



MEDIA, LIBERTY AND POLITICS IN MALAYSIA

**Comparative Studies on
Local Dynamics and
Regional Concerns**

Mohd Azizuddin Mohd Sani



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Budi,

PUSTAKA PERDANA



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Preface

This book is about events regarding the issues of media, liberty and politics in Malaysia and its relations with neighbouring countries in regional context. It is actually based on a collection of twelve papers or chapters of mine written from the year 2007 till 2013, some co-authored together with several scholars and writers in their own respective fields such as Mohamed Mustafa Ishak, Shamsul Khan, Abubakar Eby Hara, Knocks Tapiwa Zengeni and Irene Limberis Twombly. All the chapters had been presented in international conferences in Southeast Asia, Iran, Turkey and Australia. This book definitely traces the development and progress of Malaysia as a nation that embraces political liberty and security as essential parts of its culture, policy and well-being of the people. Malaysia is now going through a democratisation process and transformation in her political system. Issues of political freedom, human rights, good governance and human dignity have become topics of discussion and will determine the future of the Malaysian society. Besides, this book also tries to compare the democratic practices in Malaysia with its neighbours such as Indonesia, Thailand and Australia, plus the Association of Southeast Asian Nations (ASEAN) as an organisation to promote democratisation and strong ties between its members.

Therefore, I wish to express gratitude to the Universiti Utara Malaysia particularly the academic and administrative staffs of the School of International Studies (SOIS) and the College of Law, Government and International Studies (COLGIS) who facilitated and assisted me in preparing the manuscript. Their support made me strongly pursue the publication of this book. Many thanks are also due to my research assistants; Dian Diana Abdul Hamed Shah, Knocks Tapiwa Zengeni, and Noorulhafidzah Zawawi who contributed one way or another in the process on making this book a reality. Finally, I wish to acknowledge and thank my family – Fida, Nusra, Amni, Ariez and Adelia – for supporting me in whatever I do. I always feel grateful for that.

January 2015



Abbreviations

ACA	Anti-Corruption Agency
AFP	Agence France-Presse
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
BA	Barisan Alternatif (Alternative Front)
BBC	British Broadcasting Corporation
Bernama	Pertubuhan Berita Nasional Malaysia (Malaysian National News Agency)
BN	Barisan Nasional
ch.	Chapter
CIJ	Centre for Independent Journalism
CJ	Chief Justice
CMA	Communications and Multimedia Act
CNN	Cable News Network
DAP	Democratic Action Party
EC	Election Commission
ECHR	European Convention on Human Rights
FDI	Foreign Direct Investment
FOMCA	Federation of Malaysian Consumer Associations
FPTP	First Past The Post
FTAs	face-threatening acts
HAKAM	Persatuan Hak Asasi Manusia Malaysia (Human Rights Association of Malaysia)
IPI	International Press Institute
ISA	Internal Security Act
Keadilan	Parti Keadilan Nasional
MCA	Malaysian/Chinese Association
MCMC	Malaysian Communications and Multimedia Commission
MIC	Malaysian/Indian Congress
MP	Member(s) of Parliament
MSAM	Muslim Scholars Association of Malaysia (Persatuan Ulama Malaysia)
MSC	Multimedia Super Corridor

NEP	New Economic Policy
NOC	National Operations Council
OSA	Official Secret Act
PAS	Parti Islam Semalaysia
PKR	Parti Keadilan Rakyat
PPPA	Printing Presses and Publications Act
PR	Pakatan Rakyat
PRM	Parti Rakyat Malaysia
RWB	Reporters Without Borders
SA	Sedition Act
SEAPA	Southeast Asian Press Alliance
SUARAM	Suara Rakyat Malaysia
SUHAKAM	Suruhanjaya Hak Asasi Manusia (Malaysian Human Rights Commission)
Suqiu	Malaysian Chinese Organisations Election Appeals Committee
UDHR	Universal Declaration of Human Rights
UUCA	Universities and University Colleges Act
v.	<i>Versus</i>

