Introduction: Citizenship and Democratization in Postcolonial Southeast Asia

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Ward Berenschot, Henk Schulte Nordholt and Laurens Bakker

Paradox. Bemused observers seem to prefer this word to describe the nature of democratization processes across Southeast Asia. From the Philippines (Dressel 2011) to Thailand (Kuhonta 2008) and Indonesia (Hadiz and Robison 2005) commentators are using the word 'paradox' to describe a remarkable similar puzzle. The widening of political and civil rights after the fall of authoritarian regimes in Thailand (1992), Philippines (1986) and Indonesia (1998) (and to some extent Malaysia after the resignation of Prime Minister Mahathir Mohamed in 2003) has on the one hand led to a much livelier public sphere, a freer and more active public debate and an intensified political participation. New protest movements – such as the anti-corruption movements in Indonesia and Malaysia or the Red versus Yellow protests in Thailand – have succeeded in organizing big protests and challenging ruling elites. Moreover, *electoral* democracy can be termed a success.

Yet on the other hand, the successful institution of free and fair elections seems to have done little to curtail the dominance of oligarchic elites and patronage politics. Throughout Southeast Asia, observers are discerning the development of 'patronage democracies' (Walker 2012; Crouch 2010; Van Klinken 2009; Schulte Nordholt and Van Klinken 2007; Simandjuntak 2010) as 'predatory elites' (Hadiz 2010) are succeeding in winning elections by using either their 'money power' to buy voters or, if that fails, the 'muscle power' of allied criminal elements to coerce them (Aspinall and Van Klinken 2010). In these contests the efforts to woo voters by presenting some sort of policy platform is kept to a minimum, as election speeches are filled with appeals to ethnic identities (Schulte Nordholt 2008, 2011) and promises of preferential access to state resources. Often weakly organized, the activities of political parties are mostly geared towards facilitating clientelistic exchanges between politicians and voters, rather than facilitating public debate or developing programmatic policy agendas (Tomsa and Ufen 2012). Popular representation often seems flawed and 'substantial democratization' remains elusive (Törnquist 2005; Törnquist et al. 2009).

Particularly striking is the relatively little impact that democratic reforms and widening press freedom seem to have on the practice of business elites

to strike up deals with political elites in order to gain access to lucrative resources – such as government contracts, exclusive concessions to extract natural resources, exclusive import rights, et cetera. This collusion between business, bureaucrats and politicians not only severely weakens legal institutions (Aspinall and Van Klinken 2010) but also leads to a loss of income for Southeast Asian states, higher prices for consumers and increasing income inequalities. Yet citizens are failing to use their newly won democratic freedoms to end such practices. As Jeffrey Winters (2011:156) writes with puzzlement about Indonesia, 'It would not be easy to find another country where so much fabulous wealth could be held by oligarchs who are surrounded by so many millions of people living in so much poverty and frustration, and yet oligarchs face no imminent threats from below and somehow operate economically without the protections of property rights based on the rule of law'.

How can this paradox be explained? Why have democratic reforms in Southeast Asia so rarely enabled citizens to resist or end the predatory and clientelistic practices of their political elites? The persistence of these practices and the 'stalling' (Mietzner 2011) of Southeast Asian democratization processes cannot be attributed solely to institutional shortcomings or selfish behaviour of elites. Instead, there is an urgent need to study these practices 'from below' by studying the ways in which citizenship is being perceived and practiced by ordinary Southeast Asians. This book, therefore, aims to highlight the importance of studying changing forms of citizenship in Southeast Asia in order to understand the particularities of democratization processes in the region.

Citizenship has rarely been a topic in both public and academic debates in Southeast Asia. On the one hand contributions to public debate rarely – or, in our eyes: not often enough – conceptualize the challenges facing Southeast Asian democracies in terms of citizenship. While debates rage on about the nature of democracy, ideal political leadership or the need to raise political moral standards, there is relatively little discussion about what democratic citizenship in present-day Southeast Asia is or should entail.[1] Conversely, the field of citizenship studies has also paid surprisingly little attention to the forms that

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1 For instance, the animated discussions about 'money politics' and corruption generally focus on the lack of moral backbone of political and bureaucratic elites. Similarly, while public discourse in the region displays a lot of nationalistic fervour, there is relatively little discussion on how such patriotic sentiments coincide (and often clash) with attachment to one's ethnic or regional community. While democratic transformations have created more opportunities for the expression of (and mobilization around) various sub-national identities (see Davidson and Henley 2007), a normative debate on the possible tensions between national and ethnic conceptions of the common good occurs only rarely.

democratic citizenship takes in postcolonial states. As citizenship is generally studied in the context of a liberal, high-capacity welfare state, there has been relatively little attention for the forms of democratic citizenship in the context of a more weakly institutionalized state and a predominantly clientelistic political system.[2] In these states the rights-claiming, autonomous and individualistic citizen – as celebrated in the general literature on citizenship – might be found, but a focus on this particular type of citizen is hindering a much needed understanding of the very different kinds of state–citizen interactions prevailing in many postcolonial states (Robins 2008; Cornwall et al. 2011).

These interactions should not be studied in terms of their deviation from idealized Western patterns. Rather, we need an understanding of how particular conceptions and practice of rights, reciprocity and representation observable in postcolonial countries, are related to their political economy and particular history of state formation (Chatterjee 2004; Chabal and Daloz 1999; Kaviraj 2001; Mamdani 1996). For example, different interpretations of the 'proper' relation between the ruler and the ruled should not only be related to age-old cultural or religious traditions concerning the nature of political authority (see Anderson 1972; Day 2002), but also to historical processes of (post)colonial state formation and the way political accountability takes shape in the context of a particular political economy. Such an approach will not only increase our understanding of how postcolonial trajectories of state formation are shaping contemporary forms of citizenship, it also requires us to re-examine the normative connotations inherent in our conceptualization of the citizenship ideal.

