Introduction

This chapter aims to describe the issue of Islamic state and Islamic law in Malaysia. Many believe that the establishment of an Islamic state and the implementation of Islamic law are the goal of Islamic movements in Southeast Asia. The movement’s drive to establish an Islamic caliphate may have been influenced by external and internal factors. Externally, this movement is seen as the impact of Islamic Revivalism (Kebangkitan Islam), which spread from the Middle East to Southeast Asia in the 1970s. Internally, the issue of an Islamic caliphate is a cultural, historical, sociological and political dynamic of Muslim interpretations of Islamic teachings. This study focuses on Malaysia as an example of a Muslim country in Southeast Asia, regarding the debate on Islamic state and Islamic law.

During my field work in Malaysia, I collected various types of data as part of my research project. First, I examined the Malaysian Constitution from its early beginnings with the draft by the Reid Commission in order to understand whether Malaysia was intended to be defined as an ‘Islamic State.’ Second, I approached the issue of identity among Malays. I interviewed Malays in several states in Malaysia (Selangor, Kuala Lumpur, Penang, Kedah, Kuala Trengganu, Kelantan and Perak). I tried to gain an inside perspective from grassroots Malaysian Muslims regarding what it means for them to be Muslim. I received some interesting answers from them, such as that Muslims tended to follow the government’s rules. The Constitution has explained the position of Islam in Malaysia. Some of my respondents were concerned that the issue of an Islamic state and Islamic law in Malaysia could lead to a misunderstanding between Muslims and non-Muslims. Non-Muslims preferred to claim that Malaysia is a secular state in the sense that every single religion can play a major role in Malaysia. It is therefore inappropriate to urge Malaysia to be established as an Islamic state. I also did an ethnographic study on one Islamic movement in Malaysia, Jamâ’ah Tabligh, I went out among them (khurûj) while they preached Islam to Malays in Kuala Lumpur and Selangor. In-depth interviews were conducted among members of Jamâ’ah Tablîgh at Sri Petaling, Bandar Baru Bangi and Masjid Jamek market. Besides this, I attended the regional meeting of Jamâ’ah Tablîgh at the Sri Petaling mosque. The goal of this meeting was to understand and evaluate the situation of the organization in two states, Selangor and Kuala Lumpur.

I chose different groups and methods of conducting research in this study because I wanted to see how the concepts of an Islamic state and Islamic law were interpreted by Malaysians. By doing this, I could add some important issues that show trends among Malaysians who approach the issues through a substantive and formalistic approach. The legacy of Malaysia as a multiethnic country has led to the problem of Islam as a contested and reconstructed religion in the country. In other words, I assume that there is no single consensus among Malaysians about what an Islamic state and Islamic law in the country are and how they should be established. At the same time, the government also has its own interpretation of the process of Islamization in many aspects among citizens. Thus, this study seeks to investigate the current portrait of one controversial issue as part of the process of Islamic resurgence in Southeast Asia in general.

Understanding the Islamic State and Islamic Law

Many Muslim scholars have explained the nature of an Islamic state. This topic is studied in Islamic political science (siyâsah syar’îyyah) as part of Islamic jurisprudence or Islamic law (fiqh al-Islâm). In Islamic sources, an Islamic state can be defined in Arabic terms, such as a daulah (state), bani (dynasty), hukûmiyyah (government), sulthân (kingdom), khilafât (state) and imâmah (leadership) (Hilmi 1998; Ahmed 1988). Nevertheless, the meaning of state in Arabic is daulah, which can be classified into three levels: a federal state (al-daulah al-ittihâdiyyah), a legal state (al-daulah al-qanûniyyah) and a welfare state (al-daulah ar-rafâhiyyah) (Badawi 1993, 408).

It is likely that there is no term for Islamic state in Islamic classical sources, even in the most authoritative books (kitâb) on Islamic political science (Siyâsah Shar’îyah) written by al-Mawardi (1966) and Abi Ya’la (1992). These books look at how to administer a government
when there are Muslim and non-Muslim communities. The books also discuss what kind of rights people who are administered by a Muslim ruler have under Islamic law. On the other hand, Ali Abd al-Raziq (1998, 32), an ulama from Egypt who was labeled an infidel (kafr) due to his ideas about secularization in Islam, claims in his book al-Islam wa Ushûl Hukn (1972) that “the Glorious Qur’an supports the view that the Prophet, peace upon him, had nothing to do with political kingship, Qur’anic verses are in agreement that his heavenly work did got go beyond the Message, which is free of all meanings of authority.”

