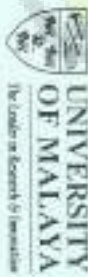


B-12

# Regionalism and Political Development in Southeast Asia

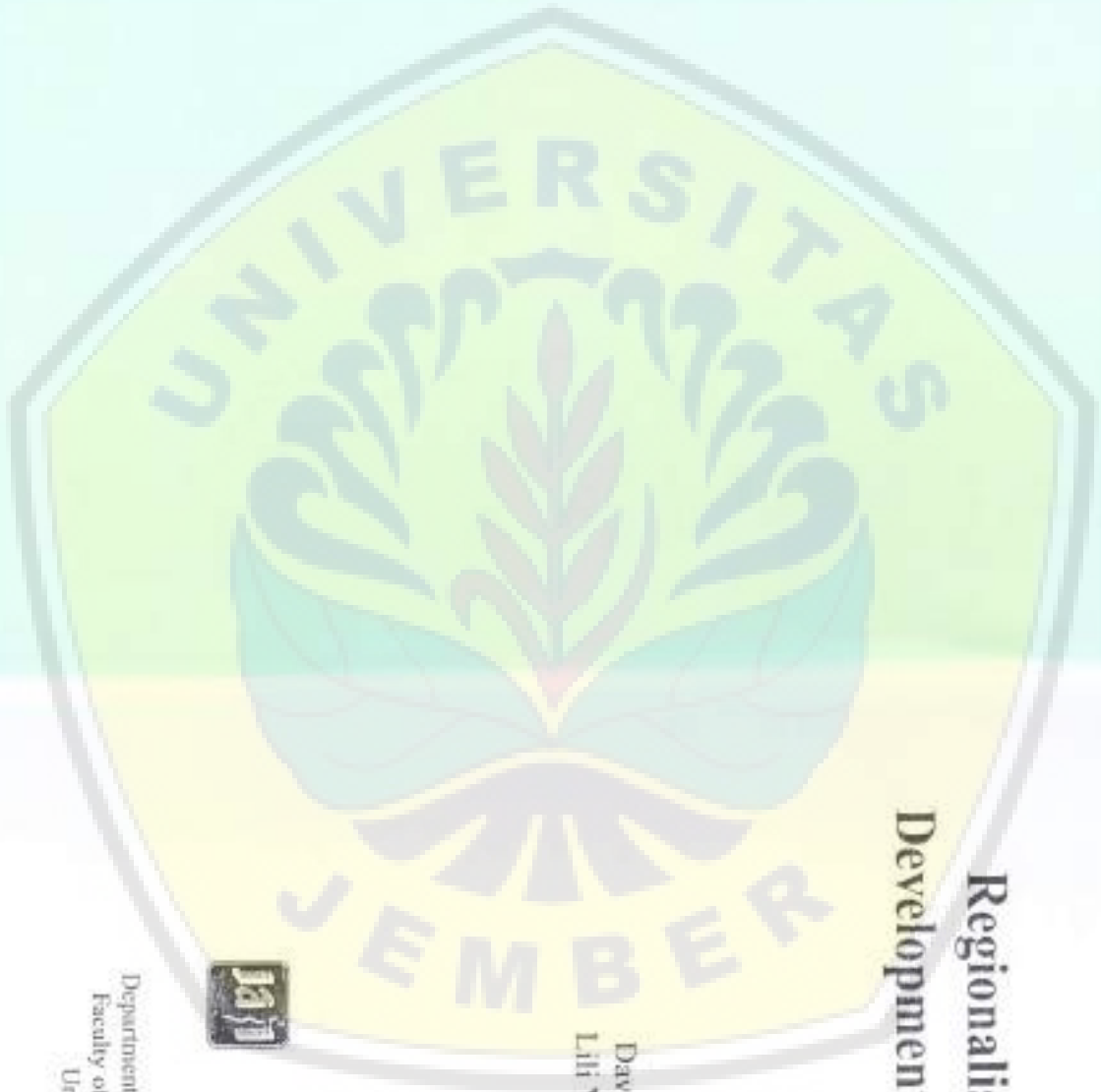
David Martin Jones  
Lili Yulyadi Arnakim

Department of Southeast Asian Studies  
Faculty of Arts and Social Sciences  
University of Malaya



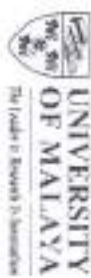
2009





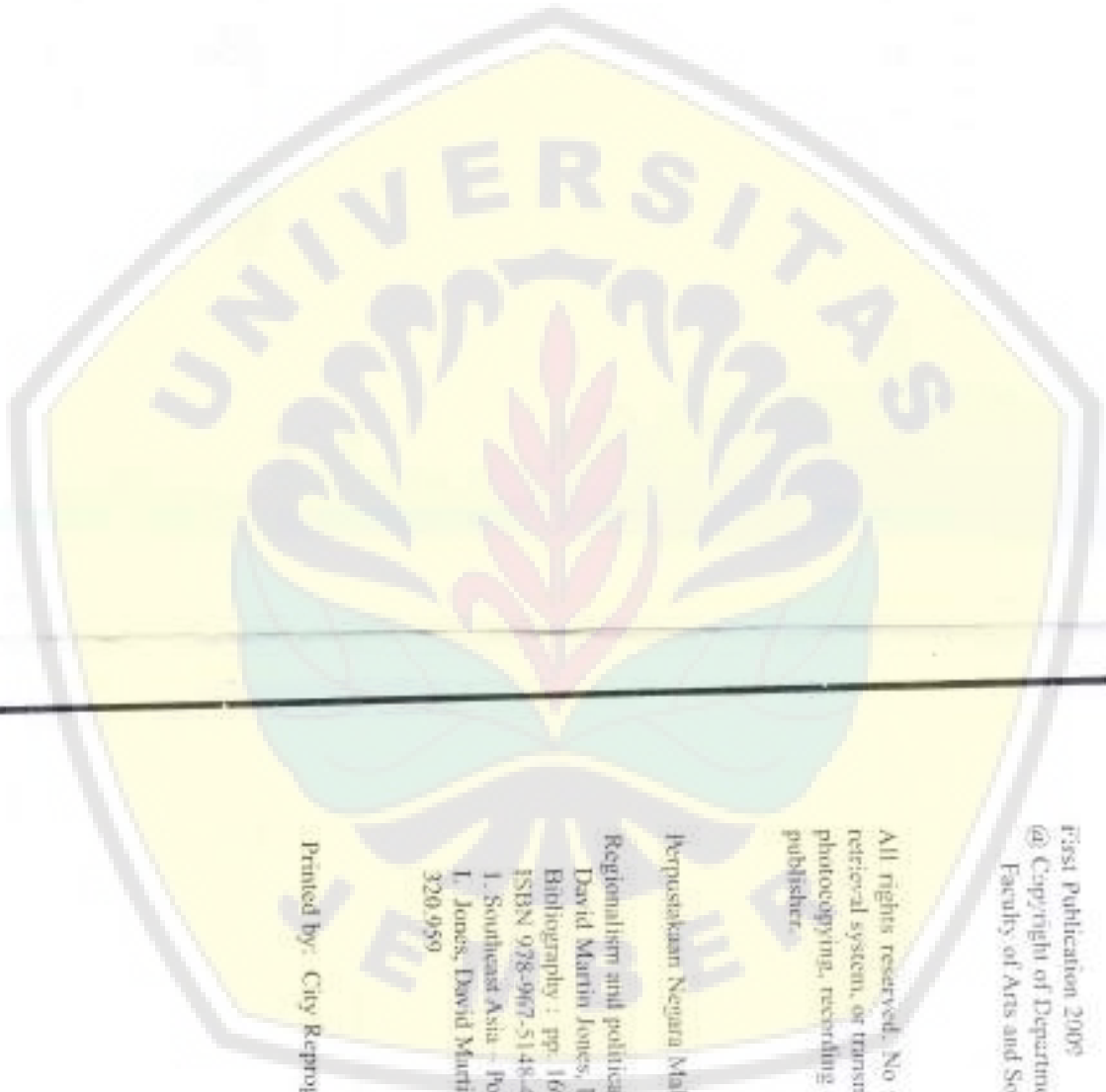
**Regionalism and Political  
Development in Southeast Asia**

David Martin Jones  
Lili Yulyadi Arnakim



Department of Southeast Asian Studies  
Faculty of Arts and Social Sciences  
University of Malaya

2009



First Publication 2009

@ Copyright of Department of Southeast Asian Studies  
Faculty of Arts and Social Sciences, University of Malaya

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of authors and publisher.

Kepustakaan Negara Malaysia Cataloguing-in-Publication Data

Regionalism and political development in Southeast Asia / editors :

David Martin Jones, Lili Yuliyadi Arnakim.

Bibliography : pp. 169-187.

