THE LIMITS OF CIVIL SOCIETY IN DEMOCRATISING THE STATE: THE MALAYSIAN CASE

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A vibrant and active civil society is often said to be a necessary but not sufficient condition for the consolidation of democracy. It is well known that civil society in the Western context, at least from the libertarian perspective, was born out of a struggle between the bourgeois and the feudal lord. Hegel, for example, posited that individuals in civil society would pursue their self-interest within the framework of mutually recognised rights and obligations regulated by public authority. However, the liberal perspective on civil society argues that civil society must be freed from the clutches of the state if it is to be a potent force for democratisation. Here, we argue that the emergence of civil society in a post-colonial and multi-ethnic society is highly dependent on the state and that civil society in a multi-ethnic society can also act as a polarising force.

Keywords: civil society, democracy, democratisation

Civil society occupies a special position in democratic theory. It is simultaneously considered an autonomous public sphere where citizens deliberate and exchange ideas and, more importantly, the reservoir of that “stock of social capital” that is necessary to oil the wheels of democracy. Although civil society has been trumpeted as a prerequisite for democracy, the social conditions necessary for its development are less certain. This uncertainty may arise from the fact that intermediate associations exist in all societies. However, scholars agree that democracies seem to give more leeway for such associations to function, whereas authoritarian states attempt to co-opt or even curb the mushrooming of secondary associations, which are seen as a threat. Scholars often assume that a successful transition from authoritarianism to democracy will take place in which civil society is not only robust but
also in opposition to the state. However, these assumptions fail to take two factors into consideration: the limits placed on civil society by the state and the fact that not all civil society actors are fighting for democracy. In other words, civil society cannot by itself spark the overthrow of an authoritarian system and replace it with a democratic one.

The theoretical underpinnings for the above claim are as follows: first, the development of civil society is context-specific; second, the transition from authoritarianism to democracy involves many variables, among which civil society may not be the most significant. To play a vital role in democratisation, civil society must work with political society. Two crucial elements of political society are political parties and political leaders, both of which can act to strengthen or weaken the democratic or authoritarian potential of a given configuration of civil society. We should also bear in mind that the state might tolerate business associations, trade unions, and other benign groups while restricting the movements of pro-democracy associations. Put differently, the question of the balance of power between pro-democratic associations and other civil society actors has to be considered when assessing the role of civil society in democratic consolidation. Some civil society organisations (CSOs) might find it useful to observe the rules of the game to gain access to those holding the levers of power, whereas others might adopt a confrontational approach.

The final assumption is that most of the virtues ascribed to civil society by neo-Tocquevillian theories, like the school of democracy, are exaggerated. In an ethnically diverse society, where differences often play themselves out in competition as well as in collaboration with diverse interests and agendas, there is the possibility of direct conflict between groups that have incompatible goals, leading to polarisation in highly ethno centric societies and impeding the development of values that are conducive to democracy. These arguments suggest that the link between civil society and democratisation is tenuous at best. I argue that civil society does not exist in a vacuum and that it needs some form of a guarantee such as the protection of fundamental liberties to act as a conduit for democratisation.
In making these claims, I hope to highlight two points. First, the state, which has a monopoly of legitimate violence in a society, is a precondition for all other activities in modern civilisation. As such, most non-Western societies attempting to construct modern states may not have the necessary institutions or historical legacies to support the development of a vibrant civil society. Second, the idea that associational life is always the source of democratic activism, which can act as a buffer against the arbitrary state, is riddled with ambiguity because associations that are narrow in scope, chauvinistic in content, stereotypical in form, and constructed around homogenising impulses tend to impede democratic consolidation.