However, there is an argument that the state in Islam can be approached by rooting the concept of daulah as enunciated in the al-Qur’an in how it was first practiced by the Prophet Muhammad through his establishment of a state in his era at Madinah. Jastaniah has identified some characteristics of Muhammad as a Prophet of Islam and a leader of Muslims and non-Muslims in religious and secular affairs. It is also reported that the Prophet Muhammad promulgated the al-Dustûr al-Madînah (Constitution of Madinah), which contains forty-seven articles. There are many lessons on the establishment of a state from this constitution. First, the people of Madinah came from many tribes, ancestries, cultures and religion. Second, this constitution aimed to organize Muslims and non-Muslims in one state under a Muslim ruler (the Prophet Muhammad) through brotherhood. Third, the state safeguarded freedom for all religions in Madinah city. Fourth, all citizens were equal under the Constitution (Sukarja 1995, 191-4).

The issue of the Islamic state was discussed in Islamic discourse during the 20th century when Muslim kingdoms were in decline, not only in the Middle East but also in Southeast Asia. Regarding the reasons for this decline, Hefner (2000, 3) says that “the first has been the diffusion of democratic ideas to disparate peoples and cultures around the world. The second is the turn of the millennium that has seen the forceful reappearance of ethnic and religious issues in public affairs.” He also maintains that “the end of the twentieth century demonstrated convincingly that high modernist reports of the demise of religion and ethnicity were…premature” (Hefner 2000, 3). To respond to this trend, three groups of Islamic political thought arose regarding the issue of the relationship between Islam and the state. The first is the conservative group of people who want to integrate Islam and the state because, according to this paradigm, Islam provides an Islamic social system from the al-Qur’an and Sunnah (prophets’ tradition). This group is divided into two sections: the traditionalist group that believes that Muslims should follow the classical Islamic political tradition and the second, fundamentalist group that is eager to return to the al-Qur’an and Sunnah totally, with no room for the ijtihâd (Islamic legal reasoning). It seems they believe that the Ijtihâd gate (insidâd bâb al-Ijtihâd) is closed for Muslims. In Federspiel’s (2001, ix) words “…fundamentalists …rejected the secular concept of the nation-state and called for the establishment of a state and society structured to implement its concepts of Islamic values.”

The second group is the modernists. Deliar Noer maintains that the modernists recognize only the Qur’an and Hadits as the basic sources of their ideas and thought. They propose that “the gate of ijtihâd is still open and rejected the idea of taqlid” (Noer 1985, 120; Noer 1973). In Southeast Asia, in countries like Indonesia, Malaysia and Brunei Darussalam, this group played a major role after World War II in the establishment of state blue prints. Historically, this group came from the Islamic reformist movement during the colonial era. They were named the kaum muda (young generation), who promoted reformist ideas from the Middle East in opposition to the kaum tua (old generation), who maintained traditional Islam within Muslim society. The proposal of this group is that Muslims may have certain rules or concepts on the establishment of an [Islamic] state, but they are permitted to adapt other systems such Western ideas on political affairs. Kurzman (2002, 4) maintains that “this movement was the self-conscious adoption of ‘modern’ values—that is, values…associated with the modern world, especially rationality, science, constitutionalism and certain forms of human equality.”

The third group is the secularists who argue that Islam and the state should be separated. This group is also called liberal Islam. In Islamic political thought, the separation of religion and politics was promoted by Kemal Ataturk of Turkey, ‘Ali Abd Raziq of Egypt and Soekarno of Indonesia. Suffice it to say that emerging nation-states among Muslim countries were influenced by secularist ideas (Smith 1970, 97-6).

In last decade, there are many types of Muslim countries which fall in the above categories. Choudhury (1993, 95-6) has categorized Muslim countries by governance. First, there some Muslim states like Afghanistan, Iran, Pakistan, Saudi Arabia and Sudan which designate themselves as Islamic states. Second, there are the vast majority of Muslim countries which do not claim to be Islamic states; there are references to Islam sometimes in a form such as ‘state religion.’ These countries are governed mainly by Western legal codes but in personal
matters such as marriage, inheritance etc., Islamic law or *syyāriʿah* is implemented. Third, there are a very few Muslim countries which prefer to have a ‘secular state’ on the pattern of the Western concept of the separation of politics and religion. J.N.D Anderson, in his *Islamic Law in the Modern World*, classifies the legal systems of the Muslim world today: (1) those that still consider the *syyāriʿah* as the fundamental law and still practice it to a certain extent in their countries; (2) those that have abandoned the *syyāriʿah* and become secular; (3) those have reached some compromise between theses two position (Anderson 1959, 83).