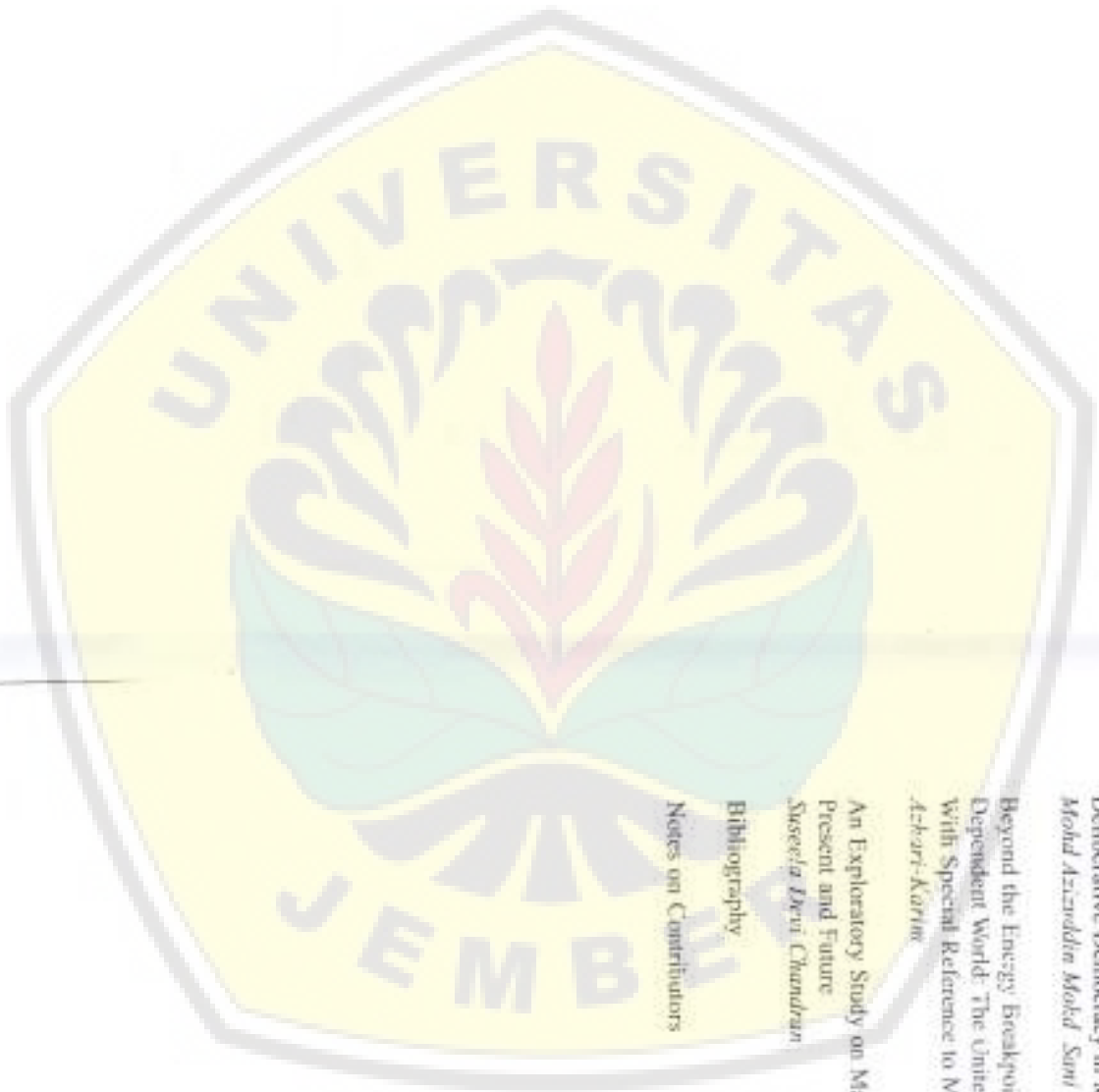
ISBN 978-967-5148-49-1

1. Southeast Asia -- Politics and government. 2. Southeast Asia -- Foreign relations.  
I. Jones, David Martin, 1950-. II. Lili Yuliyadi Arnakim.  
320.959

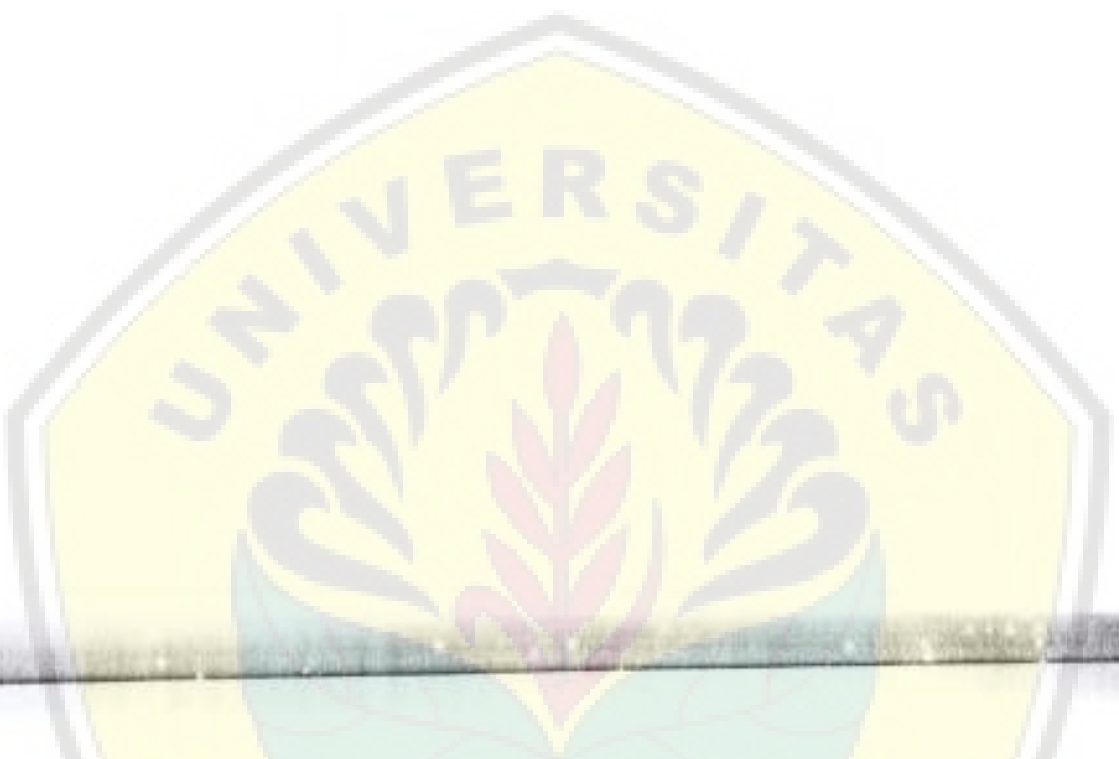
Printed by: City Reprographic Services, Kuala Lumpur

## CONTENTS

<b>Introduction</b>	1-2
<b>Part One: ASEAN Regionalism</b>	
The Five Power Defence Agreement and ASEAN's Early Development <i>Andrei Bovenari</i>	5-24
Regionalism's False Promise: ASEAN and East Asian Community <i>David Martin Jones</i>	25-36
ASEAN Way and Its Implications and Challenges for Regional Integration in Southeast Asia <i>Kim Hyung Jong</i>	37-49
ASEAN and the Prospects of a Security Community in Southeast Asia <i>Ederson Deleu Frits Tapia</i>	51-66
Disputes over Maritime Territories and Shared Marine Resources in Southeast Asia: Common Dispute Settlement Mechanisms Adopted by the ASEAN Members <i>Mohamad Zaki Ahmad and Musqof Kelana</i>	67-89
<b>Part Two: Bilateral Relations in ASEAN and Beyond</b>	
Malaysia-Singapore: Issues and Strategies <i>Rusdi Omar</i>	93-103
Migrant Workers and the Issue of Security: A Case Study of Indonesian Workers in Malaysia <i>Nina Widayanti</i>	105-112
‘‘Neighbourly Relations’’ between Indonesia and Malaysia in their National and Local Media <i>Zakariyasa Nurston, Trihuma Said and Keranjit Kasur</i>	113-118



Indonesia-Malaysia Dispute Settlement Mechanism <i>Lili Nuryati Arakin</i>	119-129
Deliberative Democracy in Malaysia and Indonesia: A Comparison <i>Mohd Azirudin Mohd Sani &amp; Abu Bakar Eby Hara</i>	131-145
Beyond the Energy breakpoint: Energy Policy in an Energy- Dependent World: The United States and the Rest of the World- With Special Reference to Malaysia <i>Azhar-Karim</i>	145-155
An Exploratory Study on Malaysia-India Relations: Present and Future <i>Suseela Devi Chandran</i>	157-168
Bibliography	169-187
Notes on Contributors	189-191



## DELIBERATIVE DEMOCRACY IN MALAYSIA AND INDONESIA: A COMPARISON

*Michal Atzumbaldin Mohd Sani & Abu Bakar Eby Hanu*

### Theory of Deliberative Democracy

According to Yusef Wahid, democracy accentuates three inter-related aspects central to the understanding: democracy as a system, democracy as a sphere for debate, and democracy as a set of meanings.<sup>1</sup> The first two depictions can be linked to two broad conceptions of democracy. The first is democracy as a representative system of pluralist decision-making. The second is democracy as a sphere for social and political life in which people enjoy equal opportunities and are engaged in self-development, self-fulfilment and self-determination.<sup>2</sup> In this regard, a representative democracy maximises citizens' opportunities for self-determination, hence 'they must live in association with others... (which) necessarily requires that they must sometimes obey collective decisions that are binding on all members of the association'.<sup>3</sup>

According to P. Levine, democracy requires deliberation for three reasons: to enable citizens to discuss public issues and form opinions; to give democratic leaders much better insight into public issues than elections are able to do; and to enable people to justify their views so we can sort out the better from the worse.<sup>4</sup>

Deliberative democracy simply refers to 'a conception of democratic government that secures a central place for reasoned discussion (rational deliberation) in political life'. For Amy Gutman and Dennis Thompson, a deliberative democratic theory offers 'a conception of democracy that secures a central place for moral discussion in political life'.<sup>5</sup> They argue that the premise of a deliberative democratic theory lies in a concern for 'finding terms of cooperation that each citizen can accept' for the reason that contemporary societies are driven by deep conflict and moral disagreement.<sup>6</sup> James Bohman, another defender of deliberative democracy, posits that democracy in some form implies public deliberation; that is, 'the deliberation of citizens is necessary if decisions are not to be merely imposed upon them... consent, is after all, the main feature of democracy'.<sup>7</sup> In other words, political decision-making is legitimate insofar as policies are produced in 'a process of public discussion and debate in which citizens and their representatives, going beyond mere self-interest and limited points of view, reflect on the general interest or on their common good'.<sup>8</sup>

