s wings is a dead end street, so to speak, unless one becomes the leader of the wing . . . but women are locked within the channel of the women’s wing. Those who seek a high position (minister, deputy minister etc.) would rather enter the party from a different angle and secure support for themselves from various divisions of the party. (*ibid.*, 304)

However, even in the early years women showed their frustration with male leaders not acknowledging their capability as leaders. In 1954 women threatened to boycott the elections if they were not allowed to stand as candidates but were expected to play their roles as voters and vote canvassers (Manderson 1980, 149–150).

Factors such as the rural-urban divide, ethnic relations, and class differences have not been shown to affect women’s participation in politics. In Malaysia, like elsewhere, gender cuts across party affiliations, but with ideological, religious, or ethnic identities prevailing as dominant features (Htun 2004). In Malaysia mono-ethnic parties are legally allowed to exist and in fact predominate, with UMNO and Islamic Party of Malaysia (PAS) being open only to Malay-Islamic members. Members of the Malaysian Chinese Association and Malaysian Indian Congress are likewise from their respective ethnic groups. In all of these cases gender identity is overshadowed by the ethnic interests of the party. Gender equality has thus been sidelined as a concern in these political parties. For example, political activity of women in UMNO was driven more by a need to achieve “communal nationalism” than by a need to realize women’s interests. Women’s active participation in party politics was ultimately recognized as crucial for the party’s survival (Noraini 1984, 222–240, 390). A study of ethnicity-based non-Bumiputera (non-indigenous) political parties showed an equally difficult path for women of all ethnicities to achieve high positions within their parties (Mahfudzah 1999). As for class or clan influence, it has been found that among some Malay women their early entry into formal politics was determined largely by male patronage or through a dynastic male line (Rogers 1986; Shamsul 1986). Among the current prominent female leaders, particularly Wan Azizah Wan Ismail—who heads the opposition political party Parti Keadilan Rakyat (PKR,

People's Justice Party) and is Malaysia's deputy prime minister—there is clearly an element of the male-dynastic connection (Derichs 2013).

While studies on women and party politics have explained persuasively how and why women have underperformed in formal politics, new attention on women's politicization through social activism has shown that besides party politics women can also assert their public roles autonomously through civil society movements, thus eschewing the male-dominated structure that has characterized political parties (Lai 2003). We can thus see women political actors as existing within—or between—two political spheres: electoral politics and civil society. Hence, while there were capable and outstanding women leaders in civil society, ranging from those advocating religious causes such as Zainah Anwar of Sisters in Islam (Perlez 2006) to those calling for electoral reform such as Maria Chin of BERSIH (Coalition for Free and Fair Elections) (Kwok 2016), these women leaders did not gain their legitimacy through electoral contests.³⁾

Women in civil society movements began to engage in formal or electoral politics only after 1999, when a manifesto named the Women's Agenda for Change (WAC) was issued (Lai 2003; Martinez 2003; Tan and Ng 2003). Perhaps directly or indirectly, this strategy of considering the importance of electoral politics as the basis for women's empowerment succeeded in raising the numerical representation of women in national and sub-national parliaments. In the 1999 GE, women for the first time comprised more than 10 percent of elected representatives in national parliament (Tan and Ng 2003, 118). Besides the WAC, another development in 1999 was the establishment of the Women's Candidacy Initiative (WCI), in which this organization (as opposed to a political party) endorsed and fielded its own woman candidate to run on the platform of women's issues. Although an NGO-endorsed candidate, this candidate ran under the ticket of a "friendly" political party. In this instance, the WCI saw itself as bridging women's political participation in party politics and social activism (NGOs) (Lai 2003, 69). Tan Beng Hui and Cecilia Ng see this as a turning point in women's social activism, a "shift from rights to representation, from the arena of informal to formal politics" (Tan and Ng 2003, 124). Others have referred to this new turn of women's activism from civil society to electoral politics as a "definitive development" (Martinez 2003, 75). During a period of transition to a new order, such as that provided by the Reformasi movement in 1999, a broad-based coalition of women's movements (ranging from those involved in violence against women to rights of migrant women) was able to divert some of their attention from their core purposes to an engagement with the formal political process (Stivens 2003). At this stage

3) Maria Chin finally made a last-minute decision to stand as an independent candidate under the Pakatan Harapan (PH) ticket in the GE14. She won her seat in the parliamentary constituency of Petaling Jaya and is now an elected Member of Parliament (MP); see *Star Online* (2018).

of “political transitioning,” gender politics was used to challenge the state but at the same time appropriated by the ruling government to act as a bulwark against its own possible defeat in the coming elections (Maznah 2002, 217). The endorsement of the WAC was said to have led to the setting up of the Ministry of Women and Family Development in 1999 and considered to be one of the most direct responses to women’s civil society activism (Saliha 2004, 151).

As to whether the post-2008 democratization climate promised more for women’s advancement, a study by Cecilia Ng (2010) on newly elected and appointed women representatives showed that there were many teething problems when women social activists crossed directly into formal politics or when they assumed their positions as elected representatives. Women had greater problems adjusting to their new roles than male activists who became politicians. Politics and political institutions today are still embedded within a gender regime characterized by a culture of masculinity that holds back new politicians, especially new young women politicians. Women state assemblypersons and local city councillors face additional discrimination due to their age and ethnic identity, in addition to intra-party competition, as they make their foray into party politics (Ng 2010, 333).

How essential, then, is it for women to enter formal politics in order for their interests to be represented? How can women’s interests or gains be maximized through formal representation? One of the bigger problems of women’s rights advocates today is trying to convince the public that both women and men stand to benefit from more equal gender relations in society. Tan and Ng emphasized early on that it would be not only fitting but necessary for women to make a direct foray into public office:

... in the long run, women will still need to enter the formal realm to evoke more widespread change. They cannot use their involvement in informal politics to excuse their absence in the formal sphere. Women’s groups have been involved in the amendments to and development of new laws and policies to safeguard the interests of women. (Tan and Ng 2003, 111)

An Overview of Malaysian Women’s “Descriptive” Underrepresentation in Formal Politics

The concept of descriptive representation is used here to differentiate from substantive and symbolic representations. Feminist scholarship on women in politics uses this framework of differentiated representation to acknowledge the complexity of the leadership question (Krook 2010). While descriptive representation measures how many women are elected to political office in terms of numbers, substantive representation measures

how women have successfully promoted women's issues in terms of policies and impacts. Symbolic representation, on the other hand, refers to the significance of women's presence (or absence) in political office in influencing public (or constituents') perceptions and opinions about women's status in society. Essentially, it is only when all three forms of representation are fulfilled that women's authentic political leadership can be attained.

In Malaysia, the advent of women's descriptive representation in politics improved only marginally from 1986 to 2013 (see Fig. 1). The number of women elected to parliament ranged from 1.9 percent in 1955 to 5.2 percent in 1982 (Fig. 2). It was only in the 1999 election that this figure rose above 10 percent. The highest was after the 2008 election, when the representation of female parliamentarians went up to 11.3 percent. Before the GE14, when the proportion of women's representation rose to 14.4 percent, the highest proportion of women candidates nominated was 10.7 percent at the 2013 GE (Fig. 3). As Fig. 3 shows, the percentages of women eventually elected in successive GE years were actually higher than their percentages at nomination. Hence, increasing the number of women candidates may result in an increase in the numbers elected.

Even at the level of local government, in which women are nominated rather than elected, ruling political parties do not attempt to increase the number of women's representation. Selangor, though ruled by the PR (Pakatan Rakyat—People's Coalition) government with the highest number of women parliamentarians, managed to have only one local council almost reaching the one-third representation mark (32 percent) for

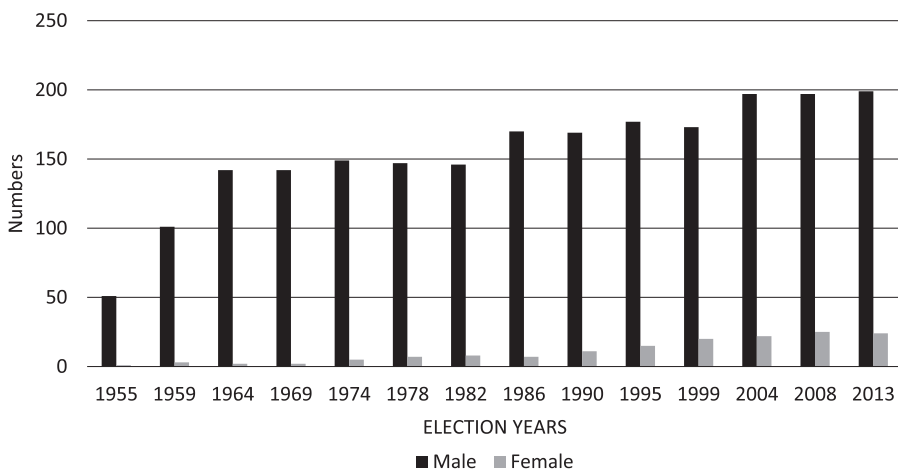


Fig. 1 Members of Parliament by Sex, Malaysia 1955–2013

Sources: 1955 to 2008 figures from Tan (2011, 89); 2013 figures from Sharifah (2013, 5).

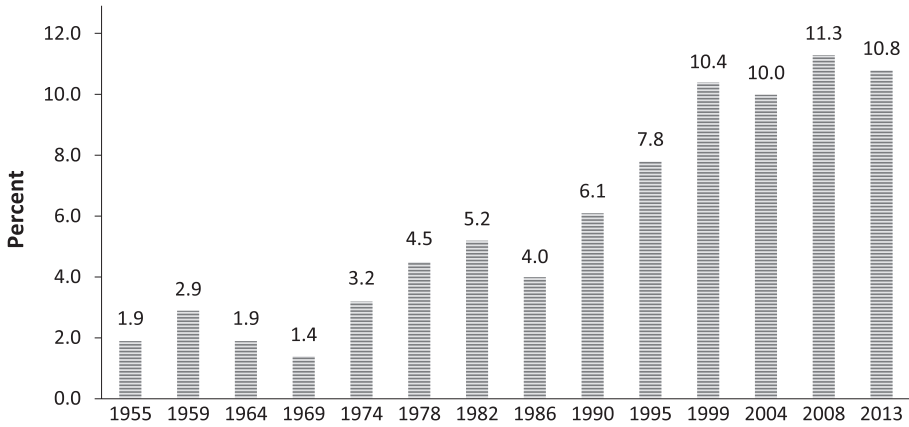


Fig. 2 Percentage of Female Elected Members of Parliament

Sources: 1955 to 2008 figures from Tan (2011, 89); 2013 figure from Sharifah (2013, 5).

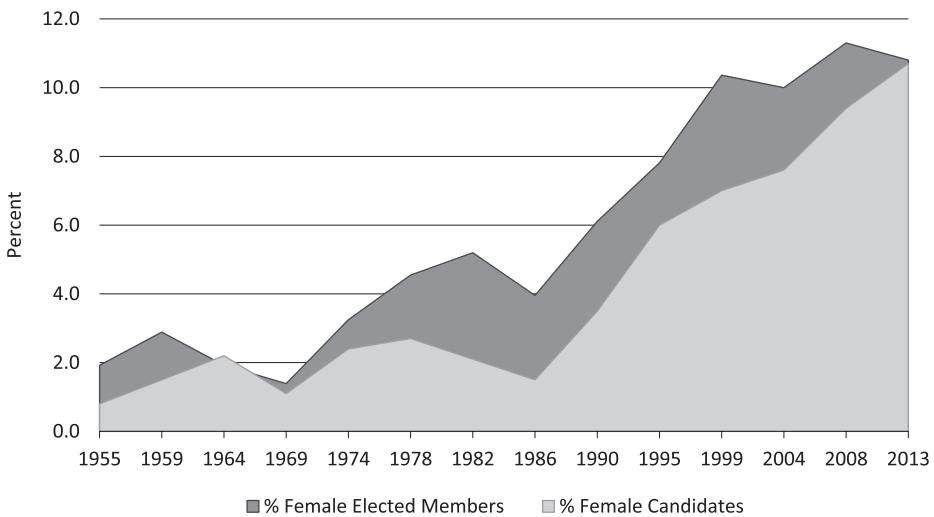


Fig. 3 Percentage of Female Candidates and Female Elected Members of Parliament, by Election Years, 1955–2013

Sources: 1955 to 2008 figures from Tan (2011, 89); 2013 figures from Sharifah (2013, 5).

women (Fig. 4).

The representation of women leaders in each party's central committee or its highest governing body (Fig. 5) is also evidence of the gender political gap. In 2017 women's representation at the highest leadership position was highest within PKR, at 26.7 percent, while the lowest was in Gerakan, with only 5 percent of women in its highest governing

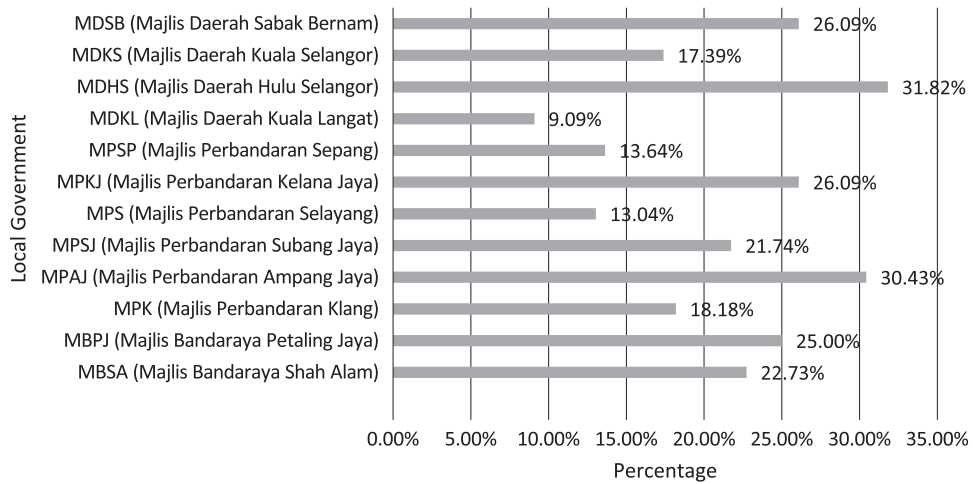


Fig. 4 Percentage of Females in Local Governments of Selangor, 2015

Source: Information provided by Selangor local government offices.

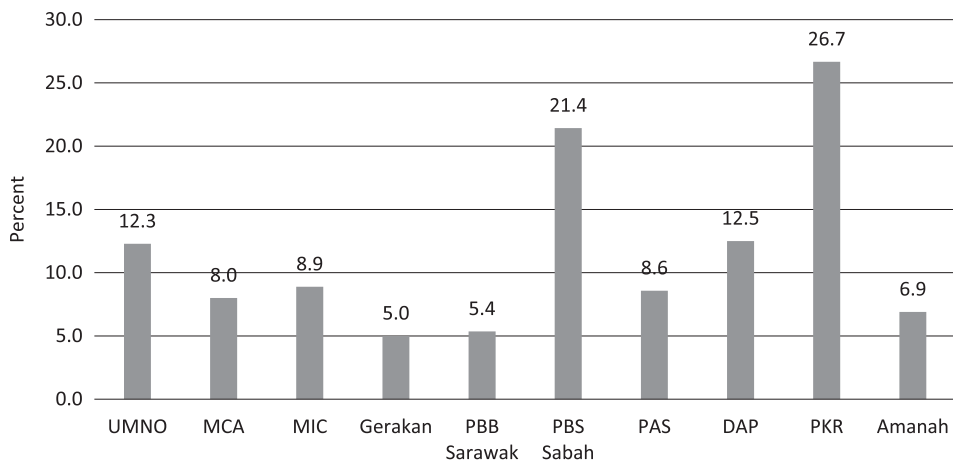


Fig. 5 Percentage of Women Representatives in Highest Governing Committee within Major Political Parties* in Malaysia, 2017

Source: Data compiled from information found on the official website of each political party.

Notes: * Acronyms and names of Political Parties:

UMNO: United Malays National Organisation, MCA: Malaysian Chinese Association, MIC: Malaysian Indian Congress, PBB Sarawak: Indigenous Party of Sarawak, PBS Sabah: United Party Sabah, PAS: Islamic Party of Malaysia, DAP: Democratic Action Party, PKR: People's Justice Party

committee. It appears that no concerted effort is being made to increase women's representation within internal party structures.

Collaboration, Clientelism, and Coalition Building as a New Nexus of Women's Political Participation

Given the persistence of women's underrepresentation in Malaysia's parliaments, the more tangible ground-level specificities of women's restricted entry into formal politics need to be better understood. The collaboration of interest groups with political parties, the practice of clientelism, and the demands and constraints of coalition building as inhibitors or supporters of women's political participation are some of the factors that are explored in this article.

The notion of collaboration between political parties and interest groups or NGOs involves the relationship between actors in formal and non-formal political spheres. It is particularly important as a site of study during periods of political transition (Otjes and Rasmussen 2017). Ever since the advent of the opposition coalition or the PR, with its capture of five state governments in the 2008 GE,⁴⁾ more civil society actors and interest groups have collaborated with the PR governments in formulating policies and building institutions. In fact, among women PR candidates who were elected into office, many were previously members of civil society and social movements, hence making a cross-collaboration between parties and interest groups almost inevitable (Ng 2012).

Coalition building refers to multiparty governance and is another variable used to gauge women's formalization in politics. In Malaysia, what has existed since 2008 is the formation of a dual-coalition involving the coalition of the ruling BN and the opposition coalition PR. The latter denied BN of its two-thirds majority in parliament and captured five state governments during the 2008 GE. In Malaysia UMNO has remained resilient, through various means, as the single largest dominant party in the system in terms of membership, seats contested and won, as well as magnitude of mobilization resources (Gomez 2016). In the GE14 the BN coalition contested against the former PR coalition, which assumed a new name for this election, Pakatan Harapan (PH). The GE14 was a historic election as PH successfully ended the 61-year rule of a government under BN that had not lost a single election since Malaysia's independence from British colonialism.

Cobbling together multiparty coalitions is inherently tenuous and fragile, as each party within the coalition has different goals, identities, and founding principles, which occasionally clash. To remain together, coalitions try to converge along some centrist lines. Observing these dynamics before the onset of the GE14, this article examines whether centrist policies favoring an increase in women's candidacy were adopted at all.

Another central idea brought into this study is the concept of clientelism, which will

4) The PR coalition has governed only three states after the 2013 GE.

be applied in the understanding of women's marginalization or visibilization in formal politics. The concept of clientelism is derived from the original notion of patron-client relations in politics, in which an asymmetrical, though mutually beneficial, relationship is built between political patrons and their clients. In exchange for protection and benefits from the patron, the client provides support or services. Elements of this relationship include reciprocity, affectivity, and personalization (Lemarchand and Legg 1972, 151; Scott 1972, 92; Kaufman 1974, 285). A more wide-ranging concept of clientelism as applied to politics and political networks could also include bonds between people, which can be long-lasting (Tomsa and Ufen 2013, 5). Clientelism is underscored by elements of iteration, status inequality, and reciprocity (*ibid.*, 6). There is evidence that Southeast Asian political culture is based largely on clientelism, in which service orientation and personalization are key to winning the support of voters (Bjarnegard 2013; Teehankee 2013).

Features of personalized politics based on patron-client relations include "a contingent relationship between politicians and voters, sometimes mediated by brokers, in which concrete benefits are exchanged for votes" (Bustikova and Corduneanu-Huci 2017, 278). This article examines the extent to which women's entry and resilience in politics depend on the exchange of support between patrons giving incentives and clients returning their votes.

The postulation of this study is that as electoral competition in Malaysia becomes more extensively charted by the collaboration between formal and non-formal political actors, the entrenchment of clientelist politics for voter support, and the strengthening of coalition building, women's prospects of getting into political office will face two possible outcomes, both positive and negative for their increased representation in formal politics. The political transition brought about by a more competitive dual-coalition electoral contest may provide a wide window of opportunity for interest groups to push and advocate for more innovative measures and policies for women's formal political participation and representation. On the other hand, the tenuous and contentious nature of coalition and clientelist politics may continue to obstruct women's entry into formal politics.

A Newer Dawn of Collaboration: Institution Building

It is said that the collaboration between political parties and interest groups can be a cornerstone of democracy (Otjes and Rasmussen 2017, 96). As noted earlier, events around the 1999 GE propelled women's issues and the gender card in politics to take on

a greater significance than at any time before. There was an increase in women's candidacy from 25 in the 1995 GE to 30 in the 1999 GE. The eruption of Reformasi politics played a major role in upsetting BN's hitherto unassailable political dominance (Loh and Saravanamuttu 2003).

In relation to women's prominence in formal politics, there were several reasons why the 1999 GE provided new grounds for this change. The first had to do with the entry of Wan Azizah, the wife of Anwar Ibrahim, as an icon of the opposition forces. She became the leader of the newly formed opposition party, PKR, and quickly became a popular figure in the Reformasi movement triggered by the crisis over Anwar's sacking as deputy prime minister.

The 1999 GE, held soon after Reformasi, was historic in that it was the first time in the nation's history that women comprised more than 10 percent of elected Members of Parliament. The four women opposition leaders made up 9 percent of the 45 opposition seats, while women government representatives won 11 percent of the 148 seats held by BN.

Fig. 6 notes the shifting party dynamics in the 2004, 2008, and 2013 GEs. In 2004 PAS did not field any women candidates at the parliamentary level. However, by 2008 it had three of its women candidates elected to parliament. The DAP (Democratic Action Party) had its best record of women candidates elected in 2004, although the party as a whole did badly that year. PKR's sole seat in 2004 was won by its president, Wan Azizah.

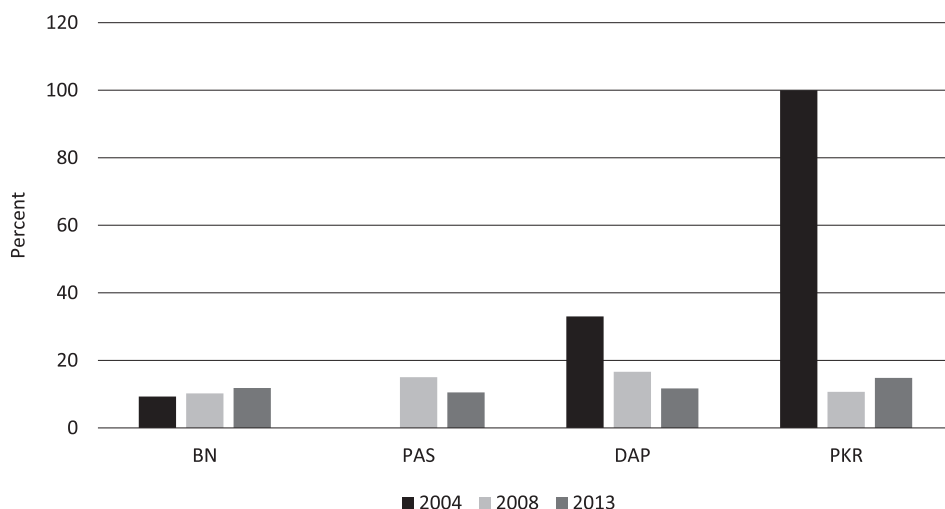


Fig. 6 Percentage of Women Elected out of Total Elected within Each Political Party, 2004 to 2013 GEs
Sources: Various secondary sources.

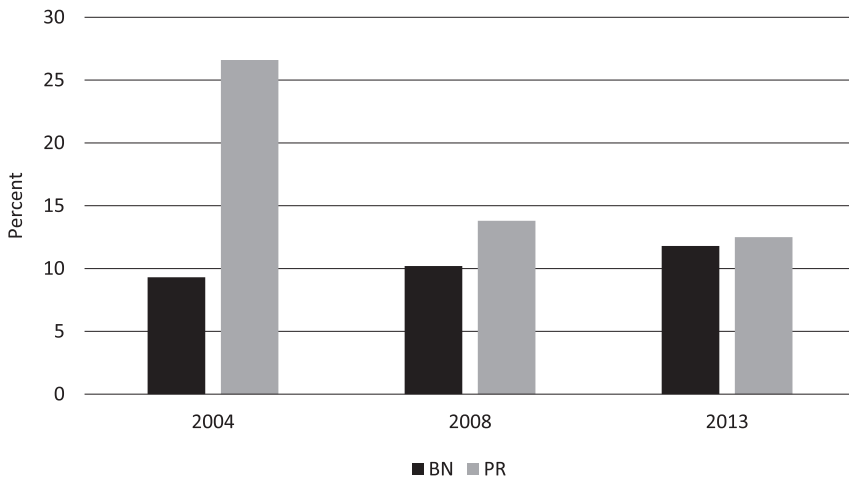


Fig. 7 Percentage of Women Representatives Elected, BN versus PR Coalitions, 2004 to 2013 Malaysian GEs
Sources: Various secondary sources.

It was only in 2008 that the PR coalition showed its best performance, but this was not necessarily reflected in the proportion of seats won by women candidates. In 2013 PKR women candidates who were elected comprised 14.8 percent of party seats, DAP women 11.7 percent, and PAS women 10.5 percent. There was actually an overall drop in women's representation in the PR coalition in the 2013 GE as compared to the 2008 GE (Fig. 7). On the other hand, the proportion of women's representation from BN seemed to be somewhat consistent in the three GEs. Comparing the two GEs of 2008 and 2013, women's election success rate was higher in the former, when 52.5 percent of women candidates were elected as opposed to 48.7 percent in 2013 (*Malay Mail Online* 2014a).

Some gains had undoubtedly been achieved for women as soon as the PR coalition successfully captured the two urban states of Penang and Selangor. The DAP-led state government in Penang quickly approved the setting up of the Penang Women's Development Corporation (PWDC) as a statutory body directly under the state government. The PWDC was formed on January 2, 2012. Its board of directors has 11 members, 5 of whom are elected representatives from political parties within the PR. The setting up of this institution was the result of some four years of collaboration between the state, NGOs, and a university research center after the PR-led government took over from the incumbent BN in 2008. In the 2012 budget the chief minister tripled the previous year's allocation for women's development. One of the first projects that the interim group started was the Gender Responsive Budgeting (GRB) project for Penang. Universiti

Sains Malaysia's Women's Development Research Centre, KANITA, worked with the state and local governments—the Penang Island Municipal Council (MPPP) and the Seberang Perai Municipal Council (MPSP)—to initiate and pilot the GRB program. The state government committed RM200,000 annually, with the MPSP matching this funding with an additional RM200,000 annually for a three-year pilot scheme, while the MPPP provided RM63,000 annually to this project. The GRB three-year pilot involving partnerships with MPSP, MPPP, and the community eventually became PWDC's flagship program, making this one of the first successful collaborations between women's interest groups, political parties, and local governments (Ng 2012).

By 2016 the GRB was referred to as the Gender Responsive and Participatory Budgeting program, with the addition of the “participatory” component. This was due to the active involvement of the local town councils in the program. The PWDC website lists the setting up of 14 projects involving 6,775 people. Another project, the Women's Brigade, involved clients at the sub-local level, with the participation of 2,757 women. In 2016 the PWDC initiated a new project on electoral reform to increase women's participation in formal politics. One proposal was to seek measures to raise the participation of women to at least 30 percent of electoral seats, an initiative that will be discussed in greater detail later in this article.

In the case of the Selangor state government, the Institut Wanita Berdaya (IWB, Women's Empowerment Institute) was formally launched in October 2017. Before this, in 2014, the state had set up a program that fulfilled both the goals of women's empowerment as well as building a base of grassroots women in exchange for their political support. It established 56 Women's Empowerment Centres or Pusat Wanita Berdaya (PWB), one in each parliamentary constituency. For each of the centers, a coordinator was hired and paid a monthly salary to run activities within their designated area. An annual allocation of RM30,000 was given for each constituency to run programs that would involve women's participation. In January 2017 the Selangor government went a step further in allocating RM1 million toward the setting up of a think tank for women's advancement. An additional RM9 million was allocated in the 2017 budget for running women's programs in the state. When the IWB was launched in 2017, the Selangor Women's Policy and Plan of Action was also concurrently launched.⁵⁾

In the Penang and Selangor cases, the collaboration successfully culminated in the building of social institutions for advancing women's rights and interests. The other area of collaboration was policy reform. In 2016 the PWDC spearheaded a project on Gender in Electoral Reform. A successful conference was held in August 2016 to deliberate on

5) For news of the launch, see Institut Wanita Berdaya Selangor.

how variations on electoral systems could make a difference in women's descriptive and substantive participation in formal politics (PWDC 2016). Speakers from New Zealand, Indonesia, and Germany (countries that had reformed their electoral systems for more inclusive representation) were invited to share their experiences. The main electoral systems being compared were the first-past-the-post (FPTP) and mixed member proportional (MMP) systems. The former is practiced in Malaysia, while the latter is used in New Zealand and Germany. What emerged from this meeting was that the most viable option to fast-track women's representation would be to institute a form of gender quota in tandem with the MMP system (*ibid.*, 17–18). According to Dr. Wong Chin Huat, one of the speakers at the conference, if Malaysia's electoral system was changed to the MMP the 222 seats the Malaysian Parliament had could be split between parliamentarians representing geographical constituencies and those representing the party list, the latter being representatives that would take up interests and issues-based concerns. This was where the party list may make an allowance for a gender quota. The MMP system would also safeguard against manipulation by the incumbent through gerrymandering, malapportionment, and voter-transfer exercises. Removing these obstacles would help to get more women into politics (*ibid.*).

This advocacy project of increasing the representation of women in politics through electoral reform by way of a gender-quota system is one of the most concrete proposals to have emerged on this issue. Some aspects of it are feasible, while others are not. For example, it would be infeasible for Penang state to implement it, as this change would require constitutional and legislative changes. Articles 116 and 117 of the constitution would have to be amended. Legislative changes would also include amending the Election Act 1959. But the momentum for seeing through the reforms toward increasing women's political representation is picking up. In March 2017 a public forum was held by the Penang Institute titled "Women and Inclusive Politics Forum: State Assemblies and Additional Seats for Women." Wong presented several detailed and refined options to get more women into political office. A significant suggestion that came out from this forum was that it would be possible to get more nominated women parliamentarians through a quota system that would require one of the following: (1) voluntary quota list implemented at the party level for internal and external elections, (2) retention of Malaysia's FPTP system with 30 percent women's quota at the candidacy level, (3) amendment to the national constitution to adopt the MMP system with both constituency seats and party list seats, (4) amendments to state constitutions to allow individual states to include a set proportion of women-only additional seats in the state assembly (Wong 2017).

The momentum and campaign for pushing increased women's representation in formal politics through the quota or reserved seats system were covered by the media

(Alyaa 2017; Maznah 2017) and have formed the basis of the pledge by the opposition coalition PH to ensure 30 percent women's representation in public and political office (Malaysian Insight 2017).

Clientelist Politics and Incentivizing Women's Support

In my recent study of Penang and Selangor, the two states with opposition or PR governments, elected women leaders exuded more confidence than during their earlier years described by Ng (2010). What changed? My observation was that women leaders were by then able to use the advantage of state office to sustain and build their constituent base due to their political legitimacy and access to resources, all of which are necessary to cultivate some form of patronage in exchange for clientelist support.

Women's entry and sustained involvement in formal politics can be related to their adoption of a form of women-centric clientelistic politics. Previously this involved the simple though asymmetrical exchange of money-for-votes type of practice, with politicians benefiting more in terms of electoral gains than voters gaining short-term tangible rewards. Newer forms of clientelist politics are, however, seen as a two-sided mutually beneficial relationship involving protection in exchange for support, or jobs in exchange for votes, or more power (to the giver) in exchange for allegiance (by the taker) (Kopecky and Spirova 2011). Elements of affect and intimacy are also built in, giving politics its personal touch (Rivoal 2014). For a long time the opposition parties in Malaysia did not have the opportunity to carry out politics in this way. Support for "opposition" causes would have to depend on mass organizations and the degree to which particular ideological stances could resonate with particular interest groups. On the other hand, ruling parties, notably BN, have always had access to state power and its resources in the form of funds, jobs, committees, boards, and other benefits in exchange for support.

Essentially it is still the tried and tested ability to have a clientelist base that assures one of political support and loyalty. Clientelism that works in women's favor will allow them to break the monopoly of male gatekeeping within political parties. Since male gatekeeping is usually exercised when it comes to choice for candidacy, it is necessary to have more women leaders who can displace this male monopoly:

... gatekeepers are more likely to directly recruit and promote people like themselves. Studies have associated the presence of female party elites with more female candidates because women are more likely to encourage other women to become active in politics by favoring candidates with female traits or by supporting policies to increase female candidates. (Cheng and Tavits 2011, 461)

But to what extent can clientelism overcome male gatekeeping and barriers such as the containerization of women within the “women’s wings” (as described by Derichs 2013, 304)? So far the capacity for women to overcome the twin obstacles of gatekeeping and containerization has been limited, and this situation will remain unless more women are in office and have access to measures that can enable the clientelist exchange. It is a chicken-and-egg situation where more women will beget more women. At the moment, the smaller numbers of women in federal and state cabinets mean that fewer women will have the capacity to utilize the clientelistic approach. For example, at the national level few women get elected as parliamentary representatives. This leads to a small number of women being appointed as cabinet ministers. Elections at state levels have also turned out fewer women representatives in state assemblies, with most states having only one woman state cabinet minister (state executive member); it is only in the states of Kedah, Perak, and Selangor that there are two women state ministers (Fig. 8). There are no local councils (city government) with more than a third (33 percent) of women on their boards, with the overall national percentage of women on local council boards being 13.6 percent (Wong 2017).

