

ALIRAN

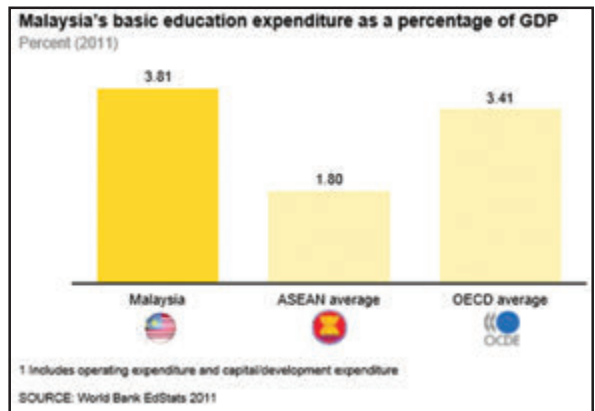
MONTHLY

Malaysia's Education System in Crisis?



Political parties, stay out of our schools!

Help to decentralise our educational system instead
 by Francis Loh



Comparison of Malaysia's PISA 2009+ ranking against other countries

Regional peers

1 Reading

Rank	Country	Mean score
1	Shanghai-China	556
2	Korea	539
3	Finland	536
4	Hong Kong	533
5	Singapore	526
...	...	...
18	United Kingdom	494
OECD Average		
19	Germany	497
...	...	...
42	Russian Fed.	459
International Average		
43	Chile	449
...	...	...
53	Thailand	421
...	...	...
55	MALAYSIA	414
...	...	...
62	Indonesia	402

2 Mathematics

Rank	Country	Mean score
1	Shanghai-China	600
2	Singapore	562
3	Hong Kong	555
4	Korea	546
5	Taiwan	543
...	...	...
20	Austria	496
OECD Average		
21	Slovak Republic	497
...	...	...
41	Croatia	460
International Average		
42	Israel	447
...	...	...
52	Thailand	419
...	...	...
57	MALAYSIA	404
...	...	...
68	Indonesia	371

3 Science

Rank	Country	Mean score
1	Shanghai-China	575
2	Finland	554
3	Hong Kong	549
4	Singapore	542
5	Japan	539
...	...	...
20	Ireland	508
OECD Average		
21	Czech Republic	500
...	...	...
40	Greece	470
International Average		
41	Malta	461
...	...	...
51	Thailand	425
...	...	...
52	MALAYSIA	422
...	...	...
66	Indonesia	383

Note: Countries are ranked in descending order of the percentage of top performers (Level 5 or 6)

SOURCE: PISA 2009+

EDITOR'S NOTE

In this issue we had to decide whether to front-page the Allah controversy or the launch of the Malaysian Education Blueprint. In the end, we decided to use Francis Loh's analysis of the blueprint as our lead.

After all, most Malaysians will agree that our education system is in a state of near crisis and no will dispute the need to raise its quality. Given that our average spending on education as a percentage of government expenditure is among the highest in the world, we are not seeing the result. This is an issue that we should move forward with, together as a nation. Don't miss an accompanying article by Nicholas Chan on why the teachers' union is rejecting the new school-based assessment system.

That said, we feel that the Allah controversy has to be documented, and we feature this on our back cover with accompanying statements and articles inside. Tommy Thomas argues that the problem could have been resolved with the earlier 10-point solution (*reproduced inside*) – but political will was lacking.

We feature comment pieces by local Muslim politicians – Mujahid Yusof Rawa and Dzulkefly Ahmad – and two reflective piece by Melati Timur and Farish Noor to show that there are Muslims whose position is diametrically opposed to the likes of Perkasa and Jais.

The disappointing thing is that the prime minister has opted to maintain an elegant silence on the issue and instead chose to speak about kangkung. But that's another story!

Aliran is an organisation for social and democratic reform. We advocate freedom, justice and solidarity; comment critically on social issues, offer analysis and alternative ideas keeping in mind the national and global picture based on universal human rights and spiritual values. We are listed on the roster of the Economic and Social Council of the United Nations. Founded in 1977, Aliran welcomes all Malaysians above 21 to be members. Contact the Hon. Secretary or visit our webpage.

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In early December 2013, the minister of youth and sports and Umno Youth chief Khairy Jamaluddin called for the removal of restrictions to allow Umno to reach out to 17- to 18-year-old pupils still in schools. Made during the Umno general assembly, Khairy's call sparked a debate among politicians and leaders of civil society organisations, some of whom were supportive of and others opposed to his call.

Former deputy education minister Datuk Saifuddin Abdullah, in agreeing with Khairy, stated that 60 per cent of youths voted for Pakatan Rakyat (PR) in the May 2013 general election, and so Barisan Nasional had to work harder with the youths. "Umno must engage them from young. Perhaps 18-years-old is a good start," he stated.

One of those who disagreed with Khairy was veteran educationist and former NUTP deputy president P Ramanathan who bluntly said that the political parties should "stay away from schools and leave school-going children alone". Datuk Dr Wee Ka Siong, former leader of MCA Youth and recently elected deputy president of MCA, also wanted politics disallowed from entering schools, in order to keep our students 'apolitical'.

In their eagerness to recruit youths into Umno, Khairy and Saifuddin seem unconcerned that introducing partisan politics into the schools will further impact negatively on the many serious problems that already afflict our schools.

Wee, also a former deputy minister of education who ought to be aware of these problems, nonetheless, appears unable to comprehend that over-centralisation of the educational system which he helped to manage and steer is perhaps, the principal cause of these serious problems; not least because the education system and schools have already been politicised by the Umno-BN government, which has been in power and in charge of the education system since 1957.

What are some of these serious problems? In fact, many of them are identified in the Ministry of Education's *Malaysian Education Blueprint, 2013-2025*, from which we have obtained most of the statistical data cited below. This *Blueprint* was prepared by the consulting firm McKinsey & Co for RM20m.

Money, no problem

Money is not a cause of the problem. "As early as 1980, Malaysia's expenditure on primary and secondary education as a percentage of GDP was the highest in East Asia. In 2011, Malaysia's expenditure, at 3.8 per cent of GDP, was higher than the OECD average of 3.4 per cent."

Our basic education expenditure is high on three different measures. In 2012, education expenditure was RM37bn and accounted for 16 per cent of total federal budget, the single largest allocation among ministries. In addition RM12bn was allocated to the Ministry of Higher Education (MOHE) and other ministries providing education-related services. Reportedly, Malaysia's expendi-

ture as a percentage of GDP was twice the Asean average in 2012.

Malaysia's spending per student is comparable with peer countries with similar GDP per capita. However, the *Blueprint* reports that "[t]here is reason to believe however that Malaysia may not be getting the highest rate of return on its investments". This is most certainly an understatement as we shall show later.

Disturbing decline in Timss and Pisa ranking

Yes, Malaysia has been doing well in terms of attendance in schools: almost universal access at the primary school and lower secondary school levels. The student teacher ratios - 13.4 in primary, 13.1 in secondary, and 24 at pre-school - are commendable. But what is the quality of education that our students are getting?

The *Blueprint* cites two sets of statistical data to evaluate the quality of education in Malaysia on a comparative basis. The Trends in International Mathematics and Science Study (Timss) compares the performance of students at Grade Four (Standard Four) and Grade Eight (Form Two) across nations. In 1999, our students scored above the international average for Grade Eight (Form Two) Maths, and ranked 16 out of 38 countries in 1999. In 2003, Malaysia's ranking for the same further improved - Malaysia's rank was 10 out of 45. In Science, Malaysia's performance was also above average, ranking 22 in 1999 and 20 in 2003.

However, by 2007 we ranked 20 out of 48 in Maths, and 21 out of

48 in science, in both cases below the international average. Asian countries which scored higher included Japan, Singapore, Hong Kong, South Korea, Shanghai-China, Taipei-China and Thailand. The *Blueprint* noted that “(u)p to 20 per cent of Malaysian students did not meet minimum benchmarks in Maths and Science in 2007”. The *Blueprint* further noted that the “students understand basic concepts but struggled to apply knowledge”.

Comparative data is also available from the Programme for International Student Assessment (Pisa), which is a survey conducted by the Organisation for Economic Cooperation and Development (OECD) to measure skills in reading, maths and scientific literacy among its members and other countries. In 2009, a group

of 64 countries participated in the original survey. Ten other countries, including Malaysia, then participated in the Pisa2009+ Project administered in 2010. The Pisa data is also quoted extensively in the *Blueprint*.

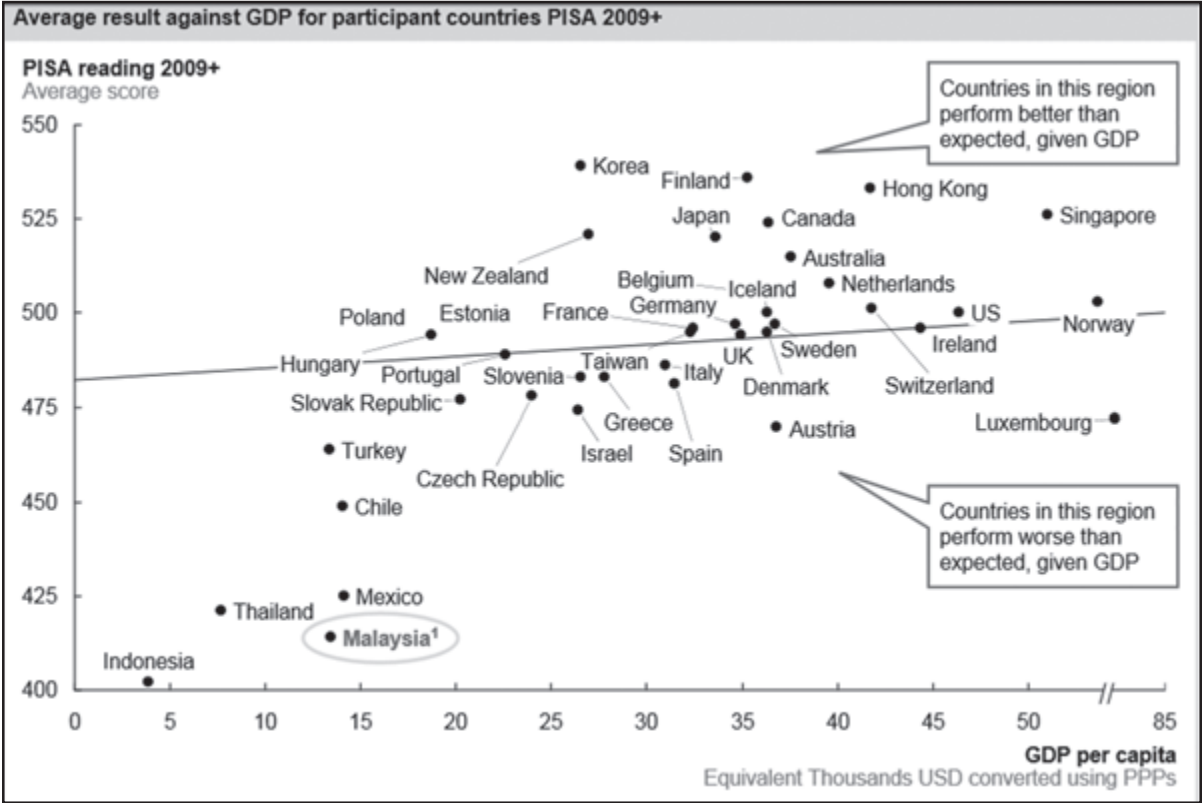
Students in Malaysia attained a mean score of 414 on the Pisa reading literacy scale. This mean score is below the means attained in all OECD countries and equivalent to the mean scores for Brazil, Colombia, Miranda-Venezuela, Montenegro, Thailand, and Trinidad and Tobago.

For Maths, Malaysian students attained a mean score of 404, again below the means attained in all OECD countries. For scientific literacy, Malaysian students attained a mean score of 422, higher than that for the lowest-

scoring OECD country, Mexico.

The top 10 countries were Shanghai-China, Korea, Finland, Hong Kong, Singapore, Canada, New Zealand, Japan and Australia. Malaysia ranked in the bottom 30 per cent. “Out of 74 countries, Malaysia performed in the bottom third for reading, maths and science, well below the international and OECD average”. Significantly, Malaysia was below Singapore, Japan and South Korea by more than 100 points.

