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Malaysia's transitional moment?

Democratic transition theory and the problem of Malaysian exceptionalism¹

Jason P. Abbott

Abstract: Many theorists of democratization transition have, either explicitly or implicitly, a teleological concept of political progress, liberalization and reform. For such theorists, countries such as Malaysia are therefore in transition towards substantive 'full' liberal democracy. Taken in this light, the significant advances by opposition political parties in the 2008 federal and state elections in Malaysia represent a major advance towards this end goal. While many have highlighted that Malaysia may in fact be an exception to this rule, this paper contends instead that the Malaysian case study challenges the central tenets of democratic transition more profoundly. Indeed, since independence the Malaysian regime has proved remarkably resilient and resistant to pressures for political liberalization.

Keywords: democratization; development; discourse; teleology; transition; Malaysia

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Many commentators and political scientists saw a unique democratic moment for South East Asia in the aftermath of the Asian financial crisis of 1997. The collapse of authoritarian rule by General Suharto in Indonesia and the successful transition of the country to democracy were seen as another pivotal moment in the successive 'waves' of

¹ The author wishes to acknowledge and thank Professors Shaun Breslin (University of Warwick) and Stephen Chan (SOAS) for their comments, as well as feedback from faculty at the Department of Political Science at the University of Louisville, Kentucky, where an earlier version of this paper was presented. In addition, he would like to acknowledge the constructive comments of two anonymous reviewers.

Table 1. Results of Malaysian parliamentary elections, 1999–2008.

Party	1999	2004	2008
<i>Barisan Nasional</i>	148	198	140
UMNO	72	109	79
MCA	28	31	15
MIC	7	9	3
<i>Opposition</i>	45	20	82
PKR*	5	1	31
PAS	27	7	23
DAP	10	12	28
Total seats	193	219	222

Source: Election Commission of Malaysia.

*Prior to 2004, PKN.

democratization that had been sweeping the world since the mid-1970s. Demonstration effects seemed to abound, most notably with the adoption of the cry of *Reformasi* by the protestors who flocked to the streets of Kuala Lumpur in the autumn of 1998 to protest in support of the former Deputy Prime Minister of Malaysia, Anwar Ibrahim.²

However, in Malaysia the *Reformasi* movement was unable to produce either democratic transition or political reform and liberalization. Anwar was detained under the draconian Internal Security Act and subsequently sentenced for corruption. In the general election of 1999, while the opposition coalition led by Anwar's wife Wan Azizh achieved some notable progress (Abbott, 2001), it failed to deny the ruling coalition of parties its two-thirds majority. Subsequently beset by internal divisions, the opposition would be comprehensively defeated five years later in the general and state elections of 2004 (see Table 1).

Although Anwar was released from prison in September 2004, he was legally barred from holding political office until April 2008. Consequently, the Malaysian opposition was not to be catalysed by Anwar again until the Barisan Nasional government called elections for March 2008. His legal bar notwithstanding, Anwar in due course became the

² Anwar Ibrahim was sacked from his post as Deputy Prime Minister on 2 September 1998, dismissed from UMNO two days later and finally detained by police on 20 September. Detained under the provisions of the Internal Security Act, Anwar was eventually convicted of both corruption and sodomy and sentenced to serve sentences of six years and nine years concurrently. The charge of sodomy was overturned by the federal court on 2 September 2004, and Anwar was released following a reduction in his corruption sentence due to good behaviour. It is widely believed that both charges were concocted as a result of divisions and recriminations between then Prime Minister Mahathir and Anwar.

de facto leader of a renewed *Reformasi* coalition, which once again was formalized in a pact between the Islamic party PAS, the largely Chinese Democratic Action Party and Anwar's own party, Keadilan.

The results of Malaysia's twelfth General Election took even the most seasoned Malaysian political commentators by surprise. Although the Barisan Nasional coalition headed by UMNO, which has ruled Malaysia since independence, retained its overall majority in parliament (see Table 1), for only the second time in the country's 51-year history, the coalition lost its two-thirds majority.³ Furthermore, in parallel elections for the state governments, the opposition Peoples Pact [Pakatan Rakyat] won control of five of the twelve states that held elections.⁴ Significantly, the opposition broke out of the heartland of the Islamic party (PAS) in the north of Malaysia to win power in Malaysia's two most economically developed states, the island of Penang (where the Chinese form a plurality of the population) and in Selangor (the state that effectively surrounds the capital, Kuala Lumpur).

While retaining their majority, the victory was interpreted on all sides as a symbolic defeat for the Barisan and a telling indictment of Prime Minister Abdullah Badawi's leadership. To add insult to injury, following his formal requalification for political office, Anwar was unsurprisingly returned to parliament on 26 August following victory in a parliamentary by-election, whereupon he was sworn in as leader of the opposition.⁵

Buoyed by his by-election success, Anwar began a concerted public campaign to persuade enough MPs within the ruling Barisan coalition to defect to the opposition to achieve an end to its unbroken rule. Despite assurances that he had sufficient promises to achieve this goal, his deadline for it passed uneventfully. Indeed, the only actual defections to occur have been in the opposite direction – from the opposition to the government.⁶ Once again, it appears that Malaysia has resisted the teleological wave of democratization.

³ The first time was in 1969, following which the country was racked by ethnic riots.

⁴ 'Malaysia's governing coalition suffers a setback', *New York Times*, 9 March 2008, Website: http://www.nytimes.com/2008/03/09/world/asia/09malaysia.html?_r=1&scp=14&sq=malaysia+election&st=nyt.

⁵ 'Anwar wins big in Malaysian by-election', *International Herald Tribune*, 26 August 2008, Website: <http://www.ihf.com/articles/2008/08/26/asia/malay.php>.

