

State-NGOs Relationship and Development in Muslim Societies: A Preliminary Analysis on Political Space for NGOs in Malaysia

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Abstract

Development of a country is a significant marker of the successful planning and implementation of policies by the government. It also shows the government's ability to manage the country's resource and wealth efficiently and effectively. The study on development has shown that the underlying perspectives that dominate the discussions on economics also determine the meaning and indicators for development. This article discusses the two central actors in development by looking at the relationship between state and NGOs in a Muslim majority society i.e. Malaysia. It looks at the pattern of the relationship through the political space allowed for NGOs to operate. An analysis on this suggests that political orientation of the NGOs and importance of state political survival shape the

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pattern of state-NGO relationship especially during the era of the government under Barisan Nasional (BN). This article argues that despite the legalistic and restrictive structure imposed on NGOs to mobilise, they are still considered the best partners for the government in meeting the goals of state development agenda.

Keywords

Development, development in Islām, state-NGO relationship, political space, legal framework, ABIM.

Introduction

A country's well-being is often measured from the rate of its economic growth and also its adherence to the democratic principles as championed by the West. In addition, the process of categorising whether a state falls within the three categories of “developed,” “developing”¹ or “least developed” countries is also qualified by mainly economics criteria, i.e. gross national product (GNP), gross domestic product (GDP), per capita income, level of industrialisation, degree of prevalent infrastructure and general standard of living. An interesting fact to note in the classification of development of countries in the world today is that the majority of the Muslim nations falls within the “developing” and “least developed” category. This trend is worrying as it reflects the condition of the Muslim societies around the globe.

To ensure that their countries progress further up the scale of development standard as outlined above, governments often embark on formulating strategies and taking the necessary steps through economic, social and political policies that are relevant to this endeavour. Thus, it is important to

1. The term “developing” is also used interchangeably with other terms like “underdeveloped” or “less developed” in reference to its secondary rank to “developed” nations.

have an all-encompassing view on the contributing factors that help to materialise the objectives of development. It is essential to look at the roles of other actors that help to propel growth in the country and the internal structures that inhibit their contribution. This article specifically looks at that aspect in the relationship between the government and non-governmental organisations or NGOs on the issues of development in a Muslim-majority state i.e. Malaysia during the era of the Barisan Nasional government.

Development: A Contentious Definition

The term “development” used to be specifically referred to as economic growth is measured in economic terms and identified by economic qualifications. The meaning of development changes over time, as argued by Jan Nederveen Pieterse.² “Development” has often been defined as a solution to the inadequacies of progress especially during the 19th century. But most significantly, discussions on modern development thinking have always related it with economic growth. Only when development embraces the idea of modernisation that we see a more comprehensive outlook on the term taking place. Development then does not merely focus on economic growth, but it also includes political modernisation which focuses on constructing a national identity through the power of the state and social modernisation that encourages entrepreneurship within the society.

As development-thinking broadens to include other perspectives and theories, the meaning of development also has changed. Dependency perspective on development holds that the association of development to economy is largely due to the mission of newly independent states especially

2. Jan Nederveen Pieterse, *Development Theory*, Second Edition (London: Sage Publications Ltd), 2010. See his discussion on “Trend in Development Theory,” 1–7.

in the 1950s to emulate their so called “modern” and more developed colonial masters namely the western states. Sardar writes “...the western nations are thus the model of developed states with their industrial policies, free market economies, technological advancement, political, social and cultural institutions providing the best example of all that constitutes human endeavour...”³ However, this discussion on the theory of development explains that the term “development” actually mirrors a superior-inferior relationship between the west and the non-western states and the dependant tendency of the third world countries through the imperialistic economic structure.

The world systems theory on development argues that development should not be confined just to refer to the nation as a single entity. Rather, it should look at the larger dynamics of other structures beyond the state, for example, how the international systems and other foreign states influence the development agenda of a state. Another approach on development championed by the neo-liberal holds that development should be determined by the action of market forces. Too much government control and intervention on the economy is bad for development, therefore, free market and private enterprise should be given more room to mobilise themselves.

