Electoral Reform Movement in Malaysia
: Emergence, Protest, and Reform

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[*Abstract*]

Protests are not new in Malaysia, though it is restricted by the ruling government. The trend of street protests and demonstrations since the emergence of Coalition for Clean and Fair Elections (Bersih), Malaysia's first people movement on electoral reform, has triggered a sentiment of people power among Malaysian citizens. With protests and popular mobilization becoming pronounced in Malaysian politics, political activism becomes for Malaysians a channel of discontent and expression of political preferences. Using information obtained from interviews with individuals linked to the movement, this paper articulates that protests are no longer exclusive to Malaysians. This paper illustrates the emergence of the Bersih movement and explores the three Bersih mass rallies that took place in 2007, 2011, and 2012. This paper further links the protests with the electoral reform initiatives. It argues that the Bersih movement has managed to lobby fundamental changes in the Malaysian political culture.

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Ⅰ. Introduction

Historically, political protests are not new in Malaysia. However, the emergence of the Bersih movement in 2005 and its mass rallies in 2007, 2011 and 2012 could be seen as a catalyst in reviving protest actions in Malaysia. Since then, social movements and protests have become a defining aspect of Malaysian politics, and to an extent instigating intense political reactions and consequences in several recent cases. The Bersih movement is arguably an influential symbol of electoral reform and is iconic as a pro-democracy movement. A number of factors contributed to the explosion of political dissatisfaction and discontent in Malaysia, ranging from various levels including blatant corruption, cronyism, unfairlegislation, institutional mismanagement, and public frustration with the ruling administration, among others.[1] Public discontent with unpopular government actions escalate the frequency of street demonstrations.

Also called as the "Yellow Wave" (Mustaffa 2008), mass actions and street demonstrations not only occurred in the city centre of Kuala Lumpur, but also in many other cities around the world. Organized by overseas Malaysians whom called themselves as the Global Bersih, these overseas Malaysians have taken the rallies to a global stage. With such developments, this has also brought a new dimension in our quest of looking at the pattern of social movements in Malaysia. These changes signify the crucial role of social movements as potential triggers to the growing number of popular mobilizations in Malaysia, as the Bersih movement presses on for change.

With the eruption of the *Reformasi* movement[2] in 1998 and the Bersih protests, Ufen (2012: 17-18) proposes that mass mobilization

1) A. F. Musa, interview, April 2, 2013.

2) The *Reformasi* movement was ignited by the dismissal of former Deputy Prime Minister Datuk Seri Anwar Ibrahim.

has the potential of being a catalyst of the democratization process in the country. This paper considers the *Reformasi* movement as the turning point of a new era of Malaysian politics in term of street protests, despite the fact that the *Reformasi* movement has not produced results—or rather for some scholars—has failed to create changes in the social and political structures (Nair 2007) of the country. Since the emergence of the movement, the elements of "pro-reform" emerged. *Reformasi* pushed the boundaries[3] and brought a significant change to the Malaysian political landscape.

Apart from using the approach of face-to-face and email interviews with key players in the Bersih movement, this paper utilizes data from social media, press statements, and newspaper reports. This paper argues that the various protests that eventually commenced with the Bersih movement since its first major rally in 2007 resulted in such fundamental changes in the Malaysian political culture to some extent.

Ⅱ. Overview on the Coalition for Clean and Fair Election (Bersih)

There are several versions narrating the emergence and formation of Bersih movement from the data collected. Most of the formal records show that it emerged as a coalition consisting of five political parties and 26 civil society groups campaigning for electoral reforms. The five political parties were Democratic Action Party (DAP), Parti Keadilan Rakyat (PKR), Pan Malaysian Islamic Party (PAS), *Parti Sosialis Malaysia* (PSM), and Sarawak National Party (SNAP). The parties decided collaborate after their respective losses in the 2004 general election.

The Bersih movement may be further understood in two levels. The movement was originally introduced by the opposition, which the civil society subsequently supported. This shows how much political clouts and influences shape the Bersih movement in its formation. The movement was initially known as Joint

3) Yap S. S., interview, April 2, 2013.

