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Civil Society and Democratic Decline in Southeast Asia

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Abstract

This paper introduces a special issue that examines civil society and democratic decline in Southeast Asia. Using the Philippines, Indonesia, Thailand, Myanmar, Malaysia, and Cambodia as case studies, the articles in the special issue examine often divergent reactions in civil society to increasing authoritarian pressures, diminishing political space, and increased repression. The paper at hand reviews the literature on concepts at the core of this inquiry, including civil society, backsliding, and diagonal accountability, and summarises the main findings of the special issue for Southeast Asia specifically and more broadly.

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Keywords

civil society, Southeast Asia, diagonal accountability, autocratisation, democratic decline

When the Myanmar military staged a coup in February 2021, unseating the recently re-elected National League for Democracy government, civil society rose up with extraordinary unity in protest. A massive civil disobedience movement formed, spreading rapidly nationwide, hobbling the state. Protests persisted: schools, clinics, banks

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emptied. The diaspora mobilised, rallying, too, far-flung supporters of democracy in Myanmar who had celebrated the seeming victory of their cause with the transition nearly a decade earlier. Over 2 years later, the junta remains in power. Elections are on the horizon, but presumed merely a facade. Aung San Suu Kyi and colleagues from her toppled administration, along with thousands of others, remain imprisoned; several thousand more have lost their lives as state violence and civil war continue. Here we see, tragically, the manifest failure of civil society – and particularly of peaceful civil disobedience – to prevail against autocratization, even with determined effort and the benefit of decades of past experience in pushing back.

Among Myanmar's neighbours, the picture is less black-and-white. In Thailand, too, a junta took control in 2014 through a coup – actually a series of coups – and retained power through proxy parties elected in unfair polls. Though fresh elections took place in May 2023, conservative elites and military-appointed senators blocked the progressive candidate from the party that secured the greatest share of seats, the Move Forward Party, from leading the government; in the end, the Move Forward Party was pushed entirely into the opposition. Here, too, civil society has resisted, including with aggressive youth-led protests, solidarity campaigns, and more – but only parts of civil society. Other segments, chary of the urban and rural economic precariat, unsettled at the notion of challenging the deified king, or willing to accept the trade-offs with civil liberties that the stability of military dominance might entail have allowed themselves to be co-opted for the sake of policy gains or pulled in the opposite direction, aligning with the anti-democratic right-wing rather than the pro-democratic left. We see versions of this dialectic across Southeast Asia, where especially religiously conservative or pro-business forces take in stride, or even proactively support, the hollowing out, narrowing, or collapse of democratic institutions and norms.

It is that phenomenon, increasingly prevalent as regimes across the region veer in illiberal directions, that inspires this special issue on civil society and democratic decline in Southeast Asia. This collection of articles began as a pair of panels at the 2022 EuroSEAS (European Southeast Asian Studies) conference in Paris, France. As long-time observers of civil society and regimes in Southeast Asia, we had been following changes in the environment for activism and political agency. Yes, virtual space has expanded, opening new avenues for voice and solidarity-building, but innovations in strategies for suppression had kept pace, and physical space faced new constraints. The international context, too, offered support for democracy still, even if tending to fetishise and fund specific issues, such as women's or LGBT rights. But that enabling environment also offered examples of western polities' lurch toward right-wing populism and mobilisation, along with models and resources for pushing back against rights claims, and, of course, ready sources of Chinese or Gulf-state capital and investment free from labour, environmental, or other conditions. Ratcheting-up US–China great-power rivalries have arguably done less to force Southeast Asian nations to pick sides than to clarify the advantages of playing each against the other.

Then came the pandemic. Pervasive and deep economic decline and precarity, as well as the very real public-health crisis, offered cover and even reason for securitisation – for

empowering the armed forces to enforce curfews and lockdowns, for instance; for combating ‘fake news’ about COVID-19 transmission and treatments with sweeping curbs on media and the internet; and for concentrating emergency powers in the executive, sidelining legislatures.

In this context, institutional checks (‘horizontal accountability’) and electoral ones (‘vertical accountability’) had already been faltering (Lührmann et al., 2020). Civil society – source of ‘diagonal accountability’, a concept we unpack below – had never been wholly pro-democratic, of course, but now grew more obviously, and debilitatingly, constrained, enfeebled, or itself anti-liberal (see Weiss, 2023).

Civil Society, Democratic Backsliding, and Diagonal Accountability

The first article that follows delves with more depth into the concepts at the centre of our collaborative inquiry. We offer a brief sketch here, however, to set the stage.

