

Discussion Paper

Ethnic Orders: Making Identity in Malaysia and Beyond*

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Note for Princeton IR Colloquium: This is a discussion paper that outlines theoretical framework for studying ethnic identity. The framework leans heavily on two theoretical literatures: constructivist theories of identity and rational choice institutionalism. Although this theoretical discussion is oriented towards the domestic politics of identity, the empirical content focuses on British and Dutch colonial practices, the Japanese occupation of Southeast Asia during WWII, and the politics of decolonization and nation-building. An IR-focused audience may find the last third of this paper particularly relevant to contemporary international relations research: there, I focus empirically on colonial, imperial, and decolonial practices, and link my approach to practice-theoretic approaches in international relations theory.

Abstract: I propose that ethnic identity is best understood as a social institution, and use this framework to provide conceptual microfoundations for a theory of identity that is emergent, intersubjective, situational, and contested. To motivate this discussion, I draw on the case of Malays in contemporary Malaysia. The larger project, for which this discussion paper is the first (but preliminary) output, is a book-length study of the political economy of ethnic orders, placing Malay politics in a global and comparative perspective.

Motivations

Malaysia is a classic example of a plural society. Its population consists of multiple ethnic groups, which can be divided among *bumiputera* considered indigenous to the country's territory (the term literally means "sons of the soil") and the descendants

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of immigrant groups from southern China, South Asia, the Middle East, and Europe. Phenotypic differences between indigenous and migrant communities are abundantly clear to even casual observers. Among the *bumiputera*, we find the majority Malays for whom the country is named, alongside non-Malay *bumiputeras* found primarily in Malaysian Borneo. The Malay peninsula is known in the national language (Bahasa Melayu, or Malay language) as *Tanah Melayu*, or the Malay lands. References to Malays living in present-day Malaya date from the earliest European contact with this territory, and may also be found in Chinese and Arab sources prior to this. When the Portuguese apothecary Tome Pirès described in the early 1500s the communities of the Klang Valley and nearby areas, today the area surrounding Kuala Lumpur, he was direct and explicit: “they are Malays.”¹

If there were ever an instance of unproblematic ethnic categories, Malaysia would seem to be it. Yet the identity of the plurality ethnic group Malaysia is regulated in puzzling ways. “Malay” is a category that for all of the reasons listed above ought to be self-evident to Malaysians, and yet uniquely among Malaysian ethnic groups, Malay has a legal definition that appears in the Malaysian Constitution. That legal definition, moreover, grounds identity in religious identity, language, custom, and residence in the territory of Malaysia, not in indigeneity: loosely, a Malay by law is a Muslim who speaks Malay, acts like a Malay, and resides in the territory of Malaysia. That that legal definition is tautological goes unacknowledged. Malaysian society contains a widely accepted phenomenon of *masuk Melayu*, or becoming Malay (literally, to “enter” Malay),

¹ “*Sam malayos.*” From *The Suma Oriental of Tome Pirès: An Account of the East, from the Red Sea to Japan, Written in Malacca and India in 1512-1515*, Volume 2, tr. Armando Cortesão (London: The Hakluyt Society, 1944), p. 489.

a term that dates to the colonial period but is equally understood today. Malaysians also commonly recognize the commonality of immigrant stock among the population today considered to be Malays, including not only Malays from Sumatra and other Austronesian peoples from present-day Indonesia such as Javanese and Buginese, but also Arabs, South Asian, Chinese, and Eurasians. So-called *Melayu jati* or “pure Malays” in Malaysia are few, and they are not valorized as such. A common refrain among Malaysians and scholars of Malay identity is that if you care to look below the surface, most Malays will easily recognize their own complex genealogy. Depending on the situation, a Malaysian with Arab ancestry may identify as Malay, or Arab, or something else altogether.

Despite all of this, Malayness is understood in Malaysian politics to be a primordial identity associated with *Tanah Melayu*. Politicians from the ruling United Malays National Organisation (UMNO) openly speak of defending Malay supremacy, or *ketuanan Melayu*. Malaysia’s political system is oriented around a divide between ethnically constituted parties such UMNO from peninsular Malaysia, and pan-ethnic parties in the opposition that nevertheless tend to draw disproportionately from one ethnic group or another. Malaysia’s political economy features countless policies that explicitly favor *bumiputeras* in areas ranging from car loans to university admissions to stock ownership. Because Malays are the vast majority among *bumiputeras*, they have for decades benefited from these policies.

The puzzles of ethnic identity in Malaysia are these. The Malay identity is obviously constructed, but it is nevertheless socially real and politically consequential. Malay identity is associated with an imagined connection to a place and its political

history, yet does not require descent for membership. Malayness is self-evident to Malaysians, and yet it is codified—and tautologically so—in law. Malays live and rehearse their ethnic identity when interacting with a state founded on the idea that their identity already exists. Malayness in Malaysia is porous, but other identities are not. There are abundant instrumental incentives to become Malay, and such a phenomenon of becoming Malay actually occurs, but most of Malaysia's non-Malays do not *masuk Melayu*. Malays simultaneously hold multiple identities at the same time, of which Malay is but one. In broadest terms, the puzzle for scholars of ethnicity is how Malaysian politics and political economy can revolve so completely around such a slippery concept. Why is it that Malayness means what it does, rather than something else?

Many of these themes such as the situationality and contestedness of identity have been addressed in the now-mature constructivist literature on ethnicity, usefully reviewed and organized in Chandra (2012). That project contains a major statement on what an ethnic identity is: it is a “category in which descent-based attributes are necessary to determine eligibility for membership” (58). Chandra's descent-based definition of ethnic identity, though, founders for categories like Malay that are not exclusively descent-based. Our choices for a group like the Malays in Malaysia are three. We may hold that the residency stipulation is a fudge, so that Malayness is a descent-based category “from now on.” We may alternatively argue that “Malay” in Malaysia is not an ethnic group or an ethnic category. Or, we may seek an alternative conceptual foundation for ethnic identity.

I will adopt the third position. With the constructivists, I will agree that ethnic identities are fluid, malleable, and responsive to politics. In most common understandings

of the term, then, my approach can be labeled “constructivist” as well. But I will argue that ethnic identity is best understood not as a category, but as a social institution.

Ethnicity as a Social Institution

I mean institution in the most general sense that Schotter (1981: 9) defines social institutions: “regularities in behavior which are agreed to by all members of society and specify behavior in specific recurrent situations.” I make a slight modification to this definition, for reasons that should become clear later in this essay: *an institution is a regularity in behavior that specifies actions in specific recurrent situations*. This view of institutions differs from a Northian perspective on institutions as constraints, because the behavioral regularities *themselves* have causal effects on behavior. Calvert (1995) terms this an “institutions-as-equilibria” approach to social institutions, and the main benefit of this approach is that it asks how those constraints come to be and how they are sustained. In this conceptualization of social institutions, an institution is an emergent property of individuals’ behaviors. An institution is not an objectively or even subjectively existing thing outside of the individual behaviors that constitute it.

By claiming that identity is an institution, I am claiming that identity, too, is a regularity in behavior that specifies actions in specific recurrent situations. To be more precise, identity is a subset of all regularities in behaviors that specifies the recognition of shared attributes with other individuals in specific recurrent situations. There are many kinds of identity: ethnic, gender, racial, religious, national, linguistic, and others. All of them are interesting. Ethnic identity, for my purposes, refers to recognition of shared attributes of *heritage*. Put all of these definitions together, and *ethnic identity is a*

regularity in behavior that specifies the recognition of shared attributes of heritage in specific recurrent situations.

Much of this definition rides on what *heritage* means. Heritage, in the Oxford English Dictionary, is defined as “property that is or may be inherited; an inheritance.” This is nearly the sense in which I mean it: a sense of possession of something that has been passed from others. Inheritance does not require actual genealogical descent, although genealogical descent is common for inheritance. It is in this sense that whiteness in the United States may come to be understood as an ethnic identity that applies to Italian, Russian, and Jewish Americans—not because of actual or even imagined shared genealogical descent from Western Europeans, but because of a shared sense of having inherited something originally associated with them by writ of some (changing, often contested) regularity in behavior.

This definition of ethnic identity does not preclude other forms of identification such as race, religion, or language that may exist simultaneously with ethnic identity, or which may be embedded into conceptions of heritage. Ethnic identity may be racialized, or it may rest on language and/or religion. Some conceptions of whiteness in the United States rest on a racial understanding of whiteness as a biological property of individuals, others rely on Christianity or English language use. In Malaysia, Malayness rests not at all on racial heritage, and entirely on language, religion, custom, and residence. Because my task is not to distinguish *a priori* between ethnic identity and the recognition of other shared attributes in recurrent situations, I leave aside here the work of specifying the boundaries between ethnic and other kinds of identity.

