

# Islamic state idea faces test

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The blueprint of the PAS version of the Islamic state is ready. Will it be the party's trump card this general election or will it open PAS' political ambitions to further attacks? JOCELINE TAN reports

PAS secretary-general Nasharuddin Mat Isa, wearing a smart double-breasted suit, looked like a successful businessman as he made his way through the newly refurbished lobby of Parliament.

It is part of his "Parliament look". When in his Kedah home ground, the baby-faced MP for Yan occasionally reverts to the *jubah* and *ketayap* in keeping with his ulama image.

Ustaz Nasha, as he is known among the PAS circle, is one of the few people in the party "authorised" to talk about the party's Islamic state blueprint.

"First of all, it is not an Islamic state blueprint. It was never intended to be an Islamic state blueprint," he said.

PAS leaders now refer to the document as the "Memorandum PAS Kepada Rakyat Malaysia" or PAS' Memorandum to the Malaysian People.

The document is finally ready, a year after the late Datuk Fadzil Mohd Noor indicated in his presidential speech at the party muktamar in Kota Baru that a committee had been set up to work on it.

At that point in time, the draft blueprint had received the nod from the central committee and was about to be fine-tuned. But work on the project stalled when Fadzil, who was heading the committee, passed away weeks after the muktamar.

The latest document has been approved by the conservative Dewan Ulama and, according to Nasharuddin, is now being translated into Chinese and Tamil.

Some of the document's key features are:

- The Syariah will supersede the Federal Constitution;
- The Westminster parliamentary system will remain;
- Non-Muslims will remain under the present penal code;
- Non-Muslims will not be classified as *dhimmi*;
- All Muslims will be subject to *hudud* law;
- The Prime Minister has to be a Muslim;
- Other Cabinet posts are open to non-Muslims, including women.

"It is a general framework of how a state should be governed, taking into consideration that we are a multi-racial society. There is no reason why people should be afraid of what we are going to do," said Nasharuddin.

But even the sketchy details are now the subject of some pretty lively discussion among the thinking segment of the populace on the Internet.

Many of the questions posed are purely pragmatic: How can there be democracy when the ulama have the final say on any law?

Is not a distinction between Muslims and non-Muslims another form of discrimination?

If a non-Muslim man rapes a Muslim woman, which law will he be tried under?

vague and tentative about a concept that forms the core of its struggle.

"It will be our passport. We will gather more votes from the Muslims," said Kelantan Legislative Assembly Speaker Wan Rahim Wan Abdullah.

they do now."

In fact, the non-Muslim community was extremely disturbed when Dr Mahathir declared Malaysia an Islamic state.

Many non-Muslims are comfortable with the idea of Malaysia as a Muslim country but not an Islamic state. The latter is too reminiscent of regimes such as Iran, Sudan, Saudi Arabia or, worse, Afghanistan under the Taliban.

Umno's own interpretation of Islamic policies has not helped enlighten them about the religion.

"Many ordinary Chinese still have very little understanding of Islam. To them, Islam equates to wearing *tudung*, not taking pork or alcohol, not holding hands for men and women – those sorts of things," said Tang Ah Chai, a social activist and deputy youth head of the Selangor Chinese Assembly Hall.

As a result, Tang added, it will be easier for anti-PAS elements to frighten non-Muslims about the Islamic state than for PAS to convince them that it is a conducive system to live in.

Nasharuddin is all too aware of this.

Last month, he sat down with Chinese community leaders for a dinner and a dialogue in a Chinese restaurant in Muar. He was surprised that the questions revolved around some rather everyday type of concerns: Is pork allowed? Will we still have our beer and brandy? Can we sing karaoke? What about gambling?

"I think it has less to do with ideas like Islamic state or Islamic law than about PAS. Ordinary Chinese, especial-

Why can't a non-Muslim lead the country?

And perhaps the most perplexing question of all: How different will the PAS dual system of law be from what now exists under Barisan Nasional?

It is little wonder that PAS has qualms about releasing the full document just yet.

Replacing a country's system of government is no small matter and it is only to be expected that PAS' proposal of a new Islamic system will come under intense scrutiny.

"Islamic state or memorandum, whatever they call it, it is going to be controversial. There will be reaction," said Umno Youth exco member Shamsul Najmi Shamsuddin.

Interestingly, the document in question was sparked off by a challenge from Datuk Seri Dr Mahathir Mohamad, although PAS members would beg to defer.

Not long after the Sept 11 attack in New York, the Prime Minister stunned Malaysians when he declared that Malaysia was already an Islamic state. His claim was based on the argument that his government had fulfilled the 12 main Islamic duties in administrating the country.

The Prime Minister also challenged PAS to come out with its definition of an Islamic State.

PAS politicians credit their initiative to their late president who had said at the PAS muktamar of 2002: "Umno has clearly no political will and determination to implement the words of Allah. What Muslims are asking for is their democratic right to have Islamic laws applied to them after five decades of independence."

The PAS proposal is also clearly aimed at the coming general election. The party needs it as a manifesto for the polls. It cannot continue to remain

But is PAS being rather too presumptuous about its support among the Malays?

The 1999 general election saw many Malays swinging to PAS not because they wanted an Islamic state but because they saw the party as a dissenting voice and as an alternative to what they viewed as the excesses of Umno.

"The Islamic state may not have the kind of impact on Malays that PAS imagines. Things are going to be different in the post-Mahathir era. Pak Lah's credentials are no less than that of the ulama in PAS," said a Malay professional, referring to Deputy Prime Minister Datuk Seri Abdullah Ahmad Badawi's Islamic background.

The document may also have a double-edged sword effect in the sense that PAS may score points among Muslims but lose out with non-Muslims.

It explains why party politicians are calling it a people's memorandum rather than what it really is: a framework for an Islamic state.

PAS politicians have been at pains to stress that while the proposed system of government will mean a greater application of Islamic law for Muslims, the rights of non-Muslims will be preserved.

"The rights of non-Muslims on culture and religion remains. We have clearly shown that in Kelantan and Terengganu. They can choose whether they want to be tried under Islamic law or the civil law," said Nasharuddin.

Said PAS MP for Tumpat Datuk Kamaruddin Jaffar: "There is too much unnecessary connotation in the term Islamic state. It would not fairly describe our intention to let Muslims practise the religion in full or our concern to ensure that non-Muslims will be at liberty to carry on with what

ly the Chinese-educated, are still distrustful of PAS," said Tang.

Much of it has to do with the fact that PAS began making overtures to non-Muslims only about three or four years ago. Until then, they had little to do with groups outside the party and had openly condemned Umno for working with "infidels."

As such, most non-Muslims find the overnight change in attitude among PAS leaders somewhat false and hard to accept. They see political motive and expediency written all over the new friendliness on the part of PAS.

Even Tang finds PAS leaders somewhat an enigma although he has met them and sat at seminars with them.

"When you talk about democracy and social justice, they say, 'Sure!' Human rights, they give their full support. But when you talk about religion, they become very defensive. They totally cannot compromise on that."

But the real target behind PAS' Islamic state memorandum is the Malays.

PAS' advocacy of an Islamic state has always been used as a strategy to distinguish itself from Umno. The idea is now being presented as a challenge to Umno's continued legitimacy among the Malays.

In that sense, the Islamic state memorandum may put Umno on the defensive.

But as one think-tank analyst pointed out: "Umno is qualified to talk about Islam. It has done much for the religion."

In that sense, Umno's problem among ordinary Malays has less to do with whether it has accomplished enough for the religion than its image as a political party that is overly concerned about contracts and positions.

Umno will have to be extremely strategic in facing the issue of the Islamic state.