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Berita

Malaysia/Singapore/Brunei Studies Group Association for Asian Studies

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Chinese New Year Open House (Kuala Lumpur, Malaysia): "Towards a Harmonious Society" [Photograph courtesy of Nurlaily Yap Abdullah]

Berita, Autumn 2014

Chair's Address

Dear Colleagues,

Thanks for participating in the AAS 2014 and for attending the MSB business meeting! We had a productive meeting presenting our two annual awards and organizing ongoing MSB activities. Patricia Hardwick, the winner of this year's award, will be the new chair of the John A. Lent Prize Committee. Patricia Sloane-White, our former chair, and Thomas Pepinsky will join her on this committee. Thanks to everyone for distributing the call for the next cycle of MSB awards far and wide. We have received an excellent list of submissions for the John A. Lent Prize 2014 to be awarded at the AAS meetings in Chicago, IL in 2015.

We also decided that Cheong Soon Gan, who volunteered, would work with Derek Heng to make the transition as our new Editor of *Berita*. Unfortunately, they were not able to make the transition as planned, so Peter Cohen, who also volunteered was appointed to the position of Editor. Peter made a commitment to take on the responsibility of producing at least two editions of *Berita* per year. However, before he was able to produce a single issue, he experienced some personal challenges that led to his resignation. As a group we extend our thanks and deep gratitude to Derek Heng for the job he has done with *Berita* since becoming Editor. We also thank Cheong Soon Gan and Peter Cohen for their willingness to continue Derek's fine work. In the end, I reopened the call for a devoted Editor of *Berita* but received no new volunteers, so I am currently serving as Editor to keep our MSB newsletter alive and in circulation.

At our business meeting, some suggestions and commitments were made for featured articles and shorter pieces, such as book reviews, in future issues of *Berita*. I hope that the next dedicated Editor will include some of these contributions as we move forward. We need an Editor who will be committed to returning us to at least two issues of *Berita* per year and perhaps even shaping it into a journal. Moreover, it will be our collective responsibility to actively support our newsletter through sending in updates, announcements, and book and article reviews of any academic work we read related to Malaysia/Singapore/Brunei studies.

We have over one hundred seventy-seven subscribers on our listserv and Facebook group from over thirteen countries! At our annual meeting, we discussed raising the level of our















participation on these platforms. In order to do so it was recommended that we all post a short introduction of ourselves to the list and/or Facebook group.

Contributions were collected at the meeting, but you can also contribute donations to MSB on our site or through directing funds to MSB on the AAS site.

Participation increased last year. But let's continue to enhance our engagement and involvement on our communication venues and at the annual AAS meeting.

Sincerely, Timothy P. Daniels MSB Chair

Timothy P. Daniels, Hofstra University Chair, Malaysia/Singapore/Brunei Studies Group Timothy.P.Daniels@hofstra.edu















Editor's Foreword

It is with great pleasure that we at the Malaysia/Singapore/Brunei Studies Group (MSB) present the Autumn 2014 issue of *Berita*. Many thanks to everyone who contributed to the contents of this newsletter, which has become an important source of information and scholarship about Malaysia, Singapore and Brunei for many people involved and interested in this region in various ways and capacities.

This issue has the theme of moving "toward a harmonious society" as expressed in the cover photo. It focuses on Malaysia and Brunei. Dr. Yamin Cheng discusses the complexity of Malaysian Chinese Muslim identity and their negotiations with dominant ideas amongst Chinese non-Muslims and Malay Muslims that equate Islam with Malay identity. They are also challenged by Westernization and global flows of popular culture and consumerism. Dr. Yamin Cheng notes that there are diverse Malaysian Chinese identities produced today that provide us with some hope that historical and social hostilities and binaries between social groups will move in the direction of peaceful co-existence.

Continuing on this theme, Timothy P. Daniels discusses the recently implemented Syariah Penal Code of Brunei Darussalam and suggests that we take less polarized positions in regard to secularism and political Islam. Taking a cue from the Malaysian scholar, Shamsul A. B., Daniels tries to find a middle ground between the binaries of secular and religious fundamentalisms in order to facilitate local Southeast Asian efforts at achieving more peace and harmony. He briefly examines several aspects of this new penal code that applies to everyone or only Muslims and non-Muslims respectively pointing out that the concerns of secularists and Muslim jurists often converge rather than diverge.

Jason B. Abbott and John Wagner Givens co-authored the third feature article that focuses on the media and politics in Malaysia. While they note that most print newspapers are pro-government and anti-opposition, they also find that three major online news portals are more evenhanded in regard to the government and political opposition. Their detailed media analysis offers hope for less polarized and hopeful and cosmopolitan perspectives as more and more Malaysians seek their news over the Internet.

Finally, I am glad this issue also contains a book review. We would like to continue and expand this section in the future and therefore request that you to submit copies of your recently published monographs and edited volume to *Berita* to be reviewed. I'd also like to reiterate a call made in a previous issue for people to submit the project titles and abstracts of their current MA and PhD theses, which will be included in a new section of our newsletter.

Timothy P. Daniels, Hofstra University Editor Timothy P. Daniels@hofstra.edu















Members' Updates

Sarah Kelman (graduated in 2006 from the University of Virginia with a B.A. in Anthropology and English Literature) I began graduate studies in 2010 in the anthropology department at UC Santa Cruz, where I am an advisee of Lisa Rofel (I also work with Anna Tsing and Mayanthi Fernando). I'm currently conducting dissertation research in Kuala Lumpur. Although I am affiliated with the International Islamic University of Malaysia, I am mostly working independently and with various organizations here in Malaysia.

My current work is on entrepreneurship in Malaysia, specifically in the KL/Klang Valley area. I'm interested in how national economic development initiatives are carried out through entrepreneurship, especially among Malay and women entrepreneurs. The rise of the middleclass "Melayu baru" is very much connected to the introduction of bumiputera legislation in the 20th century, and my research is centered around how bumiputera entrepreneurship has changed (from, for instance, older generations of entrepreneurs) in conjunction with new developments in Malaysia's technology-centric "start-up ecosystem." I am also interested in how and why so many urban Malay women, who are highly educated and have extensive professional working experience, turn to entrepreneurship after finding it difficult to remain in the workforce while juggling familial and parenting obligations. For instance, I hope

to explore how "Melayu baru" notions of motherhood might be compatible or inimical to life as an entrepreneur, especially when compared to life as a conventional working professional. Furthermore, I am intrigued by the role that Islamic notions of ethics and community play in how bumiputera entrepreneurs see themselves (and others, such as Malaysian Chinese). It seems that the Malay entrepreneurs I have been working with increasingly see themselves as Muslims first, and Malays second - so how might this self-conception influence their lives as entrepreneurs, as well as the businesses they create?

Elvin Ong (PhD graduate student in the Department of Political Science at Emory University.) Recipient of the MSB Studies Group Ronald Provencher Travel Grant in 2014, he is interested in the politics of authoritarian regimes, and the political economy of development. His article (coauthored with Mou Hui Tim) titled "Singapore's 2011 General Elections and Beyond: Beating the PAP at Its Own Game" was recently published in *Asian Survey* 54(4) July/August 2014.

Timothy P. Daniels (Associate Professor of Anthropology, Hofstra University) conducted research on African international students in greater Kuala Lumpur. My first article on this topic *African International Students in Klang*















Valley: colonial legacies, postcolonial racialization, and subcitizenship will be published in the Special Issue, 'New Ethnoscapes and different forms of belonging in Malaysia', Citizenship Studies Vol. 18, No. 8[2014]). I presented a second paper on this topic titled "Race, Racism, and African International Students: Toward a Critical Immigration Studies" at the International Symposium "Race and Racism in Comparative Perspective." Natal, Brazil (August 7 and 8, 2014).

I am currently working on a monograph on sharia in Malaysia and an edited volume on "sharia dynamics" in several countries spanning multiple regions. I organized a panel "Producing Sharia, Producing Anthropology" that will be presented at the 2015 American Anthropological Association meetings in Washington, D.C.

Patricia Hardwick (Adjunct Associate Professor of Anthropology at Hofstra University, New York) In the 2013-2014 academic year, I was a Fellow at the Yale Institute of Sacred Music. At Yale, I gave guest lectures for the Yale Council of Southeast Asian Studies, the Interdisciplinary Performance Studies Working Group, and the Yale Institute of Sacred Music.

I am developing my dissertation, "Stories of the Wind: The Role of *Mak Yong* in Shamanistic Healing in Kelantan, Malaysia" into a monograph. This work combines theories of performance and embodiment with the study of

traditional narratives and oral literature to investigate how Kelantanese Malay performers conceptualize the human body and employ multi-layered metaphor during ritual dramatic performances to heal their patients. My study also investigates how *mak yong* practitioners, confronted with changing interpretations of appropriate Islamic practice, are actively adapting how they think and speak about traditional Kelantanese Malay notions of the body, the origins of illness, and their healing performances.

I am also working with Made Mantle Hood Professor of Ethnomusicology, (Associate University Putra Malaysia), Lawrence Ross (Lecturer, Academy of Malay Studies, University Malaya) of and Pornprapit Phoasavadi (Assistant Professor Department of Music, Faculty of Fine Arts Chulalongkorn University) on a project entitled "The Animal Within: Exploring Animal and Human Interaction in the Performing Arts of Southeast Asia". I organized a panel on this topic that will be presented at the 2015 Association of Asian Studies (AAS) Annual Conference. This panel examines the social and political contexts of animal and human interaction in the performing arts of Malaysia, Indonesia, and Thailand. It also explores the historical and contemporary uses of animals in both sacred and secular Southeast Asian performing arts, and evaluates how issues such as health, piety, gender, class, ethnicity, social status, and nationalism have been and continue















to be mediated through their symbolic performance.

