

## Electoral Reform in Malaysia: The Case Study of the Vote18 Constitutional Amendment

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### Abstract

This article contributes to the reform politics literature in Malaysia after the end of BN's political hegemony in 2018. Despite the victory of reform-centric PH government, Vote18 is one of the few major electoral reforms that underwent a successful implementation. Thus, the objective of this article is to identify the factors that enabled the Vote18 reform's passage, by tracing its trajectory from a student-led democratic movement to its enactment as constitutional law. In doing so, the article aims to identify the key political actors that advanced the reform, the political constraints that shaped its trajectory, and the strategies deployed to overcome the constraints. This article mainly utilizes data extracted from elite interviews conducted with politicians and civil society members, as well as secondary sources such as newspaper articles, books, parliamentary reports and journal articles. The findings of this article are that Vote18 was successfully implemented due to strategic concessions made by PH government to accommodate the Malay-centric opposition bloc's demands in exchange for their support. These concessions resulted in the introduction of two additional reform, namely, Automatic Voter Registration and Candidate18. The demands are rooted in the preservation of Malay political dominance, particularly in its representation in the electorate. These concerns were that Vote18 would disproportionately encourage voter registration in ethnic minority-dominant urban areas as opposed to the Malay-dominant rural areas.

Keywords: Electoral Reform; Malay Dominance; Reform Politics; Vote18; Youth Politics

### Introduction

Despite long-standing calls from civil society organizations and scholar activists to push for a laundry list of electoral reforms, the lowering of voting age from 21 to 18 years old (Vote18), Automatic Voter Registration (AVR), and the lowering of the age of election candidates from 21 to 18 years old (Candidate18) were the only electoral reforms to have been introduced during the Alliance of Hope's (PH) first administration in 2018.<sup>1</sup> To date, no other electoral reform such as those proposed by election watchdog *Bersih*, namely, reinstating the independence of the Election Commission (EC), reapportionment of electoral boundaries, auditing the electoral register, eliminating corruption in elections, ensuring equal access to media during election campaigns, and promoting election monitoring initiatives to name a few, have been introduced by the 2022 PH-led Unity Government.<sup>2</sup> This article examines the successful implementation of the three electoral reforms, packaged into the Constitutional (Amendment) Bill 2019. The article finds that, while originally driven by civil society advocacy to expand youth political rights, the reform's success ultimately hinged on strategic compromises made between the PH government and Malay-majority opposition blocs, the National Front (BN) and the National Alliance (PN). In exchange for the opposition's support, these parties insisted on the inclusion of AVR, which expanded the rural Malay electorate who, unlike their urban

counterparts, were less likely to register voluntarily due to being less politically engaged.<sup>3</sup> This strategic addition reinforced Malay political dominance and helped mitigate elite fears that urban, non-Malay youth voters would gain disproportionate influence.

Moreover, the reform's smooth passage owed much to its proponent, then Youth Minister Syed Saddiq bin Syed Abdul Rahman of the Malaysian United Indigenous Party (BERSATU), a Malay-centric party aligned with the United Malays National Organisation's *Ketuanan Melayu* ideology (UMNO).<sup>4</sup> This alignment limited rivals' ability to frame the reform as a challenge to Malay political dominance and encouraged cross-party collaboration to pass the reform in parliament. Then-Youth Minister Syed Saddiq, who was a newcomer to politics, had vested interest in the success of the reform as it would enhance his political image as the representative of Malaysian youths who were discontented with the degrading living standards and poor economic opportunities. Thus, Vote18 succeeded not simply due to civil society pressure or elite agency, but because it conformed to the legitimacy structure rooted in Malay-Muslim political dominance. Its success illustrates this article's central argument in that electoral reforms in Malaysia succeed when they reinforce the ethno-political status quo.

### **A Brief History on the Youth Political Movement in Malaysia**

This section provides historical context to understand the significance of the Vote18 reform in Malaysia's broader struggle for democratization. It demonstrates how youth political participation in Malaysia, which was once a prominent force in challenging the state, was gradually repressed through various legislations and institutional mechanisms by BN's prior variant, the Alliance government. As a result, young people, particularly those under the age of 21, were not only excluded from electoral politics, but were also systematically silenced and repressed from expressing political dissatisfaction with the regime. By tracing this history of repression and political disempowerment, this section shows that the Vote18 movement did not emerge in a vacuum, but was part of a broader effort to restore political rights that had been denied to the Malaysian youth.

