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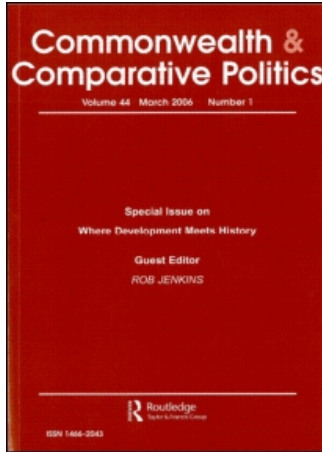
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Prickly ambivalence: State, society and semidemocracy in Malaysia

Meredith Weiss^a

^a Center for Democracy and the Third Sector, Georgetown University, Washington, DC

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Prickly Ambivalence: State, Society and Semidemocracy in Malaysia

MEREDITH WEISS

British colonial policies set the stage for the subsequent balance between state and civil society in Malaysia, including the persistent racial stratification of the public sphere, cross-racial differences in modes of state–society engagement and the focus on development of citizenship skills for some groups and autonomous self-regulation for others. This article explores the vestiges and implications of this legacy in Malaysia to assess, first, how determining an effect the colonial experience had on later political developments; and, second, how consideration of the sort of civil society and state–society relations that emerged out of this historical context adds nuance to our understanding of semi-democracy.

To some extent, the growth and entrenchment of an increasingly vibrant civil society has been an unforeseen and unwanted externality of Mahathir Mohamad's 22 years (1981–2003) as prime minister of Malaysia. Under his watch, increasingly affluent, educated and urban citizens sought to make their preferences heard on a range of issues, despite obstacles to engagement. However, civil society did not start with Mahathir. Rather, the roots of today's non-governmental organisations (NGOs) and social activism lie in voluntary welfare and progress organisations of the colonial era; as the state has evolved, so has civil society – and the development of both has had its twists and turns. This article explores the roots of contemporary civil society in Malaysia, the ways in which different segments of society have come to engage with and perceive the state and the role of civil society in

Meredith L. Weiss, Visiting Faculty Fellow, Center for Democracy and the Third Sector, Georgetown University, Washington, DC.

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changing both policy agendas and political norms. This examination demonstrates that while the state is resigned to working with rather than just against civil society organisations (CSOs), the relationship between state and civil society is complex and ambivalent.

Though it is the state that arguably grants space for civil society and economic enterprise, the relationship among segments of the public sphere is interactive and mutually constitutive. It is useful to think of the nature of political society, civil society and economic society in a state in terms of the extent to which these spheres have developed in tandem or not over time and how impermeable their borders are. By considering the polity beyond political society (or formal/electoral politics), on which so much of the literature focuses, the present study contributes to the literature on semidemocracy, often glossed as 'Asian' or illiberal democracy. It helps tease out the reasons for and extent of differences not just among the region's civil societies, but also among diverse organisations and citizens as they relate to a given state.

Different segments of Malaysian society approach the state in distinct ways. In particular, ethnic minority groups have been structurally marginalised since the colonial era, and thus have come to see the state as relatively closed or insulated against their interests. These groups thus tend more towards communal (ethnic group) self-reliance than dependence on the state. The Malay majority, on the other hand, is more prone to view the state as responsive and to direct its energies towards formal politics, developing democratic citizenship skills in the process. Despite its acknowledgment of the ways in which citizens recognise the state as accessible or not and engage accordingly, this study somewhat paradoxically reinforces state-centric theories by suggesting that it is the state's (and importantly, the *colonial* state's) means of maintaining order and organising economic society to preclude certain sorts of problematic political identities that largely determine the shape and nature of civil society. In other words, it is chiefly the state itself that sets the parameters within which citizens and groups relate to it. This conceptualisation begs the question of how much change is possible: how much agency do contemporary CSOs have to restructure lines of social cleavage, or are these cleavages too enduring to change, given their historical longevity and repetition not just in civil society, but also in economic and political society?

While this article cannot hope to respond conclusively to these questions, it does highlight their significance, demonstrate the difficulties of sorting out the dynamics involved and suggest ways of studying trajectories of change. The analysis here asserts the imperative of an historical perspective to understand state–society relations through investigation of critical junctures, paths not taken and the interplay of structural conditions and human agency. Importantly, since informal political participation may or may not yield

pro-democratic attitudes and behaviours, the self-organisation of groups within political society, civil society and economic society as discrete spheres may actually preclude the enhancement of broad-based national identities and maintain the segmented society fostered under British rule. As is apparent in Malaysia, 'semidemocracy' may refer not just to the mix of institutions in a given polity, but also to the fact that the regime may appear more 'democratic' to some citizens than to others – insights useful for understanding hybrid regimes in Asia and elsewhere.

ROOTS OF CIVIL SOCIETY IN MALAYSIA

Both the interplay of structure and agency, and different possibilities for how citizens may organise and relate to the state, are demonstrated effectively by the development over time of the public sphere in Malaysia. When the British came to Malaya (renamed 'Malaysia' in 1963), consolidating their control over the course of the nineteenth century, they established a system of indirect rule over a network of Malay states. The population of the peninsula initially was overwhelmingly Malay, though with clusters of long-resident Chinese, Arabs and others especially on the west coast. By the early twentieth century, however, the British had imported thousands of Chinese and Indian workers for plantation agriculture and mining; enough of these non-Malays stayed in Malaya that Malays feared being outnumbered in their own land as the colony approached independence in the 1940s and 1950s. The colonial economy, in which Malays were primarily rural agriculturalists, Chinese were concentrated in tin mining and urban commerce, and Indians comprised the bulk of plantation labour and also urban professionals (albeit with a significant degree of overlap especially among Indians and Chinese), reinforced linguistic, religious and cultural striations. The British preferred to further such segmentation, forestalling the development of cross-ethnic class consciousness through a policy of 'divide and rule'.¹ As independence neared, this racialised organisation of economic society came to be echoed in the development of both political society and civil society, due to the colonists' distinction between the rights and needs of indigenous and immigrant residents, as well as to the spatial, class, linguistic and other cleavages that were sustained or even aggravated by the pattern of economic organisation.

