

## **The 2008 Elections in Malaysia Uncertainties of Electoral Authoritarianism**

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### **Abstract**

The March 2008 elections were a watershed event in Malaysia's history. In spite of the entrenched dominance of the ruling coalition, which has held sway over the country since independence in 1957, and despite the limited competitiveness of elections, the opposition was, unexpectedly, able to strip the federal government of its two-thirds majority and to assume government power in five of the thirteen states. Malaysia's political culture and political system could be fundamentally changed in the years to come. The government parties have lost their claim to exclusive representation of the large ethnic groups. Prime Minister Badawi and other party leaders have been considerably weakened. Severe intraparty confrontations are to be expected over the next few months. The success of the opposition signals the willingness of voters to overcome communalist political patterns.

**Key words:** Malaysia, elections, electoral authoritarianism, ruling coalition, opposition.

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### **Electoral Authoritarianism and Its Uncertainties**

The system of domination in Malaysia rests on a combination of authoritarian control and calculated, measured openness. At times, civil liberties are further restricted by the use of repressive laws such as the Internal Security Act, the Official Secrets Act, the Sedition Act, and the Printing Presses and Publications Act. This arrangement stabilizes the whole political system since decision-making is extremely centralized, while elections serve as a legitimating device. A change of government at the national level is prevented, although at the state level, opposition parties can win majorities and take over state governments.

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Malaysia's system is conceptualized in the political science literature as a "semi-democracy,"<sup>1</sup> a "syncretist state,"<sup>2</sup> or an example of a "repressive-responsive regime."<sup>3</sup> Recently, the political system has been categorized as an electoral authoritarian regime.<sup>4</sup> Such regimes hold regular elections but systematically violate principles of freedom and fairness: elections are inclusive and pluralistic, but not fully competitive and open.<sup>5</sup> These electoral authoritarian systems are typically classified in Freedom House ratings between "four" and "six."<sup>6</sup> They are different from "closed" authoritarian systems and from electoral democracies "in which the legislative and chief executive offices are filled through regular, competitive, multiparty elections with universal suffrage."<sup>7</sup>

Schedler describes elections in electoral authoritarian systems as multi-layered nested games, that is, two-level games where the "game of electoral competition and the meta-game of electoral reform unfold in a simultaneous as well as interactive fashion."<sup>8</sup>

Opposition parties see polls as a means to set the rules of the game on the agenda and to unmask the manipulations of the ruling coalition. The governing parties need elections to legitimate their rule. They control the terms of competition, while opposition parties control the terms of electoral legitimacy.<sup>9</sup> This means that this type of authoritarianism may guarantee the durability and resilience of the polity. Elections are a kind of early warning system to those in power, and among oppositionists the incentives to play by the rules are so significant that radical elements are quickly moderated. But this authoritarianism has also its inbuilt weaknesses. Voters are not predictable

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<sup>1</sup> William Case, *Politics in Southeast Asia. Democracy or Less* (Richmond, Surrey, England: Curzon Press, 2002).

<sup>2</sup> James V. Jesudason, "The Syncretic State and the Structuring of Oppositional Politics in Malaysia," in *Political Opposition in Industrialising Asia*, ed. Garry Rodan (London: Routledge, 1996).

<sup>3</sup> Harold Crouch, *Government & Society in Malaysia* (St. Leonards, England: Allen and Unwin, 1996).

<sup>4</sup> William Case, "How Do Rulers Control the Electoral Arena?" in *Electoral Authoritarianism: The Dynamics of Unfree Competition*, ed. Andreas Schedler (Boulder, CO: Lynne Rienner, 2006).

<sup>5</sup> Andreas Schedler, "The Logic of Electoral Authoritarianism," in *Electoral Authoritarianism: The Dynamics of Unfree Competition*, ed. Andreas Schedler (Boulder, CO: Lynne Rienner, 2006), 3.

<sup>6</sup> *Ibid.*, 11. The Freedom House ratings for Malaysia were "three" for political rights and "four" for civil liberties from the mid-1970s to the mid-1980s. They declined until 1998, when they reached "five" and "five." Since 2004, the ratings have been "four" and "four."

<sup>7</sup> Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore, MD: Johns Hopkins University Press, 1999), 10.

<sup>8</sup> Andreas Schedler, "The Nested Game of Democratization by Elections," *International Political Science Review* 23, no. 1 (2002): 110.

<sup>9</sup> *Ibid.*, 113.

and polls may get out of hand. The strategic dilemma for the incumbents is that the more they control elections, the more they lose credibility. For their adversaries, there is a dilemma between accepting the rules of the game and criticizing them or even denying them any meaning.