Action Committee for Electoral Reform (JACER).[4] Since its first rally, the springboard for popular discontent that lead to the ruling coalition's poor performance in the 2008 general elections, Bersih has become a household name in grassroots advocacies for electoral and political reforms in Malaysia. The rally was in fact the last resort.[5]

With all these developments, civil society matured with the formation of new groups and growing public awareness. Several figures associated with Bersih 1.0 like Sivarasa Rasiah, Liew Chin Tong, Elizabeth Wong and Chua Tian Chang won the 2008 general elections, their successes popularly termed in the media as a "political tsunami" (*Sunday Star,* March 9, 2008; *The Economist,* March 10, 2008). In some ways, the key players had to rethink about the Bersih 1.0 advocacies. There was a consensus however that electoral reform must be upheld[6]. The opposition political parties forged a "compromise pact" between participating NGOs, paving the way for formation of Bersih 2.0 in 2010. The new collaborative approach was envisioned to be non-partisan.

Similar as Bersih 1.0, Bersih 2.0 also aimed to create an environment of fairness in the elections. Under the "new" umbrella, the women's group Empower has taken over the secretariat for Bersih 2.0.[7] From the initial four, Bersih 2.0 expanded its demands to eight: to clean the electoral roll, to reform postal ballot, to use indelible ink, to limit campaign period to a minimum of 21 days, to freely and failrly access media, to strengthen public institutions, to end all forms of corruption, and to stop dirty politics.

4) F. Mustaffa, interview, April 3, 2013; M. Chang, interview, April 8, 2013.

5) F. Mustaffa, interview, April 3, 2013; D. Ahmad, interview, June 25, 2013; Liew C. T., interview, August 5, 2013.

6) A. Khoo, interview, March 19, 2013; M. C. Abdullah, interview, March 26, 2013; F. Mustaffa, interview, April 3, 2013; M. Chang, interview, April 8, 2013; D. Ahmad, interview, June 25, 2013; Liew C. T., interview, August 5, 2013.

7) M. Singh, interview, August 1, 2013.

Ⅲ. Factors of Emergence

Many observers are convinced that the episode of Bersih protests is the second wave of movements that clamored for political change but failed to capitalize on the original democratic breakthroughs of 1998 of the *Reformasi* period. Interviewee Liew Chin Tong[8] described the formation of Bersih as a long "painful" process. Historically, the Bersih movement has been demanding not only for electoral reform, but also for better governance, inclusivity, and more accountability. Today, it has perpetrated itself in social media, widening the participation of civil society and imbibing people empowerment considering its multi-ethnic composition.

Tilly and Tarrow (2007) define social movement as,

> "*A sustained campaign of claim making, using repeated performances that advertise the claim, based on organizations, networks, traditions, and solidarities that sustain these activities.*"

This definition accentuated the importance of persistent public displays. These actions are crucial since in repeated public displays, the movement is able to show unity and numbers, as well as the commitment of the populace to further the cause. Repeated actions such as this led to the "Yellow Wave", sporting the organizational color of the Bersih. Movements like Bersih do not emerge from a vacuum[9]; instead they build on elements of previous initiatives and carry on with the cause.

According to political process theory, in order for a social movement to come into its own, the system must be first vulnerable, or at least appear to be vulnerable. This vulnerability in the system could trigger opposition and can be traced to a variety of reasons. One of the primary factors mentioned by political process theory is the surrounding area and political governance that create the political gap which allows the people to emerge

8) interview, August 5, 2013.
9) Liew C. T., interview, August 5, 2013.

as a force (Meyer 2004). Using political process theory, the study of the Bersih movement must take into account the the political climate of the country. This section attempts to show that there is a discernible political context that opens the gate for movements like Bersih.

There are arguably many factors triggering the emergence of Bersih 1.0. When Anwar Ibrahim was released from prison in 2004, he still held significant influence. Grievances against the administration quickly mounted, ranging from Islamisation to the rampant of corruption cases (Asia Report 2012: 7). It was within this context that civil society and opposition politicians began organizing Bersih 1.0, with the goal of changing the game in the 12th General Election.[10] This section lists four main factors of emergence of Bersih 1.0, namely: the irregularities of electoral process, Tun Abdullah Ahmad Badawi's premiership, public discontent, and alternative media.

