1 Theorising Civil Society

It is impossible to comprehend the character and direction of any political regime without understanding the extent and nature of civil society. After all, civil society is a distinct collective political space that is legally supported by the state, but also offers the most substantive capacity and potential for social forces to resist and cooperate with the state in their own interests (Rodan 1997: 158).

According to Teopler and colleagues (2020: 649), democrats therefore have plenty to be concerned about. They argue that we are witnessing a general shrinking of the space of civil society 'amid the growth of hybrid and authoritarian regimes worldwide'. Some academic and popular writers go so far as to claim that civil society – and, hence, democracy – faces growing challenges from forces and mobilisations constituting a contending *uncivil society* (see Ruzza 2009; Harrington 2019, for example).

However, these conceptualisations and arguments conceal as much as they reveal. The political space of civil society has been in decline in some regimes, with authoritarian politics making significant gains over the last decade or more. Yet profound political changes to civil society and political regimes also elude mainstream analysts – a problem that this study of Southeast Asia attempts to address. Indeed, *this study does not so much discern a general shrinking of civil society space but important shifts in the influences exerted through it*. Both democratic and anti-democratic ideologies and forces are integral to these struggles for influence.

Literature on Southeast Asia has hitherto been dominated by two – often implicit – questions. First, how has civil society shaped or enabled forces and groups seeking increased political openness? Second, how have civil society–state relations been obstructed or shaped by powerful elites? The findings here arise from adopting a framework that is geared instead towards answering questions of *how* and *why* spaces for contestation and reform differ from one country to another.

In Southeast Asia and other capitalist societies, civil society is the locus of inequalities based on class, but also on ethnicity, gender, race, sexuality, and other symptoms of specific social and political systems of power underpinned by the state (Wood 1990). Many inequalities therefore predate capitalism. Yet the conditions under which struggles over them are conducted – and the possible coalitions forming in those struggles – are also fundamentally influenced by the transformative, conflictual, and contradictory nature of contemporary capitalism. Consequently, analysis that fails to theorise civil society's relationship to capitalist development is incomplete.

From the 1960s, capitalist development and Cold War geopolitics combined in Southeast Asia to foster powerful new ruling classes (Glassman 2018). State repression in this period broadly dismantled or seriously weakened independent class-based and many other independent organisations. Cohesive, influential, and sustainable mass civil society movements or coalitions – especially socialist and social democratic ones – proved difficult to rebuild or establish following the Cold War's end. Beginning in the 1980s, structural pressures emanating from advancing economic globalisation also militated against strong, independent trade unions (Hutchison and Brown 2001).

Yet, paradoxically, the taming of civil society laid foundations for elites to embark on varying neoliberal capitalist reforms across the region, generating social structural changes fuelling new conflicts over state power and accentuating existing ones. Technocratic liberal reformist framings of conflict – let alone other more democratic framings – have faced concerted challenges, including from religious, ethnic, cultural, and nationalist depictions of the causes of, and solutions to, conflict (Jayasuriya and Rodan 2007; Jayasuriya 2020).

As elsewhere in the world, many of these ideological variations of identity politics are resonating with elements of middle classes now confronted with more precarious employment, rising living costs, and other pressures generated by neoliberal capitalism and market values. Hence, precisely as rising inequality under capitalism intensifies, cross-class civil society alliances to tackle systemic inequality are becoming less – not more – likely. It is against this background that assorted anti-liberal and anti-democratic civil society mobilisations surfaced in the last decade in Southeast Asia. This ranges from the royalist Yellow Shirt movement in Thailand and ethnic nationalist and religious nationalist movements in Indonesia, Myanmar, and Malaysia, to support for human rights abuses in the Philippines in the so-called war on drugs under authoritarian President Duterte.

Meanwhile, civil society coalitions in Malaysia were pivotal in mobilising to bring down the authoritarian Prime Minister Najib Razak and his *Barisan Nasional* (*BN*, or National Front) in 2018 – the first change of government since the country's political independence in 1957. However, as in earlier civil society mobilisations helping to remove authoritarian leaders Marcos in the Philippines and Soeharto in Indonesia, a change of government in Malaysia where forces in civil society played crucial roles marked a new phase – not the end – in the struggle over state power. Hence, the new government – *Pakatan Harapan* (*PH*, or Coalition of Hope) – collapsed within two years amidst internal friction.

