

OPPOSING WESTERN LIBERAL VALUES THROUGH CULTURAL CONSERVATISM: COMPARATIVE ANALYSIS OF THE POLITICAL SYSTEMS OF MALAYSIA AND POLAND

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<p>Tiivistelmä</p> <p>Tässä maisterintutkielmassa vertasin keskenään Malesian ja Puolan poliittisia järjestelmiä Wolfgang Merkelin kehittämän käsitteen demokratian 'kytkeytyneisyydestä' (embedded democracy) avulla. Demokratia on Merkelin mukaan 'kytkeytynyt', kun kaikki demokratian eri osa-alueet ovat kunnossa ja keskenään tasapainoissa toisiinsa nähden. Tässä tutkielmassa selvitetään aineiston avulla, ovatko Puolan ja Malesian poliittiset järjestelmät demokraattisia.</p> <p>Tutkimuskysymykseni olivat: mitä voidaan oppia liberaalidemokratioista vertailemalla toisiinsa kahta eri maanosan maata? Ovatko Puola ja Malesia demokraattisia käsitteen 'kytkeytynyt demokratia' mukaan? Aineistoni perustui pääosin Freedom Housen julkaisemaan <i>Freedom in the World</i>-raporttiin vuodelta 2021. Aineiston analysoinnin tueksi käytin laajalti aiheeseen liittyvää tutkimuskirjallisuutta.</p> <p>Tutkielmani on henkilökohtainen. Aiheen valinta perustui pääosin haluuni oppia enemmän Puolan ja Malesian poliittisista järjestelmistä. Vertailevan tutkimuksen tekeminen sopii tähän tavoitteeseen erittäin hyvin.</p> <p>Tutkimustuloksissa selvisi, että Malesian ja Puolan demokraattinen tilanne on käytetyn teorian ja aineiston pohjalta selvästi erilainen ja Puola näistä maista on demokraattisempi. Maiden väliltä löytyi myös merkittäviä yhtäläisyyksiä, joista esiin nostin tässä tutkielmassa: 1) vastahakoinen asenne länsimaista liberalismia kohtaan, 2) uskonnon vahva vaikutus yhteiskunnassa ja politiikassa, sekä 3) syrjivät asenteet ja käytänteet naisten ja HLBTQ+ ihmisten poliittista osallistumista kohtaan, mikä implikoi voimakasta kulttuurikonservatismia.</p>	
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Abstract

In this master thesis I compare the political systems of Malaysia and Poland. My comparison of the political systems of Poland and Malaysia is based on data from the *Freedom of the World* report in year 2021. The key analytical concept for the thought experiment is Wolfgang Merkel' s concept of embedded democracy.

I chose the topic because I wanted to learn more about the political systems of these countries. Comparative study was beneficial for my personal aims. My research questions were: what can be learned about liberal democracy by comparing two political systems from different geographic regions? Are these countries democratic according to the concept of embedded democracy?

As anticipated, the results of my thesis show the level of democratic practices differing between Malaysia and Poland, with Poland displaying more democratic characteristics. However, based on my analysis, I found that the countries also have three common factors, which are 1) reluctant attitude towards Western liberalism, 2) strong influence of religion in politics and society, and 3) discriminative attitudes and practices towards political participation of women and LGBTQ+ people, implying strong cultural conservatism.

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1 INTRODUCTION

This comparative study on political democracy is personal. It grew out of puzzling experiences that I encountered during this tumultuous time when the overall rather positive post- Cold War period has been drawing to a close, and nobody knew what would follow. I moved to Poland in November 2015. In October, in the same year, the extreme right conservative party Prawo i Sprawiedliwość (PiS; Law and Justice) won the parliamentary election and formed the government. Next spring, I started to work as a customer service adviser for an international company located in Cracow. I was qualified for the job, because I knew Finnish very well since it is my native language. The company was providing IT-services for Finnish-speaking clients. Apparently, it was easier to teach me some necessary IT-skills than to teach Finnish to someone who is professional in IT – at least that is what I was told. Suddenly I had a rather well-paid job according to Polish living standards, though I only possessed an A-level diploma. Other workers were at least five years older than me, had studied in some university or even had graduated, majoring in Finnish, Swedish, Norwegian, Spanish, English or German. Now they were working in IT-services due to outsourcing policies in other countries. European companies were outsourcing some of their services to Poland because of cost differentials.

This spring was peculiar for many reasons. There I was in an international company interacting internationally, but it was hard to comprehend all the staff discussions there. I witnessed how many of my Polish friends were devastated by the vote in the United Kingdom to leave the European Union and put an end to immigration from the EU area. At the same time there were many discussions about Angela Merkel, the chancellor of Germany called the Mother of Europe, who was welcoming all the refugees from Syria to Europe. Sometimes, or often, the concepts “refugee” and “immigrant” were mixed. I noticed that many times we were not talking about the “Mutti” who arrogantly thought that she could invite refugees to Europe, but about the fear of losing something mysterious that could be lost by interacting with people from other

countries. I was confused. All these talks fuelled islamophobic rhetoric from abortion and women rights all the way to the crisis of the decline of “European cultures”. At the same time, it sounded like it was understandable, right and natural for Polish people to move into the United Kingdom for working. These two hot separate discourses somehow did not fit at all with each other. The experience left a strong impression on me.

In 2018 I went to South-Korea as an exchange student. Between the semesters I was backpacking in Southeast Asia. While walking on Jalan Ampang – one of the major old streets in Kuala Lumpur – I started thinking of Poland. I had a strong feeling that this country was like Poland. One would expect an Asian country to be essentially different from a European country because the concepts of Asia and Europe have so often been juxtaposed with each other, but interacting with Malaysians in Jalan Ampang did not bring out a sense of absolute otherness – but rather of being in Poland. The cognitive dissonance resembled my perplexing experiences in Cracow two years earlier. This strong emotion persisted with me, so that finally I ended up comparing those two countries in my master thesis.

I am of course hesitant about the endeavour. How on earth can I justify a choice based on a strong feeling? The whole idea sounds crazy. The apparent bizarrrity notwithstanding, I am not the only one who has acted on a random obsession for knowing more about a certain topic. Philipp Ther says in the introduction in his book “Europe since 1989: A history”, that the long-term research project and his personal traveling and working experiences have affected his writings. (Ther, 2019, p. 32.) Also, Vadim Romashov had an inspiring conversation with a taxi-driver from Azerbaijan in St. Petersburg. Romashov was writing a doctoral thesis about the co-existence between people from Armenia and Azerbaijan living in rural communities. That conversation gave him a new angle to the whole topic. (Romashov, 2023, p. 68.)

The purpose of this study of course is not to prove that Malaysia and Poland are similar countries. The demography of two countries could not be any different. Poland is a monocultural unitary parliamentary state populated by Polish speaking mostly Christian Poles whereas Malaysia is a multicultural federal state, populated by an array of ethnic groups professing four major religions, and defined as a parliamentary constitutional elective monarchy. Poland is situated on the Eastern European climatic zone, while Malaysia is a tropical country near the Equator, making the nature, food items and related culture very different. However, in terms of population size, GDP per capita level, and level of development the countries are not very different, especially when you experience them in the kind of urban environments where I did. Both of them have been rather successful economically, with rapid economic growth leading into rather similar urban lifestyles. Last but not least, both of them have a long history of authoritarian one-party rule followed by democratization, which

nevertheless has constantly been challenged by domestic political tensions and extreme adversarial political opinions. Even though they are located geographically far from each other, there is an empirical sense to compare the political systems of Poland and Malaysia. I repeat that the purpose is not to prove any essential similarities between Poland and Malaysia, but simply to learn something about democracy by thinking together about these two countries.

The twentieth century has been seen as a golden time for an advance in democracy. The third wave of democratization reached East Asia and the communist regimes of Eastern Europe in the 1980s-1990s. According to Wolfgang Merkel the twentieth century can be named as the century of democracy. (Merkel, 2012.) The number of democracies used to increase in the past decades. Liberal democracy is now the dominant form of government in some 90 countries. Even though the uprising in the Arab world in the early 2010s and the conflict in Ukraine has shown that people living in authoritarian regimes are urging for the change of political system, at the same time well-established democracies are said to be facing a “democratic crisis”. Can it be that declining party loyalty, falling voter turnout, disengagement with political processes and eroded social capital are symptoms of people’s dissatisfaction with the current political system? (Gwiazda, 2016, p.1.)

I decided to explore the political system of these countries using data produced by the Freedom House. It is simply handily available research material, and I was thinking that the approach of the *Freedom in the World* -report provides a good setting for researching a wide and complicated matter in a comparative sense. Of course, the data is conceptually and theoretically very basic and also controversial. Freedom House does not take into consideration nuanced thoughts on the meaningfulness of “democratic elections,” as demanded by Hadenius (1992). The concept of electoral democracy is therefore theoretically incomplete and analytically not very usable. Though relying on the Freedom House data (Freedom House, 2021a), one can distinguish between liberal, semi-liberal, and illiberal democracies, all of which organize political elections. Already this simple differentiation taints the picture of successful democratizations of the twentieth century, without, however, making it useless.

Freedom in the World -report compares the level of freedom in all countries in the world by using a wide amount of different numerical ratings and descriptive texts produced about 195 countries and 15 territories. Freedom House sees that freedom can be achieved in a liberal democratic country, and that there are degrees of freedom in the countries of the world. Therefore, countries are compared to the idea of an ideal state, theoretical liberal democracy. (Freedom House, 2021a.)

My comparison of the political systems of Poland and Malaysia is based on data from *Freedom of the World* report in year 2021. The key analytical concept for the thought experiment is Merkel’ s concept of embedded democracy. As the research

setting developed, the purpose of this research sharpened from being only satisfying an emotional obsession on memories of observed familiarity along a strange Southeast Asian Street towards exploring how these two different countries are analysed in the current prevalent forms of global enquiry. I argue that political systems of countries are analysed and evaluated throughout with the concept of liberal democracy without exact definition of that concept. By using the concept of embedded democracy there could be a deeper understanding of the democratic institutions and political environment of the countries.