The current discourse on development is based on the United Nations Development Programme’s conceptualisation of human development which consists of the ability of people to lead long and healthy lives, gain knowledge and have access to the resources needed for an acceptable living standard. According to Halperin, there are two ways on how the concept of human development influences development theory. First, it illuminates the shortcomings of theories that emphasise nations or societies which employ macroeconomic dynamics to explain variations in development conditions and

3. Ziauddin Sardar, “Beyond Development: An Islamic Perspective,” *European Journal of Development Research* 8, no. 2 (1996): 36–55.

to evaluate development. She argues that these theories are not able to prognosticate whether the national wealth has been distributed widely enough to set the suitable environment for human development. Second, the perspective of development perceived as human development accentuates the power of the state. It provides the state a vast amount of power in protecting and promoting sustainable human well-being and stresses that only the socially-oriented state policies are excluded by neo-liberals such as to improve the access of all people to human resource investments, productive assets, credit facilities, information flows and physical infrastructure; and protect the legitimate interests of producers, consumers, workers, and vulnerable groups in society⁴.

Development from the Islamic Perspective

One alarming fact on the discourse of development thus far is the promotion of secular norms to determine its criteria. Khurshid Ahmad argues that development from the Islamic perspective is comprehensive and multi-dimensional which includes the moral, spiritual and material dimensions. He outlines four philosophical foundations of the Islamic approach to development:

1. *Tawhīd* (God's unity and sovereignty)
2. *Rubūbiyyah* (Divine arrangements for nourishment, sustenance and directing things towards their perfection)
3. *Khilāfah* (Man's role as God's vicegerent on earth)
4. *Tazkiyah* ("Purification plus growth")⁵

4. Sandra Halperin, "Development Theory," *Encyclopedia Britannica* available at <https://www.britannica.com/topic/development-theory> (accessed on 3rd January 2019).

5. Khurshid Ahmad, "Economic Development in an Islamic Framework," *Studies in Islamic Economics*, ed. Khurshid Ahmad (Leicester: The Islamic Foundation and Jeddah International Centre for Research in Islamic Economics, King Abdul Aziz University, 1980), 178–179.

In his discussion on the philosophical foundations, it is clear that he considers *tazkiyah* as the fundamental element in pursuing the goals of development. He stresses that “the Islamic concept of development follows from its concept of *tazkiyah*,⁶ as it addresses itself to the problems of human development in all its dimensions: development is concerned with growth towards perfection through purification of attitudes and relationships. The result of *tazkiyah* is *al-falāḥ*—prosperity in this world and the hereafter.”⁷

Development in Islām is shaped by the *tawḥīdic* framework which upholds the sovereignty of Allāh as the Creator and the purpose of man’s life is to seek the pleasure of the Ultimate Creator by carrying the role of vicegerents. Therefore, development must have the objective of fulfilling the societal overall welfare i.e. spiritual, emotional, intellectual and physical. Askari and others explain that development in Islām is made up of three dimensions: individual self-development, physical development and the development of the human collectivity which includes both the two earlier dimensions. It is further clarified that “fundamental to all three is the belief that the Supreme Creator has provided the ways and means to facilitate the achievement of all three dimensions of development.”⁸

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6. Refers to the purification of the individual soul through spiritual rejuvenation. Ziauddin Sardar disagrees with Ahmad’s limited analysis of *tazkiyah* which he argues should not be confined to individual salvation. Sardar explains that, “Islam seeks to build a society which enables its various elements and components to practice *tazkiyah* in a positive atmosphere.” See Sardar, *Beyond Development*, 50.
 7. As cited in Muhammad Shukri Salleh, “Philosophical Foundations of Islamic Development: Khurshid Ahmad’s Conception Revisited,” *International Journal of Education and Research* 1, no. 7 (July 2013): 4.
 8. Hossein Askari et.al, “Understanding Development in Islamic Framework,” *Islamic Economic Studies* 22, no. 1, (May 2014): 8.