Almost 60 per cent of Malaysian students failed to meet minimum benchmarks in Maths; almost 44 per cent did not meet the minimum proficiency levels in Reading, while 43 per cent did not meet the same in Science. Overall, Malaysian students scored higher than Indonesia, but lower than



their counterparts in Thailand. The Blueprint also noted that only 7 per cent of the participating schools in Malaysia posted 'good' performances in Pisa2009+; 13 per cent - fair; and 80 per cent - poor.

Need to improve teacher training

No doubt, the poor quality of

teaching contributed towards the poor performance of the students in Timss and Pisa. The *Blueprint* informs that research on education in America has shown that high-performing teachers can improve student achievement by up to 50 per cent over a three-year period. An outstanding principal can raise outcomes by about 20 per cent. Hence the quality of a school system is as good as the

teachers who teach there. And this is a major part of the problem.

In 2011, a team of experts from the Ministry of Education MOE observed 125 lessons being taught in schools and found 12 per cent delivered at high standard, 38 per cent satisfactory and 50 per cent unsatisfactory. If these findings refer to the standard of teaching when under ministry observation,

Box 1 Politicisation of curriculum and text books

First, the PPSMI policy which was introduced some 15 years ago by then prime minister Dr Mahathir Mohamad has since been scrapped in primary schools. Beginning in 2014, students entering secondary schools will have to learn their Science and Mathematics curriculum in Malay (although we continue to hear of rumours that this and that school have been exempted from doing so indefinitely).

This shift from Malay to English and back to Malay again has confused our teachers, many of whom are not yet capable of teaching effectively in Malay. It was not so long ago that they had been forced to do their training to become teachers of Science and Mathematics, in English.

The availability of good textbooks and teaching aids in Malay is a related problem. An extension of this problem is that medicine, engineering

and many other science disciplines continue to be taught in English at the university level. This made sense when the PPSMI was in place. But how will our students who in future will learn science and mathematics in BM cope with these two subjects taught at the university level, in English?

This flip-flop in policy was definitely not on account of educational factors. It had to do with political posturing by the then education minister and the BN's overall lobbying for political support in the run-up to party as well as general elections.

Second, beginning in 2014, History will become a compulsory subject in secondary schools. Students must pass the subject in order to be awarded the SPM. Recall the cacophony of protests by parents, students and historians, mostly non-Malays, against this change in policy when the announcement was made a couple of years ago.

Their criticism was the History syllabus over-emphasised the history of Islamic civilisation and the history of Umno and the Malay people while the contributions and sacrifices of the minority communities were downplayed, glossed over or omitted. For example, there was concern that five out of ten chapters of the Form Four history textbook focused on Islamic history. Text related to the other religions combined – Christianity, Hinduism, Buddhism, Confucianism and Taoism – made up only 25 per cent of total content (*theSun*, 12 April 2011)

On 15 May 2011, concerned parents, representatives from civil society organisations and academics met in Petaling Jaya to discuss the establishment of a movement to campaign for a truly Malaysian history. Plans were outlined to petition for a review of the history syllabus and textbooks used in schools and institutions so as to reflect a more objective and truthful history that was not associated with

one wonders what the everyday quality of teaching might be when the teachers, perhaps, are not specially prepared for observation!

In 70 per cent of lessons observed, teachers were emphasising the ability to recall facts, rather than teaching students to analyse or interpret the facts. Ironically, the vast majority of teachers had assessed their delivery as 'good'.

Earlier we mentioned that Malaysia's allocations for education have been next to none in the East Asian region. In fact, MOE's actual expenditure has exceeded its allocation every year, in 2011 by more than 10 per cent! Yet, we are getting less good results for high expenditure.

The *Blueprint* suggests that "the Malaysian education system may

not be allocating funds towards the factors that have the highest impact on student outcomes such as teacher training". In this regard, it is distressing that the ministry spent a staggering RM3,059m in 2011 on items that do not relate directly to improving the quality of education! (RM660m on 'travel and living allowances, professional services, other purchased services, and hospitality'; an-

any political or other agenda.

Although these critics, which included prominent historians, set up the group *Sejaran Malaysia Sebenar* (SMS) to study the history curriculum and to propose changes, to date, the group has not been contacted by the minister or Ministry of Education officers for their input.

Third, there have also been allegations of racism in the novel *Interlok*, authored in 1971 by Abdullah Hussain, a national laureate. The book chronicles the daily struggles of Malays, Chinese and Indians in the era before Independence and during the Japanese occupation and communist insurgency.

Used as the compulsory literature text for Form Five students, some sectors of the Indian community were offended by certain contents of the book such as its description of all immigrants from southern India as people from the 'pariah' caste. Significantly, the MIC took the lead

in calling for the book's withdrawal (*The Star*, 24 Jan and 13 Feb 2011). The protest led to the formation of the National Interlok Action Team, a coalition of Indian NGOs calling for the book's withdrawal.

The government formed a committee comprising representatives from Indian organisations to look into the matter before the ministry decided to keep the book "considering that the book was good in nurturing and strengthening national unity among multi-racial and multi-religious communities in Malaysia". The ministry, however, agreed to remove references to the 'pariah' word. This time, there were protests by several national literature laureates and other Malay literary groups against censorship of a literary piece of work.

Fourth, from time-to-time, there have been media reports of how young students have been abused by teachers who made derogatory remarks of their race or religion. Sometimes, these remarks were made for very innocuous reasons. For example when the students had not finished their homework

or had not brought certain books to school as required. Or consider the recent case during Ramadan 2013 of non-Muslim students in SK Seri Pristana in Sungai Buloh, Selangor who were forced to eat in a changing-room next to the toilets so as to be away from the sight of Muslim students who were fasting.

Undeniably, many Malaysians speak ill of fellow Malaysians who belong to other ethno-religious groups. This is shameful. But it is even more shameful when teachers abuse and bully young children of other ethnic and religious backgrounds. Teachers, instead, should be responsible for teaching tolerance and celebration of our differences.

Alas, we fear that the cases that get reported in the media resulting in public debate and acrimony, are only the tip of the iceberg. The education system should be designed and teachers trained to help our society resolve the ethno-religious problem, not deepen it.

other RM710m on 'professional service, other purchased service and hospitality (security)'; another RM1,051m on 'purchases for minor support and maintenance'; and RM502m for utilities.

Meanwhile, the *Blueprint* also revealed that 20 per cent of primary schools are in bad physical shape and 28 per cent with wiring badly worn down. In the event, the *Blueprint* calls for a review of the efficiency and effectiveness of how funds are allocated and spent!

Politicisation of schools

The problem in our schools is not simply a question of the quality of education and teacher training and of spending our money efficiently and effectively to that end. Earlier, we noted that Wee Ka Siong had stated that schools ought to be kept 'apolitical' and on that ground disagreed with Khairy's proposal to allow political parties into the schools.

In fact, our schools have already been politicised many times over! How horribly forgetful, if not naive of the former deputy minister of education!

Recall how, after the Pakatan Rakyat took over the Penang state government, the photograph of the new chief minister could not be displayed in schools; his deputy was not allowed to distribute free spectacles to needy stu-

dents who needed them (so he had to distribute them on a Saturday outside school hours instead!).

Recall, too, that schools in Opposition-led states were directed not to invite PR political leaders - including the chief minister and state executive council members - to grace school functions like speech day or sports day. And, in Penang, an annual grant to high-achieving students from the state government to students could not be distributed by the schools, although similar grants from the federal government could be.

There are also examples of how our schools have been politicised via the curriculum, or use of text books (see Box 1).

Disciplinary problems

Then there's the problem of truancy and worsening discipline. Worsening gansterism in our society writ large has been transferred into our schools as well. Bullying and fighting has led to deaths in not a few cases. Unfortunately, the privatisation of school security measures is now in the docks.

The Public Accounts Committee has called the minister or his deputy to explain the weaknesses in the school security services currently provided by 10,000 schools nationwide, first raised in the Auditor General's Report 2012

which noted "mishandling of RM2.051bn related to hiring security contractors for schools between 2010 and 2012". Among the breaches: no personal details of security guards hired in 75 per cent of 35 schools audited were presented and 76 of 129 security guards working in the audited schools had no security clearance to show that they had no prior criminal record (*theSun*, 28 Nov 2013).

Meanwhile the costs for providing security to schools have escalated from RM594m in 2010 to RM812m in 2011. Ironically, the *Blueprint* does not consider discipline to pose problems. From its study, it says only 2 per cent of schools posed disciplinary students. But its statement in this regard admits that 75 per cent of the schools it investigated were primary schools whereas it is more likely that disciplinary problems occur at the secondary school level.

Whither our education system?

There is some excitement over the appointment of a new director-general of education, Datuk Dr Khair Mohamad Yusof, who is reportedly very professional and committed to strong school leadership.

Presumably, his brief is to undersee the implementation of the *Malaysian Education Blueprint*,



2013-2025. Under Wave 1 (2013-2015) of the *Blueprint*, the existing foundations of the system are to be strengthened. During Wave 2 (2016-2020), various necessary structural changes and new initiatives will be launched while during Wave 3 (2021-2025), these new changes and initiatives will be consolidated and scaled up. No doubt, much useful data for benchmarking the current state of our educational system and how problems in the various parts are to be upgraded under different waves have been identified.

In this regard, this is not the first time that such educational planning has been undertaken. Previous ministers of education have each also presented their own proposals. For instance, past proposals have sought to attract better candidates to join the teaching profession, to provide them with better training and with better incentives and remuneration - apparently, to little avail, for the quality of our teachers and students has deteriorated over time, as indicated in the discussion above.

Need to decentralise

It is not an understatement that there is a general distrust of the system itself on account of how it has been politicised and centralised.

Significantly, in other countries, especially those which consider themselves as federal, the educa-

tional system has been increasingly decentralised. In federal countries like Canada, Australia, the United States, Switzerland, Germany, as well as in developing countries which consider themselves as federal - for example India, South Africa, Brazil, Argentina and Ethiopia, primary and secondary schools fall under the ambit of the state and even local governments; while tertiary education is often the shared responsibility of central, state and sometimes local governments too.

In fact, in unitary countries like Japan, South Korea, Taiwan, Philippines and Thailand, the trend is also towards decentralising. Not so in Malaysia!

This is the crux of the matter: our bureaucracy, including the Ministry of Education and individual teachers, have become very politicised and centralised after rule by a single party - Umno-BN - for more than 55 years! Whereas the bureaucracy, perhaps especially the Ministry, should be neutral, in fact, our civil service has closely identified itself with the Umno-BN ruling party at the centre. The Jabatan Pendidikan Negeri (JPN) at the state level and the Pejabat Pendidikan Daerah (PPD) at the district level take their cue from the ministry invariably.

The way out of this problem, indeed, the way to improve our education system is not via a new *Blueprint*, or by appointing a new di-

rector-general to the ministry or by sending our ministry officials and teachers back to school in order to learn new teaching methods. The solution is to decentralise our education system

An organisation which employs some 420,000 teachers and another 32,000-odd officers at the federal, state and district cannot be expected to function efficiently. Worse, it becomes the target of power-crazed politicians and officials who use it for political ends as our examples above show.

Admittedly, one of the goals of the *Blueprint* is 'to decentralise'. But its recommendations do not yet allow for the schools to play increased roles. The recommendations merely transfer functions that were once centralised down to the JPNs and PPDs.

For instance, instead of centrally administered examinations, henceforth assessment of students will be based on their ongoing performance throughout the year, to be conducted by the schools themselves. But the entire exercise is negated by requiring the teachers to fill up (on-line) assessment forms prepared by the central education authorities. Likewise, teachers are also required to fill up forms to assess their performance (the KPI), via their principals, to the higher authorities.

All these new requirements require teachers to set aside time for



non-teaching duties, to attend *taklimat* after *taklimat* (briefings), more ministry officers to coordinate and keep track of these unending series of assessments and reports, not to mention spending lots of funds. No wonder the complaint in the *Blueprint* on excessive funds spent on non-teaching related items!

Share responsibilities with parents and community

By decentralising, on the other hand, we can get the state and local governments to share responsibility for providing quality education for our students. These local and state governments could probably address the needs of the students better than Putrajaya-based Ministry of Education officers.

More than that we can attract parents, alumni, the local community and local industry to play a role in the running of schools too. In this regard, the PIBGs and the boards of the national-type and mission schools could be the vehicles for encouraging such engagement. Decentralisation, however, should also encompass decision-making on the deployment of heads, teachers, extra-curricular activities, if not parts of the main curriculum itself.

Educational officers from the federal, state and local governments can work closely with the teachers and the members of these PIBGs and Boards. This is a win-win situation because parents, alumni and community members do care about their children's education and wish to be consulted and to be involved.

