

SPEECH BY

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ISLAM AND CRITICAL CHALLENGES IN MULTIRELIGIOUS MALAYSIA

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1. Dr. Nizami, Director of the Oxford Centre for Islamic Studies, distinguished guests, ladies and gentlemen. First, I would like to thank the Oxford Centre for Islamic Studies for providing me with the opportunity to deliver a lecture on Islam and Critical Challenges in Multi-religious Malaysia. This lecture emphasizes on a very important area because if governments could succeed in instituting a culture of tolerance and moderation among people at the domestic level, it would become easy for nations to cooperate in promoting tolerance and moderation among nationalities and cultures at the international level.

2. Religious tolerance is becoming increasingly pertinent in the course of events in human history. The importance of this subject becomes more relevant to Islam and the Muslims, not only because of their increasing numerical size almost everywhere, but more importantly, due to the events that have directly or indirectly involved the Muslims and non-Muslims across the world. In the world in which we are living today, rightly called "the global village", we cannot imagine living next to each other but the air that we breathe is filled with animosity and hatred. We must learn to live harmoniously. It is in this context that this topic is chosen.

Ladies and gentlemen,

3. I would like to begin my lecture with a short story. While on his deathbed, the second Righteous Khalifah, Sayyidina Umar ibn al-Khattab Radi-Allahu 'anhu, dictated a long Will consisting of instructions for the next Khalifah. The last sentence of the historic document reads:

*"I instruct you on behalf of the people who have been given protection in the name of Allah and His Prophet (s.a.w). Our covenant to them must be fulfilled, we must fight to protect them, and they must not be burdened beyond their capabilities."*

4. At that moment, Sayyidina Umar was lying in pain because of the wounds inflicted on him by a non-Muslim who had stabbed him with a dagger soaked in poison while he was leading the fajr prayer. And the people the Khalifah was adamant to fight for their protection in the name of Allah and His Prophet (s.a.w) were none other than the non-Muslim minorities within the Islamic state or the zimmi.

5. It should be remembered that Sayyidina Umar was then the head of a vast empire ranging from Egypt to Persia. From normal rulers of his time or ours, we could have expected vengeance and swift reaction. From a very forgiving head of state we could have expected an attempt to forget and forgive, and that would be considered noble. What is even more remarkable is that for Muslim historians the entire affair was just natural. After all it was the Khalifah himself who had established the standards by writing the guarantees for the protection of life, property and religion in decree after

decree as Muslims opened land after land during his rule. The pattern established here was followed for centuries throughout the Muslim world.

6. Of course, Sayyidina Umar was simply following what he learnt from the Prophet Muhammad (s.a.w) himself. That the protection of life, property and religious freedom of minorities is the religious duty of the Islamic state. That he personally would be demanding justice in the hereafter on behalf of a zimmi who had been wronged by a Muslim. That there is no compulsion in religion and that Muslims must be just to friends and foe alike.

7. The result of these teachings was a Muslim rule that set the gold standard for religious tolerance in a world that was not used to the idea. Not only that the Muslim history is so remarkably free of the inquisitions, persecutions, witch hunts, and holocausts that tarnish the history of other civilizations, it protected its minorities from persecution by others as well. It protected Jews from Christians and Eastern Christians from Roman Catholics. In Spain under the Umayyads and in Baghdad under the Abbasid Khalifahs, Christians and Jews enjoyed a freedom of religion that they did not allow each other or anyone else.

Ladies and Gentlemen,

8. Allah has created mankind in the form of different races and creed. Islam teaches us that diversity is a fact of nature and it makes the nature more beautiful. God says in Surah Al Fatir, verses 27 to 28:

*“Seest thou not that God send down rain from the sky? With it We then bring out produce of various colours. And in the mountains are tracts white and red, of various shades of colour, and black intense in hue. And so amongst men and crawling creatures and cattle, are they of various colours. Those truly fear God, among His Servants, who have knowledge: for God is Exalted in Might, Oft-Forgiving.”*

9. This verse points to the fact that Islam recognises diversity among human beings. These diversities are natural and often considered by Muslims as “God’s signs” on earth. They are indicative of God’s creative power and wisdom which endow human life with richness and beauty. In another verse, Allah the almighty stipulate that the purpose He made mankind into races, families and tribes is for men to know each other. Aside from enabling men to know each other better, there is no tenable reason why these diversities should create barriers, or cause animosities among human beings.

