Public-private partnership as an institutionalized means for effective political agency: the case of Pemudah, Malaysia

URL
http://weko.wou.edu.my/?action=repository_uri&item_id=477

Creative Commons
http://creativecommons.org/licenses/by-nc-sa/3.0/deed.ja
Public-Private Partnership as an Institutionalized Means for Effective Political Agency: The Case of Pemudah, Malaysia

HongLim Oei
School of Business and Administration
Wawasan Open University, Penang, Malaysia
Email: hloei@wou.edu.my

Abstract: To facilitate input from the private sector in any government’s decision making process, the public and private sectors must engage in a discourse as partners. As a theoretical basis for such a partnership, this article looks into the political philosophy of Hannah Arendt. In Hannah Arendt’s conception of a “public world” individual human beings articulate their thoughts and feelings by engaging in a discourse with other individuals. Arendt viewed the public world as a table separating yet at the same time relating the people sitting around it, or as the ancient Greek polis where opinions are expressed and debated in the name of public interest. Utilizing the aforementioned politico-philosophical argument, this article proposes principles for a public-private partnership. These are: freedom of participation in the discourse; issues must be of common concern; while participants as private persons must speak and think in a language of public reason, and act as true representatives of all citizens. Such partnership is socially acceptable and durable, and accordingly, serves as an institutionalized means for effective political agency. Pemudah is an example of a bureaucratic entity to accommodate public-private participation.

Keywords: discourse, Pemudah, public-private partnership, public world

JEL classifications: H83, J18, Z13, Z18

1. Introduction

Debates on the exact domains of private and public matters continue to be of interest. The asymmetry theory for example, argues that the contents of the public and the private domains, whatever these contents may be, are not identical (Steiner, 2000: 19). Take for example, the private home and the social life outside the home. The asymmetry theory argues that the contents of these two domains are non-identical. Moreover, the content of social life outside the home cannot be reduced to an aggregation of the contents of private life.
In a similar vein a general notion of “public” versus “private” domains, or sectors, is still utilized in ordinary as well as in official parlance. The public sector is connected to the notion of government, while the private sector includes markets, the business community and private citizens. How then, could a partnership between these two divergent sectors be successful? Are there any suggestions how to establish a durable, long-lasting partnership between the public and private sectors? There is, unfortunately, no formula for a successful and durable public-private partnership. Trial-and-error as well as rules of thumb abound. Therefore, it is of utmost importance to spell out the ground rules of such a partnership.

This article looks into the possibility of creating a public-private partnership and explores a possible basis for its durability. It argues that Hannah Arendt’s political philosophy of a “public world” offers a theoretical framework for a partnership between the public and private sectors.

Arendt’s “public world” is understood as an existential space where human beings are in dialogue with each other to express their inner-selves. Each human being has unique feelings, abilities and ideas. To acknowledge or refute their feelings and thinking, human beings must interact with each other so that they can express ideas and thoughts in speech and action. In other words, it is a fundamental need for human beings to interact with each other as a way to confirm the existence of their own “selves”. Consequently, it is an inherent personal drive in human beings to express themselves and interact with each other in a “public world”. And, since human beings will be replaced generation-after-generation, Arendt’s “public world” will continue to exist.

This article extends the fundamental principles of Arendt’s existential “public world” to a real space where the public and private sectors meet.

As an example of a public-private partnership, Pemudah is described as a case in point. Pemudah, an acronym for The Special Task Force to Facilitate Business, is a site where members from the private and public sectors meet, deliberate on certain issues, and collaborate to find suitable proposals to alleviate if not resolve issues. Their foremost aim is to improve the public service delivery system to ease doing business in Malaysia and accordingly increase the attractiveness for business and investment in Malaysia. Pemudah’s mandate has now been extended to making Malaysia an attractive place for all to live. As the then Prime Minister of Malaysia, Y.A.B. Dato’ Seri Abdullah Haji Ahmad Badawi said “Pemudah has evolved to become a robust partnership between Government and Industry, initiating and executing several improvements” (Pemudah, 2008: 49).

Thus, in the real space embodied by Pemudah individuals from both the public and private sectors meet and express their concerns, as well as their mutual needs to find ways and means to resolve matters. In other words, members of the private and public sectors interact with each other and take
action to resolve issues – resembling the interaction between human beings in Arendt’s “public world”. Indeed, Arendt herself opined that the “public world” is like the ancient Greek “polis” where opinions are expressed and debated in the name of public interest. Similarly, a bureaucratic structure such as Pemudah can be likened as a mini polis to allow discourse on matters concerning the participants from the public and private sectors as well as the general public in the interest of the business community and the public in general. Since Arendt argues that a “public world” continues to exist as a result of an on-going replacement of generations of people, this article proposes that Pemudah ought to be equally long-lasting provided that Pemudah adopts the characteristics of the “public world” as basic requirements for its existence.

The four factors or principles which are important as guidelines for a long-lasting public-private partnership are (1) freedom of deliberation, (2) issues deliberated should be of common interest, (3) public interest should prevail in deliberating issues, and (4) outcomes should be beneficial so that the partnership is an effective political agent for change and development. These factors are discussed and illustrated with information and remarks selected from interviews with two officials who have been involved in Pemudah since its inception. An interview was conducted with Tan Sri Yong Poh Kon, the Co-Chair of Pemudah representing the private sector. The other interview was conducted with Datuk Dr. Rebecca Fatima Sta Maria, Deputy Secretary General at the Ministry of International Trade and Industry (MITI) representing the public sector. Datuk Dr. Rebecca is heading the Secretariat of Pemudah.