Box 2

Tertiary education - Losing our competitiveness

The rapid expansion of higher education has led to a dramatic increase in the numbers of Malaysians enrolled in and graduating from institutions of higher learning.

This rapid 'massification' of higher learning, however, has also led to the lowering of academic standards. Many young lecturers who were not adequately prepared were recruited to teach in these new public and private universities and in hundreds of university-colleges and twinning colleges as well. In turn, these lecturers taught students who might not have qualified to enter the handful of Malaysian public universities, some 15 to 20 years ago.

Meanwhile, the four-year undergraduate system in public universities was reduced to three years about 10 years ago (although enrolment has been restored to four years since 2011/2012). There have been unending complaints about our graduates neither having the necessary technical expertise nor the necessary 'soft skills' (like linguistic, communication and other social skills) to make them more easily employable.

There are several global surveys of universities. Probably the one most well regarded (by students, academicians, universities, governments and indus-

try) is the Times Higher Education World University Rankings (THE-WUR) powered by Thomson Reuters. The Index is based on four main criteria - teaching, research, knowledge transfer and international outlook. Accordingly, it uses 13 carefully calibrated performance indicators to provide the most comprehensive and balanced comparisons available.

Since the TWUR survey was first conducted in 2010, not a single Malaysian university has made it into the list of top 400 universities in the world.

In the latest THE-WUR 2013-2014, Asian universities which ranked in the top 100 were University of Tokyo (23), National University of Singapore (26), University of Hong Kong (43), Seoul National University (44), Peking University (45), Tsinghua University (50), Kyoto University (52), Korea Advanced Inst of Science & Technology (56), Hong Kong University of Science & Technology (57), Pohang University of Science & Technology (60) and Nanyang Technological University (76).

Others ranked 101-200 were Chinese University Hong Kong (109), Tokyo Institute of Technology (125), National Taiwan University (142), Osaka University (144), Tohoku University (150). Nine-

teen Asian universities ranked 201 to 300, and another 21 from 301 to 400.

Malaysian universities, however, featured in the World University Rankings conducted by Quacquarelli Symonds Ltd (QS). The criteria used for these Rankings were academic reputation from global survey (40 per cent); employer reputation from global survey (10 per cent); faculty-student ration (20 per cent); citations for faculty from Scopus (20 per cent); proportion of international students (5 per cent); and proportion of international faculty (5 per cent).

University Malaya ranked 167 out of 700 universities listed; Universiti Kebangsaan - 269, Universiti Sains Malaysia and Universiti Teknologi Malaysia tied for 355, Universiti Putra Malaysia was grouped among those ranked 411-420, International Islamic Universiti Malaysia among those ranked 501-550, and Universiti Teknologi Mara among the 701+ universities.

These low rankings as compared to the performances of the East Asian universities cited above have persisted although much special attention has been given to local universities. For example, five public universities were awarded 'research university' status, allocated more funds, and granted more autonomy.

One of them, Universiti Sains Malaysia (USM), was awarded Accelerated Programme for

Excellence (Apex) status and given even more funds. In this regard, it is most disappointing that USM has scored lower than UM and UKM for several years now. Predictably, some local academics have commented that the criteria used to measure performance is biased against developing countries, which have their own set of priorities for establishing higher educational institutions. Even if this is the case, such rankings remain in order to benchmark how our local universities performed comparatively, regardless of the set of 'biased criteria' used.

Such rejection of ('biased') universal standards has probably egged on some Malaysian educators to reject meritocracy as a criterion in our educational system. For instance, in the Malay and Bumiputra Education Conference held in June 2013, organised by Yayasan Pelajar Mara, the Universiti Pendidikan Sultan Idris and Gabungan Pelajar Melayu Semenanjung (all respectable bodies), Ibrahim Abu Shah, a former deputy vice-chancellor of Universiti Teknologi Mara, boldly called on the ministry of education to restructure the educational system from pre-school to tertiary levels "to return justice to Malay students".

And why? Apparently because "meritocracy has created Chinese

supremacy"! He claimed that Malay students made up only 35 per cent of all enrolled in higher education institutions (he probably meant public as well as private ones).

He further claimed, "Last year, 80 per cent of Chinese students received scholarships as they obtained outstanding results based on the government's policy of meritocracy' (he probably meant that some 80 per cent of some government scholarships had been won by outstanding Chinese students).

The president of the Retired Educators Association, a certain Raof Hussein, echoed his call for a review of the meritocracy policy (*Malaysiakini*, June 24 2013 'Meritocracy in education only helps Chinese').

Imagine such views by some so-called Malay educators!

YOUR PARTICIPATION
WITH YOUR CHILD'S
EDUCATION
REALLY
MAKES A DIFFERENCE





Malaysia Education Blueprint 2013-2025

(Preschool to Post-Secondary Education)

In this manner, the quality of teaching, the improvement of the schools and the teaching environment will be upgraded in a more cost-effective fashion too. Among others, it will put an end to those contractors and suppliers who hanker after the ministry officers for multimillion contracts to provide textbooks, computers, tables and chairs, at all levels. For the local Boards and PIBGs can become the eyes and monitor against any wrong dealings.

Schools Boards and PIBGs

This proposal is not far-fetched. For example, the PIBGs and Boards of the mission schools and the so-called 'Chinese conforming schools' do desire to be more involved in the running of their schools. As early as the 1970s, the mission schools had reached an understanding with the Ministry of Education that there would be 'maximum consultation' in the appointment of head teachers; although in fact, the schools were seldom ever consulted.

As the 13th general election approached, however, the ministry's director-general did issue a directive to all his state directors on the matter, following a meeting between the education minister and

representatives of the Federation of Councils of Christian Mission Schools Malaysia. Apparently, the directive also applied to all Chinese conforming schools as well.

The above episode goes to show that if the ministry is willing, there can be opportunities for parents, alumni and the community to engage in the educational process.

Indeed, if funds can also be decentralised, and powers on how to spend those funds can be devolved to the local level, it is likely that there will be more competency, accountability and transparency over the use of those funds.

One size does not fit all

Historically, many programmes have been designed according to one size fits all. International experience suggests that different sorts of interventions are required in order to best serve some schools at different performance levels.

On its part, the Ministry of Education can redirect its focus on schools, especially in the rural areas, which do not yet have strong parental and community support. They need all the support that the the ministry can muster.

Conclusion

We must stop the rot in our educational system. Time, personnel and funds should not be wasted on non-teaching related items deemed necessary because of centralisation. The politicisation of schools after 55 years of Umno-BN rule must also be reversed. The use of particular books and teaching curricula that are racially biased should be halted.

It is with decentralisation and with such parental and community engagement that trust in the education system will be restored.

With trust in the system, parents will stop discouraging their children from becoming teachers; more capable and qualified people of all races will step up to join the teaching profession. In this manner the dignity of the teaching profession will be restored.

Better incentives alone will not reverse the trend. Community participation is a better bet. Perhaps, then, our performance in the Timss and Pisa rankings will improve.

Yes, keep the political parties away from our schools. But they are most welcome to support a move to decentralise the educational system. □

Dr Francis Loh is president of Aliran. He taught in a public university for 35 years. He is now involved in three school boards of governors and managers in Penang.

Centralised decentralisation: Oxymoron that is Malaysia's education system

Using a centrally decided system not only burdens the teachers with the bureaucracy but also limits their freedom to design the assessment model, say Nicholas Chan.

Although the finalised Malaysia Education Blueprint has just been released recently, some of the programmes as deliberated in the blueprint have been kick-started seeing that 2013 is supposed to be the inception year of the 12-year transformation plan.

Among these initiatives are expanding accessibility to pre-school education, LINUS testing for literacy and numeracy skills and the roll-out of iBestari.net for integrating ICT into day-to-day teaching. With such massive undertakings underway, resistance is expected and one of them I would like to talk about is the rejection of the school-based assessment system (PBS) by the National Union of Teaching Profession (NUTP), basically the union for teachers in Malaysia.

The urge for school-based assessments is really new in the discourse for education in Malaysia, and it is not a bad thing either. Long have we heard laments about how our national examination-centric education system has

failed to produce holistic, competitive and market-ready graduates. In the meantime, it also strains social mobility efforts because under the quantitative “quasi-meritocratic” system, students who don’t excel academically in initial stages will likely persist so while going through the system, impeding access to better life chances.

PBS is actually a part of the plan to tackle such shortcomings; with schools being able to take charge of their own assessments, it is hoped that an exam-centric culture will be abolished with more emphasis given to the learning experience instead of grading. It also seeks to enhance the accuracy of student assessments by handing them to the people who know the students best, the teachers.

So far, so good; so why does the NUTP opposes it? Mainly because the implementation of the PBS requires the teachers to key in student achievement assessments and other complicated information through the online system, which is reportedly ravaged

by technical problems. Even school principals and deputy principals are expected to submit teacher performance assessments online.

This increase of laborious desk work is said to have burdened the teachers unnecessarily, distracting them from classroom commitments which is supposed to have been a teacher’s greatest focus. While some may say it’s just a technical issue solvable by better IT tools or even having administrative clerks to handle the “keyboard” work, the matter actually reflects a more worrisome fact: the age-old structural problems of our education system are still not being addressed.

The PBS, which will replace PMR in 2014 and be factored into UPSR by 2016, illustrates the aspirations of the government in decentralising education, at least on paper. This only serves right as international best practices (e.g. see Finland’s school-based and teacher-centric model) and review (World Bank’s 2011 expenses review on Malaysia’s education)

have lauded decentralisation as one of the best approaches to take to improve learning outcomes and administrative efficiency. The entire ruckus about this PBS thing reveals that despite us subscribing to the concept of decentralisation, we are not implementing it in the same spirit.

Autonomy in a heavily centralised system?

Decentralisation is always equated with autonomy, meaning that schools should be given the freedom in decision making, and in the case of the PBS, the best way to assess its students. Using a centrally decided system not only burdens the teachers with the bureaucracy (which is counter-intuitive to the whole idea of decentralisation), but also limits the freedom in which the teachers can exercise on designing the assessment model.

The inability of the Education Ministry to adjust to the new era of decentralised decision-making is highlighted by the verbose nature of the blueprint, to the extent that it has to outline all the four components of the new PBS (school assessment, central assessment, psychometric assessment and physical activities, sports and co-curricular assessment). Coupled with the need for the teachers and even the school administration to report constantly to the Ministry about student and even teachers' assessments, it is doubtful whether any space still exists for school autonomy.

This oxymoron of a centralised decentralised system will pose a great structural and operational threat to a system we all

placed great hopes in reforming. Firstly, we are still clinging to an exam-centric system where the life chances of the students and even the promotion of the teachers depends on it. If that is the case, having PBS makes it worse as teachers and principals will abuse the "autonomy" by reporting burnished results to please the higher officials for their career interests, negating the fact that learning outcomes should never be based around assessments. Simply said, getting good grades should be the result but not the focus of a good education system.

Moreover, although it is commendable the Ministry is moving in to control teachers' quality by stricter assessments, such roles should be delegated to state, district and even school administrators in the spirit of decentralisation. Thus, there is no need to place such great impetus and emphasis on top-down, centralised network systems for data management.

One of the greatest benefits of decentralisation is it enables trust to be built between society and the schools. If the government wishes to realise that, it has to start by trusting the schools by giving them more power and even resources, not dictating what should they do in a point by point, KPI by KPI basis.

Firm but loose guidelines should be set but the implementation of it should be decided at the state, district and school levels. To think that quality assurance involves micromanagement is definitely a fallacy. And by the way, the clerical work of the collation of data

for the review of the Ministry should be rightfully done by the immense number of officers we have within the public service, not the teachers.

Breaking free our education from the shackles of an over-centralised bureaucracy that is deemed too inept to adapt to global and local needs requires more than substituting its elements with savvy ICT tools and quantitative but lifeless markers that seek more to judge than to assess learning outcomes.

If we have determined that decentralisation is the way to go (it does seem so although the blueprint cleverly avoid any mention of "decentralisation" by using terms like reorganisation), we should have respect for the fundamentals of it. As can be seen in the hallmark case of Johor's tremendous improvement in its schools' performance, giving trust instead of checklists to lower education departments and schools may work better in reforming our education and uplifting its standards.

The Ministry in Putrajaya does not need to worry about running out of things to do; it certainly has many. For starters, reform, synchronise (we have a parallel system consisting of Teacher Training Institutes and Universities) and reinforce teacher training. □

Nicholas Chan is a socio-political research analyst at Penang Institute.