The concept of embedded democracy is based on the idea of internal and external embeddedness. Internal and external embeddedness include elements, which are essential for a functioning democratic political system. The partial regimes are:

- a. Electoral regime,
- b. Political rights,
- c. Civil rights,
- d. Horizontal accountability
- e. Effective power to govern

According to Merkel, it is relevant for the concept of embedded democracy to be able to answer the following questions: What are the defining elements (partial regimes) of a democracy? How are these elements mutually embedded normatively and functionally? Which conditions of external embeddedness protect the integrity of a democracy? What are the most common defects of democracies, especially in young democracies? What causes these defects? What can be said about the development of a democratic regime if parts of its defined core are damaged? Those partial regimes formulate internal embeddedness. But embedded democracy needs to be embedded internally and externally. (Merkel, 2004.) The research questions are what can be learned about liberal democracy by comparing two political system from different regions? Are those countries democratic according to the concept of embedded democracy?

The analysis revealed, as anticipated, that the political systems of the countries are rather different. Nevertheless, I found that the *Freedom in the World* -report combined with the concept of embedded democracy enables comparative study rather well. Based on the analysis, I claim that Poland and Malaysia have three unifying factors, which are 1) reluctant attitude towards Western liberalism, 2) strong influence of religion in politics and society, and 3) discriminative attitudes and practices towards political participation of women and LGBTQ+ people. The prevalent social values of both societies are thus rather conservative. They thus display also remarkable similarity in a relevant dimension.

I have written preliminary pieces of the thesis text as essays and seminar papers at the University of Jyväskylä, the University of Helsinki and the Queen's University, which show up at Turnitin, but they are anyway my own argumentation and formulations.

2 THE CONCEPT OF EMBEDDED DEMOCRACY AS A THEORETICAL FRAMEWORK

The concept of embedded democracy was developed by Wolfgang Merkel, Hans-Jürgen Puhle, Aurel Croissant and Peter Thiery in the Research project called “Defective Democracies” (Merkel, 2012). Embedded democracy is a midrange model of democracy. The concept contributes to comparative democratic research by taking account all the needed elements for analysing a liberal democratic political system.

According to Merkel, electoral democracy has been the minimal requirement for a state to be listed as a democratic one in Freedom House’s index. He describes electoral democracy as a narrower understanding of democracy than for example, Robert Dahl’s polyarchy concept. The concept of electoral democracy is theoretically too narrow. That’s why in his opinion in comparative research on democracies the concept must be replaced. Merkel suggests the concept should include the necessary conditions for free elections, while it should also enable analysing to what extent the political system guarantees democratic elections. Furthermore, elections should be meaningful, and the democratically elected elites should rule according to constitutional principles of democracy. Equally important is to take account of the vertical and horizontal accountability of the governing, which means the liability of governing elites, as well as that those who are governing are following laws and that their power is limited. The governed must be secure between elections. Democratic norms and institutions must be guaranteed. Therefore, the concept is going deeper from the perspective of democracy than electoral democracy. (Merkel, 2012.)

Embedded democracy is based on the idea that democracy needs to be embedded internally and externally. Democracy is internally embedded when all the dimensions and their elements are mutually connected. (Merkel, 2004.) Democracy is externally embedded when the state can prevent and defend its democracy from outer and inner disturbances (Merkel, 2012). The term is realistic in the sense that all the dimensions in partial regimes are based on the institutional architecture of democracy.

Merkel means a constitutional democracy, and he thinks that his concept of embedded democracy is between Joseph Schumpeter's and Hermann Heller's definitions of democracy. (Merkel, 2012.)

Defining democracy as embedded supports the comparative study of the political systems of Malaysia and Poland. By using the concept of embedded democracy, it is possible to trace the institutional deficit of the systems from the perspective of principles of democracy. In the Freedom in the World report, Poland has a similar country status as Finland, even though in Poland the basic democratic principles and the rule of law had been afflicted by recent reforms concerning the judiciary and abortion law.

2.1 The Concept of embedded democracy as a midrange concept

The concept of embedded democracy has been defined as a reference model (Merkel 2004) which would avoid normative under- and overestimation, typical of minimalist and maximalist concepts of democracy. (Merkel, 2018, p. 350.) Minimalist and maximalist models for defining and analysing democracy differ in terms of which parts of democracy itself is seen as the most important. A minimalist concept of democracy is too narrow for analysing a democratic regime from a normative and logical perspective (Merkel, 2012).

Robert Dahl's definition of democracy is based on four elements: universal, active suffrage; universal, passive right to vote; free and fair elections; and elected representatives. (Merkel, 2012.) Joseph Schumpeter says that the minimalist model defining the concept of democracy concentrates on free and fair elections. Voters can choose in the elections candidates who will represent them or more broadly, what kind of politics they want to support. Political entrepreneurs, such as parties, can offer different alternatives to the voters. The minimalists like to see themselves as realists, but the minimalist model is not sufficient for analysing mature democracies. (Merkel, 2018, p. 4.)

On the contrary, a maximalist concept of democracy highlights the outcome of a developed democratic political system. (Merkel, 2012). A welfare state implying a fair distribution of economic goods may be the best policy result of an advanced democratic process of decision-making, but the welfare state is not its defining element. (Merkel, 2004.) Also, the maximalist model raises the normative standards for democracy so high that only few countries can pass its standards. (Merkel, 2018, p. 6.)

Merkel and other political scientists of the Defective Democracies project are basing the analysis of the embedded democracy as "something between of those two distinctions" or defining liberal democracy more broadly than as an electoral democracy. The political scientist Anna Gwiazda emphasis a procedural approach toward

democracy in her case study of the democratic development of Poland. She says that minimalist and maximalist models or concepts of democracy are two distinct approaches to defining democracy, a procedural (input-based) and a substantive (output-based). According to Gwiazda, procedural definitions of democracy concentrate on how political systems are organized, namely on the structures of political systems for guaranteeing democratic goals such as representation, accountability, and legitimacy through a competitive electoral process. A substantive definition of democracy focuses on conditions such as human welfare, individual freedom, security, equity, and social rights. (Gwiazda, 2016, p.14.) Embedded democracy as a midrange concept stands between those two models. As a combination of both maximalist and minimalist models it provides an analytical tool for comparative research on democracy. (Merkel, 2012.)

2.1.1 Internal Embeddedness

The significance of the partial regimes lies upon the idea that each dimension is functioning independently, but at the same time are mutually connected, supporting each other. Without partial regimes there are no democratic elections. The concept includes the necessary conditions of free elections and the partial regimes of a political system that guarantee democratic elections. (Merkel, 2004.)

Some partial regimes are ensuring that the political actors are respecting and taking care of their duties and that they do not infringe on the functions of other partial regimes. Destroying the function of horizontal accountability could create a rupture for democracy, which would further affect other partial regimes and weaken democracy. The balance between partial regimes varies from one democratic institution to another. The balance is fragile. Democracy can be disaggregated into five partial regimes; A. Electoral regime, B. Political rights, C. Civil rights, D. Horizontal accountability, and E. Effective power to govern, even though they are mutually connected. Democracy is not embedded if one of the partial regimes dominate the other partial regimes. (Merkel, 2012.) According to Merkel, when analysing a democracy by this concept, the following questions should be answered: "What are the defining elements (partial regimes) of a democracy? How are these elements mutually embedded normatively and functionally? Which conditions of external embeddedness protect the integrity of a democracy? What are the most common defects of (young) democracies? What causes these defects? What can be said about the development of a democratic regime if parts of its defined core are damaged?" (Merkel, 2004.)

Next, I will introduce all the partial regimes, and their elements. Partial regimes are divided into three dimensions: The Dimension of Vertical Legitimacy, Dimension of Liberal Constitutionalism and Rule of law, and Dimension of Effective Agenda and Control.

2.1.2 The Dimension of vertical legitimacy

The first two partial regimes are A. Electoral Regimes and B. Political Rights. Elements of those partial regimes are elected officials, inclusive suffrage, right to candidacy, correctly organized free and fair elections, press freedom and freedom of association. Equal political rights and free, regular, fair, and general elections are the minimal requirements for the democratic electoral regime. In embedded democracy all the citizens have access to public power positions of the state. Pluralistic and transparent competition over central power positions, and the actual power transfer in fair and free election is one key factor differentencing democracy from autocracy. (Merkel, 2012.) According to Merkel, elections are sanctioning mechanism used in the process of vertical accountability. That means that voters can affect the central power position holders and choose their elected representatives, but the control is limited. Voters have no influence between elections on how the governing elites are exercising their power. Also, voters have the control only so far as there is a continuity of free, fair, and regular elections. (Merkel, 2004.)

Political rights of participation are a precondition for elections and therefore an essential element in the vertical accountability. Electoral competition is possible only when the collective formulation of opinion is possible to channel, for example via media, and the political will can be actualized. Political rights mean freedom of speech, the right to associate, demonstrate, and formulate petitions. The political actors such as political parties are in central positions in the democratic political system. (Merkel, 2004.) Interaction between voters, parties, political elites, and parliaments is relevant. In a crisis scenario the political participation is endangered when the representation is not covering all the citizens. Discrimination of minorities and women is also a sign of crisis of the democratic political system. (Merkel, 2018, p. 16.)

Democracy requires a public arena for expressing the opinions and demands, an independent political sphere of action for supporting democratic competition and challenge political decision-making processes. All the citizens should have the possibility of being organized in democratic elections and express themselves and their demands and interests in complex societies. All the changes in political parties are affecting the political system in general. According to Merkel, the first two partial regimes secure only the functional logic of democratic elections, when those regimes are mutually connected. They are not sufficient alone to guarantee the constitutional democratic standards of responsive and responsible governing. The main idea is to guarantee the rights to political communication and organization, so that the civil society can be created. (Merkel, 2004.)

