The Emergence of New Politics in Malaysia
From Consociational to Deliberative Democracy

Mohd Azizuddin Mohd Sani

Abstract

Since independence in 1957, Malaysia has practiced consociational democracy that permits elite deliberation only. However, in the 2008 general election, Malaysian voters almost caused the Barisan Nasional government to be toppled by the opposition. They demanded more participation in policy making, as consociationalism has led to many malpractices in the government such as corruption and cronyism. The demands rose by the opposition, civil society, and new media have forced the government to implement an element of deliberative democracy. Although such deliberative democracy is probably a mask for the real agenda of continued authoritarian deliberation, strong pressures from the people are apt to ensure that deliberative democracy will be effectively practiced in the future.

Key words: Malaysia, deliberative democracy, consociational democracy, civil society, Internet.

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Malaysia is beginning to embrace the new politics of deliberative democracy, leaving behind the old politics of consociational democracy. Consociationalism and power sharing as practiced by the ruling Barisan Nasional (BN) has permitted elite deliberation only. To stay in power, the BN-dominated government has restricted the people's rights to political freedom and controlled dissents and criticism. However, since the twelfth general election on March 8, 2008, there has been a shift in Malaysia's political arena toward deliberative democracy, caused by the BN's dissension politics, a civil society movement, and the new Internet media. These three factors have managed to transform Malaysian society and open space for public participation and deliberation. In response to the new politics, Malaysia's new prime minister, Najib Razak, introduced the

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concept of "1Malaysia," and has tailored his policies and decision-making to meet the demand for public deliberation. But many critics, especially those in the opposition, claim that many of his decisions, such as to take power from the Perak state government, prove that Najib's program will fail. Whatever events occur, Malaysia already has entered into the politics of deliberative democracy, and respective parties are likely to perform according to the new politics.

The first section of this essay identifies the quintessential elements of consociational democracy practiced in post-colonial Malaysia. Deliberative politics typically existed only on the elite level, if at all. Next, this essay demonstrates the paradigmatic shift from consociational democracy to deliberative democracy on the public level in contemporary Malaysia. The essay then delves into the new leadership and new democratic practices, fleshing out a few distinct aspects of the processes of the new deliberative democracy. The final section concludes by suggesting that the transformation to deliberative democracy is probably a camouflage for the government's real agenda to continue authoritarian deliberation and maintain authoritarianism, rather than to implement true public deliberation. However, with strong opposition parties, new media, and civil society, marked especially by the activism of the youth and the middle class, Malaysia is beginning to enter into a new politics of deliberative democracy, through which advocates aim to protect the common good as the main priority for the country.

Old Politics: Consociational Democracy for Elite Deliberation

Malaysia has practiced consociational democracy since it gained independence from British colonial rule in 1957. The success of Malaysia as a nation has depended on its political stability and racial harmony, which has encouraged the government to limit civil liberties such as freedom of speech and political rights. National unity, however, is an elusive concept. While racial and ethnic problems provide the breeding ground for regional politics and conflict among groups, the politics of alliances, or consociational politics, has been implemented to unite society. Arend Lijphart claimed that consociational democracy essentially is an agreement among the leaders of each bloc in a divided society to share government, involving "grand coalition, segmental autonomy, proportionality, and minority veto."[1] Consociationalists rely totally on civilized leadership to end the contest over sovereignty by agreeing to share power.

Tun Abdul Razak, former prime minister, has described Malaysian democracy as "a democracy which is suitable for a developing country with

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[1] Arend Lijphart, "Varieties of Nonmajoritarian Democracy," in *Democracy and Institutions: The Life Work of Arend Lijphart*, ed. Markus Crepaz, Thomas Koelble, and David Wilsford (Ann Arbor: University of Michigan Press, 2000), 228.

different communities."[2] It is a democracy that takes into account "Malaysian realities," or Malay-non-Malay animosities. Malaysia's democratic practices must not jeopardize the fragile social stability, and political contestation is acceptable only as long as stability is preserved. A power-sharing arrangement has existed since Malayan independence. Although the Barisan Nasional (BN, National Front) coalition government is dominated by the United Malays National Organization (UMNO), and Malaysia's executive authority lies mainly with the Malay leadership, other coalition partners, notably the non-Malay parties Malaysian Chinese Associations (MCA) and Malaysian Indians Congress (MIC), participate in the Cabinet and enjoy a degree of influence over government policy. Indeed, political stability requires that Malays maintain political power in the country. The electoral system, the party system, the nature of political contestation, and even the constitution have been changed several times to ensure that Malays retain political power. For instance, the first major move by Tun Abdul Razak as director of the National Operations Council (NOC), the body established after racial tension in 1969, was to return to the constitutional contract to uphold and implement Malay political primacy more vigorously. In this way, he appeased the forces of Malay nationalism. At the same time, to pacify non-Malays, he recognized their rights to citizenship and their participation in the economy and the administration, but warned that "democratic excesses" had to be curbed. Non-Malays would no longer be allowed to challenge the constitutional contract. Malays would be entitled to full government assistance to achieve economic and social integration. There would be no more attempts at "pluralism" and "balancing acts of compromise and accommodation," or as the Malay ultras had called it, "policies of give and take" to delay this course of action in the interests of social justice.[3]

Consociationalism, consensual decision-making, and respect for authority are important factors that maintain political stability and power sharing among races in Malaysia. It would appear that consensus-building is well-grounded in Malaysian society. The authority of a ruler is dependent upon just and fair treatment of his citizens in consultation with local elites. Thus, the building of consensus and respect for the masses remain essential elements in present Malaysian politics—the "*Barisan* (BN) way."[4] William Case wrote, "Even as UMNO proclaims before the Malay...its defense of their birthright, it tries to persuade the Chinese and Indians that it responsibly checks Malay chauvinism. The institutional basis for striking this balance—redressing Malay grievances

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[2] Norma Mansor, "Political Contestation in Malaysia," in *Political Contestation: Case Studies from Asia*, ed. Norma Mansor and Zakaria Ahmad (Singapore: Heinemann Asia, 1990), 30.

[3] Cheah Boon Kheng, *Malaysia: The Making of a Nation* (Singapore: Institute of Southeast Asian Studies, 2002), 126-127.

[4] Alan Collins, "The Ethnic Security Dilemma: Evidence from Malaysia," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 20, no. 3 (1998): 261-279.

while at some level respecting non-Malay identities and property rights—is, of course the consultative *Barisan* way."[5] However, this consociational solution cannot be deliberative, save on the thinnest notion of what deliberation might entail, and places severe restrictions on who can deliberate (bloc leaders only).[6]

As Diane K. Mauzy noted, "Although Malaysia has many of the outward signs and some of the substance of democracy, to make the system of conflict regulation and elite accommodation viable there has also been substantial regulation of political competition and controls over popular participation, especially since 1969."[7] While this system of grand coalition is contrary to the strict principles of competition implied by democracy, the ruling elites see it differently. Prime Minister Abdullah Ahmad Badawi claimed, "All have the right to speak, even if the issue involves matters related to specific races or specific religions. In the BN style, we are confident that we can discuss all issues, even if they involved sensitive topics, in a wise manner and come to a consensus. The key to this is that we must engage in discussion in an attitude of moderation."[8]

Deputy Prime Minister Najib Razak explained, "We remain as one nation not because of the need to meet the constitutional requirements, but because we are able to reach political consensus under the BN."[9] The BN has made decisions on the basis of mutual agreement, not majorities where the small parties have had the same rights and voice as the big parties in the BN. The traditional UMNO-led BN coalition has continued the understanding that each and every political party in this coalition will represent the interests of its racial group within the government. It is no mere coincidence that political parties of such varying complexions have found common ground in a philosophy based on the belief that the problems of Malaysian society never can be solved if sections of the polity are in perpetual conflict with one another. The BN also expresses a commitment to the politics of consultation and consensus, or the politics of good-will and cooperation.

The existence of many repressive laws such as the Internal Security Act (ISA), Sedition Act (SA), and Printing Presses and Publications Act (PPPA) seems justifiable to the government as means to protect racial harmony. However, many have questioned the need to maintain these repressive laws.

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[5] William Case, "Malaysia: Aspects and Audiences of Legitimacy," in *Political Legitimacy in Southeast Asia: The Quest for Moral Authority*, ed. Muthiah Alagappa (Stanford: Stanford University Press, 1995), 104.

[6] John S. Dryzek, *Deliberative Democracy in Divided Societies*, Working Paper No. 22, May 28 (Canberra: Australian National University, 2003), http://socpol.anu.edu.au/pdf-files/Dryzek_divided.pdf (accessed August 8, 2007), 15.

[7] Diane K. Mauzy, *Barisan Nasional* (Kuala Lumpur: Marican and Sons, 1983), 4.

[8] *New Sunday Times*, August 22, 2004, 1.

[9] *New Straits Times*, February 14, 2008, 4.