Introduction

The Prime Minister of Malaysia, Najib Tun Razak, announced to the nation that he wants to establish 'The New Malaysia' – a country which is not only developed from the economically, with prosperity shared among each strata and segment of the people but also sees the birth of a traditional democracy with constructive dissent (*The Sun Daily*, 2011). Najib also said the government is committed to the transformation and rejuvenation programmes in all fields and aspects of national life as these are the desires and aspirations of the people who want a better life for them and their children. His government believes that to build a new Malaysia, the country must be free from its historical burden. Therefore, in realising his agenda on 'The New Malaysia', he pledges to set up a parliamentary select committee on electoral reforms, announce the repeal of three emergencies and the Internal Security Act (ISA), abolish the annual renewal policy for the press under the Printing Presses and Publications Act (PPPA), table a new bill to replace and amend the Universities and University College Act (UCA) as well as do away with section 27 of the Police Act that requires all public gatherings to have a police permit (*The Star Online*, 2011). The only question is that is Najib really committed to his agenda or is it just a rhetoric and false agenda to hide the true agenda in continuing to restrict people's right to liberty. Only time will tell on how 'The New Malaysia' looks like, but Malaysia's democracy will definitely be affected if rational and constructive political liberty is denied to be practised.

Democracy and liberty are important in Malaysia. Historically, Malaysia was criticised for its policy on political freedom which was seen by many, especially the opposition, as repressive. Malaysia has actually claimed that it practises democracy and liberty in accordance with the needs of the multicultural society that exists in Malaysia.

Najib's father, the late Tun Abdul Razak, who is also a former Prime Minister, described Malaysian democracy as 'a democracy which is suitable for a developing country with different communities' (Mansor, 1990). It is a democracy that takes into account 'Malaysian realities,' Malay–non-Malay animosities, where democratic practices must not jeopardise the fragile stability, and political contestation is acceptable only as long as this condition is preserved. A power-sharing arrangement has existed since Malaya's independence although the Barisan Nasional (BN, National Front) coalition government is dominated by the United Malays National Organisation (UMNO), and Malaysia's executive authority lies mainly with the Malay leadership. Other coalition partners, notably the non-Malay parties, the Malaysian Chinese Associations (MCA) and the Malaysian Indian Congress (MIC), participate in the Cabinet and enjoy a degree of influence over government policy. Indeed, political stability requires that the Malays maintain political power in the country. The electoral system, the party system, the nature of political contestants and even the constitution have been changed several times to ensure that the Malays retain political power. For instance, the first major move by Tun Abdul Razak, as Director of the National Operations Council (NOC) the body set up after the racial tension in 1969 was to return to the constitutional contract to uphold and implement Malay political primacy more vigorously. In this way, he appeased the forces of Malay nationalism. At the same time to pacify to the non-Malays he recognised their rights to citizenship and their participation in the economy and the administration, but warned that 'democratic excesses' had to be curbed. The non-Malays would no longer be allowed to challenge the constitutional contract. The Malays would be entitled to full government assistance to achieve economic and social integration. There would be no more attempts at 'pluralism' and 'balancing acts of compromise and accommodation,' or as the Malay ultras had called it, the 'policies of give and take' to delay this course of action in the interests of social justice (Cheah, 2002).

Najib Tun Razak, when he was then Deputy Prime Minister under Abdullah Ahmad Badawi's premiership, did explain that 'We remain as one nation not because of the need to meet the constitutional requirements, but because we are able to reach political consensus under the BN' (*New Straits Times*, 2008). The BN made decisions on the basis of mutual agreement, not majorities, where the small parties had the same rights and voice as the big parties in the BN.

The traditional UMNO-led BN coalition has continued with the understanding that each and every political party in this coalition will represent the interest of its racial group within the government. It is no mere coincidence that political parties of such varying complexions have found common ground in a philosophy based on the belief that the problems of the Malaysian society can never be solved if sections of the polity are in perpetual conflict with one another. The BN also expresses a commitment to the politics of consultation and consensus, and the politics of good-will and cooperation.

The existence of many laws such as the ISA, Sedition Act (SA) and PPPA seems justifiable for the government to protect racial harmony. However, many have questioned the need to maintain those laws. The opposition parties and civil societies criticise the laws as they have been used to restrict people's right to political freedom and freedom of speech. Besides, all mainstream media are allegedly controlled directly by the government such as RTM or by companies that have close links with the BN's top leadership such as Utusan Malaysia, New Straits Times, TV3 and NTV7 which make them favourable to the ruling BN. Many opposition party members and civil society activists, who oppose to the government, turn to the Internet, through blogs and online news portal, in channelling their views and dissents to the government. The Internet has been able to provide debates on many issues concerning public interest since the mainstream media limit such debates. This was obvious during the 2008 and 2013 general elections when the Internet was able to provide alternative views for the opposition after the mainstream media dominated by the government, lost its credibility as they were biased in their reporting.