It is interesting to look at various definitions of Islamic law. Joseph Schacht, for example, defines this law as:

The epitome of Islamic thought, the most typical manifestation of the Islamic way of life, the core and kernel of Islam itself. The very term *fiqh*, ‘knowledge’, shows that early Islam regarded knowledge of the sacred law as the knowledge *par excellence* (Schacht 1964, 1).

The terms *fiqh* and *syyāriʿah* have similar meanings. *Fiqh* is used in the literal sense to mean “understanding” (*al-fahm*). Basically, the meaning of the term *fiqh* is usually similar to words such as *ʿilm* (knowledge) and *kalâm* (theology). The term *ʿilm* has the same meaning, and in the era of the Prophet there appears to have been no difference between the two terms. According to Nyazee, “as sophistication crept in, the term *ʿilm* came to be applied in a narrow sense to mean knowledge that comes through report, that is, traditions: *hadith* and *atbar*. The term *fiqh*… came to be used exclusively for a knowledge of the law” (Nyazee 1994, 21). Thus the terms *ʿilm* and *fiqh* were separated when specialization in law and tradition came into existence toward the end of the first century of Hijrah.

Furthermore, the terms *kalâm* and *fiqh* were not separated until the time of al-Maʿmun (d.218 A.H.). *Fiqh* previously had embraced both theological problems and legal issues. That is why Abu Hanifah (d. 150 A.H.) defined *fiqh* as “*maʿrifah al-nafs mà laḥā wa mà *alayhā* (understanding the self in terms of one’s rights and duties)” (Dahlan 1997, 333). This means that *fiqh* concerns understanding Muslims’ rights and obligations. However, when the Muʿtazilah (an Islamic theology group) began to use the term *kalâm* for their teaching, the term *fiqh* came to be restricted to the corpus of Islamic law. This differentiation has serious implications for the study of Islamic law.

There are many definitions of *fiqh*. Abdul Wahhab Khalaf (1978, 11) defines *fiqh* as: “*al-ʿilm bi ak-ʿabkām al-syyāriʿah al-ʿamāliyyah al-muktasib min adillatihā al-tafsīliyyah* (the knowledge of the legal rules pertaining to conduct that have been derived from specific evidence).” Khalaf also highlights another definition of *fiqh* as: “*majmūʿat al-ʿabkām al-syyāriʿah al-ʿamāliyyah al-mustaṣfaḍah min adillatihā al-tafsīliyyah* (the compilation of the legal rules pertaining to conduct that have been derived from specific evidence)” (1978, 12). It can also be defined as a “statement concerning the understanding of the speaker of the meaning of his speech” (*ʿibārah* “*an faḥmī gharaḍī al-mutakallīmūn min kalāmīhī*”) (Minhaji 2001, 94). It is perhaps safe to say that *fiqh* is the finding of Islamic law from the main sources (Qur’an and Sunnah) through *ijtihād*. The person who looks at the law is called *muṭtahid* and this process is termed *ijtihād*. Finally, the finding of this activity is called *fiqh al-Islāmi* or Islamic law (al-ʿabkām al-Islāmiyyah).

The term *syyāriʿah* means the source of drinking water. For Arabic people, *syyāriʿah* means religion, *ahb-tharīqāt al-mustaṭqaʿīm* (the right way), and *an-nustās al-muqaddās* (sacred texts) from the Qur’an and Sunnah (Dahlan 1997, 335). Schacht says that *syyāriʿah* is “the sacred law of Islam.” He goes further, saying that, “It is an all-embracing body of religious duties, the totality of Allah’s commands that regulate the life of every Muslim in all aspects; it consists of ordinances regarding worship and ritual, as well as political and (in the narrow sense) legal rules” (Schacht 1964, 1).

