# CIVIL-MILITARY RELATIONS INMALAYSIA: THE ARMED FORCES IN A DEMOCRATIC GOVERNMENT

By

Afdal Izal Bin Md. Hashim

## **THESIS**

Submitted to

KDI School of Public Policy and Management

in partial fulfillment of the requirements

for the degree of

MASTER OF PUBLIC POLICY

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charge:

Professor Jeffrey Scott ROBERTSON, Supervisor

Professor Yong S LEE

Professor Hun Joo PARK

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#### **ABSTRACT**

# CIVIL-MILITARY RELATIONS IN MALAYSIA: THE ARMED FORCES IN A DEMOCRATIC GOVERNMENT

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#### Afdal Izal Bin Md. Hashim

Civil-military relations in Malaysia have been in existence since before the country gained its independence in 1957 during the formation of the Trial Company of the Malay Regiment on March 1, 1933 though it was known as Malaya then under the colonial office of the British Empire. One of the systems it has emulated from the former colonial masters is the Malaysian Armed Forces (MAF) rules and regulations and laws under the Armed Forces Act 1972 (Amendment 1996) Part III Commissions and Appointment of Regular Armed Forces Personnel, and has its own military culture and traditions that it practices -thefirst argument is whether the armed forces in new democracies such as Malaysia continue to be treated as civil service? The second controversy in this thesis is that the military's professionalism and historical linkages has made the MAF as trustworthy and a subordinate towards the civilian masters, and with Malaysia's single party-rule of the National Front since independence has made it a tool for the ruling elite to utilize the military as a fourth branch of the government or a 'weapon' to diffuse dissidents and oppositions within the democratic process. The thesis then concludes that for a nation to remain peaceful and prosperous can be achieved with a stable government, a good check and balance between the three branches of the government: the judiciary, the legislative and the executive, and the military that is apolitical and subservient to the civilian government chosen by the people through democratic process.



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AfdalIzalHashim, SalakTinggi, Malaysia

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#### 1. INTRODUCTION

#### 1.1 Situation

Malaysia has enjoyed 55 years of peace and prosperity and gained its independence from the British on August 31, 1957 with peaceful transition and has adapted to the British style of Westminster Parliamentary-system to emulate its administration style and organization. With it Malaysia has suited the United Kingdom's Commonwealth system to a more regionalize system that has worked in a society that is multi-cultural, multi-ethnicity and multi-religious. One of the systems it has emulated is the Malaysian Armed Forces (MAF) rules and regulations and laws for the Armed Forces, which are to be subservient to the civilian authority chosen by the people through democratic elections. In its short span of 55 years the Armed Forces have played its professional role in ensuring peace is achieved and the development and advancement of the nation's economy, trade and financial aspect continues to grow.

Thus the question arises when there is peace and stability the armed forces of a certain nation is confined to barracks and only utilize for national disaster efforts such as floods and storms, humanitarian relief and aid, and peacekeeping operations in troubled nations which the MAF have contributed significantly towards the United Nations Peacekeeping Operations (Barlow and Loh 2003). Starting from Congo in 1960-1962 that a country's infancy such as Malaysia was able to send a contingent of peacekeepers as a goodwill to the United Nations and to partake in the United Kingdom Commonwealth's former colonies(Siew 1989). With these efforts the MAF have shown significant contribution in Somalia, Bosnia Herzegovina, Lebanon and Cambodia from its nationhood in 1957 until today (Aksu 2003). This fine line that entails the armed forces are entrusted to such a responsibility have given the civilian authorities the trust and confidence that the soldiers, sailors and airmen are loyal to the government of the day and elected by the people.

On January 14, 2013, Malaysia's sixth Prime Minister the Honorable Mohd. Najib Tun Razak the eldest son of Malaysia's second Prime Minister, in a speech organized by Attorney General's Chamber of Malaysia to international lawyers and lawmakers acknowledged that the Malaysian Armed Forces have never resorted to a *coup d'état* and have never even hinted or showed any signs that the historical and traditions of the Malaysian military ever wanted political power and influence. In his speech, the Prime Minister focused on civilian supremacy in Malaysia and Parliamentary Democracy that it practices since independence and the formation of Malaysia with Sabah and Sarawak on September 16, 1963.

The controversy in this thesis is to ask whether the military professionalism and historical linkages has made the MAF as trustworthy and a subordinate towards the civilian political masters and with Malaysia's single party-rule of the National Front has made it a tool for the ruling elite to utilize the military as a fourth branch of the government or a 'weapon' to diffuse dissidents and oppositions within the democratic process. Malaysia's civil-military model has worked towards being a moderate nation in terms of neutrality and zone of peace, friendship and neutrality (ZOPFAN) which it has supported towards the Non-Aligned Movement (NAM) in the cold war and this thesis will argue the significance of having an influential and mild but powerful civilian authority versus military subservience (Hänggi 1991).

#### 1.2 Questions on Civil-Military Relations

To further insinuate the controversy and issue in this thesis we must first understand why civil-military relations is studied in a relatively new country such as Malaysia. Civilian and military scholars alike have distinctively argued that at times both are separate entities while others have stated that military are controlled fully by the civilians. And if it is controlled by the civilians to what extent does the control encompasses on. Should it be more on the budgeting and human resources aspect headed by a civilian Secretary General or

Director General who acts as a career government officer reporting to the Minister or Secretary of Defense. In Malaysia the civilian government officials are the ones who call the shots in decision-making after going through the technical expertise from the armed forces. For example a technical review of a tank, submarine or an aircraft by the respective tri-service of the army, navy and air force is done and submitted to their civilian authorities and a review will be done to accommodate to the budget allocated and the needs of the military. This is ultimately an indirect way to portray that at the end of the day the civilians are the ones who call the shots.

To explain this, we look into the Prussian General Carl Von Clausewitz's treatise on *Vom Kriege* known as *On War* the hypothetical views from him as a soldier and of nobility - the modern nation-state, a separation between civilian and military elites has been viewed with surprising normalcy. The Prussian general said:

"War is merely the Continuation of Policy by other means that we see, therefore, that war is not merely an act of policy but a true political instrument, a continuation of political intercourse carried on with other means. What remains peculiar to war is simply the peculiar nature of its means" (Clausewitz 1832).

According to the Prussian general these two institutions or groups – the civilians who are political leaders or the ones responsible for act of policy, and policy formulation, and the military that encompass distinct roles and areas of responsibility. Clausewitzreiterated that the existence of the military is viewed as an independent institution by itself that is differentiated with a civilian institution, and has elected political leaders as well as bureaucratic actors in unison.

