



Ear to Asia podcast

Title: Policing political discourse in Malaysia

Description: In Malaysia, the 3 “R”s — race, religion, and royalty — are considered politically sensitive topics, and despite constitutional guarantees of freedom of speech, the state has passed laws that restrict their discussion, both online and off. While these curbs have the potential to stifle critical discussion and maintain existing power structures, they’ve had little effect on subduing ultra-nationalist voices, resulting in an increase in hate speech and online harassment. What's behind the taboos on the 3 Rs? How are the laws applied? And what is the effect on the health of Malaysian democracy and society? Southeast Asia political scientist Dr James Gomez and Malaysia-based social commentator Dina Zaman explore the nuances of Malaysian political discourse with presenter Ali Moore. An Asia Institute podcast. Produced and edited by profactual.com. Music by audionautix.com.

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Voiceover:

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Ali Moore:

Hello, I'm Ali Moore. This is Ear to Asia.

James Gomez:

What you see in Malaysia is the behaviour of large numbers. The dominant groups that shape and implement the law, because they are in political power, tend to criminalise the grievances of the minority more often than they would police those from their own community especially if they're political elites.

Dina Zaman:

If we look at social media right now, Malaysians are expressing their displeasure against the government, against the rulers, and so forth. So to say that Malaysians are not expressive, no, they're very, very expressive. It's just a matter of deciding, ok, is this hate speech, is this extremism, is this racism? That is something which we have not agreed upon yet.

Ali Moore:

In this episode, policing political discourse in Malaysia.

Ear to Asia is the podcast from Asia Institute, the Asia research specialist at the University of Melbourne.

Every society has its politically delicate topics, ones that when discussed openly risk stirring emotions in the body politic. In Malaysia, a multiethnic, largely Islamic federal constitutional monarchy, those topics are the 3R's, race, religion, and royalty. They're considered so volatile that discussing them is regulated by the state in its bid to maintain not only racial unity, but also the primacy of Malay and Muslim communities among the nation's 38 million people. Malaysia's federal constitution enshrines freedom of speech.

Yet broadcast and print media have long operated under limits on what they can discuss openly. With the rise and now dominance of the online world, laws have been modified or extended, leading to the removal of online content, the blocking of websites, and the criminal prosecution of people and organisations deemed to be crossing the line and their discussion of the 3R's. At the same time, in a shifting political landscape in Malaysia, ultra nationalist voices are increasingly taking to publishing hate speech and engaging in online harassment with seeming impunity.

So, what's actually behind the taboo on publicly discussing the 3R's in Malaysia? Exactly what is taboo and how are laws being used to restrict discourse both online and off? Who benefits? And what effect is it having on the health of Malaysian democracy and society? Joining us to look at the how's and why's of political discourse in Malaysia, Dr. James Gomez, Regional Director of Asia Centre, a research institute based in both Malaysia and Thailand. We're also joined by Dina Zaman, a Malaysia-based writer and social commentator, as well as co-founder of IMAN Research, a Kuala Lumpur based thinktank. Welcome back to Ear to Asia, James, and welcome, Dina.

Dina Zaman:

Hello.

James Gomez:

Hi.

Ali Moore:

Can we start by looking at what's behind the 3R's? James, what's the special position of Malays, Islam, and the monarchy in Malaysia? How do the three intersect?

James Gomez:

Yeah. To understand the 3R's in contemporary times, one really has to look back at colonial history. The argument is colonial experience in Malaysia displaced the traditional position of the Malays, Islam, and the royalty, given the large diaspora that the British brought in as labour. As the colonial power waned over the years and it was time for the British to exit, there was a cry from the Malay nationalist that the framework of the British withdrawal would actually give unfettered excess and equality to everyone who were resident in Malaysia at that time.

As a result, the whole discourse around the 3R's has been to bring back the special position that the Malays, Islam, and royalty enjoyed. This is a political argument and was a rallying cry that brought UMNO into power for over six decades through the coalition, Barisan Nasional.

Ali Moore:

Of course, UMNO is now back in power in a coalition after losing power in 2018 and we'll get to that. But Dina, can you give us a sense of, if we are talking about Malay and Islam and supremacy within the broader Malay community, how diverse is that community?