In other cases, scholars differentiate between shariʿah and *fiqh*. First, while *syyāriʿah* comes from Allah, *fiqh* is the product of human interpretation. Second, there is only one *syyāriʿah*, while *fiqh* implies diversity. Third, *syyāriʿah* is very authoritative while *fiqh* is very liberal, since it is a human product. Fourth, *syyāriʿah* is not subject to change; on the contrary, *fiqh* faces many changes through socio-cultural dynamics. Fifth and finally, *syyāriʿah* is idealistic while *fiqh* is realistic. To clarify, I mean to say that Islamic law is *fiqh*, not *syyāriʿah*. In this context, *fiqh* as human interpretation has produced Islamic law or the Islamic legal system. There are at least four types of Islamic legal literature: *kutūb al-fiqhiyyah* (books on Islamic jurisprudence), decrees of the Islamic courts, the laws and regulations of Muslim countries and *fatwā* (legal pronouncements of jurisconsult) (Mudzhar 1998, 80).

**Discourse of Islamic State and Islamic Law in Malaysia**

In this section I will discuss the interpretation of
Muslims and non-Muslims on the issues of an Islamic state and Islamic law in Malaysia. Before I examine this discussion, it is worth pointing out that the need for the establishment of an Islamic state in Malaysia is still debatable, since there is a debate on what the nature of Islamic state is. It is widely known that there is no example of an Islamic state, so it can be said that this debate is likely to urge the implementation of Islamic law in the country. In this context, it can be said that the Southeast Asian states that have a Muslim majority—Malaysia, Indonesia and Brunei Darussalam—also apply Islamic law. Historically, *shari'ah* was implemented in conjunction with local customary law (*adat*) and/or colonial law. In addition, customary law included certain aspects of Buddhist and Hindu traditions, which had arrived several centuries earlier. In the thirteenth century, Islam came to Southeast Asia and Islamized the local traditions. Islamic law developed within the region and was practiced in certain socio-cultural-political situations. It was important in unifying the Islamic kingdoms in Southeast Asia (see Bustamam-Ahmad 2007). In fact, the issue of an Islamic state is likely the issue of the implementation of Islamic law. In addition, it safe to say that the reason for Muslims to have an ‘Islamic state’ can be linked to the fact that their historical accounts show that this law was implemented before the colonial era. However, as we shall see in this section, Muslims in Malaysia do not have a single voice in what they mean by Islamic law.

*I am Muslim and I am Malaysian*

When I conducted my field work in Kuala Lumpur, I interviewed some respondents on what it means to be Malay and Malaysian in Malaysia. These are some responses:

I come from Johor and work in Kuala Lumpur at a Governmental Office. My parents are Javanese. I speak Javanese with them. But I am Malaysian, because I was born in Malaysia. I speak Malay with my kids and English with my colleagues at the office.

A 42-year old Malay-Javanese

What Malay do you mean? Our Prime Minister is not Malay. Mahathir is Indian, even though he never declared himself as Indian. We Indians have problems with the Malays in Malaysia. We made them second class before independence, and now we are second class behind them even if we are Muslim. We have the same God. We have the same prophet. We go the same Mosque. We read the same Holy Book. We vote for the same party in the election.

A 53-year old Indian-Malay

I would like to start this debate with these statements from respondents. During the time I was in the field, I saw that one of problems of Islam in Malaysia is likely to be linked with identity. What I mean is what is Islamic teaching being implemented for in Malaysia? How is the concept of Malayness understood among Malaysians? The problem of identity has been discussed among scholars, not only in regards to socio-ethnic-religious issues, but also in political affairs (Nagata 1985, 305-11). This shows that in the establishment of an Islamic state as proposed by Muslim-Malaysians, the problem of identity could also be a crucial issue, at least among my respondents. During my fieldwork I always heard first, “we are Chinese,” “we are Malay,” “we are Indian,” and then “we are Malaysians.” I was unlikely to hear “we are Muslim” first, then “we are Malaysians,” because most people intended to show their ethnic-identity, since it may lead to discrimination, hegemony, and marginalization (see Muzaffar 2006, 21-36). It is no mistake when Joel S. Kahn (2006, xv) says:

I have been disturbed by the high level of racism, patriarchy and exclusion that continues to exist at all levels of Malaysian society, a consequence of the hegemony of a particular nationalist narrative of Malay indignity.

