

Polity IV Country Report 2010: Malaysia

<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Score:</td> <td style="width: 15%;">2009</td> <td style="width: 15%;">2010</td> <td style="width: 15%;">Change</td> </tr> <tr> <td>Polity:</td> <td>6</td> <td>6</td> <td>0</td> </tr> <tr> <td>Democ:</td> <td>6</td> <td>6</td> <td>0</td> </tr> <tr> <td>Autoc:</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Durable:</td> <td></td> <td>2</td> <td></td> </tr> <tr> <td>Tentative:</td> <td></td> <td>No</td> <td></td> </tr> </table>	Score:	2009	2010	Change	Polity:	6	6	0	Democ:	6	6	0	Autoc:	0	0	0	Durable:		2		Tentative:		No		
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Tentative:		No																							
SCODE	MAL	CCODE	820	Date of Report	1 June 2011																				
Polity IV Component Variables																									
XRREG	XRCOMP	XROPEN	XCONST	PARREG	PARCOMP																				
3	3	4	5	2	3																				
Date of Most Recent Polity Transition (3 or more point change)																									
End Date			7 March 2008	Begin Date																					
				8 March 2008																					
Polity Fragmentation: No																									
Constitution																									
1957/1963 (1988, 1989, 1994)																									
Executive(s)																									
Prime Minister Najib bin Tun Abdul Razak (UMNO); appointed by the king as leader of the parliamentary majority on 3 April 2009																									
Legislature																									
Bicameral: House of Representatives (222 seats; directly elected, most recent elections, 8 March 2008) National Front (BN): 140 People's Alliance: 82 Senate (69 seats, 26 elected from the States, 43 appointed by the King)																									
Judiciary																									
Supreme Court																									

Narrative Description:¹

Executive Recruitment: Competitive Elections (8)

Malaysia is a federal constitutional monarchy with a parliamentary form of government. The current Supreme Sovereign Syed Sirajuddin ibni al-Marhum Syed Putra Jamalullail was elected by the Conference of Rulers, comprising the nine hereditary sultans, following the previous King's death in November 2001. The supreme sovereign is the ceremonial head of state but executive power is concentrated in the office of the prime minister. In the post-colonial era, the prime minister has been a representative of the National Front (BN) coalition. The BN is dominated by the United Malays National Organization (UMNO) but also includes the Malaysian Chinese Association and the Malaysian Indian Congress. While executive recruitment in this country entails many liberal institutions and procedures, nonetheless, the hegemonic

¹ The research described in this report was sponsored by the Political Instability Task Force (PITF). The PITF is funded by the Central Intelligence Agency. The views expressed herein are the authors' alone and do not represent the views of the US Government.

position of the National Front has weakened, although not destroyed, the competitive nature of this democratic system.

Until his retirement in October 2003, Prime Minister Datuk Seri Mahathir Mohammad had retained control of the government since his initial appointment in July 1981. He was reappointed for his fifth term in November 1999 following the electoral victory of the National Front (BN) alliance, led by his United Malays National Organization (UMNO). Deputy Prime Minister Abdullah Ahmad Badawi was sworn in on 31 October 2003 as Malaysia's fifth Prime Minister. The government has been criticized for undermining judicial independence and limiting freedom of assembly, association, speech, and the press. The control of government by the ethnic Malay majority, represented by UMNO, and the limitations imposed through its hegemonic control over the government have given the National Front (BN), which is more an association of UMNO-controlled ethnic parties, enormous advantages over opposition parties. Opposition parties actively contest elections but face significant obstacles in competing with the long-entrenched ruling coalition.

While once again victorious in the March 2008 elections, nonetheless, the National Front coalition suffered its worst election results in decades. In addition to losing its 2/3 parliamentary majority, it also lost control of five state assemblies. Winning 82 of 222 seats in the House of Representatives, the opposition claims that it has a popular, although not a majority, mandate to reform the political system. Much of the new opposition comes from Islamic parties and forces in the country that see the plight of the Malay poor as a function of entrenched government corruption. Much of the anger against the National Front has been led by the People's Alliance, led by former deputy prime minister Anwar Ibrahim (and his National Justice Party). Anwar Ibrahim, who was once seen as the logical successor to Mahathir Mohamad, was sacked from his government position in 1998 and convicted of corruption and sodomy. He was freed from jail in 2004. In preparation for the 2008 election, Anwar Ibrahim signed an unprecedented pact with the main opposition parties in parliament, the predominantly Chinese Socialist Democratic Action Party (DAP) and the Islamic Party of Malaysia (PAS). Despite the ruling party's exploitation of state-controlled media and the refusal to permit election rallies, the People's Alliance opposition had its strongest showing in decades, winning 82 seats and reducing the BN share to 140 seats. In response to the National Front's electoral backsliding, Malaysia's former prime minister, Mahathir Mohamad, resigned from the ruling party in protest in May 2008. He said he would not rejoin UMNO until current Prime Minister Badawi resigned from his office. Following the stunning results of the March 2008 parliamentary elections, Badawi announced his decision to resign from the leadership of the National Front. Najib Tun Razak succeeded Badawi to the leadership of the UMNO and National Front and assumed the office of prime minister on 3 April 2009.