10. With the acknowledgement that there is diversity in the world, Islam enjoins unity not only amongst Muslims but also between Muslims and non-Muslims. Of course, we do acknowledge that there exists fundamental differences vis-à-vis our religious beliefs, but the focus should not be on these differences; rather it should be on the shared common values and purposes that we all hold dear.

11. That being said, the level of religious tolerance across the world today is less than ideal. There were incidents in the recent years that cast doubt on the capacity of governments, media and religious communities to respect the faiths of other people, especially those of the minorities. The publication of caricature of the Prophet Muhammad (s.a.w) by a Danish newspaper; the banning of minaret in Switzerland; the growing fear that Muslims are Islamizing the West; and a widening perception among Muslims that they are being besieged reveal a rising polarization along religious lines.

12. In relation to this, I would like to call for more religious tolerance to mend a deepening rift between the West and the Islamic world. Crisis over crises had been caused by extremists. Publication of caricature of the Prophet Muhammad (s.a.w) is a clear example of extremism which demands a need to mark out the limits to freedom of expression. Freedom does not negate one’s responsibility toward others. Freedom without responsibility is indeed a potent means for the extremists to exploit growing polarization along religious lines. The growing Islamophobia and xenophobia in the West and the widening perception that Muslims and Islamic values are under attack threaten to turn the West and the Islamic world into adversaries.

13. Historically, Muslim experience in the area of tolerance has been exactly opposite to the rest of the world. As Marmaduke Pickthall noted: "It was not until the Western nations broke away from their religious law that they became more tolerant, and it was only when the Muslims fell away from their religious law that they declined in tolerance."

14. The path that the Western world traverses to provide harmony in society was to banish religion from the public sphere. It may be good to remember that while it has indeed made huge progress in the area of tolerance during the last century, which must be appreciated, the West has a long way to go before it can reach the standards established by Islam.

15. First, while Muslim Personal Law is not recognized in the West, the Personal Law of non-Muslim minorities has always been recognized in the Muslim world. Second, while throughout Europe and America, Muslims are not permitted to make the call to prayer (Adhan) on loud speakers, church bells ring freely in the Muslim world. Third, the wide spread anti-Islamic prejudice in the Western media is both a cause and a consequence of the underlying intolerance.

16. The situation of the rest of the international community is not much different. With this background, extortions to display tolerance become a vehicle for imposing one's own intolerance. For Muslims, religious tolerance is not about political posturing. It is a serious religious obligation. They must be a force against all intolerance, even that which is promoted in the guise of tolerance.

17. The adverse consequence of the incapacity to respect other people's faiths and its resultant religious intolerance and polarization will of course be felt first in the world plural societies. It is there to cause violence, destabilize nations and destroy their social fabric.

Ladies and gentlemen,

18. Now, let me share with you Malaysia's experience in promoting religious tolerance and the challenges that we face in this endeavour. Malaysia has always been cited as an example of a plural society par excellence. It is more complex than most plural societies in the world because it is no less than Asia in miniature which also means that, inter alia, it contains the heterogeneity of India, China and Indonesia, among four of the largest nations in the world.

19. For centuries, the Malays, who are the son of the soil, and the Chinese and Indians, whose forefathers migrated in large number to the mainland of Southeast Asia in the late 19th and early 20th centuries, have been living side by side in the country. The Malays, at least since the 13th century, were already and primarily Muslims, while the Chinese were dominantly Buddhists and the Indians were largely Hindus. Today, about 60 percent of Malaysian population are Muslims, 19 percent are Buddhists, 9 percent are Christians and 6 percent are Hindus.

20. Managing racial and religious diversity has therefore been a great art of government in multiracial and multi-religious Malaysia. As a young nation in 1957, amidst scepticisms that Malaya will not survive as a stable democratic country, our great past leaders had proven their unflinching commitment to build the nation upon the spirit of accommodation and tolerance. They have done this by agreeing to accept a Constitution that reflects a unique expression of the country's varied culture and history. This is a constitution that accommodates racial and religious differences of the Malayan people and lay down the foundation for the creation of a harmonious and stable democratic nation.

