1 Malaysian NGOs

History, legal framework and characteristics

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Introduction

Though it is only relatively recently that the terminology of non-governmental organisations (NGOs) has been adopted in Malaysia and that issue-based advocacy groups have gained prominence, various sorts of civil society organisations have long played a role in the country. Contemporary Malaysian NGOs have their roots in a range of organisations, including Chinese secret societies, Indian nationalist associations and Malay-Muslim progress organisations. Moreover, the laws governing NGO activities date back to the colonial era, though they have been refined since then. The longevity of these strictures is testament to the ongoing tensions between state and civil society in Malaysia and the desire of both the colonial and independent state to control societal organisations. Today's advocacy-oriented NGOs are heterogeneous in structure, membership and ideology. Still developing as a political and social force, many of these NGOs remain constrained not only by the restrictive political environment, but also by personalistic structures, a shortage of funds, difficulties in rousing an often disengaged mass public, and ethnic and religious divisions. Regardless, Malaysian NGOs have made important contributions to fostering a democratically inclined and socially aware citizenry, bringing key issues to public prominence and nurturing a significant core group within civil society able to rally mass opinion at crucial junctures in support of political, social and economic reforms.

Little has been written about NGOs and civil society in Malaysia, even amidst the burgeoning interest in these topics in neighbouring countries. The government does not encourage such research by either local or foreign scholars and NGOs themselves have limited resources for critical analysis of their own or other groups' efforts. Most of the studies that have been done are either relatively superficial overviews of

particular movements, funding agencies' evaluations of the groups they sponsor, or a handful of more empirical than analytical works on specific sectors such as environmental activism. A few more critical works are available, though each still covering only certain sectors. These include Khong Kim Hoong (1988–9) on the reasons for the development of Malaysian public interest groups, their characteristics, and their relationship with the government; Sheila Nair (1995 and 1999) on the nature of hegemony and resistance through new social movements, particularly the environmental, human rights and Islamic movements; Saliha Hassan (1998) on relations between the state and political NGOs; and Tan Boon Lean and Bishan Singh (1994), which presents an analytical framework, an overview of state–NGO relations, and case studies of recent rape law reform and anti-logging campaigns.

More country-specific studies would be helpful both as practical evaluations of what NGOs have accomplished and how they could be more effective as well as for theory building and comparative research. Context is particularly significant since much of the existing literature on NGOs, civil society and related topics just does not really apply to Malaysia. The restrictive legal environment and semi-authoritarian regime make studies of new social movements (NSMs) and NGOs premised on a liberal democratic setting not all that relevant. Also, the Malaysian state has itself taken the lead in rural development, provision of social services and the like, rather than leaving a vacuum for developmental (and politically engaged) NGOs to fill, so much of the literature on the roles of NGOs as partners in development is also not really applicable.[1]

The analysis here will focus only upon advocacy-oriented or political NGOs. While both advocacy-oriented groups and voluntary welfare organisations are often lumped under the rubric of 'NGO', the former are more politically relevant and contentious in contemporary Malaysia. Saliha Hassan (1998: 17–18) offers a useful definition: 'political NGOs are those that engage in public debates and dissemination of information relating to civil liberties, democratic rights, good governance, accountability of the government to the people, people oriented leadership – all of which relate to the central issue of democratic participation'. These NGOs centre around the question of good governance and present themselves as 'the conscience of the state' and as channels for the democratic participation of citizens in the polity, but are 'eager to distance themselves from the ethnic pre-occupation of the Malaysian political parties'.

Historical antecedents

While advocacy-oriented NGOs are a relatively new phenomenon, having developed in Malaysia only in the past two decades, these groups build on a long tradition of societal organisations. The primary historical antecedents to contemporary Malaysian NGOs are Chinese associations, especially secret societies; reformist Indian associations; and Malay nationalist and/or Islamic organisations prior to independence. While lacking the same issue basis of advocacy NGOs, these early organisations are significant for having prompted the development of the legal codes that still govern and constrain NGOs, for presaging the composition of NGOs generally along ethnic lines, and for moving beyond welfare and cultural functions to more critical political perspectives and activities.

Chinese organisations

A wide range of Chinese organisations developed in colonial Malaya, including:

- secret or Triad societies;
- clan organisations – mutual benefit societies representing a particular county, clan or dialect group;
- commercial and industrial organisations – associations for dispute mediation and the community's economic development, including chambers of commerce, commercial societies, unions and professional organisations;
- cultural organisations – book and newspaper reading societies, associations for the development of arts and language, university and school alumni associations and entertainment organisations;
- anti-Japanese organisations; and
- hundreds of privately established, privately funded Chinese schools (see Hicks 1996: 76–90).

Leadership within the Malayan Chinese community was drawn mostly from successful merchant-entrepreneurs involved with the mining, plantation agriculture, small-scale manufacturing, and retail and distribution sectors. Eventually in the pre-war years, clan and regional associations grew and consolidated into larger groupings. Starting around the turn of the century, these associations were gradually politicised, particularly in response to nationalist and revolutionary political upheavals in China prior to the establishment of the People's Republic

of China in 1949, with both the Kuomintang and the Communists rallying support in Malaysia (Tan 1983: 115–53; Heng 1996: 34). Indeed, though 'essentially social and community welfare agencies' (Tan 1983: 113), many Chinese societies, especially secret societies, 'bordered on the political even if this political aspect was vague and not so explicitly and systematically laid out' (Lee 1985: 131).[2]

It was the secret societies that were seen as most violent and dangerous, inciting the colonial government more closely to regulate associational life. Chinese secret societies existed both in China (especially the political Triad Brotherhood, active since the seventeenth century) and among Chinese communities elsewhere. Brought overseas by early Chinese immigrants, hundreds of secret societies persist to this day in Singapore and Malaysia, despite successive governments' surveillance and suppression. A local Chinese secret society is 'a group composed of and operated by people of Chinese origin in the Straits Settlements and/or Singapore and Peninsular Malaysia, and which has a set of well-defined norms, secret rituals, and an oath that are intended subjectively to bind the members not to reveal the group's affairs' (Mak 1981: 8). The groups may have included members of only one or several dialect groups, and some even included non-ethnic Chinese members. Some societies had eligibility criteria related to place of residence or type of employment (Blythe 1969: 1). The societies operated on a range of fronts – political, social-welfare and criminal – and developed a mystique based on secrecy and ceremony, as well as fear of the violent methods used by the groups. Secret societies claimed enormous influence and membership; as of 1888, eleven secret societies in Singapore were reported to have 62,376 members, while Penang had five secret societies with 92,581 members (Hicks 1996: 91).[3] No central organisation controlled relations among all the various secret societies, so economic and other rivalries, manifested in murders, assaults, extortion and the like, did occur at times.