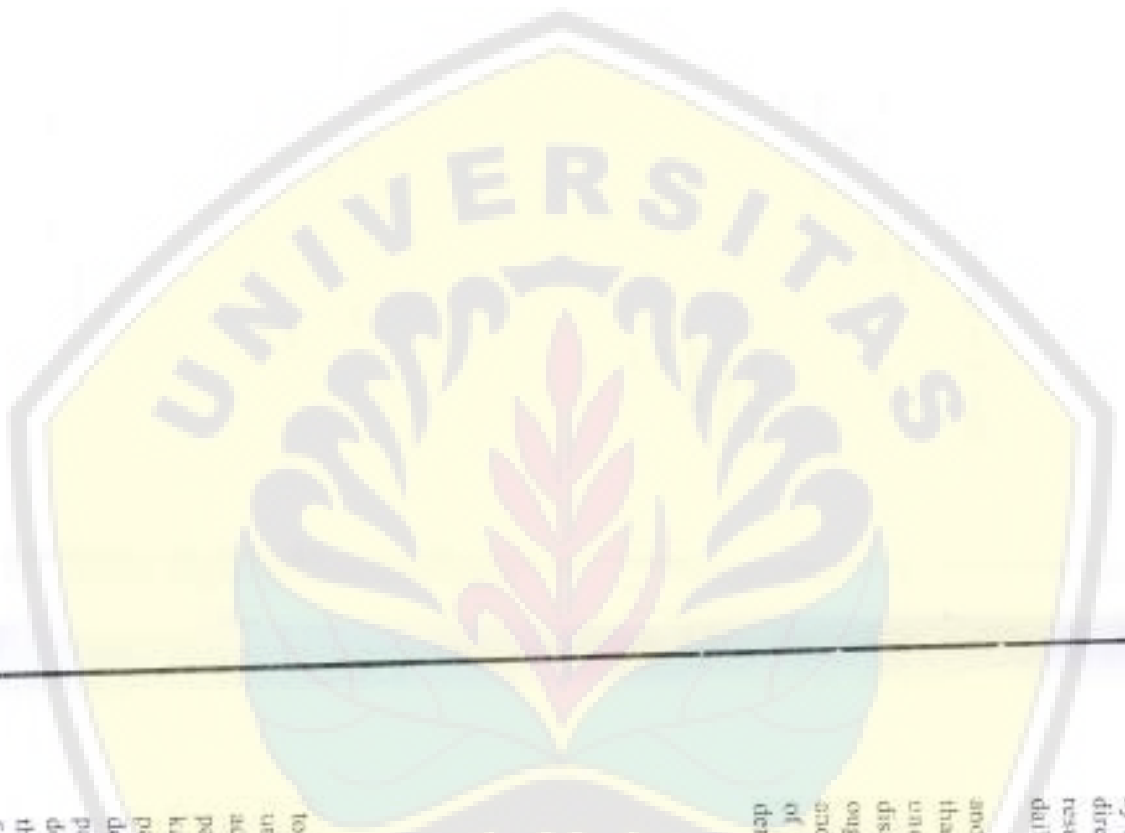
Among the numbers of definitions of deliberation and deliberative democracy, the Deliberative Democracy Consortium has one of the most practical versions: Deliberation is an approach to decision-making in which citizens consider relevant

facts from multiple points of view, converse with one another to think critically about options before them and enlarge their perspectives, opinions and understandings.<sup>8</sup> Deliberative democracy strengthens citizen voices in governance by including people of all races, classes, ages and geographies in deliberations that directly affect public decisions. As a result, citizens influence – and can see the result of their influence on – the policy and resource decisions that impact their daily lives and their future.<sup>9</sup>

However, the model of deliberative democracy must be differentiated from another model of democracy, namely, aggregative democracy. Colin Farrell argues that the aggregative model of democracy is the popular, ‘show of hands’ understanding of democracy that we often invoke when trying to resolve disagreements.<sup>10</sup> According to this model of democracy, decision-making processes ought simply to aggregate the preferences of citizens in choosing public officials and parties. The outcome of the process just mirrors the preferences of the majority of people. Iris Marion Young describes how the aggregative model conceives of democratic processes of policy formation:

“Individuals in the polity have varying preferences about what they want government institutions to do. They know that other individuals also have preferences, which may or may not match their own. Democracy is a competitive process in which political parties and candidates offer their platforms and attempt to satisfy the largest number of people’s preferences. Citizens with similar preferences often organize interest groups in order to try to influence the actions of parties and policy-makers once they are elected. Individuals, interest groups, and public officials each may behave strategically, adjusting the orientation of their pressure tactics or coalition-building according to their perceptions of the activities of competing preferences.”<sup>11</sup>

The aggregative model of democracy is problematic for many reasons. It fails to give sufficient attention to the emphasis on effective participation and enlightened understanding, two criteria which deliberative democrats believe are vital for achieving a just polity. According to the aggregative model of democracy, citizens participate in the decision-making process primarily by making their preferences known through voting. Deliberative democrats reject this narrow conception of participation that conceives voting as the primary political act. Deliberative democrats argue that to fully participate in the decision-making process, one must participate in authentic deliberation and not simply express one’s preferences. Such deliberation requires that parties abandon the strategic behaviour characteristic of the aggregative model of democracy and strive instead to reach a consensus among free and equal participants. To participate in this discursive practice is very different from participating in the decision-making process via the aggregative model of democracy. Deliberative democrats characterize participation in the democratic

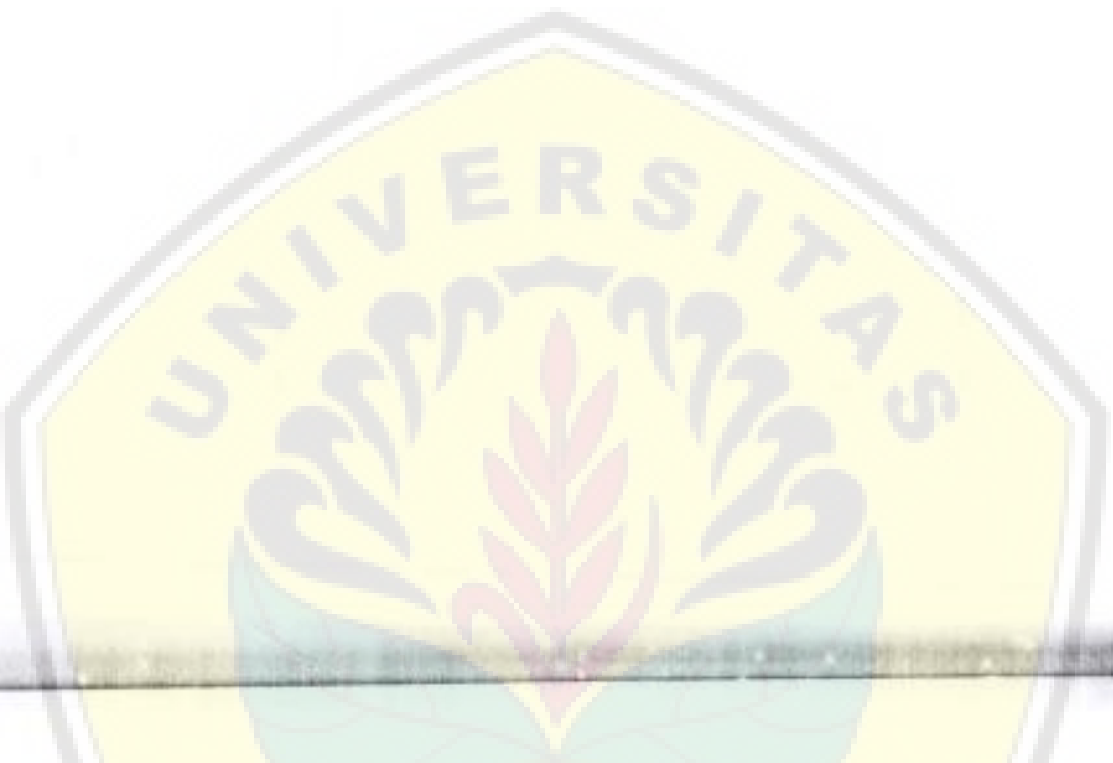


process as a transformative process. Through the process of public discussion with a plurality of differently opinions, people often gain new information, learn of different experiences of their collective problems, or find that their own initial opinions are founded on prejudice or ignorance, or that they have misunderstood the relation of their own interests to others.<sup>12</sup>

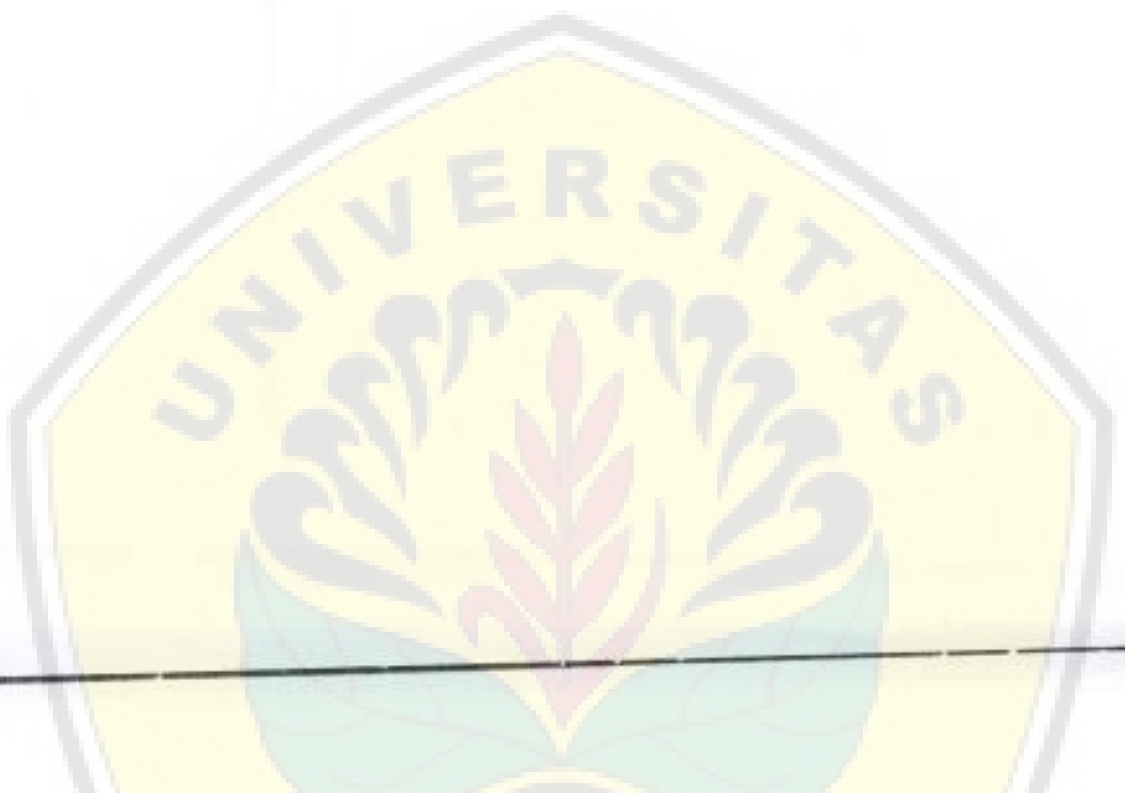
The more expansive conception of democratic participation that deliberative democrats endorse thus ties in well with the criterion of gaining enlightened understanding. A process of aggregating existing preferences precludes enlightened understanding as there is no attempt to understand, let alone accommodate, the concerns of one's fellow citizens. However, deliberative democrats believe that their vision of democracy fosters enlightened understanding among citizens because it embodies the principle of reciprocity.<sup>13</sup> Elaborating on the principle, Gutmann and Thompson argue that reciprocity entails mutual respect. Mutual respect is a form of agreeing to disagree. It consists in an excellence of character that permits a democracy to flourish in the face of fundamental moral disagreement. This is a distinctively deliberative kind of character. It is the character of individuals who are morally committed, self-reflective about their commitments, discerning of the difference between respectable and merely tolerable differences of opinion, and open to the possibility of changing their minds or modifying their positions at some time in the future if they confront unanswerable objections to their present point of view.<sup>14</sup> By engaging in deliberation with those we disagree with we are expressing a willingness to listen to others, to take their concerns seriously and to find some common ground so that a just compromise can be achieved. Gutmann and Thompson consider a number of contentious policy issues, ranging from abortion and trade policy to welfare policy, to illustrate how the deliberative process fosters enlightened understanding and moral accommodation. However, mutual respect does not mean that we must always accept the claims of those we disagree with, but it does require that we listen to their concerns and that we justify our decisions by appealing to reasons we genuinely believe all reasonable persons could accept.