One way to estimate how clientelism can work in the current situation of political alignment in Malaysia is to examine the breakdown of women representatives by state (Figs. 9 and 10). There is apparently a positive correlation between the number of seats that coalitions in each state are able to win and the number of women representatives that these states have. The two opposition states of Selangor and Penang have the highest proportion of women Members of Parliament—40 percent and 20 percent respec-

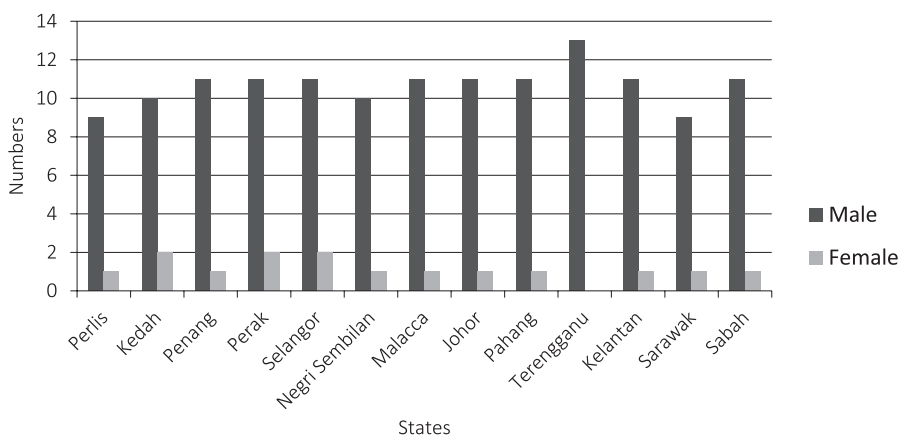


Fig. 8 Male and Female Members in State Cabinets, 2017

Sources: Various secondary sources.

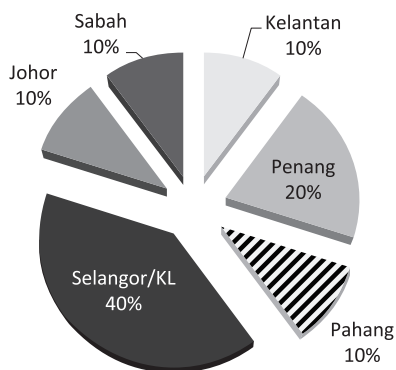


Fig. 9 Opposition Women MPs, by State, 13th Parliament, 2017

Source: Portal Rasmi Parlimen Malaysia.

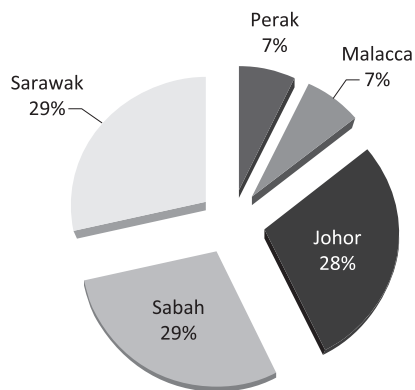


Fig. 10 Government Women MPs, by State, 13th Parliament, 2017

Source: Portal Rasmi Parlimen Malaysia.

tively. Similarly, the strongest wins for the BN coalition in 2017 were the three states of Johor, Sarawak, and Sabah with about 28 percent to 29 percent women Members of Parliament in all three states. It is not clear how this happened, with the “women-friendly” states of Penang and Selangor for the PR coalition and Sabah, Sarawak, and Johore for the BN coalition. But the circumstances of their electoral wins may provide some advantage when it comes to more women being elected to the state cabinets. The more that women have access to government resources the more they will be able to cultivate their patron-client relationships in these states. The key would be for women to use these resources to cultivate more potential women candidates, as it has been demonstrated elsewhere that the presence of more women leaders leads to more potential women leaders. A study in Canada found that constituencies with a history of women candidates in a particular district are considered women-friendly and have paved the way for the nomination of more women candidates in subsequent elections (Cheng and Tavits 2011, 467). The mechanics of why this occurs has not been extensively explored. This paper suggests that clientelism may play a role, particularly through the use of incentives such as the targeting of specific women constituents for direct benefits and cash transfers.

Accentuating and increasing benefits and incentives for women at the everyday, palpable level can become one of the key strategies for winning women voters in Malaysia today. Before the culmination of the GE14, various programs were implemented by national and state governments to achieve the goal of uplifting the livelihoods of women. Women have now become a strategic target for benefits in the form of purposeful or conditional cash transfers by the state. The Ministry of Women, Family and Community Development (MWFCD) has various programs for the very poor. One poverty program

coordinated by the MWFCF is called 1Azam.⁶⁾ There were at least 3,737 programs listed on the e-portal set up in various states, covering issues from income generation to wheel-chair gifts, from hemodialysis treatment to motivational courses.⁷⁾

In the GE13 “single mothers” as a segment of targeted beneficiaries allegedly numbered 831,860. They were promised direct cash payment, legal insurance schemes, and housing allocation by the incumbent ruling party and were referred to as a “fixed deposit” or vote bank by the prime minister (Rozanna Latiff 2013). It seemed that this campaign promise had been made good. By 2016 the MWFCF had set up One-Stop Centres on a nationwide scale to cater to the needs of single mothers. In conjunction with this, a cabinet-approved National Single Mothers Empowerment Plan was launched in early 2016. The plan included providing government aid to single mothers by equipping them with income-generating skills (Halim 2016).

The Selangor state government identified 12 groups of women as targets for empowerment: housewives, working women and women in the informal sector, single mothers, disabled women, elderly women, young women, teenage girls, Orang Asli, migrants, industrial workers, women in poverty, and women in the rural and plantation sectors.⁸⁾ Women were the beneficiaries of at least eight women-targeted programs: the setting up of constituency-based Women’s Empowerment Centres (PWB, Pusat Wanita Berdaya), free mammograms, enhanced One-Stop Crisis Centres, benefits for single mothers, Hijrah microcredit scheme, childcare subsidy scheme, free training courses for those intending to set up childcare centers, and additional parental leave provisions for employees of Selangor public services.⁹⁾ A special section in the 2017 Budget speech delivered by the chief minister emphasized the state’s initiatives as being “gender inclusive.” As for Selangor’s microcredit program, Hijrah, the chief minister mentioned that 63.6 percent of its 25,466 participants were women. Sixty-five percent of the Selangor Scholarship Scheme recipients were also female. The chief minister emphasized that state agencies under his charge were focusing on appointing women in senior leadership positions. The budget speech made a special mention of women’s achievement in decision-making positions:

6) The MWFCF claims that from 2009 to September 2016 more than 195,953 people benefited from it, with 85,866 people being able to raise their income level by RM30; see Portal Rasmi Kementerian Pembangunan Wanita.

7) See Eradication of Poverty by MWFCF (Pembasmian Kemiskinan).

8) See website of YB Daroyah Alwi, Exco for Health, Welfare, Women and Family, selangor.gov.my/mengenal/, accessed April 1, 2017.

9) See Selangor women’s portal, #SmartSelangor Memberdaya Wanita Selangor, <http://wanita.selangor.gov.my/>, accessed April 1, 2017.

Selangor has a woman for the position of District Officer and two as heads of Local Authorities. Meanwhile, five State agencies are led by women. In the latest development, the newly appointed General Manager and Deputy General Manager of PKNS (Perbadanan Kemajuan Negeri Selangor—Selangor State Development Corporation—) are women who are highly competent and have a wealth of experience in the property industry. (Selangor State Assembly 2016, 55)

The Penang state government also identified its main vulnerable constituencies as falling under the social welfare category.¹⁰ There were six of them, with women falling under two categories: “single mothers” and “golden mothers.” Eligible beneficiaries were required to register with the government online through an app called AppsSejahtera. The common requirement for cash benefits was that candidates must be resident and registered voters in the state of Penang. The definition of single mothers under the Penang program is more general than the one adopted by the Malaysian cabinet, the requirement being that the beneficiary must have at least one child and not have remarried. In order to qualify under the golden mother category, a woman must be below 60 years old, married, and without a fixed income. It is difficult to say whether reaching out to the most vulnerable women will make women voters more inclined to vote for women leaders. It is not clear what the delivery mechanism is like, but a personal touch in the handing out of benefits is to be expected. Women representatives apparently have to make their presence and visibility felt among voters on social occasions such as government-organized get-togethers, weddings, ceremonial feasts (*kenduri*), and even funerals. If more women leaders had such resources, there would be a higher chance of their being involved in welfare delivery programs that deal directly with women, children, and families and hence of being eventually fielded as credible candidates in elections.

Incentivizing women’s support for women’s agenda in electoral politics was institutionalized through the setting up of state-funded women’s development and empowerment institutions. As detailed in the preceding section, the setting up of the PWDC in 2012 and the IWB in 2017 in Penang and Selangor respectively provided an important avenue for women politicians to cultivate their clientelist base of women in support of women’s issues and rights.

Coalition Politics: Not Always a Middle Ground Advantage for Women

The necessity for coalition politics to increase the chances of victory in Malaysia’s last three general elections (2008, 2013, and 2018) played a direct role in determining

10) For Penang government welfare programs, see Program Kebajikan Negeri Pulau Pinang.

women's recent entry and participation in formal politics. In any coalition a diversity of political parties inevitably steers toward a middle ground for consensus, which has been observed to have some advantages for women candidates. For the opposition parties, the first successful coalition building occurred during the 2008 GE. But in 2004, PAS, being in an informal opposition coalition, had started to relax its women's candidacy policy. In the 2004 GE the party allowed women to contest, 35 years after it had last fielded its first woman candidate, who won in the 1969 election. It was the politics of Reformasi and its opposition of UMNO that created an opening for PAS's party women at this time. In 2004, 10 women were fielded and two won in the Kelantan state election. Public attention and pressure eventually led to one of the women being appointed to the state cabinet and as vice-chairperson of the Women, Youth and Sports portfolio (Ng *et al.* 2007, 97). In the 2008 and 2013 GEs PAS also sidelined its "Islamic state" agenda in place of the "welfare state" (Negara Kebajikan) agenda. At the same time, the DAP became more inclusive of Malays by restraining any criticism against PAS's other more thorny agenda of wanting to institute the Hudud or Islamic Religious Punishment law. The DAP also embraced gender reforms and fielded many women candidates in the 2004, 2008, and 2013 GEs. In fact, the proportion of its women candidates elected in the 2004 GE was much higher than in the 2008 or 2013 GE. PKR would always have to profile itself as more moderate, or taking a more centrist line, than the two older parties (DAP and PAS). Being the newest party in the coalition, it could not be seen to be inheriting the past baggage of an ethnic or religious agenda. Hence, it went along with its moderate Islamist stance and multiculturalist identity. PKR also had an advantage in having Anwar's wife as its first female president. Anwar's daughter, Nurul Izzah, also assumed a leadership role within the party and became an icon for young Malays, especially young women, at the onset of Reformasi in 1999.

In the early stages, the opposition coalition concentrated on finding a middle ground for inter-party solidarity. The professed policies of the opposition parties were all centrist and moderate in nature. Political leaders were not afraid to propound novel policy reforms, including gender reforms. This was what was known as the moderation policy on gender, which would be part of an ideological renewal strategy by political parties keen to join forces with other parties in order to have an advantage in elections. Elsewhere, the case of the British Conservative Party teaming up with the Liberal Party in the UK had illustrated this tendency (Bryson and Heppell 2010; Campbell and Childs 2015). At the level of rhetoric and political campaigning, gender equality would still be an abstract ideal, yet to be subjected to any action plan and hence easy to promote (Kokkonen and Wängnerud 2016).

In Malaysia, the PR coalition progressively rose in political stature and governance

capability. This began with its denial of the two-thirds majority to BN in the 2008 GE, then progressed to its winning the popular vote in the 2013 GE. Finally, under its renewed name and configured coalition partners, PH won the election in 2018.

Before the GE14, the most important issue that led to the split in the PR coalition was the disagreement over the passage of an Islamic law, or the Hudud Bill (Islamic Punishment Bill). The other issue of contention was the question of women's leadership.

The contention over women's leadership was precipitated by the stepping down of Selangor Chief Minister Khalid Ibrahim due to party pressure in 2014. The PR coalition put up Wan Azizah, the party president of PKR, as its preferred choice to replace Khalid. However, one faction of the PR—PAS—favored the party's male deputy president, Azmin Ali. The ultimate power to approve the nomination was with the monarch of the state, the Sultan of Selangor, who eventually chose Azmin Ali to head the state government.

In the above circumstance, the women's wings of the three parties within the coalition tried to stand together in supporting the appointment of the first female state chief minister of the country. However, only the women leaders of PKR and the DAP stuck to this stance while the women's wing of PAS withdrew its endorsement. The head of PAS's women's wing claimed that the statement was purportedly "circulated before I had time to go through and signed it . . . our loyalty is only to the decision of the federal PAS" (*Malay Mail Online* 2014b). Later, a formal statement was issued by the deputy chief of the Federal Territory branch of PAS's women's wing, claiming that Wan Azizah's poor leadership was the reason behind their rejection of her nomination. This was apparently in reaction to the DAP women's chief's criticism of the PAS president for breaking up the PR, as a male, by accusing Wan Azizah of being unsuitable for the job (*Malay Mail Online* 2014c). This disagreement over Wan Azizah as the choice for heading the Selangor state government was only one of a series of issues that widened the rift between the political parties, but it did blemish the coalition's vision of promoting gender equality and empowerment in politics.

The other, and ultimately main, issue that led to the breakup of opposition coalition politics was the passage of the Hudud Bill, a law that could enable the enforcement of the sharia provisions of capital punishment at the state level. In 2015 the Syariah Criminal Code was passed at the Kelantan state assembly, followed by the tabling of a private member's bill in parliament to remove legal obstacles for the Hudud to be enforced (Palansamy 2015). The fallout of all this was the formation of a splinter party from PAS, the Parti Amanah Negara (Amanah), and the formation of a new coalition named Pakatan Harapan (PH). The latter, set up in September 2015, was designed to exclude PAS from the coalition (Shazwan 2015). In the case of PAS leaving the PR coalition, it seemed that the former would rather sacrifice the coalition's common policy goals than risk losing the

support of its own predominantly Islamic electorate, comprising mainly those who supported the Islamization agenda for the nation (central to which was the passage of the divisive Hudud Bill). Like coalitions elsewhere, this was a case of diverse parties unable to operate together, with some not wanting to compromise on either their narrow campaign promises or their controversial policy goals (Fortunato 2017, 18).

Before the election of the new government in the GE14 under the PH coalition, PAS and the DAP controlled the state governments of Kelantan and Penang respectively. It seemed that they would be the most unlikely to become coalition partners, one party being predominantly Malay Muslim and the other predominantly Chinese, PAS being more established on the rural eastern side of the peninsula and the DAP on its urbanized western side. Perhaps their relative comfort and autonomy of having equal state powers led to disruptions in their earlier professed policies of moderation. PAS left the coalition ostensibly to pursue its more hardline or “authentic” Islamist stance. The DAP, on the other hand, decided to focus on keeping and strengthening its Chinese support base while tempering the fallout with PAS by placating its more moderate Malay constituents. Where would all this leave reforms for gender equality in political representation?

Interestingly, in 2015 a study by the social media research firm Politweet on Malaysia’s 18 million Facebook users found that women had lost interest in the DAP. The overwhelming interest in the DAP (74.4 percent) came from males, which was much higher than the interest shown by males in other political parties (58 percent). Interest in the DAP among female Facebook users dropped from 1.5 million users in April to 1 million in July (*Malay Mail Online* 2015). It would be speculative to assert that this could have been because the DAP had yet to have an effective message or brand that could appeal to young women. Nevertheless, the DAP achieved success with its women candidates in the GE14 with a 100 percent success rate—all the women who were fielded were voted in. However, it cannot be said that the success of DAP’s women candidates was largely due to the support of women voters, as there was a general “tsunami” of a majority of voters exerting their swing vote for a new government regardless of ethnicity or gender (Malaysiakini Team 2018).

As to the question of more long-term reform, such as ensuring the 30 percent quota for women’s representation in decision-making positions, it is not clear whether the DAP was fully committed to pushing this through to the end. The party gave the impression that it would be giving women a “New Deal.” However, it is difficult to interpret what was meant by this phrase in a 2016 speech by the party’s secretary general: “a 30% gender quota for Central Executive Committee (CEC) elections” (Lim 2016). Did this mean that 30 percent of seats within the CEC would be contested only by women? Or could it be that 30 percent of nominations in the contest for CEC seats had to be set aside

for women? So far, this New Deal has not been tested as there have been no CEC elections since 2013. As for PKR, it also claimed rather widely and generally that its crucial leadership positions would be reserved for women: the 30 percent requirement supposedly mandated by the party's constitution. In fact, this stipulation is only contained as a resolution made at the party's 2014 convention and now listed as the party's "principles of struggles" aiming to empower women to achieve equality in leadership and decision making, with at least 30 percent involvement as a way of guaranteeing their rights and interests.¹¹ The ambivalent overture made by both parties on their commitment to women's 30 percent representation seemed to have provided a safeguard against giving in too much to the gender equality agenda lest this override the parties' other distributive concerns around ethnicity, religion, and regionalism.

The question now is whether the coalitions on both sides, BN and PH, are still open to reforms on gender representation. Now that the 14th GE has put PH in power, more attention will be focused on its gender representativeness pledge. During the campaign period for the GE14, PH did actually proffer a platform of electoral reform for increased women's representation. The ruling government then (BN) also did not overlook women as an important constituency. Early in 2017 the deputy prime minister announced that his government would see through the 30 percent quota for women: "I will find a way so that this 30 percent request is achieved. Enough of talking rhetorically" (Malaysiakini 2017). Even before this, during the campaign period of the 13th GE, the prime minister recognized the significance of women's votes, particularly among vulnerable women. The category of women grouped under "single mothers" was viewed as a "fixed deposit" by Prime Minister Najib Razak, given their loyalty to the coalition. He said, "I want to do more for single mothers but we have to cross a small bridge first . . . a bridge that ends on May 5 (polling day)" (Rozanna 2013).

In September 2015 then Prime Minister Najib Razak announced the launch of the national action plan to empower single mothers at a global leaders meeting on gender equality and women's empowerment at the UN headquarters, New York. Najib said Malaysia had set a target of increasing its female labor participation rate from 54 percent

11) Perlembagaan Parti Keadilan Nasional (Constitution of the People's Justice Party), Article 5.14 is worded this way: "*Mengiktiraf martabat dan peranan wanita sebagai tonggak dan penggerak masyarakat, menghayati falsafah hormat wanita, memastikan wanita bebas daripada diskriminasi dan eksploitasi, mengupayakan wanita untuk mencapai kesaksamaan dalam kepimpinan dan membuat keputusan dengan sekurang-kurangnya penglibatan tiga puluh peratus, demi memastikan hak serta kepentingan mereka terpelihara*" (To recognize women's dignity and role as pillar and mover of society, to uphold the philosophy of respect for women, to ensure women's freedom from discrimination and exploitation, to enable women's achievement of equality in leadership by having at least 30 percent women's participation in decision-making positions so as to guarantee the protection of their rights and interests), <http://www.keadilanrakyat.org/prinsip-perjuangan/>, accessed April 14, 2017.

the previous year to 59 percent by 2020. The government also launched a Career Comeback Programme to provide opportunities for women to return to work after leaving the workforce (*Malay Mail Online* 2015). Other initiatives to brand BN as family- and women-friendly included the passage of the Sexual Offences against Children Bill in early April 2017. This bill was initiated by Azalina Othman Said, minister in the Prime Minister's Department in charge of law, who once headed the Young Women's wing of UMNO (Puteri UMNO). However, the issue of child marriage was not covered under this bill, which has led opposition women politicians to charge that the bill was inadequate. When the bill was proposed, MP Teo Nie Ching wanted an age limit for marriage as there was—and still is—a contradiction in the legal system: under civil law the minimum age for marriage is 16, while the proposed bill defined children as below 18 years old (Kumar 2017). All these initiatives and debates among women MPs was a demonstration of substantive representation, or women's representation going beyond numbers, as what was needed was quality and substantive engagement by women lawmakers when it came to issues such as the above. Whenever issues affecting women, family, and children came up in parliament, experience had shown that it was largely women politicians who would—or could—competently participate in the parliamentary debates. Bringing these examples to the fore could sway voters' consciousness about the need for more women's representation in parliament. Both the numbers and the quality of women representatives will be the necessary factor that could lead to a greater scrutiny of issues and principles around gender rights and justice.

Conclusion

In examining some of the more direct processes hampering women's entry and participation in formal politics, this article has identified newer dynamics in determining women's visible representation. Three factors have converged to affect women's political involvement: (1) collaboration and exchange between women's civil society interest groups and formal state political actors in building institutions for change for women; (2) the opportunities among women politicians, once given more strategic governing positions, to cultivate clientelist and patronage politics in order to retain and expand their constituent support base; and (3) the need to maintain a cohesive multiparty coalition by advocating centrist and middle-ground policies that are inclusive of women's greater political participation and ultimately strategic as an electoral advantage. These three factors seem to have facilitated opportunities for women to gain a foothold in political leadership.

Tied to all of the above have also been long-term plans to institute and advocate for

gender representation through electoral reform. This initiative, of reforming the electoral process to the advantage of women's representation, had been made possible before the start of the GE14 by the control of resources by governments from the PR coalition. The state governments of Penang and Selangor were particularly active in collaborating with women's interest groups to support advocacy and the setting up of institutions that provided material and social incentives to women. Women's induction into clientelist politics had thus allowed for a slight chipping away of a male monopoly in gatekeeping functions within political parties. Newer strategies to reform electoral laws through reserved seats and quotas allowing for gender representativeness can also be seen as one of the dividends in the political party–civil society collaborative enterprise.

The competitive mobilization for voter support by the BN and PR coalitions resulted in women becoming an important target of patronage. However, as discussed earlier, the ability of political coalitions to remain within a course of centrist, moderate, inclusive, and women-friendly agendas and policies was a constant challenge. Whenever this ability to stay centrist was strained, women's cause for equality and representation became one of the first casualties. The practice of clientelist and coalition politics tended to be played out within an ethnicized landscape, resulting in gender rights having to compete with regional and religious causes among the general electorate. Priorities for electoral reform in women's favor thus oscillated between being at the margins or at the center of political strategizing, bargaining, and negotiation. The experience of the GE14 showed that despite the groundwork done to increase women's candidacy in the election, women made up only 10.75 percent of candidates fielded for the state seats, while for parliamentary seats only 75 of 719 contestants—or 10.43 percent—were women.

The best option is still for women to lobby for gender-quota legislation while not losing sight of complementary efforts, such as building women's leadership capacity so that meritocracy is also applied as a principle in the selection of women candidates. It is necessary to continually institute internal party reforms and improve the quality of women's substantive representation, as has been done by other successful democracies. In these more advanced democracies, the gender-quota route was adopted to ensure that women would not have to wait a few more decades before occupying the spaces of politics and governance (Yoon and Shin 2015; O'Brien and Rickne 2016).

Accepted: June 29, 2018

References

- Allen, Nathan W. 2015. Clientelism and the Personal Vote in Indonesia. *Electoral Studies* 37: 73–85.
- Alyaa Azhar. 2017. Women-Only Electoral Seats: A Solution to Gender Gap in Policy Making? Malaysiakini. July 26. <https://www.malaysiakini.com/news/389822>, accessed October 17, 2017.
- Bjarnegard, Elin. 2013. Who's the Perfect Politician? Clientelism as a Determining Feature of Thai Politics. In *Party Politics in Southeast Asia: Clientelism and Electoral Competition in Indonesia, Thailand and the Philippines*, edited by Dirk Tomsa and Andreas Ufen, pp. 142–162. London: Routledge.
- Bryson, Valerie; and Heppell, Timothy. 2010. Conservatism and Feminism: The Case of the British Conservative Party. *Journal of Political Ideologies* 15(1): 31–50.
- Bustikova, Lenka; and Corduneanu-Huci, Cristina. 2017. Patronage, Trust and State Capacity: The Historical Trajectories of Clientelism. *World Politics* 69(2): 277–326.
- Campbell, Rosie; and Childs, Sarah. 2015. Conservatism, Feminisation and the Representation of Women in UK Politics. *British Politics* 10(2): 148–168.
- Cheng, Christine; and Tavits, Margit. 2011. Informal Influences in Selecting Female Political Candidates. *Political Research Quarterly* 64(2): 460–471.
- Chooi, Clara. 2012. Sharizat Says Ready to Face NFC Allegations. *Malaysian Insider*. February 4. <http://www.themalaysianinsider.com/malaysia/article/sharizat-says-ready-to-face-nfc-allegations/>, accessed January 1, 2013.
- Cinar, Kursat. 2016. A Comparative Analysis of Clientelism in Greece, Spain, and Turkey: The Rural–Urban Divide. *Contemporary Politics* 22(1): 77–94.
- Dancz, Virginia. 1987. *Women and Party Politics in Peninsular Malaysia*. East Asian Social Science Monographs. Singapore: Oxford University Press.
- Derichs, Claudia. 2013. Reformasi and Repression: Wan Azizah Wan Ismail. In *Dynasties and Female Political Leaders in Asia: Gender, Power and Pedigree*, edited by Claudia Derichs and Mark R. Thompson, pp. 291–320. Zurich and Berlin: Lit Verlag.
- Eradication of Poverty by MWFC (Pembasmian Kemiskinan). <https://ekasih.icu.gov.my/ekasih/Semakan/Pages/CarianProfailBantuan.aspx>, accessed March 1, 2017.
- Fortunato, David. 2017. The Electoral Implications of Coalition Policy Making. *British Journal of Political Science*. <https://doi-org.libproxy1.nus.edu.sg/10.1017/S0007123416000430>, accessed August 22, 2018.
- Gomez, Edmund Terence. 2016. Resisting the Fall: The Single Dominant Party, Policies and Elections in Malaysia. *Journal of Contemporary Asia* 46(4): 570–590.
- Halim Said. 2016. A Helping Hand for Single Mums. *New Straits Times*. March 13.
- Htun, Mala. 2004. Is Gender Like Ethnicity? The Political Representation of Identity Groups. *Perspectives on Politics* 2(3): 439–458.
- Institut Wanita Berdaya Selangor. <https://www.facebook.com/Institut-Wanita-Berdaya-Selangor-123910564936763/>, accessed October 17, 2017.
- Jacoby, Wade. 2017. Grand Coalitions and Democratic Dysfunction: Two Warnings from Central Europe. *Government and Opposition* 52(2): 329–355.
- Jamilah Ariffin. 1994. *Reviewing Malaysian Women's Status: Country Report in Preparation for the Fourth UN World Conference on Women*. Kuala Lumpur: Population Studies Unit, University of Malaya.
- . 1992. *Women and Development in Malaysia*. Petaling Jaya: Pelanduk Publications.
- Joshi, Devin K.; and Kingma, Kara. 2013. The Uneven Representation of Women in Asian Parliaments: Explaining Variations across the Region. *African and Asian Studies* 12: 352–372.
- Karim, Wazir Jahan. 1993. Women in Politics in Malaysia. In *Women in Politics: Australia, India,*

- Malaysia, Thailand, Philippines*, edited by Latika Padgaonkar, pp. 84–131. Bangkok: UNESCO Principal Regional Office for Asia and the Pacific.
- Kartini Abou Talib Khalid. 2014. Women and Politics: Social Construction and a Policy of Deconstruction. *Journal of Social Sciences* 10(3): 104–113.
- Kaufman, Robert R. 1974. The Patron-Client Concept and Macro-Politics: Prospects and Problems. *Comparative Studies in Society and History* 16(3): 284–308.
- Kokkonen, Andrej; and Wängnerud, Lena. 2016. Women's Presence in Politics and Male Politicians Commitment to Gender Equality in Politics: Evidence from 290 Swedish Local Councils. *Journal of Women, Politics & Policy* 38(2): 199–220.
- Kopecky, Petr; and Spirova, Maria. 2011. "Jobs for the Boys"? Patterns of Party Patronage in Post-Communist Europe. *West European Politics* 34(5): 897–921.
- Krook, Mona Lena. 2010. Studying Political Representation: A Comparative-Gendered Approach. *Perspectives on Politics* 8(1): 232–240.
- Kumar, Kamles. 2017. MP Wants Government to Set Minimum Age Limit for Marriages. *Malay Mail Online*. April 3. <http://www.themalaymailonline.com/print/malaysia/mp-wants-government-to-set-minimum-age-limit-for-marriages>, accessed October 17, 2017.
- Kwok, Yenni. 2016. Who Is the Woman at the Heart of Malaysia's Anti-Corruption Protests? *Time Magazine*. November 23. <http://time.com/4579854/malaysia-bersih-protests-leader-maria-chin-abdullah/>, accessed October 17, 2017.
- Lai Suat Yan. 2003. The Women's Movement in Peninsular Malaysia, 1900–99: A Historical Analysis. In *Social Movements in Malaysia: From Moral Communities to NGOs*, edited by Meredith Weiss and Saliha Hassan, pp. 45–74. London: Routledge.
- Lawson, Chappell; and Greene, Kenneth F. 2014. Making Clientelism Work: How Norms of Reciprocity Increase Voter Compliance. *Comparative Politics* 47(1) (October): 61–77.
- Lee, Julian C. H. 2012. Shopping for a Real Candidate: Aunty Bedah and the Women's Candidacy Initiative in the 2008 Malaysian General Elections. In *Women and Politics in Asia: A Springboard for Democracy*, edited by Andrea Fleschenberg and Claudia Derichs, pp. 19–39. Singapore: ISEAS.
- Lemarchand, Rene; and Legg, Keith. 1972. Political Clientelism and Development: A Preliminary Analysis. *Comparative Politics* 4(2): 149–178.
- Lim Guan Eng. A New Deal for Malaysians. Speech at the DAP National Conference, Shah Alam, December 4, 2016. <https://dapmalaysia.org/statements/2016/12/04/24127/>, accessed April 14, 2017.
- Lim, Ida. 2013. No Votes Lost over Raja Ropiah Issue, Wanita Umno Leaders Say. *Malaysian Insider*. January 6. <http://www.themalaysianinsider.com/malaysia/article/no-votes-lost-over-raja-ropiah-issue-wanita-umno-leaders-say/>, accessed January 7, 2013.
- Loh, Francis; and Saravanamuttu, Johan, eds. 2003. *New Politics in Malaysia*. Singapore: ISEAS.
- Mahfudzah binti Mustafa. 1999. Women's Political Participation in Malaysia: The Non-Bumiputra's Perspective. *Asian Journal of Women's Studies* 5(2): 9–46.
- Malay Mail Online*. 2015. DAP Supporters Overwhelmingly Male-Centric as Women Shy Away, Facebook Survey Shows. September 13. <http://www.themalaymailonline.com/print/malaysia/dap-supporters-overwhelmingly-male-centric-as-women-shy-away-facebook-survey>, accessed April 14, 2017.
- . 2014a. PAS Women's Chief Denies Endorsing Dr Wan Azizah. September 2. <http://www.themalaymailonline.com/print/malaysia/pas-womens-chief-denies-endorsing-dr-wan-azizah>, accessed April 14, 2017.
- . 2014b. Political Parties Should Set 30pc Female Quota during Elections, Says Azizah. December 8. <http://www.themalaymailonline.com/print/malaysia/political-parties-should-set-30pc-female-quota-during-elections-says-azizah>, accessed April 14, 2017.
- . 2014c. Dr Wan Azizah Lost Credibility When She Quit Opposition Leader Post, PAS Wing

- Says. September 8. <http://www.themalaymailonline.com/print/malaysia/dr-wan-azizah-lost-credibility-when-she-quit-opposition-leader-post-pas-win>, accessed April 14, 2017.
- Malaysiakini. 2017. DPM: It's Too Soon to Decide on Snap Polls for Sabah. February 11. <https://www.malaysiakini.com/news/372111#ixzz4YuRFu5xy>, accessed April 1, 2017.
- Malaysiakini Team. 2018. After Six Decades in Power, BN Falls to "Malaysian Tsunami." May 10. <https://www.malaysiakini.com/news/423990>, accessed August 22, 2018.
- Malaysian Insight. 2017. Wanita Pakatan Pledges to Raise Women in Politics, Economy, Social Welfare. October 11. <https://www.themalaysianinsight.com/s/18126/>, accessed October 17, 2017.
- Manderson, Leonore. 1980. *Women, Politics and Change: The Kaum Ibu UMNO, Malaysia, 1945–1972*. Kuala Lumpur: Oxford University Press.
- Martinez, Patricia. 2003. Complex Configurations: The Women's Agenda for Change and the Women's Candidacy Initiative. In *Social Movements in Malaysia: From Moral Communities to NGOs*, edited by Meredith Weiss and Saliha Hassan, pp. 75–96. London: Routledge.
- Maznah Mohamad. 2017. Increasing Women's Representation in Malaysian Politics. Malaysiakini. June 9. <https://www.malaysiakini.com/news/385114>, accessed October 17, 2017.
- . 2003. Women in the UMNO/PAS Labyrinth. In *Risking Malaysia: Culture, Politics and Identity*, edited by Maznah Mohamad and Wong Soak Koon, pp. 112–138. Bangi: Penerbit UKM.
- . 2002. At the Centre and Periphery: The Contribution of Women's Movements to Democratization. In *Democracy in Malaysia: Discourses and Practices*, edited by Francis Loh Kok Wah and Khoo Boo Teik, pp. 216–240. Richmond: Curzon.
- Molyneux, Maxine. 1998. Analysing Women's Movements. In *Feminist Visions of Development: Gender Analysis and Policy*, edited by Cecile Jackson and Ruth Pearson, pp. 65–88. London and New York: Routledge.
- Mulakala, Anthea. 2013. Where Are Malaysia's Women Politicians? Asia Foundation. March 13. <http://asiafoundation.org/2013/03/13/where-are-malaysias-women-politicians/>, accessed February 16, 2017.
- Ng, Cecilia. 2012. Right Time, Right Place and with Some Luck: PWDC in the Making. *Penang Monthly* (April): 18–20.
- . 2010. The Hazy New Dawn: Democracy, Women and Politics in Malaysia. *Gender, Technology and Development* 14(3): 313–338.
- Ng, Cecilia; and Lai, Karen. 2016. Debating Women's Representation & Electoral Politics. Presentation at the national conference on Gender and Electoral Reform: Making a Difference, Penang, August 26–27.
- Ng, Cecilia; Maznah Mohamad; and Tan Beng Hui. 2007. *Feminism and the Women's Movement in Malaysia: An Unsung (R)evolution*. London: Routledge.
- Noraini Abdullah. 1984. Gender Ideology and the Public Lives of Malay Women in Peninsular Malaysia. PhD dissertation, University of Washington.
- O'Brien, Diana Z.; and Rickne, Johanna. 2016. Gender Quotas and Women's Political Leadership. *American Political Science Review* 110(1): 112–126.
- Otjes, Simon; and Rasmussen, Anne. 2017. The Collaboration between Interest Groups and Political Parties in Multi-party Democracies: Party System Dynamics and the Effect of Power and Ideology. *Party Politics* 23(2): 96–109.
- Palansamy, Yiswaree. 2015. Hadi Tells Muslims to Be Angry with DAP over Hudud. *Malay Mail Online*. May 19. <http://www.themalaymailonline.com/print/malaysia/hadi-tells-muslims-to-be-angry-with-dap-over-hudud>, accessed April 14, 2017.
- Pathmawathy, S. 2011. Sex Book Author Allows Peep into Bedroom. Malaysiakini. October 22. <http://www.malaysiakini.com/news/179362>, accessed October 22, 2011.