These arguments emerge from an in-depth analysis of political development in Malaysia, a regime that defies easy categorisation. Most analysts of Malaysian politics would agree that Malaysia has not only all the trappings of a democracy but also some authoritarian features. Although some scholars are of the opinion that "state and civil society are in transition" (Verma, 2002), democratic consolidation may not be one of the outcomes. The Malaysian regime has also shown resilience in crisis situations, and the political elites have remained cohesive. Nevertheless, CSOs "have played a key role in exploring and espousing political, social and economic reforms, in the process sustaining a nucleus of committed activists" (Weiss and Saliha, 2003: 42). According to Weiss and Saliha (2003):

Civil society in Malaysia does not fit the theoretical ideal of democratic, grassroots-oriented, politically transformative organisations for building social capital and keeping the government in line. Too few of them are truly independent, self-financing, and racially and linguistically inclusive (Weiss and Saliha, 2003: 43).

Although we should be careful of making generalisations based on a single case study, the Malaysian experience demonstrates the difficulty of assigning civil society a positive role in democratisation. In light of these developments, it is fair to use the Malaysian case as an example to test whether the above-mentioned claims can be applied in countries that exhibit similar characteristics. Moreover, although the 2008 general
elections have been touted as a "political tsunami", the political alignment within Pakatan Rakyat is still very much within the consociational democratic model. This inevitably reinforces the existing social cleavages along ethnic lines. The thinning of Malay political power and the opening of political space during Abdullah Badawi's administration (2003–2009) have invariably stunted the creation of a "common conceptual map" that is crucial for developing a vibrant civil society. This is aptly demonstrated by the demands and counter-demands made by CSOs, both of which are still couched in non-negotiable ethnic terms. For example, CSOs such as Perkasa and Dong Zhong have accentuated the existing, conflicting subcultures, and the spillover effect has erupted into the political arena. This does not bode well for eliminating discriminatory practices and developing equality of conditions, both of which are crucial requisites in the development of a civil society. Najib Razak's administration has re-adopted the developmental model while maintaining authoritarian controls. Because adherents of communitarian perspective often view their political demands as a matter of group survival and as non-negotiable, Najib Razak's 1Malaysia slogan is in conceptual disarray and is by no means a panacea for nation building. On the contrary, the development of civil society and democratic processes require negotiation, conciliation, and compromise.

In what follows, I briefly discuss the concept of civil society. I then discuss the political context of civil society organisations in Malaysia in greater detail. An analysis of the role of Malaysian civil society in mediating issues of democracy and the challenges that they face follow this discussion.

WHAT IS CIVIL SOCIETY?

The discourse on democracy devotes considerable attention to the concept of civil society, particularly to its relationship to the state. As a parallel to the neo-liberal theory of democracy, which stresses that economic liberalisation is the condition and guarantee of democracy, it is argued that civil society thrives better if separated from the state. According to this perspective, the liberation of civil society from the clutches of the state is the major condition for democratisation. But how
valid is this perspective? In this section, I attempt to define civil society and argue against its analytical divorce from the state. One working definition is that, in the most abstract sense, civil society can be conceived of as an aggregate of institutions, the members of which are engaged primarily in a complex of non-state activities—economic and cultural production, voluntary associations, and household life—and that, in this way, preserve and transform their identity by exercising all sorts of pressures or controls upon state institutions (Keane, 1988: 14).

Civil society would include such organisations as professional associations, student bodies, independent communication media, chambers of commerce, trade unions, and non-governmental organisations (NGOs) of one variety or another. However, the origins and use of the concept of civil society span several centuries, with the concept featuring significantly in the writings of Hegel (1999), Marx (1970), and Gramsci (1971). Whereas the concept was synonymous with the "commonwealth" or "political society" in English political thought in the 16th and 17th centuries, it underwent some modification when Hegel created a distinction between the state and civil society. Marx transformed Hegel’s distinction between the state and civil society by denying the universality of the state and insisting that the state expressed the peculiarities of civil society and its class relations (Wood, 1987: 61). Gramsci (1971) appropriated the concept of civil society to define the terrain of a new kind of struggle, which extended the contest against capitalism from its economic foundations to its cultural and ideological roots in everyday life.