Members of the opposition parties and civil society criticize the repressive laws because they have been used to restrict the people's rights to political freedom and freedom of speech. All mainstream media are directly controlled by either the government, such as Radio and Television Malaysia (RTM), or by companies that have a close link with the BN's top leadership, such as Utusan Malaysia, *New Straits Times*, TV3, and NTV7. Their relationships with leadership make them favorable to the ruling BN. Many opposition party members and civil society activists who oppose the government turn to blogs and online news portals to channel their views and dissent against the government. This is good for democracy and public deliberation in Malaysia because the Internet provides debate on many issues concerning public interest, while the mainstream media limit such debate. This was obvious during the 2008 general election, when the Internet provided the alternative views of the opposition after the mainstream media, dominated by the government, had lost its credibility owed to bias in their reporting. The shift of Malaysian democracy from the old politics of consociational democracy to the new politics of deliberative democracy seemingly is unavoidable.

New Politics: The Shift to Public Deliberation through Deliberative Democracy

Consensus politics in Malaysia should be generated through the process of public deliberation, not elite deliberation as implemented by the BN government. Consensus through public deliberation is more holistic and reflects and serves the people's interests in areas such as public policy and political culture. Public deliberation is the best way to protect the common good of society from manipulation, especially by the state. Deliberative democracy refers simply to "a conception of democratic government that secures a central place for reasoned discussion (rational deliberation) in political life."[10] James Bohman, another defender of deliberative democracy, posits that democracy in some form implies public deliberation; that is, "the deliberation of citizens is necessary if decisions are not to be merely imposed upon them...consent, is after all, the main feature of democracy."[11] In other words, political decision-making is legitimate insofar as policies are produced in "a process of public discussion and debate in which citizens and their representatives, going beyond mere self-interest and limited points of view, reflect on the general interest or on their common good."[12]

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[10] Maeve Cooke, "Five Arguments for Deliberative Democracy," *Political Studies* 48, no. 5 (2000): 947.

[11] James Bohnam, *Public Deliberation: Pluralism, Complexity and Democracy* (Cambridge, MA: MIT Press, 1996), 4.

[12] Ibid.

Among the numbers of definitions of deliberation and deliberative democracy, the Deliberative Democracy Consortium has one of the most practical versions: Deliberation is an approach to decision-making in which citizens consider relevant facts from multiple points of view, converse with one another to think critically about options before them and enlarge their perspectives, opinions and understandings. Deliberative democracy strengthens citizen voices in governance by including people of all races, classes, ages and geographies in deliberations that directly affect public decisions. As a result of citizens' influence, they can see the result of their influence on the policy and resource decisions that impact their daily lives and their future.[13]

In the context of Malaysia, there are three factors that are determining the shift from consociational democracy to deliberative democracy: BN's dissension politics, the civil society movement, and the new media. We will look, in turn, at each of these factors.

Barisan Nasional's Dissension Politics

The BN party has faced challenges from smaller parties and even suffered defeat in five states (Kelantan, Kedah, Perak, Penang, and Selangor) in the 2008 general election, as well as in by-elections held in Permatang Pauh on August 26, 2008, Kuala Terengganu on January 17, 2009, Bukit Gantang and Bukit Selambau on April 7, 2009, Manek Urai on July 14, 2009, and Permatang Pasir on August 25, 2009. The ruling BN managed to retain only two seats through by-elections in Batang Ai on April 7, 2009, and Bagan Pinang on October 11, 2009, but it did not contest in the Penanti by-election on May 31, 2009. In Peninsular Malaysia, the BN failed to obtain a majority of the popular votes cast. In the general election, it obtained only 49 percent of the popular votes, whereas the opposition won the majority—51 percent. UMNO won 35 percent of the popular votes against 34.8 percent won by the Parti Islam SeMalaysia (PAS, Islamic Party) and Parti Keadilan Rakyat (PKR, People Justice Party). Although the BN won 140 seats in Parliament, fifty-four seats came from Sabah and Sarawak. Hence, without Sabah and Sarawak, BN would not have obtained even a simple majority in Parliament. If the Federal Territory were considered a state, the BN actually lost six states.[14] Among BN component parties, MCA won only 37.5 percent (fifteen) of the contested Parliament seats. Gerakan was totally wiped out in Penang—its stronghold. The Democratic Action Party (DAP) campaigned that a vote for MCA or Gerakan was a vote for UMNO, to capitalize on the anger of the Chinese community over UMNO.

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[13] Deliberative Democracy Consortium, *Deliberative Democracy* (MD: Research and Practitioner Conference, 2003), 3.

[14] ASLI (Asian Strategy and Leadership Institute), *An Analysis of Malaysia's 12th General Election* (Kuala Lumpur: ASLI, 2008), 1-2, http://www.as;i.com.my/DOCUMENT/An%20Analysis%20of%20Malaysia.pdf (accessed March 3, 2009).

Thus, the track records of MCA and Gerakan were ignored, with an emotional swing against UMNO.[15] The opposition PAS, PKR, and DAP (with eighty-two parliamentary seats) formed a loose coalition called Pakatan Rakyat (PR, People Alliance) soon after the general election.

According to Bridget Welsh, the reasons for the BN setback in the twelfth general election had more to do with the coalition's lackluster performance under Abdullah than the strength of the opposition.[16] She argues that, in his four years in office, Abdullah had managed to maintain economic growth but was ineffective in channeling the benefits to ordinary citizens. Ordinary Malaysians were squeezed, as economic gains were seen to be disproportionately directed toward the increasingly arrogant political elite, notably leaders of UMNO.[17] Malaysians began to feel insecure and anxious about the price spiral of fuel and essential goods.[18] These bread-and-butter issues influenced the voters to sway toward the opposition in the election. Furthermore, comparatively lower wages, an increased lack of confidence in Abdullah's administration, and persistent corruption translated into massive disgruntlement among Malaysians of all races.

The declining economic situation was compounded by a shocking record of managing ethnic relations, particularly the concerns of non-Malays.[19] Chinese, Indian, and East Malaysian voices were ignored and often insultingly dismissed, as rising Malay chauvinism went unchecked within Abdullah's party.[20] For instance, in successive speeches by delegates at the 2006 UMNO general assembly, race and religion were featured prominently in shrill tones, stirring unease among locals and foreigners. Hasnoor Hussein, a delegate from Malacca, said in his fifteen-minute address to UMNO members, "UMNO is

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15 Ibid., 2.

16 Bridget Welsh, "Malaysia's Democratic Opening," *Open Democracy*, March 11, 2008, 1-3. http:// www .opendemocracy.net/article/democracy_power/politics_protest/malaysia_ democratic_opening (accessed March 15, 2008).

17 Ibid.

18 For instance, since taking over as prime minister, Abdullah had increased the price of petrol five times from RM1.35 per liter in 2003 to RM2.70 per liter in 2008, exactly a 100 percent increase in just less than five years. See *Harakah*, "Kempen: Kerajaan angkuh bila harga minyak naik" [Campaign: The government is arrogant during oil price hike] February 4, 2008, 2. In fact, inflation was at 7.7 percent, a record in twenty-six years, and transport prices rose 19.6 percent in June 2008 as compared with the year before. Food and nonalcoholic beverages rose 10 percent, and, in first half of 2008, consumer prices rose 3.7 percent from the same period the year before. All these happened after the fuel price hike in June 2008 in order for the government to cut the country's subsidies bill, which would have reached RM50 billion in 2008. See AFP (Agence France-Presse), "Malaysian Inflation Hits 26-Year High," July 23, 2008, http://news.my.msn. com/regional/article.aspx?cp-documentid=1583941 (accessed August 15, 2008).

19 Ibid.

20 Leslie Lopez, "Race Rhetoric Is Part of Umno Politics," *Straits Times*, November 17, 2006, 1, http://malaysia-today.net/blog2006/newsncom.php?itemid=792 (accessed August 15, 2008).

willing to risk lives and bathe in blood to defend the race and religion. Don't play with fire. If they messed with our rights, we will mess with theirs."[21] In fact, Abdullah harnessed racial identity to buttress his position within the party, rejuvenating the racially based affirmative action policy of the "New Economic Policy" (NEP), and lost the confidence of the non-Malay community in his handling of the sensitive expansion of Islamic governance through the concept of *Islam Hadhari* (Civilization Islam). Lack of confidence was clear in the twelfth general election when the Chinese and Indian votes decisively swung to the DAP and PKR, causing MCA, MIC, and Gerakan to lose massive support.[22]

On the other hand, former finance minister, Daim Zainuddin, in an interview with the magazine *Dewan Masyarakat*, maintained that the twelfth general election had been held at the wrong time because the government still had not resolved many sensitive issues, such as the HINDRAF riot case,[23] BERSIH demands and rallies,[24] and the V.K. Lingam tape.[25] According to Daim, it would have been better if the government had resolved these cases before dissolving the Parliament and facing the election.[26]

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[21] Ibid.

[22] ASLI (Asian Strategy and Leadership Institute), *An Analysis of Malaysia's 12th General Election*, 2.

[23] A coalition of thirty Hindu NGOs, committed to the preservation of Hindu community rights and heritage, had organized a rally of ten thousand people turned into a riot on November 25, 2007, as it submitted the petition at the British High Commission. The group had led agitations against what they saw as an "unofficial policy of temple demolition" and concerns about the steady encroachment of *shariah*-based law. See Andreas Ufen, "The 2008 Elections in Malaysia: Uncertainties of Electoral Authoritarianism," *Taiwan Journal of Democracy* 4, no. 1 (2008): 162-163, and The Star Online, "Cops Forced to Use Tear Gas, Water Cannons," November 26, 2007, http://thestar.com.my/news/story.asp?file=/2007/11/26/nation/19575394&sec=nation (accessed August 15, 2008).

