

Is religious conversion a crime?

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Lina Joy chose her faith long ago. Born a Muslim in the multiethnic nation of Malaysia, she started attending church in 1990 and was baptized as a Christian eight years later. But on Wednesday, Malaysia's highest court blocked her final attempt to have her conversion legally recognized by the state. It was a blow to her heart as well as her soul. Malaysian law prohibits marriage between Muslims and non-Muslims, so Joy will not be able to wed the Christian man she loves.

Malaysia has long trumpeted itself as a moderate Muslim nation committed to safeguarding the rights of its diverse population, an ethnic olio worthy of a Benetton ad: Muslim Malays, Christian and Buddhist Chinese, Hindu and Sikh Indians, animist indigenous peoples. Indeed, earlier this week in the capital Kuala Lumpur, Malaysian Prime Minister Abdullah Ahmad Badawi hosted the annual World Islamic Economic Forum, where he held up his homeland as proof that Islam did not equal extremism.

Yet the Federal Court's ruling on the Joy case undermines Malaysia's claim of tolerance. Already, several Malaysian states have made renunciation of Islam punishable with prison time. Wednesday's court decision was greeted by shouts of "God is great" from Muslims gathered outside the courthouse. Those supporting the separation of mosque and state were less jubilant. "This case is not just a question of religious preference but of a potential dismantling of Malaysia's ... multiethnic, multireligious [character]," said Malik Imtiaz Sarwar, a lawyer for Joy, before the verdict was announced.

In Malaysia, ethnic Malays are bound by Islamic Shari'a law for matters such as marriage, property and divorce. But that system leaves considerable gray space. Joy, a 43-year-old Malay, needed to seek permission to legalize her conversion from the Shari'a court, which considers forsaking Islam a crime. And since she is still classified as a Muslim, she could not use the civil-law system. The Federal Court failed to iron out this catch-22, ruling that it had no jurisdiction over her religious conversion. With no further legal recourse left, only Joy's faith can give her solace now.

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