The article is organized as follows. After this introduction, it describes Arendt’s “public world” as a theoretical basis for a long-lasting public-private partnership. It then discusses the four principles of such a partnership. To illustrate, Pemudah is taken as an example where the public and private sectors meet and collaborate in a genuine partnership.

2. The “Public World”

To understand Hannah Arendt’s “public world” it is meaningful to explore and discuss some concepts of the separation between the public and private. Arendt herself has been criticized on her supposedly strict demarcation between the public and private domains. However, the best way to elucidate her articulation of the public world is by way of juxtaposing it with her argument of what the private domain should be. Before we embark on elucidating Arendt’s viewpoints, a discussion of some general dimensions of the public and the private domains will do justice to our understanding of Arendt’s views on the public world and the private inner self.
There seems to be no end of debates about the meaning of private and public domains. Entire theoretical and socio-historical perspectives on the concept of private versus public are still in vogue throughout academic literature. For example, from a liberal-economic perspective, the principal distinction between public and private is seen as the distinction between the state and the economy. While Friedman argues for minimalist intervention of the state in the economy and thus, relying on the forces and discipline of markets themselves, the Keynesian economic policy sees the need for government’s intervention in the economy to allow government to “fine tune” economic processes (Friedman, 1982: 1-36).

In feminist theorizing the private realm has different meanings. Private can be seen as in the personal sense, such as the privacy of the home or the privacy of the anatomy of a woman’s body with its procreative function. In the sanctity of home and family women are confined to roles that they must play, including motherhood and caring. On the other hand, women have been wrongly seen as less capable of playing roles in social and political lives, and consequently they are excluded from taking active part in roles designed for the public domain. Women were, for example, not allowed to vote in general elections.

The concept of public and private can also be conceived as spaces with different control mechanisms. If home is seen as a private space of the individual person who is assumed to be free to control his/her own life, then the public space can be seen as a space where the state, and not the individual, is sovereign. As such, in the public domain individuals are citizens regulated by institutions of the state, in particular by the bureaucracy. In other words, in the public domain citizens are directed or controlled so that they behave in a certain way, while the private domain is a space of individual freedom of action.

When public and private domains are distinctly demarcated spaces as mentioned above, individuals have two distinct characteristics as well. In the private domain, they are private individuals with their own (private) thoughts and self-interests. In the public domain however, these same individuals became citizens who ought to think and reason around the interest of the com-munity, i.e. common public interests. Consequently, a demarcation between public and private domains allows for the conception of strictly private and public interests, inter alia the demand for strictly private and public goods.

Hannah Arendt has written extensively on the subject of private versus public realms. From the viewpoint of the individual, Arendt visualized the private as a domain of the inner darkness of one’s own life and the public as a space where everything that initially remains hidden in the private domain comes out, or appears in the bright light of “publicness”. She argued that the private domain is a domain of personal thoughts and feelings which will never
see the light of day if they are kept in the private domain. However, once they are uttered as words they enter the public sphere.

In the light of “publicness” personal thoughts and feelings lost their privilege of the security and obscurity of the private space. In the public domain or “public world” they are shared with other people. For example, conscience is something private. You think that stealing is against the moralistic codes of ethics. But as long as it remains hidden in the private sphere, nobody else knows your thought that stealing is bad. Arendt wrote “… conscience – this knowing and speaking with myself … may remain unknown forever …” (Arendt, 1972: 67). But once conscience is uttered it is transformed into an opinion which is then shared with others, and it thus becomes part of the public domain.

To further understand the significant difference between the public and private domains, it is necessary to follow Arendt’s arguments on the two sides of human beings. On the one hand, a human being has the uniformity of a species with common characteristics such as procreation, i.e. continuation of the species. This is achieved through the provision of food and other necessities for survival. These are matters of the private realm.

On the other hand, human beings have other qualities over and above the urges and necessities of a species. In this sense, human beings are unique individuals with characteristics that are particular to the individual him/herself, for example, different feelings and abilities. Arendt expressed this as the plurality of the individual. Since human beings have the capacity to speak out their different feelings and show their different abilities they are capable of creating a public sphere where the various opinions and actions are shared with other fellow human beings. Arendt assumed that only human beings are capable of doing this.

If sheep could talk, they would be able to use words to express their feelings and to report information, but they would not be able to discuss anything because they would all have the same point of view. Human beings, however, are not simply members of a herd, and their plurality makes possible a public space between them (Canovan, 1992: 111).

This sets humans apart from animals. Thus, human beings exist in a private domain as well as in a public domain, or “public world”. It is in this public domain where individual human beings utter their inner feelings and thinking (private domain) to other individuals. Without acknowledgement of other human beings, utterances are meaningless because there is no one to support or refute the uttered ideas. In the public domain, human beings entered into a discourse with each other.

To further clarify the public domain, Arendt likened it to the “polis” in Greek antiquity. In the polis, men show their plurality through the expression
of their opinions and viewpoints, and debating these with other fellow men. In the polis, everything can appear, i.e. men have freedom of expression. It is a domain that is shared with others because the reality of these expressions, or appearances, can only be confirmed when their existence is acknowledged by fellow men. Using the example of one’s conscience that stealing is bad, this conscience can only be confirmed when it is uttered and thus appeared in the public realm. Why? It is because the opinion that stealing is bad can only be confirmed when others support or reject this opinion. And it is exactly this process of debate and acknowledgement that takes place in the “public world”. The public world becomes a space where opinions and viewpoints appear and where they are debated.