I will be presenting a paper entitled "The Body Becoming: Transformative Performance in Malaysian Mak Yong" based on my recent publication in *Music and Medicine* at the American Anthropological Association annual meeting in Washington D.C. in December 2014.

Recent and Forthcoming Publications

In Press Angin Singapura: (Re)presenting Kelantanese Main 'Teri in a Bureaucratic City State. Co-authored with Singapore Malay Heritage Centre officer Jamal Mohamed. To be published in The Proceedings of the 3rd International Council for Traditional Music Study Group on Performing Arts of Southeast Asia Study Group, Denpasar, Bali: Institut Seni Indonesia.

2014 The Body Becoming: Transformative Performance in Malaysian Mak Yong. *Music and Medicine*. Vol 6. No.1 (2014). http://mmd.iammonline.com/index.php/musmed/article/view/MMD-6-1-8

2014 Horsing Around *Melayu: Kuda Kepang*, Islamic Piety and Identity Politics at Play in Singapore's Malay Community. *JMBRAS*, Journal of the Malaysian Branch of the Royal Asiatic Society. Vol. 88, N. 306, June 2014. pp.1-19.

http://www.mbras.org.my/journal.html

2013 A King, A Palace, A Country:
Exploring The Conceptualization of the Body
in Mak Yong Healing Performances in Kelantan,
Malaysia. In Mohd Anis Md Nor, Tan Sooi
Beng, Patricia Matusky, Jacqueline Pugh
Kitingan, Felicidad Prudente, and Hanafi
Hussin eds. (Re) Producing Southeast Asian
Performing Arts & Southeast Asian Bodies, Music,
Dance and Other Movement Arts. Symposium
2012, International Council for Traditional
Music Study Group on Performing Arts of
Southeast Asia. Manila, Philippines: Philippines
Women's University; 155-161.

2013 Embodying the Divine and the Body Politic: *Mak Yong* Performance in Rural Kelantan, Malaysia. In Timothy Daniels, ed. *Performance, Popular Culture, and Piety in Muslim Southeast Asia*. New York, NY: Palgrave Macmillian, pp. 77-104.















Prizes

John A. Lent Prize (2013, San Diego)

Prof. John A. Lent founded Berita in 1975, editing it for twenty-six years, and founded the Malaysia/Singapore/Brunei Studies Group in 1976, serving as chair for eight years. He has been a university faculty member since 1960, in Malaysia, the Philippines, China, and various U.S. universities. From 1972-74, Prof. Lent was founding director of Malaysia's first university-level mass communications program at Universiti Sains Malaysia, and has been professor at Temple University since 1974.

Over the years, Prof. Lent has written monographs and many articles on Malaysian mass media, animation, and cartooning. He is the author and editor of seventy-one books and monographs, and hundreds of articles and book chapters. Since 1994, he has chaired the Asian Cinema Society and has been the editor of the journal Asian Cinema. He publishes and edits International Journal of Comic Art, which he started in 1999, and is chair of Asian Research Center on Animation and Comic Art and Asian-Pacific Association of Comic Art, both of which he established, and are located in China.

The Committee for the John A. Lent Prize for the best paper on Malaysia, Singapore, and Brunei presented to the AAS in the previous year has chosen as its winner Patricia A. Hardwick's paper "Horsing Around *Melayu: Kuda Kepang*, Islamic Piety, and Identity Politics at Play in Singapore's Malay Community." The three committee members all agree that Hardwick's paper deserves special recognition for an

innovative argument informed by richly described ethnographic material.

Hardwick's paper discusses *kuda kepang*, the hobby-horse trance dance that is rarely seen in Malaysia, where Muslim officials have described it an "unIslamic" and "Hindu" practice. In Singapore, however, despite being banned for a period in the late 1990s, Hardwick demonstrates how kuda kepang has emerged as a popular, growing, and even flourishing—but still contested practice, with more than 1,500 active performers in as many as 60 dance groups. More than just a description of an understudied art form, Hardwick's analysis provides us with an opportunity to reflect on broader questions of identity and identity maintenance among Singapore Malays—an oftentimes marginalized community—as they negotiate with the authorities for permission and space to perform kuda kepang. Community members, non-Malays, other Malays, and most notably the police and the Majlis Ugama Islam Singapura (MUIS), often seek to prohibit or at least restrict kuda kepang, but the performers, with whom Hardwick built close relationships, believe that the trance dance articulates meaningful understandings of both Malayness and Islam. The persistence—as well as the reinvention and control—of kuda kepang raises questions about how official Islamic discourses in Singapore and non-Malays' perceptions of Singaporean Malays, as well as conflicts among performers themselves, jointly construct the meaning of Malayness















and Islam in a particular national context. Among *kuda kepang* performers, Hardwick argues persuasively, new narratives have emerged that de-emphasize ties to the pre-Islamic beliefs and "uncontrolled, dangerous trances" that Muslim officials claim characterize the dance. Instead, performers emphasize its Quranically correct spiritual nature and the deep influence of *dakwah* movements of Javanese saints.

The awards committee commends Hardwick for a paper that serves as a touch point for productive theorizing about *Melayu* identity, marginality, and the role of performance in Singapore and beyond.

The Committee is also pleased to award Kah-Wee Lee's paper, "Criminalizing Vice: The 'Common Gaming House' in Colonial Singapore," with an Honorable Mention, having found it to be a sophisticated study of criminality as a window into the creation and maintenance of social order in late colonial Singapore.

Ronald Provencher Travel Grant (2013, San Diego)

The Ronald Provencher Travel Grant is named in honour of Ronald Provencher, distinguished cultural anthropologist of Malaysia, a long-time leader of the Malaysia/Singapore/Brunei Studies Group (Association for Asian Studies) and editor of Berita Newsletter. It carries with it a US\$750 award for a graduate student from Malaysia, Singapore or Brunei to travel to present a paper at the Association for Asian Studies meeting.

The Malaysia/Singapore/Brunei Studies Group (MSB) is presenting the Ronald Provencher Travel Grant for the second time this year. It is being awarded to Elvin J. Ong, a Singaporean doctoral student at Emory University, for her extended proposal for the paper titled, "'Meeting the People: Socialization and Everyday Performance in Authoritarian Singapore." He presented this paper at this year's AAS Meetings on the MSB-endorsed panel, "Practicing Politics in Singapore and Malaysia," organized by Eric C. Thompson.

Elvin Ong is a Singaporean with a background in comparative government and political science. He earned bachelor's degrees at the Singapore Management University and a masters degree in politics from the University of Oxford. Elvin is interested in the political economy of development and welfare and the study of authoritarian regimes. He worked as a senior high school teacher in Singapore while also serving as a counselor for high school seniors.

Elvin Ong's extended paper proposal reviewed some pertinent literature about authoritarian regimes and their durability, highlighting the mechanisms hegemonic party autocracies use to cultivate mass support. Elvin sets out to answer the question of how the widespread phenomenon of Members of Parliament performing Meet-the-people-sessions and the durability of the authoritarian regime in Singapore. He combined three methods to collect data for this paper: ethnographic, historical literature review, and interviews.















Making an important contribution to the literature on authoritarian hegemonic parties and the study of politics in Singapore through examining everyday interactions, Elvin argues that the Meet-the-people-sessions performed by political elites have substantive and symbolic meanings and implications. Substantively, they serve the pragmatic ends of socialization and

coordination, while, symbolically, they serve to remind people of the monopoly of political power and legitimacy over geopolitical space. Moreover, taking a cue from Wedeen (1999), Elvin points out that embodying dominant ideologies in this fashion makes them more believable for the masses.

Announcements

New Book

Dr. Muhammed Abdul Khalid has published a book on inequality in Malaysia. His new book is titled *The Colour of Inequality*: Ethnicity, Class, Income and Wealth in Malaysia. You can read more about this book at:

http://econsmalaysia.blogspot.com.au/201 4/09/the-colour-of-inequality.html?m=1















Feature Article 1

Malaysian Chinese Muslims in Search of an Identity (By Yamin Cheng)

How is one to characterize the identity of a Malaysian Chinese Muslim? In my book, A Chinese Life of Islam – The Search for Identity (IBT Books, Kuala Lumpur, 2012), I mentioned four factors, or situations, that have direct bearings on the identity of the Malaysian Muslims of Chinese descent. These are, (1) the Malay factor (2) the Chinese factor (3) the history of Islam, and (4) Westernization.

The Malay factor is the most immediate factor that has everything to do with the Chinese perception of Islam in Malaysia. The Chinese see Islam as a Malay religion, and a Chinese who becomes a Muslim becomes a Malay person, speaks the Malay language, practises the Malay way of life, and, most significantly to the Chinese eyes, relinquishes his Chinese identity for good and is no longer a Chinese. For some Malays, becoming a Muslim means the person should have a Muslim name, and a Muslim name, in Malaysia, is taken for granted as a Malay name. As such, for some of the Malays, a Chinese name is therefore not a Muslim name, for how can Jason Yong Tau Foo be a Muslim name, and therefore the name should be removed upon one becoming a Muslim and be replaced with a Muslim name, such as Isa or Ali or Ahmad. The Chinese way of eating is with the use of chopstick. The Malay way of eating is with the use of hand. Thus, in the view of some Malays, eating with chopstick is not an Islamic practice and one should use the hand instead.