3.1. Irregularities in Electoral Process

Bersih was basically formed to air concerns regarding the irregularities in the electoral process in Malaysia. Elections in Malaysia are historically contested since ruling regimes utilized their machineries to their advantage (Lee 2008: 197). Unfair electoral practices were most evident since the 1999 general elections.[11] The 1999 general elections is a turning point that led to movements clamoring for clean elections.

Frustration over irregularities during the 2004 general elections and the opposition debacle, among others, led to the establishment of JACER in July 2005.[12] After then Prime Minister Tun Abdullah Ahmad Badawi, successor to Tun Dr. Mahathir Mohamad, won a landslide victory in the general election of 2004, the country's opposition parties were discouraged. The result of 2004 general election triggered a substantial policy response.

10) D. Ahmad, interview, June 25, 2013.

11) Malaysia's 10th General Election was held on 29 November 1999. The ruling coalition BN won 148 of the 193 parliamentary seats.

12) D. Ahmad, interview, June 25, 2013; Liew C. T., interview, August 5, 2013.

Finally, DAP, PAS, and PKR set aside their differences to work out strategies for a united front advocating electoral reform in July 2005.[13] Bersih was consequently born. Interestingly, this accord was reached in the midst of the great victory of the BN. The opposition parties have managed to take the opportunity to help escalate discontent on the ground, reminiscent of the *Reformasi* period. Electoral reforms then became naturally embedded in social activism (Ooi 2012: 5).

The Selangor fiasco during the 2004 general election[14] is one of the key triggers for electoral reform initiatives. This incident of misplaced electoral lists resulted in confusion and widespread disenfranchisement. Before the closing of the voting time, the Election Commision (EC) under Selangor Head Datuk Wira Wan Ahmad Wan Omar, decided to extend voting hours.

The political atmosphere of 2007 was particularly intense because of the frequency of by-elections. Shortly after the founding of Bersih in November 23, 2006, the state seat of Batu Talam, Pahang was declared vacant and a by-election consequently set for January 28, 2007. Opposition parties however aired their discontent and boycotted the by-election. Subsequently, a second by-election for the Machap state seat was called on April 3, 2007. Similarly, the by-election was tainted with electoral irregularities, with the *Barisan Nasional* (BN) winning it. In the same month, another by-election in the Ijok state seat in Selangor was held on April 28, 2007. This time around, PKR nominated Tan Sri Khalid Ibrahim, deemed a strong candidate to MIC's K. Parthiban, his former teacher.[15] The by-election was again hotly contested and a clash between the supporters of the political parties took place. K. Parthiban however won the by-election with a small margin. Allegations of phantom voters and vote buying were hurled against BN (Lee 2008: 197-198). These issues compelled people to support clamors that led to the organization of Bersih 1.0.

13) D. Ahmad, interview, June 25, 2013; Liew C. T., interview, August 5, 2013.
14) interview, August 5, 2013.
15) He is the former Chief Minister of the state of Selangor.

3.2. Tun Abdullah Ahmad Badawi's Premiership

Tun Abdullah Ahmad Badawi replaced Tun Dr. Mahathir Mohamad as the Prime Minister on October 31, 2003, after 22 years in power. This was a momentous time in the Malaysia history. Filling in very big shoes, Abdullah faced a lot of challenges in maintaining balance and steadiness. Increasing demands for change from the middle-class shaped his leadership. During the 2004 general election, Abdullah led the BN in an extraordinary electoral victory, and the ruling coalition secured more than 90% of parliament seats, severely undermining the opposition and closing a long chapter in Malaysian political discourse on reformation agenda. At that time, Abdullah has clearly won an overwhelming mandate from the Malaysian voters with his soaring popularity because of his clean image and promising slogan; "Work with me, not for me." Abdullah's most important contribution to Malaysian politics was his own brand of Islam acceptable to all Malaysians. He introduced the concept of *Islam Hadhari*, or Civilizational Islam, disassociating himself from the type of Islam promoted by his predecessor. The concept of *Islam Hadhari* was also included in the BN manifesto for the 2004 general election. In his election campaigns, Abdullah stressed that while his *Islam Hadhari* was progressive and inclusive, the Islamic interpretation of PAS was reactionary and exclusive.

