

Spoiling the Menu, Subverting Authoritarianism The Recipe from Malaysia

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Abstract

The *Barisan Nasional* (BN), the former ruling party of Malaysia, is infamously known for its cunning manipulations in closing the electoral game in its effort to sustain the status quo throughout its six-decade rule as the federal government (1957–2018). Nevertheless, in the general election held on May 9, 2018, the BN shockingly lost to a relatively new opposition coalition—the *Pakatan Harapan* (PH). Based on direct observation of the key events and interviews, this essay explores how the PH has countered and neutralized the BN’s menu of manipulation through its skillful maneuvers in changing the game, paving the way for governmental and perhaps even regime change for the first time in the history of modern Malaysia. The first part of this essay lays the historical foundation for the shifting character of the BN regime, which was repressive in the past but has been more manipulative since the 1990s. The second part of the essay operationalizes Andreas Schedler’s “Menu of Manipulation” in the context of the 2018 Malaysian general election. The third and final part of the essay examines the pragmatic counter-strategies utilized by the PH to spoil the incumbent party’s manipulative tactics, thus making the electoral process extremely competitive, albeit within an authoritarian electoral system.

Keywords: *Barisan Nasional*, democratization through election, Mahathir Mohamad, Malaysian General Election 2018, *Pakatan Harapan*.

On May 9, 2018, the relatively new Malaysian opposition coalition, the *Pakatan Harapan* (Alliance of Hope, PH), achieved a spectacular electoral result. It managed to unseat the incumbent party, the *Barisan Nasional* (National Front, BN) and ended the latter’s six-decade authoritarian rule. However, if one were to look back on the prospects of such change in Malaysia before

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the 2018 general election (GE 2018), particularly in 2015, the chance for the opposition to defeat the ruling party, the BN, at the national level was arguably improbable. In that year, the opposition coalition was in a state of disarray as its prominent leader, Anwar Ibrahim, had been imprisoned on February 10. A few days later, the supreme leader of the Pan Islamic Party of Malaysia (PAS), Nik Aziz Nik Mat, passed away. These developments delivered a blow to the integration of the then opposition coalition—the *Pakatan Rakyat* (the People’s Alliance, PR). The two leaders played vital roles in keeping the three parties, the PAS, the Democratic Action Party (DAP), and the *Parti Keadilan Rakyat* (the People’s Justice Party, PKR) in the coalition, as the parties not only were ideologically different but also at variance with one another. While the PAS has aimed for the establishment of an Islamic state in Malaysia, the Chinese-dominated DAP is struggling for the materialization of social democracy. Meanwhile, the PKR aims to create a just and multiracial Malaysia. Under the new right-wing leadership led by Abdul Hadi, the conservative group in the PAS purged the progressive faction of the party in May 2015 and departed from the PR in the following month. This development quickly brought about the dissolution of the PR in early July 2015.

Later, Anwar’s wife, Wan Azizah Ismail, led the re-organization of the opposition pact without the PAS. The new coalition came to be known as *Pakatan Harapan* and was inaugurated on September 22, 2015, initially comprised of the PKR, the DAP, and the PAS’s splinter party, *Parti Amanah Negara* (the National Trust Party). The new political configuration in Malaysian politics had its first trial in the Sarawak State election in May 2016 and later in the twin by-elections in Peninsular Malaysia (West Malaysia) in June of the same year. The BN won a landslide victory in Sarawak, controlling seventy-two of eighty-two state seats, which was better than its previous accomplishment. The opposition parties were in great turmoil during the election, as they were contesting against each other in six constituencies in Sarawak. The competitions for the twin by-elections for the Kuala Kangsar and Sungai Besar parliamentary seats were even worse for the opposition when it became a three-corner fight among the BN, the PAS, and the PH (represented by *Amanah*’s candidates). The BN recorded an easy win in both constituencies due to split voting in the multiparty fight. Moreover, the opposition lost in the by-elections, particularly in Kuala Kangsar—which was demeaning, as the BN’s candidate was not even involved in any political campaign organized by the party for the election, due to several religious constraints.

Despite the spectacular victories in Sarawak and in the twin by-elections, the ruling regime had been facing daunting challenges to stay in power since the late 2000s. There had been at least four main threats to the BN’s persistence:

1. Pressing economic issues;
2. Rapid changes in Internet and Communication Technology

(ICT), particularly the advent of social media and smart phones, which have opened and widened the much-guarded civil space;

3. An increasingly modernized and globalized populace; and
4. A much more unified opposition coalition.

In GE 2008, the BN lost its longtime control of the two-thirds majority in Parliament for the first time since 1969. Later, in GE 2013, the BN suffered much greater losses to the PR at the national level and in the popular vote. Nonetheless, on both occasions, the BN managed to return to power—primarily because the ruling elites were cohesive, and by rigging the electoral game through repeated and blatant manipulation in “the chain of democratic choice.”¹ In response to the seminal works of Andreas Schedler (mainly, “Elections without Democracy: Menu of Manipulation” and “Authoritarianism’s Last Line of Defense”),² this essay explores the dynamics of democratization through elections by means of a case study of Malaysia’s GE 2018. It begins by placing into context the evolution of the authoritarian character of the BN government in Malaysia since 1957. Then, it examines the BN’s strategies of manipulation in closing the electoral game of GE 2018 to maintain the status quo. Finally, this essay identifies and analyzes the opposition’s skillful maneuvers in spoiling the incumbent’s menu of manipulation, thus subverting a long-standing authoritarian regime in Malaysia.

The BN’s Regime Evolution: From Political Oppression to Strategic Manipulation

When the Alliance Party (since 1973, known as the *Barisan Nasional*) took over the administration of Malaya (now Malaysia) from the British on August 31, 1957, the state was still under an emergency order. Even though the initial purpose of the declaration of the Emergency by the British in 1948 was to control the spread of communism in Malaya, the order was quickly used as one of the political tools to suppress dissidents opposed to the colonial government. The colonial government of British Malaya was comprised not only of British officials but also of Malay rulers and bureaucratic aristocrats. Through this political setting of “indirect rule,” the loyalty of the Malay populace was secured by symbolic representation of the Malay elite in the government of British Malaya.

¹ Andreas Schedler, “Elections without Democracy: The Menu of Manipulation,” *Journal of Democracy* 13, no. 4 (2002): 39.

² *Ibid.*, 36-50, and Andreas Schedler, “Authoritarianism’s Last Line of Defense,” *Journal of Democracy* 21, no. 1 (2010): 69-80.

In experimenting with politics in decolonizing multiracial Malaya, the colonial government held local elections in six municipal and town councils in 1952. The local chapters of the United Malays National Organization (UMNO) and the Malayan Chinese Association (MCA) in Kuala Lumpur made a pact and effectively defeated the Independent Malaya Party (IMP), which was headed by the influential Onn Jaafar. The elections were a demonstration of the effectiveness of an interracial political pact (as per UMNO–MCA cooperation) in achieving power, in contrast to a multiracial party (such as the IMP) in Malaya. As a result, UMNO and the MCA formalized their cooperation at the national level, calling themselves the Alliance Party soon after the elections. In 1954, about a year before the first national election in Malaya was held, the Malayan Indian Congress (MIC) joined the coalition. In the 1955 Home Rule (legislative) elections, the Alliance won in all except one constituency.

Following the victory, the president of the Alliance, Tunku Abdul Rahman, was appointed as the chief minister, before being re-designated as prime minister in 1957 following independence. Tunku, in general, upheld the spirit of the coalition by making certain that his multiracial vision of Malaya (known as Malaysia since 1963) was manifested in public policy. The cabinet lineup and the distribution of legislative seats were directly proportional to the ethnic makeup of the country. Racially contentious issues such as education and language were diplomatically negotiated among the leaders in the Alliance, often behind closed doors. Despite the Alliance’s being an interracial coalition party that integrated three racially based parties of the main ethnic groups in the state, the political orientation of the Alliance was to the center and somewhat balanced. This orientation enabled the party to obtain the middle ground and interethnic support.³ The Alliance was able to survive the two subsequent general elections in 1959 and 1964, despite being aggressively challenged by the right-wing Islamist party (the Pan-Malaysian Islamic Party, PAS) and the left-wing Social Front. The Alliance’s politics of accommodation, elite-level bargaining, and racially proportionate policy produced considerable stability in the multi-ethnic society. The Alliance’s politics of accommodation was appraised as “consociational democracy.”⁴

Nevertheless, the Alliance’s politics of interethnic accommodation was fiercely contested and racially framed in the 1969 general election. On the one hand, PAS leaders accused Tunku of being liberal, secular, and having broadly succumbed to non-Malay demands. On the other hand, the non-Malay parties—the Democratic Action Party (DAP), the People’s Progressive Party (PPP), and the Malaysian People’s Movement Party (*Gerakan*)—played the

³ See K. J. Ratnam, *Communalism and the Political Process in Malaysia* (Kuala Lumpur: University Malaya Press, 1965).