Political activism of the Malaysian youth had long been a significant force in challenging the state, which eventually led to its severe repression.<sup>5</sup> During the British colonial era, in the 1930s to 1950s, student protests were closely tied to the struggle for self-determination and the vision of a Malay nationalist state, contributing to the broader nation-building project. By the 1960s and early 1970s, the nature of student activism evolved by presenting a socialist critique of state-led development policies.<sup>6</sup> Notably, from 1967 onwards, as more rural Malay students entered university due to preferential policies, Malay-centric student unions such as the University Malaya Malay Language Association (PBMUM) and the Islamic Student Association (PMI) (both led by then-student activist Anwar Ibrahim) became significant political movements that championed economic and social justice. These student unions demanded greater protections for Malay rights, justice for poor Malay farmers facing land dispossessions, and economic justice for Malay rubber smallholders protesting against falling rubber prices in Kedah (a northern state in Peninsular Malaysia) in 1973.<sup>7</sup> Their activism even extended to calls for the resignation of then-Prime Minister Tunku Abdul Rahman, whom they perceived as too accommodating toward non-Malays. These protests collectively represented a popular critique of state-driven modernization efforts which resulted in the marginalization of rural poor Malays in favor of urban and elite economic interests.

The 13 May 1969 racial riots between urban Chinese and Malays in Kuala Lumpur provided the opportunity for the state to tighten its control over political opposition, leading to the declaration of a national emergency and the suspension of Parliament.<sup>8</sup> While the official narrative attributed the violence to spontaneous ethnic tensions, Soong's analysis of declassified British documents

suggests that political actors within the United Malays National Organization (UMNO), who led the governing coalition, orchestrated the riots to facilitate a political coup and implement a new Malay Agenda.<sup>9</sup> Consequently, a series of legislations were enacted to suppress growing public dissent by utilizing emergency laws. Following the establishment of the National Operations Council (NOC), the Campus Investigative Committee was formed, laying the groundwork for the Universities and University Colleges Act (UUCA) of 1971. This legislation granted the state significant control over universities, including the power to appoint vice-chancellors and key administrative positions, and to expel students involved in political parties, labor unions, or other “unauthorized organizations”.<sup>10</sup>

These acts of state repression against the youth political movement proved effective in the long run. As university enrollment soared by the late 1990s, students became increasingly depoliticized. Undergraduate students entering university at the age of 18 and 19 largely dismissed politics as “both dirty and beyond the proper ambit of students like themselves”, and increasingly accepted the UUCA as a necessary measure for maintaining a peaceful campus environment.<sup>11</sup> Students who did organize protests during this period, which criticized the authoritarian regime and demanded the reinstatement of political and civil rights, faced relentless crackdowns. Those involved were subject to arrests under the Internal Security Act 1960 (ISA), an emergency-era law first enacted by the British to suppress local communists and other threats to their colonial project in Malaya. ISA continued to be enforced until 2011, when the state of emergency was formally lifted by then Prime Minister Najib Razak.<sup>12</sup>

Although the UUCA continued to restrict youth activism within universities, alternative forms of political engagement emerged, creating safer spaces for youths to express their growing dissatisfaction with the government. This shift was partly enabled by a 2012 amendment to the UUCA under the Najib Razak administration, which allowed university students aged 21 and above to join political parties and express political views, although it fell short of reinstating academic freedom and continued to prohibit political activity on campus premises.<sup>13</sup> Nevertheless, the amendment paved the way for youths to become more involved in political campaigning and, notably, in civil society organizations. Democracy watchdog, *Bersih*, which organized a number of protests and rallies calling for clean governance and free and fair elections from 2005 to 2018, provided a crucial platform for youths to organize and express their discontent with a corrupt and authoritarian government.<sup>14</sup> This surge in public dissent was further fueled by the widespread adoption of social media where 70 percent of youths had access by 2008. Social media offered a political alternative to government-censored traditional media such as television and print.<sup>15</sup> Notably, *Bersih*'s mobilization efforts demonstrated that Facebook served several key functions: it enabled activists to build extensive social networks, particularly among the youth population, with more than 50 percent of Malaysian Facebook users in 2008 being under the age of 25.<sup>16</sup> The freer dissemination of information and the ability to connect with people across the world with minimal state interference further empowered youths to participate in political activism.<sup>17</sup>

However, despite the extension of political rights, the youth remain largely marginalized in formal political decision-making, particularly those considered adults at the age of 18 who do not have the right to vote in elections. This comes at a time where youths experience serious economic issues as compared to their older counterparts. As a case in point, the youth unemployment rate (15–24 years old) in Malaysia stood at 10.9 percent in 2018, more than three times higher than the national average of 3.3 percent.<sup>18</sup> Even among those who secured employment, starting salaries had stagnated for over a decade, with about 45 percent of university graduates earning below RM1,500 (€359) per month as of 2013, and 54 percent of fresh graduates earning less than RM2,000 (€464) as of 2015.<sup>19</sup> Thus, expanding the youth electorate through Vote18 would compel politicians to address their unheard demands, as those 18 to 39 would constitute 50.3 percent of total registered voters.<sup>20</sup>