Starting from my definition of ethnic identity, it is possible build out a vocabulary for conceptualizing it. For now, I wish to highlight two terms. An *ethnic group* is a collective of individuals who recognize shared attributes of heritage in specific recurrent situations. When we purport to be observing the existence of an “ethnic group” we are observing the emergent property of many individuals recognizing shared attributes of heritage in particular social situations. A second term that will prove useful is *ethnic order*. For Hochschild, Weaver, and Burch (2012), the American racial order is “the beliefs, institutions, and practices that organize relationships among the nation's races and ethnicities.” I will modify this definition slightly: *an ethnic order is the set of beliefs, practices, and ancillary institutions that organize and sustain ethnic identities*. Ethnic orders define the heritage to be recognized and the recurrent situations when such recognition occurs.

It is useful to consider how my definition of identity differs from Chandra’s. Although I insist that there are many similarities between our understandings of ethnicity, there are two important differences. The first is that I do not rely on descent as an attribute of ethnic identity. Chandra’s elaboration of descent categories is broadly inclusive, admitting many types of descent ranging from blood to language to imagined history. However, there is always a notion of descent. My definition differs in that it stipulates the act of recognizing shared heritage itself to constitute ethnic identity. A Malaysian of Chinese descent who speaks Malay, converts to Islam, and is recognized by others as following Malay custom can literally become Malay both in law and in practice—if she so desires. There is nothing else. The case of Malaysia’s Malays provides the example of an ethnic identity that in peoples’ lived experiences does not

require descent, and in doing so, offers fruitful ground for alternative ways of thinking about what ethnicity ought to mean.

A second difference is one of conceptual emphasis. Chandra emphasizes the category-ness of ethnic identity, as comprised of attributes. That these attributes may vary across social situations is one of the main strengths of her conceptualization. My conceptual emphasis instead is on the act of recognition of heritage, with ethnic groups as an emergent property of the behavior of many individuals, and the categories as the residua of ethnic orders. In such ways, my understanding of identity as an equilibrium institution accords nicely—if perhaps surprisingly—with perspectives on ethnicity that describe it as a category of practice (Brubaker and Cooper 2000; Brubaker 2013).²

It will also be useful to distinguish my discussion of ethnic identity, ethnic groups, and ethnic orders from the other major constructivist synthesis on identity, Abdelal et al.'s *Measuring Identity* (Abdelal et al. 2009). Their “Identity as a Variable” defines “collective identity as a social category that varies along two dimensions – content and contestation” (19). Like Chandra, then, Abdelal et al. emphasize the category-ness of identity, and ethnic identity is one kind of identity, but not one of particular note.³ By specifying that understanding identity requires us to understand the content of that identity, Abdelal et al. remind us that identities contain within them both a claim about the properties of the collective and its differences with others. By

² Practice theorists clearly mean to differentiate behavior from practice. Write Adler and Pouliot, “Practices differ from mere behaviors and actions precisely because they are socially organized and recognizable by the communities that coalesce around them.”

<http://www.isanet.org/Publications/ISO/Posts/ID/4956/Fulfilling-The-Promises-of-Practice-Theory-in-IR>. My understanding of institutions as behavioral regularities embedded in orders is meant to convey the same meaning to the phenomena that I describe.

³ Abdelal et al. mention ethnicity exactly four times in “Identity as a Variable.” Two of these mentions appear in lists of possible identities, and one is found in a block quote.

emphasizing that identities are contested, Abdelal et al. anticipate one of the main criticisms of static conceptions of ethnicity. As should become clear below, however, Abdelal et al.'s conceptualization of identity, when applied to ethnic identity, elides conceptually what I have distinguished as ethnic identities versus ethnic groups versus ethnic orders. Separating these three concepts will help to differentiate among the constitutive parts of ethnic identity (behavior), the beliefs and ancillary institutions that give it meaning (orders), and the individuals whose behavior constitutes it (groups).

Across many questions about identity and ethnicity, I agree with existing constructivist syntheses on identity and ethnicity. I also agree that the hodgepodge nature of the enormous literature on ethnicity and identity has impeded the development of a common framework for studying them. However, I remain unsatisfied with the current state of the art, on two counts. Narrowly, I do not believe that existing constructivist syntheses provide me with the analytical tools to make sense of the problem of Malayness that wish to tackle. Broadly, I am unsatisfied conceptually with considering identity as a social category,⁴ and wish to ground it in an actor-oriented framework from which identity will emerge as a product, alongside the attributes and content that constructivists have identified. Like Yanow (2003), then, I consider the category-ness of ethnic identity to be an “artifact” to be explored. My starting point is a theory of institutions.

⁴ My dissatisfaction with the notion of ethnic identity as a category may be expressed using the following sentence: a stool is a category defined by the absence of back and arms. Although this is a valid statement, it does not tell us much about stools unless we know what furniture is.

Equilibrium Institutions and Ethnic Orders

The equilibrium perspective on social institutions views institutions as the equilibria of games played by strategic actors. The elements of a “game” are the players involved, the strategies that they follow and the structure of that interaction, the payoffs that accrue to players based on how they interact, and the information that they have about that interaction. A simple but illustrative example of the types of game that I have in mind is a decision about whether to apply for a car loan as a Malay or not.⁵ The *player* is just the applicant. The *strategies* are to apply as a Malay or a non-Malay. The *payoffs* for such a game in Malaysia happen to be that applying as a Malay results in a lower interest rate on the loan. The *information* is whether or not the applicant knows this.

Identity is a game in the simple sense that actors produce their identity through their actions in relation with the actions of others, which is all that a game is. Continuing with the car loan example, when applying for a loan, people who will be identified by others as Malays have a material incentive to apply as Malays (in practice, this means checking a box). That choice in relation to others’ views produces their Malayness in that contextual interaction. However, repeated over many kinds of interactions in different areas of life that produce incentives to identify as Malay, we have a behavioral regularity across a series of specific social situations. As many individuals participate in similar interactions in similar ways, that behavioral regularity exists across specific situations and individuals. This collective of individuals *is* Malay in the sense that they *practice* Malayness in those situations, *and in no other sense*.

⁵ In Malaysia the benefits that accrue to Malays by law also accrue to other non-Malay *bumiputeras*, but because such an identity category is not the one that resonates in Malaysian politics and society I focus here on Malayness rather than *bumiputera*-ness.

The literature on equilibrium institutions, by casting institutions as regularities in behavior, leads us to ask what undergirds those regularities. In the car loan interaction, the existence of the loan applicant can be taken as given, but players' strategies, payoffs, and information cannot be. Why are the relevant options to apply as Malay or non-Malay? Why are the material payoffs higher for identifying as Malay, and why does the loan applicant believe that the benefits to identifying as Malay are higher? How does the loan applicant come to understand that this is the structure of the interaction? It is here that the concept of ethnic orders becomes important. Recalling my definition of ethnic orders as the beliefs, practices, and ancillary institutions that organize and sustain ethnic identities, we can understand them as providing the meaning and structure to the underlying games in which ethnicity may emerge. In this example, Malaysian law defines the relevant categories as Malay or not, Malaysia's system of education helps to inculcate values of identity maintenance and thrift, and the country's political economy helps to define expectations about the types of interactions in which questions of identity may arise. Pitched this way, the notion of ancillary institutions may seem inordinately broad; any careful analysis of ethnic orders would require a more precise characterization of specific institutions beyond "law, education, and political economy." The conceptual point is that orders fill in the context that give meaning to otherwise unhelpfully abstract games.

Of course, the analysis of ethnic orders ought not stop there. Where do those ancillary institutions that define strategies, payoffs, and information come from? Answering such a question requires a focus not only on ethnic identity but how social forces shape the evolution of these ancillary institutions. However, critically, by

separating ethnic identity from the factors that shape that practice we see more clearly that the question of the origins of ethnic orders are analytically distinct from ethnic identity itself. The concept of ancillary institutions also helps to solve one of the thorny problems of a context-free equilibrium institutions approach, which is how institutions can be consequential if they are the results of the behaviors of the individuals whose behaviors they regulate. Because ancillary institutions also govern other arenas of social life—preferential loan regulations are not just about identity, they are about loans—they are sustained by a different set of interests, and oftentimes even different individuals, than those whose behavior constitutes ethnicity.