2.1.3 Dimension of liberal constitutionalism and rule of law

Civil rights are central for the other partial regimes and their elements. Civil rights are fulfilling a democratic electoral regime and political rights. Partial regimes of the electoral regime and the political rights of participation cannot exist without civil rights. Horizontal accountability is part of the same dimension with civil rights, and the important elements are individual liberties safe from violation of a person's rights by the state or private agents. Equality before the law and horizontal separation of power are also essential. (Merkel, 2012.)

Civil rights are central to the rule of law in an embedded democracy. The rule of law in this context is defined as a principle stipulating that the state effectively follows its laws and that the laws set limitations to the exercise of state power. Thus, the rule of law implies containment and limitation of the exercise of state power. The core of the liberal rule of law is a basic constitutional right. The constitutional rights are important because they protect the individual against the state's monopoly of executive power. (Merkel, 2004.)

For guaranteeing civil rights and following the principle of the rule of law, courts must serve as an independent authority. The court is authorized to execute a judicial review of the legislative, so to say, surveillance of norms and surveillance of bureaucracy, covering all executive activities. According to Merkel, rule of law functions as a constitutional custodian and supervises of executive conformity with law. It is the foundation for institutional minima, of democratic elections and democratic participation. (Merkel, 2004.)

Horizontal accountability means that the elected authorities are responsible for acting in a lawful way under a network of relatively autonomous institutions. It concerns horizontally the structure of power. The term refers to the division of legislative, executive, and judiciary bodies which are at the same time autonomous and interconnected in an embedded democracy. They are at the same time checking each other without one body dominating or affecting too much the other one's action. They balance each other. The limitation of executive power is especially important. (Merkel, 2004.) In the liberal tradition, Locke, Montesquieu, and the American federalists were concerned that tyranny could take control of the political organization so for preventing the abuse of power they supported the system called "checks and balances" in a liberal democracy. This system is in these days often known as accountability. (Gwiadza, 2016, pp. 26-27.)

2.1.4 Dimension of effective agenda control

The fifth partial regime, effective power to govern means that elected representatives are the ones who are governing. Therefore, the element of this partial regime is elected officials with the effective right to govern. (Merkel, 2012.) It is critical for the concept of embedded democracy that the power lies in the hands of representatives who are democratically elected. (Merkel, 2004.) The criterion of effective power to govern is, in Merkel's words, self-evident in old democracies, but not in new ones. (Merkel, 2012.) This criterion prevents extra-constitutional actors, which are not itself in democratic accountability, such as the military from taking part of final decision-making. (Merkel, 2012.) Godfatherism in the Nigerian political system is one good example of this phenomenon. The political culture supports the attitude toward governing and governance as a system, which benefits leading elites by sponsoring right-minded candidates who ought to act under the influence of his or her "godfather" or "sponsor". (Edigin, 2010.)

2.2 The three rings of External Embeddedness

Internal embeddedness is important for a democratic political system, but equally important for the concept is external embeddedness. Democracy as whole is embedded in its environment. (Merkel, 2012.) Embedded democratic institutions can protect the democracy from outer and inner shocks in a challenging environment. (Merkel, 2004.)

Democracy must be supported by its environment to be embedded democracy: "The rings in which a democracy is externally embedded represent the conditions of possibility and impossibility that raise or lower the quality of a liberal democracy but are not defining components of the democratic regime itself." (Merkel, 2004.) The rings referred to are the socio-economic context, civil society, and international integration. Damaging one of these dimensions, or as used here, rings, of external embeddedness results in either isolated defects for the democracy or destabilization of the whole democratic political system. (Merkel, 2004.) This part of the theoretical review is divided into three subchapters, namely civil society, the socio-economic context, and international integration.

Lipset has formulated "a locus classicus", which is correlation between the socio-economic development of a society and its capability to sustain democracy. It claims that "The more well-to-do a nation, the greater is the chances that it will sustain democracy". Merkel says that this argument has been proven to be extra ordinarily stable in the last 40 years. (Merkel, 2004.) Still, he points out that the locus classicus; "the more well to-do" is not automatically correlating with the quality of democracy. For

example, in 2003 the prosperous United States under President George W. Bush was not more democratic nor more sensible regarding the rule of law than in 1976 under Jimmy Carter. Thus, it looks like that when a country is sustaining a certain level of economic success, for example, being one of the OECD-countries, Lipset's causal relation loses its meaning. (Merkel, 2004.) Merkel also pointed out that "nor can its democracy today (GDP per capita 2001: \$36,000) claim higher quality than Finnish democracy (GDP per capita 2001: \$26,000)." (Merkel 2004.)" According to Merkel, a well-developed and prospering economy is not the "condition sine qua non" for a democracy (Merkel, 2012).

Another economical connection mentioned by Merkel is inequality. Inequal distribution of economic resources may lead to a striking gap between the incomes and wealth of different citizens and leaves some of the people below the poverty line. That imbalance between resources has a negative impact on democracy. On the other hand, this does not necessarily apply to countries "in the economic take-off stage and countries in the third world, the poor of whose population Guillermo O'Donnell has perceptively diagnosed as low-intensity citizenship". (Merkel, 2004.)

According to Merkel, civil society does not belong to internal embeddedness, even though for example, the right to associate is a civil right, and therefore one of the partial regimes. He says that "civil society not only enhances the democratization, pacification and self-organization of society, but also controls, democratizes and provides support for the state, making it more democratic and effective". (Merkel, 2004.) On my opinion, Merkel means that a strong civil society strengthens state's democratic institutions.

Merkel highlights four aspects of civil society. The main purpose of civil society is to protect the individual from unjustified power use by the state, which he calls the Lockean function. The second one is called the Montesquieuan function and means that civil society supports the rule of law and the balance of powers. The third one is the Tocquevillian function, which emphasizes the idea that citizens should practice democracy at all levels of political systems. Tocqueville thinks that when people are locally associating, they can secure freedom and democracy, which would be endangered at the national level. For Tocqueville local civil associations create things like tolerance, mutual acceptance, honesty, reliability, trust and civil courage, which all amount to social capital, which is necessary for democracy in the long term. The fourth aspect for civil society is the Habermasian function, which highlights the open public arena as the public sphere of critical discourse, which could be created spontaneously without formal association. That would serve citizens who are for example socio-economically disadvantaged. (Merkel, 2004.)

There are also different claims regarding the connection between strong civil society and democratic political system. Grzegorz Ekiert claims that the civil society is

not always strengthening democracy. Poland is an example of how its civil society can undermine democracy. According to Ekiert, since the transition to democracy, Poland can be described as a “pillarized civil society”. He means that the civil society in Poland is originally based on dividing boundaries such as religious, ethnic, and political ones. That sort of formation has enabled extreme cultural and political polarization and created the growth of the support for anti-liberal and anti-European policies in Poland. (Ekiert, 2020.) Although I earlier stated that Poland is a homogenous country compared to Malaysia, Ekiert as well as Applebaum have pointed out that Poland is one the most politically polarized country in the Europe. (Applebaum, 2020, pp. 11-12.) The main division is between illiberal-nationalist and liberal-pro-European. The presidential and parliamentary elections in 2015 strengthened the existing cultural-ideological divisions between two pillars in Polish civil society. The Catholic church in Poland is one of the main pillars. The church cooperates with the ruling Law and Justice party. With churches and religious institutions, the Catholic church has created networks of organizations under its control. According to the Polish Main Statistical Office 9 % of Poles are active in religious organization. (Ekiert, 2020.)

According to Merkel, international, especially regional integration in economic and politically democratic organisations reinforce the stability and quality of democracy. He also says that a military alliance or foreign political security structures cannot develop a similar benefit for democratic stability and development. The European Union is the most successful organization in international embedding. (Merkel, 2004.)

3 COMPARATIVE ANALYSIS BETWEEN THE POLITICAL SYSTEMS OF POLAND AND MALAYSIA

I am using Freedom House's *Freedom in the World* 2021 -report as the primary source for the analysis to compare the political system between Malaysia and Poland. The advantage of using the 2021 report is firstly, all the data about the internal embeddedness of the concept of embedded democracy is used in the report, and secondly both countries are analyzed by using similar standards. Therefore, the comparative aspect of the thesis is possible despite the many differences of countries compared. The data is organized so that it is possible to combine it with the concept of embedded democracy. The comparison part synchronizes the principles of the concept of embedded democracy and data analysed by Freedom House.

Freedom House has published *Freedom in the World* -report since the year 1973. Nearly all the countries in the world are analysed in this index. It provides one of the most widely used data in comparative democracy research. (Krause & Merkel, 2018, p. 32.) Country statuses are calculated on a weighted scale. Analysts of the report have used a broad range of sources, including news articles, academic analyses, reports from nongovernmental organizations, individual professional contacts, and on-the-ground research. The 2021 edition covers developments in 195 countries and 15 territories from January 1, 2020, through December 31, 2020. Methodology of the report is derived from the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948. (Freedom House, 2021a.)

A scoring process consists of questions related to political rights and civil liberties. Methodology behind the scoring process is developed by Raymond Gastil. According to the analysis, the countries are scored and after that the results are converted to country status. There are three different categories of status, "free, partly free, and not free". This categorization is made based on the analysis of the following aspects of the countries' institutional structures and their implementations. These elements

are first divided into political rights and civil rights and then these elements are scored separately. The elements, which would define the level of freedom in the countries are: “the electoral process, political pluralism and participation, functioning of the government, freedom of expression and belief, associational and organizational rights, the rule of law, personal autonomy, and individual rights”. (Freedom House, 2021a.) Merkel has compared democracy in the Israeli s political system to Scandinavian countries by using Freedom House’s index, so the concept of embedded democracy has been used successfully in a comparative study before. (Merkel, 2012.)

