

Teim



TEIM Election Watch Analysis

ELECTORAL REPORT:

MALAYSIA/Parliamentary and State Elections
8 March 2008

Javier Gil Pérez

Last revision: 11 February 2009

Election Watch
Taller de Estudios Internacionales Mediterráneos
Universidad Autónoma de Madrid

www.election-watch.org

ISSN: in procedure

www.election-watch.org

Background of the elections:

These elections were highly anticipated by Malaysian society due to the many problems that had arisen during a difficult legislature (2004-2008). The principal problems were three:¹ 1) growing inflation and economic instability; 2) worsening of racial tensions, mainly tied to hostility among ethnic Malays towards ethnic Chinese and Indians; and 3) corruption in government administration.

For the last 25 years, Malaysia has enjoyed important levels of economic growth centring on the development of various industries, among which the most important are: oil, gas, chemicals, electronics, agriculture and lumber, all of which together have provided Malaysian society with an important increase in the standard of living. This situation of wellbeing began to break down with a sharp rise in the cost of basic goods which has woken the Malays from their dream of eternal prosperity.

Prime Minister Abdullah Badawi has had to confront a growing hostility shown by the Indian and Chinese communities towards his government. Their accusations focus on the lack of equal opportunities in access to jobs in the administration, universities, services, etc. In Malaysia today, the so-called Bumiputra ('sons of the earth'), who are Malaysian in origin, enjoy privileges in gaining access to these jobs because of affirmative action policies for ethnic Malays which began in the 1970s. This has created a strong feeling of inequality between the different ethnic groups in the state.

Additionally, the shadow of corruption has hovered over the government's actions. One important part of Malaysian society has shown signs that it is growing tired of Prime Minister Badawi, who has neither the charisma nor the popularity of his predecessor, Mahathir Mohamad, who won overwhelming majorities during his 23 years in office. Badawi, chosen by Mahathir to be his successor, has not been able to maintain the unity of his own party, the National Front (*Barisan Nasional* or BN).

Although the campaign was a peaceful one, some small incidents occurred, though they have not been considered worthy of discussion.

The governing National Front² hoped to maintain its representatives in the national parliament but was aware that it was going to lose part of its support to the benefit of the three opposition parties: 1) the historic Islamic Party of Malaysia (PAS)³; 2) the Democratic Action Party (DAP), representing the Chinese community; and 3) the People's Justice Party of Mahathir's former Vice President in Malaysia, Anwar Ibrahim, which was expecting solid representation in the Kuala Lumpur parliament. The People's Justice Party represents the same ideological spectrum as the National Front, i.e., Malaysian nationalism, but with the

¹ See the article "An Election in Malaysia" available at http://www.economist.com/displayStory.cfm?story_id=10808566&fsrc=RSS (consulted 10-09-08).

² Since the beginning of the democratic period in Malaysia, the BN has been victorious in all of the parliamentary elections held to date. The BN brings together different parties representing the three large ethnic groups in Malaysia: Malays, Indians and Chinese, although the last of the three also has its own political representation in the Democratic Action Party.

³ Until these elections, the PAS was the main party in opposition to the BN. The PAS was the first Islamist party to come to power in a region by democratic means. This occurred in the state of Kelantan in 1959, which was governed by the PAS from 1959 to 1978 and since 1990 to the current day.

distinction of being more open to other minorities in the country. It is distinguished by its fierce opposition to the BN.

One important element of these elections is that they were called to be held in March because Anwar Ibrahim, the current leader of the People's Justice Party (PKR) and the visible head of the opposition movement, could not run as a deputy then since he had been declared ineligible until April 2008. This was clearly a manoeuvre to reduce the influence of this opponent and thus reduce the electoral losses that were predicted by the polls to the extent possible. However, Anwar Ibrahim was finally able to join parliament when his wife, Wan Azizah Wan Ismail, gave up her seat as a deputy in the Permatang Pauh district in the state of Penang. On 26 August, elections were held to choose a new deputy and Anwar Ibrahim was elected.