First, we have *civil society*. Garry Rodan (2022, p. 8) argues that, ‘the concept of civil society must be preserved for specifying a particular form of political space. The aim of activists – if not always the outcome – is to influence the exercise of state power’. Those activists may form or join civil society organisations (CSOs), or they may mobilise otherwise. Weiss and Hansson (2023, p. 4) suggest,

The term civil society encompasses a broad swathe of political space. We understand civil society not only to include the gamut of social movements but also as more than that – and not with the specifically democratising aspect much of the literature suggests ... Those movements and their constituent organisations, as well as activists who engage individually for collective ends, are not themselves the sum total of civil society; rather, they occupy, make use of, and sometimes reshape the space of civil society.

In practice, and as the articles to come detail, this space includes CSOs (including specialised ones such as trade unions) focused on labour, religion, identity claims, policy advocacy, and more. These CSOs and activists may interact or overlap with political parties – indeed, Rodan (2021, p. 8–9) sees parties as not necessarily outside civil society – and may have overlapping leaders or members (Norén-Nilsson, 2023).

The next challenging concept is the process in which we ask if, and how, civil society might seek to intervene: *democratic backsliding*. The term is defined as the ‘deterioration of qualities associated with democratic governance, within any regime’ (Waldner and Lust, 2018, p. 95). Similar to its conceptual sibling, *autocratization*, democratic backsliding can happen within any regime form. Democracies decline in quality, whereas authoritarian regimes lose democratic aspects of governance.

The phenomenon has been discussed under various other terms with slightly different meanings, such as democratic regression (Diamond, 2015; Croissant and Haynes, 2021) or democratic erosion (Mietzner, 2021). Research into the various drivers, modalities, and outcomes of this third global anti-democratic wave is already under

way (Lührmann and Lindberg, 2019). Bermeo (2016), for instance, identifies a declining number of coups globally and less blatant forms of electoral fraud but, conversely, more clandestine predations such as harassment of opposition and subversion of horizontal accountability. According to Haggard and Kaufmann (2021), the election of authoritarian strongmen who weaken checks and balances often happens in times of economic and political crises and is accompanied by serious social polarisation; these strongmen use their authority to restrict the political rights of the opposition and limit spaces for civil society.

We favour a broad definition of backsliding, since in Southeast Asia, we find a wide range of political regimes. Within the region are examples of reasonably democratic states – those with plausibly free and fair elections, support for civil liberties, and space for participation and contestation. Indonesia, the Philippines, Thailand (between 1991 and 2014), and Timor-Leste fall into this category. However, in nearly all these erstwhile bright spots, institutions and supporting norms have deconsolidated, eroded, or collapsed altogether, compromising horizontal and/or vertical accountability (see Mietzner, 2021). But here we also find polities never democratic by any tenable definition that have become more entrenched in a narrowed political space and implacably authoritarian. Laos, Vietnam, Myanmar, and Cambodia come to mind, though the latter two states have also experimented with some form of multiparty elections in recent years.

Whatever their starting point, some of these states offer more hope for democratic persistence or retrenchment than others. For instance, Malaysia and Singapore – poised somewhere between entrenched authoritarianism and full-fledged democracy – present signs of increasing openness to real contestation, and surging support for pro-democracy parties suggests Thai voters are increasingly primed to demand meaningful reversion from their current authoritarian turn. The Philippines and Indonesia present ambiguously countervailing patterns, with both progressive and more right-wing aspects. But at present, it is hard to see a way forward for democratic forces in Myanmar or Cambodia.

Lastly, we might sketch briefly *diagonal accountability* and how it functions. Mechanisms of accountability constrain the use of political power. All three forms of accountability – vertical, horizontal and diagonal – work together toward that end (Laebens and Lührmann, 2021). Diagonal accountability reflects the contribution of non-state actors to accountability. CSOs, independent media, and engaged citizens might use a number of strategies and actions to increase flows of information and to make their voices heard. Two factors are most salient here. Most importantly for this vector to work independently of horizontal or vertical dimensions might seem itself counter-democratic; well-functioning democracy also requires empowered, capacitated, sustainable institutions, including for meaningful elections. The objective of social protest within civil society may well be far-reaching systemic change – but it is institutions and leaders who then enact that change. Independent media provide necessary information for legislatures to be able to make informed political decisions and for civil society to mobilise to change a particular policy. Also key, though, is the reality that diagonal accountability may not push or pull in a progressive direction; anti-democratic CSOs also seek to exert pressure on the state, leading the country along an illiberal path.