Why we must support Mat Sabu

Our so-called “moderate” country is actually religiously-fascist. It’s up to Malaysians either to allow this trend to continue or to defend religious freedom

by **Zaid Ibrahim**

The ongoing religious persecution of Mat Sabu and many others before him portends a grave future for religious freedom in this country. We are not only denied political freedom (in the manner that governs the media and the electoral process), but also liberty in matters of personal belief.

We are already witnessing a new wave of attacks against Shiites which are more commonly associated with the Middle East and Pakistan. Sunni-Shiite warfare has turned the Muslim world upside-down with senseless killings and now it has arrived on our shores, thanks to our Minister in charge of security.

Case of Kamariah Ali

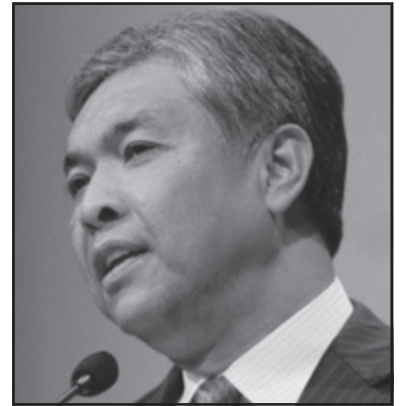
I believe that religious freedom as a legal right has been denied, bastardised and distorted in this country. Many years ago, when Kamariah Ali and her husband pleaded before the judges to allow them to be the kind of Muslims that they understood God meant for them to be, they were denied. The judges ruled that the State had the right to define Islam, and that only this version was acceptable. The judges went on to say the State



Kamariah Ali

also had the right to punish those who deviated from this version of Islam.

So Kamariah Ali spent many years in jail for following her conscience. When her husband died the State would not grant him a proper burial ground; so Kamariah had to bury him under her house. The State obviously did not consider him to be a Muslim who deserved a proper burial; yet it believed it had the power to punish him for being a “deviant” Muslim. The State had its cake and ate it too: one day it declared a person a bad Muslim who needed to be punished, and the next day it declared that this person was not a Muslim. And the judges agreed!

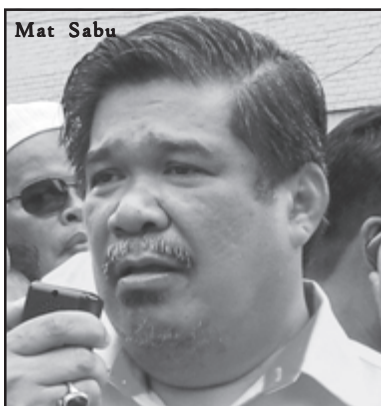


Zahid Hamidi

Is there religious freedom?

A few of us cried foul. There is either religious freedom under the Federal Constitution or there is none. Today there is none, which explains why something like the “Allah” issue was able to unfold before the world’s disbelieving eyes. Home Affairs Minister Datuk Seri Zahid Hamidi and Sunni warriors are probably willing to die for the akidah but there are other believers who are also “brave” enough to die for their beliefs. That is why we have religious wars and that is why we have suicide bombers.

In countries with secular constitutions like the US and England,



Muslims do not kill one another. They can be Sunni or Shiites or whatever they want, so long as they do not break the law. Religious freedom is important because it protects all believers, and this is the only way to prevent religious wars. Zahid should reconsider the idea of wiping out Shiites in Malaysia if he really cares about peace and stability in the country!

What happened to Mat Sabu and others like him would never have come to pass if our judges had been brave enough to base their decisions on the law. They would have then ruled that Kamariah Ali had the right to religious freedom, even as a “deviant” Muslim. But these judges felt they had to be Muslims themselves first, which only closed the door to real religious freedom and opened another one for religious persecutors to walk through.

Our so-called “moderate” country is actually religiously-fascist. It’s up to Malaysians either to allow this trend to continue or to defend religious freedom. When I first said Mat Sabu should not bother to defend himself when he was accused of being a Shiite, my Muslim friends felt he needed to,

regardless of the quality of evidence his accusers could provide. They felt that being a Shiite was bad for his image.

Do not bully...

I, on the other hand, believed his response should have been, “It’s none of your business. I say I am a Sunni but if you think I am not, do what you want!” Whether Mat Sabu is a Shiite or a Sunni is of no concern to Zahid or anyone else. If Zahid and Jakim think Shiites are not Muslims, then why not petition the OIC and the UN and whatever international body they think is appropriate to bar Iranians from doing the pilgrimage to Mecca. Take on the central stage of the Muslim world if you truly want to be a Sunni warrior. Do not bully local Muslims like Mat Sabu.

It is up to Muslims in this country to decide for themselves what kind of Muslims they want to be. I believe they have that right under the Constitution. I am a Muslim and that is all there is to it. The State may define Islam as the Sunnah Wal Jumaah variety, but that definition cannot supersede Article 8 in the Constitution on religious freedom. The state can advise on what variety is “pure” but it cannot punish Muslims if they prefer a different variety. Punishment is God’s work, not government officials’, and that is central to a country that has a secular Constitution governing matters of faith. And Malaysia is secular.

This is the principle of religious freedom, and even as Muslims we have that protection and that right in this country. Whether Muslims like Mat Sabu and other Malaysians want to reclaim that right is

up to them.

Simply political power play

This country will eventually explode like Lebanon and Syria if the Prime Minister is only interested in fast trains to Singapore and trade agreements. We have had many disturbing incidents such as Memali, the Al Ma’unah movement and other “deviant groups”. Religion is not important just to Zahid but to many people. Everybody believes theirs is the true faith, and is therefore better or purer. Everybody believes God has asked them to do what they can to protect the faith. To add to that, we have vested interests who will promote a particular belief to preserve their rule. The Saudi King, for example, would not last a day if the Shiites controlled the Middle East. It is political power play, with nothing religious about it.

So how do we manage this potentially difficult and dangerous conflict? The Prime Minister says he is a moderate. If that is true then he should speak out a lot more about the subject in Malaysia. He should also have Ministers who are moderate and capable of engaging with difficult subjects. He should defend the Federal Constitution, but not as it is interpreted by the Muslim Lawyers Association. On the other hand if he were to have more Sunni warriors in the Cabinet, the fast train to Singapore will have fewer passengers. Of that I am sure! Q

Zaid Ibrahim is a former Cabinet Minister.



A record of Aliran's stand on current affairs.

Sanity returns

The recent rulings by the Federal Court, which overturned the ridiculous decisions of the High Court concerning the election petitions, hold out some hope for the judiciary, that we still have some judges who are beholden to justice and nothing else.

The decisions of the election courts were so blatantly unfair to the petitioners that well-meaning Malaysians were rightly appalled and frustrated at the quality of justice meted out by judges who did not strike us as being fair and just in their decisions.

Most of the petitions were dismissed solely on technical grounds without considering the merits of the case. To top it all, the petitioners were made to pay exorbitant sums to the respondents in what appeared to be punishment for challenging the election results.

It is said, "Justice is that virtue that assigns to every man his due." But in all these cases that virtue was glaringly missing and their due was totally denied making us wonder whether some judges are capable of dispensing justice at all.

It was so obvious that the election

result for Bagan Datoh was fraught with corruption and yet the High Court threw out the petition on flimsy technical grounds. The court was of the view that since the name of the petitioner's lawyer was not stated in the document, the petition would be dismissed; the court refused to accept the filings by the law firm.

We have witnessed numerous cases where courts have allowed – and indeed ordered in certain cases – for defects in the documents to be rectified so that cases can proceed smoothly. Why this discretion was not observed (in the case of the election petition) is anyone's guess.

The petition had provided evidence by way of photographs depicting the winner Ahmad Zahid Hamidi distributing aid in his constituency that had exceeded the legally permitted amount for campaigning. The petition claimed that Zahid had spent up to RM2m while the limit set by the Election Commission was RM200,000 for a parliamentary seat. He was also accused of vote buying.

How could these terrible offences be overlooked in favour of a mere technicality – which resulted in the petition being dismissed? The merit of the case was more deserving of a full trial but shockingly this was not the case!

Similarly, in the case of the Tapah parliamentary constituency, the High Court also dismissed the petition on a technicality which is rather difficult to comprehend.

The High Court, in dismissing the petition, ruled that K Hariharan

was not appointed as an advocate and ordered a whopping RM190,000 to be paid as costs! But Hariharan had appeared in court on behalf of the petitioner. What was the problem in accepting him as an advocate and allowing the case to go on trial?

The court even denied the petitioner, Vasantha Kumar, to argue his own case ruling that he did not have the qualification of an advocate to argue his own petition. This is baffling to say the least. A qualified advocate was denied his presence in court on technical grounds. To add insult to the injury, the petitioner was even refused his right to argue his case under the circumstances. If the petitioner is prepared to argue his case, why should he be denied that right?

It is very encouraging that the Federal Court has ruled that the decisions of the High Court were wrong and has remitted these petitions to the Election Courts to hear the cases on their merits. We can only hope and pray that sanity will prevail and that justice will have its day in Court this time.

*P Ramakrishnan, Exco Member
30 December 2013*

Remove Comango ban

Aliran notes with dismay the declaration by the Home Ministry's secretary-general that the Coalition of Malaysian NGOs, Comangos, is an 'unlawful organisation'.

The secretary-general argues, "Organisations that wish to organise legitimate activities in the country must be registered with

the Registrar of Societies (ROS) under Section 7 of the Societies Act 1966.”

He adds, “Any organisation which fails to adhere to the regulations can be penalised under Section 41(1) (b) of the Societies Act 1966.”

Sadly, the secretary general has missed the point that Comango is a coalition of 54 organisations, and not a society. Furthermore, unregistered coalitions like Bersih have been deemed legal by a High Court judgement on 24 July 2012. Many other coalitions working on a variety of issues e.g. migrant workers’ rights, environmental issues, women’s issues and gender equality come to mind.

In fact, the government of Malaysia had already engaged with Comango for several years since September 2008, in the Universal Periodic Review process of the United Nations Human Rights Council. Throughout this period, the status of Comango had never been questioned. In fact, they had been invited to participate in several consultations with the government.

A second reason claimed for the banning of Comango is that it is championing rights that deviate from Islam. Comango has denied this allegation as none of their work is contrary to the Federal Constitution, human rights principles or Malaysia’s own human rights commitment as a member-state of the UN.

Like Comango, Aliran is appalled that the secretary-general has seen fit to use Islam as a tool to silence human rights violations and to

demonise human rights defenders.

The crux of the matter is that the government is unable to accept views that differ from theirs and has used such differences to deny civil society organisations their freedom of association and expression which ought to be the basis of any democracy worth its name.

Given that Malaysia was, until recently, a member of the UN Human Rights Council, this move to ban Comango is ridiculous and shows their lack of understanding of what constitutes upholding human rights standards mean. Aliran calls for the immediate withdrawal of the ban. The government must stop attacking Comango.

*Dr Francis Loh, President
11 January 2014*

Heat gets too hot

Aliran condemns the Home Ministry’s indefinite suspension of the English-language news weekly, apparently over a front-page article about the allegedly spendthrift habits of the PM and his wife.

Aliran condemns categorically the indefinite suspension of news weekly *The Heat* by the Home Ministry, apparently over a recent November front-page article highlighting the allegedly spendthrift habits of Prime Minister Najib Razak and wife Rosmah Mansor.

This action clearly goes against the principle of freedom of expression. The concerns of the rakyat about the antics and policy decisions of their leaders should come under close public scrutiny via the

media and, in this case, through *The Heat*.

Indeed, making leaders, whether from the Barisan Nasional or Pakatan Rakyat, accountable for their actions is part and parcel of democracy. Responsible media have a social role to play in this regard.

That is why concerned Malaysians would have expected Najib, or his representative in the Cabinet, to respond to such criticism in a democratic and civilised manner through the news weekly itself – and not by resorting to sledgehammer tactics.

The suspension of *The Heat* shows that the recent amendments to the Printing Presses and Publications Act, supposedly aimed at liberalising the Malaysian press, have come to naught. If anything, this suspension, the reason for which has not yet been specified, makes a mockery of the much touted amendments or repeals of laws supposedly to promote democratic ‘transformation’.

This episode also suggests that the Home Minister still has the political clout to intimidate the mainstream press to the point that newspapers would eventually practise self-censorship and consequently be less accountable to their readers.

Aliran urges the federal government to lift the suspension of *The Heat* immediately. Otherwise, our political leaders should leave the kitchen if they can’t take the heat.