The departing British left in place an elite-dominated, racially organised political order, not averse to continued close ties with Britain (given a commonality of interest between communal elites and British capitalists), empowered with legal ammunition to cope with internal threats such as communist insurgency, and not really designed for critical mass engagement in politics. Malaysia is still today generally characterised as 'semidemocratic'

(a.k.a. 'quasidemocratic', 'pseudodemocratic', 'Asian democratic', or 'semi-authoritarian'). As explained by political scientist William Case, such states 'have few of the protections associated with liberal democracy, but also lack the more systematic repression associated with hard authoritarianism'.² Opposition parties compete openly and with some success, especially at the state (as opposed to federal) level; a degree of space is allowed for even politically oriented CSOs; and the regime claims a mandate and legitimacy on the basis of regular elections, even if these elections are not entirely free and fair. Still, state and ruling party are virtually fused, as permutations on the same ruling coalition (led always by the United Malays National Organisation, UMNO) have governed since independence in 1957; the executive has come clearly to dominate over the other branches of government; and the regime retains and periodically exerts coercive powers. The parties and powers that characterise the system are transparently artefacts of colonial rule; though much has changed since then, the essential contours of the regime the British ensconced remain.

Civil society in contemporary Malaysia has similarly hoary roots, being comprised primarily of the progeny of race-based self-help, social welfare, 'progress', labour, commercial and religious organisations of the late colonial period. The key historical antecedents to contemporary Malaysian CSOs are Chinese associations, especially secret societies; reformist Indian associations; and Malay nationalist and/or Islamic organisations prior to independence. While lacking the same issue basis of the advocacy CSOs that have taken shape since the 1970s, these early organisations are significant for pre-saging the composition of CSOs generally along ethnic lines, for having prompted the development of the legal codes which still govern and constrain CSOs and for moving beyond welfare and cultural functions to more critical political perspectives and activities. The different communities tended towards different sorts of associations in terms of both structure and function, in part due to their different access to and influence on the colonial and post-colonial state. These early associations evolved over time into both political parties and contemporary CSOs.³

Malay Voluntary Associations

Colonial-era Malay society was characterised by a deep socioeconomic rift between the agrarian mass and the aristocracy (through which Britain largely ruled). Cross-cutting organisations – beyond traditional, informal institutions for cooperation and mutual aid – were slow to emerge, and then tended from the outset to be more clearly politicised than their counterparts among the other ethnic communities. Both British policy and the fact that the traditional sultanates remained in place reinforced the sense among Malays that the government was ultimately responsible for their

interests – and for their interests above those of other ethnic groups – rather than the community's having to fend for itself.

With the spread of capitalism and wage labour, increasing urbanisation and social differentiation fostered a shift in associational life among Malays. Urban Malays, newly aware of their group identity and insecure amidst the competitiveness and cultural variety of city life, clustered initially in neighbourhoods based on place of origin and occupation, then increasingly formed organisations for community uplift and social welfare.⁴ Literary, social, sports, religious and political organisations started to emerge around the turn of the twentieth century. Leading these groups were generally non-Malay Muslims involved in administration and the modern economy, however; hence these groups appealed more to linguistic and religious loyalties than to ethnicity per se. By the 1910s–20s, educated Malays, especially teachers, civil servants, small-scale businessmen and journalists, had taken the lead in 'progress' and teachers' (including specifically female teachers') associations concerned with Malay advancement. Other voluntary associations of the era focused more on economic issues, and some made representations to the colonial government. These organisations performed a socially integrative function, preparing the ground for later political action.⁵ As Roff notes of prewar Malay cultural welfare and progress associations, 'they all practically without exception recognised the larger Malay society of which they were a part and spoke in holistic (if not necessarily nationalistic) terms of the task of improving the educational and economic status of the Malays within the plural society'.⁶

It was among Malays, too, that overtly political associations initially become most prominent, starting with the nationalistic *Kesatuan Melayu Singapura* (Singapore Malay Union, KMS) in 1926 and continuing throughout the run-up to independence. While the KMS was comparatively conservative, other organisations were more left-wing, like the nationalist *Kesatuan Melayu Muda* (Young Malay Union), formed in 1938. Leading these groups were young, English- or vernacular-educated Malays, along with a few traditional Malay authorities, both secular and religious. Still, the popularity and impact of these early Malay associations was limited due to the persistent state- rather than national-level identification of most Malays, limited available resources for mobilisation and British policies favouring the traditional aristocracy, which impeded the formation of a reformist-minded Malay middle class.⁷ Literary associations, which really took off in the interwar period, were more broadly successful. New Malay journals and newspapers, of which there were over 100 at the time, 'assisted the newly emerging elites to educate the masses politically, as well as to challenge, gradually, the traditional social and political structure. At the same time, more forthrightly, they reminded their readers of the increasing economic dominance

and demographic growth of the immigrant races'.⁸ Especially in the context of increasing political access and assertiveness of Chinese and Indians in Malaya, these literary efforts thus spurred the spread of radical nationalist sentiment among Malays. Many among the literary elite were active in early radical political parties and forerunners to today's politicised CSOs.⁹

Chinese Voluntary Associations

Most notable among Malayan Chinese were secret or 'Triad' societies, clan organisations, commercial organisations, cultural organisations, anti-Japanese organisations and educational organisations linked with hundreds of privately run Chinese-medium schools.¹⁰ Led mostly by successful Malayan Chinese merchants and entrepreneurs, these associations gradually grew more clearly politicised around the turn of the twentieth century, especially in response to efforts by both the Kuomintang and Chinese Communist Party to rally support in Malaya.¹¹ Among these types of colonial-era associations, secret societies were especially widespread and influential. As of 1888, 11 secret societies in Singapore were reported to have 62,376 members, while Penang had five secret societies with 92,581 members;¹² remnants of these societies persist even today. There was no central organisation over the various secret societies, however, and economic and other rivalries sometimes manifested themselves in murders, assaults and extortion. As described below, it is to British attempts to moderate and control Chinese secret societies that the roots of the primary laws governing civil society can be traced.