Najib, who assumed office as the nation's sixth Prime Minister on 3 April 2009, has urged the people to join him in his quest to revitalise the country through the concept of '1Malaysia.' His slogan is 'People First, Performance Now.' '1Malaysia,' the thrust of Najib's new administration, which hinges on mutual respect and trust among the various races, will be the guide in programmes and policies as well as in his vision for the economy, politics and direction of the government. The Deputy Prime Minister, Muhyiddin Yassin, reiterated the government's policy of '1Malaysia,' saying that the era of 'government knows best' had ended and that it was the time to engage the people in making decisions.

The lesson that can be learned is that the Malaysian citizenry is far more sophisticated than the government had anticipated. The effects of development, globalisation, and information dissemination through the Internet have changed the political landscape. Malaysians clearly reject the idea that the masses are generally simple-minded and easily influenced by ‘mob mentality’ or fear, particularly of racial tension, of which the government warns if it were to lose an election. Since the 2008 and 2013 general elections, many leaders and former leaders of the government have joined the blogosphere by creating their own blogs such as those of the former premier, Mahathir (<http://www.chedet.co.cc>) and the current Prime Minister Najib (<http://www.1malaysia.com.my>). The Internet and its community have strengthened the process of public deliberation and democratisation in Malaysia. The government no longer can disregard the views expressed by the Internet community because they are of the middle class and the youth of Malaysia who access and use the technology extensively.

In this book, issues of media, liberty and politics are discussed especially with regard to the events that led to the 12th General Election in 2008 and also the events related to political contestation and transformation prior to the 13th General Election in 2013. Besides examining the issues from the Malaysian perspective, comparative analysis is done as well to study the Malaysian case with other countries such as Thailand, Indonesia and Australia including ASEAN. Therefore, this book manages to show the debate in the local context in Malaysia as well as the regional context in order to understand the dynamic and complexity of each particular issue and case

The politics of liberty

Liberty means freedom and vice versa. Any distinction makes no difference. Isaiah Berlin (1969) in his work entitled ‘Four Essays on Liberty’ argues that he uses both words to mean the same. Furthermore, Maurice Cranston, being more attentive to semantic detail, explains that in English usage the words ‘freedom’ and ‘liberty’ is virtually interchangeable (Pitkin, 1988). The word ‘freedom’ is always referred to and is a precondition to the words ‘human rights’ and ‘human dignity’. Without doubt, liberty is similar to freedom and

can be argued from the contexts of human rights and human dignity. It also links well with the process of democratisation that ensures freedom where human rights and human dignity are protected and practised for the common good. In philosophy, the concept of liberty is discussed extensively and is rather controversial in the West and the East alike especially in a country like Malaysia because it is always in contradiction with another concept called ‘security’.

In the context of modern Western political thoughts, the tradition of security versus liberty emerged from the theory or tradition of social contract by Thomas Hobbes, who supports greater security, and John Locke, who supports greater liberty. For Hobbes, the search for security underpins the creation of a sovereign power: men are so driven by their desire for pride, revenge and natural passions that no covenant is secure in the natural state. A power that is ‘great enough for our security’ thus needed. It is to this end that we confer all our power and strength into one body. The search for security is thus the driving force behind the creation of absolute sovereignty, derived in turn from the supposed absolute liberty of the individual in the natural state. The ‘peace’ achieved via the social contract, compared to the perpetual war that is the state is peace in the sense that it indicates a certain security—of both sovereign and subjects (Hobbes, 1991). In terms of contemporary politics, Hobbes’s position pushes the ‘balance’ overwhelmingly in the direction of security; his mutual exchange of obedience for protection is equally an exchange of liberty for security. In contrast, Locke argues that the natural state is a state of ‘perfect liberty’ with no ‘absolute or arbitrary power’ (Locke, 1988). The aim is to build a society in which such liberty can be secured, and in which citizens have a right to dissolve the government if it is considered to have undermined liberty. Thus, Locke establishes a political position in which the balance is shifted towards liberty and the protection of that liberty against the demand of arbitrary power (Neocleous, 2007).