The articles that follow put these concepts together, suggesting collectively the pre-conditions for diagonal accountability to be feasible, on the civil societal side and on the regime side, whether in terms of defending or depleting democracy, or in terms of policy advocacy and opposition. The case studies, too, offer insight into methods and repertoires that are or are not productive for CSOs committed to varying goals, including episodic or more sustained resort to violence – and how these CSOs adapt their tactics in light of changing state strategies.

Lastly, taken together, these cases allow us to compare the effects of CSOs' efforts and state responses to specific pressures. At the level of domestic politics, we see varying dimensions of polarisation and populism (phenomena that are distinct, but may align). Pandemic disruptions and dislocation matter, including as states' management of the crisis affected popular confidence in those leaders' capability, or grassroots turns toward self-sufficiency. Normative shifts, sometimes spurred by media or ideas from elsewhere, have brought new social and identity-related issues to the forefront, activating new fault-lines. The fact of an ageing or youth-heavy population may aggravate those attendant frictions. Incorporating these transnational dimensions more systematically, we see (re-)alignments, too, in light of economic goals and pressures, including overtures to or from China, Europe, Gulf states, wealthier Asian neighbours, and elsewhere. And of course, both within and across states, we see environmental challenges, urbanisation (entailing both internal and external migration), and other challenges that not only open possibilities for advocacy, but also make such engagement urgent.

Core Findings of this Issue

The articles that follow suggest both salient findings and directions for further inquiry. First, we see clearly the extent to which CSOs adapt to changing circumstances. As the contributions by Setiawan and Tomsa (2023), as well as Lorch (2023), in particular detail, CSOs may need to deploy different strategies or forge different coalitions as regime attributes shift, or organise more concertedly around those issues that offer the most potential for success. Part of that adaptation, as Lorch also suggests, relates to transnational ties: where changes in alliances, at the level of state or civil society, encourage new approaches (see also Young, 2020).

Second, the fact of backsliding tells us how central enhanced constraints, from stepped-up regulatory controls to debilitating polarisation, may be. Digital surveillance presents an especially important new battleground (Janjira, 2018), but more endemic securitisation and fraught cleavages, too, diminish space for diagonal accountability, as Baquisal and Arugay (2023) explain. At the same time, argue Panneerselvam and Tayeb (2023), an adjunct to eroding horizontal accountability may be delegitimation of the central state, a process that may create an opening for CSOs to raise the bar and assume roles a higher performing state would otherwise handle.

Third, both traditional and online media play crucial roles in providing the ground for establishing diagonal accountability. These platforms are often the first victims of authorities who target them via fake news laws *or* propaganda, defamation campaigns, or

repression. The result may be a more or less rigidly controlled information ecosystem (like in Cambodia) or pernicious polarisation driven by both regime forces and vocal opponents (Indonesia, Philippines). Uncivil elements of civil society might play a role here as well, resulting in an illiberal public sphere. In the case of Myanmar, progressive CSOs' efforts to counter ultra-nationalist monks found more fertile ground only after Facebook – the dominant medium of communication after the state relaxed media controls in 2012–13 – blocked right-wing groups from the platform, as Bünthe (2023) details.

Fourth, the prevalence and potency of right-wing or anti-democratic tendencies within civil society may spur backsliding and preclude coordinated pushback – and challenge both explicit and implicit assumptions running throughout the scholarly literature on civil society. The sort of right-wing groups Bünthe addresses, whether they adopt violent or non-violent tactics, are not new, but may be especially well-poised to take advantage of diminished state capacity or legitimacy, or of willing oligarchic, religiously conservative, or otherwise illiberally inclined allies. More broadly, the much-remarked polarisation in politics and on a range of social issues (welfare policies, immigration, gender, sexuality, etc.) across so much of the contemporary world extends beyond parties and electoral politics, to pervade civil society. Such divisions are deeply potent in, for instance, the Philippines, Malaysia, and Indonesia. They have the potential to disrupt democracy, leading to a prolonged authoritarian backlash. In Thailand, and recently in Myanmar, democracy broke down after a period of sustained conflict between antagonistic poles. In both cases, illiberal civil society and disgruntled members of the anti-democratic regime worked together to derail and deligitimise the democratic order.

Given these patterns, what potential might civil society still claim, or what sort of accountability pressure can we 'expect' it to offer, and under what circumstances? Pro-democratic transnational allies and aid may matter, to tip the balance away from countervailing alternatives, and to offer offshore bases for mobilisation when local circumstances turn truly bad (e.g. Myanmar). Yet even when we see space for targeted assistance, specifying from or to whom, and via what channels – since obvious reliance on western aid, for instance, might well delegitimise CSOs – remains difficult. Domestically, too, greater coherence within and collaboration among like-minded CSOs, setting aside smaller bore disagreements, might help them to resist polarisation and present a united front. Yet it may be impractical to expect such alignment, given not just personal rivalries and other essentially trivial rifts, but often real ideological or strategic differences. And of course, some issues have greater promise than others as arenas for advocacy, given the breadth of constituencies affected, scope of resources required for redress, or urgency of the matter at hand.