However, the existence of the military as an organized institution with weapons and arms under the armed forces purview has the effect of using it as a coercive force (Kwok 2010). Hence, the question of who "guards the guardians" as a threat to civilians and the risk of the military forcing coercion towards the civilian authority. This distinct separation between the military and the civilian institution has resulted in the existence of civil-military relations. Though arguments from scholars that the civilian authority towards the military are based upon the principle to agent roles. This existence is crucial as the civilian cannot do without the military for reasons of protection against external threats (Welch 1976), however if the military is not controlled, it will become a threat to the civilian government themselves, and raises the question of the military's independence and obedience towards its civilian authority.

While there are professional and effective controls of the officer corps, where the military remains subordinate towards the civilian government, loyal and subservient to the government of the day – they are also military institutions that use coercive and influences civilian decisions, affecting policy and lobbying civilian leaders (Kwok 2010). And the most undemocratic instances where military coups use excuses to replace inefficient or too influential leaders who exert too much self-involvement– for example during Thailand's 2006 military coup d'état to replace its democratically elected leader former Prime Minister Thaksin Shinawatra, or they themselves take control of the state as in Myanmar's junta regime.

military coups military regimes 

Figure 1. Military Regimes and Military Coups in Asia (1950-2011)

Sources: Powell and Thyne (2011), Hadenius and Teorell (2006), authors' extension. Note: We have left-truncated the starting years of regimes at 1951 and extended the data for the period 2004–2010.

In new democracies such as in Asia, specifically East Asia has borne numerous transitions from authoritarian rule to democracy. As seen in Figure 1 the decreasing frequency of military coups and military regimes. Notwithstanding, the quest for civilian control in this region remains high on the political agenda of many new democracies, that raises the question; does the democratization meant complete *depoliticization* of the military of civilian total control?

# 1.3 Civil-Military in Malaysia

In Malaysia's stable civil-military relations, the armed forces have always been a loyal and subservient military towards the civilian politicians and authority. The healthy relations molded by decades of British rule and colonization in Malaya and later gaining its independence as Malaysia in 1957 has made civilians in power and ordinary Malaysians comfortable and have high regards to the professionalism of the MAF. The stability of the

economy though troubled socio-political on May 13,1969 due to the racial riots between ethnic Malaysian Chinese and the "sons-of-soil" (bumiputera) Malays have pressured the federal government to suspend the parliament and establish the National Operations Council (MAGERAN)(Wariya 2004). An organization appointed as a caretaker administrator with the consent of the King. The first Prime Minister Tunku Abdul Rahman Putra Alhaj was forced to step down and make way for his Deputy Prime Minister Tun Hussein Onn to succeed him. The MAGERAN consists of politicians, bureaucrats and advisors to national security the Inspector General of the Police (IGP) and the Armed Forces Chief, a four star general. The military took swift action to control the racial riots with instructions by the civilian authority and it took two weeks for the situation to return to normalcy (Khoo 1977).

Another political unrest occurred in 1997, when the Deputy Prime Minister Dato' Seri Anwar Ibrahim who was also the Finance Minister was sacked from the party and the government for allegedly being corrupt and had allegations of homosexuality acts that is an offence in the *shariah* Islamic law. He had enough momentum to thwart off the accusations and rally thousands of Malaysians to call for a just and fair process and almost had the party who had ruled Malaysia since independence shaken to the core. This political unrest made assumptions among the opposing sides that the MAF should take sides against the ruling government who were oppressing the ordinary Malaysians supporting Anwar Ibrahim's cause. The military were reported in the newly blogosphere still new in the late 1990s that there were support among senior military elites who said that enough is enough and that the Malaysian government should listen to its people. Be that as it may, the military generals did not heed to the claims and remained their soldiers in barracks and did not heed to the calls by Malaysians who wanted the military to take sides. The police controlled the situation well enough that the government had not think it was necessary for the military to take over control of the situation against mass rallies and demonstrations. This comes to the claim of

the thesis that the military in whatever conditions or environment should not and will not interfere with the democratic process and the democratic society need to be reminded of the consequences time and time again especially for a new developing nation and a new democracy such as Malaysia that romanticism with the military will end in violence, political-social unjust and turmoil.

Organization of this thesis will continue with a historical background of civil-military relations in Malaysia, how military are recruited and the rules and regulations for the conduct of the MAF. The second chapter will look into the hypothesis of the thesis for a model for civil-military relations in Malaysia taking into consideration that it was ruled under the British Empire and later had transition from a colony of imperialism to an independent nation with democratic rule and constitutional monarchy, a model from Westminster-style parliament system. This second chapter will also look into theories and thesis claims of Huntingtonian and Janowitzian school of thought and the reflection of a new democracy. The third chapter will provide supporting evidence conducted through field interviews with military officers serving and retired, and civilians who had worked with military personnelin the fields of civil-military specifically on national security and policy. The final chapter of the thesis will give arguments and reasons for civil-military relations in Malaysia made in this dissertation followed with anticipated objections from the claims made for a new democracy.

#### 2.0 ISSUES ON CIVIL-MILITARY IN MALAYSIA

# 2.1 Issue Background

New democracies such as Malaysia practices these lection of active military senior officers from the Armed Forces Islamic Corps equivalent of the Chaplain Corps in the US Army though the pathway of *senatorship* – a promotion as ministers in the cabinet without the necessity of political campaigns or maneuvers. Since the 1990s these military officers retire from active duty when they become ministers in the Prime Minister's Department. Notwithstanding, these are isolated cases but it does a precedence in selecting military officers even when they are non-combatant military officers in the chaplain regiment. In this argument, active-duty officer serving on a political post such as ministers especially as defense minister constrains civilian authority but does not call into question the civilian nature of the government (Croissant et al. 2012).

However, so long as military influence is contained within the defense sphere and not in the political and civilian administration, the elected president is commander-in-chief or in the case of Malaysia as a constitutional monarchy the Supreme Leader or the King is the commander-in-chief. Furthermore, if civilians retain a majority on the Security Council and continue to formulate nation's policies the civilian authority enjoys its prerogative in ensuring civilian over rules the military. Then comes into question of Malaysia's practice of appointing active duty military officers even if they have to forgo military uniforms to serve as civilian politicians that the acquisition of nondefense cabinet portfolios (such as Ministerial-post advisor on Religious issues) and legislative presentation in large numbers (Pion-Berlin 2003).