The limited openness of electoral authoritarianism did indeed challenge the government twice. In 1969, opposition parties were able, not unlike in the recent polls, to reduce the majority of the governing coalition, which won only 74 of 144 seats at the federal level. In West Malaysia, it gained only 48.4 percent of the votes. The polarization during the election campaign led to ethnic riots. A state of emergency was proclaimed (and was in place until 1971), and the ruling coalition integrated a few parties that had belonged to the opposition. Malaysia became more authoritarian, and party-based political opposition was largely marginalized. But at the height of the *Reformasi* (“reform”) movement in 1999, the election victory of the National Front was again only a narrow one, notwithstanding its overwhelming majority of seats (see table 1). Again, the government had tried to weaken the opposition through repression. However, this kind of authoritarian control no longer seems to be possible. Political discourse has become more variegated, especially since 1998. Loh Kok Wah speaks of “new politics,” that is, “the increasing fragmentation of the ethnic communities, on the one hand, the contestations between the discourses and practices of the politics of ethnicism, participatory democracy and developmentalism, on the other.”<sup>10</sup> The pluralism is supported by new media. In an electoral authoritarian system such as Malaysia, opposition forces are today able to establish a viable prodemocratic political culture that is hardly destructible through sheer repression.

Moreover, the hegemony of the United Malays National Organization (UMNO) has become increasingly fragile. Since the 1980s, the party’s dependence on its coalition partners to achieve electoral success has grown. At the same time, UMNO has been transformed more and more into a huge patronage machine, which has heightened factionalism as well as corruption and lessened legitimacy.<sup>11</sup>

## **The Electoral and the Party Systems**

Malaysia has a bicameral parliament. The first chamber, the Senate, is rather insignificant. The second chamber is the House of Representatives (*Dewan Rakyat*), the members of which are elected through a plurality vote in single-

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<sup>10</sup> Francis Loh Kok Wah, “Towards a New Politics of Fragmentation and Contestation,” in *New Politics in Malaysia*, ed. Francis Loh Kok Wah and Johan Saravanamuttu (Singapore: Institute of Southeast Asian Studies, 2003), 279.

<sup>11</sup> Edmund Terence Gomez and Jomo Kwame Sundaram, *Malaysia’s Political Economy—Politics, Patronage and Profits* (Cambridge, England: Cambridge University Press, 1997).

member constituencies for a maximum term of five years. The governing coalition, the National Front (Barisan Nasional, BN), has won every election since national independence in 1957.<sup>12</sup> As mentioned above, elections in Malaysia are competitive only to a certain extent, which puts the opposition at a great disadvantage.<sup>13</sup> The constitution provides for an independent Election Commission, but in reality this commission is largely controlled by the government. Constituencies are delineated in favor of the BN through gerrymandering and malapportionment. There are also indications that the BN greatly benefits from postal votes and that multiple voting occurs due to faulty electoral rolls. In addition, the BN parties hold sway over the major newspapers, the national TV stations, and the most important radio stations. Consequently, the media covers almost exclusively the BN election campaigns. Open debates on TV are unusual. The government is usually not criticized; instead, confrontations within the opposition are highlighted. The latter's publications, such as *Harakah*, *The Rocket*, and so on, are subject to numerous restrictions. Moreover, organizational freedom, freedom of assembly, and the right to demonstrate are restricted.

The BN is headed by UMNO and currently includes fourteen parties, each one usually representing a specific ethnic group, that is, in the first instance, the Malay majority (53.4 percent of the population) or the Chinese and Indian minority (26.0 percent and 7.7 percent, respectively).<sup>14</sup> The most important of these parties are, besides UMNO, the Malaysian Chinese Association (MCA), the Parti Pesaka Bumiputra Bersatu, or United Traditional Bumiputra Party (PBB), the Malaysian Indian Congress (MIC), and the Parti Gerakan Rakyat Malaysia, or Party Gerakan (Gerakan). Due to the massive financial resources at the disposal of the governing parties, they have been able to set up a tight patronage network and have made use of it especially during elections. Local, state, and national budgets as well as private and state enterprises that support the parties have allowed the establishment of an extensive machinery. Furthermore, delegates of local councils are appointed and usually belong to BN parties.

In the past, the opposition has always been fragmented. The 1999 elections signified a prominent exception, as the most important opposition parties, namely, PAS (Parti Islam SeMalaysia, Pan-Malaysian Islamic Party), the DAP (Democratic Action Party), and the PKN (Parti Keadilan Nasional, National Justice Party; since 2004: PKR, Parti Keadilan Rakyat, People's Justice Party),

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<sup>12</sup> Until the early 1970s, the coalition was named the Alliance.