Clearly, understanding which interests and ideologies are harnessed through civil society – and to what end – is indispensable to explaining where political regimes in Southeast Asia are headed and why.

Towards that understanding, a distinctive political economy framework of analysis is adopted here that emphasises civil society contestation *over* state power relationships in civil society rather than a struggle *between* civil society and state; civil society as a political space open to democratic, non-democratic, and anti-democratic forces and ideologies; ideology as pivotal in *mediating* civil society struggles over state power; and the importance of historical specificity in how capitalism is organised and controlled for explaining variations in civil society conflicts and coalitions across countries.

The different elements of this framework cohere to mount the argument that civil society in Southeast Asia is transformed through its changing relationships to state power and struggles thereof. Such an argument is only possible, though, by transcending liberal notions of civil society and state and how these relate to political regime dynamics.

Some liberal theorists continue to adopt highly normatively positive conceptions of civil society as primarily a *counter* to the power of the state and lament the advent of uncivil society. Others acknowledge some power ambiguities, notably that the state protects the political independence of civil society, also conceding that civil society can house undemocratic elements. Nevertheless, here civil society and state remain analytically separated in ways that obscure links between politics and social class that shape power struggles over political regimes.

Consequently, there remains no liberal framework for adequately explaining how, when, and why civil society serves as a realm through which activists shape state power to either enhance, consolidate, or reduce the interests and positions of particular social groups. Weberian models of ideal typical institutions to scrutinise political and state bureaucratic institutions – influential in the literature on Southeast Asia – fall well short of conceptualising or explaining such political interrelationships.

The framework here draws on Gramsci (1971), who emphasised the artificiality of the distinction between civil society and state under capitalism, highlighting patterned power differentials between different social classes reinforced across these seemingly separate political spheres. Civil society assumes broader meaning than the independent collective organisations and associations emphasised by liberal theorists. It incorporates a set of social structures and, crucially, constitutes a site of ideological struggle over whether or not persistent unequal social, political, and economic relationships are subject to scrutiny and political mobilisation (Gramsci 1971: 12; see also Anderson 1976).

Collective political organisations and movements within civil society may thus be technically independent of the state, but their actions are integral to defining and expressing state power.

Southeast Asia offers a fascinating empirical focus for demonstrating the general theoretical utility of understanding the inseparability of state and civil society. Stunning economic and social transformations in the last fifty years in the region have combined with a diverse range of authoritarian and democratic political regime directions, many of which remain seriously contested. Explaining the varying extents and complexions of civil society and their political significance for state power is thus no small challenge – but an ideal one for general theoretical purposes.

Before embarking on the case studies, though, the intellectual histories and geopolitical contexts that have shaped competing ideas about civil society and state within Southeast Asia are examined. This provides foundations for distinguishing the core concepts and definitions of the framework introduced in Section 1.4. This framework will guide the case studies of civil society in Singapore, Malaysia, the Philippines, and Thailand.

1.1 A History of Civil Society

Modern notions of civil society started to emerge with eighteenth-century struggles in Western Europe to dismantle the absolutist state and affect a transition from feudalism to capitalism (Brook 1997: 19–20). Then, and subsequently, the meaning and purpose of civil society have varied, and its influence has waxed and waned among scholars and policymakers. Positive normative assumptions about civil society are, however, a striking theme, many writers routinely championing the liberalising and democratising significance of civil society. Such contributions are not without insights, but they cannot adequately conceptualise or explain the inherently conflictual nature of civil society as a site of political contestation over the exercise of state power.

It was in the context of the European transition to capitalism and the accompanying Age of Enlightenment that the civil society concept was explicitly adopted. This was the time when, Bernhard (1993: 308) writes, civil society first began to take shape as an 'historical phenomenon', when 'social groups were emancipated from restrictions placed on them by feudal and absolutist systems'. More substantial challenges to monarchical power followed from the bourgeoisie. In the process, a sphere of autonomy for social actors sprang up 'between the official public life of the monarchy, the state and the nobility, and that of private and/or communal life' (Bernhard 1993: 308).

More generally, Enlightenment thinkers prosecuted the claim that rational human beings could determine their own destiny without subordination to absolute state control (Laine 2014: 62). By contrast, Marx equated civil society with 'bourgeois society', rejecting claims that the struggle against the absolutist

state was about the universal rights of people and citizens, rather than the particular interests of the bourgeoisie in the 'ruthless logic of commodity production and exchange' (Keane 2005: 25).

