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Religion, Public Policy and Social Transformation in Southeast Asia

Religion, Identity and Gender Vol. 2

Dicky Sofjan (Editor)



**Religion, Public Policy and Social
Transformation in Southeast Asia**

Religion, Identity and Gender

Vol. 2

**Religion, Public Policy and Social
Transformation in Southeast Asia**

Religion, Identity and Gender

Vol. 2

Dicky Sofjan (Editor)

Globethics.net Focus

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PREFACE AND ACKNOWLEDGMENTS

This is the second of a three-volume book series on *Religion, Public Policy and Social Transformation in Southeast Asia*. The first volume, published in May 2016, was well received by our various stakeholders in numerous countries. While the first volume focused on “Managing Religious Diversity” in Southeast Asia, the second one highlights the aspect of “Religion, Identity and Gender” in the region. The third one will bear the subtitle of “Religion in the Public Sphere”, which will expectedly come out in early 2017.

For the publication of this second volume, I am indebted to many individuals who have contributed to the success of the activities in the second year of the nine-collaborative research program. The Year 2 international research conference was held at the Berkley Center for Religion, Peace and World Affairs at Georgetown University in Washington, D.C. Katherine Marshall and Thomas F. Banchoff of the Berkley Center served as the main hosts for the conference, although much of the coordination between Yogyakarta and Washington, D.C. was done in Boston by Robert W. Hefner, who has been one of the foremost proponents of the program since the planning stage.

The collaboration with the Berkley Center also extended to other programs outside of the collaborative research. Together with the Director of the Indonesian Consortium for Religious Studies (ICRS), Siti Syamsiyatun, I was invited to participate in the President’s Interfaith and Community Service Campus Challenge in September 2016, where the Berkley Center in partnership with the White House, United States Department of Education and Hartford Seminary brought together leaders from the US and around the world working in the field inter-religious affairs. Mostly held at Georgetown and Gallaudet Universities in Wash-

ington, D.C., the event once again brought ICRS to the international stage to share with interfaith leaders on its commitment to bring about inter-religious dialog, understanding and collaboration.

During the international research conference in Washington, D.C., researchers from the nine countries converged, all except one from Singapore, who was unable to attend the conference due to health consideration. As a result, the article on Singapore unfortunately did not make it into the second volume. However, the group was fortunately enriched by the participation of newly engaged researchers, namely Nancy Smith-Hefner, Julianne Schober and Farina So. They came on board the program enthusiastically bringing a wealth of insights and perspectives on gender in the context of Islam and Buddhism in countries such as Indonesia, Myanmar and Cambodia.

Most of the researchers, who participated in the Year 1 international research conference in Yogyakarta, Indonesia, and contributed to the first volume, were present in Washington, D.C. To them, I must convey my gratitude for their commitment to the collaborative research program. I understand that their time, attention and energy were probably much needed elsewhere. But their love and passion for Southeast Asia and their commitment to the collaborative research program have caused them to unite, and collectively develop a genuine necessity to continue the fruitful intellectual engagement and ongoing collegial bond.

In this instance, I would like to thank Maufur and Sakdiyah Makruf, who provided the necessary support for the activities in the second phase, and for making the Year 2 international research conference in Washington, D.C. a success. I recognize that managing and preparing an international conference, involving key participants from nine countries, from a distance was no easy task. However, their dedication and hard work had made it possible for us to achieve what otherwise could not have been done. Fortunately, our American associates from Boston and Georgetown were committed to becoming fine hosts for the event.

My extension of gratitude also goes to individuals in the New York-based Henry Luce Foundation, namely Toby Volkman, Michael Giligan, Helena Kolenda and Bridget Talone for their continuing support and encouragement throughout the program. I have always been inspired by their kindness and thoughtfulness in supporting the program. Lastly, I would like to acknowledge the kind assistance of the Globethics team, namely Christoph Stückelberger, Ignace Haaz and Nina Mariana, who have persistently and patiently helped in the production of the three-book series.

Without the encouragement, support and assistance from all of the above mentioned individuals, I would not have been able to manage the program well and come up with the publication of this book series.

November 15, 2016

Dicky Sofjan, Ph.D.

ICRS Core Doctoral Faculty,

Principal Investigator of Religion, Public Policy and
Social Transformation in Southeast Asia (2013-2017)

INTRODUCTION

Religion, Gender and Identity in Southeast Asia

Dicky Sofjan

Social scientists and scholars of humanities alike have attempted for centuries to grapple with the idea of “the social” in all their disciplines by centering their study on society and the dynamic nature of the humans. They have also time and again tried to come to terms with the universal and timeless problem of inequality, discrimination and domination, which remain until today in various forms and manifestations. The rise of “post-truth society”—ushering in the era of fake news, hoaxes and ‘alternative facts’—have only strengthened the confounding, unequal and imbalanced world system, and emboldening those who perpetuate obscurantism and promote conservatism.

Religion, gender and identity are arguably three of the major concepts and most profound organizing principles in the social sciences and humanities. As major concepts, they are interspersed in various interdisciplinary areas that attempt to weave complex ideas in the hope to understand and establish social relations. Each of the three concepts presents respectively a problem unto itself, with wide and significant consequences both in theory and practice.

Having stated that, these concepts and organizing principles simultaneously occupy the realm of the social and intellectual. The social problems associated with them can be found in almost every society around the world, whether they are acknowledged or not; and whether they are couched in these specific concepts or not. Insofar as religion, gender and identity are concerned, humans have developed a habit of naming and labeling virtually everything they encounter throughout their lived experiences. Such a habit, one would argue, was developed supposedly since the beginning of human existence. Echoing the Judeo-Christian tradition, the Quran, which is the Muslim Holy Scripture, expounds on how God had taught Adam “the names of all created things”, which prompted the Angels to “prostrate before Adam” out of admiration for his ability to comprehend.¹

The same is true with the different social phenomena that humans experience throughout their existential life. Humans have a tendency to develop a certain ability to describe, analyze and resolve some of the most bewildering social phenomena. This innate ability could be thought of as a key to understanding the super complex reality of life and living. Furthermore, major concepts such as religion, gender and identity make society and the social worthy of study and research. With the absence of particular concepts or any organizing principles, scientific advancement and intellectual progress cannot possibly be achieved.

However, like reality and history, concepts are not static. They develop overtime and often have a life of their own, resulting in production and reproduction of new concepts to describe the social reality. Unfortunately, not all new concepts are as successful in retaining their careers in public. Some unfortunate ones are incessantly criticized, challenged, debunked and ultimately abandoned. In fact, the more serious social scientists and scholars of humanities have made it their preoccupation to

¹ This is recounted in the passages of the Quran in Chapter al-Baqarah (The Heifer), verse 31-34.

do exactly that, except that they would come with alternative concepts that are more rigorous, accurate and better represent the social reality. Only through such process that intellectual and scientific advancement could be attained.

In his celebrated and classic work entitled *The Structure of Scientific Revolutions* (1962), Thomas Kuhn calls the cumulative effects of knowledge progression as “paradigm shift”, wherein fundamental changes in human perception occur in the way we understand reality or truth. Without such paradigmatic shift, and in the absence of any significant criticism and deconstruction, our understanding becomes fixated in so-called conventional wisdoms, which may not necessarily be consistent or congruent with the unfolding reality or evolving truth.

1.1 Context and Conceptual Boundaries

As one tries to earnestly acknowledge the constant shifts in our paradigmatic understanding of reality through the evolution of concepts, it is also imperative that one is cognizant of their limitations within the social science and humanities arena. Concepts are bounded by geographical, historical, cultural or even political constrictions. This has given rise to the forceful idea of “context”, being a category of analysis that requires us, as social scientists and scholars of humanities, to appreciate variations of the social in different settings of time and place. This also entails the admittance that there are limits to how far concepts could explain a given social phenomenon, and how useful they could be employed to analyze particular social situations, which are most often than not bounded by what is understood as context.

Context in the social sciences and humanities unfortunately suffers from ill fate due to it being not so explicitly and clearly defined. Context usually provides a convenient scapegoat for all things inexplicable and complicated. In an uncharacteristic way, context frequently becomes the ‘super reality’ that is unorganized, incomprehensible and unanalyzable.

It is thought at times that context is a specter that continuously haunts social scientific analysis and the study of humanities. Context is therefore deployed as a counter-argument to undermine concepts that have a pretense to explain everything about a particular and peculiar social phenomenon.

Such a predicament could be resolved in part by articulately specifying the borderlines that a concept could or could not venture into. While this endeavor may be rather delicate and contestable, it is nonetheless necessary to avert any pretenses that could mislead those who are enamored, if not bewitched, by certain concepts that are ideologically driven or value laden. Religion, gender and identity are all loaded concepts, which carry varying connotations and ideological bearings, depending on one's vantage point. It is therefore almost inconceivable to argue that such concepts are value free and insusceptible from certain political ideology and agenda. But such is the 'reality' of the state of our social sciences and the different fields of humanities. Indeed, humans are *homo politicus* or agenda-driven species that continually struggles to primarily maintain its interest to survive and thrive in society.

Thus, context governs social reality, and depicts the larger phenomena at work. Without context, what may seem like reality at one specific time-place juncture may not be 'real' at another. This is to say that social phenomena cannot possibly escape the clutches of geography, history, culture and politics. To claim in contemporary times, for instance, that the *hijab* or *niqab* (Muslim headscarves) at once signifies male domination over the female species is to repudiate the fact that many women of traditional societies and of religious leanings in historical times donned them to show a sign of modesty and humility. While it may be true that in some Islamicate countries, the policy on *hijab* and *niqab* have been utilized to domesticate women and keep them out of the public sphere, it is certainly not universally practiced, nor is it a historical constant.

At a time when scantily clad women and female bodies are being flaunted *ad nauseam* in Hollywood movies and paraded throughout the music, fashion and automobile advertisings, the *hijab* becomes a spectacle for counter-culture. When the United States under the newly elected President Donald Trump's administration mulls over the "Muslim ban" and "registration" policies, liberal-progressive Americans across the country and a large number of people around the world perceive the *hijab* as an everyday form of epiphenomenal resistance. As a direct result of such discriminatory policy, many non-Muslims have come out in solidarity stating, "I am a Muslim too!"²

In view of the above, context and conceptual boundaries are imperative to moderate the problem of over analysis of social phenomena and over representation of reality. They are required to enhance the efficacy of the concept within any given context. Conceptual boundaries help build analytical frameworks, while eliminating stubborn facts that are irrelevant and insignificant, which more often than not clutter arguments and obscure reasoning. But while establishing conceptual boundaries may seem commonsensical to most researchers, it is not without notice that the trend in social sciences and the humanities today points to the blurring of these boundaries, thereby making it extremely difficult to put a lid onto any modern concepts in the social sciences and humanities. As more and more concepts are being produced and reproduced, social theory and practice have become ever more complex and complicated to explain, interpret and ultimately understand. It has made social reality and humanity harder to dissect, expound and elaborate.

² One such event occurred on February 19, 2017 in Times Square, New York, involving many interfaith and community leaders such as Russell Simmons, Imam Shamsi Ali, Rabbi Marc Schneier, Daisy Khan, Linda Sarsour and others. See: <http://www.iamamuslimtoo.org/>.

1.2 The Intricate Notion of Religion

Religion is intricately intertwined with social, cultural and historical elements of civilization, which connect humans with the way they perceive reality, make sense of social phenomena, engage Divinity and approach the invisible realm. Borrowing from William James (1982), religion is “the feelings, acts and experiences of individual men in their solitude, so far as they apprehend themselves to stand in relation to whatever they may consider the divine”. It encompasses the total human lived experiences in both “the sacred and the profane” worlds (Eliade 1959). As one can view today, religion is an immensely powerful mobilizing force, notably in traditional, primordial or primitive communities. In such contexts, religion routinely transcends beyond politics, and that the believing society or community cannot fully grasp the rigorous appeal for a clear separation between the ‘church’ and state.

While the above may be true, it should also be noted that religion does not only display its vast power and influence in economically backward or developing societies. In modern and postmodern, Western societies too, religion plays a huge role in mobilizing people to a certain political stance or in influencing political parties to choose a particular religion-friendly policies of the state. For these people, religion is part and parcel of their life and living. In fact, it would not be inconceivable to say that religion is life itself, and encompasses every reality, which encapsulates both the seen and unseen worlds.

Often mistakenly synonymized with faith, religion is the divergent expressions and outward manifestation, which puts religious authorities, communities and organizations in direct contact with socioeconomic, political and governmental activities. For many people around the world, religion is both an identifier and social marker, having strong influence in the choices they make in daily life and living. Being a Muslim, Catholic, Protestant, Hindu, Buddhist or Atheist has its social ramifications and political implications. Religion also provides the main ingredient to

creating an imagined, borderless community that simultaneously fosters the need to belong and strengthen “mechanical solidarity” as opposed to “organic solidarity” (Durkheim 1893).³

In most instances, religion connects individuals with congregations and communities that transcend beyond racial, ethnic and even national boundaries. The Catholics, for instance, are united under a Pope in the Vatican, Muslims under the banner of the *ummah*, the Jewish people with the State of Israel, the Buddhists with their *sangha*, and so and so forth (see Ward 1999). However, religion, as we know it, is an invention, a Western construct, according to Daniel Dubuisson (2003). He essentially argues that religion has been an expedient Christian concept used profusely throughout the 19th century. Dubuisson (2003: 190) argues:

“Religion, that is, the word, the idea, and above all the particular domain that they all designate represents an entirely original creation that the West alone conceived and developed after having converted to Christianity ... [Religion plays a] decisive role in the constitution of Western culture.”

Having deconstructed religion, he puts forward the notion of “cosmographic formations” as an alternative for “cross-cultural comparisons”, while unmasking the “conceptual blinders”, which have hindered for the most part our understanding of the subject matter at hand (Engler and Miller 2006).

Another related problem concerns the idea of “world religions” and their inherent pretenses to the cause of universalism, which is commonly juxtaposed against the more particularistic and primitive belief systems or “indigenous, local religions”. The term local religions here could

³ In his *Division of Labor* (1893), Emile Durkheim distinguishes between organic and mechanical forms of solidarity, wherein the former relates to transcendental conscience, while the latter to more human oriented goals in life for society.

easily be construed and mistakenly equated as cult practices, confined to some small and endangered communities or primitive tribes. The term does not in any way reflect, as it should be, the universalistic understanding of nature and reality embedded in their spiritual teachings and practices. This often relegates local religions to secondary status below the more formally recognized world religions. Such common and apparent bias is much reflected in the many state policies that assumes that world religions, particularly Christianity and Islam, are universally beneficial for society, while the indigenous local religions are primitive and backward, and at worse, represents the prevailing and contemporary form of idolatry. Undoubtedly, this kind of predisposition creates negative effects on how the state manages religious diversity and maintains religious freedom.

In the Southeast Asian context, religious freedom has never been assumed to be independent and in isolation to bring about greater good for society. Nor, has it been seen as necessarily correlated with individual human rights. Thus, the promotion of religious freedom necessitates the adherence to its twin brother, religious harmony. In Indonesia, *kebebasan beragama* (religious freedom) serves to mirror the need for *kerukunan beragama* (religious harmony). The Indonesian Ministry of Religious Affairs in fact has a Pusat Kerukunan Umat Beragama (Center for Religious Harmony) at the national level, while facilitating and overseeing the forums on religious harmony at the provincial, district and mayoralty levels across the vast country.

In Singapore and Malaysia, the state facilitates similar types of religious harmony centers, forums and groups for the purpose of maintaining peace, national unity and preventing any form of religious rioting or conflicts. The emphasis on religious harmony can be understood as a way to deter any negative spillover effects from religious proselytization and mass conversion, which may potentially ruin the very social fabric, which has been the basis for peaceful coexistence that has been so hard

to build in some countries. As a direct consequence to the governments' preferred choice of religious harmony over religious freedom in society, social friction and conflicts have occurred largely due to either discriminatory policies of the state or the maltreatment by the majority over the minority religious groups. In Vietnam, for instance, the mass conversion to Christianity (i.e. Protestantism) among the Hmong hill tribe people in the northern part of the country has raised serious concern from the Community Party, which views it as a Western, colonial religion.⁴

It therefore makes sense that while religious freedom is to some degree respected in Southeast Asia, religious harmony more often than not takes precedence over it. This has been one of the bones of contention, which separates the policies of the United States and many other Western countries with their Asian and African counterparts. While the US State Department focuses on annually measuring religious freedom indices of countries around the world,⁵ it does not seriously take into account efforts by governments to maintain the peace and promote harmony among the ardent believers of religion.

1.3 Gender and Identity as Contested Fields

In the traditional sense of the word, gender refers to the type of sex, whether male or female, separated by the usual binary categories of masculine and feminine qualities. However, as a social science concept, gender has captured new meanings and significance, notably in the construction of identities that carry grave politico-ideological ramifications.

⁴ This view was taken from an interview I had with leaders of an influential Christian missionary group in Hanoi, which was headed by a Chinese Singaporean.

⁵ The US State Department publicizes annually the International Religious Freedom Report. The report is issued under the US Department of State's Bureau of Democracy, Human Rights and Labor, based in the Washington, D.C.

Conceptually, gender represents evolving power structures and relations among the sexes in society. It signifies multiple realities confronted by different social groups that are divided in their gender roles, political stance on issues relating to women, marriages and divorces, security and welfare, leadership positions in organizations and sexual preferences, to name a few.

In that sense, gender goes beyond the issue of sexes, much less ‘sexed up’ themes oriented toward the reification of “men” as the first gender dominating over the hapless “women” as the second gender or vice versa. In *Gender Trouble*, Butler (1990:11) contends that:

“The problematic circulatory of a feminist inquiry into gender is underscored by the presence of positions which, on the one hand, presume that gender is a secondary characteristic of persons and those, which, on the other hand, argue that the very notion of the person, positioned within language as a “subject”, is a masculinist construction and prerogative which effectively excludes the structural and semantic possibility of a feminine gender.”

Within the religious context, gender also carries with it powerful new outlooks in destabilizing the traditional and conservative, if not extreme, views toward gender relations and the subject of “women”. Abu-Lughod (2002:783) argues for “a serious appreciation of differences among women in the world—as products of different histories, expressions of different circumstances, and manifestations of differently structured desires”. Furthermore, through the use of “cultural relativism” as her point of departure in analyzing the different meanings of the *burqa*, Afghanistan’s traditional female veil, Abu-Lughod asserts that much of the feminist cause merely reinforced “a sense of superiority”, if not “a form of arrogance that deserves to be challenged” (2002:789). In other words, gender does not only function as a social marker, but more

so as a contested field wherein culture becomes the primary battleground.

Meanwhile, identity is an all-time elusive concept, having a particularly strong appeal to modern humans, professionals and frequent flyers, who are typically uprooted from their cultural origins and traditions. Identity is a complex subject, as it entails categorizing, if not compartmentalizing, humans into subjective frames that separate “men” and “women”, “straight” and “gays”; “us” and “them”. Identity therefore refers to social markers that differentiate and divide people according to how they see themselves and others.

When the ‘us-and-them’ mentality is entrenched and politicized, identity often rears its ugly face and could morph into a malevolent form of tribalism, which the world has seen and tragically experienced in recent history. The conflicts between the Hutus and the Tutsis in Rwanda, the Anglicans and Catholics in Northern Ireland and the Sunnis and Shi’as in the Middle East and Pakistan provide a small number of examples on how the tribal notions of identity could potentially have deleterious effects on society. Maalouf (2003:144-145) problematizes the notion of identity within the context of the modern nation-state:

“When the inhabitants of a country all feel they belong to different communities—religious, linguistic, ethnic, racial, tribal or whatever—how can this state of affairs be “managed”? Should all the different allegiances be taken into account? If so, to what extent? Or should they be ignored, treated as if they were invisible?”

In the above cases, identity becomes a shorthand for social polarization due to its very nature of harboring long and deep seated suspicions about the others. Identity also correlates with immensely divergent politico-religious orientations, which in turn could potentially spark social friction and conflict. But inasmuch as one might think that identity is a problem of the ‘Third World’ or traditional societies, a similar issue

could be found in one of the richest, most economically and democratically advanced country such as the United States. It was previously thought that with the victory of Barack Hussein Obama as the first ever African-American president of the United States (2009-2017), the US would arrive at a “post-racial America”, where identity politics and partisanship would become a relic of the past. As it turned out, the reality was far from what many had imagined it to be. Both Americans and observers around the world realized how a post-racial America was merely a figment of the imagination of some liberal-progressive Americans, and that it was a “myth” fabricated to essentially hide the true face of America’s racial problems, and bury the long and dark history of racism in the country (Kaplan 2011).

These are the Americans, who had earlier hoped that their country would finally lay identity politics to rest, and celebrate diversity, and thereby transcending race, ethnicity, religion and identity politics. Here, one is reminded what Cornel West, a prominent African-American scholar and public intellectual, had argued in his defense for Americans to confront the racial problem, wherein he argues:

“To engage in a serious discussion of race in America, we must begin not with the problems of black people, but with flaws of the American society—flaws rooted in historic inequalities and longstanding cultural stereotypes. How we setup the terms for discussing racial issues shapes our perception and response to these issues. As long as black people are viewed as a “them”, the burden falls on the blacks to do all the “cultural” and “moral” work necessary for healthy race relations. The implication is that only certain Americans can define what it means to be American—and the rest must simply “fit in” (West 1993: 3).”

It may be quite fitting to state now with the political victory of President Donald Trump in the November 2016 elections that the situation

has just gotten worse with race relations and identity politics. Immediately after coming to the Oval Office, one could see how America, despite its 200 years of democratic pluralism, is now quickly sliding toward becoming an intolerant and bigoted society, with Muslims, Mexicans and migrants alike being pushed to the brink, and asked to “go back to your country!” But America *is* where they belong, and where their aspirations lie. Where else can one hope to achieve “the American dream”? It seems clear, to Trump’s white supporters, that the President’s politics of ‘othering’ and harsh immigration policies were intended “to make America great again” and “keep Americans safe”. In reality, however, these kinds of harmful policies and spiteful sentiments would only emboldened those who are already fighting against America, and desire to undermine its politico-ideological supremacy and global dominance.

In Southeast Asia, Trump’s political ascent spells troubles for those striving for religious freedom and harmony or those working tirelessly toward democracy. It is challenging enough for the society in Southeast Asia to deal with religious conservatism, authoritarianism, Communism and military dictatorship. The main trouble is not that Trump is necessarily authoritarian or that he has the penchant for trivializing matters of great, strategic importance. It mostly concerns the kind of post-truth and ‘alternative facts-based politics’ that Trump and his highly conservative supporters are brandishing, which could possibly change the political dynamics in various parts of the world. The absence of any moral high ground in international politics would no doubt create further hostility among people, groups, communities and states at a time when hate, bigotry and warmongering have become normalized, particularly in social media.

Already in the usually temperate Muslim Indonesia, a swift movement toward conservatism and higher demands for an Islamicized politics have already emerged. This could be probed further through the recently held demonstrations by hundreds of thousands of Muslims from

Jakarta and other provinces to protest against the candidacy of the incumbent Governor Basuki Tjahaya Purnomo, otherwise known as Ahok, who is a Christian Chinese from a small district of Belitung Timur in the province of Bangka, Sumatra.

The enormous demonstrations also called on the central government of Indonesian President Joko Widodo to criminally charge Ahok for defaming the Islam's holy book, the Quran, for having said, "Some of you [Muslims] are being lied to through the use of Al-Maidah 51, so that you would not elect me."⁶ Ahok's political opponents claim that his statement is blasphemous, and should not be said by a *kafir* (infidel). For obvious political purposes, his political opponents have interpreted Ahok's statement to read as though he had insinuated that the Quran—believed by Muslims to be the verbatim word of Allah—is untrue.

Among Ahok's political opponents was Habib Rizieq Shihab, leader of the Islamic Defenders' Front or known in the Indonesian acronym of FPI (Front Pembela Islam), who had led the mass demonstrations and vehemently opposed his candidature in the direct elections for the governorship of the capital. Known for his demagoguery, Shihab's mass protests have caused concern over the rising tide of religious conservatism and identity politics in the country, with hardline and radical groups supporting his agenda. Being the third largest democracy in the world, after India and the US, the future of Indonesian democracy will be in

⁶ The Quranic verse referred to in his statement points to the prohibition of Muslims to choose an infidel (*kafir*) to become their "*auliya*" (plural form of the word "*wali*"), which has been mistakenly understood by the Muslim demonstrators as "leaders". Quranic translation and exegesis would usually refer the term "*wali*" to "friend" or "companion". Sufistic understanding of the notion frequently revolves around the idea of "*wali'ullah*" or God's companion on earth or those who have received favors from Allah for their righteousness or piety. Furthermore, the oft-quoted verse was revealed during a time of war and crisis, when information was considered sensitive, and enemy infiltration was of concern to the young Muslim community.

doubt if the government fails to reign in the conservative elements in society, which looks toward religious identity as their main source of legitimacy. More importantly, Indonesia for almost twenty years since the 1998 *reformasi* has proven to the world that Islam and democracy could coexist, and that Muslims are not in any way allergic to progressive ideas and the positive values brought about by social transformation.

Following the overwhelming defeat of Ahok in the gubernatorial elections and as a result of the court case, he was sentenced to two years in prison for religious blasphemy. No doubt, the verdict caused an outcry from the liberal-progressive forces in the country and also many governments around the world. The case clearly demonstrated the vulnerability of ethnic and religious minority groups in Indonesia, and tremendously undermined the country's standing and stature as a democratic and pluralistic Muslim nation.

In Malaysia, where identity politics is the name of the game, the situation has not improved, if not to say that it has worsened. The *Barisan Nasional* (National Front)—comprising pro-establishment Malays, Chinese and Indian groups—continue to enforce their racial policies to ensure political longevity. Sworn in 2009, the incumbent Prime Minister of Malaysia Najib Razak currently faces tremendous challenge to his leadership,⁷ which many perceive as merely perpetuating and old and tired governing system based on *Ketuanan Melayu* (Sovereignty of the Malays) that favors the Malays over all other ethnic groups in society. This has allowed for further expansion of the traditional Malay patronage rule, which has consented to many forms of “politico-religious intoler-

⁷ Prime Minister Razak has been embroiled in an embezzlement and money laundering scandal involving at least US\$1 billion stash of state funds being transferred to his personal account. A global investigation into the “1MDB scandal”, as it is known, is currently underway to determine the extent of the crime and the prime minister's involvement.

ance” in the country at the expense of their ethnic and religious minority groups that are not aligned to the National Front (see Sofjan 2016).

The latest and most reviled case of identity politics has been occurring in Myanmar. For the past few years, Myanmar has seen violent persecution against the Muslim Rohingyas by the military and radical elements from within the Buddhist community, notably in the state of Rakhine, where most of the violence, looting, rape and intimidation occurred. The violence against the Muslim Rohingyas, amounting to around 1.3 million, has been considered by Amnesty International as “one of the most persecuted minorities” of the world,⁸ while the United Nations regarded the human rights violation and systematic injustices perpetrated against them as “a crime against humanity”.⁹ The official position of the Myanmar government and military has been that the Muslim Rohingyas are Bengalis from Bangladesh, and that they entered the country illegally. As such, the government argued, they are not entitled to citizenship nor social services and nor protection from the government, rendering them stateless and vulnerable.

Regrettably, even as Aung San Suu Kyi’s National League for Democracy (NLD) won the landslide elections in 2015, and is now *de jure* leading the civilian government, little has been done to curb the violence, persecution and human rights violence. Both the military and ultra-Buddhist nationalists, led by a radical Bhikku named Ashin Wirathu,¹⁰ have remained determined to wipe out the Muslim Rohingyas in Myanmar. The radical Bhikku once said 90% of Muslims in Burma are “radical, bad people”.¹¹ He even went as far as stating, “The lo-

⁸ <https://www.amnesty.org.au/who-are-the-rohingya-refugees/> (Accessed on October 19, 2017).

⁹ <http://www.aljazeera.com/news/2016/06/rohingya-victims-crimes-humanity-160620131906370.html> (Accessed on January 5, 2017)

¹⁰ See “The Face of Buddhist Terror: How militants are feeling anti-Muslim violence in Asia” in *Time Magazine*, dated July 1, 2013.

¹¹ Ibid.

cal Muslims are crude and savage because the extremists are pulling the strings, providing them with financial, military and technical power.”¹² Such negative sentiments and stereotypes directed toward the religious others may seem crude enough, not to mention if came from a religious leader with many followers.

One major apprehension about the human catastrophe occurring in Myanmar concerns the possibility of reprisal and spillover effect, which could negatively influence the Buddhist and Muslim communities in and around the region. Thailand, Cambodia, Lao PDR and Vietnam have large populations of Buddhists, but they also a significant minority Muslims living in their countries. A similar backlash could also happen in Muslim majority countries, where you have a significant Buddhist population, such as in Malaysia and Indonesia. Thus, if the violence and human rights abuses continue unabated in Myanmar, and the perpetrators remain to enjoy impunity from the state and international community, there is high likelihood that identity politics and religious conflicts in the region could experience a major spike.

1.4 Organization of Edited Volume

As mentioned in the above subsections, religion, gender and identity are unmistakably concepts that are circumscribed by context. Southeast Asia is a region that has yet to come out of, and let alone forget, its colonial past. It is a region where its national territories had been historically marked and politically constructed by mostly European, and to a certain extent American, colonialism. The region comprises ten nations with a population that is equivalent to the whole of Europe or almost twice the population size of the United States. And it is also one of the most progressive regional economies of the world with high growth

¹² <https://www.theguardian.com/world/2013/apr/18/buddhist-monk-spreads-hatred-burma> (Accessed on December 8, 2016).

rates and development. Its famed diversity accommodates many religions, which in itself presents problems and dilemmas for governments. But the complexity is even more intriguing as religion is further analyzed through the lens of gender inequity and identity politics.

The introductory section provides an overview of key concepts and the boundaries that define them. It clarifies the boundaries deployed throughout this book series, and contextualizes the debates and discourses occurring in the region and the world. I, Sofjan, problematize the three categories and appeals for greater understanding and appreciation of the complexity surrounding these issues in the contemporary world generally and more specifically in the Southeast Asian region.

Nancy Smith-Hefner delves into the issue of gender and religious change in Muslim Southeast Asia. She looks into the interconnectedness between gender and religious transformation in the region, with a specific focus on Indonesia and Malaysia. Meanwhile, Siti Syamsiyatun's piece examines the "gender ideology" amid the religious power structures in contemporary Indonesia. She argues that gender is a "foreign (Western) concept", and therefore needs to be adjusted to the situation and condition in Indonesia, where discrepancies are apparent in the way the gender framework is applied. The work of Bernard Adeney-Risakotta looks into the modern social imaginaries about women in Indonesia. He specifically asks how religion affects public policy, which regulates relations between men and women.

In this volume, two articles are focused on the situation in Thailand. The article by Theodore Mayer and Somboon Chungprampree of the International Network of Engaged Buddhists (INEB) describes the seven proposals to support Buddhist women's yearning for "new social spaces". The authors touch upon the clash between the *bhikkuni* revival movement and the Supreme *Sangha* Council (SSC). Imtiyaz Yusuf's section reflects on the Thai state manages religious relations in connection with *Mawlid al-Nabi*, the Muslim celebration of the Prophet Mu-

hammad's anniversary. It looks at how the Thai Muslims negotiate religious festivities with the Buddhist monarch, and how well appreciated the government is in terms of supporting the annual event. Farina So from the Sleuk Rith Institute in Cambodia studies the Dakwah Tablighi, a Muslim organization, which she used as an indicator of religious resurgence in the country.

Nguyen Van Chinh's article probes the situation in Vietnam, where the Communist government is increasingly feeling uneasy about the mass conversion of the Hmong hill tribe people to Protestantism. This poses a policy challenge for the Communist regime, which much prefers to see the expansion of the local ancestral worship than the religion of the colonizers.

Maung Maung Yin and Mana Tun from the Myanmar Institute of Theology (MIT) examine religion, ethnicity and gender within the context of a country experiencing civil wars, religious conflicts, oppressive behaviors of the military and others. Meanwhile, Julianne Schober writes about the process of legislation on gender, race and religion. She explains how public discourses in Myanmar have negatively influenced the Buddhist-Muslim community relations. Lastly, K.S. Nathan analyzes the religious change occurring in Malaysia, and how it influences the dynamic relationship between the state and the various religious minority groups.

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GENDER AND RELIGIOUS CHANGE IN MUSLIM SOUTHEAST ASIA

Nancy Smith-Hefner

2.1 Introduction

The past thirty-five years have witnessed a resurgence of interest in more normative forms of Islam throughout the Muslim world. While Southeast Asian countries have been somewhat later to experience the effects of this resurgence, its impacts are evident in Muslim majority countries like Indonesia and Malaysia as well as those with significantly smaller Muslim populations like Thailand and the Philippines. Those of us who live and work in Southeast Asia have seen the proliferation of mosques and prayer houses, the visible increase in numbers of men who fill the streets on their way to Friday prayers, and women wearing various styles of Muslim dress. Muslim shops, bookstores, and supermarkets dot the landscape and Muslim-themed music, films, and talk shows compete with more secular programming.

As elsewhere in the Muslim world, the resurgence has become apparent in Southeast Asian countries at the same time that important state development projects have succeeded in augmenting educational and employment opportunities for both men and—more markedly—women and have, in the process, supported the emergence of a significantly expanded middle class. Educational and economic developments have interacted with more normative religious concerns in varied and some-

times unexpected ways both across Southeast Asia and within the individual Southeast Asian countries.

Many observers have noted that perhaps contrary to expectations, the signs of a renewed interest in more normative forms of Islam are most noticeable among young people in urban areas especially on non-confessional high school and college campuses. It is therefore important in any discussion of gender and religious change to be mindful of what gender theorists have referred to as “intersectionalities;” that is, the inevitable interactions and overlap of gender configurations not only with religious but cultural as well as socio-economic factors including class, ethnicity, and policies of the state (cf. Shields 2008).

This article offers a brief and largely synthetic overview of recent anthropological and sociological literature on gender and religious change in Muslim Southeast Asia, with an emphasis on Indonesia and some reference to nearby Malaysia. It is intended to provide a backdrop to the more topically focused papers offered by other contributors. My particular concern is to point out to the policy community, who may be more familiar with Islam and gender in the context of the Middle East or South Asia, some of the peculiar characteristics of recent gender developments taking place in Muslim Southeast Asia, and to offer some comment on recent challenges.

2.2 The Status of Southeast Asian Women

Southeast Asia is known in the ethnographic literature as a culture area where women have historically enjoyed a “relatively high status.” Although precisely what this means continues to be debated by scholars (cf. Reid 1988, Andaya 2006), the situation of Southeast Asian women nonetheless compares favorably with that of Middle Eastern and South Asian women where concepts of male honor are widespread and patrilineal and patriarchal corporate and kin groups emphasize the extended rather than the nuclear family (cf. Abu-Lughod 1999, Fernea 1989,

Mernissi 1995). In many areas of the Middle East and South Asia, women's behaviors are identified as key to the maintenance of family reputation; their movements in the public sphere are restricted and they are kept under the watchful eye of their male relatives.

Many of these communities have long traditions of women's purdah or seclusion and, despite some loosening of expectations that have accompanied increased levels of women's education, marriages in many areas continue to be arranged by families. Moreover, the concept of *wali*, that is, the religiously sanctioned right of a close male relative to determine the marital partner for a daughter or granddaughter, is still widespread (cf. Newcomb 2009). By contrast, Southeast Asian women have benefitted from a variety of kinship systems and ethnic traditions that support female inheritance and property ownership and recognize the significance of women's roles within the family. They have not historically been subject to longstanding traditions of seclusion or veiling and in fact have a long history of working outside of the home in the fields and markets and as petty traders and have even taken on important roles of political leadership (cf. Reid 1988, Robinson 2009).¹³

With recent reforms to marriage laws, in Indonesia and Malaysia women are recognized as having the right to choose their own spouse and/or the right to refuse a spouse suggested by their parents. Importantly, Southeast Asian ethnic traditions often emphasize the essential complementary and duality of gender roles, identifying the vital role that both genders play within the family and community (see Beatty 2002, Errington 1990, H. Geertz 1961, Karim 1995).

¹³ The exception is historically found among high status women and those associated with the courts and in urban area where women were much more closely guarded and were often secluded in compounds at puberty to insure their reputations. They stayed in seclusion until an appropriate marriage could be arranged, typically at a young age.

The “relatively high status” of Southeast Asian women is also an aspect of a widespread pattern of matrifocality or matricentrality, which is found throughout the region. It should be pointed out that the majority of Southeast Asian households follow a bilateral or cognatic kinship pattern in which relations with both mother’s and father’s sides of the family are given equal weight (Robinson 2009, Karim 1995). In bilateral systems households are ideally neolocal and typically nuclear—though they may temporarily include elderly parents or in-laws, a young married couple saving up for a home of their own, or a niece or nephew who is boarding for the purposes of school or work.¹⁴

An exception to this neolocal and nuclear family pattern is found in areas of western Indonesia and western coastal Malaysia (and in some mountainous areas of the Philippines), that follow a pattern of matrilineal descent and matrilineal (also called uxorilocal) residence. Here, husbands move into their wife’s home or in some cases live separately following a pattern known as “visitor marriage” or “walking marriage” where the man comes to his wife only at night (cf. Blackburn 2000, Schröter 2013). Matrilineages (corporate groups composed of several generations of an ancestral mother’s descendants) jointly own property in the form of farmland, wetlands, ancestral heirlooms, and houses, which are passed down through the matriline. In matrilineal systems, the continuity of the group depends on female descendants and females are valued for this reason. Contrary to popular conceptions, however, these are not matriarchal societies and in external relations the lineage is represented by a male, typically the brother or uncle of the eldest woman (Schröter 2013:14; see also Blackburn 2000).

¹⁴ In this regard, Kathryn Robinson writes, “bilateral systems as a framework for social relationships open up a space for social practices that allow agency to women, especially in comparison to societies practicing patrilineal descent and patrivirilocal residence” (2009:14; see also Karim 1985).

Matrifocality or matricentrality is characteristic of Southeast Asian communities where men are absent for long periods of time as a result of overseas labor migration, mining or plantation work, or lengthy fishing or hunting trips. This has long been a dominant pattern among the matrilineal Minangkabau and Acehnese and groups living on the western coast of Malaysia. In other cases, as among Javanese and Balinese, who follow bilateral kin systems, fathers may be present but remain distant physically and emotionally. In the absence of their husbands, women necessarily play an important role in daily household management, often relying on networks of female kin.

In this pattern, women are also identified as important emotional centers of their families (In., *pusat perhatian* or in today's jargon *pusat curhat*). They are the ones, in other words, that family members seek out for reassurance and solace (see H. Geertz 1961, C. Jones 2004). Anthropologist Carla Jones argues that in contemporary times in urban areas this role takes the form of what she calls "emotion work" undertaken by women for the benefit of their families as well as other household members. Emotion work goes beyond simply verbal expressions of deference or affection to include physical and managerial techniques critical to the smooth functioning of family and household in the context of modern-day stresses related to the pressures of school and work (C. Jones 2004:520).

Also characteristic of matrifocal households, Indonesian and Malay women have long played a major role in managing the household budget, including paying bills and overseeing daily expenditures (Brenner 1995, 1998, Geertz 1961 and Peletz 1994). Many ethnographic accounts describe husbands handing over their weekly or monthly wages to wives who determine what will be saved and invested and how much will be spent. Men are widely considered less skilled at handling money and susceptible to reckless spending on gambling, drinking, and women (Brenner 1995, Peletz 1994, Smith-Hefner 1988). While some observ-

ers have argued that these economic patterns do not translate into real power for women in terms of decision making either within the household or in the public sphere (see Sullivan 1994, Schöter 2013), many more scholars have seen women's role as economic managers for their households as an important foundation for the development of female autonomy and an important measure of authority (Brenner 1995, Errington 1990, H. Geertz 1961, Keeler 1990, Wazir-Karim 1995).

2.3 Islam and the State

The effects of the Islamic resurgence on these long-standing gender patterns are of course varied and must be considered in light of the region's religious histories and state policies. In Malaysia, for example, where Malays are the scant majority at 53% of the population, Islam is strongly identified with Malay identity and has become a marker, which distinguishes Malays from other ethnic groups (Shamsul 1994). The ruling party, The United Malays National Organization (UMNO) has adopted a strongly Islamic profile and has implemented a number of Islamic measures, though it has not implemented *shari'a* or Islamic law.

With Islamization, however, some traditional Malay customs that treated men's and women's roles as complementary have reportedly been replaced by Islamic norms. Inequality in inheritance law has become legalized, along with polygyny and domestic violence (Schröter 2013:31). Veiling and modest clothing styles are now widespread (see Nagata 1980, Peletz 1996, Stivens 2008). While the Muslim *tudung* (veil) is not imposed by the government nor religious authorities, it is an important ethnic as well as religious marker for Muslim Malays.

The political situation is rather different in Indonesia. With the fall of Suharto, the state has taken steps towards the privatization of state enterprises and the decentralization of political power. Indonesia is the world's largest Muslim country by population. Although 88% of its people identify as Muslim, Indonesia is a multi-confessional state based

on the Pancasila or five philosophical pillars the first of which is “Belief in a single God.” The growth of interest in more normative forms of Islam has not expressed itself in national elections where conservative Muslim parties have not managed to gain a significant percentage of the popular vote (Wieringa 2015:29).

With the devolution of political power to the provinces, however, some regencies of North and Western Sumatra have attempted to implement more stringent Muslim regulations. While Aceh is the only province where criminal law is based on *shari’a*, many regencies have implemented by-laws regarding veiling and modest dress. Other laws include the testing of Quranic literacy as a requirement of school graduation and severe punishments for adultery, the consumption of alcoholism, and gambling.

It should be emphasized that by far the majority of Southeast Asian Muslims, both men and women, view the greater Islamization of their society positively and describe it in terms of a greater recognition or consciousness (In., *kesadaran*) of the requirements of their faith that can only be beneficial for their societies (cf. Smith-Hefner 2007). Women, however, are adamant that religious practices, for example veiling and the annual fast, should not be imposed but should be the result of a conscious deliberation and choice on the part of the individual.¹⁵ Rather than holding them back, most young women view the new piety as part of an upwardly mobile lifestyle (Smith-Hefner 2007).

Across Muslim Southeast Asia increased religious normativization has been accompanied by greater self-articulation and heightened rationalization fed by new flows of information via films, print, television, radio, and internet and the expansion of education (cf. Eickelman and Anderson 1999). Multiple observers have noted that in countries like Indonesia and Malaysia the effects of the Islamic resurgence have been

¹⁵Many women thus chafe at the restrictions placed upon them by *shari’a* inspired by-laws.

most visible on high school and university campuses where women are as engaged as their male counterparts.

2.4 Islam, Education and the New Middle Class

Southeast Asian women are following a pattern that is now in evidence across much of East Asia (cf. Jones and Yeung 2014); they are not only eagerly taking advantage of the educational opportunities made available to them, in some cases they have caught up with or even exceeded the achievements of men. There are now, for example, more girls than boys attending primary and secondary school in Indonesia and the Philippines.¹⁶ At the tertiary level, World Bank statistics indicate that the ratio of Indonesian females to males had exceeded 103% in 2012; the ratio was even higher for Malaysia where in 2012 it was 120.9%.¹⁷ And in the Philippines in 2009 (the latest year for which statistics are offered), the ratio of women to men attending colleges and universities was 123.8%.¹⁸

Equally significant is the fact that in order to pursue their studies, women are postponing marriage. In Indonesia, the legal age for marriage is 16 for women and 19 for men, (in Malaysia it is 16 for Muslim women and 18 for men), but the average age of first marriage for women has

¹⁶<http://search.worldbank.org/data?qterm=education+in+Indonesia&language=&format=&os=10>

<http://search.worldbank.org/data?qterm=education+in+Philippines+tertiary&language=&format=&os=20>

¹⁷Ratio of female to male *tertiary* enrolment is the percentage of women to men enrolled at *tertiary* level in public and private schools. <http://search.worldbank.org/data?qterm=education+in+Indonesia&language=&format=&os=10>;

<http://search.worldbank.org/data?qterm=education+in+Malaysia&language=&format=&os=10>.

¹⁸<http://search.worldbank.org/data?qterm=education+in+Philippines+tertiary&language=&format=&os=10>.

been increasing steadily across Southeast Asia along with increased levels of education. Up until 1960, one third of all young Indonesian women married by age 16. By the 1970s, only 10% were marrying by that age. In 1965, the mean age at marriage for females in Indonesia as a whole was 18.6; in 1971 it was 19.2. By 1990 the figure had climbed to 21.6 years and in Yogyakarta, where I work, the mean age of first marriage for females in 1990 was 24.1 (G. Jones 1994:80).

Despite their increased concerns with more normative piety, women in Indonesia have also eagerly gone to work, a development that is now supported by most men—who realize that two incomes are necessary to maintain a middle class lifestyle in the current economy (cf. Nilan 2008). Parents are supportive of their daughter's advances with regard to education and employment for similar reasons; that is, financial security and the hope of gaining or maintaining a foothold in the middle class. Many, moreover, express the belief that daughters are more reliable than sons in making contributions to the care of younger siblings and are more likely to support their parents in their old age. Young Indonesian women who do not put their educations to work are laughed at by their peers. And both young people and parents widely comment that for a woman to invest in an education only to marry, would be waste of time, effort, and money (In., *rugi sekali*) (Smith-Hefner 2007).