Thus, in the debate on an Islamic state in Malaysia, non-Muslims and Muslims who oppose an Islamic state refer to the Malaysian constitution. Meanwhile, the Muslims who urge the implementation of an Islamic state in Malaysia go back to the context of Malaysian history where there were Islamic Kingdoms and the implementation of Islamic law for the Malay people. Article 3 (1) of the Federal Constitution of Malaysia states that: “Islam is the religion of the Federation; but other religions may be practiced in peace and harmony in any part of the Federation.” This article does not imply that the Federation is an Islamic State. Besides this, I would like to quote some statements that say Malaysia did not become an Islamic state after independence.
First, The White Paper on the Constitutional Proposals for the Federation of Malaya: “…there has been included in the proposed Federal Constitution that Islam is the religion of the Federation. This will [gnaw] away the present position of the Federation as a secular state.” Second, the statement of Prime Minister Tunku Abdul Rahman in 1958: “I would like to make it clear that this country is not an Islamic State as it is generally understood, we merely provide that Islam shall be the official religion of the State.”

It is clear that Malaysia is not an Islamic state, but Muslims practice Islamic law according to sharî‘ah. However, the issue of an Islamic state has created much debate among the elites in Malaysia, especially when the PAS asserted that Malaysia is an Islamic state. It also proposed the implementation of Islamic law through the achievement of political power at the federal level. This party was established by groups of Malay ‘Ulamâ (religious scholars of Islam) on 24 November 1951 as the Persatuan Islam SeMalaysia (PAS) or Pan-Malaya Islamic Party (PMPI) which was later altered to the Parti Islam SeMalaysia (PAS) in 1972 (Isa 2001, 3). Zaleha (2006, 45) writes that the "PAS committed itself to parliamentary democracy and participated in the general election gaining support mainly from rural Malays in the northern Malay states of Kelantan, Terengganu, Kedah and Perlis."

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Kelantan: Islamic State in Muslim State

Kelantan can be as example of how an Islamic state is, where one can say that there is no serious tension between Muslims and non-Muslims (Winzeler 1985). During my trip to this state I saw that on Friday noon, when it is time for Jum'ah prayer, the shops, cafes and supermarkets were closed until this prayer was finished at the Masjid Muhammadi. Most of women were wearing jilbab (head coverings) in every place, even the female cashiers at supermarkets owned by Chinese businessman. The receptionist said to me that Kelantan is a Bandaraya Islam (Islamic city), not an Islamic state. At this point, I was surprised to an advertisement for DIGI, since the message was written in Arabic script and the models were two women who were wearing Islamic dress, something I could not find in other states in Malaysia. When I was in Kuala Lumpur I tried to find this picture in the city, but I was unable to. What surprised me was that the language was not Arabic but Jawi, and meant 'wide coverage' (Liputan Luas), one of DIGI’s marketing slogans. In fact, for many buildings in Kelantan, most of sign boards were written in Jawi script, including Chinese owned shops. The Jawi script has been quite widely introduced among Muslim Malays in Northern Malaysia, Southern Thailand and Aceh in Indonesia, especially for the santri (students) at pondok, pesantren, surau and dayah (van Bruinessen 1999). When I was in Kedah I bought some kitabs (Islamic books) that were written in Jawi script. Because Kedah does not promote itself as an Islamic state in Malaysia, I did not see any Jawi script on the many streets and corners. The Jawi script in these kitabs was published by ulama from Pattani (Thailand) and printed in Penang.

Furthermore, the experience of the PAS in controlling Kelantan has been a serious motivation for this party to establish an Islamic state in Malaysia. When I clarified this with one of the PAS’s Research Directors, Zulkifli Ahmad, he said that an Islamic state means justice for every citizen. The PAS had used a wrong strategy in the election, because they promoted an Islamic state and most Malaysians do not understand what an Islamic state is. I would like to quote his statements:

The Islamic state is just a concept. This leads us into a misunderstanding on the concept of Islamic, even among the Islamic movement. It seems to them that when there is the promotion of an Islamic state, it will marginalize non-Muslims. So, it is safe to say that an Islamic state is how to form the government. When we talk about what is Islamic government, you named it Daulah Islam, Negara Islam, Islamic state. …al-ibrah musammâ wa lāisa bi ism (in fact, a thing is valued for its substance, not from the name). The name can be changed, but the substance is the soul. What is in Islam is the soul.

His answer on the nature of Islamic state is almost identical to the definition raised by the Head of the PAS Consultative Council, Dato’ Nik Aziz Nik Mat, on the notion of the Islamic state: “What we (the PAS) want is a country which observes the teachings of GOD and the Prophet. That’s all. Whatever you want to call...
it…an Islamic state, Malaysia or Kelantan, do it by all means. ‘The name is not important.’”

