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The Case of an "Ambiguous Regime": Malaysia's Political Experience

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ABSTRACT

This paper attempts to explain the resilience of the "ambiguous regime" commonly assumed by proponents of transition paradigm as the "halfway house" that is unstable and will not stand. Transition theorists assume that countries that come out of the "gray zone" during the "third wave of democratisation" as having failed the democratisation process. In this paper, Malaysia is chosen as a case study to refute this assumption. Well known for its ambiguous political system, Malaysia has remained resilient in the face of political challenges. Instead of falling apart as predicted by the transition proponents, Malaysia's ambiguous regime has persisted. This paper examines how "hybrid political configuration" has served as a tool to strengthen and sustain the so-called "ambiguous" regime. It argues that democracy and authoritarian attributes that exist in this ambiguous political system have helped to uphold the regime and sustain it. This paper seeks to explain and display the mechanism in which a hybrid political system works. This analysis hopes to fill in the gaps left by the transition scholarship. Thus, this paper proposes that transition analysts should focus more on how a particular and "ambiguous" regime really works rather than 'standardising' the democratisation process.

Keywords: Third wave democratisation, gray zone, hybrid regime, hybrid political system, Malaysia

INTRODUCTION

Countries that come out of the "gray zone" during the Third Wave Democratisation (Huntington, 1991) are considered as politically ambiguous and a manifestation of a failed democratisation attempt. Their "hybrid" characteristics, portraying neither a full democracy nor outright authoritarian practices entrenched in the system, may possibly serve as a panacea to governing, especially in a troubled

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state. These ambiguous regimes,[1] more commonly known as hybrid regimes, have become a trend in governing, in particular, in the developing world (Schedler, 2006).

Instead of viewing these regimes as dysfunctional and unsustainable, effort should be made to seriously study them in depth to see how they function. This effort has received little attention from democratisation scholarship. According to Linde (2009), this is due to the "democratic bias" that has dominated the literature on democratisation. Many studies that have depicted the "hybrid" political system have focused on its conceptualisation, using adjectives to describe its democratic traits (Levitsky & Collier, 1997).

This study suggests that the mechanism that supports and sustains the hybrid regimes should cover the gaps in democratic transition scholarship. This paper begins with a brief review of main literature on democratisation followed by a discussion of interpretive approaches in political sciences, namely methodology, used in this study. The method displays the meaning of the peculiar phenomena in the case study. Mechanism or tools (i.e. electoral institution; institutions of control; strong state and dominant one party system; patron clientele; internet and new social media; peaceful social movement and elites strategies) that support and sustain the political system in Malaysia are analysed. These tools are depicted in Figure 1. The study concludes with suggestions for future research on ambiguous or hybrid political system.

The Paradox of Democratisation Paradigm

Third wave democratisation[2] is teleological in nature. It is premised on the modernisation theory that assumes democracy is inevitable once a country has gone through certain stages of development. The process assumes a lineal and untroubled relationship between capitalism and democracy, and tends to alienate other factors such as history, ethnocentricity and the sensitivity of countries outside the western hemisphere (Lipset, 1959; Almond & Verba, 1963; Moore, 1966). Critics argue that this assumption based solely on the experience of the Western world ignores the particular developmental processes of the Third World. More unfortunate is that the proponents of these modernisation theories set this platform for others to follow (Grugel, 2002, 49).

As with democratization theories, they argue that democracy is the only panacea to solve the problems of governance in

[1] I used the term regime and system interchangeably in the discussion because the concept of regimes in my study presents the method or a system of governance. It also means a state system or a political system.

[2] Third wave democratisation had spread after the development of regime transitioning to democracy in South Europe and Latin America. This development of democracy then spread in Asia starting in the late 1980s and into the 1990s.

any regime. This is where the problems emerge regarding the Third Wave theory in particular and the democratisation paradigm in general. The issue is not all regimes that have gone through regime transition become fully democratic. Instead of transitioning to democracy, these regimes defy the democratisation thesis by having both attributes of democracy and autocracy at the same time (Levitsky & Way, 2010). In fact, it can be said that these regimes are secure in their place because of these peculiar attributes.

The "Gray Zone" Regimes

Thomas Carothers (2002) in his seminal article argued that the transition paradigm has lost its purpose and should be replaced with a better paradigm that can explain the current phenomenon. The teleological assumption of the transition paradigm is clearly flawed as new regimes did not transform fully into a functioning and vibrant democracy. Instead of completing the journey of consolidating democracy, these regimes are stuck in an area called the "gray zone".