The comparison with the Muslim Middle East is once again instructive. Women in the Middle East are also putting off marriage to take advantage of new educational opportunities, but the trend is not everywhere coterminous with a growing desire for employment or a career. In Egypt and Jordan, for example, recent ethnographies argue that while women are eagerly pursuing higher education, they do not uniformly aspire to working away from home or to working after marriage (Adely 2004, 2012; Ghannam 2013). This is partly due to the dearth of attractive employment options for women but is also an effect of a cultural ideology that is supported by scriptural references that identify men as

the economic providers for their families and link the honor of men to their control over their wives and daughters.

In Southeast Asia, by contrast, women draw on a long tradition of females working outside of the home and in the public sphere and to widespread conceptions of gender complementarity to counter arguments regarding men's religiously sanctioned role as providers. This complementarity is referenced by the Quranic verse which describes the ideal marital relationship within Islam (Al-Baqarah 2:187 in Munir 2002): "He is your garment and you are his." The verse is widely cited with the understanding that husbands and wives should be helpmates, each fulfilling their prescribed roles. In Indonesia, the common phrase *saling mengisi* or "each completes the other" references a similar ideal. What is more, Indonesia's two mass-based Muslim organizations—the traditionalist Nadhlatul Ulama and the modernist Muhammadiyah—both accept the idea of women working as a supplement to her husband's economic contribution and so long as they have their husbands' permission and are able to balance work with family responsibilities.

Comparative World Bank statistics on women's employment in Jordan, Egypt, Malaysia, and Indonesia from 2013 bear these distinctive gender ideologies out.

Women's Employment in Jordan 2013 (World Bank Statistics):¹⁹

- % of females to population 15-24 (youth) participating in labor force: 4.5%²⁰
- % of females 15+ participating in labor force: 12.1%²¹

¹⁹<http://search.worldbank.org/data?qterm=employment+in+Jordan&language=&format=>

²⁰ Employment to population ratio is the proportion of a country's population that is employed. Ages 15-24 are generally considered the youth population (<http://search.worldbank.org>).

Women's Employment in Egypt 2013 (World Bank Statistics):²²

- % of females to population 15-24 (youth) participating in labor force: 5.8%
- % of females 15+ participating in labor force: 16.8%

Women's Employment in Malaysia 2013 (World Bank Statistics):²³

- % of females to population 15-24 (youth) participating in labor force: 28.6%
- % of females 15+ participating in labor force: 42.9%

Women's Employment in Indonesia 2013 (World Bank Statistics):²⁴

- % of females to population 15-24 (youth) participating in labor force: 31.4%
- % of females 15+ participating in labor force: 47.6%

According to these statistics, the percentage of Indonesian women over the age of 15 participating in the labor force is 47.6%, only slightly higher than the 42.9% of Malay women from this same category who are working. The Indonesian figures are striking however when compared to Egyptian and Jordanian employment statistics for women over the age of 15. At 47.6%, the Indonesian figure is close to three times the percentage of working women in Egypt (at 16.8%) and nearly four times

²¹*Employment to population ratio* is the proportion of a country's population that is employed. Ages 15 and older are generally considered the working-age population (<http://search.worldbank.org>).

²²<http://search.worldbank.org/data?qterm=employment+in+Egypt&language=&format=>

²³<http://search.worldbank.org/data?qterm=employment+in+Malaysia&language=&format=>

²⁴<http://search.worldbank.org/data?qterm=employment+in+Indonesia&language=&format=>

the percentage of women over the age of 15 who are participating in the labor force in Jordan (at 12.1%).

The postponement of marriage to secure higher levels of education and employment has had other valuable outcomes for Indonesian women. Higher levels of women's education and older age at first marriage and are highly correlated with lower fertility. Indonesia's fertility rate fell from 5.61 children per woman in 1971 to 2.41 children per woman in 2010 (Utomo 2014: 1688). Studies suggest that smaller family size is in turn correlated with smaller age gaps between husband and wife and the possibility not only for more companionate marriages, but for the expression of greater female agency within marriage including the negotiation of more equitable marriage bargains.

2.5 The Marriage Squeeze

It is important to note that while women (and men) may be putting off marriage, there is nonetheless a widely recognized "marital imperative" that has traditionally existed throughout Southeast Asia and is still identifiable in Indonesia. Gavin Jones identifies Indonesia as among those countries that follow a pattern of "universal marriage"—that is, a country in which no more than five percent of women over the age of 40 have never married (G. Jones 2008:3). Although this pattern of universal marriage is now under pressure,²⁵ the practice of premarital cohabitation (In., *kumpul kebo*) remains uncommon in Indonesia where it is both socially and religiously disparaged. Marriage and having children are anxious preoccupations of young people of both sexes, and are considered

²⁵Jones and Gubhaju hypothesize that with the higher education of women, this universal pattern will not last much longer. They write, "Each cohort passing through this age (20-24) has a higher proportion remaining single than in the cohort that preceded it. And there is generally a relationship between the proportion single in their 20s and the proportion of the cohort remaining single in their 40s" (Jones and Gubhaju 2008:3).

as religious duties and as obligations owed to one's parents. The postponement of marriage and the possibility of non-marriage have raised concerns from numerous quarters—parents, teachers, social observers, as well as young people themselves. The most vocal are Muslim religious authorities, who fear that the postponement of marriage increases the possibility of sexual promiscuity (*zina*) and will result in social upheaval and strife (*fitna*). Many of these religious authorities have urged early marriage as a solution (see Adhim 2002).

A consequence of women postponing marriage to pursue an education and career, however, has been the perceived tightening of the market for eligible and desirable men. Indonesian women widely believe that the higher their level of educational attainment, the slimmer their chances of finding an appropriate marriage partner—because there are simply relatively fewer available men who are either equally or more well educated. The Australian demographer Ariane Utomo argues that higher educational achievement for women, rising rates of female employment, and the increasing age of women at first marriage are among the principal correlates behind the weakening of the longstanding pattern of hypergamy or “marrying up” in Indonesia (Utomo 2014:1688). These and related factors are also eroding the pattern of universal marriage. Indonesian women prefer to marry men who are at least equal to them in age and level of education, while men continue to marry “downwards” with younger and less well-educated women. The result is a “marriage squeeze” with women at the top of the educational and age hierarchy facing increasing difficulties finding potential mates.

The process of identifying an appropriate marriage partner has been complicated further by the increasing number of young people who say they reject dating as an acceptable form of courtship. Despite the widespread acceptance of self-choice in marital partner and a growing emphasis on companionate marriage, there exist a surprising number of young Indonesians who say they reject any pre-marital physical contact

as “un-Islamic.” Dating on the Western model has never been widespread in Indonesia; however, a pattern of pre-marital visits to the girl’s home on the part of the young man (under the supervisory eye of the parents)²⁶ was common and allowed young people to get to know each other prior to making a long-term commitment. But in their religion classes and study groups, young people are taught that to be alone with a member of the opposite sex is to invite sin²⁷ and that “there is no dating in Islam”. There is only a process called *ta’aruf*, sometimes translated into Indonesian as “engagement”,²⁸ when the couple is allowed to meet with the intention of discussing marriage.

In recent years, in an attempt to facilitate the process of finding suitable marriage candidates for young people without any possibility of impropriety, religious organizations have begun to set up matchmaking services, called *biro perkawinan* (lit., “marriage bureaus”), which combine some of the modernist, bureaucratic characteristics of Western dating services with a neo-conservative understanding of Islamic piety. When a young person feels ready to marry, he or she submits his or her “biodata” to a committee which then suggests an appropriate match. The committee will also in some cases provide a chaperone so that the couple can meet and come to a decision without ever being alone with one another. This period of premarital familiarization typically involves several formal meetings during which time the couple exchanges information on their backgrounds and expectations (often described in a technocratic jargon as their “vision and principles”)—always with an intermediary present. If either party decides negotiations are not head-

²⁶ Called *ngapel* in Javanese and *midang* in Lombok (see Linda Rae Bennett *Women, Islam and Modernity: Single Women, Sexuality, and Reproductive Health in Contemporary Indonesia*, 2005)

²⁷ In Malaysia, being caught alone with a member of the opposite sex who is not a relative can result in arrest and possibly forced marriage under the offense of *khalwat* or being in “close proximity”.

²⁸ More specifically the term means “meeting for the purposes of engagement”.

ing in the right direction (that is, towards marriage) the process is immediately brought to an end. Most marital decisions, however, are made with surprising rapidity, and wedding arrangements are typically concluded in a matter of weeks or months—often with the couple having met and talked with each other only a handful of times. In the process of chaperoned premarital familiarization, a woman can attempt to make certain that her future husband is willing to allow her to work or to have a career (if that is what she desires) as part of the discussion of their shared “vision and principles”. And more generally women argue that marrying in this way offers them an additional measure of security, in that it helps to drive home to both parties, but especially to the male, that both parties in the interaction agree on the basic outlines of a particular patriarchal bargain (cf. Kandiyoti 1988). In marrying by religious arrangement and acknowledging their husband’s leadership role, women argue, they are secure in the knowledge they are protected by the rules of Islam. They are confident that sheltered by religious textuality they will be safeguarded against masculinist excesses and can come to equitable compromises with their spouses.

At a time when Indonesian marriage law and contemporary social norms support individual choice in spousal selection, marriage bureaus are proliferating, with Muslim organizations taking the lead in offering serious, reliable partners who are ready to marry quickly. These marriage bureaus are an attractive option for women who for a variety of reasons find their prospects on the marriage market are rapidly narrowing and who are anxious to marry with an eye to beginning a family while their fertility is still “optimal”.²⁹ While these new approaches to identifying a spouse appear bureaucratic and impersonal, in fact, many young people describe the excitement and romance of “courtship after

²⁹ Reflecting the relatively disadvantaged position of women, at the several mass matchmaking events I attended in Yogyakarta, there were at least one and a half times as many female participants as male.

marriage” and “dating” within the context of a religiously sanctioned union (Smith-Hefner 2005, Fillah 2009). Moreover, according at least to initial reports, these marriages by *ta’aruf* appear to be remarkably stable (Ardhianita and Andayani 2005, Wuryandari 2010).

2.6 Implications for Policymakers

What are some of the implications of these recent developments for policy makers? Very simply, these developments point to the importance of taking into account the gendered dimensions of religious and social changes taking place in Southeast Asia. Recent shifts build on existing gender arrangements as expressed through longstanding kinship patterns and family relations as highlighted by the comparison of Southeast Asian and Middle Eastern examples. The discussion points, moreover, to the importance of being mindful when looking at gender of critical intersectionalities not only with regard to religion and kinship, but also class, ethnicity, and the role of the state.

Cultural and political elements of change—particularly those related to the development of more normative forms of Islam—have posed a challenge to the status and position of Southeast Asian women. Some elements of long-standing tradition have been reconfigured or abandoned in the face of new religious understandings. However, social and economic factors—including most importantly women’s access to higher education and employment—have offered women new opportunities for self-expression and social mobility and hold the promise of increased gender equality in the future. In this process, it is likely that marriage will continue to be a barometer of important wider social and religious changes for some time to come.

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GENDER IDEOLOGY AND RELIGIOUS POWER POLITICS IN CONTEMPORARY INDONESIA

Siti Syamsiyatun

3.1 Introduction

Gender justice and ideology have become concepts, which shake the very foundations of our long standing practices of men-women power relations, and social relationship in many societies across the globe for many reasons, which may vary from place to place and from time to time. In Indonesia, known to be home to around 200 million Muslims, gender ideology and practices have been contested by many actors, from government, NGOs to religious leaders and lay people, partly because many have argued that gender is a foreign (i.e. Western) concept and therefore unsuitable for Indonesians and Muslims (Syamsiyatun 2007).

Apart from resisting the use of gender framework, as shown by a number of social groups, Indonesia as a state has actually developed a Constitution with a strong vision for justice and gender equality, and has officially ratified many legal instruments for the application of gender justice and equality, such as Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), Human Rights Law, Millennium Development Goals (MDGs), and gender mainstreaming. Despite such gender justice commitment, gender injustices and inequality are still found in many state laws, regulation and social practices: in

family issues, reproductive rights and health and religious institutions, which will serve as the backbone our analytical discussion.

The construction of social realities of men and women in Indonesia is undoubtedly influenced not only by formal public policy and laws enacted by the state through positive laws but also by other values, social, religious norms, customary laws up held by the communities. Many ideological forces and values are competing in public spheres to influence public debates encompassing common regulations that shape the social life of Indonesians. The women of Indonesia have taken part active roles in such public debates to voice women's concerns, experiences and expectations since the late colonial era. One celebrated example was they organized what became known as the momentous 1st Indonesian Women's Congress in December 1928. In the Congress, Indonesian women put the case of polygamy and marriage of minors on the table, together with women's rights for education and employment. Almost a hundred years later from the 1st Indonesian Women's Congress, the two issues of polygamy and marriage of minors are still considered hot issues today as we will show in the our discussion.

Why is it much more difficult to promote equal gender relations in marriage than those in education and employment? The objective is to establish linkages with the demands voiced by women in the first 1928 Congress, and assess women's achievements in education and public employment from then and now. However, little has changed in the issues of marriage and leadership of religious institutions.

Thus the present research looks closely at such complex, interconnected influences of religion, gender, and other significant identities in imagining and constructing common regulations and practices pertaining to marriage, reproductive rights and health and religious leadership for the citizens of Indonesia. Marriage—love and relationship of a husband and wife, of a man and woman, is not a matter of individual affairs—therefore is both a private and public affairs. Marriage is a public affair

because it is not only regulated by a national law, but also by religious institutions in which all parties involved are affiliated with. The state and religious institutions do take significant roles in regulating marriage affairs for Indonesian citizens.

In addition, issues of family planning with its core business of citizens' reproductive health and rights have been for many decades decided by the state and religious institutions, which are mostly represented by men. Since the early 1970s, the idea of family planning program has been associated with efforts of targeting young women to reduce the number of pregnancy and children. Young mothers were sought out and forced to apply contraceptive devices into their bodies without their informed consent, irrespective of possible impacts. Women's reproductive rights and health have been neglected within such a paradigm and approach. This article thus brings the issues of family planning into broader context as suggested by a number of gender activists and academicians participating in our Focused Group Discussions (FGDs), not only to enhance women's reproductive rights and health but also to sustain the Indonesian citizens' quality of life by connecting family planning program to social issues such as demographic features, public service, and sustainable livelihood.

Research on the implementation on gender policies related to family law and family planning will provide indications on how the Indonesian government and the society imagine and construct gender roles, gender equality and justice within the framework of Indonesia as a democratic country that respects local customs as well as religious ethics and teachings. For that reason, the research had four main objectives:

1. To explore public responses and assessment toward the relevance of state policies on family laws and family planning, as well as toward women leadership in religious institutions.
2. To develop new insights from fieldwork undertaken in different regions to propose changes toward more gender justice and equal

relationship for men and women to access, participate and benefit from government policy.

3. To provide a platform to discuss the research outcome and enhance interdisciplinary research.
4. To examine normative frameworks in the field of religion and gender with a view to making policy recommendations.

This article consists of four parts. The first part is devoted to introduce the background of the study, the theories employed to analyze the data, as well as the methods for data gathering and analysis. The second part addresses the questions about contemporary contesting agencies, interplay of various religious power politics over the debates of many passages and chapters of the Marriage Law No.1/1974. In the third part, pressing issues related to reproductive rights and health will be raised, which relates to the conception and perception of female-male body and national resilience. Part four highlights the debates in religious institutions on leadership and power, and how these two concepts have been understood and used by many agents to promote or restrict women leadership.

3.2 Theoretical Framework

Two main theories from social science and gender studies will be used to analyze the findings from three FGDs and document research. Charles Taylor (2003) argues that social imaginaries consist of social imaginations of allegedly good, suitable moral order of particular society, by which people of the community navigate and adapt their lives to fit those imaginations. Following Taylor's (2003) argument on social imaginaries, it can be inferred that the emergence of new social imaginaries within a particular society will accordingly trigger social changes or transformation in order to adopt and fit into that new social imagination of a good society. Such proposed changes are implemented through

the application of new laws and regulations, which require all citizens to adapt to the new changes. This is one of the structuralist theories concerning social changes. Indonesia as a state adopts such theories, as we shall see.

Social changes and transformation which have taken place in Indonesia are the result of widespread and approved social imagination about what constitutes good society, a good nation, a good people of Indonesian; and therefore every single state's resource would be directed toward facilitating and implementing such new social imagination. Social imaginaries of particular society or nation might be influenced by many factors: culture, religion, education, political, economic and others; and they might also address gender issues, economic, environment, political, security issues and more others. However, there have been large varieties on the ways how such social and gender transformation take place over time and places; toward which directions, and by what forces and which agency.

Current modern nation states in the world have adopted and developed different social imaginaries about their nationhood and citizenships; one nation exalted individual freedom while others consider communal harmony is more important than individual rights. Many nations imagine that democratic government is better than authoritarian one; while others believe in the contrary. Social imaginations also deal with gender issues, they influence the ways a society or a nation appropriating gender status and gender roles toward its fellow members and citizens, men and women. Thus, the present research is interested in investigating what social and gender imaginaries constructed by Indonesian people and government by examining the marriage and reproductive issues.

There are other social theories that might complement the basic element of social imaginaries to propose social changes and transformation; one of them is structural approach. Structural approach asserts that so-

cial change and transformation, including in marriage and reproductive rights and health, can be most effectively implemented by enacting and enforcing new structure, i.e. creating new norms, regulations, and laws. The United Nations, one of the largest formal, global organizations of states, for instance, have adopted structural approaches for proposing new direction for social and gender transformation that are by drafting new covenants, regulations, conventions abiding affecting all the member-states. Remarkable applications of such structural approaches for promoting social changes and gender role transformation can be seen in the mandatory ratification by all UN member-states on CEDAW, Beijing Platform for Action, MDGs. Such structural theory for social and gender role transformation stemmed from an assumption that social structures are real, hard facts, and determine the norms and behavior of all members of the respective societies (Parsons 1937). Social structures manifest clearly in the organizations, from family and kinships, marriage, neighborhood or villages, to selection of political leadership, from education and school to natural/economic resource management. Emile Durkheim, furthering the importance of social structure asserts that religion, the most sacred entity for most humans, is equal to society. Basically all religious or communal rituals and regulations are developed to maintain the identity and solidarity of the clan or society (see Durkheim in Pals, 2008).

However, these structural theories have been criticized by many scholars, notably those from the field in anthropology and gender studies. Gender studies developed steadily from feminist social movement into feminist scholarship and epistemology (Harding 1991). Parson's and Durkheim's theories had been developed within an androcentric world view, in which men's gender roles in society took precedence for determining all the norm and good life of society. But, who are the ones in the social structures? Are not social structures developed by individuals? Who are those individuals? Why those individual succeeded in mo-

bilizing and capitalizing their influences over others—the majority members of any given society? Most feminists argue that our modern knowledge and sciences have been heavily relied on and promote the experiences and logical judgment of male philosophers and scientists. What constituted true knowledge and science were actually constructed sociologically from debates, assessment, judgments, analysis of one-half of human beings and neglected the other half (see Firestone 1970, Haraway 1988 and Harding 1991).

Despite the many gender theories articulated by scholars, a very basic question about gender we can ask is how far do biological sexes (male-female) determine the ability of men and women to perform social roles in their lives? Janet Sayers in her book entitled *Biological Politics: Feminist and Anti-Feminist Perspectives* (1992) states that traditionally there are three streams of responses to such a question: two oppositional binary streams and one in between. At one end are those who believe in biological determination—that biological sex determines the nature, behavioral ability of men or women to do social tasks and roles later in their lives, while at the other end are people who believe that biological sex has nothing to do with the ability of a man or a woman to perform social roles. This group is convinced that men or women can do anything as far as their society permit them to do so and are allowed to practices them; in other words men and women's social roles and attributes, also known as gender role, are completely socially constructed. Most second wave feminists from the Liberal to Radical Feminisms support this stance (see Butler 1990). The third position lies in between these two extremes, which is called bio-social constructionism; nature and culture do influence and determine the appropriate roles of men and women in any given society.

3.3 Methodology

Data collection employs several methods: first is to study and examine relevant documents addressing relevant issues produced by the government, NGOs, scholars, common individuals distributed in various forms such as public laws and regulations, books, articles, research report, and official opinions. I have used interviews and FGDs to fetch more qualitative assessments and opinions from selected informants who are knowledgeable about the issues being the topic of research, such as government officers in religious affairs and family planning, scholars of gender studies and religious studies, gender activists, commissioners on women's rights, policymakers and policy analysts.

FGDs and interviews with relevant informants were conducted in Yogyakarta, Banjarmasin, Kalimantan Selatan and Mataram, Nusa Tenggara Barat. These cities are selected for several reasons, practical and programmatic, such as representing diverse localities of Indonesia, time management for collecting the data as well as the availability of respondents and fund. Yogyakarta is assumed to represent a miniature of Indonesia; where one can find almost every ethnic and religious group existing in Indonesia is present in the region. To avoid Yogyakarta-centrism we also did FGD and interviews with significant informants outside Java, namely in Banjarmasin and Mataram. Banjarmasin, the capital city of South Kalimantan is among the economically growing provinces and richest area. Ironically the region suffers low educational achievement and high rates of divorce and underage marriage. Mataram, the capital city of Nusa Tenggara Barat, experiences annual droughts and frequent social conflicts, making it among the poorest regions in Indonesia. It also suffers high rates of divorce and polygamy.

Empirical analysis will be used as a tool to bridge the theoretical discussion and the embodiment of the policies in its public existence. As a practical consideration, because all researchers reside in Yogyakarta, it

is only natural that we conduct research and obtain the majority of data from our habitual area of work.

3.4 Religious Power Politics over Debates of Marriage

The Marriage Law can be seen as a mirror reflecting the contestation of various agents in imagining and defining marriage and family life. Many different groups in Indonesia from men, women, activists, politicians, religious, secular, young and elders have utilized various power politics to influence and win the support from people to defend, amend and abandon the Marriage Law. Arguments developed from the corpus of religious sacred texts are proposed to counter ones that are based on secular human rights; desires to keep social and communal harmony are being challenged by proposals to protect individual rights. Religious communities with all their specific imaginations and values are trying to protect the sanctity of marriage from the storms of secular views. Such contestations of arguments can be seen and analyzed from the following findings.

There have been divergent practices of marriage in Indonesia prior to the enactment of the Marriage Law No.1/1974; some have been argued to be based on religious teachings adhered by Indonesians, while others on the foundation of customary laws. Most Muslims conduct their marriages in accordance to the classical *fiqh* (jurisprudence) that came down to them facilitated by community elders or religious leaders, known to be *Pak Kaum* or *Kyai* in Yogyakarta area. Administrative aspects of such marriage were kept simple, as the classical *fiqh* stipulates that a marriage is valid when it fulfills minimum requirements, namely the existence of a bride and groom, guardian of the bride, two witnesses, *mahar* (dowry from the groom), and the sacred vow or *ijab-qabul*.

All religions and community customs have envisioned marriage and its purposes with high regard and respect, and therefore have developed specific teachings to address the issues, and created solemn rituals in

order to officiate such sacred events. Due to their various courses of history of all religious communities and customs, marriage has been used for many purposes to serve ever-growing interests, which might not be in accordance to the norms of religions. Thus, we have seen and read narrations in which marriages were done to pay huge financial debt, to elevate social standing, to build political alliances, to secure economic resources, and so on.

A celebrated woman from a local royal family in Java, Raden Ajeng Kartini, in 19th century CE wrote many letters in which she expressed her apprehensions over the practices of marriages among Javanese Muslims. She was deeply saddened by her own father's polygamous marriage, and also her inability to avoid such fate to herself because she also participated in such polygamous marriage of her own husband, until the end. Polygamy then was quite widespread across the archipelago and widely practiced by many ethnic groups, tribes and religious communities. In other words, Muslim men were not the only group practicing polygamy in the archipelago. However, due to the limited scope, I will address mainly polygamy among Muslim communities.

For the most part of the 20th century, Muslim men did not consult their first wife when they took a second, third or fourth wife. Many women only became aware that they had co-wives when their husbands came home bringing other women. Often times, other women know of their husband's new wives from others, many only found out on the day of their husbands' death when other women claiming to be the wives of their late husband came to them. Many social problems and conflicts have arisen caused by such practices of marriage, partly because for Indonesians', marriage is considered to be familial or a communal event.

Considering the negative social and psychological effects of polygamous marriages experiences by women and their families, it is no doubt if regulating polygamy became one of the demands strongly voiced in the 1st Indonesian Women's Congress in December 1928. Fur-

thermore, the Parliament also demanded that marriage shall be regulated, because there had also been forced marriages for young girls. It was a common practice among people during the early 20th century Indonesia to marry off their girls as soon as they reach the age of nine to twelve. To many women activists participating in the Congress, such custom was not in the best interest of the girls, as they were not mature enough to assume high responsibility of wifhood and motherhood, while also hindering them from receiving higher education or possible employment (Blackburn 2007).

Demanded publicly by Indonesian women from as early as 1928, the National Law on Marriage was only enacted in 1974, during the early term of President Suharto. It took more than four decades to conclude a Law regulating marriage. Many women groups welcomed the Law because finally marriage was regulated, among the most important of which are prohibition of child marriage, polygamy by consent, and that all marriages shall be registered. A number of women's organizations perceived the Marriage Law as one important step to protect young women from forced marriage in early age, and protect them from illegal polygamy by their husbands. The Marriage Law also provides legal status and protection for them and their descendants. Yet, others see it from different perspectives; Kathryn Robinson argued that the Marriage Law was enacted in 1974 with a purpose of increasing the marital age of Indonesians in order to reduce the population growth, and make the family planning program announced by the President a successful one (see Kathryn in Hooker and Saikal 2004 and Kathryn 2009).

Other scholars consider the Marriage Law is only a legal instrument to stop interreligious marriages among Indonesians. Inter-religious marriages were not seen as ideal models by most religious groups in Indonesia, although the degree of its discouragement varies. Interreligious marriage is thought to have influenced the statistical figures of followers of religions, which in many ways reflect the allocation of State resources.

These arguments were raised by the scholars participating in the FDG in Yogyakarta because the Law was announced only a few years after the massive conversions of Muslims into Christianity following the bloody coup allegedly provoked by the Indonesian Communist Party and the military. Yet others consider the Marriage Law as a legal guardian for maintaining Indonesian marriage and family from being secularized.

After about four decades in place (1974-2015), the Marriage Law has become one of heated public debates at the turn of the millennium. The Marriage Law, conceptualized during the early President Suharto's era, is now seen by many groups as outdated, and need revisions because it is no longer suitable to contemporary situations of Indonesian women, men, and their current imaginations of family. On the other hand, there are also groups who see the Marriage Law like a dam whereby Indonesian, particularly Islamic values on marriage and family are protected. Our next discussion outlines such debates based on our FGDs in three regions in Indonesia, Yogyakarta, Banjarmasin and Mataram, as well as articles written in some journals and local newspapers.

3.5 The Gender Unfriendly Marriage Law

The Marriage Law might also indicate the course of Indonesian women's struggle for equality. After succeeding in making all marriages registered, enforcing age limit for boys and girls entering marriage as well as regulating polygamy, many women expect that the spirit for progress exhibited by the Law shall continue. Similar to the character of other Laws, many people, mostly women activists and progressive religious groups see the Marriage Law as lagging behind current social circumstances

When it was enacted in 1974, the Law granted several women's demands such as registration of marriage, reducing the marriage of minor, regulating polygamy; but after some forty years in place, it has once

again failed to catch up with the current situations of Indonesian citizens. For the past ten years, the Marriage Law has been condemned as not being responsive to gender equality in everyday practices by most Indonesian societies. Several chapters of the Law are criticized as being gender biased and against religious freedom by various groups in Indonesian societies such as women's organizations, health organizations, law institutions, some religious leaders, and activists—an example of which being the possibility for Muslim men to have more than one wife under certain conditions. However, the conditions stipulated are all serving the best interests of men rather than of the whole family members, if at all women and children. The Marriage Law is clearly in favor of men's interests.³⁰

Most of our gender activist respondents in three FGDs expressed their concerns about the necessity of revising many chapters in the Marriage Law to accord to the current situations of Indonesian people.³¹ In line with the critics of the activist, Yayasan Kesehatan Perempuan (Women's Health Foundation) argues that the Marriage Law need revisions as it no longer in harmony with other laws, and does not suit the current situation of Indonesian life of men and women. The Yayasan challenges the Marriage Law on the arguments that the Law violates the 2002 Child Protection Law, the 2009 Health Law and several other laws. This is because the Marriage Law allows girls to marry at the age of 16, whereas the 2002 Child Protection Law requires the marital age for girls must be at least 18. In other words the Marriage Law contradicts other laws, and if it allows girls to marry at the age of 16 it is considered underage marriage and unlawful under the 2002 Child Protection Law.

³⁰ Irawaty Wardany, "Marriage law considered as legalizing polygamy." In *Jakarta Post* (December 22, 2008). See <http://www.thejakartapost.com/news/2008/12/22/marriage-law-considered-legalizing-polygamy.html>. Accessed on October 10, 2014.

³¹ Transcripts of FGDs in Yogyakarta, Banjarmasin and Mataram.

There are 22,000 cases of girls who were married at the age between 10 and 14 constitutes 0.2% of population, and cases of married females aged between 15 and 19 are 11.7%. According to the Yayasan, early marriage endangers the health of teen mothers and their babies such as causing miscarriages, premature births, low-weight births.³²

In our FGDs in three regions, Yogyakarta, Banjarmasin and Lombok, we also found similar criticism, that the Marriage Law is gender unfriendly. The Law provides opportunities for men to exercise power abuse over young or underage girls, and over women suffering infertility. A number respondents also questions further that in addition to allow child marriage, there is also a mechanism to even allow marriage under 16 for girls can take place, that is by a request of dispensation. Even worse, there is no stipulation whatsoever to punish people involved in the violation of the Law; for instance a father marrying off his underage daughter, forced her daughter to a man she refused to; a father marrying off his daughter without being recorded in the State registry; a husband taking another wife without a consent from his first wife, and so on.³³

However, during our FGDs, particularly in Banjarmasin and Mataram, we also found significant number of vehement defenders of the Law. Many religious leaders—men and (few) women—in Banjarmasin are against the revision of the Law. Most of them are in favor of defending Law, especially in age limit and in the permissibility of polygamy. They developed their arguments on the basis that classical Islamic *fiqh* (most of which codified during the 10th-12th centuries in the land of what is known to be the Middle East region), does not require minimum age. Another argument proposed is that the state shall not enforce the age limit on the expectation of avoiding unlawful sexual intercourse of girls

³² “NGO files judicial review against marriage law.” In *Jakarta Post* (5 Mar. 2014). See: <http://www.thejakartapost.com/news/2014/03/05/ngo-files-judicial-review-against-marriage-law.html>. Accessed October 10, 2014.

³³ Identified respondents in FGDs.

and boys. According to them, polygamy is part of Islamic teaching, so eliminating polygamy from the Marriage Law will erase the trace of Islam. The last two arguments were instantly confronted by many activists and academicians participating in the FGDs as to “undermine the meaning and purposes of marriage” to the degree of sexual intercourse legitimation, and disrespect the institution of marriage as *mithaqan ghal-idha* (strong bond) and as to impress that *hawa nafsu* (lust) could be unleashed anytime, particularly by men.³⁴

The three locations in which the FGDs were conducted have their specific and interesting sociological and economical features that we try to relate to the debates over gender issues in the Marriage Law. The Yogyakarta city has shown its own paradoxes. Sociologically speaking, while the city has enjoyed widespread higher education and scholarship exposure, and its inhabitants are among the happiest people in Indonesia, despite their low income; it remains the poorest in Indonesia. Banjarmasin is the capital city of South Kalimantan, which is among the five richest regions in Indonesia. However, the level of education is among the lowest in Indonesia, and with the highest rates of early marriages and divorce. Mataram is the capital city of Nusa Tenggara Barat, with a higher rate of poverty as well as divorce and polygamy.

3.6 Religiously Biased Marriage Law

In the three FGDs, few participants raised the question about the state’s policy on making marriages sanctioned by religion. Most expressed no objection that marriage shall be in accordance with religious teachings of the couple. The problems raised relate mostly to the administrative support of religion and to inter-religious marriages. This is because so far the state only facilitates marriages in accordance to the six largest religions followed by Indonesians, namely: Islam, Christiani-

³⁴ Transcript of identified respondents in FGDs.

ty/Protestantism, Catholicism, Hinduism, Buddhism, and Confucianism.³⁵ Thus, questions arose on how marriages are being solemnized in accordance with local religious practices, or those outside the six mainstream religions? How shall such marriages be registered? Other FGDs respondents criticized the Law for making inter-religious marriage impossible, administratively speaking. The Law is in favor and only encourages same-religion marriages.³⁶

Criticisms about the bias religious stance of the Marriage Law are also expressed by a number of people through mass media. Albertus Andhika, in his article, appeals that the Law should be fair for every citizen, and religiously unbiased. Couples with different religions have faced enough obstacles, tensions, and problems from their families and religious communities. Therefore, the state should respect the couples' choice of marrying people of other religions. The Marriage Law should thus be neutral and be directed to help people when religious institutions fail to do so. The author argues that that interfaith marriage should be accessible to all Indonesians:

“Fairness and equality do not encompass forcing people to convert in order to marry the people they love. Allowing inter-faith marriages does not mean that marriage and culture in Indonesia will not have a religious underpinning. In fact, allowing everyone to stay true to their beliefs, even when marrying people of different religions, will only strengthen their faith.”³⁷

³⁵ The six religions are the ones stated in the Blasphemy Law No.1/PNPS/1965 (Editor).

³⁶ Transcript of identified FGD respondents.

³⁷ “Marriage Law under scrutiny”. In *Jakarta Post* (September 5, 2014). <http://www.thejakartapost.com/news/2014/09/05/marriage-law-under-scrutiny.html> (October 10, 2014). Albertus Andhika, “Bhinneka sans Ika: Time to review the Marriage Law.” In *Jakarta Post* (September 28, 2014).

The Marriage Law was recently challenged again by five students of the University of Indonesia's Law School. They argued that this Law contradicts Article 28e of the 1945 Constitution, which guarantees "the liberty of every citizen to choose and practice one's religion". According to the students' appeals, interfaith marriage has faced a lot of obstacles and stigma from families and community. In response to the request of the five students, a Court Justice Arief Hidayat reminded the petitioners that Indonesian people tends to be more religious than secular in their thinking, including in the way they perceive marriage covenants; and that if the Law was revoked, all marriages in Indonesia would lack sacred grounds. He challenged the students back by saying, "Do you want the state to interpret marriage merely as a civil agreement between a man and a woman?"³⁸ Commenting on the question of the Court Justice, a participant in the FGD in Yogyakarta said that in her opinion what the Justice called "sacred grounds" is just a modern phenomenon, because long before world religions were created and spread throughout the world, including Indonesia, marriage had already existed and practiced from generation to generation, whether or not they had been sanctioned it with religion or secular agreement.³⁹

Other authors posed more radical demands that the Marriage Law be eliminated since it fails to reflect the reality of Indonesian society, which is heterogeneous and multicultural; apart from the fact that it violates individual freedom of belief, which is guaranteed by the 1945 Constitution. The author shows that the Law leads to at least two problems. First, since the marriage law requires that a legal marriage must be conducted according to religious law or teaching while not all religions are recognized in Indonesia, such a Law will exclude or illegalize marriages of

<http://www.thejakartapost.com/news/2014/09/28/bhinneka-sans-ika-time-review-marriage-law.html>. Accessed on October 10, 2014.

³⁸ Ibid.

³⁹ Transcript of identified participants of FGD in Yogyakarta.

three groups of people: those who do not profess any religion, those who embrace a religion not recognized by the state, and couples who follow different religions. Second, the Marriage Law violates individual freedom of belief because it forces the person to conform to a religious institution; whereas in fact faith is a personal and voluntary matter. Thus, the Marriage Law itself is highly problematic.⁴⁰

The request for the judicial review of the 1974 Marriage Law quickly prompted different responses from religious leaders. For example, Nahdlatul Ulama Executive Council Chair, Slamet Effendi Yusuf and the Minister of Religious Affairs Lukman Hakim Saifuddin objected the revision of the Marriage Law. For them religion is an integral part of marriage and they appealed to the linkages between state and religion in Indonesia as the main basis of their argument. Many religious leaders attending the FGD also shared the sentiments, that the Law does not need revision, including on matters being contested by gender and children rights activists on increasing age limit, polygamy, interreligious marriage and several other issues. In contrast, Jeirry Sumampow from the Indonesian Communion of Churches (PGI) supported the review of the Law to end the state's control over marriages. He said, "Let religious leaders decide whether to accept or prohibit interfaith marriages. The state must stop interfering on this issue." He stated that religious institutions such as the PGI have tried its best to assist its congregation on the marriage issue. Therefore, the problem lies in the Law.⁴¹

⁴⁰Joeni Arianto Kurniawan, "Religious law and the problematic marriage law." In *Jakarta Post* (September 26, 2014). <http://www.thejakartapost.com/news/2014/09/26/religious-law-and-problematic-marriage-law.html>. Accessed on October 10, 2014.

⁴¹Yuliasri Perdani, "Muslim leaders oppose interfaith unions." In *Jakarta Post* (September 6, 2014). <http://www.thejakartapost.com/news/2014/09/06/muslim-leaders-oppose-interfaith-unions.html>. Accessed on October 10, 2014.

3.7 From Controlling to Respecting Women's Self and Body

People's attitude and responses over reproductive health and rights debates have strong connection to their imagination and view of women's self and body. Such views can also be identified in their responses over marital issues discussed above. Most male FDG participants representing religious groups in Indonesia showed conservative view over reproductive rights and health. Many male participants seemed to consider women's self and body a function of men's existence. In contrast, women activists and academicians in general offered wider horizons and perspectives in looking at reproductive rights and health; most notably from family welfare, sustainable development of the countries as well as women's wellbeing.

Discussions on reproductive rights and health in terms of gender ideology and relations are new in Indonesia. Prior to 2000, most conversation on reproductive issues was developed within the corridor of family planning program. As argued previously, the family planning program was mostly targeting women's body, reproductive organs and capacity to reduce the number of pregnancy by applying contraceptive devices. As such was found in the FGDs in Banjarmasin and Mataram; only participants in Yogyakarta posed critical questions linking reproductive issues with women's human rights and violence. All the popular contraceptive tools mentioned by respondents as widely used by their community are the hormonal ones (pills, implants and injections) and Intra-Uterine Device (IUD); condom and vasectomy are the least used.⁴²

The findings in the FGDs are in line with an article examining the village family planning program during the Suharto's regime with the focus on program volunteers. Using data collected in West Java, Central Java and Yogyakarta from 1997 to 1999, the study shows that village

⁴²Transcript of identified participants of FGD Yogyakarta.

family planning volunteers played a significant role in the success of family planning in Indonesia. For example, before 1960s, the average number of children of each family was six, but it is two or three today. More than two-thirds of all Indonesian couples have used contraceptive methods, of which female methods (55.2%), condom use (0.9%) and male sterilization (0.40%). This result can be said to be the outcome of the family planning program during the Suharto's regime, in which the volunteers especially women (mostly, teachers and wives of government officials) sacrificially labored to promote such a program. However, the above statistics also shows that this program was problematic in a sense that it viewed family planning as women's main responsibility and that such volunteer work was taken for granted or carried out without compensation. Since the family planning program was decentralized in 2004, workers in this field moved to paid areas. Hence, this has left village family planning volunteers with lack of support and resources.⁴³

From the above information, one might infer that most people consider reproductive issues as women's issues and about reducing the rate of pregnancies. Women are the ones who can be pregnant, therefore reproductive issues are women's issues; and men would not need to take part. Few religious organizations as well as women's movements have been contributing in making the family program a national success for some decades. The rhetoric, argumentation and narratives developed by these organizations however are different. Among the most popular arguments posed by Muslim organizations have been to prepare better future generations by limiting the quantity of children, but promoting the quality. However, again, it is only women who are addressed and been

⁴³Iwu Dwisetyani Utomo, Syahmida S. Arsyad and Eddy Nurul Hasmi, "Village Family Planning Volunteers in Indonesia: Their Role in the Family Planning." In *Reproductive Health Matters* 14(27), Human Resources for Sexual and Reproductive Health Care (May2006): 73-82.

given responsibility to the extent that men seem to have nothing to do with reproductive issues. Komnas Perempuan (National Commission on Women) is among the few organizations, which have played an active role in boosting the legal mechanism to deal with gender violence with respect to reproductive issues.

Komnas Perempuan's studies on family planning show that religion has been interfering and controlling the regulations on reproductive health and family planning in Indonesia. The problem with this mechanism, as reflected in a number of articles, is that such regulations will divide societies into the justified and the transgressed, while including some groups and excluding others. For example, contraceptive methods and abortion are married people's privilege while these services are inaccessible to single women because premarital sex is not allowed according to religious values. Since reproductive health has much to do with women's physical health rather than men's, women are the ones who suffer the most under such regulations.⁴⁴ Such regulations end up protecting religious values rather than protect the wellbeing of human beings. Perhaps this is and will be the tension in Indonesian politics and managing needs of Indonesian society.

To spread the awareness of sexual violence against women Komnas Perempuan has organized campaigns to eliminate sexual violence using musical performances as a means to convey the message in 16 schools/campuses in 10 cities in Banten and Sumatra. Before this, Komnas Perempuan already held a similar campaign in 12 cities in Java and Bali. Komnas Perempuan noted that 35 women are victims of sexual

⁴⁴Asmaul Khusnaeny, "Workshop on "Enforcing the Law through the Implementation of an Integrated Criminal Justice System on the Handling of Cases of Violence against Women" in Semarang." In *News Komnas Perempuan* (June 13, 2014 edition). See <http://www.komnasperempuan.or.id/en/wp-content/uploads/2014/09/BERITA-KP-EDISI-13-VERSI-INGGRIS-9SEPT14.pdf>. (Accessed on October 07, 2014).

violence everyday.⁴⁵ The Komnas Perempuan has facilitated a dialog with Ministries and State institution as well as civil society organizations on violence against women of diverse sexual orientations, gender identity and gender expression on April 30, 2014. This dialog involved several figures such as Director General of the Ministry of Law and Human Rights and Director of Bina Kesehatan Ibu from the Ministry of Health. In response, the Ministries saw this matter as novel and claimed that they had not received any complaints before. The Ministry of Law and Human Rights noted the importance of the issue, and suggested that this group be included in the category of minorities together with women, children and people with disabilities.⁴⁶

Furthermore, Komnas Perempuan sent a letter requesting that the Indonesian Ministry of Health to provide free Deoxyribo Nucleic Acid (DNA) testing service for victims of violence or rape. In response to the Komnas Perempuan letter, the Director General of Bina Upaya Kesehatan (Guiding Health Efforts) on February 12, 2014, confirmed the support of the Indonesian Ministry of Health for this issue through letter No. UK 02.25/VI/0746/2014 that hospitals throughout Indonesian will have the responsibility to facilitate DNA examination for victims of violence or rape.⁴⁷

One crucial issue being discussed on reproductive rights and health is abortion. Whether abortion is allowed and under what conditions it is allowed are subjects of public debates, especially among religious groups. Muslim classical *fiqh* has addressed abortion issues in much modest way than do the Catholic churches. Religion plays an important

⁴⁵Siti Maesaroh, "Campaign on Sexual Violence in 10 Cities (Banten-Sumatra)." In *News Komnas Perempuan* (June 13, 2014 edition).

⁴⁶Yulia Dwi Andriyanti, "Dialog with Ministries and State Institutions on Violence against Women of Diverse Sexual Orientation, Gender Identity and Gender Expression (SOGIEB)." In *News Komnas Perempuan* (June 13, 2014 edition).

⁴⁷"Legal Breakthroughs." In *News Komnas Perempuan* (June 13, 2014), 12.

role in their attitude toward abortion and religion is also the main factor that interferes the government policy on abortion. Health care providers respond to the issue differently. Generally they consider abortion as a sin, but most are tolerant to abortion if it is done before 120 days of pregnancy due to the Muslim teaching. Menstrual regulation seems to be the most accepted way of abortion. Some are willing to perform abortion for the reasons of family planning failure, and economic difficulty. In 1991, the bill on abortion could not be passed due to resistance from the religious circle. For example, the Archbishop of Jakarta proclaimed the penalty of excommunication for any member who practices abortion. The *ulama* also declared objection toward any kind of abortion except for the case to save the mother. Again, religion sets the limit to reproductive rights for women (see Djohan et al. 1993).

