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The UMNO-PAS Unity Charter and its Impact

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EXECUTIVE SUMMARY

- On 14 September 2019, Malay-based opposition parties UMNO (United Malays National Organization) and PAS (Islamic Party of Malaysia) signed a National Consensus Charter to formalize political co-operation.
- The agreement seeks to ride on Malay-Muslim unhappiness towards the PH (Alliance of Hope) government which these two parties claim to be dominated by the secular and Chinese DAP (Democratic Action Party).
- UMNO and PAS informal cooperation since 2018 has resulted in some positive outcome for the opposition: they won three consecutive by-elections in Malay-dominated constituencies in 2019; the PH government was pressured to reverse some of its policies including ratification of ICERD and withdrawal from Rome Statute; and the PH government planned to implement populist policies such as introducing Jawi calligraphy in vernacular schools, and taking a neutral stance towards controversial Indian preacher Zakir Naik, in order to appease the Malay-Muslim electorate.
- To be sure, fragmentation in UMNO may dilute the overall effectiveness of the new pact and further alienate reformers within UMNO. Moreover, the pact may cripple the already fragile BN (National Front) coalition and dilute further the importance of MCA and MIC.

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INTRODUCTION

On 14 September 2019, Malaysia's two oldest Malay-based parties UMNO (United Malays National Organization) and PAS (Islamic Party of Malaysia) signed an official agreement to formalize cooperation. For decades, the two had been at loggerheads, with the former championing Malay nationalism and supremacy and the latter advocating conservative Islam. To be sure, relations between the two parties have ebbed and flowed over the years. UMNO was formed in 1946 by Malay nationalists, while PAS originated as a breakaway faction from UMNO, and was officially inaugurated in 1951. In 1957, the Alliance coalition which consisted of UMNO, MCA and MIC gained independence for Malaysia. In the early period, there were no distinct boundaries between UMNO and PAS and some members held concurrent and dual memberships. In 1974, PAS joined the UMNO-led BN (National Front) coalition but left in 1977. Until the recent signing of the charter, the two parties were bitter rivals.

The question being asked now is whether this new UMNO and PAS National Consensus Charter will weaken the Malay support base of the PH (Alliance of Hope) government. PH is a coalition of four parties, namely Bersatu (Malaysia United Indigenous Party), PKR (People's Justice Party), Amanah (National Trust Party) and DAP (Democratic Action Party). Bersatu is a Malay party while the other three parties proclaim themselves multiracial.¹ Be that as it may, the demographic profile of PKR and Amanah leans towards ethnic Malays while DAP members are largely Chinese.

In the last general election (GE14), held on 9 May 2018, Mahathir Mohamed led the PH to a historic and shocking victory and ended 61 years of rule by BN/Alliance. The PH won largely on support from the peninsula's non-Malays, as well as indigenous communities in East Malaysia. Surveys show that PH garnered less than 30% of the Malay vote, with BN capturing 45% and PAS 32% respectively. A majority of Malays residing in rural constituencies with lower population density remained loyal to UMNO,² while Bersatu, Amanah and PKR obtained support mainly from urban Malays.

In GE14, most constituencies in Peninsular Malaysia witnessed three-cornered fights between UMNO, PAS and PH, after UMNO and PAS had failed to reach agreement for political cooperation. Some analysts commented that if UMNO and PAS had sought closer cooperation for the last election, they could have stopped PH from capturing at least 21 parliamentary seats and thus averted the subsequent regime change. These are seats in Kedah (2), Selangor (3), Perak (3), Pahang (2), Negeri Sembilan (2), Perlis (1), Kuala Lumpur (1), Melaka (1), and Johor (1). For state legislative assembly seats, UMNO and PAS could have obtained an additional 45 seats while becoming the government in Kedah and Perak.³ If PH had failed to capture Kedah, it would have been a huge blow to Prime Minister Mahathir since it is his home state. PAS could have easily secured seats in Kelantan and Terengganu and added to UMNO's Malay support base. UMNO had however presumed that three-cornered fights would play in its favour, based on historical voting trends, but these were instead capitalized upon by PH.