Chinese secret societies existed both in China (especially the political Triad Brotherhood, active since the seventeenth century) and among Chinese communities elsewhere, having been brought overseas by early Chinese immigrants. These groups were defined by having 'a set of well-defined norms, secret rituals and an oath that are intended subjectively to bind the members not to reveal the group's affairs'.¹³ Eligibility was determined sometimes by dialect group and other times by occupation, place of residence, or other criteria.¹⁴ Secret societies offered ethnic Chinese a community of like-minded people as well as protection, authority and ordering rituals in a foreign, unfamiliar land. More specifically, Chinese secret societies were fostered and sustained by inadequacies in the legal protection system.¹⁵ Colonial police control was inadequate given language barriers hampering investigations, the protection each secret society afforded its members and the groups' resentment of outside interference. Colonial authorities attempted to get leaders of the societies to control their own members and resorted as necessary to arbitration with secret societies, conciliation and, increasingly, coercion.¹⁶ Secret societies can thus be seen as a means to community self-reliance and not as doing much to foster a sense of identity with the state.

Much the same is true of commercial, educational and clan associations, all of which fostered and facilitated communal self-reliance.

Indian Voluntary Associations

Colonial-era Malayan Indian associations were closely linked with contemporaneous movements in India for religious and cultural reform as well as for independence. In Malaya, the community was marked by largely coincident caste, linguistic, economic, educational and urban–rural divisions, so cross-cutting mass organisations were difficult to sustain. In fact, these organisations tended to stress in-group identity more than cross-communal unity. It was not until after Nehru chided middle class Indians on a 1937 visit for their indifference to the rest of the community that the Central Indian Association of Malaya (CIAM) formed with the aim of representing all Indians.¹⁷ A Western-educated, professional minority comprised the elite of both the CIAM and most other organisations, despite initiatives to reform the system of caste stratification (which fostered such elitism) starting around the 1920s.¹⁸

Among the most common Malayan Indian associations were religious associations, youth organisations, social organisations and guilds.¹⁹ Probably the most notable, however, were and are labour-related associations: Indians were also among the first to establish modern, Western-style trade unions in Malaya. Many Indians were employed by large European estates and government departments, so prewar Indian organisations' activities often focused on improving conditions of work for the community. The quest for independence in India further spurred concern for the plight of Indian workers in Malaysia, while radical journalists did their part to politicise Indian workers, both through their writing and through direct mobilisation.²⁰ Early Indian organisations, therefore, did tend to engage with the state, but with a comparatively adversarial or defensive stance.

Legal Codes

Civil society in contemporary Malaysia is limited in scope and form by a network of laws, several of them with origins in the colonial era. The havoc at times wrought by secret societies in particular drove the British incrementally to augment their coercive powers over organisational life. In December 1869, the colonial government first enacted a law (made permanent three years later) requiring the registration of all societies of ten or more members and collection of details on members, accounts and rules for any society deemed likely to be a threat to the public order, as well as imposing fines on any society that participated in riots. When these guidelines proved inadequate to curtail secret society activities, the government of the Straits Settlements

(the heavily Chinese islands of Singapore, Malacca and Penang) enacted a new Societies Ordinance in January 1890. The ordinance required groups of more than ten members to register, stipulated that any group could be denied registration or forced to dissolve in the interest of public safety and order and established penalties for participation in unlawful societies (including Triad societies, which were specifically prohibited).²¹ This law evolved into today's Societies Act, the primary law regulating the activities and attributes of CSOs. Similar legislation was successively adopted throughout the Malay states, concluding with Johor in 1916.

It was communist agitation that sparked the colonial government's next wave of regulation. During World War II, large numbers of secret society members – those not executed by the Japanese occupiers – fled to the jungle to join Malayan resistance groups, most of them linked with the Malayan Communist Party (MCP).²² After the war and a subsequent period of near-anarchy, the British clamped down on both Triad societies and communists with the Societies Ordinance and with emergency regulations. Elements of the latter, including the Internal Security Act (ISA), which allows detention without trial in the name of national security, are still in force and have been used to deter and punish critical political engagement by groups and activists from civil society.

While the Societies Act remains the primary law over CSOs, the law has been amended several times and is supplemented by other enactments. For instance, in the early 1980s, the government tried to amend the Societies Act to create a separate category of 'political societies' (differentiated from presumably 'friendly' societies). A massive grassroots movement against the proposed changes thwarted the government's attempt. The regime was forced to ease these restrictions in 1983.²³ A similarly constituted coalition was less successful in its attempts to derail amendments to the Official Secrets Act several years later. By making necessary information even less accessible to activists, journalists and the general public, these amendments threatened to put a damper on all sorts of activism. The coalition of CSOs and journalists that organised against the amendments succeeded only in somewhat mitigating their severity.²⁴

The state has resorted to outright coercion at times, too, to keep critical activism in check. Sporadic crackdowns – or at least the fearful expectation of them – deters some potential activists and makes examples of others. Paramount among such attacks was 1987's *Operasi Lalang*. In this incident, over 100 activists and politicians were detained for alleged Marxist tendencies, many of them under the ISA. These arrests deterred some potential supporters from joining CSOs but also created martyrs, thus spurring new forms of protest and attendant organisations, particularly oriented around human rights.²⁵

Politicisation

While the primary focus of most voluntary sector groups among all communities in Malaya was initially welfare and communal self-help, many developed a specifically political orientation as Malaya edged toward independence in the 1940s–50s. However, Malaysians from different ethnic communities did not all see the state as equally well-positioned to meet their needs or interests and thus came to relate differently to political society. Malays tended to see formal politics as a promising arena and hence leaned towards parties and active engagement in electoral politics as presumptive citizens. Other communities tended towards autonomous, communal self-organisation, not least since their status as protocitizens was hotly disputed as independence loomed. Had the character of the state been less clearly proclaimed as ethnically ‘Malay’ rather than more inclusively ‘Malayan’ at the outset or the citizenship of ‘immigrant’ communities²⁶ been less ambiguous, perhaps these groups’ orientation vis-à-vis the state would have been different. Instead, especially since the organisation of economic society under the British privileged and even necessitated race-based rather than class- or otherwise-based parties and policies, marginalisation from and incorporation within the state continued to be structured along racial axes.