- Perlez, Jane. 2006. Within Islam's Embrace: A Voice for Malaysia's Women. *New York Times*. February 16. <http://www.nytimes.com/2006/02/19/world/asia/within-islams-embrace-a-voice-for-malaysias-women.html>, accessed October 17, 2017.
- Portal Rasmi Kementerian Pembangunan Wanita, Keluarga dan Masyarakat [Official portal of Ministry of Women, Family and Community Development]. <http://www.kpwkm.gov.my/kpwkm/index.php?r=portal/about&id=Vzh2VVk4OURnWWtSNExlUkRGb2xpUT09>, accessed March 1, 2017.
- Portal Rasmi Parlimen Malaysia [Official portal of Malaysian Parliament]. <http://www.parlimen.gov.my/pengenalan.html?&view=236&uweb=p&lang=en>, accessed April 13, 2017.
- Program Kebajikan Negeri Pulau Pinang [Welfare program of Penang state government]. <https://isejahtera.penang.gov.my/wargaemas/index.php>, accessed April 14, 2017.
- PWDC. 2016. National Conference on Gender and Electoral Reform: Making a Difference. Conference Proceedings Report, Penang Women's Development Corporation, August 26–27.
- . <http://pwdc.org.my/>, accessed April 14, 2017.
- Rai, Praveen. 2017. Women's Participation in Electoral Politics in India: Silent Feminisation. *South Asia Research* 37(1): 58–77.
- Rashila Ramli; and Saliha Hassan. 2009. Women and Political Development in Malaysia: New Millennium, New Politics. In *Readings on Women and Development in Malaysia, A Sequel: Tracing Four Decades of Change*, edited by Jamilah Ariffin, pp. 71–97. Petaling Jaya: MPH Group Publishing.
- . 1998. Trends and Forms of Women's Participation in Politics. In *Malaysian Women in the Wake of Change*, edited by Sharifah Zaleha Syed Hassan, pp. 88–104. Kuala Lumpur: Gender Studies Programme, University of Malaya.
- Rivoal, Isabelle. 2014. Intimate Politics: The Art of the Political Relationship in Lebanon. *Anthropology of the Middle East* 9(1) (Spring): 1–17.
- Rogers, Marvin L. 1986. Changing Patterns of Political Involvement among Malay Village Women. *Asian Survey* 26(3): 322–344.
- Rozanna Latiff. 2013. Five Types of Aid for Single Mums. *New Straits Times*. April 19.
- Saliha Hassan. 2004. Women's Political Participation during the Mahathir Years and Beyond. In *Reflections: The Mahathir Years*, edited by Bridget Welsh, pp. 144–158. Washington, DC: SAIS, Johns Hopkins University.
- Scott, James C. 1972. Patron-Client Politics and Political Change in Southeast Asia. *American Political Science Review* 66(1): 91–113.
- Selangor State Assembly. 2016. *2017 Selangor State Budget: Building the Nation, Prospering the State*. Shah Alam: Selangor Menteri Besar's Office.
- Shamsul, A. B. 1986. The Rise and Demise of a Malay Woman Politician. *Sojourn: Journal of Social Issues in Southeast Asia* 1(2): 220–230.
- Sharifah Syahirah S. S. 2013. Gender Roles in the 13th Malaysian General Election (GE13): Descriptive, Substantive and Surrogacy Analysis. Paper presented at the Seminar Media & Pilihanraya Umum, Kuala Lumpur, July 4.
- Shazwan. 2015. Opposition Parties Form "Pakatan Harapan," Opens Door to PAS. *Malay Mail Online*. September 22. <http://www.themalaymailonline.com/print/malaysia/opposition-parties-form-pakatan-harapan-opens-door-to-pas>, accessed April 14, 2017.
- Star Online. 2018. Maria Chin to Contest under PKR Banner in GE14. March 23. <https://www.thestar.com.my/news/nation/2018/03/23/maria-chin-pkr-banner/>, accessed August 22, 2018.
- . 2017. Shahrizat: Field More Women Candidates. November 12. <https://www.thestar.com.my/news/nation/2017/11/12/shahrizat-field-more-women-candidates>, accessed August 9, 2018.
- Stivens, Maila. 2003. (Re)Framing Women's Rights Claims in Malaysia. In *Malaysia: Islam, Society and Politics*, edited by Virginia Hooker and Noraini Othman, pp. 126–146. Singapore: ISEAS.

- Tan Beng Hui; and Ng, Cecilia. 2003. Embracing the Challenge of Representation: The Women's Movement and Electoral Politics in Malaysia. In *New Politics in Malaysia*, edited by Francis Loh and Johan Saravanamuttu, pp. 107–128. Singapore: ISEAS.
- Tan Pek Leng. 2011. Beyond Numbers: Women and Politics in Malaysia. In *Our Lived Realities: Reading Gender in Malaysia*, edited by Cecilia Ng, Noraida Endut, and Rashidah Shuib, pp. 80–106. Pulau Pinang: Universiti Sains Malaysia.
- Teehankee, Julio C. 2013. Clientelism and Party Politics in the Philippines. In *Party Politics in South-east Asia: Clientelism and Electoral Competition in Indonesia, Thailand and the Philippines*, edited by Dirk Tomsa and Andreas Ufen, pp. 186–214. London: Routledge.
- Tomsa, Dirk; and Ufen, Andreas, eds. 2013. *Party Politics in Southeast Asia: Clientelism and Electoral Competition in Indonesia, Thailand and the Philippines*. London: Routledge.
- Von Wahl, Angelika. 2008. From Family to Reconciliation Policy: How the Grand Coalition Reforms the German Welfare State. *German Politics & Society* 26(3): 25–49.
- Women in National Parliaments. >e/classif.htm, accessed April 11, 2017.
- Wong Chin Huat. 2017. Gender Quota and Women Only Additional Seats (WOAS). Presentation at Women & Inclusive Politics Forum: State Assemblies & Additional Seats for Women, Penang, March 31.
- World Bank. Proportion of Seats Held by Women in National Parliaments (%). <https://data.worldbank.org/indicator/sg.gen.parl.zs>, accessed September 6, 2018.
- Yoon Jiso; and Shin Ki-young. 2015. Mixed Effects of Legislative Quotas in South Korea. *Politics and Gender* 11(1): 186–195.

Creativity in Dissent: From the Politics of Pedagogy to the Art of Pedagogy

Simon Soon*

This essay examines the historical conditions of the politics of pedagogy that have shaped the history of postcolonial higher education and attempts at producing countermovements to its subsequent institutionalization. I consider this in relation to pedagogical practices that reference creative forms in avant-garde art and theater. A genealogy of rethinking education through creative means can be traced back to the establishment of Nanyang University and the teaching of contemporary Asian literature by Han Suyin, with later artists such as Wong Hoy Cheong engaging with Paulo Freire's ideas on learning in Wong's course on Third World aesthetics, Universiti Bangsar Utama's reimagination of the role that education could play in Kuala Lumpur during the 1998 Reformasi, and most recently Buku Jalan's decentering of education. Finally, I consider the pedagogical stakes at hand by exploring the life story of a bookseller in Kelantan and his embodiment of a local cosmopolitanism.

Keywords: pedagogy, avant-garde, Paulo Freire, student power, university education

When we think of creative dissenters in the public view from Malaysia today, two individuals stand out: Fahmi Reza (b. 1977), a filmmaker, street artist, social historian, and activist; and Zulkiflee SM Anwar Ulhaque, a.k.a. Zunar (b. 1962), a cartoonist who uses satire to comment on sociopolitical issues in the country. In 2016, as controversies surrounding the embezzlement of public money through the Malaysian government's strategic development company 1MBD—and the noise about them—increased, the images of these two figures, who were trenchant critics of Prime Minister Najib Razak's administration, also achieved wide circulation in the media. Not only were they making global headlines as public figures of political defiance through creative acts, they also came to stand for something else altogether through a collusion of signs that added up to a mythology of the rebel.

I use the word “mythology” here in the sense of the critical theorist Roland Barthes's understanding of the term. Barthes suggests that a myth (especially modern myth) helps

* Visual Art Program, Cultural Centre, University of Malaya, 50603 Kuala Lumpur, Malaysia
e-mail: simonsoon@um.edu.my

to naturalize worldviews and offers us simplicity of essences rather than complexity of substance (Barthes 2009, 143). After all, in the age of YouTube, the simplicity of the message behind the image has an advantage in capturing short attention spans. We may consider the “modern” myth of the rebel in relation to our case study. For example, in the case of Fahmi, he is always dressed in black and sports skinny jeans with a bandanna wrapped around his neck. The look is defined as much by his coolness as by his individuality and devil-may-care attitude, especially when compared against a conservative Malay politician in a baju Melayu who stands for communal interests and nativist rights. In the case of Zunar, photos of him being arrested in handcuffs contribute to a picture of an oppressive environment through which his cartoons attain a greater political edge. One senses a calculated projection of a certain image on the part of these two protagonists.

What do these images say? On the one hand they draw our attention away from whether or not the creative form of expression is in and of itself a potent tool for political awareness or consciousness raising. In the view of the writer and artist Tan Zihao, popular circulation of these images of the rebel distracts us from the ineffectiveness of satire as a tool for political commentary. Tan elaborates:

Satires decry the rulers as much as they mock the readers. We are not the only one laughing. The persistently slick smiles of Fahmi’s clowning Najibs and Zunar’s beaked Donald Dedaks are telling. These bastardised Najibs are still smiling because they are unwreckable. (Tan 2016)

Tan’s pithy observation overturns the popular view of locating creativity in the guise of rebellious heroes. He concludes that certain creative forms, though heavily publicized, might not ultimately possess the kind of political bark that we make them out to have. In turn, he suggests that creativity in dissent could potentially reside elsewhere, even if this is not spelled out. Not discounting the good work that both Fahmi and Zunar have undertaken, one could still wonder about their staying power and what role the media plays in installing these figures as cult personalities. Perhaps we need to ask whether, in the context of creativity in dissent, the figure of rebellion must be represented by the individual.

This paper now turns to the project of building a critical mass through creative means. With the eruption of creativity—in the streets, cyberspace, and publishing—what kind of groundwork laid the foundations for creativity and dissent? Creativity and dissent can be viewed as artistic expressions of belligerence or opposition to the status quo. Often, studies focus on the works of art themselves (Lee 2017) or identifying structural tendencies within the movement as a whole (Smeltzer 2017). However, the kind of labor invested in rethinking pedagogy in creative terms that has produced this phenomenon is not given a profile, let alone understood in relation to history.

This paper instead examines the historical conditions of the politics of pedagogy that have shaped the history of postcolonial higher education and attempts at producing a countermovement to its subsequent institutionalization. This departs from the standard narrative of art and politics that links artistic output to moments of political crisis. After all, the latter has become the standard narrative of artistic avant-garde throughout the twentieth century (Groys 2014). Moreover, the cleaving of art to politics is not always precipitated by moments of political crisis and could be generated by market demands (Syed Jaymal 2016). Rather, the essay attempts at a genealogy of artistic projects with pedagogical aims and to account for the terms in which creativity and learning were tested, in many instances, to disrupt or to find an alternative to formal institutional structures of learning.

This entails an uncovering of the intersection between art and education, especially through contemporary art initiatives that might not at first appear visual enough in the public's perception. Nevertheless, this format draws from an intellectual lineage and mode of operation rooted in modern art's avant-gardism. During the twentieth century, what the artistic avant-garde attempted was to challenge prevailing academic norms and definitions of what constituted the fine arts. Movements such as Futurism, Dada, Surrealism, Expressionism also sought to attack the sociocultural codes and political decorum associated with art institutions and to discover an alternative mode of creative existence that was attuned to the contemporary sociopolitical situation. In the early twentieth century, the new tendencies toward abstraction were stylistic innovations that sought to question the entrenched Western classical conventions of visual representations that were premised on verisimilitudinal representation of the physical world.

The movements introduced aesthetic changes that were a shock to the bourgeois sensibility of Europeans, who saw Western tradition rooted in the naturalism of the human form in classicism as the foundation on which one could cultivate the rational and civilized man. Though the values of Western humanities were challenged by art in the twentieth century, art museums soon absorbed many of these artistic challenges into a seamless history of art as marked by a gradual progression from figurative to abstract art. Each time this was done, a new generation of avant-garde artists would seek to push the boundaries again. Therefore, in the forms of avant-garde art since World War II, one seldom sees elements that are visual in the strictest sense of the word. Works of contemporary art are never only visual in the strictest sense of the term. For example, installation as a format is about the creation of immersive spaces and many sound artworks are concerned with highlighting the aesthetic experiences that arise from the activity of listening. Then there are social-engagement projects that are understood under the framework of art, in which social processes (negotiations, discussion, argu-

ments, confrontation, intimacy, strange encounters) are scenarios that form the basis of an artistic inquiry (Kester 2004). Often the output is not in the form of an object and is thought of as more of an outcome, or, in the words of the art critic Hal Foster, “a ruse for other practices altogether, such as pedagogy . . . or politics” (Schneider and Omar Hussain 2010). Creativity in this instance is a measure of how one is able to design a structure for conversation and learning, rather than the conventional idea of an artist producing an image to deliver what he or she intends to say.

Student Power

Fahmi gained huge media capital for his agitprop designs such as the “Badut” or clown cartoons, which caricaturize Prime Minister Najib as a comic performer and call into question his ability to lead effectively. The Badut cartoons were mass produced as stickers, T-shirts, as well as images that could be downloaded from the Internet, essentially creating a viral template that was used to spread the message across the country and worldwide via the Internet. Fahmi is also remembered for his highly celebrated documentary *Sepuluh Tahun Sebelum Merdeka* (Ten years before Merdeka), about the 1948 strike or *hartal* by a coalition of unionists against British machination in the formation of the Federation of Malaysia. This federation was a social, political, and economic compact that was inherited by the ruling government upon the independence of Malaya.

There is a different project of his as an entry point into what I would qualify as the “art of pedagogy.” In essence Fahmi’s *Student Power*, a staged performance lecture, is about the recovery of history that creatively enables a new imaginative space for political action, and it mirrors my interest in trying to account for what Buku Jalanan is doing in Malaysia today. Buku Jalanan exists as a loose collective of cultural organizers who are interested in the use of public spaces to build a network of youths through fostering a reading culture to get young Malaysians interested in politics, economics, arts, culture, and activism.

By the art of pedagogy, I suggest that we might define creativity in this instance as initiatives that expand the philosophy of learning in search of new ways of relating to each other without relying on the state. These artistic initiatives are often projects that resemble community-building cultural initiatives rather than artistic objects, initiated by artists who feel that the visual form is not sufficient to address the question of communication. Nevertheless, many projects discussed below are equally suspicious of mass media technology. Instead, they turn toward the conceptual tools afforded by contemporary art history as well as its interdisciplinary discourse to produce a working framework.

Often the output is eclectic. For example, Fahmi's *Student Power* began primarily as a research cluster. The group met at an artist colony in Section 17, Petaling Jaya. This was where, together with other university students interested in local history, Fahmi began to map out the literature of how the student movement came to be in 1960s Kuala Lumpur. This was when an autonomous campus of University of Malaya was established in the new capital of Malaysia in 1959 before taking over the university name in full capacity three years later from the campus in Singapore (Tan and Lee 1996). Through interviews and archival research, Fahmi and his team were able to build up a repository of knowledge about a modern historical phenomenon that is not widely discussed in public discourse, let alone included in the history curricula of public schools. Curricula have moved away from civilizational accounts of history to stock narratives of political nationalism, which prioritizes the Malay nationalists' contribution to the formation of UMNO (United Malays Nationalist Organisation), the dominant monoracial political party in the ruling coalition that has ruled the country since Malaya's independence in 1957.

Fahmi's research on the 1960s student movement was presented as a series of mobile lecture performances, often delivered by Fahmi and occasionally guested by former student leaders from the 1960s. The performances often featured only one theatrical prop, a stone dais resembling the old speaker's corner at University of Malaya. To some extent, it symbolized free speech. But by design it was replicating the past in the very present moment when the lecture was staged, to suggest that the past spoke very much to the conditions of the present day. In turn, the prop served as a transportable rallying point that created a temporary space to reflect on the purpose of gaining an education.

The lecture performances were intended to rouse the student body into believing that education in and of itself could not be separated from political action. The context in which the political flames were fanned was, of course, by no means isolated. However, often the global anchor for this historical phenomenon referred to the student barricades of Paris 1968. But if we are to speak of the 1960s student movement as a global phenomenon, then our frame of reference need not be Paris 1968. What was happening in Malaysia was not simply a local manifestation of such a form of political agitation, but coexisting with a network of student agitations across the world. In turn, reading the global event as rhizomatic, one is reminded that these incidents were isolated from wider discourses and solidarity networks that were being forged around the world, even if the concerns were characteristically local (Weiss 2012).

As a staged performance lecture, *Student Power* was directed at students who were facing new challenges under a pedagogical regime at the dawn of the twenty-first century. Fahmi's restaging of this history was strategic in a sense. Over and beyond the need to

stir a new generation of students to think for themselves in political terms, *Student Power*—which was unveiled in 2010—was responding to deep structural changes occurring in the global education system. In 2008 Ghauth Jasmon was appointed as the new vice-chancellor of University of Malaya and pledged to return the university to its former public glory through climbing up the global university ranking system, in which the university had fallen precipitously between 2005 and 2008. With both the government and the university suffering from such an ignominious loss of confidence, the university underwent a structural overhaul (which included quantitative evaluation of academic performances, new emphasis on academic publishing, industry linkages, international engagements) largely through the design of the global consultancy firm McKinsey. McKinsey in turn created a road map that was principally concerned with measuring academic excellence based largely on the numerical game of peer-review publications and a corporatization of university education (Ong and Zairil Khir 2013). In turn, university courses were encouraged to incorporate industry training in response to corporate demands for a workforce aligned to their present-day needs. This was a reaction to populist opinion that graduates were not prepared for an employable future.

Against this top-down solution is a different kind of energy coursing through a collaborative research project like *Student Power*, whereby historical knowledge is reenacted and pressed into the service of rethinking contemporary debates. What *Student Power* underlines is that another subject position is available, if only the why's and how's of learning is critically assessed. This does not fall into the degree-churning mill that universities have become, tasked by the expanding middle class and their attendant bourgeois social values. Creativity in dissent comes from revising the premise of one's learning, which is to foster imagination as key to an intellectual and emotional freedom. It is markedly different from the goal that universities in the twenty-first century are pressured to work toward.

Learning, Unlearning, and Relearning: The Postcolonial University

The question I want to ask is: Is it possible to trace the historical circumstances that resulted in the emergence of creative dissent against institutionalized pedagogy? We may have to briefly go back in time to the very foundations of modern education in Malaysia in order to characterize the nature of such changes. The chronology here is cursory, and its main aim is to highlight the historical development of educational institutions.

Unlike India, Burma, or Hong Kong, where a colonial university was founded in the early twentieth century, the first university in Malaya came into existence only after

World War II. In 1949 the Carr-Saunders report recommended the establishment of University of Malaya: “the university shall act as a single medium of mingle [*sic*] for enhancing the understanding among the multi-ethnics [*sic*] and religions in the back than Malaya [*sic*]” (Khoo 2005, 6–9). Underlying the postwar engineering of a Malayan identity was a desire on the part of the British to secure a framework for unity. Its inclusive nature meant that multi-ethnicities also included the Europeans, who needed to safeguard their business interests even when Malaya would eventually gain political independence. The multiethnic social compact was also an alternative to Communism and revolution.

The “Malayan” discourse, though introduced by the British, was never solely defined by the colonial authority. Cultural intelligentsia of all stripes were also drawn into debates about the exact definition of “Malaya’s” vaguely worded nation-building ethos. But the Malayan discourse was never in any way singular. On the one hand, Anglophones constituted an elite class groomed to take over the leadership of an independent country. Often, members of this language community perceived that an English-language education was the only means of cultivating a cosmopolitan worldview. The cosmopolitan worldview was, in turn, regarded as an ideal for leaders of a multiethnic nation. On the other hand, being an elite class meant that Anglophones required popular support to win the elections. In a sense, ethnic-communal nationalism was tolerated as long as the Anglophone elite class were given primacy to head any ethnic-specific component parties in a race-based coalition.

While race became an overriding determinant of governmental politics, it was the larger class-driven politics at play that gave context to the establishment of Nanyang University. Nanyang University could be counted as the first large-scale attempt at reimagining what tertiary education could be on creative terms. The university was built solely through contributions from the Chinese business community and funds raised by the Chinese working-class public. Not a cent was received from the British colonial government, and this meant that the university was also not recognized by the British and existed primarily as a private company (Kee and Choi 2013). The British were dead set against Nanyang University because they were convinced that since it was a Chinese-medium institution it was a communal enterprise that went against the cosmopolitan aspiration of a Malayan identity that the colonial government was trying to foster.

Yet, studies have shown that Nanyang University offered an equally compelling and competing form of Malayan identity and culture that was built on what was called the “nanyang” aesthetic. In this instance, “nanyang” can be loosely defined as a cultural hybridity that combined Eastern and Western cultural forms while synthesizing these aesthetic traditions to address local subject matter and social conditions (Low 2012, 237).

If the university was founded in a context where “nanyang” as an aesthetic principle

was debated, one could argue that the building of the university constituted a form of creative dissent against the colonial status quo in the primacy of Anglophone culture within Malayan's multiethnic social compact. What the dissent suggests is that the ideological contestation between Nanyang University and University of Malaya was not exclusively marked by divisions along language lines. On this point, it is important to note that I am referring primarily to the founding visions of the two universities and not the inter-varsity camaraderie amongst students. The choice of which language to use as the primary medium of instruction also became a debate about which language community would gain new privileges from the university as an institution that validated an individual's knowledge on an area of study. Even so, when it comes to a language community, though the basis of the community's identity is a shared language, the community is not wholly defined by it and allows for different kinds of accommodation. At the same time, while the building of Nanyang University received tremendous support from the Chinese community, significant contributions also came from Chinese business leaders. These acts of generosity suggest that the competition had in many ways to do with the values that would strengthen the class positions of either the Anglophones or the Chinese business community. These values were to be imparted to future politicians, technocrats, teachers, and officials in the institutions that were set up.

Given the context spelled out above, Nanyang fought hard against the public perception that it only had Chinese communal interests at heart. At the same time, it needed to find a new ground on which it could offer a different cosmopolitan worldview. When the author and physician Han Suyin was invited by the first vice-chancellor of Nanyang University to teach English literature, she rejected the offer. When she was asked, she "shook my head. I did not know anything about English literature."

"But you write English," the vice-chancellor exclaimed.

"Not English literature," Han replied. "I did not want to teach Dickens and Thackeray, worthy though they might be" (Han 1980, 90).

Instead, Han wanted to put together something else altogether. Han elaborated on this point: "I tried to explain my idea of literature; that we must create an Asian type of literature; we needed something other than nineteenth-century English writers . . ." (*ibid.*).

Finally, by 1959, Han was able to teach a three-month course titled "Contemporary Asian Literature." She taught at night, twice a week, for two hours. In the course, she was able to introduce students to Asian literature translated into English. The writers covered included Rabindranath Tagore, Faiz Ahmed Faiz, Chinua Achebe, and Ahmed Ali. They were studied in the context of literary outputs emerging "from colonialism" (Aamer Hussein 2017).

By distancing the idea of literature from the English literary canon, what Han proposed was that the constitution of what she called “Asian literature” need not be language-specific but have a shared common condition. The fact that literary texts for the courses were either written in or translated into the English language also suggests that in claiming ownership over the English language, one decolonizes the language of colonial oppression by using that very same language to communicate one’s individual experience across other contexts in the community that one imagines to be “Asia.”

In arguing that there was a creative dimension to the founding of a pedagogical institution in Nanyang University, I am also suggesting that the institution was in no way a communal and reactionary response to the cosmopolitan Malayan cultural identity that University of Malaya was attempting to foster. If anything, it offered a contending cosmopolitan vision of a Malayan identity. A cosmopolitan Malayan identity was not the sole purchase of an Anglophone elite who viewed every other language community as communal and insular. Here was an institution of higher learning that took a creative role in nurturing a different imagination of Malaysia.

Nevertheless, university education in the post-independence period focused primarily on nation building. In this sense, administrative control was gradually centralized, often at the expense of the university’s autonomy. Following the separation of Singapore from Malaysia, Nanyang University was administratively merged with the University of Singapore to form the National University of Singapore (Tan and Lee 1996). This followed from the taming of the university and the expulsion of leftist elements during the 1963 Operation Coldstore, when then Prime Minister Lee Kuan Yew embarked on a leftist purge in order to consolidate power over the island state to demonstrate his political mandate to the federal government of Malaysia as the date of the merger inched closer (Poh *et al.* 2013). In 1970s Malaysia, following the racial riots of May 13, 1969, the government introduced a law that would curtail student involvement in party politics (Universities and University Colleges Act 1971).

Under Section 5 of the 1971 Act, the establishment of universities outside of the government purview was prohibited. Were such a stipulation in place in 1955, Nanyang University would not have been established. While the 1971 Act was designed to police the spread of extremist ideologies within academic institutions, once the act was in place it allowed the state to wield a great degree of control over a system of learning and define its values. By 1974, university students mobilized to highlight the destitution of rubber tappers in Baling, Kedah, following a slump in rubber prices. They saw the cause of poverty in a system of labor exploitation as a symptom of an unequal distribution of wealth. In turn, university students accused the Malaysian government of protecting the economic interests of British investors by safeguarding their ownership of plantation

estates in spite of Malaysia's political independence while neglecting to care for the welfare of its citizens.

To stamp out the belligerent student body, the Internal Security Act, a preventive detention law passed in 1960 that allowed for detention without trial or criminal charges under legally defined circumstances, was invoked to arrest a number of student leaders involved in the Baling peasant protests. Soon after, the 1971 Act was further strengthened through a revision to ensure that what appeared to be the most vocal political demographic stayed silent.

The redistributive system known as the New Economic Policy, which was introduced in 1971, allowed for some form of social reconfiguration to take place just as the economy and education were slowly being centralized. The policy of centralization extended also into the realm of culture, with the formulation of a National Cultural Policy the same year. The National Cultural Policy was the outcome of a series of deliberations known as the National Cultural Congress, whose scope was to orient culture toward an expression of nativism. The first feature of this policy was that the concept of a National Culture would be based on cultures local to the region. Second, non-Malay cultural forms would be included as part of National Culture if they were suitable. Last, Islam—as the official religion of the country—was recognized as an important component in shaping National Culture.

This suggests that by the end of the 1970s, the nation—or the national as a discourse—had concretized into a set of characteristics and policies that represented the government. For activists and artists who were suspicious of the political and cultural agenda behind such instrumentalization of culture, they would have to draw strength and imagination from elsewhere. It would take a while for this new culture to crystallize into an output, given that by the 1980s, when Mahathir Mohamad became the fourth prime minister of Malaysia, he instituted a sweeping modernization program and numerous campaigns aimed at reinventing the cultural framework, culminating in the concept of *Bangsa Malaysia*. This was a framework that would allow a new economic model to emerge, based on the desire to foster a corporate class of political allies through privatization of key government assets and agencies.

These socioeconomic changes produced a growing middle class that was silenced by the wealth and opportunity in Malaysia. On the other hand, they also created small pockets of resistance to what was perceived to be a misdirected vision of modernity. This perception resulted in nascent attempts at thinking of an educational curriculum that privileged creative expression as a channel for social justice. It also recognized in pedagogy a means to redirect the public's sympathy to social issues that were not immediately relevant to the urban middle class. By the 1990s, the state was seen to have monopolized

the definition of nationalism. The countermove was therefore not to produce an alternative national vision, but to cultivate a relationship with the world that was not always aligned to the present-day narrative of the nation-state. Attempts were made to bring into awareness historical alignments and the unrealized ideals that had been promised. By the early 1990s, in a small private art school called the Malaysian Art Institute, a course titled “Third World Aesthetics” was being taught by the artist Wong Hoy Cheong (Soon 2014, 90).

Wong, who returned from the United States in the mid-1980s, had studied painting under John Grillo and was also a student of the abstract painter Hans Hoffman, known for his theory on the push-and-pull effect. Departing from Renaissance one-point linear perspective, Hoffman argued that the compositional push-and-pull of form produced a visual tension that evoked in the viewer an experience of depth and motion on the flat surface of a canvas.

Even though Wong later abandoned painting to experiment with other media, he did not entirely dispense with the push-and-pull approach. As a conceptual tool, the very tension evoked in the visualization of the push-and-pull corresponds philosophically to dialectics as a mode of discourse. What is achieved through the use of contrasts and opposites is a psychological depth that can speak forcefully as a response to the conditions of contemporary life. In this sense, Wong was also taken by the hermeneutics of the German philosopher Hans Georg-Gadamar, especially with what he called the fusion of horizons as central to the act of interpretation. Understanding emerges through the act of reading, not in order for an objective meaning to surface. Instead, the interpreter gains a deeper empathy for the subject matter through the production of a common horizon.

When offering a working definition of contemporary art, Wong spoke as early as 1989, in a seminar paper, of the need to unyoke artistic practice from a mannered understanding of tradition. At the First ASEAN Symposium on Aesthetics, he rejected the prevalent tendency of cultural essentialism that he saw in many contemporary artists who engaged rhetorically with tradition. Instead, he said:

We need more of the present, more empathy for the living and breathing people of our society. We need to confront the fabric of everyday life and not be tangled in the cobwebs of the past. As it is, we have enough myths and legends, pucuk rebungs, dragons and phoenixes, batik motifs and wayang kulit. (Wong 1989, 122–123)

To counter the tendency to mythologize the past, Wong asked for a renewed sensitivity to the new denizens of everyday spaces. He argued:

The anonymous singers in Karaoke lounges, the medicine men and prostitutes in the backlanes of Chow Kit, Mat Rocks and heavy-metal music, the squatters of Sungai Way, the computer salesman, the bank auditor, the travel agent—they too make up our culture. (*ibid.*)

These questions would be asked and solutions would be sought through the Third World aesthetics course that Wong taught. The course was influenced in part by Paolo Freire's idea of *conscientização*, according to which the purpose of learning is centered on a practice of consciousness raising that he calls "reading the world." This engages learners through a process of questioning the nature of their historical and social situation. Augusto Boal's concept of a theater of the oppressed was also influential in shaping Wong's artistic practice. Wong notes:

I was interested in asking: is there such a thing as third-world aesthetics? I used the class as an arena to think through some of these ideas together with students. But I stopped teaching it after a few years because I came to realize that often there's a thin line between third-world nationalism and fascism and authoritarianism, and that while meant to be liberating, "third-world aesthetics" also had a strong nationalist agenda to it that could easily be co-opted. These different relations are all so slippery. (Merckle 2011a)

Wong taught the course for about three years, during which classes often became arenas for him to explore ideas of transformation, pedagogy, and even more complex issues such as consciousness raising or *conscientização*. Rather than offering a blanket solution, Wong explains what consciousness raising entails with a question that calls for a flexibility of approaches: "How do you make students conscious of themselves and acquire a reflexivity about themselves, their environments and the societies in which they live?" (Merckle 2011b).