In sum, Malaysian youths have historically faced political disempowerment through severe state repression, exemplified by the implementation of the UUCA. At the same time, they continuously experience economic marginalization, as evidenced by persistently high youth unemployment and stagnant starting wages. In this context, the Vote18 movement, which advocated for the constitutional amendment to lower the voting age from 21 to 18, represents more than just an expansion of electoral enfranchisement. It underscores the broader social movement of rectifying the historical exclusion of Malaysian youths from formal political participation and economic opportunities.

### **Early Mobilization of the Vote18 Movement**

This section outlines the early development of the Vote18 movement to demonstrate how a civil society initiative, framed as a democratic youth reform, entered the political agenda. While its digital campaigning helped raise public awareness and generate interest among political actors, the movement only began to gain real momentum in parliament once it was taken up by then Youth and Sports minister Syed Saddiq.

Vote18 emerged in 2016 as a youth-led, non-partisan campaign founded by university students Tharma Pillai and Qyira Yusri. The co-founders were influenced by the political agency exhibited by American youths and the capacity of university students to act as key drivers of political mobilization and civic engagement.<sup>21</sup> In response, they launched a campaign to lower Malaysia's voting age from 21 to 18, arguing that 18-year-olds are considered adults by law in Malaysia and should therefore have the right to vote. They further framed the movement as a democratic reform effort to re-empower youths in an era where they are becoming increasingly politically and economically marginalized, especially given that Malaysia was one of only nine democracies worldwide that still maintained a voting age of 21 at the time.<sup>22</sup> During its early years, Vote18 garnered public attention largely through digital campaigning on Twitter and Instagram, platforms with the highest youth user traffic in Malaysia.<sup>23</sup> Limited funding and a youth-oriented target audience made social media a strategic necessity. The movement also expanded its reach by mobilizing students under the Malaysian Students' Global Alliance, a coalition of Malaysian university students within and outside of Malaysia, which connected Vote18 to numerous student and youth organizations globally. To further pressure lawmakers, online tools were developed that allowed supporters to automatically email their members of parliament to push for the Bill.

Beyond mobilizing public support, Vote18 also engaged in direct lobbying efforts to place their demands onto the political agenda. In April 2017, they submitted a memorandum to then-Prime Minister Najib Razak advocating for the lowering of the voting age; however, the movement failed to gain any substantive political traction. Such a political endorsement proved possible when Syed Saddiq, then a rising BERSATU politician within the PH coalition, publicly supported Vote18 through social media in 2017.<sup>24</sup> While this endorsement helped raise the movement's public profile, it remained largely symbolic and fell short of generating the legislative momentum necessary to push for constitutional amendment.

The campaign's demands officially entered the political agenda only after PH's victory in the 2018 general election, which brought renewed attention to Vote18 as PH had pledged to lower the voting age to 18 in its election manifesto.<sup>25</sup> Neither Qyira Yusri nor Syed Saddiq claimed direct responsibility for the inclusion of the voting age reform in the manifesto. Instead, historical evidence suggests that the idea of lowering the voting age had long been circulating among opposition parties, particularly among those that later formed PH, namely the PKR and the DAP.<sup>26</sup> The commitment therefore likely reflects a continuation of prior political considerations rather than a direct result of the Vote18 campaign's efforts. Nevertheless, the coalition's promise to lower the voting age provided

an opportunity for Syed Saddiq, who was appointed Minister of Youth and Sports, to officially adopt Vote18 into his ministerial portfolio and championed its objectives within the Cabinet. Prior to this, Syed Saddiq had endorsed the campaign as a first-time candidate running for the parliamentary seat in Muar, Johor which fundamentally bore no weight to the movement. As Qyira Yusri emphasized in the interview, the grassroot movement's success ultimately hinged on securing political support from a cabinet member with a political interest in the issue, which in this case was the Youth Minister.