Malay women’s groups provide a good example of this political trend. Women had started to form teachers’ and other associations in the interwar years. Then, during the Japanese occupation in World War II, many women gained their first exposure to mass political activity through forced or voluntary participation in paid and unpaid labour corps as well as rallies and public lectures. Aside from giving practical experience in organising and political participation, life under Japanese occupation aggravated hardships such as food shortages and continuing illiteracy, highlighting women’s disadvantaged status and stimulating both rural and urban women to press for change in the postwar period.²⁷ After the war, in 1947, a network of previously formed *kumpulan kaum ibu* (mothers’ groups) focusing on cooking, handicrafts, adult literacy and the like confederated at the state level. In 1949, these groups then united as the women’s wing of a political party, the newly formed UMNO. The wing was called *Pergerakan Kaum Ibu UMNO* (UMNO Mothers’ Movement, or just *Kaum Ibu*) until a change of name to *Wanita UMNO* (UMNO Women) in 1971. Though it had little real authority within the party, *Kaum Ibu* took a strong stance in plans for independence and raised political awareness among both rural Malay women and the wives of prominent political and community leaders.²⁸

More broadly, the evolution of Malay associations up until the 1950s gave rise to two elite groups, each with a distinct organisational base. One group was comprised mostly of government servants or bureaucrats (many of

them also aristocrats) and tended towards political associations. The other group was comprised of teachers, journalists and others educated in vernacular schools, and concentrated on literary and cultural associations, whether with an Islamist or radical nationalist focus. Both camps, however, sought to protect Malay interests from the encroachment of non-Malays' (ethnic Chinese and Indian Malaysians') goals and organisations, including through electoral politics when that became an option.²⁹ Overall, as Tham explains, 'The quasi-political associations of the pre-war colonial period became replaced by registered political parties ... The emergence of such political parties effectively transferred the function of ameliorating the economic and educational problems of the Malays to the political parties'.³⁰

Non-Malays tended toward a different trajectory. Among Chinese and (to a lesser extent) Indians, government intrusion into their affairs is more likely to be feared as accompanying a diminution in minority group rights than welcomed. The colonial government was content to leave much of the burden for social welfare and community support to the voluntary sector; the Chinese in particular were left largely autonomous. Malayan Chinese and Indians still are less likely than Malays to rely upon the government to meet their communities' needs, and more likely to expect the community to be forced to protect itself, even though some key Chinese and Indian organisations (including even secret societies) did transform into political parties in the run-up to independence. Tham captures this dynamic by explaining that (at least to the mid-1970s), the motivational basis of Malay associations was 'to put pressure on the relevant ministry to obtain special privileges and financial assistance in respect of advancing the economic interest pursued', while non-Malay (especially Chinese) associations reflected 'the desire of their members to protect their specific occupational interests by preventing or discouraging governmental intervention in the operation of their activities', since government intervention 'usually leads to the lessening of their range of options'.³¹ Since Tham's writing, policies to reinforce the relative status and privileges of Malays, the continued salience of privately funded vernacular education as a linchpin of Chinese social organisation, and the increasingly Islamist (and hence Malay-centric) focus of state and society would argue against any real diminution in these communally differentiated tendencies.

Indeed, while the composition and functions of civil society have obviously developed over time, many of its key attributes have been inherited from the colonial era. Most notably, associational life still has a clearly racialised timbre. Modern advocacy-oriented CSOs, based around issues rather than communal interests and hence technically open to cross-racial membership, have taken root since the 1970s, starting with the Consumers' Association of Penang, established in 1969. Even these organisations, though, tend to attract either Malay or non-Malay members, and rarely both in equal

proportions. Other attributes of civil society have also held over from the colonial era. The legal framework in which CSOs operate has been refined rather than radically restructured since then; most groups are still concerned with communal interests (cultural, economic, educational, or other) rather than cross-cutting and/or politicised issues; and tension persists over how much of a role non-party CSOs should play in formal, electoral politics. It is to this last issue that the discussion now turns.

STATE–CIVIL SOCIETY ENGAGEMENT

The post-independence Malaysian state has been content to leave certain welfare tasks still to CSOs, but is reluctant to give such groups free rein or to permit them to become overly politicised. The state has sought to cultivate 'good' CSOs and to proscribe less pliant ones. Representatives of CSOs thus serve on a number of government boards and agencies for designing and implementing policies at the same time that the regime challenges social activists to join political parties and compete in elections (in which, the government knows, communal patterns of engagement are likely to prevail) if they wish to comment on state policies and priorities. Clearly, then, there is a disjuncture between the state's need for the services CSOs provide and its desire to be (or at least to be known as) the source of all things good in society. Moreover, inasmuch as communal identities help to condition individuals' perceptions of the state, certain categories of citizens are likely to be more loath to cooperate with the semidemocratic regime, and are thus perpetually sidelined or beleaguered.

Confounding the study of state–society engagement are issues of definition, especially of what it means to be 'political'. Gerard Clarke argues that, 'to be "political", a CSO must first participate in processes designed to create social meaning, and second, on the basis of that shared social meaning, participate in the distribution of resources and in the struggle to influence that distribution'.³² The Malaysian regime is willing to admit certain CSOs into discussions on the latter part of that definition, but does not want CSOs to do the first part: set priorities and provide citizens with new bases on which to evaluate their government. It is easier, too, for the state to control (by effectively and openly defeating) critics based in political parties than those based in civil society. As Tan and Bishan explain, 'The state seeks to control NGOs [non-governmental organisations] in the interests of national security because NGOs are seen as lobbying and pressure groups which do not have to be accountable to the "public trust", whereas elected politicians are at least legitimised in periodic elections'.³³ It is for these reasons that (as described above) the state attempted to force 'political' CSOs to

register as such – and presumably then to be proscribed as inappropriately orientated organisations that should redirect their efforts to the political sphere.

Indeed, the very space in which civil society engages with the state may reasonably be seen as granted by the state even if its precise parameters are ardently contested. The Malaysian constitution grants freedoms of speech and assembly and Malaysia considers itself a democracy. However, elections are to be the means through which citizens engage with the state, not social activism. As Mahathir in particular was wont to emphasise, Malaysia has and needs a communitarian and controlled form of democracy as opposed to an individualistic, unrestrained liberal democracy.³⁴ Citizens are expected to offer feedback to the state, but through official channels, most importantly elections. In the interim, they should trust the government to make wise decisions. Backing up the government's charges that critics are 'ungrateful' is an impressive record of growth and – especially under the outspoken, assertive Mahathir – a real sense of national identity, vision and pride.

