

Between Pakatan unity and secular principles, DAP faces hard decision

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News Analysis by Sheridan Mahavera

Now that Islamist PAS has crossed an ideological red line, its secularist ally, DAP, must decide whether the Kelantan Shariah Criminal Code that imposes medieval-era punishments for certain crimes under "hudud" will be reason enough to abandon the opposition Pakatan Rakyat (PR) pact which has become Malaysia's first viable alternative to decades of Barisan Nasional (BN) rule.

It will not be the first time DAP has broken ranks with PAS. In 2001, it left the loose coalition it formed with PAS and Parti Keadilan Nasional, the precursor to PKR, over the former's aim of setting up an Islamic state.

But the stakes are higher now, if DAP were to leave PR, as they go beyond political consequences to possibly worsening ethnic relations, since DAP has emerged as a voice for non-Muslims.

DAP's top leadership which meets this Monday has several options to weigh which will allow the party to keep its principles intact and its supporters happy.

These options could also avert a political crisis in PR-ruled Selangor and prevent Malay extremists from using the hudud issue to further inflame racial sentiments.

Break up or separate?

One option is to wait until PAS's elections in June before deciding what to do, DAP sources said.

This is likely to be the fiercest party election in PAS's history and is expected to settle once and for all the question of whether PAS will be fully committed to PR or whether its pro-Umno faction will take over.

However, this option has become moot as PAS wants to go ahead and try to get hudud enforced by the time the current Parliament session ends on April 9.

PAS president Datuk Seri Abdul Hadi Awang has submitted a notice to Parliament to table a private member's bill to amend a federal law that will allow PAS to finally enforce hudud in Kelantan.

Another option, said a DAP source, is for the party to cease cooperating with PAS but still remain in PR.

This is akin to the approach taken by Sarawak DAP, which does not consider Sarawak PAS an official ally.

This would prevent the DAP from pulling out its support for the Selangor government, which is propped up by 15 of its lawmakers in the state legislative assembly.

If the DAP leaves PR, the coalition in Selangor will only have 28 out of 56 votes in the assembly, short of one vote to form the state government.

Staying in PR but halting its working relationship with PAS would be an option that "prevents PAS from suddenly ditching PKR and forming a unity government with Umno in Selangor," said the DAP source.

But under this scenario, it is unclear whether DAP would retain its excos in the Selangor administration. It currently has three out of 10 excos seats.

At the same time, DAP leaders could open back door channels with certain PAS leaders to ensure that it does not totally burn its bridges when it needs to negotiate with PAS over seats in an election.

This is a similar set up in the 12th general election in 2008, where the DAP coordinated the seats it would contest with PKR and PAS even though it did not have an official alliance with them.

From friends to enemies

For the DAP, opposing hudud is not just a matter of principle. For many leaders and grassroots members, PAS's actions amount to a betrayal.

In the 13th general election in 2013, DAP had gone out of their way to assure non-Muslims that PAS was not the hardline party which wanted to push religious laws down people's throats.

"There was still strong distrust towards PAS even in the 13th general election and we went out to humanise them," said one Selangor DAP leader.

In fact, members such as Johor deputy chief Norman Fernandez were censured for speaking out against his party's coddling of PAS and for ignoring the latter's still dormant aim of implementing hudud.

Now, Fernandez's former party colleagues are calling him up and telling him that he was right and those who censured him are parroting his views - that PAS cannot be trusted.

"DAP leaders who for so long waxed lyrical about PAS are now crying betrayal and that PAS is untrustworthy. These were the exact words I used to describe PAS," said Fernandez.

Another Selangor DAP leader said the blowback from his supporters has been fierce.

"People are coming up to us and saying this is our fault because we stood up for them," said a DAP leader who requested anonymity.

The DAP has much to fear from its supporters' anger. In the 1999 general election, the party's candidates lost heavily as its supporters abandoned it for its informal cooperation with PAS for the general election that year.

The DAP took years to regain that trust and to actually believe it could once again work with PAS when PR was formed in 2008, after the national polls in March that year.

With that trust evaporated over the hudud enactment, DAP leaders are doubtful whether they can still work with PAS in any meaningful way.

Unity at all costs

Despite all the heartache, the consequences of DAP actually leaving the PR are even harder to swallow.

Besides the Selangor government collapsing, DAP central executive committee member Liew Chin Tong said a break up would embolden pro-Umno members in PAS to work more closely with the lynchpin party of the ruling BN.

When that happens, it would also allow Malay extremists to ramp up rhetoric against non-Muslims in the country's larger political narrative.

This is since the DAP has largely displaced other non-Malay parties, such as the BN's MCA, Gerakan and MIC in getting non-Malay, non-Muslim support, and is viewed as the voice of non-Malays and non-Muslims.

If the DAP was to be on its own, leaving PR with one solely Malay-Muslim and one Malay-majority party in PAS and PKR, respectively, it would play into the hands of Malay extremists.

"Unity in PR must be preserved at all costs," said senior PKR leader Tian Chua.

"Any break up just benefits the BN and is essentially what Umno wants."

This point, that Kelantan's hudud is a big Umno ploy to anger the DAP to the point where it leaves the PR, is what some DAP leaders are banking on to placate those who want it to leave the opposition pact.

The argument is that Umno is supporting the conservatives in PAS to enforce hudud, said Liew, who is also Kluang MP.

This is seen in Umno's open support for the enactment in the Kelantan assembly. In the past, Umno, which is PAS's chief rival, had always been evasive about hudud.

As pointed out by PKR secretary-general Rafizi Ramli, national Umno leaders such as its president, Datuk Seri Najib Razak have not come out to say that Umno will support the private members' bill in Parliament.

For leaders like Rafizi, Umno's game plan is this: to give the impression to some PAS leaders that it supports hudud, boosting the Islamist party's resolve to enforce the penal code, thus making DAP so angry that it would leave PR.

"I believe there will be a lot of fireworks up ahead and I hope that people can see through all this. I believe that Malaysians are mature enough to see Umno's ploy."

PKR vice-president Tian Chua argued that DAP members have to be convinced that even if Umno supports a private members bill in Parliament to enforce hudud, it would still not be feasible to implement the law.

"There will be complications in jurisdictions since criminal offences are under the federal powers list.

"If you want to really implement hudud, you have to first destroy the federation of Malaysia."

Tian Chua does not dismiss that hudud represents a clash of two contrasting principles between two very different parties.

But he argued that DAP and PAS leaders must also believe in the larger principle of wanting to replace the BN.

"Hudud is not a strong enough reason for us to break up". – March 21, 2015.

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