NGOs in Malaysia

The World Bank defines NGOs as “private organizations that pursue activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services, or undertake community development.”⁹ NGOs deliver services, provide their own development programmes and even render assistance to government agencies in implementing their programme policies. Apart from the above, NGOs also carry out awareness activities and help the society to communicate its worries, needs and hardships to the relevant authorities. Clark asserts that NGOs can influence the mainstream development in the following ways:

1. encourage official aid agencies and government ministries to adopt successful approaches developed within the voluntary sector;
2. educate and sensitise the public as to their rights and entitlements under state programmes;
3. attune official programmes to public needs by acting as a conduit for public opinion and local experience;
4. operationalise collaboration with official bodies;
5. influence local development policies of national and international institutions; and
6. help government and donors to fashion a more effective development strategy through strengthening institutions, staff training and improving management capacity.¹⁰

9. Carmen Malena, *Working with NGOs: A Practical Guide to Operational Collaboration between the World Bank and Non-Governmental Organization*, (World Bank, 1995), 13, available at <http://documents.worldbank.org/curated/en/814581468739240860/pdf/multi-page.pdf>.

10. John Clark, *The Relationship between State and the Voluntary Sector*, The Global Development Research Center (1993), 4, available at <http://www.globalpolicy.org/ngos/state/relationship.htm>.

In addition, NGOs actually have established different working relationships with other actors. Through formal and informal networks, NGOs shape the attitudes and operation of other social institutions. NGOs often act from the below with a bottom-up approach in issue-related activities. They seldom work on a single issue, but often take several issues at a time and tend to integrate issues that are of their concern. Hurrell and Kingsbury note that through such activities as advocating, opposing, negotiating, and consulting, NGOs have come to create an institutional framework to link the general public from local communities with high-level decision-making bodies and other social institutions.¹¹

The emergence of NGOs in Malaysia can be traced back to the era since the colonial period. During that time, developments of societal organisations were closely monitored so as to ensure a controlled and limited environment for local NGOs to operate. Contemporary Malaysian NGOs are very much rooted in the existing communal organisations that take centre stage in advancing the relevant communities' interests during the colonisation period. The diverse ethnic backgrounds and cultural experiences have given rise to a number of many other private voluntary organisations in the country. The Chinese Secret Societies, the Indian Nationalists Association and Malay-Muslim progress organisations are among the influential social movements that uphold significant roles. These early social movements are the primary antecedents to the present Malaysian NGOs and also significant to the creation of laws and regulations that govern and limit these NGOs.

The activities and operations of the NGOs in Malaysia are shaped by several central factors. According to Kaneko, these factors comprise of: 1. strict supervision and regulation at the hands of the political system with its strong authoritarian

11. Andrew Hurrell and Benedict Kingsbury, ed., *The International Politics of the Environment: Actors, Interests and Institutions* (Oxford: Clarendon Press, 1992).

leaning; 2. a fairly well-planned development administrative mechanism and by the ruling party's organisation, which extends to the grassroots level; and 3. the characteristics of the Malaysian society with its multi-ethnic social structure.¹²

The 1970s saw an upsurge in the growth of development NGOs in Malaysia. As a reaction to the racial riots of 1969, these NGOs emerged to become decisive agents of change to the society. The adoption of *bumiputera*-oriented policy and the steps taken to change the allocation of the country's political, economic and social resources resulted in the emergence of these NGOs to advance the needs of the poor and marginalised. Their work in education, health and welfare of the society proved to be the crucial determinant in mobilising the people to improve their conditions. Among these NGOs were the Federation of Malaysian Consumers Association (FOMCA) set up in 1973, Angkatan Belia Islam Malaysia (ABIM) in 1971, the Consumer Association of Penang (CAP) in 1969 and Aliran Kesedaran Negara or ALIRAN in 1977.

Development NGOs as a component of the civil society organisations in Malaysia mostly are aimed at improving the physical quality of life of the marginalised in society. This objective normally involves the adoption of one or more concrete development activities with selected groups or communities to improve their physical quality of life through health, education, agriculture, trade or infrastructure.

There are several factors that contribute to the rise of the issue-oriented NGOs in Malaysia and the form of development that they advocate to the society of Malaysia. The first is the nature of the state itself. In the early years of post-independence Malaysia, the elite group that represented the different communities through Barisan Nasional (BN) had produced a condition of depoliticisation at the grassroots in the name of national security and social stability. This had brought

12. Yoshiki Kaneko, "Malaysia: Dual Structure in the State-NGO Relationship" *The State and NGOs: Perspective from Asia*, ed. Shinichi Shigetomi (Singapore: Institute of Southeast Asian Studies, 2002), 178.