It is too early to say whether the National Consensus Charter will result in positive electoral fortunes for both the parties. This article examines three reasons why the alliance remains doubtful in its impact: Firstly, even though cooperation between UMNO and PAS led to three consecutive by-election victories in 2019, similar attempts over the past decades were

a “marriage of convenience” rather than genuine attempts to foster Malay unity. Second, UMNO leaders at the forefront of the pact represent the “old” UMNO that was defeated in 2018. Thirdly, it remains uncertain how non-Malays and non-Muslims perceive the UMNO-PAS collaboration. While Malays and Muslims are the dominant ethnic group in Malaysia, non-Malays can shape electoral outcomes especially when the former are divided and support a range of political parties. BN’s only hope is that PH also faces schisms—between the different PH component parties and within PKR. Moreover, PH faces great difficulty in delivering on the election promises it made in the 2018 election campaign.

PAST ATTEMPTS TO FORGE AN UMNO AND PAS ALLIANCE

PAS owed its historical origins to UMNO. In 1951, some UMNO members broke ranks to form a separate Islamic party which exhibited certain elements of socialism. In 1972, PAS was admitted into the newly expanded BN coalition led by Abdul Razak, and PAS members were appointed to important cabinet positions. PAS also continued to govern Kelantan within the BN coalition though it played second fiddle to UMNO. Internal power struggles within PAS coupled with the divide and rule strategy adopted by Prime Minister Hussein Onn who succeeded Abdul Razak as Prime Minister in 1976 soon followed, and PAS left BN in 1977. It fought as an independent party in the general election held the following year but suffered heavy defeats and even lost the mandate to govern Kelantan, its traditional support base.⁴

PAS then underwent internal reforms and significant reinvention. In the 1980s, conservative leaders such as Nik Aziz Nik Mat, Abdul Hadi Awang, and Yusof Rawa took over the party. PAS re-orientated towards Islamism, and this proved a successful strategy. In the 1990 election, PAS regained control of Kelantan and Nik Aziz Nik Mat was appointed Chief Minister. The PAS-led Kelantan government was then on a collision course with the Mahathir-led federal government due to sharp disagreements over hudud laws and oil royalties, amongst other issues. The Kelantan government sought to introduce punitive punishments for the Sharia penal code while accusing the federal government of withholding oil royalty from Kelantan. PAS and UMNO were also embroiled in the 1985 Memali incident in Baling (Kedah) where 14 protestors died, allegedly shot by the police.⁵ Previous to that, in 1981, Abdul Hadi Awang, the cleric for PAS, issued an Amanat (Amanat Abdul Hadi Awang) which stated that cooperation with UMNO was equivalent to being *kafir* (unbeliever). The speech deepened tensions between UMNO and PAS, and led to the *kafir-mengkafir* episode (each calling the other apostates).

PAS under the ulama faction constantly warned against cooperation with UMNO. Spearheading this was Nik Aziz, who argued that upholding the existing constitution was un-Islamic. His staunch stance against UMNO probably stemmed from the negative experience he had with UMNO between 1974 and 1977. In 2008 Nik Aziz even suggested that should there be a real need for political unity, PAS and UMNO should be dissolved and reconstituted as a single new party, with Islam as the guiding principle. He added that “Islam is for all, not only for Malays or Chinese, Indians and Caucasians, all parties must unite under Islam.”⁶

From the outset, it seemed that Nik Aziz had single-handedly blocked all attempts for cooperation, let alone unity, with UMNO. In 2009, Nik Aziz publicly lambasted PAS deputy

president Nasharuddin Mat Isa for suggesting a unity government between UMNO and PAS. Nik Aziz remarked that “The issue of unity government did not come from PAS, but it is a personal opinion... If it is true that Nasharuddin wants a unity government, he should become an UMNO member, and resign as PAS deputy president and in Bachok [as parliamentarian].”⁷

Nik Aziz’s death in 2015 paved the way for PAS to forge a closer alliance with UMNO. PAS left PR (People’s Alliance) coalition the same year and abandoned its former allies, PKR and DAP. PAS suffered a schism as a result, between the so-called progressives/professionals on the one hand and the conservatives/ulama on the other. The former regrouped and established a new party, called Amanah.