Dina Zaman:

Okay. I would like to say and I hope I don't sound like an apologist for all Malays in Malaysia and nor do I speak on behalf of the Malays, but we are actually very diverse. Not necessarily ideologically, but also, the way we live, the way we think. In the past few months, IMAN Research, I personally have been studying the Malays and the movements and we realised one thing. When you look at someone who's traditionally Muslim, the mindset can be different. It can be that the person's extremely conservative or some of them can be very, very flexible. In the case of religion, some will say, "Look, I still believe in a syncretic faith, how we combine Islam in certain Hindu healing traditions." You have that.

You also have a group of people who are totally populist in mind and heart, who believe that the pro-Malay agenda is more important than the pro-Islamic agenda. It's a little bit of a circus, Ali, when you look at the Malays and Muslims. Something which is coming up more and more is that there is a divide. There's an intrafaith divide among the Muslims versus the Islamists. So, if you go on Facebook, you'll see a lot of them shouting in each other, accusing each other as, "Oh, you're a Salafi and Wahabi. You're jahil basically." You're uneducated. You're not a proper Muslim. You're just Malay.

So, you're looking at two groups who are fighting for voice and space in Malaysia and demanding their rights. What they both share is this. These two groups feel that they're at siege, one, Islamophobia. Two, Malayphobia are on the rise. It's something which even I myself am trying to figure out why when you are the majority race and that the elite Islamists, elite Malays also have some benefits that are not afforded to the average Malay or average Malaysian.

Ali Moore:

James, let me ask you that the circus that Dina just described there, the interfaith divide, if we go back to the 3R's, does that mean the 3R's actually cover a really broad gamut?

James Gomez:

Well, I think the 3R's are best understood as political tools and they're used by different political groups and they articulate different trajectories. To very briefly and simply map it out, there are essentially three types of articulation of the 3R's at the political level. As I mentioned earlier, UMNO led the first articulation, a very traditional and conservative articulation of the 3R's, which calls for the special position of the Malays, Islam, and the royalty and the Malay category was also inclusive of the indigenous people from Saba, Salak, and Peninsula Malaysia.

But as the political developments moved very quickly in the last few decades in Malaysia and Anwar Ibrahim, who himself was from UMNO, was pushed out. He picked up on the articulation of equality and justice that was being put forward by largely minority communities in the broad sense of the word. So, he articulated what the Asia Centre report terms as a progressive set of 3R's, it doesn't call into question the 3R's as such or dismisses it, but rather builds it as a core, a sense of racial cultural equality and the notion of justice.

Now the third of 3R's are the ones that are articulated by those who are in contestation with the other two articulation of the 3R's, the traditional and the progressive 3R's. And we call this the more ultra nationalist or right wing articulation of the 3R's. So, it is this 3R's political ideology that are justling together to try to get the largest vote share from their primary constituents, which is the Malay Muslim community. But all of them, to some extent, even the traditional ones and the right wing ones do weave in some element of multiculturalism. Otherwise, the point is moot.

Ali Moore:

So James, can you explain though how regulation of discourse using the 3R's can be used so differently by the various groupings? You talked about three types of articulation and they are indeed in conflict, well certainly in contest with each other. So, how can the rules around what is acceptable and what is not be used by such different groups with different aims?

James Gomez:

I think we largely had one group that was in power for six decade, that is the UMNO-led Barisan. They articulated and expanded most of the rules we see in Malaysia today that are used to control discussed both online and offline. I think the logic initially was quite accurate. The British left and society was in a mix. There was a lot of political difficulty, and then the position of the 3R's got good political support. So, the way to approach it, again, this is pre-internet era, was to look at what was already on the books. And this was the penal code and the sedition act. So, the aim was to ensure that the communities lived in harmony,

that any transgression, insult on a particular community or religion could be managed in order to ensure society didn't get into some violent mix.

That was the intention. But later, on and I say this very briefly, the laws to apply for political reasons to shut out those who articulated counter discourses to this and primarily the progressive one. Now the laws got an update when society moved online and Malaysian society had a slow start in getting online and then very quickly rose in great numbers. So, Malaysia was caught, its online legal infrastructure was just coming up, was largely relying on the multimedia act to police their online content. But I think we are also in a position where there is other types of discourses that could be dangerous and can inflict society and cause disruption. I think there's a set of laws that are also missing that needs to be articulated.

Ali Moore:

So Dina, what's your thought on that? Indeed, how control is or is not exerted over discourse in an online world?

