

Islamic Revivalism and Democracy in Malaysia

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Abstract

The paper examines democracy and secularism in Malaysia, a state rooted in Islam, and how it has been implemented in a country with a majority Muslim population. It briefly outlines how Islam was brought to the region and how British colonialism was able to implement secularism and democratic practices in such a way that religion was not wholeheartedly erased. Indeed, peaceful decolonization combined with a history of accommodating elites served to promote a newly independent Malaysia, to create a constitutional democracy which declares Islam as the religion of the Federation, and simultaneously religious freedom. Despite the constitution, the United Malays National Organization, UMNO, Malaysia's ruling party for 61 years, managed to cap democracy through a variety of methods, including enraging ethnic tensions and checking electoral competitiveness. Growing public discontent from such actions resulted in Islamic Revivalist movements and increased Islamization at the expense of secular values. UMNO's 2018 electoral loss to the Alliance of Hope party (PH) suggests a new commitment to democracy and reform, which if carried out, will likely result in a return to secular norms with Islamic elements that still maintain religious freedom rights and democratic practices that have, over the last two decades, been called into question.

Keywords: Malaysia – democracy – Political Islam – secularism – modernity

1 INTRODUCTION

There exists a widespread belief that Islam and democracy cannot coexist, and since modernity is considered a defining aspect of democracy, modernity and Islam are also incompatible. Malaysia has historically functioned as evidence against this notion as it enforces a constitutional democracy with Islam as the religion of the federation. Consequently, it is considered a model by the West that should be emulated by other southern countries. This provokes the question: how have democracy and Islam taken form and interacted in Malaysian politics and society historically and presently, and will they be able to continue to coexist alongside one another in the future?

The relationship between Islam and democracy within Malaysia is a complex one that evolved as a result of a unique and multicultural history. Indeed, Malaysia's ability to integrate religion, secularism, and modernity into a successfully functioning government within a highly pluralist society has resulted from the meeting of three major civilizations (Indian, Chinese, and European) and two colonial systems. Malaysia experienced peaceful decolonization, which, along with a history of accommodating elites, resulted in an in-

dependent state that kept intact many of the democratic processes and ideologies implemented under colonial rule, specifically secularism. Therefore, it is Malaysia's unique history and interactions that have allowed democracy and Islam to function alongside one another. Nonetheless, research into Malaysia's history and politics reveal discrepancies between democratic ideals and actual policy.

Indeed, the relationship between democracy and religion has not been without tension, and these tensions have become increasingly strained with Islam Revivalist movements. The dissatisfaction with the former ruling political party, United Malays National Organization, resulted in them further limiting democracy and appeasing the public by enacting policies and legislation promoting Islam. These actions implicated the semi-democratic and secular state, calling into question non-Muslims and Muslims who advocate for religious freedom's role in society. Oppositional parties, political movements, UMNO's leniency on Islamic legal rulings, and their employment of tactics that limit democracy call into question if such a pluralist, secular society can continue. Therefore, to examine the relationship between Islam and democracy in Malaysia, we must first understand its rich history and interactions

as well as the government and public sphere since the country's independence in 1957. Furthermore, we must investigate the political spheres to discover why we see increased backing for an Islamic State. Through these investigations, we will also gain insight into the reasoning behind the 2018 election, where Alliance of Hope (PH) unseated UMNO as the ruling party. While it is yet to be determined if PH will maintain its campaign promises, which are characteristic of a democracy, the party's peaceful transition into government and its accordance with democratic credentials thus far are hopeful signs that Malaysia will become more democratic. In the short term, Islamic revivalist movements will continue. In the long-term, with the promised reform, accountability, and ousting of the corrupt UMNO and National Front Party (BN) coalition, it is reasonable to assume the call for an Islamic state and society will be minimized as the people's faith in a secular government is restored. Consequently, Malaysia can find a middle-ground where Islam and democracy can co-exist peacefully alongside one another. Although the relationship between Islam and state has not been as harmonious as the West and Malaysia itself would have us believe, the country continues to strive to establish itself as a model where the two can coincide amicably.