In 2016, Prime Minister Najib Razak attempted to forge closer ties with PAS by openly supporting Abdul Hadi Awang’s initiative to introduce the Syariah Bill Act 355. The Bill sought to increase maximum punishments permissible under the Syariah Courts (Criminal Jurisdiction) Act 1965. If passed, the maximum permissible penalties under Syariah courts would increase to 100 lashes of the cane, 30 years imprisonment, and a fine of RM 100,000 (\$31,590). The current threshold limits are six lashes of the cane, 3 years jail, and RM 5,000 (\$1600) fine. During the 2016 and 2017 UMNO general assembly, Najib remained ambivalent about PAS and spoke instead about Malay-Muslim unity, unlike his predecessors who would openly criticise PAS’s Islamist and conservative worldview. Before GE14, UMNO and PAS leaders also publicly shared the same stage on many occasions, including the Rohingya rally in KL. Nevertheless, BN and PAS did not form an official alliance but contested the same seats in GE14. PH played to electorate sentiments by insinuating that a vote for PAS was equivalent to a vote for UMNO.

WHY UNITY TALKS?

Before the National Consensus Charter, UMNO and PAS had cooperated in three by-elections, all in Malay majority constituencies. These were Cameron Highlands, a parliamentary seat in Pahang, and Semenyih and Rantau which are state assembly seats in Selangor and Negeri Sembilan respectively. The consecutive successes were hailed as a revival of UMNO-PAS cooperation, reversing not only PH’s gains in GE 14, but also earlier defeats in 2018 by-elections. UMNO and PAS had suffered four by-election defeats in 2018, in Sungai Kandis, Seri Setia and Port Dickson. The former two are state assembly seats in Selangor while Port Dickson is a parliamentary seat in Negeri Sembilan. PH also won in Balakong, a Chinese majority seat in Selangor.⁸

UMNO and PAS politicians have proven capable of mobilizing the Malay-Muslim electorate to pressure the PH government into reversing their policies. On 8 December 2018, the two parties lead a protest in Kuala Lumpur which demanded that PH terminated its attempt to ratify the United Nations (UN) International Convention on the Elimination of all forms Racial Discrimination (ICERD). The protest succeeded. UMNO and PAS argued that should Malaysia be a signatory state to the convention, Islam’s role as presently enshrined in the Constitution would be decimated. The PH government also reversed prior plans to sign the Rome Statute, stemming from the intense backlash of ground sentiments. PAS and UMNO leaders politicized the matter and claimed that accession to the Rome Statue would belittle Malay rulers. In truth, the Rome Statute does not affect the status of

Malay rulers at all. Being a signatory state merely provides the International Criminal Court with the authority to investigate genocide, war crimes and crimes against humanity without prior approval from the ruling government in the states where the crimes had allegedly occurred.

UMNO and PAS leaders were riding on some quarters perceiving PH to be dominated by the secular and Chinese-based DAP and having the goal of diluting Malay and Muslim rights. In truth, the Chinese is a minority group and its projected demographic share of the population is in constant decline. Moreover, DAP is unable to enjoy federal power without cooperation from Malay-based parties allied to it.