In the contemporary world, there is an inevitable tension between protecting liberty and reducing the risks that will inspire threats to national security. There is an argument that liberty may only be curtailed in the face of ‘clear and present danger’. This leads to public order and terrorism to become the core issues in society. The most common reason for constraining public demonstrations is concern for public order. Public order clearly implies an absence of violence, but it is not clear as to whether public order also means an absence of any disruption of daily life. In Canada, France and the

United States (US), there is concern to minimise the disruption to traffic and free movement of users in urban areas. In Canada and the US, the disruption to commercial life and business is often a key factor in the timing or location of a demonstration (SUHAKAM, 2001). The US court has maintained that expression which is accompanied by conduct such as picketing, marching, or sitting in a doorway so as to block the entrance to a building should receive less constitutional protection than 'pure speech', such as giving a talk to an audience in an auditorium (Tedford, 1993).

The issue of liberty and security took another direction when terrorism became a worldwide issue. Just 45 days after the 11 September 2001 attacks, with virtually no debate, the American Congress passed the US PATRIOT Act. Many parts of this sweeping legislation remove checks on law enforcement and threaten basic rights and freedoms. For example, without a warrant and without a probable cause, the Federal Bureau of Investigations (FBI) has the power to access a person's private medical records, library records and student records, and can prevent them from being informed that it has done so. According to the American Civil Liberties Union, the PATRIOT Act violates freedom by effectively authorising the FBI to launch investigations on American citizens for exercising their freedom (American Civil Liberties Union, 2005). The Act creates a very serious risk that innocent individuals could be deported for association with political groups that the government later chooses to regard as terrorist organisations. The PATRIOT Act permits visitors and immigrants to be found 'inadmissible' for advocating views that, as the Secretary of State determines, undermines anti-terrorism efforts. This could conceivably include speeches, letters to the editor, or other comments about the government and its actions. Hence, it is clear that the PATRIOT Act could be used to undermine people's civil liberties. The government relies on the threat to national security to justify its restrictions on liberty and human rights and believes that protecting national security is more important than personal liberty.

Similarly, in December 2004, the House of Lords, the highest court in the United Kingdom (UK), ruled that the law which allowed Britain to detain foreign nationals suspected of terrorism indefinitely and without trial was a breach of the UK's obligations under the Human Rights Convention (Peace and Progress, 2005). After the terrorist attacks in London on 7 July 2005, Prime Minister Tony Blair asserted that the government had been right and the judiciary was

wrong—that limitations on human rights and civil liberties are required in response to the security threat which Britain was facing. It has indicated to the judges that they must be prepared to consider national security concerns as a balance to potential human rights violations. From the government’s point of view, terrorism poses a greater danger to the well-being of British citizens than to basic human rights and freedoms. In fact, UK citizens are being urged to make sacrifices of fundamental liberties in the name of national security (Peace and Progress, 2005). This is part of the government’s attempt to justify the existence of the UK Anti-Terrorism, Crime and Security Act 2001.

This raises the issue of political manipulation of the law by the state, which is entrusted with the responsibility to apply the law. This represents a far greater danger to the security of the nation and to democracy. National security does not mean that all citizens benefit from or are defended by the powers responsible for the drive to renege on international obligations. Witness the fear and insecurity that is generated among Britain’s Muslim communities as a result of a deliberate and tangible focus upon the so-called ‘enemy within’ (Peace and Progress, 2005). If we do not have the rule of law as a yardstick against which to judge political decisions, then the law itself becomes a tool of oppression. If a government exceeds its power and defines ‘security’ in the interests of a few, then it threatens democracy and loses the legitimacy to govern. The truth is that the greatest protection comes from upholding the rights of all citizens rather than fuelling alienation which feeds terrorism and ultimately destroys the rule of law (Peace and Progress, 2005).

Although national security provides a strong justification to restrict liberty, we have to be ware of the government’s manipulative tendency to benefit from this restriction, especially in strengthening its own power. Human rights are not immune from restrictions on the grounds of national security. Restrictions on rights in favour of national security in the West are justified in terms of public order and terrorism. However, liberty can be much enjoyed when the state practises media freedom.