Examples in Malaysia where the military is recruited through the Armed Forces

Council (MAT – *Majlis Angkatan Tentera*) which is also under the purview of a civilian

secretary where he reports to the civilian Secretary General of the Ministry of Defense (Min Def). The MAT has the autonomy of recruiting military officers and enlisted men so does the Police Commission for police recruitment under the Ministry of Security (KDN), the Education Commission for teachers under the Ministry of Education (KPM). The separation of authority or rather the delegation of appointment is a systematic approach for the government to give each service scheme an autonomous decision in selecting the appropriate personnel and the professionalism of the service. Though, the ultimate decision and perusal is under the Prime Minister's Department – the Public Service Department (JPA) acting as the central agencies for the recruitment and human resource management for the whole of Malaysia's civil service. With this delegation of recruitment, this balance have worked since the 1960s when Malaysia had a transition of *Malaysianization* from British rule and the mould and restructuring of its civil service. As entombed in the Malaysian Federal Constitution:

Part 10, Article 132 of the Malaysian Constitution 1957,

- (1) For the purposes of this Constitution, the public services are:
- (a) the armed forces:
- (b) the judicial and legal service;
- (c) the general public service of the Federation;
- (d) the police force;
- (e) the railway service;
- (f) the joint public services mentioned in Article 133;
- (g) the public service of each State; and
- (h) the education service.

Scholars argue that the pressure from society for the implementation of social equality and the maintenance of individual rights will pose serious challenges for the institutional culture of the armed forces, until recently a largely all-male and highly hierarchical repository of traditional values in modern society (Moskos and Wood 1988). What individual rights

does a military officer and enlistment men have when they are considered as civil servants and also under the jurisdiction of Malaysia's Armed Forces Act when contradictions arise? Will they be charged under military courts or a civilian trial when generals and soldiers start to propagate military adventurism? These questions from the government of the elected officials in a new democracy would be with clear guidelines from the government branches of the Congress or Parliament, the judiciary and the executives. What guidelines should they be to avoid a coup d'état? Then in Malaysia, should the military be considered a non-civil servant or of another service?

While the recruitment of the military in Malaysia is under the Armed Forces Act 1972 (Amendment 1996) Part III Commissions and Appointment of Regular Armed Forces Personnel, and has its own military culture and traditions that it practices -the first argument is should the armed forces in new democracies such as Malaysia be treated as a civil service as it is currently being practice? If it does not, should it be treated as a service under the prerogative of the King of Malaysia and a direct control from the Minister of Defense and not without civilian authority? This is a difficult position for civilian control, because the Minister would also have to get the support from bureaucrats who cling to power and authority in the current administration. Or if the military is branched out into a separate division and not be considered as a civil servant but rather a branch that is still subservient to the civilian authority but only answers to the Secretary General of its ministry and the military elites. While new democracies such as Singapore and Malaysia have been successful in keeping their generals in check and loyalty to government of the day is enjoyed by the politicians, how does this balance become imbalance when generals begin to question the government's policy or when the government budget is cut and does not keep the military subservient? These questions have been lingering in the atmosphere of the Malaysian Government since several senior officers with the rank of generals and admiral have taken sides in the political scenery of Malaysia. While Malaysia look forward to her thirteenth General Election in 2013, the country has been polarized and divided on issues of national security, the procurement of machines and weaponry and even the transportation of troops to high-risked areas.

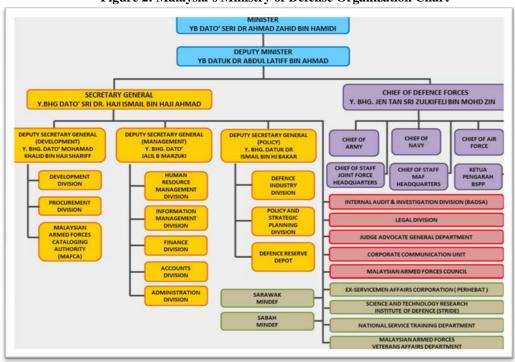


Figure 2: Malaysia's Ministry of Defense Organization Chart

Source: Ministry of Defense Malaysia's Official Website http://www.mod.gov.my/

## 2.2 Literature Review: Huntingtonian and Janowitzian School of Thought

Samuel Huntington in *The Soldier and the State* and *Political Order in Changing Societies* opined that the democratically elected civilian leaders are faced with these arguments: retaining a strong military and maintained it under a system of democratic values and focusing on civilian superiority. The ideal system of *objective civilian control*, where the military was *rendered politically sterile and neutral*, and the civilian's authority aim is maximizing military professionalism (Huntington 1956). When professionalism is highlighted in the view of the military, the officer corps and its soldiers are observed as

subject matter experts in militarism and being loyal to the government of the day. But then it is further contrasted by Huntington's views that *subjective civilian control* may be lured for taking a stance in political struggles that reduces military professionalism (Kwok 2010). As such, the main control is recognizing that the professionalism of the officer corps *as specialist in the management of violence* (Huntingon 1956) and at the same time are autonomous in managing the military's domain and continue to submit and obey civilian authority.

However Moris Janowitz counter argued Huntington's approach that mentions that a politicized officer corps was not only desirable but is necessary in civil military relations (Janowitz 1960). Janowitz's theory commented by scholars that the military is an integral part of wider social system and cannot be assumed that its training and indoctrination the ideals of discipline and obedience will take precedence over its political and communal ties (Kisangani 2000). While Huntington assumed that the military would be professionalized in order to be under civilian submission, Janowitz looked towards the broader values of the society to bring about civilian control (Kwok 2010). Janowitz further highlighted that the military could be brought under civilian control by equipping it with the norms and behavioral values of the society that created it.

Even though the fundamental differences between civilian and military remained intact, with these approaches, the civilians and military would draw closer together in terms of outlook and norms, maintaining both the military's martial spirit as well as civilian control since the basic values of society are civilian influenced. For example, in Singapore and the US, where practices of advocating second careers in the civilian sector for retired military officers and the setting up of elite military training institutions or officer cadet schools has been pertinent in diminishing the differences between the two— there are military and civilians teaching officer cadets in the fields of mathematics, engineering and the social

sciences, and the formulation of military training institutions are both controlled by the civilian and the military. With these methods, Janowitz argued that coups may be avoided with the byproduct of the convergence between the civilian and military elites – as their outlooks grew similar and their interests would align and prevent military intervention (Kwok 2010).