As such, Arendt’s “public world” can be used as a template, or a theoretical framework for a structure to accommodate a discourse between the private and public sectors. For this reason, we now examine in detail her idea of a “public world” where appearances and *ipso facto* political action takes place.

2.1 *Political Action in the Public World*

Envision a theater in the round, a stage in the center illuminated by a spotlight and an audience gathered about though hidden in darkness. What one man says to his neighbor maybe known to them both, but veiled in darkness it remains a private affair. Only by what appears on the stage under the spotlight may all who are gathered be constituted as a community – assuming that those gathered around the stage attend to the action upon it while the drama unfolds (Gottsegen, 1994: 51).

It is thus in the public space under the bright light of “publicness” that things appear and action takes place. This explains Arendt’s argument that the public world is a space of appearances filled with speech and action. In this public domain, people can express their private thoughts in the form of speech – and thus define their opinions.

Let us now continue with the drama analogy to explain “action”, and in particular, “political action”:

At the end of the drama … imagine the house lights to come up and the audience, instead of departing homeward, to remain in place. Each now comes forward in turn in order to articulate his view of the evening’s event. Inevitably, one speaker finds himself commenting upon the words of those who spoke previously as much as upon the event itself. In fact the discussion very quickly becomes the event with each person in attendance now playing, in alternation, the roles of actor and spectator, in turn revealing himself to all assembled and then becoming one to whom and through whom others are revealed. When such a process transpires in the public space, the public and the political realms are one, and – by Arendt’s measure – things are as they should be (Gottsegen, 1994: 51-52).
Hence in Arendt’s viewpoint, action is interaction (Canovan, 1992: 131). While the spectators of the drama interact with each other, each of them revealing and debating his thoughts with others, political action arises. Simply put, political action is the interaction through speech, or the participation in a discourse amongst people. But why should people want to express their thoughts? What motivates them to participate in a public discourse?

Arendt argued that there are two motives. First, it is the plurality of the human being. As mentioned before, each person is unique and not solely a member of the herd of the human species. However, the existence of human uniqueness can only be revealed and known when it is expressed and then acknowledged by others. And thus, expressing oneself is a personal drive in order to realize one’s individuality or uniqueness.

A second motive is remembrance of one’s actions. As people act, they create an artificial “world” (as opposed to the natural “earth” that people inhabit) where their actions may win “immortal fame” (Arendt, 1998: 197) for generations to come. Good actions will be inherited by those who are not yet born and will last long after one is dead. What else than “love for renown” (Gottsegen, 1994: 21) is a better motive for public participation?

2.2 Features of a Durable, Long-lasting Public World

In the aforementioned, it is argued that Arendt’s “space of appearances”, also called “public world” is the place where human beings express their uniqueness through speech and action. Interactions lead to political actions. It is, however, mandatory that the space of appearances continue to exist. Otherwise, any participation and political action in that space cease to exist also. This section looks into the features of a long-lasting space of appearances in order to allow for a continuous participation and partnership.

In the artificial, “public world” humans establish artifacts such as buildings, machines, works of art and institutions (Canovan, 1992: 181). Because humans are continuously replaced by other humans who in turn uphold their respective “world”, the public world is potentially durable. It is re-created continuously but it will disappear as soon as public discourse and political action cease, for example in a totalitarian regime. Thus the “world” or space of appearances lasts as long as freedom for public discourse occurs. Arendt’s public world appears as soon as actors gather to discuss and deliberate issues and it disappears when these activities end. The public world is “continually re-created by action … [I]t is therefore always a potential space …” (d’Entrèves, 2000: 70).

Thus the first feature of a long-lasting world of appearances, or in lay language a durable space for public-private partnerships, is the condition of freedom of participation in discourse.
Arendt herself explains the “world” by means of an analogy of a table with people sitting around it. “… [A]s a table is located between those who sit around it, the world, like every in-between, relates and separates men at the same time” (Arendt, 1998: 52; Barash, 1996: 260). Thus the “world” is an inter-space between people. They are connected with each other in the “world” like people sitting around a table, but on the other hand they are also separated from each other just like a table separates those who sit around it.

The analogy of the table is important to clarify the issues that are worthwhile of political action. As people sit around the table and express their thoughts, “the issues upon the table must be truly common concerns, and they must be of such a nature as to relate those who are gathered around it…” (Gottsegen, 1994: 52).

Similarly, in a modern society political issues must be in the interest of citizens. The second feature of a durable public-private partnership is thus the common interest in the issues that are being discussed. Discourse between partners maybe stifled when issues are of no common concern.

Furthermore, although it is common human nature to put self-interest ahead of all other interests, if the “public world” is to exist for future generations people must transcend their own self-interest and replace it with concerns of others as well, i.e. common interests. Hence, issues worthy of political action must be discussed in light of common concern. Only then, the public world is the “site of lastingness” (Gottsegen, 1994: 55).

In other words, the third feature of a durable space of appearances where public-private partnership could exist is the use of language and thought when discussing issues. Needs, wants, ideas must be expressed and discussed in such a way that public or common interest prevails over and above pure self-interests of the individual participants.

In summary, the space of appearances or the “public world” is an inter-space where discourse and political action take place. In today’s society this translates to direct participation in decision-making or participatory democracy. It is a duty of the citizens to speak and act for the benefit of society as a whole (Castiglione, 2000: 29). However, in making decisions self-interest must transcend into concerns that belong to every citizen. Only then, participatory democracy will be long-lasting.