In sum, this section has shown the critical role of civil society organizations, particularly the Vote18 movement, in initiating democratic reform in Malaysia. As a youth-led group with limited funding and no direct platform within formal politics, the organization turned to social media as a strategic tool to publicize their campaign and mobilize public support. Their digital outreach successfully captured the attention of politicians, most notably Syed Saddiq, who later adopted the reform as part of his policy agenda as Youth Minister. This illustrates how civil society can play a key role in bringing democratic reforms into the political agenda by making them visible and appealing to influential political actors in hopes that they would advance the cause. However, civil society reform advocacy is only effective in bringing reforms into the political mainstream. Such movements alone are insufficient to oversee the successful adoption of an electoral reform. The following section examines how the interactions between political actors, particularly their strategic actions in the Bill's negotiation period, were key to transforming a democratic reform movement into a successful constitutional amendment.

### **Strategic Political Calculations and Negotiations Behind the Vote18 Constitutional Amendment**

This section examines the political conditions that made the Vote18 constitutional amendment possible, focusing on the negotiations and strategic concessions that drove the reform forward. It focuses on how Syed Saddiq used his position as Youth Minister to broker support from key political leaders and introduce smaller reforms to manage concerns around the proposed amendment. It also examines how opposition parties bargained to protect their electoral interests, and how the PH government, despite its reformist platform, became cautious about advancing Vote18 due to concerns that they do not have sufficient support to pass a constitutional amendment in parliament.

Syed Saddiq's role in advancing the movement's objectives into the government's political agenda was twofold. Firstly, Syed Saddiq acted as the movement's champion within the cabinet which was important as it was key in securing the government's political will to push for the voting age reform.<sup>27</sup> Secondly, upon receiving the cabinet's approval, Syed Saddiq was able to extend his advocacy to parliament members across the political divide as this was required to secure the two-thirds majority to amend the constitution.<sup>28</sup> According to my interview with Syed Saddiq, he first raised the issue of lowering the voting age during his first cabinet meeting in July 2018. He recalled:

“In my first Cabinet meeting, I immediately raised the point about the constitutional amendment for *Undi 18*. There was already a lot of opposition from the beginning. One argument was that it was too early, that there was no rush since elections were five years away. And at the same time, we did not have a two-thirds majority. The strongest opposition then was that we did not have a two-thirds majority, so why table a constitutional amendment which would most likely be defeated and therefore, in a way, humiliate the government of the day? Because losing a bill is a form of humiliation. I mean, that was their viewpoint. I took a very different viewpoint.”<sup>29</sup>

In response to the cabinet's concern, Syed Saddiq took to lobbying politicians across the political divide, as well as the Attorney-General's Chamber and the Election Commission to ensure the smooth enactment and implementation processes of the reform. Yet, the Cabinet's opposition to the reform persisted even after the first Cabinet paper on Vote18 was finalized and tabled. Syed Saddiq explained:

“...To my surprise, the Cabinet pushed back, saying that we do not have a two-thirds majority, we do not have a two-thirds majority. At the same time, the argument presented by the Cabinet for delaying it was that a senior minister, the late Minister of Law, YB Liew Vui Kong, had previously tried to pass a constitutional amendment in Parliament that was far less controversial than the one concerning *Undi18*. That earlier amendment aimed to restore the equal status of Sabah and Sarawak in accordance with the Malaysia Agreement 1963. It was generally uncontroversial and widely supported. However, when it was tabled, the government was humiliated because the bill was rejected.”<sup>30</sup>

This concern was substantiated eleven months into their incumbency, when the government attempted to amend Article 1(2) of the Constitution, seeking to restore the equal status of Sabah and Sarawak as stipulated in the MA63.<sup>31</sup> This move is a strategic attempt to secure the support of political parties from East Malaysia, whose backing was crucial for maintaining a stable parliamentary majority, a pattern long practiced by the BN since the 1970s. In particular, the Sarawak Parties Alliance (GPS) and the WARISAN Party of Sabah were invaluable political partners that required co-optation into the ruling coalition in order to secure a strong majority. However, the amendment ultimately fell short of the required two-thirds majority, as GPS leaders criticized it as “merely a cosmetic amendment”.<sup>32</sup> As Syed Saddiq later noted, the bill's failure represented a significant embarrassment to the PH government, as it was perceived to have undermined its political mandate and thus, caused hesitancy towards pursuing further constitutional amendments.<sup>33</sup>

To overcome resistance from across the political divide, Syed Saddiq engaged in direct lobbying efforts with various political actors.<sup>34</sup> Co-founder Qyira Yusri described how the group sent personalized letters to every member of parliament, carefully tailoring their messaging to align with each parliamentarian's ideological orientation.<sup>35</sup> As part of what she described in an interview as a “progressive movement”, the Vote18 advocacy bloc demonstrated a strategic willingness to appeal even to conservative political forces. For instance, when lobbying conservative lawmakers from the Malaysian Islamic Party (PAS), the Vote18 organization framed the reform using Islamic scripture and historical examples that emphasized the role of youth leadership in Islam. According to Qyira, this approach proved effective: by appealing to PAS youth politicians with religiously grounded arguments, they were able to persuade other PAS members to support the bill. Additionally, Syed Saddiq founded the Vote18 council as part of his ministry's portfolio which comprised youth representatives of all political parties in order to formalize the negotiation process. Some of these youth representatives come from the youth wing from all political parties, i.e, UMNO, PAS and GPS.<sup>36</sup>