Secret societies offered ethnic Chinese a comfortable community of people with similar customs and language, as well as protection, authority and ordering rituals in a foreign, unfamiliar land. More specifically, Chinese secret societies were fostered and sustained by inadequacies in the legal protection system, with improvements in legal protection effecting a decline in the activity of Chinese secret societies. In other words, the strength of secret societies' conflict-reduction mechanisms may be what kept them alive (Mak 1981: 17–19, 21). Colonial police control was inadequate given language barriers hampering investigations, the protection each secret society afforded its members, and the groups' resentment of outside interference. Colonial authorities attempted both to reach a *modus vivendi* with leaders of the societies to

get them to control their own members and to reach agreement by arbitration or conciliation. Upon transfer of the Straits Settlements to the control of the Colonial Office in 1867, the government also designed legislation to augment the powers of the Governor and other authorities in case of a disturbance. In particular, after a vicious secret society riot in Penang in 1867, in December 1869 the colonial government enacted a law requiring the registration of all societies of ten or more members (except Freemasons). Any registered society with illegal objects or likely to be a threat to the public peace was liable to be called upon to provide details of members, ceremonies and rules, and accounts, with fines and compensation charged to societies participating in riots. Though intended as a temporary measure, this law became permanent in 1872 (Blythe 1969: 2–5).

Despite the government's increased powers, disturbances continued within the Chinese community, whether linked with secret society action or in response to those very restrictions. Secret societies were considered too strong to ban outright, but given the bloody civil wars between Chinese factions, after 1874 'it was made plain in each of the States which came under British influence that secret societies were prohibited, and though the natural result of this policy was that the societies continued to exist clandestinely', it paved the way for strong action by the authorities against organisers or officials of such societies (Blythe 1969: 6). In the Straits Settlements, a new Societies Ordinance, predecessor to the contemporary Societies Act, came into force on 1 January 1890 and remained the basic law in effect until the Japanese occupation. This law also required all societies of ten or more persons to register. Any group could be denied registration or forced to dissolve in the interest of public safety and order, and participation in unlawful societies was punishable with fines and imprisonment. The law also specifically outlawed societies using a Triad ritual and criminalised possession of Triad documents or paraphernalia. In addition, a Banishment Ordinance allowed any person other than a British subject to be banished at any time in the interests of the public peace and welfare. Similar legislation was successively adopted throughout the Malay states, concluding with Johor in 1916. In addition, the British extended the Chinese Protectorate system – first introduced in Singapore in 1872 to advise the government on Chinese affairs and facilitate communication between the Chinese and the government – throughout Malaya, providing 'a poor man's tribunal to which all Chinese had access'. Regardless, secret societies remained, however unlawful, supplemented or replaced by gangs in some areas and, in the early twentieth century, by societies reflecting political movements in China (Blythe 1969: 5–7).

Though hundreds of secret society members were executed under Japanese rule during the Second World War, others fled to join resistance groups in the jungle (mostly linked with the Malayan Communist Party, MCP) and some became informers to the Japanese, secret societies still persisted (Blythe 1969: 8). When the British returned, societies of all kinds proliferated throughout Malaya. For five months, the colonial officials did not implement the Societies and Banishment Ordinances; during this time, Triad societies flourished until they posed a challenge to the government, especially in Penang. Gradually, the colonial authorities clamped down on Triad societies with the Societies Ordinance, though allowing all other associations so long as they applied for registration. The government's use of special emergency powers to crack down on communists and known or suspected secret society members weakened the secret societies somewhat.

The police used their powers of detention 'to ensure that the advent of independence in 1957 did not lead to increased society activity on the pretext that once the British had left the societies would provide protection for the Chinese community against a Malay-majority government'. Indeed, secret society personnel were active in the formation and campaigns of political parties, while the Singapore government was unsuccessfully pressed to consent to a potentially very politically powerful umbrella organisation open to Triad members (Blythe 1969: 9–10). Despite the defeat of the communist revolt and the withdrawal of emergency regulations, powers of arrest and detention, with double penalties for known secret society members, remained, having been incorporated into the permanent law in the interest of internal security. Secret societies have since declined in significance, though contemporary gangsters may use the same symbolism and, even beyond independence, Triad societies served their members 'as a source of unemployment relief, in providing welfare services and mediating in disputes' (Comber 1961: X–XI).

Indian societies

Indian migrants also formed organisations in colonial Malaysia, again along ethnic lines and paralleling to some extent movements in the home country. In particular, Indian associations in Malaya were closely linked with the contemporaneous independence movement in India. The urban–rural dichotomy among Indians in Malaya, particularly in the pre-war period, generally followed caste, linguistic, economic and educational divisions, without any homogeneous view of cultural identity or sense of belonging, complicating mass associations. Moreover, a

western-educated, professional minority has maintained prominence as the elite of the community in terms of income and access to power since the 1920s. While caste formed the base of many Indian associations in peninsular Malaya in the 1920s, in line with the reform movement in India, others in the pre-war period were concerned with reforming and correcting abuses of the caste system, implying reform in Hinduism, as well (Tham 1971: 105–9; Rajoo 1985: 149–54).

Most Indian associations are religious organisations, followed by youth organisations, social organisations, and guilds. While early Malayan Indian organisations simply provided formal organisational structures and fostered *esprit de corps*, these organisations began to take on a more political character over time (Tham 1971: 107–9).[4] Indians were also among the first to establish modern, western-style trade unions in Malaya. Since many Indians were employed by large European estates and government departments, pre-war Indian organisations' activities were often identified with improving conditions of work for the community. While the quest for independence in India spurred concern for the plight of Indian workers in Malaysia, radical journalists also played a significant role in politicising Indian workers, both through their writing and through direct mobilisation (INSAN 1989: 51).

The multiplicity of Indian organisations all working separately, tending to stress in-group identity and highlight differences across sub-communities (not least the Muslim Indian community's tendency to associate itself with Muslim Malays rather than with Hindu Indians), precluded real unity (Rajoo 1985: 155). The first political body claiming to represent all Indians was the Central Indian Association of Malaya (CIAM), formed only after a long struggle, including a 1937 visit by Nehru to Malaya, during which he reportedly chided middle-class Indians for their indifference to the community and called for communal unity. CIAM activists – still mainly western-educated intellectuals – were influenced by and identified with the Indian Nationalist Movement in India and were supported by the Indian government. Though a few made statements regarding the British treatment of Indians in Malaya, these radical ideas had little impact (Rajoo 1985: 155, 170–2).

Post-independence, the organisation effecting the highest level of unity among Indians as a whole has been the Malaysian Indian Congress (MIC) – a political party rather than an NGO – and its predecessor, the Malayan Indian Association (MIA). The MIA was formed in 1936 among local-born Indians but was never very influential since its western-trained, elitist, urban leadership failed to penetrate the

Indian masses in estates and rural areas. Even the MIC, though, is not terribly representative, monolithic or potent as a partner in the Alliance (now Barisan Nasional) governing coalition. Also, it is most strongly pressed by other Indian associations mainly just to preserve and promote Indian language, culture and education (Tham 1977: 118–21). Among the difficulties in promoting stronger organisations among Indians, particularly the mass of Indian poor in estates and factories, continue to be poverty (and the reluctance of the middle class to get involved in the affairs of the poor), residual caste stratification, poor resources, the authoritarian culture among Tamil schools (especially plantation schools), and the predominance of paternalistic rather than grassroots, co-operative institutions in estates (INSAN 1989: 26–34).