[24] The 2007 BERSIH (the Joint Action Committee for Electoral Reform) Rally held in Kuala Lumpur on November 10, 2007, where forty thousand people defied the ban by attending the rally. In a separate BERSIH's information rally, two people suffered bullet wounds from police actions in September in Batu Burok, Terengganu. See *BERSIH*, 2007, http://www.bersih.org (accessed January 1, 2008).

[25] The grainy eight-minute video footage was taken in 2002 at senior lawyer Vellupillai Kana [V.K.] Lingam's Kelana Jaya house. At that time, Mohamed Dzaiddin Abdullah was Chief Justice (CJ). The conversation revolved around the urgent need to get Ahmad Fairuz Sheikh Abdul Halim, then chief judge of Malaya—the judiciary's No. 3—appointed as Court of Appeal president (No. 2) and then CJ (No. 1). There was also a plan to get former attorney-general Mokhtar Abdullah, who was then a Federal Court judge, to replace Ahmad Fairuz as No 3. To do that, Lingam had roped in tycoon Vincent Tan, a close crony of then Prime Minister Mahathir Mohamad, and Tengku Adnan Tengku Mansor, a key minister in the PM's department. They were to talk to Mahathir on the appointment of judges. See *Malaysiakini*, "Special Report: The Lingam Tape," September 24, 2007, http://www.malaysiakini.com/news/72772 (accessed May 30, 2008).

[26] *Dewan Masyarakat*, "Daim Zainuddin: BN mesti mendengar semula rintihan rakyat" [Daim Zainuddin: BN must listen to people's grievances], May 2008, 22.

Greed and the quest for power among its members seemed to have been key reasons for the 5 percent swing in Malay votes away from the BN. Critics such as Zainon Ahmad, political editor of the English-daily *The Sun*, argues, "It is no longer the party [BN] struggle for *bangsa, agama dan tanahair* (nation, religion, and country), the party slogan of the early years. That has taken a back seat. It's the narrow individual struggle to amass wealth....For UMNO, volunteerism is long gone."[27] Another critic, Shukri Shuib, a lecturer at University Utara Malaysia, agrees with Zainon by arguing, "UMMO leaders were engrossed with tenders, wealth and corruption issues, cronyism and weak leadership, outdated ideas and implementation of projects that did not have a positive impact on people....They must now think of their responsibility to the race above self, family and friends."[28] It seems that Malay voters also no longer viewed UMNO as the sole champion representing them, which was reflected at the polls.

Due to the loss in the elections, BN component parties such as the MCA, Gerakan, MIC, and People Progressive Party (PPP) blamed each other, and began to criticize UMNO for being over conservative and resisting changes from within in order to present itself as a true multiracial coalition. However, ever since the general election, UMNO still has harped on its old concept of upholding *Ketuanan Melayu* (Malay supremacy) over other ethnicities, thus fending off any efforts by several quarters within the coalition to initiate changes and rebranding in order to move the BN toward a nonracial approach to its policies. A call by MCA for UMNO to do away with the *Ketuanan Melayu* elicited an immediate response from the UMNO youth chief, Hishamuddin Hussein, that the call questioned Malay rights. Gerakan later joined the fray by supporting MCA's call to end the supremacist policies of UMNO.[29]

The *penumpang* (squatters) issue, referring to the Malaysian Chinese, raised by the Bukit Bendera UMNO division chief, Ahmad Ismail, stirred up immense waves of resentment in the Chinese community which have not been tamed in the least, even with the apology offered by then Deputy Prime Minister Najib Razak. Both the MCA and the Gerakan believe that there are deficiencies in the manner with which this issue has been handled by the BN's top brass, resulting in heightened emotions that may culminate in the eventual withdrawal of these two parties from the ruling coalition. Gerakan president Koh Tsu Koon has said that his party has not ruled out the possibility of pulling out from BN. While the MCA leadership has stressed that it will

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[27] "Umno Comes under Fire from Malays: Malaysian Dailies Say Malay Voters Turned off by Politicians' Greed for Power," *Straits Times*, March 15, 2008, http://www.straitstimes.com/ Free/Story/STIStory_216887.html (accessed May 30, 2008).

[28] Ibid.

[29] Viktor Wong, "Blog: BN Heading for a Break Up?" *Star Online*, December 2, 2008, 1, http:// blog.thestar.com.my.permalink.asp?id=19763 (accessed April 15, 2009).

not pull out from BN, party president Ong Ka Ting made it very clear that he could not accept the Deputy Prime Minister's explanation. Ong's tough stance has been rare among the MCA's presidents, past and present. What Koh and Ong have said to a large extent represents the unwavering stand of the Chinese community, that the manner in which Prime Minister Abdullah handled this issue was unacceptable to the Chinese community. Talks of MCA and Gerakan pulling out of BN, as well as the strongly worded messages delivered by the Chinese community, must be treated with due respect by various component parties of BN.[30]

Furthermore, the PPP called for the ISA to be reviewed and amended, and stated that it would leave BN if changes were not implemented. The MCA, too, later supported the PPP's move by calling for the repeal of the ISA. The MIC intended to pull out from the Cabinet formed by Abdullah's successor, Najib Razak, in April 2009, after the disappointment that there was no allocation of a senior ministerial portfolio or addition of a deputy minister post to the MIC. However, a component party in Sabah, the SAPP,[31] already had left BN and was considering joining the opposition PR to end UMNO's dominancy in Sabah, while a large number of Dayak political and community leaders in Sarawak also had made their move by joining the PKR en bloc, causing BN to be on alert regarding the recent mass defections.

As long as the UMNO leadership insists on maintaining its current trends and resists any drastic changes, policies in the BN and the government will remain as they were fifty years ago, which could spell the end of the MCA, the Gerakan, the MIC, and the PPP. These BN component parties continue to believe that for any real change to happen, it must be driven by UMNO. Consensus politics is not as it used to be. Many decisions made by UMNO leaders were without consultation with other BN component parties, for instance, in the matter of claiming that Malaysia is an "Islamic state." The first prime minister, Tunku Abdul Rahman Putra Alhaj, once admitted that Malaya/Malaysia was a secular state. However, the status changed during the period of Mahathir Mohamad's leadership. Mahathir unilaterally, probably with the intention to counter PAS's concept of an "Islamic state," announced that Malaysia was an Islamic state. This declaration led to controversy within the non-Malay community, whose members rejected such a notion in Malaysia. Abdullah later declared that Malaysia is an Islamic state, but not a secular or theocratic state. He argued that Malaysia would be ruled by following Islamic principles and

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[30] "MCA and Gerakan at a Crossroad," *My Sinchew*, September 10, 2008, 1, http://www. mysinchew. com/ node /16065 (accessed April 15, 2009).

[31] On June 18, 2008, Sabah Progressive Party (SAPP), one of the BN component parties, announced its intention to issue a vote of no-confidence in the Parliament against Prime Minister Abdullah if he failed to step down. SAPP later announced its withdrawal from BN and two of its members of Parliament became independent. This is an indication of the tight rope Abdullah has been walking in keeping the BN component parties together in the post-election period.

democratic parliamentary principles as stated in the Federal Constitution.[32] The Islamic state dispute shows that any policy not created through consensus decision-making will become controversial, because people are dissatisfied with the government for not considering or even listening to their views in the process of policy-making. Only through the process of deliberative democracy or public deliberation can true consensus politics be achieved and the common good of the people identified, so that, if not all, at least a majority of Malaysians of different races can accept the policy.

The Civil Society

Civil society in Malaysia has become a legitimate channel for social and political participation and for influencing policy formation and public opinion. Signs of change started to appear during the *Reformasi* period following the arrest of Anwar Ibrahim in 1998. The contribution that Malaysia's nascent civil society made to the anti-authoritarian struggles in the 1990s is widely recognized today. In the 2008 general election, a political analyst, James Wong, said, "There is the traditional opposition which has been now joined by civil society, students, independent journalists and non-government organizations [NGOs]."[33] Several activists have contested under the banner of the DAP, among them, Charles Santiago, the coordinator of the Coalition against Privatization, who has fought to prevent privatization of water and to stop big business from raising the prices of a natural resource. Others such as Tian Chua and Sivarasa Rasiah of PKR used to be involved with an NGO, Suara Rakyat Malaysia (SUARAM). Human rights leaders saw NGO participation in the 2008 general election as "pivotal," adding a new dimension to participatory politics. Yap Swee Seng, executive director of SUARAM, stated, "The general election is the time for NGOs to push the civil society agenda and make their voice heard....The ultimate objective is to ensure a strong, multi-party opposition that can better safeguard the constitution and people's interest."[34] Many former NGO activists won in the 2008 general election, such as Tian Chua and Sivarasa Rasiah, who gained parliamentary seats, and Elizabeth Wong, former Malaysian Human Rights Association (HAKAM) activist, who won a state assembly seat for the PKR and has been appointed as Executive Councilor (Exco) in Selangor's PR state government. This shows that Malaysia's civil society movement is now entering into the real politics of a struggle for power. Perhaps this is the best way to serve the people and fight for what they believe in.