Dina Zaman:

We don't have a single law addressing hate speech. We do have several laws which address different aspects of hate speech. But the main thing is that we, researchers, legislators are all discussing, "What causes youth's hate speech?" For example, a person from a minority community expresses his or her anger towards Islam, towards the Malays. For a person like all of us who are in this podcast right now, we'd probably be able to take it because we realise this is the reality of living in Malaysia, how we've treated minority communities and so forth, but to someone else, that will constitute hate speech. That's racism. The thing in Malaysia is that I just feel that with all these laws, they are adjusted to rulers or a political parties or the government's need of the law.

Now, having said that, we know that during COVID, there was a spike in hate speech. All of us were locked up in house, everyone was frustrated, but there was a spike in hate towards migrant workers, refugees in Malaysia, as well as non-Malays or non-Muslims. Now, of course, the easy answer would say, "Oh, everyone's frustrated. They're staying at home." But to us and all of us who work in this space, we realise that anger has been repressed all these years. We saw a spike with people no longer using pseudonyms, but they are real names saying, "We don't like the king and we hate the king." You see this on Instagram. This was even way before TikTok became very popular in Malaysia.

We saw a lot of that, even the Malays bashing out the royalties on Facebook, people are saying, "We don't want royalty. We don't want the monarchy. They don't function. What are they doing? They're taking away all our money." So that's when people are more vocal. So, while we researchers encourage this freedom of speech, getting the anger out, we also have to see, "When is it hate speech and when is it expressing one's frustration?" We haven't found any single law addressing this. It seems to be like a cut and paste job. We know recently that I think that maybe a few months ago when someone insulted the king, he was arrested.

And that's a no-no, but he's one of the very few who've been arrested because if you look at social media right now, people are expressing their displeasure against the government, against the rulers, and so forth. So, to say that Malaysians are not expressive, no, they're very, very expressive. It's just a matter of deciding, "Okay, is this hate speech? Is this extremism? Is this racism?" That's something we've not agreed upon yet. In light of what's happening in Malaysia now where Islam being Malay, they become even more sensitive in Malaysia, I think a lot of people are actually thinking, "How do we talk about this? How do we air our grosses without going to jail?" Some don't care, but a lot do because nobody wants to be slapped with a fine and be headed off to a lockup.

Ali Moore:

But Dina, from what you are saying, it's actually quite easy to do that. I take your point about what is and what is not hate speech, and that is a challenge for so many countries. We can get to that in a minute, but you seem to be suggesting that in fact, the rules around the 3R's are pretty loosely enforced.

Dina Zaman:

Yes, I agree to that. I mean, as we talk now, I'm just looking at a website, looking at all these laws when it comes to freedom of speech. James and I, we lived through all this when you had the police coming in, arresting journalists, et cetera, for writing or publishing certain things. We had Uppsala in the '80s that was under, I think Dr. Mahathir's reign as prime minister. But when you look at it, sometimes you wonder, "Why isn't this person being arrested or at least taken in for questioning, for inciting hatred?"

Why? Because this person belongs to a certain creed, belongs to a certain majority race. Is that why he or she's allowed to get away with it? Then you see people who are from minority communities who are arrested or taken into questioning or they just disappear. To me, I feel that if we are going to have this laws, it should be implemented towards all. It shouldn't be a cut and paste and a situational thing, but people can of course disagree with me. I don't know.

Ali Moore:

James, do you agree with that assessment that there's free rein to say what you like as long as you don't upset a particular group and the laws are being used for political purposes more than anything else?

James Gomez:

Yeah, I mean Dina has framed it accurately and correctly. I'll just add nuance to it. One is the law of large numbers. What you see in Malaysia is the behaviour of the large numbers. So, it's similar in Myanmar, it's similar in Indonesia. So, the dominant groups that shape the law and implement the law because they are in political power tend to criminalise the grievances of the minority more often than they would police those from their own community, especially if they're political elites. There's always that political dimension. The second element was the issue of royalty. Now it is public knowledge, the royalty has seemed to have overstepped on its business dealings, some of which have environmental implications.

This is a matter of public record. There is some unhappiness even from the communities that are traditionally supportive of the royalty as an institution, as a cultural institution. However, because the royalty has also in the last years, especially with the change in government, taken a mediating role, almost a quasi-political role to balance the competing political forces as well as occasionally stepping out and calling out extremist misbehaviour are also articulating at the national level a multicultural tone. Because of that, the royalties have been given a discount for overstepping on the business and environmental front.