Neo-liberal theories of democracy argue that civil society plays a critical role against the statism of various shades, but primarily against the statism associated with a prominent role of the state in economic activity. Indeed, civil society has been likened to a conceptual portmanteau that indiscriminately lumps together everything from households to voluntary associations to the economic system of capitalism. It has been argued that, in Eastern Europe, the concept has been simultaneously used in the defence of political rights and in the restoration of capitalism. Although the separation of the state and civil society in the West gave rise to new forms of freedom and equality, it also created new modes of domination and coercion. One way of
characterising the specificity of civil society as a particular form in the modern world—the particular historical conditions that made possible the distinction between state and civil society—is that it constituted a new form of social power, in which many coercive functions that once belonged to the state were relocated in the private sphere, in private property, in class exploitation, and in market imperatives. It was this privatisation of public power that created the historically novel realm of civil society.

If civil society institutions are not inherently democratic, is it not valid to insist on their analytical separation from the state, as in the neo-liberal discourse. Without the protective, redistributive and conflict-mediating functions of the state, struggles to transform civil society become "ghettoised, divided, and stagnant, or will spawn their own new forms of inequality and unfreedom” (Keane, 1988: 15). Further, civil society does not act independently from the state—there is interpenetration of the two. According to Beckman (1992), in order for the notion of civil society to make sense, it must involve some structuring of relations that distinguish it from society itself—the relationship to the state provides this structuring principle. Civil society is situated in the rules and transactions that connect state and society. For example, chambers of commerce organise and represent business interests in a public arena as defined primarily by relations to the state via legislation, tax, and license provisions. Thus, the construction of civil society is centred on rules and regulates relations between competing interests in society; the protection of the state is sought in the pursuit of productive and reproductive life. The enforced separation between the state and civil society in the neo-liberal mould is therefore conceptually untenable.

The tension between stressing the independence to civil society and according primacy to the state exists in Malaysia. Although it has been argued that the transition to a viable democracy can be greatly facilitated by the prior existence of civil society, civil society may not always usher in a democratic transition—the state may put up an effective fight and hang on to the reins of power (Kamrava, 2000: 193). Scholars focusing on third-world politics have argued that viable democracy necessitates civil society, but civil society in itself does not necessarily mean democratisation. As Kamrava (2000) points out, to have democratic consequences, CSOs must democratise themselves and the larger social
and political environments within which they operate. Nevertheless, Western scholars, such as Larry Diamond argue that civil society plays a key role in democratic transition and consolidation by "providing the basis for the limitation of state power, supplementing the role of parties in stimulating political participation, increasing the political efficacy and skill of democratic citizens, educating the masses in democracy, structuring multiple channels, beyond the political party, for articulating, aggregating, and representing interests, empowering the powerless to advance their interests, generating a wide range of interests that may cross-cut, and so mitigate the principle polarities of political conflict, recruiting and training new political leaders, developing techniques for conflict mediation and resolution, giving citizens respect for state and positive engagement with it, and facilitating the spread of ideas essential to the achievement of economic reform" (Diamond, 1999: 239–250).

I argue that Diamond's claim is overly optimistic and may not be applicable to highly fragmented societies such as the Middle East, Africa, and Southeast Asia. As Gupta (2001: 307) has noted, in contrast to Western experience, in India the interest in civil society comes from the state's inability to deliver the fruits of technology and modernisation to the average citizen—when civil society is thus separated from citizenship, the state is no longer responsible for the well-being of its citizens. Put simply, for civil society to be an effective tool of democratisation, it must be politically relevant, and this relevance varies depending on the socio-economic setting. Civil society depends largely on well-developed social networks and a society with a high level of ethnic diversity. These can translate into clan- or kinship-based relationships which are inimical to democracy.