For Abdullah, *Islam Hadhari* was suitable and relevant in the context of Malaysia's multi-ethnic and multi-religious society. Scholars such as Associate Professor Dr. Thomas Pepinsky agreed that Abdullah's relatively moderate leadership and apparent unwillingness to press the BN's advantage might have resulted in some degrees of complacency.[16] The changing of leaders and players was a factor to consider in the emergence of the Bersi h.[17] Opposition leaders considered Pak Lah—Abdullah's popular monicker—as a more open-minded leader who allows friendly and genuine reforms. With his clean image, Pak Lah was once described as the "Gorbachev" of Malaysia, open to hearing the

16) interview, March 26, 2013.

17) D. Ahmad, interview, June 25, 2013.

discontents of people.[18)]

In many occasions, Mahathir criticized Abdullah, the successor he himself had handpicked, accusing him of damaging the country. The political tussle between Mahathir and Abdullah climaxed in 2007, and the following year, Mahathir resigned from UMNO to lead an "anti-Pak Lah campaign" across Malaysia[19)]. According to a survey by the Merdeka Centre in December 2007 in Peninsula Malaysia, Abdullah's approval rating dropped significantly from 71% to 61%, after both the Bersih and Hindu Rights Action Force (Hindraf) demonstrations.

3.3. Public Grievances

During his administration, Abdullah pledged to deal with several pressing issues like the increasing crime rates, police and judiciary refom, and corruption. The political space opened up with general atmosphere of liberalism. The Malaysian public was generally hopeful and confident with Abdullah's determination to eliminate corruption, going as far as filing two high-profile corruption cases involving the late Tan Sri Eric Chia Eng Hock and former Minister of Land and Cooperative Development Tan Sri Kasitah Gaddam. Also, a Royal Police Commission (RPC) on police reform was also established, while at the Supreme Court, Anwar Ibrahim's conviction was overturned (Lee 2008: 187).

However, reforms started to slow down and public confidence tapered off as promises regarding peace and order, corruption, police and judicial reform, and to budget deficit reduction were not kept (Lee 2008: 187). 2007 was marred with scandals, foremost of which was that involving Mongolian Altantuya Shaariibuu. On September 19, 2007, Anwar Ibrahim released a controversial short video clip that showing lawyer V. K. Lingam in an alleged phone conversation over judicial appointment and promotion fixing. Despite of the gravity of the issue, Abdullah only formed a committee to determine the authenticity of the video, much to

18) D. Ahmad, interview, June 25, 2013; H. Rais, interview, July 30, 2013.
19) R. P. Kamarudin, interview, September 16, 2013.

the dismay of the public. Abdullah's approach to reform infuriated citizens (James & Wong 2009: 78) which led to two huge public street protests by Bersih and Hindraf.

3.4. Alternative Media

Media is key in discoursing social movements, particularly in understanding common protest mobilization patterns. In the context of Malaysia, the role of alternative media is crucial because government controls many traditional media such as TV stations and print media. Alternative media, especially the Internet, is the main channel for the opposition and civil society where perspectives, commentary and criticism are aired.

Technology is an important tool for the Bersih's mobilization.[20] Several parliamentarians like Lim Kit Siang and Anwar Ibrahim run blogs, Facebook pages and Twitter accounts to reach the public (Lee 2008: 195-196). Alternative media provides social movements wider reach as they advocate on certain issues such as electoral reform.

Ⅳ. The Electoral Protests

Although Malaysia's mixed model of authoritarianism and democracy Malaysia (Ufen 2008; Weiss 2005; Case 1993) provides a challenging environment for the development of social movements, the presence of values supportive of democracy in the country is an important preconditions for democratization. The conditions of the aggrieved population allow social movements to exploit opportunities available to them. The increasing frequency of protests and rallies reflect Malaysia's gradual transition to democratic maturity. Although the ruling BN faced systematic challenges, it was able to repress protestors and for a moment, witholding political changes. Though constant demonstrations were covered extensively, its long-term impact remains uncertain.

20) H. Rais, interview, July 30, 2013.