With these two schools of thought, Huntington focusing on professionalization while Janowitzian on sociological convergence is seen by scholars as a division between institutions and actors. Huntington argued that the military and civilians represented separate institutions, and he believes that the strengths and weaknesses of these institutions which determines the balance of civil-military relations. On the other hand, Janowitz focused on the diminishing the differences between the two actors, highlighting that the convergence of the two actors would also stabilize with the alignment of interests and outlook. Scholars have noted that the Huntingtonian approach is the relationship of military and political leaders while Janowitzean approach is the relationship between the military and the civil society (Feaver 2002). As these arguments over time have attempted to straddle this divide, civil-military theorists continue to focus on civilian control, democracy and military intervention in the government.

#### 2.3 Malaysian Model of Civil-Military Relations

Malaysia's social and political stability has been a role model in terms of its economic success for new democracies. Comparing it with countries that had achieved independence earlier and practiced democracy, the military has always been in check and remain apolitical when there are challenges to the status quo. The recent accusations in 2012 made towards the military were by the opposition party where the military were deemed as not neutral and has been viewed as an accomplice to the ruling government in terms of vote

rigging as the military's votes is based on their location of duty and not based on hometown or place of registration (Malaysiakini 2012). This allegation made the current four-star general to renounce the accusation via a press-conference which is very unusual for a serving military general to do so in Malaysia (Utusan Malaysia 2013). Malaysia is a democratic country even when it has been ruled by only one party since independence. This dangerous liaison where politicians lure the military for political mileage whether they are the ruling government or the opposition has been avoided by the military elites since independence. In this sense, the military portrayed as being gentlemanly and professional has made the Malaysian people lured into thinking that the military is indeed trustworthy and should be given the chance to administer certain aspects of governance in Malaysia. This illusion in a democratic society such as Malaysia has not occurred, and fortunately for Malaysia's own survival in the region to remain competitive and strong economically, and the sensitiveness of international condemnation if the MAF took over at the behest of politicians who wanted power. This is felt not only by the society but the military themselves. This is one of the hypotheses put forward that if the society thinks that the government is corrupt or has been mismanaging the country, military support should be avoided and does so in a democratic process and not through military intervention that in the end will be managed in violence. How did Malaysia did that to make their military maintain the status quo and subservient to the government of the day? What was the model that the Malaysian forefathers and former military generals laid for the military to remain apolitical?

# 2.3.1 Malaysia's Armed Forces Historical Linkages and Traditions

One of the strongest points for Malaysia's Armed Forces current environment and situation would be the 500 years history of the Malacca Sultanate since 1400s. The military of the sultanate were not of a professional or regular army but through the feudalist system

for the people to serve the Sultans or Kings. The medieval navy in those days headed by an Admiral known as Laksamana as the coastal borders of Malacca which was covering the whole modern day Peninsula Malaysia and the empire stretches to modern-day Indonesia's Aceh. The Sultanate's navy was powerful and makes the *Laksamana* an influential individual who reports to the Sultan who exercised absolute monarchy then. Over the years, Portuguese conquerors then Dutch and British under the banner of East India Company took over Malacca until Malaya was given independence on August 31<sup>st</sup>, 1957 (Khoo 1977). The history of modern Malaysian Armed Forces began with the formation of the Trial Company on March 1<sup>st</sup>, 1933 by the British and the formation of the first Malay Regiment on January 1<sup>st</sup>, 1938. Five years after the trial companies with the carefully planned operations, the British were mindful to arm the Malays for not to cause a revolution and ensure that the Malays were loyal to the British's King and Country. This worked until the 1950s when the military did not interfere with the politicians who wanted independence from the British imperialism. This also worked with the appointments of the Malay Sultans as Colonel-in-Chief of respective regiments later on in the formation of other regiments and corps in the Malaysian Armed Force.

The Malay Sultans were also responsible for the formation of the Malay Regiment and they have been regarded as the founding fathers of the Malaysian Armed Forces. With this strong foundation of the MAF, the check and balances between the monarchs, the government: executive; legislative; and judiciary over control of the MAF were reached for more than 50 years. For Malaysia, a constitutional monarchy system it, hence would not be a fair comparison to a democratic republic system, but the balance of the executive power and influence exerted in the military has made the military loyal and subservient to the government of the day. The relatively young country of Malaysia have indeed enjoyed this

political stability by making the military remembering its roots and never to gauge in political interference or influence which has worked until today.

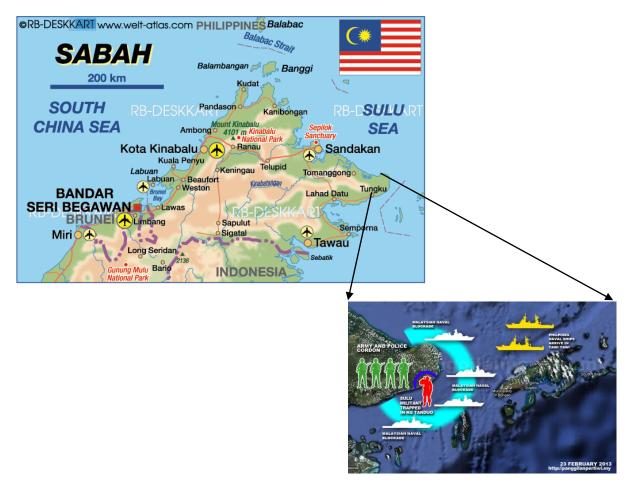
#### 2.3.2 Divide and Rule

Another argument is the divisiveness of appointments for admirals and generals in the MAF. In 2006 the Ministry of Defense appointed the Chief of Defense Force (CDF) not from the Army as it was predominantly controlled by the generals from Royal Malay Regiment. The CDF functions mostly similar to the Joint Chief of Staff (JCS) of the US Armed Forces, and Admiral Tan Sri Mohd. Anwar Haji Mohd Norwas made the first ever CDF from the Royal Malaysian Navy (RMN) on April 29, 2005 (Bernama 2005). This broke the tradition that was enjoyed by the Malaysian Army. This of course raised the army generals' eye brows and also the paternity of the army generals serving and retired, as it broke the traditions that the army was so proud of. This appointment meant that anyone in the tri-service of the MAF, the army, navy and air force were eligible to become the number one. At first there were some grievances towards this appointment as the army believed that as the most senior among the three services it had the birth right to become the CDF, and added to its 80,000 strong army personnel with the most allocated budget in the Ministry of Defense, it would be practical for the army to be the CDF. Admiral Tan Sri Anwar served only for 19 months when he retired on 31 January 2007. It did pave a way for other services to become CDF when a general from the Royal Malaysian Air Force was also made a CDF in 2009. This system of divide and rule became a useful tool for the ruling government to keep the generals and admirals in check. As the following will suggest that mostly army generals are the ones who had political influence and interference more than the other services of the navy and the air force, or having the army as the one leading the charge with the navy admirals and air force generals following suit for coups. Malaysia's government tread on uneasy waters when it did divide and rule amongst its generals, even if when there were no challenges or threats

