

# PERSPECTIVE

RESEARCHERS AT ISEAS – YUSOF ISHAK INSTITUTE ANALYSE CURRENT EVENTS

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## **Turning Malaysia off Inter-Faith Strife**

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### **EXECUTIVE SUMMARY**

- Since 2008, Malaysia has witnessed a series of incidents, which though piecemeal and coincidental, threatens the very fabric of Malaysian multi-ethnic and multi-religious co-existence.
- Many, including Muslim lawmakers from both the government and opposition camps, have voiced strong concerns over the growing trend of majority Muslim Malaysians imposing their religious beliefs onto citizens belonging to ethnic minorities.
- This paper proposes three remedies to the current tension: Reforming the office of muftis of all states; inculcating inclusive Islamic discourses amongst Muslims; and finally, nurturing a culture of mutual respect and mutual learning.

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## INTRODUCTION

A series of incidents in recent years has been undermining the religious harmony that Malaysia has thus far enjoyed. This began the infamous “cow-head protest” in Shah Alam in August 2009<sup>1</sup> against a proposed Hindu temple in Section 23, which displayed unveiled disrespect and hatred towards Hindu citizens; and continued with three churches being torched in the Klang Valley in early January 2010.<sup>2</sup> This was followed by apparent retaliatory arson attacks against two suraus in Muar in late January 2010.<sup>3</sup> Then came the mind-numbing act of incitement on the 20 April 2015 by 50 residents in Taman Medan over the display of a cross on a newly minted church,<sup>4</sup> followed closely by the unfortunate Low Yat fracas<sup>5</sup> which led to the Red Shirt demonstration that further hyped racial tensions.<sup>6</sup>

Similarly, legal cases involving Shari’ah courts consequent upon the conversion of either spouse to Islam, battling for custody of the children have soured further the relationship between Muslims and believers of other faiths.<sup>7</sup> The religious ambience further deteriorated with the “Allah” word usage conundrum, the proposal to make Islamic and Asian civilisation studies compulsory at private universities and a parliamentary bill being presented that sought to allow conversion of minors to Islam based on only one parent’s approval.<sup>8</sup>

The public statements and actions by national Muslim leaders and state religious authorities have further exacerbated racial and religious discord and in some instances exhibited utter disrespect of other faiths and their adherents. A recent statement made by the Mufti of Pahang that non-Muslims who disagree with the proposed RUU 355 (or famously coined

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<sup>1</sup> See: “Malaysian Muslims protest against proposed construction of Hindu temple”. *The Boston Globe*. Associated Press. 29 August 2009. Archived from [the original](#) on 1 September 2009. Retrieved 16 September 2016; “Malaysia Muslims protest proposed Hindu temple”. Associated Press, 28 August 2009

<sup>2</sup> [https://en.wikipedia.org/wiki/2010\\_attacks\\_against\\_places\\_of\\_worship\\_in\\_Malaysia](https://en.wikipedia.org/wiki/2010_attacks_against_places_of_worship_in_Malaysia)

<sup>3</sup> <https://www.malaysiakini.com/news/122463>

<sup>4</sup> <https://www.youtube.com/watch?v=Vdrgkdt64Zw>

<sup>5</sup> <http://english.astroawani.com/malaysia-news/low-yat-brawl-how-it-all-started-65802>

<sup>6</sup> <http://www.straitstimes.com/opinion/red-shirt-rally-brings-out-malaysians-insecurities>

<sup>7</sup> See: “In Malaysia, Islam’s legal advance divides families and nation”, *Reuters*, 12 July 2014.

<sup>8</sup> A controversial child conversion bill was drafted to address concerns over the fate of children when a parent converts to Islam. The bill would have permitted unilateral conversions of minor children to Islam with the permission of only one parent. When conversion is allowed with the consent of only one parent, the right of the converting parent to change the child’s religion is recognised, but the right of the non-Muslim spouse is ignored. Although this is allowed under sharia law in the states of Perak, Kedah, Negeri Sembilan, Sarawak, and Malacca, the controversial bill would have allowed the practice throughout the country. However, the government withdrew the bill on July 5 following vigorous criticism originating from the opposition, civil society, and some members of the ruling party. But this does not soothe non-Muslim outrage as the clause still exists in the Islamic enactments in the aforementioned states. (See: Malaysia 2013, International Religious Freedom Report, retrieved from: <http://www.state.gov/documents/organization/222357.pdf>, 25 August 2016)

by PAS as the ‘*Hudud* Bill’)<sup>9</sup> as ‘*Kafir Harbi*’ (Infidels)<sup>10</sup> is a further gross aberration to the basic values of equality, diversity, mutual respect and harmony espoused by Islam.