While not explicitly adopting the term civil society, in the first half of the eighteenth century, French liberal theorist Tocqueville also argued the vital importance of diverse civil associations to representative democracy's success in America – curbing despotism by limiting the scope and power of government (Keane 1999: 309). According to Tocqueville (in Stid 2018): 'In democratic countries, the knowledge of how to form associations is the mother of all knowledge since the success of all the others depends on it'.

Such public space expanded in Europe to encompass a diverse range of professional and non-professional associations, organisations (including independent press and publishers), and political parties. Yet the struggle to establish new political regimes was a protracted and fractious one. Attempts through civil society to advance politically inclusive and egalitarian agendas, notably via working-class-controlled organisations, were critical to the realisation of various forms of liberal democracy in much of Europe and the United Kingdom and their consolidation in the twentieth century. As Eley (2002) points out, though, agendas of social and political inclusivity were – and remain – subject to resistance from other elements of civil society.

Collective organisation also emerged in Southeast Asia that enjoyed periodic influence, reflecting 'European streams of thought' (Du Bois 1962: 42–4). Labour organisations grew in the 1920s and were boosted by the advent of the 1930 Great Depression. By the late 1930s, communist and socialist movements emerged, linked and divided by ethnicity and shaped by nationalist, anti-colonial, and anti-imperialist movements. Nationalism was the dynamic force in the 1940s and 1950s in challenges to colonialism. Most socialists had adopted anti-communist stances by the 1950s, but they were also opposed to capitalism due to its links with colonialism (Hewison and Rodan 1994: 240–7).

For much of the twentieth century, though, the rise of authoritarian states through fascism, communism, and the Cold War delivered blows to civil societies in many parts of the world, not least in Southeast Asia (see Hewison and Rodan 1994; Hansson, Hewison, and Glassman 2020). Theorisation of civil society thus lacked the political immediacy and the degree of analytical appeal among scholars it previously enjoyed. This changed from the 1970s when civil societies played important roles in movements in Latin America, Asia, and Eastern Europe in the downfall of authoritarian regimes.

Thematic to civil society's resurgence in academic and policy influence was a pervasive normative embrace of civil society as the ingredient needed to build, rebuild, or replenish democratic politics. Scholars wanted to understand how it

was that seemingly monolithic and oppressive regimes were brought to heel, and how to consolidate and extend the political power of non-state actors in post-authoritarian societies. The economic, social, and political decay and crises of the Soviet Union by the late 1980s, leading to its dissolution and the end of the Cold War by 1991, provided further impetus for civil society's intellectual revival.

Against this background, Fukuyama's (1989: 4) influential 'end of history' thesis was born, according to which 'mankind's ideological evolution and the universalization of Western liberal democracy as the final form of human government' was imminent. Huntington (1991) also linked capitalist globalisation to a 'Third Wave' of democratisations, reviving earlier modernisation theory's notion that liberal politics and economics were natural, functional partners. Such arguments heightened expectations of democratisation and associated civil society expansion in Southeast Asia and elsewhere.

There was also renewed interest in the role and significance of associational life in established liberal democracies, Putnam's works on Italy (1993) and America (1995) being particularly influential. His emphasis on social capital – as avenues for civic participation, associated shared values, and resultant mutual trust among citizens in each other and their institutions – was taken up by the World Bank and a raft of other multilateral agencies, non-governmental organisations (NGOs), and academics championing civil society (Carothers 2004). Programmes to build civil society 'capacity' and 'social capital' became integral to foreign aid strategies for economic and social development, including in Southeast Asia (Carroll 2010). Transnational civil society networks also expanded in attempts to influence a wide range of decision-making processes (Florini 2000).

This intellectual and policy resurgence of civil society was, as Viterna, Clough, and Clarke (2015: 181) observe, considered intrinsically positive, since 'civil society organizations [CSOs] protected human rights, promoted solidarity, and represented the true interests of the people, not the powerful'. However, a proliferation of professional CSOs around the globe from the 1990s often supplanted, or reduced the influence of, organisational members (Skocpol 2004; Edwards 2011).[1] Rueschemeyer and colleagues (1992: 49) also argued that where 'powerful and cohesive upper classes' dominate CSOs, they can 'serve as conduits of authoritarian ideologies, thus weakening democracy'. Keane (2005: 27) contended that 'market presumptions' had structurally and ideologically penetrated the thinking and operations of many CSOs.

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[1] CSOs refers in this Element to all independent organisations acting politically, including NGOs and POs.