THE POLITICAL CONTEXT OF CIVIL SOCIETY IN MALAYSIA

To determine the types of associations that are conducive to the consolidation of democracy, it is instructive to look at a regime where democracy has yet to consolidate, which is described as "neither authoritarian nor democratic" and as a "semi-democracy". The Malaysian regime, which has often been characterised as a "half-way
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house”, is a hybrid polity. It is democratic because elections (free but not necessarily fair) have been held regularly since the country gained its independence in 1957, but it is also authoritarian because of a host of repressive laws, such as the Internal Security Act (ISA), which permits the detention without trial of individuals who the state feels are a threat to national security. More often than not, opposition politicians have been incarcerated by the incumbent government, which felt that they were out to undermine “national security”. Nevertheless, as Crouch (1996: 114–35) has noted, "the government has been careful to respond to the expectations of a large part of the society…because competitive elections have continued to be held”.

To its credit, the Malaysian regime has successfully managed ethnic relations in a pluralist society, which, if not properly handled, could lead to instability. It has also managed the economy rather successfully as well. The aforementioned factors, coupled with the emergence of the new political culture of developmentalism, have ensured that democratic consolidation has remained elusive in Malaysia. According to Loh (2002: 21):

This new political culture valorises rapid economic growth, the resultant consumerist habits, and the political stability offered by Barisan Nasional (BN) or National Front rule even when authoritarian means are resorted to. Since no party has ever governed Malaysia, many ordinary Malaysian cannot imagine that political stability can be maintained in multi-ethnic Malaysia without BN rule. A “self-policing” system in support of BN rule which is believed to be essential for maintaining political stability, which then attracts foreign direct investments (FDIs) and allows economic growth to occur, and ultimately for the enjoyment of higher standards of living and consumption, has kicked in.

Loh (2002) might give the impression that there is almost a consensus among Malaysians that BN rule is the only viable form of government and that this new political culture pervades all Malaysians. However, it is important to highlight that this consensus is more prevalent among the middle class. In addition, the Malaysian middle class is by no means homogenous. The dominance of the new political culture of
developmentalism among the middle class could be attributed to the fact that the Malaysian middle class has historically been supportive of the state, as demonstrated by the election results (Abdul Rahman, 2001: 80). Nevertheless, since the late 1960s, a small segment of the middle class has begun to demand a more participatory approach to decision-making—articulating their grievances in the language of democracy and democratisation.

Because Malaysia inherited a well-developed civil service from the British and experienced robust economic growth, the state has pursued a developmentalist strategy that effectively blocked CSOs from providing direct services to the masses since independence. For instance, Malaysian CSOs have seldom been involved in relieving the immediate suffering of the poor and in meeting their short-term visible needs with the hope that the poor may get themselves back onto their feet to escape poverty. Instead, appendages of the dominant party in the ruling coalition—the United Malays National Organisation (UMNO)—provided assistance to the rural poor and peasants. This may be because UMNO relies heavily on rural Malay voters for its electoral supremacy, and one way to win the crucial Malay votes in the rural areas is to be seen as the "protector" of the Malays. The party has managed to do this by virtue of its dominance in the ruling coalition, which made it possible for it to dispense various forms of patronage through several mechanisms, such as local village councils. Therefore, we can deduce that associational life of the political/social welfare type is not predominant among the Malays, as most of their needs have been attended to by the state. This is not to imply that the pattern of associational life is static among the Malays. More specifically, associational life in the Malay community is organised around religious, as opposed to civic or political, ends. This partly explains the attractiveness of Parti Islam Se-Malaysia (Pan-Malaysian Islamic Party) as a viable alternative to UMNO in the Malay belt states.