While early Chinese associations determined the shape of legislation governing societies, the experience of Indian activism suggests not only the salience of ethnicity in organising, but also the drift in the pre-independence period towards politicisation of associations, then relative deradicalization or disempowerment with the entrenchment of Malay-dominated formal state structures. However, some of this legacy seems to be fading with the rise since the 1970s of issue-based advocacy associations, organised around sociopolitical issues not inherently limited to any one race. Nonetheless, the primary Indian organisations remain oriented largely around either religion or labour issues.

Malay societies

Pre-independence Malay societies played a crucial role in the development of both civil and political society, highlighting the shift of issues from the societal to the political sphere as activists became politicians. Divisions between the aristocracy and the agrarian masses, perpetuated by the British despite the advent of land titles for farmers, mass education and a capitalistic economy, rendered Malay social organisations slow to emerge. The only exceptions were long-standing, unstructured institutions for individual and communal benefit rather than articulation of interests, such as *gotong-royong* (co-operative efforts, in which a village jointly participated in tasks for the maintenance and welfare of the entire village community) and *tolong menolong* (mutual help, both in urban and rural areas).[5] Moreover, both tradition and British policy encouraged Malays to see the government as responsible for protecting their interests, stunting the rise of Malay organisations well into the post-independence era.

Though the majority of Malays remained in rural areas and occupations throughout the colonial period, economic and social changes

under capitalism, including increased urbanisation and social differentiation, encouraged a shift in associational life among Malays. Among urbanised Malays, as William Roff (1994: 178) explains, 'The circumstances of urban life – its heterogeneity, competitiveness, and relative freedom from customary sanctions and authority – produced for individuals both an often confusing sense of personal insecurity and a newly defined group awareness.' From the advent of colonialism until the late nineteenth century, the need for social identification was largely met in Singapore, Penang and Malacca by the formation of urban *kampung* (villages) of Malays from the same place of origin, often coinciding with specialisation of economic function. As urban life grew more complex and intense, however, these patterns of residence and occupation became more diversified and confused, and the significance of traditional structures for prestige and status waned (Roff 1994: 178–80).

New associational forms emerged around the turn of the century, mainly literary, social, religious and political. Initially, these associations were led by Malayo-Muslims (Arabs, Muslim Indians and Peranakans) rather than Malays, since the former were more involved in administration and affected by economic competition from the Chinese. This leadership appealed to linguistic and religious loyalties rather than old-style communal allegiances and emulated organisational forms from the West, including modern community organisations for unification, solidarity and social exchange along linguistic and religious lines. In particular, voluntary, membership-based clubs, whether for study and recreation or for sports, proliferated, though the various clubs tended to be divided along economic and educational lines. However limited their objectives, these associations did perform a socially integrative function (Roff 1994: 181–2; Tham 1977: 25–8). In towns and larger *kampung*, in the meantime, similar clubs and societies sprang up beginning from at least 1910, especially sports and social clubs, but also cultural and progress associations 'created in response to a growing awareness among urban and economically competitive Malays of the need to find new vehicles for personal and social self-improvement' (Roff 1994: 184–5).

Gradually, social change encouraged Malays to appeal to their community to pursue economic development and cultural revival. As Roff describes,

> Perhaps the most notable feature of the cultural welfare and progress associations was the way in which, despite their almost invariably local origins and circumscribed membership and their

> lack of direct contact with each other, they all practically without exception recognized the larger Malay society of which they were a part and spoke in holistic (if not necessarily nationalistic) terms of the task of improving the educational and economic status of the Malays within the plural society.
>
> (Roff 1994: 185)

Modern, educated Malays (teachers, government servants, small-scale businessmen, and journalists) took the lead in early twentieth-century 'progress associations'. Among these associations were the Persekutuan Keharapan Belia (New Hope Society, Johor Bahru, 1916), Persekutuan Indra Kayangan (Heavenly Land Society, Alor Star, 1918), Persekutuan Perbahathan Orang-orang Islam (Muslim Debating Society, Muar, 1919), and the first of the Persekutuan Guru-guru Melayu and Persekutuan Guru-guru Islam (Malay and Islamic Teachers' Associations, early 1920s). These groups discussed the problems of living as Malays in the modern world and worked to develop self-help and educational programmes to contribute to Malay advancement. Other associations of the era focused on more economic issues. Until the mid-1920s, Malay and Malayo-Muslim organisations in the Straits Settlements and the peninsular states were social, cultural and economic, but not political, even though some occasionally made representations to the government on relevant matters (Tham 1977: 25–8; Roff 1994: 185–7).

Malay quasi-political and literary associations developed through the 1930s. More overtly political organisations were less successful. The first of these was the nationalistic Kesatuan Melayu Singapura (Singapore Malay Union) in 1926, which aimed to raise political awareness and promote economic and educational development among Malays,[6] followed by others such as the left-wing, Indonesian-influenced nationalist Kesatuan Melayu Muda (Young Malay Union, 1938). These groups were spearheaded by young, English- or vernacular-educated Malays, along with a few traditional secular and religious authorities, rather than Malayo-Muslims as before. However, despite two congresses on the role of associations in the Malay community in 1939 and 1940 and some growing awareness of Malay rights and interests, the impact of these groups was limited since they had few members (and these from limited strata) and also there was popular uncertainty regarding political inclinations, persistent state (rather than national) parochialism among Malays, limited economic resources and squabbling over the definition of 'Malay'.[7] Moreover, thanks to British policies favouring the traditional aristocracy in economic and administrative

positions, a comparable new middle class and reformist political awareness did not develop outside the urban Straits Settlements (Tham 1977: 25–8; Roff 1994).

Literary associations were more broadly successful. Starting in the inter-war period, the proliferation of Malay journals, especially from the late 1920s through the 1930s:

> assisted the newly emerging elites to educate the masses politically, as well as to challenge, gradually, the traditional social and political structure. At the same time, more forthrightly, they reminded their readers of the increasing economic dominance and demographic growth of the immigrant races.
>
> (Firdaus 1985: 58–9)

These literary efforts thus spurred the spread of radical nationalist sentiment, encouraged further by the increasing political access and assertiveness of Chinese and Indians. Many among the literary elite were also active in radical political parties, with journalists, essayists and writers of political fiction and poetry playing an enormous role in the development of Malay nationalism. Indeed, the 102 Malay nationalist newspapers and journals in existence between 1930 and 1941 'afforded the new intelligentsia an opportunity to voice criticisms of varying form and style against the prevailing social and political order' (Firdaus 1985: 62–3). At least two of these journals played a special role in forming and sustaining the first two country-wide Malay organisations (transcending state boundaries) – prime forerunners to present-day political NGOs – the Persaudaraan Sahabat Pena Malaya (Malayan Association of Pen Pals, 1934), initiated by the Penang-based newspaper Saudara, and the Kesatuan Melayu Muda (Young Malay Union), involving the Kuala Lumpur-based Majlis. The former association, though self-consciously non-political, was the first truly pan-Malayan Malay organisation, unifying a larger number of geographically and socially diverse Malays than any previous organisation. For its part, the latter group constituted 'the first organisational embodiment of radical ideas among the Malays' (Firdaus 1985: 63–4; also Tham 1977: 25–8; Roff 1994: 212–21). Even prior political organisations, which were state-based, conservative, pro-British and led by traditional aristocratic elites, were largely prompted by newspaper polemics (Firdaus 1985: 64).[8]