about the creation of legislations and taking of political actions to cater for the ideal preservation of peace and harmony in the society. According to Tan and Singh, the strong authoritarian tendency and corporatist features of the government were the causes of the government's failure to listen and absorb the demands and the complaints voiced at the grassroots level.¹³ The second factor that contributed to the emergence of the NGOs was the growth of the urban middle class and an increase in the number of overseas-educated youths, which led to inflows of thoughts and activities of western-style citizens' movements as well as Islamic revivalism. They advocated issues that were of their interests and concerns and came together in a more structured form through NGOs and foundations. Due to their expertise and knowledge, the issues of concern were considered valid and reflected the reality of conditions in the country especially those affecting the marginalised groups in society.

NGO Relationship with State: The Issue of Political Space

In the early 1800s, De Tocqueville, a French pluralist, claimed that the state had become too powerful. He expressed that when the state obtained legitimacy through the process of elections, as a result, citizens' power was taken away from them. This simply explains that once a representative has been elected, society would lose the drive to create and maintain a balanced and just environment. This is because society would just depend on the state to uphold this role. Therefore, De Tocqueville further argued that state power, though necessary, needed to be limited.¹⁴ This would bring about the importance of a vibrant civil society that helped to set a boundary around

13. Tan Boon Kean & Bishan Singh, *Uneasy Relations: The State and NGOs in Malaysia* (Kuala Lumpur: APDC, 1994), 5.

14. Priya Sood, *Flowing Upstream: The Case for Cooperative Efforts between NGO-State Relationships concerning the Drinking Water Crisis in Rural Gujarat (India)* (Ottawa: National Library of Canada, 2000), 23.

state power and also to make the state more accountable. Included in the civil society groups would be the NGOs.

In most writings on NGOs and the state, the interactions between NGOs and the state are very much determined by a number of factors. John Clark stresses that a healthy NGO and state relationship is very much determined by shared common objectives. He argues that when the government's commitments over a development agenda is weak or where the government could not appreciate the importance of addressing a particular development issue, the pattern of relationship can be a frustrating one. On the contrary, if the government pursues a positive social agenda, this in turn will make the NGOs become more effective.¹⁵ Tandon supports this view when he clarifies that such a relationship as "a genuine partnership between NGOs and the government to work on a problem facing the country or a region... based on mutual respect, acceptance of autonomy, independence, and pluralism of NGO opinions and positions."¹⁶ Such a relationship is rarely found, but common objectives still do not promise a positive relationship for NGOs and the state considering the different orientations of both development actors.

In the context of state-NGO relationship, political space basically refers to the arena in which non-state actors may undertake initiatives independently from the state. Riker elucidates that this political space constitutes a sensitive, and ever-changing environment, within which all actors, including NGOs, strive to shape their purposes and visions of development; and operate within the boundaries determined by the state.¹⁷ This simply indicates that state may

15. John Clark, *The Relationship between State and the Voluntary Sector* (The Global Development Research Center, 1993), 7.

16. Ibid.

17. James V. Riker, "From Co-optation to Cooperation and Collaboration in Government-NGO Relations: Towards an Enabling Policy Environment for People-Centred Development in Asia," *Government-NGO Relations in Asia: Prospects and Challenges for People-Centred Development*, ed. Noeleen Hyzer, James V. Riker & Anthony B. Quizon (Hampshire: MacMillan Press Ltd, 1995), 23.

encourage, support, tolerate, interfere, discourage or abolish NGO activities through legal or coercive means. In this case, the level of political space will differ within a polity, across geographic regions, among government ministries and within ideological groupings. Hall and Ikenberry term this as “despotic dimension” of the state.¹⁸ Hence, grassroots organisations are only allowed to operate within the parameters set by the state. As mentioned earlier, these parameters or political space is very dynamic; it can either expand or contract. Government often seeks to shrivel the space through the necessary means in order to ensure that the activities of these organisations are within its control and monitoring. This approach basically provides the answers to why the central government strives to fill the political space on its own or in cooperation with others.