Freedom House assumes that standards from the Universal Declaration of Human Rights should apply to all countries and territories and that the freedom of all people should be guaranteed. According to Freedom House, freedom for all the people is best achieved in liberal democratic societies. (Freedom House, 2021a.) Thus, the report bases its analysis on the assumption that the basis of freedom lies in the state following the principles of a liberal democratic political system.

First, I will say a few words about the political systems in Poland and Malaysia. The following step is to analyse the dimension of vertical legitimacy, and then the dimension of liberal constitutionalism and rule of law. The last part of internal embeddedness is the dimension of effective agenda control. In Freedom House’s reports the partial regimes are divided differently but the report follows generally the idea of partial regimes, fitting passably well with the theoretical ideas of the concept of embedded democracy.

3.1 Overview of the political systems in Malaysia and Poland

Poland, officially Republic of Poland, is a parliamentary republic. The head of state is a president. According to Freedom House’s *Nations in Transit 2021* -report, Poland is a semi-consolidated democracy. (Freedom House, 2021c.) The Polish parliament is bicameral. It consists of the lower house of parliament, called the *Sejm* and the upper house, which is the *Senat*. Representatives for the *Sejm* and the *Senat* are elected simultaneously for four-year terms. The *Sejm* is dominant over the senate (Gwiadza 2016, p. 67.) The president of Poland is directly elected and can stay in power for up to two five-year terms. The prime minister holds most of the executive power. The president’s power is influential over defense and foreign policy matters. (Freedom House, 2021c.)

The democratization process began in 1989 after 40 years of rule by the Polish communist party, named *Polska Zjednoczona Partia Robotnicza* (PZPR, Polish United Workers’ Party), under the Soviet umbrella. Communist domination was challenged many times. The final collapse of the communist rule is explained by the rise of the

Solidarity trade union (Niezależny Samorządny Związek Zawodowy „Solidarność”, NSZZ), economic decline, the influence of the Catholic church, the collapse of believing in communist ideology, and Gorbachev’s reforms. Some scholars say that after the collapse of the rule of the communist party Poland merely rebuilt its democracy and recreated it because democratic institutions were existing in Poland before the Second World War. (Gwiazda, 2016, p. 44.) For example, Roman Kuźniar says that after the collapse of communism in 1989 Poland’s political system is called “the Third Republic” (Kuźniar, 2009, p. 7). After World War II Poland became the most ethnically homogenous country in Europe. There is a good representation of national minorities, which constituted 1,2 % of the population in 2002. The largest minority groups are Silesian, German, Belarusian, Ukrainian, Roma and Russian. Ethnic minorities within the Poles are not recognized. (Gwiazda, 2016, pp. 51, 54.)

In Malaysia, officially, the Federation of Malaysia is a federal constitutional monarchy, which consist of thirteen states and three federal territories. The Portuguese established bases in the country in 1511, followed by the Dutch. After that Malaysia was colonized by the British in 1824. It got its independence in 1957. Malaysia is a multi-ethnic and multi-cultural country. The Malays, often called bumiputeras, represent the majority group of the population. The Chinese and Indians are the largest minorities in the country. (Ramiah et al., 2014.)

The head of government is the prime minister, who is appointed by the monarch. The monarch, called the Yang di-Pertuan Agong is elected for five-year terms by and from the hereditary rulers of 9 of Malaysia’s 13 states. According to the FW-report, there is a bicameral parliament, like in Poland. The upper house is Senate or Dewan Negara, consisting of 44 members appointed by the monarch and the prime minister and 26 members elected by the 13 legislatures. The representatives serve three-year terms. The Senate has limited power to amend the laws or block legislation passed by the lower house. The House of Representatives, Dewan Rakyat, has 222 seats, which are filled through direct elections in single-member constituencies. (Freedom House, 2021b.)

After Malaysia gained its independence, a commission set up the draft for a constitution for guaranteeing the special position of the Malay community, which is called the Bumiputera (sons of the soil). The original idea behind of the Bumiputera policy (Bumiputera Commercial and Industrial Community, BCIC) was to demolish the economic imbalance among the different ethnic groups, particularly between Chinese and the ethnic Malay population. Under the British colonial rule economic activity was identified with race, which lead to an imbalance in wealth between races. Especially the Malays were living in poverty. (Verma, 2002, p. 62.) Malaysia answered to inequality by establishing the “kedudukan istimewa”, special positions for bumiputera in education, public employment, and business. (Weiss, 2022, p. 83.) Therefore,

inequality between different ethnic groups is still one of the main topics in politics. Initially these bumiputera policies, especially parts which were supposed to reduce inter-ethnic economic imbalance, were intended to be temporal, but they have become entrenched (Weiss, 2022, p. 85).

For a long time, the largest party in Malaysia, the United Malays National Organization (UMNO; in Malaysian *Pertubuhan Kebangsaan Melayu Bersatu*) wanted to guarantee the position of Malay citizens. The constitution was drawn up by Malay and non-Malay members of the coalition Alliance Party, reflecting the British's example of the model of a consociational system. The new constitution defined a Malay as a Muslim, a Malay speaker, and a follower of Malay custom. Any of the non-Malay cultures was not defined. (Freedman, 2000.)

The significant amount of animosity between the three ethnic groups has generally created prejudice and negative stereotypes, but occasionally this also escalates into violent conflict and mass protest. One devastating example was the 1969 riots after the Malaysian general election. The ruling Alliance coalition broke down by losing the election. Victory parades after the election escalated into riots, which caused thousands of deaths, mostly of Chinese people, whose property was burned and looted. Due to the racial riots, a declaration of national emergency was announced by the monarch, formally the supreme head of state, though this power can be activated only in exceptional circumstances. The event affected dramatically Malaysian politics. The first prime minister stepped down. The reason for the riots was agreed to be an economic imbalance between the wealthier Chinese and the poorer native-Malays, leading to the policies favouring the Bumiputera. (Freedman, 2000.)

3.2 The Dimension of vertical legitimacy in Poland and Malaysia: Legitimacy of democratic elections and political participation

Freedom in the World -report analyses electoral regimes by answering three different questions about the electoral processes of the country. The questions are A1. "Was the current head of government or other chief national authority elected through free and fair elections?", A2. "Were the current national legislative representatives elected through free and fair elections?" A3 "Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?" (Freedom House, 2021a.)

Poland's electoral framework has generally ensured free and fair elections. The legal changes introduced in 2017-18 have increased the potential for political influence over PKW (National Electoral Commission), an instance which for example, manages the election and takes care of party finances. The members of PKW were previously

nominated by courts, but after government's reforms, seven of the nine members are chosen by the parliament. Another judicial reform implemented in 2018 gave the newly created chamber of the Supreme Court, the Chamber of Extraordinary Control and Public Affairs the authority to validate or reject election and referendum results. The members of that chamber are appointed by the now-politicized National Council of the Judiciary (KRS). (Freedom House, 2021c.)

Poland had a presidential election in summer 2020. In July Andrzej Duda from the PiS party was re-elected in the second round with 51 percent of the vote. Voter turnout was 68.1 percent, which was the second highest after the transition to the democratic system in 1989. The election was originally scheduled for May 2020. Due to the COVID-19 pandemic, the election was rescheduled for June. According to election observers, the government failed with the election transfer, because the May vote was abandoned without any formal procedure. The most popular party, Prawo i Sprawiedliwość (PiS), or Law and Justice in English, was blamed for undermining the authority of the National Electoral Commission (PKW) on the process of transferring the election. Election observers from the Organization for Security and Co-operation in Europe (OSCE) said that even though the election was competitive and well-organised, the leading party PiS had transformed the public media into its own government messenger. The OSCE mission noted that the incumbent was receiving advantages for campaigning, including the prime minister, due to the insufficiency of regulations of governing public officials' campaign activities. Also, the OSCE observers noticed the use of homophobic rhetoric by president Duda, his team, and in general PiS's media allies. (Freedom House, 2021c.)

As a result, the situation in Poland was worsening compared with the previous report. Concerns about the tendency of government to affect more judicial processes of election, trying to transfer the election into a postal vote without acceptance of the country's electoral authority, misusing state's resources to benefit the incumbent president, and using discriminatory language of sexual minorities raise red flags. All in all, despite all that, the elections were deemed to be democratic and fair, especially compared to Malaysia.

The electoral process gives already an idea of the modest condition of democracy in Malaysia, at least considering the perspective of the basic principles for electoral regime. The coalition called The Barisan Nasional (BN), National Front in English, has ruled over Malaysia already from its year of independence in 1957 until 2018. The coalition has maintained its power in a way that can be considered harmful for democratic development. (Freedom House, 2021b.)

Malaysia experienced political turbulences in 2019. In the elections in 2018 The Pakatan Harapan (PH) coalition managed to win the elections. That led to the first democratic transfer between political parties since 1957. In 2019 The United Malays

National Organisation (UMNO) and the Islamic Party (PAS), formed an opposition bloc. After Dr Mahathir's resignation as prime minister in 2020 at the age of 94 The Malaysian United Indigenous Party (PPBM) joined this bloc, and the coalition formed a new government without elections. Thus, The Pakatan Harapan (PH) returned to opposition due to this peculiar change in the power balance; the election result did not matter anymore. (Freedom House, 2021b.) Mahathir had become the prime minister first time already in 1981 and he stayed continuously in power until 2003, and as said, again during 2018-2020. (Fealy, 2009, 162.) His staying power at the top of the Malaysian political system was very strong until old age weakened him.

The prime minister during 2020-2021, Muhyiddin Yassin, from the Malaysian United Indigenous Party (PPBM) was not elected through fair and free elections. He was nominated as a prime minister after the resignation of his predecessor Mahathir. The opposition coalition, Pakatan Harapan (PH) won the election in 2018, despite the uneven electoral conditions in favour for the old Barisan Nasional (BN) coalition. When the new government, Perikatan Nasional (PN) coalition finally took power in 2020, some of the parliamentarians changed their parties to get into the new parliamentary coalition. (Freedom House, 2021b.) The fairness and independence of electoral laws and the action of election management bodies is not following the principles of fair and free democratic elections.