Media freedom

The media is essential in the modern world of democracy because it can inform the people and influence their decisions in private and public life. It may also seek to lay down an agenda for the nation to

pursue. A free press helps to preserve and promote democracy by safeguarding the independence of its institutions, including itself, and ensuring their accountability. It is on this account that it comes to earn the status of the fourth estate of the State because of its 'watchdog' function and has today become one of the most powerful institutions of society. No democratic society can exist or can be conceived of without a free media, which is its life-line, and at the same time democratic values alone are likely to nurture a free media.

The media is also essential to a democratic society. Alexander Meiklejohn (1965) stresses two functions of the freedom of the press in a democracy: 'one is the formative function, where a free press permits the flow of information necessary for citizens to make informed decisions and for leaders (public servants) to stay abreast of the interests of their constituents (the electorate); and the second is the critical function, where the press in particular serves as the people's watchdog, ensuring independent criticism and evaluation of the government and other institutions that may usurp democratic power.' Furthermore, freedom of the press is important to the public in order to attain truth. The belief that anyone might make a valuable contribution to the search for truth or for better ways to do things does not mean that we think 'anyone' is likely to. It means: '(a) there is no way of telling in advance where a good idea will come from; (b) valuable contributions to arrive at truth come in many forms, speaking the truth being only one of them; we arrive at the truth or the best policy largely by indirection; (c) thus, much of the value of a person's contribution to the 'marketplace of ideas' is its role in stimulating others to defend, reformulate or refute ideas, and that value may be quite independent of the merits of the original view. Even fallacy has its place in the search for truth' (Lichtenberg, 1987).

The mass media includes radio, television, magazines, newspapers, and the Internet. The concept of freedom of the press developed in the seventeenth and eighteenth centuries in the US and Europe. The mass media, however, began to come into being only in the 1830s with the penny press (Lichtenberg, 1987). Prior to this, political newspapers circulated only among the elites, made no pretence of objectivity or neutrality, and were marked by a degree of vitriol and bias unmatched today. They were financed by political parties, candidates for office, or political factions, who were directly responsible for the editorial policy (Schudson, 1978). Freedom of the press has been given a wide and confusing array of interpretations, evident in a study conducted by the Indian Press Commission which

indicated that people variously understood the freedom of the press to mean (Holland, 1956; Jeffery 1986):

1. Freedom from legal restraint—liberty, that is to say, to publish any matter without legal restraint or prohibition.
2. Freedom from prejudices and preconceived notions.
3. Freedom from the executive control of the government.
4. Freedom from the influence of advertisers, or proprietors and pressure groups.
5. Freedom from want—freedom from dependence on others for financial assistance.

In fact, all these factors are important facets of press freedom and all five should no doubt be satisfied before press freedom can be said to enjoy a real significance.

The intellectual heritage of the idea of free speech and free press is long and impressive. In 1644, John Milton (1644/1971) defended the freedom of the press and demanded the freedom to express his opinions above all other freedoms. Two centuries later, Mill (1859/1974), one of the most renowned philosophical advocates of the concept of liberty, stressed the importance of the free flow of ideas and opinions. He emphasised the importance of the freedom of opinion and expression to the free-functioning of modern, democratic societies where the truth is upheld. The press undeniably plays a pivotal role in enabling the right of the individual to free speech to be exercised, as the press functions as conduit for disseminating information, which in turn contributes to the development of societies as a whole. Without the open communication of ideas and information, societies would remain in the darkness of ignorance. Moreover, a free press and democracy are complementary to each other. The media helps to preserve and promote democracy by safeguarding the independence of its institutions and ensuring their accountability as well as by facilitating the communication of ideas and policies.

Outline of chapters

This book is divided into two parts with twelve chapters. Chapter 1 tries to find a better understanding of the theory and debate of human dignity from Malaysian's perspective. This is because many scholars and activists are confused in dealing with the theoretical debates and

issues of human rights. Human rights from the West tend to be very individualistic which is incompatible with Malaysian's (or Asians) understanding of rights which are collectivistic and stress more on duties and responsibilities. Therefore, the language of human dignity is suited more to Malaysians than human rights. This is because when arguing about duties and responsibilities, it is actually about human dignity, not human rights. In tradition, Asian and Western alike, human dignity is more important in order to not only protect people's rights but also people have to perform their duty to themselves and the society. At the same time, they must be responsible in any action taken by them. This chapter also discusses the concept of human dignity in Malaysia which is unique because Islam and the Malay (the majority population in Malaysia) custom merge harmoniously. The ingredient of human dignity is strongly embedded in local communitarian culture and values which makes it relevant to the current political, social and cultural scenario in Malaysia. Thus this chapter will trace the current debate of human dignity in Malaysia especially when Islam is strongly involved in the debate such as in the case of religious freedom, policing moral behaviour and free speech. Although it is controversial, it makes Malaysia unique and different from other countries in the world.