The fourth feature of a durable public-private partnership is thus a true representation of the concerns of the citizens at large. Only if the partners are truly representing the concerns and interests of the citizens, participatory democracy is practiced in its true form. Consequently, people feel that their voices are heard. When a public-private partnership would truly act as representatives of the people and people feel that they also benefit from it, the public-private partnership becomes socially acceptable. Such partnership is durable.
3. A Framework for a Durable Public-Private Partnership

In the foregoing, we have discussed that Arendt’s “public world” is where people express themselves and engage with others in discourse and political action. This article argues that this public world mirrors the site where public and private partnerships can exist. Thus, Arendt’s public world provides a theoretical framework for public-private partnerships. Furthermore, the article attempts to describe a durable public-private partnership by utilizing the characteristics of a long-lasting public world. These characteristics could be factors or principles that contribute to a long-lasting public-private partnership.

In the aforementioned, the durability of Arendt’s public world has been articulated by certain features. These are freedom in discourse and political interaction with regards to issues of shared interest (as in people freely debating issues around the proverbial table) while common interests (in contrast to purely self interests) must prevail in thinking about and in discussing those issues. Similarly, any durable public-private partnership between the public and private sectors requires the adoption of these basic characteristics as principles. A discussion of the principles follows.

*Freedom of participation in discourse* should be the first principle. As such, direct democracy is mandatory. Although direct democracy excludes representations, in today’s mass society direct citizens’ deliberations may be unworkable. The sheer number of citizens as well as the complexity of issues poses obstacles to direct participation. It is therefore unavoidable to allow for some kind of representation.

In Arendt’s philosophy humans create artificial constructions in their public “world” to enshrine their actions as a permanent legacy for generations to come. For example, the creation of bureaucratic structures such as committees to hold public discourse, similar to town halls for holding public meetings or universities for holding intellectual debates. Such a structure is however, not a *sine qua non* for a lasting public-private partnership. A structure is empty when public discourse ceases to exist. A university is only a pile of bricks devoid of intellectual activities. On the other hand, public discourse can arise without the availability of a structure *per se* to hold the discourse. Thus, although useful to officially execute the partnership a structure to contain the partnership is not seen as a basic principle. However, a permanent structure to hold discourse is a practical solution to a durable partnership.

Of more importance is the permanency of discussion. Thinking about Arendt’s metaphor where people express their thoughts while sitting around a table, there is nothing to prevent people from leaving one table and sitting at another to express their thoughts. In other words, people must be
interested in the issue. It must be an issue that concerns all participants. If not, people are free to go to another table where more relevant issues are being discussed. This is expressed in the second principle of a long-lasting public-private partnership, i.e. there should be a common interest in the issue that is discussed.

The third principle of a public-private partnership should be the “publicness” of the private persons in decision-making. Arendt likened this to the duty of a jury. It is the public duty of the (private) juror to uphold justice in the interests of justice, thus transcending his/her private interests (d’Entrèves, 2000: 77). Military service is another example. In the line of duty, a soldier must be willing to offer his life for the sake of the community. Similarly, in a public-private partnership common interest must transcend selfish propensities of the individual participants.

Ackerman (cited in Castiglione, 2000: 30) believes that in a “dualist democracy” citizens do not behave in a purely self-interested way as “private” citizens neither in a purely other-regarding way as “public” citizens. Rather they bring their personal concerns and preferences into the public domain to find a solution that reconciles public and private interests. Although strictly private, selfish interests are legitimate in politics, so these interests should be discussed in a “language of public reason” (Castiglione, 2000: 29). Only then, participants act as true representatives of all citizens.

A “participatory conception of citizenship”, argued d’Entrèves (2000: 79) establishes forms of collective identity, i.e. a collective we. Participants should be there as “participators in governance” (Thomas Jefferson as cited in d’Entrèves, 2000: 82). Through active engagement in politics and sharing of power (as in a collaborative “we”) participants feel that they are involved in the decision-making process. They decide on what their future may be. This in its turn creates a sense of effective political agency.

In political agency theory, the citizens as principals have given a mandate to their agent (the state) to decide on what ought to be good (and bad) for society. This mandate however, could be corrupted when decisions are made in the self-interest of the agent. Only when there is an avenue for active engagement in public deliberations, will a sense of effective political agency arise. Citizens no longer unquestionably relinquish their mandate to their agent, but are now participating in decisions of their own destiny. Within effective political agency, citizens – through their representatives – participate indirectly in the decisions concerning their own well-being and future.

Thus in striving toward effective political agency, the representatives should act like true representatives of the citizens. Hence, effective and true representation should be the fourth principle in our effort to create a long-lasting public-private partnership.
4. Pemudah as a Case Study

Public-private partnership was spurred on in Malaysia in the 1980s by the then Prime Minister, Dr. Mahathir Mohamad. In 1983 the Privatization policy was launched, followed by Guidelines to Privatization in 1985 and the Privatization Master Plan in 1991. Privatized entities include the North-South highway, telecommunications, electricity and water provisions, to name a few. In Malaysia, privatization is not only a transfer of ownership from the public to the private sector, but also contracting out and partial divestment where government still has a majority share, and thus, control. However, it was the Malaysia Incorporated spirit that was seen as a fundamental basis for national development. It argues that national development is not only the task of the public sector, but also of the private sector. Thus, Malaysia as a nation should embrace a partnership between the public and private sectors in the pursuit of a common goal, i.e. national development. Currently, public-private partnerships are applied in, for example, electronic firms (Rasiah, 2009) and in the health sector (Nik Rosnah and Ng, 2009). Pemudah was initiated to solve problems through dialogue and collaboration between the public and private sectors. Indirectly, Pemudah’s efforts also contribute to national development.