Furthermore, often lurking behind seemingly progressive rhetoric from CSO actors about accountability and representation are non-democratic and anti-democratic ideological assumptions and claims. This includes moral ideologies of accountability grounded in traditional sources of authority – such as monarchs and religious leaders – or in charismatic figures who act as moral guardians to interpret or ordain correct codes of behaviour for public officials (Rodan and Hughes 2014). It also includes ideologies of representation and participation privileging technocratic notions of problem-solving and consensus ahead of competing definitions of, and solutions to, policy problems (Jayasuriya and Rodan 2007; Rodan 2018).

Indeed, it transpired that liberal optimism about an end of history was misplaced. Not too long into the twenty-first century, democratic transitions theorists began lamenting a global trend towards 'democratic backsliding' (Waldner and Lust 2018) and the worldwide 'shrinking or closing space for civil society' (Teopler et al. 2020: 649).

In Southeast Asia, authoritarian politics has become increasingly evident in the last decade, compounded by the advent of the COVID-19 pandemic (Kurlantzick 2020). Such a juncture – not unique to this region – calls into question the adequacy of influential theoretical concepts and frameworks for understanding civil society directions.

1.2 Virtuous Civil Society

Conceptions of civil society that give approving emphasis to civility, liberty, plurality, independence, and voluntary associations remain influential. These themes are often equated with liberal democracy itself. However, civil society is a contested political space, through which struggles can be conducted not just *for* democracy but also *over* democracy and even *against* democracy.

Differences abound in the ways that civil society has been conceived by theorists (see Ehrenberg 1999; Keane 1999; Edwards 2020). Of special interest here, though, is what politics qualify for, or are excluded from, notions of civil society.

Some liberal notions of civil society portray it as a residual category – the realm of social relations outside state or market. Walzer (1991: 293), for example, understood civil society as 'the space of uncoerced human association' involving 'groups of all sorts, not for the sake of any particular formation – family, tribe, nation, religion, commune, brotherhood or sisterhood, interest group or ideological movement – but for the sake of sociability itself. For we are by nature social, before we are political or economic beings' (Walzer 1991: 298). Mirsky (1993: 572) described civil society as 'a social sphere in which no

single locus of authority predominates and in which men and women interact with each other in a series of overlapping relationships and associations – communal, civic, religious, economic, social, and cultural'.

However, the concept of civil society must be preserved for specifying a particular form of *political* space.[2] The aim of activists – if not always the outcome – is to influence the exercise of state power. As Ehrenberg (1999: 235–6) observed, understanding civil society 'as a nonmarket, nonstate sphere of voluntary activity is not enough to help us make crucial distinctions between Putnam's bowling leagues, soccer teams, and choral societies on the one hand, and Greenpeace, the National Organization for Women, and the Ku Klux Klan on the other'.

Among the many liberal theorists who accept this distinction, there is a wealth of statements about, and endorsements of, the political nature of civil society. Diamond (2016) provides a particularly clear contemporary example of such: 'the *realm of organized social life that is voluntary, self-regulating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules*. [emphasis in original] . . . an intermediary entity, standing between the private sphere and the state . . . [that] encompasses "the ideological marketplace" and the flow of information and ideas' (119–20).

Yet, while Diamond (2016: 120) considers civil society as intrinsically political, he draws the line at attempts by civic organisations and movements to secure formal political power or office in the state, or to change the nature of the state 'from a desire to capture state power for the group per se'. This does not rule out engagement with political parties to achieve reforms, but parties per se are not considered part of civil society. After all, the point of civil society for liberals is principally to counter state power and hold it to account.

Rosenblum (2000: 500–1) challenges the 'moral valence' many theorists attach to voluntary civil society associations vis-à-vis parties. Indeed, she considers parties the preeminent 'strong republics' when their deliberative nature is exercised. The important normative question, then, is over 'the extent to which party agendas are the substantive outcome of deliberation among a broad and active membership' (Rosenblum 2000: 528). Where analytical focus is less on a sharp delineation of state and civil society, and more on the interrelationship between one and the other – as is the case here – the argument for distinguishing parties from other intermediary organisations is not compelling. Indeed, Gramsci's conception of civil society incorporates political parties (Alagappa 2004: 29).

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[2] For examples of the different ways the concept of political space has been applied to Asia, see Hansson and Weiss (2018).