Given this framework, which dates back to the elite-led, quasi-consociational order with which the British left Malaysia, most civil societal initiatives in Malaysia are non-confrontational and comparatively low-risk. Among the most prominent and controversial are campaigns around domestic political issues, although many activists focus also on transnational contention, such as campaigns in support of Muslims in Palestine or Bosnia or for democratisation in Burma. Activists and organisations sign petitions and letters of protest, making use of fax machines and the internet as well as face-to-face interactions to coordinate their efforts. Workshops and forums have been held over the years on topics ranging from domestic violence to East Timorese independence to the state of civil liberties in Malaysia, although not without being forcibly broken up on occasion. Marches and rallies are less common, but still do happen, especially during times of generally heightened activism like the *Reformasi* (Reformation) movement of the late 1990s. Thanks both to practice and improved media, especially electronic resources, forms of 'transgressive' contention, which involve innovative strategies such as delivering petitions to the king (now largely a figurehead), hunger strikes and candlelight vigils, have become more visible and routinised in recent years than previously.³⁵ At the same time, the government has allowed a degree of 'contained' engagement, granting representatives of especially relatively moderate, professionalised CSOs (for instance, consumers' groups like the Federation of Malaysian Consumers' Associations or the expertise-equipped All Women's Action Society) an official say in policy processes. Such individuals sit on a number of government boards for designing and implementing policies, and CSOs' representations to the government have at times openly influenced policy directions and decisions. New Prime Minister Abdullah Ahmad Badawi has vowed to increase such

constructive influence. The state has also done its best to coopt issues, most notably the movement strongest among Malays: Islamist or *dakwah* activism.

The past few decades of active engagement have done much to solidify a sense of entitlement among social activists and their organisations to participate in the policy process and in political affairs more broadly, even if not all expect to wield substantial influence. This shift is contrary to the presumptive essence of semidemocracy: the state is not all that insulated in its decision-making, nor is its hegemony of ideas and priorities complete, inasmuch as initiatives come from outside not just the party, but political society. All the same, the state's response to CSOs' advocacy efforts remains skewed along communal lines, as described above, and has ranged from cautiously encouraging (when the issue involved is one largely palatable to the regime) to openly hostile. Fear of a crackdown, especially detentions without trial under the ISA or comparable legislation, is bolstered by sporadic such strikes. While Mahathir openly acknowledged the social welfare functions of many CSOs, he actively discouraged too-critical engagement and resorted occasionally to selective (and on rare occasions, more widespread) arrests. Most famously, in 1986, the government declared five CSOs and two political parties 'thorns in the flesh' for their pernicky interventions.³⁶ Mahathir (backed up by former Deputy Prime Minister Anwar Ibrahim) stridently derided the 'intellectual elites' in CSOs for allowing themselves to become 'tools of foreign powers' as they attempted 'to make policies for the government'.³⁷ He repeatedly demanded that civil societal activists join or form political parties and contest elections rather than agitating from the sidelines. Many activists have indeed done just that, moving between civil society and political society based on their perception of how best to achieve their objectives.

Overall, the efforts of civil societal activists to engage the state have met with mixed results. As is described in more detail below, social activism has brought new issues onto policy agendas and had some degree of impact upon policymakers' decisions. Over time, the efforts of CSOs have also contributed to shifts in prevailing political norms, changing public perceptions of democracy and of the means and ends of the state, and has helped empower non-Malays and others historically disadvantaged in their relations with the state. All the same, even massive grassroots campaigns have at times been simply quashed or ignored, either in the interests of an overriding state mission or because the regime does not feel sufficiently threatened by the campaign to respond. Aware of the bind in which they find themselves and of the intransigence of long-standing societal cleavages and coercive institutions, social activists take advantage of opportunities for contained contention but also resort on occasion to transgressive contention. We turn now to some of these initiatives and their results.

EFFECTS ON POLICY AGENDAS AND POLITICAL NORMS

Long-term activism within Malaysia's civil society, whether these efforts are directed towards society or towards the state, has had a deep and enduring, if not always immediately obvious, impact on state policies and political norms. Within Malaysia's semidemocratic framework, CSOs have found ways to wield influence. Civil societal activism has been particularly salient in bringing the attention of the public and policymakers to issues such as environmental conservation and domestic violence. At the same time, the continued effort of social activists to influence policy agendas and overarching state priorities has worked to shift popular understandings of democracy and attitudes towards the government, including whittling away at longstanding communal orientations by redirecting attention toward programmatic issues. Taken together, these agenda-setting and normative effects suggest the real potency civil societal activists may have in generating or furthering substantial political change. Moreover, efforts at networking within civil society or across civil society and political society build on each other: coalition-building both deploys and enhances social capital and cross-group ties, and thus continuously engenders new coalitional and systemic options.

Changing Policy Agendas

A number of issues now prominent among the Malaysian public and policymakers may never have garnered much attention at all if not for the efforts of advocacy-oriented CSOs – although advocacy efforts around other issues have fared less well. Years of practice have left Malaysian CSOs increasingly skilled at lobbying both government and opposition parties in addition to more diffuse consciousness-raising, public education and service delivery. Among the issue areas in which civil societal activists have engaged substantially with the regime are the pace and scope of Islamisation, education and language policy, women's rights, consumer protection, human rights and civil liberties, health care (including prevention and treatment of diseases like HIV/AIDS) and sustainable development. In general, advocacy on those issues that complement – or at least do not contravene – other government objectives has been far more likely to be favourably received than otherwise. The nature of governance may thus be such as to reserve certain domains to the state, but the relative insulation or openness of the regime varies not just in communal terms, but also by issue area. For instance, civil societal organisations have met with a degree of success in pressing policy agendas not antithetical to, but simply not addressed by, the racialised order, given the cross-cutting nature of the issues involved.