Another article by Iwu Dwisetyani analyzes how the government fails to deal with adolescent reproductive health in Indonesia at the level of policy. The study shows that the present policy, as a contest between international values, Indonesian traditional values and Islamic fundamentalism, has put adolescent reproductive health at risk. For example, the Law No.10/1992 restricts family planning services for single young people. Law No.23/1992 in fact illegalizes abortion. As a result, young single pregnant women have to suffer the stigma from religious community, family and society and often resort to unsafe abortion services (p.140). The article contains good data on premarital sex and abortion in Indonesia. According to the WHO statistics, Indonesia has 2.3 million abortions each year and studies also show that the rate of premarital sex is high in some places such as Medan (50% in 2001), Manado (26% in 1992). Another problem is that reproductive education is not incorporated into compulsory education at schools. It is critical that the Indone-

sian government should deal with this problem honestly instead of ignoring or suppressing it.⁴⁸

3.8 Women Leadership in Religious Institutions

For centuries, most formal leadership of religious institutions has been in the hands of men. Such practices allegedly came directly from religious teachings, which are also supported by longstanding tradition in many communities. Religion and local customs intertwine, and strengthen each other in making patriarchy unchallenged. Social movements on human rights and feminisms give paths women and men to question this centuries-age practice of men leadership in religious communities.

Most participants of our FGDs recognized that formal leadership in most religious institutions in Indonesia is heavily male dominated. However, the everyday activities of all religious groups are run, managed, and attended mostly by women. Within Muslim communities, for instance, all local learning religion groups (known locally as *pengajian*), microeconomic trainings, elders' gatherings, early childhood and other similar social activities are run by women. In this sense, Muslim women exercise their informal power to influence the everyday practices of being religious citizens. A Catholic scholar noted that within Muslim communities the formal religious doctrine preached by male *ulama* are usually gender biased and discriminating against women, but in practice, Muslim women are powerful in influencing the society. The situation in the Catholic community is quite the opposite; the Catholic doctrines seem to be more women friendly, while in everyday life, there is less room for women participation and control. So the two religious commu-

⁴⁸ Utomo, Iwu Dwisetyani and McDonald, Peter. "Adolescent Reproductive Health in Indonesia: Contested Values and Policy Inaction." In *Studies in Family Planning* 40(2) June 2009: 133-146.

nities can learn and support each other to achieve gender friendly doctrines and practices.⁴⁹

Muslim women participants in the FGDs also question whether or not leadership is actually segmented and not universal; that means men might excel and lead in some areas of life and women also have better capacities in other areas hence become the leaders. Muslim men mostly see leadership in terms of formal organizational structures within the public sphere, for example in leading communal prayers and feasts, structures in religious institutions, preaching in mosques and mass gatherings, etc. Few women demand access to those posts usually occupied by men. However, more women express that they do not necessarily need those posts to be able to contribute and influence the family and community. What is most important for them is that their ideas or demand are fulfilled regardless of their positions in the formal structures of the organizations.⁵⁰

3.9 Concluding Remarks

Our exploration of public responses and assessment toward state policies on marriage and reproductive rights and issues has unearthed a variety of responses. In general, their responses are influenced by their imagination and definition of being a good family, good citizen, good man and woman. Clearly, emergent pros and contras groups toward the revision of the Marriage Law arose: Those in favor of the revision of the Marriage Law argued that the Law is outdated, and is no longer in line with the actual condition of the Indonesia that is democratic, multicultural and multi-religious. It also violates the 1945 Constitutions and many other laws such as the Laws on Child Protection and Health as well as the CEDAW. Those groups who are defending the Marriage

⁴⁹Identified Catholic scholar from among the FGD participants.

⁵⁰Transcripts of identified participants in FGDs.

Law developed their argumentation to maintain the sacred nature of marriage institutions as prescribed by most living religions in Indonesia.

In addition, what has been put in the Marriage Law is derived from the Islamic *fiqh*, and therefore needs no revision. The normative approach taken by the group defending the *status quo* needs further examination to trace how such construction of knowledge are planted in the minds of Indonesian people.

FGDs in each of the three different cities have left a peculiar mark, which could be used to distinguish the popular views as well as to promote lessons learned. Participants of FGD in Yogyakarta posed more critical questions in almost all issues being discussed, whereas many participants in Banjarmasin and Mataram seem to prefer maintaining the Laws and practices in marriage, reproductive rights and health. The discursive arguments using religious language and symbols are quite apparent. The three FGDs and national workshop have indeed become a platform for discussing the results of the research and enhance interdisciplinary research as participants came from different fields of study and expertise.

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RELIGION, WOMEN AND PUBLIC POLICY

Modern Social Imaginaries about Women in Indonesia

Bernard Adeney-Risakotta

4.1 Religion, Public Policy and Women

How does religion affect public policy that regulates relations between men and women in Indonesia? After declaring independence in 1945, Indonesia's Constitution guaranteed equality before the law to all citizens, male and female. Indonesia includes the largest Muslim population in the world and has one of the most vigorous movements for gender justice, with women's study centers spread all over the country. There are hundreds of women's advocacy groups (NGOs), which spread from the national level out to every province in the country. As a result of their lobbying, the national legislature passed an affirmative action law, requiring all political parties to nominate women as at least one third of their candidates for political office.

In 1984, Indonesia legally ratified the international Convention to Eliminate All Kinds of Discrimination against Women (Law No.7/1984 CEDAW). Strong women leaders are prominent in modern life and Megawati was elected the first woman President in 2001. In 2001, the government Ministry for the Empowerment of Women announced a national, "Zero Tolerance Policy" to completely eliminate violence

against women. In turn, the Department of Religion appointed a team of Islamic law experts to review Islamic law and remove aspects, which may contribute to violence against women. In 2004, Indonesia passed a strong law to eliminate domestic violence and protect women (Law 23/2004 PKDRT). The civil code of Indonesian law favors gender equality.

From one perspective, Indonesia is one of the most sexually egalitarian countries in the world. However Indonesia is also a patriarchal society in which there are many laws and customs, which discriminate against women. How can Indonesia be so egalitarian and “feminist”, while also being so patriarchal? What is the role of religion, custom, law and social imaginaries in forming this complex society?

Indonesia has extremely diverse legal traditions, which allow for different practices among different groups in accordance with their context, history, culture, religion and beliefs. Ever since Independence in 1945, the state has worked to both incorporate cultural and religious values into national law and gradually build one overall legal system based on the Constitution of Indonesia. However legal pluralism is an integral part of Indonesian law.

Indonesian law is diverse in content, pluralistic in terms of the institutions of law enforcement and multifaceted in its variety of legal cultures. The main sources of legal authority in Indonesia are traditional law (*adat*), Islamic law (*shari’a/fiqh*) and modern, national law. This chapter considers the interaction between *adat*, Islam and “modern” ideas in shaping multivalent social imaginaries of women in Indonesia. In conclusion, I will summarize the ways religions, social imaginaries and public policy interact with each other with profound effects on how Indonesia manages the relationships between men and women.

4.2 *Adat* and Religion in Indonesian Legal Discourse

How does Indonesian law treat women? The answer is not simple. Indonesia has multiple, complex, overlapping legal systems which interpenetrate, complement, influence and compete with each other. The three main systems of legal discourse are *adat* law, Islamic law and modern state law. These three systems of discourse are not conceived of as contradictory legal institutions made up of fixed laws, which compete for authority. Rather they are complementary legal discourses. Indonesian state law seeks to incorporate religious and traditional law. Islamic law is modified by incorporation of *adat* and of modern legal principles, and *adat* both strives to adjust to modern legal conditions and to Islamic or other religious law.

Of course there are conflicts and contradictions between the three systems. There are also conflicts and contradictions within each of the three systems: between different *adat* systems, different Islamic interpretations and different modern legal approaches. All three have their own judicial structures for enforcing and implementing the law within their domain. The three traditions of legal discourse are seen as three branches that coexist within one legal system.⁵¹ Both *adat* and religious law have a sacred character based on cosmic, supernatural and divine references. In contrast state law is viewed as a purely human creation, including many elements taken from colonial Dutch jurisprudence. In the eyes of many Indonesians, *adat* and Islamic law have much greater authority than state law. The state often appeals to religious and *adat* law to legitimize national law.

Adat laws vary widely from ethnic group to ethnic group. For example inheritance laws in Batak and Bali are patrilineal. Minangkabau and

⁵¹ The complexity, diversity and pluralism of Indonesian law, especially as it relates to religion, public policy and gender has been explored in detail in: Irianto (ed) 2008; Feener 2007; Feener & Cammack (ed) 2007; Bowen 2003, 1993, 2001; Hooker 2003, Lukito 1997, 2013, and Minhaji 2008.

Kerinci are matrilineal, while Javanese and Dayaks are bilateral. Even within a single ethnic region, there may be different *adat* systems. For example, Riau includes both patrilineal and matrilineal traditions of inheritance law. This adds a further complexity to courtship, since young people from different villages need to know if their prospective spouse is from a village that practices matrilineal or patrilineal inheritance! Which law applies may be determined by where they live. For example, a penniless lad from a patrilineal village may find it advantageous to marry a lass and live with her family in a matrilineal village.

Within a single tradition, there are differences of interpretation of *adat*. In the application of law among the Toba Batak, the older *adat* leaders sometimes differ with younger leaders. Young people are more open to changing *adat* law in response to new social, economic and political conditions (Soehendra in Irianto 2008, 74). Often there is a gap between law and the practices of people. For example, in communities ruled by Islamic inheritance law—men receive double the inheritance of women—, some families give gifts to their daughters before death, so that the inheritance is equal for sons and daughters. Religious law overlaps with *adat* because they interpenetrate each other. *Adat* laws are passed down from the ancestors but are in continual dialog with the dominant religious traditions followed by the group. Central Moluccan *adat* (*agama Ambon*) has Christian and Islamic streams, depending on which religion a village follows. Christian or Muslim rules are part of *adat* law. Conversely, *adat* influences the understanding and practice of Muslim or Christian teaching. Islamic religious law (*fiqh*) has special legal status in Indonesia because it is the de facto law governing family relations for all Muslims. Islamic law may also be inserted into the civil code (for example regarding *Shari'a* banking), but for family law all Muslims have a right to be judged by Islamic law. In marriage and divorce Muslims must use Islamic institutions, whereas in other areas they may appeal either to religious courts or to civil courts. Non-Muslims

(13-15%) are only governed by civil courts. In theory, all law is subject to the Constitution and subservient to the national civil court system. A symbol of this is that both religious courts and civil courts are under one Supreme Court, so that matters decided in either religious or civil courts can be appealed to the Supreme Court.

In reality, many civil courts serve as *de facto* *adat* courts and/or religious courts, since at the local level, *adat* or religious law may be much more powerful and authoritative than national law. The civil courts often appeal to *adat* and *fiqh* to justify their rulings (Bowen 2003, cf. Minhaji 2008). Even though *adat* courts do not have legal standing in national law, the actual resolution of local disputes is often through the judgments of *adat* and/or religious leaders (*tokoh-tokoh adat dan agama*), who operate outside the court system.

Legal diversity runs against the grain of modern Western concepts of law, which "...regards law as an autonomous, uniform, exclusive, and systematic hierarchical ordering of normative propositions" (Lukito 2013: 3, cf. Galanterin Woodman and Allot 1985). The ideal of modern Western law is consistent, universal application of the same laws to all persons without regard to their ethnic, religious, sexual, racial, cultural, social, political or economic identity. Law is oriented to human rights and based on the imagination of the law as a clear, universal boundary between what an individual may or may not do legally. If you step over the line and do something that is illegal, there are clear punishments. However, Indonesian law rests on overlapping, ideally complementary, legal traditions of discourse. Law is not considered black and white, but rather a tradition of discourse for solving disputes and seeking harmony for the whole community. It is local and contextual, rather than universal. Rights of individuals are often compromised in favor of the common good. This is partly the reason why religious militias sometimes break the law with impunity in attacking nightclubs and brothels. The civil law against using violence is only one of several traditions of legal dis-

course. Religion also has a legal discourse forbidding some of the practices of these places, so the police may not dare act for fear of protecting criminals against religious law. Religion and public policy are not separate, but rather part of a discourse, which is sometimes carried out with threats of violence. In an extremely diverse country, negotiation, compromise and avoidance of violence for the whole community is often considered a higher priority than protecting the rights of an individual or minority group (see Adeney-Risakotta in Sterkenset. al. 2009).

The rights of women before the law are no exception. Since there are multiple sources of law, multiple legal institutions and multiple cultures to consult in making decisions, the actual impact of public policy on women is deeply influenced by the social imaginaries of women in society. This includes social imaginaries of women about themselves, social imaginaries of men about women and social imaginaries about women in the broader society. For example, in Banjarmasin we talked with a Muslim judge who appeared very committed to decreasing the high number of child marriages in South Kalimantan. Marriages of girls under the age of 16 are illegal but common and can be permitted if a judge agrees. This judge would normally refuse to marry girls under 16. However families often appealed to him by confiding that the girl was already pregnant, often from a much older man. Rather than prosecute the man for statutory rape, the judge would permit the child marriage for the sake of the family's honor and communal harmony.

Since judges can appeal to different legal discourses, their decisions may be based on their own conscience in how they frame the evidence. Bowen suggests that in the Gayo highlands of Aceh, *adat* law may appear to be more egalitarian than Islamic law. However the great majority of decisions in the cases brought to the religious courts favor women, often overturning civil court decisions that were based on *adat*. Bowen writes, Islamic courts have generally acted to restore to women the shares of inheritance denied them in village settlement processes even

though on the surface the Islamic legal principles appear to be less favorable to women than do the principles of Gayo *adat* (Bowen2003: 200).

Of course in other parts of the country Islamic courts may work to restrict or deny women rights, which are enshrined in *adat* or national law. Much depends on the conscience, interpretation and convictions of the judge. Sometimes *adat* rules appear on the surface as gender neutral, but in practice they result in discrimination. One of my students wrote her Master's thesis about a Batak *adat* law, which forbids both men and women from speaking directly to close relatives of the opposite sex, from their spouse's family. For example, a man cannot speak directly to his Mother-in-law or his wife's sister. A woman cannot speak directly to her husband's brother, father, uncle, nephew, etc. These "incest taboo" rules are quite complicated but appeared to be gender balanced. They apply equally to both men and women. However in close-knit, patriarchal Batak society, my student argued that they had the effect of silencing women in most important public forums. Meetings were almost always led by men. Women who were even distantly related by marriage could not address the Chair or be recognized. Rather than risk breaking the taboo, they just kept silent. The *adat* law appeared to be gender neutral, but combined with patriarchal structures and a social imaginary of women's place in the public sphere, it effectively silenced women. Religious texts appeared to reinforce the social imaginary of women as quiet and submissive to men. On the other hand, many Batak women hold high positions of authority and are much more outspoken and aggressive than Javanese women.

Social imaginaries of women in *adat* communities are shaped by habitual practices and stories, as well as by laws and ideologies. The complexity of women's position in traditional *adat* communities is illustrated by the following myth from the island of Pura in Alor, NTT, Indonesia, as reported by Susanne Rodemeier (Rodemeier in Candran-

ingrum2014: 17-49).⁵² It is the story of Bui Hangi, a young woman who became the wife of a god. The villagers believe the story is true because it reflects their own social reality. Bui's father, Olangki, went to borrow some rice from the village of Reta, because his people were hungry during the long dry season. On his way home, while near the summit of Mt. Maru, he saw a huge wild boar. He tried to hunt it, and chased it for a long time, but without success. Finally, exhausted and almost perishing from thirst, he thrust an arrow into the ground and vowed that if the god of the mountain would give him water to drink and to irrigate the crops of the village, he would give the mountain god his daughter to be his wife. Immediately water bubbled up from the ground by his arrow and the rain began pouring down. Regretting his rash promise, he returned home. The rain poured down so hard that landslides threatened to bury the village. Olangki figured he better fulfill his promise to the god, or his village might be drowned. So, he commanded his wife to take their daughter to the top of the mountain where she disappeared into the mists.

After crying and singing her grief, the mother saw a bamboo pole suddenly float to the surface of the nearby lake. She decided to use it as a walking stick to help her descend, since the path was slippery. That night she tossed the bamboo under the house and went to bed. Olangki dreamed that his wife brought home a bamboo stick and it turned into a sacred sword. Sure enough, in the morning he found a sacred sword where his wife had left the bamboo. Anytime he thrust the sword into the ground, water would gush forth and if he did it again the water would stop. This became a key to the prosperity of the village. Olangki knew from his dream that it was a bridal gift (*mas kawin*) from the god.

A year later, the village held a festival to celebrate their good harvest. Olangki sent an invitation up the mountain to his daughter to come

⁵² Rodemeier recounts the story in great detail, by even more thorough analysis. For the sake of space, I am only giving a brief summary.

to the festival. Bui came, bringing her newborn baby, but kept it all wrapped up and forbade anyone to look at it. When Bui was dancing with the other women, the “baby” made some strange noises and the mother opened the wrappings. In fact the baby was a large, red fish with big luscious eyes. The mother was hungry and popped one of the fish eyes into her mouth and ate it. Bui felt her baby’s pain and rushed back. She left the village immediately and told her family she would never be able to return. However the village continued to prosper with plenty of food and water.

The social imaginaries associated with women in this myth are complex. On the one hand, the story portrays a painful reality in the people’s past. According to Rodemeier’s account, even today, old women in the village still recall periods of famine, when families traded their daughters for food. The father in the story is portrayed as having complete control over both his daughter and wife. The mother may weep, but she doesn’t have power to oppose the decision of her husband. Bui has no choice but to obey her father’s decision to give her to the god. Although Olangki may feel bad about trading his daughter for prosperity, there is no hint of moral reproach. In fact it seemed to turn out well for all involved, apart from the baby fish who lost an eye! Women appear powerless before the wishes of men, be they human or god. In one sense the bride is like a slave, sold to the god in exchange for his blessings. She is a sacrificial victim who is later divinized.

On the other hand, Bui is very valuable. The god delivers a priceless bridal gift for her. She is the key to the village’s prosperity. Without her, they might all die. She is desired by a god and brings rain and fertility. Even Bui’s mother plays a powerful role in singing her sorrow and discovering the bridal gift (*mas kawin*): a bamboo stick that becomes a magic sword. Perhaps if her mother had not foolishly eaten her granddaughter’s eyeball, Bui could have been an ongoing mediator between the villagers and the god. But instead, the direct connection is broken

and Bui achieves semi-divine status. The mother is imagined as a weak woman, lacking in proper control over her appetite.

The villagers were sure that the huge wild boar was the mountain god, associated with rain, maleness and potency. Meanwhile they associated the large fish with the feminine power of the ocean, another source of food and fertility. Both are needed to bring prosperity. There is little in the story to encourage an imagination of gender equality. But the story does embody elements of gender complementarity that are common to many *adat* cultures in Indonesia. Women are not autonomous individuals but rather a valuable part of the family unit. They may be powerful, but their power is controlled by men. They need the men to manage their power, while the men need women to make up for their own deficiencies.

In Yogyakarta, Javanese myths associate Mt. Merapi with a male god, Grandfather Merapi (*Mbah Merapi*), while the ocean is associated with the female goddess, Queen of the South (*Kanjeng Ratu Kidul*). Javanese believe that the Sultan plays a critical role in maintaining a balance between Grandfather Merapi and the Queen of the South. Only if there is a balance between the male and female power, will there be peace and prosperity. The sun, the sky and the rain represent male power, while the earth and the plants are female, represented by Dewi Sri, the rice goddess. The fertile earth is impregnated by the male sky to bring forth new life.

These stories give rise to many rules that affect gender roles, especially with regard to the rituals associated with planting and harvesting. For example, in some places, men go first, thrusting sticks into the earth to make holes. The women follow behind, dropping seeds into the holes (Tsing in Atkinson and Errington 1990). Only men are allowed to plow the land, preparing it for the planting, in mimetic imitation of their role in procreation. However men and women participate equally in planting and harvesting. Usually the women work together in one group while

the men work together in another group with a slightly different function.

The relative equality of women in some Javanese communities is not a new phenomenon or the result of modern feminist movements. In 1820, Crawford, a European traveler to Java, observed the following:

“... (Javanese) women are not treated with contempt or disdain. They eat with the men, and associate with them in all respects on terms of equality, as surprised us in such a condition of society ... women appear in public without any scandal; they take an active concern in all the business of life; they are consulted by men on all public affairs, and are frequently raised to the throne, and that too when the monarchy is elective ... At public festivals, women appear among the men; and those invested with authority sit in their councils when affairs of state are discussed, possessing, it is often alleged, even more than their due share in the deliberations ... The Javanese women are industrious and laborious beyond all those of the archipelago, but their labor, instead of being imposed upon them by the men, becomes through its utility to the latter, a source of distinction” (Winzeler 1982: 178).

This rather idealized account may have been prompted by the comparatively lower status of women in Europe at the time. Kartini's letters in the late 19th Century, show the oppression of an intelligent Javanese court woman who died of childbirth at the age of 25 in 1904. However, Javanese women who were not confined to the court or forced into polygamous marriages had a great deal more freedom. Many Indonesian women have historically enjoyed more freedom and power than many of their sisters around the world. However most Indonesian women are still traditionally imagined as a complementary part of a family unit whose head is the father (cf. Reid 2014).

One of my American feminist students was anxious about going to do fieldwork in an area known for male domination. When she came back I asked how it went. “How did it feel to live in a strongly patriarchal village?” She replied with a laugh, “It was GREAT! All the leaders were men, but in fact the women ran everything!”

Another of my graduate students who did research on attitudes towards women leadership in Java, found that in poor villages, the ideology was very patriarchal. There was wide consensus among both men and women that men should be the leaders. However in practice, village men and women worked together, both in the fields and in the home. Men participated in housework, childcare and cooking. In contrast, in the cities, among better educated, middle class Javanese, the ideology was far more egalitarian, with both women and men agreeing that women should have opportunities for professional work and leadership. However, the practices in domestic life were more patriarchal than in the villages. Women were expected to do all the housework, childcare and cooking, regardless of whether or not they had salaried positions outside the home.

The diversity of traditional law regulating gender relations is shown in a recent personal account by a Dayak woman from Central Kalimantan (Borneo) (Riwut 2011). Nila Riwut argues that Dayak *adat* values men and women equally and is founded on gender equality. She cites many different *adat* rules, which show high regard for women. Most of them are rules for protecting women from male harassment. Women are the honor of the tribe and an insult to their dignity can be a cause for war. The tribal word for a woman’s private parts is the same as the word for gold. Riwut asserts that women can become top leaders and can participate in warfare, if they want to and have the ability. Some Dayak women have been great warriors.

She discusses at length the myths and rumors about Dayak women’s capacity for magical power. She suggests that some accusations of using

magic to attract or hurt others is just superstition based on coincidences. However she believes Dayak women, from living close to nature, do have affinity for magic powers, which may be passed down to them from their ancestors. Although magic should not be used for bad purposes against innocent people, Riwt suggests that some Dayak women may lose self-control and use their powers in an inappropriate way. Sometimes magic against others can occur involuntarily. If a Dayak woman suffers, it will disturb her powerful ancestors who may take revenge against anyone who hurts her.

Riwt's account reflects her personal experience of the high status of Dayak women and her own desire to promote Dayak culture to outsiders. However, it does not prove that there is no discrimination or inequality. Anna H. Tsing's account of Dayak shamanism suggests that it is the exception, not the rule, for a woman to be accepted as a shaman or a leader (Tsing 1993). Tsing explores the experience of marginality in Dayak women who aspire to traditionally male roles. She shows the extraordinary creativity of Dayak women shamans who are on the margins of an already marginalized group. They are confronted with competition from authorized male shamans, the developmental agendas of the Indonesian state and state pressures to adopt a "real religion" (Islam or Christianity). While still practicing the shamanism of their tribal religion (*Kaharingan*), they mix traditional language with the developmental slogans and Islamic expressions of those who have power over them.⁵³

⁵³ Many Dayaks have converted to Christianity, while some have become Muslims. Dayaks who convert to Islam sometimes change their ethnic identity from Dayak to Malay. However significant numbers of Dayaks still follow tribal religious practices called *Kaharingan*. *Kaharingan* has sought official Indonesian status as a religion by identifying themselves as part of Hinduism. However, many Dayaks prefer to consider *Kaharingan* as an independent separate religion. Indonesia provides official government support to six recognized "religions": Islam, Protestant, Catholic, Hindu, Buddhist and Confucianism.

Last year, I hiked over the mountains and through the jungle to a remote mountain village near to the area of Anna Tsing's research. While the longhouse was still the center of village life, each family now had their own private house. The women and girls sat on the porches, industriously cleaning cinnamon bark for export to help pay for their cell phones. Posters of Indonesian pop singers adorned the walls and a sound system sat quietly, waiting for an occasion when someone would crank up the generator to provide electricity.

With 17,000 islands and over 300 different ethnic groups, it is impossible to summarize the impact of *adat* and religion on the lives of women. There is too much diversity. It is safe to say that many Indonesian women have historically enjoyed more freedom and power than many of their sisters around the world. However, most Indonesian women are still traditionally imagined as a complementary part of a family unit whose head is the father. All Indonesians, consciously or unconsciously, are shaped by their ethnic background. Many claim that women are well respected in their tradition. However more and more people are moving to cities where different cultural traditions jostle against each other. Some Indonesians are looking for laws and imaginations of society, which transcend their ethnic group. For some, religion is a source of values and law that is more universal than the ethnic traditions of their ancestors. For that reason, Islamic law has been growing in power and influence throughout Indonesia.

4.3 Social Imaginaries about Women and Religion in Indonesia

Indonesians are influenced by competing and overlapping imaginations of women. Even within the same person there may be conflicting or contradictory social imaginaries (Adeney-Risakotta 2015). For example a man may imagine women as submissive, powerful, lower than men, dangerous, pure, weak, spiritual, mysterious, practical, etc. all at

the same time! According to Charles Taylor, social imaginaries are what make possible our common practices (Taylor 2003). Society is unlikely to accept public policies concerning women, which violate their imagination of what is real (hermeneutic aspect) or what is right (normative aspect). Laws and public policies are a legal expression of the dominant social imaginaries of a people. Conversely, laws and public policies shape the social imagination of society. They mandate certain practices and forbid other practices.

“Patriarchy” is a one-dimensional oversimplification when it comes to a complex society like Indonesia. “Heterarchy” may hint at more of the complexity. Carole Crumley defines heterarchy as “the relation of elements to one another when they are unranked or when they possess the potential for being ranked in a number of different ways” (Crumley 1995). Heterarchy does not deny the reality of patriarchy in some dimensions of life, but patriarchy is not the only form of social organization. In some dimensions of life there may be matriarchy or no particular hierarchy. In Indonesia, public and private spaces are not as divided from each other as in Western societies. Even where men dominate the public sphere and women rule the private sphere, the two spheres may merge into each other. It is not unusual in Indonesia to meet a woman who is a feminist activist for gender equality, but imagines her own husband as the head of the family. At the same time, she imagines herself as the Mother (*Ibu*) of her household, who manages her husband, children, servants and finances, all the while teaching full time and earning the bulk of the household income.

The complexity of Indonesian social imaginaries about women is illustrated by the phenomenal popularity of the current, Minister of Oceans and Marine Resources, Susi Pujiastuti. Susi breaks all of the stereotypes of a good Javanese, Muslim woman. She is widely perceived as effective, hardworking, honest, courageous, frank and tough. The press revels in showing shocking pictures of her smoking, riding a

men's motorcycle with no helmet, revealing a tattoo, stretching her legs while blowing up illegal fishing boats, telling jokes about taboo topics like corruption, etc. Susi dropped out of high school because of political activism and went on to become a highly successful businesswoman. She is also twice divorced and a single mother. Susi deconstructs traditional images of a "good woman" and expands the Indonesian social imaginary of a national hero.

4.4 Conclusion

What is the impact of religion on public policy as it affects women in Indonesia? *First*, Indonesian law is not unified, universal or absolute. Rather it is a discursive tradition. The impact of religion on public policy is not uniform because it is always subject to negotiation. Laws are not imagined as inflexible prohibitions but rather as ideals, which can be modified or ignored as circumstances demand. For example, the law may forbid Muslims to marry non-Muslims. But that does not stop it from happening. There are many ways to get around the law, if you are creative. Recently, I met a Banjar Muslim driver who has been married for many years to a Catholic woman. He had to overcome a lot of social and familial pressure to marry the woman of his heart, but he was adamant that it was the right decision. They agreed that she would raise their daughter as Catholic and he would raise their son as a Muslim. She fasts at Ramadan and celebrates *Idul Fitri* with him, while he celebrates Christmas and Easter with her.

Second, law and public policy are discursive rather than black and white because the population of Indonesia is so diverse. Former President Suharto made a Herculean effort to build unity and discourage diversity. He required all Indonesian organizations to declare that Pancasila, the national ideology, was their one and only foundation. Suharto was very successful in building unity, but he could not stamp out diversity. Even in Islam, there is breathtaking diversity of ideas and practices.

Law has to negotiate through this jungle of human life, not to find the one rule that suits everybody, but to find the wisdom to maintain communal harmony by negotiating between different interests and convictions.

Third, the impact of religion on public policy is modified by the power of *adat*. Ethnic traditions are not just nostalgic links to the past. Rather they are fundamental to most people's identity. If you ask someone if their primary identity is Javanese, Muslim or Indonesian, you might get different answers from different people. But the Javanese part would be important to all of them. Whether or not *adat* beliefs are acknowledged by the government as "religion", they are part of the religious culture of the people. For example, in Central Sumatra it is not "Islam" which influences public policy, but rather Islam in interaction with Minangkabau *adat* and Indonesian nationalism.

Fourth, because of increasing mobility, more and more Indonesians have hybrid identities. The idea of a "pure" culture is a social construction rather than an objective reality. All cultures are the result of historical processes that included migration and contact with other cultures. Social mobility, geographic migration, international education, Internet communications, inter-ethnic marriage, urbanization and globalization all contribute to increasingly diverse populations. Hybridity is part of all of us, whether we like it or not. People and cultures and beliefs and practices are part of an ongoing process of change. Public policy must change to adapt to the changing conditions of life. Public policy that does not consider the changing religious beliefs and practices of the people will be ignored.

Fifth, Indonesia is neither a mono-religious country nor a secular country. The foundation of the constitution is the Great Unity of Deity. The national constitution is founded on the idea that all of the many different Indonesian religions, cultures and ethnic groups are under one great deity who is over all. This implies that all religious communities in

Indonesia have a right to influence public policy in keeping with their religious convictions, beliefs and practices. There is no “separation of church and state”. Since 87% of the population is acknowledged as Muslims, Islam has a great influence on public policy. Muslim diversity limits the chances of “Islam” speaking with one voice. Nevertheless, Muslim ideas usually influence public policy.

Sixth, the interpretation of marriage law for Muslims has been granted to religious (Islamic) courts. These courts have jurisdiction and authority to draw from various sources of law, including *adat*, civil law and Islamic law (*fiqh*), to decide cases for Muslims. A Compilation of Islamic Law (CIL) was mandated by the President in 1991. The CIL puts limitations on child marriage and polygamy. However many aspects of the law give religious legitimation for legal discrimination against women and in favor of men. Since law is more of a discourse than a fixed boundary, there is continuing hope for negotiation and reform. Gender activists resist conservative attempts to legislate the CIL into formal law and push for reform of the most grievous aspects of the law.

Seventh, patriarchy is entrenched in Indonesian public policy, especially where it is influenced by religion and ethnic traditions. However, the power of women in Indonesia suggests that patriarchy is not the defining characteristic of all social relationships. Heterarchy is a more helpful term that points to the great diversity of gender relations in Indonesia. The complexity of gender relations in Indonesia is unlikely to resolve itself into either full gender equality or absolute male domination.

Finally, social imaginaries of the proper relations between women and men deeply influence public policies. Legal change is unlikely to succeed without support from society. All societies regulate relations between men and women. Indonesian social imaginaries tend to stress complementarity more than equality and communal harmony over indi-

vidual rights. These dualities are not dichotomies, which are always opposed to each other. Respectful dialog between people who hold different perspectives is more effective than conflictive strategies of win or lose. Law is an important tool for shaping social imaginaries. But Indonesians are highly skilled at ignoring laws they do not like. Women are powerful in Indonesian society and I expect that power will only increase as time goes by.

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SEVEN PROPOSALS TO SUPPORT WOMEN'S WORK FOR NEW SOCIAL SPACES IN THAI BUDDHISM

Theodore Mayer and Somboon Chungprampree

5.1 Introduction

Thai women's role in the practice, study, and teaching of Buddhism has grown dramatically since the 1960s. From roughly the year 2000, one source of this growth has overshadowed all the others—in the speed of its emergence, in its level of controversy, in the attention it has drawn from the media, and in the research energies devoted to documenting and understanding it. That is the revival of the *bhikkhuni Sangha*—the assembly of fully ordained female monks—in Theravada Buddhism. That revival began in Sri Lanka in the late 1980s. It then began to take root in Thailand formally with the first ordination of a Thai woman, Venerable Dhammananda Bhikkhuni, as a *samaneri* (female novice) in Sri Lanka in 2001.

Now, 14 years later, it seems that earlier questions about whether there could be Theravada *bhikkhunis* in Thailand have been supplanted by the question of whether Thai religious authorities would be capable of stopping the momentum for *bhikkhuni* ordinations even if they were to decide this was necessary. A significant clash late in 2014 between the *bhikkhuni* revival movement and the highest *Sangha* authority—the

Supreme *Sangha* Council (SSC)—seemed in some ways to put this question to the test, and to remind the public of the challenge and the promise of the movement. We take up the incidents that led to this clash later in the paper and offer one of our seven policy proposals as a direct response to these incidents.

The significance of the Theravada *bhikkhuni* revival goes beyond a conception of rights, for it has broadened the scope of what women can do, and not only in the strictly legal sense. This is especially true in the areas of self-cultivation and exploration of the spiritual life, and in the areas of service to other women and to society. As women become free to carry out new religious vocations and to discover for themselves new dimensions of the Buddhist life, they also model these possibilities for others. In doing so, they contribute to the kind of mutual discovery of possibilities that forms the texture of a rich moral imaginary in any society. That women's experiments, discoveries, and reformulation of disciplines and practices take place within the context of a religious tradition means that *bhikkhunis* play an ever more important role in the arguments about the images, practices, and interpretations that define that tradition. In doing so, they enliven both the tradition and the surrounding society. Finally, in an era of growing crisis from climate change, inequality, and sometimes violent challenges to governance, women's full participation in the traditions that have something to say about the direction of human societies is of ever greater importance.

The *bhikkhuni* movement is also important in highlighting a kind of agency that has been and continues to be demonstrated not only by *bhikkhunis*, but by women in the full range of categories of religious vocations within Thailand. The full range means laywomen as well, and all of the various statuses in-between, especially *mae chis*, but also *samaneris* and *sikkhamanas*. The kind of agency these women enact in very different ways is one that; 1) asks serious questions of received wisdom and practice; 2) studies the possibilities and identifies openings for chal-

lenging the status quo; 3) engages in long-term projects to create new spaces and perspectives within Buddhist religious life for women; 4) pays scrupulous attention to correct comportment, discipline, and interpretation as a way to fulfill the promise of the tradition; and 5) works closely with allies, both male and female, to attain these goals. In the case of *bhikkhunis* and *mae chis*, who seek to create new spaces within or alongside existing male-dominated Buddhist institutions, they have consistently cultivated and relied on close relationships with senior monks in the established *Sangha* to do so. Recognizing that laywomen and other categories of women have engaged in these kinds of courageous and boundary-moving forms of agency decenter our analysis of women in Thai Buddhism from the *bhikkhuni* movement per se, as important as that movement is. The focus should instead be on how we can support the work of Thai women in all its diversity.

The policy proposals we make do not address a clearly defined group of “decision-makers” as one would normally expect in an article of this kind. This is largely due to the nature and current state of the formal Thai Buddhist *Sangha*. Explicitly defined in the *Sangha* Acts as a body of male monks, and with a history of denying recognition to the place of women within Thai Buddhism except as patrons, it becomes difficult to address policy proposals to its leadership with any hope of success. In fact the highly centralized structure of the *Sangha*, the top-down nature of its decision-making, its one-man rule at every level of the bureaucratized structure, its ineffectiveness in dealing with cases of wrongdoing within the monastic order, and the presence of corruption and deeply vested interests attached to rank, titles, position, and property, have led some Thais to give up on the institution altogether. Their attitude to what they see as the most conservative and fossilized institution in Thailand is, “Let it collapse.” They also see it as progressively more irrelevant to movements within Buddhist religious life. Groups like Santi

Asoke or the Thai *bhikkhunis*, for example, find support and create followings even though they are not recognized by the *Sangha*.

Thais critical of the Buddhist *Sangha* are in fact split into two camps: 1) those who envision some kind of unitary national Buddhist *Sangha* in the future, but radically reformed to be democratic, decentralized, and transparent; and 2) those who see Thai people moving forward with their spiritual goals and religious projects without much concern for the mainstream *Sangha*, and preferably increasingly unencumbered by it. Yet the latter group's recognition of the potential for independent developments outside the formal *Sangha* also contains a hope that the values of *Sangha* reformers—democracy, decentralization, and transparency—will find their expression within those movements. Thus critics of the mainstream *Sangha*, including women working for change, tend to share these values.

Our proposals try to accommodate the realities of a rigid and highly conservative *Sangha* as well as the emergence of these two responses to this state of affairs among Thai critics. Thus on the one hand we do address our proposals to high-level monks and lawmakers who might influence any possible reforms of the *Sangha*. On the other hand, knowing how difficult it would be in practice to realize such reforms, we choose to address our policy proposals to a much wider group—to male and female supporters of women who are initiating change, to low and middle-level monks, to the women pioneering changes themselves, and to writers, scholars, and all others who have been brought in by these women's work to reconsider the appropriate place of women in Thai Buddhism. We understand that in fact through their decisions all of these people enact policy, albeit at many different levels of the social order.

In the remainder of the paper we present our policy proposals, followed by a brief explanation and rationale in each case. Our recommendations reflect the perspectives and initiatives of a wide range of actors

and commentators on women in Thai Buddhism, and not least those of the women themselves.

5.2 The First Six Policy Proposals

Proposal 1: Acknowledging the Full Range of Thai Women's Religious Vocations

The Thai *Sangha* Acts should be reformed so as to acknowledge the full spectrum of religious vocations that Thai Buddhist women in the present actually choose. For practical purposes the “full spectrum” means laywomen involved in the study, practice, and teaching of Buddhism, *mae chis*, *samaneris*, *sikkhamanas*, and *bhikkhunis*. Innovative roles or other existing roles not included here might also need to be recognized. Scholars and writers and those involved in the rethinking of Buddhist institutions in Thailand should give attention and consideration to this full range as well. The phrase “full spectrum of religious vocations” is very important here. That is because in the literature and in conversation with Thais or others about these issues, attention tends to be given very unevenly to women in particular categories. For example, recently much attention has been given to the revival of *bhikkhunis* in Thailand and in the Theravada world. This is understandable. Like the movement for new roles for women in various traditions, especially Christianity, it is something unprecedented and holds out the promise of genuinely new opportunities for women.

The problem is that this can easily lead to overlooking the work of other categories of religious women. This critique was made very clearly by Steven Collins and Justin McDaniel in a paper published in 2010. The article criticized the literature about women in Thai Buddhism for its over-reliance on the distinction highlighted by Max Weber between “lay” and “ordained” roles. Collins and McDaniel comment that the problem with every binary framework is that one either ignores, or is not sure what to do with, all that falls outside of or between the two poles. In

Thai Buddhism, the binary consists of laywomen and *bhikkhunis*. In between, we can identify *mae chis*, who have been in existence in Thailand for hundreds of years, and who live a celibate life, who normally but do not always live in temples, and who follow eight or ten precepts. They shave their heads and wear white robes. We have already introduced *samaneri* and *sikkhamana*. There are a number of others.

In making this proposal, we follow Collins and McDaniel's call to right the balance of attention by focusing more on the in-between statuses. Collins and McDaniel focus their paper on *mae chis* who are extraordinarily accomplished in Pali grammar and Abhidhamma studies. It seems obvious once one has read the stories that plenty of attention should have been given earlier to this particular group of *mae chis*. Yet, we are probably closer overall to the position sketched out by Phra Paisal Visalo in his work on the future of Thai Buddhism. Phra Paisal more readily acknowledges the reality and potential of the *bhikkhuni* revival, and he goes so far as to propose a revival of in-between statuses that have fallen out of favor in Thai society as well as the creation of new statuses should that be necessary for the vitality and effective social engagement of Buddhist practice in Thailand.

The position we take is that Thai women from a variety of categories have been responsible for a kind of agency we see as particularly powerful. That is a kind of agency that asks serious questions of existing views and practices and undertakes long-term work to create alternatives that are often unprecedented. These are the new social spaces of our title. The case of Mae Chi Prathin is one very good and early example. In the early 1960s, Mae Chi Prathin courageously proposed to high-level *Sangha* officials that *mae chis* be allowed take the formal Pali examinations intended for monks, then worked with these officials to make this possible for the first time in 1963. She subsequently went on to complete a graduate degree and create a successful school for girls run by *mae chis* in Ratchaburi province. It was her work in coordination with fellow

mae chis and senior monks that ultimately made it possible for *mae chis* to excel as Pali scholars in contemporary Thailand.

Proposal 2: Providing Practical Support for Women Taking Up Religious Vocations

In cases where secular laws or *Sangha* regulations provide support for men who commit to various religious roles or vocations, equivalent kinds and levels of support should be offered to women. Such support might include financial support for trainings and higher education, or leave policies that make it easier for women to participate in religious activities. The logic of differential support for women and men should be made explicit and open to challenge, discussion, and reconsideration.

We feel that this recommendation is largely self-explanatory. The logic proceeds from principles of equality that are commonly expressed as “equal pay for equal work”. It acknowledges that Thai society has decided to offer support to monks or to laymen who wish to pursue religious practice, and asks why women should not receive equivalent levels and kinds of support.

Disparities can be seen in Thailand in the amount of leave a woman can request for religious practice (and the likelihood of receiving permission for such leave) compared to that of men. The literature on *mae chis* provides many examples of other disparities, from pay received for teaching or other work duties to access to reduced rates for public transportation and support for secular or religious study.

Policy 3: Democratizing and Decentralizing Sangha Decision-Making Structures

That the Thai *Sangha* Acts be reformed to allow for more democratic and decentralized structures of decision-making. These new structures should involve respected Thai Buddhists from the full range of vocations for men and women in the determination of minimum common policies, in supporting those who have chosen a religious vocation, and

in overseeing adherence to a minimal set of common standards. Such democratization would help provide a space not only for women's voices but also for the voices of lay Buddhists and younger monks from lower levels of the hierarchy.

Those individuals engaged in or contemplating the establishment of temples or other religious organizations make a genuine effort to build principles and practices of democracy and decentralization into those institutions. The Thai *Sangha* Act of 1902 imposed a single bureaucratic structure onto all of the Buddhist temples and sects of Thailand. The structure reflects the state bureaucracy of what was then an absolute monarchy, and the flow of decision making is top-down, with the principle of one-man rule operating at each level below what is now known as the Supreme *Sangha* Council.

Phra Paisal Visalo is responsible for articulating one of the most thorough plans available for reform of this institution. His plan would involve a series of *Sangha* Councils elected from below at every level, from the sub-district on up to a national *Sangha* Council. There would be a separate set of *Sangha* Committees that would carry out the administrative work, and these would be answerable both to a national board and to the *Sangha* Councils. Overall he advocates a much reduced role for the state in overseeing the *Sangha*, and a much closer relationship between the *Sangha* and lay Buddhists, so that monks would be more answerable to their local, provincial, or regional constituencies than to the apex of the hierarchy. His own questions about the readiness of monks, laypeople, or others to carry out these reforms seem to echo the concerns of the camp that foresees a gradual fading away of the relevance of the established *Sangha*.

One aspect of the *Sangha*'s highly centralized authority receives little comment. This is the fact that some very senior monks have supported both the advancement of *mae chis* and *bhikkhuni* ordination. Yet, the rigid centralization and conservatism of the institution often prevents

those voices from being heard from the apex of the structure where official policy is established. This creates policy and an outward picture of the Thai *Sangha* that does a very poor job of reflecting the complexity of the actual relationships and perspectives of its members.

While Mae Chi Prathin's story of support from very senior monks led to clear changes in what mae chis could do, the *Sangha* institution as a whole has refused to acknowledge *mae chis* as ordained individuals or to offer virtually any privileges whatsoever. Ven. Dhammananda has followed the precedent set by her mother, Voramai Kabilsingh, who took ordination from a Mahayana order in Taiwan and cultivated close and supportive relationships with senior Thai monks throughout her life. Just months before the clash between *bhikkhunis* and the SSC, a member of the Council received Ven. Dhammananda and her delegation warmly, proffered advice on scrupulously following the proper ordination procedures, and offered a blessing that her plans and work would come to fruition.

A perhaps even more striking example is that of Ven. Nanthayani Bhikkhuni. While still a *mae chi* she became well-known in her native province of Chiang Mai for her persuasive preaching and her very strict practice. In 2006, a male monastic superior encouraged her to take ordination in Sri Lanka as a *samaneri* so that she could be of greater support to women. In 2008, she returned to Sri Lanka and took ordination as a *bhikkhuni*. As a *bhikkhuni*, she developed a large following and is now the spiritual leader of two meditation and spiritual retreat centers in Chiang Mai, Nirotharam, and Suddhajit. In January of 2015, the total number of *bhikkhunis* at these two centres numbered nineteen, with twenty-three *sikkhamanas*, ten *samaneris*, and two *mae chis*.

In the time since 2006, Ven. Nanthayani appears to have inspired ever more unequivocal support from even the top leaders of the Chiang Mai *Sangha*. The Ecclesiastical Governor of Chiang Mai province has publicly praised the preparedness and correct practice of the *bhikkhunis*.