At the same time that the parliamentary elections were held, elections were held for the renewal of local power in 12 of the 16 states and federal territories in Malaysia.⁴ As with the parliamentary elections, the loss of several states was predicted in favour of the opposition, although the extent was not clear.

Quantitative indices of democracy:

Malaysia was classified in the following democratic performance rankings at the time of the elections.

⁴ Malaysia consists of 13 states: Johor, Malacca, Penang, Kedah, Kelantan, Negeri Sembilan, Pahang, Perak, Perlis, Selangor and Terengganu, Sabah and Sarawak and three federal territories: Kuala Lumpur, Putrajaya and Labuan.

Measurement	Name and year of report or database	Institution	Index	Points, ranking and classification
Political rights and freedom	<u>Freedom House Report</u> 2008	Freedom House (FH)	PR: political rights CL: civil liberties	PR: 4, CL: 4 (Scale of 1, free to 7, not free) Classification: partly free
Degree of democracy in earlier elections	<u>Polyarchy 2.0</u> 2003	Peace Research Institute of Oslo and Tatu Vanhanen	ID: Synthetic democracy index, Part: participation, Comp: competition	ID: 12.7, max. 49 Part: 29.3, max. 70 Comp: 43.4, max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30) Classification: Democratic
Consolidation of authoritarian and democratic institutions	<u>Polity IV</u> 2004	Center for International Development and Conflict Management Univ. of Maryland	Democracy: consolidation of democratic institutions Autocracy: authoritarian consolidation Polity: synthesis of both	Democracy: 4 Autocracy: 1 Polity: + 3 (Scale of +10, very democratic to -10, very authoritarian) Classification: weak democratic
Perception of corruption	<u>Transparency International Corruption Perception Index</u> 2007	Transparency International (TI)	TICPI: corruption perceptions index	TCPI: 5.1 points out of 10, (Scale of 1 = very corrupt to 10 = not at all corrupt) Rank: 43 out of 163 countries
Management of political and economic change	<u>Bertelsmann Transformation Index (BTI)</u> 2008	Bertelsmann Foundation	MI: Management Index, quality of transformation management	MI: 5.52 points out of 10, Rank: 49 out of 125 countries Classification: Successful management with weaknesses
Democracy, including press status and corruption	<u>World Democracy Audit</u> October 2007	World Audit	World Democracy Rank: political freedom (FH) + press and corruption (TI)	World Democracy Rank: 82 out of 150 countries, division 4 of 4

Quantitative analysis of electoral democracy:

The elections analysed in this profile produced the following electoral democracy quantitative results:

Degree of democracy in these elections ⁵	Measurement of democracy in these elections according to the Polyarchy 2.0 index, calculated by TEIM Election Watch	ID: 10.55, max. 49 Part: 28.6, ⁶ max. 70 Comp: 36.9, ⁷ max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30)	Classification of elections: Democratic
---	---	--	---

Definition of the electoral system and parties:

The electoral system in Malaysia is a simple majority⁸ defined in its electoral legislation as the ‘first-past-the-post’ system. As with other former British colonies, Malaysia based its electoral system on the British one. This system means that the first candidate who reaches the highest number of votes becomes the deputy. There are 222 single-member districts which send 222 deputies to represent them in the Malaysian Parliament.

This system means that the winning party, in this case the National Front, with 50.27% of the votes, won 63.06% of the deputies at stake. In other words, the electoral system gives an important advantage to the winning party, introducing a bias that is clearly in its favour – although this time it was more ‘proportional’ than on other occasions. In the 2004 elections, the correlation was 63.9% of the vote for 90.41% of the seats.

The country has a multi-party system, but it is overwhelmingly dominated by the National Front, which has held central power since independence. For this reason, it is a hegemonic party system. While there are four parties in the national parliament in the current legislature, only one of them is going to exercise political power: the National Front. The National Front⁹, then, is the dominant party. Although the opposition block has never gained access to central power, it has gained regional power, but only in the northern states of Kelantan and Terengganu with the PAS. This means that in the last 50 years, the opposition has only managed to govern two of the thirteen existing states. The political control of the National Front has been absolute.

