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The Process of Democratization During Najib Razak's Time

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ABSTRACT

Democratization aspect is important around the world, in the era of knowledge and information technology as the public is better educated and thus has high expectations to the government. In Malaysia, although a general election is held once in five years to elect a government, it is necessary to enhance the democratic aspect from time to time to achieve a better practice of democracy. This article is to discuss the issue of democratization in Malaysia, specifically during Najib Razak's time. The main objective of this article is to study the extent of democratization process which has already taken place and to analyze the factors leading to this process. The research methodology used is qualitative. Data obtained through in-depth interview of informants from government political parties, opposition parties, non-governmental organizations and academics. Face-to-face non-structured interview method is used whereby informants may respond without limitations, while focus is still on the research issue. The result shows that: first, the democratization process during Najib Razak's premiership is positive when the government started to open up the democratic space. Some of the outcomes are improvement in general election process, more freedom for public expression with the repeal of the Internal Security Act 1960 (ISA), introduction of the Peaceful Assembly Act 2012 and amendments to the Universities and University Colleges Act 1971. Second, the government has accommodated the democratization process due to demands from pro-democracy groups for improvements in terms of politics, general elections, justice and freedom of expression. In conclusion, democratic system in Malaysia has not reached a commendable level because of certain restrictions, to the extent that some scholars in their analysis describe Malaysia as a semi-democracy. Thus, several pro-democracy groups have emerged to demand ongoing democratization through their campaigns, demonstrations, protests or even political campaigns. During Najib Razak's time government has met the demands of certain pro-democracy groups and boosted the democratic process in Malaysia.

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INTRODUCTION

Malaysia is a country that practices a democratic system. As Malaysia is a multi-ethnic country, the democracy applied is democracy of consensus. Political parties of various races cooperate through the Perikatan (Alliance)/ Barisan Nasional (National Front) to administer the country since the first General Election of 1959 until the 13th General Election of 2013. Although a general election is held once in five years to elect a government, it is necessary to enhance the democratic aspect from time to time to achieve a better practice of democracy. The democratization process which began with the premiership of Tunku Abdul Rahman until the current time of Najib Razak, varies with situations and issues of the times. The legislation and enforcement of certain acts by the government has caused increased narrowing of civil and political rights, freedom of expression and freedom of media. In consequence, since the time of the first Prime Minister Tunku Abdul Rahman, various groups of Non-Government Organizations (NGOs) and social activist demanded for the democratization process especially in terms of politics and administration.

This article discusses the democratization process in Malaysia, specifically in the current time of Prime Minister Najib Razak. The purpose of this article is first, to study the extent of the democratization process which has taken place thus far during the premiership of Najib Razak. The focus of discussion is on the political aspect, in the areas of civil and political rights, human right and general election process. Second, is to analyze the factors which lead to democratization process. In order to achieve the objectives, this paper is divided into

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three parts: first, the background of the system of democracy in Malaysia; second, the concept of democratization and finally, discussion of research findings. Discussion of the democratization aspect in Malaysia is important in the era of knowledge and information technology as the public is better educated and thus has high expectations of the government. In this era, the focus of the society is on the more global aspects such as justice, democracy and human rights. Thus this article attempts to answer the issue of whether the government is seriously committed in making Malaysia as one of the best democratic country in the world.

Research Methodology:

This article uses a qualitative method through the instrument of interview to answers the research issue. This method is selected on the basis that information obtained directly through interviewing informants is more reliable and credible. The interview used is face-to-face and non-structured, a method without limitations on answers from the informants, while still maintaining focus on the issue of democratization in Malaysia. If during the interview, new questions appear and are considered important, the researcher will ask further questions so as to clarify or re-verify statements made. This face-to-face interview is implemented in-depth with informants who comprise of leaders of the government alliance parties, Barisan Nasional (BN) namely United Malays National Organization (UMNO), Malayan Indian Congress (MIC) and Malaysian Chinese Association (MCA) and opposition leaders namely Malaysian Islamic Party (PAS), Democratic Action Party (DAP) and People Justice Party (PKR).

Concept of Democratization:

Democratization is a transition process from a non-democratic to a democratic regime. This transition is a phenomenon which began to appear in the 19th Century through some waves of change which replaced autocratic regimes with democratic systems and was brought about by five factors. The five factors are: First, the people's opposition to autocratic systems. Second, economic development had caused the emergence of an increasing middle class who demanded democratic government. Third, the Catholic Church began to change its activity and supported opposition to autocratic regimes. Fourth, there occurred a change in attitude which called for respect for human rights. And finally, the effect or snowballing effect of democracy had made an impact on other countries (Huntington 1991).