The patterns of citizenship found in postcolonial states cannot be described merely as a 'cluster of absences' (Isin 2002:130) as they also hint at new, different reformulations of citizenship ideals. As Partha Chatterjee (2011:24, 205) asked, 'Could the accumulation of exceptions justify a redefinition of the norm?' He argues that this accumulation of exceptions poses

> ...one of the principal tasks of political theory today: to provide a conceptual map of the merging practices of the new political societies of the East. The normative models of Western political theory have, more often than not, only served to show non-Western practices as backward

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2 It is, for example, striking how important realities of political life in postcolonial states – such as clientelistic politics and a dependence on patronage channels – receive no mention in overview studies such as the *Handbook of Citizenship Studies* (Turner and Isin 2002; see also Kivisto and Faist 2007).

or deviant....What we need is a different conceptualization of the subject of political practice- neither as abstract and unencumbered individual selves nor as manipulable objects of governmental policy, but rather as concrete selves necessarily acting within multiple networks of collective obligations and solidarities to work out strategies of coping with (resisting, or using to their advantage the vast array of technologies of power deployed by) the modern state.

This reconceptualization of citizenship is, we might add, just as much a task of empirical social science as it is of political theory, as this task requires us to start from everyday state–citizen interactions rather than abstract idealized forms of citizenship. That is the aim of this book. By providing various fascinating first-hand accounts of how citizenship is being practiced and perceived, this book highlights the importance of studying citizenship to understand the unfolding of democratization processes in postcolonial states. Instead of departing from the normative ideal of citizenship, we tried to depart from the practices, values and attitudes that can be observed in everyday interactions between citizens and states. From these concrete interactions can be inferred how citizens interpret and realize, for example, the recognition of their property and identity, their security, or their welfare, we tried to work our way up to identify emerging forms of citizenship in Southeast Asia. By discussing these contemporary observations in the context of long-term historical processes, this book aims to make a contribution towards understanding how particular characteristics of Southeast Asian polities – for example its legal pluralism, relatively weakly institutionalized states, relatively large informal economies – impinge on these forms of citizenship. A second aim of this book is to interpret the ongoing evolution of the forms that citizenship takes in the region. In particular, we highlight three aspects of Southeast Asian democratization processes that, we feel, are generating new forms of citizenship, such as the evolution of clientelistic politics, the changing role of religious and ethnic identities and the particular expansion of the urban middle class.

What is Citizenship?

The recent popularity of the term citizenship might be partly attributed to its wide range of interpretations. Some interpret citizenship in terms of the realization of rights, such as Hannah Arendt's definition of 'the right to have rights' (Somers 1995). Citizenship then refers to a *relationship* between a person and a political community, characterized by mutual rights and obligations, and

activated by the role this person plays in the political life of that community. This relationship is ideally enshrined in law, defining the basic rights of the citizen concerning property, identity, security and welfare and protecting individual citizens against the state as well as against fellow citizens. Others emphasize that citizenship is about the membership of an individual in a political community: '[c]itizenship is passive and active membership of individuals in a nation-state with certain universalistic rights and obligations at a specific level of equality' (Janoski 1998:9).

Charles Tilly (1995:8) provides a more sociological and empirical definition of citizenship as a description of a particular relationship between state institutions and citizens: 'a continuing series of transactions between persons and agents of a given state in which each has enforceable rights and obligations uniquely by virtue of (1) the person's membership in an exclusive category, the native-born plus the naturalized and (2) the agent's relation to the state rather than any other authority the agent may enjoy. Citizenship thus forms a special sort of contract.' According to this definition, it is not just one's formal legal status but rather the character of everyday state–citizen interaction that shapes or curtails one's citizenship. Tilly draws a fairly sharp dividing line between interactions that are and those that are not expressions of citizenship: only when these transactions involve claiming and granting of rights that are *enforceable* and realized in a manner *devoid of personal considerations* – about, for example, one's wealth, having paid a bribe or being a member of a social class or ethnic group – does the transaction 'count' as an instantiation of citizenship.

These different definitions are indications of the different ways in which citizenship is being studied. While all revolving around the relationship between citizens and the state, three distinct traditions of inquiry can be discerned that all focus on very different aspects of this relationship (Kymlicka and Norman 1994; Pocock 1995; Oldfield 1998; Steward 1995). In a classical study focusing on England, T.S. Marshall (1950) sketched the development of citizenship in three stages as it gradually descended from the elite, to the middle and lower classes. In the eighteenth century individual freedom and property rights were defined for civil elite, in the nineteenth century middle classes obtained the right to participate in politics, while in the twentieth century lower classes were allowed to participate in social democracy and the welfare state. This is the liberal version of citizenship, which emphasizes how this relationship is shaped by the gradual acquisition of individual citizens of rights vis-à-vis state institutions. This focus on the legal status of citizens harks back to the Roman definition of a citizen, namely as someone protected under Roman law from arbitrary prosecution and arrest. Important topics in this tradition are when

and why citizen rights are extended, as well as the inclusivity of these rights: to which groups of citizens are these rights granted and for what reason? Such questions point to the role of formal citizenship regimes to exclude weaker groups from legal protection and access to state resources, in, for example, highly stratified societies (such as nineteenth century Brazil, see Holston 2008) as well as in countries with large influxes of migrants (Ong, 2006a).

In the *republican* tradition, citizenship refers to a desirable activity rather than a legal status. In this tradition citizenship involves the willingness and capacity of citizens to take responsibility for the political affairs of their polity. Rather than being just subjects of a state, Aristotle saw human beings as 'political beings' and argued that a man (excluding women) is 'not fully human unless he ruled himself' (Pocock 1995:35). Consequently, this tradition emphasizes not just political rights but also various 'civic' virtues that embody this public spiritness, such as associational activity, public reasonableness, political participation as well as an commitment to the common good. The more survey-oriented literature that stands in this tradition focuses on understanding either the lack or the presence of such civic virtues (Pattie et al. 2004; Putnam 1994). This tradition has a positive emphasis on the role of civil society while too much state interference had to be avoided. In the 1980s, this debate took a new turn when the right to equal access to the Western welfare state was seriously undermined by neo-liberalism which questioned the role of the strong state and advocated instead more space for market forces. 'Less state, more market' became the new recipe for progress, while civil society became a synonym for 'help yourself'.

A third, *communitarian* tradition emerged in reaction to the first two, emphasizing that citizenship is also an identity, an expression of one's membership in a political community. This identity cannot be universal, as citizens are not just members of a nation but also members of diverse cultural groupings. The existence of different communities with different cultural practices calls for, the adherents of this tradition emphasized, more differentiated forms of citizenship. To accommodate the special needs of minority groups and immigrants, and to prevent the imposition of the lifestyles and preferences of the majority, special provisions would be needed – such as special representation rights, self-government rights or multicultural rights. This tradition thus focuses on citizenship through the lens of managing societal diversity (see Kymlicka and Norman 2000; Hefner 2001).