He acknowledges that many people are opposed to *bhikkhuni* ordination, but says that if they would see the behavior of the *bhikkhunis* they would change their minds. Similarly, the Deputy Ecclesiastical Governor of the province has stated that the Buddha established Four Buddhist Assemblies—ordained men and women, and laymen and women—and that anyone who claims that *bhikkhunis* are impossibility today is contradicting the intentions of the Buddha.

It would not be far-fetched to predict that were the Thai *Sangha* to be decentralized, the Chiang Mai *Sangha* would approve of the ordination of *bhikkhunis*, largely as a result of the close relationships and trust built up over many years between Ven. Nanthayani and senior monks. The same may well be true of other provincial *Sanghas*, including Nakhon Pathom where Ven. Dhammananda's temple is located.

Proposal 4: Making Monastic Institutions Transparent and Accountable

Democratic decision-making implies greater transparency and accountability, as most plans introduce councils to replace the authority of monks acting singlehandedly. However, the need for transparency and accountability must be stated clearly as an issue in its own right. A reformed *Sangha* Act should create mechanisms that make the flow of financial and other resources through monastic institutions fully transparent. These mechanisms should not only make decision-making about resources and other areas of monastic life transparent, they should make questions of responsibility and accountability for the affairs of these institutions straightforward and open.

The issues of transparency and accountability touch on women as well as men in their role as donors to monastic institutions, creating greater confidence through knowledge of how those resources are actually used. Following these steps would also by implication lend credibility and authority to women who become the leaders of their own institutions and who may be tempted by the overly lax atmosphere that has

developed within the financial culture of mainstream Thai temples. Finally, setting up procedures of accountability and responsibility would support our call in the sixth proposal for ensuring women's safety in temples.

There have been numerous scandals in recent years, and many have criticized the mainstream *Sangha* for handling these incidents ineffectively and unfairly. This proposal is intended to address that weakness of the mainstream *Sangha* and to help ensure the credibility of institutions that women establish.

Proposal 5: Offering a Critical Social-Structural Dimension to Monastic and Buddhist Education

That monastic and others who undertake courses of study as part of their practice and teaching of Buddhism be offered curricula that investigate the social and historical context not only of Buddhism in its many contemporary forms, but also of various religious traditions. Furthermore, that religious study be accompanied by a critical and self-directed exploration of key features of national, regional, and global social structures and the impact of those structures on individuals, different social groups and classes, and the environment.

In offering this proposal we follow the lead of Phra Paisal, the work of the Spirit in Education Movement (SEM) and the International Network of Engaged Buddhists (INEB), and especially the trainings and workshops offered by laywoman Ouyporn Khuankaew in Chiang Mai. Her extraordinary work for new roles and spaces for Buddhist women is different from the three women we have mentioned—Mae Chi Prathin, Ven. Dhammananda, and Ven. Nanthayani—in that she has not sought to create or exercise any formal religious vocation that might in itself challenge received practices. Her challenge is not directed at the *Sangha* hierarchy itself, but at the internalized consequences on women of the teachings and practices of a religious hierarchy organized in important ways around gender. In a hopeful note for a paper on policy, Ouyporn's

work with women has on occasion received support from an agency of the Thai state, the Thai Health Promotion Foundation.

Ouyporn's work clearly illustrates two qualities we believe are essential to a dynamic religious tradition and to a humane public sphere. These are: 1) the need for a willingness to be put off balance and to set aside judgment in an open and ultimately therapeutic learning encounter with others—in stark contrast to the rote nature of much Buddhist education in Asia; and 2) the need for a social critique that is as highly developed as possible and that is able to interpret and work with relationships of power and oppression. In Ouyporn's case, these two qualities are tightly interwoven with the practices and principles of both Buddhism and nonviolence in her workshops and trainings.

Proposal 6: Making Monastic Institutions Safe from the Threat of Sexual and Other Abuse

That Thai *Sangha* and state authorities should work to ensure the safety of women who live in temples under the care of monks. This could be done through campaigns that help victims of sexual or other forms of abuse to be aware of their legal rights. In addition, agencies of the state could make clear a set of commitments and standard procedures in dealing with cases of abuse that would support women to expose such abuse under the protection of the law. Furthermore, sexual or other forms of abuse by monks or other monastics should be swiftly tried and appropriately punished. Finally, agencies of the state and/or *Sangha* should support separate programs for perpetrators and victims that: a) assist abused women to heal from and come to terms with their experience of abuse, and b) enable self-reflection and healing to occur for the perpetrators of abuse.

It is impossible to be involved in extended conversations or workshops with Ven. Dhammananda, Ouyporn, or others working for religious women without at some point hearing stories of sexual and other forms of abuse and exploitation of women by monks in temples. We

take this as not unique to Thailand but as reflecting the fact that monastic institutions and religious boarding schools anywhere can become havens for perpetrators who target women and young people.

One of the rationales given by *bhikkhunis* and *mae chis* for creating their own institutions is the greater safety and openness that women can create for each other. At the same time, it remains likely that a certain number of women, including laywomen and *mae chis*, will continue to reside in temples for various reasons. Their practice of a religious vocation there should be made as safe as possible from abuse and exploitation.

5.3 The Incidents of Winter 2014 and Policy Proposal Seven

Our seventh policy proposal is a direct response to incidents that took place late in 2014. We provide a brief description and analysis of these incidents followed by the proposal. On November 29, 2014, Thai *bhikkhunis* organized the first ordination of *bhikkhunis* in the contemporary period to take place on Thai soil. The ordinations took place at the Thipphayasathan Bhikkhuni Retreat Centre on the island of Ko Yo in Songkhla province. Through these ordination ceremonies, eight *sikkhamanas* duly received the full ordination they had trained for. In addition, 47 laywomen received ordination as *samaneri*, and the Sri Lankan preceptor officially conferred on Ven. Dhammananda the status of *pavattini*, or female preceptor.

Statements responding to these ordinations by the National Office of Buddhism (NOB) and the SSC early in December of 2014 reiterated a decision by the Patriarch of the Thai *Sangha* in 1928 prohibiting monks from ordaining women as *bhikkhunis*. The SSC articulated the standard understanding of the Buddha's instructions on ordaining *bhikkhunis*—that they must be ordained first by the *bhikkhuni sangha*, then by the *bhikkhu sangha*. Since the Theravada lineage of *bhikkhunis* had died

out, this stipulation of the Buddha could no longer be complied with. This was the reason *bhikkhunis* were impossibility for Theravada Buddhists, who tried to follow the letter of the teachings and disciplinary rules of the Buddha. The SSC also announced that it had asked the NOB to communicate the following requirement to the Thai Foreign Ministry: henceforth any foreign monk entering Thailand with the intention of ordaining Thai women as *bhikkhunis* had to inform the SSC and receive a letter of approval in advance “so as to prevent further incidents like the one that had occurred in Songkhla”.

The SSC’s announcements made an important practical difference for the *bhikkhuni* revival movement in Thailand. Ever since the first ordination of a Thai woman as a *bhikkhuni* in Sri Lanka (Ven. Dhammananda in 2003), Thai women had been making the trip to receive ordination in Sri Lanka in greater numbers. In mid-November 2014, the number of Theravada *bhikkhunis* in Thailand stood at roughly eighty, nearly all of them having made the trip to Sri Lanka to receive their ordination. Considering travel and the donations expected for dual ordination rituals this trip was expensive, and required that a prospective *bhikkhuni* either have significant personal financial resources or backing by persons or organizations of means. The first *bhikkhuni* ordinations on Thai soil on November 29, 2014, thus presaged a new era for Thai women wishing to take higher ordination as *bhikkhunis*. Henceforth, the geographical accessibility of higher ordination for women within Thailand, along with a local female preceptor or *pavattini* and much lower overall costs, suggested that higher numbers of Thai women might choose to receive ordination as *bhikkhunis*.

One of the SSC’s statements was of special interest. It read, “We do not prohibit *bhikkhunis* from living in Thailand, but we prohibit *bhikkhus* (male monks) from ordaining *bhikkhunis* in Thailand.” It went on to identify the Sri Lankan preceptor in the Ko Yo ordinations—Phra Mahinthawangsa, Abbot of Thipathuttamaram Temple, Amarapura Ni-

kaya—and stated that his ordination of *bhikkhunis* in Thailand was in violation of this prohibition by the SSC. The statement was of interest because on the one hand it affirmed an implicit status quo that had developed around the growing *bhikkhuni* community in Thailand: that like Santi Asoke, it was a religious community that lay outside the bounds of the Thai *Sangha*. As such, it was acceptable to have Theravada *bhikkhunis* in Thailand—as long as they were not recognized as legitimate under Thai Theravada Buddhism.

The latter part of the statement, however, raised questions that appear likely to give rise now to a legal challenge. How could a Thai religious body prohibit ordinations from being carried out in Thailand by a Buddhist sect that was explicitly outside of its jurisdiction? Would that not be an infringement of the religious freedom of the Thai *bhikkhunis*, who were after all Thai citizens? A group formed on the very same day as the SSC's announcement (December 11, 2014), began to argue along these lines. Calling itself the Thai Network for the Completion and Fulfillment of the Fourfold Buddhist Assembly, the group argued for a return to the fourfold community of Buddhist practitioners that the Buddha had on more than one occasion insisted were the prerequisite for the flourishing of his teachings.

The network sent letters appealing the SSC's decisions to various government bodies and by May of 2015 had received support for their claims from the Thai Human Rights Commission and the Committee for Legal Reform. Based on this support, the network determined to take the following steps in July 1, 2015: 1) to explore long-term legal avenues for providing stronger protections and clearer recognition of the status of *bhikkhunis* practicing in Thailand; 2) to prepare a lawsuit to be taken to the Administrative Court of Thailand to seek protection in the meantime from violation of rights to religious freedom of Thai *bhikkhunis* on the part of the SSC, the NOB, leading Thai monks, and the Thai Foreign Ministry; 3) that *bhikkhunis* themselves would undertake to meet per-

sonally with monks in leadership positions throughout the country, all the way from the SSC down to the heads of ecclesiastical sub-districts, to demonstrate their readiness to undertake disciplined study and practice to support the vibrancy of Buddhism in Thailand; 4) that lay supporters of *bhikkhunis* would simultaneously campaign for greater public awareness of the role and legitimacy of Thai *bhikkhunis*; and 5) to undertake and/or support legal steps to protect *bhikkhunis*'s rights.

Proposal 7: Rescinding or Challenging the Supreme Sangha Council's December 2014 Ruling

That the SSC rescind its prohibition on foreign monks ordaining Thai women as *bhikkhunis* in Thailand, on the grounds that this ruling violates these women's freedom of religious belief and practice. Should the SSC not voluntarily rescind its prohibition, supporters of Thai *bhikkhunis* or others who choose to mount a legal challenge to the prohibition should be supported in doing so. Furthermore, Thai *bhikkhunis* should be supported in working to receive sufficient protections from *Sangha* or state authorities to allow them to continue to do their work without undue limitations or legal harassment.

5.4 Conclusion

The movement for the revival of Theravada *bhikkhunis* is, at this point, the most visible and dramatic of the activities of women who are creating new spaces within Thai Buddhism in the contemporary period. The *bhikkhuni* movement's challenge to *Sangha* authorities has led to a renewed questioning of the authority and legitimacy of the traditional Thai *Sangha* structure within Thai media and academia. Yet the *bhikkhuni*'s innovative and unprecedented actions are better taken as a mirror that reflects the painstaking, creative, and long-term agency of a much larger group of Thai women who practice a variety of religious vocations or who identify themselves as laywomen in the present.

Though we are unable here to elaborate further on these women's remarkable work, we offer our seven proposals as an outline of what support for their work might look like.

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CELEBRATING MUHAMMAD'S BIRTHDAY IN BUDDHA'S LAND

Managing Religious Relations through Religious Festival

Imtiyaz Yusuf

6.1 Introduction

Interreligious relations between two or more religious communities in a country are based on envisages of the messages and the roles of the founders of their religions, which for the most of part of history of religions have always been contesting each other. No religious community is willing to recognize the other religion, which is either prior or later to it. The problem of the recognition and tolerance of the other religious founder, their messages and their representative religious communities lies at the root of religious conflicts around the world.

Majority of religious conflicts are results of manipulation or adaptation of the religious messages for furtherance of ethnic, racial, communal, economic or geo-political agendas between religious communities, e.g. the ongoing conflict between the Pattani Malay and the Siamese in the case of southern Thailand; between the Irish Protestants and the Catholics in Ireland; the one between Sinhala Buddhists *vis-à-vis* the Tamils and the Muslims in Sri Lanka; the Burman and Rakhine Bud-

dhists *vis-à-vis* the Indian, Rohingya and Bangladeshi Muslims in Myanmar; the Malays versus the Chinese and the Indians in Malaysia; the Zionist settler Jews and the Palestinian Arab Muslims and Arab Christians in Israel; the religious nationalist Hindus versus the Indian Muslims, Sikhs and Christians in India, or the sectarian conflicts within a country such as the case of puritanical Salafism Wahhabism and the Shia in Saudi Arabia and Bahrain or that of Imami Shia verses the Sunnis in Iraq and Iran.

In the case of modern secular states of Europe, we are witnessing contestation and conflict centered around ideological and racial-cultural tensions concerning the exclusion or inclusion of religion in the political sphere as illustrated in the recent and on-going violence around the issue of depicting Muhammad in cartoons, one recent example being the *Charlie Hebdo* attack—"Je suis Charlie" ("I am Charlie")—in Europe, centered around the question of what are the limits or no-limits of free speech and freedom of expression. In fact, the "Muslim Question" in Europe is about Europe's theological and cultural confrontation with Islam from the view of Judeo-Christian and Eurocentric religious and racial difference, even the age of European liberal democracies.⁵⁴ Majority of these supposedly religious conflicts are perpetuated by the extremists in each of these traditions who speak and act loudly and overwhelm the moderates within them. The founders of each of these religions were inclusivist practicing the tolerance of the other but religious extremists have taken over the task of preserving and protecting the messages of the founders of their religion by manipulating and presenting them in exclusivist manner for furthering the ethnic, racial, communal, economic or geo-political agendas of the majority community in a country.⁵⁵

⁵⁴Tariq Modood, *Multiculturalism* Cambridge, UK; Malden, MA: Polity, 2013.

⁵⁵Khaled M. Abou El Fadl, *The Great Theft: Wrestling Islam from the Extremists* (HarperOne, 2007); Khaled Abou El Fadl, *Reasoning with God: Reclaiming*

The present state of interreligious understanding and dialogue in Southeast Asia is in the state of mutual misunderstanding or mutual lack of knowledge of each other's religion. The popular view is that Islam is a religion of violence and Buddhism the religion of peace and that if the followers of Buddhism understood Islam there will be peace, the Buddhists hold same view about the Muslims. It is time overcome the dialogue of ignorance. In spite of such state of affairs, there are also genuine efforts at building and managing interreligious relations between the Buddhists and the Muslim as discussed in this monograph.

This article is based on research about how Thailand, a semi-secular state has engaged in managing state-religion relations in respective to its largest religious minority of Thai Muslims through the use of an important Muslim religious festival of *Mawlid al-Nabi*— the birthday of the Prophet Muhammad as an instrument for building, managing and promoting state-Islam relations in Thailand. In this case, the Thai state's recognition of the teaching and role of the prophet Muhammad plays an important role in maintaining peace and including its largest religious minority within the framework of a nation state by offering it freedom of space to develop on its own within a nation-state system. That is why apart from the ethnic conflict in the three deep southern Malay populated provinces of Thailand, which is essentially political, Thailand does not have Islam-Buddhist tensions as taking place in Sri Lanka and Myanmar where Buddhist fundamentalism in the form of non-violent extremism has resulted in violence and disruption and distrust between the followers of Buddhism and Islam. The case of Buddhist-Muslim conflict

Shari'ah in the Modern Age (Lanham, Md: Rowman & Littlefield Publishers, 2014); Paul Ricoeur, *Essays on Biblical Interpretation* (Philadelphia: Fortress Pr, 1980); Andre LaCocque and Paul Ricoeur, *Thinking Biblically: Exegetical and Hermeneutical Studies*, trans. David Pellauer, (Chicago: University of Chicago Press, 1998).

and violence in Myanmar and Sri Lanka are rooted in the promotion of religious nationalism tied with religious fundamentalism.

This article offers a study of the history and the current annual national level celebration of the festival of *Mawlid al-Nabi* in Thailand, which received an official status in 1964 when it was opened and presided over by His Majesty King Bhumibhol Adulyadej in his constitutional status and role as the patron of all religions in Thailand. King Bhumibhol Adulyadej has set in place a great tradition of building mutual respect and recognition between the Buddhists and Muslim, which is now continued by the Crown Prince and has little chance of fading away. It is a tradition worth learning from and emulating in other Southeast Asian countries facing interreligious tensions.

Employing an interdisciplinary approach this research project was able to obtain an academically researched information about the historical-anthropological, religio-cultural and organizational dimensions of the *Mawlid* celebrations in Thailand. The research carried out in this project was successful in obtaining crucial information about how the Thai Muslims celebration of the *Mawlid al-Nabi* is an instrument for managing state-religion relations in Thailand. I was able to obtain important historical information about the origins and reasons concerning the *Mawlid* celebration in Thailand since 1930s onwards until today during the different phases of the modern Thai political history.

Southeast Asian states are semi-secular, religion is an important political symbol and identity marker, Southeast Asian political cultures are religion based: there is Buddhist political culture in Thailand, in Myanmar, Cambodia—kings and political leaders seek to emulate the model of Dhammaraja; Malaysia has Muslim political culture in which sultan is the custodian of Islam; in the Philippines, Catholic values inspire social and political development in the Philippines and East Timor. Also in Southeast Asia, the world religions operate along ethnic lines in Southeast Asia, here a Malay is a Muslim; Thai is Buddhist; Filipino a Catho-

lic; and a Chinese a Taoist/Confucian/Buddhist or a Christian. Thus religious labels such as a Malay Buddhist or Malay Christian or Filipino Muslim or Filipino Buddhist or Thai Muslim (not popular in deep south Thailand provinces of Pattani, Yala and Narathiwat but accepted by the rest of non-Pattani Muslims in the rest of the country) or Thai Christian are seen as contradiction in terms. The Malay Muslims of the deep South Thailand are reluctant to call themselves Thai Muslims, they refer to the Thais as Siamese and themselves as *orang melayu* or *orang nayu* i.e. Malays. Nor do the Mindanao Muslim call themselves Filipinos for them such identifications have predominantly ethnic meanings.⁵⁶

Thailand, a predominantly Buddhist country in which the monarch is a Buddhist has not declared Buddhism as its official religion while Buddhist values inspire its political culture. As per the Thai constitution, the monarch is the patron of all religions in Thailand. This is similar to the case of Indonesia guided by its official policy of *Bhinneka Tunggal Ika* (Unity in Diversity). But, this is not the case in Malaysia and Brunei, which have declared Islam as the official religion, with the supremacy of the Malays, similarly in Myanmar Burman race is dominant and Theravada Buddhism has- been given official preference.⁵⁷

Thailand seeks to unite its citizens on the basis of unity of language as a path to build religious coexistence not necessarily religious pluralism,⁵⁸ which entails theological and political recognition of the validity and equality of all religions.

⁵⁶Anthony D. Smith, *The Ethnic Origins of Nations* (Reprint) Malden, Mass.: Wiley-Blackwell, 1991.

⁵⁷Thongchai Winichakul, *Siam Mapped: A History of the Geo-Body of a Nation*, Honolulu: University of Hawaii Press, 1997.

⁵⁸ Religious pluralism means different thing to different people; generally it holds that there is truth in every religion. All founders of religion are a fraternity and everyone has the freedom to practice their religion. In the Southeast Asian context, it means that the theists recognize non-theistic religions like Buddhism and the non-theists recognize theistic religions. Religious pluralism means en-

For the Muslims, all over the world celebration of *mawlid* is an act of devotional reciprocity between humans, God and the Prophet. In the case of Thailand, the *Mawlid* is a symbolic reminder of the historical presence of Islam in the country. It also represents an annual opportunity to reaffirm the identity of Thai Muslims' status as citizens and their allegiance to the monarchy.

6.2 Contemporary State of Islam-Buddhism Relations in Southeast Asia

Islam and Buddhism are two major religions of the ASEAN region, Muslims make up 42% and the Buddhists are 40% while the Christians are around 12–13%.⁵⁹ The history Islam-Buddhist relations is an intertwined history in which business, religious syncretism oriented towards mysticism and commonly shared religio-social vocabulary in the past enabled religious co-existence between Islam and Buddhism.⁶⁰ Such

gaging in dialogue, to change and grow, not to assimilate the other but to integrate the other into oneself. Since everyone holds that his religion is the best, critiques of religious pluralism are of the opinion that it amounts to relativism. But relativism and belief in equality of religions are not same. Belief in equality of religions means belief that while one holds one's own religion as valid and true, one also views other religions in the same manner. While relativism holds that truth is relative and not absolute, pluralists maintain that truth is absolute and available equally to all. Furthermore, belief in religious tolerance is not the same as belief in religious equality. Hence, it is mostly individuals rather than religious groups that adopt the pluralist position. See: Imtiyaz Yusuf, "What the world needs today is more religious pluralism." In *The Nation* (August 20, 2011): <http://www.nationmultimedia.com/home/What-the-world-needs-today-is-more-religious-plura-30163196.html> (Accessed June 1, 2015)

⁵⁹ J. Selway, "Turning Malays into Thai-men: Nationalism, Ethnicity and Economic Inequality," *Southeast Asia Research* 15(1): 56 (2007).

⁶⁰P. J. Zoetmulder, *Pantheism and Monism in Javanese Suluk Literature: Islamic and Indian Mysticism in an Indonesian Setting* (Koninklyk Instituut Voor Taal

pre-colonial shared interreligious coexistence has increasingly eclipsed since colonial era when the Southeast Asian communities came to classified by the colonizers along ethno-religious lines.

Contemporary Southeast Asian Muslims and Buddhists lack knowledge of the previous interaction and relations between Islam and Buddhism in Arabia, Central Asia and India. Their perceptions of each other start from time of Islam to Southeast Asia since 12th and 13th centuries.⁶¹ It is a pity that Southeast Asian Muslims have erased the memory of their pre-Islamic Hindu-Buddhist past, such a stance has contributed to the lack knowledge about their shared religious and cultural vocabulary such as *agama/sasana* (religion); *puasa* (fasting); *Hari Raya* (Day of Festivity); *surau* (mosque), etc. and even shared personal names rooted in the mixing of Sanskrit, Pali, Indo-Malay languages and Persian and Arabic. Both the communities are also unaware of the religious parallels in their religions.⁶² The major challenges facing these communities are building religious understanding about shared history, shared cross-cultural influences and inter-religious exchanges in the past and the present.

The history of Muslim-Buddhist interaction is old as Islam and has its positive and negatives aspects. In the case of their 900 years of coexistence in Southeast Asia, though their early relations were syncretic,

Land, 1995); Ann R. Kinney et al., *Worshipping Siva and Buddha: The Temple Art of East Java*, 1st edition. (Honolulu: University of Hawaii Press, 2003); A. H. Johns, "From Buddhism to Islam: An Interpretation of the Javanese Literature of the Transition" *Comparative Studies in Society and History* Vol. 9, No. 1 (Oct., 1966), pp. 40-50.

⁶¹ For a general survey of Muslim-Buddhist relations, see, Imtiyaz Yusuf, "Islam and Buddhism: From Coexistence to Dialogue" in Catherine Cornille, *The Wiley-Blackwell Companion to Inter-Religious Dialogue* (Wiley-Blackwell, 2013).

⁶² Imtiyaz Yusuf, "An Opportunity To Reflect On The Idea Of Compassion" *The Nation* (Bangkok) 31 July 2013; Imtiyaz Yusuf, "Finding Common Ground To Build Better Understanding" *The Nation* (Bangkok) 26 July, 2014

identities later became ‘ethnized’. As far as I know, today there is no Southeast Asian Muslim scholar of Buddhism and no Buddhist scholar of Islam. In the face of rising religious nationalism and fundamentalism in both the faiths, there is need to build Muslim-Buddhist understanding through pedagogical and socio-cultural projects that are more than mere tourist symbols. In the multi-ethnic and the multi-cultural communities of Southeast Asia each religious community lives exclusive in its own isolation.

6.3 What is Mawlid?

Formally called *Mawlid al-Nabi*, it is an annual event through which the Muslims around the world celebrate the birthday of the Prophet Muhammad. It is similar to Christmas and the Buddhist, *Wesak puja* festival, marking the full moon of the fourth lunar month on which the Buddha was born, was enlightened, and passed away. *Wesak puja* is widely celebrated in Southeast Asia, it is considered to be an auspicious time to make religious merit.⁶³

Every year, millions of Muslims around the world celebrate the *Mawlid al-Nabi*, which falls on 12 *Rabi al-Awwal* of the Muslim lunar calendar. The *Mawlid* festival was instituted during the 11th century by the Fatimid Shia Caliphate in Egypt. The *Mawlid al-Nabawi* or the Prophet Muhammad's birthday is celebrated around the world in both Muslim majority and non-Muslim majority countries including Thailand.⁶⁴ It is estimated that *Mawlid al-Nabi* celebration is a public holiday in 47 countries around the world, made of both Muslim and non-Muslim majority countries. While the conservative state of Saudi Ara-

⁶³“Wesak.” 2013. In *The Princeton Dictionary of Buddhism*, edited by Robert E. Jr. Buswell et al.. Princeton: Princeton University Press.

⁶⁴“Mawlid.” In *The Oxford Dictionary of Islam* by John L. Esposito (editor), *Oxford Islamic Studies Online*, <http://www.oxfordislamicstudies.com/article/opr/t125/e1481> (Accessed March 30, 2015).

bia, established in the 1930s, has banned *Mawlid* on the grounds that it is a *bid'ah* (religious innovation), accusing it of being an idolatrous and heretical religious ritual—an imitation of Christmas.⁶⁵

In the case of Thailand, the *Mawlid* is not celebrated as elsewhere fixed in month of *Rabi al-Awwal*. The date for the celebration of *al-mawlid al-Nabi* in Thailand is selected by the office of the *Chula-rajmontri* (*Shaikh al-Islam*), the official head of the Thai Muslim community. And it has become a tradition in Thailand to celebrate the *Mawlid* in the run up to the holy month of Ramadan. For example in the year 2015, the *Mawlid al-nabi* celebrations were held on March 7-9, 2015. The Muslim celebration of *Mawlid al-Nabi* is an expression of Muslims love for their Prophet Muhammad, his companions and his close family members. It is the reminder of Muhammad's status as the last prophet of Islam and an exemplary perfect human being worthy of emulation by the Muslims for all times.

6.4 Contents and Structure of the *Mawlid*

The *Mawlid* is a non-obligatory religious practice, it is a social function that builds and reinforces what Victor Turner calls as *communitas* in this case at the “existential” level of Muslim community⁶⁶ Celebration of and participation in the *Mawlid* festival is viewed by the Muslims as a

⁶⁵N. J. G Kaptein, *Muhammad's Birthday Festival: Early History in the Central Muslim Lands and Development in the Muslim West until the 10th/16th Century* (Leiden; New York: E.J. Brill, 1993); "Muhammad, Birthday of." In *The Islamic World: Past and Present* by John L. Esposito (editor). *Oxford Islamic Studies Online*, <http://www.oxfordislamicstudies.com/article/opr/t243/e233> (Accessed March 30, 2015).

⁶⁶Victor W. Turner, Roger D. Abrahams, and Alfred Harris, *The Ritual Process: Structure and Anti-Structure* (Reprinted), New York: Aldine Transaction, 1995: 132.

barakah (blessing) bestowing event; in concordance with the Quranic description of the prophet as a being who is an eternal blessing for the worlds.

“And [thus, O Prophet,] We have sent thee as a mercy towards all the worlds.” Qur’an 21:107

For the Muslims, the prophet Muhammad as an exemplary human being is a model worthy of emulation for attaining well-being in this life and in the hereafter. A typical *Mawlid al-nabi* celebration in mosques, halls, parks or homes begins with the recitation of a passage from the Quran highlighting the status of the Prophet Muhammad, such as:

مُحَمَّدٌ رَسُولُ اللَّهِ وَالَّذِينَ مَعَهُ أَشِدَّاءُ عَلَى الْكُفَّارِ رُحَمَاءُ بَيْنَهُمْ
تَرَاهُمْ رُكَّعًا سُجَّدًا يَبْتَغُونَ فَضْلًا مِّنَ اللَّهِ وَرِضْوَانًا سِيمَاهُمْ
فِي وُجُوهِهِمْ مِّنْ أَثَرِ السُّجُودِ ذَلِكَ مَثَلُهُمْ فِي التَّوْرَةِ وَمَثَلُهُمْ
فِي الْإِنْجِيلِ كَزَرْعٍ أَخْرَجَ شَطْأَهُ فَآزَرَهُ فَاسْتَغْلَظَ فَاسْتَوَى
عَلَى سَوْفِهِ يُعْجِبُ الزَّرَّاعَ لِيَغِظَ بِهِمُ الْكُفَّارَ وَعَدَ اللَّهُ الَّذِينَ
آمَنُوا وَعَمِلُوا الصَّالِحَاتِ مِنْهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا

“Muhammad is the Messenger of God. Those who are with him are firm and unyielding towards those who deny the truth, but compassionate towards one another. You see them bowing and prostrating themselves, seeking the grace of God and His good will. Their marks are on their faces, the traces of their prostrations; they are described in the Torah and in the Gospel as being like a seed which sends forth its shoot, then makes it strong; it then becomes thick, and it stands firm on its own stem, delighting the sowers. He seeks to enrage the disbelievers through them. God has promised forgiveness and a great reward to those of them who believe and do good works” (Quran 48:29).

This is followed by reciting of poems in honor of the Prophet both in Arabic and the local languages of the people.

The world-wide Muslim community made of different languages and cultural groups have over the centuries produced a variety of poems commonly known as *Qasidah* and *Nasheeds* in Arabic and other languages eulogizing the prophet Muhammad, which are recited with and without accompaniment of musical instruments.

The most popular *Mawlid* poem in Arabic recited around the Muslim world is the one composed in the 18th century known as *Mawlid* of Ja'far ibn Hasan al-Barzanji (d. 1764 CE). It comprises of invoking of blessings upon the prophet.⁶⁷

The performance of *Mawlid-al-Nabi* blends the scriptural, mythical, ritual, and sociopolitical, economic dimension of the Muhammad personality, which is adopted by Muslims living and practicing Islam in the different cultural and linguistics zones of the Muslim world viz., the Middle East, Africa, South-Southeast and Central Asia, Europe and the Americas. The *Mawlid* festivities include readings from the Qur'an, poetry, recitations of Muhammad's life and deeds, singing songs praising Muhammad's virtues, feasting, exhibition and distribution of food to the poor.⁶⁸

Being a later constructed event, the celebration of *Mawlid-al-Nabi* festival has been subject to fierce internal Muslim debate concerning its religious legitimacy within Islamic tradition. The scripturalists such as the Wahhabis who lay stress on literal and legalist interpretation of Islamic religious sources of the Qur'an and the Hadith—report of the sayings or actions of Muhammad or his companions hold that the celebration of *Mawlid al-Nabi* festival is a post-Muhammad innovation thus a religiously invalid practice.⁶⁹

⁶⁷Marion Holmes Katz, *The Birth of The Prophet Muhammad: Devotional Piety in Sunni Islam*, London; New York: Routledge, 2007: 81.

⁶⁸ Guindi, Fadwa El and Justin Corfield. "Mawlid." In *The Oxford Encyclopedia of the Islamic World*. *Oxford Islamic Studies Online*, <http://www.oxfordislamicstudies.com/article/opr/t236/e0521> (Accessed March 30, 2015).

⁶⁹Katz, *The Birth of The Prophet Muhammad*, 170-174.

Contemporary spread of Wahhabi puritanism along with its promotion of religio-social exclusivism is creating division among the Muslims by its worldwide censuring the celebrating of the *Mawlid*. There is an ongoing tussle between the exclusivist literal-puritan-legalist and the inclusivist mystical trends in Islam concerning celebration of *Mawlid*.

6.5 Status of *Mawlid* in Modern ASEAN

Taking reference from the Qur'an chapter 94 *al-Inshirah*: "The Expansion" which speaks of God's exaltation of Prophet Muhammad's person as a prophet, the Islamic modernists of the 18th century onwards the *Mawlid* as an event and means of preserving and promotion of Muslim identity in modern times.⁷⁰ In this way, Muslim modernist like Rashid Rida and others adopted a gradual approach towards transforming the *mawlid* from its medieval format of mere devotionism to that of being a pedagogical and cultural instrument. Rashid Rida demythologized *Mawlid* by laying stress on biographical and the functional aspects of the prophet Muhammad's personality worthy of emulation by the Muslims for all times.⁷¹

The celebration of the *Mawlid* in Thailand as we will see below is also representative of this trend which while preserving some of its traditional form adapts to the socio-cultural-political life in a modern Thai nation state. Thus the occasion of the celebrating the *Mawlid* is an occasion of representing the presence of Islam in a Buddhist polity. The *Mawlid* is also celebrated in other ASEAN countries such as Indonesia, Malaysia, Brunei and the Philippines at the national level while in Singapore it has of recent become a low-key event unlike in the past.

⁷⁰Charles Kurzman, *Modernist Islam, 1840-1940: A Sourcebook* (Annotated edition). Oxford University Press, USA, 2002.

⁷¹Marion Holmes Katz, *The Birth of The Prophet Muhammad: Devotional Piety in Sunni Islam, 177-178*.

6.6 *Mawlid* in Thailand

Thailand is a constitutional monarchy in the form of a “secularized Buddhist polity” with a “stable, semi-democratic” political system. Thailand’s five to seven million Muslims consist of two distinct groups: the largely assimilated “Thai Muslim” population living throughout the country, and the ethnically, culturally, and linguistically “Malay Muslim” communities concentrated in the “Deep South”—the region’s majority population, this second group, representing about 44% of the country’s Muslims.⁷²

Today, the office of *Chularajmontri* or *Shaikh al-Islam* supervises the annual *Mawlid* celebration in Thailand. The office of *Chularajmontri* of Siam was established during the Ayutthaya Kingdom (1351–1767) when a substantial population of Shia Muslims had migrated from Iran to Thailand and lived along side with Sunni Muslims immigrants from Champa, Indonesia and India. Other foreign communities in Ayudha were the Chinese, Portuguese, etc.⁷³

⁷² Imtiyaz Yusuf, “Ethnoreligious and Political Dimensions of the Southern Thailand Conflict” in Amit Pandya and Ellen Laipson (eds.) *Islam and Politics: Renewal and Resistance in the Muslim World*, Washington D.C.: Henry L. Stimson Center, 2009.

⁷³ John O’ Kane, *The Ship of Sulaiman* (London: Routledge, 2007); Muhammad Ismail Marcinkowski, *From Isfahan to Ayutthaya: Contacts between Iran and Siam in the 17th Century* (Pustaka Nasional Pte Ltd, 2005); Raymond Scupin, “Islam in Thailand Before the Bangkok Period,” *Journal of Siam Society* 68 (1980): 55–71; Imtiyaz Yusuf, “Islam And Democracy In Thailand: Reforming The Office Of Chularajmontri/Shaiikh Al-Islām” *Journal of Islamic Studies* (1998) 9 (2): 277-298; Imtiyaz Yusuf, “The Role of the Chularajmontri (Shaykh al-Islam) in Resolving Ethno-religious Conflict in Southern Thailand” *American Journal of Islamic Social Sciences* Vol. 27 No. 1 (2010) 31-53; Omar Farouk, “Shaikh Ahmad: Muslims in the Kingdom of Ayutthaya,” *JEBAT – Journal of the History Department Universiti Kebangsaan Malaysia* 10 (1980/1) 206-14.

As elsewhere in the world, the celebration of *mawlid* in Thailand includes Koran reading competition as preparation for the Thai and other Quran reciters for the annual Association of Southeast Asian Nations (ASEAN) Qur'an recitation held in Kuala Lumpur, Malaysia.

On the occasion of *Ngarn Mawlid Klang* (Central *Mawlid* Festival), the Ministry of Culture's Islamic Department gives awards to Thai Muslims who have contributed to the promotion and development of their roles as citizens, as educators and as social workers. In Bangkok, the *Ngarn Mawlid Klang* is a vibrant showcase for the Thai Muslim community and their lifestyles. At the exhibition, booths displaying the history and cultural life of the diverse Thai Muslim community and different Muslim embassies of Muslim countries offer a flavor of their own unique cultures, arts and commercial life. And there are stalls selling religious artifacts, Muslim fashions and Thai Muslim dishes from the north to the south of the country.

Majority of Thai Muslims see no contradiction between their religious affiliation with Islam and their status as Thai citizens. In fact, many are proud of it and feel free to identify with their national status. Being a religious minority, Thai Muslims have initiated several activities relating to the maintenance and promotion of Muslim religious and cultural activities. By illustrating the cultural mosaic of Thailand, the *Mawlid* festival plays an important role in maintaining and enhancing religious, cultural and ethnic diversity and the peaceful coexistence of different communities in Thailand.

Thus it is unfortunate that *Ngarn Mawlid Klang* is not well known among the rest of the Thai community. The roots of that obscurity lie in the prevailing ethno-religious identities of Islam and Buddhism in Thailand, where the Muslims are known as “*khon khaek*”, distinct from “Thai Buddhists”. Thai Muslims still have a lot of public relations work to do in popularizing *Ngarn Mawlid Klang* as part of Thailand's cultural calendar.

6.7 Managing State-Islam Relations through Festival

State-religion relations in any country are managed through a variety of means: constitutional, executive, state bureaucracy, social relations and also festivals, this section will explicate how the *mawlid* festival in Thailand serves this function. There is a tendency in the majority of publications about Muslim minorities to view them as an exception in the political body of country. Such views are largely located in the Orientalist approach toward the study of Islam and the Muslims, which I do not want to venture in here. In other words, the Muslims are viewed as a suspect. Such a perspective misses out on understanding how the worldwide the minority Muslim communities as citizens of different countries manage their relations with state and vice-versa. Their role in this affair is not culturally different from that of other minorities in any country. Appreciation of this requires, “to theorize a concept of culture that depoliticizes cultural attachments if colonialism politicized them. The problem then is not cultural attachments per se, or identity per se, but politicized culture”.⁷⁴

In the case of semi-secular Thailand, where religion is the third pillar and symbol of Thai polity, the Thai monarch is Buddhist by faith and also the upholder of all religions in Thailand,⁷⁵ attends the *Mawlid* celebration which every year. Every year in the past decades, the HM King Bhumiphol Adulyadej officially opened the *Mawlid* celebration and it became a medium of communication and management of state-Thai Muslims relations. This process began after the 1932 democratic revolution which transformed Thailand into a constitutional monarchy. Several

⁷⁴ Suren Pillay, “Decolonizing the University,” *Africa Is a Country*, 7 June 2015, accessed June 8, 2015, <http://africasacountry.com/decolonizing-the-university/>

⁷⁵ Chapter 2, Section 9. *Constitution Of The Kingdom of Thailand*, B.E. 2550 November 2007 (Bangkok: Bureau of Printing Services, The Secretariat of the House of Representatives, 2007).

Thai Muslim patriots such as Mr. Chaem Phromyong, (1910-1989) and Mr. Banchong Sicharun had aligned with the democrats and were the members of the *Khana Ratsadon* (People's Party) led by Pridi Phanomyong (1900-1983) which turned into Thailand into constitutional monarchy. These two prominent Thai Muslim politicians from Bangkok were close associates of Pridi Phanomyong, who later on became Prime Minister in 1946. Pridi appointed Chaem Phromyong as the first *Chularajmontri* under the Islamic Patronage Act of 1945. The main function of the *Chularajmontri* was to help resolve tensions in the deep South by assisting in the integration process of the southern Malay Muslim provinces into Thai nation. Chaem Phromyong held the office of the *Chularajmontri* for two years (1945-47) and fled with Pridi to China when Pridi's government was overthrown through the military coup led by Phibun Songkram who took political power twice (1948-1957).

As a Thai ultra-nationalist, Phibun changed the country's name from Siam to Thailand and embarked pro-Thai nationalist campaign to modernize Thailand and also to assimilate the non-Thais into becoming Thai by stress on adoption of central Thai culture, language and modern social conventions. Phibun engaged in campaign of fervent nationalism whereby a Thai was a Thai by language and culture. He introduced anti-Chinese policies to curb ethnic Chinese dominance of the economy, restrict Chinese language, education, newspapers and culture.

On the National Day of June 24, 1939, Phibun announced the implementation of the *rathaniyom* (cultural mandates) policy, which compelled all Thai to learn Thai language, sing the national anthem, buy domestic goods, eat healthy food, wear hats, and dress in Western garb, encourage Thai men to kiss their wives goodbye, in the mornings when they leave for work. He also employed the mass media and educational system to popularize a new history. It was filled with prideful ethno-national rhetoric, and tales of great savior-kings, ancient empires, and glo-

rious wars. The national policy of *rathaniyom* – asserted the superiority of Thai race and forced assimilation of the minorities.

The Muslim *ulama* and community were infuriated by *rathaniyom* for it did not allow space of cultural difference, the southern Malays were forbidden from wearing Malay dress such as the *sarong* and speaking in the local Malay dialect of *Yawi* and celebration of Muslim festivals. The Thai Muslims both in the deep southern Muslim majority provinces and elsewhere in the country did not welcome this Thai-ization policy for it sought to remove the ethnic and cultural identity of the Thai Muslims or “Thaïse” them. The Thai Muslims viewed this policy as being aimed at eroding their cultural and religious identity, hence some Muslim leaders started the celebrating the *Mawlid al-Nabi* – the prophet’s Muhammad’s birthday as a private public event as means to preserve and transmit their distinct religious identity in face of a transforming public policy.

In facing of the emerging ultra-nationalist policies of General Phibun, in 1938, a group of Thai Muslim held the first small social celebration of the *Mawlid al-Nabi* to display the presence of the Thai Muslim community as an integral part of Thailand. This event was organized by the two prominent Thai Muslim politicians, Mr. Chaem Phromyong and Mr. Banchong Sicharun,⁷⁶ The purpose of holding the *mawlid* event was to show the presence of the Thai Muslim community and also build internal Muslim solidarity, the event was held at the Anjuman Islam center located behind the Charlem Krung theatre in Bangkok. It was small social function.

Mr. Chaem Phromyong and Mr. Banchong Sicharun had studied the al-Azhar university in Cairo and were influenced by the modernist interpretation of the *mawlid*. While in Egypt, they witnessed the observation

⁷⁶Imtiyaz Yusuf, “The Thai Muslims and Participation in the Democratic Process: The Case of 2007 Elections,” *Journal of Muslim Minority Affairs* 29(3) (September 1, 2009): 325-336.

of the Prophet's *Mawlid* as a major state-sponsored celebration since the days of Muslim modernist reformer Rashid Rida.⁷⁷ As a reformist, Rashid Rida eliminated the ritual dimension of the *Mawlid* while laying stress on its social dimension. He did not reject the celebration of the Prophet's birthday. Rashid Rida's work towards demythologization of the *Mawlid* by laying stress on the ethical and social progressive aspect of the Prophet's mission and this format soon spread to the rest of the Muslim world. From then on, in most of the Muslim communities the *Mawlid* celebration assumed social, cultural and educational face. And it also served as an instrument for maintaining Muslim identity around the world in both Muslim and non-Muslim countries including Thailand.⁷⁸

The next *Mawlid* celebration with some participants from outside Bangkok was held in 1939, titled as *mawlid al-nabi* was held at the auditorium of the Silapakorn University.⁷⁹ On this occasion, the organizers purposely invited Major-General Luang Wichitwathakan (also known as Wichit Wichitwathakan) a Thai politician, historian, novelist and playwright who played an important role in the creation of the modern Thai national and cultural identity by rewriting history. The invitation to him to join the 1939 *Mawlid* was to display to him the Thai Muslim identity as being an integral part of modern Thailand.⁸⁰ On this occasion, the Thai Muslim men wore the *songkok* or *peci* or *kopiah* a cap widely worn by the Muslims of Indonesia, Brunei, Malaysia, Singapore, the southern Philippines and southern Thailand and also neck ties and the women adorned head scarfs. Thereby showing that they had no problem with

⁷⁷Marion Holmes Katz, *The Birth of The Prophet Muhammad: Devotional Piety in Sunni Islam*, 175.

⁷⁸*Ibid.*, 178–179.

⁷⁹Christopher John Baker and Pasuk Phongpaichit, *A History of Thailand* (New York: Cambridge University Press, 2005), 113.

⁸⁰Scot Barme, *Luang Wichit Wathakan and the Creation of a Thai Identity* (Singapore: Institute of Southeast Asian Studies, 1994).

modernization as long it did not deface their identity and presence in Thailand.

The third national level but private Muslim celebration was held in 1940 with Lek Nana, a founder of the Democrat Party of Thailand as the chairman of the organizing committee. This annual was becoming gradually popular the 4th annual event received financial support in form of donations from Thai Muslim businesses. Meanwhile, Mr. Chaem Phromyong and Mr. Banchong Sicharun, sought financial support from the government for the holding of the *mawlid* event and they did receive support. After the next, 5th festival, the *mawlid* celebration was stopped for a 10 years period due to the Second World War and its economic impact, making it financially difficult to organize such a large event.