Countries emerging from the gray zone vary politically; what is known as "hybrid regimes" are partially democratic with regular elections and democratic institutions while at the same time, imposing restrictions on the freedom to dissent. These regimes, mostly in the developing world, are not dysfunctional, rather they possess a functioning political system (Diamond, 2002; Linde, 2009).

According to the democratic paradigm championed by Huntington and other proponents of democracy that this type of regime with an ambiguous political system is unstable and will not last; rather, Huntington's predictions that this "halfway house"[3] can easily crumble were proven wrong as these regimes remained stable. To the dismay of democratic proponents, an ambiguous regime such as Malaysia, with all the democratic preconditions of a middle class, high educational and income levels, and a large industrial working class has not led to the growth of liberal democracy and along with its institutional control system, has worked in contradiction to the ideas of liberal democracy.

The case of Malaysia, as with many other countries in the developing world, has made analysts and proponents of democratic transition theories question their paradigm. This paper argues that the hybrid political system, as ambiguous as it may be and a halfway house that will not stand based on the transition paradigm theory, actually serves as a mechanism that balances, supports and sustains the regime.

Method: Interpretive Method for Political Science

"All political scientists offer us interpretations" (p. 70), say Bevir and

[3] In his book (1991) *Samuel Huntington* and others argued that liberalised authoritarianism was a "*halfway house* [that] cannot stand", indication of a fragile regime that will not last.

Rhodes (2006) in defending interpretive methods. "They concentrate on meanings, beliefs, and discourses, as opposed to laws and rules, correlations between social categories, or deductive models" (p. 70). Many researchers of social sciences, especially in the field of cultural and political studies, are disheartened by the conventional approach of the empiricists and their well-established research strategies. This is because they realised the limitations of these standardised quantitative methods which did not reveal what the realities are. I have employed an interpretive approach to describe and explain the actual phenomena, in this case, the workings of an ambiguous political system in Malaysia.[4]

Interpretive approaches and methodologies have drawn greater attention in recent times. Due to their distinctive approach and research design, unique conceptual formation, vigorous methods of data analysis, and their assessment of standard phenomena, growing numbers of social scientists have given the interpretive approaches and methodologies greater attention in their research.[5]

Reality in social science cannot be found through a standardised and linear methodology. What is real in one part of the world may not be real in another and thus, different approaches are needed to explain and describe reality. This is where the gaps in democratisation paradigm lie, where it tends to universalise and standardise its ideas beyond its boundaries. The ambiguous regime type is living proof that democratisation paradigm cannot be applied universally. Thus, the interpretive method assists in correcting the flaws of the empirical methods. This paper is not aimed at criticising the conventional methods used in democratisation research, rather, it offers an alternative method in order to fix the gaps in democratisation scholarship.

Political Hybridity: Analytical Challenges

Does hybrid regime matter? Yes, because it presents the paradox of the democratisation

[4] In my dissertation (completed in June 2013), I employed an assessment method structured by the International Democratic and Electoral Assistance (IDEA) to analyse and assess Malaysia's ambiguous political system. I tackled my research through descriptive and interpretive approaches to discuss meanings of readings and texts to extract valuable information about the case study. I want to thank Professor Jack Donnelly for his guidance and supervision in this exercise.

[5] See Mark Bevir and Asaf Kedar. (2008) Concept formation in Political Science: an anti-Naturalist Critique of Qualitative Methodology. *Perspective on Politics* 6 (3): 503-17; Audie Klotz and Cecelia Lynch (2007). *Strategies for Research in Constructivist International Relations.* Armonk, NY: M. E. Sharpe; DvoraYanow and SchwartzShea (2006). *Interpretation and method: Empirical research methods and the interpretive turn.* Armonk, NY: M. E. Sharpe; and Pushkala Prasad. (2005). *Crafting Qualitative Research: Working in the Post-positivist Tradition.* Armonk, NY: M. E. Sharpe.

paradigm. It indicates the "messiness" of democratisation linear ideas against the political realities. These so called ambiguous regimes have been variously described by analysts and experts of democratisation studies as "defective", "flawed", "illiberal", "diminished sub-types of democracy", or more generally, hybrid regimes. Some scholars have agreed to describe these ambiguous regimes as merely "hybrid" to denote their general ambiguous attributes (Morlino, 2012).