Hassan explains that NGOs in Malaysia operate within two extreme political systems, which are neither truly democratic nor completely authoritarian. Nonetheless, the NGOs can be categorised broadly into two categories namely welfare or community service NGOs and development or advocacy-oriented groups. There are three basic ways in which NGOs relate to the state in Malaysia. First, as she claims, are welfare and recreational NGOs that actually complement the State by providing welfare and social services. The second group of NGOs challenges the State by criticising or questioning its policies, practices or proposals. The third role undertaken by NGOs is where they engage with the State by negotiating, raising concerns and offering alternatives.¹⁹

Weiss claims that NGOs in Malaysia are still developing as a political and social force. She argues that they remain constrained not only by the restrictive political environment,

18. See “The State and NGOs: Issues and Analytical Framework,” *The State and NGOs: Perspective from Asia*, ed. Shinichi Shigetomi (Singapore: Institute of Southeast Asian Studies, 2002), 12.

19. Saliha Hassan, “Political Non-Governmental Organizations: Ideals and Realities,” *Democracy in Malaysia: Discourses and Practices*, ed. F. Loh and B.T. Khoo (Surrey: Curzon, 2002), 198–215.

but also by personalistic structures, a shortage of funds, difficulties in rousing often disengaged masses or public and ethnic and religious divisions.²⁰ Despite all the above constraints and difficulties, 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 which has been able to rally mass opinion at crucial junctures in support of political, social and economic reforms. She explains that NGOs in Malaysia are constrained by a regulatory environment, which according to her, is a legacy of the British colonial government through their campaigns against the Chinese secret societies, and also the communist movements in Malaya.²¹

Examples of the restrictive conditions can be found in various legislations. The Societies Act (1966) requires any groups or societies to register with the Registrar of Societies including seeking their approval for any changes or amendments. Constraints are also evident in the Police Act 1967 and the University and University Colleges Act 1971. This is supported by Ali in his statement on the relation between state and NGOs in Malaysia: "...perhaps it is in Malaysia that the NGOs are the fewest and least active, thanks to the strict registration process, the generally unsympathetic attitude of the state and the efficiency of government in setting up or sponsoring its own organisations."²²

Although Weiss's study is concentrated mainly upon political and advocacy-oriented NGOs in Malaysia, such type of regulatory framework has affected all types of NGOs in Malaysia. Interestingly, Weiss also claims that the Malaysian state has itself taken the lead in rural development, provision of social services and the like, rather than leaving a vacuum

20. Meredith L. Weiss, and Saliha Hassan, *Social Movements in Malaysia: from Moral Communities to NGOs* (London: Routledge Curzon, 2003), 17.

21. Ibid.

22. Tan and Singh, *Uneasy Relations*, 13.

for development and politically-engaged NGOs to fill, thus finds that it is germane to carry out extensive research work on the roles of NGOs as partners in development. But, despite recognition of this, there is always room for extra efforts extended by NGOs towards poverty reduction.

The relationship between the state and NGOs can either be pleasant or adversarial. This pattern of relationship depends very much on a few factors such as the political orientation of the state and also the environment available for NGOs to achieve their organisational objectives. An NGO that is strategic in its action and approach towards the parameters set for them to operate, always considers how the government views and conditions such parameters. It is obvious that this space is not fixed and the boundaries set can shrivel or grow if the state believes that its legitimacy is affected by the activities of the NGOs. The main reason for this is obvious; the state wants to be able to control things around. A strong central government has the capacity to define the political parameters affecting NGOs' movements and initiatives. This is where the question of political space comes into focus and how it affects the movements of NGOs, its ability to be effective and also the pattern of relationship that develops between the state and NGOs in the country.

State and NGOs relations in Malaysia have often been seen as confrontational due to the major differences and widespread publicity given to the interactions between the two parties. On the other hand, interestingly, many NGOs have already established institutional ties with the government. Some NGOs, have over the years been taking part and even played major roles in state-sponsored programmes. The question is whether such NGOs have truly been effective in upholding their roles in those programmes or have they just been included without having the real autonomy and thus making their presence ineffective. Such is the dilemma faced by many Malaysian NGOs.

At the national level, NGOs are involved in advisory capacities mainly because they have the research and

knowledge skills. NGOs are often invited to legislation-forming committees. This is to ensure that some sort of consensus is obtained rather than the possible effects of not including the NGOs in the committee such as street demonstrations and openly criticising government agendas and policies. The inclusion of NGOs and the advisory roles they play in the committee do not guarantee the NGOs any power at their disposal. The government determines the final decision. Despite this, NGOs believe that their participations, though minimal, are indeed important as this would allow them to have a say in policy decisions, legislative amendments and state regulations.