Collected texts that were disseminated and taught in Wong's classes included those by Lefhanded (Malaysia), Caravan and Caribou (Thailand), and Iwan Fals (Indonesia) on music; Moelyono (Indonesia) and Black Artists of Asia (Philippines) on art; Emha Ainun Nadjib (Indonesia), PETA (Philippines), and Maya (Thailand) on theater and performance; and Pramoedya Ananta Toer (Indonesia) and other Filipino writers on writing (Wong 2013).

Freire also became a central point to examine how channels of communication were central to cultural studies in a conference organized by the Communications Program at Universiti Sains Malaysia, Penang, in 1993 titled "Communication and Development in a Postmodern Era: Re-evaluating the Freirian Legacy." The purpose was to apply Freire's cultural strategies to the field of communication studies in Southeast Asia. Zaharom Nain, the conference co-convenor, noted:

the focus of the Conference will be on examining feasible and progressive alternatives. Alternative communication and cultural strategies, especially, which have emerged and developed in different sociocultural contexts in response—and even in opposition—to dominant, mainstream discourses imposed on these societies. (Zaharom Nain 1993, 1)

Freire in a published foreword expressed dismay that postmodernity commonly understood as relativism produced a historical province of a “round time,” which in its neutrality was “almost without continuity with what went before and what is to come; without ideologies, utopias, dreams, social classes or struggles” (Freire 1993). This sensibility of the world was in essence a “denial of History itself,” according to Freire. Instead, he called for a progressively postmodern educational practice that was

based on democratic respect for the learner as one of the subjects of the process. It treats teaching-learning as an inquisitive and creative moment when educators recognise and reform knowledge previously known and when learners grasp and reproduce what was previously unknown. . . . It is one that humbly learns from differences and rejects arrogance. (*ibid.*, 3)

If by the early 1990s artists and educators still felt that there were redeeming features in existing pedagogical institutions, the political frustration that built up into the 1998 Reformasi movement, following the sacking of Deputy Prime Minister Anwar Ibrahim, shattered this illusion. A mass movement cohered around the theme of Reformasi, or reformation. The expressed purpose was to call for the resignation of then Prime Minister Mahathir Mohamad and put an end to the culture of corruption and cronyism that was rampant under the UMNO-led government, which had had uninterrupted rule of the country since Malaya’s independence in 1957. The call to arms, coupled with the Asian financial crisis, created a kind of rupture in societal values.

What this rupture entailed was a quest for alternative forms of engagement, which also meant effecting change outside formal institutions of learning by creating pedagogical structures that addressed some of the goals and objectives raised by Freire in the passage above. Since 1998 Bangsar Utama has been a place for student activists from various campuses in Kuala Lumpur to hang out and discuss progressive theories, current affairs, and issues. These informal discussions over *teh tarik* in *mamak* stalls translated into a decision to rent a space in Bangsar Utama in April 2000 to carry out community-based programs and activities. The collective was known as Universiti Bangsar Utama (UBU) and had Hishamuddin Rais, a student activist who had returned from years of exile following the clampdown on the Baling protest of 1974, self-appointed as principal lecturer. UBU was cheekily described by Hishamuddin as “you be you,” perhaps a call to discover one’s individual self that was free from the pressures of cultural conformism (Krich 2015).

The neighborhood of Bangsar is known for its affluence. In fact, in the retail and residential district of the nearby area known as Bangsar Baru, clubs and bars are regular watering holes and hangouts for well-to-do Malaysians. Bangsar is also a neighborhood of contrasts. In Bangsar Utama, residents live mostly in two large public housing apartment buildings—the Seri Pahang flats and the KTM workers flats. University of Malaya is located a short five-minute drive away. University students are drawn to Bangsar Utama for its cheap rent and cheap entertainment. But by virtue of being in close proximity to low-income residents of the area, students decided that to reeducate themselves they also needed to understand the work of education within the community they were located in.

UBU's education programs were divided into three categories. First, UBU directly addressed the needs of the community in Bangsar Utama. This meant English, mathematics, art, theater, and music classes for secondary school students. It also organized camping trips, visits to art galleries and museums, as well as other activities for youths in the neighborhood. Second, the programs addressed university students in the Klang Valley, a common name for the Greater Kuala Lumpur metropolitan area. Activities included organizing monthly panel discussions, weekly discussion groups on social issues, weekly film screenings, as well as workshops focusing on democracy and human rights. This was to form a network of politically aware students across different universities. Lastly, activities were organized also for the public, which included street theater and agitprop performances as well as musical events.

Even as the seeds of imagination were sown, UBU remained successful—but solely as an organization that grew because it was located in Kuala Lumpur. It never developed a significant structural virality. One explanation could be that UBU was still by and large driven by the charisma of Hishamuddin. Hishamuddin's personality has arguably outshone many of his acolytes' and apprentices', even if a number of them managed to hive off. It would seem that the cult of personality parallels the current public fascination with Zunar and Fahmi, not in terms of what they actually do but as vaguely conceived figures of rebellion against an autocratic system of government. The solution to this cult of personality would not arrive for another 10 years, in which the virality of an opposition movement would spread like the weeds that Mahathir tried to stamp out through his 1987 Operation Lalang. Like all weeds, they grow in all directions and appear to be irradicable.

Lalang

In 1994 Wong presented a performance/installation titled *Lalang* at the Creative Centre of the National Art Gallery, then located in the former Majestic Hotel. The work was part of a group exhibition with Bayu Utomo Radjikin and Raja Shahrman titled *Warbox, Lalang, Killing Tools*. In this multi-part work, realized over several days, Wong planted a type of weedy grass called lalang (*Imperata cylindrica*) in a flower bed reminiscent of a European garden (Langenbach 1994). He then sprayed weedkiller, cut and burned the dead lalang, dug out the roots, and replaced it with cowgrass, restoring the site to its original state. It was an ironic statement performed as a trenchant critique of the stifling space that shaped Malaysian society as well as the kind of creativity it purported to sustain and support but also kept in check and smothered. The entire event was laced with a morbid dose of pessimism. In fact, Wong commented on this phenomenon the year before:

“The majority of young artists would find no awkward contradictions between rebellion and a need for the support of the dominant art institution. But I see this as a development of a parasitic culture . . . you are critical of the power structures and yet you are dependent on these very powers to legitimise and evaluate the worthiness of your work.” (Jit 1993, 8)

Lalang therefore did not only refer to the 1987 political detention known as Operation Lalang, when Mahathir Mohamad’s status quo in UMNO was under threat, but as a metaphor it also spoke for a desired structural transformation that required creative practitioners and educators to embody a practice based on the concept of the rhizome. The rhizome as a concept was featured prominently in Gilles Deleuze and Felix Guattari’s *Anti-Oedipus: Capitalism and Schizophrenia* (1983) and draws on the idea that in botany the rhizome is a subterranean plant-stem with a mass of roots that grow perpendicular to the force of gravity. For Deleuze and Guattari, the rhizome is an “image of thought” (Deleuze and Guattari 1983, 129) that suggests a network model that is horizontal in nature rather than “arborescent” or tree-like—which denotes hierarchy and a top-down relationship.

In a sense, the concept of the rhizome offers an imagery for the unpredictable and untameable manner in which ideas circulate and spread within a social space, like the weeds or lalang in Wong’s performance. Wong’s performance ended on a wryly pessimistic note with the weeding of the garden patch and the planting of cowgrass, using the metaphor of gardening to comment on the state’s effort to clear away the uncontrollable movement of ideas and replace it with a homogenous value system.

But weeds—like ideas—never really die; they simply bide their time. In October

2011, a group of students at UiTM (Universiti Institut Teknologi MARA) started organizing gatherings under the banner *Buku Jalanan* (Streetside books). The format was simple: they would set up a temporary library at the Shah Alam Lake Park one evening every fortnight. The setup normally consisted of a bookshelf filled with books brought over by members of the collective. Woven mats and picnic cloths were laid out on the grass. The setup would be inviting enough for the public who were in the park to stop by and browse through the selection on offer. Typically the books covered a whole range of genres: history, literature, philosophy, economics, sociology. No longer were there attempts to contain the range of materials to “local” history, although in describing the international, there was a keen interest to explore regions and localities beyond Europe or America. Books could also be borrowed. But principally, the books acted as a conversation starter. Lasting roughly two hours, each session often included a discussion on a particular topic.

The founders were Zikri Rahman, Azrie Ahmad, and Ihsan Hassan, none of whom were from the fine arts faculty at the university. What was considered fine art was very much shaped by a desire to define the artist principally as a creative entrepreneur whose prestige was measured through his or her ability to secure gallery representation, produce works for exhibitions, and receive financial validation from local collectors through the sales of artworks. By 2011, buoyed by a robust commercial market, fine arts graduates from UiTM came to see the criteria spelled out above as a career trajectory. The result was that the works produced were primarily easel-based, or fitted to the demands of the white cube. These included installation, multimedia projection, and sculpture.

Members of *Buku Jalanan* were instead primarily interested in reading. But what was interesting about *Buku Jalanan* was not how it conducted its gatherings. After all, these were tried and tested methods we have seen in the setting up of *Universiti Bangsar Utama*. What was interesting was how modular and adaptable the format was. *Buku Jalanan* is truly modular, in that each chapter in different townships and areas has its own ways of determining the scope of its intellectual engagement. Today the organization has at least 60 active chapters all over Malaysia—in all major townships, including in East Malaysia. It also has chapters overseas, in at least 10 countries where Malaysian studies can be found—from India to Germany, from Ireland to South Korea—and in city-specific chapters from Cardiff to Melbourne. Never has a ground-up initiative achieved this level of national and transnational coverage. In fact, it was flagged as potentially dangerous in leaked slides from a 2015 teaching module prepared by the government’s *Biro Tatanegara* (BTN), or the National Civics Bureau, an agency tasked with nurturing the spirit of patriotism and aligning this with the nation’s development efforts. BTN

fulfilled its objective by organizing courses that civil servants as well as government scholarship holders are required to attend.

In one of the courses organized a few years ago, BTN put together a presentation on “indie” culture to newly recruited scholarship holders who were about to embark on their university education overseas. The presentation offered stern warnings about the dangers of alternative thinking and listed groups and initiatives that BTN deemed to be “countercultural” (Zikri Rahman and Faisal Mustafa 2015). Many such movements were connected to the increasingly robust Malay-language publishing scene, which began posing a challenge to Malay cultural norms since, unlike the English language, the Malay language not only had great symbolic purchase as the national language, but it also had a political reach that extended to a huge demographic.

What is significant about Buku Jalanan is that unlike earlier activities that were centered in the capital city, it successfully designed a local platform for creative dissent that was rhizomatic in character. Until today, it has no official leader. Each chapter operates autonomously, and networks are formed informally. Chapters hive off from existing chapters, like the rhizome’s tubular roots that spread outward and in all directions. What this ultimately does is to unmake the very parameters of what a national discourse could be. For example, Buku Jalanan was featured in an exhibition in Jakarta, and through that exhibition connections were forged with Indonesian organizations that shared similar pedagogical goals of being alternative. Outside of the government-sanctioned overseas Malaysian student platforms funded by UMNO, Buku Jalanan has become a counter organization through which open discourse is encouraged (Zikri Rahman 2017).

Ultimately, though, what it does is to enable a new class of politically aware students to be connected to each other—an imagined community, so to speak, not of nation but of books and shared political sympathy. Speaking of her time as a student in Shah Alam, the activist and filmmaker as well as early member of Buku Jalanan Maryam Lee reflected on how formative the collective in Shah Alam was to her own development of a critical consciousness (Lee *et al.* 2015). She also noted that when one assumed that political awareness came primarily from students who studied overseas—because of the heavy surveillance in local public universities—there was a tendency to disregard the role that local university students played in fostering greater political awareness among Malaysia’s youths. Such dynamism, not seen since the Merdeka period, highlights a groundswell of activities aimed at the possibility of creating, in creative and dissenting terms, pedagogical counter-sites to the university.

In this instance, the form of organization, its mode of operation, is the substance. Like the horizontal spread and growth that characterizes the rhizome, Buku Jalanan’s *raison d’être* was premised on a completely different idea of pedagogy in comparison to

the university. Unlike the university and state-run institutions where education is measured through a metricization of learning outcomes, learning happens through encounters. As such, its *modus operandi* is the setting up of infrastructure that facilitates encounter and allows for the virality of ideas. Unlike the modern nation-state, Buku Jalanan's pedagogical aim is not to inculcate values and ideals that create a cohesive society; rather, it takes the possibility of dissent as the very unit to build up a network system that allows different ideas to circulate. Buku Jalanan takes up minimal space, resources, and time. By the end of the two hours, the books, the shelves, the mats are all packed up. The lake gardens seem to return to what they were before. And yet, something has changed.

Beyond Chicken and Egg

The interplay between creativity and dissent is ongoing. The view that political crises give rise to some of the most interesting artistic expressions has been taken as the stock narrative of twentieth-century avant-garde art. What is seldom explored is the underlying systemic change in thinking that has resulted in dissenting forms of creative expression. This has to do with our attitude toward pedagogy and experimentation in which knowledge can be shared. Even if we speak of the emergence of a critical mass and the iconicity of rebellious figures in the limelight, sometimes it is worth reminding ourselves of anecdotes from the margins. One could think of these anecdotes as allegories that shed light on the two-pronged approach that many of the creative projects, discussed in this essay, adopted. The approach is premised on a critique on the institutionalization of education and a belief in the outlier local cosmopolitan as a symbol of self-learning.

The first anecdote concerns a performance titled *Zone* by the American-born performance artist Ray Langenbach, who has made Malaysia his home since the late-1980s. *Zone* was performed at the 1993 conference on Freirean legacy in the postmodern age discussed above. It features three teenagers, in secondary school uniform, representing the Malay, Chinese, and Indian configuration of Malaysia's multiracial identity discourse. The schoolchildren were provided with a passage from Freire's *Pedagogy of the Oppressed*: all they had to do was recite the text in front of a group of scholars from all over the world to deliberate on Freirean strategies in relation to communication studies. In addition, each of the schoolchildren held a hen in their arms, and an egg was placed in front of the hens. As the text was recited, the hens slowly pecked away at the eggs. The performance artist and archivist Loo Zihan suggests:

It stems from Ray's research that eggshells contain potassium and the hens will do that if they are hungry. So he thought it made an interesting image . . . children regurgitating information fed to them to those who provided them with the information and the adults killing and eating their young. (Loo 2017)

Zone was a reminder of the destructive cycle of pedagogical institutionalization that can take place even when the Freirean legacy is institutionalized. Much like how modern art is absorbed and normalized into an expanded art historical canon, the modern politics of pedagogy can become ossified into mere ideological ceremonies. For avant-garde artists, the new challenge is to find a new *modus operandi* so that the visual is no longer prioritized as the site of political resistance. A convergence in this sense occurs when the creativity in dissent transforms the politics of pedagogy into an art of pedagogy. What the latter prioritizes stems from a desire to change the terms in which knowledge is produced and shared. This in turn speaks to a whole class of people who are not privy to the opportunities offered by a formal education and yet display an equal measure of curiosity.

I end my reflection with a personal encounter, since this interaction returns the story to an individual because all work of mental cultivation is ultimately solitary. This example highlights the work that is done away from the media spotlight and speaks of a much more complex condition that is shaping the curiosity of youths in Malaysia. The account offers a counterpoint to the image of the rebel that the media has simplified. On one of my recent trips to Kota Bahru in Kelantan, Zaidi, who was introduced to me by Zikri Rahman, one of the founders of Buku Jalanan, was kind enough to take me for a spin around town on my last night on his motorbike. Along the way he spoke of a different city, one whose youths were mired in drugs, alienation, and a lack of desire for self-improvement. This was a generation where a university paper qualification promised an office job that never came, where high school graduates could not read, where religious rectitude simply became outward political ceremonies that masked the hidden cost of "progress."

For Zaidi, the 1990s generation under Parti Islam Se-Malaysia (PAS, Malaysian Islamic Party) was *sudah hancur*—already destroyed. Social gains and desires under an Islamic flag had split the population into a clique of haves, who had risen up the ranks through political favors and connections, and the have-nots, who had turned into roaming zombies hooked on *pil kuda* (a type of methamphetamine drug) for RM15 a pop. For Zaidi, a love of *berniaga* (business), which he attributed to Kelantanese culture, had brought him here to set up his online book dealership.

This was after saving up from years of working in factories in the Klang Valley. The lack of an overseas education (or any tertiary education for that matter) did not reduce his love for books, which he sourced from around Malaysia and Indonesia. Today he is

even an independent book publisher, and his activity of consciousness raising does not occur in a university setting but on the streets, in the marketplace, every Friday morning before prayers, when he sets up a stall behind the PAS headquarters and peddles books on literature, radical politics, and Kelantanese history.

Zaidi was ready to help me with my research into a self-taught Kelantanese cultural historian by the name of Abdullah bin Mohamed, and I had a feeling he was perhaps the only one who had an inkling of what I wanted to recover. But that is because I think we share a conviction that the figure of the cosmopolitan is not just one who is privileged with an overseas education or reads/speaks the English language, but one who can inimitably fashion the world from their locale, no matter where they may reside or what station in life they come from (Foo 2009, 7–8). After all, this is an attitude to learning, not a privilege. And what other chance do we have in a society defined largely by material status, wants, and needs?

Accepted: June 29, 2018

Bibliography

- Aamer Hussein. 2017. A Hundred Years of Han Suyin. *Dawn*. January 15. <http://www.dawn.com/news/1308574>, accessed January 26, 2017.
- Barthes, Roland. 2009. *Mythologies*. Translated by Annette Lavers. First Edition 1972. London: Vintage.
- Deleuze, Gilles. 2001. *Difference and Repetition*. Translated by Paul Patton. First published in France in 1968. London: Athlone Press.
- Deleuze, Gilles; and Guattari, Felix. 1983. *Anti-Oedipus: Capitalism and Schizophrenia*. Originally published as *L'Anti-Oedipe* in 1972. Translated from the French by Robert Hurley, Mark Seem, and Helen R. Lane. Minneapolis: University of Minnesota Press.
- Foo, Cynthia. 2009. Interview with Benedict Anderson. *Invisible Culture* 13. http://www.rochester.edu/in_visible_culture/Issue_13_/pdf/anderson.pdf, accessed January 27, 2017.
- Freire, Paulo. 1993. *Communication and Development in a Postmodern Era: Re-evaluating the Freirean Legacy*. Penang: Universiti Sains Malaysia.
- Groys, Boris. 2014. On Art Activism. *E-flux Journal* 56. June. <http://www.e-flux.com/journal/56/60343/on-art-activism/>, accessed January 27, 2017.
- Han Suyin. 1980. *My House Has Two Doors*. New York: G. P. Putnam's Sons.
- Jit, Krishen. 1993. Krishen Jit Talks to Wong Hoy Cheong on "Contemporary Malaysian Art." *What about Converging Extremes?* Kuala Lumpur: Galeri Wan.
- Kee Pookong; and Choi Kwai Keong. 2013. *A Pictorial History of Nantah*. Singapore: Times Media for the Chinese Heritage Centre.
- Kester, Grant. 2004. *Conversation Pieces: Community and Communication in Modern Art*. Berkeley: University of California Press.
- Khoo Kay Kim. 2005. *100 Years: The University of Malaya*. Kuala Lumpur: University of Malaya Press.
- Krich, John. 2015. Rebel with a Cause. *Nikkei Asian Review*. September 22. <http://asia.nikkei.com/Politics-Economy/Policy-Politics/Rebel-with-a-cause>, accessed January 21, 2017.

- Langenbach, Ray. 1994. *Wong Hoy Cheong's Radical Garden: Warbox, Lalang and Killing Tools*. Kuala Lumpur: Five Arts Centre.
- Lee, Fiona. 2017. Rites of Change: Artistic Responses to Recent Street Protests. *Southeast of Now: Directions in Contemporary and Modern Art in Asia* 1(2): 65–90. Singapore: NUS Press.
- Lee, Maryam; Rahmat, Zikri; Rahmat, Ahmad Fuad; and Hanis, Megat. 2015. Let a Hundred Flowers Bloom. BFM 89.9. <http://www.bfm.my/night-school-malay-intellectual-discourse-maryam-lee-zikri-rahman-megat-hanis.html>, accessed January 24, 2017.
- Loo Zihan. 2017. Personal interview with author. February 11.
- Low, Yvonne. 2012. Remembering Nanyang Feng'ge. In *Modern Art Asia: Selected Papers Issues 1–8*, edited by Majella Munro, pp. 229–260. UK: Enzo Arts.
- Merckle, Andrew. 2011a. Complicit Consciousness: Interview with Wong Hoy Cheong (Part I). Art-it. http://www.art-it.asia/u/admin_ed_feature_e/N1OSbCTPaDvKJrRtH6i9/, accessed January 23, 2017.
- . 2011b. Complicit Consciousness: Interview with Wong Hoy Cheong (Part III). Art-it. http://www.art-it.asia/u/admin_ed_feature_e/o3xMiH2K1mrAIZ6l80DO/, accessed January 23, 2017.
- Ong Kian Meng; and Zairil Khir Johari. 2013. Pelan Pendidikan: Apakah sumbangan sebenar McKinsey? [Education blueprint: What did McKinsey really contribute?]. *Free Malaysia Today*. September 26. <http://www.freemalaysiatoday.com/category/opinion/2013/09/26/pelan-pendidikan-apakah-sumbangan-sebenar-mckinsey/>, accessed January 26, 2017.
- Poh Soo Kai; Tan Kok Fang; and Hong, Lysa. 2013. *The 1963 Operation Coldstore in Singapore: Commemorating 50 Years*. Petaling Jaya: Strategic Information and Research Development Centre.
- Schneider, Bret; and Omar Hussain. 2010. An Interview with Hal Foster: Is the Funeral for the Wrong Corpse? *Platypus*. <https://platypus1917.org/2010/04/08/an-interview-with-hal-foster/>, accessed January 31, 2017.
- Smeltzer, Sandra. 2017. Political Arts Urbanization: A Malaysian Case Study. *International Journal of Asian Social Science* 7(2): 126–139.
- Soon, Simon. 2014. Converging Extremes: Exhibitions and Historical Sightlines in 1990s Malaysia. *Yishu: Journal of Contemporary Chinese Art* 13(2): 85–97.
- Syed Jaymal Zahiid. 2016. When It Comes to Political Art in Malaysia, the Rich Are Its Biggest Fans. *Malay Mail Online*. September 13. <http://www.themalaymailonline.com/malaysia/article/when-it-comes-to-political-art-in-malaysia-the-rich-are-its-biggest-fans>, accessed February 1, 2017.
- Tan Tai Yong; and Lee, Edwin. 1996. *Beyond Degrees: The Making of the National University of Singapore*. Singapore: Singapore University Press.
- Tan Zihao. 2016. “Badut” and “Dedak”: Satires Laugh at Us Laughing at Our National Buffoons. *Malaysiakini*. December 26. <https://www.malaysiakini.com/news/367265>, accessed February 2, 2017.
- Universities and University Colleges Act. 1971. Laws of Malaysia. <https://legal.usm.my/v3/phocadownload/act%2030%20-%20universities%20and%20university%20colleges%20act%201971amended%202012.pdf>, accessed January 21, 2017.
- Weiss, Meredith. 2012. *Student Activism in Malaysia: Crucible, Mirror, Sideshow*. Singapore: NUS Press.
- Wong Hoy Cheong. 2013. Personal interview with author. August 15.
- . 1989. Contradictions and Fallacies in Search of a Voice: Contemporary Art in Post-Colonial Culture. In *First ASEAN Symposium on Aesthetics*, edited by Delia Paul and Sharifah Fatimah Zubir, pp. 117–125. Kuala Lumpur: National Art Gallery and ASEAN Committee on Culture and Information.
- Zaharom Nain. 1993. *Communication and Development in a Postmodern Era: Re-evaluating the Freirean Legacy*. Penang: Universiti Sains Malaysia.
- Zikri Rahman. 2017. Personal interview with author. February 8.
- Zikri Rahman; and Faisal Mustafa. 2015. The Culture of Dangerous Ideas. BFM 89.9. <http://www.bfm.my/the-week-in-review-btm-vs-indie-book-scene-zikri-rahman.html>, accessed January 26, 2017.

Borne by Dissent, Tormented by Divides: The Opposition 60 Years after Merdeka*

Khoo Boo Teik**

Surveying a post-1998 political terrain in Malaysia marked by sociopolitical dissent of diverse origins and goals, this article addresses several related issues. What social transformation and tensions have produced such a situation? What has been the impact of the dissent on contemporary politics? What are its implications when neither the ruling coalition, Barisan Nasional (National Front), nor the opposition up to 2017 could claim to have a convincing hold over the popular imagination? The analysis provided here shows that long-term socioeconomic transformation has produced sources of political conflict that go beyond the familiar ones of interethnic divisiveness. The most visible impact of the dissent was the opposition's electoral gains on the west coast of Peninsular Malaysia in 2008 and 2013. Those gains demonstrated the efficacy of a new template of dissent consisting of cooperation between opposition parties, their alliances with dissident civil society, and their non-ethnic mobilization of disaffected segments of the electorate. There were populist traits to the mass, multiethnic, cross-class, and mainly urban mobilization of dissent that favored fluid politics that was double-edged. On the one hand, as the views of a number of interviewees suggest, the politics could successfully accommodate a wide range of concerns and actors. On the other hand, the contingent, flexibly structured cooperation among parties was subject to internal or external stresses and strains. But, as the Conclusion suggests, new streams of dissent could emerge in unexpected ways, such as the suspected complicity of the regime's leadership in scandals that led to splits within the ruling party. It remained to be seen whether the 14th general election, which had to be held by mid-2018, would supply a definitive resolution of the virtual stalemate between the regime and the opposition.

Keywords: Malaysian politics, general elections 2008 and 2013,
Barisan Nasional, Pakatan Rakyat, sociopolitical dissent,
Anwar Ibrahim, Mahathir Mohamad, Najib Razak

* I wish to express my deep gratitude to the Institute of Developing Economies (IDE-JETRO) for project funding that permitted me to conduct the interviews listed at the end of this paper. Financial support from the JSPS KAKENHI (Grant No.25101006) for further research undertaken after I had joined The National Graduate Institute for Policy Studies is gratefully acknowledged.

** The National Graduate Institute for Policy Studies, 7-22-1 Roppongi, Minato-ku, Tokyo 106-8677, Japan
e-mail: khoo-bt@grips.ac.jp

As the Introduction and other essays in this volume have noted, many kinds of social divides and diverse forms of dissent arose throughout the 60 years that have passed since Merdeka. Stresses of decolonization, state formation, and nation building up to the 1960s—conveniently demarcated by Malaya’s independence in 1957, Malaysia’s formation in 1963, and Singapore’s separation in 1965—threw up ethnic and class divides and dissent that combined to produce the ethnic violence of May 13, 1969. The next two decades, notable for controversies over the New Economic Policy (NEP), saw economic transformation and social change that produced new divides and dissent that climaxed in the 1987–90 split of the United Malays National Organisation (UMNO), the dominant party of the ruling coalition (Barisan Nasional, BN, National Front).¹⁾ A lull in dissent from 1991 to 1997, when Prime Minister Mahathir Mohamad’s leadership seemed unsailable, hinted at a closing of divides. However, Deputy Prime Minister Anwar Ibrahim’s dismissal in September 1998 triggered the Reformasi (Reform) movement, which exposed a divide of unsuspected depth. The Reformasi wave seemed to have receded by the time of the general election of 2004, when Mahathir’s successor, Prime Minister Abdullah Ahmad Badawi, led BN to a landslide victory. Yet, new streams of dissent emerged in 2007 that have challenged the regime to this day. The earlier episodes having been much analyzed, it is the post-September 1998 dissent that forms the subject of this paper.

This latest dissent was mobilized along with an opposition project to defeat BN. The opposition project, which began with Reformasi, had poor results for a decade before it achieved a breakthrough in 2008. A subsequent spurt gave the opposition its best electoral result in 2013, but it was still unable to win power. Thereafter, internal and external problems disunited the opposition. But just when the troubled opposition seemed headed for a new nadir, a fresh crisis of the regime divided UMNO itself.²⁾ And since 2016, the political terrain has been marked by new social divides and ill-coordinated dissent that has even transformed Mahathir into a dissident.

Surveying a range of dissent diverse in origin and goals, this chapter addresses several related issues. What social transformation and tensions have produced such a situation? What has been the impact of the dissent on contemporary politics? What are its implications when neither the opposition nor the regime can claim a convincing hold

1) For different accounts of the social origins and policy differences in UMNO and the administration that precipitated the split after UMNO’s 1987 party election, see Shamsul (1988), Khoo (1992), and Khoo (1995).

2) John Funston (2016) gives a detailed and instructive account of UMNO’s transformation as a party; on the “fresh crisis” noted here but discussed in the last section of this chapter, see Funston (2016, 123–132, 146).

over the popular imagination? The analysis provided here shows that long-term socio-economic transformation of Malaysian society has produced sources of political conflict that go beyond the familiar ones of interethnic divisiveness. The most visible impact of the dissent was the opposition's electoral gains on the west coast of Peninsular Malaysia in 2008 and 2013. Those gains demonstrated the efficacy of a new template of dissent consisting of cooperation between opposition parties, their alliances with dissident civil society, and their non-ethnic mobilization of disaffected segments of the electorate. There were populist traits to the mass, multiethnic, cross-class, and mainly urban mobilization of dissent that favored fluid politics that was double-edged. On the one hand, as the views of interviewees suggest, the politics could successfully accommodate a wide range of concerns and actors. On the other hand, contingent, flexibly structured cooperation among parties was subject to internal or external stresses and strains. But, as the Conclusion suggests, new streams of dissent can be produced in unexpected ways, such as the suspected complicity of the regime's leadership in scandals that led to splits within the ruling party. Finally, there is no imminent or "permanent" resolution to the dissident ferment that began in 1998, as indicated by the virtual stalemate between the regime and its opponents discussed in the Conclusion.

The first four sections of the paper use secondary literature and publicly available media information. The concluding section draws primarily on personal interviews that the author conducted with social activists and political dissidents in civil society and political parties. The author does not claim that his interviewees represent a full spectrum of dissent, but he hopes that his analysis clarifies the concerns and activities of dissidents and oppositionists in their competition with the regime.

Overview: The Impact of Dissent

Of the four general elections held in the past 18 years, three left BN with one or another kind of crisis despite retaining power. The first crisis arose at the November 1999 election when UMNO suffered many defeats in its Malay heartland (Maznah 2003). It lost its hegemonic grip on the Malay imaginary as a very large number of Malays began "thinking the unthinkable," that is, a government without UMNO (Khoo 1999). The second crisis came at the 12th general election of March 2008 (GE12). The opposition parties—Democratic Action Party (DAP), Parti Islam Se-Malaysia (PAS, Pan Malaysian Islamic Party), and Parti Keadilan Rakyat (PKR, People's Justice Party)—together won 49 percent of the popular vote at the parliamentary level. Yet, in a first-past-the-post system subjected to gerrymandering and malapportionment, the result only gave the

combined opposition just over one-third of the seats in parliament, including 10 out of 11 parliamentary seats in the capital, Kuala Lumpur. At the level of state elections, the opposition won 5 out of 13 states. On the whole, the outcome was a historic achievement for the opposition, which finally proved that it was not a wild hope to fight BN for power. After the election the DAP, PAS, and PKR formed a coalition, Pakatan Rakyat (PR, People's Pact). In the 13th general election of May 2013 (GE13) BN again triumphed, only to face yet another crisis (Johan 2015). For the contending coalitions, GE13 "could be seen as a failure" for both and an "electoral impasse" (*ibid.*, 37, 59): PR only won a few more seats, but it secured 50.9 percent of the popular vote against BN's 47.4 percent, while the loss of the popular vote was a severe blow to BN's legitimacy.

There are already published analyses of those three general elections.³⁾ Only a big picture needs to be given here for each of BN's crises. In 1999, Malay revulsion at Mahathir's persecution of Anwar Ibrahim sparked a Malay voters' revolt against UMNO. In 2008, an electorate enthralled by Abdullah Badawi's early promises of institutional reform was aggrieved when his administration failed to fulfill them. Five years later, anger over economic hardship, worsening corruption, and the regime's repressive responses to nonviolent mass protests swelled voter disgruntlement with Prime Minister Najib Razak's even less transparent mode of governance.

Two developments that caused BN's crises altered the terms of contestation between the regime and the opposition. One was the opposition parties' cohesion as PR institutionalized DAP-PAS-PKR cooperation, managed its internal disagreements, survived the regime's repression,⁴⁾ and defied prophecies of PR's doom as a partnership of "ideologically incompatible" parties.⁵⁾ The other was popular dissent that arose during the last third of Mahathir's 22-year tenure (1981–2003), surged in the latter half of Abdullah's government (2003–9), and intensified throughout Najib's administration (since 2009). At first the dissent expressed diverse but disparate grievances and political demands. In the last quarter of 2007 three large rallies were held in Kuala Lumpur. On September 26 the Bar Council led a march of lawyers and social activists to protest "Lingam-gate," a scandal of alleged fixes of high judicial appointment. On November 10

3) See Brown (2005), Loh and Johan (2003), and Maznah (2003) on the 1999 election; Maznah (2008) and Pepinsky (2009) on GE12; and Johan, Lee, and Mohamed Nawab (2015), Khoo (2016), and Weiss (2013) on GE13.