James Gomez:

What I'm trying to explain is really that why is the royalty allowed to carry on in spite of overstepping business and environmental boundaries, simply because the positive contribution of the royal institution is also seen as a political mediator in this difficult political transition times as well as stepping out time and time again to take a more multicultural tone, especially in moments when the right wing or extremists discourse comes heavily into the public domain.

Ali Moore:

But at the same time, James, do you agree with what Dina was saying, that people do criticise royalty and are not punished?

James Gomez:

Well, I guess that's more a policing consideration. Prosecution is often directed at influencers and those who are politically influential, so to speak, as opposed to lay comments and so on and so forth.

Ali Moore:

Dina, James talked about a political dimension to this. If we look at the hate speech, how connected is it to the political climate? If we go back to the defeat of the nationalist party of UMNO in 2018, do you think that that's when this came to the fore? Would you characterise it like that?

Dina Zaman:

I would say we've always had hate speech. When you had newspapers like Malaysiakini and so forth coming up and social media, there was certain political parties or certain political actors who hired cyber trolls. I think we all remember seeing these people inciting hate everywhere, in comments and all that. That would happen in the early, maybe mid-2000s, 2005, 2006. So, there wasn't a great number, but I think the fact that certain actors saw, "Okay, there is potential here to use cyber trolls to actually incite hate and also to frighten people." Because they're paid very well, you are able to hire a lot of people to actually spread these lies.

So, I think when I was in Malaysiakini, which was in like 2003, 2004, we had the beginnings of hate speech then and it was all disguised under all this rather interesting names. Now, what happened was that over the years until 2018, you would see this on Facebook and Twitter especially. People say, "We hate this. We don't like this. Get out of the country," et cetera, et cetera. Twitter is really, really toxic. I don't know how it's like now, but before when they just arrived in Malaysia, it allowed Malaysians to express themselves using their real names or different names. You no longer need cyber trolls because the Malaysians were saying, "Okay, Twitter is free." It's unregulated at that time. We're going to come and express how we feel. Then you go up to 2018.

At that time, there was a spike. I remember this. There was a group called Manara, and my God, the things they spewed on Facebook and Twitter. They would go after people they felt were not aligned to the then government, and they disappeared basically when Najib and his administration lost in 2018. Having said that, it didn't mean that his speech went away. It didn't mean that trolls didn't exist anymore in 2018. So, Pakatan Harapan won. There was an increased spike in racism. I think it was a free for all for everyone, where they felt we can express how we feel, because the Malay majority political actors are no longer there. So, I believe I remember Mujahid Rawa having his hands full dealing with allegations about him promoting LGBT issues. That's one.

Two, we had the Seafield temple riots. So, during that time, you realise that, "Oh, it was no longer about people talking. People were taking action in real life." Then we had a lot of changes after that 2018 to now. There was still hate speech. It was horrible, but I feel that it's different when you compare to what happened before. It's more insidious. I also feel that the hate is there, but it's in disguise in a different kind of language. That language, because it sounds so politically correct to all of us, if you are not familiar with these actors' way of thinking, their mindsets, and I'm talking about far right groups. You're probably just saying, "Okay, it's just an expression of speech. I'll forget about it. It's not really important."

Now, from 2018, what we realised was that as the Malays, the majority of the Malays grapple with the idea of a new government which had a lot of non-Malays in cabinet and this is not unusual, we had that in the '70s, but for them, it was a shock and that's why we had anti-ICERD rally. For them, it was something which they couldn't comprehend. That was when the Malays themselves, the average Malay who probably is not involved in politics, started expressing their opinions on Facebook and social media saying, "We have to get back our power. If our government can feel us, then it's us. It's Malay power, which can save all of us." So, you see a different dynamics now.

Ali Moore:

James, this is reflected, isn't it, in research that Asia Centre has done where you go back to 2018 and there's a quote in a recent report of yours that it created a vacuum where Malays need to defend Malays.

James Gomez:

Yeah. Again, I want to frame it as a general political phenomenon that is affecting the world, particularly in the region, and this will really help us understand the Malaysian case. What we're actually seeing is the

weakening of the dominant political force. In this case, it's the UMNO-led Barisan National Coalition. Now over the last few elections, the actual number of seats in parliament has dropped drastically from over 100 to 26 in this last election. So, this has created a political vacuum in the articulation of 3R's, at least in terms of its political strength. So, as a result, you have the growth of ultranationalist group. Now, this phenomena is quite similar in other countries and many examples also in Southeast Asia of this phenomenon.