The problem with civil society in Malaysia is that little or no attention

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[32] Lee Ban Chen, *Bagaimana Keris diganti dengan Merpati?* [How was the dagger replaced by the dove?] (Kuala Lumpur: Oriengroup, 2008), 48.

[33] Baradan Kuppusamy, "Politics-Malaysia: Civil Society Leaders Enter Election Fray," *Inter Press Service News (IPS News)*, February 13, 2008, 1, http://ipsnews.net/news.asp?idnews=41175 (accessed June 3, 2008).

[34] Ibid., 2.

has been paid to its organizations, although their views are critical to the state. More often than not the views and arguments of critically minded NGOs have been dismissed by the state on the grounds that they are antidevelopmental and sponsored by foreign agencies for the pursuance of ulterior motives.[35] The government controls the mainstream media, thus the space in the public sphere is very limited for the NGOs, except in the cyberspace of the Internet. The government belittles criticisms from the NGOs by portraying them as marginal and out of touch with the mass public. However, civil society has proven that its autonomous associations have become a new force to be reckoned with.

Since the end of the general election in 2008, Malaysia's civil society movement has become stronger due to a change in the hearts and minds of the two major components of the society, the youth and the middle class. First, Malaysia's young voters between the ages of twenty-one to forty appear to be becoming impatient with what they perceive as the BN's reluctance and resistance to change. In the August 26, 2008 Permatang Pauh by-election, more than 90 percent of the voters under the age of thirty voted for Anwar Ibrahim.[36] One key reason for this was that young Internet-savvy voters obtain their news chiefly from pro-opposition alternative media, which they perceive as more credible than mainstream media. In the Kuala Terengganu by-election, which BN lost, detailed voting data indicated that the ruling coalition again had lost most support among those under thirty-five.[37] This also happened in two other by-elections in Bukit Gantang and Bukit Selambau. Political apathy among youth is long gone. Young voters are aware of what is happening around them and have varied reasons to vote for the opposition. BN's disconnect from young people is most alarming in the case of urban professionals, who no longer believe that the ruling coalition is capable of making a better Malaysia. Young non-Malays cannot accept the NEP, believing that it benefits only the Malays, while young educated Malays concerned with good governance, human rights, and democratic ideals view UMNO and BN as corrupt.[38] According to Zubaidah Abu Bakar, young voters tend to favor members of the opposition because they have more liberal views of democracy, and less preference for race-based politics, which explains the appeal of the multiracial PKR.[39] Young people also do not feel indebted to the government that achieved independence for Malaysia half a century ago. BN leaders should realize by now that campaigning on the basis of track records, especially after Kuala Terengganu,

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[35] Palanisamy Ramasamy [P. Ramasamy], "Civil Society in Malaysia: An Arena of Contestations?" in *Civil Society in Southeast Asia*, ed. Lee Hock Guan (Singapore: ISEAS, 2004), 209.

[36] Zubaidah Abu Bakar, "Power to Rule in the Hands of Young Voters," *New Straits Times*, January 23, 2009, 16.

[37] Ibid.

[38] Ibid.

[39] Ibid.

no longer works with young voters. Prospects for the next general election will be bleak for the BN if it fails to win the support of the youth. Eligible youthful voters in the country will number 16.9 million in the thirteenth general election, including the 10.9 million currently registered. The support of young voters is now the determinant in the outcome of future Malaysian politics, and needs to be targeted by all political parties.

Second, closely linked to the youth factor, the 2008 elections also marked the gradual coming of age of the new Malaysian middle class.[40] Powered previously by significant economic growth, a new generation of educated white-collar Malaysians was born and finally has been able to flex its political strength. Until the opposition parties put together their new moderate working alliance, the choices for this middle class were stark: to vote for an avowedly Islamic Malay-based party, or for an avowedly secular Chinese-based one. For many, there was no alternative but BN. Members of the middle class have grown up ripe for change, and cynical about the country's illusion of harmony and equality. They are also educated and skilled, and are thus unafraid to take the chance on the opposition. The largely urban minority communities have long felt marginalized by the government's long-running affirmative action program. The system guarantees ethnic Malays jobs, free education, cheap housing, tax breaks, and economic favors, all at the expense of ethnic Chinese, Indian, and indigenous people who make up 40 percent of the population. The system was designed to help the Malays catch up with the rest of the country after independence from Britain, but it has turned into a state-sponsored web of cronyism and favoritism for a few selected Malays under the UMNO patronage system, paralyzing the country along a racial divide. It also has built a deep resentment among the ethnic minorities, who are left to fend for themselves.[41] According to Francis Loh, "We have a new set of voters—middle class, educated, and who are very exposed to global developments, and the use of new technology. Partly because of this new generation of people, they are demanding more than development."[42] Loh also stated,

[40] The category "middle class" focuses on the new educated middle class in both the public and private sectors, which includes professionals (including teachers, managers, lawyers, accountants, technicians), administrators/civil servants, and students and intellectuals. See Mark R. Thompson, *Reform after Reformasi: Middle Class Movements for Good Governance after Democratic Revolution in Southeast Asia*, Working Paper No. 21 (Lund: Lund University, Center for East and Southeast Asian Studies, 2007), 3.

[41] Natasha Rudha, "Door Opens for Opposition and Hope in Malaysia," *Canberra Times*, November 3, 2008, 1, http://www.canberratimes.com.au/news/opinion/editorial/general/door-opens-for-opposition-and-hope-in-malaysia /135631.aspx (accessed April 20, 2009).

[42] Sivamurugan Pandian, "The Middle Class and Signification of 2008 Malaysia General Elections," paper presented at *The First ISA Forum of Sociology*, September 5-8 (Barcelona: International Sociological Association, 2008), 9.

> If you compare Malaysia with neighboring countries, the government, in a sense has done better than others but this generation demands more than development. And even with development, they want a development that is more sustainable and equitable. And they are also asking, 'What about our democratic rights?' They want more political participation, more consultation.[43]

Many in the middle class wish to see whether, in the running of government, integrity, transparency, and democratic rights can be maintained. It is clear that members of the middle class have developed interest group activities and have lobbied governments on particular issues, such as the Gerakan Mansuh ISA (GMI) against the draconian law of ISA and the BERSIH on free and fair elections. They also have mounted a serious and direct political challenge to the regime.

However, scholars such as Jurgen Habermas have argued that, in order for civil society to function well, it needs to be assisted by the media.[44] The problem is that Malaysia does not have a free media. However, the current revolution in the media industry through the introduction of Internet and other technology has created a new public sphere for public deliberation. This new media has strengthened civil society movements and has been used to transform public opinion, as happened in Malaysia during the 2008 general election.

The New Media

The Internet definitely is a medium that can be used to challenge a regime that does not honor democratic practices and to weaken the traditional print and broadcast media that are controlled by the regime or companies with close ties to it. The Internet, especially through blogs and Internet news portals, has given civil society and Malaysian people a new hope to be able to access informed, critical views that challenge the government, as mainstream media forbid or limit criticism. The true impact of these new media is found in the reports and coverage on the Internet that were strong enough to influence people to vote for the opposition PR in the 2008 general election. In fact, the ruling government admitted that one of the major factors in determining the 2008 general election results was the new media of the Internet.[45] On March 25, 2008, at the opening of Invest Malaysia 2008, Abdullah acknowledged that the BN government

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[43] Ibid.

[44] Jurgen Habermas, *Between Facts and Norms*, trans. William Rehg (Cambridge, UK: Polity Press, 1996).

[45] Koh Lay Chin, "Was This the Election Made on the Internet?" *New Straits Times*, March 12, 2008, 25.

lost the online war in the general election. He said, "We didn't think it was important. It was a serious misjudgment. We thought that the newspapers, the print media, the television were important but young people were looking at text messages and blogs. [The influence of alternative media] was painful. But it came at the right time, not too late."[46]

The Malaysian Communications and Multimedia Commission (MCMC) is the regulator for the converging communications and multimedia industry, including the Internet. At the time it was created, its key role was the regulation of the communications and multimedia industry based on the powers provided in the Malaysian Communications and Multimedia Commission Act and the Communications and Multimedia Act, both of which were enacted in 1998. Pursuant to the acts, the role of the MCMC is to implement and promote the government's national policy objectives for the communications and multimedia sector and also to oversee the new regulatory framework for the converging industries of telecommunications, broadcasting, and on-line activities. Its roles in social regulation include content development and regulation. The latter includes the prohibition of offensive content as well as public education on content-related issues.[47] Section 211 of the Communications and Multimedia Act stipulates that, "No content applications service provider, or other person using a content applications service, shall provide content which is indecent, obscene, false, menacing, or offensive in character with intent to annoy, abuse, threaten or harass any person."[48] Consensus is necessary at both the rule-generating and enforcement stages of such legislation.[49] However, most people believe that one of the reasons the Internet has worked so well and is a vital force in providing information to the public is that it has been free of government regulation.[50] The rules and regulations are believed to have been crafted to reduce the passion for Internet use, but ironically, the use of Web sites has flourished and contributed to the public's deliberation process. In 1996, when former Prime Minister Mahathir launched the ambitious Multimedia Super Corridor (MSC) project to attract the world's leading Information Technology companies to Malaysia, the government developed the MSC Bill of Guarantees, which included a commitment that the Malaysian government never would censor the Internet. This policy continues today, permitting political opposition and civil society movements to benefit by means of the

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[46] "Internet Served a Painful Lesson," *New Straits Times*, March 26, 2008, 2.