⁶ 'Malaysian opposition shrugs off defections to ruling party', 29 May 2008, *AFP*, Website: <http://afp.google.com/article/ALeqM5iWrOfSuTKbW1wpPt6gA8hi45-cPw>; and the Perak Constitutional Crisis triggered by the defection of two PKR assembly men to UMNO and the decision by one DAP assembly woman to become an independent in February 2009, 'Dilemmas over defections', *The Star*, Website: <http://thestar.com.my/news/story.asp?file=/2009/2/8/focus/3223040&sec=focus>.

Consequently, this paper posits that, rather than an exception to the general pattern of democratic transition identified in the so-called 'transitology' literature, the Malaysian case study instead challenges its central tenets. Indeed, contrary to the view that Malaysia is a regime in transition towards 'full' democracy, the political regime in Malaysia is not necessarily 'going' anywhere. In other words, the regime is relatively embedded and has proved itself to be remarkably resilient and resistant to pressures for political liberalization. This does not exclude the possibility that at a future date the opposition might secure sufficient votes to ensure a majority in parliament, but such an outcome is by no means inevitable. Furthermore, the paper contributes to a growing critique of democratic transition theory that highlights significant flaws in the construction of meta-narratives of societal and political development.

Problematizing transition

From the so-called 'Carnation Revolution' in Portugal in 1974, which brought down the military dictatorship that had ruled the country for almost half a century, to the democratic transitions that swept aside a swathe of communist regimes in Eastern Europe and the former Soviet Union, theorists of democratization have argued that the world has witnessed a third and even a fourth wave of democratization (Huntington, 1993; Doorenspleet, 2005).

This seemingly irresistible teleological force has precipitated transitions worldwide, including in East Asia. Here, the pivotal moment is generally regarded as being the overthrow of the Marcos regime in the Philippines in 1985, which was followed respectively by an end to the autocratic government of Chun Doo-Hwan in South Korea in 1992, the peaceful transition of power in Taiwan between 1987 and 2000, and an end in 1998 to the 32-year rule of General Suharto in Indonesia.

The work of Samuel Huntington aside, there is a long tradition in the social and political sciences that sees a causal relationship between capitalist development and democratization, with a plethora of quantitative and qualitative empirical research on the subject. For many of these theorists, liberal democracy is both progressive and inevitable, with the emerging middle classes identified as the agent of democratization (Lipset, 1959, 1960). As Robison and Goodman (1996, pp 1–2) have argued,

‘...the imagination of the West, and indeed, of the East as well, has been captured by the dramatic emergence in East and South East Asia of a new middle class and a new bourgeoisie . . . [t]hey are increasingly regarded as the economic dynamisers of the twenty-first century . . . [and] seen as embodying universal interests which will create an Asia more like the liberal stereotype: more rational, more individualistic, democratic, secular and concerned with human rights, the environment and rule of law.’

One can argue that much of the literature on democratization echoes the work of modernization theorists in the 1950s. Predominantly American political scientists, modernization theorists proposed that democratization was a normative programme for the transformation of societies from ‘backward’, rural, predominantly authoritarian societies into modern democratic ones (Almond and Coleman, 1960; Almond and Powell, 1966; Rostow, 1960). Explicit in this viewpoint were both an empirical relationship and a positive correlation between economic development and political development. The more developed a society was economically, the more democratic it would be politically. Furthermore, open relations with the capitalist world economy would stimulate both economic and political development, since capitalism would encourage the growth of a domestic bourgeois elite that would become the vehicle for modernization and the political transformation of the state.

In the wake of the transitions to democracy in Latin America and Eastern Europe, theorists of democratization proposed a more complex relationship between capitalism and democratization in the developing world (for example, Gunther, Diamandouros and Puhle, 1995; Huntington, 1996; Leftwich, 1996; Linz and Stepan, 1996; Pastor, 1989; Rueschemeyer and Stephens, 1992), but one that nevertheless reached broadly similar conclusions. Again, capitalist development was regarded as pivotal, since it shifted the balance of power in societies from authoritarianism to social groups more inclined to democratic norms. As Rueschemeyer and Stephens (1992, p 7) comment,

‘capitalist development is associated with democracy because it transforms the class structure, strengthening the working and middle classes and weakening the landed upper class. It was not the capitalist market nor capitalists as the new dominant force, but rather the contradictions of capitalism that advanced the cause of democracy.’

Consequently, much of this work places emphasis on domestic class relations, elite struggles and transnational class relations, while the importance of civil society organizations and the impact of exogenous factors, such as war, alliances and economic crises, are also highlighted for their transformative potential.

Viewed through the lens of democratic transition theory, Malaysia stands out as something of an incongruous exception – a regime that, despite massive socioeconomic transformation, has made little progress towards a fully functioning democracy.⁷ Indeed, most commentators and observers of Malaysian politics would broadly agree that since independence the country's political regime has remained remarkably resilient and resistant to change.

Economically, Malaysia has been one of South East Asia's most dynamic countries. Widely lauded as a newly industrializing country, as one of the second wave of Asian 'tigers', or in the typology of the World Bank, a High Performing Asian Economy, between 1971 and 2007, Malaysia's economic growth averaged over 7% per year. In absolute terms, gross domestic product (GDP) at constant 1980 prices, grew from Malaysian Ringitt 59.1 billion to 292.3 billion between 1980 and 2007.⁸ Consistent with that growth, per capita gross national product (GNP) in current US dollars rose from \$1,812 in 1980 to \$5,756 over the same period.⁹ Consequently, the Malaysian middle class has grown from less than a fifth of the population in 1970 to, by some estimates, close to half of the current population¹⁰ (see, for example, Loh Kok Wah, 2002, p 41). According to transition theory, the political consequences of this growth should have been increased pressure for political liberalization and democratization. Conversely however, during the 1980s and 1990s, at the height of Malaysia's economic boom, the country actually became less democratic (Jesudason, 1996, p 128; Tan, 1990, pp 33–35). Under the premiership of Dr Mahathir Mohamad

⁷ While this paper does not debate how we define democracy, it nonetheless assumes a conception of democracy that is importantly both procedural and substantive. Dahl's polyarchal definition of democracy (1998) is as good a definition as any. Such a definition requires a strong degree of social capital and civic community. For a discussion of the importance of this in embedding democratic norms and values into society as a whole, see, for example, the work of Puttnam (1993, 1995).