4) For example, the Registrar of Societies refused to acknowledge PR as a legal organization and the Election Commission would not permit the PR parties to stand for election under a common symbol. Thus DAP, PAS, and PKR candidates ran on three separate tickets.

5) Regarding the attempts by PR's predecessor, Barisan Alternatif (BA, Alternative Front), to form a stable coalition, see Hilley (2001) on PAS's need to reorder its ideological and programmatic goals in 1999–2000, and Khoo (2003) on "the cultural imperative of coalition-building."

BERSIH (Coalition for Clean and Fair Elections) organized a mass rally to make four demands of the Electoral Commission: the use of indelible ink on polling day, the cleanup of electoral rolls prior to elections, the abolition of postal ballots, and fair access to the media for all candidates. Then the Hindu Rights Action Front (HINDRAF), an ad hoc coalition of ethnic Indian nongovernmental organizations (NGOs), held a huge demonstration on November 25 against what it condemned as the socioeconomic marginalization of the Indian community (Govindasamy 2015). From those separate causes, dissident individuals, members of NGOs, and opposition figures built alliances to support a progression of BERSIH rallies—BERSIH 2.0 in 2011, BERSIH 3 in 2012, BERSIH 4 in 2015, and BERSIH 5 in 2016—that became the largest and most protracted post-Merdeka demonstrations ever mounted. In many instances, nonpartisan dissent blended with the opposition to create a common front, as was seen in the PR-sponsored *Himpunan Kebangkitan Rakyat* (Gathering of the people's rising) of January 12, 2013 and the run-up to GE13. In other words, BN had to face dissent that deepened, spread, and changed at key junctures.

New Social Bases

Malaysia's multiethnic and multireligious society has long been subjected to the politicization of ethnicity and religion. Earlier phases of postcolonial contestation were suffused with interethnic recrimination, but as this section shows, new sources of conflict with the regime arose which were not matters of interethnic tension. From the 1980s, the UMNO-PAS rivalry for Malay-Muslim support was increasingly laden with competing claims of Islamic religiosity. Yet the political meanings of ethnicity and religion were not static: they changed with the socioeconomic transformation of Malay society. Forty years of urbanization, education, extension of capitalist social relations, acculturation to industrial discipline, and engagement with globalization restructured Malay society socially and ideologically (Shamsul 1988; Abdul Rahman 2002). For a decade from September 1998, with the exceptions of the Bar Council's Walk for Justice and the HINDRAF protest (Bunnell *et al.* 2010; Govindasamy 2015), all major demonstrations of dissent were, if they had to be given an ethnic coloration, predominantly Malay affairs. Before GE12, those demonstrations included the Reformasi protests in support of Anwar (Sabri 2000), the commemoration of Operasi Lalang at the Kamunting Camp (October 27, 2000),⁶ the

6) Operasi Lalang was the police term for the mass detention of dissident politicians and social activists on October 27, 1987 (Khoo 1995, 282–286).

anti-toll protest at Kesas Highway (November 5, 2000), and the BERSIH rally of 2007. After GE12, the trend of majority Malay participation in protests continued with BERSIH 2.0, BERSIH 3, and the Himpunan Kebangkitan Rakyat in 2013.

Thus, intra-Malay politics had gone past “out-Islamisation,” that is, the efforts made by UMNO and PAS to outdo each other in promoting the role of Islam in public affairs (Liow 2003; 2009). Disputes over material matters abounded, especially over the federal government’s refusal to pay oil royalty to Terengganu and Kelantan as long as they were ruled by PAS although Malays formed about 95 percent of the population in each state. The social bases of UMNO-PAS rivalry also extruded from the rural Malay heartland to the urban constituencies of the west coast of the peninsula. In the latter locations, PAS reached out to younger, urban Malays who formed the backbone of the Reformasi and BERSIH rallies (Ahmad Fauzi 2008; Hadiz and Khoo 2011). Likewise, the profile of PAS’s candidates in elections changed. From 1999 on, PAS fielded more urban, professional candidates (such as Dzukefly Ahmad Hatta Ramli, Husam Musa, Khalid Samad, Lo’ Lo Mohd Ghazali, Mujahid Yusof Rawa, Nizar Jamaluddin, and Siti Mariah Mahmud). These became new non-*ulama* (non-religious scholars) PAS leaders who drew their political sensibilities and mobilizing capabilities from their immersion in urbanization, higher (and, for some, overseas) education, and professional occupations (Dzulkefly 2012; Mujahid 2012).

The terrain of dissent further changed with PKR’s revitalization after its severe defeat in the April 2004 election. The UMNO-PKR rivalry, originally marked by the Anwar affair, seemed to be irrelevant after Mahathir’s retirement and Anwar’s release from prison in September 2004. Besides, PKR was not a Malay party in the way of UMNO or PAS: PKR had non-Malay leaders who came from NGOs or the former Parti Rakyat (People’s Party). The UMNO-PKR rivalry was sharpened, however, by the emergence of “new PKR Malays” before and after GE12. Young, urban, and professional PKR Malays, such as Fuziah Salleh, Nik Nazmi Nik Ahmad, Nurul Izzah Anwar, and Rafizi Ramli,⁷⁾ emerged as the social types to demand merit, competence, equity, transparency, and accountability—the qualities of good governance that underlay the urban middle-class electoral platform of the predominantly non-Malay DAP.

These new dissidents made clear that their anti-regime “Malay politics” grew out of the grievances of many Malays, but they were grievances that did not target an ethnic Other, namely, the Chinese. That made it easier for more non-Malays to join the post-2008 rallies and protests: any threat of disorder or violence came from the direction of the regime, its police, and its allies. In major urban centers, and especially in Kuala

7) Interviews with Fuziah Salleh, Nurul Izzah Anwar, and Rafizi Ramli.

Lumpur, multiethnic dissent was grounded in the material experiences of overlapping socioeconomic grievances. The most readily shared sociopolitical issues were high-profile corruption,⁸⁾ institutional degradation,⁹⁾ arrogance of power,¹⁰⁾ socioeconomic marginalization,¹¹⁾ higher costs of living, rising incidence of crime, and deteriorating standards of governance.¹²⁾ Such were populist issues, too, that resonated with disaffection over stresses in the social reproduction of urban life. The leading dissidents and PR spokespeople could package those populist issues as a counter-hegemonic message inasmuch as corruption scandals and controversies continually beset the regime.

In retrospect, the organizers of the major protests had two critical achievements. First, they developed viable, cohesive, and extensive networks of dissent. With BERSIH 3, the peak of BERSIH mobilization before GE13, dissident networks were even visible in international media. As demonstrations were held in 72 cities around the world in solidarity with the actual march to Dataran Merdeka, images, YouTube video clips, and other forms of Internet postings of “global BERSIH” went viral. In the creation of an “imagined community of dissent” (Khoo 2016), both creative and optimistic, BERSIH’s organizers, participants, and supporters seized the initiative from the regime although the latter had incomparably greater resources and controlled all non-Internet-based print and broadcast media in the country. The second achievement was the opposition’s use of the dissent to build an inclusive political platform. On this platform dissenting views, calls for alternative policies, and demands for higher standards of public conduct coalesced into firm electoral support for a two-coalition system.

Transforming Opposition

To reach their goal of a two-coalition system, the opposition had to overcome doubts about their viability as an alternative coalition. Besides knowing only the government of BN (or its predecessor, the Alliance) at the national level, the electorate had witnessed past failures to maintain stable opposition coalitions. Friends and foes repeatedly asked,

-
- 8) Abdullah had promised with fanfare to investigate 18 “high-profile corruption cases” as part of institutional reform. The cases did not see the public light.
 - 9) Many despised cases of institutional degradation were related to the conduct of the judiciary, the police, and, after March 2008, the Malaysian Anti-Corruption Commission.
 - 10) In 2008 Gerakan Rakyat Malaysia (Gerakan, Malaysian People’s Movement) was completely defeated in Penang, where it had headed the BN state government since 1969. Gerakan President Koh Tsu Koon said that his party had suffered a voters’ backlash against UMNO’s “arrogance of power.”
 - 11) Strong resentment over their “marginalization” galvanized the Indian community as a dissident force (Bunnell *et al.* 2010).
 - 12) NGOs regularly criticized the regime’s low standards of governance.

“Can a predominantly non-Malay and secular DAP, a multiethnic PKR with a majority-Malay/Muslim leadership, and an *ulama*-led Malay/Muslim PAS form a coalition that would not be torn apart by ideological differences?” After all, the DAP’s objection to what it saw as PAS’s commitment to establishing an “Islamic state” was a critical factor in breaking up the Reformasi-inspired Barisan Alternatif (BA, Alternative Front).¹³⁾

This basic problem of the opposition, explored in this section, was satisfactorily resolved in different ways that transformed the opposition itself. One way to avoid major disagreements was to find common cause for cooperation, such as a demand for “clean and fair elections,” the slogan of the original 2007 BERSIH rally that the opposition parties jointly organized with the support of a number of NGOs (interview with Liew Chin Tong;¹⁴⁾ Liew 2013). Another way was to adapt each party’s program to present a shared, if not unified, platform. To that end, the DAP, which had been portrayed by UMNO and its allies as a Chinese chauvinist party, set aside issues of Chinese culture, language, and education and urged voters to support “Change!”—that is, social, political, and institutional change. To moderate its non-Malay image, the DAP recruited and fielded some prominent Malay members as candidates in GE12. In parallel, PAS replaced its *Islamic State Document* of 2004 with a *Negara Berkeadilan* (Welfare state) proposal for GE12. By the latter, less discordant and more inclusive, ideological realignment, PAS strengthened PR’s claim of being dedicated to “justice, good governance, transparency, accountability and human rights”—causes that could transcend ethnocentric and religious considerations (Ahmad Fauzi 2008, 233) without compromising the universalism that Islamists claimed for their faith.

From PKR, and Anwar Ibrahim personally, came another way to achieve a semblance of ideological compatibility for PR. By 2006, Anwar had evidently recovered from the ordeals of six years’ imprisonment to reenter politics and gain acceptance as the de facto leader of the opposition. With that stature, he boldly tackled what was probably the most intractable ethno-cultural issue of all—the status of the NEP. Before large Malay crowds, and not just non-Malay audiences, he criticized actually existing NEP as mere justification for UMNO’s power holders and their corporate allies to enrich themselves. Anwar rushed in where no Malay politician had dared to tread: he called for the abolition of the NEP.¹⁵⁾ In place of the NEP, Anwar offered a New Economic Agenda (NEA). The NEA was not radical in and of itself. It was not meant to turn the economic system upside

13) “This writer, who was also a secretariat member of the Barisan Alternatif . . . witnessed its demise after PAS launched the Islamic State Document” (Dzulkefly 2012, 185).

14) The designations and affiliations of all interviewees are given in the References.

15) The closest to this was Mahathir’s move to “hold the NEP in abeyance,” that is, to suspend the restructuring of NEP, in 1986, which, among other things, led to the UMNO split of 1987 (Khoo 1995, 136–143).

down. Yet it was novel in supplying a non-ethnically defined commitment to public welfare and popular rejection of a “timeless Malay agenda” that was raised by many delegates at UMNO’s 2006 and 2007 general assemblies.

With such intra-coalitional compromises, the strands of opposition represented by the DAP, PAS, and PKR converged and found confluence with organized nonpartisan streams of dissent and unorganized dissatisfaction with the regime. From PKR came the revived Reformasi stances that drew on Anwar’s populist leanings (Khoo 2003, 91–95) to oppose a “greedy and opulent clique”¹⁶ that enriched itself by UMNO’s patronage. From the DAP there was the largely non-Malay, urban middle-class, taxpayer-based, anti-statist anger at financial abuses and high-level corruption, combined with widespread Chinese resentment of the Chinese-bashing openly displayed at the UMNO general assemblies. And PAS mobilized the rural and lower- to mid-level urban revulsion against UMNO’s corruption and what one of its leaders dismissed as UMNO’s “counterfeit religiosity of the rich man” (Kershaw 1969, 65fn13). When the three opposition parties separately campaigned with the differentially nuanced messages conveyed by the DAP’s “Change!,” PAS’s *Negara Berkeadilan*, and PKR’s New Economic Agenda, they could keep faith with their own core constituencies. Collectively, though, they had attained a populist, anti-oligarchic commonality that could be received across ethnic boundaries. Against the odds and much skepticism, the PR displayed a measure of ideological compatibility, roughly hewn and yet genuine and effective for mounting a practical challenge to the regime. Not for nothing was a pro-PR slogan to appeal to voters thus: *Naik Roket pergi ke Bulan mendapatkan Keadilan!* (Ride the rocket to the moon for justice!)¹⁷

The Zenith of Dissent

Never before GE13 had UMNO-BN had to fight so desperately to retain power. Never before had dissent and opposition been so focused and popular. Yet the zenith of dissent did not solve all the opposition’s problems, as may be seen in this section. As noted at the outset, PR gained only 7 more seats in GE13, winning 89 against BN’s 133. It is beyond the scope of this paper to explain the severe imbalances in the electoral system—and in institutional, financial, media, and other kinds of power and resources—and how they heavily favored BN and UMNO in first-past-the-post competition. Despite all that, while BN won 60 percent of actual seats, PR won 50.9 percent of the popular vote

16) From the public declaration made in Permatang Pau, Penang, on September 12, 1998.

17) The “rocket” is DAP’s party symbol, the “moon” is PAS’s, and *Keadilan* in PKR’s name means “justice.”

against BN's 47.4 percent. One important inference can be drawn from the opposition's first ever "popular victory": the dissent and opposition had attained such depth by then that their character and quality could influence the future course of politics, the point of this section.

In an illiberal political system where a replacement of the regime had not occurred before, to remain in opposition was to be stuck in dissent, struggling to find voice and impact against the weight of institutionalized power. Within parliament, the BN regime with its large majority would not grant PR, as it had never ever granted the opposition any scope to influence the drafting of laws or, for that matter, any meaningful chance of blocking their passage. Outside parliament, the regime continued to use its police, judicial, and bureaucratic powers to charge or prosecute PR parties, leaders, and representatives on different kinds of issues. Nor would the federal government, armed with highly centralized power, allow PR to sway policy formulation. As it had behaved toward any opposition-led state government in the past, the federal government was hostile toward the PR-led state governments, cramping them by bureaucratic means, withholding funds for development, and seeking other ways of undermining them. Under such circumstances, if the integrity of PR as a coalition came under great stress, it owed in no small measure to the external pressures that UMNO-BN and the federal government brought to bear on the PR parties and leaders, and not simply any intrinsic ideological incompatibility among the partners. Maneuvering space was limited for PR. Still, the politics of dissent and opposition had been dynamic in its pace and spread, innovative and challenging in its expressions, and self-transforming in its impact. In short, PR was not bereft of experience or non-financial resources, especially with the momentum it acquired after late 2007, as an analysis of five different aspects of continuing dissent and opposition would show.

First, PR strove to consolidate itself away from the requirements and stresses of electoral campaigning. Through its state governments, PR tried to offer alternative models of administration and governance. When it ruled Perak for a year before being toppled by UMNO's coup in February 2009, the PAS-headed PR government took a reformist stance to assist various social groups of different ethnic backgrounds whose problems with land tenure, for example, had been neglected by BN during the latter's rule (interviews with Nizar Jamaluddin and Jeyakumar Devaraj). The PKR-led Selangor government looked for practical solutions to the mundane but important grievances of the populace that had returned the PR government with a two-thirds majority in GE13. New initiatives were explored in areas of affordable public housing and more efficient urban waste disposal systems (interview with Dzulkefly Ahmad). The PR parties and/or state governments established their own think tanks to improve policy formulation

on socioeconomic matters (interviews with Yin Shao Loong and Zairil Khir Johari). Whether such initiatives were successfully implemented could determine how credibly PR could claim to be capable of being a better national government. In future competition with BN, the strength of PR's performance would be closely scrutinized by voters and specific economic and social interests alike. It would not have been lost on anyone, much less the PR leadership, that just two defections from PKR and one from the DAP led to the fall of the PR government in Perak, while problems of administration, leadership, and disunity in the PAS-led Kedah government allowed UMNO to recapture Kedah in GE13 (interviews with Toh Kin Woon and Wong Hoy Cheong).

Second, PR strove to construct common platforms to resolve a host of contentious economic, religious, and regionalist issues. Sensitive to skepticism over its alleged ideological compatibility, the PR leadership presented a show of consensus each time it took a decision on a controversial issue. And many controversial issues had arisen, often raised by UMNO, the regime's bureaucratic arms, or its NGO allies, and publicized by UMNO-owned and state-regulated print and broadcast media, UMNO's paid "cyber-troopers," and otherwise pro-UMNO social media. A key aim of such controversies was to divide PAS and the DAP over ethnic and religious matters. Unexpectedly DAP-PAS cooperation improved between 2007 and 2013. Several reasons accounted for this development. Supporters of PR exerted enormous public pressure on the two parties to make a success of PR's coalitional framework. In a crucial instance, which arose in Perak after GE12, the DAP conceded the position of Menteri Besar (chief minister) of the state to PAS although the DAP had won 18 seats in the Perak State Legislative Assembly while PAS had only 6. The DAP's decision, taken reluctantly, was legally forced by the stipulation in the constitution of Perak that the Menteri Besar had to be an ethnic Malay—and none of the DAP's elected representatives was Malay. Yet, the DAP's reluctance was partly overcome by its supporters' strong and almost unanimous online appeals that the party should make a "sacrifice" and do whatever it took to keep a PR government in place. In turn, it made all the difference to the DAP that PAS would defend it in public against accusations of the DAP's being anti-Malay and anti-Islam. For that matter, PR's integrity would have been shattered right after GE12 had PAS accepted UMNO's secret overtures to form UMNO-PAS "Malay unity" governments in Selangor and Perak. Likewise, PAS protected the integrity of PR by rejecting UMNO's urgings thereafter to engage in "Malay/Muslim unity" talks¹⁸⁾ (interview with Dzulkefly Ahmad). To some

18) Those were divisive issues for PAS. The line was drawn between those who wanted to form governments with UMNO in Perak and Selangor so that "the position of Islam could be consolidated" and those who maintained that "the majority of those who voted PAS had rejected UMNO and BN" (Mujahid 2012, 61).

degree, it eased relations between the DAP and PAS that they did not compete for seat allocations within PR because each appealed to a core constituency that did not overlap with the other's (interview with Wong Hoy Cheong). On several religious controversies, because of PR's unified position, non-Muslims came to regard PAS as a moderate and tolerant party in contrast with their denunciation of UMNO for manipulating religious tensions that threatened to encroach on minority rights in religious matters (interview with Mujahid Yusof Rawa). Perhaps the iconic moment of DAP-PAS cooperation was reached when the Registrar of Societies threatened not to recognize the DAP leadership just two days before the nomination day for GE13. Faced with the threat that its candidates could not be nominated by their own party, the DAP decided with PAS's assent that, if they were so compelled by the Registrar of Societies, all DAP candidates would contest under the PAS ticket. The DAP-PAS stance, later modified to have DAP candidates stand on the PAS ticket in Peninsular Malaysia and on the PKR ticket in Sabah and Sarawak, compelled the Registrar to rescind a threat that was recognized (even by some UMNO leaders) as a blunder.¹⁹⁾

Third, there was, roughly speaking, not a mere handful but a critical mass of dissidents and oppositionists with common and comparable experiences. The veterans among them could trace experiences back to shared time in detention, the outrage felt at Anwar's humiliation, the call of Reformasi, and BA's formation and collapse. For younger or newer ones, arguably the single most important formative experience was to witness the 2008 tsunami and draw from it the inspiring lesson that "Change was possible" and that BN could be defeated (interviews with Roland Chia, Rafizi Ramli, Terence Siambun, and Junz Wong). During their university years, when student politics was tightly circumscribed by the University and University Colleges Act, some younger activists and politicians had made special efforts to cooperate with their counterparts from different ethnic backgrounds (interviews with Adam Adli, Ginnie Lim, and Ong Jin Cheng). Later it was somewhat easier for them, as it was for younger PR politicians, to be assigned roles in co-organizing PR activities because they had had no part of the divisive polemics that had passed between the older leaders of each party (interviews with Liew Chin Tong and Anthony Loke). Many party-based and nonpartisan activists were convinced by the mass

19) While its agreement to let DAP use its logo was sincere and a brilliant tactic by PAS to gain non-Malay/Muslim confidence, some Malays might not have viewed PAS-DAP amiability with enthusiasm. PAS Deputy President Muhammad Sabu observed of the 2013 electoral outcomes: "in [ethnically] mixed areas, PAS did well. The Chinese were threatened with '1 vote for PR is 1 vote for *Hudud*' but the Chinese said, 'We want *Ubah* (Change), we do not care!' So, 85% of Chinese voted for Pakatan. Which is why we could get Selangor back. The Malays were trapped in the racial issue, which is why we [PAS] lost in Malay majority areas. It was the fence sitters—the government officers—who voted for BN. The postal votes . . . we got only 15%" (Zakiah 2013).

demonstrations and the outcome of GE12 that political reform was not vaguely desirable but attainable provided they put in the effort. Some had worked in campaign after campaign even when their hopes were dashed because of their inexperienced assessments and actual conditions (interviews with Ginnie Lim, Lee Khai Loon, and Junz Wong). Some activists were inspired to initiate party organization and mobilization in their local areas to prepare early for GE13 (interviews with Terence Siambun and Roland Chia). The PR parties fielded many young and inexperienced candidates. In 2008 PKR and, to a lesser extent, the DAP were compelled to do so because they lacked suitable candidates to run in what seemed like unpromising contests. The post-GE12 situation changed with the arrival of young candidates who had had some exposure or shown their commitment to dissident activism in different areas (interviews with Nurul Izzah Anwar, Rafizi Ramli, N. Surendran, and Junz Wong). From then, PR was steadily grooming a “second line” corps of leaders who were already blooded along shared pathways of dissent (interviews with Liew Chin Tong, Nurul Izzah Anwar, and Hannah Yeoh). Many went on to assume responsibility in intermediate positions in politics and government (interviews with Rafizi Ramli, Hannah Yeoh, and Zairil Khir Johari). Consequently, after GE13, some younger PR politicians exuded an air of confidence that they could be the key bearers of the oppositionist mission.

Fourth, nonpartisan dissent and party-based opposition retained the symbiosis they had developed through different campaigns that, before GE13, peaked in the BERSIH 2.0, BERSIH 3, and Himpunan Kebangkitan Rakyat rallies. The BERSIH 2.0 Committee, which launched its rallies for electoral reform as nonpartisan civil society initiatives, called for the support of all political parties, including BN parties. As there was not a chance of the latter’s participation, it was moot whether that all-embracing call prevented BERSIH 2.0 from being identified with the opposition. On the one hand, the PR parties could mobilize a large presence of their members and supporters. Without them, BERSIH 2.0 would have remained a collection of small NGOs, all unable to bring a sizeable rally to the streets. On the other hand, BERSIH 2.0, led by prominent individuals and reputable activists, possessed a preeminent civil society branding. Without that, PR would have found it much more difficult to promote a nonpartisan demand for electoral reform (interviews with P. Subramaniam, Toh Kin Woon, and Wong Chin Huat). Hence, the relations between civil society dissidents and party-based oppositionists were two-way affairs. A number of activists joined the parties (especially the DAP and PKR) and were groomed or selected at short notice to run for elections (interviews with Ginnie Lim, Lee Khai Loon, and N. Surendran). Other activists chose to remain “on the outside,” declining offers of nomination for election to avoid the encumbrances and loss of personal autonomy that came with party affiliation (interview with Fadiah). Yet others preferred

to be independent “facilitators” who could better cross party and organizational lines for a range of causes (interviews with Adam Adli, Peter Kallang, and Ong Jin Cheng). One activist who supported the opposition was nonetheless ready to treat PR as “the ruling class in some states” (interview with Fahmi Reza). In any case, the scope of activism ranged from conducting structured programs in civic and legal education (interview with Hou Jian You) to staging spontaneous, small-scale “direct action” or “flash mob” events (interview with Sean Ho). The scope could encompass personal intervention as and when it suited one’s “punk” principles (interview with Yuen Kok Leong). Activists and oppositionists alike were aware that differences could arise between them, as when PR in power (state governments) did not accede to civil society expectations (Rodan and Hughes 2014; interviews with Loh Kok Wah and P. Ramakrishnan). But the realm of dissent was comparatively small, while harassment by the regime was common. Necessity as much as virtue encouraged bonding between nonpartisan dissent and party-based opposition as a characteristic of counter-hegemonic activity.

Finally, dissidents and oppositionists cultivated a “real world” appreciation of pluralist politics. The PR’s structure was loosely egalitarian. Unlike UMNO’s domination of BN from the latter’s founding, no party in PR could even claim to be first among equals. After GE12, PKR had the highest number of parliamentary seats, but not by much, and Anwar was accepted as PR’s *de facto* leader but not much more than that. After GE13, the DAP had its all-time high representation of 38 seats in parliament. Yet even if it was unrealistic enough to try, the DAP could not have dominated PKR (30 seats) and PAS (21 seats). To some extent, PR’s relatively balanced proportion of parliamentary representation was tied to patterns of the ethnic composition and spatial distribution of constituencies that resulted from the regime’s many exercises of gerrymandering and malapportionment. The rough internal parity in seats could be established as a fact of PR life, so to speak, as long as the three parties could agree to an amiable allocation of seats for subsequent elections. Then, PR leaders could credibly claim a commitment to consensus building and pluralist exchanges. Nurul Izzah Anwar noted that PR had “entered its fourth year” and “the people could judge for themselves” whether the coalition would continue. Of PR’s coalition-building effort, she added, “It is a political process for any coalition, it isn’t automatic. What is important is for the component parties to have consensus on the constitution and a common policy framework” (quoted in Aw 2013). In case PR faced a crisis, Dzulkefly Ahmad (albeit with a tone of exasperation) reminded “all leaders to desist from shooting one another” because [a]nyone can hurl any suggestion, recipe, formula and so on, but this will test the unity, fullness and maturity of PR as a coalition of parties” (quoted in Nizam and Yusrizal 2014).

Moreover, the attacks on PR usually targeted each party and its leaders along

chauvinistic ethno-religious lines. The DAP would be accused of being anti-Malay or anti-Islam and PKR and PAS of betraying the Malays and Islam. In response, PR parties had to develop a cautiously balanced approach to majority-minority relations, yet another spur to adopting pluralist practices. Indeed, one of PR's unforeseen achievements was to dislodge UMNO-BN from the political center (interview with Liew Chin Tong). From late 2007 to GE13, PR crafted a strong appeal for urban middle-class voters who wearied of UMNO's ethno-religious manipulations and disdain for its non-Malay-based parties. If a measure of suffering sometimes sharpened one's sensitivity toward the position and plight of others, the PR leaders, themselves targets of repression and undemocratic politics, were logical figures to press for reforms toward more democratic government, pluralist competition, guarantees of constitutional rights, etc.²⁰⁾ Some PAS leaders had striven to formulate principles of democratic Islamism that would place fair and open pluralist competition at the center of any democracy that PR wanted to construct (Dzulkefly 2012; Mujahid 2012). In practice, some of PAS's elected representatives did not hesitate to defend churches and Christian communities within their constituencies, and to promote interfaith dialogues that had been spurned by the regime's leaders and their NGO allies. A number of PR politicians who had entered party politics from prior activism in rights-based NGOs remained close to those organizations (interviews with N. Surendran and Jeyakumar Devaraj). Of the dissidents and activists who stayed outside political parties, many organized or joined campaigns to support ethnic minority groups (interviews with Jannie Lasimbang and Wong Chin Huat), dispossessed communities (interviews with Baru Bian, Peter Kallang, and Simon Siah) or victims of human rights violations (interviews with N. Surendran and Fadiah Nadwa Zikri). Some dissidents disagreed over the PR's pre-GE13 position on the "Indian question" (interview with Jeyakumar Devaraj, N. Ganesan, and N. Surendran). The majority of dissidents would critically support PR but reject UMNO's "ethnic verticalism" or its insistence that Malay rights must come before others' rights (interviews with Jeyakumar Devaraj, N. Surendran, and Zairil Khir Johari). In the case of the short-lived PAS-led PR government of Perak, its land allocation policies broke with UMNO's practices that discriminated against poor communities in general and non-Malay communities in particular (interview with Nizar Jamaluddin). Some political matters—such as the NEP and the state's policies, non-Muslim rights, and support for all school systems—continued to be "sensitive" issues that tested the PR's cohesion and unity even as the coalition tried to move from

20) Former PAS President Fadzil Noor (1937–2002) said that he had gained a better appreciation of the legitimate concerns of non-Malays and non-Muslims in Malaysia after observing the plight of an ethno-religious minority with whom PAS readily empathized, namely, the Malay Muslims of Southern Thailand.

ethnically oriented policy positions in more inclusive directions.

Divides and Dissent Reconfigured

At GE13 the streams of dissent, which had swelled and converged from 2007, could not overcome the structural, institutional, and resource advantages of the regime. Nonetheless, they left deep imprints on the political terrain, producing results that were variously unsatisfactory for the rival coalitions. For the second time since 2008, a recalcitrant electorate had locked the antagonists in a stalemate on the peninsula, gifting the parties of Sabah and Sarawak with a vital role in shaping the course of politics and government. This final section analyzes some important ramifications for dissent as a whole. For Anwar and Najib, the electoral outcome was scarcely to be welcomed. On the one hand, PR's failure to dislodge BN exposed Anwar to continuing persecution. The UMNO regime, unrestrained by any fear of a pre-election backlash, acted to cripple PR's leadership by removing Anwar.²¹⁾ In January 2012 the High Court had acquitted Anwar of "Sodomy II," the popular term for the charge of sodomy leveled against Anwar in mid-2008 (given his first conviction of sodomy in 2000 that was finally overturned by the Federal Court in 2004). The Court of Appeal reversed the verdict in March 2014, the Federal Court upheld the reversal in February 2015, and Anwar was again jailed. On the other hand, BN's performance was worse in some ways than in 2008, for which Abdullah Badawi had been ousted in 2009 from the premiership by his own party. Certain UMNO veterans openly warned that Najib's leadership could bring defeat in the next election. Perhaps Najib escaped being deposed like Abdullah because GE13 inflicted less of a shock on the system than the tsunami of 2008, and UMNO, having recovered some of its 2008 losses, would not risk another sudden removal of its leader.

Election's end did not narrow the BN-PR divide. Najib decried a "Chinese tsunami" of anti-regime sentiment for eroding BN's support. Anwar denounced electoral fraud for denying PR power despite its securing the popular vote. Could either man have supplied a different narrative of GE13? Najib clung to the primacy of an ethnic divide upon which UMNO's dominance rested. Anwar maintained his call for reform, the goal of oppositionists and dissidents alike since the triple rallies of 2007. In short, the BN-PR rivalry seemed set to resume as a drudging war of position along that basic rift between ethnic and reformist politics.

21) "Najib gives every appearance of preparing for snap polls on the assumption that Anwar will be out of the way and the opposition decapitated" (Tisdall 2011).

Any such expectation was shattered in February 2015. On February 10, the Federal Court's decision upheld Anwar's conviction of Sodomy II. Two days later the PAS Spiritual Leader Nik Aziz Nik Mat died.²²⁾ And on February 28, *Sarawak Report* (2015) broke its investigative story of what it called "the heist of the century," linked to the sovereign wealth fund 1MDB (1 Malaysia Development Berhad). The fallout from these events reconfigured political divides and dissident alignments.

The first two events exacted a heavy toll on PR. Returning Anwar to jail for another five years matched UMNO's strategy of removing the "glue" that had held the PR intact as a coalition. Anwar's wife, Wan Azizah Wan Ismail, became PR's nominal leader, as she was Barisan Alternatif's when he was previously in prison. Wan Azizah admitted that she could not bring Anwar's savvy or authority to the position. Nik Aziz, though, was nothing if not charisma, shrewdness, and strength (Farish 2003; Khoo 2004). With him as Menteri Besar, Kelantan held out against UMNO's blandishments and the federal government's hostility for 25 years. Given his influential position in PAS, Nik Aziz had helped PAS "progressives" to win key positions in the party, and they backed PR and Anwar's leadership (Farish 2015a; 2015b). Nik Aziz, implacably distrustful of UMNO, was scornful of PAS leaders who wanted to enter "unity talks" with UMNO after GE12. It is beyond the scope of this chapter to discuss in detail the corrosive barrage of latent ideological tensions, unilateral programmatic initiatives, intra- and inter-party rivalries, and lack of personal empathy that washed over PR in the absence of Anwar and Nik Aziz. Suffice it to summarize the starkest outcomes. The PAS "progressives" were swept out of their party positions in June 2015. They abandoned PAS to form a new party, Parti Amanah Negara (Amanah, National Trust Party). At the same time, a DAP-PAS rupture tore PR just as a similar rift did the BA before and ostensibly because of "ideological incompatibility," too. And although it tried, a PKR leadership that was itself burdened with factional strife could hardly juggle two alliances—one of the DAP, PKR, and Amanah, and the other of PAS and PKR.

