Chapter 12
Malaysia's Internet Governance Dilemma

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ABSTRACT

After the unexpected result of the 2008 General Election in Malaysia, the political potential of an uncensored Internet was recognized by political and social elites. The 'tsunami' of criticism of government triggered a reconsideration of tighter Internet regulation, despite Vision 2020's guarantee that e-government and multimedia business development would be unrestricted by Internet censorship. Through a study of the role of Independent News Portals (INPs), particularly the Malaysiakini.com, this chapter assesses the democratic, business, and political challenges of Internet governance. The perspectives of key media, business and government personnel are included in a small nested study of elite reactions to the explosion of diversity of critical opinion online, and the subsequent consideration of tighter Internet regulation. The interview findings conclude that support for the Internet to remain uncensored remains strong in Malaysia among members of the professional elites, but this is primarily for economic and pragmatic, rather than democratic reasons. Suggested solutions include increasing cross-silo discussions between government agencies about ICT development and outcomes in Malaysia.

INTRODUCTION

The Internet is recognized as a productive communications technology in that it has the capacity to anchor, change and disrupt existing economic, political and social relations. This succinct comment from the 'future issues' workshop at the Internet Governance Forum (2008) concisely sums up the significance of its transformational impact on the governance of relations both internal to a nation, and internationally with others around the globe:

The Internet is the most important piece of infrastructure of our time and that it underpins our economies, our cultures, and our communities. And it is also beginning to underpin our governance, how we understand, how we need to interact with each other in a much more networked way around the world. How the Internet is beginning to break down the silos between sectors. How you have governments talking with each other across regions. How you have governments working with the private sector, the engagement of civil society and so on… (Creech, 2008)

This chapter focuses on a study of the Internet's governance debates in Malaysia, as public awareness grew of the political impact of the unregulated circulation of news during, and following, the 2008 General Election. In the aftermath of voting, some establishment responses crystallized in expressions of the need to reconsider Internet governance issues. Others, more committed to political change, rested their arguments on the initial guarantee of no Internet censorship. Still others pointed to the economic drivers needed to achieve an information economy, pointing out that the success of e-government projects required a liberal approach to governance of the Internet. Thus, Malaysia's Internet governance dilemma began as mutually exclusive development goals clashed: the aim for an information economy and national business untrammeled by Internet restrictions, versus the preservation of existing political power through tighter regulatory control of online communications. In late 2012, the question seemed provisionally resolved, and this study highlights key features of the long process.

The next section contextualizes global Internet governance issues and notes the international regulatory bodies' moves from adjudicating on technology issues, to a deeper engagement with emerging social, political and democratic issues. It notes the complexity of policy formation in developing a national information economy. The chapter then outlines relevant Malaysian e-government initiatives. It describes the impact of the independent news portals (INPs) reporting during the 2008 'Internet Election.' Findings are reported from the nested study of qualitative data derived from in country interviews with ten key informants from government, information hub, and urban elites. It puts forward recommendations about cross-silo discussions and engagement with civil society organizations, prior to future consideration of regulatory frameworks. The chapter concludes by discussing the significance of a research study on Internet governance to future e-government and e-democracy research.

INTERNET GOVERNANCE AND INFORMATION ECONOMY DEVELOPMENT

Studies of interactive communications technology, its protocols, and its impact on changing relationships between governments and citizens are central to scholarship on democracy, e-government and e-participation. In the latter two fields, e-government and e-democracy, research foci routinely include access issues, population readiness, inclusiveness, the means of engagement, the scaling-up of citizen participation in policy-making, and descriptive analyzes of the practicalities of instances of e-government activity. The documenting of such enabling processes has been illustrative of the scale and ubiquity of global uptake by governments of Internet-based communications and the redefinition of the relationship between governments and citizens.

There is less of a research focus on the foundational question of how each state operates its terms and conditions of Internet use within a developing international governance framework. In the area of comparative studies of Internet-related governance, international modeling offers useful scoping and ranking data, but gives scant information about the specific contextual factors driving each nation's Internet governance as it pertains

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