The PH government apparently sought to push through several policies that appeared to intentionally sweeten the conservative Malay/Muslim ground. This included the plan to introduce khat calligraphy (i.e. the writing of Jawi, which are Arabic alphabets traditionally adapted for the Malay language) in vernacular schools. This received much flak from Chinese and Tamil associations. In another separate incident, the government refused to heed calls for stern action to be taken against the controversial Islamic preacher from India, Zakir Naik. The Malaysian permanent resident is wanted by the Indian government but the Malaysian authorities have chosen not to deport him back. Zakir made inflammatory speeches in retaliation, in one of which he suggested that ethnic Chinese in Malaysia should be expelled first if he were indeed a “guest” as claimed, because the Chinese too were immigrants.⁹

UMNO and PAS are also hoping for the perceived factionalism within PKR between Anwar Ibrahim and Azmin Ali to split the party. The bitter rivalry had its roots in this year’s party elections which saw Azmin narrowly defeating Rafizi Ramli for the deputy president position. Azmin was later accused of being the person involved in indecent acts with another PKR member in Sandakan in a widely circulated video. Azmin has denied all allegations, and many have been arrested for circulating the video, including Anwar’s political secretary.

CONCLUSION: CHALLENGES FOR UMNO-PAS UNITY

Despite optimism, particularly Ahmad Zahid Hamidi and Abdul Hadi Awang who are the respective presidents of UMNO and PAS, the union between the two parties is not without challenges. They must convince supporters that the unity pact is a genuine attempt to uplift the Malay-Muslim electorate and is not a mere marriage of convenience. This partnership requires a compromise on seat allocation. So far, the three by-election victories prior to the signing of the unity pact brought more benefits to UMNO than PAS. While UMNO may allow PAS to continue running the states of Kelantan and Terengganu, the extent to which PAS would allow UMNO to continue competing in other states which the former has set its eyes upon remains uncertain. In Kedah, PAS is the second biggest party with 15 out of 36 seats, whereas UMNO only has 2 seats in the state assembly. In this case, will UMNO actually allow PAS to lead the state government if the unity government manages in the next general election to topple the incumbent PH government, which currently has 19 MPs? Moreover, how the grassroots feel about the unity pact remains uncertain. In Kelantan, the late Nik Aziz’s influence remains strong, and he was known for his strong stance against any cooperation with UMNO. UMNO has a strong base in rural and western Kelantan, but has not been able to penetrate the urban and eastern parts of the state. The reason why

Kelantanese rejected PH in GE14 stemmed from Mahathir's unpopularity there. However, Mahathir's departure from the political arena before the next GE leaves one to speculate on the possibility of PH garnering considerably more support in future elections.

Second, the key players behind the Charter represent the old guard of UMNO and PAS. While this does not affect PAS directly, it shows that UMNO has undertaken few substantial and genuine reforms since GE14. So far, a sizeable number of senior leaders in UMNO remain silent about the pact: they include former ministers Khairy Jamaluddin and Nazri Aziz. The two leaders were critical of a recent move to appoint Najib Razak as BN's non-executive advisor. UMNO vice-president Mohammad Hassan, who was responsible for consecutive by-election victories when he took over as acting president of UMNO from Ahmad Zahid, is seen as offering public support for the cooperation. Yet, how the move is received by UMNO's grassroots remains to be seen, especially now that Ahmad Zahid is back as party president. Only time will tell if UMNO leaders and parliamentarians who disagree with the unity pact will cross over to Bersatu. It does not help that the UMNO leaders who are behind the Charter are being tried for corruption and abuse of power. Both Ahmad Zahid and Najib are facing trial for their role in the 1MDB scandal. PAS leaders will not want to be implicated in these scandals, especially after having been investigated for receiving money from UMNO before GE14.