According to Pinkney (2003:156) democratization is a transition process or switchover from a non-democratic to a democratic system. He also states that internal and external factors cause the switchover from an autocratic government to a democratic system. The internal factors include economic development and the role of political institutions such as lobby groups and political parties which demand democratic government. While external factors include matters such as the influence of the idea of democracy from other countries which have relations with the particular country.

Doorenspleet (2006:42) adds the economic factor as an influence on democratization. This is because the effect of economic development caused democratization to take place drastically, especially during the third wave of democratization (1976-1989). Doorenspleet also discusses the waves of democratization which took place. In comparison to Huntington who only explains the first to third waves of democratization, he extends his study to cover the fourth wave of democratization (1989-2001). He says, the fourth wave (1989-2001) took place on a much larger scale than the previous three waves. During the fourth wave, 47 countries had made the transition to democracy and only 18 reverted to a non-democracy regime. Some of these countries are Albania (1997), Armenia (1998), Bangladesh (1991), Croatia (2000), Fiji (1990), Indonesia (1998) and Nepal (1990). Nevertheless, there are still another 50 countries which remain as non-democratic regimes and these include the Middle Eastern countries such as Iraq, Iran, Kuwait and Libya. Based on the above reasoning, he defines democratization as follows:

...democratization is defined as a group of transition from authoritarian regimes to democracies that occur within a specified period of time and that significantly outnumber transitions in the opposite direction (Doorenspleet, 2006:42).

The definitions of democratization by the above mentioned scholars show only one thing: they are in accordance that democratization is a transition process from a non-democratic to a democratic regime within a certain time period. Further, according to them, democratization occurs due to some factors. For example, Huntington (1991) states that there are five factors, among which are the people's opposition to an autocratic system, economic development and change in church activity. Pinkney (2003) explains that democratization takes place due to internal factors such as economic development and external factors such as the influence of the idea of democracy from other countries, whereas Doorenspleet (2006) stresses that economic development is the main factor which helps to accelerate the process of democratization.

The issue is what are the factors of democratization in Malaysia? During Dr. Mahathir's era, the first factor was the emergence of the social middle class and the awareness of students who gave attention to universal issues such as justice, fundamental liberties as well as their demand that the government not neglect such issues. Second, the emergence of protests pioneered by the political opposition, NGOs and social activists who monitor,

criticise and express their objections in cases where government policies run counter to democratic practice. Even though democracy demands by these actors have taken place since even Dr. Mahathir's era, they have become more significant during Najib Razak's era and their effect has been more positive.

Background of Democracy in Malaysia:

Generally, democracy may be termed as people's power. This meaning is understood from the origin of the word, the Greek term *demokratia* which means *demos* (people) and *kratia* (government or power). The combination of these two words means government by the people or power of the people (Dahl 2000:11-12). Schumpeter (1947:269) defined democracy as an "...institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote." The above definition means democracy is a system whereby a leader acquires power through the people's choice through a general election. Schumpeter's idea was used by Lipset (1959:71) to arrive at the following definition:

...political system which supplies regular constitutional opportunities for changing the governing officials, and a social mechanism which permits the largest possible part of population to influence major decisions by choosing among contenders for political office.

This definition shows that democracy is based on legislation which regularly gives the opportunity for people to elect and change leaders based on rules adopted by them. Vanhanen (2003:49) defines democracy as: *...political system in which ideologically and socially different groups are legally entitled to compete for political power and in which institutional power holders are elected by the people and responsible to the people.*

The above scholar's definition of democratic system stresses on the competitive aspect, whereby the people have the opportunity to elect leaders through a mechanism such as a general election. The election has to take place in a free and fair manner so that the people can elect their leaders according to their own will. However, democracy is not just about general election, but encompasses several other criteria such as the following: (i) freedom of association, (ii) freedom of expression, (iii) right to vote, (iv) right to involve in politics, (v) freedom to obtain alternative information, (vi) free and fair election, and (vii) to formulate public policies according to public will. Whether a particular nation may be considered as a democratic system depends on whether these criteria are met or otherwise, and to what extent.