Citizenship is – in all three interpretations – considered a vital aspect of democratic consolidation. The liberal tradition inspires arguments about the importance of actually realizing civil and political rights, while a *communitarian* interpretation plays a role in policy-oriented discussions of how to prevent

social conflict and respect the rights of minorities. The republican tradition has inspired De Tocqueville's famous study of the importance of a lively public sphere for the quality of America's democracy. Along these lines it is regularly emphasized how important the presence of an active and informed citizenry is to strengthen public decision-making and to hold power holders accountable (Holston 2008; Przeworski et al. 1995; Hadenius 2001; Cornwall et al. 2011; Kabeer 2005; Isin and Turner 2002). Scholars have advanced several dimensions of a 'civic culture' as being indispensable for 'making democracy work' – such as trust, tolerance, political participation, associational activity and social capital, and a sense of affiliation with national or even global polities (Almond and Verba 1963; Putnam 1994; Pattie et al. 2004). This literature particularly celebrates rights-based collective action – public activities of groups of citizens that convey demands for the actualization or expansion of rights to the state agents – as an important means to achieve democratic accountability. Large cross-national surveys have shown how inhabitants of stable democracies are more likely to value political participation and personal autonomy. This research suggests that democratic institutions do not need to be in place for such 'self-expression values' to emerge (Inglehart and Wetzel 2009), triggering the question, what then does lead to the emergence of such values?

Given this emphasis on the importance of citizenship for democratic consolidation, it is surprising how little attention the field of citizenship studies has paid to the forms that democratic citizenship takes in postcolonial states – which is, nowadays, where democratization processes are most prominently visible. Perhaps this was due to the emphasis one of the founders of citizenship studies, Max Weber, put on the uniqueness of Western patterns of state–citizen interaction. He argued that it was the development of northwestern European cities, with their relatively autonomous municipal councils and public militias, that has laid the groundwork for a more egalitarian and rule-based interaction between citizens and power-holders: 'In strong contrast to the medieval and ancient Occident, we never find the phenomenon in the Orient that the autonomy and the participation of the inhabitants in the affairs of local administration would be more strongly developed in the city...than in the countryside.' This relative autonomy of municipal councils in the West was, according to Weber, further strengthened by the superiority of mass-based, disciplined armies in battle. In order to develop such armies at relatively low cost, rulers had to engage in negotiations on a relatively even footing with civilian representatives: 'The basis of democratization is everywhere purely military in character; it lies in the rise of disciplined infantry, the hoplites of antiquity, the guild army in the Middle Ages' (Weber 1981:235, 246; quoted in Isin 2002). This focus on the uniqueness of citizenship patterns in northwestern Europe

subsequently forms the basis for favourable comparisons about the functioning of democracy in the West.

Southeast Asian policymakers have contributed to this tendency by emphasizing the difference of 'Asian values' and traditions. Some might detect such cultural exceptionalism in the ASEAN Human Rights Declaration, adopted in 2012. This human rights charter attracted considerable criticism for stating in Article 6 that 'The enjoyment of human rights and fundamental freedoms must be balanced with the performance of corresponding duties as every person has responsibilities to all other individuals, the community and the society where one lives.' In Article 7 the declaration states that '…the realisation of human rights must be considered in the regional and national context bearing in mind different political, economic, legal, social, cultural, historical and religious backgrounds', and allowing for restriction of all the rights provided on a variety of grounds including national security and public morality (Article 8). Such exceptions – effectively curtailing individual human rights – are more likely to be an indication of conservatism of the drafters rather than cultural difference. International as well as Southeast Asian organizations condemned these exceptions as going against existing international human rights commitments of Southeast Asian governments (Amnesty International 2012).

As a result of this emphasis on the uniqueness of Western experiences, the study of citizenship in postcolonial states needs to overcome a twofold ethnocentric bias. Firstly, there has been relatively little attention for developing the conceptualization of citizenship in ways that are not so intricately linked with Western experiences of state formation. As a result, the temptation is to study citizenship in postcolonial states in terms of a 'cluster of absences' (Isin 2002), that is to focus on the various observable 'deviations' or 'shallowness' of citizenship elsewhere. From this perspective one can observe how actual forms of state–citizen interaction witnessed in countries like Southeast Asia differ greatly from a Western-oriented interpretation of citizenship – think of the importance of local and ethnic affiliations, identity-based and particularistic claim-making, the importance of clientelistic networks in shaping state–citizen interaction and violence against (religious) minorities. Such a focus might lead to the conclusion that patterns of citizenship are so 'deviant' or shallow that the term 'citizenship' would be an unhelpful prism to understand state–citizen interaction in Southeast Asia.

But to follow this path would hinder our understanding of evolving forms of state–citizen interaction as it restricts our analysis to identifying deviations of (idealized) Western patterns of citizenship. Rather, everyday forms of state–citizen interactions should be taken as an opportunity to re-conceptualize our interpretation of citizenship and to develop modes of analysis that are less

tightly interwoven with Western experiences of state formation. This involves shedding the expectation that citizenship in postcolonial states is 'on its way' to evolving into something more akin to Western patterns. Scholars working in both Africa and Asia have argued that the particular histories of state formation, cultural patterns and the social embeddedness of the market and the state in postcolonial countries conspire to make it unlikely that rights-claiming, autonomous and individualistic citizens – the type celebrated in the literature on citizenship – will emerge in large numbers (Chatterjee 2004; Chabal and Daloz 1999; Kaviraj 2001; Mamdani 1996). We cannot assume that prevalent norms and values underlying conceptions of 'civic behaviour' in postcolonial states will correspond to Western norms. Ideas about proper 'civic' behaviour of citizens and state agents might be shaped by different emphases on, for example, public vs. private concerns, common good vs. group interests, individual vs. collective rights, rights vs. duties, as well as different conceptions of political legitimacy. We need to capture these different attachments to be able to understand the different forms that citizenship may take in Southeast Asia.