Executive Constraints: Substantial Limitations (5)

Constitutionally, the prime minister is appointed by the supreme sovereign and is responsible to the parliament. In practice, however, there is no working system of checks and balances that would effectively constrain the prime minister's authority. Prime Minister Mahathir firmly controlled every aspect of government from foreign policy to economic planning to the design of the national car, the Proton. Although political opposition to Mahathir's leadership had strengthened since 1998 when Malaysia fell into its first recession in many years, elections in March 2004 reversed this trend. Mahathir's successor, Prime Minister Datuk Abdullah Ahmad Badawi, guided the UMNO-led National Front (BN) to a landslide victory, reducing the opposition's representation in parliament to less than 10%. Opposition parties criticized the Election Commission's handling of the elections and asked the King to nullify the results. The government had previously taken significant action to weaken the opposition. States under control of opposition parties had their funds cut and parliamentary debate on such funding was eliminated. A few prominent politicians were prosecuted in public trials which diminished the independence of the judiciary. The constitution provides for an independent judiciary; however, government action, constitutional amendments, legislation, and other factors undermine judicial independence and strengthen executive influence over the judiciary. However, the judiciary showed signs of resurgence in independence in 2001 following the appointment of a new chief justice.

Political Participation: Factional Competition (7)

Ethnic Malays comprise some 60% of the population of Malaysia and maintain hegemonic control over political power in this country. Chinese descendants, who are the traditional economic elite of this country, constitute around 26% of the country's population while the remaining Indian and indigenous residents

make up the bulk of the country's poor. While these communities coexist in relative harmony, there is little racial interaction between these groups. In recent history there have only been two serious outbreaks of inter-communal violence in Malaysia: 1946 and 1969. In response to these episodes of ethnic conflict, the hegemonic National Front has dominated the country's politics since 1970. The Front is comprised of 14 political parties that represent Malaysia's major ethnic groups and is controlled by the ethnic-Malay UMNO. Over time, this coalition has used central authority to restrict access to resources and mobilization opportunities for dissident groups -- such as Islamic fundamentalists (represented by the Pan-Malaysian Islamic Party), pro-Singapore Chinese (represented by the Democratic Action Party), and those criticizing the government for oppressive and corrupt policies.

While the Chinese, Indian and Malay communities have created a fragile but mostly harmonious system, it has begun to fracture in recent years. No group seems to trust the other. While there is a strong working relationship between these groups at the top level of society, at every other level the ethnic harmony is increasingly in jeopardy. This has been most noticeable in recent years when it comes to Malaysian Indians. This group, which makes up about 8% of the population, used to vote consistently for the National Front but have increasingly tuned to the opposition. Massive street protests by this group occurred in November 2007 and March 2008. According to organizers of these protests, they are angry over years of government policies which have denied them fair access to government jobs, education and housing. Despite this grievance in the Indian community, the Malaysian Indian Congress, which is a founding member of the National Front, has denied these claims and has criticized these protests.

Moreover, in recent years the ethnic Malays have begun to become disenchanted with the ethnic and racial policies of the National Front. In particular, they have begun to challenge the National Front's New Economic Policy (NEP). Created in the 1970s in the wake of the Chinese-Malay race riots, the NEP was established to distribute more economic resources to the Malay poor. While the Malay are the majority group in the population, nonetheless, they also make up the bulk of the country's poor. The Chinese, by contrast, dominated both business and the economy. For almost 40 years under the NEP the bulk of government building contracts have gone to Malay businesses. Unfortunately, this system has also produced widespread corruption. While the system has made some Malay with political connections very rich, the gap between Chinese and Malays persists and social tensions remain high.

The government has often resorted to politically motivated, selective prosecution to fight against its opponents. The government also curbs citizens' basic liberties. Protesters against trials of opposition leaders were repeatedly dispersed by riot police using water cannons and tear gas in 2000. Police raided newsstands that sold opposition newspapers; several opposition papers were refused renewal of publication permits. An alleged insurrection in July 2000 by an Islamic group called Al-Ma'unah gave the government reason to clamp down on all "Muslim cults," including the PAS (Malaysia's strongest opposition party) which the government claims is linked to the group. In October 2000, members of the Muslim opposition party were barred from making speeches in mosques. In addition, the country is still under the Internal Security Act, which allows the government to detain people without trial, and disguise witness identities and admit hearsay evidence during trial. In April 2002, a controversial bill amending the election law passed which prohibited any legal challenge to the voter rolls; opposition parties contend that thousands of dead people are currently listed on the rolls. The March 2008 parliamentary elections took place under relatively open and unrestricted conditions, leading to substantial gains for the opposition People's Front and the loss of the National Front's super majority for the first time.