In arguing against the misperception of Islam as a Malay religion and way of life, a Malaysian Chinese Muslim faces another challenge. If he says that being a Muslim doesn't mean relinquishing his Chinese identity, how is the Chinese-ness of his Muslim identity defined? Malaysian Muslims of Chinese descent are, on the whole, converts to Islam. Their population, to date, numbers in the tens of thousands, which is less than one percent of the total population of the country. Also, conversion to Islam by the Malaysian Chinese in increasing number happens only in the last three decades and they can be said to be the pioneering batch of Malaysian Chinese Muslims in the proper sense of the word since there also exists descendants of the Muslims in China in the country who came centuries earlier but they, along with their progenies and history, vanished into oblivion. One of the reasons cited for this happening is that many of their men married local women and they, along with their children, assimilated into the Malay culture and way of life. They left nothing that one could quickly identify with Chinese Islam, such as mosques in uniquely Chinese style like those in China, or Chinese-type madrasahs teaching Islam in the Chinese language, or *imams* and ulamaks and their writings addressing Chinese issues from Islamic perspectives in the country, or the Muslim way of life in Chinese forms such as in dressing, eating, home decoration, and the like. This leaves a situation for the current population of the Malaysian Chinese Muslims where they have nothing to glean for their practice of Islam. This poses the question about whether they should look to the Muslims in China, known as the Hui Muslims, to draw















inspirations and examples for their Chinese identity in Malaysia, or they should create an identity of their own that maintains a continuity with their Han Chinese roots, including all the cultural practices such as the Chinese New Year, the Mid-Autumn or Mooncake Festival, or the Winter Solstice occasion, as long as these practices are commensurate with the Islamic worldview and ethos.

Being a Muslim means having to co-exist with other Muslims in Malaysia and elsewhere in the world but it also means having to deal with the history of Muslim societies. The history of Muslim societies has seen the mushrooming of a range of beliefs and practices, from the strictly salafi ones that clamour for nothing but practising the ways of the Prophet in their literal sense with no leeway for speculation and interpretation, to the sufi ones that hinge on sheikhs or spiritual masters to show the way into the unity of being. There were also the different mazahibs regarding the practices of figh or rules for living, which can range from strict ones to flexible ones. Today, the Muslim world is faced with all kinds of issues, from the Palestinian

issue to the wars in the Middle East, to issues affecting Muslim minorities in North America and Europe, to tensions between Muslims and adherents of other faiths in such countries like Myanmar (Burma), India, Xinjiang in China, and Central Asia. Converts to Islam, including the Malaysian Chinese Muslims, are not spared from these problems and they are bound to take stands on these issues, resulting in their perception of Islam as religion. The question of whether Malaysia is an Islamic state, for instance, could lead to tensions between those among the Malaysian Chinese Muslims who think Malaysia should be an Islamic state, as against their non-Muslim Chinese citizens who oppose such an idea. This goes on to show that whatever is happening in the Muslim world is sure to have an impact upon the Malaysian Muslims of Chinese descent even though these were issues alien to them before they came into Islam or alien to the Chinese in Malaysia, but instantly became part of their historical consciousness the moment they became Muslims.

Finally, living in a world as it is today, one cannot avoid the presence of Western influence in every aspect of our daily living. Movies, music, news, ideas, showbiz, education, work, and even food are all laden with Western influence. KFC, McDonald's, Pizza Hut, Starbucks, Burger King, are some of the eateries that have become a common sight and a place to frequent for food and beverages. The question is, with the overwhelming presence of Western influence, in culture, in ideas and philosophy (such as the idea of democracy and rule of law in government), in work and leisure (Hello Kitty and Legoland, for instance), and in education (English is a must language in Malaysia), how can things Western be considered as things Islamic? Western













colonialism and imperialism has left the perception among Muslims that Islam and the West are diametrically opposed in every way, and for some, the West is bad. But the post-Cold War era has created the market-place capitalist culture of leisure, pleasure, and profit-venture that has no Western or Eastern identity. It is a global identity. One can one hate America but one finds it hard to resist Hollywood movies or NBA basketball or Coke or Pepsi. Just how are Malaysian Chinese Muslims reacting to Westernization? Will they adopt the history of Western colonization and imperialism happening to the Muslim people and make it part of their historical consciousness when there is none in the first place? Will they think that the West and Islam are two different cultures apart? Or could their Chinese roots in Confucianism that promotes the view that heaven and human are in harmony with one another could be used to bring about a symbiosis between Islam and the West, in philosophy, culture, education, and human relations? What is Westernization for the Malaysian Muslims of Chinese descent?

To conclude, the challenges facing the identity of the Malaysian Chinese Muslims are immense and there is no easy way out to deal with the weight of such challenges. Thus, it is to speak of a single identity characterizing the Malaysian Chinese Muslims for now but one can say that there is a myriad of identities of Chinese Islam in Malaysia. Whether the Malaysian Chinese Muslims will one day emerge with a single identity, this is hard to tell. But right now, as one travels in Malaysia, one can see Masjid Cina or Chinesestyle mosques, Restoran Cina Muslim or Chinese-style Muslim restaurants, Chinese New Year celebrations, and many more that are telling signs of the urge of the Malaysian Chinese Muslims to have an identity of their own and, 'Whether we speak Malay, or English, or Chinese, Chinese food and Chinese tea with chit-chat and gossiping around the table will bring Malaysian Chinese Muslims together as all in a family.' That surely is food for thought about the identity of the Malaysian Chinese Muslims.



Masjid Cina Negeri Sembilan

*

Dr. Yamin Cheng is a Malaysian Chinese Muslim who has taught Islamic Studies and Comparative Religion at International Islamic University Malaysia (IIUM), his alma mater, where he graduated with a Bachelor's degree in Law. He pursued his MA and PhD in Religion at George Washington University and Temple University respectively, both in the USA. He has taught undergraduate courses in Religion at Temple and also headed the Islamic Studies department of an Islamic College in Australia. He is currently a consulting editor to *The Muslim Reader*, the flagship magazine of the Muslim Converts Association of Singapore, where he also writes for the magazine.

*Photographs courtesy of Nurlaily Yap Abdullah













Feature Article 2

Brunei's Syariah Penal Code and Secular Fundamentalism

(By Timothy P. Daniels)

The Government of the Brunei Darussalam announced and issued its Syariah Penal Code Order, 2013 during October 2013 and began implementing the first phase of the gradual rollout of this code in May 2014. From Hollywood businesses and celebrities to human rights officials and academics, many western individuals and institutions reacted with hostile statements and sentiments, some more extreme than others, toward Brunei Darussalam and its absolute monarch, Sultan Hassanal Bolkiah. They used terms such as "barbaric," "savage," "evil," "backward" and "medieval" to describe the sharia penal code and made claims that these Islamic laws are a threat to the human and liberal rights of particular segments of society. The ideas embedded and expressed in these sorts of disparaging discourses in regard to political Islam and 'governmentality' are not new. They were integral to colonial projects of domination and hegemony. Many scholars have criticized these perspectives as "Orientalist," "racist," and part of the "colonial gaze" of imagining "Others." However, today they have become ingrained in many new forms of western modernities and globally hegemonic

cultures of human rights, and in their more extreme manifestations, they constitute varieties of secular fundamentalism—an uncompromising ideology devoted to the strict removal of religion from any position of influence on public life.

In Malaysia, tensions between Islamic parties and organizations and liberal rights NGOs and activists have risen over the last decade to highly volatile levels. There are many factors for this, but most observers point to the Islamic revival, the rise of Islamic fundamentalism, and the Malaysian federal government's involvement in Islamic proselytizing campaigns. While these factors are important, there is also a need to consider the ideology of many non-Muslim liberal rights activists. Unfortunately, most observers have overlooked the fact that these "civil society" organizations have become increasingly committed to secular fundamentalism and as a result are less inclined to meet their Malaysian Muslim counterparts in the "middle" where compromises and negotiations can be reached. To some extent these local groups have been pushed by outside agents including some academics that call for no compromise with the forces of Malay and Islamic supremacy. In the words of Clive Kessler (2014:5), a professor emeritus in Australia, once non-Muslims accept their status as minorities "the members of the majority have them where the presuppositions of the Islamic order require them to be placed." He suggests that non-Muslims minorities should take a secular fundamentalist stance and















fight at all costs against the existence of an overarching Islamic polity. Tamir Moustafa (2013:797) notes that, "the liberal rights versus shariah binary [has] clearly exacerbated cleavages in Malaysia and, to some degree, shifted the principal cleavage from race to religion." He also argues that intervention of outside agents has contributed to both sides becoming further entrenched into oppositional stances. Galvanized by secular fundamentalist ideology, liberal rights activists find little room for dialogue and negotiation with political Islamic activists, creating diminished possibilities of finding a space for harmony and peaceful co-existence.

Shamsul A. B. (1998) has advised researchers to take a middle ground rather than adopting ideologically biased positions slanted toward one side of social and cultural binaries. If researchers positioned themselves in the middle, he hoped that their work would also help Malaysians to take less polarized positions. Moving off of Shamsul's recommendation, I strove to navigate a middle ground considering and advocating both Bumiputera and non-Bumiputera perspectives and concerns in my study of Malaysian cultural nationalism (2005). Now, more than ever, we need to take Shamsul's perceptive and cosmopolitan suggestion to heart. Here, my brief discussion of Brunei's Syariah Penal Code is offered in the spirit of seeking to facilitate a middle ground space where people with secular and religious perspectives can come together to find some common affinities.

