

ISLAM AND
RELIGIOUS
EXPRESSION
IN MALAYSIA

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IN MALAYSIA

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FOREWORD

Islamic religious expression takes various forms globally from peaceful piety-oriented ones to the most brutal and violent ones.

The September 11 attack in New York has come to be viewed as the most violent public Islamic religious expression that led to the development of intense Islamophobia globally. It was subsequently made more intense by continuous Islamic jihadist attacks conducted in various parts of the world, from the United Kingdom to Chechnya, from Bali to Colombo. When videos of the beheadings of innocent individuals by the Islamic State and the Levant (ISIL) of the Middle East were shown on the Internet, the whole world was shocked and bewildered as to how much more violent Islam could become. Not surprisingly, thereafter, hatred towards Islam came to be generalized and embedded in the negative perceptions and narratives of billions throughout the world.

The majority of Muslims themselves could not provide any explanation or rationale to these abhorrence violent religious expressions. They could not give any credible reason and even if they could, most of them sounded weak and defensive, even evasive.

When President Barack Obama delivered his speech in Cairo on 4 June 2009 on “the new beginning between the United States and Muslims around the world, one based on mutual interest and mutual respect ... by expanding partnerships in areas like education, economic development, science and technology, and health ...”, the world paused for a moment, with some segments of the Muslim and non-Muslim populace offering euphoric responses.

When Obama addressed the issue of economic development and opportunity, he emphasized how human progress cannot be denied, in spite of the crisis faced by the world, including among Muslim communities across the globe. He then specifically referred to “the astonishing progress within Muslim-majority countries from Kuala Lumpur to Dubai” based on innovation and modernization whilst enjoying peace, prosperity, progress, and political stability.

It could be argued that the gist of Obama’s speech is that Islamic religious expression throughout history has been intellectually positive. He stressed on the peaceful manner of the expression that benefitted human civilization. Peaceful Islamic religious expression has continuously dominated the history of Islam that, in turn, has enabled it to contribute to world civilizations in the *longue durée* term.

The astonishing progress within Muslim majority countries, in which Kuala Lumpur (read: Malaysia) was singled out by Obama clearly demonstrated his appreciation of the peaceful nature of Islamic religious expression in Malaysia.

Based on a lengthy research and observation, Professor Azizuddin’s *Islam and Religious Expression in Malaysia* elaborates with impressive empirical evidence on democracy and social accommodation among the different religious groups in the country that has generally brought about peace, stability, progress and prosperity to Malaysia and Malaysians irrespective of religious and ethnic orientation.

Against the grain of Islamophobia and intensely negative global narratives and viewpoints about anything Islam or Islamic, Professor Azizuddin painstakingly narrated and analysed the various dimensions of Islamic religious expression in peaceful and stable Malaysia. His contribution is a small oasis and a hopeful narrative within the cacophony of a chaotic discourse on contemporary Islam and society globally.

He successfully unpacked the complexity of the nature of Islamic religious expression in Malaysia based on rich ontological evidence of the Islamization policy and Islamic bureaucracy in Malaysia to the interaction between what could be viewed as the practices of traditional Islam within a Weberian-informed modern bureaucracy.

What is impressive of this study are its coverage, breath and depth. Professor Azizuddin’s investigation has not only been on inter-religious

expression between Muslims and non-Muslims but also intra-religious expression among Malaysian Muslims, consisting of Malay Muslims, Indian Muslims, Chinese Muslims and the converts group. To the best of my knowledge, this is the first scholarly attempt to dissect the community of Muslims in Malaysia beyond the demographically larger constitutional Muslim Malays.

He also did not fail to address the controversial issue of Islamic terrorism, radicalism and extremism in Malaysia. However, he did this by emphasizing on the “deradicalization” efforts by Malaysian authorities to keep terrorism under control. The added bonus of this book is that Professor Azizuddin gives an informed assessment of the new Pakatan Harapan government and how it deals with Islamic matters.

This is an impressive work by a young, energetic and highly productive Malaysian academic whose observations are serious and valid. This book is a must read for specialists on Malaysia. For those who are beginning to get interested in Malaysia, hopefully this book shall excite them to know more about this complicated yet arguably model of a peaceful Islamic majority country.

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PREFACE

Religious Expression in Perspective

Freedom of expression is a fundamental liberty enshrined predominantly in the constitution of modern Western secular states, with every individual, regardless of his or her ethnicity, socio-economic standing, and religious belief, guaranteed the right to exercise such freedom. Setting this preconceived notion aside, practical implementation of freedom of expression is not totally absolute even to the staunch defenders of human rights. There is an ongoing debate and controversy surrounding the types and substances of the said expressions that warrant constitutional protection. Moreover, the extents and impacts of freedom of expression remain a contentious and divisive issue in many liberal societies. It is not an exaggeration to claim that considerable numbers of advocates of free expression who are willing to support certain controversial practices, including pornography and hate speech, stopped short of recognizing other practices, most notably religious expression. There is no doubt that the possibility of reaching unanimous consensus on this issue amongst civil society groups and activists is remote, albeit one should take note that religious freedom continues to be a dominant subject in public discourse over the last century. In relation to this, the issue concerned may also be examined from the perspective of whether religious expression would somehow inflict or affect political instability or dynamism in bringing political transformation in a country. Therefore, this book will analyse these debates from the context of religious expression in Malaysia.