Secondly, as the chapters in this book illustrate, in practice many everyday state–citizen interactions are shaped less by rules and laws, but rather by personal relations and norms of reciprocity that provide similar reassurances that state agents will award certain claims. Similarly, the access to important resources (land, education, healthcare, et cetera) is often not acquired by virtue of one's national citizenship, but also by virtue of one's age, gender, ethnicity, membership of a community and other forms of 'local citizenship' (Lund 2011). As Holston (2008:311) argued, 'the processes and practices that define citizenship are inherently disjunctive – not cumulative, linear, or evenly distributed among citizens, but always a mix of progressive and regressive elements'.

Citizenship is mostly studied in the context of high-capacity, liberal welfare states. If one takes, for example, some of the main general publications in the field – such as the *Handbook of Citizenship studies* (Turner and Isin 2002; see also Kivisto and Faist 2007) – it is striking how little attention is paid to political life in postcolonial states. Words like 'clientelism' or 'patronage' find (almost) no mention and, apart from a few outstanding studies (see for example Mandani 1996; Chabaland and Daloz 1999; Chatterjee 2004; Isin 2002) the field of 'citizenship studies' pays relatively little attention to how the particular historical trajectories and the present-day character of postcolonial states impinge on the norms, attitudes and practices that citizens are adopting vis-à-vis the power holders.

That observation motivated us to produce this book. This volume studies patterns of citizenship in postcolonial Southeast Asia in relation to the particular processes of state formation in Southeast Asia and the weakly institutionalized

nature of the state. A broader study of citizenship should not only start with everyday patterns of state–citizen interaction (Cornwall 2011; Kabeer 2005), but should also serve to better understand the interaction between the character of postcolonial states and patterns of citizenship.

These considerations led to two workshops, held with the intention of bringing together empirical, well-researched papers on everyday forms of citizenship and its interaction with the nature of the state. One workshop was held at the University of Leiden in December 2012 and the other during the EuroSEAS conference in Lisbon in July 2013. While these papers reflect the complexities and idiosyncrasies across Southeast Asia, they also reflect three important commonalities, which subsequently became the organizing principle for this book. Taken together, these essays advance three key arguments about the forms of citizenship that are emerging across Southeast Asia:

a. Democratization processes are changing – but not eradicating – clientelistic exchange relations. The increasingly intense engagement of citizens with their rulers and state is not so much geared towards realizing a universal implementation of rights, but rather towards realizing more inclusive forms of governance.
b. Changing interpretations and expressions of religious and ethnic identities are generating new interpretations of rights and entitlements.
c. Economic growth is generating an expanding urban middle class that is expressing more sensitivities about corruption and governance, while being relatively indifferent towards strengthening political institutions and the rule of law.

These three propositions are taken up in the corresponding three parts of this book. In the remainder of this introduction we will discuss each of these propositions in turn.

State Formation, Clientelism and Citizenship

Particular trajectories of Southeast Asian state formation are shaping contemporary forms of citizenship. Pre-colonial political dynamics were to a large extent shaped by patron–client relationships and intra-elite competition. Under colonialism clientelism was reproduced but the conditions of patron–client relationships changed. As their position became stronger, because they were now protected by the colonial state, indigenous elites distanced themselves from their clients. Throughout Southeast Asia local aristocracies were used as

go-betweens in order to establish efficient colonial control with a traditional face. The secret of the success of this system was that the interests of the aristocracy were tied to the needs of the colonial state. Both the backing by and the incentives from a strong colonial centre strengthened the position of local aristocracies who in exchange maintained 'peace and order' and facilitated the mobilization of labour and surplus. Local elites thus became clients of the state, but enhanced their local position as powerful patrons. The way the Dutch in the Indonesian archipelago, the British in Malaysia and the French in Vietnam institutionalized indirect rule helped to create a bifurcated state (cf. Mamdani 1996) as a result of which large parts of the population were subjected to different, customary rule systems upheld by aristocratic or ethnic intermediaries.

Due to this co-option of local elites the colonial state faced little legal or political constraints in its pursuit of profit and order. As a result the state was, for most of its history, experienced not just as an imposed institution, but also as an instrument of oppression. Both regional elites and their subordinated village leaders strengthened their position, while ordinary villagers became more dependent as their bargaining position weakened. A combination of population growth, the ongoing clearance of uncultivated land and state penetration left the population with fewer places to escape oppressive rulers. Yet 'freedom' and equality were on the agenda. The Indonesian word for it, *merdeka*, referred in the first half of the twentieth century to freedom from traditional loyalties, and, in nationalist discourse, to freedom from taxation, corvée labour and other burdens of the intruding colonial state. Later it evolved into an awareness of equality and the right to have equal access to education, jobs and salaries (Reid 2011).

After independence, new forms of political mobilization characterized the newly emerging nation-states which carried the promise of citizenship and equal rights with them. However, political relationships were to a large extent still clientelistic. In a seminal article on patronage in Southeast Asian politics, James Scott (1972) indicated that patron–client relationships had survived due to the absence of firm impersonal institutions, while inequalities increased because both state institutions and political parties tended to bet on the strong in order to secure mass support. A new phenomenon was that chains of patron–client relations were stretched through political party lines from regional settings towards the national capital.

Since the 1970s, the rise of the strong centralized state characterized Indonesian politics while elsewhere in Southeast Asia state power increased as well. Despite the seemingly hegemonic and bureaucratic appearance of the Indonesian state, in practice a pyramid of patron–client relations ran down from the presidential palace to the villages. These networks were fuelled by

large sums of money that was distributed in exchange for loyalty (Antlov 1995). This extended network of patronage relationships was hidden behind a façade of elaborate bureaucratic procedures and a carefully orchestrated display of order and unity. At the village level, local elites were incorporated in the patronage network of the state and enabled to enhance their role as local patrons.

The legacy of political interference in bureaucratic processes, the subsequent limited development of bureaucratic autonomy and the coexistence of different legal systems all conspired to curtail the institutionalization of the state; despite the recent wave of democratization in various countries in Southeast Asia, the rule of law and the regulatory capacity of state institutions remain weak. Recent processes of decentralization have further enhanced the capacity of local elites to bend implementation of state policies and laws to their needs (Van Klinken and Barker 2009; Van Klinken and Aspinall 2010). The collusion between politicians, bureaucrats and business has created 'untamed ruling oligarchies' (Winter 2011) and 'predatory elites' (Hadiz 2010), who have been able to manipulate the implementation of state policies to their benefit.