The obsession of democratisation studies on regime change can be blamed for the lack of rigour in the study of hybrid regimes and their uniqueness. In addition, the transition paradigm limits further understanding and reality of regimes in the "gray area". According to Cassani (2012), to understand the entire body of literature on the hybrid regime, analysts and researchers should focus on either the study of its origins, functions or its ability to survive. The limitations in understanding how hybrid regimes work should be given some reflection.

According to Hobson (2003), the assumption that the current status of regimes in the grey area is only temporary and that they will eventually become either a democracy or revert to authoritarianism is problematic. He does not agree that these regimes should be called democracies as they do not meet all the definitional criteria of what a democracy is. For those who assume that these regimes will end up reverting to authoritarianism, serving the teleological pitfalls and normative judgments, Hobson further argued that viewing these regimes from the dichotomy of a "democracy + elections' mindset" obscures the real nature of these entities. Only by changing this mindset can analysts progress towards a fuller understanding of the nature of these regimes.

Merkel (2004), in his analysis, showed that defective democracies are by no means regimes in transition. They tend to form stable connections with their economic and social structures and are often seen as part of the elite and as an adequate institutional solution to the specific problems of governing effectively. These regimes will remain for a long time, he says, as long as there is equilibrium in the system.

Brownlee (2007) opined that regimes that are partially democratic and partially autocratic in fact, are a "fortress – not a way station but a way of life" (contrary to being unstable as depicted by Huntington's halfway house). Brownlee also emphasised that regime continuity should be taken into consideration in explaining regime change.

Bogaards (2009), in his study of hybrid regimes, claimed that the prospect of democratic consolidation for these kinds of regimes are farfetched; thus, these regimes must be considered a type of their own rather than categorised as regimes undergoing a process of transition.

Hybrid Regime: The Malaysian Case

Malaysia is a paradigmatic case of a country with a hybrid political setup - partly democratic with authoritarian

practices. Praised for its high economic growth, political and social stability, the country has proven to be an anomaly in democratisation studies. Experts and analysts of democratisation studies have labelled the regime in Malaysia as a "semi-democracy" or "quasi-democracy" or "flawed" and "partly-free".[6] Levitsky and Way (2010) have categorised Malaysia as a stable hybrid regime. These categorisations are unconventional and Malaysia does not have what is commonly accepted as a normal political system.

Malaysia's hybrid regime stands for a political system which is labelled as neither democratic nor authoritarian, despite embodying both democratic and authoritarian characteristics. Crouch (1996) when commenting on Malaysia, argued that the democratic elements and authoritarian support system of a hybrid political system do not necessarily contradict each other; rather, this odd political setup can be mutually supportive. According to Crouch, Juan Linzed claimed that these "ambiguous" political systems cannot be adequately understood as a kind of regime that is situated at the midpoint along a continuum between democracy and an authoritarian system. Rather, these regimes should be understood as their own kind, with peculiar characteristics that distinguish them from either a democracy or an authoritarian system.

Slater (2009) argued that in order to study a regime, the stability and resilience of the regime to challenges and crises must be observed directly. Slater described Malaysia as a regime with endurance capacity, not because it has lasted more than five decades, but because it has shown a remarkable capacity to manage conflicts.

Hybrid Political Configuration in Malaysia: The Tools

The author argues in this paper that different political setups with hybrid elements of democracy and authoritarian attributes work differently in regimes around the globe. In Malaysia's hybrid political system, the political configuration shows how the positive components of democratic principles such as electoral institution, the internet and social media, peaceful social mobilisation and elite strategies work along with authoritarian elements such as electoral gerrymandering, institutionalised control system, strong state and dominant party, and patron-clientele. These democratic and authoritarian attributes function as forces that uphold and sustain the regime (see Figure 1).

[6] See William Case, 1993. Semi-Democracy in Malaysia: Withstanding the Pressures for Regime Change. *Pacific Affairs,* 66, no. 2, pp. 183-205; Zakaria Hj. Ahmad, 1989. "Malaysia: quasi-Democracy in a divided Society", in *Democracy in Developing Countries: Asia*, ed. Larry Diamond, Juan J. Linz, and Seymour Martin Lipset. Boulder, CO: Lynne Rienner Publishers, pp. 347-81; The Economist Intelligence Unit (EIU) has categorised Malaysia as a flawed democracy, ranking it 81 in 2007; The Freedom House, a renowned organisation, has ranked Malaysia as "partly free" rating it at No "4" in the country's level of civil liberties in 2011.