In 1952, Mr. Rangsarit Chavanatsiri, who worked as a secretary at Thai Ministry of Education held a meeting to revive the *mawlid* celebration and Khunying Sangdao Siamwala, a prominent Thai Muslim lady known for her social worker was elected as the chairperson for organizing the next event.⁸¹ And it came to known famously as *Ngarn Mawlid Klang* – Central *Mawlid* Festival until today. After that another prominent Thai Muslim lady Khunying Samorn Bhuminarong helped arrange that the *Mawlid* be held at Suan Amporn exhibition ground in Bangkok.

It was during the same time, that then Chularajmontri, Nai Tuan Suwannasat (1948-81) thought that it would be wise to invite HM King Bhumibol Adulyadej, the King of Thailand who is constitutionally the patron of all religions in Thailand to open the annual *mawlid al-nabi* celebration, whereby the king would meet the members of the Thai Muslim community and also get acquainted with the meaning of *mawlid*

⁸¹ Khunying is a title bestowed on a married woman by the King of Thailand, in two categories; the first one is as recognition of her outstanding humanitarian or social work or involvement. The second one is as the wife of a very high-ranking government officer.

and Islam as a religion. HM King Bhumibhol Adulyadej accepted the invitation and presided over the opening ceremony of the *mawlid* for the first time in 1964 and continued to officially open the *mawlid* event every year until 1968. After that during the years, 1969-1990, the Thai king assigned different members of the royal family and the Privy Council to represent him at every year. Since 1991 until today, His Royal Highness, Crown Prince Maha Vajiralongkorn, has opened the *mawlid* celebration every year representing His Majesty the King.

In his first address, at the *Mawlid* opening ceremony in 1964, King Bhumiphol Adulyadej, the Buddhist king of Thailand who in the eyes of the Thai people is a *Dhammaraja*—a king who rules according to the ten virtues of *dasavidha-rajadhamma*, consisting of *dana* (charity); *sila* (morality); *pariccaga* (altruism); *ajjava* (honesty); *maddava* (gentleness); *tapa* (self-controlling); *akkodha* (non-anger); *avihimsa* (non-violence); *khanti* (forbearance, practicing patience); *avirodhana* (uprightness)—remarked that he was glad to join and meet with Thai Muslim citizens. In the speech, the King also appreciated the nobility of the prophet Muhammad, by saying that the prophet was one of the great personalities of the world who brought benefit to humanity. The King praised the prophet Muhammad as being a wise; a determined and an honest person. And he wished that everyone would emulate the practice as Muhammad exemplary to gain happiness and progress. The king hoped that the Thai Muslim get benefit from this celebration of the occasion of the *Mawlid al-Nabi* in Thailand.⁸²

The opening ceremony of the *Mawlid* celebration in Thailand, with the presence of the Thai Buddhist king or the crown prince has a great symbolic meaning in terms of interreligious relations. From the perspective of phenomenology of religion, observing the Thailand's king's or the crown prince's king presence at the opening ceremony which begins

⁸²Anusorn Ngarn Maulid Krang Heng Prathet Thai (In Thai language) (Bangkok, 2015)

with the recitation from the holy Quran, their delivering of speeches extolling the personality of the prophet Muhammad as one of the great human being and their joining in the invoking of blessing on the prophet Muhammad by joining in the recitation of the *shalawat* (supplicating for the Prophet in the Arabic language), while reciting the words, “*Shalla Allahu ‘ala Muhammad, Shallah Allahu ‘alayhi wa sallam*” (On Him—Muhammad—are the blessings and the peace of Allah), and also raising hands in the style of Muslim supplication prayer is a moving experience. One feels the sincerity of the Thai monarchy’s toward their Muslims citizens and the respect and affection the Thai Muslims have towards the monarchy and their loyalty to the country.

In 1972, the organizers invited the Buddhist monks to join the *Mawlid* ceremony but this was only one time event. The organizing committee has not invited the Buddhists and others in fear that the conservative among the Muslims will object to such invitation.

Currently, the annual celebration of the *Mawlid al-Nabi* is organized and managed by the office of the *Chularajamontri* (*Shaikhul Islam*) of Thailand along with the Central and Provincial Islamic Committees in the country. Every year the *Mawlid* event is participated in by thousands of Muslims and members of other faiths in Thailand from all over the country. Since 2007, *Ngarn Mawlid Klanghas* been held in the grounds of the office of the *Chularajamontri*, Thailand's, in Nong Chok, a Bangkok suburb.

6.8 Changed Face of *Mawlid* in 2015

One of the main complaints about the *Mawlid* festival in Thailand over the years is that it has become mere a Muslim fair event, which attracts people just for shopping and eateries. Thus there is an urgent need to transform it into a more effective medium of conveying the meaning and message of Islam to both the Muslims and the non-Muslims of Thailand about the contributions of Islam and Muslims as

members of the world civilization. For the Thais are overwhelmed by media, which constantly churns out Islamophobic news creating misunderstanding, distrust and division between the Thai Buddhists and Thai Muslims. The *Mawlid* could be used to show the diversity within the Muslim world and also about Thai Muslim way of life of life and living, which is distinct from that in the Middle East. It could also be utilized to show that the Thai Muslims majority of who live in different parts of the country are peaceful citizens and are not involved with the unrest in the three deep provinces of southern Thailand or the Pattani conflict, which are a political and not a religious conflict.

Under the leadership of the present Chularajmontri, Mr. Aziz Phithakumphol, who is a learned scholar of Islam from the southern province of Songkla and is well respected by all sections of the Thai Muslim community and the Buddhists, for the 2015 *Mawlid* event, Mr. Aziz appointed Professor Winai Dahlan, director of the Halal Science Center, Chulalongkorn University to be chairperson the 2015 *Ngarn Mawlid Klang*. Professor Dahlan is famously known in Thailand for his contributions in the field of Halal Science as applied in the areas of food science and technology. Over the years, he has also organized exhibitions about Halal products produced and his Center engages in testing and certifying *halal* standard for products from Thai industries. As a person with a scientific bend of mind responsible for the organizing of the 2015 *Mawlid* festival and being aware of the low levels of general education among the Thai Muslims largely due to unreformed curriculums of *pondoks* (madrassas and Islamic schools) in Thailand, which just teach Islam as religion and theology, Dahlan selected the theme of “The Prophet Muhammad and Science” as the main theme of the 2015 *Mawlid*. The objective was to educate the Thai Muslims about the Muslim contributions to science as inspired by the emphasis of the Quran on seeking of knowledge and also through the example of the prophet Muhammad who laid stress on seek knowledge as an obligation upon all Muslims.

The Prophet Muhammad said: "The seeking of knowledge is a duty of every Muslim" (*Al-Tirmidhi, Hadith No.74*).

Dahlan saw the important of organizing the 2015 *Mawlid* on the theme "The Prophet Muhammad and Science" in light of the need for the Thai Muslims to be reformed and developed in the area of education and human resources development, currently their status in these areas is very low and limited. Majority of Thai Muslims are focused only living a religious life and shunning the world. The main reasons for such a state of affairs is the spread of the *Tabligh Jamaat* movement from India and the Salafi-Wahhabism from Saudi Arabia in Thailand, both of which are exclusive and narrowly focused agendas, incapable of improving the lot of Thai Muslim community.

The Islam and Science exhibition organized and arranged by Dahlan was propositioned toward the promotion of general education and seeking livelihood as demonstrated by the prophet of Islam during his life, inspired by the teachings of the Quran, which inspired the great Muslim scientists in the past, to make contributions in science and other areas of knowledge. The Muslim scientists of the past did not only sit in the mosques or shunned the world. The theme of science for the 2015 *Mawlid* exhibition was aimed at instilling the spirit of seeking knowledge and scientific inquiry among the Thai Muslims.

In an interview with me during the 2015 *Mawlid*, Dahlan, remarked that the Thai Muslims are unaware about the Prophet Muhammad's stress on seeking of knowledge and his science related activities during his living in the city of Medina. Nor are the Thai Muslims aware of how the early Muslim scientists borrowed and developed on the contributions of the Indian, Chinese, Egyptian and the Greek scientists and philosophers. Thus there is a need to inform them about Islam's positive attitude towards science and knowledge and applying it for the betterment and welfare of humanity and not shun scientific pursuit.

6.9 *Mawlid* Controversy in Thailand

Since the organization of the *Mawlid* in 1938, there has been in Thailand as elsewhere in the Muslim world, a religious controversy about the validity of this event among both the Thai Muslims from both the traditionalist—*khana kau* and the reformist—*khana mai* sections of the community. Without going into extended dispute and polemics, fortunately, Thai Muslim religious leaders of all shades of opinion have so far been able to weather this wider debate without stormy conflict. The traditionalist Thai Muslims follow the Shafi'i *mahdhab* (school of Islamic jurisprudence) and blend it with the local Islamic practice, which is largely Sufi oriented. On the other hand, there are two types of reformist trends in Thailand: a) modern Salafi modern reformists amongst the Thai Speaking Muslims and b) the Salafi-Wahhabi reformists.

The traditionalist and the modern Salafi among the Thai speaking Muslims view the *Mawlid* was a socially beneficial function and not a religious ritual, thus there was nothing sacrilegious about it, provided it did not go beyond the limits of the essential teaching of Islam. While the Salafi-Wahhabi Reformists, who have emerged over the last 20 years period and are mostly educated in Saudi Arabia, reject the *Mawlid* as a religious innovation, which should not be observed. The four recently established Muslim television channels in Bangkok, viz. *Thai Muslim TV*, *Yateem TV*, *White Channel*, and *TV Muslim*, all of which are also Salafi-Wahhabi oriented did not broadcast or report on the 2015 *Mawlid* event in Thailand.

6.10 Conclusion

No religious community today can exist as an island, for the future is multicultural and inter-religious. Modernization and globalization has brought challenges of living with diversity, the Thai Muslim community has as shown above used its social and cultural resources such as the

Mawlid religious festival to sustain itself and engage with the world at large since 1930s onwards. In religious terms, the world wide practice of celebrating *Mawlid al-Nabi* – a post-Muhammad social practice and function in both the Muslim majority and Muslim minority countries around is employed to assert their religio-cultural and political presence as religious minority.

In the case of Thailand, the modernized version of the *Mawlid al-Nabi* has acquired a dual legitimizing function, it marks the constitutional status of His Majesty the King as the patron of all religions in Thailand and Thai Muslims recognition of the same. It thus represents the interfacing recognition between religions of Muhammad and the Buddha in Thailand. It also marks the recognition of Thai Muslim presence by the Thai state for every annual *Mawlid al-Nabi* event is ceremonially inaugurated by a member of the royal family and the closing ceremony is done by the prime minister or a cabinet member. Thus the *Mawlid* has become an important instrument for managing religion and state relations in a Buddhist majority country.

In face of rising religious fundamentalism and also extremism in all religions including Islam and Buddhism, the *Mawlid* festival in Thailand offers a stately forum for developing Muslim-Buddhist dialogue in order to build understanding between the followers of both religions in the age of rising Islamophobia and xenophobia. This will enable the Thai Buddhists and Thai Muslims to embark on a shared dialogical journey for building much needed peace for future of Southeast Asia. This will help them overcome retreating into their parochial identities and insulating themselves through religious exclusivism which is currently spreading in Thailand, as seen from recent incidences, most of which are based on misinformation of each other, and also of external religious influences. Otherwise, the Thai Muslims like elsewhere in the Buddhist world will soon be faced with the rise of Asian Islamophobia which will become an obstacle in the formation of the ASEAN Socio-Cultural Community,

which is an integral part of the region's coming ASEAN Economic Community (AEC).⁸³

The celebration of *Mawlid* aptly represents Thailand's respect of diverse religious identities of its citizens borne out of its own Buddhist religio-political identity which in turn allows the Thai Muslims to observe their religious practices and celebrate their festivals at the national level as means of preserving and furthering their social-cultural identity.

The research carried out in this project was successful in obtaining crucial information concerning the Thai Muslims celebration of the *Mawlid al-Nabi* shows to how it differs from similar celebration in the majority Muslim world in several respects, such as its origin, timing, contents and character.

The enthusiasm with which a large number of Thai Muslims participate in *Mawlid* every year will keep it robust. For them, the festival is a significant event in the evolution of the Thai Muslim community over the decades and an integral part of Thailand's social mosaic. The annually held, *Mawlid al-Nabi* speaks of the positive role an important Muslim festival plays in the evolution of the Thai civil society. The *Mawlid al-Nabi* celebration in Thailand is an important calendric symbol of the Thai Muslim community and a means of social-cultural communication between the Thai Muslims and Thai Buddhists as citizens of Thailand.

6.11 References

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THE DAKWAH TABLIGHI

A Dynamic Religious Resurgence in Cambodia

Farina So

7.1 Introduction

The nature of Islam in Cambodia has remained mainly unchanged before and after the Khmer Rouge regime (1975-1979). However, after 1992 the country underwent a democratization and market economic reform process, which exposed the country and the Muslim community, in particular, to the outside world. During this time the community began to reconfigure those characteristics that define what it means to be a Muslim or have a Muslim identity. It also tried to establish Muslim institutions with the support of various Muslim countries and non-governmental organizations (NGOs) in Asia and the Middle East, such as, and most significantly, the Mufti, administrative structures, religious schools, and mosques.

The proselytization process became dynamic only after a large number of pilgrims returned from Mecca, or the coming of student visitors from Muslim countries or through transnational networks, notably the Dakwah Tablighi (or Tablighi Jamaat) and the Wahhabi, which came around the late 1990s. While the Wahhabi focuses more on building

mosques and religious schools in an attempt to control the interpretation of Islamic jurisprudence (*fiqh*), the Dakwah Tablighi focuses on building and maintaining a large congregation, while enforcing complete *hijab* (veil) or modest dress for the followers. The Dakwah Tablighi is an apolitical movement, embracing various kinds of *fiqh* and is the fastest growing network in the country. It has mobilized thousands of followers in less than a decade. As a result, one will examine several lingering questions about the movement's effects on the Cambodian Muslim community.

The leaders proclaim that the movement only preaches modesty and not fundamentalism. But one is left with the question of why some of the teachings are so strict and yet increasingly more people are joining the movement. Furthermore, as women are encouraged to join the movement, it is questionable whether or not this religious movement could help improve gender relations in the Muslim community. Equally important, how does the revival of Islam in the country changes the way in which their Cambodian fellows perceive Islam or Muslims in general?

The purpose of this article is to shed light on a broader perspective on the Muslim missionary movement in Cambodia by providing a nuanced analysis of the movement and its effect on gender relations and the Buddhist majority in the country. Existing research on Islamic religious movement argue for both rationale and moral choices of the revitalization. Some analysts argue that one of the causes of religious resurgence is the retreat of the state due to difficult experiences that the religious leaders or the individuals have (Abdelkader 2011 and Delong-Bas 2004), while other commentators provide that the rise of civil society, globalization and transnationalism have contributed to the resurgence of the religious movement (Yom 2005 and So 2009).

Another opinion held by scholars is that Islamic revitalization is a response to secular nationalism (Yom 2005). However, when pointing out

to the participation of non-elites in the movement, Hefner (2010) suggests that religious resurgence is motivated by “self, family and everyday life”. In this respect, I suggest that understanding religious movements in Cambodia, especially the Dakwah Tablighi, require both macro and micro lenses, encompassing an understanding of the political purposes, transnational networks, and moral passions behind religious resurgence.

The Dakwah Tablighi was first formed to prevent Muslims from assimilating into other cultures. Yet it becomes part of everyday life through constant practice. This kind of appeal has spread to many parts of the world in India, Pakistan, Bangladesh, Europe, US and Southeast Asia through the missionary networks. However, the study on the Dakwah Tablighi movement in Cambodia remains limited and up until this point there has been no serious study on the movement. Past micro analysis focuses more on the negative sides of the movement, labeling it as a fundamentalist movement that subjugates women (Blengsli 2006 and Eng 2013). However, these views do not fully explain the movement. Despite some negative effects and attitudes, we must consider that the movement also brings positive effects for the group. As Karim (2014) puts it, this movement negatively affects education for young people, but it “brings back traditional life that has [been] ruined by globalization.” Young people are kept busy with the Dakwah tour and they have very little or no time at all for education at national school. However, this tour serves as a platform for women to get together and share their moral experiences. Furthermore, previous research has not sufficiently explained how their Muslim fellows and Buddhist majority view this movement.

In this article, I argue that the harsh experience of the Khmer Rouge forced assimilation, moral passions, and the desire to reach out to the Muslim world urged Muslim leaders to introduce the Dakwah Tablighi into the country in the hope of strengthening moral values and harmo-

nizing different *fiqh*. However, I also argue that since most of the preachers are not properly educated in theology, they instead simply memorize the text or the translation of the text provided by the local religious leaders and then preach to Muslims with a limited understanding of the Cambodian society. Thus, their messages could be seen as an imbalanced view that fails to connect with the real world. This revival of Islam is likely to cause narrow and conservative interpretations about gender roles and views toward other religious groups. This, in turn, coupled with other terrorist incidents in the region, has caused other people in Cambodia to change their views toward this group from positive to negative.

To examine these issues I use two multidimensional approaches: an “inside-out” approach and an “outside-in” one. The inside-out approach is used to examine the dynamics of Dakwah Tablighi mission, preaching and touring around the country. The outside-in approach traces the root of Dakwah Tablighi, which originated in India and was introduced to Cambodia by local Muslim leaders. It also explores travelers’ trips from various countries into the community and the views of the Buddhist majority towards the group. Data for this article was collected from archival research, interviews, and participant observations for over a six-year period (2009-2015). As part of my research, I interviewed Dakwah Tablighi group leaders (*amir*), female travelers in long gown and complete hijab (*mastura*), male travelers (*tablighs*), cooks, Muslim students and followers of *salafi* and Imam Sann, as well as civil servants, laypersons, monks, teachers, and students about their views toward the Dakwah Tablighi. I also conducted both shallow and immersed kind of observations. From my shallow observation, I visited Prek Pra and Kilometer 8 (Phnom Penh), Trea 2 (Tbaung Khmum province), and Kbal Romeas (Kampot province), where I spent only one or two days each observing the *majlis* by sitting with the female *mastura* and listening to the sermons (*bayan*) in several Cham Muslim villages. For my im-

mersed observation, I stayed with one female *mastura* for one year between 2012 and 2013, whose house is reserved for *bayan* and female *mastura*. I acted as an aide of the host so I did not need to be in the *mastura* dress, and I could both observe and participate in the religious gathering (*majlis*). During this time, I observed her and the group and was also allowed to lead the female group on some occasions when we used the translated text.

By studying both the positive and negative effects of the Dakwah Tablighi, one will be able to draw some policy implications that would help set out some recommendations to address any kind of misconceptions and improve the role of women in the movement and everyday life. In order to do this, I will organize this article into five parts. Part one provides an overview of Muslim community experience under the Khmer Rouge and the way in which a segment of Muslim population defines Islam, especially an adoption of the movement. Part two discusses the history, practice and networks of the movement in the country. Part three examines the impact of movement on gender relations. Part four discusses the reactions of their Cambodia Muslim fellows toward the movement and part five surveys changing perception of non-Muslim views toward Muslims. I will conclude by analyzing the positive and adversarial impact of the movement, and discussing the policy relevance.

7.2 Overview of Cambodian Muslims under the Khmer Rouge

Muslims comprise about five percent of the total Cambodian population and are scattered in communities across the country. Muslims in Cambodia consist of Cham, Chvea (Javanese descendants), Malays, Pakistani, Indian and the Khmer converts. Cham make up a sizeable of the Muslim population and a small group of Cham practice syncretic Islam and Shia. A majority of Cham people fled from Champa to Cambodia after the Vietnamese expansion in the sixteenth century after the

fall of Kauthara, the city of Champa Kingdom and is now designated as Nha Trang, and were welcomed by the Cambodian King, Ang Chan, of Longvek period (Mak Phoeun, 1981 in Collins, 2009).

They first travelled by land and water from different directions, with some crossing Champasak before they arrived in former Tbaung Khmum district, which is now designated as a province. This first settlement has been backed by evidence from the discovery of a tomb used by the royal families, as well as oral accounts from people from the village.⁸⁴ Due to the subsequent arrival of Cham refugees, which crowded the area, many Cham settlers found other places to resettle, including Kampong Chhnang, Pursat and Battambang. According to Imam Sann leader, the majority of those in Kampong Chhnang at that time followed a saint named Imam Sann whose sanctuary currently stands on top of Udong Mountain.⁸⁵

Similarly, for Chvea people or Jva-Malays, they fled to Cambodia by ship from the Indonesian Java and Sumatra islands. Accounts on their arrival in the country vary from source to source. According to Moura (1883 in Collins 2009), the migration of these Jva-Malays to Cambodia might have taken place after the beginning of the 13th century, but since most of them were traders or merchants they moved back and forth between the two countries. However, oral accounts by my interviewees claim that the Chvea arrived in Cambodia much later and the majority of the travelers were male. At least four ships arrived at the shore in the vicinity of Takeo province around the 16th century.

These ships loaded Jva warriors and later on were requested to help fight the Khmer rivals, known as the Siam (Thai), during Longvek peri-

⁸⁴ Author's interview with Hakim of Kampong Cham province, June 10, 2012. Also see, Williams Colin, "The Muslims of Cambodia" in *Ethnic Groups in Cambodia*, 2009.

⁸⁵ Author's interview with Oknha Knuor Kaitoam, Imam Sann leader, Kampong Chhnang province, June 20, 2012.

od.⁸⁶ Chvea married to Khmer, Cham, Pakistani and Indian peoples. Due to this inter-faith marriage and the male-majority of migrants, their ethnic language was not popularly used. Consequently, the majority of the Chvea now speak Khmer with little *bahasa*, akin to Malay and Indonesian languages. Another group of Jva-Malays arrived in Cambodia around the same time as Cham. Most of them fled from a civil war in the Kelantan state, Malaysia. There is evidence of a Malay prince's tomb in Kandal province.⁸⁷ A small number of Pakistani and Indian Muslims settled in Malaysia and Thailand before they made their way to Cambodia. They usually raised cattle and traded.

Cham and Chvea people first practiced Hinduism like many other ethnic groups in Southeast Asia. The Chvea are believed to have converted to Islam before the Cham because the areas where this group originally settled were influenced by Islam around the thirteenth century. They are then believed to have helped convert the Cham to Islam after they arrived in Cambodia in the sixteenth century (Collins, 2009). While this claim still needs to be investigated as Islam was also introduced to Champa around the same time, today these groups have a common identity of being Muslim, despite having different ethnicities.

When the Khmer Rouge took power on April 17, 1975, Muslims and Buddhists alike suffered a tremendous loss. Ruled by the communist ideology and a vision to create a new agrarian utopian society, religions were banned during the Khmer Rouge regime. As a result, Islamic religious systems were brought down. Many religious leaders and educated peoples were killed because the Khmer Rouge considered religion and dignitaries as reactionaries that needed to be eradicated. During this time, mosques were destroyed. Muslim men and women were forced to eat pork and those who were against the Khmer Rouge order would be

⁸⁶ Author's interview with Haji Seth Sae, 79, Battambang province, August 10, 2014

⁸⁷ Author's interview with late Haji Mousa, Kandal province. January 10, 2011.

punished or killed. Women were forced to remove their headscarves and perform work carrying heavy objects. Muslims were especially harshly treated because they were perceived as a primary internal enemy, after the ethnic Vietnamese. As a result of these policies, between 100,000 and 500,000 Muslims died during the four-year period (So2011).

The revival of Islam was reinforced as a result of this harsh treatment. The Muslim community felt that the Khmer Rouge intended to root out Muslims and Islam in Cambodia, despite the similar treatment of the Khmer Rouge toward other groups. Muslim religious leaders not only wish to revive Islam but also make it stronger to ensure it would not be destroyed easily by subsequent regimes. Thus, these leaders sought assistance from other Muslim countries to help protect Islam and their existence in a greater pace than before the war. There are at least two Islamic movements operating at the community level: the Wahhabi and the Dakwah Tablighi. The latter seems to gain currency in recent years and is manifested through identity and expression. Maulana Muhammad Ilyas, a pious, learned religious leader based in Delhi first conceived the Dakwah Tablighi in 1927.

7.3 Tablighi Jamaat and Its Principles

Before the Khmer Rouge, there were only a couple of Muslim communities that practiced complete veiling based in Battambang, Preah Sihanouk and Kampot provinces. Preaching at the village level was rarely seen. In the 2000s, this complete attire and Dakwah Tablighi were introduced to Cambodia by Haji Sulaiman Ibrahim and politically supported by several Muslim political leaders such as Haji Lalai and Math Marawan.⁸⁸ The goal of Dakwah Tablighi is to increase moral values in Islam after the religious system was deteriorated during the Khmer

⁸⁸ Author's interview with Haji Sulaiman's confidant, *Amir Ya*, Phnom Penh, July 10, 2011.

Rouge regime and to also guide Muslims in the right path. The founder of the Dakwah Tablighi, Haji Sulaiman, also hoped to teach young people or those who abuse drugs to become good Muslims. In achieving his goal, he advises the followers to adhere to their faith, disassociate themselves from socio-politics, and reduce their effort in pursuing socioeconomics.

The leaders use six principles to mobilize followers from every corner of the Muslim communities. These include 1) *Kalimah Sahadah* (profession of faith); 2) *Solat* (five-times daily obligatory prayers); 3) *Ilmu* (knowledge); 4) *Zikr* (the rhythmic repetition of the name of God or his attributes); 5) *Ikraam e-Muslim* (honoring the Muslims); and 6) *Jawlah* (invitation to Islamic tour). To help the followers understand the sermon and adhere to the mission as quickly as possible, the leaders compiled several books and translated them into Khmer language. One of the core volumes is “*Tabligh Fadilah Al-Qur’an*” compiled by Haji Abdullah bin Yusof and was reviewed by Haji Sulaiman Ibrahim. The other several smaller books are excerpts from this thick volume for the Dakwah Tablighi and for daily use.

The leader of the group is titled “*Amir*”. The Amir sometimes preaches and uses a variety of techniques to encourage people to follow. First and foremost, the Amir emphasizes reward or merit for joining and adhering to the *majlis taklims* (congregational preaching), which mostly center about the hereafter. Most of *Amir* neither have a degree in theology nor can broadly interpret Islam. Most of the sermons focus on reward and punishment, especially for the hereafter.

Punishment is meant for those who commit evils and loosely practice or incorrectly following Islam. Because they believe that the purpose of human life is only to serve God, they advise the followers not to be greedy but to be happy with being economically poor since God love pious poor people rather than the rich. They believe that it is good for every Muslim to go out on the Dakwah (literally call to Islam) tour ei-

ther inside or outside the country for anywhere between three days, forty days and four months in one's life. For them, *Dakwah Tablighi* is the solution.

The *majlis* (council) first started with a small group of believers in Trea 2 village of Kampong Cham province, resident of the Dakwah leader. They use male networks to attract women and girls to join the movement. For example, male relatives, either husbands or sons, would join the group and make several trips before taking their wives or daughters along in a latter trip. Women are advised to have a male guardian, either a husband or son. At first, not many people participated but over time more people joined the movement. The majority of the followers are poor people or those who encountered many problems in their family such as financial constraints, drug abuse of their children and so on, who believe that this teaching and practice they and their children will be guided in the right direction as well as provide them benefits in the here-after.

Individuals need to spend some amount of money out of their pocket to go on tour to cover transportation or travel expenses. While the majority of the followers can afford in-country Dakwah tour, only a small number of people can go on overseas tours such as India, Thailand, Malaysia, Pakistan, Vietnam, Indonesia, etc. The local Dakwah Tablighis also receive foreigners or couple Dakwah tour coming into their locale. Males usually stay at the mosques and females are hosted by one of the local houses. As few as four couples go on each tour and can include up to seven couples. There are at least four main distributed locations of *majlis taklims*: Prek Pra, suburban of Phnom Penh; Kbal Romeas of Kampot; Prey Pis of Kampong Chhnang; and Trea 2 of Kampong Cham. *Ijtimak* or huge congregation is held in Trea 2 village attended by thou-

sands of Muslims from Cambodia and many other countries. This three-day congregation is second only to the pilgrimage to Mecca.⁸⁹

At the beginning, not many Muslims followed this movement because they said it was too strict and it requires followers to undergo this kind of austerity. However, the *jamaat* (congregation) was able to attract more and more Muslim fellows to get involved through its networks and eloquent speeches.

7.4 The Effect of Dakwah Tablighi on Gender Relations

Gender relations are one of the most controversial debates in Islam. From a Muslim perspective, women and girls are placed under male protection as guardians. They are advised to ask for permission before leaving home and, on most occasions, they need to have male accompaniment. Furthermore, women often lack the opportunity to obtain both secular and religious education. Although the stories from *hadith* (Prophetic tradition) revealed that some Muslim women during the time of the Prophet were allowed to join men in battle and obtain an education, many conservative men still keep women in the private sphere.

The Dakwah Tablighi movement seems to give women a chance to go out, but it does not raise the status of women, as women are still placed under the protection of males and sometimes not given any choice in joining the movement. The Dakwah Tablighi also interrupts education for young adults since some of them have to leave national or religious schools to join *dakwah* tours for up to several months. Men participating in the tour are referred to as “*tablighs*”, while women are called “*mastura*”. While some go on the tour on their own will, others are forced to join by their families. One of the female *masturas* would be selected to lead the female group. While females can only lead fe-

⁸⁹ Author’s interview with *masturas* in Phnom Penh and Amir Ya, August 20, 2014.

male believers, male *amir* can lead both female and male believers. Before embarking on the trip, the female *mastura* receives advice from the male group leader about the rules and regulations, such as following good and avoiding evil, no gossiping, stealing, or allowing for laziness. Additionally, no discussions of worldly issues, among other things, are permitted. By performing this well, they are supposed to increase in merit.

During the tour, *masturas* stay at a house for three days and then move to another house in different location. At each place, only female hosts are allowed to meet and greet the *masturas*. Male relatives are asked to leave the home or join the tour for a three-day period so that only females occupy the place. Doors and windows are always closed, both during day and night to make sure nobody would see the *masturas*, even though they are in a complete veil and long gown. The group arrives in the morning of the first day. Upon arrival, a male preacher is chosen from the male group to conduct *bayan* as an opening of the *majlis taklims*. The same preacher conducts another *bayan* after the *majlis* concludes.

Males and females on Dakwah tours are not allowed to see each other and are separated by a wall with a black curtain. During day, women neighbors are invited to listen to the *taklims* led by the *masturas*, rotating from one to another. Besides *bayan*, the female *mastura*, led by a group leader, performs other duties based on the daily schedule. They would wake up at dawn for the *fajr* (before-dawn prayer) and then they would sit in a circle and recite the Quran until the sun rises. Each *mastura* is encouraged to read several pages of the Dakwah Tablighi book and recall the six principles several times after recitation.

During each interval, they perform *zikr* (praising the attributes of God). They actually have very little time for a meal or to rest. Usually food is prepared by a male cook and delivered to the house to feed the female *masturas*. The females are not required to cook any of their

meals. If they have foreigners from Asia joining them, the male group often has an interpreter to help translate the language into Khmer. The female group sometimes has an interpreter, too. This is due to language disability among female *masturas*. To date, I have seen very few educated women or those with language skills that have joined the tour. This provides a complete contrast to what is happening in Bangladesh where more and more highly educated women join the movement (Karim2014). The *masturas* often use body language to communicate during *majlis taklims*. For instance, I joined Thai, Indonesian and Vietnamese female *masturas* as a host in different occasions during my observations. They would speak their own language. I sometimes translated for them from *bahasa* to Khmer or Khmer to *bahasa*.

7.5 Reactions of other Muslims toward Dakwah Tablighi

Although the movement attempts to embrace different creeds, many other Muslims still do not follow it since they see this movement as backward. The Grand Mufti himself and some of his constituents neither go on the tour nor promote the movement. Instead, the Mufti promotes tolerance and moderate interpretation of Islam and has appealed to the leaders and followers of the movement to maintain peace and stability in the community, especially to balance between freedom of religion and citizenship by not causing any trouble on the Cambodian soil.

Those who do not or have yet joined the movement state that they follow the five pillars of Islam, rather than the six pillars of Islam as suggested by the movement. They promote religious knowledge through education in schools and not just through preaching at home or in mosques. One of the well-known religious teachers in Kilometer 9 attached to the Mufti, Oknha Sos Kimry, states that it is important to teach students at school and not to just preach to them or make them leave

school for a long period of time to join the tour.⁹⁰ He also refers to the complete *hijab* for women, and states that women do not need to wear the complete veil. His thoughts have been corroborated in over a dozen of interviews with religious teachers, religious leaders, and female Muslim students in the city and other provinces I visited during my preliminary research. This group believes that the *aura* (attire) for women should be complete, except for the face and the wrists.

Most importantly, the other interviewees who perceive themselves as moderate Muslims disagree with the Dakwah Tablighi's view that Muslims should only unite among Muslims and young people should strictly practice Islam minimizing the effort to life skills. Moderates are able to bond with Muslim fellows as well as with other groups who live around them, and encourage young people to seek worldly knowledge in addition to Islamic knowledge. For example, Zakkarya Adam, director of the Cambodian Islamic Center and former Ummal Qura school, emphasizes that Muslims are not racist, but should respect other believers.

In the same light, the Cambodian Muslim Student Association (CAMSA) and Islamic Medical Association of Cambodia, both led by Haji Sos Mousine, encourage Muslims to unite among Muslims, socialize with other groups, and motivate young people to nourish their skills by offering scholarships to students to pursue various subjects. These organizations also provide dormitories to female students from various places within the country, where women are able to pursue their studies at various universities in Phnom Penh.

Similarly, the Cham Imam Sann community, the caretaker of Champa traditions, sees the revival of Islam, including this Dakwah Tablighi movement as a threat to their cultural identity since this movement discourages any kinds of cultural practice including arts, architectural design, and heritage. The Dakwah Tablighi group, whose members are

⁹⁰ Author's interview with Sa Rasath, a religious teacher in Phnom Penh, August 10 2014.

also ethnic Cham, see Cham cultural identity as unimportant and incomparable with Muslim identity, and at times even denounces some of these practices. The group has also attempted to invite Imam Sann's followers to join the movement. When asked how he feels about these practices, the Imam Sann leader said he is concerned about the loss of Cham identity since some of his followers defected to the Dakwah Tablighi or other branches of Islamic groups. During my interview with him, he and his people appealed to the concerned group to help protect Cham cultural identity because his group is dwindling and has limited resources to carry out this work.⁹¹

7.6 Khmer People's Views toward Dakwah Tablighi

Muslims and the Buddhist majority have enjoyed social harmony for centuries since the arrival of Muslims such as ethnic Cham, ethnic Chvea, and other groups in the country around the sixteenth century. The shared suffering endured by Muslims under the Khmer Rouge became a force for uniting the community after the regime collapsed. They felt they had a shared experience and were treated badly by the same enemy. However, the revival of Islam after the regime, especially with the dynamics of transnational Dakwah Tablighi, and several religiously incited incidents, has been met by varied views towards Muslims by many of their Buddhist counterparts. According to my interviews, while some Buddhists view Muslims as good adherents of Islam, others have changed their perceptions toward them.

According to my interviews with various groups of the Buddhist majority, I have found six incidents either related to Cambodian Muslims directly or to Islam in general have caused this shift in view. First, there has been a change in dress or attire from a more localized (Khmer) Mus-

⁹¹ Author's interview with Imam San Leader Oknha Knuor Kaitoam, Kampong Chhnang province, June 20, 2014.

lim dress to a more conservative Middle Eastern dress, such as, most notably, the complete *hijab* for women. Some view this as a sign of fundamentalism rather than Islamic values per se. Second, the 9/11 attack on World Trade Center by the leader of Al-Qaeda, Osama Bin Laden, and the suicide bombers that caused about over 3000 dead led some Buddhist counterparts to believe that martyrdom or suicide is rewarded by God.

The third incident that caught the public attention was the alleged terrorist plot in 2003 in Cambodia, when a local Muslim teacher was arrested and sentenced to life imprisonment by the Cambodian Supreme Court in 2008. He was charged with aiding the most wanted alleged terrorist Rashiduan alias Hambali, the mastermind behind the 2002 Bali bombing, who was seeking safe haven in the vicinity of Boeng Kak mosque of Phnom Penh. The incident also led to arrests of three foreign Muslim teachers, two Thais from Southern Thailand and one Egyptian for deliberately planning an attack of the British Embassy and UNICEF in Cambodia.⁹² In fact, the leader of Dakwah Tablighi, Haji Sulaiman Ibrahim was also arrested and tortured at the time but was subsequently released a few months later. After his release, he never shared the details of his time at the interrogation center.⁹³

Fourth was the situation in Southern Thailand in 2010, when the Thai government accused young Cambodian Muslims of helping the Malay Muslim militants in fighting the Thai central government. Although there was insufficient evidence to support the statement that Cambodian young Muslims really served as mercenaries, this incident led some Buddhists to believe that Cambodian Muslims were involved

⁹² “*Court upholds life terms for Islamic militants.*” In The Phnom Penh Post (March 12, 2008).

<http://www.phnompenhpost.com/national/court-upholds-life-terms-islamic-militants>

⁹³ Author’s interview with Amir Ya, Phnom Penh. July 10, 2009.

because of the changing practice of Islam from a more traditional method to a more orthodox practice.⁹⁴

The fifth incident involved some members of ISIL (Islamic State of Iraq and the Levant), who made a statement on video, which was likely unauthentic and unreliable, that more or less said, "...Brothers [Cambodian Muslim] from Cambodia join ISIS...", which was released on June 21, 2014.⁹⁵ Last, the sixth incident involved the open shooting by gunmen in the Charlie Hebdo office in Paris on January 6, 2015 in reaction to a satirical magazine drawing of Prophet Muhammad.⁹⁶ While some Muslims see the depiction of Muhammad as an insult, the West perceives the publishing of satirical cartoon as a freedom of speech. Despite no proven involvement of Cambodian Muslims in these incidents, they have led some non-Muslims to perceive of the incidents as Islam-motivated acts. In particular, they relate the incidents to the Dakwah Tablighi due to its mobility, networks, and orthodoxy. All of these incidents and changing practices hardened the attitude of non-Muslims toward Muslims.

7.7. Conclusion

The effects of Dakwah Tablighi vary and depend on how one views the practice and implications of terrorist acts with this movement. For the Dakwah group, the movement is principally to promote moral values and reclaim Islamic way of life. For moderate or progressive Muslims,

⁹⁴ Author's interview with Heng Chendamoni, 56, Battambang province, on August 15, 2014.

⁹⁵ "Cambodians Have Joined ISIL Militants in Iraq, Group Claims." In *The Cambodia Daily* (June 23, 2013), 15.

⁹⁶ "TERRORISTS STRIKE CHARLIE HEBDO NEWSPAPER IN PARIS, LEAVING 12 DEAD"

<http://www.nytimes.com/2015/01/08/world/europe/charlie-hebdo-paris-shooting.html>. *The New York Times*, January 7, 2015.

some aspects of this type of movement prevents the progress of Muslim community and the interaction with other groups, such as undermining the opportunities for women and young children to enjoy both worldly and religious education.

For Cham Imam Sann community, the movement is perceived as a threat to their identity because it is seen as marginalizing Cham cultural practices and considers some aspects of the Cham practices as wrong. In the eyes of the Buddhist majority and other groups, the way the movement tries to promote Muslim conduct or Islamic attitude is considered as backward because it does not value modern education. Coupled with violent acts associated with a group of Muslims inside the country and abroad, they view the Dakwah Tabligh as fundamentalists. These different perceptions are indeed shaped by different kinds of understandings, interpretations, and incidents that affect how one portrays the religious movement.

The Dakwah Tablighi seems to redefine the Muslim identity by extending the five pillars of Islam to emphasize the Quran and *Sunnah* (Prophetic tradition), but also to reduce the importance of *ijmak* (consensus) and *Qiyas* (legal reasoning). Specifically, the Dakwah Tablighi emphasizes the inerrancy of the Quran and *Sunnah*, the completeness of Islam, and Islam's superiority over all other religions. The mission of the movement is to mobilize a great number of followers.

There are many issues in which this group does not consult with scholars and legal reasoning that the majority of Muslims do, especially gender roles and socialization with other groups. For example, Metcalf (1996) contends that women are also urged to follow similar models of behavior as pious male Tablighis and those men should actively facilitate women's participation by providing child care. Despite being strict in interpretation, I have not heard of any hatred or animosity against any group in the Dakwah preaching. Rather, the group seeks to strengthen values and crystallize the Muslim identity. Therefore, it is important to

talk about both positive and negative effects this movement has upon Muslim lives and other groups. This is an opportunity to organize inter-faith dialogues with Dakwah Tablighi leaders and religious leaders of different creeds in order to avoid any kind of misunderstanding or conflict. Both the Mufti and the state need to design a more inclusive educational program to facilitate young Muslim people's involvement in social, political, cultural, and economic spheres. It is also important for the community to balance between religious and secular realms to lead a moderate way of life.

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NEW RELIGIOUS MOVEMENTS AND POLICY CHALLENGES IN VIETNAM

The Case of Protestant Hmong

Nguyen Van Chinh

8.1 Introduction

For the past few decades, since the policy of innovation and integration were applied, about more than 50 new religious groups were introduced into Vietnam, including 10 religions from abroad with the rest formed within the country (Ban Ton Giao Chinhphu 2014). Among these new religious movements, Protestantism is one of the religions that have the speediest growth in both volume of followers and number of organizations. Although no official statistics are available, according to an estimate by the Government's Religious Affairs Committee, there are about 1.46 million Christians active in more than 6,000 congregations and cell groups across the country (Nguyen Cao Thanh 2014). The conversion movement to Protestantism tends to increase not only among the ethnic minorities in mountainous areas but also among the majority ethnic group living in rural areas and urban cities.⁹⁷

⁹⁷ In this article, the term “new religious movements” is used because it presents an alternative to the institutional official religions and the prevailing culture,

Different interpretations of such conversion to Protestantism have emerged. Christian Hmong believe that they choose Protestantism and God with a strong conviction that God will save the Hmong people, and take them to a brighter future. They argue that conversion is the path of creation designed to adapt to the global cultural movement nowadays.

Contrary to this argument, researchers believe that the conversion to Protestantism “is for social-economic purpose, which is practical, rather than religious reasons” (Nguyen Van Thang 2007: 573). From such an argument, these researchers support the point of view that Christianity is a dangerous threat to the cultural identity of ethnic Hmong because it “fades and withers the cultural traditions of Hmong” (Nguyen Xuan Hung 2000),...it [Protestantism] is like a tornado that swept away every religious belief, folk songs, dances and traditions which are typical of the Hmong people” (Tran Huu Son 2014). Some researchers even go further, arguing that the development of Protestantism contains political motives, hence Protestantism does not just “lead to the overturning of cultural practices and beliefs, making cultural traditions easier to be destroyed, increase social conflicts” but also “becomes a factor, a field to be taken advantage of and an important instrument of new separatism” (Do Quang Hung 2010).

In this article, I focus on the changing process and the impact of religious practice on socio-cultural practices among the converted Protestant Hmong. Special attention is given to the voice of the Hmong to find out whether the Protestant religious practices have destroyed the Hmong culture or, on the contrary, contributed to enrich it.

including the new movements of Protestant origin, the sects of Christian background, and those of the gnostic or esoteric type, etc. See: Cardinal Arinze, 1991. “The Challenge of New Religious Movements”, consistory at the Cardinals Meeting, April 5, 1991, Vatican: [https://www.ewtn.com/library/ NEW-AGE/ARINNEWM.TXT](https://www.ewtn.com/library/NEW-AGE/ARINNEWM.TXT)

Information used in this study is the result of several fieldtrips to two districts of Bao Thang and Sa Pa in the Lao Cai province. During these fieldtrips, 20 in-depth interviews were conducted in four villages of Protestant Hmong, including the Co Hai and Sin Chai (Bao Thang District), Ban Khoang and Ta Phin (Sa Pa District). At the same time, I participated in religious activities in the community (cell group) and at their homes to understand how the religious practices and beliefs take place. Both groups of converted and unconverted Hmong were asked about their religious beliefs and their thoughts about Protestantism. Specifically, I conducted 20 in-depth interviews with leaders of Protestant cell groups in the congregations of *Hội thánh Tin Lành Miền Bắc* (Vietnam Evangelical Church (North)), *Hội thánh Liên Hữu Cơ đốc* (Christian Fellowship Church of Vietnam); *Tin lành Trưởng Lão* (Vietnam Evangelical Presbyterian Church); *Hội thánh Phúc âm Ngũ tuần* (Gospel Pentecostal Church); and Hmong pastors.⁹⁸

8.2 The Coming of a New Religion

Despite the fact that Protestantism had been introduced into Vietnam since the early 20th century, this religion only expanded to the Hmong community since the 1980s. The development of the Protestant Hmong community in the mountains of North Vietnam can be divided into three main stages: 1) The first penetration of Protestantism under the name of Vang Chu (1989-1992); 2) The breakout of Protestantism under the exclusion policy (1993-2006); and 3) the official recognition of Protestantism (from 2005 onwards).