During an annual speech to civil servants the Prime Minister of Malaysia subsequent to Mahathir, Abdullah Ahmad Badawi, mooted the idea to reform government services to facilitate business activities in Malaysia. In a globalized world, doing business is not business as usual any longer (http://www.pemudah.gov.my). The world has become more competitive and Malaysia must compete globally with other countries. However, when the context of doing business is stifling, competitiveness suffers. Too much of the proverbial red tape, too much of protectionist policies, too many “middle men” in getting things done are unnecessary stumbling blocks in a competitive market.

Since the Prime Minister himself was an ex-civil servant, he understood the problems in public administration and suggested that delivery services in government must change. Through a close partnership with the private sector, input on what the private sector experiences as bottlenecks in doing business in Malaysia is needed. Thus initially Pemudah was set up with the aim to resolve issues brought up by the private sector.

On 7 February 2007 Pemudah was established. Pemudah is the Malay acronym of “Pasukan Petugas Khas Pemudahcara Perniagaan” meaning the Special Taskforce to Facilitate Business. It consists of 23 highly respected members: 13 Heads of government Ministries and 10 private sectors representatives, reporting directly to the Prime Minister. The chair of Pemudah is shared between Tan Sri Mohd Sidek Hassan, the Chief Secretary to the
Government of Malaysia and Tan Sri Yong Poh Kon, President of the Federation of Malaysian Manufacturers (Pemudah, 2009: 4, 55).

In its first months of existence, Pemudah’s members were wary, if not frustrated with the uncertainty whether Pemudah could indeed achieve what it wanted. The problems and issues presented to Pemudah looked like a proverbial “boulder”, and Pemudah was only chipping away little pieces of the boulder (Interview 2). But over the months, the members from both the public and private sectors alike realized that their efforts to solve problems had gained momentum and have made a difference not only for business people but also for society at large. Currently, the members are dedicated to their work so much so that Pemudah receives requests for membership from individuals in the private sector because “they are convinced that they can make a contribution to society” (Interview 2).

Datuk Dr. Rebecca Fatima Sta Maria, Deputy Secretary General of the Ministry of International Trade and Industry (MITI) who is in charge of Pemudah’s Secretariat, agreed that Pemudah is very structured in its composition. There are two Co-Chairmen and a fixed membership. She agreed with Tan Sri Yong that this structure has contributed to its success (Interview 2). Datuk Dr. Rebecca also added that the working parameters were set right at the first meeting of Pemudah. There should be an open dialogue and a collective responsibility. Nobody in Pemudah should be defensive, taking issues personally. Issues or problems are not personal, but they must be in the interest of all. Another parameter was that the private sector brings in problems with a proposed solution attached, and not “just leaving the problem on our [Pemudah’s] doorstep” (Interview 2). The proposed solution will then be discussed, and modified if needed.

Pemudah started with discussions of the business community “wish list”. Related to this, was discussion of the World Bank indicator (World Bank, 2008) where Malaysia is bench-marked against other countries with regards to regulatory aspects of business dealings, simply said, the ease of doing business. Malaysia did not score a high place, but in 2008 Malaysia improved its ranking with 5 steps (Pemudah, 2008: 49, 51 and 54). One of the wishes in the wish list was, for example, to speed up the resolution of commercial court cases. The court took years to resolve commercial disputes – which was not helping the business community in doing business in Malaysia. Pemudah deliberated on the issue and proposed to establish New Commercial Courts (NCC) specifically dealing with commercial cases only. With the public sector’s representation in Pemudah, the wish of the business community was realized – the structure and funding of the Commercial Courts was finalized and by September 2009 two special Commercial Courts were established. In the meantime, the number of these courts has grown from two to four (Interview 1).
However, input was not solely from the private sector. Pemudah’s members from the public sector have also suggested many improvements and initiated many programs. Tan Sri Yong said in an interview: “But as the months went on, the top civil servants felt empowered to propose many changes. A lot of changes you see is not private sector-initiated but were the brainchild of the public sector” (The Sun, 2008a). One such example is the establishment of 103 One Stop Centres (OSCs) at local authorities across Peninsular Malaysia dealing with construction permits (Pemudah, 2009: 67). Another example is the Immigration Department which successfully shortens the renewal process of passports to one hour only. Even the Judiciary took the initiative to speed up the hearing of backlog cases. “National competitiveness”, as argued by Datuk Dr. Rebecca, “is not only a private sector task, but also a public sector task” (Interview 2). And thus, as Tan Sri Yong said, Pemudah was “to provide a ‘place’ to expedite [initiatives] or to provide a ‘tipping point’ where initiatives [to improve national competitiveness] are brought together, speed up and announced …. Pemudah becomes a forum to catalogue improvements ….” (Interview 1).

Another example of an issue floated by the public sector is visas for Indian business men who want to visit Malaysia. This issue was brought to the attention of the Prime Minister of Malaysia when visiting India. Public sector officials then forwarded the visa-problem to Pemudah. To deliberate on this issue, Pemudah roped in the Head of the Immigration Department’s help. The Immigration department has been given notice about the problem and ample time to come up with a solution. During the deliberation with Pemudah a compromise solution to the problem was adopted (Interview 2).

Last but not least, input from the citizenry has always been encouraged. Currently, Pemudah also deals with issues raised by the public in general and thus, not solely with issues raised by the private or business sector. As early as 28 September 2007, Tan Sri Mohd Sidek Hassan called in a press release for “[f]eedback and suggestions from members of the business community, academia and public at large …. ” (Office of the Prime Minister, 2008). He has published his email address for direct access for input and he claimed to read his emails personally (New Straits Times, 2008). Through Pemudah’s website, any member of the public can post issues. The Pemudah’s secretariat will channel the issues to the relevant Ministries for further discussion, while long-term persisting issues as well as issues that could not be resolved by a particular Ministry and thus needing multi-Ministries attention, will be further deliberated by Pemudah itself. Pemudah will invite all relevant parties, i.e. from the public as well as the private sector, to discuss and resolve such issues.