21. For political and historical reason, the Malaysian Federal Constitution of 1957 protects the special position of the Malays and the natives of the Borneo states of Sabah and Sarawak as well as indiscriminately safeguards the legitimate interests of other ethnic communities. While the Malays and the natives of the two Borneo states enjoy special position in relation to the reservation of certain quota in the public service, admission into public universities, award of scholarships, grant of permits and licences, and Malay reserved land, other ethnic communities acquire economic and political rights as citizens of the new nation. What is more remarkable, the constitutional responsibility to protect the special position of the indigenous community, or the Bumiputera, and the legitimate interests of other ethnic communities is entrusted upon none other than the Yang di-Pertuan Agong as the Head of the Federation.

22. Article 3 of the constitution recognizes Islam as the religion of the Federation but other religions can be practiced in peace and harmony in any parts of the Federation. While every person is given the right to profess and practice his or her religion, there are some restrictions with regard to its propagation. In order to avoid active proselytization among the Muslim majority, which may cause adverse impacts on the social fabric of the plural society, Article 11(4) of the Federal Constitution allows state and federal laws to control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam.

23. Apart from this, Islam also occupies a special position in the administration of the Malay states and the federal territories. The Malay Rulers assume the role as the Head of Islam in their respective states while the Yang di-Pertuan Agong is the Head Islam in his own state, in the federal territories and in the states of Penang, Malacca, Sabah and Sarawak, exercising their powers in accordance with the principles of modern constitutional monarchy.

24. Furthermore, the Constitution gives due recognition to the long history of Islamic law, which during the colonial days found its expression in the Kathi court. Schedule 9, List II, Paragraph 1 of the Federal Constitution allows state legislatures to legislate for the application of Islamic laws to Muslims in a variety of areas, among others, personal and family law, succession, betrothal, marriage, divorce and charity. This includes the constitution, organization and procedure of Shari'ah courts having jurisdiction only over persons professing the religion of Islam.

25. Article 121(1A) further recognizes dualism in Malaysian legal system and judiciary whereby in the exercise of powers within their jurisdiction, civil court shall have no jurisdiction on matters within the jurisdiction of the Shari'ah courts. This provision, apart from avoiding conflict of jurisdiction, elevates the status of the Shari'ah court and strengthens its independence.

26. In addition, Article 12(2) of the Federal Constitution allows the federation or a State to establish or maintain or assist in establishing or maintaining Islamic institutions or provide or assist in providing instruction in the religion of Islam and incur necessary expenditure for the purpose. This Article clearly indicates that the government may and can take all necessary actions in support of Islam for the uplifting of Muslims. Taxpayers' money can be used to promote Islamic institutions and to build mosques and other Islamic places of worship. Of late the government has also been allocating financial assistance to other religions as well. This is not to mention permissions granted for the non-Muslims to build places of worship or statues within their compounds provided all necessary rules and regulations are met.

Ladies and gentlemen,

27. Ardent advocates of western secularism will most likely find these provisions wanting as it allows the state to seemingly intrude into the realm of religion and for religion to encroach into the domain of state. In Malaysia, Islam not only occupies a symbolic position as the religion of the Federation, but also forms part and parcel of the country's political, judicial, economic and education system. For this reason, Malaysia does not fully comply with an essential feature of a full-fledged secular state.

28. Others consider the Constitution as discriminatory to religions other than Islam. They failed to appreciate the fact that Islam has been practiced by the Malays as early as in the 13th century. Even when the British colonized Malaya, they acknowledged the status quo by recognizing Islamic court. The British even recognized the special position of Islam by leaving matters pertaining to the administration of Islamic law to the Malay Rulers. Provisions pertaining to Islam in the Constitution only preserve this status quo.

29. On hindsight, we have witnessed the wisdom of these provisions. They allow the Muslims to be governed by their own personal laws, thus giving them a meaningful sense of self-worth as a community. What is even more, they are the majority community. As the Constitution grants every person the right to freedom of religion, it provides both Muslims and non-Muslims with a constitutional and legal framework for the protection and promotion of this basic human right. It also allows the government to use regulation, not persecution, as a means to impose tolerance and moderation when persuasion alone does not produce desired results. But of course in the exercise of such authority, the government is always limited by law.