*Dr Mustafa K Anuar,
Hon Secretary
20 December 2013*

Comango to file judicial review



The Coalition of Malaysian NGOs in the UPR Process (Comango) is shocked and perturbed that the Secretary General of the Home Ministry of Malaysia (the SG) has declared Comango, through a media statement, an “unlawful organization” (“pertubuhan haram”).

Under S5 of the Societies Act 1966, only the Home Minister may by order declare a society to be unlawful if a society is being used for purposes prejudicial to or incompatible with the interest of the security of Malaysia, public order or morality.

Among the reasons given by the SG to declare Comango unlawful is that we are championing rights that deviate from Islam. This is untrue.

The SG also states that many of the endorsees of the report prepared by Comango for the universal periodic review (UPR) of Malaysia by the UN Human Rights Council are not Islam-based organisations, that some of the endorsees of the Comango report are not registered and that Comango itself is not registered with the Registrar of Societies as reasons for his declaration that COMANGO is ‘unlawful’. These

reasons are not in accordance with S5 of the Societies Act 1966.

Comango is appalled that the government is using Islam as a political tool to silence criticism of human rights violations, and to demonise human rights defenders. It is bowing to alarmist tactics and is complicit in fanning rising and extremely divisive intolerance in this country.

The UPR process of the United Nations Human Rights Council involves all 193 UN member states, including Muslim-majority countries. Many Muslim-majority countries have acceded to the hu-

man rights treaties branded as unIslamic by extremist groups, which have been making inaccurate and unsubstantiated accusations against Comango. We are concerned that the government has not only adopted the language and positions of these extremist groups, but also facilitated hate speech by funding groups such as Perkasa. The media statement by the Home Ministry affirms our view that the government appears to be beholden to these extremist groups.

The list attached with the media statement is inaccurate and misleading. Organisations in Comango include organisations registered under the Societies Act 1966, the Companies Act 1965, unincorporated associations, and civil society coalitions.

Comango refutes the SG's statement that only organisations registered with the Registrar of Societies are carrying out activities legally ("menjalankan aktiviti secara sah").

We stress that none of Comango's work has been contrary to the Federal Constitution, human rights principles or Malaysia's own human rights commitment as a member state of the United Nations. Civil society's participation including submissions of reports to the UN Human Rights Council and the treaty bodies, and the special procedures are recognised and well-established contributions to the UPR process.

The UPR process requires governments to work in consultation with all stakeholders to improve the human rights situation in their respective country.



Comango's work falls squarely within these mandated processes in resolutions passed by the General Assembly and the Human Rights Council of the United Nations.

The government of Malaysia has engaged with Comango many times since we submitted our first report to the UN Human Rights Council in 2008. Comango met with members of the Malaysian government delegation during Malaysia's review in Geneva in October 2013, as well as before the review, in September. Comango has also been invited to participate in several consultations.

Malaysia is actively vying to be part of the UN Security Council. As such, the government cannot be part of some UN processes and disavow others, particularly when the Human Rights Council is very much a key component of the larger UN human rights system.

The UPR process is designed to prompt, support, and expand the promotion and protection of human rights to be equally enjoyed

by every human being, with the goal of improving the human rights situation in every country. The government's action through the Home Ministry is in opposition to this goal and violates our rights to freedom of expression and association.

Declaring Comango as unlawful is a political ploy to distract the rakyat from national disunity, endemic corruption, unequal distribution of wealth, and unpopular decisions of the government such as the implementation of a Goods and Services Tax (GST), as well as rising living costs in terms of petrol, toll fees, and electricity.

Comango will be instructing solicitors to file a judicial review in the High Court to quash the decision made by the SG.

*Honey Tan Lay Ean
Persatuan Kesedaran Komuniti
Selangor (Empower)*

*Yap Swee Seng
Suara Rakyat Malaysia (Suaram)*

*for and on behalf of the Coalition of
Malaysian NGOs in the UPR Pro-
cess (Comango)*

Tindakan Jais menyerbu premis Persatuan Bible dan merampas Injil

by *Mujahid Yusof Rawa*

Tahun baru 2014 seolah-olah tidak menjamin hubungan antara agama yang menjanjikan kedamaian hubungan dan hidup dalam keadan hormat menghormati antara satu sama lain. Tindakan Jabatan Agama Islam Selangor

(Jais) dalam serbuannya ke atas premis Persatuan Bible Selangor hari ini (2 Januari) walaupun berasaskan Enakmen 1988 (Kawalan Penyebaran Agama kepada Orang Muslim) telah meninggalkan kesan yang berbekas dalam hubungan antara agama di negara ini. Sebanyak

300 naskhah injil telah dirampas menurut berita yang diterima.

Persoalan kebebasan agama yang termaktub dalam perlembagaan kita dengan mengambil kira Islam sebagai agama resmi Persekutuan seolah-olah tercemar dengan tindakan Jais dan mengisyaratkan sesuatu yang bercanggah dengan perintah dan firman Allah yang maksudnya “tiada kami utuskan engkau (wahai Muhammad) melainkan untuk membawa Rahmat ke Alam ini” (Al Anbiya: 107).

Hubungan Islam dengan bukan Islam adalah bersandarkan “Tiada paksaan dalam agama” (Baqarah: 256) dan itu adalah janji dan jaminan kerahmatan Islam kepada penganut agama lain termasuk hak memiliki kitab agama masing-masing. Oleh kerana itu apa saja tindakan yang bertentangan dengan prinsip ini dianggap mencemari nama baik Islam.

Maka dengan ini, saya menyeru supaya:

- Kuasa hendaklah digunakan dengan hikmah apatah lagi



Mujahid Yusof Rawa

yang melibatkan prinsip hubungan antara agama yang telah jelas digariskan oleh Syariat Islam. Dalam hal ini memelihara prinsip Islam lebih utama dari segala perkiraan sentimen atau politik.

- Jika ada apa-apa bukti bahawa pihak tertentu menyebarkan atau menimbulkan kekeliruan kepada umat Islam dengan menggunakan kalimah ‘allah’ maka pihak yang terlibat hendaklah diambil tindakan kerana menyalahi semangat kebebasan agama dengan mengambil kira Islam sebagai agama resmi Persekutuan. Hanya dengan tertera perkataan ‘allah’ dalam injil bukan alasan untuk mengambil tindakan tanpa bukti kukuh unsur penyebaran dan menggugat akidah Tauhid umat Islam.
- Merampas kitab suci penganut agama lain walaupun atas nama larangan menggunakan perkataan ‘allah’ perlu ditangani dengan hikmah dan teliti kerana ia akan memburukkan sifat Rahmat Islam kepada semua penganut beragama, antara lainnya ialah hak kebebasan beragama mereka.
- Memaksa orang lain dalam agama bukan bererti secara fizikal sahaja tetapi menentukan apa yang boleh dan tidak boleh ke atas agama lain juga adalah bentuk paksaan yang dilarang oleh Islam seperti perintah Allah: “Jika Tuhan mu mengkehendaki (wahai Muhaamd) nescaya akan beriman seluruh manusia di mukabumi ini, apakah engkau



(wahai Muhammad) mahu memaksa orang sehingga mereka menjadi beriman?, Tiada jiwa yang boleh beriman melainkan dengan izin Allah lalu Allah jadikan azab pada mereka yang tidak beraqal” (Yunus: 99-100).

- Pihak Gereja juga perlu tampil menyatakan pendiriannya dengan tegas bahawa mereka tidak ada agenda tersembunyi yang boleh menjejaskan keharmonian kehidupan beragama di Malaysia bagi menghilangkan keraguan pihak tertentu yang mendakwa proses

Kristianisasi sedang berlaku.

Atas alasan di atas, saya menyeru dan merayu supaya hak kitab suci agama lain termasuk penganut Kristian hendaklah dipelihara haknya kepada penganutnya, dan menjadi tanggungjawab otoriti agama Islam di Selangor memelihara prinsip ini seperti yang dituntut oleh Islam. ☞

Dato’Dr Mujahid Yusof Rawa ialah Ahli Parlimen untuk Parit Buntar.

Prime Minister must speak out now!

This is a time for Najib to show true leadership to all Malaysians.

by **Francis Loh**

He must act as the leader of all Malaysians regardless of their religion and ethnic backgrounds.

Prime Minister Datuk Seri Najib Razak must end his silence and speak out on the worsening tensions between Muslims and Christians over the use of the word ‘Allah’.

Now that his deputy Tan Sri Muhyiddin Yassin has given his nod to Selangor Umno’s plan to protest at all churches in Selangor over the use of the word “Allah”, Najib must remind his No. 2 of the cabinet’s 10-point solution. That solution was announced by Minister in the Prime Minister’s Department Datuk Idris Jala on 2 April 2011 and reiterated by Najib himself in Kota Kinabalu on 21 October 2013.

One of the points included the right to hold services in Bahasa Malaysia/Indonesia and the indigenous languages of Sabah and Sarawak in churches nationwide. Another stated that Christians can import, print and distribute the Al-Kitab under certain conditions.

Muhyiddin should also be reminded of the prime minister’s



Christmas Day speech in which he called for all to preserve the nation’s peace, harmony and stability.

Apparently, the Klang Selatan OCPD, Assistant Commissioner Kamarul Zaman Mamat, in a phone conversation with a Member of Parliament, gave his assurance that churchgoers would not be intimidated or threatened when they go for Mass in the Church of Our Lady of Lourdes in Klang on Sunday, 5 January – although a group called the Muslim Solidarity Secretariat intends to hold a protest at that Church.

The prime minister should come out too to assure Christians that they can worship without fear on

Sunday.

Indeed, the prime minister, who professes to be a moderate and launched a Global Movement of Moderates, should have come out to object to the heavy-handed raid on the Bible Society of Malaysia (BSM) premises on 2 January. On that day, Jais (Jabatan Agama Islam Selangor) officers accompanied by two policemen seized over 300 copies of the Alkitab and Bup Kudus, the Bible in the Malay language and Iban language respectively, while two BSM officials were arrested by the police and told to report to Jais later.

The Bibles seized yesterday contain the word Allah but BSM said its customers are not just the churches in Sabah and Sarawak, but also Sabahan and Sarawakian Christians, Orang Asli churches and other Malay-speaking Christians in the peninsula.

The Christian Federation of Malaysia (CFM), which represents virtually all of the churches nationwide, has termed the raid and seizure of Bibles by Jais as “shocking”, a “violation of the Christians’ constitutional right to freedom of religion”, and an “aggres-



common law and statutory principles. Mais, however, may determine its jurisdiction for itself; nonetheless, it must do so within the walls of this statute. Certainly, Mais cannot act as it likes – for a statute is an instrument of the state legislature, and its workings must be congruent with the state constitution and the federal constitution too.

Meanwhile Defence Minister Datuk Seri Hishammuddin Tun Hussein has blamed the tensions on “certain quarters” (i.e. the Christians) who have refused to accept the court’s decision. In October, the Court of Appeal decided that The Herald could not use the word Allah in its Malay edition as the usage of the word Allah was not an integral part of the Christian faith. Christians and their supporters, however, consider the court ruling to have violated the letter and spirit of the 10-point cabinet decision.

In fact, the legal dispute between the government and the Catholic Church over its right to print the word Allah in the Herald’s Bahasa Malaysia section is still pending before the Federal Court. The highest court in the land is set to hear arguments from both sides on 24 February before deciding whether it will hear an appeal by the Catholic Church.

There is no time to lose. The prime minister must step in and show that he is a statesman like his late father was. This is a time for Najib to show true leadership to all Malaysians regardless of their religious affiliation. We must not be brought closer to the brink of a breakdown by self-serving politicians. q

sive attack” on interfaith ties in Malaysia.

CFM stressed that neither Jais nor any other Muslim religious bodies must gain authority over another religion, saying that it would otherwise render the protection of freedom of religion under Article 11 of the Federal Constitution meaningless.

The newly appointed Jais director, Ahmad Zaharin Mohd Saad, has claimed that he wanted to remind churches of the provisions of the Selangor Non-Islamic Religions (Control of Propagation Among Muslims) Enactment 1988. The enactment, passed by the Barisan Nasional state government, prohibits non-Muslims in Selangor from using 35 Arabic words and phrases, including ‘Allah’, ‘Nabi’ (prophet), ‘Injil’ (gospel) and ‘Insya’Allah’ (God willing).