One of the most noteworthy examples of CSOs' intervention in policy agendas has been the women's movement's largely successful pursuit of

reforms to rape laws and introduction of policies on domestic violence and sexual harassment. The coordinated efforts of several women's groups, including the Women's Aid Organisation, the Women's Section of the Malaysian Trades Union Congress, the National Council of Women's Organisations, and others (some of them organised formally in a Joint Action Group) starting in the early 1980s not only brought these issues into public discourse through expositions, forums, media reports and publications, but obliged the federal government to amend or pass and effectively implement relevant laws, extending to steps such as establishment of one-stop rape crisis centres and provision of specialised police training. Moreover, continued activism by women's groups – and the sprouting of new activist groups, like the All Women's Action Society and Women's Crisis Centre – has maintained attention to these 'women's issues'.³⁸

Another example of highly productive involvement by social activists is the peace movement's attempts to influence Malaysian foreign policy after Iraq's invasion of Kuwait in 1990. Peace activists organised in a *Gerak Damai* (Movement for Peace) comprised of NGOs, opposition parties and individuals prepared a petition condemning the attack and resultant war. The petition was accepted across parties in the Malaysian parliament. In various organisational forms, this movement has persisted in augmenting or encouraging more than fighting against Malaysian government policy (although the latter has occurred), especially with regard to fellow Muslim-majority states.³⁹

In a number of other issue areas, however, activists' efforts have been largely frustrated. For instance, human rights and civil liberties activists have been consistently unsuccessful in their efforts to have laws such as the ISA, OSA, Printing Presses and Publications Act and Universities and University Colleges Act (which curtails students' civil and political rights) relaxed or overturned.⁴⁰ Similarly, environmental activists have only sometimes been able to press a conservationist agenda. CSO-coordinated grassroots activism, spearheaded by groups such as the Consumers' Association of Penang and Sahabat Alam Malaysia (Friends of the Earth Malaysia), has prevented redevelopment of Penang Hill, saved the park Taman Negara from the Tembeling Dam and preserved Endau-Rompin as a state park. Comparable campaigns have failed, however, to forestall the construction of the Bakun and Selangor Dams, to keep Pulau Redang a state park, or to stave off any number of instances of logging and deforestation, ill-advised hill projects, or unsustainable road and bridge development.⁴¹ Despite the potential of issues-oriented advocacy work to surmount communal norms, the framework of communally stratified incorporation into or alienation from the semidemocratic state persists. It seems hardly coincidental that human rights and environmental organisations tend to be dominated by non-Malays, and historically more successful

peace activism (especially as related to policies regarding other Muslim-majority states) by Malays. The women's movement, for its part, is multi-racial, but arguably gains credence from the involvement of Malay CSOs and politicians.

Important accomplishments by at least some social activists notwithstanding, the Malaysian state remains powerful and, given its only limited embrace of democratic openness, unlikely to adopt changes it truly opposes. The state may garner political capital and goodwill, for instance, by taking positive steps to curb domestic violence, but is less inclined to accommodate societal demands for, say, preempting major development projects like the Bakun or Selangor dams on grounds of their deleterious consequences for environmental conservation and indigenous peoples. In this vein, electoral imperatives dictate that political leaders pay especial heed to the wishes of the Malay majority, particularly since the 'bargain' the British facilitated at independence solidified Malay political dominance even beyond brute demographic considerations.⁴² The colonial legacy of communal nuances in state-society relations is thus not insurmountable, but does still matter. Moreover, on some issues the state and particularly vocal social activists are largely in agreement – and on those issues the input of CSOs with specialised, useful knowledge may be welcomed and even solicited by the government and policy bureaucracy.

Changing Political Norms

Advocacy work by CSOs insists upon the government's fallibility – or at least on its inability to be all things to all citizens. Such efforts may thus have a more generalised impact on popular political norms, fostering a more active ideal of citizenship and readiness to question, monitor and participate in governance. On the other hand, if fruitless, activism in civil society may have the contrary effect, training comparatively marginalised individuals or groups to be depoliticised, 'corporate' actors who fend for themselves, rather than to be democratically engaged citizens. In the Malaysian context, too, certain CSOs have encouraged a more moral, even theocratic approach to governance; since the 1970s, the massive *dakwah* (Islamic proselytisation) movement has been especially critical to these efforts. Civil societal activism has been critical in these dimensions since before independence, as Malaysia set out to define citizenship and determine the broad contours and objectives of the emerging state. More recently, the example of cross-racial coalitions in civil society – more conceivable there than in political society, given many CSOs' promotion of issues rather than communalism – has at least proposed a reorientation of the public sphere and changes in popular political priorities and expectations.

As Malaya approached independence, newly formed parties and both old and new CSOs debated fundamental questions of citizenship and sovereignty. Prominent Chinese organisations, for instance, sought to base citizenship on place of birth rather than ethnicity (such that non-Malays could be deemed fully 'Malayan' in nationality), UMNO and the Malay nationalist organisations backing it deemed Malays the rightful leaders and citizens of Malaya, while Islamist groups envisioned Islam as central to national identity.⁴³ These debates have never been completely resolved; in particular, the question of what priority in the polity Malay ethnicity or Islam as religion grants citizens has been kept alive at least as much by dakwah and Malay nationalist organisations (such as Universiti Malaya's Malay language society in the 1970s) as by competing political parties and remains salient today.⁴⁴

In another vein, the rise of advocacy-oriented CSOs by the late 1970s and early 1980s reinvigorated debates over Malaysia's constitutional structure, and particularly the appropriate level of democratisation for the polity. CSOs focused overtly on relatively narrow dimensions of public policy and social change, for instance human rights or women's welfare, called into question the limited amount of space they enjoyed to organise and the constraints on popular participation in politics outside elections. These groups began gradually to widen the ambit of political discourse, encouraging broader democratisation, in addition to their agenda-setting roles.