[47] Malaysian Communications and Multimedia Commission, 2004, http://www.mcmc.gov.my/mcmc/facts_figures/stats/index.asp (accessed June 24, 2004).

[48] Communications and Multimedia Act, 1998, http://www.mcmc.gov.my/mcmc/what_we_do/socreg.asp (accessed February 28, 2008).

[49] Stuart Biegel, *Beyond Our Control? Confronting the Limits of Our Legal System in the Age of Cyberspace* (Cambridge, MA: MIT Press, 2001), 53.

[50] Ibid., 355.

new public sphere of the Internet, despite mainstream broadcasting and printed media's hostility to them.[51]

A new online civil society has emerged among bloggers, who offer alternative views to the country. However, the Malaysian government has curbed the Internet, not through cyber censorship, but through prosecuting Web operators under existing media and libel laws. The government has initiated several efforts to curb the bloggers' activities, and has extensively criticized them for spreading lies, while threatening severe punishment and tighter controls on Internet use. In January 2007, the government-linked *New Straits Times Press* (NSTP) filed suits against Ahirudin Attan and Jeff Ooi over items published on their Web sites a year before, which criticized the newspaper for low journalistic standards. This was the first time bloggers had been taken to court for publishing comments on the Internet. On September 12, 2008, the government detained a blogger, Raja Petra Kamaruddin, under the Internal Security Act. He was arrested under ISA Section 73(1) for allegedly being a threat to security, peace, and public order.[52]

Reporters Without Borders (RWB) published a report entitled *Press Freedom Index 2007*.[53] Among 169 countries surveyed, Malaysia strikingly dropped 32 notches from 92nd place in 2006 to 124th in 2007. RWB is concerned about the increase in cases of online censorship in Malaysia, for example, the arrests of bloggers and the closure of news Web sites or the government's rendering them inaccessible. RWB observed, "More and more governments [including the Malaysian government] have realized that the Internet can play a key role in the fight for democracy and they are establishing new methods of censoring it. The governments of repressive countries are now targeting bloggers and online journalists as forcefully as journalists in the traditional media."[54] It is Malaysia's worst ranking since the annual *Press Freedom Index* was initiated in 2002.

Malaysia's weak opposition groups were up against a hostile mainstream media and restrictive campaign rules in 2008, but they went online and turned effectively to blogs, news portals, and YouTube to dodge a virtual blackout by mainstream media.[55] The worldwide Web allowed parties such as the

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[51] Cherian George, *Contentious Journalism and the Internet: Towards Democratic Discourse in Malaysia and Singapore* (Singapore: Singapore University Press, 2006), 60-70.

[52] Raja Petra was detained after he was said to have posted articles on *Malaysia Today*, deemed to be seditious and that also were belittling of Islam. The Department of Islamic Development (JAKIM) and several Muslim bodies had lodged a police report against Raja Petra, who already faced criminal defamation charges for allegedly insulting the Malays, Muslims, and Islam. On November 7, 2008, the High Court ruled Raja Petra's detention was unconstitutional and the judge ordered his release from ISA detention. See "22 Websites, Blogs Probed," *The Star*, May 27, 2008, 1-8.

[53] Reporters Without Borders For Press Freedom (RWB), *Worldwide Press Freedom Index 2007*, 2008, http:// www.rsf.org/article.php3?id_article=24025 (accessed February 21, 2008).

[54] Ibid.

DAP, PKR, and PAS to reach voters, especially young ones, in their offices and homes. As of December 2006, most of Malaysia's 10.3 million registered voters were between twenty-one and thirty-five years of age. These data, compiled by the Election Commission and published in *The Sun* on February 28, 2008, indicate that these youthful voters will be the group that determines the results of future general elections, and that political parties must target this group to win.[56] It is clear that in the 2008 election, the opposition parties targeted and won the hearts and minds of youthful voters. Besides, many young voters were keen and interested to support the young candidates representing the opposition parties. For instance, the support of young voters enabled young and first-time candidates such as the DAP's Hannah Yeoh and the PKR's Loh Gwo-Burne to draw record crowds of more than ten thousand to their hastily organized *ceramah* (public gathering) in USJ, Selangor, in the first week of campaigning. Later, Yeoh won the Subang Jaya state seat, and Loh, who had also filmed the infamous V.K. Lingam clip that triggered a judiciary crisis, won the Kelana Jaya parliamentary seat. Compared with the opposition's regularly updated Web-logs, BN component parties had virtually no Web presence, except for Malaysia's mainstream media via their online newspapers. Google searches on the DAP, PKR, and PAS far outstripped those on BN, UMNO, and other component parties. Google searches on PAS and PKR in Malay far outnumbered those in English, and were highest in small cities and towns such as Kuantan in Pahang and Kajang in Selangor.[57]

Opposition leaders such as Lim Kit Siang runs three blogs (http://www.limkitsiang.com; http://blog.limkitsiang.com; and http://limkitsiang.blogspot.com) which are meticulously updated with multiple posts every day, and many of the party's other leaders follow suit. Lim argued that blogging was one way to get the word out and offered an opportunity to circumvent media control, with the aim to dent the government's traditional majority number of votes in the 2008 election. He said, "We cannot neutralize the state-controlled media.... But Internet pick-up rates will keep getting higher. We will not be blacked out forever."[58] Political dissident and ex-deputy premier Anwar Ibrahim writes

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[55] Sarah Stewart, "Malaysia's Opposition Turns to Cyberspace Election Campaigning," *AFP-Media Watch*, February 28, 2008, http://mediawatch.afp.com/?post/2008/02/28/ Malaysias-opposition-turns-to-cyberspace-election-campaining (accessed May 30, 2008), and Bill Tarrant, "Malaysia Opposition Win Shows Power of Cyberspace," *Reuters*, March 9, 2008, http://ca.reuters.com/article/technologyNews/idCAKLR6139420080309 (accessed May 30, 2008).

[56] Bryan D. See, "Malaysia Elections 2008: Young Voters, Where Art Thou?" *NowPublic: Crowd Powered Media*, February 29, 2008, http://www.nowpublic.com/world/malaysia-elections-2008-young-voters-where-art-thou (accessed May 30, 2008).

[57] Lee Siew Lian, "Cyberspace Is Now the New Frontline," *New Straits Times*, March 12, 2008, 25.

[58] "Malaysia's Opposition Mounts Campaign in Cyberspace," *Agence France-Presse* (AFP), February 20, 2008, http://news.my.msn.com/regional/article.aspx?cp-documentid=1253093 (accessed March 17, 2008).

his own blogs (http://www.anwaribrahim.com and http://anwaribrahimblog.com) which have news links and videos of his PKR's campaign activities. In 2007, Anwar used the sites to release a video clip which showed a high-profile lawyer, V.K. Lingam.

Bloggers turned opposition candidates also used the Internet to solicit funds for their election campaigns. For example, DAP's Tony Pua, in his campaign for the Petaling Jaya Utara parliamentary seat, argued that e-donations were a new way for the party to raise funds. He noted, "Previously, we obtained funds through conventional means such as *ceramah* and dinners....The Internet is now another important channel which has helped us tremendously to get more funds."[59] Through the Web site, Pua managed to collect more than RM10,000 via credit card and online transfers, while another RM20,000 were sent to the Maybank2U account. The target was to raise 50 percent of the amount that election candidates are legally permitted to spend. The law stipulates that parliamentary and state candidates may spend up to RM200,000 and RM100,000, respectively. Pua added that conventional fund-raising methods were still yielding better results. He managed to collect some RM45,000 over five nights from *ceramah*.[60]

The impact of bloggers is clearly shown in the volume of people accessing their sites. For example, during the 2008 election, a prominent political blog, *Malaysia Today* (http://www.malaysia-today.net), had some 15 million hits the day after results were announced, a more than threefold increase from a normal day. The number of hits worked out to about 625,000 visitors an hour. The site's owner, Raja Petra Kamarudin, said, "Traffic went up so high that I could not get on to update the site."[61] The massive number of visitor posted on the Web site gave one of the clearest indications of just how much the Malaysian public had turned to alternative media for its political news. With opposition parties feeling shut out by traditional news media, they turned to the Internet to air their views, and it seems many Malaysians follow them there.