by the military. This continues to work with astounding success and may continue to be practiced further into the future. However there are instances where the arguments have surfaced that the generals are appointed not based on merit or competency but rather on political affiliations and loyalty. When the government of Malaysia has been ruled by a single party which is the *Barisan Nasional* (National Front) since 1957 there has been accusations by the opposition that the senior officers are promoted based on their allegiance to the party rather than the very people they are tasked to protect from external threats and enemies.

The incident in Lahad Datu on March 1, 2013 in Sabah located on the east coast of east Borneo of Malaysia where 200 Philippine-Muslim of Sulu separatists from the south of the Philippines Islands of Mindanao captured the small fishing village of *Kampung Tanduo* (Village of Tanduo) that penetrated the borders of Sabah, Malaysia in early February 2013 (Bernama 2013). The incident led to believe that politicians mishandled it and led to 10 Malaysian soldiers and policemen being killed and more than 60 Philippine-Muslim dead. This incident opened the eyes of the Malaysian society, the political atmosphere and the war managers themselves i.e. the Armed Forces on civil-military relations in Malaysia as a whole.

Graphic 1. Map of Sabah, Malaysia



Graphic 2. The Philippine-Muslim Separatist invading the East Coast of East Malaysia, Lahad Datu, Sabah

Former generals and scholars have criticised the incident as having the MAF mismanaging the crisis, while some have lauded their efforts for minimizing the civilian casualty among the Malaysian people, but the argument of political interference rather than professional handling by the MAF and the Royal Malaysian Police led to believe that the theory of dividing and ruling the generals of not having absolute military strategy have affected the way civilians control the military. The crises has been on-going with the formation of East Sabah Security Command (ESSCOM) which oversees the East Sabah Safety Zone (ESSZONE) headed by a civilian authority and assisted by a Major General from

the MAF and a senior Police Commissioner to assess and formulate policies to ensure peace and stability in the region (The Star 2013).

While the civilian supremacy is still being practiced, the Malaysian government have also created an environment of "toeing the line", a concept that to control the generals, one has to ensure that the generals are not in unison with each other, where they are competing for loyalty and enhancement in their respective careers. This works relatively well with the generals having trustworthy issues and competition among each other. The former Defense Minister of Malaysia, the Honourable Datuk Syed Hamid Syed Jaafar Albar from 1995-1999 commented that the political manoeuvres in the military were much complex than a typical political party. The in-fighting and military tactics are commonly used to outdo each other. Hence the two underlying points to control the military is creating a sense of uncertainty in the appointment of the Chief of Defence Forces and creating an environment of toeing the line to create political patronage amongst the generals to remain loyal to the ruling government as each general are untrustworthy towards each other. Then the question of control by the civilian is done by making the generals look and appear weak only in the political-sense but still strong in the military, but disunited, and at the same time the questions of national sovereignty is not ignored by the ruling government.

#### 3.0 CONTROVERSIES AND EVIDENCES ON CIVIL-MILITARY RELATIONS

#### 3.1 Creating a Role Model

In the 55 years of independence Malaysia have relatively been successful in keeping military at bay from politics and the remedy have worked where military are kept out of political decision making processes, where they are only given a small scope of policy formulation and the acquisition of military hardware. A proposed definition by scholars is civilian control, "that distribution of decision-making power which civilians have exclusive authority to decide on national politics and their implementation." In this regard, the Malaysian civilian authority and control have the power and will to freely choose and delegate decision-making power. At the same time the implementation of certain policies to the military while the military has no decision making power outside those areas specifically defined by the civilians (Croissant et al. 2010). In addition, the Malaysian civilians themselves are the determinant which policies, aspect of policies that the MAF implements and the Malaysian civilian government themselves define the boundaries between policymaking and policy-implementation. With these parameters and insights, the Malaysian civilian authority have indeed conceptualize Croissant's civilian control as a set of norms, rules and institutions that structure the balance of decision-making power, that is based on the balance between civilian institutions as the sole power to control and the military to adhere to in five areas:

#### i. Recruitment

This defines the rules, criteria, and the processes of recruiting, selecting, and legitimizing political office holders. It reflects the degree to which political processes are open to competition, and the degree of participation, that is, the inclusiveness of political competition (Dahl 1971). The Malaysian Government through Armed Forces Council (MAT) has the authority to appoint and promote the suitable candidates to

join its organization but with the careful monitoring of the Public Service Department (JPA). The JPA acts as the sole human resource manager that the MAT has to report to. For example the pay and annual salary increment, even though if the MAF has a branch of an establishment in the forms of the Armed Forces Salary Unit (UGAT) to oversee and advice their tri-service personnel of the army, navy and air force respectively on issues of pay and recruitment. This creates an environment where the recruitment has to obtain the civilian authorities clearance for increase recruitment and will be under close scrutiny if there is mismanagement in terms of elite recruitment.

#### ii. Public Policy

This comprises the rules and processes of policymaking (agenda setting, policy formulation, and policy adoption) and policy implementation. The Ministry of Defense under the wing of Policy Division is headed by a civilian Under-Secretary. He is assisted by senior military officers and civilians who advises and formulates the defense and public policy that reports to the Deputy Secretary General who is also headed by a civilian. One of the key importance of this practice is the concept of Total Defense (HANRUH), a concept where the civilians whether they are in the government or private sector goes hand in hand in ensuring that the nation is safe from internal and external threat. This policy have created an environment where the MAF is seen as a people's confidant in times of crises as mentioned earlier in chapter one about the Philippine-Muslims of Sulu invasion in the east coast of Sabah, Malaysia specifically in Lahad Datu.