So, these groups who are the traditional supporters of this political power base, in this case UMNO, they take it upon themselves to articulate things that are not politically correct in support of the favourite political party or power base. They were also able to do this quite easily this time, because with the rise of online media, so these groups also have access now to a new communication device that allows them to literally throw their voice further and in larger numbers. So, as a result, hate speech has grown wide and deep in Malaysia. So, this becomes good for political parties who then are shifting to the right to ride on this wave. This is what we have seen happen.

We have BERSATU that started quite weakly after some leadership change following Mahathir there, and then it picked up good number of seats in this election. Past seats has been an ebb and flow also picked up his higher number of seats in any single election. So, this makes for a very, very strong right wing block. It is not something that is going to go away because of the socialisation that many of the Muslim community have experienced. It was quite insular, a bubble format, and largely in the rural areas.

So, if you look at the electoral map, you can see especially the peninsula divided where the knot is largely conservative and right wing in that sense, in that it rode on that political discourse. Then you have a more progressive iteration of the 3R's that was returned strongly in other states.

Ali Moore:

So Dina, given that characterization of it, I mean you talked earlier about having a divided polity. If the right wing is more than tolerated, it's actually used. Is that not potentially dangerous to those in the middle ground and indeed even dangerous to the coalition in power at the moment?

Dina Zaman:

Oh, it is very, very dangerous, but let me just backtrack bit. Maybe it's because of IMAN's work. Now, a few years ago in 2016 to be exact, we went on a nationwide study to ask why young male Muslim youths were very attracted to jihadi expressions of hate or love. We went around. Even then, they were expressing how disenchanted they were with the government of the day or any other governments, simply because they felt that (1) the government never addressed their needs and demands as Malay youth. Hence, that was why they went off the internet and started looking up all these groups and decided, "Okay, I identify with this group and their messages because they speak to me."

So that was a discussion that I believe that even our police, our enforcement agencies were looking at in years of 2014 and 2016, the language of jihadis and militancy in Malaysia. But then when we had a 2018 change in government, the whole thing shifted to yes, exactly what James said, to far right nationalism, pro-Malay rights. We don't have space. If we were talking about jihadi sentiments now, you realise that since we have more Chinese and Indians in government, we really have no space here. We had discussions. We're saying, "Look, you're the majority raised in Malaysia. What makes you feel that you don't have a place in this country?"

I mean, again, they cited that they are at siege. They felt that nobody was listening to them, and the only way they could take care of themselves is by banding together. Now, for this government, I do actually think that this government has a lot on their plate and that they shouldn't be naive about the problems that we have right now. I mentioned earlier about certain populist organisations who've mainstream hate in their language. They're very, very active, with certain government civil servants, certain political actors who probably well may not have that intelligence nor common sense to realise that this is the enemy that you should be aware of. So, I believe this government, they're not only having to deal with the debt that we owe other people, it's also populism. This is just me being very simple minded, when you address this issues of populism in Malaysia, how do you address these issues when you are Malay and Muslim? Wouldn't you feel guilt? I don't know. How would they approach it from the political point of view or from the legal point

of view? How are you going to deal with a mess that Malaysia has become? Multiculturalism in Malaysia and this is again my personal opinion, not IMAN's, right? I feel that with multiculturalism in Malaysia, it fits depending on the class and income that you come from, so you're able to close your eyes to certain things.

But for the average Malaysian who's just trying to struggle, who's just trying to make sense of his life, trying to get scholarships, loans for the children to study abroad because there's no future here, they're going to be very resentful and they already are. I have a lot of people WhatsApp-ing me across the races saying, "I don't know about this new government. I voted for this government because I wanted to change, but we're seeing with what's happening now. Can this new government actually deal with Perikatan Nasional?" But populism has always been in Malaysia, but not to this extent.

To understand why this has happened, we also have to look at Islam's politics that started in the '70s, '80s. How did we split into this? How did we come like this? I just hope that this government is able as they try to sort a lot of things out in Malaysia, they will have to look at the mess that we have created, partly the policies, economic policies, social policies. Were they created with rakyat in mind or were they created by elites in power? These are things that we have to face.

Ali Moore:

You're listening to Ear to Asia from Asia Institute at the University of Melbourne. And just a reminder to listeners about Asia Institute's online publication on Asia and its society's politics and cultures, it's called the Melbourne Asia Review. It's free to read and it's open access at melbourneasiareview.edu.au. You'll find articles by some of our regular Ear to Asia guests and by many others. Plus, you can catch recent episodes of Ear to Asia at the Melbourne Asia Review website, which again you can find at melbourneasiareview.edu.au.