⁸ Figures courtesy of the IMF World Economic Outlook Database, Website: <http://www.imf.org/external/pubs/ft/weo/2006/01/data/index.htm>.

⁹ Figures courtesy of the IMF World Economic Outlook Database, <http://www.imf.org/external/pubs/ft/weo/2006/01/data/index.htm>.

¹⁰ Forty-six per cent by 2002.

(1981–2003), the independence of the judiciary was curtailed, the powers of the rotating monarchy weakened and internal democracy within the ruling United Malays National Organization was also truncated (Case, 2002, p 110).

Another key feature of the transition literature is that socioeconomic transformation should give rise to the growth of a vibrant and dynamic civil society, which itself becomes a key advocate and agency for greater democratization, as well as an important check on authoritarianism (Bryant, 1993; Gill, 2000). Huntington and others argue that the emergence of democratic reformers in civil society is important in creating the possibility and opportunity for alliances to be constructed with moderate elements within the ruling elite of authoritarian regimes. In Malaysia, at first glance, civil society does appear to have grown concomitantly with economic growth, as transition theorists would expect and predict.

As I noted in an earlier article (Abbott, 2001), economic growth in Malaysia has resulted in the emergence of prominent civil society organizations, including the Consumer Association of Penang (1970), the Environmental Protection Society of Malaysia (1974), *Aliran* – human rights (1977); *Sisters in Islam* (1987), *SUARAM* – human rights (1987), *Tenaganita* – women's rights (1990), *HAKKAM* – human rights (1991), *JUST* – political reform (1992); Charter 2000 – media reform (2000); Bersih – electoral reform (2006); and Hindraf – Hindu rights (2007).¹¹ In addition, over the past five years there has been an explosion of Internet activism and blogging in Malaysia, led in particular by prominent civil rights activists, the most notable of which has been Raja Petra Kamaruddin.¹²

In charting the growth of civil society in Malaysia, various incidents and events have served as catalysts for more widespread coordination and cooperation among the NGO community and with the wider civil and political society. The arrest of Anwar Ibrahim in 1998 proved to be the most notable in recent history, not least because from it would eventually emerge a new multiracial opposition party – Parti Keadilan Rakyat. PKR began life as the Movement for Social Justice, or *ADIL* – an

¹¹ HINDRAF was banned under the provisions of the Societies Act on 16 October 2008, 'Malaysia bans ethnic Indian protest group', 16 October 2008, Website: <http://www.iht.com/articles/ap/2008/10/16/asia/AS-Malaysia-Indian-Group-Banned.php>.

¹² 'Malaysian cyber-paper at vanguard of media revolution', 29 January 2009, Agence France-Presse (AFP), Website: <http://www.google.com/hostednews/afp/articleALeqM5jzFASb-fbqfZ6zs-GrPN55BSLXSA>.

umbrella organization launched by Anwar's wife Wan Azizah Ismail to campaign for political, economic and social reform. What was noteworthy about *ADIL* was that it brought together not only activists from disparate political and class backgrounds, but also, and more importantly, societies and parties that represented the country's different ethnic and racial constituencies. Indeed, Weiss (2006) argues that the effectiveness of this cooperation across the principal societal cleavages of ethnicity and race was the result of what she terms *coalitional capital* – that is, previous coalition building among NGOs had resulted in a process that meant that 'the groups involved were familiar with each others' ideologies and goals, had established means of communicating and had built up at least some degree of mutual trust and expectations of reciprocity at the organizational level' (Weiss, 2006, pp 16–17).

In April 1999, *ADIL* was transformed into a multi-ethnic political party and renamed *Keadilan* [National Justice Party]. The party, which would eventually merge with the smaller *Parti Rakyat Malaysia* to become the *PKR*, attracted prominent NGO leaders to its ranks, including Tien Chua (*GAGASAN*), and Irene Fernandez (*Tenaganita*) as well as (briefly) Chandra Muzaffar. Explaining his decision to join party politics for a short period, Chandra remarked that the Anwar affair 'made it evident that NGO activity alone could not achieve the desired results. Instead there was a need for a more immediate challenge to the abuse of power and the destruction of crucial institutions such as the police and the judiciary.'¹³

Equally, in the run-up to the 2008 elections, civil society was again energized as a result of the emergence of *HINDRAF* and the *Bersih* rally on 10 November 2007. The Hindu Rights Action Force (*HINDRAF*), itself a coalition of some 30 Hindu non-governmental organizations, was founded to protest against a range of issues that challenged the ethno-religious identity of the country's Indian minority.¹⁴ *Bersih* was founded in 2005 as the Joint Action Committee for Electoral Reform, and, like *ADIL* before it, is an umbrella organization bringing together a range of disparate NGOs and the leading opposition political parties. Such broad-based coalitions are significant, with some commentators (for example, Stepan, 1988) contending that forging horizontal relations across civil society is crucial if civil

¹³ Muzaffar, C. (1999), Interview with the author, 28 April, Kuala Lumpur.

¹⁴ These ranged from the wanton destruction of Hindu temples to prominent individual cases of forced/fictitious conversion to Islam, and resulted in a mass demonstration by *HINDRAF* on 25 November 2007.

society is to become politically relevant and serve as an agent of democratization.