While this illicit cooperation with economic and political elites can be observed in a range of state institutions – from forestry department (McCarthy 2007) to public work departments (Van Klinken and Aspinall 2010) – it is particularly the weakness of the judiciary that is affecting everyday state–citizen interaction. As politicians asserted their control over the functioning of the judiciary, promotion and status within the judiciary is often a product of one's personal contacts and bureaucratic skills, rather than one's knowledge and mastery of the law. The law is often a random and unpredictable force, as personal influence, politics and money is shaping the outcome of legal proceedings just as much as the written law (Lev 2000:305–21; Lindsey and Santosa 2008). Lev (2000:188) has described the prevailing attitude among judges and prosecutors as follows: 'those who talk about rules as if they were absolute are likely to be considered obstructors, stubborn trouble-makers, antisocial fools, or worse'.

As a result, for ordinary, unconnected citizens the formal legal system is something to be avoided rather than an avenue to realize one's rights. For many among, particularly, the poor, legal certainty or the protection of one's rights, is more often attained through alternative authorities such as tribal leaders, local businessmen, regional bosses or strongmen. Clientelist relations with such individuals provide security and support as well as, usually, protection in the case of legal matters. This is particularly important for outsiders with a precarious legal status: for illegal workers and illegal immigrants connections to such patrons provide a measure of security that allows them to engage in economic

and social activities where official law forbids them to do so. A major downside of such arrangements is that these clientelistic exchanges lead to considerable dependence.

A central theme in the essays in this book is therefore how forms of citizenship develop in interaction with this relatively weakly institutionalized nature of state institutions. The practices and attitudes that citizens adopt vis-à-vis power holders are shaped by pragmatic calculations of how to deal most successfully with state institutions. In the context of weakly institutionalized states, the interaction with state institutions and realization of citizen rights acquires a 'mediated' character (Berenschot 2010, see also McCargo 2011) in the sense that citizens often come to rely on mediation by political and social elites to facilitate their interaction with state institutions and gain access to state resources. As there is little reason to rely solely on formal procedures and rights, citizens face powerful incentives to engage in personal exchange relations that are clientelistic in nature and that stimulate the invocation of solidarity and norms of reciprocity – rather than laws and legal rights – to pressurize authorities to bend the implementation of rules and regulation to one's advantage.

That does not mean that citizen rights are irrelevant. As we will show in several of the contributions in this book, citizens do sometimes invoke a discourse of rights, and efforts of local NGOs activists do sometimes focus on increasing an awareness of rights – see for example Gibbings' chapter on street vendors in Indonesia. Yet what these chapters also illustrate is that the character and use of citizen rights gets transformed because of the weakly institutionalized nature of state institutions and a widespread dependence on (political) intermediaries. In this context the capacity to realize citizen rights is not just, as many civil society-building programmes of development agencies would have it, a matter of raising rights awareness or organizational skills. In the context of weakly institutionalized states, the attitudes associated with ideals of participatory citizenship – such as adopting a rights-claiming and policy-oriented attitude towards the state – often make little sense for citizens who experience that the realization of those rights depends on the cooperation of various political intermediaries. For those citizens expressions of 'civic engagement' are often motivated by the need to maintain or develop relationships with influential political patrons. For example, participation in a protest rally is for some citizens merely an avenue to express (dis-)agreement with government policies, while for others a demonstration is an opportunity to prove allegiance to the political leader who called for the rally. For these latter citizens who need to nurture relations with influential intermediaries in order to access state services, participation in a rally is a favour that can later be cashed in. Similarly, voting can for some citizens simply be the expression

of a political preference, but for others a vote is an important form of leverage that can be traded in exchange for access to the valuable resources of the state. In terms of a typology found in the literature on civic action: in the context of a weakly institutionalized state, informal brokerage via influential patrons is a much more attractive avenue to advance their interests then more 'civic' forms of engagement like institutionalized petitioning or contentious collective action.[3] These forms of civic action are simply less effective and thus less attractive than informal brokerage (see De Wit and Berner 2009).

In such a context the terminology that is often used to talk about participatory citizenship is unhelpful as it invokes Western political experiences. For example, the term 'political accountability' is generally associated with the capacity of voters to punish politicians for corruption and inept policymaking. Such an interpretation of accountability implicitly assumes that the electoral support for politicians is based on *programmatic* considerations: considerations related to the ideology and policy programmes that politicians offer. When the interaction between voters and politicians takes a more *clientelistic* form,[4] voters are less inclined to evaluate politicians for their capacity to draft and implement policies. That does not mean that relations between ruler and ruled are not norm-based or undemocratic, but rather that a different form of accountability – clientelistic accountability – takes hold.

Evidence from Southeast Asia (Walker 2012; Crouch 2010; Aspinall 2013; Sidel 2004) as well as elsewhere (Wilkinson 2007; Gay 2006; Krishna 2007; Roniger 2004) is suggesting that democratization processes are making patron–client relations less asymmetrical but not less pervasive. Democratization is improving the bargaining position of clients and their brokers vis-à-vis their political patrons, but democratization does not seem to lead to a reduction of clientelistic practices. This unremitting preference of voters for clientelistic exchanges suggests that political clientelism is not always experienced as a lesser, but rather an *alternative* form of democratic accountability – a particular exchange relationship between politicians and voters that can be contrasted with programmatic accountability (Kitschelt 2000; Wilkinson and Kitschelt 2007). Politicians are evaluated on the basis of their capacity to solve daily problems and provide a personalized access to state resources. When voters need politicians to facilitate their dealings with state institutions, it matters more whether a candidate is accessible and helpful than whether he is law-abiding and impervious to corruption.

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3   For this typology of different forms of 'citizenship practices', see Houtzager 2011.
4   For this distinction between programmatic and clientelistic linkages between politicians and voters, see Kitschelt 2000.