Anti-Imperialism

Secular liberals and Muslim activists share an aversion to imperialist domination and colonial oppression. It was under European hegemony and/or colonial domination that most Muslim societies saw a reduction of the scope of sharia to personal and family laws. Islamic penal codes, written and unwritten, were displaced by European legal codes. In the context of European domination and growing global power, various aspects of European cultures, including legal systems, were often considered as superior and the epitome of modernity. Even leaders in Muslim-majority societies, such as the shahs of Iran and the pashas of Turkey, replaced sharia codes with European civil law codes as they tried to mimic other practices associated with forms of hegemonic modernities.

After a century or more of secularism and western modernities, many Muslim societies are looking to decolonize their legal systems and polities from the deleterious effects of European imperialism and hegemony. A desire to return to fuller implementation of Islamic laws and norms in all domains of life is sweeping across the Muslim world. Peters (2005) notes that sharia criminal laws are being implemented in northern Nigeria, Libya, Sudan, Saudia Arabia, Yemen, Bahrain, Qatar, UAE, Iran, and Pakistan. Thus, the recent implementation of sharia criminal law in Brunei is part of this decolonizing wave gathering















momentum. Although PAS (Parti Islam SeMalaysia) passed sharia penal codes in Kelantan and Terengganu, they were not able to implement them due to federal legal constraints. Nevertheless, discussions are ongoing about the possibility of removing those obstacles and allowing for a rollout of sharia criminal laws in Kelantan.

In addition to sharing decolonizing sentiments, many secular liberals and Muslim activists also have concerns about the implementation of penal codes in contemporary nation-states. These states are characterized by highly centralized and mechanized means of control together with high levels of social stratification, including intersections of class, racial, ethnic, and gender hierarchies. They share concerns about the ways in which structures of inequalities articulate with secular and sharia legal systems. One can justifiably ask whether the sharia penal code will apply equally to the elites of Brunei as it does to the lower strata of society. Similarly, we can also ask how we can reform the U.S. criminal justice system so that it treats lower class African Americans and Latinos the same way it does upper class European Americans. The fact that both secular liberals and Muslim activists have to face is that legal systems always articulate with structures of inequality in society; they don't exist in a vacuum. Therefore, there is a need in both secular and sharia legal systems to draw on our shared values of equality and justice to make implementations of law fairer through closing the gaps of social inequalities

as well as refining legal procedures. Nevertheless, while these transformations are underway secularists and Muslim activists alike require a legal system.

Theft

Islamic and secular legal systems share the goals of protecting life and limb and property. While there are clearly differences in the source of the laws, the application of human reason in the case of secular laws and the directives of Allah based in Qur'an and hadith in the case of sharia laws, they both share the objective of protecting human property rights. Some secular and religious fundamentalists would point to the different sources of their laws as evidence of the irreconcilable divergence between laws based on reason or revelation respectively. However. Muslim jurists also utilize human reason in interpreting religious sources and applying them to particular cases or issues. On the other hand, secular jurists draw on higher moral and ethical ideas as they strive to formulate more humanitarian legal codes. Thus, there exists some convergence of secular and Islamic legal systems.

After reportedly more than thirty years of work, Brunei's Muslim jurists have formulated a sharia penal code that includes *hudud* and *qisas* criminal punishments based heavily on revealed religious knowledge. *Hudud* are fixed punishments for certain crimes (*hadd*) mentioned in the Qur'an and *hadith*, and *qisas* is retaliation for the crimes of homicide or















wounding. Of course, they did not apply human reason for coming up with the idea of amputating limbs as a punishment for theft; this was prescribed in sacred revealed knowledge. However, they did have to use human reason in deciding the applicability of this law to Muslims and non-Muslims in Brunei. There has been heated dialogue in Malaysia about whether hudud and qisas laws will apply to everyone or only to Muslims. As former chief justice of Malaysia, Tun Abdul Hamid Mohamad (2014), points out, there are many issues of public reasoning that will have to be thought out before hudud and qisas laws can be applied in Malaysia. The section on theft or *sarigah* in Brunei's Syariah Penal Code, 2013, which applies to Muslims and non-Muslims reads as follows:

- 55. (1) Any person who commits sariqah, where the value of the property amounts to or exceeds nisab and the sariqah is proved either by ikrar of the accused or by syahadah of at least two syahid in accordance with Hukum Syara' other than the victim's evidence, after the Court is satisfied having regard to the requirements of tazkiyah al syuhud is guilty of an offence and shall be liable on conviction to hadd punishment as follows—
- (a) for a first offence, amputation of his right hand from the joint of the wrist;
- (b) for a second offence, amputation of his left foot up to the ankle; and

(c) for a third or subsequent offence, imprisonment for a term not exceeding 15 years (p. 1698).

The crime of *sarigah* or theft is consequential if it exceeds a certain designated level or nisab, and it is proven by confession or sworn testimony of two witnesses in accordance with the sharia specifications. Many secularists focus on the apparent harshness of this punishment in contrast to a term of imprisonment. However, out of concerns for deterrence many secularists argue for lengthening the terms of imprisonment, thereby making secular laws increasingly harsh. Peters (2005:30) states that, "as in most Western penal systems, punishment is justified in Islamic law by deterrence, retribution, rehabilitation and finally, the idea of protecting society by incapacitating the offender."

Adultery

Both secular and Islamic legal systems seek to control human sexual behavior. Although religious norms proscribing sexual acts between unmarried persons are still strong in many western communities, the focus of secular legal controls on sexual relations lies in issues of "consent" freely given by mature individuals. Thus, if a married person engages in acts of sexual intercourse with an unmarried person, one or both of them may be doing wrong in the eyes of their moral communities, but they are not committing a crime. Some complex discussions take place in secular societies about















"date rape" and whether it is unlawful sexual intercourse or "rape" if a male college student has sex with a female college student who has been drinking alcoholic beverages. Under sharia laws, legal sexual intercourse only occurs in marriage. It is considered unlawful for two "consenting" adults to have sexual intercourse if they are not married to each other. However, the question of whether the intercourse was consensual or coerced is a pertinent issue in determining how many persons committed the crime and the level of punishment.

In Brunei's Syariah Penal Code, 2013, Muslim jurists based the punishment for zina (unlawful sexual intercourse) by a ghairu muhsan on Qur'an (24:2), which prescribes one hundred lashes. The code defines a ghairu muhsan as "a person who is not married, or married but never had sexual intercourse in marriage" (p. 1675). On the other hand, a muhsan or a person who is legally married and had sex within that marriage, can be sentenced to death by stoning if it is proven that he or she committed an act of adultery. This punishment is found in hadith. However, Brunei's Muslim jurists and officials had to decide upon whom this law, based in Qur'an and hadith, would apply. They divided acts of zina into two categories: those that just involve non-Muslims and those that involve at least one Muslim party. Whereas fornication and adultery between non-Muslims is not punishable in this code, the unlawful sexual acts involving one Muslim party would be a considered a hadd

offence by both parties. The subsection pertaining to non-Muslims is as follows:

69. (3) Any non-Muslim who commits zina with a Muslim and it is proved either by ikrar of the accused, or by syahadah of at least four syahid according to Hukum Syara' after the Court is satisfied having regard to requirements of tazkiyah al syuhud, is guilty of an offence and shall be liable on conviction to the same punishment under subsection (1).

By extending this law to sexual intercourse between a Muslim and non-Muslim party, the Brunei state seeks to maintain more social and sexual order in the broader society that includes around thirty per cent non-Muslims. Secular and Islamic legal systems have a mutual concern for controlling human sexual behaviors—the former stresses delineating legal categories of consensual or coercive intercourse and the latter sex within or outside of marriage.

Sodomy

Secularists and Muslim jurists also share a concern with ordering human sexual behavior through restricting acts that they deem to be "improper" and/or "unnatural." Both have viewed sodomy as falling in such a category requiring sanctions. The current civil laws casting sodomy as unlawful in Brunei and Malaysia were inherited from the British colonial period. Moreover, there were laws under secular systems proscribing sodomy in















the U.S. and much of Europe. Several states in the U.S. still have laws against sodomy. However, we must note that the tide is turning against these sorts of laws in many western societies given the changing values and norms of younger generations. The situation is different in most Muslim majority societies and in Muslim minority communities located in western secular societies. Although sexual minorities exist in these societies, sodomy is still largely viewed as unlawful and "unnatural." Malaysia has state-level sharia laws proscribing liwat or sodomy but they entail discretionary punishment set within the limits of federal law in the absence of a sharia penal code implementing hudud sanctions. The new penal code in Brunei does not "ban gays and lesbians" as many secular fundamentalists have claimed. In line with most schools of Islamic jurisprudence, including most Sunni and Shi'i schools, Brunei's Muslim jurists treat *liwat* as another form of unlawful sexual intercourse. However, unlike zina, laws against sodomy apply to Muslims and non-Muslims alike. Even if both parties proven to have engaged in this form of unlawful intercourse are non-Muslims, the *hadd* punishment is still applied. The law reads as follows:

- 82. (1) Any person who commits *liwat* is guilty of an offence and shall be liable on conviction to the same punishment as provided for the offence of *zina*.
- (2) For the purposes of this Order, "liwat" means sexual intercourse between a

man and another man or between a man and a woman other than his wife, done against the order of nature that is through the anus (p. 1709).