The basic characteristics of Malay associations persisted into the post-war period. Most were social, recreational or welfare-oriented, though a significant cohort of literary and quasi-political or political associations took up nationalist objectives. By the 1950s, two elite

groups had emerged among Malays, one mostly government servants or bureaucrats (many of them also aristocrats), and the other comprised of teachers, journalists and others educated in the native schools.[9] The former group concentrated on political associations and the latter on literary and cultural associations, though both sets of organisations sought to protect the Malay community against 'the encroachment of alien influences, institutions and interests', whether through 'practical politics' or political socialisation (Tham 1977: 28–32).

Through the 1960s and 1970s, more economic associations were formed among Malays, including provident (welfare) associations and chambers of commerce or guilds for various trades and professions, some of them with an Islamic perspective. At the same time, social, youth and farmers' associations declined in the early 1970s, their activities largely supplanted by government programmes and projects (Tham 1977: 33–8). Economic associations among Malays and non-Malays pose an interesting contrast. Tham finds that the motivational basis of the Malay associations is 'to put pressure on the relevant ministry to obtain special privileges and financial assistance in respect of advancing the economic interest pursued', while non-Malay (especially Chinese) associations reflect 'the desire of their members to protect their specific occupational interests by preventing or discouraging governmental intervention in the operation of their activities', since government intervention 'usually leads to the lessening of their range of options' (Tham 1977: 63). He concludes:

> Associational development among the Malays in the post-war period is a reflection of the political changes in the Malay community. The quasi-political associations of the pre-war colonial period became replaced by registered political parties . . . The emergence of such political parties effectively transferred the function of ameliorating the economic and educational problems of the Malays to the political parties.
>
> (Tham 1977: 32–3)[10]

Women's organisations

Concomitant to these other pre- and post-war developments, women, especially Malays, began to play increasingly political roles, organising not just around traditional welfare services, but also around nationalist aims and to promote female education, one of the key issues for early politicised women's associations. The first of these formal women's organisations was the Malay Women Teachers' Union (Johor, 1929), followed

by a similar union founded in Malacca in 1938. The Kesatuan Melayu Singapura had a women's section by 1940, with other groups focusing not only on cooking and handicrafts but also adult literacy forming around the same time. Among these groups were numerous associations known as kumpulan kaum ibu (mothers' groups); these confederated at the state level in 1947, then united in 1949 as Pergerakan Kaum Ibu UMNO (UMNO Mothers' Movement), the women's wing of the United Malays National Organisation (UMNO), renamed Wanita UMNO (UMNO Women) in 1971. Though it had little real authority within the party, Kaum Ibu took a strong stance against the British Malayan Union plan and raised political awareness among both rural Malay women and the wives of prominent political and community leaders (Chapter 2 in this volume; Khadijah n.d.: 7–9; Manderson 1980: 50–5).

During the Japanese occupation, although most existing associations lapsed, the Japanese established new ones, also recruiting women into paid and unpaid labour corps. Through wartime women's associations such as the Malayan Reconstruction Co-operative Association (1944) and the Malayan Welfare Association (1944), which took part in rallies and public lectures, many women gained their first exposure to mass political activity. Indeed, as early as October 1942, the Japanese encouraged women to increase their involvement in public life and in both the commercial and production sectors of the economy. Food shortages, continuing illiteracy and the hardships of life under Japanese occupation highlighted women's disadvantaged status, stimulating both rural and urban women to press for change in the post-war period (Manderson 1980: 51–2).

Throughout Malaya, women's groups of the 1940s and 1950s were almost all communal in nature,[11] with many actually the women's section of new political parties, such as Kaum Ibu or the nationalistic Angkatan Wanita Sedar (Movement of Aware Women), the women's section of the Malay Nationalist Party (1945). Only Malay women's associations were predominantly political. Among Chinese, women's associations were mostly non-political, though some were involved with the communist insurgency – aided by Chinese schools, which spread communist teachings to girls as well as boys – or the nascent Malayan Chinese Association (MCA). Though some Indian women were active in the Indian Independence Movement and others were members of voluntary associations and trade unions (including at least one Indian Women's Association formed by 1946), overall they played a minimal role. Even the women's auxiliary of the MIC was only established in 1975, though women had been encouraged to take a more active part in the party as early as 1946 (Khadijah n.d.: 7–15; Manderson 1980: 53–5).

A partial exception to the communal norm was the Women's Union (Johor, 1945), one of the first women's associations formed after the war, with branches in various states. Though predominantly Chinese in membership, the Union's goals were non-racial and included labour-related, educational and political issues. Also, though most of its members were Chinese, too, the All-Malaya Women's Federation (1946) joined with the Malayan Democratic Union, the Malayan Democratic League, the MIC, the Malayan People's Anti-Japanese Ex-Service Comrades Association, and the Pan-Malayan Federation of Trade Unions to form the multiracial All-Malaya Council for Joint Action, seeking democratic self-government for a United Malaya (including Singapore) and liberal citizenship rights (Manderson 1980: 53–4).

Among early Malaysian associations, therefore, the structure, functions, and issue orientation of different groups varied partly with ethnicity and attendant socioeconomic traits and partly with time, as both political awareness and legal strictures evolved through the pre-independence period. Modern advocacy-oriented NGOs have developed only since the 1970s,[12] with new and old welfare- or service-oriented groups flourishing alongside. As Gerard Clarke explains, the activities of all NGOs[13] are inherently political: even welfare-oriented groups provide legitimacy for the state and bolster elites, while groups engaged in local development projects can prevent macroeconomic or political change and mobilise local communities as political participants (Clarke 1998: 195–6). However, it is newer issue-oriented NGOs – organised around women's rights, human rights, the environment or other causes – that have consistently attracted the ire of the Malaysian government and that are both self-consciously and popularly perceived to be political. Despite the evolution of these new NGOs, though, the basic traits of associational life inherited from pre-independence Chinese secret societies, Malay progress associations and other groups have remained relatively constant. The legal framework for societal organisations has been refined rather than overhauled, NGOs remain largely racially segregated in membership, only a small proportion of formal organisations are oriented around sectors or issues rather than communities, and tension persists regarding whether NGOs or only political parties should assume openly political roles.[14]

Legal framework and political environment

The most significant factor inhibiting the development of advocacy-oriented NGOs is Malaysia's regulatory environment. Article 10 of the

Federal Constitution of Malaysia guarantees freedom of speech, expression, peaceful assembly and association, though all may be limited in the interests of safety or public order. However, a range of laws curtail NGOs and discourage would-be supporters. Moreover, ubiquitous government rhetoric emphasises that NGOs represent 'special interests' and are thus anti-national, highlights the substantial successes of the regime in meeting people's needs (so those who criticise are 'ungrateful'), and challenges those who would oppose government policies to do so through political parties rather than through NGOs.

