

Malaysia's crisis of faith
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In what has been dubbed a blow to Malaysia's religious freedom, the country's highest court on Wednesday denied an appeal by Christian convert Lina Joy to make her switch from Islam recognized by law. A multi-ethnic state composed largely of Muslim Malays, Christian and Buddhist Chinese, and Hindu and Sikh Indians, Malaysia has long prided itself on its diversity of faiths. To safeguard this religious heterogeneity, the country's constitution sets out a dual-track legal system in which Muslims are bound by Shari'a law for issues such as marriage, property and death, while members of other faiths follow civil law.

But the parallel system has occasionally faced snags. Joy is a Malay originally known as Azlina Jailani, and by Malaysian law her ethnicity automatically makes her a Muslim subject to Shari'a law. In order to make her 1990 conversion to Christianity legal, she needed permission from the Shari'a courts, which consider a renunciation of Islam a major offense. But, since she is still classified as a Muslim by the state, Joy was not allowed to have her case heard by the civil courts. Her six-year-long campaign to convince the civil system to legalize her conversion failed, prompting her appeal to the Federal Court, after the Court of Appeal rejected her claim in September 2005.

On Wednesday, the Court announced that it had no jurisdiction over the case since it was under the purview of Shari'a law, effectively punting on any attempt to clear up the gray space that exists between Malaysia's two legal systems. The ruling was greeted by shouts of "God is great!" from many in the assembled crowd outside the Palace of Justice in Kuala Lumpur. More secular observers were far less jubilant. "I see this case not just as a question of religious preference but one of a potential dismantling of Malaysia's ... multi-ethnic, multi-religious [character]," warned Malik Imtiaz Sarwar, a member of Joy's legal team, before the decision was announced.

The Joy verdict, which will likely become a precedent for several other pending conversion cases, is seen by many in Malaysia as evidence of how religious politics are cleaving the nation, with a creeping Islamization undermining the rights of both non-Muslims and more moderate adherents to Islam. Last November, at a party conference for the Muslim-dominated United Malays National Organization ruling party, one delegate vowed he would be willing to "bathe in blood" to defend his ethnicity — and, by extension, his religion. In several Malaysian states, forsaking Islam is a crime punishable by prison time.

Earlier this week, Malaysian Prime Minister Abdullah Ahmad Badawi, who in December acknowledged that race relations in his homeland were "fragile," hosted the World Islamic Economic Forum in Kuala Lumpur. In an era where Islam is so often partnered with extremism and autocratic governance, Malaysia was held up at the annual conference as a model of a moderate Muslim nation committed to safeguarding the rights of its diverse population. But the Federal Court's verdict on Joy's case, which represented her last legal recourse, may undercut that reputation. After all, is it complete religious freedom if a 42-year-old woman isn't allowed to follow the faith of her choosing?

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