At this point it will be useful to contrast this approach to another constructivist work on identity, Laitin (1998) on language and identity in the Baltics. Laitin's analysis is also actor-centric, in that it is concerned with how individuals choose identities. Coordination is at the center of his account: what are the conditions that produce incentives for individuals to coordinate on one identity versus another? Individuals are playing a game with a tipping point, and the problem that Laitin is attempting to solve is why we may observe large changes in identity. By contrast, my view here allows individuals to "play a game" not just against an opponent, but also against a policy, statute, or regulation. Game theorists refer to such non-individual actors as Nature. Nature is not strategic—the policy does not have preferences about whether or not to recognize a loan applicant as Malay. That means that the identity problem is decision theoretic, not game theoretic.

This distinction reveals that we may distinguish broadly between two kinds of identity-constituting interactions: individual-to-individual, and individual-to-institution.

Individual-to-individual interactions may be game-theoretic, because both players chose to recognize shared heritage or not, and the preferred outcomes of each player may depend on the choices of the other. Individual-to-institution interactions are decision-theoretic, because the institution does not choose. Table 1 contrasts these two sorts of interactions.

Table 1: Identity-Constituting Interactions

Individual-to-individual				Individual-to-institution			
		B				Institution	
		Malay	Non-Malay				
A	Malay			A	Malay		
	Non-Malay				Non-Malay		

The left-hand example shows that shared recognition of ethnic identity requires both A and B to choose Malay over non-Malay. The right-hand example does not require mutual interaction. In point of fact, many if not most identity-constituting behaviors are the latter form of interaction, and it is for this reason that ethnicity can appear to be objective—a “real fact” in the context of such interactions.

The interactions portrayed in Table 1 are context-free. They thus tell us nothing about whether an individual in any particular interaction will recognize shared heritage or not, which is why the payoffs in the game matrices are empty. To fill in these payoffs, we require an account of the ethnic order and the situation, which will specify whether recurrent social situations induce identity or not. Some kinds of individual-to-individual interactions will induce joint recognition of an identity, and some will not; some individual-to-institution interactions will encourage identity recognition, and others will not. Some of these will match Laitin’s coordination games, but most will not. In terms of

the game-like structure of these social situations, ethnic orders (1) specify what types of social interactions involve identity, (2) define the payoff structure for such interactions, (3) create common knowledge about the structure of such social interactions, and (4) shape individual preferences.

This discussion is highly abstract, but it has hopefully reoriented our understanding of identity towards ethnic identity as behavioral regularities across situations, rather than a group or category. I will have more to say later about how to map these discussions to the Malaysian case and the implications for other cases. But the core analytical point is that understanding ethnic identity requires understanding ethnic orders, specifically because they provide the context through which ethnic identity arises across recurrent situations.

Emergent, Intersubjective, Situational, Contested

Casting ethnicity as an equilibrium institution has useful implications. First, it renders moot any question from the perspective of the researcher about the accuracy or veracity of ethnic identity. If we observe regular recognition of shared heritage in specific recurrent situations, then that ethnic identity exists, full stop. Second, as noted above, it encourages reflection about the forces that generate those regularities: ethnic identity can never be order-free. And third, it allows ethnicity to have four features that are essential to any conceptualization of identity: emergence, intersubjectivity, situational dependence, and contestation.

Emergent: An institutional conception of identity, and an equilibrium institutions approach to social institutions, entails that what constitutes ethnic groups are the actions of individuals across situations. This means that ethnic identity exists as an explanatory

category even though it is not a property of individuals. Ethnicity is in this way an emergent phenomenon. Following Elder-Vass (2011), “emergence is the idea that a thing...can have properties or capabilities that are not possessed by its parts” (4), and such things are real in the sense that they “can have causal impact on the world in [their] own right: a causal impact that is not just the sum of the impacts [their] parts would have if they were not organised into this kind of whole” (5). Little has termed this a “tame” conceptualization of emergence in that properties of the thing are ultimately describable in terms of their parts and their arrangement,⁶ but the benefit of such a conceptualization of identity is that it allows for ethnicity to have causal power while also insisting that such power cannot be mysterious (see also List and Spiekermann 2013).

Constructivist understandings of ethnicity have the great benefit of insisting that ethnicity is not a feature that individuals possess, such as that the Malays are not the collective of individuals who possess the attribute of Malayness. Yet recent articulations of the constructivist position find themselves focusing instead on attributes and categories, even as they dutifully recognize the constructedness of identity. In the institutionalist view that I outline here, understanding ethnicity does not require a demolition of the concept of identity as a phenomenon—showing that ethnicity is “really” something else, or that its causal powers actually supervene on the causal powers of individuals themselves (List and Menzies 2009)—but it does require an account of what ethnicity is that depends ultimately on what individuals do.

Intersubjective: Identity is an intersubjective phenomenon: what I “am” depends both on my own understanding of me and on everyone else’s understanding of me. One

⁶ Daniel Little, “Emergence,” <https://undsoc.org/2012/01/06/emergence/>.

may feel Malay, but that has no social meaning unless that feeling is so recognized by others.

The fact that identity is intersubjective explains why broad identity categories seem to break down upon closer inspection. But just *why* should identity be intersubjective in this way? Why isn't ethnicity objective like a capital city, or subjective like a belief? Viewed through the lens of ethnic identity as an institution, and thus a regularity in behavior across recurrent situations, the intersubjectivity of identity is a logical consequent of the definition of an institution as a behavioral regularity, and of identity as shared recognition. And intersubjectivity is entirely expected because probing beyond one's identity in national politics to a more local or even personal encounter changes the situation, and thus the character of the intersubjective interaction. The fact that Malays will readily acknowledge the complexity of their family history does not imply that it is wrong to identify Malay as a salient category in national politics. It reflects the very essence of identity, that how one identifies depends on where one sits, and identities are no more real or true upon closer inspection than they are at broader level. This intersubjectivity of identity provides a convenient segue into a discussion of situationality.

Situational: I have stressed in the preceding discussion that identity is not a property of the individual, or of a group, but of the situation. Change the situation and you change the game; so too may the actor's choice change, and with it, ethnic identity itself. The situationality of ethnicity is among the oldest themes in the study of Malaysian identity. Judith Nagata (1974) famously demonstrated, using ethnographic insights from the Malaysian state of Penang, that individuals can call upon various identities at

particular moments, and that this is both natural and reflective of the social milieu.⁷ An institutional perspective of identity holds that practices of identification vary regularly across individuals and across social situations. It is therefore possible to specify the conditions under which individuals will identify in certain ways. Some examples of how this happens in Malaysia include

- Political parties make ethnic identity salient in the voting booth and within the parliament
- Public policies give individuals instrumental reasons to identify in particular ways
- Definitions of the boundaries of identity create the terms under which individuals may cross identity boundaries. For example, there is no law about identifying as Javanese or Chinese, but how to identify as Malay is written in law.

Situational context shapes identity both in national politics and at regular points in one's life: voting, getting a job, participating in the economy, celebrating one's faith, and speaking one's language.

To push a bit deeper into one recurrent situation, recall that ethnic orders (1) specify what types of social interactions involve identity, (2) define the payoff structure for such interactions, (3) create common knowledge about the structure of such social interactions, and (4) shape individual preferences. Ethnic orders help to inform player A that when he goes to buy a car, he can expect a cheaper car loan if he is Malay, and

⁷ At the time that I first wrote this paragraph, I attended an event that was also attended by a prominent Malaysian businessperson. In the course of a short conversation, partially in Malay and partially in English, he identified as a Malay serving as an executive in a Malay political organization, and as a Minangkabau serving as an executive in a Minangkabau cultural association. He also happily, and without prodding, mentioned his Acehnese wife and his own Portuguese ancestry. When I followed up with a note of surprise, saying "*orang Nasrani eh?*" he carefully replied "*orang Portugis.*" *Nasrani* is a common way of referring to descendants of Portuguese in Malaysia that emphasizes their Christianity (*Nasrani* = Nazarene). Using *Portugis* emphasizes place of origin instead.

moreover, that that is a legitimate perquisite of Malays. In such situations, the returns for identifying as Malay are high for people who will be identified by others as Malays. Of course, Malaysia's ethnic order differs from that of Indonesia, South Africa, or other countries with Malay populations, and as a result, recognition of shared heritage as Malays only emerges from loan transactions in the Malaysian context. In this way, the content of Malayness varies by country, and as a result, so does the practice of Malayness.