The emergence of these issues may be piecemeal and coincidental, but the trend is threatening the very fabric of Malaysia’s multi-ethnic and multi-religious make-up. Many, including Muslim lawmakers from both the government and opposition camps have raised concerns about Muslim Malaysians imposing their religious beliefs more and more upon the minorities. There are also strong suspicions that this is the purposive “divide and rule” agenda of powerful parties working to rouse a siege mentality amongst Muslims, and these are borne out by the lackadaisical handling and condoning of these racial and religious incidents by the authorities.<sup>11</sup>

This paper will however have to limit itself to a discussion of the excessive use of Islamism in the public sphere, without denying other factors that surely deserve the same attention. I also propose three major steps that can be taken by concerned actors to limit and reverse this condition.

## OVER-INSTITUTIONALIZING ISLAM

In the Constitution, religious affairs are under the purview of Malaysia’s respective states, headed by the rulers. It identifies these rulers (sultans of the states and the raja of Perlis) as the ‘Heads of Islam’ within their own territory. Sultans and Raja are present in nine of the country’s 13 states, while in the other four states and in the Federal Territories (Wilayah Persekutuan), the YDP Agong acts as the highest Islamic authority. Religious authorities (Majlis Agama Islam Negeri) at the federal and state government levels oversee Islamic religious activities, and the Shari’ah courts. State governments through their religious authorities are legally responsible for the administration of mosques in the 13 states, including appointing imams and providing guidance on the content of sermons.<sup>12</sup>

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<sup>9</sup> The private member’s bill named Shariah court act proposes to amend the Syariah Court Act (Criminal Jurisdiction) Act 1965 was tabled by the president of PAS amongst others, aims to enhance punishments for Shariah misconduct, which would eventually allow certain hudud (Islamic criminal punishment law) to be enacted and implemented in certain states in Malaysia. (See: Pejabat Mufti Wilayah Persekutuan, *Bayan Linnas no. 67: Act 355 Amendment Proposal: an Opinion*, See: <http://muftiwp.gov.my/docs/BL67eng.pdf>)

<sup>10</sup> <http://www.straitstimes.com/asia/se-asia/pahang-mufti-criticised-for-explosive-remarks>

<sup>11</sup> See more at: <http://www.themalaymailonline.com/malaysia/article/in-recurring-religious-conflicts-muslim-mps-ask-where-malaysia-is-headed#sthash.AGPuYg6K.dpuf>

<sup>12</sup> Authorities at the state level administer the shari’ah through Islamic courts and have jurisdiction over all Muslims. Shari’ah laws and the degree of their enforcement vary by state and can be influenced by the respective religious departments. State governments impose shari’ah law on Muslims in some cultural and social matters, and generally do not interfere with the religious practices of non-Muslim communities. However, there is continuing debate regarding certain states incorporating elements of shari’ah, such as *khalwat* (close physical proximity with an unrelated member of the opposite sex), into secular civil and criminal law.

The effectiveness of the state religious authorities in playing their roles and keeping their responsibilities has been increasingly questioned of late. The religious awakening among the Muslims since the 1970s raised their expectations concerning the management of Muslim affairs.<sup>13</sup> Some have chosen to support the religious authorities despite their flaws whilst others have called for their total abolishment, including at the federal level, and for religious matters to become an individual matter.<sup>14</sup>

Many educated, practising and pious Muslims remain critical of the religious authorities, especially in matters related to family disputes where the courts are seen as either being too male dominated or inefficient in dispensing justice.<sup>15</sup> Hence, when the Selangor religious authority made a ground-breaking decision by appointing female Shari'ah court judges (two as Shari'ah High Court judges, and seven others to the Lower Shari'ah Court),<sup>16</sup> it was overwhelmingly welcomed by many. The Mufti of Perlis, has actively addressed the *khalwat* issue,<sup>17</sup> the issue of child custodianship,<sup>18</sup> the ineffectiveness of Zakat distribution, and other matters<sup>19</sup> with opinions that many see to be contradicting the expressed thoughts of mainstream official religious authorities.