According to PAS documents that contain a brief explanation of the Islamic state:

“The Islamic state bases its legislation on the law of the Almighty Who is Most Gracious and Most Merciful. …The Islamic state is an ideal state cherished and longed for by all who love peace and true justice. The true Islamic state is a state which is peaceful and prosperous while receiving the pleasure of Allah the Almighty. When peace is combined with forgiveness from Allah, true peace will result (PAS, 18).

Islam Hadhari (Islamic Civilization)

The PAS’s promotion of the Islamic state in its formal documents has led to a crucial debate in Malaysia in which the PAS is opposed not only by non-Muslims, but also by Muslims who tend to accept Malaysia as a secular state. The PAS consists of individuals who want to establish an Islamic state and implement fully Islamic law in Malaysia. This group comes from political parties or Islamic movements that include Malaysian NGOs. They express their voices through political action through the parliament or elections by urging others to vote for a truly Islamic party that can establish an Islamic state in the country. Looking at this group, we can say that the discourse of the Islamic state and Islamic law in Malaysia is a socio-political issue in the political arena. Soon after the PAS published the preamble of the Islamic state, many elites responded (discussed below) to this in their speeches and media.

The fact that Malaysia is being governed by Malays or Muslims can be a reason that Malaysia is an Islamic state. Besides this, Muslims can practice Islamic teachings in their daily life according to shari’ah. This group is made up of government bureaucrats who confidently view Malaysia as an Islamic state because it is governed by Islamic values. Abdul Hamid Othman, ex-Prime Minister’s Department spokesperson, said that “we recognize [Malaysia] as an Islamic state as it is ruled by Muslims and the Muslims under their rule have obtained peace and tranquility.” Before this, Mustafa Muhammed, head of UMNO Information, maintained, “PAS has not given a detailed explanation of the Islamic state concept as it is afraid of losing the support of the Chinese and Indian communities.”

On 18 June 2002, Mahathir went so far as to say that Malaysia is an Islamic fundamentalist state and can be proud of that fact. The Malaysian government’s policies, he said, abide with the fundamental teachings of Islam. He acknowledged that his views would shock many in the West “because they consider a fundamentalist to be someone who is violent and did all kinds of bad things.” But he said this perception was wrong, and it was not necessarily a bad thing to be a fundamentalist. Mahathir Mohammad had declared Malaysia as an “Islamic State” in early July 2001 in his address at the Convention of the Barisan Nasional (National Front) coalition in Kuala Lumpur. He also made a similar statement in his address at the Gerakan Party Annual Delegates Conference in Kuala Lumpur on 29 September 2001. To fulfill this statement, the Malaysian government tried to elucidate a concept that was quite different from the PAS’s demands. The Party has also duly promoted the Islamic state concept in Malaysia since its emergence up until today.

In 2002, a committee of ulama and intellectuals tried to discuss Islam Hadhari. The objective of this discussion was to find a direction to integrate an Islamic state and Malaysian civilization. JAKIM (the Department of Islamic Development of Malaysia) also started to explore the direction of Islam Hadhari. Before this year, JAKIM was only concerned with Muslim civil servants in Malaysia (Salleh 2005, 55). Until 2002, there had been no serious attempt by the Malaysian government to place Islam Hadhari as the main issue in the state and the National Front’s manifesto.

To respond to this issue, the government has promoted the idea of “Islam Hadhari,” which was announced by the Prime Minister, Abdullah Badawi, during a speech in 2004. In this year, Abdullah Ahmad Badawi announced the concept of Islam Hadhari in his speech at the 55th UMNO general assembly (Badawi, 2005). He spoke about Islam Hadhari and the need for a globally competitive Malay community. He stated that “Islam Hadhari is complete and comprehensive, with an emphasis on the development of the economy and civilization, capable of building Malay competitiveness.” He also mentioned that Islam Hadhari was an approach that emphasized development that was consistent with the tenets of Islam and focused on enhancing quality of life. Furthermore, he suggested that Islam Hadhari was an effort to bring the Ummah back to basics, back to the fundamentals, as prescribed in the Qur’an and the Hadith that together form the foundation of Islamic civilization. This definition is similar to the neo-modernism that was promoted by Fazlur Rahman, a leading Islamic scholar from Chicago University, in the 1980s. Thus, Islam Hadhari is a new name for neo-modernism in Islamic thought. This interpretation
tries to open the gate of *ijtihād* among Muslims in the contemporary era through combining classical Islamic scholarship and Islamic civilization with modern, or Western ideas, and analytical methods (Barton 1995, 7).