I'm Ali Moore and I'm joined by writer and social commentator, Dina Zaman, and Asia Centre Regional Director Dr. James Gomez. We are talking about policing political discourse in Malaysia, who it's targeting, and to what effect. James, looking in the context of the government of today, a new prime minister, Anwar Ibrahim, he formed a government only after an alliance with UMNO. Why is it do you think that hate speech is not being shut down?

James Gomez:

Well, it comes with a political cost because the hate speech we are seeing is really right wing discourse and they move a lot of ground. The political calculation is if you move against these groups, you tend to lose your political support, both while in power and looking at the current political calendar down the track, because we will have to keep in mind the state elections for six states are just months away. So, there's that whole calibration that is going on and is being taken into account. I mean, the other thing is the feel for this groups that espouse hate speech, because one of the things that is not publicly articulated is really the funding.

Quite a bit of the funding comes actually from private foundations or even businesses set up by sitting or former politicians who have a great deal of wealth. So, there's a certain lack of transparency of this whole sector. The types of foundation in Malaysia, we call it the yayasan. How many of these, who funds it, what are they working? It's very private. They do have some staff, some of the bigger ones, but ultimately, the person who's funding or giving the money to these foundations eventually calls the shots.

Ali Moore:

Is that about essentially funding a group, that organisation or that funder would see as being capable of fanning the flames of something that might put them in a better light and do damage to their opposition?

James Gomez:

It will not be that straightforward or clinical because such funders will always want some space in between. So, the programmes of course will be articulated differently. Support for the Malay community or religious education research, so on and so forth. They will not give specifically because that will be political suicide if

it's found out. So, there's always intermediaries. So, these are one cluster of groups that fuel hate speech. The other groups, again not much transparency there, the so-called public relations firm or consultants.

They also produce the discourse so they get the big level narrative or objective, and then these are the people who articulate the strategy and then commission people to write up the content. And the dissemination is a bit different because it's usually not so much paid. It's those who are ideologically aligned. So, these are two features of the Malaysian landscape. Most people know it's there, but there's not enough spotlight. Asia Centre has just slowly begin to look at this sector more deeply because it was one of the things that we discovered in doing this report this time.

Ali Moore:

Dina, can I ask you to give us a sense of where most Malaysians get their news and their public affairs content from and how different this discussion would be if we were talking about conventional media and not online?

Dina Zaman:

Malaysians, like many, many people around the world tend to consume a lot of content from the internet, YouTube, you name it, and now TikTok. When you look at my parents' generation, whatever you see on instant messaging apps like WhatsApp, Telegram, that is God's truth. So, this is how a lot of people consume news. They look at the headlines, clickbaits, and that's the truth already. Interestingly enough, I began writing for a mainstream media now and the editor told me this, that they're getting a spike of a Malay readership. He said, "We've never really had that because we've always appealed to a different clientele."

But this is interesting because this new Malay readership have money, but they're traditionalists and conservatives. It doesn't mean that they are hateful. I've got to be very mindful about that, but the fact is they're now looking at English mainstream media to see what people are doing and talking about race and religion. They want to understand us, so to speak.

So, right now, I'm saying, "Okay, we've always had people going to Twitter, et cetera, or basically sharing the news on WhatsApp and all," but the fact is there is a little group now that's going back to mainstream media like the Star, NST, Sinar Harian to look for that news because a lot of people feel that in Malaysia, you can't exactly trust web-based media unless you are totally leftwing. So, you read news media like Malaysiakini and so forth. But for those who distrust Malaysiakini, Malaysia Insight, Millennial Online, they'll go back to mainstream media. And that, as I said, it's interesting to see that is a different group of people who are buying English-speaking newspapers now.

Ali Moore:

If I can go back to almost the first point that Dina made, James, and ask you if we're talking hate speech and this is something that many countries grapple with, but what exactly is it? Just like we talked about the 3R's and what is permissible and what is not, where does hate speech sit and how easy is it to say yes, that is unacceptable?

James Gomez:

Well, currently, there's no international law that either defines or calls out hate speech because it's conflated with freedom of expression. So, you have a right to criticise. That's where the legal position is. At the national level, these are managed through penal codes and sedition acts and then a new phenomena called harmony laws that have appeared in places like Singapore and Myanmar, and to some extent also considered in Malaysia, but then didn't move forward on that. So, these are the three cluster of laws at the national level, but the international legal system or community makes a difference between hate speech and dangerous speech.