#### **Malaysian and Indonesian Approaches toward Deliberative Democracy**

Malaysia and Indonesia have different approaches toward implementing deliberative democracy. This reflects the political circumstances surrounding both countries where political leaders have given mixed responses to criticism urging both countries to implement liberal democracy. Malaysia believes that democracy should be applied responsibly without jeopardising racial harmony which means certain democratic practices, such as freedom of speech, assembly and the press, should be limited for that purpose. On the other hand, since the downfall of Suharto, many Indonesians believe democracy and its values, should serve the people's happiness and bring political equality and stability in the vast Archipelago. Hence, the next section will further detail the arguments about deliberative democracy in Malaysia and Indonesia's political development.

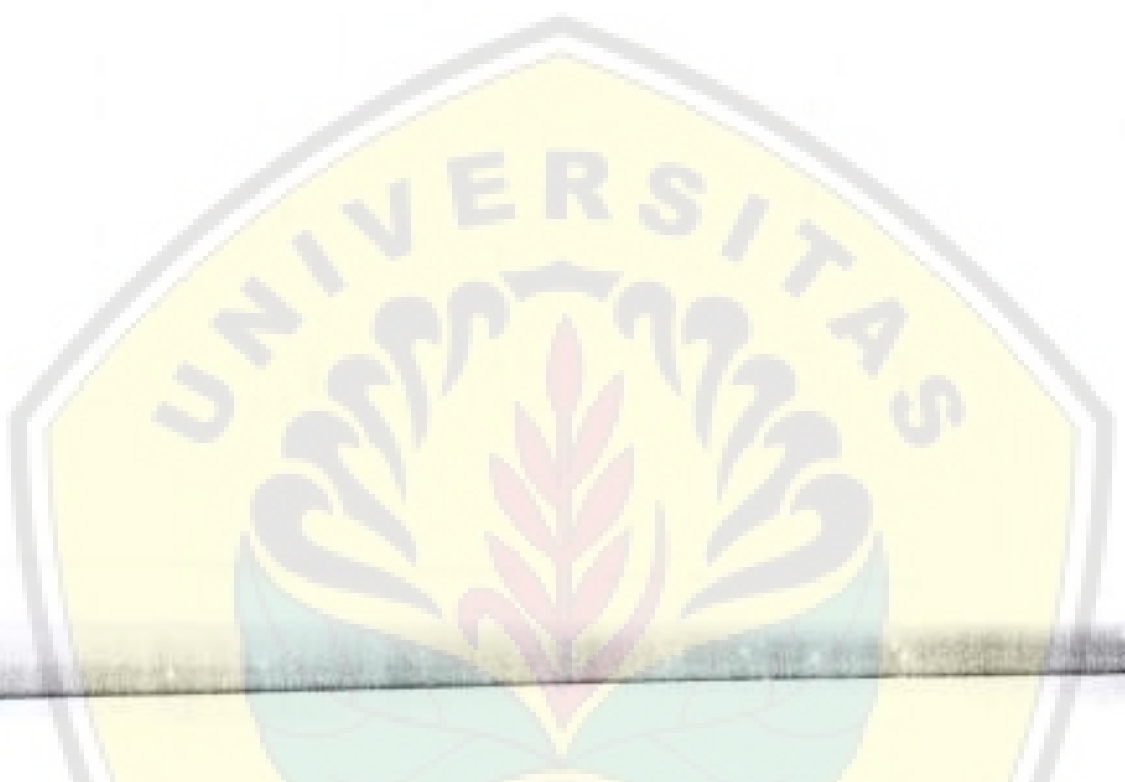






*Malaysia: Democracy with Elite Deliberation*  
 Former Prime Minister Mahathir Mohammad claims that an excessive stress on political rights is culturally inappropriate to countries organised in accordance with communitarian ideals of unity, harmony and consensus.<sup>15</sup> The success of Malaysia as a nation has depended on its political stability and racial harmony, which has encouraged the government to limit civil liberties such as freedom of speech. National unity, however, is an elusive concept. While racial and ethnic problems provide the breeding ground for sectional politics and conflict between groups, the politics of alliances or consociational politics has been implemented in uniting the society. Arend Lijphart claims that consociational democracy is essentially an agreement between the leaders of each bloc in a divided society to share government, involving 'grand coalition, segmental autonomy, proportionality, and minority veto'.<sup>16</sup> Consociationalists rely totally on civilised leadership to end the contest over sovereignty by agreeing to share power. Tun Abdul Razak, another former Prime Minister, has described Malaysian democracy as 'a democracy which is suitable for a developing country with different communities'.<sup>17</sup> It is a democracy that takes into account 'Malaysian realities', Malay – non-Malay (particularly Chinese and Indian) animosities, where democratic practices must not jeopardise the fragile stability, and political contestation therefore is acceptable only as long as this condition is preserved. A power-sharing arrangement has existed since Malaysian independence, and although the BN coalition government is dominated by UMNO, and Malaysia's Executive authority lies mainly with the Malay leadership, other non-Malay parties, notably the MCA and MIC, participate in the Cabinet and enjoy a degree of influence over government policy. Indeed, political stability requires that Malays maintain political power in the country.<sup>18</sup> The electoral system, the party system, the nature of political contestation and even the constitution have been changed several times to ensure that Malays retain political power. Furthermore, since UMNO is the party that represents Malay interest, this means that Malay political power is preserved under its leadership. Although there are difficulties in finding an undisputable conception of the common good in Malaysian society, because some minorities would probably not share the same dominant values embraced by the majority Malays, preservation of social order and racial harmony are the core values and political aims to be achieved for the common good in Malaysia.

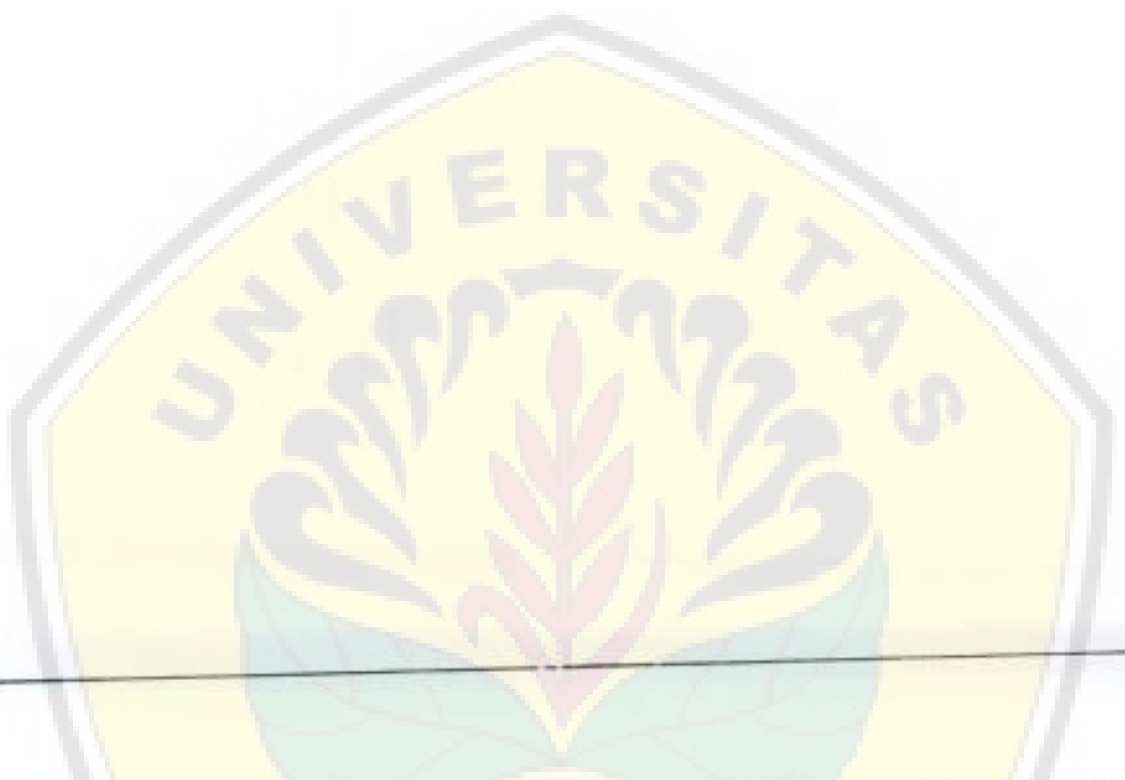
Consociationalism, consensual decision-making and respect for authority are important factors that maintain political stability and power sharing between races in Malaysia. It would appear that consensus-building is grounded in similar core Asian values. Both Confucianism and Malay/Muslim values highlight the authority of a ruler while noting that this authority is dependent upon a just and fair treatment of citizens and consultation with local elites. Thus, the building of consensus and respect for the masses remain essential elements in present Malaysian politics – the '*Berikutan* (BN) way'.<sup>19</sup> William Case writes, 'even as UMNO proclaims before the Malays...its defence of their birthright, it tries to persuade the Chinese and Indians that it responsibly checks Malay chauvinism'.<sup>20</sup> The institutional basis for striking



ties balance – redressing Malay grievances while at some level respecting non-Malay identities and property rights – is, of course the consultative *Barisan* way'. However, this consociational solution cannot be deliberative, save on the thinnest notion of what deliberation might entail, and severe restrictions on who can deliberate (blue leaders only).<sup>21</sup>