Brunei's Muslim jurists utilized their reason to make interpretations and reach the conclusion that the penalty for *liwat* would be death by stoning or one hundred lashes and one year in prison. There was significant difference of opinion amongst traditional Muslim jurists of various schools of jurisprudence on the punishment for *liwat* and Hanafites did not consider it as a *hadd* offence (Peters 2005:61). Although the mores of sexual behavior are shifting in regard to sodomy in many secular western societies, Muslim jurists and secularists share a concern with regulating "proper" sexual intercourse and maintaining some semblance of sexual order.

Contempt of Nabi by non-Muslim

In addition, both secular liberals and Muslim activists strive to regulate offensive statements and actions being made about sacred and highly valued religious beliefs and figures. They have a mutual concern about constraining the deleterious effects of these sorts of statements and actions upon the peace and harmony in society. From the perspective of many secular scholars, these contemptuous statements constitute speech acts that hurt and inflict pain on fellow human beings. Some secular societies have instituted formal laws or informal codes that restrict and punish anti-Semitic statements















and acts. Unfortunately, the same kind of sensitivity toward Islam and Muslim minorities is yet to take root in many secular societies. Many secular fundamentalists try to sustain their anti-Muslim rhetoric by claiming that "liberal" and "democratic" rights of free speech support their unlimited entitlement to verbally attack and ridicule Islam and sacred and highly valued Islamic beliefs, figures, and symbols. To the contrary, Brunei's penal code converges with the more sensitive and reasonable posture of secular liberals and humanists that view such verbal acts of contempt as hurtful to religious believers and practitioners and harmful to social peace and order. Brunei's penal code considers such acts committed by Muslims as hadd offences in the category of *irtidad* or apostasy. In addition, there are two sections that restrict such acts that apply only to non-Muslims. These sections read as follows:

221. (1) Any non-Muslim who, orally, in writing, by visible representation or in any other manner contempts or brings into contempt Nabi Muhammad Sallallahu 'Alaihi Wa Salaam or any Nabi Allah and it is proved either by ikrar of the accused, or by syahadah of at least two syahid according to Hukum Syara' after the Court is satisfied having regard to the requirements of tazkiyah al syuhud, is guilty of an offence and shall be liable on conviction to death penalty.

222. (1) Any non-Muslim who derides, mocks, mimics, ridicules or contempts, by word or deed, any verse of the Al-Qur'an or hadith of Nabi Muhammad Sallallahu 'Alaihi Wa Salaam and it is proved . . . is guilty of an offence and shall be liable on conviction to death penalty (p. 1758).

In sum, we can approach and understand Brunei's Syariah Penal Code, 2013 in a less polarizing fashion through situating it within the broader historical and global context of imperialism and decolonization. We can also foment less conflict and facilitate more peace and harmony by noting the many convergences and shared concerns of secular and Islamic legal systems in protecting life, limb, property, and social and sexual order. There is also some value in recognizing that all legal systems articulate with structures of inequality, and that there is need for sustained efforts in making the implementation of civil and sharia laws more just through both refining legal procedures and lessening the extent of social inequality.

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Feature Article 3

A comparative analysis of online and print media during the 2013 Malaysian General Election: A Research Note (By Jason P. Abbott and John Wagner Givens)

In contrast to the 'mainstream' print media in Malaysia, which has largely remained under the indirect control of parties within the ruling coalition, and has demonstrated clear bias in their coverage of political eventsⁱ, much has been made over the past 15 years of the emergence of a vibrant online media landscape. What has been missing from the research of these phenomena has been any detailed comparative analysis of both online and traditional print media outlets. Rather most of the research has been on the new media alone, much of it demonstrating an implicit normative preference for such outlets over their print counterparts.

This research note, which forms part of a larger project that was presented at this year's AAS annual convention, addresses the comparative lacunae. Utilizing three different sets of coding of selected online and print media publications during the 2013 general election the research tests to what extent the print media was uniformly progovernment in its coverage and if the online media remains largely pro-opposition by default. The three sets of coding include two rounds of original coding by Abbott as well as two other independent studies.

Before presenting the findings of our data it

is important to stress that a panoply of legislative checks exist on civil liberties in Malaysia that individually and collectively constrain freedom of speech and freedom of the press. Among other things such controls result in Malaysia being depicted by scholars as a diminished sub-type of democracyⁱⁱ. This has been given many different labels including illiberal democracyⁱⁱⁱ, quasi-democracy^{iv}, semi-democracy^v, statist democracy^{vi}, competitive authoritarianism^{vii}, semi-authoritarianism^{viii} and electoral authoritarianism^{ix}.

The impact of legislative checks on freedom of the press in Malaysia

Among the principal legislative checks on freedom of the press and freedom of expression are amendments to the Federal Constitution, the Internal Security Act, the Official Secrets Act, the Sedition Act, and the Printing Presses and Publications Act. Although freedom of speech is enshrined in article 10(1) of the Federal Constitution, section 2 of article 10 provides restrictions on that freedom when "necessary or expedient in the interest of the security of the Federation," to maintain "friendly relations with other countries, public order or morality" and restrictions designed "to protect the privileges of parliament or of any Legislative Assembly or to provide against contempt of court, defamation, or incitement to violence."x In addition, following the race riots in May 1969, a further amendment was introduced to article 10 that allows Parliament to pass laws that prohibit "the questioning of any matter, right, status, position, privilege, sovereignty or prerogative"xi established in articles 152 and 153 of the constitution, which were

introduced to constitutionally enshrine and protect the privileged position of the Malay community.

Of all of the means by which the government has silenced critical voices, the Internal Security Act (ISA) attracted the most opprobrium. Originally passed in 1960, the act allowed police to arrest without warrant any person suspected of acting in "any manner prejudicial to the security of Malaysia". In 2012 Security Offences (Special Measures) Act was passed effectively repealing the ISA. Nevertheless the new Act effectively allows for indefinite detention by filing repeated appeals.

Although originally intended to check internal subversion, in practice the ISA was used against leaders of opposition parties, civil society organizations xii as well as journalists. The ISA was first used to silence critical media in 1976 when Samani Mohd Amin, then assistant news editor of Berita Harian, and Tan Sri Samad Ismail, the managing editor and deputy editor-in-chief of the New Straits Times, were arrested and detained for five years. In 2001, Hishamuddin Rais, then columnist for the online news service Malaysiakini, was detained under the ISA for two years, xiii while in 2008 the prominent blogger Raja Petra Kamaruddin was detained.xiv

Since the 'repeal' of the ISA in 2012 the Sedition Act has become the preferred legislative tool wielded against government opponents. The act prohibits the questioning of "sensitive" constitutional issues such as Malay special privileges, the status of Malay as both the official national language, and the status of Islam

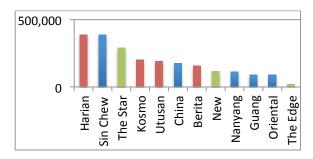
as the "official" religion. In addition, the act prohibits prompting "disaffection with the administration of justice in Malaysia," and makes it a crime to publish or be in the possession of any publication that could be deemed seditious. In 2013 Tian Chua, vice president of the opposition National Justice Party (PKR), and Hishamuddin Rais were charged with making seditious speeches at an opposition event in Selangor, while in February of 2014 veteran lawyer, and opposition member of parliament, Karpal Singh was found guilty of making a seditious comment about the Sultan of Perak. In August and September the Act was used repeatedly against an array of civil society activists, opposition politicians, bloggers and academicsxv.

While the ISA may have been the most infamous legislative check on freedom of speech and expression, and the Sedition Act currently the most frequently wielded tool, press freedom has been constrained most explicitly by the 1984 Printing Presses and Publications Act (PPPA). Until 2012 the PPPA required all print publications to apply for an annual permit from the Home Ministry that could be refused, revoked, or suspended at the minister's discretion. Additionally, section 7 allows the government to ban the publication, circulation, or import of any books that it deems prejudicial to public order, morality, or security, while section 8A(1) provides for a jail term or heavy fine for any editors, journalists, publishers, or individuals for "maliciously printing false information." Although the Malaysian government introduced amendments to the PPPA in 2012 that removed the requirement to renew permits annually the threat of having a permit

revoked still hangs like a proverbial sword of Damocles over editors and journalists.

The PPPA has been used on several occasions to ban or restrict the publication of newspapers, opposition political party newspapers, magazines and cartoons: in 1987 against the Chinese-language newspaper Sin Chew Daily and the English-language Star, against the critical magazines Detik, Tamadun, and Wasilah during the "Reformasi" protests of 1998-9; in 2001 against *Harakah*, the newspaper of the Islamic party PAS; in 2010 against several compilations of cartoons by the satirical artist Zunarxvi and most recently against the newspaper of the opposition party PKR. The cumulative effect of the use of these legislative checks, is that at best the Malaysian media is "shackled"xvii and at worst subject to authoritarianxviii controls. Indeed, in international rankings of press freedom Malaysia has fallen from from 96th place in 2006 to 147th in 2014, its worst ever ranking.xix

Figure 1: Major Malaysian Newspapers by Circulation



Source: Audit Bureau of Circulations 2014,

Blue = Chinese language, Red = Malay, Green = English

In terms of circulation, the largest

newspapers in Malaysia are fairly evenly split between Malay, English, and Chinese papers. According to Neilsen, overall daily readership of Malaysian newspapers is about 9.1 million.xx The print media is dominated by approximately a dozen national daily newspapers, four of which are published in Malay, five in Chinese, and three in English. The findings of our analysis show that Malaysia's media landscape is heavily, but not uniformly, tilted towards the government. Bahasa Malaysia and English language sources exhibit strong progovernment and anti-opposition biases. By contrast, Chinese language outlets proved fairly neutral in their coverage of both the government and the opposition, with online sources far more even-handed than traditional media, with a slight but sometimes significant bias towards the opposition.