<sup>13</sup> Case, "How Do Rulers Control the Electoral Arena?"; Lim Hong Hai and Ong Kian Ming, "The 2004 General Election and the Electoral Process in Malaysia," in *Between Consolidation and Crisis. Elections and Democracy in Five Nations in Southeast Asia*, ed. Aurel Croissant and Beate Martin (Hamburg: Lit Verlag, 2006).

<sup>14</sup> It has to be noted, though, that the official race classification is full of flawed constructions.

created the Alternative Front (Barisan Alternatif, BA). But in 2001, the DAP left the alliance and the BA split.

In most parts of the country, the opposition is characterized by organizational weaknesses. The opposition does not dispose of any public funds at the state and federal levels either. Only in those states where PAS could gain a majority and fill executive positions is the situation more favorable. PAS is the only well-institutionalized opposition party, owing to the networks of religious leaders, which extend down to the village level.

## Developments Prior to the Elections

Before the March 2008 elections, most observers expected the BN to lose a few seats, but not its two-thirds majority. Back in 2004, the governing coalition was able to achieve one of its greatest victories in more than five decades.<sup>15</sup> The BN won 198 of 219 seats in the national parliament and 505 of 552 seats at the federal level. UMNO obtained 109 mandates, the MCA 31, and the MIC 9. In total, the BN won 64.4 percent of the votes, 7.2 percentage points more than in 1999. UMNO candidates came first in 109 of 117 constituencies (93.2 percent). In 1999, they obtained merely 48.6 percent of the seats they had contested. UMNO candidates also gained 303 of 383 seats at the federal level. PAS, on the other hand, lost the election in the state of Terengganu and has since had only seven seats in the national parliament (six after by-elections). The PKR had only one member of parliament (MP). The DAP was the only opposition party that reached its goal, with twelve delegates in the national parliament.

One of the main reasons for the BN success in 2004 was the popularity of Prime Minister Abdullah Badawi, who had taken office in October 2003. He maintained a leadership style different from that of his autocratic predecessor, Mahathir Mohamad. Badawi is an orthodox Muslim and comes from an influential Malay family of *ulama* (Islamic scholars). Soon after assuming office, he introduced a number of reforms. After 2004, however, it became obvious that he had failed to live up to his promises of fighting corruption and poverty and of improving the tense relations among religious and ethnic groups. More importantly, expensive prestige projects were mostly not abolished.<sup>16</sup>

Mahathir has criticized his successor and the governing coalition since 2006. In August of that year, he even demanded Badawi's resignation. Such

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<sup>15</sup> Wong Chin Huat, "The Federal and State Elections in Malaysia, March 2004," *Electoral Studies* 24 (2005): 311-319; Abdul Rashid Matoen and Tunku Mohar Mokhtar, "The 2004 General Elections in Malaysia," *Asian Survey* 46, no. 2 (2006): 319-340; Lim and Ong, "The 2004 General Election and the Electoral Process in Malaysia."

<sup>16</sup> Thomas B. Pepinsky, "Malaysia: Turnover without Change," *Journal of Democracy* 18, no. 1 (2007): 113-127.

criticism probably contributed to the weakening of the prime minister's position. Mahathir gave several interviews to the independent Internet newspaper *Malaysiakini* and described Badawi as incompetent and large parts of the government as corrupt.

Further, the opposition criticized the prime minister for his half-hearted fight against corruption.<sup>17</sup> Indeed, hardly anyone from the political and business elite was charged or sentenced. The UMNO 2004 party congress made history because of the widespread and obvious influence of "money politics." So far, an UMNO commission on corruption has barely been active. Both Abdullah's son and son-in-law, Khairy Jamaluddin, vice chairman of the UMNO youth organization, have been under suspicion several times. Moreover, the minister of international trade and industry, Rafidah Aziz, was responsible for the authorization of thousands of so-called approved permits (APs), which allow those who are well-connected to buy imported passenger cars at discounted rates; Deputy Internal Security Minister Mohd Johari Baharum has allegedly been bribed to release several detainees ahead of time; and Defence Minister Najib Razak, who is also deputy prime minister, is suspected of having profited personally from the acquisition of Russian Sukhoi fighter jets and French submarines. In none of these cases, was a serious investigation conducted.

In addition to these spectacular corruption cases, the deterioration of interethnic and interreligious relations was widely debated in the Malaysian public. At the UMNO party congress in July 2005, delegates voted for the continuation of the disputed pro-Bumiputra policy. This means affirmative action in favor of the "sons of the soil," that is, Malays and members of some smaller indigenous ethnic groups. At the last few congresses, Malay chauvinism has become more obvious: Minister of Education Hishammuddin, chairman of the UMNO youth organization, wielded a *keris* (dagger) as a sign of Malay supremacy (*Ketuanan Melayu*). Ethnic minorities have regarded such developments with a strong feeling of inquietude.