During Malaysia's 2008 general election, one online news portal, the *Malaysiakini* (http://www.malaysiakini.com), was so dominant that one can regard it as a determining factor in the people's decision to vote for the opposition. *Malaysiakini* was so overwhelmed by visitors on polling day that the site broke down. According to the company's chief executive officer, Premesh Chandran, at its peak, the site had some 500,000 visitors an hour, a sharp jump from between the 100,000 and 200,000 hits it customarily had a day.[62] In comparison, the *New Straits Times* Web site received only 970,000

[59] Eileen Ng, "Opposition Using Internet to Raise Funds," *New Straits Times*, March 3, 2008, 17.
[60] Ibid.
[61] Jeremy Au Yong, "Battle Lost in Cyberspace," *Straits Times*, March 12, 2008, 1, http://www.straitstimes .com /Free/Story/STIStory_215784.html (accessed May 30, 2008).
[62] Ibid.

visits for one day, from midnight on election day to midnight the following day.[63] Chandran said that the alternative media had broken the monopoly of the government on the media and provided a platform for information distribution for people not in power. Chandran contended that no one was caught more off-guard than the government. As he put it,

> They [members of the government] thought it wouldn't reach beyond the segment of the community that had Internet access. They didn't consider the spill over effect. If you had gone to a rally, you would have seen that the people are well aware of the issues, issues that were only broadcast on alternative media. The Internet fed the information into a certain part of the community, and it spread from there.[64]

He referred to stories such as the alleged links between the murdered Mongolian model, Altantunya Shaariibuu, and then Deputy Prime Minister Najib Razak, as well as the judicial scandal involving V.K. Lingam.

The Internet movement is now a player in Malaysian politics, and those who refuse to believe this may have to rethink their views. Many may believe that the influence of the Internet does not reach beyond the urban masses, but this is rather simplistic. The Internet played a relatively small role in the 2004 elections, but Internet penetration has surged since then with the continued roll-out of high-speed broadband facilities. According to international statistics gathered by the *New Straits Times*, Malaysia now has an Internet penetration rate of 60 percent. There were 3.7 million Internet users in a population of about 24.8 million in 2000. In 2007, this figure was nearly 14 million. This means that in eight years, Malaysia had a user growth rate of 302.8 percent. These are figures about Internet usage but not computer ownership or Internet subscriptions, which are related but different phenomena.[65]

The lesson that can be learned is that the Malaysian citizenry is far more sophisticated than the government had anticipated. The effects of development, globalization, and information dissemination through the Internet have changed the political landscape. Malaysians clearly reject the idea that the masses are generally simple-minded and easily influenced by "mob mentality" or fear, particularly of racial tension, of which the government warns if it were to lose an election. Since the 2008 general election, many leaders and former leaders of the government have joined the blogosphere by creating their own blogs such as those of former premier, Mahathir, http://www.chedet.co.cc, and

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[63] *New Sunday Times*, "Surf's Up with NET Power," March 16, 2008, 30.

[64] Yong, "Battle Lost in Cyberspace."

[65] Koh, "Was This the Election Made on the Internet?" and Lee, "Cyberspace Is Now the New Frontline."

current Prime Minister Najib, http://www.1malaysia.com.my. The Internet and its community have strengthened the process of public deliberation and democratization in Malaysia. The government no longer can disregard the views expressed by the Internet community because they also are those of the middle class and the youth of Malaysia who access and use the technology extensively. This phenomenon obviously weakens the processes of the old politics of consociational democracy and encourages the new politics of deliberative democracy.

Malaysia's New Leadership under Najib Razak

Since he took office as the nation's sixth prime minister on April 3, 2009, several decisions of Najib Razak give a clear indication that he accepts the practice of deliberative democracy in Malaysia. He has urged the people to join him in his quest to revitalize the country through the concept of "1Malaysia." His slogan is "People First, Performance Now." "1Malaysia," the thrust of Najib's new administration, is centered on mutual respect and trust among the country's various races, and is intended to be the guiding philosophy in programs and policies as well as in Najib's vision for the economy, politics, and direction of the government. This new concept resembles those introduced by Najib's predecessors such as Mahathir's *Bersih, Cekap, Amanah* (Clean, Efficient, Trustworthy) and Abdullah's "Work With Me, Not For Me"[66] programs. Acknowledging the importance for any government to have the trust and confidence of the people, Najib has urged the government to be truthful to the people,[67] and introduced the eight values of "1Malaysia": a culture of excellence, perseverance, humility, acceptance, loyalty, meritocracy, education, and integrity.[68] Along with the spirit of "1Malaysia," Najib also introduced Key Performance Indicators (KPI) for his ministers. Minister Koh Tsu Koon in the Prime Minister's Department said that the KPI were aimed at monitoring the performance of ministers and deputy ministers and making improvements, but not at hauling them up for disciplinary action. The KPI framework and guidelines were drafted based on those used to evaluate the ministry secretaries-general and department directors-general. Public feedback and views on the quality of the civil service, including media reports, will be among factors used in evaluating KPIs for ministers and deputy ministers. Direct feedback received by ministries also will be taken into account and

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[66] "Thumbs up for 1Malaysia," *The Star Online*, April 5, 2009, 1, http://thestar.com.my/news/story.asp?sec=focus&file=/2009/4/5/focus/3626318 (accessed April 7, 2009).

[67] "Be Truthful to the People, PM Tells Leaders," *Bernama*, May, 7, 2009, 1, http://www.bernama.com.my/bernama/v5/newsindex.php?id=409363 (accessed May 7, 2009).

[68] Ibid.

dialogue sessions will be continued.[69]

Furthermore, the new Deputy Prime Minister Muhyiddin Yassin reiterated the government's policy of "1Malaysia," saying that the era of "government knows best" had ended and that it was time to engage the people in making decisions. He noted that the residents of a small town, Pagoh, in his constituency, were able to contribute ideas on the town's development when the "Pagoh Idea Bank" was established. He stated his intention to set up suggestion boxes for residents to convey their ideas, and to chair the Pagoh Consultative Council which would review the suggestions.[70] The statements of both the Prime Minister and Deputy Prime Minister show the tendencies of the government to implement deliberative democracy in which members of civil society are encouraged to participate in decision-making processes. In fact, the suggestion made by Muhyiddin is in line with the concept of the "town hall meeting," which is essential in any deliberative democracy. Indeed, several similar types of deliberative democracy have been practiced already in Malaysia (see next section).

However, there are criticisms made especially by the opposition that Najib's new concept is too rhetorical and has no real policy agenda, except to gain support and create a new government image, but with the same old repressive politics still in place. For instance, Anwar Ibrahim has ripped into the Najib administration's "1Malaysia" program, calling it cosmetic and nothing more than a bald-faced political move to try to win back support from non-Malays. Other opposition politicians such as Lim Kit Siang[71] and Tunku Abdul Aziz[72] and online news portals such as *The Malaysian Insider*[73] have questioned the meaning and content of "1 Malaysia," but Anwar gutted the whole concept, pointing out that Najib's comments about unity and togetherness are only for public consumption. He argued that behind the scenes, the Biro Tatanegara (BTN), an agency under the Prime Minister's Department, continues its indoctrination programs for Malay civil servants and politicians, telling Malays to be wary of Chinese and Indians. Anwar's attack on the "1Malaysia" concept also reveals a growing uneasiness among the opposition about BN's

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[69] "Public Feedback Will Determine Ministers' KPI," *Bernama*, April, 30, 2009, 1, http://www.bernama.com/bernama//v3/news_lite.php?id=408105 (accessed May 5, 2009).

[70] Anis Ibrahim and Rizalman Hammim, "Don't Raise Chicken Prices, Says Muhyiddin," *New Sunday Times*, May 3, 2009, 4.

[71] Syed Jaymal Zahiid, "Najib's 1Malaysia in Smithereens, Charges Kit Siang," *The Malaysian Insider*, May 7, 2009, http://www.themalaysiainsider.com/lite/articles.php?id=25737 (accessed May 7, 2009).

[72] Tunku Abdul Aziz, "1Malaysia: A Blurred Vision," *Transparency for a Democratic Malaysia*, May, 2, 2009, http://tunku-aziz.org/2009/05/02/1-malaysia-a-blurred-vision/ (accessed May 24, 2009).

