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Najib's U-turn Over Hudud Bill: Election Gambit or Fight for Survival?

By Yang Razali Kassim

Synopsis

As Malaysia's 14th general election looms, the final battle for political survival has begun. Prime Minister Najib Razak has fired the opening salvo with a turn-around on the hudud Bill. While this has caught the opposition PAS on the wrong foot, it also raises questions about the emerging power struggle that will decide who controls Putrajaya.

Commentary

PRIME MINISTER Najib Razak's recent U-turn over his support for the contentious Shariah Bill signalled his opening gambit in Malaysia's high drama of political survival ahead of the coming general election. Initiated by the opposition Islamist PAS, the Bill to upgrade Shariah punishments for Muslims was supposed to be supported by his ruling Barisan Nasional (BN) coalition. Najib had said recently that it was the responsibility of Muslims to support PAS' move in its broader push to implement hudud, or Islamic criminal law, in Kelantan.

Najib's about-turn has caught PAS on the wrong foot. But it also shows that the Prime Minister wants, at all costs, a decisive victory in the 14th general election (GE14) that he must call by 2018, though widely expected sometime this year. His next move is to clear the decks with state-level elections in Sabah, which together with Sarawak, constitutes his two crucial "fixed deposit" vote-bank states in East Malaysia. Sabah's elections could be called as soon as next month. BN had a year ago romped home to a stunning win in the Sarawak state elections.

Who Pays the Price?

Najib's U-turn over the Shariah or hudud Bill shows that he would rather lose PAS than lose Sabah, which has fiercely anti-hudud voters, so as to remain in power. His way out: dump PAS, even though he has been courting it from the opposition, by using as cover the non-support of the Bill by the BN's non-Muslim allies. To be sure, the non-Muslim allies have virtually outflanked UMNO with a combined threat to leave BN over the Shariah Bill. This development has several ramifications.

The first and most immediate casualty is the credibility of PAS' president Hadi Awang, the champion of the hudud Bill. Hadi's presidency could come under serious pressure now that his warming up to UMNO with a Shariah peace pact has backfired. Hadi's doggedness over hudud has split PAS, giving rise to a breakaway party called Amanah. It has even led to the break-up of the opposition coalition Pakatan Rakyat, though this has since resurfaced as a reconfigured Pakatan Harapan (PH).

While the new Pakatan is now without PAS, it has garnered two breakaways – first Amanah and next the UMNO splinter Parti Pribumi Bersatu Malaysia ('Bersatu' for short) led by former premier Mahathir Mohamad. Underlying this political flux is the more significant emerging reconciliation between Mahathir and his former protégé Anwar Ibrahim.

Najib's about-turn over the Shariah Bill is seen by PAS as an act of treachery and a second betrayal by UMNO following PAS' ouster from BN in 1977. But this is hardly surprising to many who see it as totally in character with UMNO's politics. This slap in the face for PAS comes as it is preparing for party elections in late April. The PAS Mukhtar or general assembly has suddenly taken on added importance and could plant the seeds of rising opposition to Hadi's leadership. A former PAS leader Husam Musa has already called on Hadi and the entire PAS leadership to step down over the Shariah Bill setback.

UMNO's Internal Politics

The second impact of Najib's U-turn could be on UMNO's internal politics. His move could unwittingly put pressure on the position of Deputy Prime Minister Zahid Hamidi who has been a strong supporter of the Bill to amend the Shariah Courts (Criminal Jurisdiction) Act, better known as Act 355. It was Zahid who announced that the PAS-initiated hudud Bill would be taken up by the government in parliament, thus confirming official support for its passage.

In boosting his own standing as a BN leader by accommodating the concerns of the non-Muslim constituents, Najib has clearly signalled that the non-Malay vote is just as crucial to UMNO, even though he had been wooing the Malay-Islamic vote partly through Zahid. The net effect is that Zahid's potential as a future challenger to Najib could also be reduced, although the deputy premier is likely to continue pledging his loyalty to Najib.

The Bigger Power Struggle

Over the past 18 months, Najib has weathered intense political pressure over

alleged wrongdoing related to state fund 1Malaysia Development Berhad (1MDB). He has emerged stronger by getting rid of detractors, though it remains unclear whether the saga will leave him unscathed at the polls.

The coming GE14 will decide not only the direction of Malaysian politics but also whether Najib remains as UMNO leader and, therefore, prime minister. He has maintained that there could be no change of leadership or government unless done legitimately through the general election.

Against this backdrop, two giant political coalitions are competing for survival. The federal opposition PH is badly split, primarily due to differences with PAS. But PH has been racing to rebuild itself, with Mahathir emerging as a new kingmaker in the opposition, ironically in support of Anwar whom he sacked in 1998. With the opposition in Sabah seemingly in disarray, BN seems set to exploit it with snap state elections in the state to secure a thumping victory. This would boost Najib's morale and set the tone for GE14.

While the UMNO-led BN, on the other hand, appears intact, it is in reality struggling to stay afloat. Sarawak, a power-broker in BN in terms of the sizeable numbers of its parliamentary seats, has made clear it does not support the hudud Bill because of its multi-ethnic and multi-religious composition.

This has emboldened virtually all the other non-Muslim parties in BN, especially the Chinese-based MCA and Indian-based MIC. Najib could not alienate another vote bank – Sabah – by pushing through the hudud Bill. Indeed, Sabah and Sarawak, as key vote banks, could emerge in future as the balancer states in slowing down the islamisation trend in Peninsular Malaysia.

Following Najib's turn-around, the MIC declared that BN's consensus principle has prevailed. This is coded language to suggest that UMNO has bowed to the voice of the combined majority of BN's non-Muslim parties. According to MIC, the non-UMNO members including "all Sabah/Sarawak parties" had stood firm in opposing the Shariah amendment Bill.

What the hudud Bill has done is to rally BN's non-Muslim allies in common opposition to UMNO. They have become so emboldened that they have openly threatened to quit BN if the Bill goes through, thus potentially breaking-up the ruling coalition ahead of the coming general election. In that unpleasant scenario, Najib knows that he may have to go – which he does not cherish. This will leave the country open to a re-engineered and reunified opposition, perhaps jointly led by Anwar and Mahathir, in a new unpredictable era of political fluidity and shifting allegiances.

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