The third event of February 2015, the exposé of the 1MDB scandal, which directly implicated Najib, should have made the regime's position untenable. The *Sarawak Report* story was followed by mounting evidence garnered by investigators at home and in several overseas jurisdictions of fraud, corruption, and money laundering on an unprecedented scale. Najib remained virtually silent on the issue. His cabinet and UMNO allies who spoke for him could not rebut allegations posed in and out of parliament. His lawyers threatened but did not file defamation suits against a host of accusers, including *Sarawak Report* and the *Wall Street Journal*. Instead, Najib dismissed several high-ranking public

22) For a short news report on Nik Aziz's death, see Teoh (2015).

officers believed to have compiled a legal case against him. He co-opted several potential critics in UMNO, while the police harried dissidents with investigations for sedition. In mid-2015, as disaffection spread, Najib sacked Deputy Prime Minister Muhyiddin Yassin and Minister of Rural and Regional Development Shafie Apdal. Half a year later, Najib's allies in Kedah forced out Menteri Besar Mukhriz Mahathir. This was followed by the expulsion of Muhyiuddin and Mukhriz, the withdrawal of Shafie, and the departure of a small number of low-ranking office-bearers and members from UMNO.

Now, when the constituency of opposition seemed to be fatigued by defeat and disarray, fresh initiatives of dissent arose with new political divides. From August 29 to 30, 2015, BERSIH organized its largest ever gathering in Kuala Lumpur, ending before midnight marked the 58th anniversary of Merdeka. In a twist of history, BERSIH 4 marked the moment of the 90-year-old Mahathir's reentry into politics—as a dissident determined not merely to oust Najib but to defeat UMNO altogether. Soon after, Mahathir, Muhyiddin, and Mukhriz founded a new party, Parti Pribumi Bersatu Malaysia (Bersatu, United Pribumi of Malaysia),²³⁾ that has since joined Amanah, the DAP, and PKR as a coalition. What the opposition gained in Bersatu as an ally in reformist politics it lost in PAS after Hadi and Najib engineered an implicit pact that did not mend the ethno-religious divide. No one knows yet where the intra-Malay divide will lead: presently, the Malay community is confronted by appeals for support from five sources composed in two alliances—UMNO-PAS and Amanah-Bersatu-PKR. Perhaps not least of all the divides is a regionalist rift between Sabah and the federal government that has opened up since Shafie Apdal founded a new “Sabah party,” Parti Warisan Sabah (Warisan, Sabah Heritage Party) in Sabah, which has attracted some opposition representatives.

On the eve of the 60th anniversary of Merdeka, therefore, contemporary politics in Malaysia is marked by sociopolitical divides and dissent that endure, not in static but contingent forms, dynamically reconfigured as conditions and protagonists change.

Accepted: June 29, 2018

References

Entries for non-Western names are cited and arranged alphabetically according to surnames or first names, without the use of commas, except where the first name is an honorific or where the name follows Western convention in the original source.

23) *Pribumi* in Malay is usually taken to mean “indigenous” or “native”; no English translation is given here because it would appear awkward in the party's name.

- Abdul Rahman Embong. 2002. *State-Led Modernization and the New Middle Class in Malaysia*. Basingstoke and New York: Palgrave Macmillan.
- Ahmad Fauzi Abdul Hamid. 2008. Islamist Realignments and the Rebranding of the Muslim Youth Movement of Malaysia. *Contemporary Southeast Asia* 30(2): 215–240.
- Aw, Nigel. 2013. Hero's Welcome for Nurul Izaah at UM Forum. Malaysiakini. February 20. <http://www.malaysiakini.com/news/221811>, accessed February 20, 2013.
- Brown, Graham K. 2005. Playing the (Non)Ethnic Card: The Electoral System and Voting Patterns in Malaysia. *Ethnopolitics* 4(4): 429–445.
- Bunnell, Tim; Nagarajan, S.; and Willford, Andrew. 2010. From the Margins to Centre Stage: "Indian" Demonstration Effects in Malaysia's Political Landscape. *Urban Studies* 47(6): 1257–1278.
- Dzulkefly Ahmad. 2012. *Striving for Change*. Kuala Lumpur: Unit Buku Harakah.
- Farish A. Noor. 2015a. Nik Aziz Nik Mat: The Pragmatic Reformist Who Transformed Malaysian Politics. *Straits Times*. February 13. <http://www.straitstimes.com/opinion/nik-aziz-nik-mat-the-pragmatic-reformist-who-transformed-malaysian-politics>, accessed February 14, 2015.
- . 2015b. Death of PAS Bedrock Nik Aziz May Have Profound Impact on Party, Nation. *Straits Times*. February 13. <http://www.straitstimes.com/opinion/death-of-pas-bedrock-nik-aziz-may-have-profound-impact-on-party-nation>, accessed February 14, 2015.
- . 2003. The Localization of Islamist Discourse in the *Tafsir* of Tuan Guru Nik Aziz Nik Mat, Murshid'ul Am of PAS. In *Malaysia: Islam, Society and Politics*, edited by Virginia Hooker and Norani Othman, pp. 195–235. Singapore: ISEAS.
- Funston, John. 2016. UMNO: From Hidup Melayu to Ketuanan Melayu. In *The End of UMNO? Essays on Malaysia's Dominant Party*, edited by Bridget Welsh, pp. 111–146. Petaling Jaya: Strategic Information and Development Research Centre.
- Govindasamy, Anantha Raman. 2015. Social Movements in Contemporary Malaysia: The Cases of BERSIH, HINDRAF and Perkasa. In *Routledge Handbook of Contemporary Malaysia*, edited by Meredith L. Weiss, pp. 116–126. London and New York: Routledge.
- Hadiz, Vedi R.; and Khoo Boo Teik. 2011. Approaching Islam and Politics from Political Economy: A Comparative Study of Indonesia and Malaysia. *Pacific Review* 24(4) (September): 463–485.
- Hilley, John. 2001. *Malaysia: Mahathirism, Hegemony and the New Opposition*. London: Zed Books.
- Johan Saravanamuttu. 2015. Power Sharing Politics and the Electoral Impasse in GE13. In *Coalitions in Collision: Malaysia's 13th General Elections*, edited by Johan Saravanamuttu, Lee Hock Guan, and Mohamed Nawab Mohamed Osman, pp. 37–62. Petaling Jaya: SIRD; Singapore: ISEAS.
- Johan Saravanamuttu; Lee Hock Guan; and Mohamed Nawab Mohamed Osman, eds. 2015. *Coalitions in Collision: Malaysia's 13th General Elections*. Petaling Jaya: SIRD; Singapore: ISEAS.
- Kershaw, Roger. 1969. Politics in Kelantan, West Malaysia: Parochial Integrity versus National Integration? In *Autonomy and Dependence in "Parochial" Politics*, edited by Lucy Mair *et al.*, pp. 50–66. London: University of London, Institute of Commonwealth Studies, ICS Collected Seminar Papers No. 7.
- Khoo Boo Teik. 2016. Networks in Pursuit of a "Two-Coalition System" in Malaysia: Pakatan Rakyat's Mobilization of Dissent between Reformasi and the Tsunami. In *Political Networks in East and Southeast Asia*, Special Issue of *Southeast Asian Studies*, edited by Takeshi Onimaru and Khoo Boo Teik 5(1) (April): 73–91.
- . 2004. *Searching for Islam in Malaysian Politics: Confluences, Divisions and Governance*. Hong Kong: City University of Hong Kong, Southeast Asian Research Centre, Working Paper Series No. 72, September.
- . 2003. *Beyond Mahathir: Malaysian Politics and Its Discontents*. London: Zed Books.
- . 1995. *Paradoxes of Mahathirism: An Intellectual Biography of Mahathir Mohamad*. Kuala

- Lumpur: Oxford University Press.
- Khoo Khay Jin. 1992. The Grand Vision: Mahathir and Modernization. In *Fragmented Vision: Culture and Politics in Contemporary Malaysia*, edited by Joel S. Kahn and Francis Loh Kok Wah, pp. 44–76. Sydney: Allen & Unwin.
- Khoo, Philip. 1999. Thinking the Unthinkable. *Aliran Monthly* 19(5): 2–8.
- Khoo Yin Hooi. 2016. Malaysia's 13th General Elections and the Rise of Electoral Reform Movement. *Asian Politics and Policy* 8(3): 418–435.
- Liew Chin Tong. 2013. "An Opposition's Transformation": Interview with Liew Chin Tong. In *Awakening: The Abdullah Badawi Years in Malaysia*, edited by Bridget Welsh and James U. H. Chin, pp. 294–311. Petaling Jaya: SIRD.
- Liow Joseph Chin Yong. 2003. *Deconstructing Political Islam in Malaysia: UMNO's Response to PAS' Religio-political Dialectic*. Singapore: S. Rajaratnam School of International Studies, Working Paper No. 53.
- Liow Joseph Chinyong. 2009. *Piety and Politics: Islamism in Contemporary Malaysia*. New York: Oxford University Press.
- Loh Francis Kok Wah; and Johan Saravanamuttu, eds. 2003. *New Politics in Malaysia*. Singapore: ISEAS.
- Maznah Mohamad. 2008. Malaysia: Democracy and the End of Ethnic Politics? *Australian Journal of International Affairs* 62(4): 441–459.
- . 2003. The Contest For Malay Votes in 1999: UMNO's Most Historic Challenge? In *New Politics in Malaysia*, edited by Francis Loh Kok Wah and Johan Saravanamuttu, pp. 66–86. Singapore: ISEAS.
- Mujahid Yusof Rawa. 2012. *Rejuvenasi PAS: Idea, Realiti, Aspirasi ke arah Aspirasi Massa* [The rejuvenation of PAS: Idea, reality, aspiration toward mass aspiration]. Shah Alam: Ilham Centre.
- Nizam Zain; and Yusrizal Yusof. 2014. *Abdul Khalid Bagai Harimau Cedera* [Abdul Khalid's like a wounded tiger]. *Sinar Harian*. August 16. <http://www.sinarharian.com.my/nasional/abdul-khalid-bagai-harimau-cedera-1.308420>, accessed August 20, 2014.
- Pepinsky, T. B. 2009. The 2008 Malaysian Elections: An End to Ethnic Politics. *Journal of East Asian Studies* 9(1): 87–120.
- Rodan, Garry; and Hughes, Carolyn. 2014. *The Politics of Accountability in Southeast Asia: The Dominance of Moral Ideologies*. Oxford: Oxford University Press.
- Sabri Zain. 2000. *Face Off: A Malaysian Reformasi Diary (1998–99)*. Singapore: Options Publications.
- Sarawak Report. 2015. Heist of the Century: How Jho Low Used PetroSaudi as "A Front" to Siphon Billions out of 1MDB. February 28. <http://www.sarawakreport.org/2015/02/heist-of-the-century-how-jho-low-used-petrosaudi-as-a-front-to-siphon-billions-out-of-1mdb-world-exclusive/>, accessed March 19, 2017.
- Shamsul A. B. 1988. The Battle Royal: The UMNO Elections of 1987. In *Southeast Asian Affairs 1988*, edited by M. Ayoob and Ng Chee Yuen, pp. 170–188. Singapore: ISEAS.
- Teoh, Shannon. 2015. Malaysian Islamist Party Spiritual Leader Nik Aziz Dead. *Straits Times*. February 12. <http://www.straitstimes.com/asia/se-asia/malaysian-islamist-party-spiritual-leader-nik-aziz-dead>, accessed February 13, 2015.
- Tisdall, Simon. 2011. Najib Risks Malaysia's Reputation in His Treatment of Anwar Ibrahim. *Guardian*. December 13.
- Weiss, Meredith, ed. 2013. *Electoral Dynamics in Malaysia: Findings from the Grassroots*. Kuala Lumpur: Strategic Information and Development Research Centre.
- Zakiah Koya. 2013. Face to Face with Mat Sabu: BN Knows That to Break PR, It Must Weaken PAS. *FZ Malaysia News, fz.com*. November 11. <http://www.fz.com/content/face-face-mat-sabu-bn-knows-break-pr-it-must-weaken-pas>, accessed November 18, 2013.

Interviews (in alphabetical order of interviewees' names)

- Adam Adli, Student leader, Petaling Jaya, January 25, 2014.
- Ambiga Sreenevasan, Chairperson, BERSIH 2.0 Committee, Kuala Lumpur, January 25, 2014.
- Baru Bian, Sarawak State Legislative Assembly Member, Kuching, October 15, 2013.
- Mark Bujang, Director, Borneo Resources Institute Malaysia Sarawak, Miri, October 17, 2013.
- Roland Chia, Sabah State Assembly Member, Kota Kinabalu, October 22, 2013.
- Dzulkefly Ahmad, Member of Parliament, Kuala Lumpur, January 23, 2014.
- Fadiah Nadwa Zikri, Member, Lawyers for Liberty, Kuala Lumpur, January 22, 2014.
- Fahmi Reza, Artist and activist, Kuala Lumpur, January 20, 2014.
- Fuziah Salleh, Member of Parliament, Kelana Jaya, February 15, 2012.
- N. Ganesan, Member, HINDRAF, Penang, January 28, 2014.
- Sean Ho, Student activist, Universiti Sarawak Malaysia, Kuching, October 15, 2013.
- Hou Jian You, Member, Loyarburok, Kuala Lumpur, January 22, 2014.
- Jannie Lasimbang, Secretary-General, Jaringan Orang Asal SeMalaysia, Penampang, October 19, 2013.
- Jeyakumar Devaraj, Member of Parliament, Ipoh, February 21, 2012, and May 2, 2013.
- Peter Kallang, Indigenous rights activist, Miri, October 18, 2013.
- Lee Khai Loon, Penang State Legislative Assembly Member, Penang, February 2, 2014.
- Liew Chin Tong, Member of Parliament, Penang, January 2, 2012.
- Ginnie Lim, DAP candidate in GE13, Melaka, January 24, 2014.
- Francis Loh Kok Wah, Professor, Universiti Sains Malaysia, Penang, January 28, 2014.
- Anthony Loke Siew Fook, Member of Parliament, Kuala Lumpur, January 21, 2014.
- Mujahid Yusof Rawa, Member of Parliament, February 18, 2012.
- Nizar Jamaluddin, Menteri Besar of Perak, 2008–9, Ipoh, February 21, 2012.
- Nurul Izzah Anwar, Member of Parliament, Kuala Lumpur, January 20, 2014.
- Ong Jin Cheng, Human rights activist, SUARAM, Penang, December 9, 2013.
- Rafizi Ramli, Member of Parliament, Sungai Besi, January 20, 2014.
- P. Ramakrishnan, President, Aliran, Penang, May 7, 2013.
- Terence Siambun, Sabah State Legislative Assembly Member, Kota Kinabalu, October 21, 2013.
- Simon Siah, Lawyer, Kuching, October 14, 2013.
- P. Subramaniam, Member, BERSIH 2.0 Committee, Kuala Lumpur, April 30, 2013.
- N. Surendran, Member of Parliament, Penang, December 12, 2014.
- Toh Kin Woon, Member, BERSIH 2.0 Committee, Penang, February 1, 2014.
- Wong Chin Huat, Member, BERSIH 2.0 Committee, December 10, 2013.
- Wong Hoy Cheong, Artist and member of PKR, Penang, January 29, 2014.
- Junz Wong, Sabah State Legislative Assembly Member, Kota Kinabalu, October 13, 2013.
- Hannah Yeoh, Speaker, Selangor State Legislative Assembly, Subang Jaya, January 21, 2014.
- Yin Shao Loong, Researcher, Kuala Lumpur, April 29, 2013.
- Yuen Kok Leong, Lecturer, Universiti Sarawak Malaysia, Kuching, October 15, 2013.
- Zairil Khir Johari, Member of Parliament, Penang, December 11, 2013.



The Palace Law of Ayutthaya and the Thammasat: Law and Kingship in Siam

CHRIS BAKER and PASUK PHONGPAICHIT, trans. and eds.

Ithaca: Cornell Southeast Asia Program Publications, 2016.

The Palace Law of Ayutthaya and the Thammasat is divided mainly into two parts: the Thammasat and the Palace Law of Ayutthaya. It seems to be a significant tool for foreign scholars focusing on Thai legal history, which, manifestly, is largely based on philosophy derived from the Thammasat and the Three Seals Code. The book gathers important details regarding the Thammasat and the Three Seals Code in a well-organized structure that not many Thai textbooks can contribute. For Thai scholars, or those with a deep understanding of the Thai language, however, this book might not be as interesting as expected since many Thai-language sources provide more comprehensive and detailed information. Nevertheless, those Thai-language academic pieces share the flaws of being scattered and unorganized. Readers can find small pieces of information about the Thammasat mentioned randomly in many Thai legal textbooks, but there is no volume that systematically gathers and organizes the Thammasat. This book, therefore, will definitely encourage more work in the field.

It is important to read the preface thoroughly for those who have no background in Thai history. The preface gives readers an introduction to the era of Ayutthaya and the status it enjoys in the Thai history timeline. Readers will not understand the role of the Three Seals Code if they have no clue about the Ayutthaya period. It also might not be easy for Ayutthaya experts who are unfamiliar with other periods in Thai history to follow the book as the Thammasat and the Three Seals Code span many, if not all, eras of Thai history, from Dvaravati to Rattanakosin (Bangkok), and the book does not provide such background. The book mentions the notion of the Thammasat being passed down to Siamese through Mon people, possibly since the time of Dvaravati (p. 27). Although the people of Dvaravati were Mons (Pelliot 1904), the majority of the population in the nearby kingdom of Lavo were also Mons (Boeles 1967), and Lavo existed around the same period as Dvaravati. There is no clear answer about which kingdom Siamese inherited the Thammasat from. As such, for the sake of understanding and further research, it is important for readers to

possess fundamental knowledge about these ancient kingdoms that existed on the soil of the Chao Phraya River before Siam. Further, there is a debate in the book arguing that the Thammasat might have been passed down to Siam through Myanmar, not Mon (p. 17); therefore, it is also worth giving a brief explanation about an ancient Myanmar country, which is the Pagan kingdom (Hudson 2008).

There are some issues with citations in the book that modern Thai scholars may find problematic. In several places, the book cites renowned Thai scholars who contributed to the topic (e.g., Prince Dhani and Phraya Vinaisunthorn). It is, however, essential to keep in mind that some opinions were probably critically biased due to political reasons, especially since the focus of the book is kingship in Siam. During the reign of King Rama VI, there were certain groups of people opposed to absolute monarchy. It was, as a result, normal for them to publicly express biased opinions about kingship in Siam. Phraya Vinaisunthorn, for example, was a scholar who wrote several articles against the journalist Klongkarn Tid Lor, whom almost everyone knew was actually King Rama VI. Phraya Vinaisunthorn's opinion of kingship in Siam, thus, might be considered biased. Moreover, the book cites *Khun Chang Khun Phaen*, one of the most famous works of Thai traditional literature written during the reign of King Rama II of Rattanakosin, to compare with cultures and traditions of Siamese in Ayutthaya, such as the traditions and practices of the judicial system held in the royal palace of Ayutthaya. It is true, according to *Khamhaikan Chao Krung Kao*, or the "Testimony of the Inhabitants of the Old Capital," that *Khun Chang Khun Phaen* was assumed to be based on a true story that took place in the Ayutthaya period and people passed on verbally. Yet, there was no written version of *Khun Chang Khun Phaen* until King Rama II's initiative. Hence, details in the story about palace and court procedures that were beyond the understanding of ordinary people of Ayutthaya should not be academically claimed as the law of Ayutthaya. Such details composed by royal poets and King Rama II himself should, instead, be compared to practices in the early Rattanakosin era, considering the origin of the written version. The reliability of *Khun Chang Khun Phaen* as a historical source on Ayutthaya is weakened by the fact that, apart from it, there is no other evidence from Ayutthaya mentioning this story (Damrong Rajanubhab 1917). Furthermore, *Khun Chang Khun Phaen* makes some claims that severely contradict the Three Seals Code. For example, the execution of Nang Wanthong does not comply with *Phra aiyakarn laksana phu mia*, or the Law on Husband and Wife (p. 4) in the Three Seals Code. Consequently, the use of *Khun Chang Khun Phaen* as a supplement to the Three Seals Code is debatable.

As for the Palace Law, the book has created a masterpiece for future researchers by systematically gathering and categorizing a part of the Three Seals Code: the Palace Law. It neatly elaborates the timeline and design of the Grand Palace construction in a way that few Thai historical books do. The book reminds Thai scholars of how far behind they are in academic research on their own legal history. Scholars can easily organize their research process by using the structure of this book. Still, it is worth noting that during the reign of King Rama V, or King

Chulalongkorn as he is referred to in the book, there was a significant legal reformation in order to mitigate the country's risk of being colonized by Western powers. The Three Seals Code faced its doom for such reformation starting from the 1850s. In other words, Siam has not been governed by the Three Seals Code since then. The book should have noted this fact as the authors compare ceremonies appearing in the Palace Law with ceremonies conducted in the reign of King Chulalongkorn (p. 69). The book uses *Phraratchaphithi sip song duean* (Royal ceremonies in 12 months), a literary composition of King Chulalongkorn, as a source. However, *Phraratchaphithi sip song duean* was composed in 1888, decades after the first legal reformation launched by the King. As a result, the difference in royal ceremonies between *Phraratchaphithi sip song duean* and the Palace Law probably has nothing to do with the Three Seals Code. Readers with no background might misunderstand that the contents of the Palace Law regarding royal ceremonies in the Three Seals Code were changed a great deal during the reign of King Chulalongkorn. In fact, Siam at that time no longer used the Three Seals Code for royal ceremonies. This is a flaw of the book: discussing the origin of the Three Seals Code and the Thammasat, along with their contents, but not mentioning their downfall. Some citations in the book may lead to misunderstandings in this regard.

The book also provides a translation of the Thammasat and the Palace Law. This is an extraordinary achievement and a great contribution to scholars interested in Thai legal history. Nonetheless, the translation has been done chapter by chapter, not line by line, which might cause a problem for those who want to cross-check the contents. Moreover, the Thai version of the text is not made available. It would be more helpful for researchers, both Thai and foreign, to understand the translated version if the book showed a comparison between the Pali and the English line by line. Providing a comparison with the Thai version would be useful as well.

All in all, as the book does not provide an appropriate introduction—especially necessary historical background of relevant kingdoms and some citations—for readers to fully understand the contents, readers need to possess a basic knowledge of Southeast Asia before beginning on this book. Besides, although the book is still a great research source for Thai legal history studies, due to the lack of an appropriate introduction (e.g., the historical backgrounds of kingdoms involved in passing down the Thammasat) and the lack of a comprehensive discussion about the Thammasat and the Palace Laws (e.g., how they were revoked and when), it is rather a collected legal translation, albeit a good one.

Kamolnich Swasdiphanich กมลนิช สวัสดิ์พานิชย์

Legal Division, Fiscal Policy Office, Thailand Ministry of Finance

Bank Information Center, Washington DC

Sunwater Institute, Bethesda, Maryland

References

- Boeles, J.J. 1967. A Note on the Ancient City Called Lavapura. *Journal of the Siam Society* 55(1): 113–114.
- Damrong Rajanubhab กรมพระยาดำรงราชานุภาพ. 1917. Tumnan Sepha ตำนานเซผา [The legend of Sepha]. *Khun Chang Khun Phaen* ขุนช้างขุนแผน, December 16. <http://vajirayana.org/%E0%B8%82%E0%B8%B8%E0%B8%99%E0%B8%8A%E0%B9%89%E0%B8%B2%E0%B8%87%E0%B8%82%E0%B8%B8%E0%B8%99%E0%B9%81%E0%B8%9C%E0%B8%99-%E0%B8%89%E0%B8%9A%E0%B8%B1%E0%B8%9A%E0%B8%AB%E0%B8%AD%E0%B8%9E%E0%B8%A3%E0%B8%B0%E0%B8%AA%E0%B8%A1%E0%B8%B8%E0%B8%94%E0%B8%A7%E0%B8%8A%E0%B8%B4%E0%B8%A3%E0%B8%8D%E0%B8%B2%E0%B8%93/%E0%B8%95%E0%B8%B3%E0%B8%99%E0%B8%B2%E0%B8%99%E0%B9%80%E0%B8%AA%E0%B8%A0%E0%B8%B2>, accessed December 1, 2017.
- Hudson, Bob. 2008. Restoration and Reconstruction of Monuments at Bagan (Pagan), Myanmar (Burma), 1995–2008. *World Archaeology* 40(4): 553–571.
- Pelliot, Paul. 1904. Deux itinéraires de Chine en Inde à la fin du VIII^e siècle [Two routes from China to India at the end of the eighth century]. *BEFEO* 4: 321–348.
- Phasook Indrawooth. 2004. The Archaeology of the Early Buddhist Kingdoms of Thailand. In *Southeast Asia: From Prehistory to History*, edited by Ian Glover and Peter Bellwood, pp. 120–176. New York: RoutledgeCurzon.
- Ronnachai Tosompak รณชัย โตสมภาค. 2013. Pukam: Senthang su khwam pen moradok lok พุกาม: เส้นทางสู่ความเป็นมรดกโลก [Pagan: A part of world heritage]. *Academic Focus* October 2556. http://library2.parliament.go.th/ejournal/content_af/2556/oct2556-3.pdf, accessed December 1, 2017.

* This review expresses the scholarly perspectives of the reviewer only. This review does not represent the perspectives or position of the Thai Government.

Performing Catholicism: Faith and Theater in a Philippine Province

SIR ANRIL PINEDA TIATCO

Quezon City: The University of the Philippines Press, 2016.

Exploring the intimate intertwining between the sacrosanct realm of Catholicism and the almost sacrilegious cultural practices-cum-performance spaces, Sir Anril Pineda Tiatco pushes readers to an uncomfortable corner where they get a full view of the active tension transpiring between faith and spectacle, between orthodox and unorthodox in the Philippines. He probes into the fantastic world of captivating, dramatic, and sensational Catholic devotional rituals, which include carrying of the cross, self-flagellation, and dancing and offers a way to look at the Catholic faith as a “spectacular and performed” religion (p. 5). As Tiatco explains in *Performing Catholicism: Faith and Theater in a Philippine Province*, some of these cultural practices, usually done during the Holy Week, have been discouraged, even opposed, by Catholic Church leaders time and again, and yet countless devotees continue to observe them (and representatives of the Catholic Church take

part in them as well), hence contributing to their perpetuation as well as popularity. Throughout the book, Tiatco teases out the paradoxes and nebulousness of certain Catholic practices performed regularly by zealous observants under the auspices of the Catholic Church. The result is a compelling and lucid critical reading of Catholicism and its manifestations beyond the official dogmas and into the public-cultural sphere.

Focusing on three Catholic cultural spectacles in Pampanga—the *libad* (water ritual and festival), *pamamaku king krus* (nailing on the cross ritual), and *kuraldal* (dance ritual)—the author contends that there is no “homogenous and monolithic enactment” (p. 20) of the performances. Rather, the devotees engage in an unremitting process of negotiation and performance that renders their own imagination, contestation, and interpretation of the Catholic faith apparent albeit (especially as it is) deviating from orthodox Catholic doctrine. Drawing on theories from performative studies scholars such as Richard Schechner, Jon McKenzie, and Victor Turner, Tiatco scrutinizes these cultural practices against the analytical references of performativity, liminality, and efficacy. Citing Harvey Whitehouse, Tiatco maintains that despite the fact that Pampanga (like the rest of the Philippines) is majority Catholic, the actual process of Catholicization is not “simply the imposition of Western culture onto local tradition but, rather, highly variable processes of local interpretation and contestation” (p. 23). According to Tiatco, these Catholic cultural performances are both interpretations of and embodied resistance against the Catholic doctrine. On the one hand, the devotees themselves justify their devotion to the “very Catholic origins of the spectacles” (p. 113). In other words, they express their commitment to a divine being as well as their respect and obedience to the teachings of the Catholic Church. On the other hand, through these performances they are also “performing transgressions and resistances to the very doctrine where their cultural spectacles are rooted” (p. 113). That is to say, they also form their own narratives around the practices that defy official narratives.

The book is divided into four short chapters. In the first chapter the author lays down the rationale, theoretical foundations, and organization of the book. He makes it clear at the outset his positioning as an ethnographer who is also personally familiar with the Kapampangan Catholic cultural performances as he was born and raised there. Indeed, the book is as much an investigation of cultural practices in Pampanga as it is a personal account of the author’s reflections and examination of his own fascination with these cultural practices. Chapter 2 deconstructs a religious water ritual and festival in Apalit, Pampanga, called Apung Iru Libad as a site of continuous negotiation and contestation between the folk and the Catholic Church. The author surmises that these negotiations—marked by intermittent power struggles between the Catholic Church and the folk—are imperative not only for the continuance of the rituals but also for the performance of intimacy, which in turn fosters collective consciousness.

The third chapter extends the argument on the negotiating dynamics, elaborating on the ironies and ambivalences of the *pamamaku king krus* in Cutud, San Francisco. The author asserts

that the “actors, the audience, the spaces of performance, and the texts” (p. 59) are all embodiments of the Catholic doctrines. He further suggests that these ambivalences allude to the myriad of interpretations of the Catholic tradition constructed by the people themselves. In the process, the Catholic doctrines in Pampanga remain ambiguous and, at some level, subversive even to the Vatican’s official narratives. The last chapter takes the reader to the interesting case of the Kuraldal festival in Sasmuan, Pampanga, where thousands of (usually) childless couples participate as an act of “*panata*” or devotion hoping for their prayers to be answered (particularly on conceiving). According to Tiatco, local Catholic communities are continuously constructing narratives about Apung Lucia, the patroness of the parish, based on several narratives: their own interpretation and negotiation between the orthodox dogma coming from the Catholic Church as well as the unorthodox narratives and stories from devotees themselves. In this process, the ritual undergoes a complex process of continuous traditionalization without causing the destruction of the communities’ local cultures that preceded the advent of Catholicism in the Philippines.

The book is a compelling read as it offers a nuanced understanding, which deviates from traditional and orthodox Catholic scripts, of the convoluted landscape of religious and cultural processes in the Philippines. In a skillful interweaving of his ethnographic observations, personal insights, and theoretical musings, Tiatco successfully unravels the agency of the people and their role in meaning-making and the production of context for Catholic rituals that simultaneously engage and interrogate the official narrative and message of the Catholic Church. Without a doubt, this book is a significant contribution to the fields of performative studies, Philippine studies, and religious-ethnography studies. It encourages us to look deeper and closer into the inner workings of cultural translations and performances that are occurring at the ground level and therefore attempt to better understand the ideological, cultural, and social underpinnings of certain cultural performances that are otherwise discounted (sometimes) as heretic, problematic, or crude interpretations of orthodox Catholic doctrines. The book persuades us to consider the myriad of interpretations that are being produced by those who participate in religious practices as performances (and, by extension, the audience—those who bear witness to the spectacles). It forces us to view religious practices (not just Catholic) not as stagnant or static phenomena resistant to change but as continually being reinvented by powerful authors who, in fact, reside outside the main authority of the institution of the Catholic Church and are oftentimes regarded as passive (or blind) followers or receptors of the Catholic faith.

Darlene Machell de Leon Espena

School of Social Sciences, Singapore Management University

The ASEAN Miracle: A Catalyst for Peace

KISHORE MAHBUBANI and JEFFERY SNG

Singapore: Ridge Books, an imprint of NUS Press, 2017.

This book contains the best overall summary of ASEAN that this reviewer has seen in 40 years, and is great for related introductory or graduate courses. This reviewer has used it for the latter purpose and originally had reservations about the repeated claim that ASEAN deserves a Nobel Peace Prize. However, after reading the entire volume, he came to agree that the Association is as successful as Kishore Mahbubani claims it is.

The ASEAN Miracle argues convincingly that despite its many imperfections ASEAN is the world's second-most successful regional organization, after the European Union. Not only has it been able to preserve peace in Southeast Asia, it also provides an effective forum in East Asia for regional powers to meet and solve problems.

Four great cultural waves—from India, China, Islam, and the West—have had their historical impacts on Southeast Asia. However, the book's authors remind us that Southeast Asians were already engaged in international long-distance trade 500 years before these waves (p. 16), and attribute what they call the “softness” of Southeast Asian cultures to the original Indian wave. The major exception is Vietnam—under direct Chinese imperial control for over a thousand years, it is the only ASEAN member with an uncharacteristic “hard” culture.

Indian, Chinese and Islamic cultures became mixed in with Southeast Asian history, myth, and beliefs, of both the aristocracy and the peasantry. Although a “civilizing” influence is often associated with the Western wave, the Europeans were interested only in profit, and they routinely used violence to gain it. Therefore, for over 300 years, the Western influence on local culture was limited to the Christianized Philippines. Western colonial borders were surprisingly permanent, even preserving a few small nations, such as Cambodia.

From this early history, we understand why the authors consider the success of ASEAN a miracle—such extreme global diversity is an unlikely source for a successful regional association. “The reason ASEAN has emerged as the indispensable platform for great power engagement in the Asia-Pacific region is that it is too weak to be a threat to anyone. So all the great powers instinctively trust it” (p. 3).

Mahbubani and Sng rightfully emphasize the leading role of Indonesia in the formation of ASEAN in 1967, especially in the way that President Suharto did not try to dominate the Association although Indonesia accounts for almost half the population and territory. But it seems to this reviewer that there is a deeper debt owed to Indonesia by ASEAN. The original miracle was the unification of the fourth-largest nation in the world out of the Netherlands East Indies. Consultation and consensus, the identifying trademarks of both Indonesia and ASEAN, were present from the beginning under Indonesia's inspiring first president, Sukarno. Indonesians do not overtly

claim ASEAN is just a continuation of Indonesia, but the book's promotional blurb written by SB Yudhoyono, 6th Indonesian President, does imply it. This alternative perspective does not accord with the view of the authors.