Malaysia is a significant testing ground for studies on protests in light with the on-going process of democratization. Protests are generally considered as "illegal" in Malaysia. Article 10(1)(b) of the Federal Constitution stipulates that "all citizens have the right to assemble peacefully and without arms"; however the right to assemble is not absolute in the country. Meanwhile, the Peaceful Assembly Act 2012 (PAA) defines street protest as

> "*(a)n open air assembly which begins with a meeting at a specified place and consists of walking in a mass march or rally for the purpose of objecting to or advancing a particular cause or causes.*"[21)]

As pointed out by Derichs (2002), the ethnically heterogeneous composition of Malaysians signifies political change. She highlighted the power struggles of old and new political parties and movements as a direct reflection of the emerging sphere of civil society and social movements in Malaysia. McAdam, McCarthy, and Zald (1988: 69) posit that political movements mobilize citizens to alter either the power relations or make social change. In the case of the Bersih movement, fraudulent elections served as catalyst for electoral protests.

When the idea of Bersih was first floated, the aim was to advocate for electoral reform through education and public awareness.[22)] The strategy of street demonstration however came later after the Bersih 1.0 Steering Committee exhausted all means in engaging with the EC[23)]. For Bersih 1.0 Steering Committee, EC was a difficult challenge. The decision to organize street protests was not easy within the Committee itself. Despite the fact that many were not supportive, all members of the Committee finally supported the decision, in view of the situation and public pressure.[24)] The case of the Bersih protests perfectly illustrate the

21) Four months after the Bersih 2.0 rally in 2011, the PAA was drafted. Strongly criticized by the opposition and civil society, the PAA regulates the public protests in Malaysia. Under the PAA, street protest is banned. It was discussed in the Parliament on 22 November 2011, passed in the Lower House on 29 November, and approved by the Senate on 20 December.

22) D. Ahmad, interview, June 25, 2013.

23) D. Ahmad, interview, June 25, 2013; Liew C. T., interview, August 5, 2013.

research findings of McAdam, Tarrow and Tilly (2001: 72).

4.1. First Bersih Rally: 10 November 2007

Rumors went on about regarding the exact date of the 12th General Election. The Bersih 1.0 Committee held numerous meetings with the EC, but with no concrete outcomes. This finally led to the mobilization of a mass rally in time for the upcoming election.[25)]

Hence, Bersih 1.0 applied for a police permit to demonstrate on 10 November 2007 in Kuala Lumpur, and putting out a memorandum calling for electoral reform in the *Yang di-Pertuan Agong.*[26)] The application was denied but Bersih 1.0 was determined to go ahead with the demonstration. To drum up mobilization, a 10-day campaign dubbed "Yellow Wave" was launched at the Annex of Central Market on 1 November 2007. Yellow was chosen to signify democracy. Guided by its battlecry, "Save Malaysia: Restore Our Rights", Bersih 1.0 criticized the ruling regime BN as the main "culprit" for electoral problems (Lee 2008).

Despite the warnings issued by the police, Bersih 1.0 went on with the protests with the support of various groups. Before 2007, the government dismissed the planned demonstrations and deemed them "illegal". Government and police issued warnings prohibiting the public from participating in the demonstration. Roadblocks were put up on all major highways and roads leading to downtown Kuala Lumpur. Buses from other states were asked to turn back, with some "escorted" to police stations where passengers filed statements. Yellow t-shirts, banners, and Bersih paraphernalia were confiscated by police, Bersih's website was also hacked several times prior to and during the demonstration. Bersih 1.0 organizers identified four meeting points—Masjid Jamek, National Mosque, Sogo Shopping Centre, and Central Market,

24) Liew C. T., interview, August 5, 2013.

25) Liew C. T., interview, August 5, 2013; D. Ahmad, interview, June 25, 2013; M. Sabu, interview, May 26, 2013.

26) It refers to the head of state of Malaysia.

with the Merdeka Square as the gathering point.[27] Merdeka Square was sealed off the night before, with hundreds of police officers stationed around the field (Mustaffa 2008).