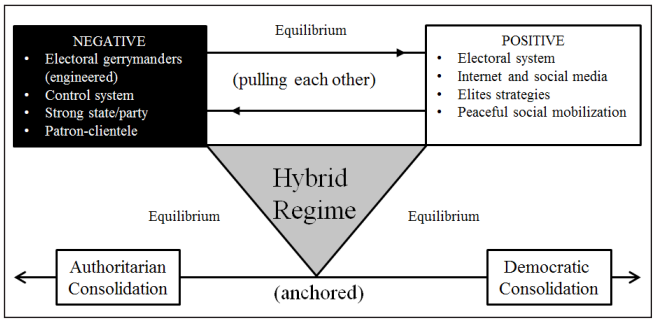

Figure 1. Hybrid Political Configuration in Malaysia[7]

Electoral Institution

As an ambiguous regime with authoritarian control and multi-party elections, Malaysia is categorised as an "electoral authoritarian" regime by analysts (Schedler 2006, Case 2011). Regime experts argue that the electoral system in Malaysia may appear to be a façade, but it is important for the regime's incumbency. The Malay-dominated ruling elite constructed the electoral system to virtually ensure that they could not be removed from power. Consequently, a manipulated election can open opportunities for opposition parties to contest the incumbent and to offer a strong competition. Ufen (2013) claims that voting offers opportunities for the opposition movement to effectively challenge the ruling regime. Recent developments in Malaysia's general elections in 2008 and 2013 show that even in an unfair environment the election in Malaysia is competitive enough to allow for the possibility of government and/or regime change. On one hand, the electoral system in Malaysia can sustain the regime and on the other hand, it can destabilise it.

Institutions of Control in Malaysia

The control apparatus in a hybrid political system is deeply institutionalised. Esman (1973) termed this kind of control system as being "institutionalised dominant" and suggested that this method is basically a coercive network of controls with the purpose of maintaining hegemony and that it is often highly sophisticated and deeply institutionalised. Geddes (1999) defines authoritarian regimes as being institutionalised under a ruling party that has some influence and control over policies and access to political power and the government.

These control mechanisms that serve as state apparatus for the incumbent regime, nevertheless, were a setback to the democratisation process. However, despite the state's acquisition of authoritarian powers, the system was far from fully

[7] This figure and the variables constructing it were first presented at an International Conference of Social Sciences (2015) organised by Social Science Faculty of University Sains Malaysia. The author has given full permission to share this figure for the purpose of this article.

authoritarian. The positive aspects of hybrid political configuration such as peaceful social mobilisation have worked to successfully demand the repeal of ISA and other draconian acts. In September 2011, Malaysia's 6th premier, Najib Tun Razak, had pledged to repeal ISA and three other emergency declarations (The Star [online] 15 September 2011). This indicates that the government has responded to the demand of the people, that is to fulfil and protect their basic rights.

Strong State and Dominant One Party System

Jesudason (1995) declared Malaysia as a "statist democracy that represents the situation in which power holders have much leverage in determining the rules of political competition. This situation allows the incumbents to ingrain their dominance in the society without exploiting a high degree of coercion" (pp. 335-356). This point is striking because the notion of a state in Malaysia overtook "Weber's definition of a legitimate use of physical force" (ibid) hence, it marks the attributes of Malaysia's semi-authoritarian political system.

Malaysia is a highly institutionalised hybrid regime. According to Mauzy (2006), one of the reasons for the resilience of the dominant party in Malaysia, the United Malay National Organization (UMNO), is because it is a "well-institutionalised party" that reaches down through a vast and complex system where it manoeuvres right through the "branch or division, flows up to district, the state, and national organizations" (pp. 47-68). Pempel in his work (1990) claimed that dominant parties are influential organisations that do not weaken over time. They work as an institution that shapes the social structure as much as they are constrained by it. They are capable of making new social bases of support, or discarding old ones in order to stay in power.

One characteristic of the hybrid regime in Malaysia is that there is no clear line separating the government and the dominant party, thus, when Malaysians talk about the party, we usually mean the state and the government.

Patron Clientele

In Malaysia's hybrid political scheme, Gomez and Jomo (1999) claimed that the UMNO-led *Barisan Nasional* (BN) has made important contributions to maintain its central power. This is due to its efficiency in acknowledging the grievances of its key constituents: the voters. Its main advantage is support from the masses through the patron-clientele relationships. The UMNO can be backed up by its political culture of support, especially from the ethnic Malays who help the dominant party sustain its political power. One mechanism that works in the Malaysian hybrid system is that the dominant party, UMNO, nurtures a patron-clientele relationship with the Malays. This is considered a legitimate practice in the political system. In response, the Malays vote for them in general elections.