## iii. Internal Security

This entails all decisions and measures regarding possible deployments of the military to keep peace, order, and security within the national boundaries (e.g. in riot

control, domestic law enforcement, border control, counterterrorism, and to put down insurrections) as well as the military's provision of logistical support and restoration of civil infrastructure during its involvement in development operations (Rasmussen 1999; Collier 1999; Trinkunas 2005; Wilkinson 2006). The recent incident in Lahad Datu is a perfect example of the MAF's role with the primary acts given to the Royal Malaysian Police. When internal security is the main issue, in Malaysia the police are given the task of leading the operations with the MAF as in assisting role to provide border control and logistical support. However when the security has ballooned that requires the further management of the MAF as war managers, the primary role would later be given to the MAF to eradicate remaining threats. The political masters call the shots for any strategies and tactics needed to be done with the advice of the MAF generals. The mandate is given to the generals with the consent of the ministers. Thus the issue of generals taking matter into their own hands no matter how senior or influential they are is subjugated to these channels.

#### iv. National Defense

The safeguarding of the nation's territory against external military threats – the traditional primary role of any armed forces. As entombed in Malaysia's Constitution Article 137 (1), the Federal government has the jurisdiction to oversee the responsibility of national defense. The King acts as the Commander-in-Chief with the advice of the Prime Minister and the MAF Generals as actors of war. The MAF have proven that in times of Communist Insurgency in the 1960s up to the end of 1980s, the national defense is not only excluded for the armed forces to play a role as safeguarding the nation's territory but by winning the hearts and minds of the average people that sees the MAF as an ally rather than an adversary. This comes with a good portrayal image that the civilians are in control even at times of crises rather than

giving the assumption that the armed forces being managers of war as the main players. Though credit to the MAF is recognized for their roles and sacrifices but at the end of the campaign in eradicating threats falls to the civilian's policy formulation.

#### v. Military Organization or the Armed Forces Council (MAT)

This comprises policies that define the mission, roles, and structure of the military – decisions about acquisitions, logistics, training, and equipment, as well as personnel management and military promotions. The MAT has the prerogative to control the personnel management and military promotions, but not with the consent of the members of the MAT that comprises not only the Chief of Defense but the chairman is the Minister of Defense with the Council's Secretary being the Secretary General of the Ministry. This council has been established on July 26, 1956 since before Malaysia gained its independence. The MAT largely comprises more civilians than military personnel as stated below:

Permanent Members	Position	(Civilian – C; Military – M)
i.	Minister of Defense – Chairman	(C)
ii.	Secretary General – Secretary of MAT	(C)
iii.	Keeper of the Royal Seal – the King's Representative	(C)
iv.	Chief of Defence Forces	(M)
v.	Chief of Malaysian Army	(M)
vi.	Chief of Royal Malaysian Navy	(M)
vii.	Chief of Royal Malaysian Air Force	(M)
viii.	Chief of Staff MAF	(M)
ix	Deputy Secretary General Ministry of Finance (Operations)	(C)
xi.	Assistant Chief of Staff Personnel Services	(M)
Ordinary Members		
xii.	Deputy Minister of Ministry of Defense	(C)
xiii.	Deputy Secretary General of Ministry of Defense (Operations)	(C)
xiv.	Deputy Secretary General of Ministry of Defense (Management)	(C)
XV.	Chief of Judge Advocate	(C)

This portrays a healthy composition of eight civilians and six military and provided the civilian supremacy that Malaysians enjoy.

# 3.2 Theory and Claim

Five of these areas hinge on the balance of the civil-military relations that is needed on a stable and strong civilian government, and of how much civilian control, and to what extent should the civilian authority be highly involved to ensure civilian rule and a smooth and efficient democratic process. These parameters is based entirely on the influences of a civilian and democratically elected government towards military adventurism, and the animosity or dangerousness of elected civilian officials to exert military support which eventually will succumb to military intervention and coup.

Scholars have argued that civilian control is not the only issue in civil-military relations (Feaver 1999), but also include the degree to which the military is able to achieve the goals assigned to it by political leaders (effectiveness) and the cost of lives and resources necessary to do so (efficiency) (Bruneau 2006). Though in contradiction to this understanding, the effective civilian control implies neither effectiveness and efficiency in civil-military relations (Bruneau 2006) nor good governance in the security sector, it simply ensures that civilians are responsible for political decision-making (Trinkunas 2005). As argued by Forster, even in democratic new member states of the European Union and North Atlantic Treaty Organisation (NATO) in Eastern and Central Europe, the practices of civilian control often do not fit the normative deal of democratic security governance (Forster 2006), which includes not only effective control of the military by democratically elected civilian authorities but also to include parliamentary oversight, transparent decision-making, civil society participation, ensuring military training is in line with democratic norms and values, and providing human security (Hänggi 2004). The idea of civilian control is the assignment role of the military as

defending the society and not defining it (Kohn 1997), though it does not gives us the assumption that it is an apolitical military.

The position of Malaysia's civil-military relations as a good working model for new democracies and the perceptive illusion for certain quarters of Malaysian society believing that if the government is corrupted or does not govern to the people's expectations, the MAF should control it to regain the people's confidence and that the MAF should return it when stability is reached. Malaysia's Armed Forces in its relatively young track record has been deemed as professional, and these traits has been the reason for certain parts of the Malaysian society to think that with the MAF to act as the fourth branch would make Malaysia free from corruption, more developed and prosper.

# 3.2.1 Theory I: Categorizing Military as Civil Servants

Making the military as a civil servant rather than another branch of services under the Commander-in-Chief with the same rules and regulations has made the MAF loyal to the government of the day, and with Malaysia's single party-rule has basically concreted the role of the military in a young democracy. Arguments are abound stating that the military is not a civil servant but as an armed defender of the nation's sovereignty. This has worked well in Malaysia and the military has been able to be control rather than let them be in control. The responsibility of the civilian authorities has made the MAF subservient to civilian supremacy while not completely ignoring the fact that military as managers of violence in war.

With reference to the incident in Lahad Datu, Sabah, the establishment of ESSCOM headed by a senior civilian officer with the title as Director-General, and assisted by two respective Army Major General and Police officer with the rank of Commissioner (equivalent to a two-star general), portrays the importance of placing a civilian as the head, though questions arise that he may not be well-verse in the field of counter-insurgency warfare, joint-command operations and public order – but the vested interest of the operations should be

coming from someone who operates and sees the bigger picture (Sapien 2013). The military operates to control violence but the civilian having the authority to give instructions is exercise in this civil-military operations. The military is not there acting out on its own but with the careful analysis and assessment made by its civilian masters. When this is done to control the military as being a civil servant rather than disengaging them as fully military, then the civilian authority has the full control of the military from being able to plan and execute a coup d'état.