Furthermore, through consultation and consensus at the elite level, the political bargain that was effectively struck is that Malays must continue to be politically dominant. This acknowledged certain realities within Malaysian politics. It was also part of the bargain that the economic position of the Malays be improved. In fact, stability also requires that non-Malay interests are not ignored, a lesson learned from the bitter experience of the 13 May 1969 race riots. The strategy chosen by the leadership has been consensus politics, where a single umbrella-like movement seek to draw together all parties and interests, thereby phasing out combative opposition. Through the BN, consensus politics of this sort which is neither a communist-style one-party state nor the regular changing of the party in government of liberal democracy, the role of the opposition is pushed to the periphery. As Diane K. Miazry notes, 'although Malaysia has many of the outward signs and some of the substance of democracy, to make the system of conflict regulation and elite accommodation viable there has also been substantial regulation of political competition and controls over popular participation, especially since 1969'.<sup>22</sup> Whilst this system of grand coalition is contrary to the strict principles of competition implied by democracy, the ruling elites see it differently. Lee San Choon, former President of the MCA, argues that BN now stands out as both a forum and a vehicle for the resolution of conflict between the communities and the accommodation of their respective sensitivities.<sup>23</sup> 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 Malaysian society can never be solved if sections of the polity are in perpetual conflict with one another. Lee explains that to the extent that the BN is a denial of the politics of confrontation, it also expresses a commitment to the politics of consultation and consensus, the politics of goodwill and cooperation. Channels of public debate and discussion in the media, which relate to any sensitive political issues, must be closed except in the *Dewan Rakyat*. That is why the Malaysian media do not publicly televise discussions in the Dewan Rakyat, if these discussions and debates are politically sensitive and potentially undermine the government's image.

There is, however, an element of deliberative democracy in decision-making process, but is only at the level of elite deliberation, not public deliberation. Teun Van Dijk explains that elites are those who are in the position to control and manage the extent of discourse and communication.<sup>24</sup> The elites have the power to control the extent and manner of communication in the media, such as in press conferences and other forms in which they can limit questioning. He describes this as 'discourse access'. The wider the range of discourse genres, modes of communication and audience, the more social power and ability, which the elites have, in exercising control over groups and institutions. It has been argued that the slippage from a



supposedly communitarian ideology into authoritarianism, happens when the holders of political power extend the monopoly of coercion, by virtue of their control of the state apparatus, into a monopoly definition of what constitutes the 'collective' good.<sup>25</sup> In Malaysia, the majority of people do accept that the output of ideas and knowledge has to be in accordance with government goals, ostensibly to promote nation building and prosperity. The ruling elite holds a monopoly in defining which ideas serve the national interest and which do not. Therefore, the socio-structural criteria, including patterns of patronage, are important in determining who contributes and how they contribute to public political discourses in Malaysia. Those who have the capacity to disseminate an idea are primarily those with formal or informal access to political elites. Those who do not, they have little chance of participating in public political discourses.<sup>26</sup>

Shari, in acknowledging that Malaysia has achieved high levels of tolerance through the strict policy of prioritising national stability, argues that Malaysia is an excellent example of religious and cultural tolerance.<sup>27</sup> Chinese and Indian migrant communities were granted citizenship rights at the time of independence. They were allowed to preserve their culture language and religion, and hate crimes against the minority groups are largely unknown. Instead, Malaysia has created a melting pot, weaved in a rich cultural mosaic. This has resulted in the emergence of an extraordinarily multifaceted society with plural lifestyles. However, the government's lack of tolerance shown to the opposition party makes open and critical public deliberation difficult in Malaysia. Opposition activities apart from being curbed by restrictive laws, are also controlled by a complex web of institutional networks such as municipal councils, district offices, schools and state sponsored religious establishments. The preservation of inter racial harmony appears to be the legitimising factor that props up the ruling elite's domination of the government, proposing the idea that political organisations should consent to the larger mission of the state-representing-the-nation.<sup>28</sup> Generally, the government, including the prime minister, does not set a high priority on free speech. Indeed, the government is of the view that opposition parties and human rights activists are a hindrance to the country's economic development and jeopardise its stability.<sup>29</sup> Mahathir Mohamed, Malaysia's former prime minister, argued that the activities of movements in civil society that tend to meddle in politics should be curbed as they weaken government authority and do not contribute to the public good.<sup>30</sup> The government is of the opinion that opposition parties and NGOs should be closely monitored as they have the ability to influence public opinion, endanger public order and even obstruct well-planned, national development.

The direction of Malaysian politics is to a considerable extent determined by leaders, such as Mahathir and Abdullah Ahmad Badawi, and UMNO, the dominant Malay party. Although the existence of opposition parties, associations and cause oriented groups are permitted, their rights to political speech and their capacity to mobilise masses to impact on policy making have been diminished. The government has either sought to eliminate groups that serve as a mediator between individuals and the state or to cut them off from competition for power, thus undermining the

possibility of their influencing decision-making. Thus, deliberative democracy or public deliberation is unable to practice freely because there is no channel that allows ordinary people to participate in the decision-making process which is extensively controlled by the government with the agenda of winning the power struggle forever. This situation has made political system in Malaysia less democratic and more autocratic as a response to racial struggle and interests among races.

#### *Indonesia: Transition to Democracy*

Since independence, Indonesian leaders claimed to implement a democracy which fully reflects the needs of the people. The founding fathers of Indonesia such as Sukarno and Muhammad Hatta attempted to find a democracy that departs from Indonesian tradition which gives emphasis to collectivism and people participation. Public deliberation in Indonesia tradition is called *musyawarah* and is considered important to decision making. It is also mentioned in the Indonesian national ideology, Pancasila – particularly its 4<sup>th</sup> principle regarding democracy by deliberation and consensus.<sup>31</sup> Mohammad Hatta formulated this democracy principle in his articles, 'Our Democracy', which gave emphasis to collectivism and humanism within Indonesian society. He said that the habits of discussion and making consensus have been part of grass root democracy in Indonesian villages since pre-colonial.<sup>32</sup>

One important example of the spirit of deliberative democracy took place when members of Committee to Prepare for Indonesian Independence in 1945 had a meeting to decide the ideology for the new-born Indonesia, in May 1945. At the meeting, there were intense debates over whether the ideology of Indonesia should be Islamic or secular ideology. By deliberation and debates among participants of the Committee consisting of Muslim, Nationalist and minority non-Muslim leaders, they eventually agreed to accept Pancasila as the national ideology. One of the important about *Pancasila* was delivered by Sukarno.<sup>33</sup> After listening to the views of participants, the Muslims, who initially insisted on including a clause that required obligation for all Muslims to practice Islam in the first principle of Pancasila, they agreed to drop the clause in the interest of the plurality of Indonesian society and the need for Indonesian unity.<sup>34</sup> In this case, instead of making voting the ideological base of the Indonesian state which would bring the adoption of Islam as the state ideology, the participants sought a broader justification considering objections from other participants in the debate.

However, the implementation of this spirit of deliberative democracy was last during the authoritarian rule of the two Presidents who dominated Indonesian politics for more than 40 years after independence: Sukarno and Suharto. Both Presidents claimed to implement the spirit of deliberation and consensus. Sukarno stated that Indonesia followed its own democracy based on deliberation and consensus and rejected Western democracy stating that the Western democracy was against Indonesian culture. He called Western democracy 'free fight democracy',<sup>35</sup> Sukarno preferred 'Guided Democracy' where many policies were decided by Sukarno and supported by his aides. Suharto's New Order regime after 1966 also



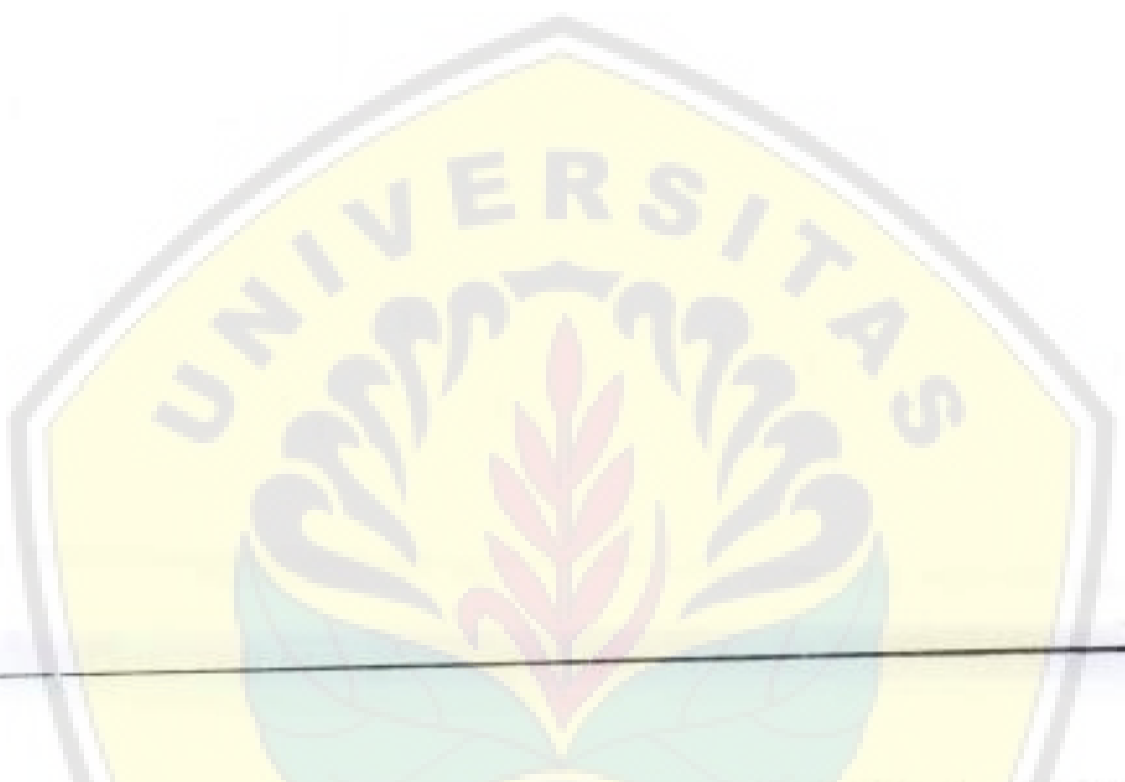
maintained consensus and claimed the regime considered many views in society including the minority in decision making. The word 'people's sovereignty'<sup>26</sup> was often mentioned by the New Order regime to justify their control over Indonesian society. But what was called consensus during Suharto was an orchestrated consensus designed to involve only those who supported him in parliament through the government party *Golongan Karya*, and 'People's sovereignty' was ultimately delegated to army leaders, civilian technocrats and Suharto's family.