An example of an issue put forward by a private citizen is the complicated procedure in applying for “Malaysia My Second Home” program.
Foreign nationals can apply for this program to allow them to stay in Malaysia with a 10-year visa. Feedback from a private person to Pemudah with regards to “Malaysia My Second Home” program led to the compilation of all related issues. All key decision makers were invited to deliberate on these issues, and a special focus group was initiated. As a result, the application for “Malaysia My Second Home” is now made clearer and less complicated. There is now a one-stop application centre housed under the Ministry of Tourism (Interview 2).

Another example is the general complaint from the public that DBKL (Kuala Lumpur City Hall) is not responding to people’s feedback. Pemudah has responded by “adopting” DBKL. The Mayor of Kuala Lumpur has been invited for a discussion about this matter, in particular with regards to flooding and crime. However, there are 18 separate authorities in Kuala Lumpur. For example police answer to the Royal Malaysian Police, health officers answer to the Ministry of Health and so on, making it extremely challenging for the Mayor to tackle problems and realize improvements. But with the help of Pemudah inroads have been made to tighten security, improve traffic flow and upgrade amenities around the main bus station in Kuala Lumpur (Pemudah, 2009: 69). “This”, as Datuk Dr. Rebecca said, “is an effort to reach out to the people. We are working to touch lives of people” (Interview 2).

Datuk Dr. Rebecca emphasized that all people have an avenue to be heard.

Now the challenge is to let everybody know about Pemudah. We do outreach programs, such as TV and radio interviews. Let people know that they can talk to the government. We try to engage people, NGOs, stakeholders. For example in discussing the issue of abandoned housing projects, we invite the relevant government bodies, house buyers associations, developers associations (Interview 2).

To tackle delays in custom clearance for imported goods, the whole chain of authorities involved in custom clearance has been invited to discuss the matter with Pemudah, because the whole chain must improve their time table. It is not a sole problem of the government. “We bring in the bankers, lawyers, port authorities, freight forwarders for a dialogue” (Interview 2).

Aside from this, Pemudah is working together with the Public Complaints Bureau and the Information Department. Every month all complaints are sorted out and channeled to the relevant institutions (Interview). “And we monitor to make sure it is done. Pemudah does a lot of monitoring” said Datuk Dr. Rebecca (Interview 2). Pemudah is also working with MAMPU in its monitoring task. “MAMPU will go around, check whether the job is done within the stipulated time” (Interview 2).
Moreover, many of Pemudah’s members representing the business community are presidents, or past presidents of associations, for example, President of the Malaysian Employers Association, of the American Malaysian Chamber, of FMM (Federation of Malaysian Manufacturers). Through their own members in their respective associations and branches all over the country, these representatives get a “feel” of the issues brewing “on the ground”, i.e. issues that are important for the grass root stakeholders (Interview 2). In this way, Pemudah members are able to reach out to the grass roots and convey their needs and wishes to the relevant authorities.

Furthermore Pemudah gives talks at meetings and seminars to encourage feedback from the public at large. After all, the bottom line of Pemudah’s objective is succinctly expressed by Tan Sri Yong: “We want Malaysia to be a good place to do business and a good place to live, and this applies to the rakyat [the people]” (Interview 1).

In its short existence, Pemudah has achieved commendable milestones. Expatriates in the business community are able to get an employment pass up to 5 years from a previous 2 years validity, passes are issued within 7 (instead of 14) days, many business licenses are relaxed. Benefits have also trickled down to the public at large. Renewing a passport can now be done in 1 hour, new passports can be ready in 3 hours, tax returns are refunded within a month, time to register property is cut back to a mere 41 days from a previous 180 days. Pemudah also works together with the Kuala Lumpur City Hall (DBKL) to upgrade its facilities and services. Abandoned housing projects, as well as land matters have been taken up as issues to be discussed and resolved (Pemudah, 2009: 77).

When the general public enjoys the benefits from Pemudah’s efforts, for example, getting speedy service from courteous civil servants, shorter queues and more counters to serve the public, Saturday and lunch time opening of service counters, no “wrong door policy”, then government will be seen in a more positive way. In its turn, civil servants will be proud of what they are doing. Tan Sri Mohd Sidek argued that when people are happy, the civil servants will be happy too (New Straits Times, 2008). And as for Pemudah itself, Datuk Dr. Rebecca said that “we are happy if people are happy” (Interview 2).

From its initial mandate to increase efficiency and quality of government services to facilitate business and investment in Malaysia, Pemudah is currently engaged in policy improvements as well. For example, Pemudah has contributed to the process and outcome of the review of the Foreign Investment Guidelines (FIC). Pemudah is also in continuous dialogue with the Ministry of Finance to complete a review of Government Procurement. Persisting problems in immigration matters are being discussed with the Immigration Department, as well as the issue of foreign workers (Pemudah,
2009: 71). In so doing, Pemudah serves as a facilitator, or a “consultative forum” (Pemudah, 2009: 59) where the public and private sectors collaborate to resolve issues and improve policies that matter for the business community and for society at large. Pemudah thus functions as an effective agent of change.