⁴ Bolte applied Arend Lijphart’s (1959) terminology, “consociational democracy,” in describing Malaysian political governance from 1955 to 1969. See Patrick Bolte, *Consociational Democracy in Multiethnic Societies* (Norderstedt, Germany: GRIN Publishing, 2004), 4.

politics of anti-establishment, while rendering Tunku's government as pro-Malay.⁵ Consequently, Tunku's government lost its two-thirds dominancy in Parliament as well as the popular vote, although the Alliance was able to form the government with a simple majority, largely due to the disunity among the opposition parties. A number of politically charged racial riots ensued in Kuala Lumpur.

Tunku's deputy, Abdul Razak Hussein, a right-wing conservative, and his faction saw the "1969 failures" as an existential threat to UMNO and successfully ran an internal executive coup against Tunku, positioning himself as the new *de facto* head of the government after the elections. Later, Abdul Razak, with the consent of the head of state, suspended Parliament and established political stability for his administration by using draconian laws against staunch dissidents and by co-opting the opposition.

Notwithstanding the Internal Security Act (ISA) that was introduced by Tunku's government in 1960 to replace the British Emergency-related laws that allowed the government to detain communist and political instigators without trial, Tunku rarely had used such power against political dissidents. This restraint was a stark contrast to Abdul Razak, who did not hesitate to use the ISA against his critics (Anwar Ibrahim and Professor Syed Husin Ali were among those who were detained by Abdul Razak's administration under the ISA). Razak also introduced other draconian laws, such as the University College Act (UCA) in 1970, exerting political control over students and academic activists.

The electoral system was changed following the 1973 Constitutional Amendment in favor of rural districts, allowing the apportionment of more rural constituencies (predominantly controlled by UMNO and to a lesser extent by the PAS) with a smaller number of voters, without any correlation to the national average and urban constituencies.⁶ Prior to the general election in 1974, the number of seats in the Lower House was increased from 144 constituencies to 154, involving an additional ten Malay-majority seats.⁷

In response to Malay resentment against the UMNO/Alliance, in 1969, Abdul Razak launched the New Economic Policy (NEP), which was a grand plan to appease and patronize Malays of various classes in rural and urban areas through a diverse economic enhancement program—a national social restructuring project. At the same time, in the name of national unity, all opposition parties, except the DAP and the Sarawak National Party (SNAP),

⁵ Chin-Huat Wong, "The Rise, Resilience and Demise of Malaysia's Dominant Coalition," *The Round Table* 107, no. 4 (2018): 755-769.

⁶ Lim Hong Hai, "Electoral Politics in Malaysia: 'Managing' Elections in a Plural Society," in *Electoral Politics in Southeast and East Asia*, ed. Aurel Croissant, Gabriele Bruns, and Marei John (Singapore: Friedrich-Ebert-Stiftung, 2002), 111.

⁷ James Chin, "The Malaysian General Election 1997: Mahathir Last Triumph?" *Asian Survey* 36, no. 4 (1996): 393-409.

were incorporated into the burgeoning ruling coalition, involving the alliance of thirteen parties known as the *Barisan Nasional* since 1973. The combination of all of these exercises enabled the ruling party to increase its control over Parliament from about 60 percent in GE 1969 to more than 80 percent in GE 1974 and GE 1978.⁸ Thus, the Razak era could be regarded as the first major “autocratization episode”⁹ in post-colonial Malaysia, involving what Huntington has considered “the weakness of democratic values among key elite groups.”¹⁰

Another major episode of autocratization occurred under the first era of Mahathir Mohamad, Abdul Razak’s protégé, from 1981 to 2003. Throughout his twenty-two-year reign of power, Mahathir served to steadily “domesticate formally representative institutions”¹¹ and eventually placed “Malaysian politics *under*” his grasp.¹² Closely comparable to Schedler’s “menu of institutional manipulation,”¹³ Mahathir employed his executive powers to adroitly weaken the basic structures of the Malaysian state and politics; at the same time, he aggrandized the executive and placed “personalized politics” into the hands of the prime minister.¹⁴

The legislature’s checks on executive power were gradually crippled, making it a “rubber-stamp institution.”¹⁵ The power of the constitutional monarchy in assenting to the bill of laws was removed; the opposition’s proposals to Parliament were frequently declined through the power of the House speaker; and government backbenchers were harshly disciplined. Following the 1988 judicial crisis, during which the lord president was removed and five other Supreme Court justices were sacked or suspended, the Malaysian judiciary was effectually tamed by a growing number of acquiescent and careerist judges. The media were effectively contained through licensing and government ownership. Civil society was sternly disciplined, whereby street demonstrations and the exercise of freedom of speech were frequently slapped with the full blunt force of police power and with repeated invocations of draconian laws (including the ISA) to detain dissenting leaders without trial. The electoral system was organized as per Harold Crouch’s reflections,

⁸ Wong, “The Rise, Resilience and Demise of Malaysia’s Dominant Coalition,” 759.

⁹ Anna Lurhmann and Staffan Lindberg, “A Third Wave of Authorocratization Is Here: What Is New about It?” *Democratization* 26, no. 7 (2019): 1095-1113.

¹⁰ Samuel Huntington, “Democracy’s Third Waves,” *Journal of Democracy* 2, no. 7 (1991): 12-33.

¹¹ Schedler, “Authoritarianism’s Last Line of Defense,” 71.

¹² R. S. Milne and Diane K. Mauzy, *Malaysian Politics under Mahathir* (London: Routledge, 1999).

¹³ Schedler, “Authoritarianism’s Last Line of Defense,” 71.

¹⁴ In-Won Hwang, *Personalized Politics: The Malaysian State under Mahathir* (Singapore: ISEAS, 2003).

¹⁵ Dan Slater, “Iron Cage in an Iron Fist: Authoritarian Institutions and the Personalization of Power in Malaysia,” *Comparative Politics* 36, no. 1 (2003): 81-101.

“in such a way that it would be difficult for the opposition to defeat the government.”¹⁶ Elections in Malaysia were “not intended to allow the voters to change government,”¹⁷ but rather they functioned as authoritarian innovations “to let off a little steam”¹⁸ and “as safety valves”¹⁹ for popular discontent.

An opening to regime transition appeared in GE 1990, following a split in UMNO in 1987. “Team B” in UMNO, led by Tengku Razaleigh Hamzah, established a new Malay party known as the *Semangat 46* (the 46th Spirit), which made a separate pact with the PAS and the DAP in challenging the BN in the elections. But largely through the manipulative strategy locally known as the “3Ms” (money, media, and machinery),²⁰ the BN was able to return to power, albeit with a much slimmer majority in Parliament (losing twenty-one seats more than in the previous election) and its popular vote reduced to merely 53.4 percent.

An opening arose again in GE 1999 when there was another split in UMNO, this time involving a clash between Mahathir and his deputy, Anwar Ibrahim, in 1998. Once sacked by Mahathir, Anwar organized a repeated public rally known as the *Reformasi* (reformation) movement against Mahathir’s administration, which in the end caused Anwar to be captured and detained under the ISA before being brought before the court for other politically motivated accusations. With Anwar’s incarceration, his wife, Wan Azizah Ismail, launched a new party—the National Justice Party (now the PKR)—before making a pact with the PAS and the DAP in contesting the BN in 1999. This was the first unified opposition coalition in Malaysian political history, known as the *Barisan Alternatif* (Alternative Front, BA). The BN’s popularity was significantly affected, particularly among the Malays, largely due to the ill-treatment of Anwar. Nevertheless, Mahathir’s BN was able to resist the reformation wave, principally through the play of politics of fear against the Chinese²¹ (and also the Malays), along with gross practices of gerrymandering and malapportionment through a redelineation exercise in 1994.