If this was his intention why did his officers then resort to a raid? In fact, the new Jais director had started his tenure by declaring that the religious department would begin compelling churches

in Selangor to comply with the 1988 Enactment, particularly on the usage of the word Allah.

For an agency which is so concerned about implementing the law, we now learn that Jais had acted without first informing or seeking permission of the Selangor menteri besar or the executive committee member in charge of Islamic affairs, prior to conducting the raid. This is most troubling.

The Majlis Agama Islam Selangor (Mais), to which Jais is answerable, is a body established by statute, under Section 4 of the Administration of the Religion of Islam (state of Selangor) Enactment 2003. Under Section 6, the function of Mais is to aid and advise the Sultan, and it is the chief authority under the Sultan on matters of Islam (but not on Islamic Law) in the state.

It appears, therefore, that Mais’ – and by extension, Jais’ – powers, functions, the limits of these and how they are to be construed are all matters of statutory construction according to

Courting a national disaster

We are living in critical times. Even as Najib keeps mum, the time for a real national reconciliation has finally arrived

by **Dzulkefly Ahmad**

There is a saying, “Without wise leadership, a nation falls, but with good counsellors, there is safety”.

The recent spate of events that have engulfed the nation has amply illustrated that we have neither wise leaders nor good counsellors.

That this fact underscores the current state of affairs of this em-

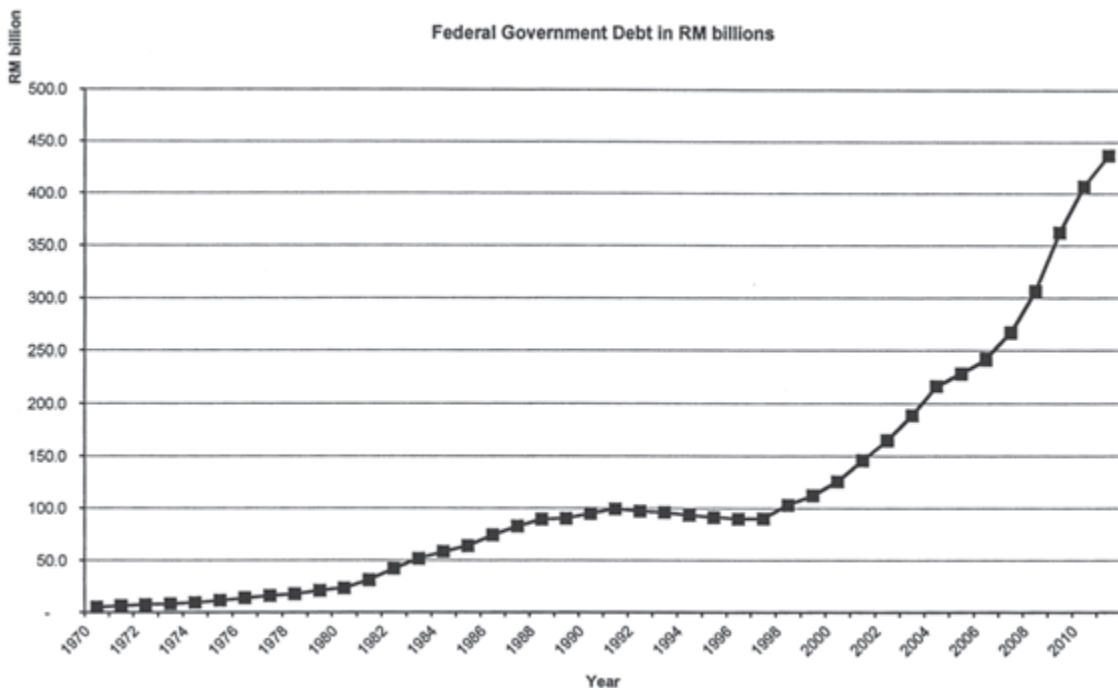
battled nation is an understatement. With inept leaders encircled by more-than-happy-to-curry-favour advisers/consultants, we have a recipe for disaster. The nation is in a tail-spin of sorts and courting a national tragedy.

That this is seriously now the case is underpinned by two major arguments.

First, from the way the troubling economy is further mismanaged,

and second, the deepening crisis of the racial-religious divide that is almost at a boiling point.

Consequent to the misdirected policies of pursuing and ramping “growth without a socially-just development” end-state on the back of a much abused “interventionist affirmative action of the New Economic Policy”, the nation finds itself strapped in huge debt and 16 years of fiscal deficit which has now become very



‘toxic’.

With the federal debt that has almost reached the statutory limit of 55 per cent of the nation’s GDP, (RM543.3bn to be exact, as of a Ministry of Finance report), even the prime minister-cum-finance minister talks of imminent bankruptcy. Very unfortunately though, debts were conveniently attributed to the “colossal subsidies” (RM46.7bn, according to the MOF) said to have been spent on the rakyat.

Never were Prime Minister Najib and his ministers able to admit that the debts were equally or more likely due to the government mega-spending on big ticket infrastructural items in a “pump-priming” mode in both bullish times and bearish times. The PM was either oblivious and remorseless, or worse still, totally inept and clueless.

Leakages due to stupidity bordering on negligence, as annually reported by the auditor general, and endemic abuses bordering on corruption, epitomised by the PKFZ, NFC and MITP fiascos, are never blamed to be the cause of billions of ringgit being drained or misallocated.

The failure to dismantle monopolies has severely distorted the market, and continuing crony-capitalism resulted in a new rentier-class (the likes of Syed Mokhtar al-Bukhary et al monopolising critical national assets and utilities) and a repeat of Mahathirnomics (privatisation and the creation of a super-rich Bumiputera-Malay elite class).

It has made nonsense of the effort



to achieve the high-income target of US\$15,000 or RM48,000 per capita, arguably achievable through a hundred of the richest people in the country, while both the income and wealth divide continues to yawn wider by the year.

Let it be known to the PM and his cahoots, lest they are still oblivious, that statistically, welfare states like the Nordic countries, Austria and the Netherlands devoted at least 20 per cent of their national budget to social transfers or subsidies. You were adamant about introducing the GST in 2015, while allowing leaks to go unchecked. The nation is still caught in a “middle-income trap”, which is irresponsible.

More interestingly, higher social transfers (subsidies) in these welfare states have resulted in less poverty, less inequality and longer expectancy, with statistically no net cost in terms of GDP, economic growth or even budget deficits.

Whether we are looking at the social market economy or an Islamic economy, we shall no longer view

welfare as a “populist” public policy. Welfare spending, as Keynes argues, has its role in stimulating demand when private investment and expenditure dry up, a part of the package of policy instruments to prevent economic crises and keep the market economy on track.

So Mr PM, your arguments that the rationalisation (aka withdrawal) of subsidies must be put in place or else the nation would go bankrupt, are both pathetic and misguided. Your 11 austerity measures are too little to be of financial significance, though never too late.

Could you promptly revisit your economic measures and take heed of the copious critique, especially from among the economists who are not out there to curry favours?

Their honest assessment that your so-called “rationalisation of subsidies” is triggering more than a ‘double-whammy’ on the rakyat’s well-being particularly on the bottom 40 per cent, especially on their purchasing power to drive domestic demand, is surely note-



ing a religion.

Likewise, the unsolicited edict or fatwa by the Mufti of Perak - in condemning the demonstrators (young activists of civil and students' societies) of the recent Turun campaign on price hikes and in arguing carelessly that their blood was "halal" as they are "traitors of the nation" or *bughah*, as known in Islamic legal terminology - is both bigoted and smacks of political partisanship.

worthy.

Let us now turn to another critical dimension of your ineptness at running this ailing nation.

As early as the first week of 2014, your deputy's non-committal statement on the intention of Selangor Umno, together with Muslim NGOs - that they are free to decide on staging a demonstration on 5 January in front of churches - is extremely regrettable.

Rather than dispensing advice and calling for restraint and respect for one another's religious beliefs and conviction, his response was interpreted as a callous endorsement for such actions that spell doom for this nation.

It heralds the beginning of a troubled year of a deepening religious divide in an already fractious society. The divisive debate and emotive legal issue over the word Allah has been raging unabated and no effective efforts, much less solutions, are in sight.

The unfortunate raid and seizure of copies of the Bible by the Selangor Islamic Religious Department (Jais) at the Bible Soci-

ety of Malaysia (BSM) has added salt to injury. The stage is now set for legal wrangling on this issue, compounding and exacerbating further the 'Allah' debate.

Arguably, in 2011, the cabinet had allowed the printing and import of the Bible in any language, and the seizure contravened this decision.

Whether Jais is rightly under the state government, the sultan or the federal government, has now come into the limelight.

Be that as it may, the high-handed actions of Jais have now come under severe condemnation from many quarters. Whether Jais has religious jurisdiction over non-Muslim scriptures, their actions finally underscore the imperative need to address the 'Allah' issue.

While Article 11 (4) of the Federal Constitution (FC) allows for state and federal laws to control or restrict propagation of other religions among Muslims, it does not affect one's right to profess and manage one's religion under Articles 11 (1) and (3) which includes the use of words, language, worship and other aspects of practis-

But where were you again, Mr PM?

This surely is not the way to run this already divided nation. You keep mum and your deafening silence is disquieting at best.

As we get from bad to worse, I must say in all earnestness that the time for a real national reconciliation has finally arrived.

It is not about forging a 'unity government' as such - but about implementing critical institutional reforms and structural measures that must be put in place soonest.

Should you shirk your responsibility again, you do it at your own peril. Q

Dr Dzulkefly Ahmad is a member of the Pas central working committee and former MP of Kuala Selangor.

***Source:
themalaysianinsider.com***

A Malaysian Inquisition?

Just like in medieval Spain, it is the superior religion of the majority that is deemed to be under threat from other religions

by Melati Timur

The latest Petronas festive advertisement predictably continues their expected mushiness. This time elderly men in an old folks' home are adopted by an employee for a Deepavali day out, complete with climbing up Batu Caves, beautiful vistas of Malaysian mountains, a durian pit stop and a festive family meal. As always, viewers have reacted positively, touched to tears by the sweet relationships on show.

But there is something different about this advertisement. The elephant in the room has not gone unnoticed. The group celebrating Deepavali consists of a young Indian woman, two elderly Indian men and their Chinese friend. Malays are conspicuously absent from the celebrations.

The only Malay we see is a young lady behind the counter at a gas station. She is friendly and tolerantly amused by the old men's antics, but she is not included. She is not their friend and she is working on a religious holiday not her own. In fact, there are no Malay residents at the old folks' home either (because, of course, no Malay would abandon their parents, right?).

The reason for this is all too obvi-

ous for those of us who have lived through the changes in Malaysian society since the 1980s. Despite all the talk and pride in being a multi-religious, multi-ethnic nation, Malays have increasingly been segregated and even self-segregated themselves from taking part in the lives of other races, especially anything remotely religious.

Perhaps the producers of this Deepavali advertisement were being intentionally subversive. More likely, they have, instead, internalised the inter-religious rules hardening in our society today, rules that would never countenance a Malay in a Hindu temple, much less being blessed with pottu on the forehead by a Hindu priest.

Self-segregation

The media is very sensitive to these written and unwritten rules that they judiciously self-censor. A Malaysian director told of a Censorship Board staff, unofficially informing him that had he made his movie about non-Malays, he would have had no trouble getting certified. But with Malay characters, the officials were uncomfortable even when nothing in the broadcast guidelines would rule out the fairly innocuous plot.

And so Malay movies are now reduced to gangsters, hantu (ghosts) and virginal ustazahs who fall in love with their rapists. We still deify those wonderful P Ramlee movies with their social commentaries running through the slapstick comedies and the overwrought dramas, but we are no longer allowed to make them.

Like many Malaysians, I grew up with unthinking acceptance of open houses with all races eating together, celebrating one another's festivals. In fact I grew up in Penang, dancing behind the Thaipusam parade, going to churches for weddings, crying loudly at Chinese funerals (admittedly for money) and lepak (loafing) at the Thai temple grounds because their gardens are lovely and the Buddhist priests were friendly.

But now all these things have become problematic – a minefield of nervous non-Muslims worried that invitations to meals would be rebuffed as their cutlery would be deemed 'unclean' and nervous Muslims afraid of raids, arrests, social opprobrium and legal harangues simply for entering a church or temple, working for non-Muslims, allowing another faith to worship in a surau or car-

ing for dogs.

Analogues to the Inquisition?

It reminds me of a 'funny' period in European history. To my mind, Malaysia is now showing all the signs of becoming medieval Spain. Perhaps there's a thing or two we can learn from a brief comparison.