The legal framework governing NGOs is the legacy of the British campaign against Chinese secret societies, complemented by relics of colonial and post-colonial anti-communist measures. The main legal instruments related to NGOs are the Societies Act, the Police Act and a range of laws restricting speech, the press and assembly. Altogether, these laws determine not only which NGOs may exist as legal entities, what funding they may seek and accept, and what they may do, but also how NGOs make their case to the public and who may join.

The Societies Act

The Societies Act (1966) is the direct descendant of the late nineteenth-century colonial Societies Ordinance, implemented largely in response to the threat to the public order posed by Chinese secret societies.[15] The act covers all groups of seven or more people except those covered by other legislation, such as trade unions and co-operatives. All societies must not only register initially, but also obtain the approval of the Registrar of Societies for any subsequent change in name, venues of business, or constitution. The Registrar may deregister any society, with appeal possible only to the Minister of Home Affairs, and has the power to enter and search any society's premises. Societies have no legal standing in the courts; legal action may be taken only in the names of individuals. The Registrar may require a society to ensure that all its office-bearers are Malaysian citizens or prohibit connections with foreign societies.[16] Each society must submit yearly returns to the Registrar within 28 days of its annual general meeting, including audited accounts, constitutional amendments and details of office-bearers. Penalties for violations of the Societies Act include fines and imprisonment (Gurmit 1984: 1–5).

The Societies Act has been amended several times, most controversially in 1981 and 1983. The amendments of 1981, passed rapidly and with little consultation, defined a 'political society' to include any society that issued public statements (others were implied to be 'friendly')

and required all existing political societies to register as such within three months or be denoted thus by the Registrar at any time. Political societies were sharply constrained as to permissible office-bearers and members as well as in foreign affiliations or sponsorship. Moreover, the Registrar could cancel the registration of any society that opposed or denigrated any matter under the federal and state constitutions, and gained increased powers to amend a group's rules or constitution. The amendments also increased all the fines stipulated for violations of the act (Gurmit 1984: 6–8). After an energetic campaign by a coalition of over a hundred NGOs under the Societies Act Co-ordinating Committee (SACC), later reorganised as the Secretariat for the Conference of Societies (SCS), the 1981 amendments were modified, with a new set of amendments passed by Parliament in May 1983.[17]

Under the revised amendments, the definition of 'political society' was removed, though the definition of political parties was extended to include societies that endorse candidates for state or federal legislatures. Any society may be deregistered if it shows disregard for the state or federal constitutions, especially certain sensitive issues; the minister declares it prejudicial to public security, order or morality; there was a mistake, misrepresentation or fraud in its registration; it has deviated from its registered objectives; or it has failed to comply with any of its own or the Societies Act's rules. Moreover, there is no time limit for when a decision of registration must be made and the penalty for organising activities while registration is pending was doubled. Both current and former office-bearers must respond to queries from the Registrar and even office-bearers who did not participate in a particular offence are liable for punishment on behalf of the society. Moreover, offences related to unlawful or deregistered societies as well as Triad societies may be registered as criminal. In investigating suspected violations, not only the Registrar and Assistant Registrar for Societies, but also registration officers, may search the premises and examine all documents of a society. Finally, decisions by the minister are final and may not be challenged in court (Gurmit 1984).

As of 31 December 1996, there were 28,219 organisations registered under the Registrar of Societies. Of this total, the largest proportion (4,166) were religious bodies; 3,806 were categorized as 'social and recreation'; 3,500 were for sports; 2,687 were 'social welfare' groups; and 41 were political parties. Other categories included cultural associations, mutual benefit societies, trade and commerce groups, youth groups, and educational associations (Makmor 1998: 63). Only a small proportion of registered societies are advocacy-oriented NGOs, probably only about 100 groups (Tan and Bishan 1994: 7).[18] Given the

difficulties of obtaining registration as a society – not just the paper-work and formal procedures, though these are substantial, but the fact that organisations perceived as politicised may be denied registration or left in limbo for years – many advocacy-oriented NGOs are actually registered as companies or businesses instead.[19]

Involuntary deregistration is rare, but it is threatened and does happen. For instance, in 1980, the sociopolitical reform group Aliran Kesedaran Negara (Aliran, National Consciousness Movement) was threatened with deregistration and ordered to 'show cause' why it should be allowed to persist. What sparked the investigation was a letter by Aliran president Chandra Muzaffar regarding new allowances and salary increases for public servants as well as an indictment of Aliran's adherence to the principles of the *Rukunegara* (Malaysia's national ideology). The Registrar charged that Aliran was 'likely to be used for purposes prejudicial to, or incompatible with, peace in the Federation' and that the group was pursuing objectives other than those for which it was registered (Aliran 1981: 322–3). In response, Aliran rebutted the specific charge and discussed the important place of a reform movement such as theirs in Malaysian society, and also appealed successfully to the public for support. The group was eventually allowed to remain in operation (Aliran 1981: 321–80). At around the same time, Angkatan Belia Islam Malaysia (ABIM, the Muslim Youth Movement of Malaysia), which was constantly critical of state policies and enjoyed widespread influence among tertiary students and the Malay middle class, was asked by the Registrar to sever all its contacts and affiliations with foreign organisations. The group was viewed as too much under the influence of 'radical' and militant Islamic movements abroad (Tan and Bishan 1994: 22–3).

More recently, the Islamic organisation Darul Arqam (Abode of Arqam) came under attack in 1994 for its allegedly deviationist teachings and practices. Darul Arqam, a religious study group established in Kuala Lumpur in 1968 by Ustaz Ashaari Muhammad, posed a political threat through its 'capacity to manage a self-sustaining and comprehensive socio-economic order, based on Islamic values and principles, whilst remaining within but virtually independent of Malaysia's liberal capitalist system' (Ahmad Fauzi 1999: 2). The government banned the group and arrested eight leaders under the Internal Security Act (ISA), citing religious reasons, though the motive for the crackdown may have been more political than theological, given Darul Arqam's challenge to the government's legitimacy (Ahmad Fauzi 1999). NGOs registered other than as societies are not immune, either. For instance, Institut Pengajaran Komuniti (IPK, Institute for Community Education), a

Sarawak-based NGO registered as a business and an active member of a coalition of NGOs opposed to the Bakun Dam project, was deregistered in early 1996 (Kua 1998: 3).