One of the ways such groups most effectively avowed their legitimacy, even if not ultimately successful in policy terms, was by building massive, cross-cutting coalitions of CSOs, which surmounted communal agendas in the interest of specific shared policy goals. Among such coalitions were ones to oppose amendments to the Societies Act and OSA; in opposition to several environmentally destructive development projects (dams, bridges, etc.); and to press for more clean and fair elections. Probably the most far-reaching and noteworthy of these coalitions, however, was the Reformasi movement of the late 1990s. Formed in response to the purging of charismatic Deputy Prime Minister Anwar Ibrahim from his government and party posts in 1998, this movement (manifested as a series of coalitions) came to include a panoply of CSOs as well as all the major opposition political parties. In terms of concrete objectives, the movement sought an array of policy changes, primarily to safeguard civil liberties, promote economic justice and make governance more open and accountable. More broadly, though, the Reformasi movement sought a normative shift in the general public and in electoral politics, towards more liberal democratic, issues-based rather than communally oriented, political perspectives and objectives. This movement built upon previous experience of coalition-building across CSOs to promote these aims. All the same, the movement, and especially the political party that grew out of it,

was clearly (and increasingly) Malay-oriented, despite its multiracial rhetoric.⁴⁵

Nonetheless, thanks largely to such efforts within civil society, Malaysian citizens – especially Malays – have become convinced over the years of their right to participate in the polity beyond elections. This shift signals a change in state–society relations overall, even if certain constituencies still feel more or less connected with the semidemocratic state. Government and media discourse about CSOs, even if critical, has raised awareness of these organisations and what they do. The state's implicit or explicit sanctioning of certain groups, devolution of certain social welfare tasks to CSOs and the apparent need to crack down at times to curb overly potent and widespread social activism belie its leaders' claims that Malaysia's democracy is really just a procedural one and that an authoritative, strong state is both necessary and desired by the mass public in Malaysia. Indeed, Mahathir's successor, Abdullah Ahmad Badawi, has promised to consult with CSOs considered to be stakeholders (or representatives of stakeholders) in particular policies and to take their say seriously.⁴⁶ This trend has been most apparent since the late 1990s and Reformasi. However, the trend dates back much farther, to the early attempts of voluntary organisations to influence the shape and goals of the nascent Malayan state.

CONCLUSION: COMPLEX COEXISTENCE

The consolidation of a reasonably stable semidemocracy in postwar Malaysia has included a gradual reconfiguration of state–civil society relations. These relations have never been entirely cordial, as, from the outset, modern societal organisations were met with colonial legislation to control them. However, with economic growth, rising education levels, urbanisation and globalisation (such that Malaysians know how their government compares with those of other states), the mass of citizens have demanded and achieved more of a say in the agendas and orientation of their government. The result is unevenly distributed across groups within society and far from full political liberalisation – and, indeed, calls for political change are not necessarily to move in the direction of liberal democracy. Overall, however, civil societal activism has succeeded in influencing state policies and political norms.

More broadly, though, the dynamics of this interaction reveal more than just the fact that Malaysian semidemocracy is not impervious to societal entreaties. Disaggregating 'civil society' reveals that the state appears, and acts, more 'democratic' to some citizens than to others. In Malaysia, race remains the most salient line of cleavage, but class, location (urban versus rural), or other attributes also play a role and might dominate in another

context. How responsive the state is likely to be conditions the ways in which particular subsets of citizens engage with the regime, such that we may more appropriately speak of 'state–society relations' in Malaysia (or presumably in other states) as a menu than as a single coherent model. Moreover, these various ways of relating, while not unchangeable, are sticky, dating back as they do to colonial-era patterns of social and economic organisation, reified through decades of replication in political society as structured by domestic elites. This study hence proposes that regimes – whether semidemocratic or otherwise – cannot adequately be studied from the most common largely static, institutional perspective; rather, all sectors of the public sphere influence each other, condition how the state appears to its citizens and determine how belligerent or benign, and interactive or aloof, relations across these sectors are. Even if the overall effect is one of ambivalence, as is the case in Malaysia, those shades of affect between state and civil society may be experienced as much contemporaneously across categories of citizens as sequentially across time.

NOTES

1. See especially C.E.R. Abraham, *Divide and Rule: The Roots of Race Relations in Malaysia* (Kuala Lumpur: Institute for Social Analysis [INSAN], 1997).
2. W. Case, 'Malaysia's Resilient Pseudodemocracy', *Journal of Democracy*, 12/1 (2001), 43. See also H.A. Crouch, *Government and Society in Malaysia* (Ithaca, NY: Cornell University Press, 1996); R.S. Milne and D.K. Mauzy, *Malaysian Politics under Mahathir* (New York: Routledge, 1999); Zakaria H.A., 'Malaysia: Quasi Democracy in a Divided Society', in L. Diamond, J.J. Linz and S.M. Lipset (eds.), *Democracy in Developing Countries, Volume Three: Asia* (Boulder: Lynne Rienner Publishers, 1989).
3. The following section draws largely from M.L. Weiss, 'Malaysian NGOs: History, Legal Framework, and Characteristics', in M.L. Weiss and H. Saliha (eds.), *Social Movements in Malaysia: From Moral Communities to NGOs* (London: RoutledgeCurzon, 2003).
4. W.R. Roff, *The Origins of Malay Nationalism* (Kuala Lumpur: Oxford University Press, 2nd edn. 1994), 178–80.
5. L. Manderson, *Women, Politics, and Change: The Kaum Ibu UMNO, Malaysia 1945–1972* (Kuala Lumpur: Oxford University Press, 1980); Roff, *Origins*, 181–7, Tham S.C., *The Role and Impact of Formal Associations on the Development of Malaysia* (Bangkok: Friedrich-Ebert-Stiftung, 1977), 25–8.
6. Roff, *Origins*, 185.
7. Ibid.; Tham, *Role and Impact*, 25–8.
8. H.A. Firdaus, *Radical Malay Politics: Its Origins and Early Development* (Petaling Jaya: Pelanduk Publications, 1985), 58–9.
9. Firdaus, *Radical Malay Politics*, 62–3.
10. G. Hicks (ed.), *Chinese Organisations in Southeast Asia in the 1930s* (Singapore: Select Books, 1996), 76–90.
11. P.K. Heng, 'Chinese Responses to Malay Hegemony in Peninsular Malaysia 1957–96', *Tonan Ajia Kenkyu [Southeast Asian Studies]*, 34/3 (1996), 34; T.T.-W. Tan, 'Singapore Modernization: A Study of Traditional Chinese Voluntary Associations in Social Change' (PhD Dissertation, University of Virginia, 1983), 115–53.
12. Hicks (ed.), *Chinese Organisations*, 91.