However, the discourse about Islam and Islamic law is a highly inflammatory and explosive one, and has to be managed appropriately. Malaysians are presently witnessing reactions and counter reactions; and rivalries and hostilities between the pro-establishment and the critics. This generates further conflict within the country's Muslim community.

To appease the Malay Muslim majority, the state and federal governments actively sponsor

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<sup>13</sup> This increased religiosity of the Muslims has been expressed in other facets of daily living, including through market-demand, eg. KWSP Shari'ah, Hijab industry, Halal industry, other Shari'ah compliant industries, Islamic radio and TV channels, Islamic products in the market and the mushrooming of religious schools.

<sup>14</sup> See the statement made by Tun Ismail's son (Dato Tawfiq Tun Ismail) on abolishing JAKIM as an example (<http://www.astroawani.com/berita-malaysia/bubar-jakim-kenyataan-tawfik-kurang-sopan-dan-tidak-beradab-perkasa-80236>)

<sup>15</sup> See as an example: Ahmad Mohamed Ibrahim, *The future of the Shariah and the Shariah Courts in Malaysia*, Ilmiah Publishers, Kuala Lumpur, 2001, pp.45; Zaleha Kamaruddin, *Wanita dan kelewatan kes di mahkamah Syariah: antara persepsi dan realiti*, Ins. Raihanah Abdullah (edit.), *Wanita dan perundangan Islam*, Ilmiah Publishers, Kuala Lumpur, 2001, pp. 38-39.

<sup>16</sup> <http://www.themalaymailonline.com/malaysia/article/the-first-two-women-shariah-high-court-judges-in-malaysia>.

<sup>17</sup> See <http://drmaza.com/home/?p=2827>.

<sup>18</sup> The Perlis Fatwa Committee has decided that the custody of children born in a non-Muslim family where a parent has converted to Islam should be granted to the parent deemed more capable of raising the children regardless of their religion and of caring for their welfare. He insisted that such a view represents the true teaching of Islam, which emphasizes justice. (See: <http://www.nst.com.my/news/2015/09/fatwa-child-custody-only-applies-children-born-non-muslim-family-perlis-mufti>).

<sup>19</sup> See <http://drmaza.blogspot.my/2007/02/kuala-lumpur-distribution-of-zakat.html>; Furthermore, His criticism of the Zakat institution rhymes very well with the lay Muslim who demands transparency, accountability and competency in the collection, utilisation and distribution of Zakat funds. (See: <http://www.astroawani.com/gaya-hidup/10-hujah-jawab-viral-negatif-mengenai-zakat-109260>.)

activities and programmes aimed at defending the religion and fronting themselves as the protectors and champions of Islam. They recruit and co-opt conservative religious scholars (*Ulama*), religious bodies, state and federal religious institutions for this purpose. However, some of their attempts end in failure, such as the rejection of a position in UMNO by the famous public preacher, Ustaz Kazim Elias.<sup>20</sup>

This further heightens the angst of some Muslims individuals and motivates their demand for de-Islamization of the state and federal religious institutions. Threatened by this anti-religious fervour, supporters of the establishments rationalise that the critics whom they labelled as ‘liberals’ are *songsang* (deviant) or a greater evil than the ruling government, because their uncompromising demands for the abolishment of religious authorities and religious institutions, is tantamount to waging war against Islam.<sup>21</sup> There may be a widespread perception that many current leaders are corrupt, but the “conservative discourse” portrays the ruling government to be the lesser evil when compared to the liberals. These leaders are at least maintaining and protecting the role of Islam in the country, and their sincerity for the cause of Islam is evident in the various state-funded Islamic activities.

## PROPOSALS FOR CHANGE

### *Reforming the Office of the Mufti*

At the state level, the Mufti has a crucial and powerful role. He is both the advisor of the rulers on religious matters and the reliable reference for common folk on religious issues. In many contexts, he is seen as the state’s most learned religious scholar. Such influence requires that the office of the Mufti itself be wisely studied and reformed in all states.

Muftis who are academically more qualified are evidently wiser and more diplomatic in their public announcements, and are also more willing to engage in inter-faith dialogues. This is an important characteristic that needs to be exploited. Examples of such Muftis are the Mufti of Perlis,<sup>22</sup> the Mufti of Penang,<sup>23</sup> and the recent Mufti of Wilayah Persekutuan

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<sup>20</sup> See: “Ustaz Kazim tolak jadi MT UMNO”, *Sinar Harian*, 4 December 2013.

