



THE

BERSIH

MOVEMENT AND DEMOCRATISATION IN MALAYSIA

REPRESSION, DISSENT
AND OPPORTUNITIES

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KHOO YING HOOI



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Though vast, the literatures on democratisation and social movements rarely speak to each other. And while the study of democratisation has logically focused on non-democratic countries, the study of social movements has been biased toward empirical work in western democracies. That's what makes *The Bersih Movement and Democratisation in Malaysia* such a welcome addition to both literatures. The author, Ying Hooi situates her account of democratisation in Malaysia at the intersection of these two fields. And in doing so, she also gives us an especially rich application of social movement theory to a non-western, non-democratic country. This is a must-read for scholars of social movements and democratisation alike.

Doug McAdam

*Ray Lyman Wilbur Professor of Sociology
Stanford University*

The BERSIH Movement and Democratisation in Malaysia gives a long overdue recognition to the power of collective actions by the Malaysian people's movement that was catalysed by BERSIH 2.0. The author, Khoo Ying Hooi, has skilfully captured how the opportunities and challenges in the country gave credence for BERSIH 2.0 to come together in a sustained and organised manner to counter a repressive, non-democratic system, touching on critical issues, such as corruption, electoral frauds and abuse of powers, and linked the peoples' power to a peaceful and democratic electoral change in government. Well written and well argued. Congratulations!

Maria Chin Abdullah

*Member of Parliament Petaling Jaya
Former BERSIH 2.0 Chair*

Drawing on original interviews and a wide variety of other sources, Khoo Ying Hooi provides extensive detail on many aspects of the Bersih movement for democracy in Malaysia and brings the movement into dialog with U.S. and European theories of democratization, civil society, and social movements. The book adds an important case to the literature.

Pamela Oliver

*Professor Emerita of Sociology
University of Wisconsin*

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The Bersih Movement and Democratisation in Malaysia

Repression, Dissent and Opportunities

Khoo Ying Hooi

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List of Acronyms and Abbreviations

1MDB	1Malaysia Development Berhad
Amanah	Parti Amanah Negara
BA	Barisan Alternatif
Bersatu	Parti Pribumi Bersatu Malaysia
BN	Barisan Nasional
Bersih	The Coalition of Clean and Fair Elections
CIJ	Centre for Independent Journalism
DAP	Democratic Action Party
DBKL	Kuala Lumpur City Hall
DEMA	Malaysia Youths and Students Democracy Movement
EC	Election Commission
EIU	Economic Intelligence Unit
FELDA	Federal Land Development Authority
HINDRAF	Hindu Rights Action Force
IDEA	International Institute for Democracy and Electoral Assistance
ILMU	Ulama Muda UMNO
IPCCM	Independent Police Complaints and Misconduct Commission
ISA	Internal Security Act
JACER	Joint Action Committee for Electoral Reform
Jati	Jalur Tiga
MACC	Malaysian Anti-Corruption Commission
Mafrel	Malaysians for Free and Fair Elections
MCA	Malaysian Chinese Association
MDP	Malaysian Democratic Party
MERAP	Malaysian Electoral Roll Analysis Project
MIC	Malaysian Indian Congress
MOV	My Overseas Vote
MTUC	Malaysian Trade Union Congress
NDI	National Democratic Institute
NGO	Non-governmental organisation

NSMs	New social movements
OSI	Open Society Institute
PAA	Peaceful Assembly Act
PACABA	Polling Agent/ Counting Agent/ Barung Agent
PAS	Parti Islam Se-Malaysia
Pasok	United Pasok Nunukragang National Organisation
PDRM	Royal Malaysian Police
Pemandu	Performance Management and Delivery Unit
Pembela	Pertubuhan-pertubuhan Pembela Islam
Pemantau	Pemantau Pilihan Raya Rakyat
Perkasa	Pertubuhan Pribumi Perkasa Malaysia
PKN	Parti Keadilan Nasional
PKR	Parti Keadilan Rakyat
PH	Pakatan Harapan
POS	Political opportunity structure
PR	Pakatan Rakyat
PRM	Parti Rakyat Malaysia
PSC	Parliamentary Select Committee on Electoral Reform
PSM	Parti Sosialis Malaysia
REFSA	Research for Social Advancement
SAMM	Solidariti Anak Muda Malaysia
SCC	Special Complaints Commission
SMM	Solidariti Mahasiswa Malaysia
SMO	Social movement organisation
SNAP	Sarawak National Party
SOP	Standard Operation Procedure
SUARAM	Suara Rakyat Malaysia
SUHAKAM	Human Rights Commission of Malaysia
UMNO	United Malays National Organisation
WAMI	Writers Alliance for Media Independence
WDC	Women's Development Collective
WUNC	Worthiness, unity, numbers and commitment