Chapter 2 is about Mahathirism or Mahathir Mohamad's (the fourth Prime Minister of Malaysia) views on human rights. It supports the argument that Mahathirism is in fact a type of cultural relativism against universalism or Western liberalism, specifically in the Malaysian context. The main idea of Mahathirism comes from Mahathir's argument of 'Asian values'. Mahathir's argument of Asian values can also be split into the arguments of anti-Western imperialism, strong government, communitarianism and social and economic rights. Mahathir rejects universalism or the Western liberal notion of human rights which, he believes, can corrupt Malaysian culture and religious beliefs. Mahathir claims that Western pressure on developing countries, including Malaysia, over human rights and democratisation is intended to cause instability, economic decline and poverty. With such situation, the West can threaten and control Malaysia. However, critics obviously dispute Mahathir's purported intention in restricting human rights, arguing that his real intention was to exploit these issues as a justification for curtailing opposition and reinforcing his position in power, plus to hide the human rights violation in Malaysia.

Meanwhile, the point of departure of Chapter 3 is whether Abdullah Ahmad Badawi's (the fifth Prime Minister of Malaysia) passing on the baton to Najib would augur positive changes in UMNO and the government. If it did, Najib's ability to usher in a new era in the party and governance would spell the difference between fundamental and superficial changes. It will be argued that Najib's scorecard ratings will depend on how well he deals with the following: (a) how to cushion the impact of global economic crisis on Malaysian economy, (b) how to infuse new life into a government weakened by years of authoritarianism and crony capitalism, (c) how to revitalise and rejuvenate UMNO, (d) how to smoothen racial divisions and bring in harmony in multiracial Malaysia thereby accommodating majority-minority aspirations by revisiting the implementations of the *Bumiputera* policy; and (e) how quickly he can salvage his personal reputation which seems to have been tarnished due to persistent allegations against his character.

Chapter 4 analyses the Malaysian media from the Jurgen Habermas' perspectives of the public sphere and refeudalisation. This chapter explores Habermas' argument that the public sphere existed in the seventeenth and eighteenth centuries when meeting in the coffee houses, salons and voluntary societies brought about public debates and deliberation. However, the success of the public sphere was also its downfall. The public sphere had turned the press into a mass press through the commercialisation of the media and generated the refeudalisation process. Refeudalisation was also the implication of media manipulation when the media bestowed aura and prestige upon authorities similar to that bestowed on royal figures under feudalism. Malaysia is also facing the same situation when the nationalist movement utilised the newspaper to generate an active public sphere. But the British colonial and then the Malaysian government under the Perikatan (or Barisan Nasional) Party controlled the media, and dominated and manipulated the public sphere. There were signs of a mass press or commercialisation of the media especially during Mahathir's leadership, but again the Malaysian media are still being controlled by the government. Through the refeudalisation process, Malaysia's BN government instils neo-feudal psychology to attract loyalty among Malaysians and sets up the media approaches in defining national interests. However, the 2008 General Election has shown that a new public sphere of cyberspace or the Internet has been opened significantly for the public. It, dominated by the

opposition, was strong enough to influence the public and became one of the major factors in determining the result of the election in which for the first time the opposition denied the ruling government a two-third majority in the parliament and took control of five states. This new and influential public sphere in Malaysia has reversed the Habermas' argument of refeudalisation to a process which is called as 'Defeudalisation'.