With the results from the regional elections, the National Front has lost control of four states that it controlled before: Penang, Kedah, Selangor and Perak. This means that it is now only going to control 8 out of 13 states. This loss of four states means that of the 505 members elected, the number of opposition deputies has risen from 51 to 198. Therefore, the loss of these four states and the sharp increase in deputies from opposition parties means an important change.

⁵ This refers only to the parliamentary elections.

⁶ Participation was calculated out of a total estimated population of 27,730,000 inhabitants on 20 February 2008.

⁷ The competition was calculated from the seats obtained by the opposition.

⁸ The classification of electoral systems was obtained from: <http://www.idea.int/publications/esd/upload/DISEÑO%20ELECTORAL.pdf> (consulted 12-09-08).

⁹ The National Front brings together an important variety of parties. In these last elections, it served as the umbrella under which 14 parties ran for election. This document follows the model used by the Electoral Commission of Malaysia in which – for purposes of counting and representation – only the National Front appears and not the totals for the parties that compose it.

Impact of the electoral procedure and size of the constituency on the elections:

The fact that the 222 constituencies are single-member districts,¹⁰ bound to a 'winner-takes-all' system, introduces a strong distorting factor, meaning that the party with the most votes wins the available seat, even if the difference is only one vote. Thus, none of the votes of the losing parties have any value, while votes for the winning party are overvalued. The majority effect of this electoral formula is clear.

Election results:¹¹

- Registered voters: 10,922,139
- Participation: 72.74%
- Registered votes: 7,944,274
- Valid votes: 7,878,875 = 99.18%
- Invalid votes: 65,399 = 0.82%

Parliamentary election results. Malaysia 2008.

	Party	% of valid votes	No. of seats	% of seats
Government	National Front-BN	50.27	140	63.06
Opposition	People's Justice Party-PKR	18.58	31	13.96
	Democratic Action Party-PAS	13.77	28	12.61
	Islamic Party of Malaysia-DAP	14.05	23	10.36
Total		100%	222	100%

Distribution of seats within the National Front¹²

Party	Number of votes	% of votes	Seats
United Malays National Organisation-UMNO	2,381,725	30.23%	79
Malaysian Chinese Association-MCA	840,489	10.67%	15
Gerakan Rakyat Malaysia Party	184,548	2.34%	2
Malyasian Indian Congress- MIC	179,422	2.28%	3
United Traditional Bumiputera Party	131,243	1.67%	14
Sarawak United People's Party-SUPP	119,264	1.51%	6
United Pasokmomogun Kadazandusun Murut Organisation	58,856	0.75%	4
Sarawak Progressive Democratic Party-SPDP	52,645	0.67%	4
United Sabah Party	44,885	0.57%	3
Sarawak United People's Party	33,410	0.42%	6
Sabah Progressive Party	30,827	0.39%	2
Sabah United People's Party	0	0.00%	1
Liberal Democratic Party-LDP	8,297	0.11%	1
People's Progressive Party-PPP	16,800	0.21%	0

¹⁰For complete information relating to the constituencies, see:

<http://www.spr.gov.my/index/parnstlass.htm> (consulted 12-09-08).