PAS president Abdul Hadi has also repeatedly said that he continues to support Mahathir Mohamed's premiership and prefers that Anwar not succeed Mahathir. He has also expressed support for Mahathir to continue his term until the next election. In this, he is sending mixed signals, supporting the very person UMNO leaders wish to topple. Another question is whether PAS will enter into some form of cooperation with Bersatu, within or without PH, if and when DAP and Bersatu no longer belong to the same side, or when the leadership crisis in UMNO deepens. On 6 October, Mahathir and Abdul Hadi shared the same stage with Azmin and UMNO secretary general Annuar Musa at the Malay Dignity Congress. Former UMNO ministers Mustapa Mohamed (now with Bersatu), Khairy Jamaludin, and Hishammuddin Hussein were also in attendance, while Najib, Ahmad Zahid, Anwar Ibrahim, and Wan Azizah were notably not in attendance.¹⁰ As it stands, PAS can be the kingmaker in the next elections. Its past shows how malleable it is in forming alliances with any of the peninsula-based parties, as long as it helps it retain control of Kelantan, Terengganu, and probably extend its grip in Kedah.

Third, the signing of this charter will likely move UMNO further to the right on the political spectrum, a development that does not bode well for MCA (Malaysian Chinese Association) and MIC (Malaysian Indian Congress). Though both parties sent representatives to the signing of the Charter, it remains to be seen whether all these parties can work together in an election. This could mean UMNO losing its role as the party that consolidates Malaysia's consociationalism, something it had done for decades. PH of course may be accused of being an ideologically weak coalition: what with Bersatu being Malay nationalist, PKR being multiracial, DAP Chinese-based secularist, and Amanah Islamist. Still, this strategy is potentially more effective in winning the hearts of different segments of society. The same cannot be said about UMNO and PAS, which now cater exclusively to the conservative Malay-Muslim electorate, with little backing from the Chinese and Indians. The dilemma will be seen in the forthcoming by-election for the Tanjung Piai parliamentary seat. Between 2004 and 2018, the seat had been contested and won by an MCA candidate, but it is doubtful whether BN will stick to this tradition of fielding a Chinese candidate for

the seat, considering UMNO's recent formalized cooperation with PAS. This will be BN's best chance to win the Malay majority seat, which became vacant after the sudden death of deputy minister Md Farid Md Rafik.

¹ Bersatu and Amanah are more Malay-based parties compared to PKR which is multiracial. Yet PKR's top leaders remain mostly Malays, and it is currently led by Anwar Ibrahim, his wife Wan Azizah, and Anwar's protégé Azmin Ali.

² Francis Hutchinson, "The Umno and PAS tie-up: Good Tactics, bad strategy?" *Straits Times*, 24 September 2019.

³ *The Straits Times*, "Malaysia's UMNO and PAS to sign formal pact in August, eyeing to win more seats at next polls," 24 July 2019.

⁴ Norshahril Saat, "PAS' Fate in Kelantan in 2018: A repeat of 1978?" *ISEAS Perspective*, No 12, 1 March 2018.

⁵ During the 1985 Memali incident, the police under orders from the Home Affairs Ministry stormed the Memali village in Baling Kedah. The incident happened during the Islamic revivalist period where competition between UMNO and PAS led to the *kafir-mengkafir* episode (declaring each other as apostates). In 1981, Adul Hadi issued an edict declaring cooperation with UMNO kafir. Ibrahim Mahmud (also known as Ibrahim Libya) was a charismatic leader associated with PAS. The police took swift action fearing he would radicalise the village against the government.

⁶ *Malaysiakini*, "Nik Aziz: Bubar Umno dan PAS, tubuh parti Baru," 26 July 2008, <https://www.malaysiakini.com/news/86802>

⁷ *Malaysiakini*, "Nik Aziz gesa Nasharuddin keluar PAS," 17 June 2009 <https://www.malaysiakini.com/news/106640>

⁸ See Norshahril Saat, "A complicated political reality awaits the Malays," *ISEAS Perspective* No 40, 21 May 2019.

⁹ Amy Chew, "Outrage in Malaysia as Zakir Naik suggests Chinese expulsion", *Aljazeera*, 15 August 2019. <https://www.aljazeera.com/news/2019/08/outrage-malaysia-zakir-naik-suggests-chinese-expulsion-190814230715236.html>

¹⁰ Shannon Teoh, "Up to Malays to reclaim dignity by grasping opportunities: Mahathir," *Straits Times*, 7 October 2019.

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