So, dangerous speech is seen as the type of speech that calls for violence against other community to take up arms and things like that. That's the legal definition both at international and international level.

Ali Moore:

So at the extremes, would the government in Malaysia take action?

James Gomez:

Yeah, it still will be a political consideration. Also, it will have to pass the test usually of the law of large numbers against whom does it take action. Is it the minority group or the majority group and also certain particular institutions. We discuss also the royalty or people in power. But in order to understand when and why they will take action, you have to break down hate speech. Very quickly, there are really four categories, hate speech against migrant workers, refugees, and foreigners essentially. So, that's one. You have hate speech against sexual minorities and women. That's another one.

Then you have the traditional hate speech targeted at the other religion, the other ethnicity, which is what we see a lot being played out in Malaysia, and then another phenomena is political hate speech. They're all interrelated, but it's not so clear in Malaysia. For example, if you go to Thailand, the red shirt and yellow shirt dichotomy, that's a clear phenomena of political hate speech and there's a lot of that in Thailand. So, coming back to Malaysia, I think when you speak about governments using the legal mechanism, we really need to pare down this for subcategories of hate speech and then investigate which one they are more keen to pursue.

Ali Moore:

James, given the prevalence of hate speech, what does that mean for broader discussion, broader discourse in Malaysia? Do you find that it's being crowded out by the loud voices?

James Gomez:

Well, I think what I see in the broad sense is really the impact on the economy. Here I would like to bring in the fourth R, the ringgit. That's the currency for Malaysia. I think in all this discourse, the economy has been forgotten. I mean, the Malaysian ringgit has been taking a battering for the last many years. A lot of it tied very closely with the political stability in the country. Investors still feel anxious when they want to move money into the country and to invest because they do want a politically stable environment, environment that's friendly for investment, and also an environment that's genuinely multicultural. So, that they feel at peace when they bring investments and hire workers or bringing other contributors from abroad.

So, I think that the whole fourth R, the impact on the ringgit is also missing in the discussion. I think this has to be brought to the forefront, telling Malaysian society, the Malaysian leadership, why it's in their interests to ensure there's a more palatable political as well as cultural environment for everyone.

Ali Moore:

Dina, bearing in mind what James just said about the economic impact, but do you see an impact on broader discourse that people may be more reluctant to put their head up, to have a voice for fear of being targeted by the right? Does it crowd out a more reasonable voice?

Dina Zaman:

It's a mixture. Yeah, Ali. I know of an academic, I won't name him. He wrote for Singapore university journal where he talked about the right wing movements, and the university was almost smacked with a lawsuit by that particular group. He had to change everything. In the end, he just took the article away. So, there is that sense of fear. God, these people are very powerful. They're Cambridge educated. They can speak. They know how to argue. So, there is that fear and people say, "Okay, how do we counter this narrative then?" At the same time, at least for me, I'm glad to see more Malaysians speaking up and risking it.

I see writers who are saying, "I don't agree with what's happened. Why Malays. What about me as a minority Chinese or Indian who comes from a working class background?" I see this conversation on social media and I think, "Good, someone's talking about the elephant in a room." Having said that also, because of what's happened during the latest general elections, I got onto TikTok to see what the drama was all

about. Yes, there was a lot of hate videos, talking about Islamic rights, Muslim rights. We had to get the "pendatangs" just out of the country." It was horrible.

But at the same time, I also saw many young Malaysians, Malays, Chinese, Indians countering that narrative and saying, "No, we don't want this. We want multicultural Malaysia." This is what I keep telling everyone. As James talked about just now, about donors, funding and so forth, perhaps we shouldn't be funding all these big fancy programmes in hotels. Invest in our young, in local universities, in vocational colleges, go out to the field. I'll say this. A lot of our work when it comes to research and activism is so urban centric. You need to go out there right out to the rural areas and have a chat with them, talk to them. I know it sounds very idealistic, very, very simplistic, but that is how you get the message across.

We are not talking to each other. We're living in our bubbles. We are being angry within our bubbles, probably not doing the right thing. People think that, "Okay, how do I become a better friend to someone who is not of my race or religion?" I mean, it's not about just getting that token Malay, Chinese, Indian, and then you have a friend. Friendship has to be earned, and it's also built on trust. So, we need to actually go back to the roots of friendship. How do you become a good friend to whoever? And look at common values, family, poverty, helping each other out, living in a community. There's another thing also that I believe, which can actually help with multiculturalism in Malaysia, and I hope big business hears this.