<sup>21</sup> Many Malays, whether practising Muslim or otherwise, would defend vehemently the ‘sanctity of Islam’ (*kesucian agama Islam*) against anybody threatening to ‘belittle’ or ‘undermine’ the religion.

<sup>22</sup> Dr Mohd Asri Zainul Abidin is a well-known for his non-conventional views and is applauded by liberals and non-Muslims who perceive them as the voice of more open-minded religious Muslim scholars. (See his official page: <http://drmaza.com/home/>).

<sup>23</sup> As with the Mufti of WP, the Mufti of Penang, Datuk Dr Wan Salim Mohd Noor has been meeting with the state’s Roman Catholic bishop, Sebastian Francis, to discuss issues such as the lack of a common platform to discuss syariah and civil laws, the threat presented by the Islamic State in Iraq and Syria, and extremism (See: <http://www.straitstimes.com/asia/se-asia/penangs-islamic-and-catholic-leaders-meet>).

(WP)<sup>24</sup>, all of whom are university graduates, from USM, UIAM and USIM, respectively.

Tellingly, the Mufti of Perlis has often gone against the official line of most religious state institutions when commenting on contemporary matters; and both the Mufti of WP and Penang have held discussions at work with leaders of other faiths. All this amounts to a major milestone in Malaysia's inter-faith discourse. It should also be added that proficiency in the English language, and international exposure especially in non-Muslim countries, clearly bring more sophistication in thought and action.

#### *Popularizing an inclusive Islamic discourse*

For deeper and more lasting effect, there is also a need for an inclusive Islamic discourse to be practised and for universal values and ethics to be embraced. It should be quite clear to Muslims that the call of Islam is not towards the homogenization of society into one single culture, identity or faith but for the observation and practice of good conduct and civility so as to ensure that diversity will nurture peace and serve the common good. Religious hegemony and intolerance in a pluralistic society will invariably result in conflict and nullify the claim that Islam is a religion of compassion, peace and freedom. Logically therefore, mutual respect and recognition of other believers and their beliefs should be sacred to Muslims, and *sine qua non* in ensuring a harmonious and peaceful community.<sup>25</sup>

To realize this vision, for a start, a neutral non-governmental and non-political platform is required to encourage Muslim scholars, intellectuals and like-minded academics with Islamic studies background to embrace this discourse. And once this discourse has been accepted among Islamic NGOs, joining with other faith and non-faith organizations in a collective effort to combat radicalism and extremism would not be difficult. Malaysia have many moderate, open-minded Islamic scholars, intellectuals and academics, but they have not enjoyed the space or the opportunity to mainstream their inclusive discourse of Islam.

#### *Nurturing mutual respect and developing a culture of mutual learning*

One major obstacle to understanding and tolerance across religious divides is in fact the ignorance about or lack of exposure to Malaysian society's multi-faith and multi-racial essence. This has easily led to misconceptions, prejudices and distrust, which is a recipe for racial and religious discord.

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<sup>24</sup> Mufti of WP became the first state Mufti ever to accept an official invitation to visit the Archbishop of Kuala Lumpur, Most Reverend Julian Leow Beng Kim. This is perceived by some as an enhancing of the 'pluralism' agenda (See: <http://www.themalaymailonline.com/projekmmo/berita/article/mufti-archbishop-kl-berpelukan-rintis-jalinan-erat>; <http://malaysiadateline.com/index.php/berita-list/15-berita/863-mufti-wilayah-persekutuan-terima-kunjungan-archbishop-kuala-lumpur>).

<sup>25</sup> Peaceful co-existence and harmonious cohesion with other religious communities is well documented in Islamic history beginning with the Prophet's call in Makkah. (See Maszlee Malik & Musa Nordin, "Honour and Dignity for All Mankind", *Malaysiakini.com*, 30 June 2016).

Were ‘Introduction to religions and cultures in Malaysia’ made a core subject in schools and campuses, young minds would become aware of the plural nature of Malaysia and be sensitive to other faiths, and be respectful of them. It was not very long ago when the multi-ethnic composition of classrooms in the country facilitated a spirit of togetherness and *muhibbah* among various communities.

Other practical approaches to improve mutual understanding early in life among Malaysian schoolchildren from various communities include inter-school projects such as student exchange, teacher exchange, friendly sports, and cultural, intellectual, communal and other jointly organized events. Twinning programmes between schools with different orientations and between schools from different localities (rural-urban) would be another option, and practical and effective ones.

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