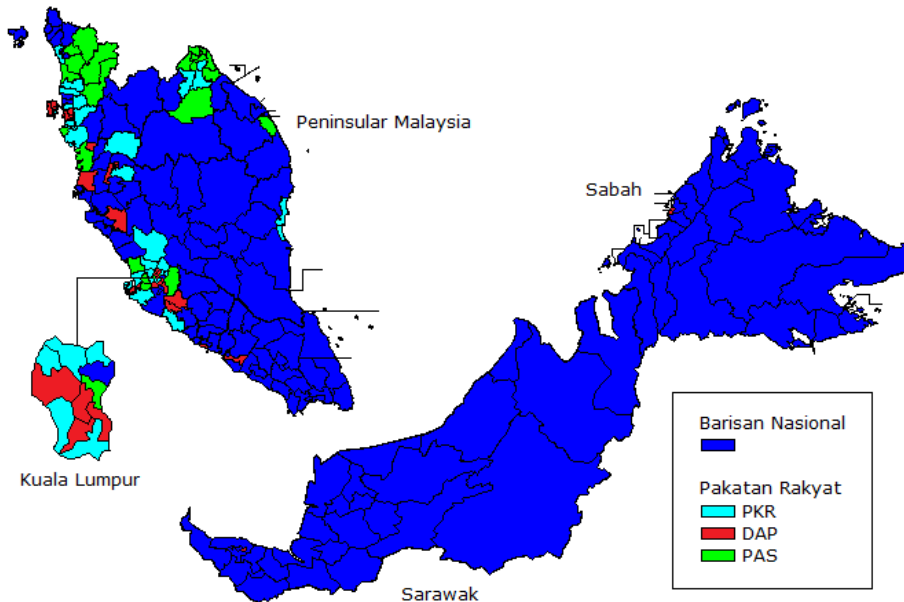
¹¹ Table created using data obtained from the International Foundation for Electoral Systems at <http://www.electionguide.org/results.php?ID=1397> (consulted 12-09-08).

¹² Idem

Distribution of seats by state,¹³ parliamentary elections. Malaysia 2008.
(In red, states where the opposition won):

FEDERAL TERRITORIES (WP) AND STATES	BN	PAS	DAP	PKR	TOTAL
PERLIS	3	0	0	0	3
KEDAH	4	6	0	5	15
KELANTAN	2	9	0	3	14
TERENGGANU	7	1	0	0	8
PULAU PINANG	2	0	7	4	13
PERAK	13	2	6	3	24
PAHANG	12	0	0	2	14
SELANGOR	5	4	4	9	22
WP KUALA LUMPUR	1	1	5	4	11
WP PUTRAJAYA	1	0	0	0	1
NEGERI SEMBILAN	5	0	2	1	8
MELAKA	5	0	1	0	6
JOHOR	25	0	1	0	26
WP LABUAN	1	0	0	0	1
SABAH	24	0	1	0	25
SARAWAK	30	0	1	0	31
TOTAL	140	23	28	31	222