The departure of the DAP from the BA in late 2001, owing to its disagreement with the PAS’s Islamic State politics, coupled with another major electoral redelineation in 2003—this time with more mixed multiracial seats in response to the growing Chinese support of the BN in GE 1999—drastically

¹⁶ Harold Crouch, “Malaysia: Do Elections Make a Difference?” in *The Politics of Elections in Southeast Asia*, ed. Robert H. Taylor (Washington, DC: Woodrow Wilson Center Press, 1996), 114-135.

¹⁷ *Ibid.*, 115.

¹⁸ *Ibid.*, 114.

¹⁹ William Case, “Malaysia’s Resilient Pseudo Democracy,” *Journal of Democracy* 12, no. 1 (2001): 45-57.

²⁰ See, for example, William Case, *Semi-Democracy in Malaysia: Pressures and Prospects for Change* (Canberra: Panther Publishing, 1992), 13.

²¹ Wong, “The Rise, Resilience and Demise of Malaysia’s Dominant Coalition,” 793.

debilitated the position of the opposition in GE 2004. The BN, which had been under the leadership of Abdullah Ahmad Badawi since late 2003, returned to power with a whopping 90.87 percent of the seats in the Lower House.²² Unlike his predecessor, Abdullah sought to demonstrate that his administration was more consultative and committed to reform. He sacked two of his federal ministers, who were slapped with corruption charges. He was applauded by Anwar for not intervening when Anwar was found not guilty and released by the Federal Court regarding the charge against him in 2004 for sodomy. Abdullah also established two new institutions in his effort to combat corruption: the Malaysian Commission of Anti-Corruption and the Judicial Appointment Committee. Nonetheless, beyond these political innovations, the character of a “repressive-responsive regime”²³ endured, as the executive power continued to be centralized in the hands of the prime minister.²⁴ Two major rallies conducted in 2007 were crushed by Abdullah’s government, with more than one thousand protestors arrested. Also, the ISA was used in detaining a journalist in 2009.

Eventually, the four issues highlighted in the previous section brought about a political tsunami against the BN regime in GE 2008. Apart from losing its two-thirds majority, Abdullah’s administration lost five states to the loosely coordinated opposition—something that had never happened previously. As a result, Abdullah was prematurely ejected from office. Najib Razak, who took over the stewardship from Abdullah, reflected on the GE 2008 phenomenon, saying that Malaysia’s political landscape had changed substantially, in contrast to the previous years under Mahathir.²⁵

Knowing the public wanted a more accountable and democratic government, Najib projected himself as a democrat in his first term of the premiership (April 2009–May 2013). He wasted no time in embarking on his transformation plan, to the extent that he was criticized by some quarters in UMNO for being too hasty in materializing the process. Najib announced the abolishment of a number of draconian laws, including the ISA. The moves were rather bold but necessary in symbolically projecting his “democratic” leaning.

Apart from the political transformation plan, Najib launched many other transformation programs, primarily directed toward reducing the cost of living

²² Chin-Huat Wong, James Chin, and Norani Othman, “Malaysia: Towards a Typology of an Electoral-One Party State,” *Democratization* 17, no. 5 (2010): 920-949.

²³ Harold Crouch, *Government and Society in Malaysia* (Ithaca, NY: Cornell University Press, 1996), 236.

²⁴ See Thomas Pepinsky, “Malaysia: Turnover without Change,” *Journal of Democracy* 18, no. 1 (2007): 113-127.

²⁵ “End of ‘Govt Knows Best’ Era,” *The Edge Market* (April 10, 2009), <https://www.theedgemarkets.com/article/end-%E2%80%98govt-knows-best%E2%80%99-era> (accessed March 11, 2019).

for the populace, which was the biggest factor that influenced GE 2008. A wide scale of economic assistance involving many forms of financial aid was generously provided during Najib's administration. Consequently, Najib became increasingly popular, particularly among the Malays and the working class, attaining a much higher approval rating than the influential opposition leader, Anwar Ibrahim. At the heart of these initiatives lay the intention of the regime to cling to power amid the rapid changes occurring in Malaysia.

Najib's skillful maneuvers in patronizing the working class and the Malays, and the continued practice of distorting the electoral competition by casting the BN as "winning a lost election" amid a highly coordinated opposition headed by Anwar (the People's Coalition, PR), enabled the BN to gain re-election in GE 2013.²⁶ The gross electoral manipulation was reported by one of the official observers, appointed by the government itself, as "partially free and not fair."²⁷ The opposition was deeply frustrated with the result and was in a state of disbelief for some time after the election.

Najib's Menu of Manipulation for GE 2018

In fact, the BN suffered a bigger loss than the PR in GE 2013. It lost the popular vote for the first time since 1969, and the number of seats it held in Parliament declined. Najib himself was intensely unhappy with the results, which later shaped his attitude and significantly changed his leadership style in the second term of his premiership (2013–2018). With the next election due in 2018 and heavy constraints on the national coffers, Najib gradually abandoned his consultative and accommodative styles for a more state-centered and autocratic leadership.

In 2014, Najib introduced a controversial tax system—the Goods and Services Tax (GST)—and imposed subsidy rationalization over various consumer items to strengthen the state's finances, which had been fundamentally compromised due to his massive political patronage scheme. A promise was made to repeal a number of draconian laws, but contrarily, some of the laws were used to discipline political dissidents after the 2013 election. In addition, several new laws were enacted to replace those that had been repealed. The introduction of Security Offences (Special Measures), for example, was seen by many as an equivalent substitute for the notorious ISA.

In early 2015, the 1Malaysia Development Board (1MDB) scandals were exposed by numerous international news agencies. Najib was accused of embezzling public funds through the state investment arm for his personal

²⁶ Kai Ostwald, "How to Win a Lost Election: Malapportionment and Malaysia's 2013 General Election," *The Round Table* 102, no. 6 (2013): 521-532.

²⁷ "Malaysia's GE13 Was Only Partially Free and Not Fair," *Institute for Democracy and Economic Affairs* (May 8, 2013), <http://www.ideas.org.my/malaysias-ge13-was-only-partially-free-and-not-fair/> (accessed April 15, 2019).

and political (BN) interests. The issue sparked a tussle within UMNO and the government agencies. Mahathir Mohamad, who was unsatisfied with Najib's administration on many issues, openly reprimanded Najib. The "new Najib," with heightened confidence after GE 2013, responded to his former mentor rather aggressively. His attitude toward Mahathir and the 1MDB-related issues raised some disquiet among a number of UMNO leaders.

Again, Najib's reaction to the situation was rather blatant and radical. He sacked three key leaders of the ruling party in July 2015. First, he dismissed his deputy, Muhyiddin Yassin—who not only was influential in the state of Johore as a former chief minister, but also a seasoned cabinet minister at the national level. Next, he expelled Shafie Apdal from his cabinet and UMNO; Shafie was a popular leader in Sabah and then was a vice president of UMNO. Several months later, Najib terminated Mukhriz Mahathir as chief minister of the state of Kedah. Najib also conducted a cleansing exercise against top government agency leaders who were investigating his alleged 1MDB offenses, by appointing his loyalists to key positions in both the government and the ruling party. Hence, Najib's second term not only was more autocratic but also had become his own one-man show. This strategy, however, significantly compromised the ruling elite's cohesiveness.

Najib's confidence and his bold policies and practices were not exercised without a basis of support. He had won the previous elections against a united opposition, albeit with a simple majority. The opposition was in a state of disarray with the departure of the PAS from the PR, and the resulting dissolution of the latter in June 2015. In fact, his confidence was further strengthened with the BN victories in Sarawak and in the twin by-elections in Kuala Kangsar and Sungai Besar in 2016. For the BN and Najib, these results proved that the GST and the 1MDB scandal were not viewed by the electorate as disreputable as might have been anticipated.

Despite having the perceived advantage, Najib's regime conscientiously contrived the failure of its opposition in GE 2018. Drawing from Schedler's "Menu of Manipulation," based on the authoritarian practices that violate Robert Dahl's conception of the "Chain of Democratic Choice," the following sections of this essay discuss the norm-breaking exercises executed by the BN regime under Najib's rule in the runup to and during GE 2018. The essay then explores the challengers' tactics in neutralizing and, to some extent, reversing the effects of the regime's electoral manipulation.²⁸ However, in this country-specific context, not all manipulative menus identified by Schedler are parallel with Najib's administrative strategy during the election. There are, of course, certain variations of Schedler's "strategies of norms violations," even though most are substantially consistent in the Malaysian context (see table 1).