⁹⁸I would like to express our appreciation to the support and collaboration by Lao Cai Provincial Departments of Culture, Sport and Tourism; The Provincial Department of Religious Affairs of Lao Cai Province; and People's Committees of Bao Thang and Sa Pa Districts. I am also grateful to Ms. Hoang Thi Chung, who is in charge of Religious Affairs of Lao Cai Communist Party and Dr. Tran Huu Son, Director of Lao Cai's Department of Culture, Sports and Tourism.

Available literature tends to describe the Hmong conversion to Protestantism “due to being lured” (Nguyen Van Thang 2007: 570); “belief in rumors”, like fearing the day “the sky would fall” (Tran Huu Son 2014); acquired passively “through missionary programs transmitted from strange radios overseas” (Vuong Duy Quang 1990) without knowing anything about the incarnation of Jesus or how the Bible looks like, and even never once seen the cross. “They all just listened, imagined and believed” (Nguyen Khac Duc 2013: 14-15).⁹⁹

According to reports from Lao Cai authorities (2013), the Protestant population in this province numbers 22,356 people, of 4,046 households, of which 21,867 are ethnic Hmong people, accounting for 98% of the Protestant population in the Lao Cai province. Most of Protestant Hmong live in five districts of Bao Yen, Bao Thang, Bac Ha, Bat Xat and Sa Pa. It is noteworthy that in some districts where Hmong people are the majority, such as Simacai (81% of the population in the district) and Muong Khuong (41% of district population), there are only a few dozens of Protestant Hmong (Table 1). According to Lao Cai Provincial Religious Affairs Office, the Protestant Hmong in Lao Cai constitutes about 19% of all Protestants in the northwestern region. In Lao Cai alone, Protestants accounts for nearly 20% of the Hmong population of the province.¹⁰⁰

⁹⁹ Far East Broadcasting Company (FEBC) or Vietnamese name *Đài Ngut Broad* was established in Shanghai (China) in 1945, and moved to Manila (Philippines) in 1948. This international Christian broad casting in 149 different languages, committed to expand its missionary activities over the world. Its broadcast in Hmong language started in 1978.

¹⁰⁰ Protestantism or Christianity was introduced into Vietnam in 1911 but not welcomed by the colonial state. Their churches and missions were prohibited until 1927. However, regardless of prohibition, Protestantism found its own way to survive in Vietnam. In 1918, The Christian and Missionary Alliance (CMA) was recognized by Toa Kham Su and expanded to the whole country: Tokin (five branches), An Nam (six branches) and Cocochina (five branches). These Christian Churches were all referred to as “*Ham* (six branches) *Cocochina* (5)

Table 1: Number of Protestant followers in Lao Cai Province

No	District	Population	Household
1	Bắc Hà	5,536	980
2	Sa Pa	4,992	979
3	Bát Xát	3,726	663
4	Bảo Yên	3,574	596
5	Bảo Thắng	3,600	667
6	Văn Bàn	754	132
7	Lào Cai	74	13
8	Mường Khương	52	08
9	Sì Ma Cai	48	08

Source: Lao Cai Committee for Religious Affairs; Lao Cai Province, 2013.

Today, Protestant Hmong are found living in 270 villages of 70 communes and towns of the Province of Lao Cai, most of them belong to six different sects, including: Vietnamese Evangelical Church (North), Christian Fellowship Church of Vietnam, Gospel Pentecostal Church, Union of Gospel Mission, Vietnam Evangelical Presbyterian Church and Vietnam Good News Mission Church.

Looking further into the situation of various sects of Protestantism in Sa Pa, one of districts of Lao Cai province, the statistics are as follows:

Table 2. Protestants in Sa Pa District of Lao Cai Province by specific sects

No	Sect	Population	Household
1	Hội thánh Liên hữu Cơ đốc (Christian Fellowship Church of Vietnam)	2,273	448
2	Hội thánh Tin lành VN (miền Bắc) (Vietnam Evangelical Church (North))	1,835	435
3	Hội thánh Tin lành Trưởng lão (Vietnam Evangelical Presbyterian Church)	573	111
4	Hội thánh Phúc âm Ngũ tuần (Gospel Pentecostal Church)	331	72
5	Hội thánh LĐ Truyền giáo Phúc Âm (Union of Gospel Mission Church)	169	28

Source: Sa Pa District Committee for Religious Affairs, 2013.

In 2005, the government officially recognized Protestant churches and allowed its cell group to register their activities. Today, only 48 Protestant cell groups of Northern Vietnamese Evangelical Church and Christian Fellowship Church of Vietnam are allowed to register for activities. The Sa Pa district authorities reported that 28 Christian cell-groups in this district have been recognized, representing 53% of Christian followers throughout the district. In the Sapa district, the most active ones are the Northern Vietnamese Evangelical and Christian Fellowship Churches, which constitute the dominant number of believers as compared to others.

Protestant Hmong are generally organized into cell-groups (*điểm, nhóm*), based on their locality. Every cell member votes for a head to lead the group, who is responsible for all its activities. Most leaders who were interviewed have had the opportunity to have direct contact with the Christian Church of Hanoi through its central offices in No.2 Ngo

Tram. Here, they meet and discuss their activities and receive the Bibles and missionary documents in Hmong language to be distributed to congregational members. The General Assembly of Christians also opens short-term training courses (from a few days to a few weeks) for leaders and long-term training (a few years) for those who have the potential to become a pastor. In charge of Lao Cai province area, there are three Protestant pastors who were certified by the General Assembly. However, the local government does not recognize their role as religious leaders of the Protestant Hmong. They are often referred to as “self-appointed pastors” with the implication that the role of the Protestant pastor will only be recognized when the state has assigned it. In contrary, the pastors think it is not as important because religions have their own lives and the state should not intervene in the operations and systems of religious dignitaries.¹⁰¹ Protestant cell groups often work directly with the commune authorities to register their religious activities, and receive notifications or instructions from the government.

Most of the Protestant cell groups do not have their own chapel yet. These groups often choose a member’s home to congregate on a rotational basis. From every one to three years, the chapel moves to another house if the current owner no longer wants to use his or her home as a place for public activity. However, the wealthier families, especially the group leader, often voluntarily use their house as a location for the whole group. Every Thursday, at such houses, there will be group activities such as reading the Bible and singing hymns. And specifically on Sunday mornings, they would study the Bible, praying to God and singing hymns. It was often the head of the group, who would operate all religious activities without a pastor.

All cell groups under studied wish to have a chapel built for their members. But so far, there are only three chapels established in two districts of Bao Thang and Sa Pa. In addition, every year, the cell groups

¹⁰¹Based on interviews with the Pastor Cháng A Cang, Tả Phìn, Lào Cai.

often co-organize meetings and organize summer camps for teenagers. Gospel singing perhaps is a new activity that attracts most Hmong women and youth, who participate enthusiastically.

8.3 Motivation for Conversion

The existing literature generally observed that the Hmong conversion to Protestantism is a recent phenomenon, and that they knew about this religion initially through radio broadcasting in Hmong language (Vuong Duy Quang 2005, Ngo Thi Thanh Tam 2009, 2010a and 2010b). This method of missionary work that use of the radio as a means to convey their religious propagation has contributed to the characteristics in the reception and dissemination of knowledge as well as expanded the understanding of Christianity among Hmong communities. Investigation by the Cultural Department of Lao Cai province also showed that over 60% of interviewees said that they know about Christianity through radio programs broadcasted in Hmong language (Vietnamese Buddhism 2013). Apparently, BEBC has successfully instrumentalized radio for their mission. However, we believe that the missionary program through radio only provides a basic understanding of Protestantism. A part from the religious knowledge received from radio, the mass conversion would not have been realized without the direct activities to carry out missionary work within the Hmong communities.

According to Pastor Cang, who is responsible for a Christian Fellowship Church in Ta Phin, “In the beginning, a rumor circulated among the Hmong in Sa Pa that in neighboring province of Lai Chau, many Hmong followed the new religion, which significantly changed their lives. By following this new religion, they no longer had to spend money in preparing expensive ceremonial and worship offerings. When they get ill, they just need to pray and go to the hospital. When they meet difficulty, people come to help. So they went over to learn and persuade others to follow”. Mr. Cang recalled:

“The local government prevented the conversion aggressively, but the people themselves decided to follow a new religion because they see their current life is too miserable. There is not only constant hunger. Their traditional customs are also heavy and expensive, raising chickens and pigs just to be spent on worship. They see others follow Christianity and can get rid of expensive worship, weddings, funerals customs, and move to a new lifestyle, simpler, and just need to focus on business, improve their incomes. That is how they become followers.”

He concluded by saying that “It’s not that the Hmong changed, it’s Christianity that changed them.”¹⁰²

Giang A Sinh, a senior officer at the Provincial Committee for Religious Affairs who is in charge of Protestant Hmong groups, raised the following comments:

“The Hmong believe that they were like a guy who overslept and now awoken by a new religion. I am a native Hmong, and I noticed that there have been some gap in the spiritual life of the Hmong, and it seems that Protestantism help them to narrow down such a gap. They follow Christianity because they see new things that can help them change their lives, difficulties and constraints of heavily expensive customary practices rather than being dragged.”¹⁰³

Our interviews with Hmong intellectuals in Lao Cai indicated that the Hmong’s conversion to Protestantism is a result of a longing for

¹⁰² Comment on the motivation of the Hmong’s conversion, Director of Vietnam’s Institute of Religious Studies, Do Quang Hung (2010) also emphasized “a spiritual gap” that existed in the Hmong’s lives.

¹⁰³ Interviews held with Mr Giang A Sinh on June 8, 2013.

change, and this may be rooted in their cultural traditions and long history. Literatures on Christian Hmong today often try to find the linkage between the conversion to their legend of a mythical Hmong kingdom, which is believed to lead them to a better and brighter future. Perhaps this link has raised a hypothesis, which combines the movement of Vang Chu—a form of Christianity with political and secessionist motivation. However, there seems to have been some confusion in identifying Vang Chu and Christianity. Some researchers suggested that at first the Hmong followed Vang Chu, and then converted to Christianity (Tran Huu Son 2013). Lu Po Khuong (2011) also identifies *Vang Chu* as a religion other than Christianity. In an investigation report on the Christian Hmong in Lai Chau, he suggested:

“*Vang Chu* religion was established by the rebel General Vang Pao who, after being defeated, ran away to the US. It was Vang Pao who built the so-called “*Vang Chu*” to dazzle, entice Hmong people to gather his forces against communists.”

One author went even further, arguing that “*Vang Chu*” is pagan, not original, and not recognized by law (Kim Ngoc 2011). Such interpretations are no doubt groundless and misleading if we want to look further into the nature of conversion and religious practices by the Protestant Hmong in Vietnam.

First of all, most of the Hmong and the Christian pastors interviewed said that *Vang Chu* is not a religion. According to them, it is the outsiders’ view, not Christian Hmong. One Hmong officer, in charge of Religious Affairs, in Lao Cai Province also agrees with this view:

“As I find them, the existing reports and research on Christian Hmong kept explaining *Vang Chu* and Christianity are two different developmental stages in the process of transformation of the Hmong’s religion. Such an interpretation is in-

correct. So far Hmong still only believe in *Vang Chu*. In our Hmong language, *Vang Chu* literally means God. The Christian Hmong believes in God, and they worship God only. They call God as *Vang Chu* in their language. Regardless of what people said, for the Hmong, God and *Vang Chu* is the same.¹⁰⁴

So why do people mistakenly believe that *Vang Chu* is a religion, and differentiate it from Christianity? The name *Vang Chu* in the Hmong language is commonly understood as Sovereign i.e. King (of the Hmong). In the legend of the Hmong, there is a story that in their long history, before being chased out of their ancestral territory by the Han, they had an independent kingdom, ruled by a king called *Vang Chu*. In the 19th century, when the Hmong first introduced to the Bible by Christian missionaries, they have used the concept of *Vang Chu* to talk about Jesus Christ. *Vang Chu*, to this point, meant God, or a Supreme Being, and no longer means the King. However, the concept of *Vang Chu* was revived in the period of 1970-1980 when a number of foreign radio stations began to preach about the faith in God and Christianity to the Hmong community.

These broadcasts have used the historical legend of the Hmong associated with Christianity, that *Vang Chu* is a Son of God, who was sent to earth to help the Hmong escape from an apocalyptic era when the sky falls, the landslides and the Earth floods. In fact, similar stories were spread out in Hmong's society since the early days in the late 19th century, when Christianity was introduced into Hmong society from Southwest China. The legends of the Hmong are tied to the story in the Bible and they quickly noticed the similarity. This is narrated by Samuel Pollard, a British missionary, who began to introduce Christianity to the Chinese Hmong community in the Anshun (Guizhou, China) in the late

¹⁰⁴ Interviews with Giang A Sinh on August 8, 2013.

19th century. According to him, he translated a story in the Bible into Hmong language talking about the event where the God will return to save people from calamity (Kendall 1954).

This story in Bible is very similar to a legend of the Hmong which mentioned that they had a sovereign called *Vang Chu*, and this King also told them that he would come back and save them from the suffering on earth. The coincidence of the biblical story and the legend of the Hmong are an important factor for them to believe that God is *Vang Chu*, who will return to save their lives (Lewis 2011). However, this overlap is just random and it initially led the Hmong to believe in God because they come to understand the difference between *Vang Chu* and the savior mentioned by the Bible. A Hmong who is charge of Xin Chai village church (Bao Thang, Lao Cai) recalls the early days when they started to follow Protestantism as follows:

“The first followers of Christianity told us that they used to listen to a preacher over the radio from the Philippines where he mentioned about *Vang Chu*, and they thought that it is God and came to the local Catholic Church to pray God. Many of them even have abandoned ancestor worshipping to follow Catholic. But they soon realized that Catholic worship is somewhat different from what they heard on the radio, and it has so many complicated rules, which is far from *Vang Chu* ideology. When they have the opportunity to come into contact with Christianity, they found that this was the religion that they are looking for, because it is exactly what they have heard. So from then they follow Protestantism.¹⁰⁵”

The above story shows that on the one hand, the Hmong follow Protestantism not only because they find the similarities with the legend of the history of their ethnicity, and because of the rituals and simple and

¹⁰⁵ Interviews with Mr. Giang Seo Bu on July 8, 2013.

realistic lifestyle, but above all, they found in the Protestant faith the future of their ethnicity, and the shift to Protestantism is solely their choice. This is unlike the reasoning that *Vang Chu* is the embodiment of their King and the fact that they follow *Vang Chu* is to establish an independent kingdom of their own. Such interpretation seems to be confused and equates the story about religious beliefs with political attitudes.¹⁰⁶ In fact, there is still a plenty of Protestant Hmong who believe that *Vang Chu* is a real Hmong who will appear to help them change the present life. However, such a naive interpretation is primarily shown in those who have not understood the bible thoroughly or by ability and level of awareness.¹⁰⁷

During the fieldwork in Lao Cai province, I have heard many stories of the Protestant Hmong who indicate the changes of their perception on Protestantism. This process changed a lot compared to their initial perception, when they only learnt about the Protestantism through radio, and when they have direct access to the Bible, through the pastors and preachers, Kinh and Hmong missionaries as well as access to audiovisual material about Protestantism. We noticed that any time we visit any Christian family in Lao Cai, the homeowners often bring out Bible in Hmong language, which was carefully preserved, with reverence, to introduce to the guests about God and their faith. The main source of

¹⁰⁶ Nguyễn Văn Thắng (2007) argues that there is a combination between “Christianization” of Hmong’s traditional culture and Hmongization of Christianity Bible on which a common ground for Hmong’s Christianity was created.

¹⁰⁷ The name “*Vàng Chh*” is originated from a Chinese word “*Miao Wang cbtishi*”, meaning that ‘the King of Hmong will come’. This is a common belief of the Hmong, which might appear around the end of the 19th century in which the Hmong believe that one day a Savior will come and save them from the rule of other ethnic groups (Nguyễn Văn Thắng 2007). In Vietnam, several times the Hmong also gathered to welcome their King in Đồng Văn, Mèo Vạc (Hà Giang), Kỳ Sơn (Nghệ An) and Bắc Hà (Lào Cai), but they all failed to achieve their ambition to set up the Hmong kingdom.

information directly from the Bible have diminished superstitious and political notions about Vang Chu, as an investigative report of the Church affirmed: “The Hmong increasingly understand and believe in the teaching of Christ, and such a belief is based on the Bible rather than the story tinged with superstition or myth” (Đinh Thái Bình 2014).

8.4 Conversion, Changes and Responses: Abandoning Ancestor Worship

According to their traditional culture, Hmong people believe that there are essential links between human’s world and the world of gods, souls, and ghosts. The practices of worships are considered to be how to maintain the relationship between the two worlds in order to pray for good things, and send away harmful powers or to seek for a harmony in life. Following Christianity means to believe in just Christ and no one other than Christ. This consequently makes an important change in the daily practices and behaviors of every individual in particular and the whole converted community in general. Abandoning traditional and customary practices to follow Protestantism will gradually dilute the Hmong cultural identities since the concepts of ancestry, one of the important factors to connect all members in a community, as well as worship practices and the history of a family line will not be highly considered (Nguyễn Văn Thắng 2007). Moreover, this change will partly contribute to the separation of Hmong people into two opposing groups and will therefore lead to cultural conflicts among them (Trần Hữu Sơn 2014).

Historically, a part of the Hmong population in Lao Cai had converted to Roman Catholicism. The present existence of Sa Pa church and Tả Phìn monastery is evidence of this. However, this movement in the early 20th century under the colonial rule did not create a massive movement as compared to the conversion to Protestantism today. For centuries, the number of Catholic Hmong in Lao Cai has been between two and three

thousand only, and most of them remain in the two districts of Sa Pa and Lao Cai. The strict rules and regulations of the Catholic Church had made the Hmong people difficult to follow the religion. In fact, Catholicism there had made some adjustments to harmonize with the Hmong traditional culture. For instance, the Hmong are allowed to worship their ancestors and take part in cultural practices of their community. However, the impacts of Catholicism have not been essential to the Hmong culture.

Like other peoples in Vietnam, the Hmong believe every human has two distinct parts i.e. the body and soul in which the latter is seen as immortal. When somebody dies, parts of his or her body will return to their ancestors to be reborn and the rest will wander around the grave. A living person whose soul has left his or her body will be constantly ill and considered dead. This belief is responsible for a series of religious rituals and ceremonies such as calling on souls, worshiping home ghosts, and seeing the dead's soul to their ancestors. This is also regarded as moral norms, responsibility of every member of each lineage, behavioral regulation between members, and respect for the head of the lineage. Worshiping ancestors, therefore, plays a significant role in religious practices of the Hmong people. It not only helps to sustain and consolidate the connection between people in a lineage, but also strengthens the ties among them, morally speaking. The soul of their ancestors is an essential part in the people's lives. It is also believed that ancestor worship is indispensable for them to be protected by their ancestors. Otherwise, their ancestors will harm their descendants.

Apart from ancestor worship, the Hmong also pray to various gods such as land god, kitchen god, etc. in different cults, both good and evil, even in one home. Furthermore, in the natural world, many other deities such as the gods of the mountain, land, sea, forest, etc. also have impacts on the people's life. When one is ill or on special annual occasions, the Hmong usually pray to these gods for forgiveness, gratitude, or simply

for harmonious relationship between humans and the supernatural worlds. In this complicated world with many gods in different cults, shamans constitute an essential part in people's lives. Shamans are highly respected in the Hmong society because they serve as a bridge to connect humans with their deities. They are also the ones instructing people how to prepare offerings, and how to hold rituals. They themselves go through the rituals by communicating with the deities to seek and achieve certain purposes.

By following Protestantism, the Hmong people have given up their traditional customs of worshipping their ancestors, deities, and ghosts. And while priests have become worthless, people bring the beauty and truth of the Bible into everyday life. Bible in Protestantism has a prominent, basic, and unique place in faith and followers. Not only Protestant ministers and group leaders but most Protestant families keep a Bible and Biblical songs in Hmong language, which further suggest evidence of them becoming Bible movement activists.¹⁰⁸

According to stories told by the Hmong people about their religious activities, the changes brought about by the faith have been prominent, which has increased the people's self-confidence, especially the previously shy women. It appears that going to church every week makes people believe in the Bible. They suppose that salvation only comes from faith, not from offerings or outside rules. Inside the house of a Hmong Protestant as well as a community worship house, the decoration

¹⁰⁸ On working with the Evangelical Church of Vietnam at Ngo Tram Street, Hanoi, I discovered that the Bible translated into Hmong language is currently being printed in Hanoi. The Christian Church has asked the Religious Publishing House to officially publish the Hmong language Bible, but the proposal has yet to be approved. In Lao Cai province, when meeting with leaders of the Hmong Protestant groups, I noted that they usually go to Hanoi to collect the Bible and other Protestant preaching documents to share with the group members. Traveling costs to Hanoi mainly come from members' weekly contribution collected during every Sunday prayer service.

is simple with only a prominent cross, and without pictures nor luxurious alters. The Hmong people are proud to talk about the practices, ceremonies, and rules of Protestantism. The praying practices usually occur every Thursday and Sunday at the community worship house. However, people can also pray at home or at their workplaces without going to church or inviting a minister to come as in the case of Roman Catholicism.

When talking with the Hmong people in Lao Cai, one realizes quickly that many of them do not fully understand the complicated doctrines and dogmas of Protestantism. Many of them merely learn from what was taught in the Bible. The simplicity of Protestantism is one of the main reasons why many Hmong people decide to follow the religion. At the same time, they can escape from their traditional customs, which are seen as uncomfortable, complicated and money consuming. Protestants of all ages always look forward to Thursdays and Sundays to go to the community worship house where they can meet and pray to God for peace and happiness, sing Bible songs, and share daily-life problems, which seemed to be uncommon for the Hmong people, especially for women. Such activities seem to make people feel more optimistic about their future.

While talking with a Hmong pastor in Ta Phin village, I asked him if one day their cultural identities would disappear. He replied instantly without any hesitation, "That if such things were to happen, the Hmong people's lives would only get better." In his view, Protestantism would not make the Hmong cultural identities to be diluted, as the Hmong people would not ever forget their ancestors. He explained in depth:

"It is just like you when you are Buddhists, believing in what are taught by Buddhism while others follow the Christ, listen to him, but we still treat each other well. However, no one can follow two Kings at one time. If I have chosen the Christ, I must follow him, just him only. Ancestor worship is a good

deed, which is taught by the Christ and no one can deny this. The question is how much time and money can we spend for various type of worships? The Hmong people traditionally have various ceremonial worships every year. They worshiped whenever something happened to their family. Every worship activity cost a lot of money. My family used to earn millions of Dong annually from harvesting cardamom. But it was not enough for worship activities. Each offering consisted of a pig, several chickens, and the fee for the shamans. That was our tradition and no one dared to escape from it. Now, Protestantism has helped us save a lot, and we have more money for our daily living. We won't be in debt, and we can better take care of our grandparents and parents when they are still alive. And when they die, the holding of a funeral service with adequate preparations is incumbent. This is the spirit of Protestantism.¹⁰⁹

8.4.1 Transformation of Traditional Institutions

The traditional social institutions of the Hmong is based on blood relationship of the same lineage and of the same ghost, which means the same patterns of funeral and burial rituals are applied for all after death (Vuong Duy Quang 2005). In a society of male-oriented structure, the

¹⁰⁹ According to Tran Huu Son (2014), whenever holding a healing ritual, the Hmong has to prepare an offering of at least one chicken, or up to one pig, one dog, one goat, and five chickens. In a funeral, the offerings include at least one buffalo and three pigs. Or in a “dried ghost” ritual, one buffalo, one pig and five chickens are offered to the ancestors. This would cost one Hmong family a fortune. Surveys in Khu Chu Phin hamlet (Sang Ma Sao village, Bat Xat district, Lao Cai province) showed that within 10 beginning months of 2012, a wealthy family has to kill 18-20 chickens, one to two pigs, one buffalo for various rituals. A poor family also has to offer 14-18 chickens and one pig for sickness treatment rituals. On the other hand, if they follow Protestantism, they do not have to spend money on such costly rituals.

two most powerful, widely-accepted agents are: 1) For a lineage, the head of the clan is the leader and people show great respect for his ideas; 2) For a nuclear family, usually the husband or father is the head of the household while the wife and their children have to obey them and listen to their ideas. According to this way of organization, men outrank women. Moreover, the elderly Hmong are consulted when decisions need to be made.

Most researchers agree that each Hmong family has general customs under which certain things must be avoided, customs of ghost worship, and of stories about ancestral history. Furthermore, names including surnames, first names, middle names, and how to name somebody are strictly regulated in order for people to easily recognize the different generations of a lineage. Blood relations play a constitutive role to establish rules, behavioral principles and responsibilities, benefits, and moral value of all members in the lineage. Those who are of the same lineage treat each other as family members. This cohesion of a lineage will unite and integrate all members based on a common ancestral concept.

No one could deny the importance of Hmong traditional social structure under which lineage was an essential part of Hmong people's life until the emergence of Protestantism, which has contributed to losing Hmong's traditional culture where the role of clan heads and the link of a lineage which have been thought stable and unshakable by Hmong people have been facing a challenge. Initially, Hmong Christians were only those of the same lineage or the chief family. But now, they are rearranged according to groups. Each group has a leader who is venerated or elected by its members and is recognized by high-leveled cell-groups. Some groups have been given the official recognition by the local authority to practice Protestantism.

Christian cell-groups have therefore become a new organization working on the basis of the same doctrine. While the relationship within

a lineage still exists as before and none of the Hmong people wants to abandon clan relationship, the role of a clan leader who used to be expected to take responsibility for conflicts or negotiations and making decisions for his lineage is not as important as before, who is now only considered as of the same bloodline by Hmong people. He now has no right to ask those who follow Protestantism to listen to him. Every traditional cultural activity from production and social behavior to ancestor worship, funeral, and wedding rituals are conducted according to Bible guidelines and led by Christian cell-group leaders.

Apparently, there has been a power transformation from traditional lineage institutions with lineage leadership to a religious organization led by Christian cell-group leaders (*Chu-lanh-tao*). This is also the case in a patriarchy nuclear family where the husband used to be obviously the head of the household, involving family responsibility and the provisions for the physical and spiritual welfare of his family, and announcing decisions, which, however, is not recognized by Protestant families. On special religious celebrations or events of cell-groups, all members follow the Christ's guidelines instead of the head of the household. For Protestant Hmong lineage institutions are not highly regarded. Right within a family, the head of a household do not have the right over activities done by Protestant family members. Lau A Co at Ban Khoang village in Sa Pa explained these changes:

“There are 14 households left in our hamlet that have not followed Protestantism. My daughter-in-law is a Christian while her husband is not. Every Sunday she goes to church to worship, listen to and sing anthem. She also practices team-singing every Thursday and Saturday without being concerned to do the household chores. Meanwhile, her husband goes to the field every day. Since my daughter-in-law's parents are also Christians, hence she just follows their steps; I cannot meddle in. Being a Christian makes it impossible for

her to worship our ancestors or attend a ghost worship service. When she first came to live in our house, she had to accept our house's ghosts and changed her surname to take our family name and listened to our guidance. However, she now only listens to the Christ and even refuses to eat what we have offered to the ancestors."

In a survey research on family violence of Hmong people in Northern mountainous areas of Vietnam, Nguyen The Hue (2007) estimated that 66% Hmong women had no idea what domestic violence meant. Observation showed that they frequently received harsh treatment including rude scolding and ruthless thrashings from their husbands. It is likely that these women still believed in a conventional concept of Hmong which says "men can make decisions in most cases while women are considered as maids whose opinions are of importance only if asked". Beating or physically and mentally maltreating women is considered part of the Hmong family life. Violent conflicts usually result in sad endings. Field surveys in Hmong neighborhood in 2005 showed that in Bac Ha district (Lao Cai) 15 women chose to die by eating *gelsemium* (a kind of poisonous leaf), and 13 in Moc Chau district (Son La) (Nguyen The Hue 2007:35).

However, violence against women in Hmong community seemed to decrease significantly in Christian families. Regarding this phenomenon, a leader of Bao Thang District said:

"Protestantism is widely supported by Hmong women. Hmong women following Protestantism have strong impacts on their husband's religious belief. In conventional families, Hmong women are strenuous while their husbands are patriarchal. They are alcoholic and maltreat their partners, but this does not happen in a Protestant family where men get rid of alcohol and treat women appropriately. Besides spending time worshipping, they concentrate on working to increase

their family income. We had mobilized the local people to get rid of alcohol and violence for years but it didn't work; now, for the Christian Hmong, people do it voluntarily without any mobilization.¹¹⁰”

Giang A Sinh, an officer of Lao Cai Religious Affairs Office, views this change in a different perspective. He said:

“In the past Hmong women were treated so badly that they usually decided to commit suicide by eating *gelsemium*. Now they come to Christ instead.¹¹¹”

At most preaching of cell-groups, pastors or preachers mainly concentrate on vital elements of behavioral culture in a family and community. In a prayer, which took place on Sunday (August 11, 2013) at Ta Phin cell-group, more than 200 people participated, among them two thirds were women. In more than one hour of talk, the pastor solely discussed about the concept of love. Using Hmong and Viet languages alternatively, he convinced everybody to exchange love and help for each other. He advised that men “have to love their women”.¹¹²

8.4.2 Changes in Customs and Lifestyle

Among lifetime rituals of Hmong, funeral and wedding ceremonies are of vital importance. These rituals had been formed for ages, and tightly and complicatedly regulated, but people were willing to follow

¹¹⁰ Interview with the Head of Bao Thang Commission for Mass Mobilization held on September 8, 2013.

¹¹¹ Interview with Giang A Sinh held on August 6, 2013).

¹¹² I asked the Christian Hmong in Sa Pa about the commandments they had learnt from praying services at the chapel. Here are some of them: 1) Love God as much as their parents, and vice versa; 2) No alcohol, dog meat and blood jelly; 3) No sex outside of marriage; 4) Polygamy is not accepted; 5) No stealing; 6) No fighting and arguing; 7) No gambling; 8) No drug addiction; 9) No insulting others; 10) No worshipping of ghosts and no superstition.

such rituals to ensure the community's respect, as well as sustaining national cultural identities. There were times when such rituals were considered backward, outdated and needed eliminating. Nevertheless, it had been well preserved until they took up Protestantism.

8.4.3 Changes in Marriage

All of the complicated rituals and practices in conventional Hmong marriages were completely eliminated when Protestantism was accepted. A big difference has emerged between conventional Hmong wedding rituals and Protestantism ones. Major changes are summarized as follows:

Traditional Hmong Wedding Rituals	New Wedding Rituals as Practiced by Christian Hmong
When proposing, the groom family brings along offerings including wine, meat, bride's dress, and white silver (piasters made by silver) following the bride family's requests.	When proposing, the groom family bring along cash, meat and drinks following the bride family's requests. There is no wine and no white silver piasters.
Conventionally, the matchmaker holds an important role in representing both sides to arrange the marriage. Folklores are used in conversations.	The matchmaker of a Hmong Christian wedding is a prestigious member of the lineage.
Conventional wedding usually takes place within two or three days in which people eat and sing, give dowries and escort the bride to the groom's house.	Wedding of a Hmong Christian wedding takes place for just a day. Attendants are served with food but no wine, no blood curds, nor folk music and singings.

On changes of wedding rituals of Protestants, a Hmong *manat* Ban Khoang village (Sa Pa) says:

“Nowadays, when people fall in love with each other, they write love letters, send text messages, or meet in person to confess. When both sides consent, engagement and wedding are up. There is no regulation of pulling the wife and worshipping the house’s ancestors. Every ritual becomes less complicated. The food is also simple depending on the family’s financial condition; they do not have to kill pigs and buffalo to party for two or three days. The most important thing is to have a representative from the Christian cell-group to witness the wedding.”¹¹³

8.4.4 Changes in Funeral Rituals

Hmong funerals are extremely complicated, including a series of continuous rituals from the death time to the moment when the souls are rested for eternity. From the time of death announcement to the time of burying, the host goes through at least 10 different rituals with the help of a shaman (Tran Huu Son 2014). Each lineage can have their own ritual to escort the death’s soul to their ancestors. This ritual is of extreme importance in Hmong funerals, in order to free the death’s soul completely. The funeral usually lasts for three or five days so that everyone in the clan has time to visit and rituals are carried out in the correct order. Such rituals are not only complicated, but also money consuming. Those who fail to complete these rituals are criticized by others. Therefore, they have to try to borrow money to fulfill the rituals. As a result, their lives then sink deep in debt.

Such cumbersome traditional funeral rituals are all eliminated by Hmong Christians. They are allowed to keep the body of a dead person in only 24 hours, and not more than 40 hours if having to wait for rela-

¹¹³Interview with Sung Seo Gia held on September 9, 2013.

tives. Funeral rituals are then very simple. While the corpse is enshrouded, the relatives of the deceased stand around the coffin in absolute silence. Nobody cries or plays panpipe or drum. The pastor baptizes the death for the last time. The hymn group sings to escort the deceased's soul to God; others could sing along. Non-Protestants who come to the service with offerings have to leave them at the corner without giving them to the dead as the old ritual. There is no disinterment, buffalo-killing to serve those who come and visit the deceased, nor other complicated rituals.

Pastor Cang in Ta Phin chapel explained the perception of Christianity Protestantism about their funeral rituals as follows:

“When people die, they cannot eat anymore, so why do we have to kill pigs and buffaloes to serve them? Only living people have to eat and should be taken care of. When visiting a dead, depending on their will, visitors can offer rice, money or even a bundle of fire woods as a sympathy for the host family because after the funeral, they will be deep in debt who may not even afford food and fire woods for the rest of the year. Being simplified does not mean not showing any pity for the deceased, but helping the living people of that family overcomes difficulties.”¹¹⁴

8.5 Concluding Remarks: Religious Change and Local Response

The introduction of Protestantism to Hmong has been a new religious trend, which is followed by sociocultural impacts on this ethnic group from the late 20th century to the early 21st century. Protestantism has transformed the Hmong's culture into a new pattern that has never been seen before.

¹¹⁴ Interview with Pastor Cang held on September 11, 2013.

From among the elite of the Hmong community, the choice of converting to Protestantism has become a rational and willing choice in their way to search for changes and happiness. It is the Hmong who choose to believe in the Bible and God. Their choice often places them in a difficult situation as they face strong opposition from part of their own community who are unwilling to abandon their identity and tradition. Despite these challenges, Protestantism has been taken root within the Hmong community, and is becoming a religious trend, which has only been recently recognized by the government.

The formation of a Christian culture within the Hmong community definitely places the Hmong's traditional culture at risk of being diluted. Not only that, it could also be divided into subcultures, where the Protestant Hmong with cultural and religious practices based on their belief in the Bible and God; and the other is the animists among the Hmong people whose religious and lifestyle practices are regulated by their belief in the existence of souls. These two subcultures, with regular conflicts and compromises, have come into existence in their lives.

In fact, Protestantism has changed, diluted or even eliminated some of Hmong's traditional cultural practices and rituals. It has also led to changes from within the traditional hierarchical system, and perception of women status and gender relations in the traditional society. The change in belief and cultural practices has even resulted in family, friendship and lineage breakups, and created subgroups with different religious beliefs and practices. With the formation and development of the Protestant community, the contemporary Hmong culture is experiencing a serious crisis, which needs identifying and analyzing to find out new cultural and moral values in the Hmong culture.

In reality, culture and religion are two faces of the same coin. They blend, depend, and impact on each other, and it is impossible to figure out clearly how Protestantism has affected the Hmong culture. Furthermore, can Protestant Hmong still keep their own identities or would they

adapt to a simple and universal culture, just like other Protestant communities in the world? This question should be posed not only to researchers, but also to the Hmong people. They usually ask how they can still eat Hmong food, dress up in their traditional costumes and live under the Hmong houses, but do not carry out Hmong traditional religious rituals such as ancestor worshipping, escorting the souls of deceased people back to their ancestors, etc.

Their souls now belong to God; there remain only commandments and hymns. Is it possible to consider such Hmong the real Hmong people? Discussions about this topic will never cease to exist. Many believe that by abandoning the age-old and quaint traditional customs to follow Protestantism means the Hmong are integrating into the globalization. However, others think that once Hmong's traditional rituals are no longer appreciated, the Christian Hmong are no longer true representatives of their culture, but are Christianized, instead.

However, getting rid of old-fashioned customs does not mean Hmong cultural identities are totally gone. Many Hmong argue that this changing process only means Hmong people are trying to adapt to the new cultural patterns. Culture is not a stationary and constant entity. Its existence is a process in which besides preserving the traditional rituals, giving up the old ones is necessary to take in the new ones to diversify cultural identities. The Hmong culture has formed and passed for thousands of years; in different stages throughout history. It has to adapt to the surroundings to be well preserved and to strengthen their own identities. The move toward Christianization in the Hmong culture is not completely new. Instead, it should be considered a beginning of a new chapter in the Hmong history. As long as the Hmong people still eat and dress Hmong food and clothes in their own style, and as long as they are still proud of their history and traditions, their culture and identities will continue to bloom and develop.

The new religious trend in Vietnam not only triggers new cultural conflicts, but also poses a real challenge to scholars of religion and policymakers. The coming of new religions in society leads to different reactions. Vietnam in its 21st century is witnessing a new religious movement, which contributes to increasing religious diversity, and thus makes a great impact on the changes of religious psychology of different social classes. On the other hand, the presence of many new religions, exogenous or endogenous, is a considerable political challenge for the government of Vietnam, of which Protestantism is a typical example. However, it seems that the government will remain fully alert with new religions whose network spread widely like Protestantism because of their concern over political interference.

It seemed that religious policymakers in Vietnam do not yet have a clear idea on how to handle the matter or that they are too preoccupied with the ever-increasing presence of new religions. Hitherto the government has recognized only 37 religious organizations under 13 different religions. Unrecognized religious organizations are considered by and large as illegal and often subject to investigation at any given time. Due to the lack of full awareness of new religions, only some administrative measures have been applied contemporarily such as mobilizing people to abandon new religions, applying laws to deal with its leaders, or expel foreigners who come to Vietnam for the purposes of propagating new religions. The government's common religious policy is to recognize the religious demands of citizens, and prevent new religions from emerging and exogenously penetrating into Vietnam. From the government's point of view, all forms of religions that are considered harmful to the society must be forbidden. While new religious movements are considered common worldwide, in Vietnam, religious policymakers are "allergic" to new religions because they are considered illegal, sow division, create conflicts, put national security at risk, and mislead followers who are attracted by money, materials and social ties. In such a political

context, the Hmong's Christian communities are likely still taking the beginning steps on their long journey of searching for a new identity to meet their people's need for religion, even as the process has lasted for decades.

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RELIGIONS, ETHNICITY AND GENDER

Related and Evolving Issues in Myanmar

Maung Maung Yin and Mana Tun

9.1 Introduction

Religion, ethnicity and gender are issue-bound categories. This premise is evident in Southeast Asia, especially in Myanmar, where some beliefs, assumptions and abusive misuses of the categories have constituted deadly violent incidents such as civil wars, religious conflicts, subordination or oppression of women and so on, and also between individuals and communities. This article treats religion, ethnicity and gender as constructed categories, which emphasizes the fact that issues are related and evolving in the historical becoming of Myanmar.¹¹⁵ For example, Buddhism, a religion of majority Burmans, had been politically as well as nationalistically constructed during the country's struggles for Independence from British colonialism. Being such a constructed religion, Buddhism somehow became a category that relates and contributes in discrimination and oppression against ethnic minorities based on their ethnicities and religions e.g. ethnic Christians and Muslims.

¹¹⁵ In this article, the term “*Myanmar*” is used to refer to the country, while “*Burman*” for the majority ethnic group.

In return, minority ethnic groups and religions had been constructed defensively, if not antagonistically, as well as ethno-nationalistically against majority Burmans and the Buddhist religion. Amid those historical evolvments of the issues around religion and ethnicity in Myanmar, gender issues have been neglected in another deeper layer since the historical context itself was militaristic, ethno-nationalistic and patriarchal. Furthermore, religions and ethnicities also constitute oppressive traditions and assumptions and social structures toward the female gender. Therefore, such issues as the world's longest civil wars between ethnic armed groups at the national level and domestic violence against women in household level can be perceived as related and evolving issues of religion, ethnicity and gender in Myanmar.

While Myanmar has been trying to reform its socioeconomic and political sectors since 2011, the authors hold the view that authentic upward mobility of the peoples in Myanmar and of the country itself depends on how the multifaceted issues of religion, ethnicity and gender are resolved and handled through public policies. Rather than proposing resolutions for the issues and problems, the intention of this article is to highlight the related and evolving nature and concepts of the issues around religion because of their primary importance in framing resolutions.

9.2 Clarifying Terms

According to sociological and anthropological perspectives, religion is used to refer to a group phenomenon with some common characteristics—two or more interacting people with common goals, aims, beliefs, traditions and so on. Religion can therefore be sociologically defined as “a system of beliefs and practices by which a group of people interprets and responds to what they feel is sacred and, usually, supernatural as well” (Johnstone 2011: 13). Ethnicity is also used to refer to a group phenomenon in terms of social identity characterized by cultural differ-

entiation, a dialectic relationship between similarity and difference. As a social identity, ethnicity is collective and individual at the same time, externalized in social interaction and internalized in personal self-identification. Ethnicity is therefore not fixed or unchanging phenomenon from social anthropological perspective (Jenkins 1997: 13 and 40).

Unlike religion and ethnicity as somehow group phenomenon, the notion of gender is a category for analysis in dealing with questions pertaining to the circulation of power in relationships—human and non-human—and in articulating the roles of sexes e.g. male and female in religions, classes and ethnicities that mold various kinds of relationships. Thus, gender can be understood as a perspective to help us understand social relations between the sexes constituted in society. For example, while men are socialized to be political beings, women are socialized to be domestic ones (Dolamo, Tepedino and Hopkins 2003).

Being constructed categories, issues regarding religion, ethnicity and gender have been many in different parts of the world such as different forms religious extremism, ethnic conflicts and suppressions against women, to name a few in general. In Myanmar, historical overview about religion, ethnicity and gender could show that these issues are not separate, but interrelated and historically evolving. This article intends to highlight such interrelatedness and historical evolution of the issues to suggest that multi-dimensional responses, rather than separate, particular responses could help address the issues more effectively than otherwise.

9.3 Overview of Religion, Ethnicity and Gender in Myanmar

Myanmar is a Southeast Asian country, which is significant in terms of religion, ethnicity and gender perspectives. While the existence of religions such as Animism (nat/spirit worship), Christianity, Hinduism and Islam are recognized in the history of the country, Buddhism of the Theravada or Hinayana school has been the most influential religious

institution that defines a Burman and some ethnic minorities as well, such as the Shan, the Mon and the Rakhine. Regarding ethnicity, Myanmar is one of the world's most ethnically diverse countries, and apart from Burman ethnic majority, ethnic minorities make one third of the country's population. Christians in Myanmar mostly belong to ethnic minorities like Chin, Kachin and Kayin, although there are some Christians from the majority Burman ethnic group. Gender perspective in Myanmar is found ironically significant in the fact that the status of Burmese women has historically been higher among the major cultures of South and East Asia (cf. Steinberg 2010: 109; Spiro).

However, without neglecting such significant features, the intention to highlight religion, ethnicity and gender in Myanmar in this article is primarily prompted by the issues related to them such as religious communal violence between the majority Buddhists and minority Muslims and Christians. Myanmar also holds the world's longest civil war between its army and ethnic armed groups, and forms of gender discrimination against women in both majority and minority religions in Myanmar, notably in Buddhism and Christianity. One underlying concern is to highlight how the issues around religion, ethnicity and gender are related and how gender perspective as a tool of analysis could be used in responding and addressing to those issues. Though limited in numbers and resources, there are individuals, organization, institutions and movements in Myanmar that respond the issues of religion, ethnicity and gender. On the existing responses, there is further need not just to be aware of the interrelatedness of the issues, but also to find ways to address that interrelatedness in practice i.e. in policy matters. For this purpose, issue-bounded religion, ethnicity and gender in Myanmar need first to be overviewed from a historical-constructionist perspective.

9.4 Buddhism in Myanmar

Buddhism is undoubtedly a predominant religion in Myanmar since the start of its recorded history. The history of Myanmar could be looked into different periods in terms of political systems such as Buddhist monarchy (1044-1886), colonial rule (1886-1948), parliamentary democracy (1948-1962), military rule (1962-2011), and now military-guided democracy by civilian government (2011-present). Throughout these periods, no other single institution in Myanmar has been more important than Theravada (or Hinayana) Buddhism, which permeates the government and peoples' lives and values, and defines political legitimacy. An expert on Myanmar politics, David I. Steinberg, notes that the Buddhist *Sangha* in Myanmar is "the only institution in the country that rivals the *tatmataw* (military institution) in size, influence, and national presence" (Steinberg 2010: 25). Unfortunately, Buddhism can be viewed as an instrument of political power in Myanmar. From this perspective, it could be said that there are state of affairs where Buddhism in Myanmar has betrayed its own message. Buddhism in its historical-construction is therefore problematic as Rabbi David Rosen, the International Director of Interreligious Affairs at the American Jewish Committee, says "The most dangerous thing for religion is when it's married to political power...When it is an instrument of political power then it betrays its own message."¹¹⁶

Buddhist monarchy (1044-1886) was the period when Buddhism was being established and politicized in the soil of Myanmar, especially during the Pagan Dynasty, initiated notably by expansionist and warrior King Aniruddha (cf. Michael Aung-Thwin and Maitrii Aung-Thwin 2013: 81-83). From the outset of such politicization of Buddhism in Myanmar, two main indicators can be noted: first, special link between Theravada Buddhism and the state (i.e. kings and Buddhist *Sangha*);

¹¹⁶ <http://www.huffingtonpost.com/2015/01/22>

second, a religious notion of *karma* in Theravada Buddhism. In relation to these indicators, kings in Buddhist monarchies viewed themselves as *hpaya*, meaning ‘embryo’ or ‘immanent Buddha’.