When you talk about urban development or even rural development, why must it be that a certain family or person of a certain income is able to live in a multicultural place? Or if it's in a working class neighbourhood, big developers see this and say, "Oh, we are going to take this and it is going to be a different kind of enclave." We can't have that anymore. I feel that for Malaysia, at least, I think it's not just civil society actors – people in the space who are doing the work. Business also has a responsibility to help create a multicultural Malaysia. It's not just about profits.

Ali Moore:

James, would you agree with that? Do you also see a role for politicians, for parliamentarians, for other institutions in society?

James Gomez:

Yeah, I think all the stakeholders that Dina has outlined and some more need to contribute to the multicultural experience in Malaysia because a lot of the communities operate in silos. They go to different schools. They worship differently, and they also geographically stay in different communities. So, I think there needs to be a lot more cross-fertilisation, a lot more interaction, dialogue. And politicians can do that in parliament, for example. Parliament, that's a safe space, impunity there. But really to push it on the positive front and also debate when there are difficult laws being promoted. So, I think the parliamentarians have a role. Business also have a role in terms of how they hire, take a more multicultural approach, especially if the business allows for it.

And civil societies and NGOs that can monitor the situation and call out transgressions. I think technology companies also have to play a part, especially looking at hate speech, mitigating some of that negative content online. I think we also need to look at the ultra-nationalist group, get a better understanding of who they are, who funds them, how they operate, because that's still not clear. Finally, I think we need to build an environment where people feel safe. Presently, people don't feel safe.

When you talk about the 3R's hours, they tend to lower their voices or they will dismiss it. We don't want to be part of it because it's sensitive. So, not only do we have censorship, but we also have a whole range of self-censorship. This is why the needle really hasn't moved much on this conversation.

Ali Moore:

We are almost out of time, but I do just want to finish with a quick question to both of you. Dina, I'll ask you first. Are you optimistic about a greater opening of discourse in Malaysia?

Dina Zaman:

This depends on the day and how I woke up, Ali, to be honest. I mean, okay, I look at it in a very dark and gloomy manner because this is the work that we do. We're constantly dealing with this. Yet when you go out, you meet your friends. And I'm really happy that my friends are from all the races and we talk about anything and everything. Then when I go out of Kuala Lumpur to places like even my hometown in Terengganu, granted Terengganu is mostly Malay and Muslim, but you actually see people integrating with each other, the few minority Muslims there who decided not to move to Kuala Lumpur; they just want to stay in a small state.

They just want to stay in a small state. So, I have days when I think, "Actually, multicultural Malaysia is something we should aim for." I believe the young, especially the young, will do this, but there are days also when you look in the newspapers. You think, "I don't think anything good's going to happen." So, as I said, it really depends on my mood for the day.

Ali Moore:

What about you, James?

James Gomez:

I believe more conversation around this is inevitable simply because you cannot stay isolated, no matter how much of online bubble you cannot live in these days. People travel. All Malaysians travel and travel very widely. So, there's that contact point multiculturally worldview and things like that. They study abroad. So, there's that dimension. They are flagged by Singapore in the south, Thailand in the north. So, there's that constant infusion. It needs the foreign dollar to build this economy. There's a property overhang in Malaysia. They're looking at the foreign dollar. They want to generate income from foreigners rolling out retirement visas to nomad visas, intercultural international marriages. So, it's inevitable that the conversation will continue and widen, but that it will no way reduce, takeaway, and lower the impact of the core conservative element and right wing element. Although I think they will tend to wait in the mid to long term, but not disappear altogether.

Ali Moore:

No, but the more conversation everyone can have, the better. Enormous thank you to both of you for joining Ear to Asia. I'm very grateful for your time and for your insights.

James Gomez:

Yeah, thank you and happy to be here.

Dina Zaman:

Thank you so much.

Ali Moore:

Our guests have been Dr. James Gomez, Regional Director of Asia Centre, a research institute based in both Malaysia and Thailand, and Dina Zaman, a Malaysia-based writer and social commentator, as well as co-founder of IMAN Research. Ear to Asia is brought to you by Asia Institute of the University of Melbourne, Australia. You can find more information about this and all our other episodes at the Asia Institute website. Be sure to keep up with every episode of Ear to Asia by following us on the Apple Podcast app, Stitcher, Spotify, or Google Podcasts.

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