Nevertheless, for all the coalitional capital of Malaysian civil society, and despite the galvanizing impact of catalysts that make 'popular grievances seem especially pressing or the chances for redress unusually high' (Weiss, 2006, p 3), Malaysia has not experienced significant political liberalization, let alone democratic transition. In 1998, despite the largest public protests since independence in 1957, the governing coalition effectively decapitated the reform movement by arresting and imprisoning its charismatic leader, the former Deputy Prime Minister Anwar Ibrahim, along with other prominent civil society activists. Furthermore, while the pro-reform coalition of opposition parties and civil society groups was able to score some notable successes in the general and state elections of 1999, the government nevertheless retained its two-thirds majority and proceeded with 'business as usual'. Although it is still too early to judge what the longer-term impact of the 2008 elections will be, as discussed below there continues to be, at this juncture, little inevitability of liberalization or transition.

However important social and coalition capital may be to institutionalizing new political norms and 'making reform possible' (Weiss, 2006, p 16), other transition theorists agree that, regardless of the strength of civil society, the process of democratic transition requires a crisis of legitimacy for the existing regime (Haggard and Kaufman, 1995, p 7; Huntington, 1993). While such crises may result from the failure of the government to deliver certain responses in specific areas, or from cultural alienation, they are more often a result of economic crisis precipitated or accompanied by the process of economic liberalization (O'Donnell *et al.*, 1986; Dogan and Higley, 1998).

Whether precipitated by liberalization or an economic crisis, implicit or explicit bargains struck between political leaders and their key support groups can be adversely affected, signalling that the rules of the game have changed (Haggard and Kaufman, 1995, p 7). In such circumstances, the breakdown of existing bargains encourages actors to defect from the regime. As Haggard and Kaufman (1995, pp 7–8) argue,

'...the inability [of the governing elite] to avoid or adjust successfully to economic crisis increases the probability that authoritarian regimes will be transformed and reduces the capacity of authoritarian leaders to control the process of political change, including the terms on which they exist.'

However, neither after the Asian financial crisis, nor following the March 2008 elections, was the Malaysian regime affected by wide-scale defections from economic or political actors. Although clear differences did emerge within the political elite over the best way of responding to the Asian economic crisis of 1997–98, in part explaining the struggle between then Prime Minister Mahathir Mohamad and Anwar Ibrahim, there was no widespread split within the governing Barisan Nasional coalition or the dominant party within the coalition, the United Malays National Organization (UMNO). Similarly, to date, despite fevered speculation during the summer of 2008 of imminent defections to the opposition, no-one has broken with the continuing hegemony of the ruling Barisan coalition.¹⁵

For O'Donnell *et al*, among others, divisions within an authoritarian regime are pivotal to democratic transition, a theme also explored at length in Huntington's work (1993). Huntington (pp 114–116) argues that there are three effective kinds of transition: transformation [*reforma*], replacement [*ruptura*] and transplacement [*ruptforma*]. The first and third of these transition types are the result of important shifts in the governing elite. In the first, the elites in power take the lead in bringing about democratization, while in the latter the shift occurs when liberal reformers and democratic reformers in a governing coalition align themselves with the democratic moderates among the opposition. The relative power of reformers both in government and opposition will ultimately shape the kind of transition that will occur.

In the case of Malaysia, the evidence from the past decade appears to demonstrate that the democratic opposition is not strong enough or united enough to bring about the overthrow of the regime (Huntington's type 2, *ruptura*), nor are reformers within the government strong enough or numerous enough to bring about transformation [*reforma*] or to unite with the opposition to create a transition via transplacement [*ruptforma*].

Indeed, one can go as far as to conclude that, despite all the factors discussed, Malaysia may not be on a teleological trajectory towards a fully functioning liberal electoral democracy. If this is the case, what does it tell us about the nature of the Malaysian political regime?

The nature of the political regime in Malaysia

If we conceive of democratization as a teleological process, we would

¹⁵ Conversely, as noted earlier, the only defections that have occurred have been in the other direction (see footnote 5).

expect a regime such as Malaysia to have become progressively less authoritarian. On the contrary, what is remarkable about the case of Malaysia is the resilience of a regime that has been described by commentators as a soft authoritarian state (Crouch, 1993; Means, 1996), a semi-democracy (Case, 1993, 1997b), a state-led democracy (Jesudason, 1995, 1996) and as an example of electoral authoritarianism (Case, 2006).

Like Schedler (2002a), I prefer not to designate Malaysia as a democracy qualified by an adjectival descriptor (Collier and Levitsky, 1997), since such phrases carry the assumption that, while the country may represent a limited or deficient form of democracy, it is nonetheless in transition. Instead, such regimes represent forms of authoritarianism that 'neither practice [*sic*] democracy nor resort regularly to naked repression' (Schedler, 2002a, p 36).

In this context, Malaysia represents precisely such a form of 'electoral' authoritarianism and one that is specifically characterized by a hegemonic party system. Since independence in 1957, Malaysia has been governed by an intercommunal coalition,¹⁶ which has successfully managed the impact of socioeconomic transformation, as well as a succession of economic and political crises. As in Hilley (2001), the use of the word 'hegemonic' as a means of describing the nature of the political system draws on a Gramscian understanding of hegemony, which emphasizes both the coercive apparatus available to the leading class to ensure its dominance and the conscious attempt to assimilate certain opposition ideas and policies in order to 'pacify ideological contestation' (Worth, 2002, p 313).¹⁷ This strategy, termed *transformismo* by Gramsci, enables the hegemonic coalition to co-opt the more moderate of its opponents, thereby allowing it to marginalize the more radical elements to the margins of politics where the use of coercion becomes more legitimate (for example, see Weiss, 2006, p 38).

Malaysia's ruling coalition, the Barisan Nasional [National Front], employs an intercommunal governing model based on Malay-Muslim dominance, but based on a much more extensive coalition than its

¹⁶ Prior to 1969, this coalition consisted of three political parties: UMNO, the MCA and the MIC, and was known as the Alliance. Following race riots in that year, the coalition was eventually reconstituted as a more inclusive intercommunal coalition, the Barisan Nasional, which currently consists of 13 constituent parties.