²⁸ Schedler, "Elections without Democracy," 39, and Robert A. Dahl, *Polyarchy: Participation and Opposition* (New Haven, CT: Yale University Press, 1971).

Table 1. The Chain of Democratic Choice

	Dimensions of Choice	Normative Premises of Democratic Choice	The Incumbent's Strategies of Norms Violation	The Challenger's Responses to the Incumbent's Violations
1	The object of choice	<i>Empowerment:</i> Democratic elections involve the delegation of the decision-making authority	<i>Reserved constituencies:</i> Disempowerment of some quarters of the electorate	<i>Engagement:</i> - Making deep engagement with the electorate in the "reserved constituencies" - Consolidating the opposition's influence in specific constituencies
2	The range of choice	<i>Freedom of supply:</i> Citizens must be free to form, join, and support conflicting parties, candidates, and policies	<i>Exclusion of opposition forces:</i> Restricting access to the electoral arena <i>Fragmentation of opposition forces:</i> Disorganizing electoral dissidence	<i>Unification:</i> - Reorganize the opposition pact - Using the same party symbol <i>Inclusion:</i> - Building an inclusive opposition pact by accepting the ruling regime's splinter parties (<i>Bersatu</i> and <i>Warisan</i>) - Appointing an influential ex-premier as the prime ministerial candidate to oust the current premier/ regime
3	The formation of preferences	<i>Freedom of demand:</i> Citizens must be able to learn about available alternatives through access to alternative sources of information	<i>Repression:</i> Restricting political and civil liberties <i>Unfairness:</i> Restricting access to media and money	<i>Leverage:</i> - Using social and online media - Recruiting and training cyber-troopers <i>Exposures:</i> - Intense publicizing of the wrongdoings of the ruling regime through nation-wide road tours and in the alternative media
4	The agents of choice	<i>Inclusion:</i> Democracy assigns equal rights of participation to all full members of the political community	<i>Informal disfranchisement:</i> Practical suffrage restrictions	<i>Reattachment:</i> - Launching an aggressive campaign of "Let's return home for voting" to encourage outstation and overseas electorates to return home for voting - Declaring two public holidays after the voting day, should the opposition win the election - Assisting civic organizations to ensure that overseas Malaysians' postal votes reach Malaysia in due time

Table 1. The Chain of Democratic Choice (continued)

	Dimensions of Choice	Normative Premises of Democratic Choice	The Incumbent's Strategies of Norms Violation	The Challenger's Responses to the Incumbent's Violations
5	The expression of preferences	<i>Insulation:</i> Citizens must be free to express their electoral preferences	<i>Coercion:</i> Voter intimidation <i>Corruption:</i> Vote buying	<i>Reassurance:</i> - Campaigns and investment in paid advertising in online media to convey the message that voters should not be afraid to vote for the opposition coalition - Appointing former chairman of Election Commission to reassure members of the public that their votes are secret - Encouraging "public bashing" against the politics of intimidation and corrupt practices <i>Protection:</i> - Establishing legal teams and watchdogs to provide protection to the members of the public
6	The aggregation of preferences	<i>Integrity:</i> One person, one vote. The democratic ideal of equality demands weighting votes equally	<i>Electoral fraud:</i> "Redistributive" election management <i>Institutional bias:</i> "Redistributive" electoral rules	<i>Protest:</i> - Conducting mass demonstrations against electoral manipulation - Making open protest to get attention from the public and the media when a discrepancy occurs during the election - Campaigning for the independent candidate when opposition's candidate was disqualified on dubious grounds <i>Litigation:</i> - Challenging regime-biased electoral practices in the court of law
7	The consequences of choice	<i>Irreversibility:</i> Elections without consequences do not qualify as democratic	<i>Reversal:</i> Preventing victors from taking office, or elected officers from concluding their constitutional terms	<i>Recognition:</i> - Obtaining recognition from the head of state <i>Defection</i> - Acquire the support from the key institutional leaders in the government to uphold the electoral results

Source: Updated and modified based on Andreas Schedler, "Elections without Democracy: The Menu of Manipulation," *Journal of Democracy* 13, no. 4 (2002): 39.

Empowerment

Schedler's menu highlights how electorates in certain authoritarian states are disempowered by the practices of *reserved positions* and *reserved domain*, which guarantee the key positions in the government. These practices are absent in Malaysia in general; but the Malaysian Upper House (*Dewan Negara*) was not dissolved in GE 2018, as the representatives are appointed, not elected, by the respective federal and state governments based on a time interval. Furthermore, as Malaysia is a practicing constitutional monarchy, the position of the head of state is reserved for the Malay Rulers. Since the weakening of the BN in 2008—unlike the modern British monarchy, which seldom has intervened in the state affairs of a civilian government—there is a growing tendency of royal intervention in Malaysian politics, particularly regarding the appointment of the heads of government at both the state and national levels.²⁹

Nevertheless, akin to the notion of voter disempowerment, Najib's administration executed a gerrymandering exercise. Just a few weeks before GE 2018, Najib's regime, which commanded a majority in Parliament, hastily approved a new electoral boundary. The controversy over the new boundary not only revolved around the procedural aspect, as oppositions were not given ample time to debate the proposal in Parliament, but also the new boundary was described by the chairperson of the Election Commission (EC) as "ethnically delineated":

We cannot simply divide an ethnic group in any particular area. Some question why we "take" this area. These people see it only from a location aspect, but we have to consider the ethnic breakdown. We cannot put half of the community in one constituency and the other half in another. As best as we can, we try to keep them together. Redelineation is made in [the] voters' interest.³⁰

Najib's regime was hoping that the "*reserved and exclusive constituencies*" which increased the number of Malay and native electoral districts would strategically enable the BN's victory in GE 2018.³¹ In fact, in the previous

²⁹ See Ahmad Fauzi Abdul Hamid and Muhamad Takiyuddin Ismail, "The Monarchy and Party Politics in the Era of Abdullah Ahmad Badawi: The Resurgence of the Role of Protector," *Asian Survey* 52, no. 5 (2012): 924-948. See also, Sebastian Dettman, "Authoritarian Innovation and Democratic Reform in the 'New Malaysia'," *Democratization* (2020), <https://www.tandfonline.com/doi/abs/10.1080/13510347.2019.1705791> (accessed March 2, 2020).

³⁰ "EC Chief Admits Racial Redelineation, Says Ethnic Groups Can't Be Split," *The Malay Mail* (March 29, 2018), <https://www.malaymail.com/news/malaysia/2018/03/29/ec-chief-admits-racial-redelineation-says-ethnic-groups-cant-be-split/1610117> (accessed April 15, 2019).

³¹ "Election Observation Report of the 14th Malaysian General Election 2018," *Bersih*, <http://www.bersih.org/wp-content/uploads/2018/07/PEMANTAU-Election-Observation-Report-of-the-14th-Malaysian-General-Election.pdf> (accessed January 2, 2019).

election (GE 2013), Najib's return to power was secured by the Malay and the Sabah and Sarawak native majority constituencies, particularly in rural and semi-urban districts. This move, therefore, was made counter to Dahl's concept of empowerment, and as a variation to Schedler's "Menu of Manipulation" of the reserved constituencies—with the motive to weaken some sections of the electorate, particularly the Chinese and the urban electorates in Malaysia.

Freedom of Supply

Democratic elections can be viable only when citizens are free to form political parties and permitted to provide an alternative to the ruling regime and its policies. These aspects are halted by authoritarian regimes, according to Schedler, through *exclusion* and *fragmentation* of opposition forces. In this regard, Najib's menu of manipulation starkly paralleled the strategies that have been highlighted.