Lastly, we might consider what tactics might help ensure diagonal accountability – what Mark Thompson (2021) terms 'pushback' strategies – in light of these cases. Thompson focuses on how the state frames its own counter-democratic turn, and how overtly it emerged; we turn our attention more to the other side of that coin. A particularly important aspect is how much capacity civil society *has* to continue to adapt, especially when (as is common) it is far from unified or necessarily wholly pro-democratic.

Protracted stress and frustration may lead citizens to turn to mobilisation, and to seek out new routes to resistance, or it may foster less optimistic anomie and withdrawal. Likewise, a weakened or decreasingly legitimate repressive apparatus, as in Malaysia after a series of collapsed governments, or with economic decline or frustrations over pandemic-management more broadly, may be quite useful in bolstering civil society as an alternative to the state, but is hard to engineer. Moreover, the same factors that weaken the state may well sap energy and resources in civil society.

The Articles in this Issue

We open this special issue with a theoretical overview by Meredith Weiss. She highlights the ambiguous and fractious nature of civil society in Southeast Asia and discusses its potential to exercise diagonal accountability, and toward what ends. While some CSOs may staunchly resist the illiberal turns so noticeable across the region, and even enhance democracy via exercise of diagonal accountability, others work just as assiduously in countervailing directions.

Next, we turn to Justin Keith A. Baquisal and Aries Arugay, who explain that Philippine civil society – once among the most vibrant, robust and dynamic civil societies in Southeast Asia – lost much of its liberal-democratic traction under the presidency of Rodrigo Duterte. Baquisal and Arugay argue that civil society will take years to recover from Duterte's attacks against liberal institutions, human rights, and civil society. In particular, Duterte's strategies of intimidation and defamation forced civil society's progressive members to demobilise, as he narrowed spaces for liberal CSOs and defamed human rights advocates by accusing them of colluding with criminals. Duterte's regime also created its own supportive 'NGOs', to facilitate both targeting liberal NGOs and encroaching further into the public sphere. Since some of these organisations formed the core of his election machinery, his strategy of 'permanent campaigning' created an information ecosystem in which toxic and illiberal narratives thrived, while Duterte's popularity boomed. Consequently, civil society resistance proved largely pointless. Liberal elements either changed their tactics or withdrew from politically fraught activism or advocacy around 'sensitive' foci. Duterte also threatened those organisations that were working with foreign governments, leaving many CSOs dependent on external aid for efforts in, for instance, sanitation, agriculture, and social welfare without funds.

Yet, as Baquisal and Arugay explain (and echoing a theme of Lorch's contribution), part of what enabled Duterte's assault was that he could exploit existing fissures in a weakened civil society environment. Civil society was already entangled in patronage politics and had lost some of its autonomy and the support of the broader population during the 'lost decade' under President Gloria Macapagal Arroyo, preceding Benigno Aquino III's election in 2010. Moving forward, we will see the extent to which Duterte's populist assault against civil society's liberal elements proves to have been a death blow.

While the Philippine chapter ends with a bleak prognosis for civil society's ability to counter-democratic decline in times of polarisation and repression, the Indonesian case

offers a glimmer of hope. Ken Setiawan and Dirk Tomsa argue that despite growing authoritarian pressures resulting from religious conservatism and executive illiberalism, progressive activists have exercised resilience, adapting to the repressive environment through new strategies and occasionally succeeding in establishing diagonal accountability. Setiawan and Tomsa focus on women's and environmental activism, since these movements have been deeply affected by religious conservatism and executive illiberalism – trends that started the decade before, but then accelerated under President Joko Widodo (a.k.a. Jokowi). The women's movement succeeded in pushing Indonesia's national parliament to pass a new Law on Sexual Violence in April 2022 that was hailed as a major milestone for women's rights, as it criminalises several forms of violence not previously covered, such as forced marriage and online violence. To prevent polarisation along religious lines that might scuttle such efforts, activists formed a broad cross-sectoral coalition, which reached deep into political society and included politicians from various backgrounds, conservative Islamic organisations, and international business associations.