#### 3.2.2 Theory II: Disuniting the Generals and Toeing the Line Concept

This part of the theory explains the divide and rule of the generals who heads the brigade, division, and the field commanders for the army or the equivalent of the navy and air force of the Malaysian Armed Forces. While the army is the backbone of the MAF with the most number of soldiers followed by the navy and the air force, the theory is that the army would have the added advantage if there were any hints for mounting a coup. With the strength of 70,000 (CIA Factbook) soldiers with a population of 29 million Malaysian citizens that is roughly 1 soldier to 414.29 Malaysians, which is still a small number of proportions for the military to take over by coercive force. The first part of this claim is that the civilian government practices its control of the military in the early independence which was headed by a British General right up to 1962 that is 5 years after Malaysia gained its independence. Subsequent to that the native generals were chosen from Royal native Malay blood or of higher class of the Malaysian society strata. The second claim is to give the generals not more than 4-5 years of their post as Chief of the Defence Forces accept in 1970-1977 when General Tun Ibrahim Ismail headed the armed forces longer than any CDF. This is argued due to the instability in Malaysia that was caused by racial riots between the Malay native and the Chinese immigrants (Ismail 2005). Then how were the generals being controlled even at the height of their chieftainship? The answers lie in the infighting and plotting between the

generals to gain favorable points by their political masters. Malaysia being an Asian country do not disgrace directly but through a save of face when the generals who fall out of favor are not sacked immediately but given lucrative government posts or tucked away quietly doing staff work rather than commanding a brigade or a division. This have worked for 55 years in a modern new democracy such as Malaysia and the generals have indeed toed their line rather than uniting to challenge the legitimacy of a government. Hence the choosing and promotion of a general have been based on loyalty, subservience and not trusting each other to make a political move that would indeed create a dent in their military careers.

# 3.3 Analysis and Arguments

In relating to the theories of making the military as civil servants and disuniting the generals through brickbats and untrustworthiness in the officer corps themselves, have made the MAF and the civilian authorities in tandem for social and economic development in Malaysia. This as noted earlier has worked for 55 years and will be continued to ensure the military is in line with the civilian government aspirations. One analysis that has been taken is the situation of a nation that has not been ruled by other political parties. For 55 years Malaysia is ruled by the National Front Party (Parti Barisan Nasional – BN). BN has been powerful in making the civil servants loyal to the government and has been indoctrinated that BN is the government, and the government is BN. One concept is that the salaries of the civil servants are paid by the BN Government, while other parts of the society argued that the tax payers are the one who is paying the civil servants salary. With this simple concept, even professionals and management grade salary level (basic qualification of a university degree) in the government have argued that when they vote other political parties they are considered as traitors. Same goes in the military that they are loyal and subservient to political party BN and at whatever cost they are instructed by their commanders and generals to do what is right when they vote.

Hence, this analysis shows that when a new country that has a single political party that controls the media, the government machinery and other arms of the government, the question of even a hint of a coup d'état would be unheard of. In relation to Huntington's approach that the professionalism of the officer corps as specialist in the management of violence (Huntingon 1956), and at the same time are autonomous in managing the military's domain and continue to submit and obey civilian authority - which fits in Malaysia's environment of civil-military relations. But in the long run challenges may arise by the generals when the government seeks the assistance of the military for political purposes then Janowitzian approach highlighting that the military could be brought under civilian control by equipping it with the norms and behavioral values of the society that created it. The indoctrination of the military that the powerful political party is the government and vice versa, but not the government of the people, by the people to the people: then we do have an issue to address. To do this, the military should be reconstructed not as categorized civil servants but the role of purely military centric task, though the military personnel has the power to vote like any democratic country, the military should be first apolitical and not loyal to the political party that controls the parliament, but to the people who have given their votes in the first place. To undo the indoctrination for 55 years the first thing that a serving government would do is to educate or re-educate not only themselves but to their constituents, the military rank and file, and the officers corps. A task that takes years to rectify, but for a young nation to achieve will grow not only economically but also with respect to its social and humanitarian approach. As seen in South Korea's democratically elected President from the clenches of dictatorship grip, Malaysians believes that 55 years of single party-rule should be challenged for a more robust and effective governance. The military first and foremost should be seen as apolitical, refraining from making political judgments, and to be seen and felt as a non-threat to the process of democracy, and last but not the least an organization that

has no appetite for political power and influence which are guided by the rule of law and the norms of a democratic society stipulated in Huntington's and Janowitz's approach.

### 4.0 DISCUSSION AND COUNTERARGUMENT

### 4.1 Counterarguments to Malaysia's Civil-Military Relations Model

Malaysia being relatively a young nation with only 55 years of independence from the British Empire in 1957 would be a good example for emerging and developing nations to emulate in terms of its Constitutional monarchy versus republic and a fully democratic society. Three counter arguments that may arise for this thesis of Malaysia's civil-military model for emerging and developing nations can be described in terms of historical linkages and traditions. Why one might ask? This is because military in Malaysia has been very close and intertwined to the civilian institution as they are deemed as civil servants and further to that Malaysia has never been ruled by other political party besides the National Front (*Barisan Nasional*) or the backbone party of the United Malays National Organization (UMNO). What if the National Front loses and seeks the support of the military to regain its influence and power? This dangerous liaison would indeed invite the military to be politically influenced and further enhancing its role as the fourth branch of democratically elected civilian government, definitely a case to be avoided.

Stability in Malaysia and certain parts of the region in Southeast Asia have seen the military asserting their presence not only as defenders of external threat, but a game changer for the country as well. In the recent May 5, 2013 during Malaysia's 13<sup>th</sup> General Election, the military had always given early postal votes for choosing the next government and the votes from the military has always been regarded as a safe deposit for the ruling party, which is the National Front. The MAF given its perceived role in the Malaysian society as being professional and ethical with its own military ethos of being honorable and having high moral values, have given the impression that military elites in Malaysia will never succumb to political aspirations in the future. The perception that the military will remain apolitical and

due to historical and traditional linkages critics would say the military will be utilized to choose sides in whatever situation that makes the ruling elite in a difficult position.