The terms 'civil society' and 'social movements' evokes similar confusion. It has been common to use these terms to refer to almost all forms of associational activity – ranging from trade unions and business associations to neighbourhood organizations, self-help groups, et cetera – used to pressurize state institutions, voice societal interests and facilitate public debate. Across Southeast Asia there is a sizable civil society that does engage with the state in this manner (Stanley, Priyono and Törnquist 2004). But in the context of weakly institutionalized states the practices and forms of mobilization of particularly poorer citizens do not always take the form of a rights-claiming kind of petitioning of the state, because these forms of association are not open to people who stand in an uncertain and dependent relation to the institutions of the state. The actual civil society, as Chatterjee (2004:66) argues, is 'demographically limited' because 'the poor who mobilize to claim the benefits of various government programmes do not do so as members of civil society...they must succeed in applying the right pressure at the right places in the government machinery [through] the bending and stretching of rules'. As the chapters on, particularly, militias in Indonesia and citizen groups in the Philippines illustrate, many 'social movements' animating state–citizen interaction in Southeast Asia are not so much conduits of 'civic action' but rather operate as facilitators of clientelistic exchanges. Their success in helping their members deal with state institutions is not so much based on organizing formal political participation – demonstrations, petitioning etcetera. Rather, these organizations operate as 'vote-poolers' in the sense that they use the collective vote of their members as a bargaining chip to get politicians to help them.

In a series of publications Partha Chatterjee (2004, 2011) proposed to use the term 'political society' next to 'civil society' to capture the different forms of cooperation and association that take place in the realm between the state and the household. 'For the majority of people in postcolonial societies, the normative status of the virtuous citizen will remain infinitely deferred until such time as they can be provided with the basic material and cultural prerequisites of membership of civil society. Until the arrival of that liberal millennium, however, they can only deal with a governmental system with the recourses they can muster in political society' (Chatterjee 2011:206). Chabal and Daloz make a similar argument about the nature of civil society in Africa: 'the state is in fact so poorly institutionalized, so weakly emancipated from society, that there is very little scope for conceptualizing politics in Africa as a contest between a functionally strong state and a homogeneously coherent civil society....it is clear that the business of politics is more usually conducted along informal vertical channels of relations...linking the elites with the rest of the population'. In these contexts the interpretation of citizenship and political participation is

inseparably linked to the expectation of direct personal benefits that elections can offer (Chabal and Daloz 1999:21; see also Fox 1994).

Clientelistic dependencies on political intermediaries are also shaping the nature of public authority. In the context of a remote and 'mediated' state, the capacity to 'get things done' – that is arranging access to state resources – is an important constitutive element of local leadership and authority. This is strengthened by the way state institutions regularly rely on such local leaders or strongmen to facilitate and mediate the implementation of state institutions, since these institutions often lack the capacity to do so without their intercession. As a result, local non-state authorities do not just represent their people vis-à-vis power holders, they also acquire public authority, in the sense that they acquire the capacity to mediate the implementation of state laws and policies. This reliance of state official intermediaries engenders a fragmentation of state sovereignty. The mediated nature of the state ensures that state officials have to compete with local 'strongmen' and 'bosses' or representatives of ethnic groups over who gets to decide how state regulations will be implemented. Christian Lund (2006) proposed the term 'twilight institutions' to capture this fragmented form of public authority, where non-state actors (such as local strongmen, but also vigilante groups, ethnic associations, et cetera) are acquiring state-like qualities in their capacity to regulate social life and maintain order.

Thus, in short, a weakly institutionalized state and a mediated access to state resources encourage a personal, clientelistic and often identity-based relationship with politicians and other power holders. In this relationship, conceptions of citizen rights are not irrelevant, but do lack a universal character. The realization of rights is contingent on the character of the relationships and everyday personal exchanges through which people live their lives. This is a recurring theme in the essays of this volume: while conceptions of rights and a Western-inspired discourse about citizen participation do inform the way Southeast Asians talk about their interaction with the state and power holders, the realization but also the conceptualization of rights is contingent on the nature of personal networks and attendant norms of reciprocity. Emma Porio, for example, shows how reforms in the Philippines to boost citizen participation and promote 'good governance' ended up being an avenue for local political leaders to co-opt civil society groups and thus strengthen their position. As these groups are made partners in the execution of state functions, they become indebted to these local politicians for bestowed favours. This subsequently makes these organizations convenient campaign tools for politicians. Similarly, Takeshi Ito explains how Indonesia's democratization process has brought a new discourse about citizen participation to Java's villages, but for

both village elites as well as common villagers that does not mean that everybody needs to have an equal say. Astrid Norén-Nilsson takes security guards in a market in Cambodia as a starting point to argue that the increase of free and open political competition in the immediate aftermath of the 2013 elections created some space for critiquing power holders, but that this space largely depends on how secure people feel in the local, everyday networks through which – in this case – a market is run.

Marginalized groups like these security guards or, to take another example, street vendors still often depend on educated middle-class actors to stake their claims, as Sheri Gibbings discusses in her ethnographic study of a group of street vendors opposing a municipal plan to relocate them. These street vendors felt ignored by the municipal authorities until students and legal aid activists stepped in and succeeded generating pressure by highlighting their plight in the local media. Her article illustrates the reluctance to invoke rights and laws, something which Schaffar also highlights in his contribution: instead of claiming their rights in a direct and open manner, the street vendors' protests focus on the lack of '*sosialisasi*' i.e. the lack of inclusiveness in the decision-making process of the municipality.

In that sense these four studies are not observing the kind of 'insurgent citizenship' that Holston witnessed among urban squatters in Brazil. As Holston's urban squatters gradually developed a sense of entitlement, they freed themselves from clientelistic connections, stopped seeing the granting of rights as the granting of a 'privilege' and instead acquired a detailed understanding of Brazil's laws to claim 'text-based rights' to their homes. It is notable that the studies in this book stop short of observing such a shift. Each study emphasizes in its own way that conceptualizations and realization of rights is more likely to take the form of interpersonal obligations and/or a focus on inclusivity and the wish to 'be heard'. What these studies in Part One of this book have in common is that the change they are describing is not necessary an increasing realization of impersonal rights, but rather changing interpretations of the obligations of political elites towards them. These changing interpretations of obligations do not so much entail duties to enforce rights, but rather more open and inclusive forms of ruling.