¹⁷ Prior to 1969, the Chinese political party Gerakan was outside the coalition. Furthermore, between 1970 and 1978, the opposition Islamic party, PAS (Parti Islam Se-Malaysia) was also part of the Barisan Nasional.

predecessor, the Alliance.¹⁸ While the principal constituents of the BN are the United Malays National Organization (UMNO), the Malaysian Chinese Association (MCA) and the Malaysian Indian Congress (MIC), the BN comprises 14 political parties in total, including the leading ethnic parties of the two East Malaysian states of Sabah and Sarawak.

Since the ruling Barisan Nasional has routinely won over two-thirds of the seats in parliament, it has regularly amended the constitution to protect the regime. As one commentator succinctly observes, in Malaysia 'the constitution has become an apparatus of rule rather than a constraint on power' (Jesudason, 1995, p 338). This in part explains the significance of denying the Barisan its two-thirds majority for the first time since 1969. As a result of the 2008 election, the BN will now no longer be able to amend the constitution or to mandate the results of any future redistricting of constituency – another tactic that the government has used to preserve its hold on office.

Commentators and analysts of Malaysian politics have regularly cited the coercive powers that the state is able to wield against opponents of the regime. Among the principal legislative checks on internal opposition are the Internal Security Act, the Official Secrets Act, the Societies Act and the University and University Colleges Act. Of all the means by which the government is able to repress opposition, the Internal Security Act attracts the most opprobrium. Originally passed in 1960 at the end of the communist-led insurgency (1948–60), the Act allows police to arrest without warrant any person suspected of acting in 'any manner prejudicial to the security of Malaysia ... or the economic life thereof and to detain them indefinitely without trial'. While its original justification was to check internal subversion, in practice the Act has been used against leaders of opposition parties and social interest groups. Most recently, it was used to detain the prominent civil rights activist and blogger, Raja Petra Kamaruddin,¹⁹ and five of the leaders of the Hindraf protests in November 2007.

The Official Secrets Act gives the government the power to prosecute any journalist who publishes official information without authorization. The Societies Act requires *every* society to obtain government

¹⁸ The Alliance was a coalition of three parties, UMNO, the Malay Chinese Association (MCA) and the Malay Indian Congress (MIC). The more extensive BN was formed after the 1969 race riots.

¹⁹ 'Malaysia blogger's arrest creates dangerous precedent', *The Guardian*, 12 September 2008, Website: <http://www.guardian.co.uk/news/blog/2008/sep/12/malaysia.internet>.

permission for its establishment. It also created the Registrar of Societies, which is empowered to deregister any society on security or moral grounds, or for deviating from its original goals. Finally, the University and University Colleges Act prevents students not only from joining political organizations, but also from actively participating in political protests.

However, despite such authoritarian aspects of the Malaysian political system, executive power has been formally obtained through nationwide general elections (12 since independence), there is universal suffrage for citizens, and opposition parties have the legal right to exist and to be represented in parliament. Elections are therefore both pluralistic and competitive, but rarely are the outcomes in doubt since elections are instruments of authoritarian rule and a means by which the governing coalition legitimizes its rule. However, a concomitant quality of elections in Malaysia is that they also serve as a means by which government can recalibrate and adjust policy in order to minimize the impact of opposition. As Case (2006, p 96) argues,

‘Elections... [are] not intended to produce turnovers but instead to provide *feedback*, registering fluctuations in support so that governments might adjust their policy course but never leave office.’ (Emphasis added)

Nonetheless, while Election Day may be fair, it is usually preceded by a period of dubious electoral boundary delineation by a ‘quasi-’independent Electoral Commission. Commentators on Malaysia’s political regime have frequently noted the gerrymandering of constituencies to favour Barisan Nasional incumbents and ‘malpartitionment’ (for example, Case, 2006, pp 101–103). Traditionally, the latter resulted in rural constituencies being disproportionately represented, since Malay-Muslim populations were greater in rural districts. However, during the 1980s, as support for the Pan-Islamic Party of Malaysia (PAS) grew rapidly among this constituency, electoral boundaries were again shifted to give greater weight to mixed-ethnic constituencies, since they largely favoured Barisan Nasional parties.

In addition to the above inequitable distribution of seats during elections, tough restrictions are imposed on opposition rallies, which require police permits if they are to be held in the open air. Furthermore, although Malaysia is a developing country, albeit one of the more economically dynamic ones, candidates for the federal parliament are

required to provide one of the highest deposits in the world – RM10,000 – about \$3,000 (Brown, 2008, p 741). In the UK, the comparable figure is £500, and in the USA it stands at \$500 for the House of Representatives and \$1,000 for the Senate.

UMNO has also used its hold on state resources and the media, along with its ability to deliver on-the-spot development grants and to exploit an extensive patronage system (see, for example, Case, 1996, p 117). Finally, as if such measures alone did not firmly ‘load the dice’ in favour of the Barisan Nasional, election campaigns in Malaysia are notoriously short in order to prevent the opposition from planning and executing effective campaigns, especially given that they are required to apply for police permits for outdoor rallies. In 2008, for example, there were only 13 days between nomination day and the election, while in 2004 there were only eight days.

The hegemonic party system as a ‘settled’ form of government?

In light of the analysis of the nature of the political regime in Malaysia and of the 2008 elections, what conclusions can we draw about the impact of the case study on democratic transition theory? Is Malaysia merely an exception to the general rule or are there fundamental problems with the theory itself?

In the case of Malaysia, there does not appear to be any causation between the level of economic development and political liberalization/democratization. As noted earlier, at the height of Malaysia’s economic boom during the 1980s and 1990s, the country actually became less democratic. Indeed, as Sarvanamuttu (2006) argues, ‘modernization and economic development provided the basis for a performance legitimacy which... has sidetracked democratization’ (p 56).