A long awaited transition to democracy finally took place in Indonesia when Suharto stepped down in May 1998. This seemed to follow Samuel Huntington and Joan Nelson's cycle theory of authoritarianism when an authoritarian regime experiences an explosion of participation after it limits freedom for long time to maintain economic development and political stability.<sup>27</sup> Suharto had brought about economic development and political stability for Indonesia for over 20 years but he also controlled political activities and limited freedom. According to Huntington and Nelson, the authoritarian stage will come to an end when many people demand for more freedom and participation in politics.<sup>28</sup> The suppressed participation finally explodes. The opportunity occurred in May 1998 after the financial crisis that brought down Suharto. The fall of Suharto was followed by the introduction of new laws which allowed freedom of speech and political participation. Subsequently, President Bacharuddin Jusuf Habibie, who replaced Suharto in May 1998, took significant steps to amend the constitution and to make possible freedom of speech, to organize and to form political parties proceeding to a free general election. Habibie fulfilled almost all political demands and set a date for a general election in June 1999.

The fall of Suharto created hope for genuine deliberative democracy. Indonesia. The limited freedom of expression in organisations and political parties imposed by New Order regime was lifted. Parliaments both national and regional such as the DPR (Dewan Perwakilan Rakyat- People Representative Assembly) and DPRD (Dewan Perwakilan Rakyat-Regional People Representative Assembly) have become places for real political competition. This intensive participation, however, is not followed by the readiness of political institutions such as parliament and political parties to incorporate popular aspiration in decision making. This has led to the emergence of types of direct popular participation in politics.

People participation and deliberation regarding many government policies and plans is a new phenomenon after forty years under two authoritarian regimes. People began to learn and to form organisations to promote their interests and to criticise the government. Many NGOs were also formed. Some of them criticise government policies and some others advocate issues such as promotion women rights, protection of children and the environment. The participation of these interest groups in political processes shows the dynamism of the new democracy.

The mushrooming of many new and old interest groups is a striking soccer of the post-Suharto period. It was reported that almost all interest groups such as youth, teacher, farmer, and labour organisations formed and co-opted by Suharto in his corporatist style of government split into organisations claiming to be reformist



organizations. Political figures and even the President now need to cultivate support from interest groups and public opinion. Included in this burgeoning growth of interest groups are some Islamic political groups who were suppressed during the Suharto era because of their ideological predilections for an Islamic state. Some of these groups as will be discussed later attempt to initiate the process of Islamisation of the state through the implementation of syariah laws at the district level.

### **Toward A Real Deliberative Democracy**

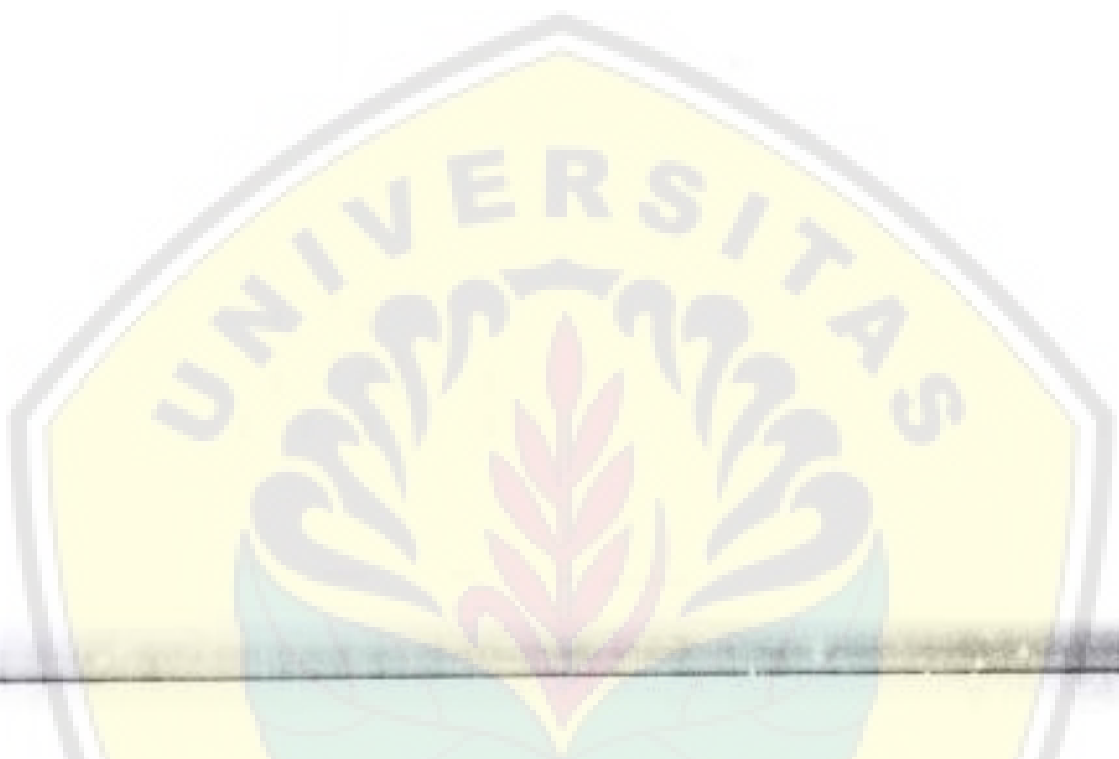
In a well established democratic system, deliberative democracy is required to support legitimate decision making and to give opportunities to people to discuss public issues and to form opinion. With deliberation, people are also able to find a better insight into controversial issues.

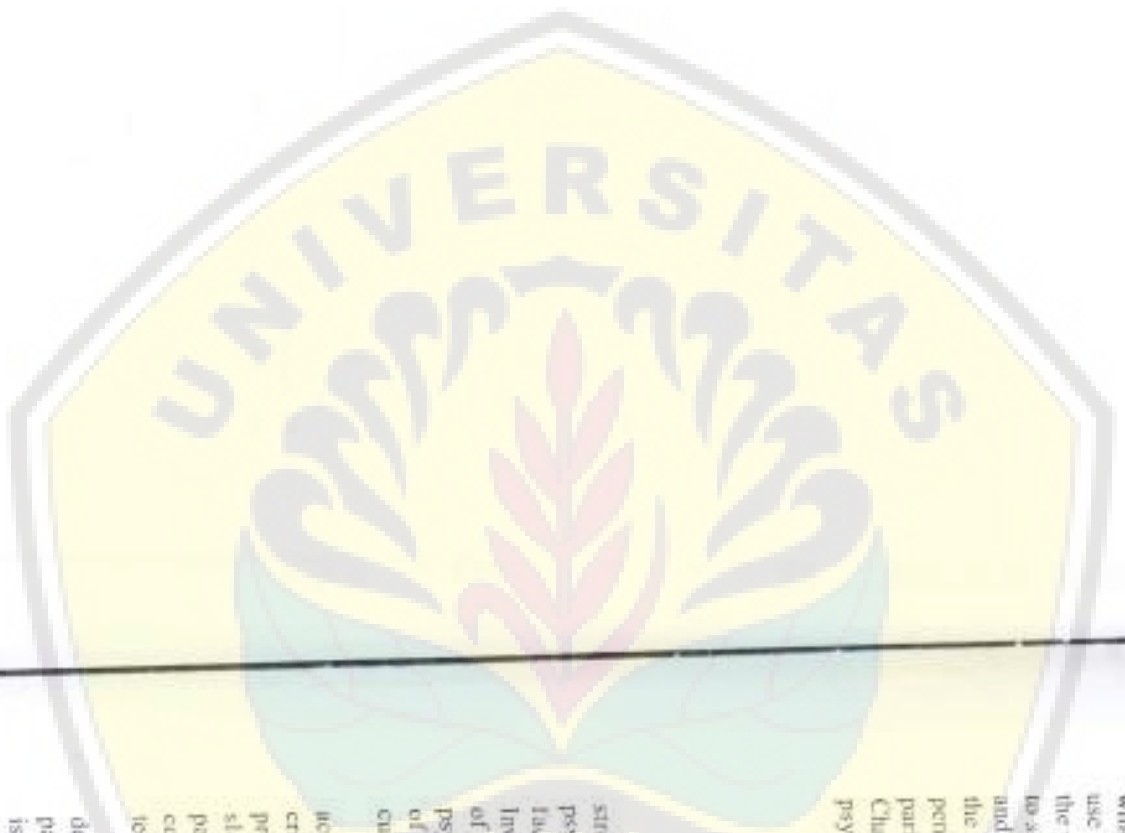
In a young and newly democratic system such as in Malaysia and Indonesia, beside the above consideration, there are other reasons for people to apply deliberative democracy. In a transition to democracy, deliberative democracy takes place because many good governance issues such as realization of democratic values, eradication of corruption, transparency in government and law enforcement have not been implemented by the governments. The governments use anti-corruption campaigns only to get support from the people, without taking any meaningful step to eradicate it. In addition to this, political institutions like parliaments and political parties, which are supposed to push the government to work on that matter, do not function well.