On the day of the protest, trains did not stop at stations near the Merdeka Square. Participants were dispersed by way of teargas and water cannons in Jalan Tun Perak, near the Masjid Jamek station. Since Merdeka Square was cordoned off early on, Bersih leaders stationed at the four meeting points collectively decided to march to the National Palace. In spite of the downpour, crowd estimates were pegged around 30,000. The protesters reached the palace, coordinated by the hundreds of *Unit Amal* marshalls. Bersih's memorandum was delivered to palace officials (Mustaffa 2008).

To demonstrate solidarity with the Bersih 1.0 campaign for electoral reform, Malaysians overseas and pressure groups from around the world submitted protest notes to Malaysian high commissions and consulates in Seoul, Bangkok, Jakarta, London, and Ulaanbaatar. Foreign and local media also covered the demonstrations.

The organizers of the Bersih People's Gathering were subjected to various forms of police intimidation in the days following the rally. On 15 November 2007, Steering Committee members Sivarasa Rasiah, Dr. Syed Azman Syed Nawawi, and Ronnie Liu were summoned to the Commercial Crimes Unit for their statements. Police reasoned that the Bersih was an "illegal" organization and not registered with the Registrar of Societies (ROS). Mohammad Sabu was also arrested and charged in court. Official records show a total of 245 arrests. Popular opinion considers Bersih 1.0 as causing the loss of two-thirds majority of BN in the 2008 general election. Weiss (2009) attributed the role of civil society players as a major contributor in floating political alternatives and showing the capacity of mobilization. After the results were canvassed, then Prime Minister Tun Abdullah Badawi expressed his great sorrow, "We've lost, we've lost" (*The Economist*, March 10, 2008).

27) M. Sabu, interview, May 26, 2013; Mustaffa 2008.

4.2. Second Bersih Rally: 9 July 2011

Opposition political parties were credited for initiating demands for electoral reform and the conduct of the mass public protest by the Bersih 1.0. However, little credit has been given to civil society. In the wake of the November 2007 demonstrations, party politics pattern of Malaysia somehow shifted. PR after the "political tsunami" to some extent managed to capture the public imagination. This time around, three opposition parties united and won 82 seats in the Parliament, a result that surprised the nation. Although BN won the 2008 general elections, it had a much-reduced majority. It was a big blow compared to the major victory during the 2004 general election. Many people started to raise doubts with the continuing viability of a BN coalition rule in light with the socio-political direction of the country after the 2008 general election. No one predicted that BN would suffer the worst loss since its establishment in 1974. In his analysis, Moten (2009) marked 2008 as a time when the opposition front augured well in campaigning for democracy in Malaysia

On 9 July 2011, the Bersih held its second rally to pressure the ruling regime to carry out electoral and political reforms before the next general election. In this rally, Bersih 2.0 was led by former Bersih 2.0 Chair Dato' Ambiga Sreenevasan. Several interviewees[28] noted the essential difference of Bersih 2.0 in the second rally which attracted a larger crowd since it was perceived as not politically motivated. Also notable is the diversity of races and religions participating in the protests.[29]

The run-up to Bersih 2.0 was tense. The police issued a long list of restrictions, like the wearing of yellow t-shirts. People were barred from entering certain places, and because of this, some 91 individuals[30] were barred from entering Kuala Lumpur. The unexpected huge turnout and stories from Bersih 2.0

28) M. C. Abdullah, interview, March 26, 2013; A. Khoo, interview, March 19, 2013.
29) M. Hamzah, interview, June 13, 2013.
30) The police acquired a restriction order under Section 98 of the Criminal Procedure Code to bar 91 individuals from entering Kuala Lumpur on 9 July 2011.

inspired many. Many saw how Malaysians struggled to march peacefully for clean and fair elections, only to be tear-gassed. The episode of Bersih 2.0 rally showcased the cooperation among the demonstrators.

4.3. Third Bersih Rally: 28 April 2012

Less than a year after, Bersih 2.0 decided to organize a third rally. This decision was made after the Parliamentary Selection Committee on Electoral Reform (PSC) failed to address fundamental electoral issues in their 22-point electoral reforms report. Due to the high restrictions imposed by the police—including a court ban on people entering Merdeka Square—the rally turned ugly. There was a sense of euphoria among the protestors and the sentiment to topple the government seemed compelling. Protestors felt that reform was not only possible, but also practically inevitable. Their spirits were high. According to several reports (Fisher, May 15, 2012), Bersih's third rally was said to be the largest in the history of Malaysia.