This concept of performance legitimacy is important in explaining the divergence between economic and political development. Since independence, and especially under the Mahathir administration, one of the principal legitimizing principles of the Malaysian regime has been economic development. Much has been written on the economic successes of the so-called East Asian Capitalist Developmental State, but in the literature there is a broad consensus that these states ‘strove to legitimate their rule through delivering economic success’ (Palan and Abbott, 2000, p 87). In Malaysia, this performance legitimacy has

been an important factor in explaining past election results (in particular the sweeping victories in 1986 and 1995).

Another interesting feature of the Malaysian case is that the middle classes have not as yet proved to be the agents of democratic change that we would expect. As Embong (2001, p 89) remarks in his comprehensive study of South East Asia's middle classes,

'[M]embers of the middle classes tend to be security-oriented and have "short memories". Being mainly a first generation middle class without a very strong economic foundation, their agenda is to consolidate and enhance their economic position... thus their ideology tends to be conservative, tending to support the status quo which they perceive as having delivered the "economic goods" than for change.'

In Malaysia, the middle classes have proved to be at best ambivalent and at worst indifferent in their attitudes towards democracy. A recent study by the Pew Global Attitudes Project of 'Views on democracy, religion, values, and life satisfaction in emerging nations' found that only 34% of the Malaysian middle class rated freedom of speech as being 'very important', while only 35% rated freedom of the press as 'very important'. When asked which of four specified freedoms was of most importance to them, the one selected by the largest percentage of the Malaysian middle class surveyed was 'freedom from poverty and violence' (44%).²⁰ Such views resonate with the conclusion of Loh (2002), who has argued that, because the 'new' middle classes have benefited disproportionately from Malaysia's economic growth, rather than become agents of change they are instead a materialist, self-centred group. In the Pew Survey, for example, when asked to place themselves on a 'ladder of life', on which '0' represents the worst possible life and '10' the best, 52% of those in the Malaysian middle class placed themselves on 'rungs' 7–10.

In Malaysia, this lack of reformist zeal is likely to be a result of two related factors:

- (1) The ethnic/racial segmentation of the middle classes militates against a coherent, unified actor. Although both in 1999 and in

²⁰ The other three freedoms in this section of the survey were being free to speak, being free to practise religion and being free from hunger and poverty, Website: <http://pewglobal.org/commentary/pdf/1051.pdf>.

2008, interethnic coalitions were formed between the opposition political parties, suggesting that there is a degree of the coalitional capital Weiss identifies within civil society, there continues to be a noticeable lack of integration among the Malay and Chinese middle classes. Interracial marriage is extremely rare,²¹ as the non-Malay partner must convert to Islam since apostasy is forbidden under Shariah law (see Abbott and Gregorios, 2009).²² Additionally, as Saravanamuttu notes, 'ethnic factions of the middle class [are] in competition with one another for educational, employment, promotion and business opportunities' (*ibid*, p 52). The ethnic Chinese in particular find it very difficult to organize collectively, given the country's history and the dominant role that ethnicity has played and continues to play in its politics. This lack of integration arguably results in mutually suspicious indigenous communities (Abbott and Franks, 2007).²³

- (2) A sizeable segment of Malaysia's middle classes is dependent on the state, either directly for employment or indirectly for privileged contracts, entitlement programmes, patronage and rent-seeking opportunities. Much of this dependency is the result of an affirmative action policy that has been at the centre of government policy since the launch of the New Economic Policy in 1971. The policy, which was designed to raise the ratio of Malay/Bumiputera equity to 30% by 1990²⁴ from less than 3% at its launch, resulted in a whole swathe of quotas and positive discrimination, especially in higher education, and has effectively continued in various different guises since 1990.²⁵ While it has redressed the 'lopsided occupational situation at the time of independence' (Embong, 2001, p 106), resulting in Malaysian society becoming

²¹ For example, in the last census there were only 57,000 Chinese out of a total population of 23.3 million who recorded their religion as Islam.

²² In post-independence Malaysia, the unequal relationship between Malay and non-Malay cultures was enshrined in the Constitution. Article 3 specifies that Islam is the religion of the country, while Article 152 specifies that Malay is the national language.

²³ Language is a particularly contentious issue. Most recently, in March 2009, police used tear gas to break up a protest by Malay students against the teaching of science and maths in English rather than in Bahasa Melayu, 'Malaysian police fire tear gas at language protest', Website: <http://www.thejakartapost.com/news/2009/03/07/malaysian-police-fire-tear-gas-language-protest.html>.

²⁴ By 1990, Malay/Bumiputera equity had risen to approximately 19%.

²⁵ First with the New Development Policy (1999–2001) and then in the National Vision Policy (2001–10).

more middle class as a whole (*ibid*), critics of the policy argue that it has bred a culture of dependency on the state among the Malay middle classes. In their 1995 study, Bell *et al* reached a similar conclusion, arguing that, whereas in Europe and the USA the experience of liberal capitalism was grounded in competitive individualism and entrepreneurialism, in East Asia the dependence on state-led development had created 'a middle class constantly anxious about instability and insecurity' (Bell *et al*, 1995, p 13).²⁶ Such conclusions seem to be upheld by the survey results of the Pew Global Attitudes Survey mentioned above and have been noted by Malaysia's political elite. For example, in his address to the 55th UMNO General Assembly in 2004, Prime Minister Abdullah controversially criticized the NEP, urging Malays to rid themselves of their 'crutches'.²⁷

Other explanations for the lack of support for political liberalization among the middle classes have attributed it to cultural factors (for example, Pye, 1985; Neher and Marlay, 1995; Bell *et al*, 1995), on the basis that Asian culture stresses communitarian values over individual needs and freedom, and consensus and harmony over conflict. Such cultural arguments were themselves adopted by Mahathir and Lee Kwan Yew in Singapore to argue that there was a distinct Asian form of democracy, and that liberal democracy as practised in the West was culturally alien to East Asians (Christie and Roy, 2001, pp 31–32, 47).