The authors further point out that in the recent dealings between ASEAN and the great powers, both America and China have lacked wisdom. "China was . . . unnecessarily assertive in the South China Sea [and] blocking the annual ASEAN Joint Communiqué in Phnom Penh in 2012 represented one of the lowest points of Chinese diplomacy" (p. 77). Similarly, the US's recent efforts to enlist ASEAN nations against China have been unwise.

In both instances, the great powers need to consider if any of them would stand to benefit from the destruction of ASEAN. Many of them are in fact unaware that they would not, but their casual attitude about this question can lead to their disdain (and that of the Western media) toward ASEAN.

The ASEAN Miracle is, above all, a tale from a diplomatic perspective, filled with incidents and quotations illustrating various historic ASEAN events. There are occasional tinges of elitism in these revelations of the diplomatic insider's world, but it is all for the benefit of the reader.

Since the end of the Cold War, the US felt it no longer needed allies in Southeast Asia, and this was dramatically demonstrated in 1997's Asian Financial Crisis. Thailand only received limited American aid (p. 90), in contrast to how quickly the US bailed out American and South Korean financial institutions affected by the Crisis.

Then, with the major terrorist attacks of 2001, America turned back to Southeast Asia, recruiting the moderate Muslim nations as allies in its war on terrorism. ASEAN once again supported the US despite its previous diplomatic snubs.

The authors are correct to lament Obama's "failure to capitalize on his special relationship with Indonesia" (p. 94) since the then-President had spent his early years there. However, there are extremist American ultra-nationalists who believe Obama was not born in the US and is therefore not a US citizen, and they argued that this gave him no right to use these potential connections with Islam.

But notwithstanding America's sometimes negative attitude towards Southeast Asia, the US is still perceived positively in ASEAN. This can be seen in the numbers of young Southeast Asians enrolled at American universities, a 47% increase over 10 years (p. 96). Moreover, many Western universities have been "crucial drivers" (p. 97) in the replication of the entire ecosystem of modern research universities in Asia. On this point, America has yet to realize how such transformation supports its diplomatic goals.

The authors believe that America's inconsistencies toward ASEAN have caused the latter to accept China's generous offers to increase trade, and even becoming their dominant trading partner. With the South China Sea disputes damaging China's claim to have "peacefully risen" to its current global prominence, ASEAN's partnership is a "geopolitical gift to China" (p. 102).

Vietnam, however, is the ASEAN member most wary of China, and this has to do with its complex dealings with the latter: “Every Vietnamese leader . . . must be able to [both] stand up to China and get along with China and if anyone thinks this cannot be done at the same time, he does not deserve to be a leader” (p. 109).

As for the EU, even though it is the world’s most successful regional organization, the authors note the greater unity comes from its common base of Greco-Roman culture and Christianity. Additionally, the EU has no common language and depends upon an overly-rigid legalistic framework for membership. This internal focus leads to a neglect of external issues, even those which threaten it directly. Examples include its non-involvement in North Africa and the Near East, which has resulted in the current flood of refugees from these areas (p. 113).

However, Mahbubani and Sng believe ASEAN can make the following recommendations to the EU. First, the EU could establish a scholarship program for young African Muslims to study in universities in Malaysia and Indonesia—through this program, students may see that Islam is quite compatible with democracy and development. Second, Europe should embrace policies of engagement instead of isolation—compare how the EU treated world power Russia in the Ukraine (p. 117), against how China was the first to sign a free trade agreement with ASEAN. “This is why the EU should learn lessons from ASEAN on geopolitics” (p. 118).

Next, in terms of communication, the EU could follow ASEAN’s example and also learn from ASEAN by using English, which is not the native language of any member, but is the language of world business. Finally, the EU could learn some flexibility by looking at the “ASEAN minus X” principle. When ASEAN added new members with lower levels of economic development, its agreements applied to all members, but with later dates for newer members. Such an approach would reduce the EU’s rigidity which the authors see as its main flaw as a model for regional associations. The authors would seem to be obsessed with the prospect of an ASEAN Nobel Peace Prize because the EU was given one in 2012 (p. 209).

The book also touches on India and Japan in the context of ASEAN. India—despite its deep cultural roots in Southeast Asia—leans more toward the anti-capitalist view common in the UN, while ASEAN leans closer to the US. India ranked only seventh in total trade and Foreign Direct Investment in ASEAN in 2013 (pp. 122–123), though rising Sino–US conflicts in ASEAN will, in this reviewer’s opinion, create opportunities for India. Japan is another great power which has not lived up to its potential in ASEAN. As the first Asian nation to industrialize, it appears that Japan also adopted a Western attitude toward its Asian neighbors, and its failure to live up to its early promises also damaged its relations with ASEAN (p. 131). In 2005, when Japan made a bid for a permanent seat on the UN Security Council, the only ASEAN nation to support Japan was Singapore. “Japan has never treated ASEAN with great respect” (p. 129).

Chapter Four features insightful and analytic “pen sketches” of the 10 ASEAN nations—this chapter alone makes the entire volume worth buying and can be assigned in any teaching course

on Southeast Asia. The authors' general advice is to leave ASEAN members alone to work out their own internal political problems, as interference is simply too un-ASEAN. One exception to this general rule is Cambodia, where the authors come close to suggesting the Association might expel Cambodia for its sacrifice of ASEAN unity to please China (p. 143), a surprisingly un-ASEAN threat.

In a book full of ironies, Mahbubani and Sng point to ASEAN's sense of community and identity as its first major strength. After all, this sense of community is limited to a lack of outright declarations of war between member nations, and the communal identity depends to a large extent on ASEAN leaders' shared enjoyment of golf. However, evidence shows that communal identity among its member populations is growing. With upgrades to educational curricula and popular youth-oriented media programs, most schoolchildren today can name the ASEAN member nations. Recent rapid increases in discount flights and visa-less travel within ASEAN have also increased interaction and familiarity.

The adoption of the ASEAN Charter in 2007 has strongly increased the power of ASEAN institutions, and seeing these institutions at work will help citizens develop a greater sense of ownership of ASEAN (p. 182). However, ASEAN has a notoriously weak and underfunded secretariat, and the authors make a call for change and improvements in this area.

Overall, this reviewer believes that education about ASEAN and the ASEAN identity are stronger than the evidence provided by the authors from 2007 and 2013. Though they are correct that these are still limited today, increasing knowledge among the ordinary citizens will ensure that ASEAN will most likely be around and stronger than ever by its centenary in 2067.

Jim Placzek

*Pridi Banomyong International College, Thammasat University
Center for Southeast Asian Research, Institute of Asian Research,
University of British Columbia*

Seeing Beauty, Sensing Race in Transnational Indonesia

L. AYU SARASWATI

Honolulu: University of Hawai'i Press, 2013.

In some Southeast Asian countries, there is a trend that promotes an aesthetic appreciation for lighter or whiter skin tones. This ideology of "colorism" is the theme of Saraswati's stimulating and sophisticated monograph, which explores how the white-skinned beauty ideal has been articulated and negotiated in Indonesia from pre-colonial times till present. The author frames her analysis within a historical transnational model of the Indonesian archipelago. She reveals how the

archipelago drew and developed these notions from various sources of influence, first from India, then the Dutch Empire, followed by the Japanese occupation, the post-colonial nationalism and finally present-day cosmopolitanism. Her analysis of Indonesian whiteness ideology is also anchored in theories of affect and feminist cultural studies of emotion. In this innovative combination, Saraswati rather successfully brings to the foreground the manner in which “power” has subtly entered the domain of Indonesian women’s emotions through the constructed white-skin beauty aesthetic affecting their gendered sense of self.

Starting her presentation with an analysis of metaphors of beauty ideals in the Javanese text of the *Ramayana* (a transnational text originally composed in India and later adopted in a number of Southeast Asian societies), Saraswati shows that the white-skin aesthetic in Indonesia pre-dates the colonial racialized whiteness. She tries to, as she puts it, “gauge the colorism at work” in the text by analyzing the metaphorical color references for beauty. In this earlier Javanese period, the poetic reference to beautiful women were terms that suggested lightness, brightness and whiteness. These terms were also associated with cleanliness and purity. By contrast, negative and even frightening characters and situations were portrayed by metaphors of darkness and blackness. Saraswati argues that these hierarchic value-laden metaphors would have generated positive or negative feelings or sensations (*rasa*) in people as they listened to the tale which influenced emotional responses to people of different skin colors. For example, such metaphors would have inspired the feeling (*rasa*) of love towards the lighter-skinned subject and fear towards the darker-skinned subject.

According to Saraswati, when the colonials came to the archipelago (which she always calls Indonesia), and brought their own notions of whiteness with them, they arrived at a place where pale skin was already discursively valued and considered to be the beauty ideal. Her evidence for this comes from what she extrapolates from her analysis of the *Ramayana*. But Saraswati might also be reading too deeply about skin color in the poetics of the *Ramayana*. Although the *Ramayana* metaphors she discusses made references to white skin color during the pre-colonial period, it is possible that metaphors of brightness and radiance, and expressions like having a face radiating like “the whiteness of the moon” could also have referred to other qualities associated with whiteness but not necessarily referring to “white skin color.” It could be the case that in the pre-colonial period “whiteness” worked within a semiosis that made it a metaphor for some other positive quality. This quality could have described people regardless of skin tone, as possessing a countenance similar to the “shining whiteness of the moon.” At one point when she briefly narrates the story of the *Ramayana*, she mentions Hanuman the white monkey. She then adds in parenthesis that he embodies the color of white, further exposing the color symbolism in the *Ramayana*. However, Hanuman’s skin is white because he is an albino monkey with power; he is a magical oddity in the forest who comes to the aid of Rama. In *Seeing Beauty*, Saraswati does not discuss the role of albino whiteness in this semiosis of white skin tones—in her study of whiteness,

she should also have explored the fact that Indonesians with albino appearance can somewhat resemble blonde Europeans and that people of the archipelago called (and still do call) Western people by the same name for albino (*bule*).

Later on in the book, Saraswati makes a very important remark in her discussion of modern cosmopolitanism. She states that whiteness is not a color but a non-color or a “virtual color”; hence, people of different skin tones could in any context be virtually white. Saraswati utilizes this idea for her discussion of cosmopolitan whiteness, but she could have developed it in her analysis of the *Ramayana* metaphors as the events of this epic tale are also set in a seemingly “virtual” realm. What she writes for the post-modern period may be equally applicable to the pre-colonial period.

From the pre-colonial Javanese period, the author fast-forwards to the Dutch colonial period of 1900–1942. The gap of a few hundred years is unfortunate as we are then left in the dark about the earlier period of Dutch and European presence. The earlier period of European presence would have brought non-racialized notions of white skin color to the archipelago, and although the information might be scanty it still could have been deciphered from the accounts of the early European visitors (particularly elites) of the people they encountered. Unfortunately, Saraswati’s cultural studies approach does not stretch that far, and in her account the historical gap is felt.

During the period of Dutch colonialism that Saraswati does focus on, Europeans were already conflating the notion of white skin color with the concept of “race” and racial superiority. Asian whiteness was reclassified as yellow and was not allowed into the white-skin-tone category. For her evidence, she analyzes a number of popular magazines that were circulating in the Indies at the time. In these magazines, the images of Caucasian women were presented as symbolizing the epitome of human beauty. Caucasian women were also presented as embodying civilized refinement through the appearance of emotional restraint.

The European racialized concept of whiteness was challenged during the short period of Japanese occupation. The Japanese defined themselves as also being people of white skin color. In turn, they created the space for an Asian whiteness. But as Saraswati points out, this shift from whiteness as race to whiteness as a skin tone only rarefied whiteness as a beauty ideal that now could be equally shared between nations. Hence, in modern Indonesia (as elsewhere in East and Southeast Asia), “white” means light or pale skin and has no racial connotation. It instead works within a hierarchy of skin colorism which can be understood through Indonesian interpretations of human skin whiteness.

Saraswati argues that over the years there has been a shift in national notions of whiteness to what she calls “cosmopolitan whiteness” in Indonesia’s beauty ideals—a term she borrowed from the women’s magazine *Cosmopolitan*. From her analyses of 18 issues of the Indonesian edition of the magazine, she argues that cosmopolitan whiteness is about appearing white rather than being white-skinned. Within the cosmopolitan space, anybody can be white regardless of skin color if

they subscribe to a certain modern lifestyle and attitude. Further, whitening creams can make people appear white or what she calls “virtually white.” The author’s point is that “whiteness” mutates and coopts new forms of “whiteness” to maintain its supremacy, and one implicit aim of her argument is to reveal how this beauty aesthetic works as a symbol of power with negative affect.

To help her with her theoretical analysis, Saraswati introduces some novel terms. “Emotion-scape” refers to globally circulating affective scripts, narrative, images, people, and ideas that crystalize locally for people into a landscape of dominant feelings about certain places and things. Another term she introduces is “gendered management affect” to refer to how people manage their feelings along gendered lines. To show how “whiteness” as a transnationally circulating beauty ideology overpowers the psyche of women in Indonesia, the author provides data from interviews with 46 Indonesian women who committed themselves to skin-whitening regimes. From these interviews, she noticed that all these women spoke about themselves in terms of being ashamed (*malu*) of their darker skin tone. Shame forces women to conform to the beauty ideology that is affecting their own self-image, she claims, and instead of challenging the power structure of transnational white colorism, women displace their negative feelings of shame onto their own skin. In that sense, women undergo skin-whitening procedures as a way to manage their *malu* feelings.

Finally, Saraswati does point out that not all Asian white skin colors are appreciated in Indonesia. Whereas there is an aesthetic preference for Japanese whiteness, Chinese whiteness is rejected. It is unfortunate, though, that the author does not tell readers more about Indonesian women’s rejection of Chinese whiteness. Neither does the author mention anything about how Indonesian Chinese women are affected by the rejection of their whiteness in the national skin color ideology of whiteness. What is also not discussed is the confidence that women with lighter and whiter skin complexion receive from the same beauty ideology and how they transnationally identify or not with white-skin-toned Asians from other countries. One final and unfortunate drawback of *Seeing Beauty* is the absence of any illustrations of the advertisements the author analyzes.

Over all, notwithstanding some of these critical points, Saraswati’s monograph of whiteness is clearly written and a pleasure to read. It should inspire more comparative research on the color ideology existent in other countries of the region.

Nathan Porath

Center for Ethnic Studies and Development, Chiang Mai University

Chinese Encounters in Southeast Asia: How People, Money, and Ideas from China Are Changing a Region

PÁL NYÍRI and DANIELLE TAN, eds.

Seattle: University of Washington Press, 2016.

Rising Chinese influences in Southeast Asia is an increasingly relevant and controversial issue in Southeast Asia. In *Chinese Encounters in Southeast Asia*, Pál Nyíri and Danielle Tan have assembled a timely and important selection of papers. Based on empirical research, these aim to address questions of China's impact in the region both in tangible terms—people, money—and the more intangible changes that come from rising Chinese ideas and perceptions in Southeast Asia.

This is a hugely ambitious volume, and one that combines case studies from across Southeast Asia. All the contributions recognize the speed and scale of China's rise and the many new ways in which China has entered the region. The volume starts with an informative foreword by Wang Gungwu, which sets up the discussion very well. Wang recognizes rightly that in 2018, notions of nations existing within clearly defined borders are increasingly problematic, a major theme of the contributions in the volume.

In their introduction, Nyíri and Tan state that they have attempted to provide a nuanced analysis of China's engagements in Southeast Asia and argue for the importance of day-to-day interactions. This sets up a framework that takes ethnography seriously. The authors are right to do this and to recognize that much of the literature on China in the developing world misses out on the ambivalent everyday interactions at local levels, and that binary distinctions—such as center–periphery and dominant–subordinate—obscure as much as they include. Similarly, they acknowledge that while China may have general policies toward the developing world, there is no one model for Chinese influences in Southeast Asia, which accounts for China being experienced differently and with varying levels of ambiguity throughout the region.

Part One of the book considers shifting identities. All three chapters in this section detail how change is not only a process of newcomers changing destination countries, but also about those countries changing in response to rising Chinese influences and the visible presence of growing numbers of Chinese. All the contributions in Part One speak to changing ideas of existing notions of what being Chinese means and its increasing conflation with being somehow attached to the territory of China. Nyíri's chapter on Chinese migration challenging the very meaning of Chinese in Cambodia and how prevailing norms are being reinterpreted in view of China's rise is particularly effective. This is also illustrated well in Yeoh and Lin's chapter, which questions the extent to which mobilities of Chinese are new and how these change the otherwise entrenched meanings including of migration itself. The section concludes with a chapter by Weng on Hui business and religious activities in Malaysia and Indonesia, and which includes some very insightful detail. However, I would have liked some further theorizing, which would have connected the ethno-

graphic detail more closely with the overriding themes of the book. This chapter also contains some very insightful details on being Chinese *and* Muslim, and how these identities combine. Weng is entirely right to insist that these are not mutually exclusive.

Part Two looks at livelihoods. Somewhat sadly, this section has only two chapters. Both are very well-written, however, and it is notable that both chapters in the livelihoods section focus on border areas. Siriphon examines *guanxi* practices in Northern Thailand: by viewing the border as a transnational space, he considers the lived experiences of social relationships and how these are changemakers from the ground up. Siriphon's conclusion that language now overshadows relationships of ethnicity is an interesting one and something that I would have liked to have seen developed further in the essay. However, his key observation about how new migrants view themselves as both Chinese citizens and persons belonging to the territory of China echoes similar arguments made in Part One. This is an important distinction in thinking about new waves of Chinese migration into Southeast Asia, and how they are different. Following this, Grillot and Zhang's chapter on ambivalent encounters on the China–Vietnam border is an outstanding essay that considers the border space as a place that embodies attraction, exoticism, and adventure. Through a focus on sex workers, they argue that Vietnam is imagined and experienced through the bodies of these women. Grillot and Zhang argue that these women represent difference and provide a forum for encounters with an exotic other. Their argument that these women represent Vietnam as an ambivalent place to their Chinese customers is a very compelling one, and again connects well with overall themes of ambiguity in encounters between China and Southeast Asia.

Part Three comprises four chapters. This section is labeled “norms,” which seems a misnomer as the book is all about changing norms. Nevertheless, the four case studies once again cover a wide geographical area. Hau looks at the relationship between Philippine politics and Chinese commercial interests. She notes there are multiple implications to this, and connects new Chinese businesses with politics at both micro and macro levels. At times, this chapter seems to lack focus. However, it makes some good arguments about the importance of establishing very specific relationships within the Philippines, and how international tensions are reproduced directly in apparently domestic politics. In the following chapter, Danielle Tan argues in her title for “An alternative account of state formation in Laos” by considering Chinese activities in the Golden Triangle. This chapter is excellently written and has a very authoritative quality. Tan's argument for aspects of state functions being outsourced to actors that the state rejects publicly as a reality in this area is well made. My only criticism of this argument is that I would have liked further consideration of local Lao voices. She states that Chinese investment and influences help to strengthen the Lao state in remote areas, yet this is not what her interlocutors appear to be saying in their statements that Lao territory is being surrendered to Chinese interests and agendas.

In the following chapter, entitled “China in Burma,” Woods presents very convincing arguments backed by strong theory and analysis. He argues strongly against the binary distinctions of

dominant–subordinate and center–periphery outlined at the start of this review, and offers an excellent illustration of just why these distinctions are problematic. Like Tan, he argues convincingly for the state becoming embodied in people and in places that the state rejects publicly. He is entirely correct and his assertions that entire questions of China in Burma are as complex as they are multi-faceted. Finally in this section, Hensengerth provides a detailed overview of water governance and hydropower projects in the Mekong Basin. He argues that the rules of engagement for how companies, governments, hydropower bodies, and NGOs engage in hydropower are contested. This chapter is well written, and very accessible to a non-specialist. My only criticism of an otherwise useful and insightful chapter is that some of the references seem quite old. I would have liked to know if the situation has changed since some of this research took place.

The last section comprises two chapters. Herlijanto considers Indonesian responses to the rise of China. This chapter provides a fascinating overview into how perceptions of China in Indonesia have undergone radical change since the end of the Suharto regime. Herlijanto considers how the positive climate has developed and in what ways China is now seen as representing positive things in various ways. I would have liked to know whether any negative perceptions remain, or whether any new negative ideas have appeared. Finally, Lyttleton's essay, which concludes the book, is an outstanding chapter that questions notions of modernity. On initial reading, this chapter appears somewhat abstract in its consideration of how notions of desire are relevant to questions of China and a perceived relationship between China and modernity. While many of the essays in this volume look rightly at *what* is happening in the region, this chapter is unique in its more philosophical standpoint of taking the question of *why* as a starting point. Lyttleton's contribution attempts to unpick the rhetoric of what catchphrases, such as the Greater Mekong Sub Region's "community, competition and connectedness" (p.216), actually mean in lived experience. Lyttleton concludes that in a rapidly changing world, the questions of asking what the world is changing into, how and why, are more relevant than ever.

Overall, *Chinese Encounters in Southeast Asia* is an excellent book and provides vital insights into growing Chinese influences in Southeast Asia. It fulfills the promising remit outlined in the introduction and foreword. It also demonstrates clearly that China's rising profile is not experienced the same universally and shows that local agency and understandings remain important, perhaps increasingly and particularly in their demonstrations of how the rise of China is experienced ambivalently and is marked by ambiguity. For this reason, I have pluralized China's influences throughout this review. All the contributors point to this being a mass movement of ideas, people, and money from China. However, while this often has similar characteristics, it takes very different forms. This volume is a timely and important contribution to the existing body of literature, which often views China's rise in international terms that negate lived experiences. I highly recommend it as a valuable contribution in both area studies and across the social sciences.

Phill Wilcox

*Faculty of Sociology, Bielefeld University****Southeast Asia's Cold War: An Interpretive History***

ANG CHENG GUAN

Honolulu: University of Hawai'i Press, 2018.

Southeast Asia's Cold War makes a significant contribution to understanding the Cold War's long history in Southeast Asia. Its author, Ang Cheng Guan, takes on a mammoth task: writing a capacious political and diplomatic history of Southeast Asia beginning in the turbulent period after 1919 until the Cold War's conclusion in 1991. He largely accomplishes this task in a snappy 198 pages by blending recent secondary literature, memoirs, and primary sources. Spatially, the book strikes a fair balance between maritime and mainland Southeast Asia while incorporating the perspectives of China, the United States, and the Soviet Union. Ang also aptly weaves in the ascendance of the Association of Southeast Asian Nations (ASEAN) to articulate how regional leaders anticipated a new, post-Vietnam War political landscape. Cogently writing this history is no mean feat, and there is much to celebrate in this ambitious book.

The volume harkens back to an older era of scholarship in diplomatic history. Ang declares in his introduction that he is moving away from the preoccupations that dominated the literature during the cultural turn of the past few decades. By foregrounding politics and diplomacy, he sets the terms for an argument that ties decolonization and nation-building with the Cold War in order to outline the creation of Southeast Asia as a political space during much of the twentieth century. He deserves praise for his reasoned stance that the literature needs an overview that traces the region's diverse local and international diplomatic inputs while simultaneously integrating regional voices that are often neglected.

One of the book's signal contributions is the selection of an interpretive lens that contends with Southeast Asia "from within rather than without" (p. 194). This perspective is sorely missing, and Ang is to be commended for placing readers in the region and not solely in the halls of great powers. He adeptly steers away from the historical literature that privileges the experience of the United States. Readers should not expect to see the names of historians of American foreign relations who predominantly discuss the Vietnam War. The author does not cite myriad works by Marilyn Young, Fredrik Logevall, Mark Lawrence, or Mark Philip Bradley. Utilizing the vast scholarly output of American foreign relations historians would be easy, and it is doubtful that this is an accidental strategy. As a result, readers benefit from Ang's choice to employ scholarship that grapples with the region on its own terms.

How does an author craft an almost century-long diplomatic history of the region? Historians

and scholars of Southeast Asia have thus far eschewed writing broad syntheses of the region's past during this time period due to somewhat obvious challenges of complexity. As Ang states in the introduction, he adopts a narrative style to chart the trends and continuities that defined the Cold War's diplomatic life in the region. Impressively, the book stays on track throughout its 198 pages and Ang seldom deviates from explaining diplomatic maneuvering. The narrative remains focused without detours into the Cold War's disparate theaters or capitals. The cast of characters is inclusive without spiraling into an unwieldy mass of names and acronyms. An audience of experts and non-experts will find this book valuable in comprehending the region's diplomatic history. The prose in *Southeast Asia's Cold War* is not freighted with scholarly jargon, and the book will serve as an invaluable reference tool for a variety of readers searching for an understanding of how regional leaders met the challenges created by decolonization and the Cold War.

The author restores a great deal of agency to communists and the left, those he indicates are often forgotten as the losers in the Cold War history literature. Communist cells in Southeast Asia long predated the hardening of the geopolitical order in the 1940s. Ang demonstrates to readers in Chapter One, "Antecedents," the genesis of communist parties in Southeast Asia as anticolonial movements with Moscow's backing. China's support of communist parties after 1950 eventually trumped the Soviet Union's, situating the struggle against communism via Beijing rather than Moscow. In a similar vein, the volume asks that readers take seriously the anticommunism of leaders such as Suharto, Ferdinand Marcos, Tunku Abdul Rahman, Ne Win, Lee Kuan Yew, and Thailand's ruling elite.

Uniquely, *Southeast Asia's Cold War* tackles the region's evolution and communism's decline in maritime Southeast Asia that birthed ASEAN. Ang views the first half of the 1960s as a turning point that parallels the Vietnam War in establishing the patterns that dominated the region after 1975. In Chapter Four—the book's longest and titled "Antagonisms"—the author demonstrates how leaders in Thailand, Singapore, Malaysia, and Indonesia extinguished communism's threat to their rule. They accomplished this despite Mao's and North Vietnam's active sponsorship of violent national liberation struggles in neighboring Southeast Asian states. Assistance from the United States, Britain, and Australia facilitated this process, yet, as Ang shows, the impetus originated in maritime Southeast Asia. A sense of solidarity emerged among these states that inspired ASEAN's creation in 1967, without the West's heavy hand in forming the organization. ASEAN shifted from aspirational to operational only in the mid-1970s to counter the end of the Vietnam War and a decline of the United States' regional footprint. "The fall of Saigon jolted them to action," Ang writes, and ASEAN assumed a new role as a collective voice (p. 158).

Refreshingly, the author's discussion of the massacre of Indonesian communists in 1965 and 1966 places this event in the stream of communist activities in maritime Southeast Asia. His tone is measured and the analysis is, mostly, correct. He accurately retells the decline of civil order under Sukarno's failed Guided Democracy that precipitated a rising tenor of political competition

that erupted in searing levels of violence. Economically, Indonesia teetered on the brink of collapse and Sukarno's health failed. These events perhaps inspired a small cadre of the Indonesian Communist Party's (Partai Komunis Indonesia, PKI) leadership to collude with military officers to seize power. Mao encouraged PKI leader D.N. Aidit to prepare for a violent struggle with the army, whenever it arose. A putsch on the night of September 29, 1965, failed and portended devastating consequences. The author emphasizes the importance of a list of approximately 5,000 communists provided by the United States Embassy in Jakarta to the Indonesian military. Historian Jess Melvin's 2018 *The Army and the Indonesian Genocide: Mechanics of Mass Murder* sheds new light on this topic, and Melvin's book is a necessary addition to any understanding of the massacres. As she ably illustrates, the army perpetrated the slaughter with startling efficiency thanks to advance preparation that was independent of American aid. One cannot criticize Ang for omitting a book that was published after his own, yet any future writings on this event must take *The Army and the Indonesian Genocide* into account.

The PKI's failure did not mirror North Vietnam's eventual triumph over South Vietnam and the United States. Ang allocates a suitable amount of the book's pages to document the ways by which the struggle for Vietnamese unification and the United States' combat operations pulled Southeast Asia into the conflict. Thailand, in particular, became a critical node for American military efforts, and various Thai ruling cliques implored the United States to preserve dedicated streams of material assistance to resist the war's overflow. North Vietnamese military planning and diplomacy, often conducted by Le Duc Tho and Le Duan, prioritized expanding the struggle beyond Vietnam's borders. However, the author does not offer a justification as to why both men "persuaded and encouraged" Malaysia's Chin Peng to embark on a guerilla war to undermine Tunku Abdul Rahman's leadership (p. 102). Were their actions the product of revolutionary zeal? Readers are never provided an answer.

Ang rightly attends to the arc of Vietnam's history prior to and after the war. North Vietnam's emissaries cultivated support from China and Russia. Their efforts only yielded Soviet support in the long run. When South Vietnam's fall arrived in 1975, "nobody, not even the Vietnamese communists themselves, expected that they would be able to reunify the country so quickly" (p. 155). Shifting geopolitical tides left Vietnam stranded with only the Soviet Union as an ally. Vietnam and the Soviet Union signed a Treaty of Friendship in 1976, with the consequence that, for China, "the treaty was synonymous to having a Cuba next to China" (p. 177). The author excels in charting how Vietnam realigned its regional politics after 1975. Embarking on a failed invasion of Cambodia prompted China to attack Vietnam and created an opening for China to reconcile with ASEAN nations.

For Southeast Asia, the most difficult struggle throughout much of the Cold War was the looming presence and ultimate integration of China into regional affairs. Ang deftly traces China's changing relationship with much of the region that progressed from enemy to wary partner to a

constituent in Southeast Asia's economy and diplomacy. The normalization of bilateral relations of Southeast Asian states with China was achieved slowly—if not glacially in the case of Indonesia. This process contributed to the Cold War's erosion before the Berlin Wall's climactic fall. To this reviewer's eyes, he could have made a stronger argument that events in Southeast Asia signaled the end of the Cold War. A drastic change in the economic model in East Asia and Southeast Asia heralded a novel, globalized dawn that presaged much of the post-1989 world. Fleshing out this transformation could have brought readers more into the present to realize the contemporary purchase of Cold War-era diplomacy within Southeast Asia.

Southeast Asia's Cold War's narrow focus prevents readers from grasping the dense layers of local, regional, and international politics that intersected to shape diplomacy. Interstate relations are never conducted in a vacuum. Indeed, decolonization and the postcolonial project was an intoxicating milieu of culture, modernization, economics, diplomacy, Afro-Asian solidarity, war, and vast human destruction. Ang mostly avoids tallying the human toll, and at times readers are left with a sense that the titanic amount of death did not register as an influential dimension in the region's events. Notably absent was a fluid discussion of modernization and economics in Southeast Asia. The last few pages on economics in the final chapter, "Ending the Cold War Chasm," appear more as an afterthought rather than an element knitted into the book's analytical framework.

In spite of these critiques, the author has provided historians and area specialists with a laudable entry that scholars can expand upon and update. *Southeast Asia's Cold War* stands alone in the literature and will be a necessary guide for those who seek to view the region's politics from within. As geopolitics once more pivot toward influence over Southeast Asia, books such as this can help future scholars and policymakers see the contours of regional politics and the stakes for those who determine its future.

Brandon Kirk Williams

Department of History, University of California, Berkeley

Cultural Politics of Gender and Sexuality in Contemporary Asia

TIANTIAN ZHENG, ed.

Honolulu: University of Hawai'i Press, 2016.

Cultural Politics of Gender and Sexuality in Contemporary Asia is a provocative and timely publication which invites us to re-vision our understanding of sexuality, gender roles, and gender relations as performed, experienced, and perceived in Asia. The book brings together cultural, social, and economic contexts of Asia to show how gender and sexuality are not a "given" and cannot be understood or analyzed without understanding the contexts they are found in. Toward this end,

the chapters put forward a detailed analysis of how individuals engage with, negotiate, contest, resist and at times even transform configurations of gender and sexuality in various contexts. Readers can expect to take away two critical arguments from this volume: first, tradition is a perennially transient concept; second, the experience of gender and sexuality in the private or public space is never purely private or public.

The chapters focus on different spatial contexts, ranging from larger urban spaces and corporate spaces, to more specific niches like nightclubs and domestic spaces. In the process, the book also investigates the various aspects of gender relations through a myriad of intimacies: transactional intimacies, romantic intimacies, and homosocial intimacies. Also, this volume's contributions offer different lenses to investigate various forms of intersectionality of various factors which influence gender and sexuality ideas and experience in any given context. Two key elements of intersectionality explored by almost all chapters involve the influence of transnational mobility, and the influence of global economy on perceptions about sexuality and gender relations in Asia.

Chapters by Nana Okura Gagné, and Danielle Antoinette Hidalgo and Tracy Royce examine how men and women "voice" or perform their agency in transactional relations and spaces like clubs to negotiate, contest, resist and at times deconstruct mainstream views of gender roles and masculinities and femininities. Other chapters like the ones by Heidi Hoefinger, Tiantian Zheng, Xia Zhang reveal how men and women engage and transform ideas about migration, gendered work, and intimacy. These chapters help re-vision simplistic understandings of migration trends by illuminating the importance of intersections of various factors, which influence the way men and women engage with ideas of labor, intimacy, class, and migration. Essays by Ahmed Afzal, Madhura Lohokare, John Osburg, and Kevin Carrico, venture into the ideological battlefields of gender and sexuality, wherein ideas about "moral masculinities," traditionalist views about gender roles, privileges (particularly leisure), and spaces are evoked. In their essays, they raise interesting arguments and insights about how certain individuals, who do not necessarily "fit" into the "traditional" and normative assumptions of gender and sexuality, engage with or reject such ideological constructs.