Situationality also appears *within* ethnic orders. In uncommon or politically inconsequential situations (in neighborhood politics, for example) where ethnic orders leave preferences unspecified, then other scripts may be called upon. In such situations, it may be the case that Malays identify as Arab or Javanese, depending on the context or the individual. In such ways, ethnic orders make identity, but situationally.

Conceptualizing ethnic orders this way provides a theoretical microfoundation for comparative work about the production of ethnicity both within and across ethnic orders.

Contested: One benefit of an institutions-as-equilibria, ethnicity-as-practice perspective is that it suggests a specific way to understand the contestedness of identity, and also the causes of contestedness. There are two general frameworks through which to understand identity contestation. When an actor does not recognize shared heritage, it may be understood as a difference in preferences, when someone who may be recognized as Malay may have countervailing set of preferences. That one might not recognize shared heritage—that she may not practice ethnicity—is a consequence of the autonomy of the individual in an actor-centric model of social institutions.

A second and distinct way to understand contestation is through differences in information or beliefs about situations. In the event that an actor does not share common beliefs about the nature of the social interaction, or does not know the payoffs associated with his or her actions, then the result may be behavior that deviates from regular patterns of behavior. A practical example of this is to consider what happens when a Malay raised abroad finds herself in Malaysia, seeking a car loan. If this individual is unaware that that situation invites the opportunity for ethnic identification, then she may contest the Malay identity simply by not recognizing shared heritage in situations where doing so is expected by others.⁸

What might cause differences in preferences or beliefs? In a base sense, this is simply a possibility in any actor-centric approach to identity. If there is variation in individual receptivity to material incentives to recognize shared heritage, then there will be variation in recognition of shared heritage. If there is variation in information in beliefs or information about social situations, so too will there be variation in behavior. But political and social forces may also matter. The idea of changing individual preferences so as to discourage situational ethnic identification lies at the heart of most movements that resist dominant ethnic orders. Changing ancillary institutions too may be a goal. This provides us with two distinct microfoundations for what any kind of social change—slow-moving phenomena such as modernization, fast-moving phenomena such as economic shocks, or political phenomena such as social movements—may do to ethnic

⁸ As an anecdote, a case with which I am familiar pertains to a child of mixed parentage raised in the Malaysian state of Sarawak, in Malaysian Borneo, under that state's unique ethnic order (see Hazis 2012). Upon relocating to peninsular Malaysia, this child—recognized by others as Malay—was unaware of the peninsula's ethnic order and its implications for the situational recognition of Malayness. The child would “act un-Malay.”

identity: they may change either individual preferences or the ancillary institutions that produce ethnic identity across situations. In contemporary Malaysia, both strategies may be found. Some opposition parties seek to dismantle the ethnic order, and some social movements seek to change individual preferences.

Conceptually, this framework shows that the contestedness of identity need not have implications for the ethnic identity of others who do not contest it. Indeed, a critical perspective on identity that highlights those individuals who do not recognize shared heritage is neither a defeat nor a challenge to identity if we conceptualize identity as an institution. One further benefit of an institutional perspective on identity is that it facilitates clear differentiation between situational and contested identities. An individual who identifies as Malay at school but as Arab or Bugis in a personal interaction is situationally practicing ethnic identity, not contesting identity. An individual who may identify as Malay given the existing ethnic order but does not in precisely those situations where ancillary institutions encourage her to do so is contesting that identity. Situationality is a natural consequence of ethnic orders, whereas contestation is a resistance to ethnic orders.

Durability and Change

These arguments have implications for why and how ethnic identities change. In an equilibrium institutions perspective, institutions are only durable if they are robust to perturbations. This means that it must be the case that ethnic identities endure even if some portion of the individuals who participate in that institution refuse to adhere to the

ethnic order.⁹ It is plainly the case that many Malays and non-Malays alike refuse to comport with expectations from ethnic orders—rejecting others’ tendency to label them as “Indian,” for example, or refusing to vote for UMNO. As argued above, there is nothing that prevents someone who may identify as a Malay in order to receive a discounted car loan from choosing not to so identify, perhaps because of a stronger belief in a pan-ethnic or religious identity, or perhaps for other reasons. Such individuals are not wrong and they are not irrational. They are expressing their autonomy as individuals, which an equilibrium institutions view of identity considers essential for conceptualizing identity itself. However, because identity is intersubjective, they are not free to choose how others view them, or to reject how ancillary institutions work. Ethnicity remains an institution just so long as such people are not too many.

But just how would ethnicity change as an institution? Identity change may happen through a large scale exogenous change in the ethnic order, as Laitin argued using the cases of Russian-speakers in the newly independent Baltics. If the ancillary institutions that sustained ethnic identity were to change, then it is unsurprising to conclude that the behavioral regularities that they sustain will change as well. But under normal times, ethnic orders make this difficult, and deliberately so. Education policies tell children what their interests are, and socialize them into understanding how the order works. Regulations on families ensure that as individuals raise them, they pass identities down to further generations. Political articulations of identity (ethnic parties and non-ethnic parties alike) highlight the terms of identity. Ethnic orders make identity a *self-reinforcing* institution.

⁹ Relatedly, List and Spiekerman (2013) describe “microrealization robust” social entities that can have causal powers even if their constituent parts were arranged in different ways.

Could identity as an institution ever change endogenously? Greif and Laitin (2004) note that the problem of endogenous institutional change is particularly thorny for game-theoretic approaches to institutions (as opposed to historical institutionalist approaches, which have a rich conceptual architecture for institutional change), but propose how to embed the notion of feedback into models of equilibrium institutions to generate dynamic feedback loops that can undermine institutions over time. In the Malaysian case, there are two relevant instances to examine. The first is the material incentives to identify as Malay: as the policies that redistribute resources towards Malays to equalize wealth persist, their success undermines the relative “backwardness” of Malays that generates disproportionate incentives to identify as Malay. A second is the role of religion: as Malaysia’s ancillary institutions reinforce Islam’s constitutive role in Malayness, they provide an alternative basis for political mobilization.

Describing versus Understanding Identity: An Agenda

So far, the identity-as-an-institution perspective proves useful for reconciling two different views of ethnic politics: that ethnic categories are socially real and useful for describing aggregate patterns in political behavior, and they are simultaneously slippery concepts, elusive upon close inspection for particular communities and individuals, emergent, intersubjective, situational, and contested.

This perspective also suggests a reorientation of inquiry into ethnicity in political science, to devote greater attention to the production and sustaining of identities that has tended to appear either as a mere detail or afterthought in political science research, or to be consigned to the task of historians, sociologists, and anthropologists. Like other institutions, identity and ethnicity can be taken as given (described), or deconstructed to

see how they work (understood). An equilibrium institutions perspective insists that the mechanisms of institutional production and reproduction must be understood in order for the institution itself to be described, for these are what actually constitute the institution and it is in their dynamics that institutional change will be found. Nevertheless, just as institutions can be described without being understood, so too can identity and ethnicity be described without understood. In broad terms, much recent research on identity by political scientists has described identity without understanding it. For example, work that counts ethnic groups and correlates some measure of similarity or polarization with some outcome is engaged in an exercise that describes ethnic identities without understanding them. Primordialist work on ethnicity, which tried to uncover an essence of ethnic identity that lies in blood or land, is for obvious reasons no longer fashionable, but it did once claim to understand identity.

The questions that an ethnicity-as-an-institution perspective asks are about the interplay between ethnic orders and the practice of ethnic identity. These include (1) how do ethnic orders ensure that people come to have expectations about how others will identify them? (2) how do ancillary institutions produce information about what the expected outcomes for various choices are? and (3) how common are those people who do not adhere to the order? Answers to these questions require both a focus on the content of ethnicity—what do people believe that ethnicity means? what are its boundaries or borders?—and also a focus on those ancillary institutions that comprise the order. Understanding identity, then, almost certainly requires taking things like culture, literature, history in addition to policy and political economy seriously as objects of investigation for a political science of ethnicity. They are objects of investigation not

simply because they are source of evidence about the above questions, and also in many cases *they are actually the answers* themselves.

One way to understand ethnicity as an institution is to push its bounds. One might look, for example, at the children of mixed marriages. In an ethnic order like Malaysia's, the children of mixed Javanese-Malay marriages ought to be understood to be Malays. In one like Indonesia's, where Javanese and Malay are operant categories too, they ought to be understood as something else—mixed, or perhaps Indonesians will simply disagree about how to classify them. That disagreement in the Indonesian case will reflect that country's ethnic order, and the identity of, say, *Jawamelayu*¹⁰ is not an ethnic identity precisely because there exists among that population no regularity in behavior that specifies the recognition of shared attributes of mixed Javanese-Malay heritage in specific recurrent situations. If such a behavior were to emerge, that would be an ethnic identity.