Introduction

In a true reflection of the power of the people, Malaysia's 14th general election (GE14), popularly dubbed as the “mother of all elections”, which took place on 9 May 2018, marked a historical shift in the country's electoral balance of power. For the first time in 61 years, the long-dominant National Front or Barisan Nasional (BN), led by the United Malays National Organisation (UMNO) was voted out of power by the Alliance of Hope or Pakatan Harapan (PH). The result officially ended the rule of one of the world's longest one-party governments. Such a power shift offers a stark contrast to what has taken place in other parts of the world in the last decades, during which democracy has been shaken by populist politics. Political competition in Malaysia is extensively manipulated during the pre-election phase to provide the incumbent government substantial advantages in elections. Rampant gerrymandering and lack of press freedom are among the reasons that have helped to entrench the political dominance of the UMNO-led coalition. Did the conditions prior to the GE14 suggest the possibility of a change of government? Multiple factors can account for BN's defeat and PH's surprising win. Among the key explanations are the significant corruption scandal surrounding 1Malaysia Development Berhad (1MDB) involving the former prime minister and former president of UMNO, Najib Razak, and the key role played in opposing Najib by current Prime Minister Mahathir Mohamad, who previously had served Prime Minister from 1981 to 2003.

Rarely focusing on social movements in democratisation phases, the literature on democratisation pays little attention to the role of social movements and the relevance of popular mobilisation. Moreover, social movement scholars mostly concentrate their interest in democratic countries using the experiences of Western Europe and North America, where conditions for mobilisation are more favourable (Della Porta & Rossi, 2013;

Della Porta, 2014). The concept of the ‘third wave of democratisation’¹ introduced by Samuel Huntington (1991) added a new discursive horizon to the scholarly literature on the role of social movements and their relations with different political regimes (Oliver, Cadena-Roa & Strawn, 2003). Koopmans (2002) argues that there is a growing cognisance that both social movements and political regimes change together or ‘co-evolve’. The growing importance of social movements (Johnson, 2011; Giugni, 1998; Piven & Cloward, 1977) signifies it is necessary to establish specific processes and mechanisms in order to capture the complex relations between movements and the state. The Arab Spring in Middle Eastern countries i.e. Tunisia, Egypt, Libya and Yemen that witnessed the collapse of the decades-old dictatorships has rejuvenated a great deal of interest in how countries that have unfavourable environments for democracy have made democratic transitions.

However, there is no straightforward cause and effect between social movements and democratic outcomes (Della Porta, 2014). In explaining political transition processes, the democratisation literature usually credits the role of elite actors. The famous work of O’Donnell and Schmitter (1986) characterises such transition process as a process of negotiation and at the same time a process of pact building between the key elite actors. Although this explanation is well accepted by many scholars, from time to time, debates have resurfaced. In refuting this, Levine (1988) puts emphasis on the role of the people and citizens, arguing that it should not be assumed that citizens are not part of the political process or merely give blind consent to the outcomes of the political process. In the traditional democratisation literature, mass movements are seen as a rather passive element in the process that can be mobilised and de-mobilised by elites. Based on such an argument, this book challenges the traditional democratisation literature’s narrow focus on political elites and conditions such as economic function and class by combining it with insights from the social movement literature,

¹ According to Huntington (1991), democratisation happened in three waves: the first wave began in the early 19th century across North America and Western Europe, the second wave began after the World War II, and the third wave began in the mid-1970s.

in turn derived from the political process model, to explain the linkage between social movements and democratisation.

Social movements have been the missing link in the growing civil society literature that is now widespread and influential within the sphere of political thought. This neglect of social movements in thinking about civil society is not accidental, since the latter term has been seen as a precondition for its accommodation within democratic developmental discourse (Amenta, Caren, Chiarello & Yang, 2010). The idea of civil society is an important topic in political and development discourses as it is often associated with the quality of governance, ability to empower public participation and capacity to sustain healthy democracy (Lee, 2004). Also, as Giugni, McAdam & Tilly (1998) identified in their study on the impact of social movements, the main challenge is how to establish and determine the causal correlation of political impacts by the movement. This difficulty was said to be due to the lack of systematic empirical analyses of social movements, which could explain the types of movements able to produce certain effects. Part of this problem was also due to the on-going dynamic of the movement itself.