It is argued that the ultimate goal of safeguarding racial and religious sensibilities continues to be the main barrier to exercising unhindered practice of religious expression in Malaysia. In fact, there is a tendency (and as often the case) for the state authority to exert strict and sometimes excessive legal and political control over the media, prohibiting any forms of provocative or offensive expressions that may harm religious sensitivity of groups or communities from being cited or disseminated in the country. Notwithstanding Islam's official status under the Federal Constitution (*hereafter* "Constitution"), publications or circulation of articles, including editorial pieces and public opinions, that may be deemed offensive to Islam and other religious believers either, intentionally or otherwise, are strictly prohibited. No local media in the country, including those operated by the opposition parties, are exempted from complying with this policy directive.

In the Malay community, many of them are of the view that Malaysia's restrictive policies over freedom of expression, either to safeguard national security or for societal benefits—even at the expense of other ethnicities—are justifiable and allegedly with strong constitutional backing. The Constitution stipulates that Malays are inherently Muslims in terms of their religious affiliation (Article 160) and Islam is the official religion of the Federation. Hence, upholding and defending the interest and sanctity of Islam and Muslim Malays are paramount in the agenda of the ruling government policy either previously under Barisan Nasional (BN) government, Pakatan Harapan (PH) government or currently under Perikatan Nasional (PN) government.

At the same time, the Constitution, by virtue of Article 11, acknowledges the rights of other ethnicities in the country (e.g. Chinese, Indian, Sikh, Iban, and others) to freely profess and practise their religions and beliefs. Insofar as protecting these aforementioned rights, the actions of the Malaysian government seemed to give the impression that it intends to strike a balance in preserving the rights of all ethnicities in practising their respective religion and customs. The government assumes an instrumental role in exerting control over the local media, prohibiting the latter from openly displaying or disseminating any forms of articles or news that questioned or ridiculed the faith of its citizens.

There is no doubt that the Malaysian government has for so long constantly and actively monitored and scrutinized religious expression activities in the country. This policy orientation is made with the ultimate goal of securing and retaining a peaceful and harmonious multiethnic and multireligious society. Rendering such protection seems to be justifiable as the government claimed that this is ingrained in the constitutional framework. This overriding goal is largely achievable by strict government controls over a myriad of social and political spheres of the society, ranging from religious expression in the press to blasphemy, religious authority, interfaith commission, and dress code. This state of affairs coexists with the state-driven Islamization policy which, to a considerable extent, affects the practices of religious expression in the country.

This book explains how the government and society alike address and manage the sensitive issues of religious expression in Malaysia. Can religious expression directly and indirectly affect society within the setting of Islamization process in the country? What types of practices and activities of religious expression are allowed and what are disallowed by the State? These questions will be analysed and used to explain the policy and practice of religious expression in Malaysia.

This book is significant for two major reasons. First, it provides a considerable contribution to the growing body of literature on the theoretical and philosophical framework of religious expression. Nonetheless, what is conspicuously absent is the comprehensive analysis and ground breaking research or publication on the theoretical and philosophical framework of religious expression within the context of Malaysia against the background of state-driven Islamization policy. The gaps in this area of study have rendered this book necessary. This book is one of the first attempted studies to comprehensively identify and analyse the varying facets of interventionist actions engaged by state apparatuses and associated actors over matters and activities pertinent to religious expression in the country. The outcome of this book offers some observations on the practice and policy of religious expression in Malaysia based on the theoretical perspective of freedom of expression. Included in this book is a comprehensive description and analysis of the issues and challenges associated with religious expression in Malaysia, including the issues of radicalization and terrorism.

Lastly, the findings of this book make significant contributions to the cumulative knowledge on the influential interventionist role played by the Malaysian government, state and religious authorities in dictating and governing the acceptable practices and concept of Islam. Underpinning empirical analyses are the varying policy and legislative frameworks and responses adopted at the federal and state levels, some of which may have direct and indirect negative repercussions not only on the behaviours and expressions in the public and civil society alike, but also in the well-established Islamic traditions and domestic rituals in the country. More importantly, the outcome of this book reveals a close correlation between the impact of social, political and legal Islamization on the ways in which religious expression are practised in the country. This reflects a reality: the ruling government, associated actors and institutions have purportedly imposed various forms of legislative and policy restrictions on activities and behaviours related to religious expression.