Citizens and civil servants also officially and formally addressed them (kings) as *hpaya*, literally meaning ‘god’, which is used to address Buddhist monks. According to a politicized notion of *karma*, both hereditary succession of the throne and successful action irrespective of heredity were being acknowledged as legitimate (Michael Aung-Thwin and Maitrii Aung-Thwin 2013: 85). Along with such historical politicization, Buddhism in Myanmar has continued to be chauvinistic, solely male-controlled and centered, and the country’s institutionalized ruling instrument until British colonialism seized the country in 1886.

During British colonial rule (1886-1947), the pattern of linkage between Buddhism and political state changed. Thus, the historical construction of Buddhism changed not without relating to previous monarchical constructions. The British dethroned the last Burmese king and abolished the official existence of *Thathanapaing* (the Primate of the *Sangha*, Buddhist Church). Such deliberate separation between the state (the secular and profane) and religion (the sacred and religious) in the colonizer’s laws and administrations troubled Buddhism in Myanmar, which had long been married to monarchical politics. It also troubled the Burmese peoples who had long been accustomed to politicized Buddhism. As a consequence, Buddhism in Myanmar experienced a period of decline.

Only in the early part of the 20th century, some organized revolts against British colonial rule emerged, and among prominent leaders were Buddhist monks such as U Ottama and Saya San (a part time monk). Such organizations like Young Men’s Buddhist (Burmese) Association (YMBA) founded in 1906 and the General Council of Buddhist Associations in 1920 were not *proper* or purely religious organizations, but religiously-prompted nationalist organizations. In such revolu-

tionary moments in history, the link between Buddhism and nationalism in Myanmar was well established and firmly held throughout the independence struggle and even continues until today.

After independence, there was a decade of parliamentary democracy (1948-1962). This period was significant in the matter of the link between Buddhism and nationalism in Myanmar. Early nationalists during the revolutionary period—somehow representing the majority percentage of population—had somewhat hoped that the status of Buddhism post-independence would return as a state religion. Undergoing difficulties in leading a newly independent nation with high rate of factionalism, U Nu in his campaign for the 1960 elections promised the voters that he would make Buddhism a state religion by picking *saffron*—the color of monk's robe—his party color. He won the elections mainly because of that promise.

At this point in history, Buddhism's relationship to Myanmar politics had changed from being a controlling and governing force to being a propaganda tool (Von Der Meden 1961: 63-73). Not long after U Nu's promise to the Buddhists, Myanmar unfortunately had fallen into military rule, which lasted half a century (1962-2011). In accordance with its nature, military dictatorship puts all institutions including Buddhism and the *Sangha* under its rule or dictatorship. In a way, military regimes tried to reflect Buddhist monarchs in history as being saviors and guardians of the land and religion, and that Buddhism was given a special status by the state. Despite such appeasement, Buddhist citizens remain critical of the legitimacy of the military rule, and manifested it in the 1988 protests, as in 2007 with a civil resistance campaign, including Buddhist monks, in the notable Saffron Revolution.

In March 2011, a quasi-civilian government led by ex-general Thein Sein came to office and met significant challenges. Among the many challenges, civil wars between central government and ethnic Kachin armed group, and communal violence between Buddhists and Muslims

in Rakhine and in central towns like Meikthila and Mandalay, all of which have made front pages of international media. Buddhism in Myanmar is again criticized as being nationalistic and involved in waging violence, notably against minority Muslims. At this point, there are also nationalist Buddhist movements such as “969” Movement and Association for Protecting Race and Religion (*Ma-Ba-Tha* in Burmese), initiated and led by the notorious Buddhist monk Wirathu. These nationalist Buddhist movements led by saffron robes have celebrated anniversaries of U Nu’s constitutional attempt to make Buddhism as a state religion and initiated to make a controversial religious conversion laws so-called *Myo-sout* (Race Protection) laws.¹¹⁷ Based on the quasi-civilian government’s incapacity to restrict nationalist Buddhist monks and their hate speeches as well as the state’s cooperation to enact the Religious Conversion laws, it is appropriate to state that Buddhism in current Myanmar is politicized to the extent of discriminating against religious minorities and toward Burmese women.

9.5 Majority Ethnic Burmans

“There are about 135 different ethnic minorities in Myanmar comprising approximately a third of the estimated total population” is a commonly understood statistics about ethnic diversity in Myanmar. One main misconception of this statement is that the majority Burman ethnicity, further divided into nine subgroups, that comprises two third of the estimated population is included in that 135 list. Without reliable proofs or data checks, it is confusing and deceptive that the military regime, State Law and Order Restoration Council (SLORC), which ruled Burma from 1988 to 2010, even referred to as the “135 national races” of Burma (Smith 1994: 18). It is safe to note that over 100 different ma-

¹¹⁷ Details of the *Myo-sout* will be elaborated below.

jor and minor dialects and languages have been identified, and many different unique cultures still exist and are preserved until today.

The discourse about ethnicity in Myanmar has been overwhelmed by the plight of ethnic minorities due to the military regime's discriminatory policies against ethnic minorities, and due to the world's longest, from Independence era to today, civil wars fought between several ethnic minority armed groups and central military government's army. Without intending to minimize the plight of ethnic minorities, the emphasis in this article is an attempt to find how and which factors make up ethnic identity. From socio-historical perspective, ethnicity is viewed as "the process by which 'their' difference is used to enhance the sense of 'us' for the purpose of organization or identification ... ethnicity can only happen at the boundary of 'us', in contact or confrontation or by contrast with 'them'" (Jenkins 1997: 20-21; Walkman 1979: 3).

In such a process, distinctions and similarities are defined mostly by what can be called as "cultural stuff or content", which could include religion, language, customs, etc. While cultural stuff or content could set ethnic boundary or defines ethnicity, the making of ethnicity could in turn construct cultural stuff or content and the process of such both-way interaction could also depend on sociopolitical contexts. Don Handelmann therefore notes, "Cultural stuff... and ethnic boundary mutually modify and support one another" (Jenkins 1997: 20). Ethnicity in Myanmar can thus be viewed from both perspectives.

To start with the majority, the Burmans have been mostly defined by its religion of Buddhism throughout history, and the making of Burman ethnicity particularly during the revolution against the British colonial rule, which had politicized Buddhism in Myanmar and turned it into a nationalistic religion. There is even a saying "to be Burman is to be Buddhist". Since Buddhism had influenced the lives of Burmans in almost all sectors of life, it is fair to say that nationalism against foreign powers (notably the West) plus Buddhism defines Burman ethnicity. For

example, one key element of ethnicity, a sense of distinctiveness—what makes “us” different from “them”—, can obviously be found in one of the slogans during nationalist movement in 1920s:

“Burma is our country
 Burmese literature is our literature
 Burmese language is our language
 Love our land
 Value our literature
 Respect our language”

Furthermore, nationalistic Burman ethnicity with the help of politicized Buddhism was not totally irrational or unacceptable in revolutionary context against British colonial rule. Yet, the problem started at the beginning of independence, while the country was trying to form a free and democratic union with diverse ethnic minorities and religions. Such diversity of ethnic groups and religions was not a new phenomenon post-independence, but rather a preexisting reality of the country. Most of Burman leaders of independence were so nationalistic that they had hinted to impose their Burman ethnic identity and Buddhism in a new independent country. U Aung San, the father of Daw Aung San Suu Kyi and also known as the father of independence, was a significant leader who could transcend nationalistic Burman ethnicity and Buddhism as evident in his response to his comrade Deedok U Ba Cho who attempted to impose nationalistic Burman ethnicity and Buddhism. U Aung San vehemently said to Deedok U Ba Cho,

“We have had different religions in our land (Burma) since the founding days of the last dynasty, Konbaung [1754-1885], King Alaungpaya’s reign. We have Animism (spirit-worshippers). We have Christians. We have evangelized Christians among the frontier ethnic peoples, who are now deeply rooted in Christianity. We have Muslims. Despite

these religious and ethnic differences, they are all our people, they all are citizens. It is not just the Buddhist Bamar, but these multi-faith and multi-ethnic communities contributed to the struggle against the British colonial rule. We will soon be free from slavery. If they are oppressed and we insist the religion of the majority must be state religion, Saya (teacher)! We would just become animals, more useless than a dog. Think about our issues nationally. Just leave such issues as religion and so on. We have to unite the whole country.¹¹⁸”

Unfortunately, Aung San and his cabinets including Deedoke U Ba Cho were assassinated in 1947, and consequently the country had fallen into political and ethnic conflicts facing internal fractions and ethnic insurgencies. Giving a “reason” of handling such conflicts for the sake of the integration of the country, the military regime in 1962 seized political power and the problems were never solved and have become intensified. And, such militaristic historical context in Myanmar has become a context where ethnic minorities have suffered discriminations and their ethnicities were formed by means of defensive ethno-nationalism.

9.6 Ethnic Minorities

In Myanmar, it is true that “oppression and suppression sharpened the consciousness of ethnic identity and ethno-nationalism or sub-nationalism, which led to the movement for self-determination” (Jenkins 1997: 84). This is true for the rise of both ethno-nationalism, primarily of Burman ethnic identity against British colonialism, and ethno-nationalism of ethnic minorities mainly against the military dictatorship. In February 1947, the historic Panlong Agreement was signed by leaders of ethnic minorities led by U Aung San as a Burman ethnic leader.

¹¹⁸Unofficial translation from *Deedoke Journal* 21(7/4) August 1947: 21.

The core of the Agreement was equality and the voluntary nature of the union system, which was a type of federal system. Following the assassination of Aung San and his cabinet members in July 1947, the Panlong Agreement was neither exercised substantially nor constitutionally.

Such failure to ensure equality and self-determination in ethnic states or territories has prompted insurgencies from various ethnic armed groups against the military regime, notably the army. More than twenty ethnic armed groups have revolted using the names of their ethnic identity such as Karen [Kayin] National Union (KNU), Shan State Army (SSA), Kachin Independence Army (KIA), Chin National Front (CNF), to name a few among many others. As such, armed conflicts and struggles of ethnic minorities have intensified during more than half a century. Hence, ethno-nationalism holds primary importance in the making of ethnic minorities in Myanmar. It enhanced not only the sense of ‘us’ for the purposes of identification and organization, but also helped set boundaries of ‘us’ in contact, confrontation or by contrast with ‘them’ (Jenkins 1997).

Furthermore, in the making of ethnic minorities in Myanmar, the cultural content is mutually important together with ethno-nationalism, notably in the context of boundary setting. The two mutually modify and support one another in ways that “the former establishes and legitimizes the contrast of the boundary, while the latter, often in response to external conditions, modifies or alters the relevance to the boundary of aspects of the former (Jenkins 1997: 20). This has been proven to be evident in the nature of ethnic revolts against military regimes in almost all corners of the country. For example, Chins in the western part of the country have found their revolt tied to their cultures—territories, language, tribal traditions, beliefs/religion (mainly Christianity nowadays), etc., which were believed to be decreased by discriminatory rules imposed upon them. In the same manner, ethnic minorities such as Shans, Karens, Karennis or Kayahs, Kachins, Rakhines, Mons, and others have

come to find their ethnic identities in their distinctive cultures – tribal ways of life, traditional social celebrations, dresses, languages, religions and lands. In addition to the cause of equality and self-determination, one can say that the restrictions of military regimes imposed on the cultures of ethnic minorities in Myanmar have somehow intensified the resurgence of ethno-nationalism among the ethnic minority groups.

Setting aside the military regime for a while, one can criticize the resurgence of ethnic minorities in Myanmar based on two issue-bound factors. First, the diversity and difference in accordance with dialect or language, territory, clans, etc., constitute tensions, conflicts and misunderstanding between and among various ethnic minority groups. This unnecessarily weakens unity in both their making of particular ethnicities and their revolt against the military regime. It could be said that a few ethnic minority states or territories are homogenous. For example, in one single Shan state, there are Shan, Lahu, Wa, Pa-O and Akha ethnic minorities. There are also Shans in Kachin state, Chins in Magwe region, Mons in Yangon region, Karens and Burmans in other states and regions, and so on. Thus, without resolving issues of ethnic minorities, the SLORConce even claimed, “Today the term ethnic minority no longer conveys a profound meaning.”¹¹⁹ Another issue-bound factor to point out in the making of ethnicity, which applies to both minority and majority ethnic Burman, is their hierarchical and patriarchal contents of their cultures that evidently cross the lines of discrimination and subordination against women. The following session will focus on this factor in a wider context of the related constructions of religion, ethnicity and gender in Myanmar.

¹¹⁹ *Working People's Daily* (August 6, 1991).

9.7 Gender Inequality in Myanmar

In her book *Gender Ideology and Psychological Reality*, Melford E. Spiro writes, “Burmese (Myanmar) women probably occupy a higher social status than any other women in Asia. Indeed, until the dramatic changes in the status of women in the West in the past fifty years, Burmese women enjoyed a degree of economic, legal, and social equality that arguably was unsurpassed either in Asia or in Europe and North America” (Spiro 1997: 11). In addition to such western assessment about the status of women in Myanmar from the socio-anthropological perspective, the personal fame of Daw Aung San Suu Kyi as a Noble Peace Laureate—named as “Iron Lady” for going against the brutal military dictatorships—has misleadingly overwhelmed the stories and struggles of majority women within the country in relation to the constructed ethno-nationalist movements. A Burmese national and social anthropologist Daw Khin Mar Mar Kyi affirms this by saying that “people are often misled that gender equality exists in Burma”.¹²⁰ In fact, since gender refers to “the socially constructed roles as ascribed to women and men”, gender studies in Myanmar should be done in relation to society’s constructions of religion, revolution and ethno-nationalism, which have ascribed roles for both men and women.

It is evident that gender inequality exists in Myanmar. Regarding this fact, Khin Khin Mar simply opines that in places of military dominance, women can never be equal.¹²¹ Understanding about gender in Myanmar has been so overwhelmed that it implies solely about women issues such as female subordination, sociopolitical and religio-cultural suppression against women, and many other forms of gender-based violence against women. Gender became a category to refer to an issue. This is evident in

¹²⁰ <http://www.irrawaddy.org/interview/places-military-dominance-women-can-never-valued.html>. Accessed on August 4, 2014.

¹²¹ Ibid.

Myanmar where military men have ruled the country for half a century and even in the current quasi-civilian government almost all soldier-turned-civilian-men are taking leadership or decision-making roles.

Women are also subordinated to men in both traditions of Karmistic Buddhism, a predominant religion in Myanmar, and of Christianity, a religion predominantly followed in some ethnic groups, where Buddhist nuns (*bikkhunis*) are subordinated to Buddhist monks and pastoral ordination for women is rare and difficult in Christian churches. And while Myanmar has been undergoing the world's longest civil wars for more than 60 years, tragedies experienced by women such as gang rapes and killings, displacements and various forms of insecurity still painfully persist, particularly in areas where civil wars have occurred. In addition, along with the downs of the country's education and employment sectors, women lower wages and lower levels of education, especially in ethnic areas.

However, the concern in this article is not primarily about gender inequality in Myanmar, but about how gender inequality has been persisted and understood, and which factors in the country's history have constituted to such unequal gender relations. A further concern is that attempts for gender equality in Myanmar need to embrace the related issues such as ethno-nationalisms, religions and of the making of ethnicities or ethnic revolts against the government. In other words, gender should not be looked at as merely an issue about women, but should rather be studied in terms of gender relations. This would make gender inequality a problem for both men and women, and also all the interconnected issues.

9.8 Religion, Ethnicity and Gender in Myanmar

To say that the issues of religion, ethnicity and gender in Myanmar—i.e. religious violence, civil wars and oppressions against women—are related and historically evolving, nationalism and militarism

serve as the underlying context. As highlighted above, idealized and institutionalized ethno-Burman nationalism, which primarily was to resist against Western and British colonialism and its allies, has constructed Buddhism and Burman ethnicity that is not only discriminative, but oppressive against religious, ethnic minorities and women in Myanmar. The same could be applied to the resurgence of ethno-nationalism among ethnic minority groups, which have taken a defensive, aggressive and even reactionary positions vis-à-vis ethnic minorities. This phenomenon has crossed the lines of discrimination against the Burmans, the peoples, and has somehow instigated conflicts between and among ethnic minority groups, while subordinating women and their roles.

Above all, systematic militarization of the country and the rise of ethno-nationalism have made the matter worse. In relation to this point, C. Enloe states that nationalism is about “male-crafted conceptions of nation and national identity” and “when a nationalist movement becomes militarized...male privilege in the community usually becomes more entrenched” (Wilford et.al. 1998). Khin Khin Mar, a Burmese woman scholar, opines in an interview:

“The military is an extreme form of male dominance, an extreme form of patriarchy. In places of military dominance, women can never be valued, women can never be equal, their rights are not protected and their needs are not considered. In places where the military dominates, women face extreme discrimination. The extremely male-dominated military subculture, within the bigger cultural context of Burma, especially deprecates women.”

In fact, nationalisms or nationalist movements and militarization in relation to religion, ethnicity and gender are not new in Myanmar. If one were to look into the issues surrounding religion, ethnicity and gender, one can see that they also are not new but interrelated. Rather, the issues are historically and evidently related and evolving. In dealing with these

issues, it is therefore important to be mindful of the nature of issues, and also helpful to integrate and apply gender perspective, not necessarily gender issue. Since the issues—whether consciously or unconsciously—affect almost all citizens' lives one way or another in both personal and societal levels, the issues need to be addressed at both levels. In this regard, public policies could serve as platforms.

9.9 Reflections on Buddhist Nationalism

One of the most significant issues Myanmar has been facing since the time of its political transition in 2011 is religion-related violent conflicts between Buddhists and Muslims especially in the Rakhine state in the western part, and in Meikhtila and Mandalay in the middle part of the country. Such conflicts have affected both communities though the amount of violence done to minority Muslim communities is excessively more than that of Buddhist communities. About more than 200 people were dead and about 140,000 displaced, mostly Muslims (*Radio Free Asia News*). This issue is not just such violent incidents but more about resurgence nationalist Buddhist movements, and one of the leaders is a notorious and controversial monk named Ashin Wirathu picture appeared as the cover of Time Magazine labeling as “The Face of Buddhist Terror.” Nationalist Buddhist movements such as the 969 and the Association for Protection of Race and Religion (in Burmese *Ma-Ba-Tha*) are accused of instigating and relating to such violent incidents through hate speeches preached by some Buddhist monks in these movements (Matthew J. Walton and Susan Hayward 2014: 12-17). And, what these movements substantially have attempted is initiating and proposing a controversial *Religious Conversion Law*, which includes four bills that restricts religious conversion from Buddhism to other religion, interfaith marriage, polygamy and population measures or family planning.

As previously overviewed, this nationalist side of Buddhism in Myanmar dates back to the time of British colonialism, and depending on political settings its issues are evolving through times. Since Myanmar is undoubtedly a multi-religious and multi-ethnic country, the issues of Buddhist nationalism are not merely religious issues but equally about ethnicity and gender issues. For example, the said *Religious Conversion Law* would harm ethnic unity and equality, and women's rights. More importantly, it can be said that gender perspective is lacking in both the process and substance of the law because monks together with male parliamentarians and military-turned government leaders including President Thein Sein are processing the bills, and the voices of few women activists and parliamentarians, together with more than 90 civil society organizations, were not heeded.

9.9.1 Ongoing Civil Wars in Myanmar

Civil wars in Myanmar that have claimed thousands of lives are also developed during more than half a century in political settings of successive military regimes and are persisted until the country's transition to quasi-civilian government. Though civil wars in Myanmar are read and known in Medias as the issues of/against ethnic minorities, the issues evidently relate to religious and gender issues. For example, the writers of this article went and visited to war zones in Kachin state, where violent clashes between Kachin Independence Army (KIA) and central government's army are rampant even until today, and met a group of Christian pastors there. Most of the pastors in that group were interviewed and they turned out to be prone to preach Christian messages that justify violent/armed revolts against central government's army. Some messages even indicate a defective theologies that KIA as a Christian armed group must fight its best under almighty God's guidance against non-Christian or satanic powers of the central government's army. Thus, civil wars in Myanmar are not just issues around ethnicities or against ethnic minorities, issues related to religion are involved. Fur-

thermore, during civil wars in different parts of the country, hundreds of women have been recorded to be raped, murdered and sexually harassed. In 2014, the Women's League of Burma (WLB), an umbrella organization comprising 13 women's organizations of various ethnicities, reports 118 incidences of rape, gang rape and sexual assault in both ceasefire and non-ceasefire areas at the hands of Burma's armed forces since 2010 – but notes that these figures are likely to be “a fraction” of the number of abuses actually taking place (WLB report in November, 2014). It could thus be said that women suffer far more than men as many men go for armed fighting. Therefore, the world's longest civil wars in Myanmar have been complicated with issues of religion and of gender.

9.10 Conclusion

In conclusion, with all the discussions and information that have been aforementioned, and with regards to related and evolving issues of religion/s and ethnicities, and their impacts towards gender issues, a reflective conclusion can be drawn that a *gender perspective* has been lacking in all those issues and relations. Gender perspective simply implies an understanding of gender not necessarily as an issue but as a mainstreaming to try to see, value, respect and promote the security, roles and responsibilities of both women and men, and both girls and boys in a certain society. A gay human rights activist and the director of Equality Myanmar, U Aung Myo Min in Myanmar, states that a certain human society where women and girls feel insecure cannot be called human rights friendly society, and for the security of women and girls it is the responsibility of all – women, girls, boys, men, religions and ethnicities. This statement shows how a gender perspective works, that though it specifies a certain issue (i.e., women/girls' insecurity), it transcends the issue to see and call for responsibility from all.

In fact, throughout historical settings of ethno-nationalisms, in Myanmar, we can see that there have been attempts to “protect” women from marrying other races such as British, Indians and Chinese since the time of colonialism. Yet, gender perspective has been lacking in those ethno-nationalistic attempts to “protect” women because those attempts are the agendas of militaristic men and nationalist monks, and because the voices of women, who comprise more than half of the whole population, have been lacking and ignored. Therefore, when we say that gender perspective is important to integrate in attempts that address the issues of religion, ethnicities and gender, the voices of women/girls need to be heard and considered, their participations/contributions need be recognized, valued and promoted, and women/girls should not be viewed from merely patriarchal or male-gender perspective as the ones to be protected by religions and ethnicities.

The importance of gender perspective is more evident when women, suppressed gender, speak out their voices and views. For this purpose, the writers of this article went to ethnic areas and interviewed some women there. A Wa Christian lady, named Esther Khun, opined in one of the interviews that women’s contributions in family, society/Church and even in ethnic group levels are many. She continued to remark that another worst problem for her is that the issues against women were solved or decided by men without voices and wills of women themselves. Another Christian lady from Akha ethnic group also remarked in an interview saying that a woman who gives her concerns upon political/ethnic or society matters is considered strange, and she is highly likely to be kicked out from her certain position in church or society. And, such acts of silencing and discriminating women’s contributions and voices are not just in ethnic communities, but they can also be seen in national levels. For example, in attempts to solving civil wars in Myanmar, there are national and ethnic level peace talks recognized by government, but women’s participations are found to be very limited, if

not lacking. And, the same can be found in law-making attempts for Religious conversion law. Therefore, a gender perspective in addressing issues of religion, ethnicity and gender in Myanmar strongly asks, “Don’t see women as victims always. Please see women as peacemakers, movers and shakers for change.” This gender perspective should be integrated in their works and advocacies by social activists, policy makers, and ethnic and government leaders in all sectors of life in religion, ethnicity and gender.

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LEGISLATING GENDER, RACE AND RELIGION

Women and Public Discourse in Myanmar

Julianne Schober

10.1 Introduction

In modern Buddhist Myanmar, changing gender roles and religious practices reflect concurrent shifts in wider social contexts. In a country governed by military rule and in the absence of a national constitution for more than two decades (1988-2010), Buddhist institutions, discourse and practices have been frequently adduced to authorize political power. Women figure prominently in debates about religious difference and about who belongs to this newly democratic nation that is still defining its political future. As in the past, women have once again emerged as important cultural intermediaries in the search for national belonging. During in colonial Burma and now again in today's Myanmar, public discourse depicted women as emblematic of national identity and purity.

Yet, women are also seen as crossing boundaries between Burmese and others who may pose a threat to the Buddhist tradition and therefore become suspect of having compromised their race and creed. Gender and religion have once again emerged as critical themes in narratives

that voice popular anxiety about Buddhism under threat from outside influence. This treat was seen widely as emanating from corrupting western influence during the late colonial era and it is now perceived as a resurging Muslim menace to the Buddhist *sasana*.

Such debates about women and religious identity form part of a genealogy of discourse on gender, race, and the nation that has surfaced at various points in Myanmar's history over the past century. This essay traces the ways in which women's agency in Myanmar today is circumscribed by the politics of religion, nationalism and the persistent power of the post-military state. To locate these debates within the context of a resurgent Buddhist nationalism, I draw on ethnographic observations, news accounts, and on recent studies in anthropology, colonial history and religious studies.

Myanmar is a predominantly Buddhist country of about 53 million people of different ethnic backgrounds. The majority of its citizens profess Theravada Buddhism as their religion, a tradition that has long shaped classic civilization, history and cultural imagination among Burmese, Mon, Shan, Rakhain, Kachin and others. Significant religious minorities include Christian, Muslim and Hindu communities and to those few who still practice ancestral religions. These communities comprise still greater ethnic diversity within each of these religious traditions. Yet, Myanmar's politicians and the general public have yet to embrace the nation's ethnic and religious diversity and bridge social difference among its communities.

Since 2011, Myanmar has been engaged in a comprehensive process of social, economic and political reforms that touch upon in every aspect of life. With the end of military dictatorship and the rise of a market economy at the crossroads between India and China (Al-Adawy 2013), religious difference has increasingly been marked and contested social and political identity. Myanmar has struggled to sign a peace accord with ethnic nationalities engaged in decades of civil war. Additional

clashes in the recent past focused on Rohingya, 'Kala' or 'Bengali,' as Muslims are often called in Myanmar. Anti-Muslim sentiments touched Muslim communities not only in Arakan, but throughout Myanmar. Incidents of communal violence were directed primarily against Muslims, incited by prominent Buddhist monks and often committed by dubious young men on motorcycles. In this complex scenario, social and historical realities have confronted religious doctrines and public preconceptions in numerous ways and challenged cultural stereotypes of a peaceful and non-violence Buddhist religion.

In August 2015, both houses of parliament accepted the passage of four bills into law that focus national and religious fervor on the role of women as cultural intermediaries. While the laws ostensibly regulate inter-religious marriage, religious conversion, polygamy and rural population growth, they also reveal deeper social anxieties about the agency of women and the rights of citizenship in this new nation. Popular and conservative voices have made a national issue out of a perceived need to protect Burmese Buddhist against forced conversion through marriage to Muslims. The Association for the Protection of Race and Religion (Ma Ba Tha), a recent and popular monastic organization advocating Buddhist nationalism, has facilitated their passage into law. This group and their supporters have created a social climate that interdict alternate interpretations of Buddhist values or even public critique of the implications these laws will have for human rights and social policy. Progressive voices in Myanmar have been working for greater representation of women in elected government positions and sought to form a political party dedicated women's causes like the right of women to earn equal pay or raising public awareness about violence against women in war-torn regions. However, many of these efforts have too often been obstructed by the current laws and policies.

10.2 Traditional Roles of Buddhist Women

Traditional gender roles in Myanmar still prevail in most daily practices. Women are involved in a range of traditional Buddhist practices and easily move among them. Some express a preference for insight meditation (*vipassanā*), but most women actively engage in ritual practices. In everyday Buddhist practices, women are prominent participants in merit-making rituals emphasizing *dāna*, the practice of the Buddhist virtue of generosity that supports the Buddhist monkhood (*Sangha*) and other religious causes. Such ritual giving creates social networks within an economy of merit where good deeds ensure future prosperity and rebirth. Participation in these ritual patterns is seen as evidence of one's social capital. In her discussion of Shan Buddhists, Nancy Eberhardt (2006) points out that women contribute to merit making rituals through their labor and material items. She notes that their social power is greatest when they are able to sponsor the often-temporary ordination of a son into the *Sangha*. Becoming a monk—at least for a period of time—is one of the greatest sources of merit for men, while sponsoring an ordination is a significant religious occasion for women that heighten their perceived social influence.

Traditionally, women also inherit religious obligations in the domestic sphere and are responsible for making regular offerings to spirits (*nat*) who control the places people inhabit and the relationships they seek to foster (Brac de la Perrière 2015, Ho 2009, Schober 2004). Conceptually, the control spirit lord exerts over human affairs mirrors largely the ritual and administrative structures of the royal court. Obligations to spirits are inherited as well as negotiated. Spirit mediums are often women who embody the identity of particular spirit lords and grant audiences to supplicating clients seeking their protection and favors. Women generally also constitute the majority of clients who seek out the services of spirit mediums.

Throughout the past century, lay practice of meditation, especially insight meditation, has steadily increased. Women are prominent participants in meditation centers, perhaps because full ordination is foreclosed to them. Various kinds of meditation techniques focus on disciplining one's mind to attain certain stages of insight (*jhāna*) leading to enlightenment. While these stages are generally agreed upon (stream-winners, once-returners, non-returners, etc.), different lineages offer distinctive methods for their meditation practitioners.

While the rise of meditation is associated with early modernity in Burma (Pranke 2015, Braun 2013), *vipassanā* became increasingly popular during the colonial era through the work of the Ledi Sayadaw and, after independence, when U Nu asked the Mahasi Sayadaw to develop a nation-wide network of meditation centers. The Mahasi meditation method was employed throughout a vast network of meditation centers in Burma and beyond, where adept practitioners could have their spiritual progress certified. The prominence of meditation practices among a cosmopolitan urban class, and especially among women, became emblematic of social mobility and rise of a modern middle class (Jordt 2007). Nancy Smith Hefner (2007 and this volume) has similarly observed a link between public veiling and the raise of education among young women in Indonesia.

Ascetic women in Myanmar are recognized as *thila-shin*, literally, keeper of precepts. These female mendicants follow eight, and sometimes ten, precepts, wear white and pink robes and mostly live in nunneries. Since the 1980s, the Ministry of Religious Affairs has extended considerable support to *thila-shin* with the result that the Burmese public generally regards them more with greater respect. This official recognition has led to significant increases in the numbers of female acolytes (*thila-shin*), their institutions and public recognition in Myanmar. The growing number of *thila-shin*, as well as the increased reverence the

Buddhist public pays to them, contributes to their increased visibility in contemporary Buddhist practice.

In choosing the life of a celibate nun, especially younger women forgo the option of becoming a wife and a mother in favor of ascetic practice. Hiroko Kawanami (2013), who has written extensively on nuns in Burma, explains their motivations as arising out of a desire for a religious life and the fellowship of sisterhood. For many, this choice brings greater stability, economic security and the opportunity to improve basic literacy. Nunneries with disciplined routines of meditation, education or even the study of Buddhist Pail text have gained support from lay people and are generally well regarded. Full ordination of women constitutes a challenge to male monastic authority that many Burmese Buddhists would find that unacceptable. It requires nuns to observe the 227 rules of monastic conduct that monks are enjoined to practice, augmented by further restrictions for ordained women.

The full ordination of women has been a sensitive issue in that an orthodox history of Buddhist lineages asserts that full ordination for women many centuries ago in India and cannot be legitimately resurrected (Jordt 1988 and 2005, Kawanami 1991 and 2007, Seager 2008). Such conservative interpretations of gendered status in Theravada Buddhism appeal to the normative argument that ordination lineages in principle go back to the time of the Buddha himself. The move to raise public respect for nuns was a part of an effort by the Ministry of Religious Affairs during the 1980s to preempt in Myanmar the rise of gender-based challenges to monastic authority that exist in other Theravada Buddhist countries like Sri Lanka and Thailand, which now have a minority of fully ordained nuns. Even in the context of seeking ordination, women religious perform an intermediary role among Buddhist lineages.

In Myanmar, *thila-shin* generally do not challenge directly the paramount religious authority of the *Sangha*, the Buddhist community of monks. They instead focused on developing other options for them-

selves through established vocational venues, such as meditation and the study of Pāli texts. The prominence of women ascetics in these activities is becoming increasingly significant in the Theravada world (Collins and McDaniel 2010). Some nuns are thought to have reached enlightenment and have assembled communities of supporters around them (Seeger 2008, 2009, 2010, 2013). Burmese generally believe that enlightenment erases gender-based status differences, but conservative voices often claim that women are not capable of attaining enlightenment. Most Buddhists might agree that it is more difficult for a woman to become enlightened and they also commonly hope for rebirth as a man in order to take up full ordination as a monk. Failing that, most hope for a prosperous future that will allow them to make great merit.

10.3 Changing Roles of Women in Modernity

Jessica Harriden (2012) shows that traditionally, the influence of women was located within extended family units. Women generally did not act as individual agents outside such cultural confines. The advent of British colonialism proved to be enormously disruptive to Burmese traditional values and social structures. When the British colonial administration introduced secular governance to Burma, it intentionally refrained from performing the traditional function of kings to be patrons of Buddhism. This reinforced the perception of British rule as morally corrupt, anti-Burmese, and anti-Buddhist. Consequently, the Burmese experience with secular power is often considered to be morally suspect as evidenced by British colonial rule (1825-1947) and by military dictatorships (1962-2010). From such a vantage point, it is difficult for most Burmese Buddhists today to envision a future of their nation that is not guided by Buddhist values. The overarching moral authority of Buddhist institutions and monks renders impossible any discourse that is critical of these institutions and values.

In the early 19th century, the British colonial administration noted a literacy rate of about 80% among Burmese men, which was much higher than literacy rates in Ireland at that time. Buddhist monasteries introduced most boys were introduced to a traditional curriculum that was based on the study of Buddhist texts, grammar, and other tradition subjects. Literacy rates for girls and women were generally lower as females were not permitted to attend monastic schools. Christoph Emmrich (2014) notes an exception to this trend of women who authored poetry at the Konbaun court in Mandalay during the nineteenth century and whose work was known under a male pseudonym. Changes in the education system under the British—who also relied on Christian missionary schools—provided girls with greater access to education and also introduced modern subjects like science, geography and learning English.

Much can be glean from tracing the history of modern Burmese attempts to legislate the role of women in society. The use of customary laws to regulate civil matters institutionalized cultural difference into a legal scheme of “other-ness,” echoed by prevailing theories of race and national identity. During the colonial period, separate legal codes were used to adjudicate civil matters like marriage, divorce, and inheritance for Buddhists, Hindus, Muslims and Christians, recognizing their respective difference in customs and laws. Chie Ikeya (2011) notes that the use of different civil codes for domestic practices focused special attention on the role of women as intermediaries among cultural and religious communities and thereby turned the rights and roles of Burmese women into contested issues. While separate civil law codes heightened social differences between groups, their use also instituted ethnic difference as a factor in the construction of national identity. Today, the state officially recognizes 135 different ethnic groups as belonging to Myanmar.

The modern Burmese understanding of ethnicity emerged in the context of colonial education that emphasized racialist categories as the

foundation for national belonging. Ideas about the modern Burman were informed by a colonial ideology about race, language, erudition and religious knowledge (*batha*). In a famous speech in 1914 that inspired early Burmese nationalists, U May Ohn, then Rector of Rangoon University, professed that these attributes define the modern Burman and thus coined the phrase “We Burmese are Buddhists” to express moral and cultural commensality of modern Burmese with their British colonial rulers (Schober 2010). Various Burmese politicians have used this slogan since that time to denote a sense of national identity and moral superiority. Over the following decade, the Young Men’s Buddhist Association, the mass movement in the early 20th century in which U May Ohn held a leadership position, mobilized the Burmese public against colonial rule and promote an early Buddhist nationalism. While the political impact of this movement faded before independence, Buddhist sentiments clearly inspired not only the early stages of this struggle, but also a Burmese sense of national identity after independence. To be Burmese had thus become inseparable from being Buddhist, a sense of national identity that accords a secondary status to those who are ethnically different or practice a religion other than Buddhism.

The popular literature from the late colonial era reveals how gender roles intersect with the construction of religious and national identity. In the 1920 and 1930s, Burmese print media began to depict the lifestyles of women as “...determining the fate of the country and held accountable for disseminating a ‘proper’ image of the nation” (Than 2014: 112). The anti-colonial discourse often questioned women’s loyalty to the Burmese nation and their moral conduct, as evidenced by their adoption of modern clothing and by their marriages to foreigners (Chie Ikea 2006, 2008). Scholars like Daw Mya Sein and Manning Nash observed in the mid-20th century that Burmese women encounter few restrictions in public life. Tharaphi Than however writes that modern women were often held responsible for the nation’s problems during Burma’s demo-

cratic era after independence from Britain. She writes that the prominent newspaper, *The Nation*, “often found it easier to blame women for their ‘unpatriotic’ behavior than to pressurize the government to take action.” (2014:116). During this period, “Burmese women married to foreigners were most severely criticized. This issue of marriage was greatly politicized, and women marrying foreigners began to be seen as a focus of the feminine vice and as betraying their race, their religion and the state.” (2014:117).

While the complexities of modern life have clearly had an impact on gender roles in social and religious contexts, women today have access to education, participate in public life and work outside the home as teachers, government employees and in other professional and business venues. Highly educated women work in professional and academic settings in Myanmar and abroad and many public critics of government policy are women. However, in recent years, questions about women’s loyalty to the nation continue to be refracted in public discourse and focus especially on their ability hold the highest public office. Commonly told rumors about Aung San Suu Kyi, the 1991 Nobel Peace Prize winner and daughter of Myanmar’s national martyr, illustrate multifaceted cultural and religious debates inherent in the public roles of women. In 1990, after the National League for Democracy won an overwhelming electoral victory, the military junta refused to concede power and put Aung San Suu Kyi under house arrest for nearly two decades. Much of the official rhetoric against her drew on the fact of her marriage to a foreigner, the British academic Michael Aris and the foreign citizenship of her sons. The 2010 National Constitution, §59(f) paragraph 4, prohibits anyone with a foreign-born family from holding the office of President. Efforts to reform this provision in advance of the 2015 national election failed to gain the necessary support in Parliament, affecting the potential candidacy of at least one prominent Burmese woman, Aung San Suu Kyi. However, this constitutional restriction potentially affects

a much broader constituency as well. Social upheavals under successive military regimes since 1962 have displaced Myanmar's brightest young people into diaspora communities abroad, foreclosing productive futures for them at home. Now that some are returning to Myanmar, the constitutional requirement for the president not having a foreign-born family further limits their ability to contribute productively to their country in the future.

10.4 Gender and Buddhism in the Current Reforms

Traditional conceptions of race and religious identity continue to shape gender roles in the context of reforms undertaken since 2011. Reminiscent of the Burmese discourse during the colonial era, renewed challenges to women's rights and religious freedoms have been raised in recent legislation to protect Myanmar's race and religion. The Association to Protect Race and Religion (Ma Ba Tha) has been agitating for and succeeded in the passage of new laws in 2015 that restrict the religious, social and reproductive agency of women. The new legislation has legal precedents in the 1939 Buddhist Women's Special Marriage and Succession Act formulated after the 1938 anti-Muslim riots and in its 1954 renewal, which still retains legal force in Myanmar. Their 2015 iteration mandates official permission for inter-religious marriages, places restrictions on religious conversion, enacts population control measures in rural areas and outlaws polygamous marriages.

“The four bills have had the vocal backing of the Association for the Protection of Race and Religion (known in Burmese as Ma Ba Tha) and from a group of Buddhist nationalist monks accused of spreading anti-Muslim hate speech and whipping up nationalist sentiment in the country.”

The efforts have been popularized by the anti-Muslim monk U Wirathu and his lay organization, Ma Ba Tha, to protect Buddhism

which they see threatened by the presence of Muslims and Islam in Myanmar. This defensive claim about Buddhist under treat forms part of a broader strategy stoking anti-Muslim sentiments. An excerpt taken from a newspaper editorial entitled “Burma’s Time Bomb?” and published in 2014 illustrates how these fears of religious others are being mobilized: The author writes:

“A couple of days ago, a friend sent me a Burmese-language book with a shocking title: “If You Marry a Man of Another Evil Race and Religion.” The book is believed to have been written by a Buddhist monk under the pen name Pho Pa Nyaw, and it was published with permission from the Religious Affairs Ministry in January 2010, back when no book could be printed and distributed without government approval. It includes 11 stories about Buddhist women who were sexually abused, raped or forced to marry members of another “evil” religion. After reading some of the stories, I am convinced that the book was intended to plant seeds of hatred against Islam among the country’s Buddhist majority, although the author never specifically referred to Muslims.”

While their primary concerns focus on the presence of Muslims, the social and religious agency of all women is directly implicated by a revisionist public discourse surrounding the legislation about women as cultural intermediaries. The Protection of Race and religion laws have a divisive effect on the national community, inciting anti-Muslim sentiments while also drawing sharp criticism from the international community, including the United Nations Commission for Human Rights (*UN News* 2014). Internal critics like the National League for Democracy and human rights activists like Zin Mar Aung, recipient of the 2012 International Women of Courage Award, have been outspoken critics of this legislation. In 2014, she wrote:

“It is high time for the people of Burma, regardless of ethnic background, faith or gender, to unite during the democratic reform process. That is why we women’s groups decided last month to issue a second statement against these divisive faith-based bills. ‘We believe the current faith-based political activities, including arguments against interfaith marriage currently taking place in the country, are not in accordance with the objectives of the peaceful coexistence of all faiths and the prevention of extreme violence and conflict, but instead are ideas signed to distract the public before the 2015 election,’ we wrote.”

Activists like her continue to place themselves at the risk of reprisals. Others include Ma Thandar, the widow of a journalist who died in military custody, is now an NLD candidate standing for election for the NLD and Dr. Ma Thida, a former prisoner of conscience, human rights activist, surgeon and writer who won the PEN/Barbara Goldsmith Freedom to Write award in 1996. Other critics in Myanmar express not only their disagreement with the content, but also with the poorly crafted legal principles these laws embody in their view:

“This week in Myanmar the *Pyidaungsu Hluttaw* [Parliament] passed a law that gives regional governments the right to restrict how many children a woman has, legally enshrining a human rights breach found in few other countries in the world—with the notable exception of China. In supporting it, advocates have effectively signed away their own reproductive rights to try and control those of a group they feel threatened by. That is: they have given up control over their own body, in order to allow the authorities to exert control over someone else’s. That is an extremely dangerous path to go down. Let’s be clear about this. This piece of legislation is hugely significant. It takes away a woman’s right to choose

when to have children and gives authorities new powers to control women's bodies against their will."

Similar criticism about the insufficient legal standards employed in the formation and passage of these laws has also been voiced in a report published in *The Irrawaddy*:

"As recent debates have highlighted cultural tensions about the agency of women, a new activism has sought to advance ethnic and women's rights, emphasizing their contributions to national development and calling for greater economic empowerment and access to education and healthcare. Although women are represented among professional groups as professors, teachers, doctors, museum curators, writers, etc., there are still few women legislators, despite calls for a constitutional requirement for 30% of representatives to be women. Women are also calling for a greater voice in peace process and for the recognition of sexual violence against women in conflict zones. In recent months, the Burmese press has reported extensively on women in Myanmar whose leadership is making a difference in public life, including ethnic women who have gained international recognition."

10.5 Conclusions

The present moment is decidedly a time of transition in Myanmar, as national elections are planned for late 2015 amidst sweeping social and economic reform agendas that some argue have already been stalled. Looking ahead, Buddhist sentiments will likely continue to inform public debates about who belongs to the new Myanmar. As gender roles are shaped by a discourse about the agency of women and men in society, the resurgent influence of monks in shaping public opinion is an important factor in Buddhist Myanmar.

Conventional interpretations of the Theravada monastic code of conduct (*vinaya*), exhort monks to *shun* political involvement. This authoritative body of texts guides monks in their moral conduct so they remain worthy sources of merit for their lay supporters. Indeed, the notion of a unified *Sangha* has been more of a doctrinal ideal than a historical reality. There is a long and complex history of monastic involvement in politics as advisors to kings and as modern agitators against colonial rule. Monks emerged as significant political voices since the colonial era and influenced public discourse, rallied popular resistance against the state, and provided social services where public assistance failed. The ability of monks to shape public opinion and policy is significant, particularly in light of the distrust Myanmar citizens have towards secular power which is often associated with a lack of ethical values and colonial or military coercion. This reality has empowered Buddhist monks to play pivotal roles at historical conjunctions that shaped the nation's future.