30. Furthermore, the Constitutional provision for the establishment and maintenance of Islamic institutions permits the government to use public revenues to build Islamic schools, train religious teachers, hire them and more importantly provide our young children with formal religious education that emphasizes the values of moderation and tolerance. By doing this, we have been able to encourage deep learning of Islam, nurture a rational understanding of the religion and build upon it a model moderate Islamic country.

31. The final form of the Constitution as it is today represents the agreement achieved by all earlier leaders of the three main ethnic groups fighting for independence and the formation of a harmonious nation. It is hardly deniable that certain provisions are resulting from certain compromises agreed upon by those forefathers, preserving certain privileges of certain group while extending certain rights to some other groups. If people can accept this form of 'social contract', there will be less chaos and anarchy in the society. Therefore, the position of Islam in the Malaysian Constitution is part of and an embodiment of the country's national history.

32. Primarily, it is the universal principle of fairness and justice that underpins moderation and tolerance in any multi-religious society. After all, this is what Islam enjoins. While we profess different faiths and beliefs, it is our responsibility to treat others with fairness and justice. This principle becomes more relevant when we occupy the position of power. I am referring to those in the government, namely the political executives, the bureaucrats, the judges and the lawmakers. Armed with enormous executive, judicial and legislative powers, it is not difficult for the holder of those powers to promote the interests of his own religious community, while discriminating others, especially the minorities. In this regard, the most valuable example of the best code of practice that we can draw from is the instruction contained in Sayidina Umar's Will for the next Khalifah that I mentioned earlier. It is the responsibility of those in the position of power to protect the rights of the minorities and treat people of other religion with fairness and justice.

33. This is the model that we seek to emulate in Malaysia. Based upon the spirit of accommodation and tolerance, it is not uncommon to find that matters pertaining to religion are discussed by Malaysian leaders in none other than the highest policy-making body, the federal cabinet. Leaders of different faiths have the opportunity to sincerely discuss and debate those issues and when we decide, the decision becomes collective decision of the cabinet and therefore it is collective responsibility of every member of the cabinet to uphold the decision not as a Muslim leader, or a Buddhist leader, or a Christian leader, or a Hindu leader but a leader for all Malaysians irrespective of race and religion. At the heart of this dynamic lie our penchant for fairness and justice and our passion for managing diversity as a great art of government. We realize that Malaysians of all creed and colour have a common goal to live together as citizens of a great nation where religious harmony underpins political stability and economic prosperity.

Ladies and gentlemen,

34. Having said this, I must acknowledge that as a multi-religious country, Malaysia continues to face great challenge in promoting religious tolerance and maintaining religious harmony. This is a constant and permanent challenge. Just as I speak here today, there is hue and cry among the Muslim community in Malaysia over a High Court ruling which allows a Christian publication to use the word Allah in its newsletter. No matter what our personal view is on this issue, whether we think that it is the right of the Christians to use the word Allah to refer to the Christian God, or it is the exclusive right of the Muslims to claim possession of the word, we have to acknowledge that such an incident causes discord in a multi-religious country.

35. And this is just one of the many examples of discord arising from disputes over the rights of religious communities. Furthermore, as the discourse on the right to freedom of religion gathers strength, some disillusioned groups may raise competing demands in pursuit of group interests under the guise of religious freedom. Of late, there are court cases pertain to the issue of conversion, divorce, child custody and building of cemeteries and houses of worship that have led different religious groups to reinforce articulation of group interests. The combined effect of these competing interests, if not properly managed, is hatred and animosity among religious communities.

36. This is where the role of government becomes critical. The utmost responsibility of the government is to maintain peace and order. We cannot allow violence to take place in the name of religion. After all, no religion condones violence as a means to pursue an essentially religious objective. End does not justify the means. At the same time, we cannot let unbridled freedom of religion to cause discord and animosity in a multi-religious society. There is no freedom when the air we breathe is filled with hatred and animosity. Enjoyable freedom is freedom that is exercised with a sense of goodwill and responsibility.