The above definitions of democracy by some scholars have laid down several criteria which need to be present in a democratic system of government. The criteria considered essential are fundamental liberties of society, freedom of information, people power through participation in politics and administration as well as free and fair election. The issue is whether Malaysia is a democratic country? Even though Malaysia is a democratic country, not all of the essential criteria of democracy are being fulfilled. In fact, there is an element of autocracy applied in the system of government. It is for this reason that some scholars have described Malaysia as a partial democracy in their discussions. For example, Zakaria Ahmad (1989) gives the term quasi-democracy, Case (1993) states the term semi-democracy, Jesudason (1995) uses the term statist democracy and Crouch (1996) applies the term authoritarian democracy. What is the reason for the opinions? Generally, Malaysia is said to be a partial democracy based on the following arguments:

First, the government lays down certain restrictions in order to perpetuate its powers. Some of these are restrictions on fundamental liberties or human rights, restrict on freedom of information and various controls on opposition parties in spite of holding elections. Human rights are restricted by certain statutory acts such as the Police Act 1967, Universities and University Colleges Act 1971 and the Official Secrets Act 1981. These Acts limit public freedom and opinions, especially pertaining to politics. Further, freedom of information is restricted by the Printing Presses and Publications Act 1984, by virtue of which publication of materials may be suspended or de-licensed at any time if it is considered as contravening conditions and threatening national security. For instance, after the 1999 General Election, publication of Harakah news paper by opposition party which is PAS was limited in issue and circulation from twice weekly to twice a month and only for PAS members. In terms of general elections, although held every 5 years, opposition parties are unfairly disadvantaged in that for every election held, the government parties have access to all state media and machinery.

Second, there is an element of autocracy in the administration system. For example, the Internal Security Act 1960, enables a citizen to be arrested and detained without trial if suspected of being involved in activities which threaten national security. This Act has been invoked several times for political purposes such as the arrest of individuals involved in 1987 demonstrations in protest of education policy for Chinese schools, the detention of protesters in 1998 demonstrations objecting to the dismissal of then Deputy Prime Minister, Anwar Ibrahim and of Hindraf demonstrators who opposed the demolition of a Hindu temple in 2007. In general, some of the aspects explained above have given rise to demands by political parties, students and NGOs for a democratization process in Malaysia. The goal is to lift the restrictions on civil and political rights, media freedom and remove autocracy in government administration.

RESULT AND DISCUSSION

Democratization Process during Najib Razak's Time:

Najib Razak was appointed Prime Minister in April 2009. On his appointment he endeavoured to regain the people's support for Barisan Nasional. This included releasing 13 ISA detainees, including a Hindraf leader. He also retracted the suspension of publication permit for two opposition main papers, namely *Harakah* by PAS and *Suara Keadilan* by PKR (Oon Yeoh 2009:5). In addition, in order to regain social support for Barisan Nasional and to differentiate his administration from the previous Prime Minister, Abdullah Badawi with his popular Islam Hadhari concept, he also introduced his own concept of 1Malaysia with the slogan "*1Malaysia rakyat didahulukan, pencapaian diutamakan* (1Malaysia People First, Performance Now). This 1Malaysia concept and slogan is an effort to show that the government is genuinely concerned about the people regardless of race, especially towards the Chinese and Indian communities who had rejected Barisan Nasional in the 2008 General Election (Chin 2010:166; Ong Kian Ming 2011:133). After introducing this concept, government continued with further reforms in administration aspects.

First, government announced the transformation program which is the Government Transformation Program (GTP), Economic Transformation Programme (ETP) and Political Transformation Program (PTP). For GTP, the government identified six National Key Results Areas (NKRA) required to be achieved. These are: enhancing quality of education, reducing crime rate, fighting corruption, enhancing quality of life, improving rural infrastructure development and improving urban public transport. ETP is one of the pillars of national transformation which will be achieved through the New Economic Model (NEM), announced on 30th March 2010. The NEM aims to increase the people's income. It is also for the purpose of encouraging high income achievement of between USD15,000 and USD20,000 per capita by the year 2020 (Oon Yeoh 2009:35-36; Ong Kian Ming 2011:139). In addition, the purpose of the ETP is to continuously strengthen the economy and focus attention on giving aid to the people, regardless of race. Through PTP government has repealed old laws and legislated new statutes to fulfill some of the people's demands towards achieving a more democratic governance. This is proven in the political aspect. In response to the demands of Bersih's group, one of the steps taken is the setting up of a Parliamentary Selection Committee (PSC) to look into reform of the general election process. The committee is comprised not only of government Members of Parliament but also of opposition parliamentarians and is entrusted with the task of studying and improving the process of elections. The government has also announced that it will install a biometric system to facilitate management of voter data. Furthermore, the General Elections Commission (GEC) is also involved in various forums and dialogues to search for solutions and give explanations on matters of people's concern. The outcome is that on the 4th April 2012, the PSC has submitted to the Parliament and obtained Parliamentary approval for the study of 22 suggestions, seven of which are demands by Bersih. In addition, the government had announced to allow opposition parties to broadcast their respective manifestos in mainstream mass media for the 13th General Election.