The Malay language media:

Berita Harian was, until 2005, the leading Malay-language news paper in Malaysia. Founded in 1957, the newspaper initially was part of the Singaporean Straits Times Group, until the Kuala-Lumpur-based operations were transferred to a wholly owned subsidiary, the New Straits Times Press (Malaysia) Bhd (NSTP) in 1972. In 1993 NTSP was eventually taken over by the holding company, Malaysia Resources Corporation Berhad, which retained control of the newspaper company until 2001, when the corporation's media subsidiaries were divested under a company that would eventually be-come the media conglomerate Media Prima. Despite being in private hands, the NSTP and Berita Harian have been linked to United Malays

National Organization (UMNO) by close personal connections and share ownership by the party and entities linked to it. In 1991 the NSTP launched *Harian Metro* as a compact (tabloid) targeted largely at a young urban audience. By 2005 *HM* had become the best-selling newspaper in Malaysia.

Utusan Malaysia was founded in 1939 as Utusan Melayu as a vehicle for Malays to express their opinion on British colonial rule. Before 2004, the newspaper vied with Berita Harian for the title of the country's leading Malay-language newspaper in terms of circulation and readership. However since then, its position has slipped. Nonetheless the newspaper is of particular interest because UMNO directly owns its parent company, and it is widely regarded as being both overtly progovernment and the standard bearer for Malay nationalism. Since the 2008 election, it has attracted widespread criticism from the country's opposition parties and liberal intelligentsia for allegedly stoking racism with provocative rhetoric, columns and headlines in a country in which racial identity remains the principal societal cleavage. As well as Utusan Malaysia, the Utusan group also owns and publishes the title Kosmo!, launched in August 2004, as a rival to Harian Metro.

The Chinese language media

The Chinese language media are the oldest continually operating newspapers in Malaysia. The oldest, *Nanyang Siang Pau*, was founded in 1923. Until the 1980s it was the best selling Chinese language newspaper when Sin Chew Jit Poh overtook it. In 1993 the parent company Nanyang Press took over *China Press*, which was founded in 1946.

Nanyang suffered a severe downturn in its circulation in 2001 when the investment arm of the Malaysian Chinese Association, Huaren holdings, acquired over 90 per cent of the stock in the company^{xxi}. Readers and advertisers met this decision with a sustained boycott of the newspaper in protest at the political interference. While Huaren would later divest most of its holdings to Sarawak timber tycoon Tiong Hiew King, Nanyang never recovered its earlier market share and was reoriented as a niche business newspaper.

Currently the best-selling Chinese language daily newspaper is Sin Chew Jit Poh. In 1987 Sin Chew suffered significant financial woes following its temporary suspension during Operation Lalang. This led to the takeover of the company by Tiong Hiew King, who also acquired Guan Ming Daily four years later 1992xxii. While not as controversial as Nanyang's takeover by Huaren, Tiong has strong political connections to the ruling Barsian Nasional through its coalition partner the Sarawak United Peoples Party (SUPP), while his younger brother Tiong Thai King served as MP for Lanang from 1995 until 2013. In 2008 Tiong's Sin Chew media group merged with Nanyang and Hong Kong Ming Pao Enterprise to create Media Chinese Internationalxxiii. Thus today a single media conglomerate controls all four of the main Chinese newspapers, commanding close to 90 per cent of the readership of Chinese daily newspapers in Malaysia.

The English language media

The Star overwhelmingly dominates the English language media with a circulation

twice that of its main rival *The New Straits Times.* The controlling shareholder in *The Star* is Huaren holdings, which holds a 42 per cent stake in the newspaper, and whose commercial success has been something of a cash cow for the company generating over \$80 million in dividends between 1997 and 2007. It has also aggressively promoted its online site in recent years vying with online newssite *Malaysiakini* for the title of most visited news portal.

In contrast the The New Straits Times has seen its circulation fall from approximately 180,000 prior to the Reformasi protests in 1998 to just over 110,000 today. For over 160 years the newspaper was Malaysia's only broadsheet until it switched to tabloid style in 2005. Published by The New Straits Times Press (NSTP) the newspaper has long been considered to be at best pro-government and at worst a semi-official mouthpiece for the ruling coalition. This perception reflects an ownership structure that has long seen the newspaper interwoven with corporate interests aligned to the Barsian Nasional and UMNO. In 2001 Media Prima acquired NTSP. The largest shareholder in Media Prima is the private firm Gabungan Kasturi. While little is known about the company a 2005 report in Business Times claimed that it was owned by Amanah Raya, a trust management company wholly owned by the Malaysian government through the Ministry of Finance.xxiv In addition, the Malaysia Employees Provident Fund (EPF), a government agency charged with encouraging long-term banking to mitigate for retirement, unemployment or sickness, controls 14.9 percent.

The Online Media in Malaysia

A survey of the top news websites in Malaysia reveals a very different picture from that of the print media. While all of the major newspapers do have an online version, only four make the top 50 Malaysian websites where they are joined by two online news sites Malaysiakini and The Malaysian Insider.

Table 1: News Portals in Malaysia, ranking

Table 1: News Fortals III Malaysia, Fallking		
News Website	Rank of all	
	Malaysian	
	websites	
Malaysiakini (web only)	20	
The Star	21	
Sinar Harian	22	
Harian Metro	25	
Utusan Malaysia	33	
The Malaysian Insider (web only)	36	
Berita Harian	57	
Sin Chew Daily	78	
Kosmo	88	
Free Malaysia Today (web only)	89	
Harakah Daily (weekly+web)	122	
China Press (c)	149	

New Straits Times (e)	176
The Malay Mail (regional+web)	183
The Malaysian Chronicle (web only)	242
Malaysia Today (web only)	334
Oriental Daily News (c)	620
Guang Ming Daily (c)	710

Source: Alexa 2014.xxv

While it is difficult to compare the readership of websites with the circulation and readership of newspapers, both Malaysiakini and The Malaysian Insider have sizeable readerships that have made them insurgent players in the overall Malaysian mediascape. One of the difficulties in measuring an audience on the Internet is determining the difference between page views and unique visits. Such qualifications not withstanding, Malaysiakini records on average 9 million page views and 664,000 unique visits a month^{xxvi}. The Malaysian *Insider* has rapidly developed a substantial readership recording approx 500,000 unique visitors a month. Free Malaysia Today is both the newest and smallest Internet only news portal. Prior to 2010 FMT had been a blog affiliated with the Pakatan Rakyat opposition coalition but re-oriented itself as a news portal when K.Kabilan took over the site.

Malaysiakini's story has been frequently retold. Kini is the oldest news portal having

been founded by former Star journalist Steven Gan and businessman Prem Chandran in November 1999. While the site proved immediately popular it was plagued with political controversy over funding from George Soros and the US-based National Endowment for Democracy. In addition the site has been subject to repeated denial of service attacks since its inception, and its journalists frequently denied official press passes. Despite such challenges Kini was one of the first online news portals in the world to adopt a subscription paywall to provide the company with a consistent revenue stream which has been supplemented by robust growth in private advertising following a surge in traffic to the site during the 2008 election campaign. As Gan remarks "the election of 2008 saw a change in mindset among advertisers. With 47 per cent of the population voting for the opposition they realized that they could no longer ignore us and that they had to be present."xxvii By 2011-2012 advertising revenue surpassed subscription as the largest source of income for the news portal. During the election of 2013 traffic to Malaysiakini surged peaking at 4.3 million page views on election night alone with at one point in the evening over half a million page views taking place concurrently xxviii.

The Malaysian Insider was created in February 2008 by a group of businessmen and journalists who were joined in 2010 by Jahabar Sadiq, a former Reuters television producer, as CEO and editor. While the news portal generates revenue from advertising and Google ads the bulk of its funding comes from anonymous businessmen who according to Jahabar "liked the idea of an impartial website" xxix.

For these investors Malaysiakini was seen as essentially being pro-opposition by default, "Malaysiakini was pushed into a corner.. a reaction to the mainstream press. They hated the fact the press was so progovernment and wanted to balance the news. As a result they became too pro-opposition with not enough critique and analysis"xxx. Critics of The Malaysian Insider have long claimed that the anonymous businessmen that provided the funds to set up and run the news portal have close political ties to the Prime Minister Najib and question the independence of the newsitexxxi. While analysis of election coverage by The Malaysian Insider does show that it was the least critical of the three main news portals, it was only marginally more progovernment. Indeed overall our analysis, and that of the Watching the Watchdog project, reveal The Malaysian Insider to be remarkably balanced in its coverage of the government and opposition and the least negative to either side.