[73] "Once Again, What Is 1Malaysia?" *The Malaysian Insider*, April 16, 2009, http://www.themalaysianinsider.com/index.php/opinion/breaking-views/23484-once-again-what-is-1malaysia-the-malaysian-insider (accessed April 16, 2009).

charm offensive to regain the support of non-Malay voters, the segment of voters who since the 2008 general election have become a reliable voter bloc for the PR. The new administration also has liberalized the financial services sector and attempted to solve the thorny issues of conversion of children to Islam when marriages breakdown. Nothing has been said about dismantling the NEP or spelling out how equality can be achieved among Malaysians, with the main architecture of affirmative action still in place and the Malay-centric civil service calling the shots at the implementation stage. In his blog posting, http://www.anwaribrahimblog.com, Anwar noted that UMNO called PR the tool of the Chinese and also hammered the DAP as a chauvinist party for its Malaysian Malaysia concept.[74]

According to Lim Kit Siang, the police lockdown and mass arrest of lawmakers and activists amid a chaotic Perak state assembly session on May 7, 2008, shredded Najib's "1 Malaysia" concept.[75] Lim said that the arrests made it impossible for Najib to calm rising public anger over his perceived role as the orchestrator behind the BN's harsh takeover of Perak on February 5, 2009, saying: "It is unlikely that Najib will be able to live down the political baggage of having orchestrated the three-month Perak constitutional and political crisis and stalemate spawning two *Menteris Besar* (Chief Ministers), two Speakers, two assemblies together with three renegade state assembly members and a renegade state assembly clerk unless he is prepared to act boldly to admit his colossal error and misjudgment and agree to dissolve the Perak State Assembly to hold a Perak state-wide election to return the mandate to Perakians."[76]

The Perak crisis started when three PR members of the state assembly defected as independents friendly to BN. Najib, then Deputy Prime Minister, announced on February 4 that BN Perak had the numbers to form the government in Perak due to the defection. Later, the Sultan of Perak issued a statement on behalf of Mohammad Nizar Jamaluddin, Perak *Menteri Besar*, that all Executive Councilors must resign with immediate effect. However, Nizar refused to resign, which caused a series of legal battles between BN and PR, both sides claiming to be the legitimate government, thus weakening the political system and democracy of Malaysia and that of Perak, in particular. On March 14, 2009, even Malaysia's former premier, Mahathir Mohamad, said that the takeover was not in accordance law, and that the mistakes, bad strategy, and carelessness in the February 5, 2009 power grab, orchestrated

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[74] "Anwar Trains His Sights on 1Malaysia," *The Malaysian Insider*, April 30, 2009, 1, http://www.themalaysianinsider.com/index.php/malaysia/25013-anwar-trains-his-sights-on-1malaysia (accessed April 30, 2009).

[75] According to former *Menteri Besar* of Perak, Nizar Jamaluddin, the total number of people arrested was 157. See Shannon Teoh, "Clampdown Worse than Ops Lalang, says Nizar," *The Malaysian Insider*, May 27, 2009, 1, http://www.malaysianinsider.com/index.php/malaysia/27770-clampdown-worse-than-ops-lalang-says-nizar (accessed May 28, 2009).

[76] Zahiid, "Najib's 1Malaysia in Smithereens, Charges Kit Siang."

by Najib Razak, had led to the crisis in the state.[77] Six people were charged with insulting the Perak ruler after he backed BN's effort to govern the state. One pleaded guilty and was fined RM10,000, while the other five claimed innocence and asked for trial. UMNO asserted that those who opposed the Sultan's decision had committed treason.[78]

Shad Saleem Fariqi maintains that the Perak political crisis has tarnished all institutions—the Sultanate, the judiciary, the federal executive, the civil service, the police, the law officers of the Crown, the court registry, the Anti-Corruption Commission, and the Election Commission.[79] The opposition claims that all of these institutions were misused and manipulated, and that the federal constitution was disregarded to ensure that the BN would stay in power in Perak. The Court of Appeal's ruling to overturn the judgment of the High Court on the legitimate *Menteri Besar* of Perak deepened the crisis.[80] Therefore, many leaders from the PR and BN, such as MCA Deputy President Chua Soi Lek, the Malaysian Human Rights Commission (SUHAKAM), and NGOs such as the Malaysian Bar Council and Aliran, demanded that the state assembly be dissolved as the best way to resolve the crisis and return democracy to the people. Owed to the Perak crisis, it appeared that the agenda of "1Malaysia" was more or less to force the people to unite under BN's autocratic rule. Although Malaysia is heading toward deliberative democracy, BN is seen, especially by the opposition, to employ any method its leaders please to ensure its continuation in power.

Current Practices of Deliberative Democracy

Since the twelfth general election, the BN government has tried various methods to again dominate public opinion and regain voter support. Neither the BN government nor even the PR opposition has openly mentioned implementing practices of deliberative democracy such as town hall meetings, deliberative polling, or citizen juries, but both coalition parties realize that there is a need to encourage further citizen participation in the decision-making process. Although there are no deliberative practices being clearly employed, several efforts made by political leaders, the media, and netizens (Internet citizens) almost can be considered practices of deliberative democracy.

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[77] Shannon Teoh, "Dr M Says Perak Grab Unlawful," *The Malaysian Insider*, March 14, 2009, 1, http://www.themalaysianinsider.com/index.php/malaysia/20370-dr-m-says-perak-grab-unlawful (accessed March 22, 2009).

[78] Ibid.

[79] Shad Saleem Fariqi, "Put Interest of the Nation First," *Star Online*, May 20, 2009, 1, http://thestar.com.my/columnists/story.asp?file=/2009/5/20/columnists/reflectingonthelaw/3930922&sec=reflectingonthelaw (accessed May 21, 2009).

[80] The High Court ruled on May 11, 2009 in favor of Nizar of PR as the legitimate *Menteri Besar*. However, the Appeal Court overturned the decision to grant Zambry Abdul Kadir of BN to be the right *Menteri Besar* a week later.

The Malaysian government normally pursues state development through "top-down" policies.[81] Popular views often are excluded in the policy-making process, especially when the government has a great interest in a project. Mahathir, for instance, formerly was a builder, but some of his construction projects were designed not to be serviceable or to meet economic needs, but to impress, or even to embody an aesthetic aspiration. Robert Stephen Milne and Diane K. Mauzy observed that some of the mega projects, such as the Kuala Lumpur City Center (KLCC), Kuala Lumpur International Airport (KLIA), and the Putrajaya and Multimedia Super Corridor (MSC), were intended to astonish rather than to be practical or utilitarian—amazement was meant to be the essence of their beauty.[82] However, Mahathir argued that these projects were needed for Malaysia's progress and to move it toward being a fully developed state by 2020.

Today, we can see that there is government interest to employ "bottom-up" or "people friendly" policies and to introduce deliberative democracy, even though officials still are unsure which approach to deliberative democracy is suitable. According to Saifuddin Abdullah,[83] Deputy Minister in the Ministry of Entrepreneur and Cooperative Development and member of the national parliament from Temerloh, the business sector and civil society are involved in the decision-making process at a very limited level. At the national level, one of the few models of this is the National Youth Consultative Council (NYCC), established by the Ministry of Youth and Sports in 1972. The NYCC has been expanded to state and district levels. At levels beyond ministries, examples of citizen involvement are found in the National Economic Consultative Council (NECC) and the National Information and Technology Council (NITC).

The framework for deliberative democracy, or what Saifuddin has called "new governance," is vital because, in this more complex, modern era in which society is more educated and broadly informed, public happiness can no longer be defined as simply receiving the benefits and advantages of development. On the contrary, happiness is also linked to public participation and deliberation in the process of how development is planned, executed, and evaluated.[84] As Temerloh's MP, Saifuddin established a body for deliberative democracy at the district level known as the Temerloh Parliament Consultative Council (TPCC). The TPCC is a collective and consensual forum, or grass-roots parliament, meant to acknowledge and increase stakeholders' involvement in the decision-

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[81] Ishak Shari, "Pembangunan Desa dan Kemiskinan di Malaysia dalam tempoh Dasar Ekonomi Baru, 1972-1990" [Rural development and poverty in Malaysia during the period of New Economic Policy, 1972-1990], in *Malaysia: Critical Perspectives*, ed. Muhammad Ikmal Said and Zahid Embi (Petaling Jaya: Malaysian Social Science Association, 1996), 228.

[82] Richard Stephen Milne and Diane K. Mauzy, *Malaysian Politics under Mahathir* (London: Routledge, 1999), 67-68.

[83] Saifuddin Abdullah, *New Politics: Towards a Mature Malaysian Democracy* (Kuala Lumpur: Institut Terjemahan Negara Malaysia, 2008), xxviii.

[84] Ibid.

making process for the development of this parliamentary constituency, specifically, and for the state of Pahang and Malaysia, generally. The objectives are to listen to and channel the grievances of the people, as well as to obtain and consider their ideas and opinions concerning development. Saifuddin chaired the forum in which fifty representatives participated from the three different sectors: government/politics, business, and civil society.[85] The TPCC's first proceedings were held on June 14, 2008, and received overwhelmingly positive responses. Many issues and ideas were raised and several programs were identified for implementation. The TPCC also serves to monitor and evaluate the six areas of local development promised in Saifuddin's manifesto during the 2008 general election campaign, namely education and training, healthcare and fitness, employment and the economy, national identity and socio-culture, participation and civil society, and basic/public infrastructure.[86] The effort made by Saifuddin closely resembles a town hall meeting. Although this is a big step toward implementing deliberative democracy in Malaysia, so far it has received little acceptance or been copied by other MPs or other political leaders. A similar program, the Pagoh Consultative Council, has yet to function as a body of deliberative democracy.

The most common way for Malaysians to communicate and deliberate on national and international issues is through the Internet. The blog, news portals, and Facebook have become channels for public deliberation and can be directly accessed by political leaders from both the government and the political opposition. In fact, most influential political leaders have their own blogs and Facebook accounts. The Internet can definitely provide a forum for deliberation in the larger flow of communications in the public sphere. Carolyn Hendriks[87] divides deliberative democracy into two types: "micro deliberative democracy,"[88] which concentrates on defining the procedural conditions of a structured deliberative forum, and "macro deliberative democracy,"[89] which is more concerned with the messy, unstructured deliberation which takes place in the public sphere. In Malaysia, the Internet is in the second category, in which the netizens are the political activists, media, political commentators,

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[85] Ibid., xxix.