Furthermore, he spent six months meeting with power brokers of the opposition parties who held formal and informal influence.<sup>37</sup> To further solidify PAS' support, he met with Datuk Sri Shamsuri who was the Chief Minister of the state of Terengganu and who is close confidant of the PAS president, Hadi Awang. He added that winning this individual over greatly smoothed the process of getting PAS on board. Then, he met with Chief Minister of Sarawak Abang Johari Openg and Fadillah Yusof, who held multiple ministerial positions during the previous BN administrations and was a key figure in Sarawak PBB. Furthermore, he lobbied different influential figures of UMNO, namely Zahid

Hamidi, Nazri Aziz and former Prime Minister Nazib Razak who held a lot of influence within their respective factions in the party.

During these meetings, a recurring concern was that the extension of voting rights to a new, unpredictable youth bloc might inadvertently benefit rival political parties. While he refused to specify the actors who voiced these concerns, he confided that certain politicians were worried about the influence of political indoctrinations, which had historically been propagated through state-sponsored youth programs. They feared that government-linked institutions, such as schools and universities, could continue to shape youth political attitudes in favor of the Malay-centric and Islamist parties.<sup>38</sup> These anxieties were rooted in Malaysia's legacy of ideological institutions like the National Civic Bureau (BTN), a government program widely criticized for being a propaganda arm of the previous BN administrations.<sup>39</sup> In response to these concerns, Syed Saddiq abolished BTN, and began a process to develop a new youth development initiative. The development of the syllabus for this initiative was placed under the supervision of a bipartisan council in an effort to depoliticize its content and reduce the risk of political or racial indoctrination over school youths.<sup>40</sup>

More importantly, other undisclosed politicians voiced concerns that certain parties would benefit more from the reform than them, as it would disproportionately expand the non-Malay electorate.<sup>41</sup> They believed that youths in urban areas, which are Chinese-dominated, tend to be more politically active and would be more likely to register themselves compared to Malay youths, who largely resided in rural areas.<sup>42</sup> As a result, the opposition bloc at the time, comprising BN, PAS and GPS, made their support contingent on the inclusion of two additional constitutional amendments: lowering the minimum age to run for office from 21 to 18, known as Candidate18, and implementing AVR.<sup>43</sup> This demonstrates how the preservation of the Malay-dominant political order was central to the resistance towards the Vote18 reform and the success of the reform required Syed Saddiq to convince his coalition to propose two additional constitutional amendments to appease the opposition bloc.

In the interview, Syed Saddiq emphasized the considerable difficulty he had encountered in convincing the Cabinet to approve a single constitutional amendment to lower the voting age to 18. Introducing further reforms, such as AVR and lowering the minimum candidacy age to 18, risked jeopardizing the fragile support he had secured within the Cabinet itself.<sup>44</sup> Consequently, Syed Saddiq resulted in backdoor tactics to push for all three constitutional amendments. On 4 July 2019, Syed Saddiq tabled the first Constitution (Amendment) Bill 2019, proposing the reduction of the voting age. However, during the first reading, the opposition bloc insisted that the bill should also include Candidate18 and AVR.<sup>45</sup> Rather than risk defeat and being voted down, the bill was withdrawn and redrafted to incorporate the two additional constitutional amendments. It was subsequently re-tabled on 11 July 2019 and passed following its second reading on 16 July 2019.

In my interview with Syed Saddiq, he explained that the opposition's insistence on including the additional amendments during the first reading played a critical role in persuading the Cabinet to support the final bill, as it demonstrated to PH the potential for bipartisan consensus and the likelihood of securing the two-thirds majority necessary for constitutional amendment.<sup>46</sup> This sequence of events suggests that, while Syed Saddiq did not explicitly frame the redrafting as a deliberate strategy, the manner in which the bill was negotiated in its final stages indicated a pragmatic and calculated approach to managing political risks when attempting ambitious constitutional amendments. By initially tabling a narrower bill that posed less risk to the governing coalition, and subsequently expanding it to incorporate the opposition's demands, knowing that PH would seek to avoid another constitutional amendment defeat, he was able to secure bipartisan support. This strategy would alleviate Cabinet's fears of another embarrassment to their political mandate, and ultimately obtain the political backing needed to pass all three constitutional amendments. This instance supports the broader argument that

reform is more likely to succeed when it is able to secure the preservation of Malay dominance in politics, as demonstrated by the expansion of the rural Malay electorate through the introduction of AVR.