There were three major tactics employed by Najib's regime in the exercise of exclusion. First, in early 2015, the supreme leader of the then opposition pact, Anwar Ibrahim of the PR, was imprisoned based on politically motivated criminal charges. One of the discrepancies in the charges against Anwar was the regime's overzealous effort to have Anwar imprisoned. Najib contracted a prominent pro-regime lawyer, Mohammed Shafee Abdullah, to enhance the chance of winning against Anwar in the Appellate and Federal Courts after Anwar was acquitted by the High Court.³² Despite Shafee's claim that he served the government on the Anwar case on a *pro bono* basis, it was later reported that he received MYR 9,500,000 personally from Najib during Anwar's trial.³³ Indeed, immediately after the Shafee-led prosecution team was successful in convicting Anwar, Shafee joined the BN-organized road shows to publicize the details of the case to the people.

The exclusion and vilification of Anwar were crucial, not only to increasing the BN's chance of winning in the next election, but also in relation to the next tactic used to undermine the unity of the opposition. Anwar was charismatic and had great influence as a leader in Malaysia; under his direct and indirect stewardship, the ideologically divided opposition parties were able to unite in GE 1999 and GE 2008. In both elections, the BN suffered greater losses than in previous ones. Thus, Anwar was regarded as an integral part of the opposition coalition and needed to be eliminated to facilitate victory for the BN in the next election.

³² Minderjeet Kaur, "Dr M Tells of His Meeting with Shafee about Sodomy II Case," *Free Malaysia Today* (September 14, 2018), <https://www.freemalaysiatoday.com/category/nation/2018/09/14/yes-i-told-shafee-to-lead-sodomy-ii-prosecution-says-dr-m/> (accessed January 2, 2019).

³³ "Najib Paid Anwar's Prosecutor RM9.5 Million from 1MDB Slush Fund, Why? Exclusive Report," *The Sarawak Report* (May 31, 2017), <http://www.sarawakreport.org/2017/05/najib-paid-anwars-prosecutor-rm9-5-million-from-1mdb-slush-fund-why-exclusive-report/> (accessed January 2, 2019).

Secondly, the UMNO splinter party, the Malay-based Malaysian United Indigenous Party (*Bersatu*), was disqualified from taking part in GE 2018 by the EC only a few weeks before nomination day. The Registrar of Societies (RoS), directly accountable to the Minister of Home Affairs, ordered provisional dissolution of the party based on dubious justifications. This tactic was critical for the incumbent, as the *Bersatu* was set to contest more than half of the UMNO-controlled constituencies, mainly in rural and semi-urban areas in Peninsular Malaysia. Thirdly, the bid for the PH to officially register its coalition was repeatedly frustrated by the RoS, without providing any valid reason. This tactic forced every individual party within the PH to use its own party symbol in respective contesting constituencies, rather than using the unified symbol of the opposition coalition.

In its strategy of *fragmentation of the opposition forces*, apart from imprisoning Anwar, Najib's administration established loose cooperation with the PAS, in the name of Malay and Islam. Despite the BN's being known for its staunch position against the empowerment of Islamic laws in Malaysia in the past, Najib's administration symbolically supported the bid of the PAS's supreme leader, Hadi Awang, to increase the powers of Sharia Courts at the state level. The BN-controlled media also started to provide expansive positive coverage to the PAS to promote better relations between the two parties. The "politics of Malay–Muslim unification" reflected the "BN's current strategy in relying on electoral supports mainly from the Malays and the natives."³⁴ To Najib, as evidenced by Sarawak's election and the by-elections, the support from the two groups was enough for his party to be re-elected. Also, allegations were made that the regime had clandestinely channeled millions of dollars to the PAS to further divide the opposition forces and maintain the three-corner-fight strategy which proved to weaken the opposition in 2016.³⁵

Freedom of Demand

Dahl argued that a democratic election requires a free flow of information to allow the electorate to make an informed decision. But the electorate can be *misinformed* and *disinformed* through undemocratic practices, called by Schedler *repression* and *unfairness*. In the context of Malaysia under Najib's administration, *draconian laws*, particularly the Sedition Act, were arbitrarily used to *repress* and discipline political dissidents. In truth, about a month before the election, an Anti-Fake News Law was passed in the Malaysian Parliament as a move to stifle freedom of speech, particularly through social media platforms. The new law not only "illegalized the content of fake news which can only be arbitrarily defined by the authority, but it also criminalized

³⁴ Faizal Daud, an UMNO state secretariat in Kelantan, correspondence with author, May 2, 2018.

³⁵ "Cash to PAS—The Accusations Build Up," *The Sarawak Report* (April 13, 2017), <http://www.sarawakreport.org/2017/04/cash-to-pas-the-accusations-build-up/> (accessed January 2, 2019).

the sharing of such news, even among private social media groups.”³⁶

In terms of *unfairness*, GE 2018 was not free from the use of money politics. On April 4, 2018, three days before Parliament was dissolved for GE 2018, Najib announced a one-year salary increment for public servants, involving 1.6 million personnel, or almost 11 percent of the total number of registered voters (14,940,624). As a side note, Malays constitute more than 90 percent of the public service population. Similarly, even after Parliament was dissolved, Najib continued with his vote-buying spree. On April 7, he promised to increase economic assistance to the lower-income group by almost double, with the payment to be made in June and August 2018, if his party won the election. Najib also allocated MYR800 cash handouts to 67,000 taxi drivers in the Greater Kuala Lumpur region, in the name of welfare, in hopes that these good deeds would translate into a more positive demand for BN’s re-election.

Inclusion

In qualifying a democratic system, Dahl emphasized the importance of equal rights to vote. In Malaysia, anyone more than twenty-one years old can register himself/herself as a voter. Thus, a *formal disenfranchisement* practice is absent in Malaysia, but not an *informal disenfranchisement* exercise. The EC awkwardly announced May 9, 2018 as the voting day, which was a Wednesday. The government’s earlier response was to have no public holiday allocated for the date, but later reversed its decision after some public uproar.

The selection of the date was calculated largely to reduce the number of outstation voters’, mostly living in urban areas (accounting for more than three quarters of the overall population of Malaysia), returning to their hometowns (in rural and semi-urban areas). This was to increase the chance of the BN’s winning the election, as outstation voters were broadly critical of it. Parallel to this strategy, then Deputy Prime Minister Ahmad Zahid Hamidi suggested to Malaysians residing in Singapore “not to vote if they [could not] get a leave.”³⁷ There were also many reports made by Malaysian voters residing outside Southeast Asia that their voting forms arrived by post only at the eleventh hour, in effect denying their right to participate in GE 2018.³⁸

Insulation

According to Dahl, voters must be allowed to express their preferences freely and must not be intimidated by the incumbent. Under the BN, with only an imaginary boundary between the ruling party and governmental structures, the practice of insulation was a rare occasion. During GE 2018, the chief secretary

³⁶ Senator Ismail Yusof, a representative of *Pakatan Harapan* of Perak, correspondence with author, January 17, 2019.

³⁷ “Best Not to Vote if You Can’t Get Leave, Zahid Tells M’sians in S’pore,” *Malaysiakini* (April 13, 2018), <https://www.malaysiakini.com/news/419760> (accessed January 2, 2019).

³⁸ “Election Observation Report of the 14th Malaysian General Election 2018.”

for the state (the highest ranked civil servant in Malaysia) reminded the public, especially the civil servants, to be loyal to the current government.³⁹ He also helped in the BN's political campaign, often by accompanying the prime minister, and provided necessary resources available within the civil service to assist the BN. Many heads of other government agencies, whether openly or indirectly, followed suit with their subordinates and political masters.

Integrity

A democratic election not only demands *reliable electoral governance*, but also a *credible electoral system*. As noted by Schedler, it must be free from the practices of *electoral fraud* and *institutional bias*. Electoral fraud was a classic practice in Malaysia under BN rule, with its most controversial occurrence in Sabah known as the *IC Project*—that is, citizenship for the voting scheme. During the campaigning for GE 2018, the electoral watch group, *Bersih 2.0* (The Coalition for Clean and Fair Elections), suspected that the EC was facilitating the “systematic shifting” of thousands of unidentified voters to a number of marginal seats that were under opposition control.⁴⁰ *Bersih 2.0* reported that these shifts included cases of “non-citizens and deceased persons” and “voters registered without their prior knowledge or consent.”⁴¹

Institutional bias also has been omnipresent in the Malaysian electoral system, as highlighted by Schedler.⁴² Lim Hong Hai has argued and proved how the BN government “managed” the national election through the practice of self-serving malapportionment and gerrymandering to secure its victory.⁴³ However, there were many other one-sided practices observed by this writer, as one of the official observers during GE 2018. On nomination day, the ruling party candidate was permitted to contest in the Ketari state assembly constituency in Pahang, even though it was suspected by the opposition candidates that his identity card (IC) held an address elsewhere. Such a fact is crucial regarding the integrity and consistency of EC oversight, as a PH candidate was disqualified in the Tawang constituency because his IC did not originate from the same state in which he was campaigning. Indeed, numerous opposition candidates were disqualified based on questionable grounds; however, no ruling party candidate was prohibited from participation in campaigning.