2 ISLAM COMES TO THE MALAY WORLD

Some think that Islam came to Malaysia via traders and merchants who traveled through the Malay Archipelago and may have inhabited some ports between the 10th and 17th centuries. Others believe that Sufis brought Islam to the region. Another possibility is that indigenous Malay travelers brought the religion back with them from the Middle East. Either way, the arrival of Islam in the pre-colonial Malay world resulted in numerous critical sociological changes, especially in terms of spirituality, intellectual contribution, and the establishment of a new social order grounded in Sharia. Sufis preached to the Malay people, increasing society's overall spirituality and turned them away from mythology to the belief in one God. The intellectual contribution of Islam in the region was paramount, establishing a social order known as KERAJAAN (a fused church with the state). At the heart of KERAJAAN was and is Shariah, which was enacted holistically, socially, legally, and politically. Indeed, Islam changed the whole of the Malay realm, imbuing it with an Islamic worldview¹.

3 BRITISH COLONIALISM

In the late 18th century, the British colonized Malaysia, imposing Western law and traditions on the region. The British realized that for their control to be successful, they not only had to conquer the physical space but also alter the native's thought system to be in line with

that of the British. The most significant transformation enacted was the transition of KERJAAN to Kerajaan, which implores a separation of church and state. British colonial rule managed to create a secular government through the conquest of epistemological space by transforming the bureaucracy, judiciary, and the education system.

Unlike many other colonialist takeovers, Malaysia was non-violent. Britain established itself gradually first through indirect intervention. Slowly but surely, they began infringing on areas within the Malay sultans' domain. First, with the Pangkor Treaty. Enacted in 1784, it gave the British full authority over Malaysia and was signed by the Malay sultans. The treaty stipulated that all areas excluding Islam and custom were now secular matters. Hence, the sultans relinquished their legislative and political control. Also included in the deal was that sultans should provide a residence for a British officer, referred to as "the Resident," and his advice should be called upon regarding all matters excluding religion and adat (custom.) Despite this outlined divide, the British ultimately managed to control and regulate much religious and customary issues because these were under the jurisdiction of local chiefs and rulers who had essentially become British puppets.

Furthermore, the British conducted religious, administrative reform that limited the jurisdiction and independence of Islamic qadis (judges) in comparison to civic judges. All senior judges were appointed by the British Resident General, whose superiors were trained in the British law system. Thus, they referred to English law instead of Shariah law, as was the case before colonialism. During the colonial period, all legislation and policies introduced were derived from British rule. Thus, the British used their influence to limit Sharia to family law and implement the secular system¹.

4 COLONIAL OPPOSITION AND THE RISE OF POLITICAL PARTIES IN MALAYSIA

British colonial rule did not continue without opposition. A nationalist movement was born with Islam as its ideological platform, and there occurred a shift from a western perspective to one with an Islamic focus. In an attempt to maintain power, the British administration proposed the idea of Pan-Malayan Unity. However, the idea insulted Malay nationalists and sultans. In response, the United Malays National Organization (UMNO) was formed in 1946. Malays acted in solidarity and supported the party, including the ulamas who did not believe it put enough emphasis on Islam, to rid themselves of the British and Western imperialism. The Pan-Malayan Islamic Party (PAS) is the other notable party that formed during this period. PAS, established in 1951, originally began as a section within UNMO but detached itself. It advocates for the creation of an

Islamic State and still exists today as a major political party and one of UMNO's political opponents. UMNO formed a coalition with Indian and Chinese political parties known as the Alliance Party and won Malaysia's first elections. The coalition expanded to include more political parties, and the Alliance Party became the National Front Party (BN). UMNO was the leading political party in Malaysia until 2018 when it lost its majority parliamentary seats¹.

5 POST-COLONIAL MALAYSIA AND SEMI-DEMOCRACY

The Malaysian constitution shaped and conditioned Malaysian Islam. It proclaims that every indigenous Malay person is automatically considered a Muslim. Therefore, religion is also an ethnic identifier. The constitution also declares religious freedom; illustrating the lasting influences of British colonialism in Malay government and policies, specifically when it comes to Sharia. Sharia courts still have jurisdiction but are limited as they were under colonialism. Furthermore, Sharia does not apply to non-Muslims and is confined to family law. Sharia is also considered 'colonial-modern' because it is highly fragmented and decentralized, meaning how it is interpreted and carried out varies locally¹.