Identity and Citizenship

A second striking aspect of democratization processes across Southeast Asia is that the notion of a 'traditional community' has become a cornerstone of political rhetoric that uses modern emancipatory rhetoric of autonomy and

equal rights (see also Chatterjee 2011:206). That is the central theme of the second part of this book. Claims to land, livelihoods or state services are being made in terms of one's membership of a particular community, whether or religious or ethnic. Ethnic associations and 'sons of the soil' movements have been very successful in using the (ethnic) identity of their members to pressurize government institutions to realize their rights (Davidson and Henley 2007). Through a combination of community organization, vigilantism and the use of (the threat of) violence, such ethnic organizations are gaining an active political presence.

As Laurens Bakker discusses in this volume, the political salience of communal identities should not be seen as a pre-modern attachment to one ethnic or religious community, as it seems a feature of the political landscape generated by a weakly institutionalized state. The emergence and popularity of various ethnic organizations – often referred to as *ormas* (short for *organisasi kemasyarakatan*) in Indonesia – can be interpreted as arising out of the need of, in particular, poorer citizens to deal with state institutions by developing reciprocal relations with politicians and influential bureaucrats. As experiences of citizens with the functioning of state institutions offer little reassurance that the invocation of their rights are enough to secure land title or gain access to state resources, particularly poorer citizens face strong incentives to join organizations that strengthen their collective bargaining power. Organizations like the ethnic *organisasi kemasyaratan* in Indonesia operate as useful lubricants of the clientelistic exchanges between citizens and politicians. While providing politicians with some reassurance that his efforts to deliver resources will translate into votes, these associations enable individual voters to pool their votes and thus to maximize their pressure on power holders. In the terms used above, these organizations do not just mobilize their followers to engage in 'civic action' in order to pressurize state institutions to grant their rights, they also operate in 'political society' as they mobilize their followers to prove their capacity to deliver a large number of votes.

An effect on the reliance on such ethnic associations and vigilante groups to deal with the state, is that membership of local (ethnic) communities gets emphasized as a constitutive element of citizenship, because the everyday mediating functioning of such associations create the impression that the protection of one's livelihood and access to state resources is not just a product of one's right as a citizen, but also a product of one's membership of a cultural community. The sense of belonging is thus layered (Lund 2011): an attachment to the nation-state thus gets mediated through a sense of membership of a cultural community. Note how such a 'layered' form of citizenship contrasts with Western interpretations that emphasize that '[c]itizenship identities

and citizenship cultures are national identities and national cultures' (Turner 1997:9).

In this context the notion of cultural citizenship has been launched in order to identify politically marginalized groups whose emancipation should be reinforced by applying cultural strategies. Coined by Renato Rosaldo (2003), the term 'cultural citizenship' was initially used to improve the position of Latino immigrants and other marginalized groups in the United States. In Southeast Asia, the term was used to explore the possibilities of marginalized minorities to achieve emancipation through cultural empowerment. Notions of emancipation and distrust towards the state informed to a large extent the dynamics of cultural citizenship. This stands in contrast with earlier phases of nation-building when pluralism was actively discouraged for the sake of national unity. Today, more attention is paid to accommodating ethnic and religious differences within a framework of administrative decentralization, a tendency that is actively supported by an interesting alliance of international financial agencies such as the IMF and the World Bank and critical NGOs. As Oona Paredes discusses in her contribution to this book, in contrast to an earlier emphasis on secession and rebellion, tribal groups like the Higaunon Lumads in the Philippines now adopt an international advocacy discourse of cultural empowerment to resist forced assimilation and marginalization by the central state (see also Tania Murray Li 2000). Lacking much knowledge of the functioning of alien state institutions, the quest of Higaunon for fuller forms of citizenship is changing local forms of leadership as indigenous people come to depend on new intermediaries who understand – more or less – how to deal with these alien state institutions. In the process Higaunons face pressures to shed their cultural distinctiveness to confirm to established notions of 'Filipino-ness'. This leads Paredes to argue that the status and position of the Higaunon within Philippine society will depend on whether they succeed in challenging and changing the state's own cultural construct of citizenship.

This emphasis on community is not just changing interpretations of who has access to rights, but is also impacting the very interpretation of what citizenship entails. Particularly the intensification of religious fervour and the increased importance of religion in public debates across Southeast Asia is having profound impact on the nature and interpretation of citizenship. In studies of citizenship in Western Europe, citizenship is sometimes described as a form of 'civil religion' that binds citizens together in the absence of a widely shared religious value system. As Kloos and Berenschot discuss in their contribution, rather than replacing religion, in Southeast Asia the interpretation and practice of citizenship is closely tied to religious interpretations and practices. Religion is far from being in decline in Southeast Asia. Across Southeast

Asia, public expressions of religious piety have become more pronounced – be it Islamic piety in Malaysia or Indonesia (Hefner 2011), Christian piety in the Philippines or Buddhist piety in Thailand or Myanmar. In both the Philippines and Indonesia religious organizations played an important role in the opposition to authoritarian rule (Hedman 2001). Furthermore, religion forms a cornerstone of public debate, as references to religious injunctions are a common and accepted way to argue about policies and laws. The secular nature of the state – in the sense of establishing the non-religious character of the state – has become a hotly debated topic, not only in Malaysia. Kloos and Berenschot discuss how intense debates are being waged about whether the state should play a bigger role in enforcing religious morality – in ways that are often at odds with interpretations of citizenship that emphasize the need to protect the private sphere from public interference. In these various ways the nature of citizenship in Southeast Asia is closely tied up with the evolution of religious thought. The nature of citizenship in these countries – for example the relative emphasis on rights versus duties and the protection of a private sphere – will be profoundly affected by the ongoing shift in attitudes toward religious truths.