In short, the story of the Constitutional (Amendment) Bill 2019 demonstrates how the strategic political calculations of three actors, namely, Youth Minister Syed Saddiq, the opposition bloc (BN, GPS and PAS) and the PH government, greatly shaped the success and eventual evolution of the reform, from lowering the voting age to the addition of AVR and Candidate18. Firstly, what could actually be analyzed as the main barrier to reform was the PH government itself, which was concerned with maintaining optics of a strong political mandate. Due to the fear of being perceived as having a weak political mandate as they did not command a two-thirds majority in parliament, they were hesitant to oversee what was perceived to be an ambitious reform to amend the constitution. Secondly, in response to the incumbent's fears, Syed Saddiq took the initiative to persuade Members of Parliament and political leaders across the political divide. The choice to spearhead the Vote18 movement benefits him as a newcomer in politics as he needed issue ownership to make a mark in politics. This is important for Syed Saddiq, lauded to be the youngest minister and Member of Parliament to date, to set himself apart from his older counterparts who controlled the dominant political rhetoric of ethno-religious fervor. Consequently, his advocacy and political championing overcame the risks of the reform being framed as threatening Malay political dominance as it was advanced by a politician from the Malay-centric BERSATU party. Thirdly, speculating that the Vote18 reform could be a political disadvantage to them, the opposition parties', who were largely made up of Malay and Islamist parties, grabbed the opportunity to turn the reform tide in their favor by unifying as a cohesive bloc to demand additional reforms that improved their electoral gains. Appeasing their concerns was the cornerstone to the reform's success as. Had PH refused to introduce the additional two amendments, the coalition would not have secured the required two-third majority to amend the constitution. Thus, this case demonstrates that the final key to reform success is the reformists' ability to make concessions with those who seek the preservation of the Malay dominant status quo in order to advance their larger goal of democratic reforms.

### **The Delay in Implementing Vote18**

While the Vote18 reform was successfully passed in Parliament, its implementation was delayed after the PH government collapsed in early 2020, following the "Sheraton Move" that led to the formation of the PN government led by Prime Minister Muhyiddin Yassin. This section examines how the new administration delayed its implementation amid concerns over the administration's political survival and the electoral risks that come with introducing a new and unpredictable voter bloc without the timely introduction of AVR. It also highlights how civil society actors, once again, played a central role by using legal action to pressure the government and Election Commission (EC) into fulfilling the reform's constitutional mandate.

In February 2020, Malaysia faced a major political upheaval when Prime Minister Mahathir Mohamad delayed his promised handover of power to Anwar Ibrahim.<sup>47</sup> Tensions within the ruling PH coalition culminated in a surprise political realignment known as the "Sheraton Move," where Azmin Ali and allies from PKR coalesced with opposition parties to form a new coalition, PN. Mahathir unexpectedly resigned, unwilling to work with UMNO leaders implicated in corruption, creating uncertainty about leadership.<sup>48</sup> Though Mahathir was briefly reappointed as interim Prime Minister and attempted to form a unity government, the king ultimately appointed Muhyiddin Yassin as prime minister. This move sidelined Mahathir and sparked controversy over whether PN or PH held the true parliamentary majority. The crisis highlighted elite maneuvering over democratic processes and

exposed the fragility of Malaysia's party coalitions following the 2018 elections.<sup>49</sup>

Consequently, Vote18 was delayed during the PN's administration. The justification offered by the administration was that the EC required time to set up a new IT system to for AVR and to rework the new electoral roll.<sup>50</sup> As a response, in the run up to the 14th general elections in 2021, critics of the PN government began advocating for the decoupling of the implementation of the Vote18 amendment and the AVR amendment.<sup>51</sup> They argue that there was no legally binding requirement for both amendments to be implemented simultaneously and thus, Vote18 should be effective immediately so that new voters can begin registering themselves through the old procedure to prepare their eligibility for the elections that were expected to happen by the end of 2021, particularly considering that approving the registration of an individual voter could take up to 6 months and that the old system was still in effect.

