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THE NAJIB QUESTION

By Shahril Hamdan

SYNOPSIS

Casual observers of Malaysian politics often find it difficult to comprehend why UMNO appears to cling to former prime minister Najib Razak. There is an internal logic to this apparently bizarre position. That logic is now posing difficult questions for all parties in government on what to do about the campaign to free Najib. The answer they land on will shape UMNO's future trajectory and potentially the country's too.

COMMENTARY

One of the last official acts of Sultan Abdullah as Malaysia's 16th monarch was one of clemency for former prime minister, Mr Najib Razak. Originally ordered to serve 12 years in jail and to pay a fine of RM210 million (US\$44.2 million) after being found guilty of abuse of power and criminal breach of trust over 1MDB-related charges, the Pardons Board chaired by Sultan Abdullah (who ended his five-year term as Malaysia's king on 30 January 2024) intervened to halve the jail sentence and reduce the fine to RM50 million (US\$10.5 million). The reaction to the Board's decision typified the state of Malaysia and its embrace of polarisations and post-truths.

Polarised Realities

For supporters of Pakatan Harapan (PH) who campaigned vociferously on the 1MDB issue in the 2018 elections that brought about Malaysia's first-ever change of government, the Pardons Board's decision was a betrayal of the reform and anti-graft struggles that formed the basis of their opposition to Barisan Nasional. Expressing their disappointment was not considered disrespectful to the king as it was assumed that he, although Chairman of the Pardons Board, had acted on the advice of his government.

But Barisan Nasional – and particularly UMNO – is part of the government too. In much

of UMNO, the disappointment was not that Najib got a “discount”, but rather, that he did not get off entirely. Here too, the disappointment was not directed, at least publicly, at the revered royal institution, but at the government and, in particular, the prime minister.

If the Pardons Board and the government had hoped to soft-land onto some happy medium, they too were disappointed. In Malaysian politics, compromise is easier struck among the elites, and far less so among the core base of their highly charged supporters.

For the average PH supporter, the 1MDB saga caused untold damage to Malaysia. To them, Najib was rightly found guilty in a court of law and therefore ought to serve out his sentence like any other convicted criminal.

For the average UMNO member, Najib was made a scapegoat in a broader conspiracy that included an unfair trial by an unfit judge and a judicial system bent on sending him to jail for a crime he has never admitted to. In their view, Najib remains Malaysia’s best prime minister, as evidenced by various infrastructure projects he had launched and cash transfer programmes he had introduced, alongside flattering macro figures like GDP growth or stock index levels during his premiership.

There are of course shades of grey in between these extremes. Even within UMNO, some hold a different view and would rather that the party have rebuilt itself by first coming to terms with the effects on the country and party caused by the 1MDB saga. This would have meant moving on from Najib after 2018 – or at least not turning him into an icon so soon after. But these voices were muted, knowing that too public a stance would be met with fierce castigation by a militant pro-Najib consensus in the party.

Najib as the Silver Bullet

A full exploration of why UMNO continues to cling to Najib and to conflate his person with the party, despite what the world says or sees, will have to wait for another occasion. It suffices to say here that UMNO’s continuing embrace of the man is largely because it believes him to be an asset.

Few would dispute the claim that Najib was a key contributor to the momentum that saw UMNO and PAS (both then in opposition) win a series of by-elections in the leadup to the infamous Sheraton Move that led to the fall of the PH government less than two years after the 2018 election.

Through aggressive use of social media and curated ground events, Najib rebranded his image from disgraced politician to figurehead for the broader fightback of the Malay-based parties against a PH government caricatured as underperforming on the economy and overreaching on matters relating to race and religion. From this period where Najib appeared to be rebuilding grassroots popularity and was able to galvanise the opposition movement, UMNO members extrapolated that he held the silver bullet to revive their party’s flailing fortunes.

Institutionally and culturally, UMNO is not comfortable with confronting difficult truths

much less engaging in any genuine soul-searching for renewal and long-term health, which may come at the expense of short-term gains. Its instinct is to live in the present and to extract maximal value for itself in any given moment; always attracted to a quick fix whilst infinitely postponing any painful strategic reset in the hope that it may never be necessary.

Thus, the UMNO psyche embraces the narrative of a man wronged, now returning from the abyss to revive his party while personally recording a triumphant and utterly improbable comeback. That idea is far more attractive and romantic than any debate about difficult internal reforms could ever be.

Differentiated Interests

For as long as it suited their personal interests, many of UMNO's key office-bearers were happy to encourage that idea. In doing so, they appeared keen to paint rivals who were less enthusiastic about the project as insufficiently loyal to the party, up to and including the previous prime minister and UMNO vice president, Ismail Sabri, who ostensibly did not intervene in the Federal Court proceedings which led to Najib's incarceration. His standing in the party has not recovered.

But things are different now. Party president, Ahmad Zahid Hamidi, is already deputy prime minister, and many of his key allies are either in Anwar Ibrahim's cabinet or hold government positions.

Agitating for Najib's release and implying that the courts were compromised was a convenient rallying cause when they were outsiders trying to get into power. Today, they are in government, but under an assertive prime minister from a different party who never signed up for that cause. In fact, Anwar might consider a free Najib a political threat he could do without; he therefore has little incentive to try and expedite Najib's release. Nor is he likely to forget that Najib oversaw his second stint in prison from 2015 to 2018.

The brewing difficulty for the party leadership is that these are all details that do not interest Najib's loyalists. Recently, those same members whose devotion to "Najib-mania" was actively cultivated not so long ago were beginning to question whether their leaders had a new-found pragmatism, circumspection and indifference about the man's release. Recent actions by Zahid – as shown below – are likely his attempts to answer the question emphatically.

The Royal Addendum

From behind bars, Najib's latest gambit was to file a judicial review to examine whether there was a royal addendum to the Pardons Board's decision decreeing that he should spend the remainder of his sentence under house arrest. This bombshell presented a new complication for all parties.

If there was such a decree, the government would have to show its hand and explain why it decided not to follow such a recommendation – in effect, it would mean that it disagreed with the king's purported wish to take Najib out of jail.

No longer able to hide behind a vague notion of collective decision-making which includes the monarch, all key political leaders will now have to make their positions clearer.

Knowing this and aware of the brewing disquiet among party members vis a vis the Najib question, Zahid has moved quickly to file an affidavit confirming the existence of the addendum. In doing so, he is signalling to Najib's loyalists that whatever the official government position is, he remains personally committed to seeking Najib's release. Demonstrably, he is willing to take the unprecedented step of filing an affidavit naming the government as a respondent, while he is Deputy Prime Minister in that same government.

How far will he and UMNO's leadership take this matter? Take it the whole nine yards and agitate strongly, and cracks within the Madani government will widen further. As it is, his PH partners cannot possibly be pleased by his audacious affidavit move. Roll back – already sceptical Najib loyalists will claim that the affidavit was a day late a dollar short – and it will be perceived as little more than posturing for their benefit.

In either case, UMNO's actions will serve as the backdrop to the main decision that must soon be made – will the government allow Najib to be released from prison and undergo house arrest? With the addendum's existence all but confirmed, and notwithstanding any further intervention by the sitting monarch, it would seem that the ball is now firmly in the government's court.

With these recent events, the Najib question is no longer primarily an UMNO one. Once again, it is truly a national matter with monumental consequences. The natural question that follows is, what is the Prime Minister's stand? Thus far he has avoided really providing an answer. One wonders if that will be tenable for much longer.

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