In non-Malay communities, associational life of the "bonding" kind is rather vibrant. For example, associational life is vibrant in Chinese community, a phenomenon that is not unique to Malaysia but is a typical feature of immigrant Chinese communities everywhere. The Chinese are most active in Huay Kuan and Kongsi groups, based on regional
association and kinship, followed by Miao or temple organisations. These associations are primarily concerned with health and welfare and are formed because of concern about inadequate public facilities (Douglas and Pedersen, 1973: 71). It has been noted that Chinese associations and guilds provide a shadow government with authority that competes with the political leadership of English-speaking Chinese in the federal and state assemblies (Douglas and Pedersen, 1973: 72). The existence of this network of interdependent associations could be considered as a form of "bonding" social capital for the immigrant communities because it reinforces a self-contained community life and the traditional framework. These associations maintain relationships among the otherwise fragmented Chinese community using ancestral establishments with common surnames that perpetuate ancestor worship, celebrate the traditional festivals, and care for ancestral graves.

As Kaneko (2002: 180) notes, each of these associations offers numerous "semi-public" services, ranging from helping members find jobs to managing schools. The Indian community's involvement in associational life is also vibrant. Because the Indians were brought in by the British to work in the rubber estates, they were and are active union members. Caste organisations were also popular among early immigrants, and trade organisations and guilds have continued to exert some influence, separating the Indian trading community from labour interests (Douglas and Pedersen, 1973: 73). We see a similar pattern emerging among the non-Malay communities: associational life is an important component of their social structure. Voluntary associations help these immigrants adapt to their new homeland, and these associations have subsequently kept cultural and religious practices alive. Within the Chinese community, some of these associations have developed into pressure groups that seek to protect Chinese cultural and educational rights.

As the Malaysian regime has a mixture of both authoritarian and democratic characteristics, associational autonomy is not its forte. Associational activities are heavily regulated by the state. The Societies Act of 1966 (revised in 1983) defines the relationship between the state and civil society. Any organisation that has seven or more persons, whether it is a business or a social organisation, is required to register with the state. The Registrar of Society (ROS) is responsible for
monitoring the activities of voluntary associations and is empowered to accept or reject any application to form new associations. In an attempt to exert greater control over civil society, the state moved to amend the Societies Act in 1981 to classify non-governmental organisations into one of two categories—"political" and "friendly". As Saravanamuttu (1992: 51) notes had it passed, this amendment would have effectively prevented a large number of urban based societies and associations from performing their legitimate role of lobbying or otherwise influencing government policy. This proposed amendment was rejected after a secretariat headed by Islamic Youth Movement of Malaysia (ABIM) mobilised 115 CSOs, which resulted in a review of the amendment, after which the government dropped the offending section. However, this victory was short-lived. The state then decided to amend the Official Secrets Acts (OSA) to include mandatory jail sentence for journalists and others who revealed materials obtained from government sources. This amendment was passed despite heated protest from the National Union of Journalists and other key civil society actors. Civil society in Malaysia therefore operates under the "watchful eye" of the state and can be characterised as being "encapsulated" (Jesudason, 1995: 335).

THE CHALLENGES FACED BY CIVIL SOCIETY IN MALAYSIA

The previous section has attempted to show that civil society in Malaysia is characterised by what Barber (1999) has called communitarian organisations. This phenomenon is known to be the outcome of the British divide and rule policy, and this need not be discussed here. What is of significance is that this colonial social structure has been reinforced by the state even after independence in 1957. As such, these communitarian organisations have continued to play a pivotal role in representing the interests of their respective communities, but their exclusivity and hierarchical structure have somewhat impeded the formation of cross-cutting civic organisations that promote equality and openness. For example, a recent study that was conducted to ascertain the extent of collaboration among Malaysian CSOs shows that collaborations are difficult to find. This could be due to the fact that the defining civil society actor in Malaysia is the
clansman—"tied to community by birth, blood, and bathos" (Barber, 1999: 15). Table 1 shows that the overwhelming majority of registered CSOs in Malaysia are communitarian groups.