Since its independence, Malaysia has been considered a semi-democracy and considered as a model by the western democratic world to be emulated by other South Asian countries. The state has also been praised for its ability to have democratic processes, and Islamic values coexist alongside one another. Arguably, the most exciting feature of Malaysian democracy has been its societal pluralism. The British took advantage of the societal pluralism and used it as part of their divide and rule strategy. They gave the Malay aristocrats positions in office and kept Malay peasants primarily confined to agriculture, actively clogging social mobility. Under these conditions, foreign Chinese were able to take hold of the national economy through entrepreneurial ventures. This dynamic created pluralist tensions, but instead of resulting in conflict, they began the tradition of accommodating elites, characterized by democratic attributes such as consultation and representativeness. Malaysia's peaceful decolonization combined with this tradition in accommodation resulted in regime stability, allowing some democratic practices based on procedure (polyarchy) to occupy a space where the majority of the population is Muslim².

The UMNO has interwoven aspects of hard and soft democracy, forming a semi-democracy. Therefore, it has been able to undermine democratic ideals and procedures while maintaining just enough democratic symptoms to be still viewed as a democracy, at least from an outside perspective. Electoral systems at the state

and federal level have been democratic and deemed to be fair. Furthermore, political parties have been permitted to elect their officers. However, they have been methodically prevented from gaining the majority seats in parliament. Additionally, electoral competitiveness has been checked through a series of methods, such as gerrymandering, permitting UMNO to maintain its power. This semi-democracy has allowed for individual freedoms and expressions, though, serving to keep the people and the opposition appeased enough not to protest UMNO's schemes. For example, political parties are free to meet and organize and express dissent and sometimes do gain seats in parliament².

As aforementioned, Malaysia is a highly pluralist society comprised of many ethnic communities that benefit unevenly from economic growth. "However, it is not societal pluralism that in itself weakens the viability of democracy, but instead, the willingness of the elites to exacerbate and exploit it"². The UMNO used the economic disparity between ethnicities to sustain its power in the 1969 elections, triggering ethnic riots. From these actions, the UMNO gained more control in its coalition and established the New Economic Policy (NEP), which aimed to strengthen the Malay middle-class, acquiring on its behalf Chinese companies. It should be noted that while the NEP initially intensified ethnic resentments, it did encourage collaboration between Malay and Chinese businesses and promoted Chinese education and culture. And while ethnic sentiments in urban areas eased due to NEP, they intensified in rural areas as the economic benefits did not extend as drastically in the periphery. During this period, the UMNO used limited democracy as a tool to bend market-behavior to its will while simultaneously laying the groundwork for re-democratization by broadening the middle-class along ethnic lines².

In 1987, the UMNO finally faced a threatening opponent when the party itself split into UMNO (Baru), headed by the Prime Minister Mahathir, and Semangat '46 led by the former finance minister, Razaleigh. Razaleigh appealed to the middle-class, calling for more democracy, and assuring if he were elected a two-party system would be installed, the government would be held accountable and an independent judiciary system that would rid the country of policies promoting favoritism and patronage. UMNO (Baru) did manage to win the 1987 presidential elections at the party's general assembly, but Razaleigh's supporters tried to invalidate the election through media and judiciary efforts. Mahathir responded by closing down certain newspapers and jailing some supporters. The significance of these actions is paramount as it demonstrated UMNO's willingness to limit freedoms guaranteed by democracy to retain its power. That being said, these events also resulted in increasing factionalism within the government. Hence, the period leading up to the 1990 election

was defined by greater electoral competitiveness².

Socioeconomic policies, along with favorable attitudes by the elites, enabled re-democratization during the 1988-90 period. Prime Minister Mahathir allowed Semangat '46 to register as a party to compete in the 1990 election along with other political parties such as PAS and the Democratic Action Party (DAP). These parties were not allowed in the mainstream media but were admitted to travel the country and give speeches, demonstrating democratic openness. However, despite this demonstration, Mahathir's commitments to democracy were questioned when debating if he would accept electoral defeat. However, Mahathir's dedication went untested in the 1990 elections as he and his party were victorious, and the vote was deemed to be fair².