Institutional bias under BN rule was somehow inevitable, as most of the returning electoral officers and their assistants were government (read, ruling

³⁹ “Exercise Your Rights Responsibly, Ali Hamsa Reminds Civil Servants,” *New Straits Times* (April 17, 2018), <https://www.nst.com.my/news/nation/2018/04/358359/exercise-your-rights-responsibly-ali-hamsa-reminds-civil-servants> (accessed January 2, 2019).

⁴⁰ “Election Observation Report of the 14th Malaysian General Election 2018.”

⁴¹ *Ibid.*

⁴² Schedler, “Elections without Democracy,” 42.

⁴³ Lim, “Electoral Politics in Malaysia.”

party) loyalists. The Assistant Returning Officer (ARO) of Rantau constituency, a former youth leader in the ruling party, was questioned by the PH for not permitting its candidate, Streram Sinnasamy, to enter the nomination hall. In addition, the EC rejected the application of credible watchdog organizations to monitor the election, including from its own agency, the Malaysian Commission of Human Rights (SUHAKAM). Instead, the EC appointed various ambiguous organizations to do the job. In interviews with three official observers in Bentong, the EC-appointed observers claimed they “were UMNO members” who “were assigned by their party” to “act as independent observers for the EC.”⁴⁴ They admitted they were “jobless,” were working only on a contractual and temporary basis,” and had “not receive[d] any tertiary education.”⁴⁵ Another official electoral observer, Abdul Muein, told this writer that “two ‘independent’ observers in Kuala Terengganu marched to the nomination hall with BN T-shirt[s] before changing [in]to the one[s] provided by the EC, as they [were] members of the ruling party.”⁴⁶ These biased practices were a stark contrast to the EC chairperson’s rejection of SUHAKAM’s application as “improper” and “unnecessary.”⁴⁷

Irreversibility

The result of an election must have consequences; the winner must be permitted to assume office as stipulated by the law of the particular state. Malaysia never has had a problem of *tutelage*, as the political dynamics in the state never have permitted the military to take a leading role in national politics. Elections without consequences do not qualify as democratic, although there were some efforts made by Najib’s regime to *reverse* the result of GE 2018. In 2016, the regime enacted a controversial law known as the National Security Council (NSC) Act, which allowed the government, led by the prime minister, to declare an area as a security risk and, thus, to permit the application of martial-type law in that region. This move was heavily criticized by the opposition, as, in effect, it was taking over the powers of the head of state (the *Yang diPertuan Agung*) in declaring an emergency. There also was disapproval among the other nine Malay Rulers (Sultans) on this matter, but Najib was simply too powerful to be challenged by them in the open.

On the night of voting day, when it was clear that the opposition had won the election, Najib instructed Zahid Hamidi to convene the NSC for the purpose of declaring an emergency and reversing the result.⁴⁸ In GE 1969, Najib’s

⁴⁴ Three official observers from *Persatuan Pengundi Wawasan Malaysia* (Malaysian Voters’ Vision Association) in Bentong, correspondence with author, April 28, 2018.

⁴⁵ Ibid.

⁴⁶ Abdul Muein Abadi, National University of Malaysia’s observer for Kuala Terengganu, correspondence with author, April 28, 2018.

⁴⁷ “‘Improper, Unnecessary’ for Suhakam to Observe GE14, Says EC,” *Malaysiakini* (April 27, 2018), <https://www.malaysiakini.com/news/421884> (accessed January 2, 2019).

⁴⁸ Special Branch officer in Kuala Lumpur, correspondence with author, July 15, 2018.

father and also the then deputy prime minister, Abdul Razak Hussein, managed to persuade the head of state to declare an emergency after the Alliance Party (now the BN) suffered many losses at both the state and national levels. During the emergency, Razak seized the executive power from then Prime Minister Tunku Abdul Rahman and negotiated with all political parties that had won legislative constituencies before forming a super-majority with the inclusion of all but two opposition parties in the new ruling coalition.

The establishment and the operation of the NSC, therefore, poses a real threat from the ruling regime to reverse the electoral result, as happened following GE 1969. Despite the PH's achievement in forming a simple majority before the conclusion of April 9, 2018, the EC chairperson refused to declare the winner of the election, which allowed Najib extra time to work on reversing the result. Indeed, in the wee hours of April 10, 2018, he contacted Anwar to strike a bargain, but was refused by the latter. Again, on the morning of April 10, the EC chairman reluctantly announced the result, without declaring who was the clear winner. At around 11 a.m. on that day, Najib made an appearance to tell the public that there was no winner in the election and it was up to the *Agung* to decide.

The Challenger's Winning Recipe

Despite the extraordinary manipulative measures taken by Najib's administration in sustaining its power during and even after the announcement of results of GE 2018, the opposition parties, especially the PH, were able to outmaneuver the BN. The BN not only lost its sixty-one-year position as the ruling party at the national level, but also it was defeated in all of the states in which it contested in the election, except Perlis and Pahang.

In terms of numbers, among the total of 222 parliamentary seats, the BN's share of seats declined from 140 in GE 2013 to just seventy-nine in GE 2018. The PH's share of seats sharply increased to 121, in contrast to the eighty-nine seats that it had secured in GE 2013. This result was remarkable, given that the PAS had left the opposition coalition in 2015, yet the PH managed to form a clear majority. The PAS secured eighteen seats in GE 2018, a decline of three seats from the previous election.

How was the PH able to achieve this spectacular result despite the abusive authoritarian measures employed to shape an unfree and unfair election? What were the countermeasures used by the PH to neutralize the authoritarian manipulation and, hence, to open the electoral game of GE 2018 to much more competition? This section of the essay explores the accomplishments of the PH in responding to the BN's autocratic manipulation and breaking the ruling party's dominance. Once again, drawing from Schedler's modified version of Dahl's work as reflected in table 1, the essay explains how the PH managed to turn the tables on the BN through the application of skillful counter-strategies. Even though such strategies against the incumbent's authoritarian tactics are

placed in different categories according to Dahl's *Chain of Democratic Choice*, they are highly connected and correspond to one another (see table 1).

One effective strategy was *engagement*. The opposition forces expected that the EC would create more Malay and native majority constituencies—the main support base for the BN in GE 2013—in order to increase its advantage to be re-elected.⁴⁹ For this reason, the two main parties of the opposition, the PKR and the DAP, focused on other constituencies as their counter-measure. The DAP worked to solidify its grip on Chinese constituencies in urban areas, including in Sarawak and Sabah. Although the DAP's performance in GE 2013 was spectacular in Peninsular Malaysia, its success was very limited in East Malaysia.

At the same time, the “PH [aimed] to dominate 83 marginal seats particularly in the mixed constituencies in the Peninsular.”⁵⁰ Led by then PKR chief strategist, Rafizi Ramli, and his think-tank, Invoke, strategies were formulated by the PKR to control those areas.⁵¹ One of the strategies was to find candidates who could win in the mixed constituencies which they had lost in GE 2013, and to help them to build popular support long before the election;⁵² likewise, the PKR assisted Nik Nazmi in the Setiawangsa parliamentary constituency, where he had been campaigning since 2015. Setiawangsa was a BN stronghold and never had been controlled by the opposition. Nazmi's active campaigning through various talks, the distribution of flyers, and walkabouts enabled him to win the constituency with a landslide victory in GE 2018.⁵³ The PH also won “73 out of 83 marginal seats in GE 2018,” which was crucial in enabling the opposition “to grab the federal power from BN.”⁵⁴

The news of the new electoral boundary redelineation, more specifically, the ruling party's gerrymandering and malapportionment,⁵⁵ alarmed the Selangor state government, which had been controlled by the PKR since GE 2008. To hold onto its mixed constituencies and Malay majority seats (previously given to the PAS) at the state level, Selangor's then *Menteri Besar* (literally Grand Minister), Azmin Ali, established a *Team Selangor* organization to engage with, and later to recruit from, the masses in these constituencies in late 2015.⁵⁶ The youth leaders in PKR and opposition-friendly civic leaders in

⁴⁹ Madhi Hassan, *Pakatan Harapan's* electoral candidate in Perak, correspondence with author, January 19, 2019.