Since the 1960s, existing scholarship on social movement theory has mainly concentrated on two main regions, namely Europe and America, while the body of work in regions such as Asia and Africa has only gradually accelerated in recent years (Oliver et. al., 2003). The focus on Europe and America can be understood by the fact that these areas of the world share common political norms and structures, which in turn, affects the formation of their civil society (Della Porta & Diani, 2006; Tarrow, 2011). In studying protest movements in Asia, a different understanding of history, politics, and society is needed. Whilst the scholarly work on dealing with different forms of civil action and political mobilisation in the context of Asia is gradually developing, the scholarly work on political mobilisation in Southeast Asia is still lacking. Some scholars (Oliver et. al., 2003) recognise that there have been insufficient sustained efforts to integrate regional distinctions and unique national contexts under the umbrella of social movement theories in this region. As highlighted by Kitschelt (1986), the political environment or condition of a social movement exerts a strong impact on its political outcomes in principle. Any changes in the structure of political opportunities are highly important in contributing to the fate of movements (McAdam, McCarthy & Zald, 1996). This book contributes to the literature on social

movements in two ways. First, given that social movement theorising has largely been developed and tested in Western countries, this book contributes to the scholarly work on social movement theories in the Asian region, particularly in Southeast Asia. Second, this book contributes to the growing literature on social movements and democratisation in analysing the processes and dynamics of political reform in Malaysia guided by the understanding that political constraints and opportunities in Malaysia are distinctive to the national condition in referring to a non-democratic system.

Democracy remained profoundly contested as Southeast Asia entered the 21st century. The approaches and practices affiliated with democracy extending beyond elections had also become even more crucial in many parts of the region (Hedman, 2010). Similarly in Malaysia, new actors and interests combined with the new socio-economic realities to exert pressure on the ruling regime and its opponents to compete in alternative ways (Pepinsky, 2013), in a process through which social movements emerged as an important part of the country's political landscape. Kriesi (1993) puts forward the argument that there is a new shift from the conventional politics to a new type of 'social movement politics.' This new type of politics refers to the equal footing of political parties and interest groups. Some scholars such as Pepinsky (2013) and Hedman (2010) however contend that despite the massive pressure for change in Malaysia, its limited form of parliamentary rule has remained. These developments are useful to gauge the value of competing social movement theories in order to explain why many expect a new wave of democratisation in the much-discussed framework built upon Huntington's (1991) 'third wave of democratisation' and the 'fourth wave of democratisation' discourse following the Arab Spring.

With the fall of the BN's hegemony after six decades, Malaysia offers a distinctive case for the growing body of research on social movements and democratisation. Very often, the capacity of ordinary people to undermine authoritarianism and to achieve rights without violence is underestimated. While civil society – associated with various social movements – has proliferated over the past decades in Malaysia, few scholars critically assess the nature of these movements and how they have fared so far, especially in relation to political and policy outcomes, and their relationships with political parties and Malaysian politics as a whole. The study of Malaysian social movements is a much-neglected field of research in Malaysian studies

and political science as a whole. Looking at the growing importance of social movements, as actors of social and political change in Malaysia, there is plenty of room for in-depth studies within this area in a non-Western context.

This book assesses how an electoral reform movement, the Coalition for Clean and Fair Elections (Bersih)², operated within an authoritarian system under the rule of a single dominant party, UMNO. It looks into Bersih as a movement which later turned into an organisation that emerged as a group identity that aggregated the collective grievance of Malaysians in the early 2000s, after the failed attempt for political reform by the 1998 Reformasi movement. The terms, ‘social movement’ and ‘civil society,’ gained momentum following the outbreak of Reformasi. The upsurge of Reformasi, founded to protest the injustice of the removal of former Deputy Prime Minister Anwar Ibrahim from the government has arguably brought about a shift in Malaysian political culture (Derichs, 2002). The growing phenomenon of mass rallies and protests that emerged in the Reformasi era serves as a catalyst for promoting democratic values and processes within Malaysia’s wider society and polity. The subject of the relationship among three entities in Malaysian political life, i.e. the ruling government, opposition political parties and civil society has since then been widely discussed and debated.

Bersih (translated in the English language, ‘clean’) is an electoral reform movement that started in July 2005 initially in the form of a Joint Action Committee for Electoral Reform (JACER). It is notably the most sustained protest movement in Malaysian history. In September 2006, a ‘Joint Communiqué’ was produced in an electoral reform workshop held in the capital of Kuala Lumpur. The ‘Joint Communiqué’ lists out Bersih’s long-term objectives and its immediate working goals, with members comprised of political leaders from the then opposition parties³ and civil society groups

² There are different terms for Bersih in this book. Bersih refers to the movement in general. Bersih 1.0 (or sometimes Bersih) refers to the movement since its establishment as a coalition between the opposition political parties and NGOs. In 2010 it was renamed Bersih 2.0 when it was transformed as a coalition of only NGOs.