Another way to push the bounds of ethnicity as an institution is to look deliberately at recurrent situations across different orders. Comparable recurrent situations should have different identity implications across different orders. Malaysians hearing a vignette of an individual with an Arab-sounding name¹¹ applying for a car loan ought to expect that individual to identify as Malay. Indonesians will not think the same. One may also vary the situation to one in which ethnic identity ought not be recognized, say, the same individual attending Friday prayers.

¹⁰ I employ this term after a conversation with several Indonesians who, when asked how Indonesians would classify the offspring of a mixed Javanese-Malay marriage, were casting about for a category that would describe such individuals. In context, the term was meant to be playful.

¹¹ Because nearly all Malay Muslims in Indonesia and Malaysia have names derived from Arabic rather than Malay, it can be challenging to use names to connote specifically Arab ancestry. However, there are certain ways to signal this. A name like Ishak bin Hitam or Mat Yusof bin Awang probably conjures a standard Malay name, whereas a name like Syed Ali Al-Bukhary will connote Arab ancestry.

This is a research agenda that may be pursued using standard tools such as individual surveys, focus groups, and vignette experiments. It involves comparisons across orders, across situations within orders, and across individuals within situations. But just as much work is to be done in understanding ethnic orders, to study those ancillary institutions that explain the variation across orders, situations, and individuals. For this there is no alternative to a reading of history, and a sociological and political-economic understanding of situations in context. There is probably not a “rationalist” history of Malaysia’s ethnic order to be written, but it is certainly possible to examine the historical foundations of Malaysia’s contemporary order, and to compare Malaysia’s order to that of Singapore and Indonesia. Indeed, it is also possible to compare within Malaysia, differentiating broadly between ethnic orders in Sarawak versus the peninsula.

Doing so suggests some new questions for the historical and sociological work that narrowly focuses on identity and ethnicity in Malaysia. Drawing on the work of Reid (2009), Milner (2002), and especially Kahn (2006) it is possible to trace the ways in which notions of Malayness have changed over time. An equilibrium institutions approach to of identity, though, encourages us to embed how understandings of ethnicity fit into some broader account of institutional structure. This approach recommends greater focus not on British colonial policies—although they are absolutely essential as a foundation—but on (1) the Japanese occupation of Malaya and the Indies during WWII, which utterly transformed the practice of identity in Malaya; and (2) transnational communist connections that emerged in the immediate postwar period. In what follows, I illustrate this argument in more detail.

Application: The Emergence of Contemporary Malayness

Where did contemporary understandings of Malayness in Malaysia come from? A simple answer, one common in much postcolonial scholarship, is to attribute the emergence of ethnic identity to a colonial racial politics. There is much to recommend such an account. By the late 1800s, eugenicist thought comprised an important element in British colonial thinking, and the notion of a “Malay race” had gained some currency in Britain and elsewhere, with the Malay phenotype usually understood as a distinct variant of the “Mongoloid” race. It is not hard to see how British colonial officials might have settled on a tripartite classification of the people of British Malaya as Malay, Chinese, or Indian based on what would have been perceived as objective phenotypic differences. In this account, anyone who phenotypically resembles an idealized Malay racial type would have been considered Malay by the British colonial administration. Such a view would explain why other peoples of the Indonesian archipelago came to be identified as “Malay” even if their ancestors were born in Java or Sulawesi.

However, there is good evidence that the British were not responsible for such simplifications. Hirschman (1987) has used British and Malaysian censuses as a text through which to trace official understandings of identity, showing how racial and ethnic classifications have changed over time. Adopting his approach, we may observe from the *Census of British Malaya, 1921* the following description of how the census categories were defined

Under the heading “Malays” are grouped all the native peoples of the Malayan Archipelago and considerable difficulty was experienced in coming to a decision as to which of these races should be tabulated separately, and which amalgamated under the heading “Malay.” The difficulty does not arise in respect of the Malayan peoples from the islands in the South and East of the Archipelago. The Japanese [sic], the Banjarese and Dyaks [sic] from Borneo, the Boyanese from Bawean and the Bugis from Celebes are distinct races with separate languages and

customs and, after emigrating to this country, they preserve their distinctive features for generations and are not merged in the native Malay population. The child born in British Malaya of Javanese and Boyanese parents would invariably be described as Javanese or Boyanese on the Census schedules. It is in dealing with the Malays of Sumatra that a decision is difficult (Nathan 1921: 22).

If we can take the census author's words as reflecting the social reality of the time and British colonial perceptions thereof, we see that as late as 1921 "Malay" as a category did not encompass all indigenous peoples of the region. Malay could be used as a short-hand for a perceived racial category or phenotype, but this would be different than an ethnic identity. It was therefore possible to speak of industrious "Javanese Malay" in the late 19th century (for an example, see Syed Hussein 1977: 74).

Now consider a more recent census, from *Malaya: A Report on the 1947 Census of Population*.

The distinction between the Malays and the Other Malaysians is not very great and is, indeed, ignored in the compilation of Malayan vital statistics; for the Malays themselves are, to a large extent, descended from the Malays of the east Coast of Sumatra from whom they...are ethnographically indistinguishable. For that matter, on the occasion of the 1921 census when the classification employed was based on ethnographical rather than social consideration, all Sumatran Malays exception the Achinese, Korinchi, and Mendeling were actually included with the Malays proper in the specific race tables; while through the remainder of the tabulation all Malaysians were lumped together under the head "Malays."

As for the Other Malaysians, all but a handful of them are of the Muslim faith and speak the Malay language and are, although to varying degrees, readily assimilable with the Malays of the peninsula with whom, in fact, they tend to form a single community (del Tufo 1949: 72).

Just twenty-six years later the sharp distinctions between Javanese, Boyanese, Bugis, etc. and Malay are beginning to fade. They are still tabulated separately—the State of

Selangor in 1947 was inhabited by 53,859 Javanese versus 103,456 Malays, plus another 14,322 Banjarese—but the task of distinguishing them is recognized to be difficult and imperfect. It is precisely this changing local understanding of Malayness which we must understand in order to characterize Malaysia's ethnic order after independence.

This 1947 census is particularly interesting as it is completely and utterly constructivist with respect to questions of “race” or ethnicity. Again from the 1947 census,

Enumerators were instructed that, unless it was manifestly absurd or impossible, the statement made by the person questioned should be accepted.... Very few Indonesian immigrants, for example, *would claim to be Malays unless they were accepted as such by the village community*. So, too, the girl of Chinese blood adopted in infancy by a Tamil would be entered as a Tamil unless she insisted upon being described as a Chinese. These were merely the natural consequences of insistence upon community; for the Chinese girl in the illustration would almost certainly speak Tamil and no Chinese, would live on a typically South Indian diet and be bound by Tamil custom and would, in due course, marry a Tamil according to the Hindu rites. *To argue that she was a Chinese would be wholly to misconceive the meaning of “race” in the special sense in which it is used in this context* (del Tufo 1949: 71, my emphasis added).

It is only by the 1970 and 1980 censuses, carried out by the independent Malaysian government, there was no separate category at all for Javanese, Boyanese, or any of the other non-Malay groups meticulously recorded by the British. There is only a subcategory within the general Malay category of “Indonesian,” numbering 228,126 in Peninsular Malaysia in 1980 (see Khoo 1983: 156), and it is not clear who would have so identified.

The point of this discussion is to demonstrate that the common assumption that the Malay ethnic identity as currently understood is somehow a British colonial legacy is, at the very least, incomplete. It also reinforces the weight of the institutionalist critique:

just how is it that ethnic identity became so critical for Malaysian politics if several decades earlier it would not have been understood as such? And if so, why *this particular* understanding of ethnic identity, Malay versus non-Malay as the dominant cleavage, with Malay encompassing any Muslim from the Indonesian archipelago alongside other mixed populations as well?

Over the past two decades, historians and anthropologists have illustrated how “Malay politics” developed in the early 1900s, with particular attention to the complexity of the colony’s “Malay” population and the multiplicity of political views—traditional elites versus new masses, “pure Malays” versus “Arab Malays” and “Jawi Peranakans” and “Indonesians,” and others (key sources are Syed Hussein 1977; Kahn 2006; Milner 2002; Reid 2009; Milner 2008; Barnard 2004). For these scholars and those working in their fields, but the constructedness of the contemporary Malay identity and the historical and social processes that have contributed to its construction have long been a subject of investigation. Yet as argued above, to the extent that scholarship in this mold has characterized why the Malay identity in Malaysia has the features that it does, it has emphasized the British colonial encounter. By contrast, I argue that the key to understanding how this internal diversity became simplified into this particular cleavage of Malay versus non-Malay is the Japanese occupation of Malaya during WWII.