Malay chauvinism and the resulting instrumentalization of Islam induced nine non-Muslim ministers to present a memorandum expressing their concern about the tense interreligious relations. They argued for a reassessment of the laws that affect the rights of religious minorities. After much protest, the ministers were forced to withdraw their memorandum.<sup>18</sup>

The media has reported numerous controversial cases that put at risk the

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<sup>17</sup> K.S. Nathan, "Malaysia: The Challenge of Money Politics and Religious Activism," in *Southeast Asian Affairs 2006*, ed. Daljit Singh and Lorraine C. Salazar (Singapore: Institute of Southeast Asian Studies, 2006); Ooi Kee Beng, "Malaysia: Abdullah Does It His Own Vague Way," in *Southeast Asian Affairs 2007*, ed. Daljit Singh and Lorraine C. Salazar (Singapore: Institute of Southeast Asian Studies, 2007); *Star*, March 4, 2007; *Malaysiakini*, March 23, April 5 and 10, 2007.

<sup>18</sup> *New Straits Times*, January 21, 2006.

peaceful coexistence of the different religious communities.<sup>19</sup> For several years, Lina Joy, a Malay, has attempted to legally convert from Islam to Christianity. The case is not yet resolved, and she has recently been referred to the highest Shari'a Court. Particularly irritating for Hindu Indians was the treatment of Revathi Masoosai, who was detained because of apostasy and subjected to daily counselling in a rehabilitation center in Selangor for six months in 2007. Meanwhile, her daughter was handed over to her Muslim parents.<sup>20</sup> In another case, Maniam Moorthy was buried according to Muslim rites, although his next of kin claimed he remained a Hindu and had never converted to Islam, as asserted by the authorities. Such altercations concerning essential identity questions perturb the religious minorities and liberal Muslims. They are now typical in a country that has experienced an extensive Islamization over decades. The Islamism embodied by PAS, but also the conservative-orthodox attitude of UMNO leaders, are testimony to this development. To date, attempts to organize an open dialogue among religious communities have usually failed. Lastly, the authorities prohibited an international interfaith conference that was to take place in early May 2007. In such an environment, groups such as "Article 11," which advocate religious freedom, are marginalized. In July 2006, this multireligious organization was forbidden to continue its public debates. In other words, Abdullah Badawi's propagation of a moderate "Islam Hadhari" (Civilizational Islam) signifies nothing but euphonic phrases to many members of religious minorities. Recently, Deputy Prime Minister Najib as well as Abdullah Badawi even confirmed Mahathir's highly controversial pronouncement of 2001 that Malaysia is an Islamic state.

## Reconstituting the Opposition

After the unexpected acquittal of Anwar Ibrahim in September 2004, the opposition awakened. Anwar, Mahathir's charismatic former deputy, had been de facto chairman of the PKN (later PKR) since 1999 and had led the party from his prison cell after his spectacular arrest and conviction. He was able to mediate between the conservative, orthodox PAS Muslims, the secular-oriented DAP activists, and his own multiethnic party. This was made easier due to reforms in PAS. Following the disastrous election defeat in 2004, the conservative *ulama* faction around Abdul Hadi Awang had to tone down its radical views on the Islamic state and the shari'a issue.<sup>21</sup> At the party congresses in 2005 and 2007, reformers rose to significant positions. These professionals aimed

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<sup>19</sup> *Malaysiakini*, May 30, June 1 and 4, 2007; *Star*, May 30 and June 2, 2007.

<sup>20</sup> Revathi was born as Siti Fatimah Abdul Karim to an Indian Muslim couple, but brought up by her grandmother, a practising Hindu. She declared herself a Hindu in 2001 through a statutory declaration and changed her name.

<sup>21</sup> Liew Chin Tong, "PAS Leadership: New Faces and Old Constraints," in *Southeast Asian Affairs 2007*, ed. Daljit Singh and Lorraine C. Salazar (Singapore: Institute of Southeast Asian Studies, 2007).

for a modernization of the party platform and the organization. This involved higher regard for women; a recruiting offensive, especially of young voters, using “alternative entertainment” among other things; and the introduction of modern management and election campaigning methods. Furthermore, they wanted the party to embrace coalitions with secular forces, notably after Anwar’s release from prison.