Despite mounting criticism, then-Prime Minister Muhyiddin Yassin argued that the government was not responsible for expediting the process and urged the public to allow the EC time to manage the rollout.<sup>52</sup> Speaking at a press conference, he denied that PN feared the impact of young voters and insisted the delay was solely the EC's decision. He cited various logistical challenges, including coordination with agencies such as the National Registration Department (JPN), though he did not elaborate on the specific concerns. Muhyiddin further claimed that AVR would significantly complicate the reform's implementation due to the need for extensive cross-checking of millions of voter identities which thus requires time. Here we see that the executive framed implementation delays due to technical issues, but the strategic delay of a reform that could threaten the incumbent's electoral position supports the article's argument that reform inertia is often driven by political calculations to preserve their political survival, not institutional constraints or procedural obstacles as cited by Muhyiddin.

Thus, the refusal to decouple the two amendments led to speculation from critics, including *Bersih* chairperson Thomas Fann and political scientist Wong Chin Huat, that the delay in implementing Vote18 was politically motivated.<sup>53</sup> Furthermore, Wong specifically contended that PAS should be held responsible for the delay, as it was reportedly the most vocal party that insisted that Vote18 must be introduced with AVR.<sup>54</sup> While these critics did not explicitly elaborate on the reasons, such speculation gains plausibility when considering the earlier concerns raised during Syed Saddiq's interview with opposition leaders regarding the possible dilution of the Malay vote as the urban, non-Malay demographic were more inclined to vote for PN's political rival, PH.

Upon closer examination, the Prime Minister's claims appear to serve more as a deflection of public accountability. Accusations that political considerations contributed to the delay of Vote18 gained further credibility when considering that certain Cabinet ministers, such as Khairy Jamaluddin and Reezal Merican, had proposed the decoupling of Vote18 from AVR.<sup>55</sup> This proposal implied that the government was aware that implementing Vote18 did not require significant updates to technical infrastructure, unlike AVR, yet it still failed to act accordingly.<sup>56</sup> Additionally, the EC does not possess the authority to delay the implementation of constitutional amendments indefinitely, especially after multiple deadline extensions from the initial deadline of July 2021 to after 1 September 2022. This prolonged extension of the deadline raises concerns as it would render individuals below 21 years old ineligible to vote in the next general election as it was hinted that the next general election could be held earlier than the term-end in 2023.<sup>57</sup> At the very least, the executive branch had the constitutional obligation to pressure the EC into implementing the amendments as soon as possible and should have fixed a time-sensitive deadline. Furthermore, EC had already claimed that preparation for AVR was supposed to be completed by July that year which further raised concerns about the implementation's likelihood.<sup>58</sup>

Due to the lack of urgency on the part of the PN government, five youths, on behalf of the Vote18 organization's Sarawak chapter, filed a judicial review against the federal government, Prime Minister Tan Sri Muhyiddin Yassin, and the EC. The suit challenged the delay in implementing the lowering of the voting age, arguing that the postponement was "unreasonable and unlawful."<sup>59</sup> The applicants contended that the failure to enforce the constitutional amendment could only be interpreted as a method of voter suppression. As a result of this legal action, the Kuching High Court issued a landmark ruling on 3 September 2021. The Court ordered both the federal government and the EC to implement the constitutional amendment by 31 December 2021. Notably, the Court held that the Respondents had failed to act "with all convenient speed."<sup>60</sup> It highlighted that the Movement Control Order (MCO), a series of nationwide lockdown measures implemented during the Covid-19 pandemic, had already been in place from March 2020 through March 2021. During this period, the Respondents had consistently maintained that they were on track to implement the constitutional amendments by July 2021.<sup>61</sup> It is therefore difficult to reconcile the Respondents' repeated assurances with their sudden reversal. Just two weeks after their last public statement, they requested an extension of at least 14 months, pushing the timeline well beyond the original commitment. The Court found this shift to be unjustifiable, given their earlier confidence and the absence of new developments that could have explained such a significant delay.<sup>62</sup>

In addition, the federal government's legal team argued that the amendment could not be enforced immediately, citing the need to revise several election-related laws and regulations.<sup>63</sup> They referenced the necessity of reviewing the data of 18-year-old citizens in collaboration with the National Registration Department and other agencies. In response, the Court concluded that these legal and technical requirements were not legitimate barriers to implementation. The judges noted that such amendments and inter-agency coordination should have taken place when the constitutional amendment was first passed more than two years prior and do not precede the urgency in implementing the constitutional amendments.<sup>64</sup> Consequently, following the Court's ruling, both Vote18 and AVR were fully implemented on 15 December 2021. This illustrates how civil society pressure, particularly through legal mechanisms can compel the effective implementation of the electoral reform, but this instance also highlights the reluctance of political elites to act on such reforms without judicial pressure when reforms are perceived to threaten their political advantage.