Scholarly analyses on the Islamization policy in Malaysia since the 1980s continue to abound. The process of Islamization which figured prominently during then Prime Minister Mahathir Mohamed's two administration periods (1981–2003 and 2018–20) and his predecessors involved greater integration of Islamic ideas, values, laws and systems into nearly every aspect of the public sphere, from governance, ceremonial setting, education, finance to economy. Throughout the documented history of the country's Islamization process, there are gaps for which this book intends to fill. One of the predominant question of discourse is to what extent this process of the government's commitment to Islam has left its mark on the public domain and society at large, especially among the country's sizable non-Muslim population with regards to the practice of religious expression. Relevantly, this book identifies and observes how members of civil societies react to the perceived eroding of their civil liberties and rights in freely exercising religious expression, a development which is widely seen as intrinsically linked to the Islamization process.

Overview

There are seven chapters in this book. This introduction has briefly discussed about the book and the concept of religious expression in

Malaysia. Chapter 1 explores the politico-legal aspect of freedom of expression in Malaysia. It analyses the critiques on the practices of free expression and how restrictions made by the government are justifiable. Chapter 2 traces and examines the multiple facets of state-driven Islamization policy in Malaysia. It also explores the roles and structures of the Federal Constitution, as well as bureaucratic apparatus and legislative framework involved in that process. Chapter 3 continues the discussion by critically analysing inter-religious expression in Malaysia. It presents a general analysis of the issues and challenges associated with inter-religious expression relayed through various avenues and tools. Chapter 4 elaborates on Islam and intra-religious expression in Malaysia. Particular attention is given to the identification and examination of the major elements constituting religious expression models. Chapter 5 focuses on the issues of extreme expression and radicalization. The Islamic State and the Levant (ISIL)'s recruitment strategies of utilizing the social media, in particular, have attracted Malaysians to join the group. It observes the background of ISIL as an emerging threat to the global and regional arena and the efforts taken by the Malaysian government to counter the ISIL threats. Chapter 6 explores the PH government's perspective of Islam and religious expression since it took over power from BN in 2018. This book attempts to see whether there are differences in policy and practices particularly in governing Islam and religious expression. Chapter 7 and also the final chapter provides the conclusion of the book and states the future challenges of religious expression in Malaysia.

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I am indebted to all sponsors who have provided me with funds to successfully complete this book. I want to express my gratitude to my colleagues, Associate Professor Dr Mohammad Zaki Ahmad and Associate Professor Dr Ratnaria Wahid, who are also my co-researchers for the ERGS research. My gratitude goes also towards Dr Ummu Atiyah Ahmad Zakuan, Dr Dian Diana Abdul Hamed Shah, Associate Professor Dr Norhafazah Yusof, and Azahar Kasim who assisted and inspired me throughout my journey to make this book a reality. I also want to thank

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This book would also not have been possible without the generous assistance of my colleagues and administrative staffs at the College of Law, Government and International Studies (COLGIS), UUM. Finally, I would like to thank my loving family, Rafidah, Nusra, Amni, Ariez and Adelia for their unwavering support and inspiration. For their efforts and sacrifices during the preparation of this book, I dedicate this book to them.

Prof. Dr Mohd Azizuddin Mohd Sani
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2020

LIST OF ACRONYMS AND ABBREVIATIONS

ABIM	Angkatan Belia Islam Malaysia
AIS	Academy of Islamic Studies
Art.	Article
DAP	Democratic Action Party
GE	General Election
GEPIMA	Indian Muslim Youth Movement of Malaysia
IIUM	International Islamic University Malaysia
ISA	Internal Security Act
ISIL	The Islamic State and the Levant
ISMA	Ikatan Muslimin Malaysia
JAWI	Jabatan Agama Islam Wilayah Persekutuan
JIM	Jamaah Islah Malaysia
JKSM	Jabatan Kehakiman Syariah Malaysia
JUST	International Movement for the Just World
KAGAT	Kor Agama Angkatan Tentera
KMM	Kumpulan Mujahidin (Militan) Malaysia
MACMA	Malaysian Chinese Muslim Association
MCA	Malaysian Chinese Association
MIC	Malaysian Indian Congress
PEKIDA	Pertubuhan Kebajikan Islamiah dan Dakwah
PERKASA	Pertubuhan Peribumi Perkasa
PH	Pakatan Harapan
PKPIM	Persatuan Kebangsaan Pelajar Islam Malaysia

PKR	Parti Keadilan Rakyat
PMO	Prime Minister's Office
PN	Perikatan Nasional
PUM	Malaysian Ulama Association
RTM	Radio and Television Malaysia
SA	Sedition Act
SAC	Syariah Advisory Council
SC	Malaysian Securities Commission
SUHAKAM	Malaysian Human Rights Commission
UiTM	Universiti Teknologi MARA
UKM	National University of Malaysia
UM	University of Malaya
UMNO	United Malay National Organisation
UMT	Universiti Malaysia Terengganu
UNIZA	Universiti Sultan Zainal Abidin
USIM	Universiti Sains Islam Malaysia
USM	Universiti Sains Malaysia
UTM	Universiti Teknologi Malaysia
UUM	Universiti Utara Malaysia
YADIM	Yayasan Dakwah Islam Malaysia