Although the Constitution of Malaysia guarantees equality under the law and the freedoms of expression, assembly, and association as fundamental rights of the population, there exist, however, other constitutional clauses and statutory laws that directly or indirectly put restraints on these constitutional prescriptions. For NGOs, they are also subjugated under the various legal framework and political environment such as the Societies Act 1966 and the Internal Security Act 1960. This causes constraints to the NGOs in expanding their political space to operate freely as well as to increase their political participations. However, the previous government under the Barisan Nasional believed that such legalistic control was necessary considering the nature of the state which was built upon compromise and trusts among the different ethnic groups. It was believed that such control measures would allow continuous preservation of peace, stability and harmony that have existed for many years.

The Societies Act 1966

The relationship between the state and NGOs and other social movements is defined most clearly by the Societies Act of 1966, which was then revised in 1983. According to the Act, the term “societies” includes any club, company, partnership,

or association of seven or more persons whatever its nature or object, whether temporary or permanent, and law makes it mandatory for all pertinent organisations to register with the government, in accordance with the specified procedures.²³ The scope of organisations required to register under the stipulated law is extensive, which includes NGOs, political parties and clubs.

The execution of the Societies Act is entrusted to a royally-appointed body known as the Registrar of Societies (ROS) under the prerogative of the Minister of Home Affairs, a portfolio which was used to be held by the Prime Minister of Malaysia. However, in the present cabinet line-up, the portfolio is currently held by the Deputy Prime Minister. The ROS has the power as stipulated in the Act (Article 7) to reject an application for registration filed by a new organisation if it finds that the organisation “is likely to be used for unlawful purposes or any purpose prejudicial to or incompatible with peace, welfare, security, public order, good order or morality in Malaysia.”²⁴ In addition, if there is any evidence brought forward to the Minister on a registered organisation that is being used for any of the above-mentioned purposes as well, he has the authority to declare the organisation illegal (Articles 5 and 17). For instance, ALIRAN was charged by the ROS in 1981 with “likely to be used for purposes prejudicial to, or incompatible with, peace in the Federation” and also on the grounds that the group was charged with pursuing objectives other than those for which it was registered.²⁵ However, ALIRAN was allowed to remain after the organisation successfully refuted the charges against them.

23. Yoshiki Kaneko, “Malaysia: Dual Structure in the State-NGO Relationship” in *The State and NGOs: Perspective from Asia*, ed. Shinichi Shigetomi (Singapore: Institute of Southeast Asian Studies, 2002), 185.

24. Ibid.

25. Meredith Weiss, “Malaysian NGOs: History, Legal Framework and Characteristics” in *Social Movements in Malaysia: from Moral Communities to NGOs*, ed. Meredith L. Weiss and Saliha Hassan (London: Routledge Curzon, 2003), 33.

The Internal Security Act 1960 (Repealed in 2012)

Although the Act had been repealed by the BN Government in its effort to promote freedom and justice for the people, a discussion on the Act is still relevant to show the impact of such restrictive act for NGOs to mobilise themselves. The Internal Security Act (ISA) 1960 was a significant legal inhibitor to the NGOs. This law had been used by the state to prevent attempts to overthrow the government and organise violence or any activities that might be considered as dangerous to the security of the country. This law authorised the Minister of Home Affairs to detain individuals accused of such charges for up to two years without having to go through the normal court proceedings, and this detention period could be extended whenever necessary.

The act allowed for arrest and detention without a warrant, and substantially reversed the need for the burden of proof. It stated that “until the contrary is proven,” any of the activities proscribed under the act would be presumed to have been undertaken “for a purpose prejudicial to the safety or interests of Malaysia.” It was not necessary for the authorities to show that the accused person was guilty of a particular act, and stated that even if no act was proven, the accused person might still be convicted on the basis of “the circumstances of the case, his conduct or his known character.”²⁶

The loophole of this legislation was in its violation of the democratic principles over individual’s fundamental freedoms. The unprecedented usage of this legislation in the 1987 crackdown or famously known as “Operasi Lalang” indicates that there is a political tool at the disposal of the ruling party against NGOs and oppositions. During the operation, in the aftermath of ethnic tensions in the country, the government launched a nationwide onslaught, which affected many sectors