Additional constraints

Other laws similarly constrain NGOs and activists.[20] For instance, spontaneous protest is largely precluded by the Police Act 1967 (amended 1988), which requires that a police permit be obtained fourteen days in advance for any public meeting of more than five people. The police have frequently refused permits for assemblies organised by NGOs and opposition political parties. In response, NGOs tend to rely on seminars, symposia and their own publications as well as representations to government officials and the state-controlled mass media rather than mass rallies to reach both the public and the government. However, these initiatives, too, are limited by the Printing Presses and Publications Act 1984 (amended 1987), which requires a yearly permit from the Ministry of Home Affairs (with no redress to the courts) for all publications,[21] as well as stiff legislation on libel, contempt of court and official secrets. Indeed, one of the most widespread and mass-based (though largely unsuccessful) campaigns against a government policy in Malaysia so far was in response to proposed amendments to the Official Secrets Act (OSA, 1972) in 1986. The amendments strengthened a law that already denied public information to public interest societies, journalists and others, complicating discussion and debate. The law provides few safeguards against over-zealousness in declaring documents classified, including those regarding the operations and functions of the government – in fact, virtually any government information may be declared an official secret (see Gurmit 1987; Means 1991: 196–8).

In addition, aside from the restrictions on NGOs' membership and office-bearers enumerated in the Societies Act, all students are further constrained by the Universities and University Colleges Act 1971 (UUCA, amended 1975). While campuses are prime grounds for political mobilisation elsewhere, contemporary Malaysian tertiary students are forbidden from engaging in political activities and the laws on students' activism have been tightened after sporadic bursts of mobilisation. Malaysian students do have a tradition of activism, however, dating back to Chinese secondary school students' demonstrations against what they saw as the government's stifling of Chinese culture and education in the 1950s. Then in the 1960s and early 1970s, Malaysian student groups joined their counterparts elsewhere in

protesting American aggression in Indochina and were active in welfare and community projects for the poor and underprivileged. The University of Malaya Students' Union (UMSU) went so far as to stage non-partisan public rallies around the country during the 1969 general elections to inform people about important issues and problems facing the country, also issuing a manifesto outlining its views and demands.

With student bodies and university political clubs increasingly vocal in critiquing government policies and actions, the government required in 1964 that all applicants for admission to universities and colleges obtain a 'suitability certificate' to weed out suspected communists, pro-communists and otherwise subversive or 'undesirable' elements. The UUCA was then introduced during the Emergency following the 1969 elections and subsequent racial riots, prohibiting all student and faculty organisations from affiliation with, support for, or opposition to any political party, trade union or unlawful group. University students were also prohibited from holding office in any trade union or political party, and student bodies could be dissolved for behaviour detrimental to the well-being of the university. Regardless, university and college students still protested against the demolition of squatter houses near Johor Bahru in September 1974, then demonstrated in support of a peasant movement in Baling, Kedah, that November. The authorities cracked down on these protests, detaining scores of students, lecturers, and youth and religious leaders under the ISA (which allows detention without trial) or other laws. The government claimed that the Malay-dominated UMSU was being used by an allegedly pro-communist Chinese Language Society member to spur campus unrest. All student publications in the universities were subsequently suspended or banned and the UUCA was amended in 1975 with new restrictions and tougher penalties. Supplementary regulations further restricted university lecturers and staff (Fan 1988: 238–55). Campus activism does still resurface, though, in times of mass political unrest. For instance, students of all races have been key players in the Reformasi movement launched in September 1998, with opposition to the UUCA a key factor in their agitation.[22]

Among NGOs, human rights groups typically face the greatest difficulties in organising, not only because of the dominant ideology and regulations that discourage debate or even critical thinking on 'sensitive' topics, but also because of public disinterest or fear. Furthermore, as Gordon Means (1991: 198–9) points out related to NGOs' campaigns on human rights and democracy, 'The fact that the DAP [opposition Democratic Action Party] usually played a highly visible role in the various seminars and conferences considering such issues only served to

identify these interest groups with what the government considered to be implacable hard-line critics of the regime.'[23] The government also frowns especially severely upon challenges to economic development, for instance protests against large government projects such as the Bakun Dam in Sarawak.

Sharp remarks and constructive engagement

The government belittles its critics by portraying them as marginal and out of touch with the mass public. For instance, in late 1986 the government launched an attack against 'negative', too-critical interest groups, challenging them to register as political parties to prove they had public support, and naming five NGOs and two political parties 'thorns in the flesh'.[24] Mahathir lambasted these 'intellectual elites' as 'tools of foreign powers' and saboteurs of democracy, referring in particular to the campaign against the amendments to the OSA and NGOs' criticism and protests regarding banking scandals, corruption or impropriety in the awarding of government contracts, judicial independence, and resource development and environmental issues (Means 1991: 194). Moreover, after a 1987 Aliran-sponsored conference on the Malaysian Constitution, Mahathir 'depicted the participants as frustrated intellectuals attempting to seize power and presuming "to make policies for the government"'. Former critical activist Anwar Ibrahim, then Deputy Prime Minister, called the organisers 'arrogant intellectuals' who wanted to 'force their views down the government's throat' (Means 1991: 198–9).

More generally, Mahathir and other officials reiterate that Malaysian democracy is not like western liberal democracy but accepts some controls as necessary, particularly to check the demands of 'special interests' that could potentially impinge on the rights of the majority and endanger ethnic harmony and the political stability needed for development. These statements do influence the general public, especially since for many, such remarks are their primary exposure to NGOs. While critical and voluble, NGOs like Aliran reach primarily western-educated, middle-class, urban elites, while Mahathir's statements reach everyone. Moreover, the government's heavy-handed rhetoric has been reinforced by periodic crackdowns, including October 1987's Operation Lalang, when over 100 activists and politicians were detained for alleged Marxist tendencies.[25] Such arrests further deter the public from supporting NGOs or related oppositional activities, though simultaneously sparking some degree of indignant protest, such as the formation of the human rights group Suara Rakyat Malaysia (SUARAM) in the wake of Operation Lalang.

Relations between the state and NGOs deteriorated anew in late 1996, when the Second Asia Pacific Conference on East Timor in Kuala Lumpur was broken up by protesters, including members of UMNO Youth. More than 100 participants were arrested, including ten foreign human rights activists who were then deported. The government also decried a proposed NGO-organised public tribunal on the abuse of police powers: 'Mahathir claimed that some NGOs were deliberately challenging the government to take action against them and threatened that he would do so, if they had broken the law' (Milne and Mauzy 1999: 119). Then in 1997, the government investigated the ways in which NGOs were being managed, insinuating that their funds were being diverted from their original purpose for the benefit of individuals, or that they were co-operating too closely with foreign governments (Milne and Mauzy 1999: 119–20).

Despite this antagonism, NGOs do collaborate with the government in formulating and implementing policies on certain environmental, consumers', women's and other issues when their expertise is needed.[26] While NGOs – or, so that the state need not officially endorse the organisations, specific individual leaders of NGOs – may be invited to sit with representatives of the government and business community on legislation-forming committees, the NGOs have no veto power and the state retains the final say.[27] Moreover, the state is most likely to call upon 'professional' or 'moderate' NGOs whose contributions will complement rather than challenge its governance. Many NGOs accede to this arrangement since it at least allows their ideas to be heard. Still, greater state–NGO co-operation could generate more complementary efforts and less overlapping of functions and waste of scarce resources, as well as guarantee more participatory democracy (Lim 1995: 167–8; Tan and Bishan 1994: 16–23).