Chapter 5 discusses Abdullah Ahmad Badawi's¹ (the fifth Prime Minister of Malaysia) administration in relation to media politics in Malaysia. Abdullah Ahmad Badawi had introduced the concept of *Islam Hadhari* which allowed more space and openness for the media to debate political issues. The opposition also had more reportings in the mainstream media during Abdullah's leadership. However, as long as the restrictive laws on the press, such as the PPPA, are still in place and ownership domination of the mainstream media by the BN-close-linked companies are being practised, there is no guarantee that freedom of the press can effectively be implemented in Malaysia. In fact, later in his premiership, Abdullah also urged the media to practice self-censorship for the reasons of racial harmony and economic prosperity. The result is that the mainstream newspapers favoured the Abdullah's party of BN in the 2008 general election. However, since the end of the general election, many media practitioners, activists and politicians demanded more press freedom in Malaysia. However, Abdullah, before he resigned in 2009, was adamant to control the media in response to the pressures for him to step down from his own party, the UMNO. Therefore, there was no significant change in press freedom as promised by him in transforming Malaysia and as required by his *Islam Hadhari* agenda.

The proliferation of the social media, discussed in Chapter 6, such as blogging and online news portals has ramifications for national security, spanning future operating challenges of a traditional, irregular and disruptive nature. There is no doubt that the Internet is a conduit for alternative information and democratic values because it helps people to evade the intrusive force of censorship. It increases transparency by facilitating the flow of information about the government. In the case of Malaysia during the 12th General Election in 2008, the social media was definitely an important instrument in promoting democracy. It opened up the space for the Malaysian citizens to deliberate political issues and gave opportunities

for the opposition to utilise it in influencing the election results. The government was under-estimated the influence of the social media on the Malaysian voters. With the policy of free cyberspace, the social media has huge potential to strengthen the democratisation process and democracy in Malaysia.

Chapter 7 examines the state-civil society relationship and also argues from the theory of deliberative democracy in explaining the roles of the civil society in Malaysia. Carolyn Hendriks sees deliberative from two fundamental approaches: (a) *micro deliberative* which concentrates on defining the procedural conditions of a structured deliberative forum and (b) *macro deliberative* which is more concerned with the messy, unstructured deliberation which takes place in the public sphere. With the combination of civil society and deliberative democracy, this chapter will open up the discussion on the state-civil society relationship in Malaysia. It manages to trace that the Malaysian civil society movements, in engaging and managing the relationship with the state, have employed both the deliberative methods of deliberative democracy. In fact, the Malaysian civil society has gone a step further by joining the opposition party and contesting in the election for power due to the hostile relationship between the state and the civil society. However, the reality is that there are too many considerations that need to be contemplated by the state and the civil society in their relationships especially when it involves national security and racing issues.

The 13th General Election was held on 5 May 2013. Malaysians and foreign observers, for the first time could see an interesting contest in strength between the ruling BN headed by the Prime Minister, Najib Tun Razak, and the opposition PR led by the charismatic Anwar Ibrahim. Both leaders, Najib and Anwar, projected themselves as leaders of the multiracial society in Malaysia. Therefore, in Chapter 8, it will try to analyse Najib projecting himself through the lenses of political marketing. This chapter will later determining how Najib promoted and projected his image to the people. The finding of this chapter is that Najib Razak utilised all efforts and interesting strategies especially in the media to project his image as a leader of the people by appealing to the multiracial society in Malaysia.

Chapter 9 inquires into the responses of the Thai and the Malaysian governments to the concept of 'new virtual freedom'. It examines the active involvement of the Thai authorities in regulating

online content through the legal prowess of the Computer-related Crimes Act of 2007. A comparison is made against the approach adopted in Malaysia, where free flow of information is promised under the Multimedia Super Corridor (MSC) Bill of Guarantees. Nonetheless, filtering of online content is carried out through other legal means. This results are in a virtual sphere which is possibly as limited as Thailand's, despite the apparent difference in the official government policies on online content regulation.

Chapter 10 discusses briefly the theory of deliberative democracy. According to the Deliberative Democracy Consortium (2003), deliberation is an approach to decision-making in which citizens consider relevant facts from multiple points of view, converse with one another to think critically about the options before them and enlarge their perspectives, opinions and understanding. Deliberative democracy strengthens citizen's voices in governance by including people of all races, classes, ages and geography in deliberations that directly affect public decisions. As a result, citizens influence the policy and resource decisions that impact their daily lives and their future. Then, this chapter analyses this theory from the Malaysian and Indonesian political perspectives. Malaysia and Indonesia have different approaches toward implementing deliberative democracy. This happens due to the political circumstances surrounding both countries where political leaders have given mixed responses on critical views urging both countries to implement liberal democracy. Malaysia rejects liberal democracy and embraces elite deliberation which believes that democracy should be applied responsibly without jeopardising racial and religious harmony which means certain democratic practices, such as freedom of speech and the press, are limited in practice. On the other hand, since the downfall of Suharto, many Indonesians believe that democracy, and its values, should serve the people's happiness and bring political equality and stability in this vast Archipelago country. Many Indonesians believe that deliberative democracy could help building a better Indonesia politically, economically and socially in the future.