Ⅴ. Electoral Reforms

Some observers conclude that the Malaysian election system is free but not fair. Rasah Member of Parliament Anthony Loke, a member of the PSC, commented on such conditions:

> "*[The elections are] free because anyone can contest, and there are procedures to follow. But the [electoral] system is not fair, and the unfairness not only happens during the polling day but is entrenched in the [electoral] system all this while.*"

Elections do not inevitably contribute to regime stability. Indeed, as many scholars have noted, elections can become moments of real contestation, with the regime's survival at stake, and when the incumbent's inability to stand for re-election is inevitable (Baturo 2007). Malaysia has not witnessed the emergence

of color revolutions around electoral moments, but in the past decade, two main factors came together that resulted in the deterioration of elections. Firstly, the passage of time led to increased frustration, as promises of democratization became stale, leaving Malaysia behind regionally and globally. Secondly, the secularist-Islamist divide narrowed through cooperation from both inside and outside the electoral sphere. Across Malaysia, the heightened discontent and limitations in the electorate undermined regime stability.

During the initial stage of JACER, before evolved into Bersih in June 2006, the EC and Bersih have had continuous engagements, mainly through meetings and dialogues.[31] The engagement continued due to the fact that the EC considered the opposition political parties as clients[32], direct stakeholders and "critical" players.[33] The meetings however did not go very well, since there was little confidence on the capacity of the EC to introduce any substantial reforms.[34]

However, Serdang Member of Parliament Dr. Ong Kian Ming[35] expressed a slightly different opinion when he held two separate meetings under his own project, the Malaysian Electoral Roll Analysis Project (Merap) with the EC. The interviewee commented that half of the issues brought up with the EC were satisfactory addressed; the other half went unresolved. For the interviewee, the EC improved in some areas but left others without much attention. There are two reasons for this. First is the lack of manpower. He deemed the EC more knowledgeable of the problem than anyone else. Second is the long-standing presence of the problems, a result of the shortcomings and political manipulations perpetrated by past administrations. These placed EC in an awkward situation.

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31) F. Mustaffa, interview, April 3, 2013; M. Chang, interview, April 8, 2013; D. Ahmad, interview, June 25, 2013; Liew C. T., interview, August 5, 2013.

32) Liew C. T., interview, August 5, 2013.

33) D. Ahmad, interview, June 25, 2013

34) F. Mustaffa, interview, April 3, 2013; M. Chang, interview, April 8, 2013; D. Ahmad, interview, June 25, 2013; Liew C. T., interview, August 5, 2013.

35) interview, March 26, 2013.

Meanwhile, the dynamics changed by 2010 when Bersih became a fully non-partisan movement. The Bersih 2.0 and the EC have not been in good terms since then.[36] Eventually, there was zero-engagement,[37] as trust dissipated between the two.[38] For instance, the EC did not allow Bersih to be part of the *Pemerhati* initiative for the 13th General Elections. EC Deputy Chairman Datuk Wan Ahmad accused Bersih 2.0 co-chair Ambiga of "poisoning the (minds of the) people with things that are not true", labeling their efforts as only perpetrating a "mistrust doctrine". Reports also chronicled Wan Ahmad's accusations regarding Ambiga's sowing seeds of confusion by urging overseas Malaysians to return home to cast their vote in the 2013 election, instead of using the postal voting option (*The Malaysian Insider*, February 14, 2013).

Several changes were however made by the EC since the eruption of Bersih protests. Among the changes were the use of transparent ballot boxes; the availability of full electoral rolls for checking and verification purposes; the exclusion of serial numbers on ballot papers; the employment of polling agents during the casting of postal ballots; and the continuation of the system of counting ballots at the polling centers (Moten 2009: 23). Also in the same year, the use of indelible ink was approved. On August 9, 2007, the Fatwa Council directed the EC to implement the use of indelible ink in the 12th General Elections (Mustaffa 2008: 17). The decision was however withdrawn, and the use of indelible ink was only done during the 13th General Elections in 2013.