⁵⁰ Saifuddin Abdullah, Minister of Foreign Affairs and *Pakatan Harapan's* Secretary General, correspondence with author, January 28, 2019.

⁵¹ Nik Nazmi Nik Ahmad, *9 May 2018: Notes from the Frontline* (Petaling Jaya, Selangor: Strategic Information Research Development, 2019), chap. 3.

⁵² Ibid.

⁵³ Ibid., chap. 7.

⁵⁴ Correspondence with Saifuddin Abdullah.

⁵⁵ Ibid.

⁵⁶ Tarmizi Anuwar, activist from *Pakatan Harapan*, correspondence with author, February 25, 2019.

Selangor were appointed to the organization to work on these projects. Among the programs were recruitment of local leaders at various levels into the party and the training of political campaigners and cyber-troopers, mostly among the youth.⁵⁷ Consequently, the PH recorded a much better result in Selangor during GE 2018 than in the previous election.

Regarding the opposition's strategy on the *range of choice*, it maneuvered for political *unification* and *inclusion*. Soon after the breakaway of the PAS and the dissolution of Pakatan Rakyat, the PKR and the DAP reorganized their coalition with *Amanah*. In addition, to further strengthen the coalition and to attract rural Malay votes, the coalition helped UMNO's dissenters and Mahathir to form the *Parti Pribumi Bersatu Malaysia* (the United Natives Party, *Bersatu*) in September 2016. For this reason, Anwar and his family not only made peace with Mahathir but also fully supported the latter's return to politics, in parallel with the opposition's effort to win the support of the Malay voters, particularly in the rural areas. With the establishment of *Bersatu*, UMNO not only was weakened by the split, but also allowed the PH to capitalize on the opportunity by using the influence of the ex-UMNO leaders to make a breakthrough in the Malay-majority constituencies.

Among the key leaders of *Bersatu*, apart from Mahathir, Muhyiddin Yassin and Mukriz Mahathir were former influential *Menteri Besars* of Johor and Kedah, respectively. Since its establishment, *Bersatu* has aggressively made road tours across Malaysia, principally targeting the Malay-majority constituencies, depicting the party as a new and better political party for the Malays. The 1MDB scandal and other important issues, such as the GST, were used extensively by *Bersatu* leaders to cast UMNO as a corrupt party, so that Malays would vote for *Bersatu* as the new party for the Malays and the natives. The effectiveness of the steady campaign against UMNO by *Bersatu* led to some substantial protests and the anti-BN vote, which caused Malay vote-splitting among the three Malay-based parties (UMNO/BN, *Bersatu*/PH, and the PAS), resulting in a significant reduction of the popular vote and parliamentary seats won by the BN in GE 2018.

Simultaneously, cooperation with a new party in Sabah, the *Parti Warisan Sabah* (Sabah Heritage Party, *Warisan*), established by an influential UMNO dissenter from Sabah (Shafie Apdal), was forged. This alliance was significant, as Sabah (and Sarawak) were among the BN's last lifelines since GE 2008. The party is state-based, but Sabah's Malays and natives constitute most of its membership. Opposition infighting was painstakingly avoided, and the PH left the decision for filling candidacies to the local parties in Sabah and Sarawak, without much intervention.⁵⁸ These countermeasures corresponded

⁵⁷ Ibid.

⁵⁸ Correspondence with Saifuddin Abdullah.

to the challenger's strategies by re-empowering the opposition pact and the various electorates.

The PH drew up a rather desperate but strategic game plan in reaction to the exclusion of Anwar, the failure of the PH to be registered as a formal coalition, and the last-minute ban against the *Bersatu*. To fill the vacancy left by Anwar by his imprisonment, the PH pragmatically appointed Mahathir as its prime ministerial candidate in January 2018. Mahathir's influence and track record in transforming Malaysia into an economic powerhouse in Asia during his premiership (1981–2003) was expected not only to attract more Malay supporters to the PH but also to increase the overall governing credibility of the opposition forces, which were still lacking in contrast to the BN at the federal level.⁵⁹ In addition, a decision had been made by all parties in the opposition coalition to use the PKR's symbol in GE 2018 instead of their respective ones. This not only would allow the *Bersatu* to fill its slate of candidates in the election but also to encourage cross-sectional voting with the PKR as a well-known multiracial party.

With such strategies as splitting and winning the Malay vote through the establishment of the *Bersatu* and the *Amanah*—apart from collaborating with the *Warisan*—the PH was able to wrest a significant number of parliamentary seats from among the Malay (and the other natives') majority seats in Peninsular Malaysia and also Sabah. The achievement allowed the PH to gain the required number of seats for a much-needed majority, representing a breakthrough to federal power. At the state level, the PH was even more successful, winning five additional states in GE 2018 and retaining Penang as well as Selangor.

To counter the regime's *repression* and *unfairness* in the process of the *formation of preferences*, the PH utilized *leverage* and *exposure* strategies. The social media platforms were heavily used as leverage in balancing the biases in the mainstream media; likewise, Facebook live video streaming was aggressively utilized. Hundreds of *cyber troopers* were recruited to blast anti-regime discourses in their social media platforms, mainly on Facebook and WhatsApp.⁶⁰

With regard to Najib's play of money politics, PH leaders vigorously made *exposures* and reports through online news and social media platforms, to the extent that the ruling regime faced some difficulties in misusing public funds for vote-buying as it had in previous elections. As a result, several investigations were launched and the regime was guarded cautiously by the opposition from further misuse. During GE 2018, the regime had less money to pour onto the voters; in fact, in the Bentong parliamentary constituency, a public notice was posted at the front door of UMNO's branch office informing

⁵⁹ Walid Jumblatt Abdullah, "The Mahathir Effect in Malaysia's 2018 Election: The Role of Credible Personalities in Regime Transitions," *Democratization*, DOI:10.1080/13510347.2018.1552943 (accessed March 11, 2019).

⁶⁰ Correspondence with Tarmizi Anuwar.

the visitors, “There is no transportation allowance offered for GE 2018.”

Both *leverage* and *exposure* tactics were used as well in propagating the 2018 PH manifesto: “Rebuilding our nation, fulfilling our hopes.” Although the manifesto contained sixty promises, the PH campaign during the election revolved chiefly around the idea that “the country is in crisis,” as it was led by “Najib the kleptocrat.”⁶¹ PH leaders at both the national and local levels aggressively engaged in character assassination against Najib, particularly regarding his personal scandals and economic mismanagement. Najib’s scandals in siphoning public money through government agencies (mainly the IMDB) for his personal and political interests were widely publicized by the PH to damage the BN’s credibility. One of Najib’s infamous policies, the GST, also was central to the PH’s electoral campaign, to help create and ride the wave of popular discontent against the BN.

As a response to the regime’s *informal disenfranchisement*, some *reattachment* strategies were worked out by the opposition and applied organically by various concerned civic groups of Malaysians. The campaign, #*Jombalikmengundi* (Let’s return home to vote), was a huge success. To further galvanize public participation in voting, a number of PH leaders publicized that the “new government” would announce public holidays on the succeeding Thursday and Friday after the PH won the election on Wednesday. Consequently, millions of Malaysians who worked in urban centers returned to their hometowns several days before voting day, causing massive traffic jams on the roads and full domestic flights all over the country. These outstation voters were significantly responsible for the decrease of the popular vote for the BN in rural and semi-urban areas in the election.

Thousands of Malaysians working overseas, particularly in Singapore, also returned home to vote. For those who were not able to return to Malaysia for voting, efforts were made to ensure that the ballots of eligible, registered, overseas voters arrived home through co-operative initiatives, mainly by communications through social media platforms. Approaches included fundraising to buy air tickets for their representatives; passionate searches at airports for Malaysians who wanted to return home; and requests of Malaysian aircrews to deliver the postal votes of Malaysians residing overseas to the EC.