In the report political rights are interpreted as political pluralism and participation, then freedom of expression and belief, and finally associational and organizational rights. The questions dealing with these matters are: B1 "Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?" B2 "Is there a realistic opportunity for the opposition to increase its support or gain power through elections?" B3 "Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extra political means?" B4: "Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?" D1. Are there free and independent media? E1. Is there freedom of assembly? E2. Is there freedom for non-governmental organizations, particularly those that are engaged in human rights- and governance-related work? E3. Is there freedom for trade unions and similar professional or labour organizations? (Freedom House, 2021a.)

Political parties in Poland can organize and operate freely. But the opposition parties are likely to be suffering under long-term by the PiS-controlled public media and the legal changes related to electoral administration. (Freedom House, 2021c.) In Malaysia the party system is diverse and competitive as well, but opposition parties outside of the old Barisan Nasional coalition are often facing obstacles, such as

unequal access to the media, restrictions on campaigning, freedom of assembly, and politicized prosecutions. The Registrar of Societies (ROS), in charge of the registration of political parties, is known to operate influenced by the BN government. (Freedom House, 2021b.)

In Poland there have been many rotations of power among competing parties after transition from communist rule. It is noted in the report that opposition parties might face obstacles due to PiS controlling public media and legal changes related to electoral legislation. (Freedom House, 2021c.) According to the Polish journalist Anne Applebaum, the government violated the constitution by trying to implement a law for punishing judges who contradicted government policies, took over the state public media by firing formal reporters and presenters, replacing them by far-right extremists from online media, who started to spread the government's own agenda in the public media-networks. (Applebaum, 2020, p. 5.)

In Malaysia propaganda by the long-ruled coalition did not prevent the opposition coalition from winning in a parliamentary election. It is worth to notice that consequences of the Barisan Nasional (BN) coalition long ruling period have affected the power balances in general in Malaysia. During its decades in power, the BN has built strong connections with Malaysia's business elites and used these relationships to influence electoral outcomes, including through favourable coverage by mainstream private media, and greater access to financial resources. When returning to power in March 2020, parties within the Perikatan Nasional (PN) coalition have used government-linked companies, official monopolies for goods and services, and state investment vehicles for political purposes. (Freedom House, 2021b.)

Suffrage in Malaysia is universal for adult citizens. Still, there are restrictions regarding political participation. UMNO and PAS from the Barisan Nasional (BN) coalition have defended long-standing policies that favour the ethnic Malay and Muslim majority. The Perikatan Nasional (PN) coalition has minimal representation and participation of Chinese and Indian minorities but included representatives of ethnic groups from Sabah and Sarawak states. (Freedom House, 2021b) Islam has been an important element of the ethnic identity of the politically dominant Malay population. Interestingly it can be seen that similarly to the other parts of the Muslim World, Islam has increased its political power also in Malaysia. Recently it has been one of the key elements of the developmental discourse and practice of politics in Malaysia. Islam provides a more effective impact than Malayness and ethnicity, and thus makes the population legible. This suggests that the position of Islam has become essential, more "legible" tool to control the population than bumiputera policies. (Brown, 2010.)

According to the report, In Poland ethnic minorities are recognised, but there are no such quotas about the representation of ethnic minorities, like in Malaysia. Ethnic,

religious, and other minority groups have full political rights and electoral opportunities. (Freedom House, 2021c.)

What comes with political participation of women both countries have severe political deficits regarding women politicians and LGBT+ people. In Poland women have equal political rights but are underrepresented in national political bodies. Only 28 % of the seats in Sejm, lower house, are held by women. Political activism of women is remarkable. (Freedom House, 2021c.) The report points out that women's interests are significantly underrepresented in politics in Malaysia (Freedom House, 2021b.) The rhetoric used about women was peculiar, as addressed in the report:

The PN's ministry in charge of women's affairs offered misogynistic advice for women during the COVID-19 lockdown period, suggesting they maintain household harmony by wearing makeup and not nagging [at] their husbands. (Freedom House, 2021b.)

In Malaysia same-sex sexual acts are criminalized. So, it is not possible to represent openly LGBT+ people rights. In Poland, Robert Biedroń, an openly gay member of the European Parliament, as the candidate in the 2020 presidential election, maintains that LGBT+ people face significant challenges against entering politics and seeing their interests represented in Polish politics in practice. (Freedom House, 2021c.) The attitude towards LGBT+ minorities raises some questions, considering the output of the government:

The minister for science and higher education, appointed in September 2020, had previously stated that LGBT+ people are "not equal to normal people". (Freedom House, 2021c.)

The constitution of Poland guarantees freedom of expression. Censorship is forbidden. Media environment is pluralistic and mostly privately owned. But the public media has been controlled by government's supporters since PiS came to power in 2015. Reporters without Borders (RSF) noted in 2020 that the government is suppressing press freedom by lawsuits. There is "a growing tendency to criminalize defamation". (Freedom House, 2021c.)

In August 2020, an LGBT+ rights activist was accused of assaulting an anti-abortion campaigner and damaging his vehicle. The situation led to protests and the brief detention of further 48 people. The worrisome news popped up in an investigation by Poland's Commissioner for Human Rights, who found evidence of humiliating treatment of detainees by police, and that some of those detained were merely bystanders. Anyhow, according to the report, a greater number of LGBT+ pride events have taken

place in Poland. Authorities have attempted to obstruct these events, but courts prevented authorities to stop the organizers. (Freedom House, 2021c.)

Media seems to enjoy a remarkable attention from the government. Some figures of the PiS have suggested that German-owned media, critical of the PiS government, are promoting the interests of their German owner and therefore undermining the Polish state. The PiS leaders are seriously worried about foreign media and therefore there has been regularly promises of passing a law “deconcentrating” and “repolonizing” private media by reducing foreign ownership, a move that would disproportionately affect the outlets that most vigorously hold the current government to account. (Freedom House, 2021c.)

In Malaysia press freedom is suppressed. According to the report, most of the private news publications and television stations were controlled by political parties or business elites allied with BN before the 2018 parliament election. Similarly, the state news outlets are reflecting government’s views. The PN coalition also put more pressure on private media after taking power in 2020. Some independent media representatives were not allowed to attend parliamentary sessions or other events related to public interest. Suing journalists and news sites seems to be a regular activity on the government’s behalf. In 2020, the online news portal Malaysiakini was charged with criminal contempt after its users posted critical comments about the judiciary. In February 2021 the Federal Court found Malaysiakini guilty of violating the amended Evidence Act and therefore issued a 500,000-ringgit (US\$ 120,000) fine. Later, Malaysiakini editor in chief, Steven Gan faced a sedition investigation after he publicly criticized the verdict. (Freedom House, 2021b.)

In Poland freedom of assembly is generally respected in law, as well as in practice. During the COVID-19 pandemic demonstrations were limited by restrictions, but protesters found creative ways to protest, for example protesting in cars. (Freedom House, 2021c.) According to Ekiert, the legal framework regulating civil society activities has been altered. The new law on public gatherings favours organizations associated with the government and the church over citizen movements associated with political opposition. (Ekiert, 2020.)

In Malaysia Freedom of assembly can be limited on the grounds of maintaining security and public order. In 2020 the government used COVID-19 restrictions against hospital union activist. Demonstrating is difficult in Malaysia, but not impossible. In the 2019 amending of the 2012 Peaceful Assembly Act, the parliament reduced the mandatory police notification period from 10 days to 7 days before the planned event. Still the law is strict. For example, it is prohibited to organize an assembly under the age of 21. (Freedom House, 2021b.)

NGOs have operated without government’s interference in Poland. But the government-led public media and government officials have begun undermining the

credibility of rights and governance-related groups in 2016 and accused them of not having financial transparency and spreading opposition-led political propaganda. Government's doings have risen concerns. Especially government's actions aimed at LGBT+ groups, including arrests, detentions, and smear campaigns have concerned the European Commission. In Malaysia there are many nongovernmental organizations (NGOs). NGOs must be approved and registered by the government, which has refused or revoked registrations for political reasons in the past. Some international human rights organizations have been forbidden from forming local branches. NGOs have a strong record of campaigning for electoral, anticorruption, and other reforms. The report also mentions that there are numbers of activists who were subjected to police harassment and criminal charges. (Freedom House, 2021b.)

The question E3. "Is there freedom for trade unions and similar professional or labour organizations?" illustrates vast differences between those countries. Labour movement in Poland is robust although certain groups, like self-employed private contractors, cannot join a union. Before the presidential election in 2020 Poland's largest trade union called Solidarity embraced the incumbent president for his support of "worker-friendly" government policies. (Freedom House, 2021c.) According to the report the largest trade union in Poland, Solidarity has taken the side of the PiS government showed sympathy towards the incumbent government, as a journalist Jacqueline Hayden has noted as well (Hayden, 2020).

Most Malaysian workers can join trade unions. But the national law contravenes international guidelines by restricting unions to representing workers. The director general of trade unions can refuse or withdraw registration arbitrarily. Collective bargaining rights are limited, particularly in designated high-priority industries. In 2019 a new labour law was passed making more severe the penalty for illegal strikes with higher fines and of imprisonment. The Malaysia Trade Union (MTUC) stated that the new legislation would create a better negotiation position for employers' unions. (Freedom House, 2021b.)

3.3 Dimension of liberal constitutionalism and Rule of law: Inequal treatment of citizens

The dimension of liberal constitutionalism and rule of law includes civil rights and horizontal accountability according to the concept of embedded democracy. The Freedom House report questions about this dimension considering civil right are D. freedom of expression and F. rule of law, as well as G. personal autonomy and individual rights. The question related to horizontal accountability is "F1. Is there an independent judiciary?"