26. Imtiaz Omar, *Rights, Emergencies and Judicial Review* (Boston: Kluwer Law International, 1995), 50–52.

of society including politicians, academicians, unions and NGOs. The anti-Internal Security Act (ISA) campaign had been part of a number of NGOs' struggle such as Hak Asasi Manusia (Human Rights) (HAKAM) and ALIRAN which kept calling for the abolishment of the Act rendering it to be undemocratic and a form of government tyranny against its people. Finally, upon the promise of the government to uphold principles of democracy and justice, the Act was repealed by the Government in 2012.

NGOs and Issues in Development in Malaysia: Amidst the Restrictive Structure

It is safe to presume that NGOs flourish and are able to play their role effectively when states are perceived to be inefficient and weak. Zaidi argues that there are states which are not able to deliver economic development to the presumed beneficiaries and non-state institutions, thus this emphasises a greater need for the NGOs and other private institutions to step in and fill up the gaps.²⁷ In poor countries or even countries whose social policies and state machineries are unable to meet the social demands of the people, NGOs have become one popular solution.

The World Bank recommends that NGOs should not try to replace or surpass state roles in development, but instead suggests for NGOs to supplement government efforts and provides for importance in delivery of services to the poor through competition.²⁸ However, in this context, NGOs should not be seen as competitors to state but rather, as White explains, potential new partners in a mutually advantageous collaborative project and such an interaction would provide NGOs with opportunities to expand the scope of their

27. S. Akbar Zaidi, "NGO Failure and the Need to Bring Back the State," *Journal of International Development* 3, no. 11 (1999): 260.

28. Ibid.

operations, broaden their influence and participate in the formulation of national development agenda²⁹. Meanwhile for the state, this could lead to a better chance to gain some sort of reflected moral glory, a better access to vast amount of donor funds, neutralise potential opposition which could see a more efficient and cost effective implementation of policy.

The post-1998 political scenario has very much increased the level of suspicions about NGOs by the former BN Government. NGOs relations with the state have become more restrained due to the mass protest carried out by the political parties such as Parti Islam SeMalaysia (PAS), Democratic Action Party (DAP) and NGOs under the banner of freedom and human rights. NGOs at that time faced a great task of having to regain the trust and confidence of the state in the restrictive political space available for them.

Despite the animosity faced by the NGOs in Malaysia through the legislations and political environment that have prohibited the total freedom of the organisations to dictate their course of activities and operations, NGOs do collaborate with the government in several important areas. Leaders of NGOs are often invited by government agencies to provide inputs and consultations on matters concerning the society. According to Weiss, the state is likely to call upon professionals or moderate NGOs whose contributions will complement the government rather than a rival or adversary to the state in its governance.³⁰ NGOs' presence in advisory panel and bodies set up by the government are due to their skills on research work and knowledge. NGOs are also invited to legislation forming committee together with private business representatives. As an example, the Ministry of Women, Family and Community Development has a panel of advisory members consisting of

29. Sarah C. White, "NGOs, Civil Society and the State in Bangladesh: The Politics of Representing the Poor," *Development and Change* 30 (1999): 308.

30. Weiss, "Malaysian NGOs," 37.

representatives from academicians, women and welfare NGOs that provide the necessary inputs in the ministry planning and policy formulation exercise.

However, in most situations, the advisory roles of NGOs are not a guarantee that their views and opinions will be accepted by the state. The government has the final say and the ultimate decision-making power to opt for ideas, options and suggestions of NGOs which they find relevant and helpful. Although in these forms of engagement, the state does not promise a permanent recognition to the work carried out by the NGOs, still the NGOs agree to such a relationship. This is because, from the standpoint of the NGOs, it is better to be heard on this minimal platform than never be heard at all. In addition, the participation of NGOs through this advisory role is also important because there is need for NGOs to be able to use this opportunity to educate the government regarding NGO work and what they are able to contribute to the society.