Economic Growth and Emerging Middle Classes

The third part of this book is devoted to the puzzling role of Southeast Asian middle classes as a reluctant engine of democratization. While economic growth is enlarging an urban, formally employed middle class, this emerging middle class has a mixed record when it comes to protecting democracy or expanding citizen rights. The growth of independent middle classes was important to generate pressures to *establish* democracy in countries like the Philippines, Thailand or Indonesia – and in that sense Barrington Moore's famous claim of 'no bourgeoisie, no democracy' arguably still holds (see Sidel 2008). Yet these middle classes have played a much more reluctant role when it comes to a subsequent *deepening* of democracy. They are focusing their political engagement more on problems of corruption and governance, and less on strengthening the rule of law or the advancement of citizen rights. True, this emerging middle class has become the driver of various anti-corruption movements across Asia. Anna Hazare's movement in India, the *Cinta* KPK movement in Indonesia as well as Malaysia's *Bersih* movement can all be seen as evidence of a growing impatience of the middle class with 'politics as usual' and the way corruption has infused much state–citizen interactions. These protests are often fuelled by the online activism of (young) voters. As Lim

discusses in this volume, protests for electoral reform on Malaysia's streets as well as online activism are creating new pressures on Malaysian politicians to shed clientelistic practices and improve accountability. She discusses a key aspect of changing state–citizen relations across Southeast Asia: social media are enabling political activists to build mass support and put pressure on power holders, a development that is shifting the power balance between citizens and the state. At the same time Lim emphasizes that these technologies are no 'magic want' as successful digital activism depends on the presence of 'offline' civil society networks and organizations.

Yet the studies in this volume suggest that it remains to be seen whether these protests amount to more than a desire to punish corrupt officials and whether these protests signal a genuine commitment to strengthen the rule of law. In his contribution Wolfram Schaffar shows how citizen participation is often not about entrenching or broadening citizen rights. Focusing on AIDS activism in Thailand, he makes the important observation that this kind of citizen engagement with the state is marked by a reluctance to claim one's rights via the judicial system. Instead, Schaffar argues that much citizen activism focuses on inclusivity of legislative processes – a theme that also came up in the first part of the book. Similarly, support for the push of Jakarta-based NGOs that Mary Austin describes seems to stem as much from a sense of nationalism as from a commitment to defend the rights of domestic workers: this movement focuses on abuses abroad, sidestepping the thorny issue of the similarly common abuses that Indonesians themselves commits towards their domestic workers. Yet her contribution, as well as Schaffar's, illustrate the real impact that civil society organizations are having on policy making. Austin shows the considerable responsiveness of the Indonesian state to well-organised civil society campaigns on broadly supported topics like the plight of domestic workers abroad.

In many ways the middle class is often co-opted by the state. The very groups that make up these emerging middle classes – government officials, business men, traders, factory owners, shop owners, et cetera – do in various ways benefit from their privileged access to influential bureaucrats and politicians, in the sense that the strength of their social networks is generating various benefits – a business license, a government contract, a career opportunity – that they might not have had if official regulations where implemented in a less personalized manner (see Hedman 2006; Van Klinken and Berenschot 2014). The wish for 'clean government' might, therefore, be mostly about punishing overly greedy officials rather than democratising a system from which many members of the middle class are benefiting. Middle class citizens benefit from their privileged and personalized access to power holders which enables

them to, for example, bypass minimum wage regulation, minimize competition and curtail labour unrest – areas where poorer citizens or emerging lower middle classes could benefit from a stricter implementation of state regulation.

There is, thus, something hypocritical in the disdain of middle class citizens for the kind of clientelistic politics that lower classes need to defend their livelihoods. While the middle classes have been able to benefit from the opportunities that Asia's globalized economies have offered, the lower classes have had to contend with relentless pressures to reduce labour costs, resulting in deteriorated labour conditions, pressure on wages and less secure and less formalized livelihoods, while they often lack the contacts and organizational skills to address these problems. These insecurities and limited mobilizational capacities make poorer citizens more vulnerable and more dependent on the favours and personalized access to state resources that politicians provide – precisely the type of politics that middle classes decry.

Aihwa Ong already pointed to the way in which neo-liberal economic policies are generating different citizenship regimes within one country. Ong (2006b:500) focuses particularly to the way in which the policies of Asian states to attract cheap labour is creating different bundles of citizenship rights: 'the embrace of self-enterprising values has made citizenship rights and benefits contingent upon individual market performance.... Instead of all citizens enjoying a unified bundle of citizenship rights, we have a shifting political landscape in which heterogeneous populations claim diverse rights and benefits associated with citizenship'. These arguments underline the need to develop an analysis of citizenship that is sensitive to class differences as well as possible rural–urban divides (cf. Mamdani 1996). An example can be found in Apichat Satitniramai's analysis of the Yellow versus Red struggle in Thailand in this volume. The complaints about corruption of Bangkok's middle class turn out to be more about defending their own privileged access to the state rather than a genuine desire to discipline state institutions. Apichat Satitniramai argues that the Yellow movement partly stems from the rise of a new, more rural middle class which is threatening the interests of Bangkok's middle class – a threat that stimulated large parts of Bangkok's educated urbanites to participate in rallies that called for the annulment of elections and the curtailment of democratic freedoms.

The recent clashes between the 'Red Shirts' and 'Yellow Shirts' in Thailand might just be a foreboding of the kind of conflicts that such differentiated forms of citizenship can generate. Opinion polls suggest that voting behaviour during Indonesia's recent presidential elections displayed a somewhat similar class-based pattern: support for the autocratic New Order general Prabowo Subianto was greatest among the urban middle class, while Joko Widodo – the

first presidential candidate who did not belong to the old New Order elite – got more support among the rural poor (see Mietzner 2014:115).

Such observations suggest that a class-based differentiation of citizenship will take political centre stage in the coming years. As social inequalities are still widening, it is likely that the experience and practice of citizenship will remain highly differentiated. The three salient characteristics of emerging forms of citizenship in Southeast Asia highlighted in this book – the changing but not abating pervasiveness of clientelistic exchange relations, the importance of religious and ethnic identities in shaping new interpretations of rights and entitlements, and the relative indifference of the middle class towards strengthening political institutions and the rule of law – all suggest that pervasive social and political inequalities will continue to mark the nature of citizenship in Southeast Asia. Yet the essays in this book also offer some hope that democratization processes are generating more inclusive forms of citizenship. Maybe everyday citizenship struggles are not always framed in terms of realizing and broadening citizen rights – the weakly institutionalized nature of most Southeast Asian states is discouraging such an approach – but these struggles do indicate that interpretations of citizens of the obligations of power holders and political elites towards them are changing. These changing interpretations of obligations are not always formulated in the language of rights, but do entail more open and inclusive forms of ruling. The emphasis of the contestations discussed in this book on inclusivity, participation and openness suggests that Southeast Asian states and their rulers will have to adapt to new and evolving interpretations of what citizenship should entail.

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