The questions considering civil rights are:

D2. Are individuals free to practice and express their religious faith or non-belief in public and private?

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination?

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

F2. Does due process prevail in civil and criminal matters?

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? (Freedom house, 2021a.)

In Poland the state respects freedom of religion. The PiS government is aligned with the Roman Catholic Church, which has a significant influence in the country. (Freedom House, 2021c.) Malaysia is religiously diverse, but religious freedom is restricted. Ethnic Malays are Muslims. The powerful Malaysian Islamic Development Department (Jabatan Kemajuan Islam Malaysia, JAKIM) has played a central role in shaping the practice of Islam in Malaysia. State-level authorities are part of these practices. Muslim children and civil servants are required to receive religious education by using government-approved curricula and instructors. Sunni Islam is the only version of Islam that is allowed to be practiced. People who are practicing other versions of Islam are discriminated. (Freedom House, 2021b.)

The next question is “D3. Is there academic freedom, and is the educational system free from extensive political indoctrination?” Academic freedom in Poland is in generally good. The ruling PiS party has sought to discredit academics who challenge its preferred historical narrative. The court in Poland has announced that academics have the right to pursue academic freedom. (Freedom House, 2021c.)

In Malaysia, there is some degree of academic freedom. However, under the Barisan Nasional government, students and instructors who were involved in antigovernmental political activity or voiced opinions against of government's views, were subject to disciplinary action according to the University Colleges Act (UUCA). Under the Pakatan Harapan government, the parliament amended the UUCA to allow students to participate in political activity. (Freedom House, 2021b.)

In Poland people are generally free to express their political opinion without fear of harassment or detention of authorities. But the insult laws, mentioned earlier in the section of political participation are harsh, especially when offending religious feelings or insulting the president. Poland's insult laws were used recently in many criminal cases (Freedom House, 2021c). The Pakatan Harapan government in Malaysia created initiatives for a more open environment for public discussion of issues that had previously been forbidden. Unfortunately, the government did not change the Sedition act and other restrictive laws, as promised. Expressing one own political and religious opinions is still limited. (Freedom House, 2021b.)

Defendants are generally protected in Poland. Nevertheless, the law allows for extended pretrial detention (Freedom House, 2021c). Malaysia's secular legal system is based on the English common law. However, Muslims are subject to Sharia (Islamic law), the interpretation of which varies by state. This results in different treatments of Muslims and non-Muslims in "moral" and family law cases. (Freedom House, 2021b.)

The next question pertaining to civil rights is "F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?" In Poland civilians are free from extra-legal violence, but there have been some reports about abuse by police in antigovernmental demonstrations. Human rights groups have reported inadequate medical care in prison facilities. (Freedom House, 2021c.) The death penalty can be applied in Malaysia. Torture and abuse in police custody remain problems. In recent years, prisoners and detainees have died in unclear circumstances in police custody. The Human Rights Commission of Malaysia (SUHAKAM) reported in October that 456 people died in custody in 2020. (Freedom House, 2021b.)

According to the Freedom House report, women and ethnic minorities are generally equal before the law in Poland. As pointed out in many sections in the report, LGBT+ people are facing discrimination but public support for LGBT+ rights has risen in recent years. PiS and parts of the church are not supporting LGBT+ rights. Poland's law does not cover crimes motivated by sexuality or gender identity. Public figures can target hate speech towards LGBT+ people without consequences. (Freedom House, 2021c.)

In Malaysia women are in an unequal position, and disadvantaged by a number of laws, particularly Sharia-related provisions:

They are legally barred from certain occupations and work schedules, and they suffer from de facto employment discrimination. LGBT+ Malaysians face widespread discrimination and harassment. Same-sex sexual relations are punishable by up to 20 years in prison under the penal code, though this is generally not enforced. Some states apply their own penalties to Muslims under Sharia statutes. Transgender people can also be punished under state-level Sharia laws. (Freedom House, 2021b.)

As earlier mentioned, the constitution provides equal treatment for all citizens, but still grants a “special position” to ethnic Malays and other indigenous people, called collectively as bumiputera. The government maintains programs tailored to boost the economic success of bumiputera people over other ethnicities in Malaysia. It means that bumiputera people receive preferential treatment in certain areas, which are property ownership, higher education, civil service jobs, business affairs and government contracts. Migrant workers and refugees do not enjoy effective legal protections. Rohingya asylum seekers from Myanmar and other refugees are regularly mistreated. (Freedom House, 2021b.)

People in Poland can travel and choose their residence, employment, and education freely (Freedom House, 2021c). In Malaysia citizens are generally free to travel and choose their residence and employment. But professional opportunities and access to higher education are affected by regulations and practices that support bumiputera laws and those who have connections to political elites. Malaysia’s private sector is very active, but bribery is common in the business world. There is a close relationship between political and economic elites. Some laws are differentiated between bumiputera and non-bumiputera. Some laws pertaining to property and business differentiate between bumiputera and non-bumiputera, and Sharia-based inheritance rules for Muslims often favour men over women. (Freedom House, 2021b.)

The PiS ruling government tried to amend the law that restricts abortion. This caused mass protests in 2016 and 2018, prompting the parliament to back down. Still, the abortion ban is on the table. In October 2020 the Constitutional court of Poland (TK) ruled that abortion in cases where the fetus has congenital disorder is unconstitutional, effectively restricting legal abortion to cases involving rape, incest, or danger to life or health of the mother. That caused again mass protests in Poland. Despite the delays caused by mass protests the law went into effect in January 2021. UN human rights experts stated that this ruling violates Poland’s human right obligations. Legal and safe abortions are not possible in the country. Same-sex civil partnerships and marriages are not permitted, and same-sex couples are not legally allowed to adopt. (Freedom House, 2021c.)

Since 2020, Poland’s ministers have debated withdrawing from the Istanbul Convention, a treaty to combat domestic violence and violence against women. According

to that debate, some of the incumbent ministers claimed that the Convention represents “promotion of LGBT and gender ideology.” (Freedom House, 2021c.)

After all, according to September 2021 report, the Council of Europe have praised to the Polish government for introducing initiatives introduced by the Polish government such as the law of the immediate separation of perpetrators of domestic violence from their victims. But the report further states that: “more progress must be made, specifically on changing the definition of rape to include all non-consensual sexual acts.” (Freedom House, 2021c.)

In Malaysia Muslims face legal restrictions when getting married. Non-Muslims must convert to Islam if they want to marry a Muslim partner. Societal pressures may regulate appearance especially for Malay women. Sharia courts tend to favour men in matters such as divorce and child custody. The minimum age for marriage is according to the report “generally 16 for girls and 18 for boys, but Sharia courts in some states allow younger people to marry, and child marriage is a common occurrence.” (Freedom House, 2021b.)

The final question regarding civil rights is “G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation?”. In Poland the law provides protection against abusive working conditions and child labour. The authorities work to combat human trafficking, but women and children are still subjected to trafficking and sexual exploitation. Foreign migrant workers are vulnerable to forced labour. (Freedom House, 2021c.) In Malaysia the report is alerting. The law is not providing protection against people in vulnerable conditions. Rural residents and foreign workers, especially those who are working illegally, are vulnerably to exploitative or abusive working conditions. It is notable that the foreign workforce is over a fifth of the country’s workforce. (Freedom House, 2021b.)

The worst result of Poland in the report was considering the question regarding the dimension of the rule of law. Since taking power in 2015, the PiS government has taken actions to control the Constitutional Tribunal. The party passed legislation designed to install pro-government judges on its benches. In April 2020, the European Court of Justice (the ECJ) ordered the suspension of the reforms made by the PiS government. There were concerns that the new legislation would worsen the rule of law and affect to the judicial independence. According to the report, the European Commission used a new infringement procedure against of the 2019 law, which is expanding disciplinary measures for judges in Poland. (Freedom House, 2021c.)

According to the report, in September 2020, the European Parliament noted in the resolution that: “there had been a continuing deterioration of judicial independence and the rule of law in Poland.” (Freedom House, 2021c.)

Unfortunately, In Malaysia judicial independence has been compromised by extensive executive influence. However, according to the Freedom House report, in 2019

Datuk Tengku Maimun Tuan Mat became the first woman to become the Federal Court's chief justice, and she subsequently initiated anticorruption and efficiency-enhancing reforms. (Freedom House, 2021b.) Malaysia's judiciary has shown occasional independence from political influence. In 2001, a High Court judge released two dissidents who had been jailed due to the Internal Security Act. At the same time the judge publicly questioned the need for the law. (Levitsky & Way, 2002.)

3.4 The Effective Power to Govern: Government's liability questioned

The last dimension of internal embeddedness covered in this thesis is Dimension of Effective Power to Govern and it is analysed as last of the five partial regimes. The questions considering this dimension are "B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? C1 Do the freely elected head of government and national legislative representatives determine the policies of the government? and C2 Are safeguards against official corruption strong and effective?" (Freedom House, 2021a.)

In Poland there have been multiple rotations over rival parties since transition to democratic system. These days opposition parties face potential long-term obstacles, including propaganda by PiS-controlled public media and legal changes related to electoral administration. (Freedom House, 2021c.) In Malaysia opposition parties have long governed in several of Malaysia's states. The 2018 elections that brought the Pakatan Harapan (PH) to power represented the country's first democratic transfer of power between rival political groups at the federal level since independence. But as stated earlier, in 2020, a realignment in the current opposition composed of old power holders formed a new coalition large enough for forming the government, and Pakatan Harapan returned to opposition. (Freedom House, 2021b.) For Poland and Malaysia problems along this partial regime are serious, yet at different levels. Thus, the embeddedness of democracy in Poland is harmed by the propaganda shared in public media by the PiS, which is affecting the credibility of the state to sustain democratic institutions. In Malaysia there are severe defects regarding basic democratic principles, such as transferring power between groups via democratic elections.