The Japanese invasion of Malaya in late 1941, culminating in the fall of Singapore in February 1942, fundamentally changed the social and political order of Malaya. As described by Chin Kee Onn in his well-titled *Malaya Upside Down* (1976), the Japanese occupation saw Malaya’s Chinese population targeted by Japanese colonial officials based on the presumption (often correct) that the Chinese in Malaya

sympathized with anti-Japanese forces in mainland China. In some areas, particularly in Singapore but also elsewhere, Chinese were summarily executed *en masse* in what were termed *sook chings*, or “cleansing purges.” The Malayan Communist Party was a particular target, and the Malayan People’s Anti-Japanese Army (MPAJA) emerged in resistance to Japanese occupation. Both the MCP and the MPAJA were open to all residents of Malaya, but as the most effective organized forces combatting a Japanese occupation that had proven particularly harsh on Chinese, these were especially attractive to the Chinese population in Malaya.

In contrast to the harsh treatment experienced by Malaya’s Chinese population, the non-Chinese population of Malaya fared relatively well. The Japanese attempted to coopt traditional Malay elites, and set up institutions that served the general Muslim population. To be sure, the British had worked closely with traditional Malay elites as well. But the leveling of ethnic distinctions between communities from the archipelago under Japanese occupation created a distinctly new pan-Malay sentiment. Interestingly, the leveling of ethnic differences in favor of a generic Malay identity occurred in parallel with efforts to unite peninsular Malaya with the Dutch East Indies (also occupied by the Japanese). The latter process may have helped to widen Malayan understanding of Malay because in a hypothetical Melayu Raya (Greater Malaya) or Indonesia Raya (Greater Indonesia) that united the two, Malays would be a distinct minority. The failed *Kesatuan Rakyat Indonesia Semenanjung* or Union of the Peninsular Indonesian People, sponsored by the Japanese, is emblematic of this strain of politics. The larger transnational politics of Indonesia Raya, predicated on nationalism rather than ethnic particularism, in this way reinforced the emergence of an inclusive Malay identity.

It is important not to mistake the leveling of social distinctions among archipelagic communities in Malaya for the absence of political conflict within these communities (Abu Talib 1995: 16-24). Cleavages over collaboration versus resistance existed, and cleavages between traditional elites and the young Malay left that predated the Japanese occupation persisted. But given the social reality of Japanese occupation these intracommunal conflicts were not pitched as conflicts over *the boundary of Malayness*, but rather as *the politics of Malayness*. Evidence of the critical importance of ethnic boundary-making for political mobilization may be found in the inability of the Malay left—even those sympathetic to and even explicitly allied with the Indonesian left—to forge common cause with Chinese in Malaya from the MPAJA, one of the most effective armed communist movements in Southeast Asia at the time.

The months immediately following the Japanese surrender saw the outbreak of violence between Chinese and Malay communities, now for the first time understood as a fundamental cleavage between the “victimized” Chinese and the “favored” Malays, regardless of Malays’ particular heritage in Malaya or elsewhere. It was in this context that a general understanding of “Malay” as an identity predicated on religious belief and cultural practice rather than genealogical heritage emerged—Malay as a *political* category that would equally and unproblematically encompass the “Javanese Malay” and the “Arab Malay” as well a *Melayu jati* within a socially recognizable category of “Malay.” Viewed through this lens, Malay emerged as an alternative identity to Chinese (and Indian) in response to the hardening of a Chinese identity under Japanese rule in the context of the Japanese occupation of present-day Malaysia and Indonesia.

This brief historical account of the Japanese occupation of Malaya and its implications for Malay identity allows us to understand how Malaysia's ethnic order first emerged prior to independence. A focus on the Japanese interregnum helpfully makes sense of the differences in British understandings of ethnic identity in Malaya between 1921 and 1947, pinpointing the timing of the emergence of this particular non-genealogical understanding of the Malay ethnic identity. It also explains the particular nature of this emergent identity, as a practiced defined by the recognition of shared heritage in particular social situations. The emergence of Malaya's ethnic order can thus be understood as a simple case of exogenous institutional change. When the Japanese occupation heightened the costs of identifying as Chinese, the practice of ethnic identification among those not recognized as Chinese by the Japanese changed as well. Under Japanese rule, identifying as Javanese instead of Arab or Malay carried no particular weight; differential treatment heightened grievances between those identified as Chinese and those who did not. This account also usefully provides an explanation for how members of the Malay community may also simultaneously hold to other ethnic identities as well, because no part of this process required or incentivized the renunciation of other identities.

To summarize, the category of Malay as an identity category with the particular features of religion, language, and custom that unproblematically includes both the descendants of "pure Malays" as well as Javanese, Buginese, Arabs, Chinese and Indian Muslims, and others solidified in this particular form as a consequence of Japanese occupation during WWII. Plainly, British colonialism "matters" for understanding the history of Malaysian politics and Malayan social structure in the early twentieth century.

However, emergence of Malayness as an inclusive identity explains the rise of UMNO as a pan-Malay party in opposition to its non-Malay counterparts, both radical and moderate (on this history, see Funston 1980).

Other Applications

The preceding discussion has illustrated how an understanding of ethnicity as an institution can help to reinterpret the emergence of Malayness as an identity during the first part of the twentieth century. In the larger project of which this paper is one part, other applications will follow. For now, I return to the set of questions that I posed at the outset of this paper, to provide preliminary answers that an identity-as-an-institution perspective ought to provide.

PUZZLE: The Malay identity is obviously constructed, but it is nevertheless socially real and politically consequential.

ANSWER: Malayness is “real” in the sense that the ancillary institutions that constitute Malaysia’s ethnic order do create incentives for regular recognition of shared Malay heritage across a set of identifiable situations. Even individuals who reject Malayness recognize that those ancillary institutions exist.

PUZZLE: Malay identity is associated with an imagined connection to a place and its political history, yet does not require descent for membership.

ANSWER: The association of Malay with *Tanah Melayu* is a political project that encourages identification with a place as a justification for non-communist rule. The emergence of Malayness as a non-descent based institution was a consequence of a series of political conflicts that followed the Japanese occupation of Malaya during WWII and the exigencies of building a post-war political system. A fuller treatment can specify those conflicts and exigencies with greater detail.

PUZZLE: Malayness is self-evident to Malaysians, and yet it is codified—and tautologically so—in law.

ANSWER: The tautological aspects of Malayness—that a Malay is someone who acts like a Malay—exactly reflect ethnicity as a regularity in behavior across situations. Its codification in law facilitates shared understanding of what Malayness means, and helps those who do not identify as Malay to understand what is at stake. It is self-evident to Malaysians precisely because Malaysia’s ethnic order ensures that Malaysians understand it.

PUZZLE: Malays live and rehearse their ethnic identity when interacting with a state founded on the idea that their identity already exists.

ANSWER: Ethnicity is never order-free. The order, in fact, is what produces Malayness.

PUZZLE: Malayness in Malaysia is porous, but other identities are not. There are abundant incentives to become Malay, and such a phenomenon of becoming Malay actually occurs, but most of Malaysia's non-Malays do not become Malay.

ANSWER: Identifying as a Malay must carry costs to dissuade entry from those who would otherwise exploit the absence of a genealogical definition of Malayness to enjoy the benefits that Malaysia's ethnic order confers to those who identify as Malay. Those costs include a legal requirement of converting to Islam, which in turn implies differential treatment under Malaysian law.

PUZZLE: Malays simultaneously hold multiple identities at the same time, of which Malay is but one.

ANSWER: Identity is situational.

PUZZLE: Why is it that Malayness means what it does, rather than something else?

ANSWER: The answer will be found in the history of the Malaysian state, and the possible worlds that are unrealized (such as Indonesia Raya). To a far greater extent than is commonly understood, *Malaysia made Malays*.