³ The then opposition parties that were part of JACER were the Democratic Action Party (DAP) and the People’s Justice Party or Parti Keadilan Rakyat (PKR). Together in JACER was the Pan-Malaysian Islamic Party or Parti Islam Se-Malaysia (PAS).

including representatives from the non-governmental organisations (NGOs). Bersih is a unique phenomenon moving from an initiative solely aiming for electoral reform to becoming a form of social movement organisation (SMO) that it remains today. An important aspect of Bersih is that it brings Malaysian socio-political activism to a new level. The first rally that took place on 10 November 2007 witnessed Malaysians grouped together collectively forming a powerful representation with cohesive interests and articulated demands and with a surprisingly large turnout.

Prior to the downfall of the BN in GE14, the 2008 and 2013 general elections were regarded as two particularly significant elections and both reflected public discontent towards the BN government. Widely termed as a ‘political tsunami’ (*The Star*, 9 March 2008), BN lost its two-thirds majority⁴ in the 2008 election, or GE12, by winning only 140 out of 222 seats in Parliament. Less than a month after the election, the People’s Alliance or Pakatan Rakyat (PR)⁵ was formed. In the 2013 election, or GE13, BN won only 133 parliamentary seats while PR won 89 seats. What was significant was that BN lost in the popular vote. PR received a total of 50.9 per cent of the popular vote compared to BN’s much reduced 47.4 per cent (Khoo, 2016). The ‘political tsunami’ was a clear manifestation of the extent of public frustration with the coalition party system, a frustration which eventually sparked interest in civil society activism and social movements as a means of social renewal. The 2007 Bersih rally was said to have played a major role in bringing record gains for PR in the 2008 election. GE12 gave birth to a much stronger and mature opposition electoral pact, which formed the turning point for democratic development in Malaysia (Moten, 2011).

With the mushrooming of social movements such as Bersih, the Green Assembly or *Himpunan Hijau*,⁶ social movements were acknowledged as an

⁴ BN won its biggest victory ever in the 11th General Election in 2004. In the 12th General Election in 2008, BN lost two-thirds control of the House for the first time since 1969 with just 140 seats for a simple majority in the 222-member Parliament.

⁵ Founded on 1 April 2008 by three main component parties: PAS, DAP and PKR. The coalition is now known as PH, and formed on 22 September 2015 consisting of DAP, PKR, National Trust Party or Parti Amanah Negara (Amanah) and Malaysian United Indigenous Party or Parti Pribumi Bersatu Malaysia (PPBM) and Sabah Heritage Party or Parti Warisan Sabah (WARISAN).

⁶ A Malaysian environmentalist movement protesting a proposed rare-earth refinery

indication of a potentially new era of democratic participation and inclusion. In April 2010, the movement was re-named Bersih 2.0 as a non-partisan movement and free from political influence. The movement subsequently organised four major rallies in 2011, 2012, 2015 and 2016. Although the mixed authoritarian and democratic nature of Malaysia (Case, 1993; Weiss, 2005; Ufen, 2008) provides a challenging environment for the development of social movements, the presence of values supportive of democracy is important to serve as one of the preconditions for democratisation in the country. The resources of the aggrieved population allow the social movements to exploit the opportunities available to them. The increased frequency of protests and rallies are one of the trends reflecting Malaysia's gradual process to democratic maturation and democratic transition. The wave of protests were driven by the general discontent of the public, failures of state policies and demands for greater representation. Another point not to be missed is the crucial role of social media. All of these factors when combined, serve as resources, without which, it would be difficult for the development of social movements to maintain a sustained effort.

The ethnically heterogeneous composition of Malaysia signifies the Malaysian way towards political change (Derichs, 2002), where power struggles of old and new political parties and movements are the direct reflection of the emerging sphere of civil society and social movements in Malaysia. The growing phenomenon of mass rallies and protests, which emerged from Reformasi for example, was seen as a catalyst for promoting democratic values and processes within Malaysia's wider society and polity. As for movements that are political in nature, they mobilise citizens through the state to alter either the power relations or to make social change (McAdam, McCarthy & Zald, 1988). In the case of the Bersih movement, fraudulent conduct of elections is among the reasons that catalysed the series of electoral protests.