In order to fulfil its "patronage obligations", Gomez and Jomo asserted that UMNO as the dominant party and along with other component parties in *Barisan Nasional* have developed and nurtured a strong relationship with the leaders of business communities (Gomez & Jomo, 1999). Political patronage and clientelism play a major role in Malaysia's hybrid system. The patron-clientele networks are carefully constructed by the state through its apparatus in the name of fixing the shortcomings in the socio-economic structure. On one hand, state intervention reasonably promotes economic growth and political competition (mistakenly assumed as democracy) and on the other hand, it is a sign of deeper authoritarianism (ibid).

Internet and New Social Media

George (2006) claims that the internet has been used to democratise public discourse in countries where liberal democracies and authoritarian characteristics coincide. The internet as an alternative media has galvanised and mobilised the masses previously dampened by state control over information and opinions. Fortunately, in Malaysia, despite laws that limit civil rights and freedom of the people, the Internet is free from regulatory control and monitoring. The new media breaks the information blockade and freely disseminates information previously inaccessible to the public (Weiss 2012).

Thanks to the promise made by former Prime Minister Tun Mahathir Mohamad not to impose internet restrictions in order to attract foreign direct investments into Malaysia, this loophole has worked to the advantage of Malaysians, especially those in the opposition parties who use the alternative media to disseminate information and garner support. The internet and new social media are a positive means of social movements in Malaysia.

Peaceful Social Movement

Protest movements are relatively new in Malaysia's political scene. Recent protests such as BERSIH[8] and Hindu Rights Action Force (HINDRAF)[9] that took place not too long ago, were the after effects of the *Reformasi* movement in the late 1990s. Beginning with *Reformasi*, social movements in Malaysia have been held in a peaceful manner. The aim was to deliver a message to the government about the people's dissatisfaction with the government's wrongdoings and ineffective governing. Scholars (Kok-Wah and Saravanamutu, 2003; Weiss, 2009) have described this development in social mobilisation as the new politics in Malaysia. The problems are no longer focused on communal politics but more on social justice and good governance.

[8] *Bersih,* or clean, is a people's movement that demands for "clean" and "fair" elections from the government. The movement has held four rallies since 2006, when their demands had not been met by the Election Commission.

[9] HINDRAF is a protest movement by the Indian community in Malaysia demanding the government's attention and solution to their predicament based on social justice.

The hybrid political system has provided an avenue for people's participation in the form of peaceful protests. Although democracy is partially practised, it signifies hope for further development that aids the people's mobilisation in the near future.

Elite Strategies

According to transition theories, strategies employed by elites involve negotiated agreements between ruling elites and opposition elites, which move typical attitudes of self-interest toward accepting democracy as the finest possible form of governing under given conditions. However, elite strategies for democratisation do not apply in Malaysia, whose ruling elites are renowned for their tenacity and unity. According to Smith (2005), patronage-system practices in Malaysia contributes to the elites' cohesiveness and their support of the dominant party whose main task is to maintain the loyalties of in-groups by guaranteeing their long-term interests" (pp. 421-451).

However, one should not underestimate the agency's role, especially the political elite, in determining how the regime works in Malaysia. The elites representing the three major ethnic groups in Malaysia sought and agreed for a *consociational* democracy which collapsed after the May 13, 1969 racial riots, which was one of the primary reasons the Malay ruling elite sought a different form of regime preservation. These strategies have drifted towards a more hegemonic control which led to the unambiguous UMNO-led Malay dominance (Hwang, 2003, pg. 344).

DISCUSSION AND CONCLUSION

This article has highlighted that the mechanisms of a hybrid regime does not turn a country into an unstable political entity as predicted by proponents of the democratic transition theory. The problem with democratisation and regime transition theories is that they focus too much on issues of regimes transitioning to democracy and consolidation, rather than considering how the regimes actually work even without being fully democratic. The tools provided in this study will serve as possible variables for future research for analysts interested on studying how an ambiguous regime from the gray zone really works.

This paper reminds us that democratic attributes such as elections, internet and social media, social mobilisation and elite strategies, can provide an institutional framework with the prospect for democratic openings and possible regime change. On the other hand, it is also a reminder that semi-authoritarian traits such as control system, electoral gerrymandering, strong state and dominant one party and its patron-clientele strategy, can hinder democratic openings yet sustain the regime.

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