The second counter argument would be that power is intoxicating and what guarantees that the military will not have aspirations and intention of gaining political control? The "toeing the line concept" would be practical for dividing and ruling the military generals. This practice would work in peace time and in operational times, but it would also be a heavy burden for the nation during war and instability. Instructions and orders would not be carried out and there would be incidences of not executing orders by middle and junior ground commanders due to the allegiance camps they are affiliating to in the military organization. The military generals and elite would have no command and control if this were materialized, and the only thing that binds is all superficial and only serve as surface cosmetics. Divide and rule added by toeing the line concept that is to be emulated by young and emerging nation would work perhaps for 50 years of their nationhood and further down to the road, with the assumption that peace and stability is achieved to progress further towards a society that is just and adheres the universal rule of law.

The third counter argument is the behavioral of the society itself. Where military is regarded as men of honor with their own warrior code and ethos and has given the impression that the military are not influenced by bribes and blackmails. Malaysia has experienced continued growth and prosperity because of the peace and security borne with effective military governance with civilian authority. The MAF have been instrumental in keeping a safe and secure country where Malaysians could sleep peacefully at night. Since the formation of the MAF and the 80 years of history, and later the communist insurgency which was successfully eradicated in 1989, the commitments and professionalism made by the MAF have been effective in minimizing external and internal threats. These contributions have gained the trust of the Malaysian people and the civilian government. The continued

professionalism and military ethics is the reason that the MAF is the main reason of the perceived notion that the MAF should be a given the task as a fourth branch of the government in Malaysia, that is after the executive, the legislative and the judiciary. In MAF's retrospect as being non-interference with the political scene since independence in 1957, it is fair to have societies in Malaysia believing that the MAF should be given the opportunity to govern similar to its neighbors in the north, Thailand, and Indonesia in the east. Military organization are seen as efficient and effective to address issues such as housing and security with programs known as *Projek Jiwa Murni*(Pure Soul Project) in winning the people's hearts and minds to support the government of the day. These projects were able to portray that the military are indeed fighting for the people not in terms of war but also in development and basic infrastructure that the people appreciates especially in the rural areas of Malaysia.

In reality, Malaysia's single party rule since independence had the military in check and the loyalty of the military elites have sided towards the civilian government as they are the one who holds real power and influence. Young democratic and emerging nations would have to enable themselves as politically stable without the intrusion of military elites in the democratic process. Once the rule of law is respected, the military elites would succumb to the norms of a civilize society and avoid the pre-empt acts of a coup d'état.

### 5 CONCLUSION AND RECOMMENDATIONS

The civil-military relations in Malaysia are a unique metamorphosis and a blend of two distinct unison of the civilian masters as proponents and practitioners of democracy, and the military as guardians of democracy. While this thesis have tried to explained the working relationships in the five decades of independence and the nation-building of statehood and at the same time seeking true identity of a developing country, Malaysia have done extremely well in curbing military adventurism and promoting the universal rule of law. At the same time, Malaysia is also struggling to converge from the middle-income trap that is a hindrance to further consolidate its position as a spokesperson of the developing world. One such field is the success of making the military subservient to the government of the day, regardless if the nation is ruled by a single party-rule since independence. Thus, the research question of whether the military professionalism and historical linkages has made the MAF as trustworthy, and later to utilize the military as a fourth branch may pose another research to look into. As this thesis explains when there is an opening for military elites to influence the democratic process in a young country such as Malaysia it would be seen a hindrance to democracy itself.

Giving the examples in Malaysia where the military is recruited through the Armed Forces Council (MAT – *Majlis Angkatan Tentera*) which is also under the purview of a civilian secretary where he reports to the civilian Secretary General of the Ministry of Defense (Min Def)comes to the claim that the military in whatever conditions or environment should not and will not interfere with the democratic process and the democratic society need to be reminded of the consequences.

Another point to reiterate is the importance of ensuring that the military is defined as civil servants, even with the capacity as managers of violence. Even when arguments

Among the military elites and the civilian masters where there would be difficult situation for civilian control if there are redefined as non-civil servants, or if the military is branched out into a separate division that is still subservient to the civilian authority but only answers to the Secretary General of its ministry and the military elites. This would also be another field to be researched further.

The final point to conclude is the portrayal of the military as being professional and their code of ethics has made people particularly in Malaysia has been lured into thinking that the military is indeed trustworthy and should be given the chance to administer certain aspects of governance in the country. Fortunately for Malaysia this has not occurred, and for the nation's survival in the 21<sup>st</sup> century it should continue to be this way to remain competitive and strong. For Malaysia, the journey towards a free and sovereign country is to be stable politically and socially, and peaceful and prosperous, this can be achieved with a stable government, a good check and balance between the three branches of the judiciary, the legislative and the executive and a military that is professional and continue to remain apolitical and subservient to the civilian government chosen by the people through free and fair electoral process.

# APPENDIX

## **APPENDIX**

Bil	Chief of Defense Force PanglimaAngkatanTentera	Duration of Appointment
1	General Tunku Osman Tunku Mohammad Jewa	1 January 1964-24 November 1969
2	General Tan Sri Abdul Hamid bin Bidin	25 November 1969-30 June 1970
3	General Tun Ibrahim bin Ismail	1 July 1970-30 November 1977
4	General Tan Sri Dato' Haji Mohd Sany bin Haji Abdul Ghaffar	1 December 1977-19 January 1981
5	General Tan Sri Dato' Mohd Ghazali bin Mohd Seth	20 January 1981-31 October 1985

6	General Tan Sri Dato' Mohd Ghazali bin Haji Che Mat	1 November 1985-5 October 1987
7	General Tan Sri Dato' Mohamed Hashim bin Mohd Ali	6 October 1987-10 April 1992
8	General Tan Sri Yaacob bin Mohd Zain	11 April 1992-3 March 1993
9	General Tan Sri Haji Abdul Rahman bin Haji Abdul Hamid	4 Mac 1993-31 January 1994
10	General Tan Sri Borhan bin Haji Ahmad	1 February 1994-2 February 1995
11	General Tan Sri Dato' Seri Ismail bin Haji Omar	3 February 1995-31 December 1998

12	General Tan Sri Dato' Seri Mohd Zahidi bin Haji Zainuddin		1 January 1999-28 April 2005
13	Admiral Tan Sri Dato' Seri Mohd Anwar bin Hj Mohd Nor (First Navy CDF)		29 April 2005-31 January 2007
14	General Tan Sri Dato' Sri Abdul Aziz bin Hj Zainal		1 February 2007-31 August 2009
15	General Tan Sri Dato' Sri Azizan bin Ariffin TUDM (First Air Force CDF)		1 September 2009-14 June 2011
16	General Tan Sri Zulkifeli Mohd. Zin Malaysian Army	THE LAND OF THE LA	15 Jun 2011- as of publication

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