To resist the regime’s *insulation* through intimidation exercises, the PH together with civic groups launched its *reassurance* campaign and *protection* exercises. Through its road tours and paid advertisements on Facebook and YouTube, voters were *reassured* “not to be afraid” of regime intimidation, including those in the civil service.⁶² In fact, Mahathir recruited a former EC chairperson, Rashid Rahman, as one of the top leaders in the *Bersatu*. Rashid

⁶¹ “(Ucapan Penuh) Pesanan Perdana Tun Dr Mahathir Mohamad Mahathir’s” [Mahathir’s campaign in Langkawi], Youtube (May 8, 2018), <https://www.youtube.com/watch?v=6xpArUALm4w&t=20s> (accessed April 15, 2019).

⁶² Correspondence with Senator Ismail Yusof.

played a substantial role in helping the PH to understand the real workings of the EC and, more importantly, to publicize the secrecy of ballots to the voters.

There also was some public “bashing” of top bureaucrats who openly called for their subordinates to support the ruling regime. The bashing was so effective that the agency leaders in the police force and the Navy rather unenthusiastically told their subordinates that they were “free to make [their] own choices” and that it was “their right to vote for the party they choose.”⁶³ Nevertheless, a police officer told this writer that many officers in the force interpreted the statements “liberally” and would “vote for the opposition without much fear unlike in the past.”⁶⁴ To emphasize freedom of choice, the opposition parties and a number of civic groups establish several legal teams across the country to provide *protection* of the voting rights among the populace.⁶⁵ The teams also provided monitoring to ensure that these rights were honored by the ruling regime.

To confront the problems of *electoral fraud* and *institutional bias*, the PH used *protest* and *litigation* tactics. Whenever the redelineation of a boundary was made and electoral discrepancies occurred to the regime’s advantage, legal challenges were brought before the court of law. In fact, the High Court granted a stay against the temporary ban issued against the *Bersatu* by the RoS just before the election. Several demonstrations were organized together with civil society organizations, mainly *Bersih*, to elicit public support for pressuring the EC to act impartially. When discrepancies occurred during the voting period, the PH electoral candidates aggressively protested in public to capture the media’s and the public’s attention. However, some unconventional methods also were used in reaction to these problems. In the Batu parliamentary constituency, the unjustly disqualified PH candidate, Tian Chua, called for the support of an underdog independent candidate, P. Prabakaran. With Chua’s support and endorsement, Prabakaran won decisively in that constituency and threw his support to the PH in forming a new government.

On the night of voting day, May 9, 2018, the incumbent attempted to change the *consequence of choice* when the electoral results were not in his favor. Najib seemingly wanted to orchestrate a *coup* through the NSC. When the members of the NSC were called to a meeting to declare a state of emergency, two important members, the chief secretary for the state (Ali Hamsa) and the inspector-general of police (IGP), were not present—signaling their disagreement with the objective of the meeting and, thus, their “*defection*” from the incumbent.⁶⁶

⁶³ Amy Chew, “Malaysia’s Navy, Police Tell Staff Free to Vote for Party of Their Choice in Polls,” *Channel New Asia* (May 5, 2018), <https://www.channelnewsasia.com/news/asia/malaysia-election-navy-police-tell-staff-free-to-vote-ge14-10205024> (accessed April 15, 2019).

⁶⁴ A police officer in Bentong, Pahang, correspondence with author, May 6, 2018.

⁶⁵ Correspondence with Madhi Hassan.

⁶⁶ A Special Branch officer in Kuala Lumpur, correspondence with author, July 15, 2018.

At midnight, Mahathir went to see the head of state to obtain the recognition that his coalition had won the election. Although the *Agung* had indirectly recognized the PH as the new government by granting an audience to Mahathir, it was yet to declare that Mahathir was the new premier. Mahathir and other PH leaders eventually returned to their “temporary headquarters” at the Sheraton Hotel, Kuala Lumpur. But this time, the IGP sent a group of police special forces to guard Mahathir, signaling that the former had recognized the electoral results and Mahathir as the new prime minister. A few hours later, at almost four o’clock in the morning of May 10, following Mahathir’s announcement that his party had won, Chief Secretary Ali Hamsa (having the most senior position in the Malaysian civil service) declared May 10–11 to be public holidays, thereby acknowledging the PH as the new government. The important “defections” of Ali Hamsa and the IGP paved the way for the PH into the federal government, amid the incumbent’s unrelenting efforts to reverse the outcome of the election.

In sum, the PH was able to make the historic breakthrough by coordinating and utilizing its coalitional might as a united front, amid the openings made possible by the rupture among the elites in the ruling parties and the 1MDB mega-scandal surrounding Najib’s administration. As discussed, the PH assisted the dissenting elites in UMNO to organize two new parties in Peninsular Malaysia and Sabah, in order to make headway in one of the BN’s last lines of defense—the Malay and the native constituencies. The appearance of Mahathir as the opposition leader also had considerable “effect” in enhancing the opposition’s “credibility,”⁶⁷ enticing more public support for, and neutralizing the Malay fear against, the PH. Confronted by this, coupled with a more representative, wide-ranging, and skillful opposition, the incohesive regime⁶⁸ of Najib, badly affected by the 1MDB scandal and its growing unpopularity in the Malay and the native electoral constituencies, caused the BN to lose a sizeable number of parliamentary seats to the opposition (including the PAS), which paved the way for electoral turnover for the first time in Malaysia’s political history.

Conclusion

The development of democratization through election in Malaysia in 2018 contributes proof that electoral turnover and peaceful transition of power is possible even within an entrenched authoritarian system. The Malaysian opposition’s skillful strategies that capitalized on the ruptures among the ruling elites, the regime’s mega-corruption scandals and economic mismanagement, and new technology (particularly social media platforms)—along with its

⁶⁷ See Abdullah, “The Mahathir Effect in Malaysia’s 2018 Election.”

⁶⁸ See Pepinsky, “Malaysia: Turnover without Change,” 126.

ability to reorganize as an opposition force that was broadly representative and credible—enabled it to outmaneuver the BN rather decisively.⁶⁹

Nevertheless, as highlighted by Thomas Carothers, democratization is a dynamic process and there is no clear “set sequence of stages.”⁷⁰ Openings are not “events,” but often “long, difficult, hard-won, incremental processes.”⁷¹ Breakthroughs do not always involve “the sudden collapse of the old order.”⁷² And consolidation is “more often a goal rather than a state.”⁷³ Barely two years after the PH came to power, the new government collapsed due to an internal coup involving the conservative component (mostly *Bersatu* leaders) and its allies within and outside the ruling coalition. In fact, many reform programs during the twenty-two months of PH rule have been halted and reversed in a new form of “authoritarian innovation” in Malaysia, influenced not only by the new right-wing opposition coalition (the BN and the PAS),⁷⁴ but also by the old elites in the PH and “the deep state” or the parallel government in Malaysia—the state’s bureaucracy, the royalty, and its allies.⁷⁵

Nonetheless, the opposition’s success in spoiling the menu of manipulation in GE 2018, which enabled it to make the first breakthrough into national power, will be cherished as a “democratization episode” in Malaysia for many years to come. In fact, the new “authoritarian episode” under the new regime of *Perikatan Nasional* (National Alliance, PN) might not last for long, as the regime is a fragile one. It was formed based on the short-term goals of individuals undertaking to steal national power from the PH, without their having a formal political pact, a clear direction, or elite cohesiveness. New openings will soon appear with the possibility of another breakthrough, at least in 2023, when the fifteenth general election is due to take place.

⁶⁹ See Muhamad M. N. Nadzri, “The 14th General Election, the Fall of BN and Political Development in Malaysia, 1957–2018,” *Journal of Current Southeast Asian Affairs* 37, no. 3 (2018): 139-171.

⁷⁰ Thomas Carothers, “The End of the Transition Paradigm,” *Journal of Democracy* 13, no. 1 (January 2002): 7.

⁷¹ Gerald Hyman, “Debating the Transition Paradigm: Tilting at Straw Men,” *Journal of Democracy* 13, no. 3 (July 2002): 26-32.

⁷² *Ibid.*, 27.

⁷³ *Ibid.*

⁷⁴ Dettman, “Authoritarian Innovation and Democratic Reform.”

⁷⁵ “Saifuddin Abdullah: The Deep State Is Trying to Undermine the Harapan Gov’t.,” *Malaysiakini* (July 30, 2019), <https://www.malaysiakini.com/news/485916> (accessed April 15, 2019).