Public Policy and the Imperatives of Good Governance: Towards Institutionalizing Active Citizen Participation
Danilo de la Rosa Reyes

Fairness of Chinese Public Policy: A Case Study of Price Hearing Systems in China
Xu Jiashu & Wang Junxia

State Legitimacy and Implementation of a Public Policy in Malaysia
LooSee Beh

Fairness versus Efficiency in Chinese Environmental Policy: A Perspective from Environmental Policy Tools
Xiaojie Zhang & Ping Sun

Explaining Variations in Medicaid Managed Care Program Coverage
Ae-Sook Kim & Edward T. Jennings

Performance of Health and Family Planning Banyuasin District - Indonesia
Suripto

Meta Case Study of Public Services Based Sub-District Organization Models: Context of Indonesia
Haris Faozan
State Legitimacy and Implementation of a Public Policy in Malaysia

LooSee Beh
University of Malaya, Malaysia

Abstract

The economics of developing countries has been marked by inefficient public investment and misguided government interventions that have resulted in many pervasive failures which is mostly due to government's inability to align their efforts with their country's resource base and level of development. History revealed these to be characterized by increasing politicization and monopolization of economic advantages with state legitimacy and capacity. When used in response to flawed decision-making process, political inclusion adversely affect government performance and democratization that undermines accountability. Policy formulation in practice only includes members of a specific policy subsystem and there exists tension between state and politics, within and between societies. The hallmark of bureaucracy and politicization tend to promote the continuation of existing practices which may not anchor in the requisite endowments that can help developing-countries governments such as Malaysia in supporting new paradigms of competition and success in tackling the challenges inherent in the creation of new competitive policies and industries. This paper illustrates the umbrella policy which encompasses other policies and practices of the state and in factoring fair dimension of distribution across the society.

Key Words: public policy, practices, administration, Malaysia

PREAMBLE

Policymaking has become highly complex in the context of persistent problems and the related uncertainties, fairness, justice and rooted in different societal domains on varying levels and involves various actors with dissimilar perspectives, norms, and values. Different actors and perspectives need to be dealt with, and clear solutions or mechanisms to assess progress and success are either lacking or non-existing. Effective management mechanisms to generate sustainable solutions is therefore sought to reduce the lack of direction and coordination associated with governance networks in general, and increase the effect of existing forms of government and planning in the context of long-term change in society. In effect, this implies a new balance between state, market, and society and new ways to facilitate and make as effective as possible the informal network processes through which alternative ideas and agendas are generated that are often seen as important in fueling regular policymaking processes with new problem definitions, ambitions, solutions, and agendas (Hérïtier, 1999). Modern industrialized societies are confronted with many complex and unstructured problems for which long-term solution strategies need to be developed. This paper highlights a public policy, namely the New Economic Policy (NEP) in the country in terms of fairness/equity distribution, monopolies, and practices specifically in areas of 4Es - education, employment, eradication of poverty and equity ownership that permeates the public administration and possible future challenges since its implementation drawing on theoretical underpinnings of Rawls' principles of justice and fairness, and Weber's and Lindblom's rationally approaches.

In this NEP policy, contempt for the politically
incompetent is accompanied by the private sector interests expressed through lobbying, encouraging further cronyism and undermining democracy. 'Consultation' and 'consensus building' have been used by the politicians to consolidate power rather than encouraging open discussions that democracy entails. Possibly at times, the politicians simply do not see how to begin but constantly harping on racism resting on rights and privileges. Though reality can give rise to fear but one should not give up as there is always hope and faith which holds promise.

Public policy and policy analysis form an approach to the management of the public sector in reshaping public administration where most often, politicians and policy-makers make decisions based on the shifting sands of political opinion, even though denying the rationality of empirical analyses such as cost-benefit studies, path-analyses, demographic or other social studies. Public policy analysis was always concerned with decisions rather than results, with procedure rather than outcomes in a management sense.

Policy analysis looks for one best answer from a set of alternatives whilst political public policy sees information in an advocacy role. As Simon (1983:97) and Hogwood & Gunn (1984:226) advocate:

When an issue becomes highly controversial — when it is surrounded by uncertainties and conflicting values — then expertness is very hard to come by, and it is no longer easy to legitimate the experts. In the circumstances, we find that there are experts for the affirmative and experts for the negative. At best, we may convert the controversy into an adversary proceeding in which we are, the laymen, listen to the experts but have to judge between them.

Recent analysis of policy process demonstrates the political element which takes further the issue of what survives the political process. This means that political interplay exist and include a much wider set of influences than mere formal process. After all, analysis is primarily about determining the characteristics of the issue being analyzed and the organizational and political setting of the issue, with the actual mechanics of particular techniques being secondary and consequential (Hogwood & Gunn, 1984: 263).

Denhardt (1981:631) argues that policy analysts typically utilize technology solutions to the solution of immediate problems and under such circumstances, technical concerns would displace political and ethical concerns as the basis for public decision making, thereby transforming normative issues into technical problems. Hence, politics may and do often intervene which would often be undemocratic. Unless, of course if the solution happened to agree with what the target audience or the wider political system wanted, then by analysis of facts, the best desirable outcome is possible. Under the traditional goals of public policy of 3Es - efficiency, effectiveness and equity, such legitimacy seems to be on the decline due to politicization where there is lack of separation of politics and administration. Neutrality among public managers is blurring when viewed in a more realistic way. Effectiveness refers to the benefits achieved by alternative public policies; efficiency refers to keeping costs down in achieving benefits. Equity in this paper refers to the relations and perceptions of fairness in distributions of resources within social and professional situations. Accordingly these 3Es can be used in balance with 3Ps - public participation, predictability, and procedural fairness. Public participation refers to decision-making by the target group, the general public or other relevant interest groups; predictability refers to making decisions so that a similar decision would be arrived at by others; procedural fairness means those who have been unfairly treated are entitled to have recourse to other avenues of appeal (Nagel, 1990:429).

BACKGROUND TO MALAYSIA'S ECONOMIC DEVELOPMENT & POLICIES

Throughout 1970s until today, many policies have been enforced including the New Economic Policy in 1971 in redistributing the benefits of development. The Second Malaysia Plan was a five year plan commenced in 1971 achieved an economic growth of 6.9 per cent, with inflation of 4.1 per cent. Several programs such as Industrial and Technical Training, Inter-Institution Relations and Business Development Training Scheme along with Malaysia Incorporated Policy and Look East Policy in 1982 were introduced. Through the Malaysia