Rationality, Individualism, and Practice

I conclude this discussion by addressing some of some broader epistemological points, on rationality and individualism. My conceptual architecture draws directly on so-called "rational choice institutionalism" (Hall and Taylor 1996). I am aware that this approach will sit uncomfortably with many constructivists and interpretivists, even though, as I have argued above, I see this project as ultimately inspired by the very same phenomena that inspire them too, and I too seek to understand meaning, context, and situations. Part of the problem is a misunderstanding among many opponents of "rational choice theory" about what it means for an account to be rationalist. It might be productive for skeptics to view my account as thinking of actors as *purposive* rather than *rational*. It should also help that nothing in my account assumes that individuals are selfish egotists driven by monetary rewards (in fact, quite the opposite, although I will certainly argue

that pecuniary motivations truly are important for some situations), nor do I require actors to be human supercomputers. The language of game theory is simply the best vocabulary for describing precisely the social phenomena I wish to describe, clarifying the differences between what people want and what they think, between actions and strategies, between independent and interdependent choices, and between institutions and situations. Most of the interactions I describe are not games that need to be solved.

Far more important in distinguishing my approach from others, in my view, is the fundamentally actor-centric approach to social institutions that I have adopted.

Constructivist approaches to ethnic identity in the social sciences have yet to ground themselves to individual actions in this way. My actor-centric approach clings tenaciously to the notion that the essence of ethnic identity is the actions of individuals, and looks for explanations for individual actions with reference to how individuals come to understand recurrent situations. Although some constructivists may object to an actor-centric account of ethnicity, Fearon and Wendt (2002: 66-7) have suggested that such an ontological position does not properly distinguish rationalism from constructivism.

Where I differ from a strictly individualist ontology is in emphasizing that individual action is always contextual, such that actors in situations take as given the ancillary institutions that inform whether and how they may recognize shared heritage. This may be fruitfully conceptualized using the notion of “methodological localism” (Little 2009) as an alternative to methodological individualism.

This actor-centric approach, too, draws on a broader tradition than either the constructivist literature on identity or the rational choice sociology and political economy. In the preface to *The Making of the English Working Class*, E.P. Thompson

wrote “I do not see class as a ‘structure,’ nor even as a ‘category,’ but as something which in fact happens (and can be shown to have happened) in human relationships” (Thompson 1963: 9). Frustratingly, he later identified that “something” as a “social and cultural formation” (11), conflating from my perspective the actions of individuals whose agency Thompson wishes to respect and the milieu in which they live. I suspect that a reader of Thompson would recognize “something which...happens...in human relations” as regularity in behavior, and the “social and cultural formation” to be what I, following Hochschild et al., have called an order.

Practice theories of identity share many important commonalities with my approach, but differ in their ontological assumptions. Write Bueger and Gadinger (2015: 451), practice theorists “are interested in concrete situations of life in which actors perform a common practice and thus create and maintain social orderliness.” Practice-based accounts view individual beliefs as themselves the function of practices, such that “individuals feature as the carriers or hosts of a practice” (Shove et al. 2012: 7). Bottero (2015: 541) for example emphasizes that practice-based accounts of identity-work “avoid the methodological individualism and voluntarism” of other accounts. In recognizing that beliefs and wants are objects of investigation an institutional approach to ethnicity shares this view, but the two views part on the subject of the unit of analysis. For an institutionalist, the building block of analysis is the individual in the situation. In a practice-based account, the unit of analysis is the practice itself. An institutional account does not erase individual agency, as practice-based accounts may,¹² because it sees no

¹² “By framing people as the ‘carriers’ of practices and focusing on practices as the core unit of analysis, there is sometimes a danger of practice theory obscuring questions of the individual and their ‘identity’.” (Bottero 2015: 553).

need to reject agency. Practice-based accounts seek explain how situations “create and maintain social orderliness,” whereas an institutionalist invites inquiry into the ways in which actors may contest “orderly” patterns of behavior.

Nevertheless, the epistemological challenge in an actor-centered account is high: I propose that ethnicity is an institution (and thus by definition comprised of the behavior of individuals), and ethnicity is given meaning by other institutions (which too are comprised of the behavior of individuals), yet in my account the ancillary institutions actually produce the behavior that constitutes ethnicity. How can one emergent phenomenon be causally prior to another without proposing some kind of real social structure that is *not* emergent from those individuals? The “trick” that I seek to invoke is the assumption that there exist separate, partially but not completely overlapping domains of human interaction, allowing for the “givenness” of one institution in the context of the emergence of another. Ancillary institutions in this formulation are just those institutions that are given for studying how another behavioral regularity across situations arises. When studying ethnicity in Malaysia, lending is an ancillary institution, but when studying lending in Malaysia, ethnicity is an ancillary institution. The agenda I have outlined in this paper targets ethnicity, yet analyses of other social institutions may take identity as a given for expository purposes.

Conclusion

The standard approach to understanding ethnicity in Malaysian politics starts from the assumption that ethnic identities exist, and then explains how political institutions such as parties, and public policies such as the NEP, have emerged to manage ethnic politics. My approach in this paper reverses the account. Ethnic identity is itself an

institution, and it has emerged as a product of historical experience under colonial rule and subsequently consolidated in the post-colonial era. Although policies adopted under British colonial rule obviously shaped post-colonial Malaysia, the British did not bestow upon independent Malaya and Malaysia a set of ethnic categories that were set in stone. Instead, politics after independence nurtured those ethnic categories, and reinforced particular features of these identities in ways that British colonial officials would not have recognized. Malaysia's ethnic order is a post-colonial phenomenon, for the ancillary institutions that sustain it are functional responses to authoritarian rule after independence.

There are many directions in which I hope to extend the analysis in this paper. Some involve greater historical detail in the Malay political thought and popular mobilization between 1900 and 1945. Others involve more immersive ethnographic research into the everyday political economy of identity in Malaysia, how schools, market transactions, and other aspects of daily life force Malaysians to recognize shared heritage across regularly occurring situations. Another involves using surveys and survey experiments to capture Malaysians' views about ethnicity. I expect that these will become three chapters in a larger book project.

Another way to extend my analysis is to look comparatively at how Malayness has evolved. Outside of peninsular Malaya, Malays are the majority in Brunei and minorities in the East Malaysian state of Sarawak, in Thailand, in Singapore, and in Indonesia. Indonesia is most interesting as it is also a Muslim majority country speaking a similar language, and historically, movements of people and ideas between Sumatra and the Malay peninsular were particularly common. My argument would imply that because

Indonesia does not have any policy such as the NEP, nor does it have ethnically based parties, Malays in Sumatra (even in areas where they are the majority) experience Malayness differently, identify as Malay in different ways and in different social situations. By varying the ethnic order—peninsular Malaya versus Sumatra—I intend to show how the same titular ethnic group institutionalizes identity differently. Similar exercises in Sarawak and Singapore can complement this analysis.

Thinking conceptually about ethnicity as an institution and conceptualizing institutions as equilibria has useful benefits beyond the case of Malays. It provides a fresh set of insights into what ethnic identity is that emphasizes not just cleavages but content and practice of identity. It provides a vocabulary for conceptualizing ethnicity and identity that draws on literature in U.S. politics on racial orders and how public policy creates identity. And it requires scholars to understand how identity interacts with other institutions, both formal and informal, in order to understand ethnic politics in the first place.

References

- Abdelal, Rawi, Yoshiko M. Herrera, Alastair Iain Johnston, and Rose McDermott, eds. 2009. *Measuring Identity: A Guide for Social Scientists*. New York: Cambridge University Press.
- Abu Talib, Ahmad. 1995. "The Impact of the Japanese Occupation on the Malay-Muslim Population." In *Malaya and Singapore during the Japanese Occupation*, ed. P. H. Kratoska. Singapore: Singapore University Press.
- Barnard, Timothy P., ed. 2004. *Contesting Malayness: Malay Identity Across Boundaries*. Singapore: Singapore University Press.
- Bottero, Wendy. 2015. "Practising family history: 'identity' as a category of social practice." *The British Journal of Sociology* 66 (3):534-56.
- Brubaker, Rogers. 2013. "Categories of analysis and categories of practice: a note on the study of Muslims in European countries of immigration." *Ethnic and Racial Studies* 36 (1):1-8.
- Brubaker, Rogers, and Frederick Cooper. 2000. "Beyond "Identity"." *Theory and Society* 29:1047.