In short, the delayed implementation of Vote18 demonstrates how elite political calculations, rooted in the imperative to preserve a Malay-dominant government, shaped the executive's approach to electoral reform. The introduction of a younger and more unpredictable voter bloc, perceived to favor the multiracial and non-Malay opposition, was seen as a political liability for the PN administration.<sup>65</sup> Although the government publicly framed the delay as resulting from technical and administrative challenges, the rapid implementation following the High Court ruling suggests these justifications were overstated. Rather, the delay reflects how reforms are often stalled when they are perceived to disrupt the Malay dominant status quo. This case underscores the significance of legitimacy constraints, where reform feasibility is shaped less by legal or procedural requirements than by how reforms are perceived to be diminishing Malay presence in politics. In Malaysia, reforms that are seen as threatening Malay political primacy face great resistance in each step of the process, even after it becomes constitutional law, as demonstrated by the Vote18 constitutional amendment. Thus, this case reinforces the argument that electoral reform outcomes are determined not just by institutional barriers, but by political elites' strategic responses to perceived threats to regime stability and ethnic dominance.

## **Implementation of Vote18 and its Immediate Impact**

Upon the constitutional amendment's implementation on 15 December 2021, the Malaysian electorate saw a significant 42 percent increase in the electorate from 14.94 million to 21.17 million voters. Interestingly, the majority of newly registered voters were those from the 21- to 50-year-old age bracket, making up 61 percent of the new 6.2 million voters. Meanwhile, 18- to 20-year-olds only make up 18 percent.<sup>66</sup> Additionally, the majority of newly registered voters are overwhelmingly Malay at 60 percent, followed by Chinese at 25 percent, Indian at 7.5 percent and Sabah and Sarawak ethnic groups at a combined 7 percent.<sup>67</sup> The relatively low rate of voter registration among the Malays could be due to the lack of political interest among certain segments of rural Malay voters who claim to feel unrepresented by the existing political parties. Such findings may therefore cause substantive segments of Malays to feel less inclined to vote.<sup>68</sup> Consequently, voter turnout for the subsequent 15<sup>th</sup> general elections saw a drop from 82.3 percent in the 14<sup>th</sup> general elections to 70 percent. Such a drop could be due to the fact that majority of the new adult voter bloc who did not register prior to AVR remained abstained from the most recent general elections as suggested above.

Nevertheless, the AVR component of the Constitutional (Amendment) Bill 2019 notably encourages formal political participation in elections as it simplifies and speeds up the registration process for individual voters. This is due to the more frequent update to the electoral roll which happens every month as opposed to being updated only three times a year prior to the AVR's introduction. This would mean that individuals who turn 18 years old would be a registered voter by the next month as opposed to the former process which could take up to four or five months. Hence, while the introduction of the lowering of voting age from 21 to 18 years old, and the AVR may not in themselves inspire an improvement in democratic attitude as evidenced by the lower voter turnout rates, the constitutional amendment has at the very least enabled a fairer representation of the Malaysian electorate by granting the ability to vote to everyone that has come of age.

## **Conclusion**

This article has examined the factors that enabled the successful passage of Vote18. First, it demonstrates how civil society activated political saliency of the reform by mobilizing public support and framing it as a democratic cause. However, transforming the demand into law hinged upon buy-in from the political elite, particularly through the endorsement and lobbying efforts of a Cabinet member who had both the authority and political incentive to push the reform to legislation. Second, as the constitutional amendments required two-thirds parliamentary majority, the reform's champion negotiated with MPs and other influential political elites across the political divide. Such negotiations accommodated concessions that sought to safeguard the legitimacy structure of Malay political dominance while ensuring the concessions did not undermine the reform's goals to extend voting rights to those 18 to 20 years old. Third, when faced with implementation delays, civil society again played a crucial role by invoking judicial intervention to ensure that constitutional law was duly enforced. In a political system where the judiciary remains independent, such a strategy proved to be a highly potent countervailing measure to ensure that governing bodies act in accordance to the constitution. Finally, this article demonstrates the limits of Vote18's democratizing impact, as voter turnout remained comparatively low despite the expansion of the electorate. While the amendment broadened political rights, it did not immediately translate into greater electoral participation, particularly among rural Malays who continue to express low political engagement. This suggests that electoral reforms alone are insufficient to cultivate democratic participation without parallel efforts to strengthen democratic consciousness and political efficacy among citizens. Ultimately, this

article highlights how the effectiveness of civil society mobilization and political elite buy-in was conditioned by the reform's ability to align with the legitimacy structure grounded in Malay Muslim political dominance. In other words, these mechanisms could only succeed when conforming to the boundaries of the ethnopolitical order which defines the limits of democratization in Malaysia.

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## Notes

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