13. L.F. Mak, *The Sociology of Secret Societies: A Study of Chinese Secret Societies in Singapore and Peninsular Malaysia* (Kuala Lumpur: Oxford University Press, 1981), 8.
14. W. Blythe, *The Impact of Chinese Secret Societies in Malaya: A Historical Study* (Kuala Lumpur: Oxford University Press, 1969), 1.
15. Mak, *Sociology of Secret Societies*, 17–21.
16. Blythe, *Impact*, 2–5.
17. R. Rajoo, 'World-View of the Indians with Regard to Their Social Identity and Belonging in Malaysia', in Mohd, Taib O. (ed.), *Malaysian World-View* (Singapore: Institute of Southeast Asian Studies, 1985), 155.
18. Rajoo, 'World-View', 149–54; Tham, *Role and Impact*, 105–9.
19. Tham, *Role and Impact*, 107–17.
20. INSAN, *Sucked Oranges: The Indian Poor in Malaysia* (Kuala Lumpur: Institute of Social Analysis [INSAN], 1989), 51.
21. Blythe, *Impact*, 2–6.
22. Blythe, *Impact*, 8.
23. K.S. Gurmit Singh, *Malaysian Societies: Friendly or Political?* (Petaling Jaya: Environmental Protection Society Malaysia and Selangor Graduates Society, 1984).
24. K.S. Gurmit Singh (ed.), *No to Secrecy: The Campaign against 1986's Amendments to the OSA* (Kuala Lumpur: Aliran et al., 1987).
25. For instance, human rights group Suara Rakyat Malaysia (Voice of the Malaysian People, or Suaram) formed out of a support group for ISA detainees and their families in the late 1980s.
26. Many Malays were themselves immigrants or the progeny thereof, primarily from what is now Indonesia, while a subset of Chinese Malaysians had been in the area for generations, so these categories were approximations at best.
27. Manderson, *Women, Politics*, 51–2.
28. M.K. Khadijah, 'Continuity and Change in Women's Political Participation in West Malaysia' (Unpublished paper, n.d.), 7–9; S.Y. Lai, 'The Women's Movement in Peninsular Malaysia from 1900–99: A Historical Analysis', in Weiss and Saliha (eds.), *Social Movements in Malaysia*; Manderson, *Women, Politics*, 50–55.
29. Firdaus, *Radical Malay Politics*, 3; Tham, *Role and Impact*, 28–32.
30. Tham, *Role and Impact*, 32–3.
31. Ibid., 63.
32. G. Clarke, *The Politics of NGOs in South-East Asia: Participation and Protest in the Philippines* (New York: Routledge, 1998), 6.
33. B.K. Tan and Bishan Singh, *Uneasy Relations: The State and NGOs in Malaysia* (Kuala Lumpur: Gender and Development Programme, Asian and Pacific Development Centre, 1994), 14.
34. For an evaluation of the nature and continuing stability of Malaysian democracy, see Case, 'Malaysia's Resilient Pseudodemocracy'.
35. Per McAdam, Tarrow and Tilly, political contention is 'contained' when all parties to the contention are previously established political actors and 'transgressive' when at least some parties are newly self-identified as political actors and/or employ innovative strategies for collective action. D. McAdam, S. Tarrow and C. Tilly, *Dynamics of Contention* (New York: Cambridge University Press, 2001), 7–8.
36. K.S. Gurmit Singh, *A Thorn in the Flesh* (Petaling Jaya: Gurmit Singh K.S., 1990).
37. G.P. Means, *Malaysian Politics: The Second Generation* (Singapore: Oxford University Press, 1991), 194, 198–9.
38. See Lai, 'Women's Movement'; P. Martinez, 'Complex Configurations: The Women's Agenda for Change and the Women's Candidacy Initiative', in Weiss and Saliha (eds.), *Social Movements in Malaysia*.
39. Y.T. Fan, 'The Peace Movement and Malaysian Foreign and Domestic Policy', in Weiss and Saliha (eds.), *Social Movements in Malaysia*; M.L. Weiss, 'Transnational Activism by Malaysians: Foci, Tradeoffs, and Implications', in A. Uhlin and N. Piper (eds.), *Transnational Activism in Asia: Problems of Power and Democracy* (London: Routledge, 2004), 135–6.

40. M.L. Weiss, 'The Malaysian Human Rights Movement', in Weiss and Saliha (eds.), *Social Movements in Malaysia*; Weiss, 'Malaysian NGOs'.
41. See S. Ramakrishna, 'The Environmental Movement in Malaysia', in Weiss and Saliha (eds.), *Social Movements in Malaysia*; Tan and Bishan, *Uneasy Relations*.
42. The Malay majority has been increasing over time and currently represents around two-thirds of the population.
43. See for instance, A.B. Shamsul, 'Nations-of-Intent in Malaysia', in S. Tonnesson and H. Antlov (eds.), *Asian Forms of the Nation* (London: Curzon Press, 1996); L.E. Tan, *The Rhetoric of Bangsa and Minzu: Community and Nation in Tension, the Malay Peninsula, 1900–1955* (Clayton, Victoria: Centre of Southeast Asian Studies, Monash University, 1988).
44. For instance, M. Chandra, *Islamic Resurgence in Malaysia* (Petaling Jaya: Penerbit Fajar Bakti, 1987); A.B. Shamsul, 'Identity Construction, Nation Formation, and Islamic Revivalism in Malaysia', in R.W. Hefner and P. Horvatic (eds.), *Islam in an Era of Nation States: Politics and Religious Revival in Muslim Southeast Asia* (Honolulu: University of Hawaii Press, 1997).
45. M.L. Weiss, *The Politics of Protest: Civil Society, Coalition-Building, and Political Change in Malaysia* (Stanford: Stanford University Press, forthcoming 2005), chs.5–6.
46. Interview with Khairy Jamaluddin, Special Assistant to the Deputy Prime Minister, Putrajaya, 26 Aug. 2003.