Measuring Bias in the Malaysian Media

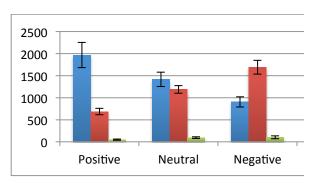
In 2010, Abbott began directing the coding of several Malaysian newspapers to measure their biases for and against the government and opposition. The newspapers were coded for three distinct two-month periods, two preceding the 2008 and 2013 Malaysian general elections and a control period exactly two years before the 2008 election. Not every newspaper was coded for every period; the periods and papers coded include: the Malay-language Newspapers Utusan Malaysia (2006, 2008, and 2013), Berita Harian (2006 and 2008), the English language New Straits Times (2008 and 2013),

and the Chinese paper Sin Chew Jot Poh (2013).

Additionally, we make use of data from two other studies of Malaysia's media. First, Linda Lumsden of the University of Arizona coded content on three popular Malaysian news websites Malaysiakini, The Malaysian Insider, and Free Malaysia Today in the 15 days leading up to the 2013 election. Second, Tessa Houghton and Zaharom Nain from the Centre for the Study Communications and Culture collaborated with the Malaysian Centre for Independent Journalism on Watching the Watchdog, an expansive project that monitored 29 print, television, and online media outlets in the run up to the 2013 Malaysian election.

As the largest and most diverse study of media bias in Malaysia, Watching the Watchdog (WTW) provides us with a good representative view of the overall bias of Malaysia's media. Figure 2 clearly demonstrates a strong and statistically significant bias towards BN figures and against opposition ones in the Malaysian media overall.

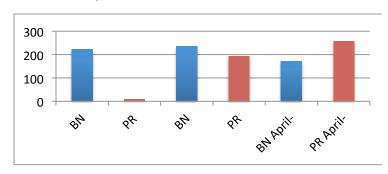
Figure 2: Total Mentions of BN, PR, and Independent Figures by Tone of Statement, All Media



Source: Watching the Watchdog

While the data tends to suggest that both the ruling and opposition coalitions received substantial amounts of coverage, it is important to note that most of our data come from periods in the run up to elections and may not be representative of coverage in non-election periods. Indeed, Figure 3 shows that outside of election periods the opposition received almost no news coverage whatsoever. The general trend, therefore, appears to be that coverage of the opposition is negatively biased in the run up to election and almost non-existent during other periods.

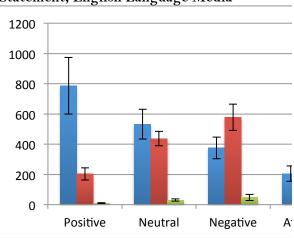
Figure 3: Mentions of BN and PR in Utusan Malaysia in Different Periods



Source: Abbott

Data on *The New Straits Times* shows that government bias was less pronounced than for *Utusan Malaysia* and *Berita Harian* in 2008, but nevertheless was clearly progovernment. During the 2013 election the *New Straits Times* proved to be just as biased in its pro-government stance as the standard bearer of the Malay Nationalist movement *Utusan Malaysia*. *New Straits Times*' shift towards being even more pro-government in 2013 is surprising, but may be explained by increased government pressure based on a reasonable fear of opposition gains.

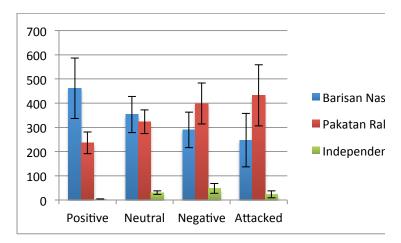
Figure 4: Total Mentions of BN, PR, and Independent Figures by Tone of Statement, English Language Media



Source: Watching the Watchdog

Malaysia watchers have long maintained that Chinese language newspapers in Malaysia have been more independentxxxii and in 1987 the government went as far as briefly revoking the license for Sin Chew Jot Poh. Over the past 25 years, however, the Chinese newspaper market became increasingly consolidated under progovernment businessmen and corporate holding companies. An analysis of Abbott's 2013 coding of Sin Chew Jit Poh nevertheless demonstrates that the paper's election campaign was remarkably even-handed. Both the governing coalition and the opposition received coverage that was balanced with only a very slight and statistically insignificant advantage for the Barisan Nasional in terms of positive coverage. Indeed, this is the only newspaper coded to date where the overall coverage of the opposition has been positive.

Figure 5: Total Mentions of BN, PR, and Independent Figures by Tone of Statement, Chinese Language Media



Source: Watching the Watchdog

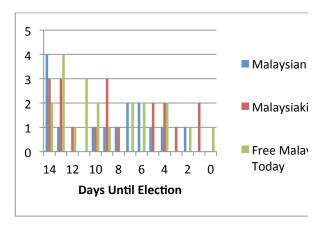
This analysis is supported by WtW's results on the Chinese media more broadly. Data from WtW shown in Figure 5 demonstrate that coverage by Chinese outlets was more even-handed. We did find a statistically significant difference in positive coverage in favour of the government, but additional analysis suggested that this was driven by the inclusion of Chinese television outlets in WtW's data.

Our statistical analysis of Lumsden's data showed that Malaysia's three most popular news websites not connected to a conventional media outlet were more evenhanded in their coverage. However, there were differences between sites, with the Malaysian Insider leaning slightly progovernment and Malaysiakini and Free Malaysia Today running more antigovernment coverage. As Figure 6 shows, however, the number of negative articles

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about the opposition diminished as the elections approached.

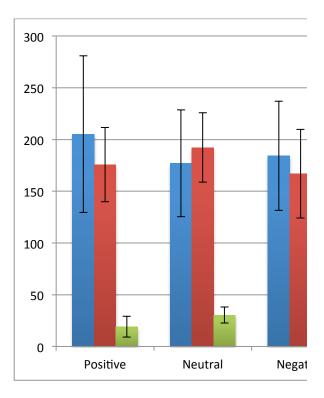
Figure 6: Number of Anti-Opposition Articles per Website



Source: Lumsden, Linda. 2013. "How Independent?"

Turning to a wide sample of online news, the WtW survey included both English and Bahasa Malaysia versions of two leading online news portals as well as Malaysiakini and The Malaysian Insider in its analysis. According to its findings both sites were far more even in their coverage of both coalitions and both coalitions of parties were attacked almost equally. These trends identified in the descriptive statistics are confirmed by the results of the statistical tests we conducted, which found no statistically significant bias in either positive or negative coverage of BN versus opposition figures. In addition, both online news sites were much more willing to use Pakatan Rakyat sources. Their Print counterparts, by contrast, disproportionately relied on BN sources, with the exception of the Chinese language media.

Figure 7: Total Mentions of BN, PR, and Independent Figures by Tone of Statement, Online Media



Source: Watching the Watchdog

Conclusions

This research note has demonstrated that, with the notable exception of Chinese language newspapers, the print media in Malaysia remained uniformly progovernment and anti-opposition in its coverage of the 2013 general election. Moreover existing biases remained largely constant compared to 2008 with the exception of *The New Straits Times*, which became decisively more pro-government. In contrast it would be incorrect to label online news portals as pro-opposition by default.

Analysis of the three major online news portals Malaysiakini, The Malaysian Insider and Free Malaysia Today demonstrated that all three were remarkably consistent in the evenness of coverage they presented in the weeks leading up to election day. Collectively positive coverage outnumbered negative coverage with The Malaysian Insider both the most pro-government and proopposition of the three portals. Similarly although Malaysiakini and Free Malaysia Today were more critical in their coverage of the government than The Malaysian Insider neither was slavishly 'loyal' to the opposition. By demonstrating a willingness to be critical of the opposition, as well as the government, the online news media in Malaysia is demonstrating that they are playing the "role of journalistic watchdog"xxxiii.

Such statistical findings underscore anecdotal evidence and testimony from personal interviews with news editors and political figures. Prem Chandran, the CEO of Malaysiakini when asked to comment on the respective roles of print and online media remarked "more people get their political news online than in newspapers today. Online media is now the mainstream"xxxiv. Jahabar Sadiq, CEO of The Malaysian Insider concurred with Prem's assessment and was particularly scathing in his opinion of the mainstream media, "the editors report directly to the Prime Minister.. they reflect the siege mentality of this government, they need good news, they need to believe the hype.. We are the mainstream media now, they are the holdouts"xxxv. Leslie Lau, executive editor of The Malay Mail Online remarked that "online media sets the tone because of a credibility gap and trust gap between the government

and the urban middle classes, that's where online media comes in... online media is leading the charge"xxxvi.

In a country where Internet penetration now exceeds 65 per cent of the population, and smartphone penetration close to 80 per cent, online news portals have become a significant alternative to traditional newspapers. They can no longer be dismissed by the government nor by commercial actors. Indeed since 2008 advertising has become an increasingly important source of revenue for all of the major news portals. Nevertheless none of the main online news portals are commercially viable without additional sources of income, be they from grants, or the deep pockets of anonymous benefactors. In addition all have a relatively small staff compared to most traditional newspapers. Malaysiakini employs approximately 60 staff, The Insider about 30 (including ten reporters)xxxvii, and Free Malaysia Today a similar figure to the Insider following its expansion to East Malaysia. The Star by contrast has a 1600 strong workforce. The online media in Malaysia has clearly come a long way since the early days of the late 1990s and no longer is it a voice that can be either dismissed or ignored. Increasingly it is becoming more professional, more authoritative and more competitive.

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^{*} Government of Malaysia, Federal Constitution (Kuala Lumpur, Malaysia: International Law

xi Ihid

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xxxiii E.g. See George, Cherian, 2007. Contentious Journalism and the Internet: Towards democratic discourse in Malaysia and Singapore, Singapore, Singapore University Press.