Indeed, after examining the 1990 election, many justifiably assumed that Malaysia was on its way to becoming more democratic with a more competitive party system. Further increasing the expectation for democracy were the other countries democratizing toward the end of the 20th century after the disintegration of the communist bloc. Unfortunately, the UMNO's actions during 1991-92 dispelled this notion because its 1990 electoral victory was too close for comfort. It began using state-owned media as a tool to implicate and demonize oppositional party leaders and censored them in the press, effectively preventing them from expressing and distributing their opinions. Furthermore, UMNO penalized other parties' family members and their businesses. During Mahathir's time as Prime Minister, he continued to justify his actions to remain in power².

To summarize, during the post-colonial period, there have been many reasons for thinking that Malaysia would transition from a semi-democracy into a more comprehensive one. These include "an enlarged middle class, improved ethnic relations, a facilitative international milieu, and an apparent elite willingness to act favorably on these conditions"². However, UMNO's actions, especially during the 1991-92 period, dispelled these notions and instead confined and limited Malaysian democracy, only implementing varying degrees at their discretion².

6 THE RISE OF ISLAM IN MALAYSIA

Malaysia is an anomaly because Islam and secularism have managed to coexist within its borders since its independence. However, the relationship has proven difficult to balance as the question remains: what is the supreme law of the land³? Indeed, evidence suggests that towards the end of the 20th century, the balance has shifted in favor of Islam.

The 1970s and 80s marked a revived interest in religion. Islamization efforts characterized the decade. These efforts did result in an increase in Malay-Muslim militant activities, but because they were non-violent,

Malaysian Islam has been labeled moderate. The Islamic Revival movement of the 70s and 80s led to Islamization on the structural and societal levels, and Malaysian Islam was able to reestablish itself, intermixing with the plural, the secular, and the modern.

The last three UMNO prime ministers, Mahathir, Badawi, and Najib proclaimed that Malaysia was already an Islamic State, although it can be argued they did so only to compete with the oppositional party, PAS, who had gained a significant following for their advocacy of an Islamic state. It is also speculated that they made these claims to defend their policies, proclaiming their Islamic nature, repeatedly referring to Article 3, which declares that Islam is the religion of the Federation. This endorsement and attempt to assert that policy is rooted in Islam acts as evidence that secular laws are viewed as contradictory to Islamic ones by a significant portion of the Malay-Muslim population³.

The Malaysian pluralist legal system is made up of High Courts, which are non-religious, and a network of Sharia courts which are limited to family law of Muslims. The High Courts have unlimited jurisdiction, and the Shariah courts operate within that jurisdiction, meaning they can intervene and overrule decisions made in the religious court. This has created a hierarchical relationship between the two. In 1998, this hierarchy was blurred with the new article 121(1A), which reaffirmed that the civil and religious courts act independently of one another. However, this sparked controversy because of multiple overlapping areas. One especially significant of these overlapping areas is the issue of religious freedom and apostasy⁴.

Article 3(1) asserts that Islam is the religion of the Federation. Until recently, it was agreed upon that this article was not meant to establish an Islamic state, but merely for symbolic purposes and to honor the country's history. Recently, there has been resistance to the constitution and calls to shift from prioritizing the state to prioritizing Islam. The argument being that the state has no right to legislate upon Islamic laws. Increasingly, the High Courts have ruled in favor of Sharia court decisions when cases have been appealed to them. Through these cases, we can see article 121(1A) come into conflict with section 11(1), which asserts religious freedom — for example, the case of Lina Joy. Joy was raised by Malay-Muslim parents and is ethnically Malay and, therefore, by default Muslim. She converted to Catholicism and was engaged to a Catholic man. However, because she was Muslim in the eyes of Malaysian law, she could not marry her fiancé unless he converted to Islam. Joy sought the recognition of her conversion and took the case to the supposedly secular High Court. When the High Court refused to acknowledge her transformation, she took her case to the Court of Appeal and finally, the Federal Court, who also rejected her application. These actions reveal a restrictive interpretation of

religious freedom at both the spiritual and the federal courts, illustrating a growing Islamization of society and the judicial system. What we are witnessing is a movement calling for a reversal of priorities, favoring Islamic norms over secular ones, and the increasing ability of Islamic laws to regulate secular ones, placing the rights and freedoms of non-Malay-Muslims in a precarious state⁴.