Meanwhile, the Association of Southeast Asian Nations (ASEAN) has gone through a life-span of progress in the last 45 years. From a very humble beginning of five members it has become a full-fledged organisation representing all ten states of the region. Guided by The ASEAN Charter 2007, ASEAN has firmly established itself as the regional organisation of Southeast Asia and has won the respect

of the world community. The Association has also moved forward by leaps and bounds toward greater integration in the economic, political, social and cultural fields. Despite this very substantial progress, intra-ASEAN relations is from time to time bogged down by many formidable problems in its principles and some of which are related to security issues, environmental problems and territorial rights. Chapter 11 discusses the development and transformation of ASEAN from the old to the new communitarian agenda, the problem with the concept of the ‘ASEAN Way’ and three critical issues in the ASEAN Community which needs to be tackled urgently.

Finally, Chapter 12 argues that the differences between liberal media and development media in terms of government intervention are minimal in today’s global climate. Liberal governments, such as in Australia, driven by image-management concerns employ vigorous counter offensives at the news media to support their national interests and this use of propaganda or ‘targeted public affairs material’ is often little understood or recognised. Meanwhile, illiberal governments especially in developing nations like Malaysia prefer the approach of development media where the role and freedom of the media are limited by the state in serving the nation-building purposes. Therefore, any dissent and criticism from local and foreign citizens are considered anti-establishment with the intention to destabilise the country. These examples of liberal and development media can clearly be seen being practised in Australia and Malaysia. Although both countries practice different media systems, in terms of government intervention, both influence and control their media to suit the government’s agenda. Thus, Jurgen Habermas’s theory of the public sphere can be used to explain the role of the media in both countries and systems. Definitely, the Australian and the Malaysian governments manipulate the public sphere of the media for the purpose of controlling public opinions in both countries.

End Note

¹ For instance, since taking over as Prime Minister, Abdullah had increased the price of petrol five times from RM1.35 per liter in 2003 to RM2.70 per liter in 2008, exactly a 100 per cent increase in just less than five years (*Harakah*, 2008: 2). In fact, the record levels of inflation in 26 years was at 7.7 per cent and transport prices rose 19.6 per cent in June 2008 as compared with a year before. Food and non-alcoholic

MEDIA, LIBERTY AND POLITICS IN MALAYSIA

Comparative Studies on Local Dynamics and Regional Concerns

M*edia, Liberty and Politics in Malaysia: Comparative Studies on Local Dynamics and Regional Concerns* is based on a collection of twelve academic papers. This book traces the development and progress of Malaysia as a nation that embraces issues of media, liberty and politics as essential parts of its culture, policy and well-being of the people. In between the 2008 and the 2013 General Elections, Malaysians have transformed themselves and demanded to form a more democratic society. Issues of political freedom, human rights, good governance and human dignity have become important and will determine the future of the Malaysian society. Besides, this book also tries to compare democratic practices in Malaysia with its neighbours such as Indonesia, Thailand and Australia, plus the Association of Southeast Asian Nations (ASEAN) as an organisation to promote democratisation and strong ties between its members. This book is suitable for all particularly the academics, students of politics and international relations, journalists, legal practitioners, and the general public who are interested in the issues of media, liberty and politics in Malaysia.

Given the meteoric rise of social media in the world and its unassailable influence vis-a-vis the traditional media in spreading the fight for democratisation, freedom of expression, good governance and human security, the arrival of this book is indeed most timely as it explores how the emergence of similar powerful forces in Malaysia and the region in producing dynamic social change.

Emeritus Prof. Dr. D. S. Ranjit Singh
Universiti Utara Malaysia

Mohd Azizuddin Mohd Sani's informed and thoughtful discussion of media politics and political liberty do shed the light in the most complex issues in Malaysian politics and in comparison with neighbouring states. This book will find its valuable for students, academicians, specialist and the public who are keen to understand about the interesting concepts and issues of mahathirism, community, human dignity, social media, deliberative democracy and political marketing.

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