While each chapter focuses on different subjects, contexts, and spaces, they remain connected in their efforts to explore how individuals meet or negotiate social expectations for assumed gender roles and sexualities in their everyday lives. Simultaneously, all essays make readers aware of the crucial importance of local contexts, which intimately intersect with regional and global contexts, to influence the individuals' gender and sexuality experiences, roles, and opportunities. Above all, the volume brings to surface the everyday experiences of individuals with gender and sexuality within politically, culturally, and socio-economically transient spaces of Asia.

Despite the above-mentioned merits, however, this volume has a few fundamental shortcomings. While its title *Cultural Politics of Gender and Sexuality in Contemporary Asia* might imply that it covers all regions of Asia, its contents are actually overwhelmingly East Asia-centric and

focus heavily on China. Out of the 12 essays, there are only 2 essays covering South Asia, 2 on Southeast Asia, and none on West Asia and Central Asia. Even while engaging with East Asia, South Asia, and Southeast Asia, it focuses on the “centers” of the respective regions and leaves out other equally relevant nations, like Korea, Bangladesh, Nepal, Sri Lanka, Malaysia, Singapore, and others which could contribute to a more inclusive and comparative knowledge about gender and sexuality in Asia. This could have been achieved if there had been a more democratic selection of essays on Asian societies. To an informed reader, this will seem problematic, and arguably the first question that may come to mind is how the editor perceives Asia: does Zheng see China as the focal point of Asia? It is understandable that it is challenging to devote equal attention to all regions in such an edited volume. However, the volume could have instead chosen to focus on East Asia or China, and be titled *Cultural Politics of Gender and Sexuality in Contemporary East Asia/China*. A book like that would have also given the “space” for some valuable essays on China, and engaged the reader in various exciting contexts and ideas which were raised in this present volume but not adequately fleshed out.

Further, as is the case with any edited volume, certain chapters contain better arguments than others. While all essays do well to engage with issues of gender and sexuality ethnographically, I found the discussions concerning “neoliberalism,” “sexual field,” “modernity,” “whiteness,” and “morality” rather puzzling. The contributors of these chapters should instead have engaged more critically and analytically with these concepts within the contexts of their respective studies. Nonetheless, this book also includes more nuanced chapters which successfully tease out various textures hidden in concepts of “agency,” homosocial relations, spatial identities, and masculinity-femininity stereotypes.

These issues aside, *Cultural Politics of Gender and Sexuality in Contemporary Asia* as a whole is informative and can be useful for teaching gender and sexuality classes, particularly those focused on contemporary China. Particular chapters on South and Southeast Asia can also be extracted to supplement texts in undergraduate-level courses.

Arunima Datta

San Jose Evergreen Valley College, California

Imperial Intoxication: Alcohol and the Making of Colonial Indochina

GERARD SASGES

Honolulu: University of Hawai‘i Press, 2017.

Imperial Intoxication: Alcohol and the Making of Colonial Indochina traces political, economic, and scientific forces involved in the emergence of the alcohol regime in Indochina, its long lasting until

the end of the colonial period, and its indelible mark on Indochinese economy, society, politics, and culture.

Each chapter examines dynamic projects run by individuals, organizations, and communities—in colonial Indochina, French metropole, and across the globe—that engaged in the formation of the alcohol regime as the central institution of Indochina’s colonial period. Specifically, Chapter 1 “Inheritances” examines how the state’s alcohol policies originated from the codependent relationship between the French administration and enterprises, particularly tax farms in Indochina that were dominated by powerful Chinese syndicates. Chapter 2 “A Scientific Monopoly” tells stories indicative of role of Albert Calmette—a scientist in microbiology in charge of establishing Indochina’s first vaccine production facility and promoting the growth of French-owned industry—in the creation of Indochina’s alcohol regime. Chapter 3 “Fiscal Logics” recounts events that reveal how Frenchmen (including Paul Doumer, A. R. Fontaine, and Antonin Frézouls in the position of Governor-General) attempted to create, consolidate, and normalize monopolies of alcohol production and sales across Indochina as the basis of a fiscal system that enabled the realization of new, interventionist state policies. Chapter 4 “The Limits of Sovereignty” explores distinctive geographical, historical, and ethnic characters of Indochina as factors that constrained the French administrators’ vision of excising alcohol production across the entire territory of Indochina, and the associated idea of Indochina as being controlled by a rationalized centralized bureaucratic state. Chapter 5 “The Great Service” discusses how the Department of Customs and Monopolies attempted to administrate and enforce the monopoly of factories of the Distilleries of Indochina Corporation run by the colonial state over the “native alcohol”; the chapter also looks at cooperation of ordinary Indochinese, such as Vietnamese, Khmer, and Lao, in the operation of the Department. Chapter 6 “Oppression, Resistance, Rebellion” examines negotiation and suppression of the state over its subjects in response to the reality that the alcohol regime was hindered by the Indochina’s people “everyday resistance” and “overt resistance.” Chapter 7 “The Political Economy of Alcohol” discusses August Raphael Fontaine, the founder and managing founder of the factories of the Distilleries of Indochina Corporation, who possessed great capital, global linkages, new technologies, and state access, and established alcohol monopoly in Indochina. Chapter 8 “Evolutions” investigates the ways in which the alcohol regime was shaped by the two interrelated elements of contemporary Indochina’s evolving public sphere: consultative institutions and print media.

Emphasizing multiple contexts, *Imperial Intoxication* departs from the common belief that the formation of the alcohol regime in Indochina must have been shaped by the colonial rule as the result of colonial modernization. In this volume, the alcohol regime in Indochina here is, instead, treated as part of economic, scientific, political, economic processes, and cultural forces spreading—unevenly while inevitable—throughout diverse, incoherent Indochina and across the globe. By placing the alcohol empire in “as many context as possible,” the author argues persuasively that

the formation of Indochina's alcohol regime was a historically avoidable event in the context of ineluctable dynamic connections of French-ruled Indochina with global-crossed changing forces. Accordingly, the alcohol regime in Indochina was formed and maintained by the convergence of several local and global elements, including: fiscal demands of state-building (Chapter 3) and the need for a civilian police system as part of colonial rule (Chapter 3); advancements in microbiology and the French armaments industry (Chapters 2 and 7); commercial interests and cooperation of local Chinese, Khmer, Vietnamese, and Lao populations; and the geographical cultural, and historically diversity of Indochina. The author particularly stresses the ways in which Indochina's alcohol regime was derived from engagements between people and governments, and the introduction of new industrial, governmental, financial, and scientific technologies at the turn of the twentieth century. Accordingly, the Indochinese alcohol regime is presented as fitting within a global history of state monopolies on alcohol production: the book places the history of the Indochina's monopolistic state alcohol regime in connection with that of other alcohol monopolies across countries in Europe and Asia, such as Russia, Switzerland, Japan, and Taiwan. In doing so, *Imperial Intoxication* offers a perfect answer to the "inexplicable" historical context from which the alcohol regime was maintained for decades regardless of its enormous political loss and financially unproductive contribution. That is, the appearance and long continuation of the alcohol regime was determined not only by the colonial rule; it was also an integral part and avoidable process of the larger global alcohol regime in particular, and the economic, scientific, political bodies and processes across the global in general.

In summary, *Imperial Intoxication* explicitly encourages readers to look beyond national and imperial boundaries and away from normalized distinctions between metropole and colony in regard to the alcohol regime in Indochina. Nevertheless, this volume offers excellent examination of politically, culturally, and economically dynamic and complex conditions of Indochina under French colonial administration. In other words, the alcohol regime can be understood a case study through which the author discusses traditional subjects and dominant arguments in studies of colonial Vietnam, Laos, and Cambodia. As explicitly stated in the book, the alcohol regime provides "a unique window on the modalities and experiences of French rule in Indochina" (p. 9). For example, analyses of the alcohol as a moment in the growth of Vietnamese media and the development of Indochina's intellectual debates, invite readers to reconsider dichotomies of revolution and reform in favor of the tradition of "colonial republicanism" that Peter Zinoman scrutinized in his book *Vietnamese Colonial Republican: The Political Vision of Vu Trong Phung* (2013). Explorations of complex relations to the state alcohol agents with local ethnic minorities and villagers regarding alcohol production and sales indicate what Pierre Brocheux and Daniel Hémery in their *Indochina: An Ambiguous Colonization, 1858–1954* (2009) called "ambiguous colonization," in which the French administration is both hegemonic and fragile, and colonial institutes reflected and performed aspirations and interests of the French and of local ordinary and powerful people. The struggles

to maintain the monopolistic status of the state alcohol are examined in relation to: local people's shared experiences of colonialism (Chapters 7 and 8); complex and overlapping ways identities were articulated and shaped in colonial Indochina (Chapters 2, 4, and 5); and individuals and institutions involved in the emergence of anti-colonial nationalist movements in Indochina (Chapters 6 and 7). Impressively, treating alcohol production and consummation in Indochina as an institution in the colonial rule and as a moment in political processes in that region suggests a historical explanation for sentiments about alcohol pervading national Vietnamese literature, where alcohol is a symbol of both the exploitative and the brutal reality of French rule and cultural identity—a means in national struggles to end the colonial rule.

Chi P. Pham

Institute of Literature, Vietnam Academy of Social Sciences

Moral Politics in the Philippines: Inequality, Democracy and the Urban Poor

WATARU KUSAKA

Singapore: NUS Press in association with Kyoto University Press, 2017.

In *Moral Politics in the Philippines: Inequality, Democracy and the Urban Poor*, author and Japanese scholar Wataru Kusaka eruditely examines Philippine politics and contemporary democracy. Divided into seven chapters apart from the Introduction and an Addendum (on Duterte's initial year as President), this book focuses on social movements and struggles of an assortment of civil society (CS) with and against the state on the one hand, and hegemonic contestation between and among varying types of CSs associated with moral politics, on the other. He defines moral politics as "politics that creates groups that are seen either 'good' or 'evil' and draw a demarcation line between the two" (p. 1).

Aimed at exploring the dynamics of social movements against the backdrop of the "hegemony of the elite" as "contested by various counter-hegemonies of CSs," the volume offers an alternative explanation on the weakness of Philippine democracy and prevalent social inequalities, contrary to the dominant view of "interest politics" which is simply centered on the uneven distribution and control of resources (pp. 5–6). Likewise, Kusaka challenges a number of conventional theories that analyze Filipino politics—notably "patron-clientelism" of Carl Lande and Remigio Agpalo; "neo-colonial dependency" of Renato Constantino and Gary Hawes; "elite democracy" or "patrimonialism" of Nathan Quimpo; "rent-capitalism" of Paul Hutchcroft; "bossism" of John Sidel; and "machine politics" of Tekeshi Kawanaka, among others—as inadequate and inappropriate to explain and capture the dynamics of Philippine politics and democracy.

The author argues—through ethnographic research (participant-observation) at an urban poor

community in Pechayan, Barangay Old Capital Site, Quezon City covering the period of April 2002 to April 2003, and key informant interviews conducted between 2008 and 2010, and using his “hegemonic struggle in the dual public spheres” as the analytical framework (Chap 2, pp. 21–49) and constructivist approach—that Philippine society and politics are fundamentally divided between two public spheres. These are: the civic or middle-class sphere; and masses or impoverished class sphere. The spheres are in constant struggle for hegemony and characterized by antagonistic “we–they” relationship. They are drawn between classes based on the distribution of economic, occupational, and educational differences as well as cultural variances, and moralities (divergent concepts of “good” and “evil” which is fluid and changing, contingent on the relationship between social groups constructed through hegemonic struggles).

Kusaka claims that an antagonistic relationship created between these spheres are of two types. The first is the “moral division of the nation” which occurs when the class and moral lines overlap, hence transforming class antagonism into moral antagonism, i.e., conflict “between ‘citizens’ or middle class and ‘masses’ in the civic sphere; and between ‘rich’ and ‘poor’ in the mass sphere” (p. 6). In discursive practice, this type of antagonism results in “civic exclusivism” (dispute between “good” citizens and “bad” masses) and “populism” (divergence between “good” masses and “evil” rich) seeking hegemony over each other in the civic and mass spheres respectively (p. 48). The second type is the “moral solidarity of the nation” which refers to the subdued antagonism between “bad politicians and good ‘people’” united against cronyism, corruption, and traditional politicians (p. 6). The unification of the nation, transcending differences between classes, extends the hegemony of “civic inclusiveness” into the civic and mass spheres. This is what Kusaka contends as “moral nationalism.” Although national unity is aspired, it fails to resolve the issue of inequality and powerlessness of the poor (p. 47).

The author further argues that a “contact zone” intersects between the mass and civic spheres which provides “the medium for discourse.” The “interactions” are said to blur the moral demarcation line and facilitate attempts to mediate the division between spheres (p. 6). It is the area where members of the civic and mass spheres converge and “discourses one another, giving rise to diverse power relationship” (p. 35). It is also the zone where power between spheres is deliberated and shared “to pursue social reform through social movements” (p. 44).

Applying his analytical framework through the three “People Power” revolution cases—February 1986 (deposing of President Marcos); January 2001 (ousting of President Estrada); and April 2001 (attempt to re-install Estrada) (Chapter 3)—the electoral politics (Chapter 4), and the case of urban governance (Chapter 5), Kusaka demonstrates the deleterious effects of “moral division” to Philippine democracy. Chapter 6 investigates how elite rule was restored and preserved with the re-emergence of the “moral nationalism” during the 2010 presidential elections with Benigno Aquino III as the President. Kusaka wraps up and summarizes his arguments on moral politics in his final chapter. In it, he concludes that the deficiency of democracy, perpetuation of

elitism, and inequality in the Philippines is insufficiently elucidated by “interest politics” but better clarified by the moralization of politics. He states:

. . . the moralization of politics threatens democracy either by intensifying antagonistic “we/they” relations to the extent that it advocates the exclusion and eradication of the other as “enemy,” or by depoliticizing socioeconomic inequality to perpetuate elite rule in the name of the people’s moral solidarity. (pp. 237–238)

He adds that “when multiple publics formulate moral antagonism against their respective ‘others’, opposition by counter publics may not only fail to ameliorate inequalities, but also exacerbate the moral division of the nation and pose a threat to democracy” (p. 254).

Finally, the book proposes “an expansion of the contact zones between multiple public spheres that enables diverse people to interact with one another,” deferment of “conclusive definitions of ‘right’ and ‘wrong’,” and the construction of “an order of mutual life-support, a ‘soft’ mutuality nurtured through care-based relationships and spontaneous compassion for the vulnerabilities of life” (p. 259). While Kusaka admits that these prescriptions are simply suggestions hence their effectiveness remains to be tested through further cases studies, he believes that they constitute a worthy undertaking for future research.

The book’s Addendum on Duterte (pp. 260–264) employs a discourse on moral nationalism. It characterizes President Duterte as a “social bandit” whose administration intends to rejig the existing system of elitism and inequality into a more plural and equitable society through the power of the state exercising authority beyond what the law or constitution provides. The support of the masses to Duterte’s approach in governance reflects the frustration of the marginalized sectors of society over the inability of previous leaders to address their age-long socio-economic problems. Duterte’s populism is predicated on the notion that “people” are morally good and the “elite” are morally corrupt. The author thus conjectures that people prefer to stake their future on the hands of a strong leader rather than on the politicized and weak institutions.

Kusaka’s book is instructive not only for offering a new perspective in analyzing the state of Philippine democracy and widespread inequalities, but also for challenging the dominant neoliberal worldview perceived to promote economic growth and democracy, and the role of the middle class adjudged to uphold social equality, freedom, and democracy. The use and application of the “hegemonic struggle in the dual public sphere” as the study’s framework in examining the dynamics and nature of interactions of social movements with the state on the one hand, and between and among CSs on the other hand, is basically a rejection of oft-cited theoretical lens in explaining Philippine politics, i.e., patron-clientelism and patrimonialism, elite democracy, rent-capitalism, bossism, and machine politics. Although Kusaka’s study focused on Philippine context, his theoretical proposition and empirical findings have implications in rethinking the tenets of liberal democracy which promise economic development but brought underdevelopment and inequalities to the world. The

middle class were thought to lead the masses to empowerment and enlightenment, but instead connived with and joined the ranks of the elite to defend and advance their interests, and abandoned the masses to take care of their own welfare.

One weakness of this book is its inability to link and relate the dynamics of social movements to Philippine political culture. Indeed, the antagonistic “we–they” relations between public spheres (mass and civic) are defined by and contingent on the country’s colonial history whose national culture has been shaped by a series of colonial rule—Spanish, American, and Japanese foreign powers for less than 400 years. The hybrid cultures formed through colonialism have greatly influenced how the country is presently governed, how the elite and masses interact with the institutions of governance as well as extra-institutional political processes, and how social movements associate with the state based on their respective ideology and political persuasions. Similarly, such cultures are bifurcated between what is sensed as “good” and “evil,” or “right” or “wrong.”

For instance, corruption in government is an historic malfeasance committed by current political leaders and bureaucrats whose behavior has been shaped by the culture of state corporatism from previous colonial masters; a frame of mind which considers the state and bureaucracy as personal instrumentalities, institutionally incorporating them into the ruling mechanism to enrich themselves. The indifference of the elite and current governors over the welfare and plight of the people is a carryover of the colonial government’s apathetic attitude that regards colonized people as feudal subjects who ought to serve the needs and demands of the former. The system of election, bequeathed by the Americans, remains to be a routine and ceremonial political exercise with minimal national and local significance. Election results are oftentimes rigged and seldom reflect people’s sovereign rule over their leaders. They are customarily viewed as a period of legally, rather than legitimately, maintaining power or transferring the power to rule from one elite class to another. For the masses, elections are payback times—to retrieve monetary and material benefits from affluent candidates. This is a way of redistributing wealth, i.e., from the “rich” to the “poor.” These political cultures and traditional behaviors, to name a few, continue to be manifested in contemporary Philippine politics.

The Philippine hybrid political cultures, correlated with long-standing concepts and fundamental values of people, have fashioned both the elite and mass political orientations as well as the leaders and citizens political behaviors. It is characterized by a critical and contemptuous view of present-day political practices but likewise shaded by a strong faith that reform can ultimately resolve the existing socio-economic and political reality. Thus, cynicism is balanced by the expectation that reforms are worth seeking. The same dynamics are at work in the Philippines (Grossholtz 1964). Although no culture is static and all are subject to change, there are dynamic processes operating within and outside of the national socio-economic and political system that either encourage or discourage the acceptance of new ideas which can contribute to the trans-

formation or perpetuation of the national culture. It is likely, however, that social, political, and psychological chaos would result if there were conservative forces strong enough to resist change. In the case of the Philippines, the progressive forces have not gained substantial strength to transmute the country's political culture.

Kusaka could have tied political culture with his concept of moral politics to strengthen his argument on the deficiency of democracy and continuing inequality not only in the Philippines, but also in the world. Integrating the question of political culture into his framework would definitely show the bigger picture in the quest of comprehending moral politics. However, taken as a whole, *Moral Politics in the Philippines* is a worthy contribution to the wealth of knowledge in a range of disciplines—political science, psychology, and sociology. His work is highly relevant in rethinking the changing configurations in the developing world.

Rizal G. Buendia

Independent Consultant and Researcher, Southeast Asian Politics and Governance, Wales, UK

Reference

Grossholtz, Jean. 1964. *Politics in the Philippines: A Country Study*. Boston: Little, Brown.

Making a Living between Crises and Ceremonies in Tana Toraja: The Practice of Everyday Life of a South Sulawesi Highland Community in Indonesia

EDWIN DE JONG

Leiden: Brill, 2013.

Indonesia is well-known for its diversity of culture, languages, and 300 different ethnic groups (Geertz 1963). The Torajan are located in Tana Toraja, a mountainous region in the Indonesian province of South Sulawesi and known for beautiful scenery and spectacular funeral ceremonies (de Jong 2013). There are many books about Tana Toraja, but Edwin de Jong's *Making a Living between Crises and Ceremonies in Tana Toraja* has taken a specific socio-economic approach when describing in detail the living situation of Torajans, who continue to engage in costly ceremonies even in times of economic struggle.

The book starts with the scene of a loudly extravagant funeral ceremony in Tana Toraja, with tens of buffalo being slaughtered. In this chapter, the author questioned how the Torajans can maintain the expenses for such costly ritual ceremonies after the economic and political crisis in Indonesia during in the late 1990s. Subsequent chapters of the book then offer answers to this central question.

Making a Living between Crises and Ceremonies in Tana Toraja is structured in nine chronological ordered chapters, which include all kinds of cultural and historical events. Chapter 1 describes the paradoxes and complexities of the Torajan through socio-economic approaches. Chapter 2 introduces the author's analytical framework and methodology that aims to analyze the dynamic between culture, social structure, and economic activities in Torajan livelihoods. Chapter 3 explains how important the Torajan community and networks are outside the homeland. The income of Torajan migrants is a main financial contribution for the living and ritual ceremonies in Tana Toraja. Chapter 4 presents the historical background of Tana Toraja and the influence of elites and the noble class on the socio-political, economic, and cultural domain in Toraja society. Chapter 5 shows the power of the local government and tradition leaders in the concept of current democratic elections. Chapter 6 illustrates the importance of the *tongkonan* (ancestral house) as a symbol of social order and social stratification in Torajan life. Chapter 7 presents the economic activities, socio-political organization, and local culture of Torajans in Palipu and Kondo. Chapter 8 emphasizes the sense of *siri* (honor), which controls all the economic activities and social structure of Torajans. Chapter 9 can be regarded as the conclusion for the book—it emphasizes the relationship between economic activities and death ceremonies and rituals, encapsulated by the notion that “there is no life without the dead, and the meaning of life is a good death” (p. 295).

Using the methodology of ethnography with in-depth interviews with Torajans, and by offering readers true accounts of Torajans, de Jong paints a vivid picture of the struggle between their financial situation and the expenses of ritual ceremonies and funerals. The author collected many stories of Torajans living in the heartland and the migrants living abroad. Indeed, what connects both the domestic and international Torajan is their common goal of keeping a sense of community and honor—known as *siri*—by contributing their time and financial resources for the continued performance of rituals and ceremonies. As the book shows, rituals and ceremonies form the main expenditure of Torajans who *merantau* (emigrate), particularly to the regions of Makassar, Palu, Poso, Rongkong, Palopo, Pongrang, Buton, and Pare-pare. This volume's most significant contribution is in its explanation of *siri*, and how this a sense of community governs many of the economic activities and social organizations in Tana Toraja. Through *siri*, Torajans accumulate power and prestige, provided they have enough money to cover the extravagant ceremonies. However, because of *siri*, some Torajans must accept the financial burden of paying for these ceremonies and accumulate a lifetime's debt. This *siri* mindset is the main purpose of life for Torajans, not only the ones who are located in the homeland, but also Torajan who are *merantau* (emigrated or relocated). The population of Torajans living abroad is larger than in the homeland. Despite this, the sense of community remains very solid among the Torajan community and their networks. Torajan migrants are well-connected and support those living in Tana Toraja as well as help them maintain their ritual ceremonies.

The author makes mention of the cultural disconnect among the young migrant Torajans, who

cannot understand why their families continue to send money back to the homeland in financial support of these ceremonies. However, a deeper and more detailed study and explanation of this cross-generational phenomenon may have added another dimension to this volume—de Jong could have examined the future of crises and ceremonies for the Torajans. Instead of concluding the book with a set notion in that these ceremonies would simply continue to be maintained, the author could have also provided a possible future scenario regarding the next generation of migrant Torajans; for example, changes in financial contributions due to gradually changing cultural experiences based on his current findings of the Torajan living abroad. As more and more Torajans continue living outside the homeland, would the growing disconnect cause future generations of Torajans to slowly cease embracing and maintaining the culture, or would they merely adjust their methods of financial contribution in accordance with the modernizing world? These would have been interesting questions the author could have examined.

This book comes with a hard quality cover featuring a photograph of the Torajan conducting a ritual ceremony. The author, who has been researching Tana Toraja for many years, provided many professional photographs, maps, tables, and other graphics that well-illustrate Tana Toraja. In my opinion, *Making a Living between Crises and Ceremonies in Tana Toraja* is the best reference on the culture and economic development of Tana Toraja. It would be useful material for anyone interested in gaining an understanding of the historical and current economic situation for ritual ceremonies of ethnicity in Southeast Asia.

Quynh Huong Nguyen

Graduate School of International Relations, Ritsumeikan University

Reference

- Geertz, Hildred. 1963. *Indonesian Cultures and Communities*, edited by Ruth McVey. New Haven: HRAF Press.

Index to Southeast Asian Studies Vol. 7

Vol. 7 No. 1 April 2018

Rereading Leftist Writings from Southeast Asia

Guest Editor: Jafar SURYOMENGGOLO

Jafar SURYOMENGGOLO	Introduction	(3)
Ramon GUILLERMO	Blood-Brothers: The Communist Party of the Philippines and the Partai Komunis Indonesia	(13)
LOH Kah Seng	Polytechnicians and Technocrats: Sources, Limits, and Possibilities of Student Activism in 1970s Singapore	(39)
TEO Lee Ken	Liberational Justice in the Political Thought of Ahmad Boestamam	(65)
Yerry WIRAWAN	Independent Woman in Postcolonial Indonesia: Rereading the Works of Rukiah	(85)
PIYADA CHONLAWORN	Jit Phumisak and His Images in Thai Political Contexts	(103)

Book Reviews

Seb RUMSBY	Tâm T. T. Ngô. <i>The New Way: Protestantism and the Hmong in Vietnam</i> . Critical Dialogues in Southeast Asian Studies. Seattle and London: University of Washington Press, 2016.	(121)
Faizah ZAKARIA	Julia Martínez and Adrian Vickers. <i>The Pearl Frontier: Indonesian Labor and Indigenous Encounters in Australia's Northern Trading Network</i> . Honolulu: University of Hawai'i Press, 2015.	(124)
YEN VU	Trần Đình Trụ. <i>Ship of Fate: Memoir of a Vietnamese Repatriate</i> . Translated by Bac Hoai Tran and Jana K. Lipman. Honolulu: University of Hawai'i Press in association with UCLA Asian American Studies Center, 2017.	(127)
Dinah ROMA	Brian Bernards. <i>Writing the South Seas: Imagining the Nanyang in Chinese and Southeast Asian Postcolonial Literature</i> . Seattle and London: University of Washington Press, 2015.	(130)
Dat Manh NGUYEN	Janet Alison Hoskins. <i>The Divine Eye and the Diaspora: Vietnamese Syncretism Becomes Transpacific Caodaism</i> . Honolulu: University of Hawai'i Press, 2015.	(135)
William B. NOSEWORTHY	Kaj Århem and Guido Sprenger, eds. <i>Animism in Southeast Asia</i> . London and New York: Routledge, 2017.	(138)
LE Hoang Anh Thu	Ann Marie Leshkovich. <i>Essential Trade: Vietnamese Women in a Changing Marketplace</i> . Honolulu: University of Hawai'i Press, 2014.	(142)
Gde Dwitya Arief METERA	Edward Aspinall and Mada Sukmajati, eds. <i>Electoral Dynamics in Indonesia: Money Politics, Patronage and Clientelism at the Grassroots</i> . Singapore: NUS Press, 2016.	(146)

Yi LI	Patrick Pillai. <i>Yearning to Belong: Malaysia's Indian Muslims, Chitties, Portuguese Eurasians, Peranakan Chinese and Baueanese</i> . Singapore: ISEAS Publishing, 2015. (149)
Chi P. PHAM	Christopher Goscha. <i>The Penguin History of Modern Vietnam</i> . London: Allen Lane, an imprint of Penguin Books, 2016. (153)

Vol. 7 No. 2 August 2018

Articles

Malee SITTHIKRIENGKRAI Nathan PORATH	Understanding the Importance of “Patient’s Choice” in the Early Environmental Justice Activism of the Karen of Klity Creek (Thailand) (159)
Rosalina PALANCA-TAN J. Sedfrey S. SANTIAGO	Art Auctions and the Poorer Rich: The Impact of the 2015 Stock Market Sell-off on the Emerging Philippine Art Market (183)
PISITH Nasee	Constructing the Charisma of <i>Khruba</i> (Venerable Monks) in Contemporary Thai Society (199)

Book Reviews

Kelly Meister BRAWN	Ian Harris. <i>Buddhism in a Dark Age: Cambodian Monks under Pol Pot</i> . Honolulu: University of Hawai’i Press, 2013. (237)
Darlene Machell de Leon ESPENA	Patrick F. Campos. <i>The End of National Cinema: Filipino Film at the Turn of the Century</i> . Quezon City: University of the Philippines Press, 2016. (240)
Mahmood KOORIA	Gregory M. Simon. <i>Caged in on the Outside: Moral Subjectivity, Selfhood, and Islam in Minangkabau, Indonesia</i> . Honolulu: University of Hawai’i Press, 2014. (243)
Ibrahima Amadou DIA	Sari K. Ishii, ed. <i>Marriage Migration in Asia: Emerging Minorities at the Frontiers of Nation-States</i> . Singapore: NUS Press in association with Kyoto University Press, 2016. (246)
Christian T. YLAGAN	Martin F. Manalansan IV and Augusto F. Espiritu, eds. <i>Filipino Studies: Palimpsests of Nation and Diaspora</i> . New York: New York University Press, 2016. (250)
Ofita PURWANI	Matthew Isaac Cohen. <i>Inventing the Performing Arts: Modernity and Tradition in Colonial Indonesia</i> . Honolulu: University of Hawai’i Press, 2016. (254)
Jim PLACZEK	Benjamin Zawacki. <i>Thailand: Shifting Ground between the US and a Rising China</i> . London: Zed Books, 2017. (257)
Anh Sy Huy LE	Christina Elizabeth Firpo. <i>The Uprooted: Race, Children, and Imperialism in French Indochina, 1890–1980</i> . Honolulu: University of Hawai’i Press, 2016. (261)
Mohamed EFFENDY Bin Abdul Hamid	Ooi Keat Gin and Hoàng Anh Tuấn, eds. <i>Early Modern Southeast Asia, 1350–1800</i> . Abingdon and New York: Routledge, 2016. (264)

Divides and Dissent: Malaysian Politics 60 Years after Merdeka

Guest Editor: KHOO Boo Teik

KHOO Boo Teik	Preface	(269)
KHOO Boo Teik	Introduction: A Moment to Mull, a Call to Critique	(271)
ABDUL RAHMAN Embong	Ethnicity and Class: Divides and Dissent in Malaysian Studies	(281)
Jeff TAN	Rents, Accumulation, and Conflict in Malaysia	(309)
FAISAL S. Hazis	Domination, Contestation, and Accommodation: 54 Years of Sabah and Sarawak in Malaysia	(341)
AHMAD FAUZI Abdul Hamid	Shifting Trends of Islamism and Islamist Practices in Malaysia, 1957–2017	(363)
Azmi SHAROM	Law and the Judiciary: Divides and Dissent in Malaysia	(391)
MAZNAH Mohamad	Getting More Women into Politics under One-Party Dominance: Collaboration, Clientelism, and Coalition Building in the Determination of Women's Representation in Malaysia	(415)
Simon SOON	Creativity in Dissent: From the Politics of Pedagogy to the Art of Pedagogy	(449)
KHOO Boo Teik	Borne by Dissent, Tormented by Divides: The Opposition 60 Years after Merdeka	(471)

Book Reviews

KAMOLNICH Swasdiphanich	Chris Baker and Pasuk Phongpaichit, trans. and eds. <i>The Palace Law of Ayutthaya and the Thammamat: Law and Kingship in Siam</i> . Ithaca: Cornell Southeast Asia Program Publications, 2016.	(493)
Darlene Machell de Leon ESPENA	Sir Anril Pineda Tiatco. <i>Performing Catholicism: Faith and Theater in a Philippine Province</i> . Quezon City: The University of the Philippines Press, 2016.	(496)
Jim PLACZEK	Kishore Mahbubani and Jeffery Sng. <i>The ASEAN Miracle: A Catalyst for Peace</i> . Singapore: Ridge Books, an imprint of NUS Press, 2017.	(499)
Nathan PORATH	L. Ayu Saraswati. <i>Seeing Beauty, Sensing Race in Transnational Indonesia</i> . Honolulu: University of Hawai'i Press, 2013.	(502)
Phill WILCOX	Pál Nyíri and Danielle Tan, eds. <i>Chinese Encounters in Southeast Asia: How People, Money, and Ideas from China Are Changing a Region</i> . Seattle: University of Washington Press, 2016.	(506)
Brandon Kirk WILLIAMS	Ang Cheng Guan. <i>Southeast Asia's Cold War: An Interpretive History</i> . Honolulu: University of Hawai'i Press, 2018.	(509)

Arunima DATTA	Tiantian Zheng, ed. <i>Cultural Politics of Gender and Sexuality in Contemporary Asia</i> . Honolulu: University of Hawai'i Press, 2016. (512)
Chi P. PHAM	Gerard Sasges. <i>Imperial Intoxication: Alcohol and the Making of Colonial Indochina</i> . Honolulu: University of Hawai'i Press, 2017. (514)
Rizal G. BUENDIA	Wataru Kusaka. <i>Moral Politics in the Philippines: Inequality, Democracy and the Urban Poor</i> . Singapore: NUS Press in association with Kyoto University Press, 2017. (517)
Quynh Huong NGUYEN	Edwin de Jong. <i>Making a Living between Crises and Ceremonies in Tana Toraja: The Practice of Everyday Life of a South Sulawesi Highland Community in Indonesia</i> . Leiden: Brill, 2013. (521)