At least three conclusions can be made to explain why the political institutions do not function effectively. First, some members of parliaments from the local to national level are not well-prepared for that role. In the Indonesian case, the freedom to participate in politics came as a great shock for people conditioned to a hierarchical political system. Freedom has indeed motivated all levels of society to contest in general elections. However these people sometimes have limited education and cannot be expected to function effectively as members of parliament. In Perak, the state government even raised the idea that any person who stood as a candidate for state assemblymen should possess a university degree.

Secondly, the model of general election system, which mixes the proportional and district system in Indonesia and simple majority in Malaysia, have limited the freedom of members of parliament to express popular interests. Political parties still play central roles in deciding which candidates should contest an election for parliament or hold executive rank. As a consequence, the loyalty to party is often more important than loyalty to the common good. The chosen members of parliament often dissented popular aspiration. This also strengthens party oligarchy rather than deliberative democracy.

Thirdly, the current weaknesses of political institutions like parliament relates to the patron-client political behaviour or culture inherited by the New Order regime in Indonesia and the UMNO in Malaysia which is still dominant within society. As





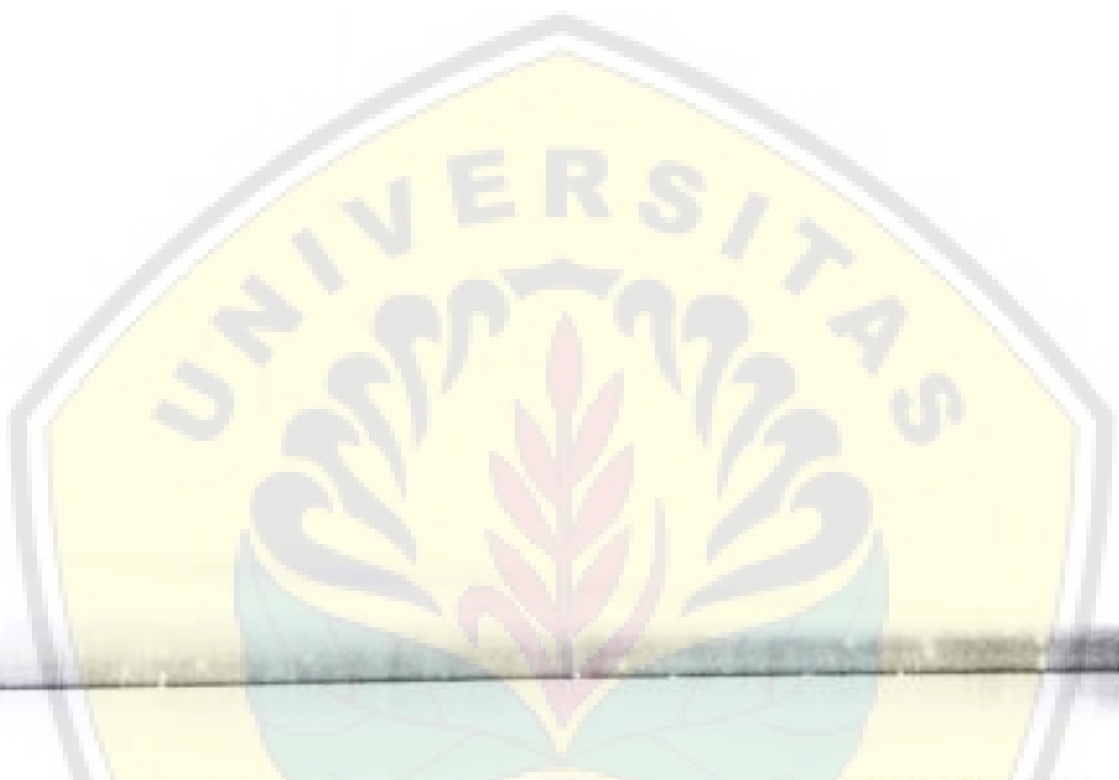
Hadiz observed, the political culture of the New Order has been modified and implemented to serve the need of the new political system.<sup>39</sup> The institutions of Indonesia's new democracy, accordingly are dominated by 'predatory interests' which do not aim to bring about reformation. Political parties, for example, still use intimidation and money to mobilise support during general elections.<sup>40</sup> If in the past, the government party, Golongan Karya, co-opted people and organisations to serve its interests, now the cooptation is conducted by businessmen, party brokers and the political candidates. In Malaysia, Syed Hussein Alatas observes that although the institutional and judicial system of feudalism had gradually disappeared in the peninsula, Malay states with the development of modernisation during the latter part of the nineteenth century, the psychological traits of feudalism have remained.<sup>41</sup> Chandra supports Hussein's view and describes the relationship as one of 'neo-feudal psychology':

"The protector is averse to any attempt by anyone especially among the protected to question, criticise or challenge his policies and position while the protected is reluctant to evaluate, scrutinise or admonish the protector even when he has erred or is in the wrong."<sup>42</sup>

This relationship between the ruler and the ruled, which has been particularly strong within the majority Malay community, has been reinforced by the deep psychological need for a 'protector' to look after the community's interests in the face of the competition from the economically better-off Chinese minority. Invariably, it was the UMNO President and Prime Minister, who donned the mantle of 'protector'. Loyalty to the protector was, however, not just a product of feudal psychology. As in other political systems, what assured the protector of the loyalty of his followers were the perquisites he could provide. This 'neo-feudal' political culture has generated a client mentality that undermines political deliberation.<sup>43</sup>

With this situation, many components in society, academics, students and woman activists question the function of parliaments and other political institutions. They criticise members of parliament because many parliamentarians always break their promise and do not really bring about people aspiration. People unhappy about the slow process of reformation and economic growth and distribution instead participate directly either through protests in the street to advertise single issue concerns. They also turn to make media or debate in other forums including television and the Internet to garner public attention.

In conclusion, if the Malaysian and Indonesian elite favoured a deliberative democratic system, there would be for more healthy and rational debates between parties involved such as in the controversial issue of corruption and the sensitive issue of religion in order to resolve those matters discerningly. Public deliberation and freedom of speech should not be censored on these issues, but all parties should show a sense of social responsibility in discussing controversial and sensitive matters. Through dialogue and implementation, controversial issues may be resolved



peacefully, disagreement may be avoided, and compromise eventually achieved. Deliberation, we might conclude, still has a long way to go in both the Malaysian and Indonesian political systems.

## End Notes

<sup>1</sup> Peter Waight, "Communication Deliberative Democracy and its Implications for Political Discourse in South Africa", *Politics* Vol. 29, No. 2 (2002), p. 189.

<sup>2</sup> W. Carr, and A. Harman, *Education and the Struggle for Democracy: The Politics of Educational Abuse* (Buckingham: Open University Press, 1996), p. 40.

<sup>3</sup> R. Dahl, "A Democratic Paradox", *Political Science Quarterly* Vol. 115, No. 1, 38 (2000), p. 89.

<sup>4</sup> See F. Levine, *The New Progressive Era: Toward a Fair and Deliberative Democracy* (USA: Rowman & Littlefield, 2003).

<sup>5</sup> Amy Gutman and Dennis Thompson, "Moral Conflict and Political Consensus", *Ethics: An International Journal of Social, Political and Legal Philosophy*, Vol. 101, No. 1 (1990), p. 1.

<sup>6</sup> *Ibid.*, p. 36.

<sup>7</sup> James Beaman, *Public Deliberation: Plurality, Complexity and Democracy* (Cambridge, MA: MIT Press, 1996), p. 4.

<sup>8</sup> *Deliberative Democracy* (Maryland, USA: Research and Practitioner Conference, 2003).

<sup>9</sup> *Ibid.*

<sup>10</sup> Colin Farnely, "Deliberative Democracy", in *An Introduction to Contemporary Political Theory* (London: Sage Publications, 2004), pp. 137-156.

<sup>11</sup> L.P. Young, *Justice and Democracy* (Cambridge: Cambridge University Press, 2000), p. 19.

<sup>12</sup> *Ibid.*, p. 26. Furthermore, Farnely illustrates the differences between these two conceptions of democracy through the example of decision about – where to eat dinner. It does reveal many of the concerns that deliberative democrats have concerning the shortcomings of the aggregative model of democracy. Imagine that five friends have to decide where to go for dinner. They cannot agree on a restaurant so they decide to resolve this disagreement deliberatively. They believe that that is the only fair thing to do. The show of hands approach of the aggregative model of democracy declares that the majority decision is the right decision and thus the friends need only indicate what their preferences are and the group should accept the preference of the majority. If three of the friends, for example, want Chinese food then that is where they should go and the two dissenters must simply accept the decision because democracy means the majority wins. According to Farnely, in contradiction to that, if three friends are deliberative democrats they may not be satisfied to resolve the disagreement in this way. Before having a vote they decide that each person should have the opportunity to express their concerns for or against any of the preferences in light of that people have initially suggested. Each friend will then rearticulate his or her preferences in light of those considerations. Perhaps one friend cannot afford to eat in a Chinese restaurant or is allergic to Chinese food. As a friend you may (or would) find these kinds of concerns pressing and that they may lead you to change your initial preference. You may decide that your preference for Chinese food is less important than accommodating a friend in the kind of circumstances just stipulated. Under these circumstances you may be willing to rank an alternative restaurant as your first choice; one that is more affordable or compatible with the dietary requirements of everyone. Engaging in a deliberation about something as trivial as where to go for dinner with some friends could be a transformative process as you begin to shape your own preferences in light of the concerns of others. The friends participate in this democratic process not by simply raising their hands and expressing their existing preferences in a majority wins vote, but by listening to the concerns of others and being willing to change their minds in order to accommodate those concerns. See Colin Farnely, "Deliberative Democracy", pp. 137-156.