Pemudah – as Tan Sri Mohd Sidek has said – “is about consultation and the consultative process” (New Straits Times, 2008). In a discourse of consultation, the participants are assumed to have their own interests at the back of their mind, but common interests must prevail on the forefront. It is not about winning an argument or getting what one wants, but creating the best for all participants and accordingly, for all the people. And Pemudah is moving ahead albeit with “baby steps” (The Sun, 2008b).

5. Discussion

A viable public-private partnership is not static because it cannot be insulated from its social, economic and political context. An ageing society for example, has different demands from a society at the starting blocks of nation-building. A financial upheaval may require more stringent controls from the government while keeping in mind that these controls could be reversed when the situation demands more relaxed controls. Political ideologies may change with a new ruling government while global trends, for example privatization or New Public Management to name a few, influence the political landscape of a country. In sum, the nature of societal demands, regulatory controls and politics of a country would change the relationships and needs of a public-private partnership. In spite of the challenging nature of a partnership, this article has suggested the importance of a long-lasting partnership.

Pemudah has been show-cased as a bureaucratic entity to facilitate dialogue and collaboration between the public and private sectors. From its initial task to improve efficiency and quality of government’s procedures and services for the benefit of the business community, Pemudah is currently in continuous dialogue to improve public policies as a service to society at large. Pemudah reaches out to the general public in its effort to make a difference in people’s lives. As the current Prime Minister of Malaysia Dato’ Sri Mohd Najib bin Tun Haji Abdul Razak wrote, “… I challenged Pemudah to also focus on issues and cases that impact the man-in-the-street” (Pemudah, 2009: 53). For such an important task, Pemudah should keep its function as a forum where the public and private sectors meet and collaborate in the interests of the people and the country. Such an important partnership needs longevity.

As a theoretical basis for a long-lasting partnership, this article uses Hannah Arendt’s political philosophy of a “public world” where people meet and interact, in other words, Arendt’s public world is a space allowing
for political action. Furthermore, Arendt suggests that a long lasting public world is characterized by certain features. Firstly, there must be freedom of participation in the discourse amongst the participants. Secondly, the issue must be of interest and benefit to all stakeholders. Thirdly, participants are not merely private persons to propagate their own self-interests, but participate for the sake of the common interests of all stakeholders. Lastly, there should be genuine representation. This is important to create a process or a catalyst for change, development and progress for the benefit of all people.

Obviously, there may be other approaches to designing a long-lasting public-private partnership. Top-down policies, for example, may enforce partnerships. As queried in the introduction to this article, whether a durable public-private sector partnership is possible, the paper has attempted to show that Arendt’s philosophy of a “public world” provides one possible guide to negotiating complexities in such a partnership. It tries to address the factors, if not principles that contribute to maintaining a durable partnership.

**The first principle for a long-lasting partnership is freedom of discourse**

As mentioned before, Arendt’s “public world” with its legacies of social and political institutions, bureaucratic structures, and remembrances of great deeds, transcends the impermanent existence of human beings. A public world of lasting character exists only when people continue to express their inner selves and expose their thoughts and feelings, thus making these available for all others to hear, to see and to act on them. Arendt argues that it is a condition of human existence to engage in mutual discourse and political action. Devoid of these, humans lose their uniqueness for they become mere members of the human species. For Arendt, political action is a **sine quo non** for human existence.

Similarly, freedom for discourse among participants is imperative in a long-lasting public-private partnership. As soon as dialogue ceases to exist, the partnership does not have any reason to continue. Such a partnership would be an empty shell without content.

In the context of Pemudah, public-private participation will similarly exist as long as there is freedom to participate in the discourse. As Datuk Dr. Rebecca said, the first parameter set in Pemudah’s meetings is a frank, open dialogue. Pemudah is not an “exclusive club” of 23 individuals. Depending on the issue, all Department heads from government bodies as well as private sector representatives ranging from bankers, lawyers to house buyers associations are included in the discussions when necessary and relevant (Interview 2). Furthermore, Tan Sri Yong said, “… as the months went by they [Pemudah’s members] developed a general level of trust where issues could be debated openly without the necessary publicity or acrimony …” (Interview 1).
Although Pemudah is driven by highly powered representatives from the public and private sectors, the general public is encouraged to give feedback and input in the discourse. Pemudah’s website offers a channel for the public to participate, while Pemudah itself is encouraging public participation. Pemudah makes it a point to have an on-going dialogue with all relevant parties.

The second principle for a long lasting partnership is a common interest in the issues that are being discussed

Arendt has likened the “public world” to a table with people sitting around it. The table creates a space that brings people together, and at the same time keeps them apart from each other. People are motivated to sit at the table not only because of their need to express themselves, but also to be remembered for their good deeds. However, they will only participate when the issues discussed are important for them. There is nothing to prevent participants from quitting to find another avenue for actively expressing themselves in another way. It is thus argued that a condition for an effective public-private partnership is that participants are interested in the discussed topics or issues.

In Pemudah’s case, partnership lasts as long as people are interested in the issues of Pemudah. In its turn, interest will be upheld as long as Pemudah creates enough spin-offs for the general public to enjoy. As Datuk Dr. Rebecca explained, “… from ‘tinkering around the edges’ Pemudah has introduced major changes in public policy issues … this is a major achievement of Pemudah” (Interview 2). “These are fundamental changes which directly impact, not only the private sector, but simply the competitiveness and brand of Malaysia … Fundamental to these improvements was … Pemudah’s focus to [issues] that affect Malaysians from all walks of life …. ” (Tan Sri Sidek Hassan in Pemudah, 2009: 55). Simply put, Pemudah acts as an engine for development for all people. People will be interested in the issues of Pemudah and they will be willing to provide input when they are also the beneficiaries. As earlier mentioned, Datuk Dr. Rebecca said that “people are buying into Pemudah”, with individuals offering themselves for membership because they believe that they can make a meaningful contribution (Interview 2). This clearly shows their interest in the issues that are discussed in Pemudah.