- Bueger, Christian, and Frank Gadinger. 2015. "The Play of International Practice." *International Studies Quarterly* 59 (3):449-60.
- Calvert, Randall. 1995. "Rational Actors, Equilibrium, and Social Institutions." In *Explaining Social Institutions*, ed. J. Knight and I. Sened. Ann Arbor: University of Michigan Press.
- Chandra, Kanchan, ed. 2012. *Constructivist Theories of Ethnic Politics*. New York: Oxford University Press.
- Chin, Kee Onn. 1976. *Malaya Upside Down*. Kuala Lumpur: Federal Publications.
- del Tufo, M.V. 1949. *Malaya, comprising the Federation of Malaya and the Colony of Singapore: A report on the 1947 census of population*. London: Crown Agents for the Colonies.
- Elder-Vass, Dave. 2011. *The Causal Power of Social Structures: Emergence, Structure and Agency*. New York: Cambridge University Press.
- Fearon, James, and Alexander Wendt. 2002. "Rationalism v. Constructivism: A Skeptical View." In *Handbook of International Relations*, ed. W. Carlsnaes, T. Risse and B. A. Simmons. Thousand Oaks: SAGE Publications.
- Funston, N.J. 1980. *Malay Politics in Malaysia: A Study of the United Malays National Organisation and Party Islam*. Kuala Lumpur: Heinemann Educational Books.
- Greif, Avner, and David D. Laitin. 2004. "A Theory of Endogenous Institutional Change." *American Political Science Review* 98 (4):633-52.
- Hall, Peter A., and Rosemary C.R. Taylor. 1996. "Political Science and the Three New Institutionalisms." *Political Studies* 44:936-57.
- Hazis, Faisal S. 2012. *Domination and Contestation: Muslim Bumiputera Politics in Sarawak*. Singapore: Institute of South East Asian Studies.
- Hirschman, Charles. 1987. "The Meaning and Measurement of Ethnicity in Malaysia: An Analysis of Census Classifications." *Journal of Asian Studies* 46 (3):555-82.
- Hochschild, Jennifer L. , Vesla M. Weaver, and Traci R. Burch. 2012. *Creating a New Racial Order: How Immigration, Multiracialism, Genomics, and the Young Can Remake Race in America*. Princeton: Princeton University Press.
- Kahn, Joel S. 2006. *Other Malays: Nationalism and Cosmopolitanism in the Modern Malay World*. Honolulu: University of Hawaii Press.
- Khoo, Teik Huat. 1983. *Laporan Am Banci Penduduk*. Kuala Lumpur: Department of Statistics Malaysia.
- Laitin, David D. 1998. *Identity in Formation: The Russian-Speaking Populations in the Near Abroad*. Ithaca: Cornell University Press.
- List, Christian, and Peter Menzies. 2009. "Nonreductive Physicalism and the Limits of the Exclusion Principle." *Journal of Philosophy* 106 (9):475-502.
- List, Christian, and Kai Spiekermann. 2013. "Methodological Individualism and Holism in Political Science: A Reconciliation." *American Political Science Review* 107 (4):629-43.
- Little, Daniel. 2009. "The Heterogeneous Social: New Thinking about the Foundations of the Social Sciences." In *Philosophy of the Social Sciences: Philosophical Theory and Scientific Practice*, ed. C. Mantzavinos. New York: Cambridge University Press.

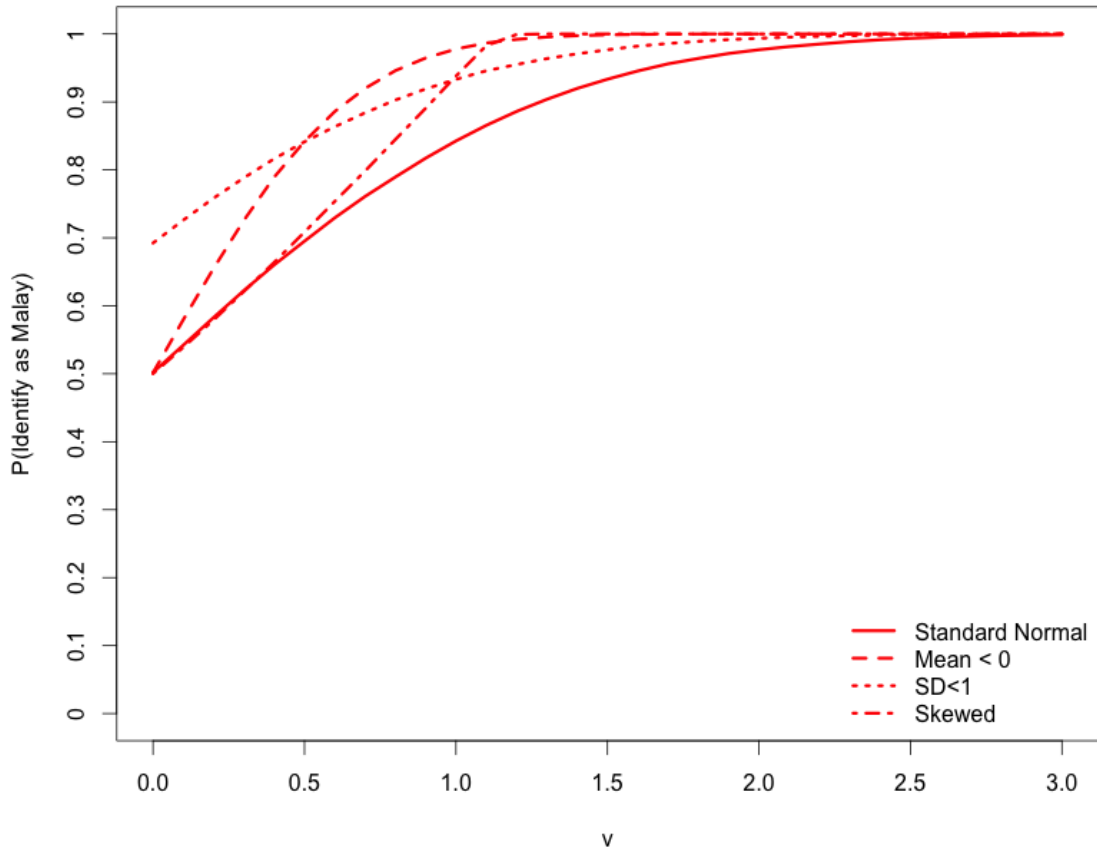
- Milner, Anthony. 2002. *The Invention of Politics in Colonial Malaya: Contesting Nationalism and the Expansion of the Public Sphere*. New York: Cambridge University Press.
- . 2008. *The Malays*. Oxford: Wiley-Blackwell.
- Nagata, Judith. 1974. "What Is a Malay? Situational Selection of Ethnic Identity in a Plural Society." *American Ethnologist* 1 (2):331-50.
- Nathan, J.E. 1921. *The Census of British Malaya (The Straits Settlements, Federated Malay States and Protected States of Johore, Kedah, Perlis, Kelantan, Trengganu and Brunei)*. London: Waterlow & Sons Limited.
- Reid, Anthony. 2009. *Imperial Alchemy: Nationalism and Political Identity in Southeast Asia*. New York: Cambridge University Press.
- Schotter, Andrew. 1981. *The Economic Theory of Social Institutions*. New York: Cambridge University Press.
- Shove, Elizabeth, Mika Pantzar, and Matt Watson. 2012. *The Dynamics of Social Practice: Everyday Life and how it Changes*. Thousand Oaks, CA: SAGE Publications.
- Syed Hussein, Alatas. 1977. *The Myth of the Lazy Native*. London: Frank Cass.
- Thompson, E.P. 1963. *The Making of the English Working Class*. London: V. Gollancz.
- Yanow, Dvora. 2003. *Constructing "Race" and "Ethnicity" in America: Category-making in Public Policy and Administration*. Armonk, NY: M.E. Sharpe.

Appendix: Illustrative Models

Below is an idealized model of the lending interaction in Malaysia.

		Lender L
Individual A	Identify as Malay	v
	Do Not Identify as Malay	b

In this interaction, v is the value to identifying as Malay. In this particular ethnic order, the pure monetary value to doing this is strictly positive, so we may fix $v > 0$. We may also consider a generic “taste for identity” which varies across individuals for reasons that are not explored here (b). In the figure below, I illustrate how for given distributions of individuals, changing the purely monetary value for identifying as Malay increases the share of the individuals who identify as Malay. Assuming first that for every individual b is drawn from a standard normal distribution, then as v approaches zero then the probability that an individual identifies as Malay approaches 0.5. If there is no monetary return to identifying as Malay, then the likelihood of identifying as Malay depends solely on whether this taste for identity is positive or negative. As v grows large, the probability that an individual identifies as Malay approaches 1.



Shifting the distribution of b by centering it below zero (meaning that the expected value of identifying as non-Malay is negative), decreasing its variance (reducing the prevalence of individuals with extreme tastes for not identifying as Malay), or increasing its leftward skew (shifting the mass of the distribution of preferences away from identifying as non-Malay) will in all cases increase the probability that an individual identifies as Malay.