The *Reformasi* movement was revived through political parties and, moreover, with protest movements organized by civil society that employed new media. An alternative public was the result. *Malaysiakini*, for example, is the only daily newspaper that features open reports and is available online. Besides, blogs have become increasingly popular in recent years. Those by Raja Petra Kamaruddin, opposition politicians such as Anwar Ibrahim and Lim Kit Siang (DAP), Marina Mahathir (daughter of the former prime minister), human rights activist Malik Intiaz Sarwar, Susan Loone, M. Bakri Musa, Ronnie Liu, James Wong, Kassim Ahmad, and others are particularly critical of mainstream politics. Video clips on *YouTube* also constitute a new forum for dissident voices. One clip (“The Lingam Tape”) depicts how important jobs in the judiciary are filled informally. Anwar Ibrahim presented it at a public press conference. The scandal resulted in a “Walk of Justice” by two thousand lawyers and supporters through Putrajaya on September 26, 2007. The government had no choice other than to set up a fact-finding commission.<sup>22</sup> The BN tried to confine the new Internet freedom, but its efforts were in vain. After all, free data traffic is guaranteed by the Communications and Multimedia Act of 1998 that was passed simultaneously with the establishment of Cyberjaya, the Malaysian version of Silicon Valley.<sup>23</sup>

During the weeks ahead of the 2008 elections, there were two events that catalyzed the emergence of a broad opposition movement. On November 10, 2007, at least thirty thousand people participated in the largest demonstration in Kuala Lumpur since the *Reformasi* era.<sup>24</sup> The protest, prohibited by the government, was organized by Bersih, the “Coalition for Clean and Fair Elections” (Gabungan Pilihanraya Bersih dan Adil). It is an alliance of seventy political parties and nongovernmental organizations, including the PKR, the DAP, PAS, and the Malaysian Trade Union Congress (MTUC) as well as various human rights organizations such as Aliran and Hakam. Anwar Ibrahim led a delegation that delivered a memorandum to the king’s secretary, demanding *inter alia* a reform of electoral laws. The police used tear gas and water cannons against the demonstrators. Two weeks later, at another protest on November 25, 2007, ten to thirty thousand people were led by the Hindu

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<sup>22</sup> *Malaysiakini*, September 19, September 27, and October 29, 2007.

<sup>23</sup> *Economist*, March 13, 2008.

<sup>24</sup> *Malaysiakini*, November 12, 2007; *Star*, November 11 and 12, 2007; *New Straits Times*, October 11, 2007.

Rights Action Force (Hindraf) onto the streets of Kuala Lumpur in order to protest the discrimination against the Indian Hindu minority. Indians are defined as a uniform ethnic group; they do not benefit from the pro-Bumiputra policy and feel politically and economically marginalized. Until now, this deeply engrained discontent has never been properly articulated, either through political or religious organizations. The Hindraf protests, however, changed that drastically. Again, the forbidden demonstrations were violently broken up by police. Moreover, on December 13, 2007, five organizers were arrested under the draconian Internal Security Act on the grounds of endangering national security. These events galvanized the opposition. In addition, following the Hindraf demonstrations, the MIC and its president, Samy Vellu, who had led the party with increasingly authoritarian methods, came under fire. The MIC has a crucial function within the BN as vote-getter. In the 2004 elections, for example, all MIC candidates won in their respective constituencies.

### **The 2008 Election Campaign**

On February 13, 2008, Prime Minister Abdullah Badawi dissolved the parliament with the consent of the king—more than a year before the legislative period was to expire. The Election Commission scheduled the elections for March 8. The vote pertained not only to 222 mandates for the national parliament but also to 505 seats in twelve of thirteen state parliaments (Dewan Undangan Negeri). The only exception was Sarawak, where polls had been held in 2006. The early election date meant that Anwar could serve only as an “advisor” to the PKR, for he was not permitted to assume an official position until mid-April 2008.

The thirteen-day campaign consisted of house-to-house-campaigning by the candidates and public rallies (*ceramah*). The opposition highlighted numerous examples of government neglect, particularly the still prevalent corruption, the high crime rate, and the government’s refusal to reform the police force against the advice of the Royal Commission. In contrast to the BN, the opposition parties supported free and fair elections and wanted to abolish repressive laws such as the Internal Security Act. Moreover, they strove for the termination of the pro-Bumiputra policies and demanded the reintroduction of elections for local councils. The DAP and the PKR emphasized the rights of religious and ethnic minorities. Unlike in 2004 but similar to its 1999 campaign, PAS decided not to broach issues such as introducing a shari’-based penal code and establishing an Islamic state. Probably modeling itself on Islamist parties in Turkey and Indonesia, PAS instead focused on propagating the benefits of a welfare state.