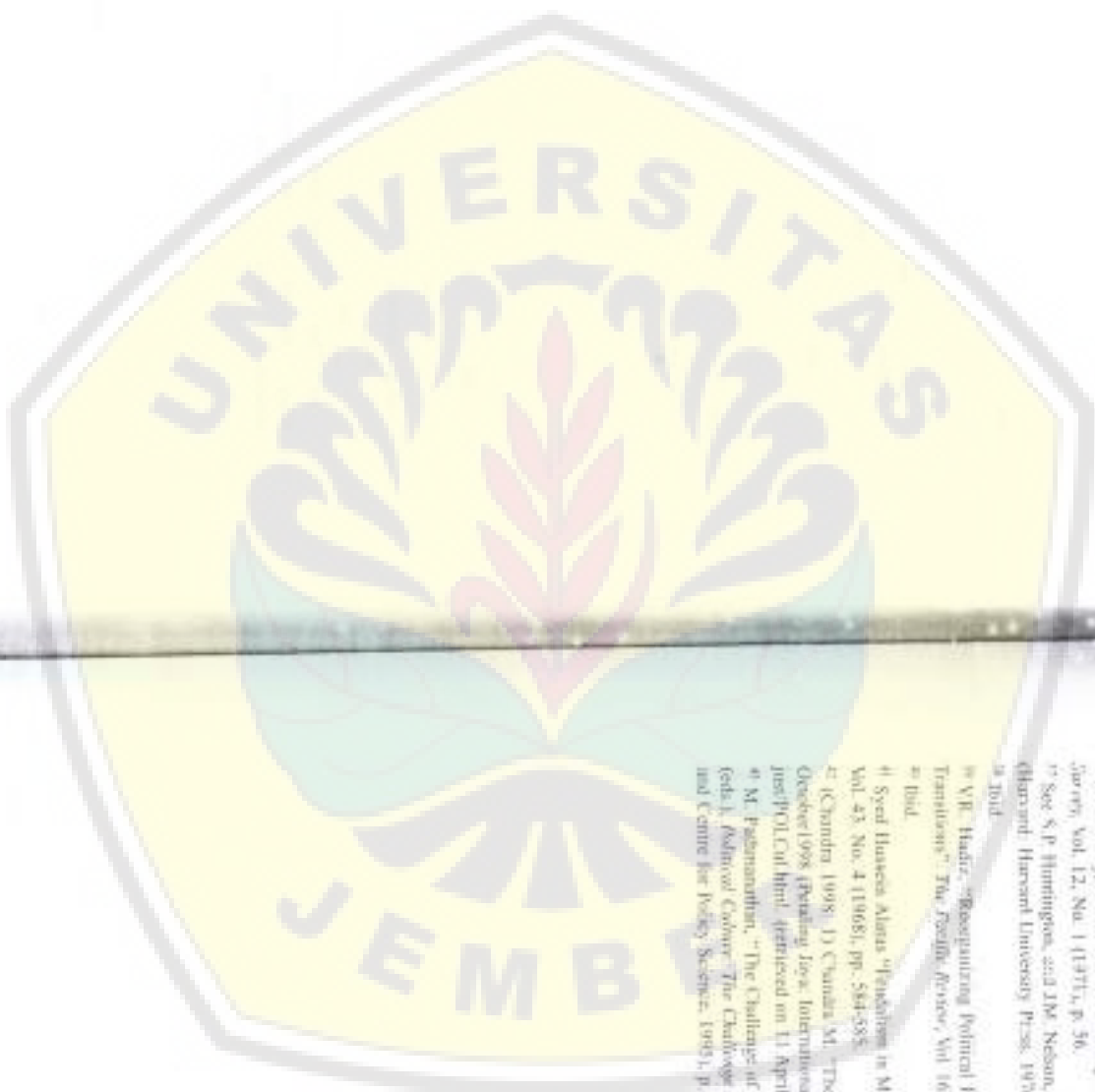
<sup>13</sup> See Amy Gutman and Dennis Thompson, "Moral Conflict and Political Consensus".

<sup>14</sup> *Ibid.*, pp. 79-80.





- 11 World Youth Foundation, *Human Rights: Views of Dr. Mahathir Mohamad*, Melaka: World Youth Foundation, 1999), p. 73; see also V. Yerra, "Debating Rights in Malaysia: Contradictions and Challenges," *Journal of Contemporary Asia*, Vol. 32, No. 1 (2002), pp.108-130; M. Sader H., 1996, *Melayu: am Allah* (Kuala Lumpur: Uluas Publications & Publishers 5th. Edn., 1996), p. 178.
- 12 Arend Lijphart, "Varieties of Neoinstitutional Democracy", in Crepus, M.M.L., Kooble, T.A. and Wilford, D. (eds.), *Democracy and Institutions: The Life Work of Arend Lijphart* (Ann Arbor: University of Michigan Press, 2000), p. 223.
- 13 Nurina M., "Political Constitution in Malaysia", in Nurina M. and Zakaria A. (eds.), *Political Constitution: Case Studies from Asia* (Singapore: Heinemann, Asia, 1998), p. 30.
- 14 For instance, the fact major move of Tun Razak as National Operations Council (NOC), the body set up after racial tension of 1969, Director was to remain in the constitutional contract to uphold and implement Malay political primacy more vigorously. In this way, he appeased the forces of Malay nationalism. To pacify to the non-Malays, he recognised their rights to citizenship and their participation in the economy and the administration, but warned that the '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 governmental assistance to achieve economic and social integration. There would be no more attempts at 'plantation' and 'bearing acts of subjugation and accommodation', or as the Malay adage had called it, 'politics of give and take' to delay this course of action in the interests of social justice. See: Cheah BK. *Malaysia: The Making of a New Nation* (Singapore: Institute of Southeast Asian Studies, 2002), pp. 126-127.
- 15 A. T. Galen, "The Ethno-Security Dilemma: Evidence From Malaysia", *Comparative Studies in Asia: A Journal of International and Strategic Studies*, Vol. 20, Issue 3 (1998), pp. 261-279.
- 16 William Case, "Malaysia: Aspects and Aspects of Legitimacy", in M. Alagappa (ed.), *Political Legitimacy in Southeast Asia: The Quest for Moral Authority* (Stanford: Stanford University Press, 1995), p. 104.
- 17 J. Dryzek, "Deliberative Democracy in Evoked Societies", Working Paper No. 22, 28 May 2003 (Canberra: Australian National University), p. 15. The paper is available at: [http://ecopol.au.edu.au/pdf\\_files/Dryzek\\_divided.pdf](http://ecopol.au.edu.au/pdf_files/Dryzek_divided.pdf)
- 18 Diane K. Mauzy, *Intervase Nusantara* (Kuala Lumpur: Marzan and Sam, 1983), p. 4.
- 19 Ibid.
- 20 Tean Van Dyl, *Etho Democracy and Justice* (California: Sage, 1993), p. 256; see also "Desire for power and access", in Galda, C.R. and Coulford, M. (eds.), *Feas and Power: Readings in Cultural Divisions Analysis* (London: Routledge, 1990).
- 21 Chin BH, "Asian Values: Is an Anti-Authoritarian Reading Possible?", in M. Beeson, (ed.), *Contemporary Southeast Asia: Regional Dynamics: Nominal Differences* (New York: Palgrave Macmillan, 2004), p. 101.
- 22 D. Derksen, "Political Crisis and Reform in Malaysia", in E.T. Cooney (ed.), *The State of Malaysia: Ethnicity, Rigidity and Reform* (London: RoutledgeCurzon, 2004), p. 107 and 117.
- 23 Saad F., "Human Rights: Asian and Western Perspectives", in Ibrahim A.S. (ed.), *Democracy and Good Governance: The Malaysia Experience* (Shah Alam: DUPNA, 2004), p. 136.
- 24 S. Nale, "Constructing Civil Society in Malaysia: Necessity, Hegemony and Resistance", in Jamie K. S. (ed.), *Revolving Malaysia* (Kuala Lumpur: Malaysian Social Science Association, 1999), pp. 93-93.
- 25 R.S. Milne, and D.K. Mauzy, *Malaysia: Politics under Merdeka* (London: Routledge, 1999), p. 105.
- 26 Mahathir M., *Edhoro!*, 3rd Ed. (Kuala Lumpur: Penerbitan Pustaka Antara, 1982), p. 127.
- 27 Indonesia state is a state based on Pancasila ideology. Pancasila contains five principles: Belief in one supreme God or monotheism, a just and civilized humanity, the unity of Indonesia, democracy guided by consensus arising out of deliberations amongst representatives, and social justice for all people of Indonesia.
- 28 M. Hatta, "Demokrasi Kita", in Soe-Edi Swasono and Fauze Ruzidi, *Melahirkan Kita Berkeadilan* (Jakarta: Universitas of Indonesia Press, 1992), pp. 122-123.
- 29 Soe Sukarno, "The Pancasila (1945)", in Herbert Feist and Lance Coates (eds.), *Indonesian Political Thinking 1945-1965* (Ithaca and London: Cornell University Press, 1970).



<sup>14</sup> Among the Muslim leaders were Az Yus Salim, Wicakl Hayim, Sakiman, Ki Pagus Hadikusumo and Kahar Muzakki. They initially agreed upon the clause containing the obligation for Muslims to practice shari'a to be included in the first Pancasila principle.

<sup>15</sup> M. Hama, "Demokrasi Kita", pp. 110.

<sup>16</sup> D. Hindley, "Indonesia 1971: Pancasila Democracy and the Second Parliamentary Elections", *Asian Survey*, Vol. 12, No. 1 (1971), p. 56.

<sup>17</sup> See S. P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Harvard: Harvard University Press, 1978), p. 304.

<sup>18</sup> Y.R. Hadiz, "Reorganizing Political Power in Indonesia: A Reconsideration of So-Called Democratic Transitions", *The Pacific Review*, Vol. 16 No. 4 (2001), p. 597.

<sup>19</sup> *Ibid.*

<sup>20</sup> Syed Husein Ali, "Freakshow in Malaysian Secular: A Study in Historical Continuity", *Orientalism*, Vol. 43, No. 4 (1968), pp. 544-585.

<sup>21</sup> R. Sarda (1998), J. C. Sarda, M., "The Anwar Crisis: Political Culture and Democracy", in *JLST*, 18 October 1998 (Printed for a International Movement for a New World available at <http://www2.jaring.my/jost/POLCAL.html> (retrieved on 11 April 1999).

<sup>22</sup> M. Paganathan, "The Challenge of Modernisation: An Overview", in M. Paganathan, and R. Hesse (eds.), *Asiatic Culture: The Challenge of Modernisation* (Kuala Lumpur: Friedrich Naumann Foundation and Centre for Society Science, 1995), p. 11.