Regardless, however haltingly, public support for such issues as environmentalism and human rights has increased over the years, bolstered by a few high-profile cases. Environmentalism, for instance, was of concern to few Malaysians prior to the mid-1980s Asian Rare Earth case, when the improper dumping of radioactive waste products spurred the formation of activist support groups and a series of high-profile court cases and drew wide public sympathy (see CAP 1993). Then, in the late 1980s, increased attention to logging and development in Sarawak, including both environmental and native land rights issues, similarly heightened public awareness (Means 1991: 195–6). In terms of human rights, the September 1998 detention of Anwar Ibrahim under the ISA and his maltreatment while under police custody helped spark an enormous mass movement for justice, transparency and good governance,

despite the government's threats and cajoling. Nonetheless, the ranks of committed NGO supporters remain thin, with only a small core of activists sustaining their movements between surges of wider public support.

Ideological and organisational attributes

Though relatively few in number, Malaysian advocacy-oriented NGOs are heterogeneous in structure, function and ideology. These NGOs may be classified by sector, as Lim Teck Ghee (1995: 166) does – the five he identifies are environmental, consumer, human rights, development and women's groups.[28] Alternatively, NGOs may be divided by constituency and framework, including community-based organisations, community service associations, worker–employer oriented organisations, women's organisations, youth organisations, professional organisations, and coalitions and campaign groups. However, as Tan and Bishan (1994: 3–4) point out, given the wide diversity of organisations in some of these categories, simply differentiating between 'community service and welfare NGOs' and 'development and issue-oriented NGOs' makes more sense.

Most Malaysian advocacy NGOs are small and urban-based, concentrated particularly in Kuala Lumpur and Penang.[29] Recruitment of members and especially leaders for advocacy NGOs is difficult because of fear of the ISA and other laws, lack of information about NGOs and their activities, plus the very low pay to be earned by working for an NGO and lack of time for volunteer work. Even NGOs with few formal members, though, may be able to rally widespread support for particular causes or campaigns.[30] Their small size and preponderance of professionals – lecturers, lawyers, teachers, engineers, journalists and the like – do prompt occasional accusations that NGOs are elitist or irrelevant.

While many NGOs are not really internally democratic or tightly linked with grassroots constituencies, others are more mass-based, such as consumers' associations. These are also the NGOs that are sustained less by highly educated middle-class activists (though such individuals still provide leadership) than by non-graduates or non-professionals. Many NGOs are highly personalistic in nature. Several key NGOs, such as CAP (S. M. Mohamed Idris), Environmental Protection Society Malaysia and Selangor Graduates Society (Gurmit Singh), Tenaganita (Irene Fernandez), the Malaysian AIDS Council (MAC, Marina Mahathir) and the International Movement for a Just World (JUST, Chandra Muzaffar, previously the central figure in Aliran) are over-

whelmingly associated with their leader regardless of how large the staff or how wide-ranging and decentralised the activities of the group may be.[31] On the other hand, though the Societies Act requires that all registered societies have office-bearers, for some NGOs assignation of these titles is just a formality, with work shared, decisions by consensus, and hierarchy minimised in practice.

Funding

Many Malaysian NGOs rely on foreign funds when they can get them, but such aid is limited and dwindling.[32] The bulk of foreign funding for development projects and technical assistance is still on a bilateral (government to government) basis and the bulk of multilateral aid goes to government-organised NGOs (GONGOs) and government agencies. Although all NGOs must report the sources of their foreign funding to the Registrar of Societies each year, the Registrar has never disclosed the extent of foreign funding for development NGOs. However, the United Nations Development Program (UNDP) found that funds from foreign NGOs, which usually go towards development NGOs, accounted for only 2.5 per cent of externally financed technical assistance grants to Malaysia in 1987. Of this sum, up to 90 per cent came from major institutions like the Asia Foundation and the International Planned Parenthood Federation, with the bulk going towards research, travel and projects of local universities, schools and research bodies. Foreign NGOs more concerned with grassroots development work by autonomous NGOs contributed a rather minuscule sum. The total foreign assistance provided by these foreign NGOs to Malaysian development NGOs in 1987 was only US$270,000, compared with US$108 million disbursed to state-sponsored NGOs and state agencies (cited in Tan and Bishan 1994: 10–11). The Malaysian government also provides funds to some NGOs for projects such as consumer protection or anti-domestic violence programs. However, such funds are limited and some NGOs prefer not to accept government support for fear of compromising their independence.[33]

Some NGOs prefer not to accept foreign aid as a matter of principle, if only because accepting it would leave them open to charges by the government that they are being manipulated by foreign elements.[34] Most deny any intrusion of foreign donors in decision-making processes, though acknowledging that the choice of projects may be influenced by what will be funded and that the contest for funds may contribute to infighting within the NGO community.[35] Even among those NGOs that do accept foreign aid, given that funds are scarce,

they still strive to minimize costs and raise funds locally, as through sales of books and t-shirts, membership dues, donations, cultural events or fun fairs, jumble sales, and paid forums and dinners. Also, for specific campaigns, such as against the amendments to the OSA or to preserve Endau Rompin state park, NGO coalitions raise funds domestically through seminars and donations from individuals and groups. Private or corporate philanthropy remains minimal, though it is comparatively more forthcoming for campaigns or projects against issues such as domestic violence or HIV/AIDS, especially from multinational corporations, than for other sorts of issues. Overall, NGOs focusing on issues that conflict with the state's priorities – such as concerning labour, the environment or human rights – have a hard time raising local funds.

Networking

Networking is a definite strength among Malaysian NGOs, particularly at the domestic level. Major campaigns may involve over 100 NGOs, though most attract fewer than 50 participating groups, many with only minimal engagement in campaign projects.[36] Tan and Bishan suggest that the state has actually encouraged otherwise self-absorbed and independent NGOs towards solidarity and networking, since:

> the state's many reactive attempts to encapsulate and force the NGOs into the confines of its own corporatist politics provided the NGOs with the experience of working together, organising national campaigns and forming solidarity networks, as well as generating unwanted international publicity for the state. With each successive campaign, NGO links grew stronger. Moreover, the public increasingly accepted NGOs as mainstream political alternatives – if one were to judge from the letters to the editors supporting the NGOs and the campaigns.
>
> (Tan and Bishan 1994: 24)

International – particularly regional – networking also occurs, though it is heavily reliant upon international funding and inconsistently pursued, depending on the relative pressure of domestic concerns. Human rights groups' regional initiatives include joining in the drafting of an Asian Human Rights Charter and supporting the East Timorese and Acehnese independence movements, the movement for a democratic Burma, and political reform in Cambodia. Earlier initiatives include 1987's Human Rights Support Group, which agitated for the release of sixteen men and women detained in Singapore. Women's groups such as