In Malaysia, there is a lack of discourse around its electoral system. A serious review is needed and long overdue. Moreso, what caught the attention of international media also was not really the rallies, but the government's indiscriminate use force by way of teargas, as well as the arrest of nearly 2, 000 people before and during the rally of July 9, 2011 (Welsh 2011). Street protests by Bersih however have managed to generate public

36) M. C. Abdullah, interview, March 26, 2013; A. F. Musa, interview, April 2, 2013; A. S. Said, interview, June 18, 2013.

37) M. Singh, interview, August 1, 2013.

38) M. C. Abdullah, interview, March 26, 2013.

awareness that finally pressured the government to respond. One of the direct responses was the formation on July 2011 of the Parliamentary Select Committee on Electoral Reform (PSC), a bipartisan panel that consults civil society and the general public about the Malaysian electoral system in aid of Parliamentary reform legislations.[39]

Responding to the demands of Bersih's second rally, the nine- member PSC—consisting of five member from BN, three from the PR, and one independent Member of Parliament—started work on the report on October 2, 2011. Recommendations and suggestions were obtained from public hearings, as well as committee member feedback, sub-committee reports, and observations from on-site visits. There were a total of six public hearings in six different cities, including Sabah and Sarawak. Government departments were called to testify, as well as officials like the Attorney General and the EC Chairman. The EC also appointed its own permanent representative in all public hearings.[40]

The interim report containing 10 recommendations was tabled in the Parliament in December 2011.[41] The PSC Chairman Datuk Seri Dr. Maximus Ongkili later on presented the final report of 22 recommendations to Parliament on April 3, 2012 (*The Star*, April 3, 2012). However, the opposition coalition did not agree to several recommendations. Nevertheless, Parliament passed the report by way of simple majority. BN and PR differed in their respectuve electoral reform approaches; BN wanted to improve the system, but PR clamored reform. It is this fundamental difference that distinguished the two major coalitions in Malaysia. The Parliament committee may also be faulted for its lack of mechanism to follow-up with the recommendations. The terms of reference for the PSC was only for six months, from October 2011 to April 2012, and its dissolution ended the reform process.[42]

39) M. C. Abdullah, interview, March 26, 2013; A. Loke, interview, June 3, 2013.
40) A. Loke, interview, June 3, 2013.
41) A. Loke, interview, June 3, 2013.
42) A. Loke, interview, June 3, 2013.

Ⅵ. Conclusion

This paper highlights four key factors of Bersih emergence, while at the same time also exploring the evolution of the first electoral reform movement in the country from being an initiative by political parties to a non-partisan advocacy. The Bersih 1.0 rally in 2007 was a defining moment in Malaysia's electoral journey, reinvigorating the *Reformasi* in 1998. Today, 89 NGOs are part of Bersih 2.0 coalition. The role of Bersih also has expanded beyond voter education and electoral reform. It continued to fight against irregularities in the electoral process and campain for clean elections.

The three major protests in 2007, 2011, and 2012 attracted thousands of people. The crowd was diverse. The unnecessary dispersal of protesters backfired to authorities. The movement showcases the insecurities of BN, which adopted an over-the-top response to the rally from the start, outlawing the Bersih movement and even arresting those who had worn yellow, the color of the movement. State vacillation and inconsistency hounded the handling of protests. Such intimidation intensified the overwhelming unity of the opposition and protestors. As such, the Bersih became much more than just a call for changes in elections; it has become the symbol for change.[43] The electoral protests in Malaysia not only attracted international attention, but has also gifted Malaysians with confidence and hope in their ability to change the current administration.

Looking at it long term, the Bersih has to fine-tune the eight demands that appeared to be broad, sounding more like principles. As highlighted, several revolved around on pro-democracy values. Some were aspirations and not demands, only that they are all about electoral reform. Hence, strategic campaigning is needed to deal with the pressing key issues. There have also been questions on the Bersih's direction especially after the 13th General Elections. Hence, despite the suggestion to transform Bersih into a political party or an organization, its best form

43) M. C. Abdullah, interview, March 26, 2013.

remains to be its being a movement.

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