Returning to civil society, while we have seen, as modernization theorists would predict, an increase in associational life and non-governmental organizations, this has had at best only a limited impact on political life. The impact of Malaysia's civil society is therefore somewhat more problematic.²⁸ While the NGO sector is certainly 'vibrant' (especially online), many of the leading political NGOs continue to

²⁶ Jones and Brown (1994), in their analysis of the middle class in Singapore, refer to this behaviour as *kiasu* – 'afraid to lose'. Weiss argues that, while more complex, some of the same complacency is seen in Malaysia (2006, p 40).

²⁷ 'Abdullah stirs a hornets' nest', 2 October 2004, AsiaTimes Online, http://www.atimes.com/atimes/Southeast_Asia/FJ02Ae05.html.

²⁸ At this juncture, an important distinction should be made between civil and political rights NGOs and NGOs that deal with a wider gamut of issues such as health, consumer affairs, etc. While many of the former lack widespread membership, this is not true of many of the latter. The National Council of Women's Organizations has a membership of more than a million, while the Malaysian AIDS Council has 42 affiliate partners. Other NGOs with large memberships include the People's Service Organization (with over 40 branches) and JIM.

lack widespread membership,²⁹ and remain reliant on external funding, which leaves them critically vulnerable to attack from the government.³⁰ Of particular note are the Konrad Adenauer Foundation, the National Endowment for Democracy, the International Republican Institute and the Southeast Asian Press Alliance.³¹ Furthermore, many civil and political rights-oriented NGOs draw a lot of their support from the non-Malay population in a country in which ethnic divisions continue to provide the strongest social cleavage. Although Malay NGOs have grown in number over the past decades, and cross-ethnic coalitions of NGOs have been formed to campaign for specific issues, there nonetheless remain few truly multi-ethnic, intercommunal civil society organizations.³²

The weaknesses of Malaysia's civil and political rights-oriented NGOs mean that for the most part they have limited connections with the wider population, and are composed of pro-democracy elites that are insufficiently embedded within society as a whole. Thus they rarely actually represent or speak for a particular constituency. Ottaway (2003) argues that, because of this situation, 'the advocates of democracy ... remain by-and-large free-floating elites... in many cases they appear to be much better embedded in an international milieu of democracy advocates than in the societies they are trying to reform' (p 181). Ottaway goes on to argue that one of the resultant weaknesses is that such groups tend to be more focused on the realization of political liberalization than on attempting to influence government. Such goals, while important, do not, she maintains, 'help democratic organizations become embedded' (*ibid*).

²⁹ Comment from Joseph Roy Benedict, Amnesty International, 27 January 2009.

³⁰ Many NGO activists argue that there is little choice available to them but to seek external funding, because there is very little support from the government. Furthermore, as one activist commented, 'There is a process of selective funding whereby government funds are given to preferred NGOs who support their policies, and are essentially used as mobilizing tools and party supporters'.

³¹ It is alleged that the online newspaper *Malaysiakini* was set up with a \$100,000 grant from SEPA, which in turn receives funding from the National Endowment for Democracy (NED) and the US Department of State. In 2007, the NED provided the IRI with \$400,000, Suaram with \$80,000 and SEPA with \$100,000. Website: <http://www.ned.org/grants/07programs/grants-asia07.html#malaysia>.

³² A small-scale Internet survey of NGO leaders/activists (April 2009) asked respondents to evaluate according to a standard 5-point Likert scale the following statements: (1) Many of the leading political NGOs continue to lack widespread membership; (2) Many of them are reliant on external funding; (3) NGOs draw a lot of their support from the non-Malay population; (4) Although Malay NGOs have grown in number over the past decade, few are truly multi-ethnic organizations. While a clear majority of respondents agreed with statements (1), (2) and (4), there was less clear agreement about statement (3).

In her recent work, Weiss (2006) challenges this view, arguing that what is important is not so much the 'depth' and 'vibrancy' of social capital, since that capital can also be particularistic and non-democratic, as the extent to which civil society associations (CSAs) are able to engage with each other and with opposition political parties to achieve a degree of consensus on agenda, tactics and strategies towards shared ends (it is this that she terms *coalitional capital*). In illiberal regimes, Weiss maintains that opposition parties cannot act independently of non-party activists, but nor can CSAs achieve political reforms on their own. Instead, the former are potentially able to advance institutional reforms while the latter have a long-term normative advantage. To illustrate her point, Weiss argues that the Reformasi movement emerged because there was an opportunity for reformers to take strategic advantage of the crisis caused by the Asian financial crisis and the elite split between Mahathir and Anwar, as well as for a common justice platform around which communally divided CSAs could converge as a result of coalitional capital that had been developed by earlier horizontal networking (such as campaigns against the Internal Security Act).

For Weiss, the significance of the Reformasi movement was that it aimed to 'make voters think differently about politics ... [and] make them prefer different political norms' (p 187). Thus, while political NGOs may lack a wide membership, their size and funds are not what is significant. Rather, the fact that they were able to coalesce around a common platform reveals that they were able to overcome their short-term interests. The fact that we saw a reconstitution of the Reformasi coalition in 2007–08 should come as no surprise, therefore, since one of the most important aspects of coalitional capital is its 'long-term iterative nature' (*ibid*).

It is too early to tell whether the renewed Reformasi coalition that coalesced around Anwar Ibrahim and the Pakatan Rakyat will prove any more enduring than in 1998. On one level, the degree of formalized cooperation between the constituent parties is already more advanced and institutionalized than it was a decade earlier. On another, the successes of the renewed coalition in the 2008 elections were greater than those achieved in 1999. However, it is my contention that one should be more pessimistic than optimistic.