In Poland elected officials generally implement laws and policies without serious interference. According to the Freedom House report, PiS has limited the time for parliamentary scrutiny of legislation. By limiting the opportunities for the opposition to question or amend legislation it has used its power to increase the chances that government's initiatives will pass the formal procedures. (Freedom House, 2021c.) In Malaysia the unfair electoral framework has weakened the legitimacy of those who are

elected in the leading positions. De facto decision-making power lays in the hands of the prime minister and his closest advisers. (Freedom House, 2021b.)

When PiS came to power in 2015, the party promised to destroy corruption, cronyism, and nepotism. The decline of corruption has been steady since 2016, while cronyism appears to be a problem under the PiS government. The government has selected officials for public institutions based on party loyalty and personal connections. (Freedom House, 2021c.) Corruption has been reported to be one of the weakest points in Malaysian democracy, especially regarding the long-ruled Barisan National coalition. According to Transparency International's Global Corruption Barometer, published in November 2020, two-thirds of those surveyed thought the government was doing a good job at fighting corruption, though 40 percent of Malaysians felt that corruption had increased in the previous 12 months, and 13 percent had paid a bribe in the preceding year. (Freedom House, 2021b.)

The current Polish government avoids consulting outside experts or civil society organizations on policy ideas and tends to introduce and pass legislation rapidly, without opportunity for debate or amendment. In April 2020, the government attempted to pass legislation that would ban abortion and criminalize sexuality education while coronavirus lockdown measures were being enforced. Activists expressed concern that the government was using the lockdown to rush through legislation without public consultation. (Freedom House, 2021c.)

In Malaysia, a lack of independent oversight regarding state-affiliated companies and investment funds has long created conditions conducive to corruption. The corruption issues are a symptom of institutional weaknesses. The institutional weaknesses are forms of political instability, bureaucratic red tape, and weak legislative and judicial systems. (Myint, 2000.) I argue that the root cause of corruption can lie in political instability, also in cases, such as Malaysia, when the transfer of political power is cumbersome or even impossible. I argue that the inability of the transfer of political power creates instability because the political ideas and their implementation are not challenged. Thus, the authoritarian leaders can avoid the consequences of wrongdoings and mistakes simply by staying in power.

3.5 External Embeddedness in Malaysia and Poland: Countries determined action with strong superpowers from the neighbourhood

In the concept of embedded democracy internal embeddedness is crucial, but equally important is external embeddedness. My primary source does not include the elements of external embeddedness as systematically as the elements of internal embeddedness. Still, I think it is relevant to compare these countries from the perspective of

external embeddedness as well as possible. As mentioned in the theoretical discussion, this dimension is divided into the socio-economic context, civil society, and international integration. I provide a short overview of regional and wider international integration of Poland and Malaysia. Socio-economic context is included in this overview. For the sake my mental health I am not analysing functions of civil society, although it could give an interesting insight into the comparison work. International integration is not clearly mentioned in my primary source but since it is part of the concept of embedded democracy, I will briefly take it into account here.

3.5.1 Poland's quick entry into West

After the collapse of communism in 1989 there followed democratic transformation. Poland's foreign policy had two important aims, joining the European community and the NATO. According to Agnieszka Bieńczyk-Missala's article, Poland became a member of the Council of Europe in 1991, the World Trade Organization in 1995, and the Organization for Economic Co-operation and Development in 1996. Poland accessed NATO in 1999 and the EU in 2004. The principles of democratic order, the rule of law and human rights became the foundation of the state. (Bieńczyk-Missala, 2016.)

The EU membership provided economic development and opportunities for general development and modernisation of the country. In the first ten years in the EU, Poland's GDP increased from PLN 884 billion to PLN 1600 billion. Due to rapid changes in the modernization of society and steady economic growth, Poland was considered as a leader among the new EU member states. At the same time public debt increased. Compared to other European states the wages did not rise as much, which has created social frustration and economic migration. (Bieńczyk-Missala, 2016.) After joining the European Union, Warsaw achieved an average level of economic growth in the EU. Especially the western parts of Poland benefited from the number of invested industrial areas and employment was high in those areas. In the eastern part of Poland, the story was different. The emphasis was in agriculture. Unemployment was almost double higher in the eastern part compared to the western part. Regional differences in income and living standards are still high. (Ther, 2019, pp. 148-149.)

Poland has been always focused on security issues due to its history and geopolitical location. According to Bieńczyk-Missala, "joining the former western block in the form of the EU and NATO was Poland's strongest determinant of its position in international relations and the guiding light of its foreign policy" (Bieńczyk-Missala, 2016.) after communist rule. Strong relationship with the United States was guaranteed by the NATO membership. Especially the security cooperation with the United States was important for Poland to guarantee its sovereignty and the integrity of its

territory. Poland supported the United States in the war in Iraq, while France and Germany were against it. Poland is an important partner of the United States for bilateral cooperation on security and defence and the cooperation between them tightened when Russia attacked Ukraine in 2014.

After 2014 the main pillars of Poland's security policies have been NATO, the EU, cooperation with the United States, as well as participation in regional and global organizations for security and cooperation in Europe, the Visegrád group and the United Nations. Poland has one of the largest security budgets in Europe. Poland's involvement in securing a united European response to demonstrations in Kiev's Maidan after President Janukowycz refused to sign the EU association agreement in 2013 was significant. Poland also ensured that the EU would engage in the mediations between the Ukrainian authorities and the opposition and Maidan. (Bieńczyk-Missala, 2016.)

Poland's democratic development has been supported externally as the state is one of the members of the EU. According to Merkel, the European Union is the most successful organization pushing embedding internationally. (Merkel, 2004.) Nevertheless, according to Heino Nyysönen; "states such as Poland and Hungary have shown a democracy deficit in the EU". (Nyysönen, 2018.) It can be debated whether it is good for a state's democratic development to harmonise the governmental models as fast as possible in order to become a member of the EU. I agree with Ther that probably the fast adoption of economic transformation and institutional reforms in Poland was fast due to a lack of organized resistance. (Ther, 2019, p. 17). Thus, Poles adapted to the new organizational structure seemingly well without proper public discussion. National security was more important than public democratic debates on the possible alternative trajectories. Nevertheless, many aspects of traditional culture within the society did not change correspondingly, which is then reflected in party agendas and electoral results.

3.5.2 Malaysia: Regional cooperation based on common threats

Malaysia is an important local power in Southeast Asia. The country is one of the founders of the Association of Southeast Asian Nations (ASEAN) in 1967 with the Philippines, Indonesia, Singapore, and Thailand (King, 2008). Those countries were the major non-Communist states of the region. The purpose of the foundation of the ASEAN was the common fear of foreign communist insurgence, but this was shaped as a promotion of regional peace and stability for improving the socio-economic development of its members. The ASEAN is a pluralistic community, and the organisation promotes cooperation between its members, but unlike the EU it has based its existence on common economic interest and political non-alignment of the member states, not a common identity. (Narine, 2008). For example, Collins says that the

people of the ASEAN states do not share a strong feeling of belongingness (Collins, 2007, p. 215). The ASEAN organization does, however, also promote a common identity, but it has been slow developing.

Moreover, the long-time prime minister of Malaysia, Mahathir Mohamad, has forcefully promoted "Asian values", which diverge from Western values. (King, 2008). According to Narine, these Asian values can be defined as the ASEAN way, which emphasizes: "informality, organization minimalism, inclusiveness, intensive consultations leading to consensus and peaceful resolutions of disputes." Culturally the "Asian values" emphasize rather conservative social structures and customs. At the foreign political level ASEAN norms prohibit the use of force and commitment to the pacific settlement of disputes, highlight regional autonomy, the doctrine of non-interference, prohibition of military pacts, and preference for bilateral defence cooperation. These reflect the traditional goals of the non-aligned movement, whose supporter ASEAN has been since its foundation. The current threat of China's territorial expansion in the South China Sea strengthens the motivation for Malaysia's engagement with the ASEAN. According to Collins, member state's civil societies should be more involved with ASEAN for a deeper regional identity to develop. According to Narine "cooperation between self-interested states does not require a position of a radical creation of regional identity." (Narine, 2008.) Malaysia is one of the most developed countries in the region, but as stated earlier in the report, Malaysia is partly-free and thus not democratic state. The external environment, especially the ASEAN, does not encourage governmental reforms towards democratic norms as strongly as the EU does. Yet, the organisation is not against democracy.

4 CONCLUSIONS

This thesis has convinced me about the benefits of comparative studies. As Michael Kryzanek points out in the preface of his book *Comparative Politics – A Policy Approach*, comparison work helps to understand theories about governing. He says, “the more we compare, the more we are able to see similarities and patterns”. (Kryzanek, 2004 xi.) I launched my research being obsessed with Poland and Malaysia. I regretted my decision many times, because it is complicated to compare things that are in many ways dissimilar, but still I could not change my topic since it was too tempting to try to understand the political characteristics of both countries. Despite dissimilarities, in interesting elements such as the influence of religion in politics, the travails of political reforms in rather fast-growing economies, and resistance towards Western liberal ideas, were clearly common characters of these countries. I decided to drop topics related to economic reforms, because that would have required an approach of political economy, while the styles of democracy and political participation are closer to my heart. And just like Kryzanek mentions, also I began to understand the crucial aspects of the elements of democracy much more clearly by contemplating together two countries rather than only one. Irrespective of the quality of my research, at least in terms of personal theoretical learning this study has been lucidly fruitful for me.

After analysing the countries from the perspective of concept of embedded democracy, I argue that the political system in Malaysia is not fulfilling the principles of liberal democracy whereas Poland can still be classified as a democratic country despite the changes implemented after the 2015 parliamentary elections. The political system in Malaysia is barely reaching the criteria defining functioning electoral democracy. The analysis based on the concept of embedded democracy shows that all the five partial regimes are not functioning well, and there is no balance among partial regimes. Therefore, the analysis shows that the political system in Malaysia severely lacks rooted democratic practices at all the levels of its political system.