Distribution of seats by constituency:¹⁴

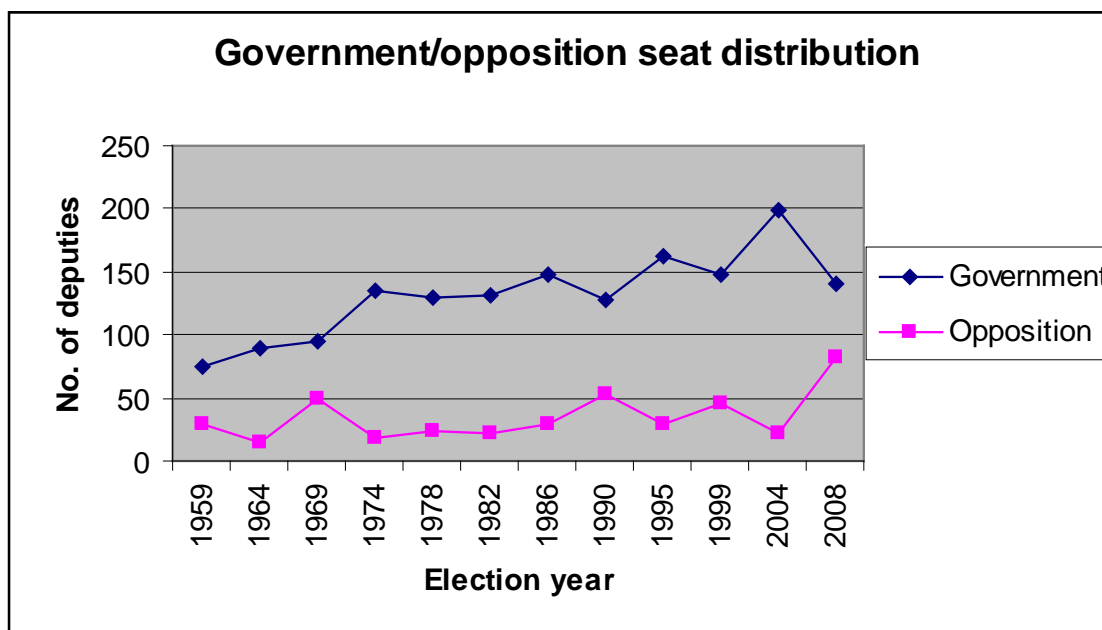


¹³ Idem






¹⁴

Map obtained from: http://upload.wikimedia.org/wikipedia/en/2/2b/Malaysian_general_election_2008.gif (consulted 12-09-08).

Graph mapping the distribution of seats in parliamentary elections between the government and the opposition: 1959-2008. Barisan Nasional is the National Front (BN)



State election results. Malaysia 2008. (In red, states where the opposition won). Elections were held in the states with asterisks.

	BN 	PAS 	DAP 	BEBAS 	PKR 	TOTAL
	CLN	CLN	CLN	CLN	CLN	
PERLIS*	14	1	0	0	0	15
KEDAH*	14	16	1	1	4	36
KELANTAN*	6	38	0	0	1	45
TERENGGANU*	24	8	0	0	0	32
PULAU PINANG*	11	1	19	0	9	40
PERAK*	28	6	18	0	7	59
PAHANG*	37	2	2	1	0	42
SELANGOR*	20	8	13	0	15	56
WP KUALA LUMPUR	0	0	0	0	0	0
WP PUTRAJAYA	0	0	0	0	0	0
NEGERI SEMBILAN*	21	1	10	0	4	36
MELAKA*	23	0	5	0	0	28
JOHOR*	50	2	4	0	0	56
WP LABUAN	0	0	0	0	0	0
SABAH*	59	0	1	0	0	60
SARAWAK	0	0	0	0	0	0
TOTAL	307	83	73	2	40	505

Evaluative analysis of the elections:

Participation:

Participation was high – 72.74% – which indicates significant interest in this election on the part of the Malaysian population. One important piece of data about participation is that it was almost even across the country with no important contrasts between the areas except in two states on the Malaysian peninsula, Kelantan (82%) and Terangganu (83%) and two states in eastern Malaysia, Sabah (67.1%) and Sarawak (65.2). On the other hand, there were differences between the different ethnic communities. The main change was the increase in participation in the Indian community in these elections, rising from 50% in earlier elections to 60% in 2008.¹⁵ This increase was due to the active political role this group had taken in the previous legislature.

Competition:

Four parties won representation, unlike the independent candidates that ran and were left empty-handed. The main changes that took place with respect to the 2004 election were the following. First, the National Front lost 58 seats, dropping from 198 to 140 and thus losing their 2/3 control of the parliament for the first time. This was due to the loss of 350,000 votes for three of its non-Malaysian components: MCA, MIC and Gerakan. Thus, the greatest change in this election was the product of a change in the orientation of the votes of Indian (50%) and Chinese (20%) communities from the BN to opposition parties. In the second place, the opposition experienced an important increase not only in votes, which rose from 36.1% to 47.8% but especially in the number of seats, which increased from 9.59% (21 seats) to 36.93% (82 seats). The intense distorting nature of the electoral system was, thus, partially corrected by the turn of these results.

Transparency:

These elections were not very transparent. The government used all the tools in its hands to try to boycott the movements of the opposition parties and ensure their citizens' votes. The electoral commission was not an independent body since it was acting on the government's orders and allowed its abuses to take place. One of the new elements in this campaign was the emergence of the Internet as a means of political communication that was used extensively by the opposition parties. This was due to the National Front's abusive use of public media as well as its influence over private means of communication.¹⁶ It is important to note that 77% of the mainstream media coverage of the elections focused on the National Front. Appearances by the opposition candidates were clearly censored here. The political debate, then, took place beyond the traditional fields of action, allowing the Internet to become a powerful weapon for the opposition.