Some NGOs provide complementary services to the community with the aim of not competing with the government but hoping to reach out to a larger number of people who are in need. ABIM, for example, calls for the approach of “partners in nation building” whereby the organisation is ever willing to cooperate with the government selectively in efforts that can generate a more effective process of Islamisation. It also cooperates with the government in areas that would benefit the Muslim ummah (community). Being an autonomous NGO, ABIM receives minimal support from the government to carry out its own development programmes. As such, ABIM reaches out to the poor community in the society by developing small-scale projects through its “propagation via action” (*da'wah bil hāl*) approaches.

ABIM used to be labelled as one of the most influential Malay pressure groups in the country. Well-known as an established Islamic movement in Malaysia, ABIM's focus of *da'wah* (propagation) encompasses many areas of the socio-political condition of the Malaysian community. ABIM's

effort in assisting the poor started off since the early days of its formation. In 1974, ABIM was involved in mobilising the anti-poverty demonstration in Baling, Kedah, which gathered around 30,000 protesters whose majority consisted of students of public universities. The purpose of the demonstration was to create awareness in the society of the social condition faced by the poor in the country. This significant role of ABIM was rightly acknowledged by Khoo, as cited in Abdul Halim, when he mentioned, “..there was the socio-politically oriented Angkatan Belia Islam Malaysia (ABIM) which was openly critical of the shortcomings of the government, especially on such issues as Malay poverty and official corruption”.³¹

ABIM's *da'wah bil hāl* projects focus on initiatives that reach out to the grassroots with the aim at improving the life and social conditions of their target groups. Among these programmes are the Outreach Orang Asli (Natives) programme which focuses on reaching out to the poverty stricken Orang Asli community, ABIM Community Building Programme which was introduced in 1991 and the *Projek Prihatin* (PROTIN) or literally translated as the caring project which was developed by ABIM in 2007 to assist the poor community in collaboration with various private and government institutions.

ABIM's Community Building Project which was introduced in 1991 targeted existing economic development initiatives, housing, and health projects. ABIM active members collaborated with existing social welfare and workers organisations and carried out their programmes in mosques, schools, and training colleges to reach their target groups such as farmers, factory workers, fishermen, health workers, and teenagers. Through the process of empowerment and participatory action research, ABIM's activists began to act

31. Haji Abdul Halim Ismail, “Gerakan ABIM dan Impaknya ke Atas Perubahan Sosio-Politik Masyarakat Malaysia,” http://abim.org.my/minda_madani/modules/news/makepdf.php?storyiid=65, (accessed on 18th September 2016).

as agents for local mobilisation in 28 districts.³² Through the *Projek Prihatin* (PROTIN), ABIM served as a mediator between the poor community and the related institutions that would be able to assist the members of the community. ABIM would liaise with related institutions like State *Zakat* Bodies and the Social Welfare Department on the aid needed for the poor such as food, financial subsidy or alms and basic needs. This project also welcomed the contributions from individuals either through monetary donations or goods.

Conclusion

NGOs in Malaysia are indeed restricted by the bounded political space made available for them. However, they have braved severe government restrictions, always trying to create a political force, which is capable of becoming an alternative to the existing power establishment. The NGOs have also collaborated with the government from time to time, carrying out practical functions in delivering public services to the people who are in need in instances when the government in power has failed to do so. In conclusion, though small in number compared to their counterparts in other developing countries and having to face the authoritarian and corporatist nature of the state, NGOs in Malaysia and their activities indeed play an important political role to the country.

The Government cannot deny that the types of reach out development programmes of NGOs are actually more efficient and focused compared to the bureaucratic nature of its own machineries. The problems of resource wastage, duplication of work, corruption and mismanagement of funds allocated for development of the society are burdens for the government to shoulder. This is not just on the government

32. Azeem Fazwan Ahmad Farouk and Azrina Husin, "Development and Social Capital: A Case Study of Selected Malaysian Non-Governmental Organizations (NGOs)," *Kajian Malaysia* 33, no. 2 (2015): 25–42.

financial coffers but also to the image of the government. Therefore, collaborative efforts between the government and NGOs are critical for a developing country like Malaysia. Furthermore, as a Muslim nation, the welfare of its people must be made a top priority which include the development and promotion of spiritual, intellectual, emotional and physical components. Collaborative and complementary efforts from both NGOs and the state would not just benefit each other but most crucially, it would benefit the society and assure that a more comprehensive development agenda as required in Islām could be materialised and meet its real objectives.

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