Explain Setiawan and Tomsa, environmental activists have faced similar obstacles in recent years due to Jokowi's infrastructure drive, oligarchic business interests, and low environmental awareness. Nevertheless, this movement, too, could celebrate at least some remarkable 'small wins'. These gains were possible through legal approaches, successful mobilisation of cross-sectoral alliances, and transnational linkages. Setiawan and Tomsa emphasise that the process of democratic decline is not linear and civil society actors are able to resist, notwithstanding still-daunting challenges of fragmentation, oligarchic state capture, and religious conservatism.

While Indonesia's women's movement has managed to bypass right-wing resistance, Thailand and Myanmar are prime examples of the disastrous consequences of such forces' mobilisation. Marco Bünthe examines the contribution of 'uncivil society' to democratic decline or breakdown in Myanmar and Thailand. Based on a study of the royalist/pro-military 'yellow shirts' in Thailand (2004–2014) and Buddhist ultra-nationalist monks in Myanmar (2012–2022), he shows how uncivil society helped to derail democratisation. Bünthe argues that uncivil society can act as a useful resource for conservative elites, particularly in times of perceived or manufactured national crisis. Uncivil groups mobilised along lines of class (Thailand) or religion (Myanmar), facilitating democratic breakdown in Thailand and ethnic cleansing (as well as full authoritarian regression) in Myanmar. These cases also illustrate the serious, long-lasting effects such movements can have in eroding social trust and civility, and poisoning inter-class and interreligious relations.

Jasmin Lorch likewise examines civil society under growing pressures of repression and cooptation. Using Cambodia's one-party regime as a case study, she demonstrates that CSOs there have increasingly accepted co-optative mechanisms in recent years in order to escape from state repression and to continue functioning, albeit with limited social and political influence. Since 2017, the regime – under Prime Minister Hun Sen until 2023, and now under his son, Hun Manet – has enacted a number of legal measures to restrict the space available to civil society. Defamation, arrests, and killings of activists

have cultivated a culture of fear. The regime has tried to co-opt more moderate, service-providing NGOs and, at the same time, repressed the most critical rights-based CSOs. And in 2023, the regime silenced Cambodia's last independent media organisation. As in the Philippines, the Cambodian government has also created its own 'NGOs' to generate legitimacy.

Lorch shows that Cambodian CSOs have had to adapt their strategies and adjust their repertoires, and have increasingly cooperated with the regime to escape state repression. Confirming their co-optation, members of civil society have been awarded key positions in the state administration. CSOs have also stopped working in provinces where state repression is too high. Within civil society, this growing pressure has fostered divisiveness and conflict. The regime has used some comparatively friendly CSOs to lure more critical NGOs into its orbit; some of the latter have indeed given up their confrontational stance. Lorch illustrates her findings by homing in on the work of one human rights NGO and one corruption watchdog, highlighting the extent to which these organisations have adjusted their tactics and stance toward the regime. To work in their respective fields, they have had to tone down their criticism and accept the red lines set by the state elite. Moreover, their adaptation has helped to protect the government from western countries' criticism and provided it with a veneer of legitimacy.

Turning to Malaysia, we find greater space for civil societal pushback; unlike Cambodia's fiercely strong state, Malaysia's especially weak one in the early days of the COVID-19 pandemic opened a unique opportunity for civil society. Ilaiya Barathi Panneerselvan and Azmil Tayeb analyse the efforts of Malaysian civil society to hold the government of former Prime Minister Muhyiddin Yassin accountable during that time. They show that civil society managed to mobilise despite harsh movement controls and was able to contribute to the downfall of Muhyiddin's fragile government. Lacking electoral legitimacy, being unable to manage the pandemic effectively, and being unable to respond with coercion, Muhyiddin stepped down in August 2021 after the protest movement had swelled significantly. Traditional and online media offered an important transmission belt, amplifying CSOs' criticism of the government's management of the pandemic. Despite the unfavourable environment they faced, progressive CSOs managed to carve out democratic spaces.

Taken together, these contributions offer a necessarily mixed picture. We cannot assume CSOs to have either the capacity or the will to exercise diagonal accountability against illiberal or decreasingly liberal regimes – *but* they may still do so. What matters most for the mix of pro- and anti-liberal efforts and their relative clout is a complex combination of socio-political cleavages that find purchase in CSOs, the character and potency of state repression, the relative mix and scope of transnational support for state and civil society, the capacity and leanings of available media platforms, and the relative legitimacy and support state leaders enjoy. These dimensions remain in flux across the region, suggesting a bumpy ride for progressive elements in civil society ahead, but still real potential for CSOs in at least many states to steer their respective regimes more toward a liberal, and away from an illiberal, path.


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