This book explains the linkages between social movements and democratic development by examining the available opportunities surrounding the political system. It argues that the four dimensions of political opportunity identified by McAdam (1986, 1996): open and closed access to the political system, the availability of allies, cleavages within

and among elites, and the state's capacity or propensity for repression pose potential impacts for political change and could also result in democratic developments. This book demonstrates that the movements in Malaysia after Reformasi have been better able to defend themselves against infringement from the state, with social protests becoming a common phenomenon. Based on the four dimensions of POS, this book indicates the structure of political opportunity and explains the framing mechanism through which actors effect change in political opportunity. Cognitive political opportunity implies the people's belief in the possibility for political changes and subsequent collective action. It affirms that the structural political opportunity began as a potential opportunity, contributing to framing, that then enabled the Bersih movement to transform into cognitive political opportunity that motivated the masses. This further expanded political opportunity as a whole and brought about significant changes in the political power structure that eventually led to the process of democratisation.

This study is important to undertake because after Reformasi in 1998, there has been no other major movement that actually organised mass rallies in the way that the Bersih movement did. The challenge is that a social movement like Bersih is a loosely-bound phenomenon that changes rapidly and evolves in a dynamic interaction with other elements in the political field. In addition, social movements can have a variety of different effects on the cultures they are part of. Knowing the history of social organising in the country can help greatly to shed light on the political situation as well as the power of the people in reference to the government. Understanding how the Bersih movement affects the balance of social and political forces is crucial in being aware of how much the political system has shifted and re-accommodated to the demands of different people.

The book is organised as follows. In Chapter 2, I provide a conceptual grounding and substantive key definitions of social movements and democratisation. It is with the intention to establish an integrated framework that will enable explanation of the impact of social movements on democratisation. Chapter 3 builds on the understanding that social movements are not isolated units and could not be fully comprehended without examining its social context and best understood as a product of tensions in certain situations. In this chapter, I examine the political landscape in Malaysia by looking closely at its model of democracy, its

political reshaping and the party coalitions as well as Malaysian civil society and social movements. Chapter 4 is the chapter in which I focus on the emergence and development of the Bersih movement, covering the repertoire of contention and electoral reforms. This chapter places the Reformasi movement in 1998 as the turning point of a new era of Malaysian politics in term of street protests, and offers a new means to look at the pattern of social movements in Malaysia.

In Chapter 5, I analyse the political opportunities available that favoured the development of the Bersih movement based on the four dimensions from the POS I outline: state repression, access to the political system, availability of allies and political divisions among elites. I describe and analyse the movement-party interaction, in which I attempt to untangle the debate between the relationship of the Bersih movement to the then-opposition parties. At the same time, I also explore the question of the political party as an agent of mobilisation. Chapter 6 traces the way in which the Bersih movement sparked the political participation of citizens and how it has changed the political culture and protest politics in Malaysia. In Chapter 7, I provide an analysis on the role of the Bersih movement in GE14 and how the change of government impacts the sustainability of the movement before I conclude the book in Chapter 8 by looking into the future direction of social movements in Malaysia.

“[This work] gives a long overdue recognition to the power of collective action by the Malaysian people’s movement that was catalysed by BERSIH 2.0 . . . touching on critical issues, such as corruption, electoral frauds and abuse of powers, and linked the peoples’ power to a peaceful and democratic electoral change in government.”

Maria Chin Abdullah

Member of Parliament Petaling Jaya

Beginning in 2005 as a small electoral reform committee, the Coalition for Clean and Fair Elections – or Bersih – soon became Malaysia’s most prominent social movement, mobilising five mass demonstrations on the streets of Kuala Lumpur and other cities at home and abroad, becoming a prominent voice not only for electoral reform, but also against corruption and authoritarianism.

Based on participant observation approach and first-hand interviews with key actors, this is the first academic book that looks into how Bersih operated within an authoritarian system that turned into a movement which took the collective grievances of Malaysians and enabled Malaysian socio-political activism to force the government to concede to elements of electoral reform. Engaging with social movement theory, the author locates Bersih at the centre of the movement for democracy in Malaysia, thus creating a platform for citizen participation and mobilisation that helped form the basis of a new democratic ethos.

Along the way, she notes the way in which Bersih evolved out of earlier civil society activism and the Reformasi movement to place political protest and popular mobilisation as important forces in Malaysian politics. This book makes a major contribution to the scholarly work on social movement theories in the Southeast Asian context, and to the growing literature on social movements and democratisation.

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