¹⁵ See Graham K. Brown's article entitled "Federal and state elections in Malaysia, March 2008" at http://www.sciencedirect.com/science?_ob=ArticleURL&_udi=B6V9P-4SW8579-1&_user=641661&_rdoc=1&_fmt=&_orig=search&_sort=d&view=c&_version=1&_urlVersion=0&_userid=641661&md5=b488d54f0861a0b4d8241231ec5f29a2#tbl2 (consulted 06-10-08).

¹⁶ See the article, "Elections 08 daily policy factsheet #9": http://www.cpps.org.my/resource_centre/Elections.pdf (consulted 12-09-08).

Another important aspect was the difficulty that the opposition parties encountered when they wanted to hold their political meetings. On many occasions, they were not able to hold their meetings because they could not obtain the necessary permits to do so.¹⁷ Furthermore, according to Bersih, an organisation that fights for transparency in the electoral process, numerous irregularities occurred in the absentee vote (this was only permitted for military personnel, police and students abroad), vote recounts, the establishment of the electoral census, differences in access to the media, vote buying, the short campaign period (13 days), the BN's exceeding the limit on campaign expenses, etc., that make it impossible to qualify these elections as transparent. Even Bersih declared that the opposition might have won these elections if these mechanisms had not been used¹⁸, given the slight margins of victory in 83 of the electoral districts and that the final result could have produced a completely different outcome. Finally – and perhaps most importantly – four days before the elections were held, the electoral commission cancelled the requirement to use indelible ink to mark voters for a period of two weeks, thus enabling the electoral fraud that the BN has been accused of so many times.

Party representation and debate during the campaign:

The elections were representative of Malaysian society today. It is important to note that no party in the society was excluded by force. The fact that there are 14 parties within the National Front of which three represent the Chinese community (Malaysian Chinese Organisation), the Indian community (Malaysian Indian Congress) and both (Gerakan), is equally important. To these 14¹⁹ parties, three large opposition parties and two small parties that did not win any seats must be added. Thus, all of the ethnic communities were represented in the elections.

Furthermore, the debate in the campaign centred on three principal topics that had been the main focus in the legislature: economic decline, corruption and racial tensions. At the same time, the figure of Abdullah Badawi was intensely attacked by the opposition parties as the cause of the current situation in Malaysia. The debate was split between the criticism of Badawi and solutions for the tripartite crisis.

Without a doubt, the debate was not a profound one, due to the short length of the campaign and the governmental controls of the media. In any case, and as noted above, the Internet played a new and determinant role in spreading ideas, replacing the traditional media (press, radio and TV).

Openness:

The victory of the National Front in the general and regional elections in Malaysia was assured, although its size remained to be determined, as did the question of how the distribution of seats was going to be structured in the opposition and the loss of states at the regional level.

¹⁷ See the article published by the Human Rights Watch: "Malaysia: Citizens Denied a Fair Vote", available at <http://hrw.org/english/docs/2008/03/04/malays18204.htm> (consulted 12-09-09).

¹⁸ The complete report on the means used by the National Front to ensure the vote are presented at the Internet site: "Opposition parties may have won the General Election outright if it was truly clean and fair": <http://bersih.org/?p=1157> (consulted 12-09-08).

¹⁹ One party that forms part of the BN did not manage to gain a seat in parliament. Therefore, although 14 parties from the BN ran, only 13 won seats.

Significance:

The significance of these elections was relatively high. Although the change in terms of national power was small, since it entailed a loss of seats that does not impede the National Front from continuing to govern, the final arrival of Anwar Ibrahim in Parliament is important to bear in mind, since he could find a way to articulate a new majority along with members of the National Front and establish a new government. On a regional level, a deep change occurred that affects four states and that means the end of the National Front's hegemony of power on that level.