Under Muslim rule and early post-Muslim Christian rule, Andalusian kingdoms were often models of tolerance where cultures were shared and different religions could live side-by-side in relative peace and harmony.

And they were not completely separated communities; despite maintaining their own identities and rituals, they interacted richly, creating a flowering of culture, arts and science. Most famously, Greek science and philosophy flowed into Europe through this channel, an effort that involved Muslims, Christians and Jews.

There were hybrid foods, art forms, institutions and culture. Christians under Muslim rule read scripture and chanted liturgy in Arabic, not Latin. Muslims still read the Bible and Torah side-by-side with the Qur'an. Jewish synagogues had verses of the Qur'an on its walls.

Consider this example: A legendary Christian king died a saint and his tomb was inscribed with four languages representing his multi-religious subjects. Five generations later, his great-great-grandson, another Christian king, would employ the best Muslim artisans in the land to upgrade the



palace in Seville, replete with inscriptions referring to the "Sultan" and invoking Allah, including over the front entrance. And everyone from every religious group, in every language, competed to write the best poetry!

So much of Western culture (including pop music which owes much to the invention of the Spanish guitar), science and philosophy has roots in this lively, vibrant, multicultural Spain.

But the tide turned. By the time Ferdinand and Isabel conquered Granada, the Spanish Inquisition was already underway. The Reconquista, as the slow takeover of Spain by Christian kings was branded, involved sporadic forced conversions of Jews and Muslims as well as threats of exile should these communities not convert.

Unsurprisingly, these forced conversions created great anxiety as to the nature of the faith held by the new Christians.

This, in turn, powered the Span-

ish Inquisition. With jurisdiction only over Christians, the activities of the Inquisition disproportionately concentrated on the Conversos and Moriscos as Christian Jews and ex-Muslims were respectively called.

Of course, this reaction is understandable in the framework of what was happening: If you are forced to convert (by threat of death or expulsion), it would only be reasonable for anyone to suspect that your newfound faith was less than sincere.

And there is a related anxiety – if Christians are not allowed to convert to any other religion (i.e. your faith is forced upon you), then in some ways, even the religion of the majority is suspect.

So a society is created of Christians who cannot change faith surrounded by possibly 'fake Christians' who have been forced to convert. And all these Christians are under the jurisdiction of the Inquisition, an authority that tortures and even kills Christians

for not being true Christians.

So any association with non-Christians or even new Christians becomes problematic, carrying with it the always present possibility of straying. Since the religious sincerity of everyone is in doubt, then any activity, no matter how innocent, can be deemed a real threat.

Neighbours started accusing neighbours over the smallest things. Any slight deviation from the norm or even previously accepted practices became suspect. One man was dragged before the Inquisitors for greeting a long-time Jewish friend who was walking in an annual Jewish religious procession, something he had done unmolested all his life. But now, this simple act of friendship, became the basis for him to be denounced to the Inquisition. His Jewish friend, the so-called source of “corruption”, however, could not be prosecuted because the Inquisition could only go after Christians.

The psychology of inquisition

There are lessons to be learned from my brief example. Malaysia too has a religious majority that is not allowed to convert. They are governed by special religious institutions with non-democratic authority over all aspects of the private lives with the authority to fine, imprison and even beat them. Sound familiar yet?

We can see how similar psychological implications from the Inquisition would follow. If Muslims are not allowed to convert (i.e. your faith is forced upon you),



then their faith must be fragile, suspect even, ready to fall at the slightest whisper.

And thus you see the anxiety in Muslim communities. Any contact with non-Muslims would, of course, be dangerous to this delicate faith. Reading the papers, you would think the danger of *murtad* (apostasy) is ever present. You cannot allow Muslims to do anything for fear of *murtad*!

So you have a lady who cares for dogs being interrogated for fear that she is insulting Islam. You have a Muslim woman working for a bookstore owned by non-Muslims arrested for selling a not-yet banned book because the authorities have no jurisdiction over non-Muslims. And you have the government-sanctioned witch hunt on Shias as a deviant and devious cult.

The Kalimah Allah case is particularly telling. You have another religion, Christianity, wanting to use the term Allah to refer to God

in its Bible in a country where ‘Allah’ is synonymous with the Islamic religion. Logically, it would be the Christians who might be confused, and thus ‘accidentally’ attracted to Islam or some such.

But instead you have the successful legal argument that it will confuse the Muslims instead, and thus *menggegar iman* (shake/challenge the faith) or, in other words, it could lead to *murtad*.

Why is the Muslim faith deemed the more fragile, more in need of protection? Aren’t we told all the time how superior this faith is, this faith of the majority and of the political elites? If it is so superior, why is it that our confusion is considered so inevitable compared to people of other faiths? Are you saying there is actually something wrong with our faith, something so close to the surface that the mere use of an Arabic word that means God by Christians will reveal all and thus turn us away from Islam in droves?

And just like in medieval Spain, it is the superior religion of the majority that is deemed ever so close to corruption at all times, especially from other religions.

So inevitable is this deviation, that a special body was set up for centuries whose sole jurisdiction was prosecuting religious unorthodoxy, and whose very existence actually ended up creating unorthodoxy out of thin air. Hundreds of thousands of people were arrested.

It was extremely difficult to escape some form of torture, humiliation and stripping of wealth, regard-

less of whether you were found guilty or not, especially as torture was a form of interrogation, not legal sanction.

The price of purity

So many familiar tropes from the Spanish Inquisition are being played out in Malaysia now. Increasing hurdles for those who want to convert, to “prove” their sincerity. The demonisation of ‘the other’ in terms of being untrustworthy, of being betrayers and of using money to grease their way to domination. A relentless burial of any historical references, cultural rituals or identities that speak of traditional hybridity or syncretism. The banning of books, films, dances etc. The battles over language and liturgy. The obsession with purity and so-called Bumiputera rights to define the nation. The increasing rigidity of identity and its shallow accoutrements (what you eat, what you wear, where you hang out, who you talk to, where you go to school etc.). And the silencing of anyone who dares to step out of line.

Just like the Spanish Inquisition, what we have in Malaysia is actually a process of forced nationalisation. A rigid monolithic monoculture nationalism. And religion is one of its most powerful weapons.

Spain became a battlefield to re-define who was allowed to be a Spaniard. Who counts? And the answer was racist, intolerant, harsh, violent and extremely rigid. Those who did not fit, those who clung to previous traditions – even in the tiniest of ways – were

hounded, tortured, expelled and killed.

The many hybrid cultures, the fluid identities and multifaceted rituals had to make way for only one way of seeing the world. Yet this worldview is non-traditional and (en)forced. Thus it is always insecure, in danger of dissimulation at every turn. So eventually in Spain, when someone was described as an expert curer of pork, it was actually a euphemism for a secret Jew.

Lessons for Malaysia

Don Quixote, the world’s first modern novel, beautifully illustrates this act of collective forgetting, the erasing of history and culture, of meaning itself.

The forced creation of a rigid Spanish identity was shown at every turn to be a stubborn illusion. The book is a satire on the myths that sustain a national identity. Dangerous myths that are no more than tilting at windmills and serve to destroy culture and history. And all based on a lie, a dream of a pure past.

Everywhere in the book are reminders of how this forgetting, this rewriting, happens – the burning of books, over-demonstrations of identity (Dulcinea, our mythologised Spanish heroine is “an expert salter of pork”), the loss of languages, and how easily myths can be constructed to become the basis for history.

In fact, the very idea of chivalry was probably derived from Arab influence. So even that most traditional Spanish trait – that Don Quixote devotes his life to – is not

“pure”.

As Maria Rosa Menocal writes of the book,

[f]orged in the bonfires of ideas, of books and of people, was the illusory conceit that there could be a pure national and religious identity, and yet this became the ultimate religion everyone had to live with. ...Don Quixote is thus in part a postscript to the history of a first-rate place, the most poignant lament over the loss of that universe, its last chapter, allusive, ironic, bittersweet, quixotic.

The “first-rate place” she refers to is Spain before the Inquisition. A time when cultures, languages and faiths mixed among the people as easily as they mixed with each other.

Of course, it was not a utopia. There were conflicts, constantly negotiated differences. But it allowed for those differences to not only exist but shape society. A tolerance that was taken for granted. It was unimaginable in those days that Spain would ever be a place of only one people, one language and one rigidly defined version of only one religion.

I truly hope I do not live to see the day when Malaysia’s Don Quixote is written. It would probably be banned anyway. q

Melati Timur is the pseudonym of the author of this article.

Source: New Mandala

Abdullah's Bible

Now contrary to the fears and doubts of his friends, Munshi Abdullah was not secretly converted to Christianity as a result of translating the Kitab Injil al-Kudus

by **Farish A. Noor**

For a country that is not exactly known for its reading habit, we seem to be grabbing a lot of books lately. Or to put it more accurately, we seem to be confiscating and detaining an awful lot of books.

For reasons best known to themselves, the benighted authorities in this land of ours have been vigilantly manning the outposts on the frontier lest we, while sleeping, are caught unawares by the legions of dog-eared tomes that are – at this very moment – surreptitiously on their way to this country to ‘pollute, corrupt and confuse’ our minds. The list of banned books grows ever longer; and the outrages continue unabated.

The latest fiasco (in 2008) was when thirty-two Bibles were confiscated by customs officials from a Malaysian Christian on her way back from the Philippines, to be submitted for inspection by the Ministry of Internal Security. Strange that Bibles are now seen by some as a potential ‘security threat’ that need to be confiscated upon entry into the sacred precinct

that is Malaysia. But Bibles? A security threat? To whom?

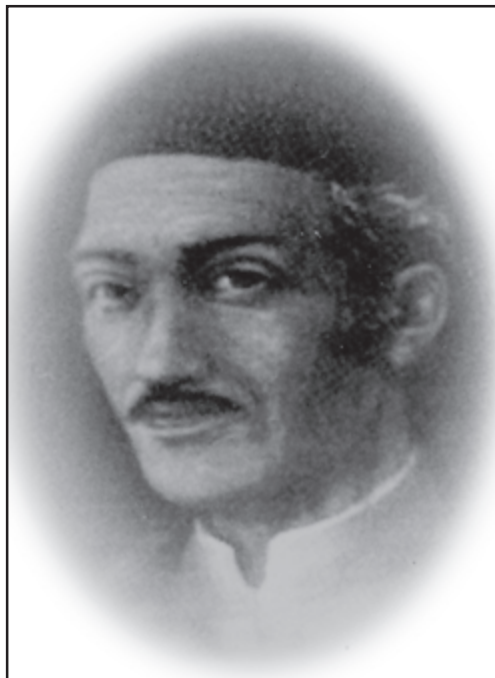
All this talk of ‘dangerous’ texts and potentially dangerous Bibles in particular reminds me of one particular edition of the Bible that caused quite a stir when it first came out. In fact so controversial was this particular edition that it almost never came out at all. For here I am talking about Abdullah’s Bible; or rather the translation of the Bible by none other than Munshi Abdullah

Abdul Kadir, who is universally regarded as one of the forefathers of modern Malay literature.

Now those of you who remember what you were taught at school (and believe me, as an academic I am all too familiar with the phenomenon of selective amnesia among students) will also remember the name of Munshi Abdullah. He was the Peranakan Muslim scholar and translator who served both the early British colonial administrators in Singapore and Malacca as well as the various Malay courts during the opening stages of the 19th century.

Abdullah wrote his ‘Hikayat Abdullah’ which stands until today as one of the most honest accounts of the state of the Malay world at that crucial juncture in the history of this region. Abdullah was of course a key figure in the exchange of letters between British colonial administrators like Raffles, Farquhar, Minto, et al. and the Malay nobles and kings.

The Hikayat of Abdullah was unique for its pointedly frank observations about all





this foreign language called English. The result of Abdullah's efforts came in the form of one of the first vernacular Malay translations of the New Testament, the *Kitab Injil al-Kudus daripada Tuhan Esa al-Masihi*.

Now contrary to the fears and doubts of his friends, Munshi Abdullah was not secretly converted to Christianity as a result of translating the *Kitab Injil al-Kudus*. No magic Christian pills were plopped into his tea behind his back while he was working in the missionaries' quarters; nor were there any reported attempts to lure him to the Church by offers of money, promotions or package holidays. As he stated from the outset, he was professional through and through and he carried out his translation work in a scrupulous and objective manner, to the satisfaction of all.