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xxxiv Interview July 19th 2013

xxxv Interview July 22 2013

xxxvi Interview July 24 2013

xxxvii Although soon after the election in May The Insider lost 26 staff to the newly relaunched Malay Mail Online.

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BOOK REVIEW

Claudia Derichs and Mark R. Thompson (eds.), Dynasties and female political leaders in Asia: gender, power and pedigree (Berlin: LIT Verlag, 2013) ISBN: 9783643903204, (pbk.) 388 pp

Cheong Soon Gan

University of Wisconsin-Superior

In Dynasties and Female Political Leaders in Asia: Gender, Power and Pedigree, editors Claudia Derichs and Mark R. Thompson present a collection of essays that seek to unravel the "puzzle" why there are so many female leaders in Asia, "given the generally low status of women" (p. 12) in the continent. The volume, in addition to the Introduction and Concluding Remarks, consists of nine chapters examining the careers of 12 leaders: Indira Gandhi, Sirima Bandaranaike, Benazir Bhutto, Sheikh Hasina Wajed, Khaleda Zia, Corazon C. Aquino, Gloria Macapagal Arroyo, Aung San Suu Kyi, Megawati Sukarnoputri, Wan Azizah Wan Ismail, Tanaka Makiko and Park Guen-hye.

These leaders have one thing in common: they achieved power or political prominence through some form of dynastic succession, having succeeded their husbands or fathers immediately after the latter's death, or leveraging the power of the deceased leader's name and charisma at a later date. The writers (six, including the editors) were part of a project sponsored by the German Science Foundation that sought to interrogate the intersection of gender and Asian dynastic politics using "an empirical and comparative perspective" within a "common theoretical framework" (p. 12).

Field research was conducted from 2003 to 2006.

The editors hope to construct a common theoretical framework in approaching this range of leaders from almost every corner of Asia who achieved political prominence through different circumstances and timelines. To that end, they suggest that traditional stereotypes that relegate Asian women into a primarily non-political domestic sphere actually helped some of these leaders achieve political power in patriarchal societies. Many of these leaders-Indira Gandhi and Cory Aquino, for example—started off as compromise candidates by the many male faction heads jostling for control after the death of prominent leader. These wives and daughters were considered political neophytes, and perceived as weak and malleable; place holders until the men could sort out the next alpha male. Others leveraged their status as mothers, wives and caregivers to more effectively acquire and deploy the "moral capital" (p. 16) to inherit the vacant leadership positions. Thus, compared to men, they are more effective vessels to capture the "inherited charisma" (p. 15) of their martyred husbands or fathers.

The chief value of this volume lies in the breadth of coverage. By examining leaders from South, Southeast and East Asia, across different periods and who gained power under different circumstances and timelines, the reader is able to subject any theoretical assumptions to a range of "stress tests." How, for example, did these leaders inherit moral capital from their deceased husbands or fathers? Was a close political relationship

between a daughter and her father a prerequisite to political inheritance (Indira Gandhi) or a non-factor (Aung San Suu Kyi, who barely knew her father, and instead was more influenced by her politically active mother)? These multi-dimensional comparative questions are extremely useful in opening up the doors to a more nuanced understanding of gendered political dynastic succession that would not have been possible in a single-case study monograph consumed by the particularities of the subject matter.

At the same time, the reader is occasionally left wanting for more from each chapter, which are necessarily concise due to the breadth of coverage. The first case study yokes together two South Asian "pioneers", Indira Gandhi and Sirima Bandaranaike, but the chapter focuses mainly on Gandhi, examining her dynastic succession, and perceptions about her government's handling of two critical events during her tenure: the war with Pakistan, and the creation of Bangladesh. One of the main points of the chapter—that her inherited (and gendered) charisma had to be continually tested, re-affirmed and reenacted through the ballot box—is illuminating but perhaps not pioneering. It has to be noted that the scholarship on Gandhi is broad and rich, while little has been written about Bandaranaike (a point acknowledged by the author, Dagmar Hellmann-Rajanayagam), and this volume missed a chance to make a more significant contribution to the discussion when it relegated the Sri Lankan pioneer to a couple of pages.

Occasionally, the analysis of the relative importance of dynastic connections causes one to pause. Cory Aquino's story appears to be the textbook application of this volume's theoretical conclusions: a non-political housewife thrust into the political center upon the assassination of her husband as a compromise and malleable (by other male politicians) figurehead; who transforms herself into a leader in her own right using many of the gendered attributes initially seen as political liabilities. However, after a careful and detailed study, Mark R. Thompson suggests that although "dynastic considerations played a part in Aquino's ascent to the presidency, it was not the most significant factor. Without her moral capital and folk-religious symbolism, the opposition David could never have defeated the Marcos Goliath," (p. 156) a curious interpretation given that without Cory's dynastic connections, the reluctant politician would not have been on the main political stage to exercise her latent political gifts.

Readers of Berita would be most interested in Claudia Derichs' treatment of Wan Azizah Wan Ismail, who, like Cory Aquino, was a self-confessed accidental politician. Derichs notes that although Wan Azizah had no previous political experience before being tapped to head the Reformasi movement upon the imprisonment of Anwar Ibrahim, her marriage gave her informal access to knowing how politics works, an access that distinguishes her from other women who enter politics without these familial affiliations to the highest levels of national politics (p. 295). Derichs also contextualizes Wan Azizah's leadership of Keadilan during Anwar's absence and the

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political rise of her daughter Nurul Izzah within the dynamics of female political activism in Malaysia, noting that the two "became prime examples of a type of female politician who combines the features of emotional strength and religious piety" (p. 301). Derichs contends that Wan Azizah is also unique in that she did not access the main political stage through the traditional route women took in Umno, i.e. via the women's wing of the party, a route that had an impregnable glass ceiling. In evaluating her tenure as Keadilan's leader, Derichs notes that ultimately Wan Azizah disappointed her followers who expected her to be a transformative leader and was consistently dogged by perceptions that she was Anwar's mouthpiece from behind the prison walls. Wan Azizah's case study is illuminating in that it raises the question whether she should even be in this volume. After all, she is the only leader examined whose dynastic connection is still alive. In other words, there are legitimate questions whether she inherited actual political power (i.e. whether there was any dynastic succession at all), a concern that was confirmed when she stepped back into a secondary, supporting role upon the release of Anwar, even though she retained the formal title of President of the party. This of course does not invalidate her experience as a facet of female political leadership; it just raises the question whether this case study belongs to another volume with different comparative parameters.

However, these are minor quibbles when placed against the intriguing questions raised by comparing these instances of female dynastic succession in such a varied comparative framework. There are many rich lines of research begging to be explored that can be traced to the possibilities suggested by Derichs' and Thompson's volume.

OBITUARY

REMEMBERING R.S. MILNE

With great sadness I report the death on May 31, 2014, of Professor Robert Stephen (R.S.) Milne, one of the pioneering scholars of Malaysian and Singapore politics, at the age of 94 in Vancouver after a long and illustrious career. Born in Paisley, Scotland, he earned B.Z. and M.A. degrees from Oxford and served as a major in the British army during World War II. After the war he taught at the University of Bristol (1947-55) and Victoria University of Wellington (1955-59), where he served as Department Head, and then held visiting professorships at the University of the Philippines and the Institute of Social Studies in The Hague. In 1961 he became Head of the Political Science Department at the University of Singapore, where he developed research interests in Malaysia and Singapore. In 1965 he became the first Head of Political Science at the University of British Columbia, retiring in 1984. As an emeritus professor at UBC Stephen continued his writing and also edited Pacific Affairs (1984-1987). In 2002 he suffered the first of a series of strokes that eventually put him in a nursing home.

Stephen was a highly productive scholar, publishing 16 books and over 100 articles on varied topics, including British and New Zealand politics. Five of his books on Malaysia and Singapore were coauthored with his second wife, Diane Mauzy, also a Malaysia specialist and UBC professor, and two with his University of Singapore

colleague, Professor K.J. Ratnam. His best-known books on Malaysia and Singapore included Government and Politics in Malaysia (Houghton Mifflin, 1967), Malaysia: New States in a New Nation (Routledge 1986), Malaysia: Tradition, Modernity, and Islam (Westview, 1986), Singapore: The Legacy of Lee Kuan Yew (Westview, 1990), Malaysian Politics Under Mahathir (Routledge, 1999), and Singapore Politics Under the Peoples Action Party (Taylor and Francis, 2002).

I remember Stephen as a great and witty conversationalist with a keen sense of humor, a formidable teacher and scholar with vast knowledge and many interests, including fine wine. Over the years I always looked forward to enjoying the company of Stephen and Diane at AAS and MSB meetings. About his scholarly dedication, the Straits Times quoted his former student at Singapore, Chan Heng Chee, former Singapore Ambassador to the United States, as noting that "he kept writing till he couldn't when he was old and ill." Stephen will be missed by all his friends and colleagues but most especially by Diane Mauzy, his two sons, and a grandson.

Craig A. Lockard

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Berita is a newsletter of the Malaysia/Singapore/Brunei Studies Group (Association of Asian Studies).

The Editor is presently seeking submissions of articles, research and field reports, member's updates, book reviews, these titles and abstract, and announcements (including calls for grants, workshop announcements, new publications, and calls for papers) for the next issue (scheduled for April 2013).

All enquiries and submissions should be directed via email to:

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