In February, opposition parties agreed to avoid so-called “three-cornered fights,” which thus meant that only one of their candidates would run in their respective constituencies. Only in some regions in East Malaysia could they not forge such agreements, which are by no means common. Rivalry between PAS

and PKR is usually rife, particularly in constituencies with a predominantly Malay electorate. The DAP, on the other hand, claims almost all constituencies with a strong Chinese and Indian electorate and needs to come to terms with the PKR, which also represents many non-Malay voters.

During the campaign, representatives of the DAP and the PKR, as well as the PKR and PAS, respectively, frequently appeared together at public gatherings. However, they did not form an alliance as they did in 1999 (the Barisan Alternatif). Blogger and human rights activist Haris Ibrahim, who also belongs to the nongovernmental organization “People’s Parliament,” initiated a Barisan Rakyat (People’s Front), consisting of five opposition parties, including the three aforementioned major ones. Several political leaders welcomed the initiative, but the parties still campaigned on their individual platforms.

The BN repeatedly highlighted its economic successes throughout the campaign. In 2007, GDP growth was 6.3 percent, and even 7.3 percent in the final quarter of the year. However, rising costs for foodstuffs and petrol were a severe blow to the government. In 2007, there was for a time even a shortage in the supply of palm oil. Moreover, it was common knowledge that the government intended to lower petrol subsidies. The opposition profited from the rise in expenses and strictly deprecated further cuts in subsidies. In addition, it demanded more accountability on the part of supervisory authorities such as the Human Rights Commission and the Anti-Corruption Agency. It wanted to establish full transparency of public authorities and national enterprises and to finally dismantle the BN patronage machine.

The considerable setback for the government coalition was to some extent already foreseeable in surveys, many of which are not published. A few days ahead of the polls, Anwar Ibrahim, relying on secret information, was certain that the BN could not maintain its two-thirds majority. This evaluation made him assume that the Election Commission had decided not to use indelible ink because they feared defeat—not because of the alleged security reasons.<sup>25</sup>

## Results

At first glance, the election results do not appear to be spectacular, considering that the governing coalition was able to retain a significant majority of seats in the national parliament. Yet, against the background of the decades-long rule of the BN, the results are astonishing. In West Malaysia, the BN obtained only 49.8 percent of the valid votes. UMNO lost thirty seats in the national parliament alone (see table 1). The MIC lost six of nine Dewan Rakyat seats and thirteen of nineteen seats in state parliaments. Samy Vellu was not the only one to be defeated after thirty-four years; his deputy G Palanivel and the vice

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<sup>25</sup> It would have been the first time that indelible ink would have been used.

presidents S Sothnathan and S Veerasingam, also the leaders of the youth and women's organizations, respectively, all lost their seats. The predominantly Chinese Gerakan party has governed Penang since 1969, but this time could not win any seat. The MCA gained a majority only in fifteen of forty constituencies at the federal level and thirty-one of ninety constituencies at the state level.

Nevertheless, the BN won 51 percent of the votes and 63 percent of the seats at the federal level. Its victory was based on a solid dominance in three states: Johor, UMNO's power base, and the East Malaysian states, Sarawak and Sabah, where the BN won thirty of thirty-one and twenty-four of twenty-five mandates, respectively, for the national parliament. At the state level, the BN was particularly successful in Sabah (fifty-six of fifty-seven seats), Perlis (fourteen of fifteen seats), and Johor (fifty of fifty-six mandates).

For the opposition, victory in five of thirteen states was even more important than the eighty-two seats in the national parliament. It won twenty-two of thirty-six seats (PAS, sixteen; PKR, five; DAP, one) in Kedah, thirty-

Table 1. Seats in the National Parliament since 1990 (Most Important Parties)\*

	1990	1995	1999	2004	2008
Barisan Nasional	127	162	148	198	140
UMNO	71	88	72	109	79
MCA	18	30	28	31	15
PBB	10	13	10	11	14
MIC	6	6	7	9	3
Gerakan	5	7	7	10	2
Opposition	49	30	45	20	82
PAS	7	7	27	7	23
PKN (since 2004: PKR)	—	—	5	1	31
DAP	20	9	10	12	28
PBS (since 2004 part of BN)	14	8	3	**	—
Semangat '46***	8	6	—	—	—
Total	180	192	193	219	222

Source: Election Commission of Malaysia.

\*UMNO, United Malays National Organization; MCA, Malaysian Chinese Association; PBB, United Traditional Bumiputera Party (Parti Pesaka Bumiputera Bersatu); MIC, Malaysian Indian Congress; Gerakan (Parti Gerakan, Parti Gerakan Rakyat Malaysia); PAS, Pan-Malaysian Islamic Party (Parti Islam SeMalaysia); PKN, National Justice Party, Parti Keadilan Nasional (since 2004: PKR, People's Justice Party, Parti Keadilan Rakyat); DAP, Democratic Action Party; PBS, United Sabah Party (Parti Bersatu Sabah)

\*\*Four seats for the BN.