First, in the aftermath of the original Reformasi movement, the communal divisions between the Islamic party and the secular Chinese Democratic Party ultimately proved too great for formalized cooperation to be maintained. While a common platform between the parties

has been formalized around the concept of a welfare state, any shift by the Islamic party and its allies within civil society towards a more overtly Islamic agenda, as in 2002, would strain these renewed ties. Second, while Anwar Ibrahim has again played a pivotal and decisive role in galvanizing support for the opposition, there is already growing discontent that he has focused too much on achieving power by encouraging defections from the ruling coalition rather than with the delivery of policy promises in those states where the opposition won control.³³

Third, direct participation by former non-party activists and bloggers in politics, which we are now seeing in Malaysia, seriously risks compromising the normative authority of Malaysian NGOs, *especially* when they lack mass membership. Arguably, such direct participation vindicates government charges that such organizations, rather than being 'non-governmental', are actually proxies for the opposition political parties. Finally, the nature of the political regime in Malaysia, as detailed earlier, makes the opposition extraordinarily vulnerable to co-optation (either directly or indirectly) by the government. Case (2006), for example, argues that in both Singapore and Malaysia, governments have successfully manipulated the political and electoral arenas to recalibrate their regimes when confronted with opposition advances. Between 1999 and 2004, the Barisan Nasional was able to recalibrate successfully, resulting in a landslide victory. The test for the Najib administration in Malaysia over the next few months and years will be whether the Barisan and UMNO in particular can once again skilfully recalibrate the political arena, or whether it will be unable to remedy the decline in its fortunes in 2008.³⁴

Concluding remarks

While varying factors can be postulated to account for the exception that Malaysia poses to democratic transition theory, this paper contends that the solution is not theoretical realignment. In other words, Malaysia and similar cases do not necessarily require transitologists simply to revise their theory, taking into account additional variables that will make it more rigorous. Instead, this paper argues that the

³³ For example, interviews with Dzulkefly Ahmad, PAS MP for Kuala Lumpur, September 2008; Yursi Mohamad, President of ABIM, September 2008; Haris Zalkapli, blogger, *PolitikPop*, September 2008.

³⁴ Case, for one, maintains that economic strains combined with the clumsy manipulation of institutions and overtly repressive force can constitute the tipping point for electoral authoritarian regimes (Case, 2006, p 111).

Malaysian case study presents less an exception to democratic transition theory and more a critique of the teleology of transition.³⁵

Malaysia is, in other words, not necessarily on a teleological trajectory towards a fully functioning liberal democracy. Indeed, the contrary seems to be the case as, since independence in 1957, the nature of the political regime in Malaysia has been remarkably consistent. Carothers made a similar observation in his 2002 critique of democratic transition entitled 'The end of the transition paradigm'. In the article, he argued that few supposed transitional regimes had made much progress towards becoming well functioning democracies. 'By far the majority,' he wrote, '... have not achieved relatively well-functioning democracy [or] deepening or advancing [of] whatever democratic progress they have made' (2002, p 9). Instead, he argued, this 'precarious middle ground ... is actually the most common political condition today of countries in the developing and the postcommunist world' (*ibid*, p 18). In other words, it is 'not an exceptional category... but a state of normality, for better or for worse' (*ibid*). In recent years, a growing literature has emerged that has directly challenged the central tenets of transitology (for example, Ottaway, 2003; Schedler, 2002, 2006).

In the case of Malaysia, by describing the country's political system as a semi-democracy, a state-led democracy or a quasi-democracy, we are accepting, at least implicitly, that the process of transition is inevitable and that the country is somewhere along the path to transition. Schedler argues that attaching such adjectives to democracy is tantamount to 'conceptual stretching'. He strongly maintains that it makes no sense to classify regimes that fundamentally violate democratic norms as democracies, however we may choose to qualify the noun (2002a). Schedler goes further, developing a metaphorical chain of seven democratic preconditions, the violation of any one of which renders a regime undemocratic. His principal justification for adopting this heuristic device is to reduce the opacity of the 'grey zone' and more importantly to treat democratic regimes as 'bounded wholes' (*ibid*, p 41).

Ottaway, in her 2003 study, echoes Carothers's and Schedler's concerns, arguing that the grey zone, rather than representing a messy middle along the road to transition, has increasingly become characterized by regimes that are *deliberately* ambivalent in their attitude towards democratic norms. Such regimes, she argues, 'are not imperfect democracies

³⁵ The author acknowledges the comments of an anonymous referee for suggesting that this should be couched in these terms.

struggling toward improvement and consolidation but regimes determined to maintain the appearance of democracy without exposing themselves to the political risks that free competition entails' (p 3).

Viewed in this light, then, Malaysia's hegemonic party system has proved to be remarkably resilient and resistant to change. For over 50 years, this regime type has withstood dramatic socioeconomic transformation brought about by Malaysia's economic development, and has coped with the ethnic unrest that culminated in the 1969 race riots, the oil crises of the 1970s, the Asian financial crisis of 1997 (which brought down the Suharto regime in neighbouring Indonesia and radically changed the make-up of Thai politics) and the gradual Islamization of Malaysian society (see Abbott and Gregorios, 2009).

Ultimately, the Malaysian case study demonstrates that political progress has not developed and does not necessarily develop 'naturally' via the teleological progression of history. Instead, it emerges both incrementally and partially as a result of specific localized responses determined by historical conditions and societal struggles. Indeed, the danger in looking for generalized theoretical accounts of social and political transformation is that they too readily become deterministic 'meta-narratives', which tend to de-emphasize the historically specific nature of state–society relations, class structures, political systems, political leaderships and so forth. Such a challenge therefore operates not only at the empirical level, but also, and perhaps even more critically, at the ontological and epistemological levels relating to the norms of positivist political science.³⁶

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³⁶ Of the most influential critiques of positivism, one notes Thomas Kuhn's *The Structure of Scientific Revolutions* (1962) and Karl Popper's seminal *Conjectures and Refutations* (1969), in which he contended that the question always came first, since induction from facts was not possible. Positivism has also come under sustained attack from critical social theory (for example, Adorno, Fromm, Habermas) and from postmodernism/post-structuralism, most famously in the work of Foucault and Derrida and their analyses of the power of discourse (for example, *Discipline and Punish*, 1977).

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