Second is the government's concern for civil and political rights. In the year 2011, the government has repealed the internal Security Act (ISA) 1960 and the Banishment Act 1959 and replaced them with new statutes. The government also reviewed other laws to meet present requirements such as the Police Act 1967 (section 27 relating to freedom of assembly) and the Universities and University Colleges Act 1971. The said statutes had shackled and restricted the people's political rights and fundamental rights all this time. Amendments have also been made to the Universities and University Colleges Act (UUCA) 1971 and Printing Presses and Publications Act (PPPA) 1984. In addition, the government has an open attitude to public views and does not hesitate to retract a decision made which meets with public objections. For example, the government has postponed implementation of Goods and Services Tax (GST), retracted the licensing approval for the 2010 World Cup football betting, reversed a decision to impose service tax on users of pre-paid phone in mid-2011, and also cancelled implementation of a Malaysian Remuneration Scheme (SSM) for the civil service. These government actions have been welcomed by the public, however there are still many other demands which have not gained any reaction from the government, such as objections to making Malaysia into a night life hub, construction project of a 100-storey heritage tower, objections to listing FELDA in Kuala Lumpur Stock Exchange (KLSE) and to the installation of the Automated Enforcement System (AES) in Malaysian roads.

Besides the government action about transformation, political awareness among the society has increased. This can be observed in the increased percentage of voter turnout in the 2013 General Election. In that election, there was an 80% voter turnout out of 12,992,661 registered voters, the highest voter turnout record for the country so far. The results of that election also showed that many did not give their full support for BN, even though BN did get the mandate to rule the country. BN actually failed to get a two thirds majority in the House of Representatives having won only 133 seats out of 222 parliamentary seats, while the opposition alliance (Pakatan Rakyat) gained 89 seats (DAP 38, PKR 30 and PAS 21). Besides that, four cabinet ministers and four cabinet deputy ministers of BN were defeated in that election. They were Raja Nong Chik Raja Zainal Abidin, Minister of Federal Territory and Urban Well-being, Kong Cho Ha, Minister of Transport, Chor Chee Heung,

Minister of Housing and Local Government, Bernard Dompok, Minister of Plantation Industries and Commodities, Saifuddin Abdullah, Deputy Minister of Higher Education, Puad Zakarshi, Deputy Minister of Education, V.K Liew, Deputy Minister in Prime Minister's Department and Tian Lian Ho, Deputy Minister of Domestic Trade, Cooperatives and Consumerism. BN also failed to get a two thirds majority in the State Legislatures of Terengganu, Perak, Kedah and Negeri Sembilan. In terms of popular votes, BN gained 5.2 million votes (47%) and PR gained 5.6 million votes (50%). This shows that although PR failed to form a government, the people's support for PR is higher, especially in urban areas. Base on the above discussion, during Najib Razak's time the process democratization is positive and increasingly widespread.

Factors of democratization:

What are the factors contributing to the process of democratization? During Najib Razak's era, there are ongoing demands from pro-democracy groups since even the beginning of Najib Razak leadership. These pro-democracy groups comprise of political opposition parties, NGOs and social activists. The active opposition political parties are PAS, DAP and PKR. The NGOs comprise of Jaringan Rakyat Tertindas (Jerit) (Oppressed People's Network) Malaysian Civil Liberties Movement (MCLM), Suara Rakyat Malaysia (SUARAM) (Voice of the Malaysian People) and Solidariti Anak muda Malaysia (SAMM) Malaysian Young People's Solidarity, while the prominent figures among activists are cartoonist Zunar (or his real name, Zulkifli Anwar Haque) and national laureate, A. Samad Said. Zunar has published an alternative comic magazine named *Gedung Kartun* (Cartoon Store). The first edition issued in September 2009 touched on many current issues such as the case of Teoh Beng Hock's death, hike in highway toll rates, issue of teaching and learning science and mathematics in English language (PPSMI) and Internal Security Act 1960.