\*\*\*Breakaway party from UMNO. Most of its members returned to UMNO in 1996.

Table 2. Seats in the State Assemblies after the 2008 Elections\*

State	Seats	BN	PAS	DAP	PKR	Independents
Perlis	15	14	1	–	–	–
Kedah	36	14	16	1	4	1
Kelantan	45	6	38	–	1	–
Terengganu	32	24	8	–	–	–
Penang	40	11	1	19	9	–
Perak	59	28	6	18	7	–
Pahang	42	37	2	2	–	1
Selangor	56	20	8	13	15	–
Negeri Sembilan	36	21	1	10	4	–
Melaka	28	23	–	5	–	–
Johor	56	50	2	4	–	–
Sabah	60	59	–	1	–	–
Total	505	307	83	73	40	2

Source: Election Commission of Malaysia.

\*Elections for the state assembly in Sarawak were conducted in 2006. The BN won sixty-two seats, the opposition eight, and an independent candidate one.

nine of forty-five (PAS, thirty-eight; PKR, one) in Kelantan, twenty-nine of forty (DAP, nineteen; PKR, nine; PAS, one) in Penang, thirty-one of fifty-nine (DAP, eighteen; PKR, seven; PAS, six) in Perak, and thirty-six of fifty-six (PKR, fifteen; DAP, thirteen; PAS, eight) in Selangor (see table 2). PAS not only kept its majority in Kelantan, which it has had since 1990, but also appointed the new chief minister in both Perak and Kedah. The government in Penang is led by the DAP, and the government in Selangor by the PKR.

In contrast to the last elections, opposition parties had notable success in constituencies with a heterogeneous ethnic composition (“mixed seats”) because the majority of the Chinese and Indian populations voted against BN parties. This was the case, for example, in Wangsa Maju (Kuala Lumpur), Kelana Jaya (Selangor), and Balik Pulau (Penang). A survey from late January, conducted by the Merdeka Centre, illustrated that only 38 percent of the Indian and 42 percent of the Chinese population were satisfied with Badawi’s performance.<sup>26</sup> According to Ong,<sup>27</sup> in West Malaysia, 58 percent of Malays but

<sup>26</sup> *International Herald Tribune*, January 31, 2008.

<sup>27</sup> Ong Kian Ming, “Making Sense of the Political Tsunami,” in *Malaysiakini*, March 11, 2008.

only 35 percent of Chinese and 48 percent of Indians voted for BN candidates. The swing vote from the BN to the opposition amounted to five percentage points among the Malays, and thirty and even thirty-five percentage points among the Indians and the Chinese, respectively. It is not yet clear whether the results are due to protest votes or whether they signify a genuine change in electoral behavior.

## **Post-election Developments**

The opposition can now achieve more transparency, launch an effective fight against corruption, and reintroduce local elections in Kedah, Kelantan, Penang, Perak, and Selangor. Because the BN has lost its two-thirds majority, the opposition is now able to block constitutional amendments.<sup>28</sup> Moreover, on April 1, 2008, PAS, the DAP, and the PKR established the Pakatan Rakyat (People's Alliance), a more formalized alliance, thus reviving the BA. The Pakatan Rakyat immediately started to present itself as a realistic alternative to the BN government.

Meanwhile, in the weeks following the elections, a range of incidents indicated that Badawi and other party leaders had been considerably weakened and that in some government parties further confrontations are to be expected. Samy Vellu has lost most of his reputation as the champion of Indian interests and his position in the MIC is weaker than ever before. Gerakan leader Koh Tsu Koon tendered his resignation. MCA president Ong Ka Ting accepted responsibility for the election failure and announced that he would not assume any cabinet position. But most interesting is the fate of prime minister and UMNO leader Abdullah Badawi. UMNO information chief Muhammad Taib has told reporters that many party leaders asked for the postponement of the UMNO polls in order to avoid "havoc."<sup>29</sup> Among those openly criticizing Badawi are Muhyiddin Yassin, UMNO vice-president and international trade and industry minister, and Mohamad Khir Toyo, the former chief minister of Selangor. Muhyiddin Yassin, widely seen as a potential challenger for the party leadership, has even revealed that Badawi was working out a succession plan.<sup>30</sup> Under this plan, he wants to hand over the UMNO presidency and the premiership by late next year or in early 2010.

How weak Badawi's position has become was also made visible when the sultan of Terengganu and king of Malaysia, Mizan Zainal Abidin, chose Ahmad Said as new chief minister of Terengganu—against the wishes of the prime minister, who wanted the incumbent Idris Jusoh to take over the

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<sup>28</sup> Since 1957, the constitution has been amended nearly seven hundred times. Amendments are necessary, for example, for the redelineation of constituencies.