The multiplicity of political voices in the *Sangha* today demonstrates that Buddhist monasticism in Myanmar is no longer a monolithic institution as the *Sangha* embodies various positions and practices, demonstrating the highly complex monastic contestations of and entanglements with political power and civil law. Progressive voices among the *Sangha* took to the streets in 2007 to demand democratic reforms and an end to military rule. Following the human disaster the cyclone Nargis reaped in the delta regions in 2009, monks were pivotal in organizing humanitarian relief and reconstruction efforts. In contrast, the current moment in Myanmar is marked by a dark alliance between newly nationalist monastic groups like Ma Ba Tha and a military regime that continues to wield power in the shadows of a constitution that guarantees the armed forces a decisive majority.

An inclusive vision in policy, law and government will further the agency of all women in Myanmar. Yet, the effort to form a political party advocating the concerns of women has met with obstacles, when the

election commission informed party leaders that they must define the party's focus in more specific terms, prompting them to register as The Women's Party (Mon), which "was founded in October of last year with the aim of increasing female representation in politics by creating an inclusive and welcoming space for women of all ethnicities to participate in governance". Other venues for defining a national future might include efforts to mobilize the *Sangha* to safeguard peace and social harmony in the nation in ways that will also safeguard the rights of women. The outcome of national elections scheduled to November 2015 will surely influence the future agency of Myanmar's women, their multi-religious communities and their public, political roles. Anthropologists and other scholars of religion and gender will be attuned to the ways in which cultural constructions of gender and religious identity are imbricated in national and transnational flows as well as to structural similarities in the transaction of gender based agency and individual empowerment in colonial Burma and transitional Myanmar.

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MANAGING RELIGIOUS CHANGE IN THE CONTEXT OF RELIGIOUS PLURALISM IN MALAYSIA

Challenges and Prospects

K. S. Nathan

11.1 Changing Context of Religious Pluralism

Malaysia is a constitutional monarchy practicing parliamentary democracy since its independence in 1957. The Federal Constitution clearly has provisions for freedom of religion although Islam is recognized as the Official Religion of this multi-ethnic, multi-cultural, and multi-religious country of 30 million people. There was no problem in inter-religious harmony and mutual coexistence until more recent times—perhaps the 1979 Islamic Revolution in Iran could be used as a benchmark that divides the era of peaceful coexistence and harmony and the era after 1979 when Malaysia was also experiencing Islamic religious revival and a trend toward greater conservatism and lesser tolerance of non-Islamic faiths in the country.

Fundamentalist Islam received a boost after the Iranian Revolution, taking shape in terms of the Dakwah Movement, which also received inspiration from neighboring Indonesia's Darul Arqam. The main force of this movement was led by none other than Anwar Ibrahim, formerly

head of the Malaysian Muslim Youth Movement or ABIM, prior to his joining the Mahathir Government as a Cabinet Minister in the early 1980s. In short, fundamentalist Islam was being politically co-opted to create and strengthen Malay-Muslim identity, and to showcase Malaysia as an Islamic country that is moderate, and also practices democratic politics. Nevertheless, the prioritization of Islam in the public sphere has also propelled conservative *ulama* and advocates of Wahabi austerity into the public domain, thereby marginalizing the more moderate elements that subscribe to the notion and value of religious pluralism in a multi-cultural context. In the process, radical Islam also found shelter in a more permissive environment for the propagation of Islam, leading ultimately to organized expressions in the form of Al-Maunah that carried out an arms heist in 2000 by overrunning several army posts in the state of Perak,¹²² and Kumpulan Mujahidin Malaysia (KMM, or Malaysian Freedom Fighters Movement)), inspired and trained in Afghanistan, with the aim of establishing a Pan-Islamic Nation, the Jemaah Islamiyah (JI), comprising Malaysia, Philippines, Brunei, Indonesia, southern Thailand and southern Philippines.

In the area of political contestation between the dominant ruling Malay-Muslim party, United Malays National Organization (UMNO) and the Opposition Malay-Muslim Islamist party, PAS, the politics of religion and ethnic identity are increasingly occupying center stage. This

¹²² The group's full name was *Persaudaraan Ilmu Dalam Al-Ma'unah* (Brotherhood of Al-Ma'unah Inner Power) or Al-Ma'unah in short. Al-Ma'unah, according to its website, was an organization "involved in the teaching of martial arts particularly the development of one's inner power and the practice of Islamic traditional medicine". The term "*Ma'unah*" supposedly means something extraordinary that happens to an ordinary Muslim individual (paranormal). For details on *Al-Maunah* and other Islamic revivalist groups in Malaysia, see Yuki-ko Ohashi, "The many faces of Islam in Malaysia." In *Asia Times* (July 9, 2004). See: http://www.atimes.com/atimes/Southeast_Asia/FG09Ae04.html. Accessed on January 10, 2014.

narrowing of the political spectrum invariably polarizes almost every issue, and forces interpretation and evaluation not in terms of its own merits, but in terms of zero-sum games—an apparent loss for the Malay-Muslims is seen as a gain for the non-Muslims, and vice versa. In this sense, religion is becoming a substitute for politics. And because of the inseparability of race and religion for the dominant Malay-Muslim majority, even economic issues relating to the distribution of the pie among the various communities are easily politicized.

The recent and ongoing debate over whether the New Economic Policy (NEP), affording special privileges in government, education and the economy for the Malays and other indigenous groups, has been over-achieved, and therefore should be discontinued—has sparked off a heated debate along ethnic lines. The Government claims that the figure of 45% Malay equity ownership stated in the Report released by the Centre for Public Policy Studies (CPPS) of the Asian Strategy and Leadership Institute (ASLI) was incorrect, and that the official figure of *Bumiputera* ownership of wealth was 18.9%.¹²³ Evidently, the Government's insistence on the accuracy of the lower figure by including the underdeveloped natives/indigenous peoples of Sabah and Sarawak under the *Bumiputera* category enables it to continue racially discriminatory policies in favor of the Malay-Muslim majority.

The whole issue of whether Malaysia is an Islamic state was triggered by former Prime Minister Mahathir Mohamad in September 2001 when he declared that Malaysia was an “Islamic country”. He made a difference between “Islamic state” in which the *Shari'a* was the primary

¹²³ “Retraction of Asli Report—victory of unreason over reason and major setback for National Mission to create ‘first class mentality’ raising fundamental question whether Vision 2020 to be a fully developed nation is condemned to failure”. Media Statement by Lim Kt Siang, leader of the opposition Democratic Action Party (DAP)(October 11, 2006). See: <http://www.limkitsiang.com/archive/2006/oct06/lks4071.htm>. Accessed on February 7, 2015.

source of law(as in Iran and Saudi Arabia), and an “Islamic country” in which *Shari’a* and the Common Law could coexist given the status of Islam as the official religion of the country according to the Constitution. The significance of the declaration, largely due to pressure from Islamist PAS, was that it set a major and virtually irreversible benchmark for measuring Malaysia’s progress towards full Islamization. A political, legal, and social mandate seems to have been provided to subsume all discussions and debates within an Islamic framework. It has also strengthened the intrusive role of the religious or moral police who have empowered themselves under *Shari’ato* to enter hotel rooms, bars, nightclubs, and other placers of public entertainment to ensure that they refrained from “un-Islamic” activities.

In the external sphere, the trend of political Islam in Malaysia could be discerned by Malay-Muslim reactions to U.S. foreign policy in the Middle East, especially regarding Palestine, Iraq, and Iran. The Muslims in Malaysia share the sense of political disempowerment with other Muslims outside Malaysia vis-à-vis American power, and U.S. global power presence. This international disempowerment of the Muslim world as a whole is internalized and translated into the politics of Malay-Muslim identity and empowerment within Malaysia. In this sense, religion has become a substitute for politics. What more, in the wake of September 11, President Bush himself, unwittingly, declared the war against Saddam’s Iraq as a “Crusade”, thus invoking historical memories of the Crusades by Christian European Kings to regain control of the Holy Land (Palestine) from the Muslims during the Medieval era (11-13th centuries).

11.2 Religion and Race in the Malaysian Constitution

The first factor informing as well as influencing public policy is the Malaysian Constitution, which recognizes ethnic and religious diversity but puts Islam in a special position. Article 3(1) states that “Islam is the

religion of the Federation; but other religions may be practised in peace and harmony in any part of the Federation.” However, in order to fully comprehend the growing influence of religion as a source of public policy, Article 3(1) has to be read together with Article 11 (1): “Every person has the right to profess and practice his religion and, subject to Clause (4), to propagate it,” and Article 11(4): “State law and in respect of the Federal Territories of Kuala Lumpur and Lubuan, federal law may control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam,” and Article 160, which defines a Malay person as a Malaysian citizen born to a Malaysian citizen who professes to be a Muslim, habitually speaks the Malay language, adheres to Malay customs, and is domiciled in Malaysia or Singapore. As a result, Malay citizens who convert out of Islam are no longer considered Malay under the law. Hence, the *Bumiputera* privileges afforded to Malays under Article 153 of the Constitution, the New Economic Policy (NEP), etc. are forfeit for such converts. Likewise, a non-Malay Malaysian who converts to Islam can lay claim to *Bumiputera* privileges, provided he meets the other conditions. If one were to add to this regime for the determination and protection of Malay race, identity and religion the effect of Article 153, one would acquire a fuller picture that race, religion, identity politics and public policy are all interwoven into a clearly identifiable fabric of promoting and sustaining Malay hegemony in multi-racial Malaysia. Article 153(1) states: “It shall be the responsibility of the Yang di-Pertuan Agong to safeguard the special position of the Malays and natives of any of the States of Sabah and Sarawak and the legitimate interests of other communities in accordance with the provisions of this Article.”

Religious pluralism by definition imports the notion of diversity in the way people express their spirituality and practice their religion according to the doctrines and traditions that have governed their faith for centuries. As diversity in all its forms is a “living reality”, freedom

of belief and conscience is inevitably an integral part of that conceptualization of the role of religion in society. The concept and practice of religious freedom can also be constitutionally defined and enshrined. In the case of Malaysia, Article 11 of the Federal Constitution stipulates that “Islam is the religion of the Federation”, although all other religions may be freely practiced in this multi-religious society, which has grown in numbers from the original seven million in Malaya at independence in 1957 to now over 30 million in 2015.

11.3 Changing Ethno-Religious Context: Rising Trend of Islamization

The religious context in Malaysia has been changing, and is being transformed by the impact of urbanization, transmigration, modernization and globalization. In terms of urbanization, the non-Malay, non-Muslim character of Malaysian cities and towns has been rapidly transformed the push-and-pull factors informing rural-urban migration since the 1960s. More importantly, the government’s development policies have clearly impacted upon the influx into urban areas of a hitherto rural population in search of higher income enjoyment of modern living.

The politics of ethnicity and religion impel the political system towards policies of increasing Islamization as a necessary tool of legitimating the political dominance of the ruling Malay party, UMNO. In turn, UMNO is being forced into a cycle of deeper Islamization by the Islamist Party PAS which has vowed to establish an Islamic State if it gains power through the victory of the opposition “out-Islamize” the other, UMNO or PAS, is invariably reducing the scope for freedom of religious expression and inter-faith dialogue. There is today less interest on the part of the ruling UMNO to engage in inter-faith dialogue compared to a decade ago. Muslim supremacists who are quite influential within the state apparatus continue to argue that Muslim participation in

inter-faith dialogue reduces Islam to a level of parity with other religions, a situation that is unacceptable to them.

A widening network of government and non-government agencies and associations engage in, or promote various activities that help influence or shape the religious landscape in multi-religious Malaysia. Besides the two Malay political parties that are obviously competing with each other to Islamize Malaysian politics, economy and society, namely the ruling UMNO and opposition party PAS, several government agencies and NGOs are quite deeply involved in promoting greater Islamic consciousness in the Muslim community. These include Government-supported institutions such as IKIM (Institute of Islamic Understanding), ISTAC (Institute of Islamic Thought and Civilization), and JAKIM (Jabatan Kemajuan Islam or Department of Islamic Advancement). The more prominent NGOs include Yayasan Dakwah Islamiyah (Islamic Dakwah Foundation), PERKIM (Pertubuhan Kebajikan Islam Malaysia or Malaysian Muslim Welfare Organization), and ABIM (Angkatan Belia Islam Malaysia or Malaysian Muslim Students Association). Interestingly, in this same context, Sisters in Islam (SIS) has the same goal but with the aim of promoting a proper understanding of Islam that respects gender equality, religious freedom and human rights.

In more recent times, especially after September 11, domestic politics within this multi-racial society seems to be revealing a pattern of increased Malay-Muslim dominance and need to assert a specific Muslim identity through the Federal Constitution, law, administrative policies, social practices and behavior in public, and lesser official tolerance of debate and dissent over the constitutional rights of freedom of religion for Malaysia's non-Muslims who constitute nearly 40% of the total population. Several court cases and decisions pertaining to conversion into and out of Islam are revealing a more strident trend towards Islamic supremacy in multi-religious Malaysia, with the government seemingly condoning it or appearing helpless in confronting the tide of rising Is-

lamism controlled by the more right-wing and conservative religious forces—a trend that it earlier found politically expedient to encourage but now is unable to control. Indeed, the accelerating pace of Islamization occurred during the Mahathir era after his declaration in September 2001 that Malaysia was an “Islamic country”.

11.4 Lina Joy and Freedom of Religion under Article 11

The 2007 landmark decision by the Federal Court in Lina Joy’s case is highly instructive. Lina Joy, 42, who was born to a Malay Muslim couple, became a Christian when she was 26. In 1997, she applied to the National Registration Department to delete her Muslim name (Azlina Jailani) and replace it with her Christian name (Lina Joy). While the NRD allowed the name change, it refused to delete “Islam” as her religion on the Identity Card. The NRD said it could not do so without a *Shari’a* Court order certifying she had renounced Islam. This obviously is an unpopular task no *Shari’a* Court would like to undertake, i.e. allowing or approving conversions out of Islam.

The High Court abdicated its power to the *Shari’a* Court, which invariably refused her request. On appeal, the Apex Court (Federal Court) entered a 2-1 judgment upholding the decision of the *Shari’a* Court claiming that the matter of apostasy was beyond the jurisdiction of the civil courts. As such, Lina Joy failed in availing herself of the guarantee of religious freedom provided under Article 11 of the Federal Constitution. She also could not marry her Christian fiancé unless he converted to Islam—a religion she had abandoned long ago after embracing Christianity.

The circumstances of the Lina Joy case also suggest that the judiciary was under great public and social pressure to make a decision that was politically acceptable, even if it violated a citizen’s constitutional right to freedom of religion under Article 11. The presiding judge of the apex court, Chief Justice Ahmad Fairuz Sheikh Abdul Halim stated in

his *ratio decidendi*: “You can't at whim and fancy convert from one religion to another... The issue of apostasy is related to Islamic law, so it's under the *Shari'a* Court. The civil court cannot intervene.”¹²⁴

The use of public space to discuss, question or even critique the role of Islam in Malaysia has become increasingly impossible as this sort of activity is seen as non-negotiable by many Malay-Muslims, as anything pertaining to Malayness and Islam is seen as sacrosanct and beyond discussion. Muslim civil society groups such as PAS, Forkad (Action Front Against Apostasy), Badai (Anti-Inter Faith Commission group) and Teras (Malay Empowerment Movement) who have broad support in government institutions seem determined to further Islamise the public sphere. These groups have strongly opposed any public discussions on religious freedoms as enshrined in the Malaysian Constitution.

Consequently, in September 2006, and in the wake of the Lina Joy controversy over whether a constitutional Malay-Muslim, has the constitutional right to change her religion to Christianity, Malaysian NGOs supporting religious freedom as well as those against apostasy braced for a showdown. Article 11 forums were organized in Penang and Johor. However, in both cases, the police intervened to prevent such discussions even within closed doors on the grounds that they sparked racial and religious tensions that could threaten public order and security. 2006 Clearly marked a watershed in religious change in Malaysia as ethno-religious conservative forces combined to further reduce the space for public discussion of constitutional rights pertaining to freedom of religion.

¹²⁴ Jalil Hamid and Syed Azman, “Malaysia's Lina Joy loses Islam conversion case.” See: <http://www.reuters.com/article/2007/05/30/us-malaysia-religion-rulingidUSSP20856820070530>. Accessed on March 10, 2015.

11.5 Growing Supremacy of Islamic Law over Civil Law

Another landmark case related to burial of a presumed Hindu convert to Islam according to Muslim rites. Everest mountain climber, Sergeant Moorthy Maniam died on December 20, 2005 after having been paralyzed several years ago when he suffered a fall during military training. His purported conversion to Islam in 2004 was unknown to his wife, S. Kaliammal. His funeral according to Hindu rites was imminent when the Islamic religious department officials came over and snatched his body to be buried according to Muslim rites. The argument put forward by his widow that she was completely unaware of his conversion, and that until his death he was a practicing Hindu, was rejected by the High Court in 2005 on the ground that only the *Shari'a* Court had jurisdiction to decide on conversions to Islam. Kaliammal appealed but the Court of Appeal on August 20, 2010 dismissed her appeal, but also held that a non-Muslim challenging a conversion could appear in the *Shari'a* Court to set aside any order.

This, however, was a difficult proposition as the *Shari'a* Court dealt with cases involving Muslims only, and as the issue in dispute was the religious identity of a non-Muslim who was believed to have converted to Islam, it fell more appropriately within the competence of the civil courts to decide cases involving the constitutional right to freedom of religion. Thus, the issue of burial according to Muslim rites of those who have been presumed to have converted to Islam has now entered the public domain as the non-Muslim relatives of the deceased person (Moorthy) have claimed ignorance of such conversion and insisted on burying the dead relative according to their own religious rites.

The public policy implications are quite far-reaching for non-Muslims. First, Kaliammal has obviously been denied access to justice as she could not get the civil court to exercise jurisdiction in a matter involving a husband and wife who were united through a civil marriage. Second, as argued by lawyer K. Shanmuga who represented Kaliammal,

non-Muslims cannot go to the *Shari'a* Court because “*Shari'a* derives its legitimacy from theological law—the Quran and *Hadith* (Prophetic tradition). This is legitimate for Muslims because they believe it’s the revealed Word of God”. Thirdly, in child custody cases, they quickly become controversies as the issue involves the jurisdiction of two distinct court systems. Malaysia’s Attorney General pointedly remarked on the public policy implications:

“Inter-racial marriages have given rise to a new conflict between civil law and *Shari’alaw* in relation to the unilateral conversion as well as custody issues of minor children where only one spouse converts to Islam. The increasing number of cases has also raised allegations of racial discrimination by the courts and authorities. The anguish to the families cannot be overstated and that is a fact.”¹²⁵”

In child custody cases, especially where they involve or invoke two jurisdictions—Civil Law and *Shari’a* Law, the Statutes created by Parliament become critical reference points for resolution. Articles 74 and 77 of the Federal Constitution confer power on the federal as well as State Legislatures to make laws. However, where there is a conflict between Federal law and State law, the Constitution clearly asserts the supremacy of the former. However, where the Constitution is vague on matters of jurisdiction over religion, the *Shari’a* Courts have become increasingly pro-active in exercising jurisdiction on matters pertaining to conversions to Islam. In S. Deepa’s case, after her husband, Viran, converted to Islam in 2012, he proceeded, without Deepa’s knowledge and converted their nine-year-old daughter and six-year-old son to Islam. The Seremban High Court awarded custody of the two children to

¹²⁵ “Converting spouses adding to conflict between civil and *Shari’a* Courts, says AG. ”In *Malay Mail Online*. See: <http://www.themalaymailonline.com/malaysia/article/converting-spouses-adding-to-conflict-between-civil-and-Shari’ah-courts-says>. Accessed on November 19, 2014.

Deepa, and also stated that the rulings were made under Section 51, subsections 1 and 2, of the Law Reform Act as Deepa and Viran's marriage had been solemnized based on civil law.

Instructively, the High Court decision bypassed a *Shari'a* Court ruling in 2013 that granted the custody of the children to Izwan. However, soon after the High Court decision, Mithran (the six-year-old son) was seized from his house by his father in defiance of the court order. The police have so far been reluctant to act against Izwan on the ground that the *Shari'a* Court had also granted custody of the two children to the Muslim convert-father. The latest development is that the Federal Court on January 14, 2015 granted Muslim convert Izwan Abdullah a stay against a High Court order for him to return his son to his ex-wife S. Deepa. The apex court also granted Izwan leave to appeal against the decision of the High Court and Court of Appeal in regard to the custody and recovery orders.¹²⁶

The critical issue in terms of public policy is this: Can one parent, following breakdown of the marriage, unilaterally convert his under-aged children without the consent of the other parent? Is the word "parent" in the Constitution to be read as "parents", or does it follow the Malay language interpretation where "parent" could mean either the father or the mother? In matters such as child custody and conversions to Islam the ongoing trend in Malaysia is marked by instances of Islamic law taking precedence over civil law even in cases involving non-Muslims and their rights under civil law.

¹²⁶ "Muslim convert dad gets stay on order to return child to mother." In *The Sun Daily* (January 14, 2015). See: <http://www.thesundaily.my>. Accessed on March 17, 2015.

11.6 Claiming Ownership of God

On December 31, 2009, the High Court in Kuala Lumpur ruled that the *Herald* had the constitutional right to use the Malay word “*Allah*” to refer to God in the Malay section of the *Herald*. The presiding judge, Justice Lau Bee Lan held that Christians have the “constitutional right to use *Allah*” and that the Ministry of Home Affairs is “not empowered” to impose the ban. In delivering her verdict, Justice Lau was relying on Article 3(1) of the Federal Constitution which states that “Islam is the religion of the Federation; but other religions may be practised in peace and harmony in any part of the Federation”. A member of the legal team for the *Herald*, said that the High Court decision was consistent with Article 11 (1) of the Federal Constitution which states that “Every person has the right to profess and practice his religion and, subject to Clause (4), to propagate it.”¹²⁷ Clause (4) restricts non-Muslims from propagating to or converting Muslims out of their faith: “State law and in respect of the Federal Territories of Kuala Lumpur and Labuan, federal law may control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam.” The Home Ministry applied immediately for a stay of execution of the High Court order, and was granted, pending a decision by the Court of Appeal. Immediately after the December 31, 2009 judgment lifting the government ban on the use of the word *Allah*, a number of churches were burned in Kuala Lumpur.

Over the past six years following the December 31, 2009 decision of the High Court in Kuala Lumpur that the term *Allah* is not exclusive to Muslims, and therefore can be used by Christians as well in any publication or otherwise, the issue has taken on a life of its own to the point where it is now being “securitized” by the State. The position taken by

¹²⁷*Herald: The Catholic Weekly*, 17(1) January 10, 2010: 9.

the Malaysian Government on the *Allah* issue can only be better understood in a political context. While the legal basis for denying Christians the right to use *Allah* in their Malay language publications might be rather weak, the momentum of public policy towards religion (Islam) since Premier Mahathir's 2001 proclamation has been one that has become virtually irreversible, i.e. the trend towards Islamization of public institutions, government, society and the economy ever since. The Malays have over the past 58 years become accustomed to enjoying special privileges under the rubric of *Bumiputera* vis-a-vis the other races (referred to as *Non-Bumiputera* by fiat of public policy). They therefore view the *Allah* issue in terms of a possible loss of Malay identity and capacity to harness Islam to perpetuate Malay hegemony in multi-ethnic Malaysia.

In the event, the Court of Appeal on October 14, 2013 overturned the 2009 High Court decision that the Catholic Church has the right to use the word *Allah* in its weekly paper *Herald*, finding that the Home Ministry's ban of the word in the publication did not infringe on the Church's rights. In the judgment read out by Justice Mohamed Apandi Ali who headed a three-man panel (all Muslims), the Court of Appeal ruled that the use of the word *Allah* was not an integral part of the faith and practice of Christianity. He also added that the use of *Allah* by Christians and Non-Muslims will confuse Muslims on their commitment to their own faith besides also threatening public order and security.¹²⁸

The Malaysian Bar Association, in response to the Court of Appeal decision, expressed deep disappointment arguing that: 1) only in Malaysia is a Christian not allowed to use the word *Allah*; 2) "to suggest that the word *Allah* is NOT part of the Christian faith is tantamount to telling us Christians how we should practise our faith, what words we should or should not use," noting that almost 1.6 million Christians in Sabah and

¹²⁸ "Lawyers: 'Allah' appeal opens door to oppression of religious minorities." In *Malay Mail* (October 14, 2014).

Sarawak have been using the word for centuries in their religious practice; 3) Judges are experts on the law and not experts on the Christian faith—therefore to arrive at such a decision, it must be based on evidence; and 4) the Federal Constitution clearly states that Islam is the country's religion but other religions may be practised in peace and harmony, with the country's supreme law also protecting citizens' freedom of religion. Civil liberties lawyer Syahredzan Johan stressed:

“This right to practise and profess religion cannot be restricted on the basis that it may cause confusion, especially when there is no evidential basis before the Court to come to this conclusion... The fear of confusion among the Muslim community should instead be countered by education, saying that Islamic scholars must do their job by explaining the different understanding attached to the word Allah in different religions.¹²⁹”

“Confusion is not stamped out by legislating prohibition. Confusion is stamped out by educating your community as to what Allah signifies for you,” he said, saying that such a court decision would just make other religious communities feel uncomfortable.¹³⁰

Nevertheless, Muslim activists and NGOs, apparently drawing overt or tacit support from the UMNO-led government, have threatened to hold further demonstrations and protests should Christians continue to insist on the right to use *Allah*.¹³¹ Among the Muslim non-governmental organisations (NGOs) in the coalition are Jalur Tiga Malaysia (Jati), Selangor Perkasa, Klang Ikatan Muslimin Malaysia (Isma), and Pertubuhan Ikatan Kebajikan dan Dakwah Selangor (Ikdas). Newly-appointed JAIS (Jabatan Agama Islam Selangor) Director Ahmad Zaharin Mohd

¹²⁹ *The Malay Mail* (October 14, 2014), op.cit.

¹³⁰ *Idem*.

¹³¹ “Muslim NGOs stage protest at stadium.” In *The Star* (January 6, 2014).

Saad said, in response to the editor of *Herald*, Fr. Lawrence Andrew churches in Selangor will continue to use *Allah* in their worship, that letters will be sent to all churches in Selangor asking them to comply with the state ban on non-Muslims from using 35 Arabic words and phrases, including *Allah*, which are listed under the Selangor Non-Islamic Religions (Control of Propagation Among Muslims) Enactment 1988.¹³²

The stand-off ended with the *Herald's* appeal being dismissed by the Federal Court on January 22, 2015. The apex court's decision to dismiss the Catholic Church's petition for a review of an earlier decision of the Court of Appeal not to grant leave to appeal the ban on the use of the word *Allah* in its weekly was expected in the context of the political, legal and religious circumstances prevailing in Malaysia at the present time. A decision in favour of the Catholic publication would have inflamed Muslim conservatives who insist on viewing the issue as a threat to Malay-Muslim supremacy. On June 23, 2014, the Federal Court dismissed the church's leave application to appeal the ban by the Court of Appeal on the use of the word *Allah* in the *Herald*. However, the Federal Government has reassured Christians nationwide that the Federal Court ruling forbidding the use of the term *Allah* is only limited to the Bahasa Malaysia section of the Catholic Weekly. Putrajaya (Malaysia's administrative capital) had issued a statement in June 2014 that Malaysian Christians can still use the word *Allah* in church and the government remains committed to the 10-Point Solution. The 10-Point Solution, announced in April 2011 pertaining to Sabah and Sarawak, which has a significant Christian community states that there is no restriction on the import and local printing of Bibles in any language, including Bahasa Malaysia/Bahasa Indonesia and indigenous languages. In an apparent attempt to moderate tensions, Putrajaya added, "Malaysia is a multi-faith

¹³² "Malay groups to protest at Klang church, threaten 'uprising' over 'Allah'." In *Malay Mail* (January 2, 2014).

country and it is important that differences are managed peacefully in accordance with the rule of law and through dialogue, mutual respect and compromise.”¹³³

In an apparent addition to ongoing religious tension, Malaysian Islamic authorities, on January 3, 2014, seized more than 300 copies of the Bible from the Bible Society of Malaysia (BSM), over the use of the word *Allah* in native translations. BSM was accused of violating the law by using the word *Allah* to refer to God in Bahasa and Iban language Bibles. Selangor Islamic Religious Department (JAIS) officers, accompanied by two policemen, raided the Society's offices and carried away 321 copies of the Bible. Additionally, two members of the BSM council were detained and taken to a local police station, but released later on bail. All the above incidents point to the the existence of deep-rooted ethno-religious sensitivities of the Muslim majority population even if the issue is being hijacked by a vocal minority. There is an underlying fear that the usage of *Allah* is an attempt to convert Malay Muslims to Christianity.¹³⁴ According to Teo, a researcher at the Institute of Ethnic Studies (KITA) in the National University of Malaysia, the *Allah* case indicates “how the state operates to maintain its constructed national identity and does so by influencing and attempting to dictate religious and ethnic discourse”(Teo in Hassan and Liu 2012: 47). The episode ended in November 2014 when JAIS returned the seized bibles at the instruction of the Sultan of Selangor, who is Head of Religion in his state, with the condition that these Malay bibles containing the word *Allah* are to be

¹³³ “Federal Court decision on Allah only for *Herald*, says Putrajaya.” In *Malaysian Insider* (June 23, 2014). See:

<http://www.themalaysianinsider.com/malaysia/article/federal-court-decision-on-allah-only-for-herald-says-putrajaya>. Accessed on March 18, 2015.

¹³⁴ Malaysia Government to fight Court Verdict on Allah Ban.” In *China Daily*, (January 4, 2014). See: http://www.chinadaily.com.cn/cndy/2010-01/04/content_9257961.htm

printed and distributed for use only by Christians in Sabah and Sarawak, based on the 10-Point Solution of November 2011.¹³⁵

11.7 Islamic State-Secular State Controversy

This issue has become germane to the whole process of Islamization that was invariably sweeping the country since the Mahathir era of the 1980s and 1990s. It signified an important milestone in religious change in Malaysia. The controversy was sparked by Malaysian premier himself in September 2001, when he declared Malaysia to be an “Islamic country”. However, in the Malay language, it translates into “*Negara Islam*” with no difference in meaning or nuance as is the case with the use of the term in English. In English, “Islamic country” is not equivalent to “Islamic state” as in the latter, *Shari’a* is the primary source of law. Mahathir tried to clear p the confusion recently by saying Malaysia is neither an Islamic state nor a secular state. His response in 2014 was instructive: “We never said this is a secular state either. We are just an ordinary state that recognizes Islam as the official religion of the coun-

¹³⁵ The 10-Point Solution, announced in April 2011, was established by the Federal Government as a fair and amicable way to manage the polarity of views between the various religious groups, in particular Christians and Muslims, taking into account the laws of the country. Accordingly, for Sabah and Sarawak, there is no restriction on the import and local printing of Bibles in any language, including Bahass Malaysia/Bahasa Indonesia and indigenous languages (referred to collectively as the “*Alkitab*”), as the Government recognises that there is a large Christian community of indigenous origin in these two states. For details, see Idris Jala, “The ‘Allah/Bible issue, 10-point solution is key to managing the polarity.” In *The Star Online* (February 24, 2014). See: <http://www.thestar.com.my/Business/Business-News/2014/02/24/My-take-on-the-Allah-issue-10point-solution-is-key-to-managing-the-polarity/?style=biz>. Accessed on February 25, 2015.

try, and we practice things that are not against the religion of Islam.”¹³⁶ Nevertheless, the momentum of Islamization was clearly accelerated by Mahathir’s 2001 declaration thereby strengthening the conservative and fundamentalist forces within the state apparatus to use the institutions of government to further Islamize the country.

The continuing and intensifying debate over whether Malaysia is a secular state or Islamic state has, in effect, strengthened the drive towards Malay hegemony organized under the aegis of the ruling party, UMNO. The state can now use its apparatus to frame and determine the limits of the debate—and to intervene where appropriate to limit freedom of expression where such expressions are deemed to threaten UMNO/Malay hegemony in Malaysia. A counter movement called G-25 opposing the idea of “Malaysia as an Islamic state” has recently been formed and comprises former UMNO ministers, academics, judges and other professionals. They have asked Prime Minister Najib Razak to openly declare that Malaysia is not an Islamic State. The movement called “A Counter Movement Against the Islamic State” is led by former UMNO minister Zaid Ibrahim. He stressed that that there were no Islamic states in the world that were prosperous and democratic, or that respected the dignity of individuals, and urged the prime minister to refrain from making religion the central policy of his government if he wanted Malaysia to be peaceful and progressives in the future.¹³⁷

Nevertheless, the politics of religion and the desire to ensure UMNO’s survival and the continuation of Malay-Muslim political suprema-

¹³⁶ “Secular or Islamic state? Neither, says Dr M.”In *Malay Mail Online* (June 19, 2014). See:<http://www.themalaymailonline.com/malaysia/article/secular-or-islamic-state-neither-says-dr-m>. Accessed on January 18, 2015.

¹³⁷ “Tell PM to declare that Malaysia is not an Islamic state, Zaid urges G25.”In *Malay Mail Online* (January 9, 2015). See:<http://www.themalaymailonline.com/malaysia/article/tell-pm-to-declare-that-malaysia-is-not-an-islamic-state-zaid-urges-g25#sthash.vrP6DEos.dpuf>. Accessed on March 1, 2015.

cy has impelled a convergence of interest in the implementation of Islamic criminal law in Kelantan. The Shari'a Criminal Code (11) 1993 (Amendment 2015) Bill was tabled at the State Legislative Assembly in Kota Baru on March 18, 2015, and all 44 assemblymen voted unanimously in favor of the bill, which only applies to Muslims. While its easy passage was expected as PAS enjoyed a two-thirds majority in the State Legislative Assembly, the full endorsement of the opposition UMNO is both interesting and instructive. UMNO, the dominant Malay party in the Federal Government is fully aware that the implementation of *Hudud* is ultra vires the Federal Constitution. Yet, it has found it politically expedient to support PAS as UMNO apparently stands to gain in political capital with the Malay-Muslim majority, as it has not opposed "God's Laws". Undoubtedly, this enactment has the potential to split the opposition People's Alliance (Pakatan Rakyat) as two of its component parties, the Democratic Action Party (DAP) and KeADILan (People's Justice Party) have opposed the Bill as ultra vires the Federal Constitution.

The non-Muslim response to what they see as the rising threat of Islamization resulting in further erosions of religious freedom in multi-religious Malaysia has taken the form of civilized and legal protests. They have relied on constitutional provisions to defend their right to practice their religions freely. On the Court of Appeal's 2013 decision blocking the ruling of the High Court's 2009 decision allowing the *Catholic Herald* to use the word *Allah* in its weekly publication, the Malaysian Consultative Council on Buddhism, Christianity, Hinduism, Sikhism and Taoism (MCCBCHST) noted with great concern:

"One of the most disturbing part of the Court's decision appears to be when the Court of Appeal Judge (Datuk Seri Haji Mohamed Apandi bin Haji Ali) interpreted Article 3(1) of the Federal Constitution to mean that word 'peace and harmony' in Article 3(1) is to protect sanctity of Islam and to insulate

against any threat faced or any possible and probable threat to the religion of Islam, which was stated as ‘propagation’ of other religion to the followers of Islam.¹³⁸

Likewise, Christian Federation of Malaysia’s (CFM) President Rev. Eu Hong Seng said the Christian community was “gravely dismayed and very disappointed” by the 2013 decision as the ruling ignored the status of Malay-speaking Christians. And the Federal Court’s decision in January 2015 to dismiss the review petition of the Catholic Church on this matter does raise more serious questions as to whether the constitutional rights guaranteeing religious freedom under Articles 3 and 11 of the Federal Constitution—and more pointedly their interpretation and application in a multi-religious context—have suffered irreparable damage. In this context, efforts to set up an inter-faith commission since 2005 have stalled under the pressure of protest by PAS and other Islamic groups, such as the Allied Coordinating Committee of Islamic NGOs (ACCIN), a loose coalition of 13 Muslim NGOs.¹³⁹ They fear that Islam will be reduced to the same status with the other religions i.e. they claim that the recognition of equality in religion poses a direct threat to the supremacy of Islam in Malaysia.

11.8 Conclusion: The Malaysian Mosaic

Malaysia is a rather unique country in so many ways. Constitutionally, it is a federal democracy but in practice there is tremendous political,

¹³⁸ Ida Lim, “Doubt over minority creeds with judge’s ‘Allah’ ruling, says non-Muslim faith panel.” In *Malay Mail Online* (October 14, 2013). See: <http://www.themalaymailonline.com/malaysia/article/doubt-over-minority-creeds-with-judges-allah-ruling-says-non-muslim-faith-p>. Accessed on January 20, 2015.

¹³⁹ “Interfaith Commission: Why Fear It? In *Malaysiakini* (March 2, 2005). See: <http://www.malaysiakini.com/columns/34017>. Accessed on March 14, 2015.

economic, cultural, ethnic and religious diversity among its 30 million populace. This mosaic of diversity is in effect helping the government to manage political and social change in a rather peaceful and stable manner, aided of course by the ideology of pragmatism. The practice of “give and take” and the habits of non-violent bargaining and compromise are vales that have been sufficiently institutionalized to provide a satisfactory foundation to manage change. The role played by the state and civil society as well as the way both forces relate to each other in the context of state-society relations have also come under greater scrutiny.

Recent developments in the Middle East arising principally from political failures in Syria, Iraq and Libya—events that have spawned ISIL (Islamic State of Iraq and the Levant)—are clearly having global consequences and implications, including in Malaysia. ISIL’s declared goal is to establish a World Caliphate through the use of violence and terrorism. The Machiavellian adage of “the ends justify the means” best explains the barbarities inflicted by ISIL on innocent civilians, Christians, foreigners, and political rivals in its ruthless drive to establish what it claims to be an Islamic World Order. Over 100 Malaysians (both men and women), according to government sources, have gone to join ISIL, and over 15 have already died in “battle”.¹⁴⁰ The Malaysian Government has unambiguously condemned ISIL and is in the process of implementing tighter security laws and measures to contain this transnational threat to public security and national peace and harmony.

In dealing with religious change, the State has continually attempted to dictate the pace of change and the content of the discourse in the interest of preserving public order and stability. In the Malaysian case, the role of the state in managing religious change and state-society relations

¹⁴⁰ Samuel Oakford, “Malaysia Arrests Suspected Islamic State Militant Recruits Amid Fears of Rising Extremist Support (August 24, 2014). See: <https://news.vice.com/article/malaysia-arrests-suspected-islamic-state-militant-recruits-amid-fears-of-rising-extremist-support>. Accessed on March 18, 2015.

has proven to be crucial in terms of suppressing undesirable forces, co-opting potential forces that can threaten the status quo, and encouraging as well as aiding those groups and organizations that are seen to be cherishing or advocating a brand of Islam that strengthens rather than undermines the very foundations of this multi-ethnic nation-state.

The challenge of course for Malaysia is whether the ruling government is able to manage and moderate the forces demanding an Islamic state as against other forces that tend to see a brighter future for the country under a more secular and inclusive framework of governance that recognizes and cherishes diversity as a strength and resource for further progress. For Malaysia, therefore, nearly 60 years since independence, moving from 'state-nation' to 'nation-state' is still a work in progress (Rejai and Enlou 1969: 140-158).

The policy community—national, regional and global—has to be even more vigilant on the nature, extent and gravity of this transnational threat to global peace and security. The 370-year Westphalian state system no doubt is under heavy strain as diplomacy and statecraft have been radically transformed by the ICT revolution, which in turn has furnished new types of lethal weaponry through the internet in facilitating self and group radicalization of disgruntled religious forces and individuals. Indeed, managing religious change in Malaysia, Southeast Asia and elsewhere, as manifested by public professions of religion, is posing new and perhaps unprecedented challenges for national leaderships in the way they understand the political, social, ethnic and cultural complexities inherent in religious pluralism, and design appropriate public policies to ensure peace, development, security and harmony in the early decades of the 21st century.

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LIST OF CONTRIBUTORS

Bernard Adeney-Risakotta is the former Director of the Indonesian Consortium for Religious Studies (ICRS) and currently holding the position of International Representative. He is a Professor of Ethics, Religion and Social Science, and earned his Ph.D. from the Graduate Theological Union in Berkeley, California. He serves as an editorial board member for several leading journals including *Hermeneia*, *Journal of Interdisciplinary Islamic Studies* and *Journal of Conversations in Religion and Theology*.

Dicky Sofjan (Editor) is a Core Doctoral Faculty of the Indonesian Consortium for Religious Studies (ICRS), representing the Graduate School of Universitas Gadjah Mada (UGM). He is also a member of the Asian Public Intellectuals (API) Community and American-Indonesian Exchange Foundation (AMINEF), which manages the Fulbright program. A political scientist by training, Dr. Sofjan is the Principal Investigator for the collaborative research program on Religion, Public Policy and Social Transformation in Southeast Asia, sponsored by the Henry Luce Foundation.

Farina So is Muslim public intellectual, social activist and writer based in Phnom Penh, Cambodia. In addition to being affiliated with the Asian Public Intellectuals (API) Community, she works with the Sleuk Rith Institute, which is the successor to the Cambodian Genocide Center. Ms. So is now undertaking her Ph.D. in University of Massachusetts at Lowell in the United States of America.

Imtiyaz Yusuf is an Assistant Professor, Lecturer and Director of the Center for Buddhist-Muslim Understanding in the College of Religious

Studies at Mahidol University in Thailand and Senior Fellow at the Prince Alwaleed bin Talal Center for Muslim-Christian Understanding, Georgetown University, Washington, D.C. He specializes in religion with a focus on Islam in Thailand and Southeast Asia and also Muslim-Buddhist dialog. In 2009-2010, he was Visiting Associate Professor and Malaysia Chair of Islam in Southeast Asia at Georgetown University.

Juliane Schober is Director of the Center for Asian Research and Professor of Religious Studies at Arizona State University where she also directed the graduate program in Religious Studies (2009 -2012) and developed a doctoral track in the Anthropology of Religion. As an anthropologist of religion, she works on Theravada Buddhist practices in Southeast Asia, especially Burma/Myanmar.

K.S. Nathan is a Principal Fellow at the Institute of Ethnic Studies (KITA) in National University of Malaysia (UKM), Bangi, Selangor. He also served as the first President of the Malaysian Association for American Studies (MAAS). He was a Visiting Scholar in Harvard University (1980-1981), the USSR Academy of Sciences (1984), University of California (1986-1987), Strategic and Defense Studies Centre (SDSC) in Australian National University (1996) and Institute of Southeast Asian Studies (ISEAS, 1999-2000).

Mana Tun is a Lecturer in the Myanmar Institute of Theology (MIT). He coordinates the Masters program on Peace Studies at MIT, and lectures on theology and ecology, and is involved in various international networks in that field. Mana Tun studied at the Union Theological Seminary (UTS) and Columbia University.

Maung Maung Yin is the Vice Principal and Professor at Myanmar Institute of Theology (MIT) and heads its Peace Studies Center. He teaches Christian Social Ethics, Peace Studies, Religion and Violence, Conflict Transformation and Environmental Ethics. Dr. Maung earned his Doctor of Ministry from Andover Newton Theological Seminary,

Massachusetts, USA. He is a recipient of the Judson Scholar Award (2001) and Pioneering Faith Leadership Award (Judson Medal) (2008) from Andover Newton Theological School.

Nancy Smith-Hefner is Professor of Linguistic Anthropology and a specialist of religion and gender in Southeast Asia based in Boston University. Her early research included projects on language, identity, and gender socialization in Java, Indonesia, as well as identity and moral education among Cambodian refugees in the United States of America. Dr. Smith-Hefner's current research takes up questions of gender and sexuality among Muslim Javanese youth.

Nguyen Van Chinh is Associate Professor of Anthropology at the College of Social Science and Humanities, Vietnam National University (Hanoi). He is the Director of the Center for Asia-Pacific Studies. Van Chinh earns his Ph.D from the Amsterdam School for Social Science. His research interests include labor, education, migration, ethnic minorities and rural development. He has worked as a consultant for the World Bank, Asian Development Bank, Save the Children, UNDP and others.

Siti Syamsiyatun is Director of the Indonesian Consortium for Religious Studies (ICRS), and lectures on Gender and Islam in the State Islamic University of Sunan Kalijaga. She received several awards and scholarships, among others by the Asian University Leaders' Program (AULP), hosted by United Board for Christian Higher Education (UB-CHEA) and Fulbright Visiting Specialist for the program entitled Direct Access to the Muslim World.

Somboon Chungprampree is Secretary General for the International Network for Engaged Buddhists (INEB), based in Bangkok, Thailand. He is also a Program Director for the Spirit in Education Movement (SEM). Somboon graduated from the University of the Thai Chamber of Commerce (UTCC). He is involved in many inter-religious networks and peace building efforts.

Theodore Mayer is originally from the United States, and serves as the Academic Director of the International Network for Engaged Buddhists (INEB) in Bangkok, Thailand. He was trained in Anthropology from Northern Illinois University and the University of Wisconsin-Madison. He is an Adjunct Faculty in the Suan Dusit Rajabhat University at the Hua Hin Campus.

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is a Core Doctoral Faculty in the Indonesian Consortium for Religious Studies (ICRS), located in the Graduate School of Universitas Gadjah Mada (UGM) in Yogyakarta, Indonesia. He is currently the Principal Investigator for a nine-country program entitled "Religion, Public Policy and Social Transformation in Southeast Asia". Dicky is a member of the Asian Public Intellectuals (API) network, where he served as its Regional Project Manager between 2008 and 2011.