As for the national laureate, A. Samad Said, he showed his support for the group Bersih 2.0 which assembled in July 2011. He did not merely write poems in support of Bersih, but actually participated with others in a Bersih gathering which marched towards the Istana Negara (National Palace) to deliver a memorandum to the King (YDPA). His poems depict how democracy, already dead, is being revived by pro-democracy groups and social activists (Malaysiakini 27 June 2011). Generally, the pro-democracy groups fight to demand that the government repeal laws regarded as undemocratic such as the statutes ISA, UCCA and PPPA. Thus they had a Movement to repeal ISA demonstration on 1st August 2009 to demand that the government under the leadership of Najib Razak repeal the ISA. In addition, they also demanded that the government review the UCCA and PPPA. This group also objected to the change of leadership in Perak in 2009, and tried to defend the elected state government by holding a protest. The most significant action or event was when this group held the Bersih 2.0 gathering in July 2011 which numbered about 20,000 supporters, in spite of various methods used to sabotage their plan. In short, the above discussion shows that the factors for democratization during Najib Razak's time are the demands from the people, specifically pro-democracy groups, that the government show concern for political and civil rights and fair elections.

In addition, another factor is that the society is increasingly participative in political activity. This is shown in the many demonstrations and protests every time the people feel dissatisfied over a particular issue. For example, the Movement to repeal ISA demonstration mentioned earlier which was held on 1st August 2009 involved about 20,000 people who demanded the government repeal ISA as exhorted by NGOs. Another example is the Bersih 2.0 demonstration on the 9th July 2011 which involved the presence of about 20,000 people who gathered around in the city even though they were denied permission to do so. Another Bersih assembly was held on 28th April 2012, that is, Bersih 3.0.

Another protest involved a case of breach of trust by Chairman of National Feedlot Corporation (NFC) who is also the husband of former Minister of Women, Family and Community Development, Sharizat Jalil. The case began with the exposure by a national audit report in October 2010, which showed that corruption, cronyism and nepotism is still rampant in government. Other protests which took place are as follows: in April 2011 against the building of a rare earths plant of Lynas Corporation in Pahang which caused fears of dangerous radioactivity effect on the local population; in June 2012 over the listing of Felda in Bursa Saham Kuala Lumpur (Kuala Lumpur Stock Exchange); in April 2012 by students at Dataran Merdeka who demanded that the government abolish the National Higher Education Fund Corporation (PTPTN); and in November 2012 against the installation of Automated Enforcement System (AES) to detect traffic violations on roads because it would burden the people.

And finally, another factor for a positive democratization process is the emergence of a third force in Malaysian politics. This third force began to be seriously discussed only after the 2008 General Election. In that election, the main opposition parties PAS, PKR and DAP had cooperated by placing their candidates to contend with BN candidates. At that time there was no official alliance among them. However, the opposition's success in preventing BN getting a two-thirds majority in Parliament caused the opposition parties to formally form an alliance and announce the five states within their power, namely Kelantan, Kedah, Penang, Selangor and Perak as states of Pakatan Rakyat or People's Alliance. The formation of PR has opened the opportunity for a two-party system in Malaysia. Since then, at every by-election, the opposition would field their candidate against

BN. This is because the alliance of opposition parties which led to the establishment of PR has given an alternative for voters to cast their votes in favour of either BN or PR. Since then BN and PR are always competing for the people's support, the most significant event could be seen in a by-election after the 2008 General Election. Thus, in the midst of competition between the government party and opposition, there has emerged a third force, which does not agree with both the first force and second force. This third force excites the political atmosphere and accelerates the process of democratization in Malaysia.

Conclusion:

This article has discussed the process of democratization during the era of Najib Razak. Analysis shows that the democratic system in Malaysia has not reached a commendable level because of certain restrictions, to the extent that some scholars in their analysis describe Malaysia as a semi-democracy. Thus, several pro-democracy groups have emerged to demand ongoing democratization through their campaigns, demonstrations, protests or even political campaigns. Ultimately, in this current era of Prime Minister Najib Razak, the government has accommodated democratization by attempting to meet some of the people's demands. Some of these include repealing now irrelevant statutes such as the ISA 1960, amending some statutes which restrict civil and political right such as the UUCA 1971 and PPPA 1984 and improving the general election process in Malaysia. Even so, there are groups who remain dissatisfied with the democratization process, and raise the question whether the changes done by the government are substantial changes or merely changing labels of old bottles.

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