37. It is also the duty of religious communities and the civil society to promote tolerance and understanding among people of various religions. They must be made to understand that without tolerance and understanding, without acceptance and moderation, no one can live harmoniously in a multi-religious society. Followers of every religion must be able to moderate their expectations when living in such a society. Maximizing group interests to the detriment of others is not the pathway to religious harmony.

Ladies and gentlemen,

38. I must emphasize that in reality and truth Islam is intrinsically the Religion of Knowledge and Peace which never condones extremism, injustice, and criminal violence, all of which are inherently abominable. Peaceful protests, reasoned responses, commitments to treaty agreements, and fair arbitration are among the real, alternative solutions to the variety of conflicts, while the use of force is only justified by religion under severely restricted conditions.

39. Muslims are encouraged to explore the ideals of democracy, of countries characterized by economic welfare programs, the broadening of quality public education and quality public health programs and multi-cultural co-existence. Only by having such, that we will be able to liberate the human capabilities of our people, so that every citizen can participate positively in the system of governance.

40. Another critical challenge the Malaysian Government is addressing pertains to finding or—in the case of Malaysia in particular, preserving—the common grounds upon which a harmonious, multi-religious society can develop and flourish. It is in this context that we soon find it necessary to deal with what is commonly referred to as “The Ethic of Reciprocity”. “Do unto others as you would wish them do unto you”. This principle of reciprocity fits neatly with the famous saying of the Prophet Muhammad, peace and blessings be upon him: “None of you is a complete believer until he wishes for his brother what he would wish for himself”.

41. There is no denying that as the world becomes more and more a single interacting global community, the need for common ethical grounds for co-existence becomes more urgent. The rule of reciprocity is well suited to be a standard to which different religions and cultures could appeal in resolving conflicts. Quite recently this rule has its support in the US President Barrack Obama, as is apparent from his now famous “Remark on A New Beginning” at Cairo University: “There’s one rule that lies at the heart of every religion—that we do unto others as we would have them do unto us.”

42. It is particularly noteworthy that Syed Muhammad Naquib al-Attas, a renowned Malaysian intellectual, in his inaugural lecture as a Professor of Malay Language and Literature at the National University of Malaysia (UKM) about four decades ago, reminded Malaysians and their leaders, intellectuals and academics in particular, that they should not view the co-existence of the major world religions in Malaysia as a major weakness, as a source of divisiveness; instead they should regard it as their exceptional quality and greatness in the world; they should know that in the worldviews of these respective religions there exist more meeting points than in the political ideologies; that in the sublime philosophies and metaphysics of Islam, Christianity, Hinduism and Buddhism as well as the teachings of Lao Tzu and Confucius, there are indeed similarities of understanding in certain areas which can certainly help nurture the idea of a Malaysian identity.

43. In this regard, I’m indeed pleased to share with my learned audience today that Malaysians have been trying all this while—with varying degrees of success, of course—to underpin their cooperation and harmonious co-existence in the moral and ethical norms which the major world religions—Islam, Confucianism, Taoism, Buddhism, Hinduism and Christianity—have been teaching in common. And the most recent pronouncement of the concept of 1MALAYSIA by Malaysia’s Prime

Minister Hon. Datuk Seri Mohd Najib Tun Abdul Razak is a bold step toward realizing the ideal of harmonious co-existence within the ambit of the religio-ethical teachings of such major religions.

44. What Malaysia is doing is essentially emulating the spirit of the Constitution of Madinah which was introduced by the Prophet Muhammad s.a.w. upon the opening of Madinah some 1,400 years ago. Madinah was made up of people of various tribes and faiths, such as the 'Aus and Khazraj who were Muslims and the Muslim migrants from Makkah, as well as Christians and Jews. Yet, the Prophet succeeded in uniting these people as one community under the Constitution of Madinah.

45. Finally, ladies and gentlemen, I must say that Malaysia is fortunate because of the wisdom of our forefathers that we have a solid foundation for a united and harmonious Malaysia whose people cherish diversity as a source of strength, not a source of weakness. No doubt, there is still room for improvement, but the foundation remains strong.

Thank you.