Table 1: Categories of Civil Society Organisation in Malaysia

<table>
<thead>
<tr>
<th>Category</th>
<th>National</th>
<th>State</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious</td>
<td>7,203</td>
<td>1,400</td>
<td>8,603</td>
</tr>
<tr>
<td>Social welfare</td>
<td>5,629</td>
<td>1,533</td>
<td>7,162</td>
</tr>
<tr>
<td>Social/recreational</td>
<td>6,158</td>
<td>567</td>
<td>6,725</td>
</tr>
<tr>
<td>Women</td>
<td>372</td>
<td>1,142</td>
<td>1,514</td>
</tr>
<tr>
<td>Culture</td>
<td>1,716</td>
<td>1,428</td>
<td>3,144</td>
</tr>
<tr>
<td>Mutual benefit</td>
<td>2,121</td>
<td>8</td>
<td>2,129</td>
</tr>
<tr>
<td>Trade</td>
<td>3,360</td>
<td>767</td>
<td>4,127</td>
</tr>
<tr>
<td>Sport</td>
<td>3,226</td>
<td>379</td>
<td>3,605</td>
</tr>
<tr>
<td>Youth</td>
<td>3,157</td>
<td>6,421</td>
<td>9,578</td>
</tr>
<tr>
<td>Educational</td>
<td>367</td>
<td>171</td>
<td>538</td>
</tr>
<tr>
<td>Political</td>
<td>46</td>
<td>51,129</td>
<td>51,175</td>
</tr>
<tr>
<td>Employment</td>
<td>1,104</td>
<td>515</td>
<td>1,619</td>
</tr>
<tr>
<td>General</td>
<td>7,100</td>
<td>2,247</td>
<td>9,347</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>41,559</td>
<td>67,707</td>
<td>109,266</td>
</tr>
</tbody>
</table>

Source: New Straits Times, 2007

While the liberal perspective on civil society stresses that society can be compartmentalised into two distinct spheres, the public and the private, it has done so primarily by treating human beings as *homo economicus* and, hence, as rights-bearing consumers (Barber, 1999:16). The communitarian perspective, on the other hand, aims to respond to this deficiency by providing human beings attachment to their "ascriptive" identity. In Malaysia's multi-ethnic society, communitarian organisations reshape people's ascriptive identities by attempting to recreate a memory of and identification with the communal past. As shown in the previous section, this is quite prevalent among immigrant groups. In addition, the dominance of Malay culture and politics in Malaysia has left other communal groups clamouring to protect their identity. Put differently, non-Malay communitarian groups are struggling against a perceived threat of a cultural takeover from the
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state. Like the liberal perspective on civil society, the communitarian strand also envisages society as having two spheres—the public and the private.

The fragmented nature of Malaysian society has invariably made nation-building a difficult task, as different communal groups have challenged the "official" version of the cultural symbols that represent the Malaysian nation. Civil society in Malaysia can therefore be said to be beset by a great deal of "mistrust". Inasmuch as civil society requires the systemisation of rights and the recognition of individual worth, competing notions about what ought to be the cultural and political symbols of the Malaysian nation have obstructed the development of a common sense of purpose among the disparate groups in Malaysia. This is compounded by deeply held beliefs about the purpose of politics among the various ethnic groups in Malaysia. As Barber (1999: 16) notes, the communitarian perspective is dangerous because it tends not only to polarise and monopolise all public spaces but also to subordinate the state and its institutions to a larger community. Even though Malaysia is thought to be the embodiment of a cultural heterogeneity success story, the nation-building project is in fact an abject failure. The absence of a common conceptual map in the Malaysian case has created an "us" versus "them" mentality among its heterogeneous inhabitants that inevitably fails to create a common point of reference, which is crucial in the development of civil society. In sharp contrast to what nationalism had given the Europeans, the fragmented nature of Malaysian society has failed to give birth to a collectivity that is based on a common point of reference. As such, citizenship remains a hollow concept in Malaysia. The struggle between the Malays and the non-Malays over citizenship and the special rights given to the former have created an antagonistic form of political interaction, which is also an impediment in the development of civil society in Malaysia. In my opinion, neo-Tocquevillean scholars such as Putnam (2000) have overstated the importance of associational life not only in strengthening democracy but also in the development of civil society. A thriving civil society that is coloured by communitarian concerns serves to fragment rather than unite.
Over the years, the high levels of communitarian organisation in Malaysia have created a situation in which individual interest have been formulated in non-negotiable ethnic terms. Neo-Tocquevillean theorists stress the importance of voluntary associations in bridging cleavages and bringing people together. However, they have failed to observe how, in many post-colonial societies, such as Malaysia, associative practices fail to play this bridging role. Where cooperation exists, it is among "clansmen" pursuing different goals. In Malaysia, the granting of citizenship to immigrant groups immediately after independence served to corrode a sense of civility among the highly differentiated social groupings. Although the Malay community was given special privileges, the quid pro quo arrangement—citizenship in exchange for special privileges—has proven to be problematic. Citizenship entails rights and entitlements, whereas the institution of special privileges serves to create a sense of discrimination and inequality. Therefore, the influx of hitherto docile immigrant groups into politics has served to solidify an ethnic politics that is sub-national in character. More importantly, the separate identity adopted by the different ethnic groups in Malaysia tends to enhance loyalty to traditional communities.