However, this cannot mean linking of parties and other organisations through civil society is axiomatic or definitional. Civil societies can involve varying relationships between their formal (party) and informal (non-party) elements – both of which are political.[3] These boundaries can and do change. Historically specific patterns of capitalist development, and the dynamics thereof, are crucial to explaining such shifting configurations of civil society, including the boundaries between formal and informal civil society.

In Southeast Asia, Cold War repression and new strategies of capitalist development hostile to independent labour resulted in the dismantling of radical trade unions and other organisations, while parties linked to them faced intimidation or bans.[4] Under tighter political limits and with expanded middle classes, different civil societies emerged in a shift from radical to bourgeois opposition and reform advocacy (Hewison and Rodan 2012). The precise extent and nature of political connections through civil society continue to unfold in varying ways across the region.

Variations stem not simply from the region comprising one-party, or one-party dominant, political systems and others with more competitive systems. These are *outcomes* – not underlying *drivers* – of shifting boundaries between the formal and informal political spaces of civil society.

The People's Action Party (PAP) in Singapore, for example, transformed from a grassroots party organically linking formal and informal political elements to a top-down party. This was the result of a struggle over state power between competing factions with different plans for Singapore's capitalist development in which technocratic authoritarians triumphed. By contrast, in authoritarian Malaysia, the United Malays National Organisation (UMNO) did not take this technocratic path, and boundaries between formal and informal civil society are in greater flux.

Some political economies are, at a certain historical juncture, more conducive to coalitions through formal and informal civil society spaces than others, regardless of regime type, as the case studies will highlight. What matters most for regime directions is not whether coalitions constitute some ideal typical configuration of civil society, but the scale and direction of opposition and/or reform that can be pursued through this political space.

Civil society is also distinguished in Diamond's (2016: 120) account by civility and political pluralism: when an organisation aims 'to monopolize a functional or political space in society, claiming that it represents the only

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[3] Hence, preference here for 'formal civil society' and 'informal civil society' over terms of 'civil society' and 'political society' to distinguish the same elements.

[4] See Hicken and Kuhonta (2015) for analyses of institutional constraints on political parties in Southeast Asia.

legitimate path, it contradicts the pluralistic and market-oriented nature of civil society'. This point speaks as much to the culture of civil society as it does to its associational forms, something that early modernisation theorists Almond and Verba (1963) gave particular emphasis to as a prerequisite for democracy (see also Putnam 1993, 2000).

Emphasis on civility can also be found across critical, post-structuralist, and postmodernist notions of civil society. Enlightenment values emphasising reason and rationality have been influential in fostering emphasis on the cooperative and/or problem-solving virtues of civil society (Cohen and Arato 1992: 71–80; Huang 1993: 218–19). Thus, while preferred models of democracy differ between theoretical camps, Aspinall's (2004: 90) claim that 'only a democratic civil society that is truly *civil* supports democracy' has general resonance across the literature.

Yet recent proliferation of organisations and mobilisations departing from the political values or conduct prescribed above has led to authors across theoretical camps emphasising differences between *civil* society and *uncivil* society. This distinction can hinder a full grasp of the contested nature of civil society in the struggle over state power.

Violent and/or unconstitutional behaviour has long been viewed as antithetical to any notion of civil society. In recent decades, though, cultural values have become an additional point of distinction. Ruzza (2009: 87) defines *uncivil* society as an historically located 'set of associational activities characterized by discursively exclusionist, undemocratic or violent features'. Organisational activities and worldviews of this ilk include those that are 'racist, nationalist and populist, and characterized as biologically essentialist, or territorially or culturally exclusionist' (Ruzza 2009: 87).

Nearly two decades ago, Kopecký and Mudde (2003) rightly raised concerns about the vague boundaries between *civil* and *uncivil* society. They also argued against separating either 'uncivil movements' or 'contentious politics' from the study of civil society – especially in dynamic post-authoritarian or fledgling democracies. Platek and Plucienniczak (2016: 4) subsequently pointed to how elements of far-right movements in Poland shifted within a decade from extreme positions occupied in the 1990s.

The continued attraction of the concept of 'uncivil' society reflects the normative power of the prevailing neo-Tocquevillian and other romantic liberal notions of civil society rejected here. This is despite the observation by Berman (1997: 401), from a competing liberal theoretical camp, that a 'robust civil society actually helped scuttle the twentieth century's most critical democratic experiment, Weimar Germany', paving the path for fascism (see also Armony 2004).