Consequences and impact on the political system:

Although the National Front will continue to govern in Malaysia, these elections could mark the beginning of the end of its political hegemony. This is due to two basic points. The first concerns the fact that the National Front lost its majority of 2/3 of the deputies. Secondly, the loss of important states, such as Selangor, which is the country's economic motor, and Penang, indicate the National Front's clear loss of influence and the advance of the opposition. The regional fall from power indicates the significant debilitation entailed in governing a country for more than 50 years. The victory of the Malaysian Islamist Party in Kelantan and Kedah is worth special attention. In Kelantan, the PAS has governed since 1990, becoming the first Islamist party to achieve power in a region through democratic means (the party first came to power in 1959). The Kedah victory is important and relevant as well, since Kedah was in the hands of the governing party by only a slight margin of votes.

The regional elections have opened the path to the first government experiments between the opposition parties. Until now, the National Front had governed on a national level and only the PAS had governed in two Malaysian states, Kelantan and Terengganu. With the advance of the opposition in these elections, the three opposition parties are going to have to show that they are capable of governing together and combine their different sensibilities, especially the Islamist PAS and the DAP, the party of the Chinese community. The political future of Malaysia will depend on their doing well in these states and will confirm if they can be a real alternative to the all-powerful National Front.

International political reactions:

The elections in Malaysia were not closely followed by the European and American media with the exception of the British, due to their special relationship with Malaysia. On a political level, both the United States and European Union governments congratulated the new government and issued an invitation to continue their good relations.

Conclusions:

These past elections in Malaysia marked the end of the hegemonic power of the National Front. The loss of four states and 58 deputies in the national parliament makes this manifest. The results show a growing discontent with the

party's administration and send a warning about possible consequences if the problems in Malaysia are not solved.

The Prime Minister, Abdullah Badawi, faces serious problems in his new term which caused him to lose an important number of votes. In the first place, the economic debate will be key in this new legislature. High prices for basic goods, something new in Malaysia's history, have created an important hostility towards the governing party. Secondly, the intense racial tensions²⁰ between the Malaysian majority and the Chinese and Indian minorities have revealed a very deep problem of how to fit these minorities into the social, political and economic panorama of Malaysia. The Malaysian model, which has so often been sold as an example of coexistence between different races and religions, is cracking apart. The racial tensions are not new; the history of Malaysia is full of them and they had been resolved in the past. But they have reappeared time and again, indicating that this is a problem with no resolution as of yet. In this matter, Badawi has an important task before him. Another vital aspect is that of religious freedom in Malaysia. The restrictions that exist concerning religious practices must be lifted if Malaysia is not destined to become a pressure cooker that will explode.

The Malaysian government's bad practices in these elections revealed that the democratic process in Malaysia has not been perfected. All the barriers that impede the correct operation of the electoral process must be eliminated. It is possible that a true consolidation of democracy in Malaysia will be completed only when the National Front is out of power. Its attempt to exclude Anwar Ibrahim resulted in absolute failure and the party now has to deal with a very serious political opponent.

Finally, Badawi is facing challenges to his control of his own party and consequently control of the government. The large loss of seats has initiated a debate within the BN about the advisability of replacing Badawi as its leader.

Reference to two other analyses of these elections on the Internet:

1) MALAYSIA: General Elections 2008. An Analysis, by C. S. Kuppuswamy from the Think Tank South Asia Analysis Group at:
<http://www.southasiaanalysis.org/%5Cpapers27%5Cpaper2627.html>

2) Malaysia's election. Political tsunami? At www.economist.com, at:
http://www.economist.com/displaystory.cfm?story_id=10833119&fsrc=rss

²⁰ Read Jayshree Bajoria's article "Ethnic Fault Lines in Malaysia" at http://www.cfr.org/publication/15678/ethnic_fault_lines_in_malaysia.html (consulted 12-09-08).