The advent of cross-cutting, issue-specific civil society organisations in Malaysia is by no means a panacea for the development of a common conceptual map in multi-ethnic Malaysia. In the Malaysian context, it is crucial to note that issue-specific organisations, including organisations focused on human rights, consumer issues, the environment, women's rights, and heritage, have historically developed as part of the middle-class concern about and action in response to political authoritarianism and undemocratic development since the 1970s. Although the initial condition of the development of civil society, as envisaged by Hegel (1999), requires mutually recognised rights and obligations regulated by public authority, the continuous politicisation of ethnic issues in Malaysia has thwarted the development of a common point of reference. As in other postcolonial societies, democracy was transplanted to Malaysia before the systematisation of rights and citizens' adaptation to the existence of multiplicity of independent and often contradictory associations. Unlike in the United States or Great Britain, Malaysian associationalism did not lead directly to responsible citizenship, much less to liberal democratic values.
CONCLUSION

Although much of the literature on civil society argues that civil society and democratisation go hand-in-hand, pointing to the growing number of CSOs as proof of ongoing democratisation, not all CSOs actively promote democratisation. Malaysian CSOs come in a confusing array of manifestations—from academic and professional groups to grassroots groups, business-oriented groups, charity organisations, and, most of all, ethnic and religious groups. In the Malaysian context, many CSOs have conscientiously avoided political activities, choosing to concentrate on running specific activities for their members or on delivering social welfare services in line with a more traditional conception of charity, which is essentially palliative and not discursively critical. More importantly, ethnic-based political parties and their attendant effects have impeded the development of inter-ethnic CSOs that transcend ethnic issues. Ultimately, the prospects for democratisation lie with the highest power in government, the Prime Minister. The trend of power to concentrate "upwards" means that the leadership will ultimately decide whether or not to make genuine attempts to improve accountability and democratic participation. Without such concessions, civil society and CSOs cannot participate more actively and freely. Concrete concessions must include the reform of unnecessarily restrictive legislation, including the Societies Act and the ISA, which have been used repeatedly to penalise CSOs, often in an arbitrary fashion. Without such concessions, civil society cannot realistically be expected to deliver what is hoped of it.

NOTES

1. Pakatan Rakyat is a coalition of three political parties, namely Parti Islam Se-Malaysia (PAS), Parti Keadilan Rakyat (PKR) and Democratic Action Party (DAP). It has managed not only to deny Barisan Nasional its 2/3 majority in Parliament but also to take control of the strategic states of Selangor and Penang. It is also in control of Kedah and Kelantan.

2. Interview with Professor Elizabeth O’ Sullivan, 25 July 2009. The author is a co-researcher in a study headed by Professor O’ Sullivan that is attempting to ascertain the extent of collaboration among Malaysian NGOs. Professor O’ Sullivan is a Professor of Political Science at North Carolina State University.
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