Tenaganita participate in campaigns against trafficking in women, against the spread of HIV/AIDS and for a range of other issues affecting women. Islamic NGOs engage in a range of regional and international campaigns, too, such as in support of Muslims in Palestine or Kosovo, though these campaigns are generally less likely to be seen as politically aggressive by the Malaysian government.[37]

Racial and religious cleavages

The primary lines of cleavage among Malaysian NGOs are racial and religious, especially between secular and Islamic groups. Moreover, while advocacy NGOs are usually open in principle to members of all races, most are segregated in practice, both because communalism is so deeply engrained in Malaysian life and because language barriers complicate inter-racial communications.[38] In general, English-speaking, middle-class, urban non-Malays dominate advocacy groups. Politicised Islamic groups are, not surprisingly, dominated by Malays, with secular groups or those linked with other religions comprised of primarily Chinese and Indians. Secular women's groups pose an exception, as proportionately more Malays seem to join them than other groups.[39] Secular NGOs call for public accountability, reclamation of rights lost through the arbitrary use of state power, state intervention and regulation on matters of public interest, preservation of the physical environment, political detentions, abuse of executive privileges, and so on. Religious NGOs, especially the Islamic movement, on the other hand, have raised the spectre of the loss of religiosity and spiritual values among state actors (Nair 1999: 96–7).[40] Not surprisingly, though, subdivisions exist within these subgroups, given different schools of thought within Islam and the distinctions among secular, Christian, and other groups' motivations.

The tendency of more critical NGOs still to be predominantly non-Malay in composition may reflect 'the wider divisions and diversity in the non-Malay political spectrum compared to the closeted Malay sector' (Tan and Bishan 1994: 13). However, with the recent Reformasi movement,[41] a range of Malay-dominated or Islamic groups (among them, ABIM, Jamaah Islah Malaysia, and Persatuan Ulama Malaysia) have become just as critical and outspoken as predominantly non-Malay NGOs on issues relating to human rights, social justice and democracy. Regardless, even campaigns around apparently non-racial issues may be limited to a particular ethnic group. For example, over two dozen Chinese guilds and associations issued a 'Joint Declaration' in 1985 against racial polarisation, Malay-centric policies that failed

satisfactorily to address poverty and the growing rich–poor gap, human rights violations and the transgression of freedom and democracy, discrimination and chauvinism, religious fanaticism, and the like (Chinese Guilds and Associations 1985). Though some of these demands are clearly more in the interests of non-Malays than Malays, the fact that so many of these issues have since been adopted by the Reformasi movement suggests that the 1985 campaign could conceivably have been more multiracial. Despite some non-Chinese support, though, the campaign around the Joint Declaration was – and was perceived as – primarily a Chinese initiative. Muhammad Ikmal Said explains that both Malay and non-Malay leftists tend to be communal, improvements in communication between groups notwithstanding, even when their programmes are fairly 'universal' and despite the fact that their distance from one another deflects mass support. He attributes this racialism to characteristics of colonialism, immigration and the contemporary state, in addition to the different market positions of Chinese and Malays, which have entrenched a communal culture (Muhammad Ikmal 1992).

In general, then, Malaysian NGOs operate within a constrained space, as the political process is officially reserved for political parties and there is limited scope for traditional lobbying activities. However, their supposedly non-political status empowers NGOs in specific ways, since 'when these groups speak critically on issues of public policy, they can claim that they do so not as party or politically-motivated agents exploiting an issue for electoral gain, but as non-partisan groups voicing the concerns of all citizens' (Nair 1999: 97–8). Regardless, many NGOs do maintain links with opposition political parties, especially the DAP, PAS, Parti Rakyat Malaysia (PRM) and Parti Keadilan Nasional. Relations with component parties of the governing Barisan Nasional coalition, on the other hand, are complicated by NGOs' often non-negotiable areas of concern and lack of bargaining power, as well as a tradition of mutual mistrust.

Conclusions

An unsympathetic regime, relatively low popular commitment to voluntarism and political activism, persistent racial and religious cleavages, and enduring stifling regulations have curtailed the development of a vibrant and effective civil society in Malaysia. All the same, what NGOs there are have played a key role in exploring and espousing political, social and economic reforms, in the process sustaining a nucleus of committed activists. Clearly, though, Malaysian NGOs do not fit the

theoretical ideal of democratic, grassroots-oriented, politically transformative organisations for building social capital and keeping the government in line. Too few of them are truly independent, self-financing, and racially and linguistically inclusive.

Malaysian activists have developed strategies over the years for working around the government's regulations and for educating and mobilising a broader public. For instance, the formation of campaign networks not only spreads the work and costs among a larger base – a crucial benefit, given NGOs' scarce human and financial resources – but also reduces risk. A few lone activists make easy targets for the government to attack, but as Zaitun Kasim exclaims, 'What can they do to twenty groups?' (interview, 1 August 1997). Selective accommodation to the government is also an adaptive strategy as it grants NGOs a degree of recognition and legitimacy and ensures that their voices are not completely marginalised or ignored. Similarly, since NGOs know the government-controlled media will be of little benefit (aside from influential but rare features by concerned journalists on the environment, domestic violence or other social issues), NGOs have learned to take advantage of alternative media. The internet is transforming NGO communications in Malaysia as elsewhere, with most advocacy NGOs now supporting e-mail and often a website. Other channels include NGO-published journals and newsletters, such as the *Aliran Monthly*, CAP's *Utusan Konsumer* and SUARAM's *Hak*, plus opposition-party organs, including *Harakah* (PAS), *Roket* (DAP) and *Suara PRM* (PRM).

Where Malaysian NGOs are weakest is in critical self-evaluation, long-range planning and sustainability. The press of projects and general lack of resources mean that even the best-intentioned NGOs often fail to complete project-based or overall periodic evaluations, or fail really to incorporate the lessons from past evaluations into plans for subsequent programmes. In the same vein, the exigencies of immediate needs, the volatility of popular support and the unpredictability of government crackdowns make long-range planning seem an unattainable luxury. At best, NGO plans extend through a donor agency's three-year funding cycle. However, without strategic plans that extend beyond the short term, budgeting for long-term campaigns and formulating more systematic rather than reactive initiatives are not possible. Finally, the current extent of reliance on particular leaders and foreign funding sources cannot be maintained; the majority of advocacy NGOs need to be far more aggressive in making their organisations and enterprises sustainable.

Efforts by NGOs at reflection and reform must begin with full-scale,

honest evaluations, and continue through the articulation of precise goals to the development and implementation of long-range plans. Internal democracy and large-scale consultation of constituents would make this process more legitimate and bring in fresh ideas and perspectives. Regardless, as advocates for democratic procedures and social justice in governance, NGOs must set an example by promoting regular transitions in leadership, racial and religious tolerance, and genuine links with the grassroots within their own sphere. Through such steps the Malaysian NGO community may renew and reinvigorate itself while also serving as an example for social activists in other countries facing comparable opportunities and obstacles.