The third principle for a long lasting partnership is that public interest must prevail over self-interest

To participate in a meaningful manner a so-called “dualist democracy in citizenship” must be adhered to. Participants are not solely private persons with their own self-interests but they are also citizens whose well-being can be
achieved when common interests are agreed upon. A discourse, and therefore participation, can only perpetuate with common or public interests as guide.

Similarly, Pemudah’s effectiveness depends on the manner in which the participants from the public and private sectors conduct their discourse. In spite of the unavoidability of self-interest as a driving force that motivates participants, decision-making will be troublesome when there is no agreement on common interests. Datuk Dr. Rebecca said that in Pemudah’s first meetings the members were a bit defensive, they saw problems as “my problem”, but currently they “look at the bigger picture … they think Malaysia …” (Interview 2). Datuk Dr. Rebecca attributed this development to the fact that Pemudah members have reached a stage in their career where self-interest, for example, accumulating money and gaining success for themselves is not the sole aim any longer. “They have passed the stage of making money for themselves … now they concentrate on what they can contribute” (Interview 2). She added that members “must be able to think beyond themselves … although we don’t like people to think alike all the time … there must be a devil’s advocate” (Interview 2). Tan Sri Yong argues that “most members have experience as head of an organization, and as such they are already sensitized to speak on behalf of the general interest …. The private sector members have moved beyond their own interest” (Interview 1).

A case in point is the supply of labour. The FMM (Federation of Malaysian Manufacturers) wants a quick and ready supply of cheap labour.

But there are other social costs of free-flow of foreign labor, for example, health services, safety, dependence on cheap labor and so on. So, Pemudah members put their heads together as to what business solution they can propose to reduce unlimited foreign workers. A solution was found in a levy paid by employers, proportional to the percentage of the number of foreign workers employed. The more foreign workers employed, the more levy paid. From the government’s side, there is also greater control over ways of obtaining permits for foreign workers to come in. The so-called ‘outsourcing’ companies bring people in without any job prospect, and these people become a burden. Thus, outsourcing companies must be controlled (Interview 1).

*The fourth principle for a long lasting partnership is a true representation of peoples’ needs and wishes, in order to institutionalize effective political agency*

Finally, in the political agency theory the general public, or the principal, have given a mandate to the government to act as their agent in governance and development, *viz.* in formulating policies for people’s welfare. When people think that the mandate is justified because the policies benefit all people, then a sense of an effective political agency is created.
In Pemudah’s case, when people become aware that their input to Pemudah bears rewards to their satisfaction they will experience the importance and meaning of Pemudah. But how “truly” can Pemudah represent people’s wishes? Tan Sri Yong puts it this way. “It is never possible to make sure that 23 people [Pemudah’s members] can represent the whole society. But the fact is that, number one, it is a voluntary, unpaid job. Those selected, do so because they believe that what they are contributing has impact for society at large. Many of the issues that have been brought up do impact business and society” (Interview 1). Datuk Dr. Rebecca adds that “we [Pemudah] don’t need to take all the accolades. We are happy if people are happy. It is important that people feel that the government of the day is making a difference in their lives” (Interview 2).

And Pemudah tries hard to make a difference in people’s lives so as to make itself socially acceptable. For example, it has embraced Kuala Lumpur City Hall and Ampang Jaya Municipal Council in an effort to streamline many processes and services. Consequently, this will make people’s lives easier. Tan Sri Yong said that “when you are socially acceptable it means that the output of all your deliberations result in benefits that the public can feel and experience” (Interview 1).

If Pemudah can achieve progress and change for the benefit of people, albeit with mere “baby steps”, it will be socially acceptable and durable. Such participation between the public and private sectors is an institutionalized means for effective political agency.

Notes
1. Public-private partnership is mostly found in economic projects such as contracting out, BOT (Built Operate and Transfer) or privatization. In this article, public-private partnership is defined more narrowly, i.e. the public and private sectors meet each other to deliberate on certain issues and cooperate as partners to find ways to resolve the issues.
2. Pemudah is a bureaucratic entity, established in 2007 by the then Prime Minister of Malaysia, Y.A.B. Dato’ Seri Abdullah Haji Ahmad Badawi and consists of 23 members from the public and private sectors.
3. Pemudah is not an “exclusive club” (Interview 2) of high-ranking public officials and business people. Pemudah accepts and encourages feedback from the general public. For example, feedback can be sent to Pemudah’s website www.pemudah.gov.my. Feedback will be compiled, sent to the relevant Ministries for further actions, or reviewed by Pemudah itself followed by appropriate actions.
4. Note again that public-private partnership in this article refers to a dialogue and collaboration between the private and public sectors, and not to a partnership in an economic project.
5. www.pemudah.gov.my
6. MAMPU stands for Malaysian Administrative Modernization and Management Planning Unit, a unit in the Prime Minister’s Department that is responsible for administrative modernization and human resource planning (http://mampu.gov.my).

References
The Sun (2008a) “Progress and Shortfalls”, 21 August.
The Sun (2008b) “Baby Steps but it’s Still Progress”, 17 July.

Interview 1 with Tan Sri Yong Poh Kon, Co-Chair of Pemudah.
Interview 2 with Datuk Dr. Rebecca Fatima Sta Maria, Head of Pemudah Secretariat.