In 2006, Malaysian politics were thrown into chaos not only because of the highly divisive and contested elections (which are characteristic of Malaysian elections since the 90s) but because of confrontations concerning religion's role in the country. Over the last two decades, there has formed a growing division between the Malays who think that Islam should be more integrated into the public sphere and the Malays who believe the two should remain separate. On May 14, 2006, an Article 11 forum was held in Penang, hosted by a group of human rights and advocacy groups to promote awareness of religious freedom rights. The conference was rapidly shut down due to protesting by conservative Muslim groups, including PAS and FORKAD. Both groups believed their position in Malaysian society was being threatened by the other³. Enforcing Article 11 is seen by many as a threat to Islamic revivalism. Fearing another incident like the race riots in 1969 and sensing the "growing discontent of the reactionary Muslim groups," the Prime Minister Badawi ceased these "constitutional discussions"².

7 2018 ELECTIONS: A NEW RULING PARTY AND WHAT IT MEANS FOR MALAYSIA

The true indicator of a democracy is a peaceful transition of power to a newly elected party. Mahathir, the former prime minister of UMNO and the current leader of PH, ran against UMNO's current prime minister Najib Razak. On May 9, 2018, Malaysia underwent a transformative election wherein UMNO, the ruling political party since Malaysia gained its independence in 1957, and the National Front Party (BN) were unseated by the new opposition party Alliance of Hope (PH). However, whether or not this election will reframe Malaysian society is yet to be determined. UMNO and the BN's fall from grace can be attributed to five factors including corruption, government officials' personal enrichment, "stagnation in quality of living and unpopular economic policies"⁵, UMNO's use of repression and buying support, and social media's role in drawing attention to issues and serving as a platform for discussion and debate⁵.

The UMNO and the National Front Party have been accused of buying support, and many have speculated that they owe their previous electoral victories to nepotism. Furthermore, through money politics (promises, payoffs, resource rents, etc.) UMNO has been

able to spend more on elections and campaigning than any of its opposition. Repression of democracy, laws, and media have also provided the resistance with significant obstacles in gaining support and influence. Explored in previous sections, the UMNO was able to hold its position for so long by arresting opposition members, limiting their activities and resources, and controlling the information in the media. Most significantly, the electoral process itself was rigged through tactics such as gerrymandering and not giving postal voters enough time to send in their votes. The violations of the electoral process did not go unnoticed on the national or international level and significantly contributed to BN's weakening legitimacy. In 2018, Malaysia ranked 142nd out of the 158 countries featured in the Electoral Integrity Project's Global Perceptions of Electoral Integrity (PEI). Malaysia's remarkably low ranking made it impossible for BN to convince the country that proper electoral procedures had been followed⁵.

Corruption has existed within the bureaucracy for years, and Mahathir had his fair share of scandals during his tenure. However, Najib's scandals were more widespread, and there existed increased awareness and concern regarding said corruption. There was a common perception that UMNO bureaucrats were enriching themselves while abandoning their constituents who were facing growing inequalities, thus provoking them. The 1MDB scandal shone a light on corruption in UMNO and played a significant role in Najib's undoing. The population suspected party leaders of illegally lining their own pockets with state funds, specifically those of Najib and his family's. Social media's role in propagating the scandal should be noted as it relayed to citizens the extent of corruption within the government. Social media is a powerful tool against censorship, of which state-owned media is vulnerable. The scandal also exposed a lack of accountability in the government as UMNO made no investigation efforts. Politicians of opposing parties, such as Mahathir and Anwar, have been very vocal with their criticism regarding the scandal and the lack of investigation. Additionally, there were concerns about foreign money's influence in the country. Najib received funds from Saudi Arabia, leaving people to speculate what Najib did to deserve such a generous donation⁵.