I have discussed this issue elsewhere where I argued that *Islam Hadhari* can be divided into three issues. The first issue is that *Islam Hadhari* is one mode of Islamic thought in Southeast Asia. However, when I traced back the mode of Islamic thought in Southeast Asia, I found that *Islam Hadhari* is similar to the concept of *Islam Peradaban* (Islamic Civilization) that was promoted by Nurcholish Madjid or the idea of *Islam Rasional* (Rational Islam), one of the ideas from Harun Nasution, an Islamic thinker in Indonesia. The second issue with *Islam Hadhari* is that this mode of thought forms a political agenda in Malaysia, where the *Barisan Nasional* intends to challenge the mode of Islamic thought promoted by the PAS. It is interesting to note that *Islam Hadhari* became a political formula in 2003-2004 to fight with opposition parties. The third issue is the fact that *Islam Hadhari* is an idea to counter the issue of the Islamic state that was promoted by the PAS. However, most of the Islamic institutions are promoting *Islam Hadhari* as a new way of interpreting Islam. It seems that *Islam Hadhari* has become a tool to develop Malaysia in the image of true Islam.

**Non-Muslims**

This group is made up of those who are against the concept of an Islamic state and the need to expand Islamic law. This group is composed of non-Muslims who see that an Islamic state will be a threat to them, especially the implementation of Islamic criminal law (*hudud*). They also fear that freedom of religion will be undermined in Malaysia. Non-Muslim community leaders actively oppose the idea that Malaysia is an Islamic state. They worry that this is not an appropriate idea, as Malaysia is a pluralistic and multiethnic state, especially the idea as promoted by the PAS in the media. The DAP (Democratic Action Party), as a member of the *Barisan Alternative*, published a Media Statement on 28 June 2001 to challenge the intentions of the PAS to promote an Islamic state in Malaysia, stating:

As DAP leaders had stressed at the *Barisan Alternative* Leadership Dialogue on June 16, 2001, the *Barisan Alternative* must address and respect legitimate opposition to the establishment of an Islamic State in Malaysia, not because of anti-Islam sentiments but because an Islamic state in multi-racial and multi-religious Malaysia is not compatible with parliamentary democracy, power sharing in a plural society, human rights and individual freedoms, women’s rights and social tolerance (Siang 2001, 85).

Lim Kit Siang (2001, 85) proposes that “…not a single *Barisan* Alternative leader made mention of the Islamic state issue because the coming-together of the four opposition parties had nothing to with Islamic state but represented an unprecedented opposition effort to break the *Barisan Nasional* political hegemony to restore justice, freedom, democracy and good governance in Malaysia.” As result, the DAP escaped their commitment with the BA in September 2001 due to the Islamic state issue. It is interesting to note that the DAP is also against the concept of an Islamic state as promoted by Mahathir Mohammad on 29 September 2002 and has launched the slogan, “Say No to 929” (Liow 2005, 922). This party has also criticized the MCA, a Chinese party in BN collaboration with UMNO, because this party promotes an Islamic state. I would argue that the fear of an Islamic state within the DAP leads their ethnic-oriented political movement. To comment on this debate, Farish Noor (2001, 11) writes “…till today non-Muslims react with fear and apprehension whenever they hear the term “Islamic State” mentioned…In practically every contemporary case where the project of an Islamic State has been attempted, it has led to the strengthening of religious and cultural boundaries.”

**Islamic Missionaries: Jamā’ah Tablīgh**

In Malaysia, there is an Islamic movement that attempts to promote Islamic communities based on Islamic teachings (al-Qur’an and Hadits). During my field work, I involved myself with this Islamic group, which is called the *Jamā’ah Tablīgh*. However, group members do not declare that they want to establish an Islamic state in Malaysia. In addition, Jomo and Shabery (1992), for example, maintain that *Jamā’ah Tablīgh* is an informal, unregistered missionary movement. Many argue that *Jamā’ah Tablīgh* is not a political organization and does not support the government programs. However, some maintain that this movement plays a major role in the political arena, even if it is unregistered. I visited their mosque at Sri Petaling and attended some of their meetings with them in Bandar Baru Bangi. I also went out with them (Ar. Khurūj) to do the *dā’wa*, one of their activities of going to the mosque to pray together.