At the end of this somewhat experimental, but still hopefully theoretically stable thesis, I managed to have in my hands more questions than any definite answers. On

the other hand, this research process based on the obsession of “knowing more” about the politics of two countries and about the concept of democracy was personally successful.

The political turning point due to the collapse of communism led to beliefs that the East would become like the West. Therefore, the hardship and suffering caused by neo-liberal market reforms were justified. Social costs were enormous, and processes of changes in political and economic realities in post-communist countries were silenced. (Ther, 2019, pp. 14–15.) Back then, in the 1990s, western experts highlighted that neoliberal market economic and democratic development were depending and binding on each other’s (Ther, 2019, p. 17). These expectations and demands were stronger in post-communist Europe than in Southeast Asia, but they were felt also there, as Western ideological and cultural pressures increased also there. What had been tolerated during the Cold War became criticized after it ended.

The idea of the Western world order has been seen as some kind of destination, an achievement where the history has reached its ending point, and the humankind has reached a civilized world. At least, this was the argument once advanced by neo-conservatives and neo-liberalists such as Francis Fukuyama. (Ther, 2019, p. 27.) I argue that even though my primary source does not include economic measurements in the analysis, the idea of liberal democracy and its principles has been written into the report. Thus, the Freedom House comparison is based on the idea of how well those countries are fulfilling the ideas of liberal democratic political systems. This forms the essential thought horizon of the work. And as criticized by Merkel, the definition of the concept of democracy is blurry without closer analysis of the function of democratic institutions, political participation, rule of law, horizontal accountability, and civil liberties. I can well agree with Merkel on this.

There are some similarities in political usage of religion as a defining element of the nations. Nevertheless, in Poland it is not reflected in the legislation on political rights. In Malaysia the law discriminates against women seriously. On many Malaysian regional states, property rights are prohibited from women. On a different sphere, in Poland the total abortion ban affects severely women’s civil rights, namely the rights to bodily integrity. The abortion ban is justified by the ethic of the Catholic church.

In Poland the ruling party has presented itself as a defender of Christian values against cosmopolitan and liberal western values, which is quite similar with Malaysia. For the Malaysian nation-building process, also religion has been one of the strongest factors. Islam has increased its influence in politics in Malaysia from the 1970s onwards (Fealy, 2009, p. 157). Malaysia has not had severe problems with extremist group even though Islamic ideas were brought into politics. A reason often mentioned is that the Barisan National coalition has implemented policies that have ensured

economic and career opportunities to Muslims. (Fealy, 2009, p. 170.) According to longstanding prime minister Mahathir, there exist common values and beliefs that he calls “Asian values” or “Asian democracy”, which are important to Asians. Those values and beliefs are just as important as “American” values and beliefs, or “Western ideas” to Americans. (King, 2008.) As a matter of fact, Mahathir started promoting his Asian values during the 1990s exactly against the push of Western values and norms to the Malaysian society and polity. It is illuminating to take a look at his world views by perusing one of his most famous speeches.

At the 54th UMNO’s general assembly in June 2003 in Kuala Lumpur Mahathir Mohamad held a speech named Future Threats. According to Mahathir, after the collapse of the Eastern Communist Bloc, the world has become a unipolar world, in which the winning capitalist bloc is now ruling. This bloc allows only the capitalist free market and liberal democratic system. Due to globalization, Western countries ought to control the world economy. Thus, it is clear that Europeans – by which he means what before World War II was called the “white race” – wish to control the world again. Mahathir did not trust the Europeans and tells how Europeans have created new nations in America, Australia and New Zealand through migration and warns that “the history of the Malays during the British period can give us a lot of guidance regarding the character of the Europeans, we have been colonised by three European races ...” (Mahathir, 2003.) For Mahathir the future threat comes from Europe:

The Chinese, Arabs and Indians came to Southeast Asia earlier than Europeans but did not fight to conquer this region. When Europeans arrived, they took these territories in violently, seize the wealth, oppressed the people and committed genocide. The history of Europe is the history of wars, the history of tests of strength...Since the West Asia has never been at peace.” (Mahathir, 2003.)

After the Cold War, the West increased its power by influencing the rest of the world through liberal democracy and free market economy. Mahathir thinks that indirect attacks by Europeans is done also by spreading human rights:

...the world that we have to face in the new decades and centuries will see numerous attempts by the Europeans to colonise us either indirectly or directly... If our country is not attacked, our minds, our culture, our religion and other things will become the target ... in the cultural and social fields they want to see unlimited freedom for the individual ... they have rejected the institutions of marriage and family. (Mahathir, 2003.)

He continues that the economy must follow the free-market system all over the world and all countries must become liberal democracies. After the warnings of the defects of democracies, Mahathir has a solution to the ongoing and upcoming attacks from the West. The saviour for the true Malaysians is the ruling party, UMNO. His own party can only be defeated from the inside:

Truly UMNO cannot lose if our loyalty to the party, to our religion and to our race is not weakened by self-interest... There is no political party anywhere which has been more successful in restoring the honour of the race as UMNO has... From being a colonised and oppressed race, the Malays are now regarded as a race which has succeeded so much as to become a model for many people in the world. (Mahathir, 2003.)

The message sounds familiar, and something very similar has been heard also in Europe, though not with exactly the same words. Mahathir's rhetoric of the greatness of the race and the restored honour for Malays, which can only be maintained by one specific party, reminds me the rhetoric of the leader of the Law and Justice party, Jarosław Kaczyński.

Dawid Bunikowski argues, that Kaczyński intentionally creates divisions between citizens to gain more votes and therefore legitimacy. According to Bunikowski, the political atmosphere in the Polish society resembles the Schmittian enemy-friend distinction, when he claims that there are "the worst kind of Poles" and talks about opposition leader Donald Tusk as a traitor, who will sell Poland to Germany. (Bunikowski, 2018.) Those who oppose PiS are just bad. I claim that this kind of rhetoric is anti-liberal and authoritarian. It is not clear whether the ideology itself or supporting the PiS's agenda is more important. Kaczyński may think that he is representing the voices of Poles who are voting for the PiS, but not those Poles who voted for the opposition. Kaczyński rhetorically positions himself against the political and economic elites of Poland. He claims them to be demoralised, corrupted, and serving their own or foreign agendas. Also, according to him, judges are morally corrupted. The solution would be spectacular reforms and changes, the "sanation" (sanacja), which refers to the establishment of the authoritarian regime in 1926–1939. (Bunikowski, 2018.) For Kaczyński and his party the True Poles are defenders of Catholic values. They are unlike liberals, who are defending 'un-Polish' values such as LGBT+ rights (Hayden, 2020).

Ivan Krastev & Stephen Holmes claim that the illusion of a never-ending era of liberalism and democracy is fading away, and it is time to understand why the world is leaning onto illiberalism and "anti-democratic anarchy". Many in Eastern and Central Europe are seeing the imperative of *western liberalism imitation* as a form of soft

colonialization. (Krastev & Holmes, 2020, p. 69.) According to Mahathir's speeches, a similar vision of oppressive Western liberalism was shared also in Malaysia.

In Malaysia the legitimacy to rule is based in ethnicity. According to the website of Malaysia's government, 61.8 % of the citizens are Bumiputeras, 21.4 % Chinese, 6.4 % Indians and 0,9 % others. (Malaysia Government, 2023). Malaysia's political elites, especially the United Malays National Organization (UMNO), has been promoting the idea of an exclusive approach towards ethnicity in the nation-building process. The roots of this ethno-nationalism stem from the British colonial rule. During the colonial period British rulers divided the society along ethnic lines. (Verma, 2002, pp. 24–25) The systematic discrimination intensified in the 1930s. Fuelled by the presence of the British as well as large numbers of Chinese and Indian immigrants the Malay community absorbed the idea of an exclusivist nationalism. Elite groups and voluntary associations challenged the British powers and developed the idea of an exclusivist Malay nationalism. During World War Two the Japanese occupation awakened the Malay community for liberating themselves from being ruled by a non-Malay population, the Japanese promising them independence, while especially the ethnic Chinese organized themselves for armed resistance against the Japanese. (Verma, 2002, pp. 21–22.) Therefore, it can be claimed that there is a strong element of colonial legacy, both British and Japanese, in the development of the ideas of political system and democracy in Malaysia.

I introduced Mahathir and Kaczyński as defenders of exclusivist nationalism and illiberalism. They are political visionaries whose political agenda has been that the future of their nations must lie in their hands. They are demagogues who spread medium size lies to gain popularity and power. (Applebaum, 2018.) The French essayist Julian Benda argues that the economic elites are the ones who become the scapegoats of demagogues and authoritarian forces. Benda calls intellectuals dedicated to supporting only one political truth as clerics or clerks. (Benda, 1927.) According to Applebaum, clerks are now up to redefine or even destroy all the so-called Western political ideas such as representative democracy, religious tolerance, independent judiciaries, free speech, economic integration, international institutions, the transatlantic alliance, and the political idea of "the West" (Applebaum, 2020, pp. 19–20).

I wanted to title this chapter "Religion and conservatism as a glue of the nations" – but it would have been a bit misleading in my opinion. Religion and conservatism can be seen as a glue of the nations, but they also divide the nations. Despite the political influence on the media sphere, the new coalition, Pakatan Harapan won the election in 2018 in Malaysia. Even though the coalition did not manage to stay in power, it gave the sign that people voted for a change, and it may happen again. In polarized Poland, people voted against the PiS government in the election held on 15.10.2023. Even though the PiS is still the most popular party and gained about 35 %

of the votes, many Poles are tired of the current situation and want to change the government. The PiS may not be able to create a majority government since opposition parties will not cooperate with the party. The situation is still living, and it is not certain, what will happen next. Now it is known that Poles used their voice in the election. The turnout was 74,4 %, the largest since transformation to the third republic of Poland from communist regime (Cienski, 17.10.2023).

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