<sup>29</sup> *Straits Times*, March 26, 2008.

<sup>30</sup> *Straits Times*, May 28, 2008.

post. Moreover, Mahathir never stopped to attack Abdullah Badawi. After the elections, Mahathir said that succession should take place immediately because a delay could cause a rift in UMNO. In mid-May, he announced his resignation from UMNO during a speech to 1,200 people in Kedah and asked others to follow suit. Only a few days previously, Abdullah had ordered a corruption inquiry, after a royal commission released a report on the above-mentioned “Lingam” case, which also implicated Mahathir.

The upcoming UMNO polls in December 2008 will probably see other contestants run for the position as party president. Tengku Razaleigh Hamzah, a Kelantan prince and former finance minister, has already indicated his intention to compete against Badawi. The Tengku wants to remake UMNO into a “supra-ethnic” party. But a multiracial approach, which is now also more vocally supported by the MCA, could undermine the very foundation of UMNO’s *Ketuanan Melayu* agenda.

Aside from these intensified intraparty power struggles, there is more at stake. Malaysia’s political system will fundamentally change if some of the surprising predictions by Anwar Ibrahim come true. A few weeks after the March elections, he began to talk openly about taking over the federal government.<sup>31</sup> He even mentioned a concrete date: just before Malaysia Day on September 16. And this plan, unthinkable in the past, has fuelled the imagination of opposition politicians since then. The Pakatan Rakyat needs to motivate only thirty MPs to switch from the ruling coalition to the opposition. There are no regulations against party hopping, so such a feat is indeed possible. It has happened at the state level before, although so far politicians have usually crossed over to the BN. Although the Anwar plan seems to be primarily a means to sow factionalism and to heighten the level of insecurity in the BN, the logic behind it is not that flawed. The Pakatan Rakyat particularly targets MPs from Sarawak and Sabah, the two states in East Malaysia that are far behind in terms of welfare and industrialization, despite their wealth in natural resources. Thus, Pakatan is offering to increase oil/gas revenues from the present 5 percent to 20 percent, should they form the government in Kuala Lumpur. Since BN component parties in Sabah and Sarawak still have identities and interests that are different from the West Malaysian BN parties, it is hard to falsify assertions by Anwar that the Pakatan Rakyat has already convinced enough MPs to help topple the BN by September. Anwar himself knows politics in Sabah very well; he belonged to those UMNO leaders in the early 1990s who introduced the party in the state. Prior to that time, UMNO did not play a role in Sabah. Interestingly, the BN MPs from Sabah and Sarawak have now begun to step up their demands for greater representation in the federal government and for an increase in development expenditure for the eastern

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<sup>31</sup> *Malaysiakini*, April 24, 2008.

part of Malaysia.<sup>32</sup> Moreover, Anwar is said to have promised East Malaysians that the chief ministers will be a Dayak and a Kadazan, respectively; that alone would fundamentally alter the relations between the center in Kuala Lumpur and the East Malaysian periphery.<sup>33</sup>

## Conclusions

The twelfth national elections in 2008 ended with astounding results. Despite the decades-long dominance of the governing coalition, the opposition was this time able to win a tremendous number of votes after its devastating performance in the last elections in 2004. Opposition politicians spoke of a “revolution” and a “new dawn.”

There are various reasons for the setback of the government coalition: the ineffectual fight against corruption, deteriorating interreligious relations, the high crime rate, increased consumer prices, and the provocative confirmation of Malay rights by UMNO politicians. Moreover, the efficient cooperation between civil society and the political opposition since 2004, which was partly facilitated by the use of new media, has had an impact.

The results vindicate the assumption that electoral authoritarian regimes are inherently ambiguous regimes, in which oppositions have a chance to advance to power through polls. Whereas in the past, elections in Malaysia usually sustained the regime, in the present a subversion of the BN rule is conceivable. Nevertheless, how the strategic interaction between incumbents and the opposition plays out remains to be seen.

The government and the BN parties are under enormous pressure. The governing coalition is currently as impaired as it was in 1969, when a similar electoral disaster led to ethnic unrest, the proclamation of a state of emergency, and the restriction of basic rights. Almost all BN parties may experience extensive power struggles in the near future. Even Abdullah Badawi's position as prime minister is weakened. So far, he has managed to build a new government and fend off demands for resignation by his predecessor, Mahathir Mohamad, and others.

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<sup>32</sup> *Straits Times*, May 20, 2008.

<sup>33</sup> *Malaysiakini*, May 17, 2008.