Despite the years of undermining democracy and using immoral and unethical tactics to stay in power, there was little expectation that PH would be able to unseat UMNO and BN. This is because, between 2008 and 2015, notable differences emerged among the member parties of PH, one of them being PAS, and many thought it doubtful that they would be able to work together toward a common goal. However, because elections leading to democratization are dependent on the relative weakness of the ruling party compared to the oppositional parties, one can easily see why PH

was able to overcome its perceived lack of compatibility and overtake the majority votes. The United Malay National Organization and the National Front Party's legitimacy had weakened to the point that not even their past tactics could save them. Now remains the question of whether the new ruling party and Mahathir are genuinely committed to reform. Mahathir contributed to and initiated many un-democratic means, including exploiting ethnic grievances and checking electoral competitiveness, to keep himself and the UMNO in power. Furthermore, both he and Ibrahim Anwar, the current leader of the People's Justice Party (in the PH coalition), contributed to Islamization at the fundamental and agency level. While he and his party have seemingly moved away from a race-based focus, time will only tell if he and his party are different⁵.

Malaysia's reform and possible democracy are also dependent on Mahathir's relationships with the PH coalition's party leaders, which have been marred in the past. In 1982, when Mahathir was Prime Minister, Anwar became Vice President of UMNO. Anwar was popular among other leaders within the party, causing Mahathir to worry about his influence. Throughout Anwar's tenure, he and Mahathir were in constant competition, disagreeing over everything. Eventually, Anwar was fired and arrested under the Internal Security Act. Following his imprisonment, the government launched a destructive PR campaign on his reputation. Various other party leaders in PH were arrested during Mahathir's tenure. Thus, there is an obvious need for trust-building among the heads of the parties and Mahathir if PH is to be successful. Leading up to the elections, there seemed a willingness to cooperate; however, the dynamic among government personnel is questionable⁵.

On May 16, 2019, Anwar gave a speech warning against corruption that is already taking hold of the party, though he did not name specific politicians. He also implored citizens to remind leaders against excessive displays of wealth. In the same speech, Anwar announced that when he takes over as prime minister, he will uphold Islamic principles but "will also show concern and love for our brothers and sisters among non-Muslims. . . that are loyal to us." The speech suggests a continued allegiance to reform and to fight against corruption and respect Islam while maintaining the rights of religious freedom. However, it could also be a strategy to make the public doubtful of individual government leaders and serve as a reminder to the public and Mahathir, of Mahathir's promise that Anwar would be the next prime minister⁶.

8 CONCLUSION

Malaysia's unique history is defined by cultural interactions that combined Islam and British colonialism,

which brought democratic practices and secularism to the region, and allowed ideas considered incompatible to operate within the same space. While Malaysia's ability to implement secularism and democracy among a majority Muslim population has been applauded by the West and used as evidence that Islam and democracy can coexist, closer examination reveals a tumultuous relationship where democratic ideals have been increasingly sacrificed.

As outlined throughout the paper, the United Malays National Organization continued the British tradition of playing on ethnic tensions to divide and distract society as a strategy to maintain its power. Its preference and favoritism of Malays disguised by ethnonationalism as well as allowing for increasing Islamization in public and political spheres enabled UMNO to keep the 2/3 majority in parliament for 61 years. Indeed, the UMNO used identity as a tactic, playing on Malay fears that other races would take away their rights. As a result, there have been increasing calls for Islam on behalf of the Malay-Muslim population. Fearing the Pan-Malaysian Islamic Party gaining support, UMNO gradually conceded to keep the people appeased and to minimize PAS's electoral threat. Thus, under the United Malay National Organization, Malaysia slowly began its conversion from a secular state to an Islamic one.

Mahathir's new party leading up to the election was seen as a reliable alternative for Malays because of its focus on reform, righting the economy and apparent commitment to government accountability. Also, the coalition with multiple parties representing different sections of society suggests that the re-democratization that was thought would happen after the 1990 elections will occur now, characterized by meaningful elections and equal representation for all Malaysian citizens. Whether the Alliance of Hope party will be able to fulfill its promises and if the people's hopeful beliefs will be actualized can only be determined in time and through careful observation of PH's actions⁵. If PH's leaders are genuinely committed to reform and can put behind them past grievances, then it is reasonable to hypothesize a decline in Islamization and a return to secular norms in the political, judicial and social arenas with aspects of Islam that still respect the religious freedom of all guaranteed by the constitution.

9 EDITOR'S NOTES

This article was written in Spring 2019. Developments have occurred in the political arena regarding Islam and the ruling party's conduct since then. This article was peer reviewed.

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