In Malaysia, *Jamā’ah Tablīgh* was introduced by Maulana Abdul Malik Madani, who came to Singapore and Selangor in 1952 as a representative of his *markāz*
(headquarters) at Nizamuddin (Abdullah 1997, 78). Initially, the Jamâ’ah Tabligh received support in towns with large Indian Muslim communities, such as Penang, Kuala Lumpur and Singapore. More recently, with the resurgence of Islamic missionary activities, the Jamâ’ah Tabligh has succeeded in penetrating the Malay community, even in villages (Jomo and Shabery 1992, 81). In the 1970s, the Jamâ’ah Tabligh started to recruit Malay people as members. The first group they approached was Ustaz Ashaari Haji Muhammad, a leader of Darul Arqam, and his followers. Ustaz Ashaari Haji Muhammad joined Jamâ’ah Tabligh. He made a journey with his followers as Jamâ’at Tabligh members to Singapore for ten days (Abdullah 1997, 79). They adopted the Tradition of Muhammad as their guide and identity as Muslims (Seng 2005, 9). According to Nagata (1980, 922), “like Darul Arqam, Tabligh is fundamentalist in orientation: through dakwah, it aims to both revive and clarify the basic teachings of the Koran, and to show their relevance to modern society.” In addition, Syed Serajul Islam (2005, 119) maintains that “they started going around the country by preaching the message of Islam. They held informal talks to the people asking them to return to the true path of Islam.”

The Tablighists start their activities from the mosque or surau. To fulfill the aim of self reform, it is compulsory for Tablighists to go out (khuruj) for a certain period of time such as four months, forty days, ten days, or three days. In obeying this takaza (command), every karkun (Tablighist) should sacrifice his/her self, time and money in the path of Allah. During the khuruj, a karkun is recommended to not discuss political issues or something that could lead them to earn less of a reward from Allah. One Tablighist said that if every Muslim performs shalat (prayer) in the mosque, there is no need to have an Islamic state, because an Islamic state will not appear without prayers at the Mosque. Therefore, it is unnecessary for us to discuss the issue of Islamic state if we do not perform shalat. The teachings of Tabligh place a greater emphasis on prayer in congregation (jamâ’ah). Maulana Muhammad Zakariyya, one the most authoritative ulama from India who wrote a book on Fadhlâl Amal, a book that is always read after shalat, says that shalat is the most important of all forms of worship and the foremost item to be reckoned with on the Day of Judgment. He also quotes one of hadits from the Prophet Muhammad, “shalat is the only line of demarcation between kufr (infidels) and Islam (believers).” To do this, karkun invite local Muslims to go to the mosque to shalat jama’ah (prayer in congregation). During this practice, Tablighists are asked to leave their ego or angriness behind them, especially when the local people reject their invitation with rudeness. Tablighists believe that if people reject joining their program at the mosque, it is because the Muslims have not achieved hidayah (guidance from Allâh). So, according to the Tablighists, every one who does not perform shalat can be grouped as Muslims without hidayah. Besides doing khuruj, the Tabligh also hold Malam Markaz every Saturday night at Sri Petaling. The most important aim of this ritual is to talk about the power of Allah by saying, “La ilâ ha illâ Allâh (there is no God, except Allah)” in every Muslim circumstance of life. In a Tablighist’s words, “We meet to talk about iman (faith).” These meetings are attended by more than four thousand Tablighists. I came to my belief that this is an Islamic group that tends not to promote an Islamic state and is only concerned with the quality of faith of every single Muslim in Malaysia.

Conclusion

To conclude this paper, I would like to highlight some important points. First, Malaysians have a problem with the issue of identity among themselves in terms of what it means to be Malaysian and Malay or another ethnic background. This problem leads to the problem of perception on what kind of Islam could be implemented in Malaysia as a secular state. Second, it is interesting to emphasize that Malaysia is a secular state. However, in the last two decades the government has promoted Islam as a tool of development. At the same time, the Islamic parties are still eager to have Malaysia become a fully Islamic state by implementing Islamic law for all Muslims in Malaysia. Third, the debate on an Islamic state has led different groups of Malaysians to form their own interpretation of this concept. So far, this investigation has provided a brief portrayal of Muslim and non-Muslim interpretations of what an Islamic state is. Fourth, the Malaysian government also plays a major role in promoting this country as an Islamic state, and the current Prime Minister, Abdullah Badawi, is trying to fulfill this concept by suggesting the concept of Islam Hadhari. This paper has showed that Islamic Hadhari is being utilized in many Malaysian governmental and non-governmental sectors. It would be interesting to do further research in this country on how the problem of separation between state and religion in the mirror of pluralism plays out at the grassroots level.

REFERENCES


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