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## ANALYSIS

### MALAYSIA'S NOVEMBER 2007 PROTESTS: CHALLENGE TO LEGITIMACY

*Bridget Welsh*

This November, two large public demonstrations rocked Malaysia's political system to its core. Both challenge the legitimacy of the governing Barisan Nasional (BN or National Front) and blemish the record of Prime Minister Abdullah Badawi. The protests come in the wake of the country's most serious judiciary crisis since 1988 and a rise in corruption scandals. The government crackdown—which has resulted in charges filed against over 75 people, including charges for sedition, and the systematic use of defensive propaganda that includes labeling opponents as “monkeys”—moves Malaysia in a worrying direction that is antithetical to Abdullah's promise of openness and consultation.

#### ELECTORAL REFORM PUSH

Conservatively estimated at 40,000 participants, the Coalition for Clean and Fair Elections (Bersih or “Clean”) march on November 10<sup>th</sup> was comprised of Malaysians of all races. The aim was to deliver a petition to the Malay rulers, calling for a level electoral playing field in a country whose governing coalition perennially receives at least two-thirds of parliamentary seats and marginalizes the opposition. The demands were minimal—a clean electoral roll, media access, oversight over postal voting, and an independent Electoral Commission—and arose in the aftermath of the poorly administered 2004 General Election and subsequent by-elections in which the persistent bias in electoral administration was not addressed. It was backed by opposition political parties and over 70 non-governmental organizations (NGOs).

The Bersih movement capitalized on the sentiment of opposition supporters and served to galvanize their base, particularly members of the Pan Malaysian Islamic Party (PAS), and to a lesser extent the weaker People's Justice Party (PKR). As an umbrella, Bersih has served to forge informal ties among disparate opposition parties, which remained fragmented and ideologically divided after the break-up of the Barisan Alternatif (or Alternative Front) in 2001. For many, the focus was not only on electoral conditions, but also the rising cost of living, which has included the highest level of inflation in Malaysia in over two decades and the regime's exclusion of ordinary voices in economic development. Unemployment has reached a high, and growing inequities under Abdullah place Malaysia as the Southeast Asian country with the second most unequal distribution of wealth, after Singapore.

Irrespective of the economic motivations of protestors, the Bersih march points to the growing illegitimacy of Malaysian elections and has brought flaws in the electoral process into the open. Malaysians are increasingly recognizing that the country's elections do not provide a fair playing field. An August 2007 survey highlighted that only 48.5% of Malaysians think they have a “real choice” at the polls and only 34.5% think the elections are

“completely free and fair.” Voter registration among young Malays is dwindling, while opposition parties and NGOs are considering a national boycott (although this is unlikely to receive unanimous support). The lack of faith in the viability of electoral choice seriously undermines the ability of the Malaysian government to use elections as a legitimate mandate for its leadership.

### ETHNIC MARGINALIZATION AND RIGHTS

Two weeks later, on November 25<sup>th</sup>, attention moved toward ethnic rights as grievances were expressed by over 10,000 Indian Malaysians from all class backgrounds who congregated under the banner of the Hindu Rights Action Force (HINDRAF), a coalition of 30 Indian NGOs. The protests represented a landmark moment in the history of Indian Malaysians, who comprise 7.5% of Malaysia’s population. The use of religion as a banner for Indian rights speaks to a perception of increasing intolerance for non-Muslim worship and religious law. When Malaysian police leveled the water cannons against them, rather than run as the Bersih protestors did, the protestors sat down and violence ensued. The aftermath turned nasty with unsubstantiated calls of “ethnic cleansing” and “sedition.”

On the surface, the protest appears to be one of the Indian community calling for greater representation. Criticism has centered on the limits of the BN to operate as an effective multi-ethnic coalition and the weaknesses of its Indian-based Malaysian Indian Congress (MIC), led by Samy Vellu, the longest serving Cabinet minister. UMNO’s symbolic actions of rejecting a memorandum on religious rights presented by the non-Malay component parties; severe punishment of non-Malay BN parliamentarians for voicing concerns about university quotas and school curriculum; and the scheduling of the latest UMNO General Assembly during the holiest of Indian holidays, Deepavali, have fostered the impression that the non-Malay parties, and indeed non-Malays, within the BN are ignored.

The challenge, however, goes much deeper than the issue of Indian representation. In asking to reexamine the history of British colonial rule, and the social contract for Indian Malaysians, HINDRAF has opened the sensitive Pandora’s Box of Malay “special” rights. The government’s harsh response to the protests illustrates that some UMNO leaders perceive HINDRAF as an attack on their privileges and status. The presence of Indian poor is seen as a challenge to Malay poor. Over the last few weeks, the press has been filled with an outpouring of government data (for which the methodology is not revealed) citing the large number of *bumiputra* (“sons of the soil”) poor, often interpreted narrowly as Malays. While in fact the largest share of poor

are not Malays, but rather the indigenous communities in Sabah and Sarawak, the articles have aimed to deny the legitimacy of the Indian protestors’ concerns. Calls for Indians to “go back to India” have revealed how much racism exists toward the Indian community among some UMNO leaders, who appear blind to national interests in a multi-ethnic society.

### DEFENSIVE CRACKDOWN AND AFTERMATH

It is thus no surprise that the crackdown has come. Abdullah is facing criticism among hardliner Malay chauvinists within UMNO for not defending Malay rights against HINDRAF. The signs of hardliners gaining ground have been emerging over the past year as the government has put curbs on the media and bloggers. HINDRAF organizers have been labelled “terrorists” and been locked up under the controversial Internal Security Act (ISA). The repressive net has widened to include the Bersih organizers, who are blamed for setting the example of using public demonstrations to raise issues. The government has gone further to label former deputy prime minister Anwar Ibrahim the “mastermind” of all of these events.

Yet, the challenges are much deeper than the state’s knee-jerk insecure reaction. The protests reflect deep-seated challenges to the BN’s legitimacy—its electoral base, multi-ethnic representation, and the status of different communities—hence the intensity of the government crackdown. Rather than discuss these issues openly and develop platforms for responsible national dialogue to resolve these structural problems, the government has turned to repression, and, in fact, become more exclusionary. It is dangerously pushing Malaysians to go outside the system.

The impact extends beyond the violation of civil liberties to the broader political reform agenda. A bill tabled in parliament this week to reform the police, the very institution the government needs for the crackdown, has been watered down. The opposition also has lost momentum in the wake of the HINDRAF protest as fear of racial tensions have scared some Malaysians back into the BN fold, while simultaneously disenchanting others. Despite rising activism, the opposition has yet to provide a multi-ethnic alternative to Malaysian voters, limiting potential choice in next year’s expected polls.

In the longer term, without electoral reforms, a national multi-ethnic outlook, and a leadership reinforcing the security and fair representation of all races, there will be even tougher times ahead for Malaysia. As Abdullah moves into his second term, Malaysians hope that he will take decisive action to make the coalition he leads more effective as a national multi-ethnic coalition chosen fairly by Malaysians to govern.