[86] Ibid., xxx.

[87] Carolyn Hendriks, "The Ambiguous Role of Civil Society in Deliberative Democracy," paper presented to the *Jubilee Conference of the Australasian Political Studies Association*, Australian National University, Canberra, October, 2002.

[88] See Jon Elster, "The Market and the Forum: Three Varieties of Political Theory," in *Contemporary Political Philosophy: An Anthology, 1997*, ed. Robert E. Goodin and Phillip Pettit (Oxford: Blackwell, 1986), 128-42, and Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Belknap Press, 1996).

[89] See Jürgen Habermas, *Between Facts and Norms*, trans. William Rehg (Cambridge, UK: Polity Press, 1996), and John S. Dryzek, *Discursive Democracy: Politics, Policy, and Political Science* (Cambridge, UK: Cambridge University Press, 1990).

academics, members of social movements, advocacy groups, and ordinary citizens. Communication through the Internet is not always or even mainly deliberative. It can feature propaganda, deceit, and manipulation. John S. Dryzek argues that communication in the public sphere can be evaluated according to the degree to which it meets deliberative ideals or to the degree to which it violates these standards.[90] Many political blogs, especially owned by political leaders such the Raja Petra (*Malaysia Today*), Mahathir Mohamad, Anwar Ibrahim, Lim Kit Siang, and Najib Razak, and Facebooks such as those of former minister and now PKR leader Zaid Ibrahim (http://www.facebook.com/myzaidibrahim), PAS President Abdul Hadi Awang (http://www.facebook.com/abdulhadi?ref=mf), Najib Razak (http://www.facebook.com/Dato-Sri-Najib-Tun-Abdul-Razak/27767103249?ref=ts), Anwar Ibrahim (http://www.facebook.com/Anwar-Ibrahim/16194831839?ref=mf), and Lim Kit Siang (http://www.facebook.com/limkitsiang2.0?ref=ts) advertise and broadcast only their activities and statements concerning current issues.

Furthermore, netizens merely comment on policy issues, but hardly any deliberation is found between political leaders and the netizens concerning the formulation of public policy. M. Bakri Musa[91] analyzes many of these Web sites or blogs. He observes that Najib's Web site is professionally designed and maintained. It makes full use of the new media, including Youtube, Facebook, and Twitter, but unfortunately its contents do not reflect the man. Musa complains,

> When I surf the websites of Mahathir, Lim Kit Siang or Anwar Ibrahim, I know that what is written reflects the person, right down to the tone and style of writing. I do not get that sense with *1Malaysia.com*. It is written as if from a third person perspective instead of being personal, the very reason for having a blog. Of course I do not expect Najib Razak to write his own speeches; he has other important things to do like running the country. I do expect him however, to be on top of his speechwriters, and to do the final reading and make the necessary editorial changes so those speeches would truly represent and sound as if they emanated from him. He has to leave his imprint.[92]

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[90] John S. Dryzek, "Deliberative Democracy in Different Places," in *The Search for Deliberative Democracy in China*, ed. Baogang He and Ethan J. Leib (New York: Palgrave Macmillan, 2006), 29.

[91] M. Bakri Musa, "Priority of Packaging over Performance-Najib Razak's First 100 Days," *Malaysian Insider*, July 21, 2009, 1, http://themalaysianinsider.com/index.php/opinion/breaking-views/32894-priority-of-packaging-over-performance-najib-razaks-first-100-days-m-bakri-musa (accessed July 22, 2009).

Not only is the style and tone of *1Malaysia.com* divorced from Najib, but so too is the content. When someone asked him what the "1Malaysia" concept meant, Najib was unable to articulate it coherently. He was unable to relate his "1Malaysia" concept to his party's pursuit for a unity government. Far from being his guiding vision, Najib's "1Malaysia" is nothing more than the slick concoction of his highly-paid public relations personnel.[93] This Web site also lists Najib's policies, statements, and agenda, inviting only positive comments from visitors without any initiative to have deliberation on policy agenda.

Many political blogs also seem to have a self-reinforcing function where like-minded users simply help each other solidify their fixed preferences by cutting themselves off from any meaningful critique of their own beliefs and values. Described by Cass Sunstein as a kind of "echo-chamber," many bloggers in Malaysia maintain that they do not want to engage in critical kinds of exchanges on-line, but instead use blogs to seek and interact with like-minded individuals.[94] Moreover, the same technology that allows users to access an infinite number of debates and news sources also allows them to ignore and filter out those that may be critical of their own viewpoints.[95] The upshot is that the fragmentation and polarization of online communities undermines the deliberative credentials of blogs, as they may be more about monologue than discussion.[96] Besides realizing the need for blogs to be used in practicing public deliberation, freedom of cyberspace is the most crucial issue in the current stage of Malaysian politics. This freedom must be ensured so that the people have alternative media to express their views, especially in policy matters, because the print and broadcasting media are controlled and dominated by the ruling government. Whether the views are accepted is up to the political leaders and policy makers to decide.

The other practice of deliberative democracy in Malaysia is probably a type of Citizen Forum called "*Perspektif Kita*" (Our Perspective), televised by cable channel Astro Awani every Saturday at 9:00 P. M. This program normally invites citizens, around fifty persons, to participate in discussion of national issues concerning the economy, politics, health, education, and crime, and so on, with political leaders, public officers, activists in civil society, academics, and others who are experts. Overseen by one coordinator, this program focuses

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[92] Ibid.

[93] Ibid.

[94] Cass Sunstein, *Republic.com* (Princeton, NJ: Princeton University Press, 2001).

[95] Amy Harmon, "Politics of the Web: Meet, Greet, Segregate, Meet Again," *New York Times*, January 25, 2004, http://www.nytimes.com/2004/01/25/weekinreview/25harm.html?ex=1390366800&en=1f841e0f15b6538f&ei=5007&partner=USERLAND (accessed September 1, 2009).

[96] John Maynor, "Blogging for Democracy: Deliberation, Autonomy, and Reasonableness in the Blogosphere," prepared for delivery at the 2007 Annual Meeting of the American Political Science Association, August 30-September 2, 2007.

on deliberation only, without offering concrete resolutions or recommendations for policy formulation or implementation.

The problem with deliberative democracy in Malaysia is that there is no official or government instruction for practicing it. In fact, Prime Minister Najib still imposes several restrictions on the people's right to free expression. For example, the *Merdeka Review* reported on May 15, 2009, that seven "sensitive" matters had been banned from discussion on RTM radio programs to prevent "controversy." The banned topics were opposition party politics, sex, race, language, religion, the monarchy, and morals related to current political developments.[97] These restrictions definitely will hinder the standard practice of deliberative democracy in Malaysia. In comparing Malaysia's deliberative democracy to authoritarian deliberation in China, there are differences and similarities. Unlike Malaysia, a semi-democratic state with economic capitalism and an Islamic cultural tradition, China is an authoritarian system at the "macro" level, with democratizing practices at the "micro" village and township levels; market-driven individualism at the economic level; and a mix of Marxist, Confucian, and liberal cultural traditions.[98] Although deliberative democracy in Malaysia is still in its infancy, the BN government's reason to introduce deliberative democracy is rather similar to China, which, in the view of the author, is to enhance authoritarian control and improve the authoritarian capacities of governance.[99]

Conclusion

In sum, Malaysia is now entering a new phase of its democracy which is a move from consociational to public deliberation. The weakened BN facing the prospect of a stronger PR contributes to this process. Consensus politics in the BN tradition is being eroded. The two main contributors to the transition are the strengthening civil society and the new media of the Internet. The government cannot simply disregard these two factors that have transformed Malaysian society. The ruling BN now realizes that it is facing a strong opposition and civil society. The opposition, civil society, and people, in general, have become "watchdogs" to whatever policy and political decisions are made by the government. Thus, the government has to be responsive to the public good and its interests in order to be accepted by the people and prolong it control of power.

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[97] Gan Pei Ling, "Najib & Co. (Part II)," The Nut Graph, July 13, 2009, 1, http://www.thenutgraph.com/najib-and-co-part-2 (accessed July 14, 2009).

[98] Baogang He and Ethan J. Leib, eds., "Editors' Introduction," in *The Search for Deliberative Democracy in China* (New York: Palgrave Macmillan, 2006), 6.

[99] Baogang He, "Western Theories of Deliberative Democracy and the Chinese Practice of Complex Deliberative Governance," in *The Search for Deliberative Democracy in China*, ed. Baogang He and Ethan J. Leib (New York: Palgrave Macmillan, 2006), 138.

The success of the "1Malaysia" concept remains to be seen, but it could be the best hope to ensure the BN's victory in the thirteenth general election, probably scheduled for 2013. Whatever happens in the future, Malaysia already has entered the new politics of deliberative democracy. Therefore, the BN government and the PR state governments must listen to public voices and serve the people's interests. They all must change or be changed in the next election if they violate the people's trust. The anxiety is that the BN government's only purpose in accepting deliberative democracy is to maintain its authoritarian agenda. However, it is clear that people now know about the power that they have through new technology to change the government. They want reforms, so the government must fulfill their demands and deliver reforms to them. Deliberative democracy will bring maturity to Malaysia through new politics.