Today one can only wonder aloud about the fate of such a text, should it find itself before the customs officials or immigration desk at KLIA or the Golok crossing up North. If Bibles from the Philippines can be detained upon arrival, what then would be the fate of Abdullah's Bible, born and bred (or translated and bound) right here, in our dear 'ol Malaysia? And how would he take to Munshi Abdullah, 'father' of modern vernacular Malay literature, pioneer of the vernacular autobiography and realist writing; who also happens to be one of the first translators of the Bible? Or have we, in denying the religious complexity and pluralism of Malaysia today, also closed the door to Malaysia's past where Muslims seemed less easily spooked by books of whichever tongue? ♪

that was wrong with the world he lived in then, though perhaps one of the most interesting and touching episodes in the Hikayat is where Abdullah describes his quarrel with his father, who was afraid that his son might be tempted off the right path by the 'deviant teachings' of the English missionaries he was working with.

The thorny issue that was being debated between Abdullah and his peers at the moment was his role as translator for a particular text that many of them were reluctant to touch: The New Testament.

Abdullah had been approached by some English missionaries and commissioned by them to translate the New Testament into vernacular Malay, which was to be used at Church as well as the modest missionary efforts among the colonial subjects of the Crown Colonies. As Malay was the lingua franca of everyone who lived in the straits then (including the Peranakan Chinese, Indians, Eur-

asians and even the British and Dutch), it was deemed appropriate to have the Bible translated into Malay as well.

Munshi Abdullah who regarded himself primarily as a professional translator was prepared to do the job that scared off all other contenders; until his father came into the picture, spewing steam and hot curses, and swearing that his son would never be converted by the heathen missionaries. In a touching passage of the Hikayat Abdullah describes how he appealed to his father's own sense of values, and in particular to his father's own love for knowledge and languages in general. His father was further persuaded by the appeals of the priests Milner and Thomson, who promised that they would respect his father's wishes and refrain from offering any religious instruction to Abdullah.

In the end, Abdullah notes how the appeals eventually won over his father's consent and he was allowed to continue his study of

The 10-point solution

Prime Minister Dato' Sri Mohd Najib wrote a letter to Bishop Ng Moon Hing, Chairman of the Christian Federation of Malaysia (CFM) on 11 April 2011 to address the Bahasa Malaysia/Indonesia Bible and other related issues.

In his letter the Prime Minister gave a 10-point solution. He reiterated the government's commitment to work with Christian groups and all the different religious groups in order to address interreligious issues and work towards the fulfilment of all religious aspirations in accordance with the Constitution, taking into account the other relevant laws of the country.

He also gave his assurances of the government's commitment in solving any religious issues in this country.

The 10-point solution to address the Bahasa Malaysia/Indonesia Bible and other related issues:

PRIME MINISTER
MALAYSIA

11 April 2011

JPM.PEMANDU,600-231112011 (2)

Bishop Ng Moon Hing
Chairman
Christian Federation of Malaysia (CFM)

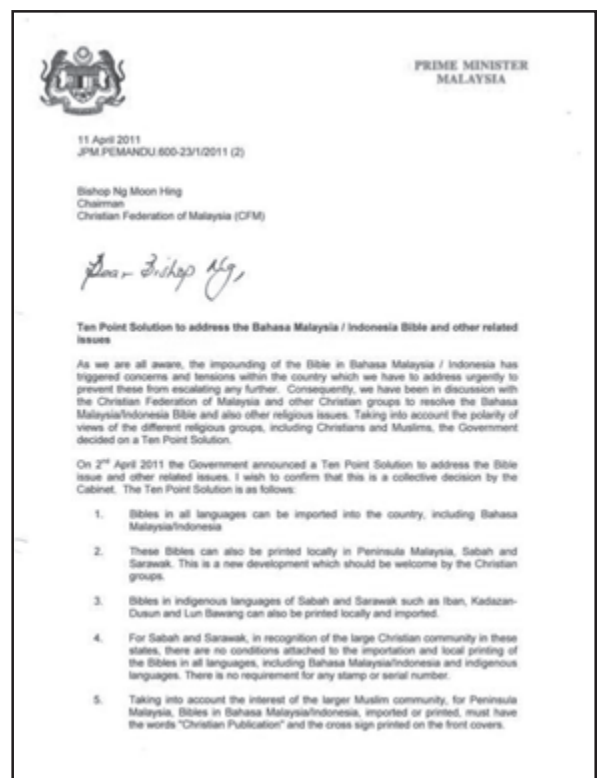
As we are all aware, the impounding of the Bible in Bahasa Malaysia/Indonesia has triggered concerns and tensions within the country which we have to address urgently to prevent these from escalating any further. Consequently, we have been in discussion with the Christian Federation of Malaysia and other Christian groups to resolve the Bahasa Malaysia/Indonesia Bible and also other religious issues. Taking into account the polarity of views of the different religious groups, including Christians

and Muslims, the Government decided on a Ten-Point Solution.

On 2 April 2011 the Government announced a Ten-Point Solution to address the Bible issue and other related issues. I wish to confirm that this is a collective decision by the Cabinet.

The Ten Point Solution is as follows:

1. Bibles in all languages can be imported into the country, including Bahasa Malaysia/Indonesia.
2. These Bibles can also be printed locally in Peninsula Malaysia, Sabah and Sarawak. This is a new development which should be welcomed by the Christian groups.
3. Bibles in indigenous languages of Sabah and



Sarawak such as Iban, Kadazan-Dusun and Lun Bawang can also be printed locally and imported.

4. For Sabah and Sarawak, in recognition of the large Christian community in these states, there are no conditions attached to the importation and local printing of the Bibles in all languages, including Bahasa Malaysia/ Indonesia and indigenous languages. There is no requirement for any stamp or serial number.
5. Taking into account the interest of the larger Muslim community, for Peninsula Malaysia, Bibles in Bahasa Malaysia/Indonesia, imported or printed, must have the words "Christian Publication" and the cross sign printed on the front covers.
6. In the spirit of 1Malaysia and recognising that many people travel between Sabah and Sarawak and Peninsula Malaysia, there should be no prohibitions and restrictions for people who bring along their Bibles and Christian materials on such travel.

7. A directive on the Bible has been issued by the Ketua Setiausaha (KSU) of the Home Ministry to ensure proper implementation of this cabinet decision. Failure to comply will subject the officers to disciplinary action under the General Orders. A comprehensive briefing by top officials, including the Attorney General (AG), will be given to all relevant civil servants to ensure good understanding and proper implementation of the directive (See Attachment 1).
8. For the impounded Bibles in Kuching, Gideon, the importer can collect all the 30,000 Bibles free of charge. We undertake to ensure the parties involved are reimbursed. The same offer remains available for the importer of the 5,100 Bibles in Port Klang, which have already been collected by the Bible Society Malaysia (BSM) last week.
9. Beyond the Bible issue, the Government wishes to reiterate its commitment to work with the Christian groups and all the different religious groups in order to address interreligious issues and work towards the fulfilment of all religious aspirations in accordance with the constitution, taking into account the other relevant laws of the country. In order to bring urgency to this work, in my capacity as the Prime Minister, I will meet the representatives of the Christian Federation of Malaysia (CFM) soon to discuss the way forward.
10. The Christian Ministers in the cabinet will meet on a regular basis with representatives of the various Christian groups in order to discuss their issues and work with the relevant Ministries and myself in order to resolve them. As the leader of this country, I wish to reiterate the Government's commitment in solving any religious issues in this country. There is a need to manage polarities that exist in our society to achieve peace and harmony. I believe the best way to achieve this is through respect, tolerance, forgiveness and reconciliation.

Yours sincerely,

DATO' SRI MOHD NAJIB
(Prime Minister of Malaysia)

Source: www.heraldmalaysia.com



safety of minorities is threatened by a majority abusing coercive state power; Nazi Germany being the most extreme. Post colonial developments since 1950 in Burma, British Guyana, Uganda, Fiji and Sri Lanka have illustrated the consequences of harsh treatment of minorities and the resultant irrevocable damage to the entire nation state when governments controlled by majorities abuse their power.

In other words, any historian will warn a plural society that it is a tinder-box insofar as ethnic and religious matters are concerned, and such issues must be handled carefully, delicately and with sensitivity to minorities. One therefore cannot over-emphasise the responsibility of leaders to ensure fairness in such matters.

Since Jais has purported to rely on a law passed by the Legislative Assembly of Selangor, I shall consider whether that law authorises its actions.

The subject of Islam, and especially criminal enforcement of offences is a complex matter under the Federal Constitution, with the Yang diPertuan Agong and the Malay Rulers being the heads of Islam in their respective states, and legislative and executive power being shared by the federal government and the 13 state governments.

Fundamental liberties of all Malaysians (and indeed foreigners however short-term their residence is in the country) are given entrenched protection in Part II of

the Federal Constitution, the supreme law of the land. Paramount among these liberties is an individual's freedom of religion in Article 11(1) and the collective freedom of a religious group in Article 11(3).

Additionally, the Jais raid should not have occurred because of the 10-point solution reached by the federal government in April 2011.

Finally, the Selangor State Government should not have permitted Jais, as its agency and subordinate to it, to carry out the raid.

Hence, both the Barisan federal government and the Pakatan state government are responsible for this state of affairs. At the very least, the people of Malaysia are entitled to better political governance than that provided by both coalitions.

Perkasa, Utusan and other extreme fringe groups propelling such drastic steps by the state agencies are insulting the intelligence and faith of millions of Muslims in Malaysia. A student of empire will point out how impressive is the faith of our Muslims despite the onslaught by successive foreign colonial powers from 1511 to 1957. The Portuguese, Dutch, British and Japanese occupiers of our land did not convert Muslims. That is the historical reality. Having hundreds of Muslim friends and acquaintances for over 50 years since primary school, I can personally vouch for their commitment and piety to Islam. None of them is shaken in his or her faith. Mus-

lims are secure and confident in their faith; they do not need the protection of the ultras.

Hence, it is an absolute affront to Muslims to contend that Islam in Malaysia would be threatened because some Malay Bibles would be used by some Christians in some churches which contains the word Allah. This is especially so when not a single respectable Islamic scholar across the Islamic world outside Malaysia has supported the reasoning and conclusion of the recent Court of Appeal decision in the Herald case that the word Allah wholly and exclusively belongs to Muslims. They have all condemned the purported acquisition by a group of people of a word in a language which belongs to everyone and no one.

Non-Islamic Religions (Control of Propagation Amongst Muslims) Enactment, 1988

The Non-Islamic Religions (Control of Propagation Amongst Muslims) Enactment, 1988 ("the Selangor Enactment") is a law passed by the Legislative Assembly of Selangor to control and restrict the propagation of non-Islamic religious doctrines and beliefs among persons professing Islam. If there is any doubt that the intention of the legislative assembly to enact this Enactment, and the purpose of the Enactment is to prevent proselytising Muslims to change their religion, such doubt will be removed when it is noted that express reference is made in the Enactment to Article

11(4) of the Federal Constitution which states just that. It is critical to always keep in mind this limited purpose of the Selangor Enactment.

Under the Selangor Enactment, a person commits an offence if he persuades, influences or incites a Muslim to become a follower of a non-Islamic religion or forsakes Islam, punishable in Section 4, on conviction, to imprisonment of one year.

A person commits an offence if he persuades, influences or incites a Muslim minor to receive instructions or take part in any act of worship of non-Islamic religions, punishable in Section 5, on conviction, to imprisonment on one year.

A person commits an offence if he approaches or arranges for a Muslim to subject the latter to any speech on any matter concerning a non-Islamic religion, punishable in Section 6, on conviction to six months imprisonment.

Sections 7 and 8 create offences dealing with the sending or delivering of publications of any non-Islamic religions to Muslims or distributing in a public place any such material to Muslims.

It would be plain and clear that all the offences created in Sections 4 and 8 of the Selangor Enactment have the object of prohibiting the conversion of Muslims to other religions. Whether they can be the subject of criminal prosecution of non-Muslims is unclear from a reading of Article 74 and Item 1 of the State List in the Ninth Schedule of the Federal Constitution.

One assumes that Jais relied upon Section 9(1) of the Selangor Enactment to seize 300 Holy Bibles because they contain the word Allah. But Section 9(1) is plainly and clearly not enacted for the purposes of prohibiting the proselytising of Muslims because it goes far beyond that objective.

A person commits an offence under Section 9(1) if in any publication or speech he uses any of the words in Part I of the Schedule to the Selangor Enactment to express or describe any fact or thing of any non-Islamic religion. Among the 25 words listed in Part I is "Allah".

Section 9(1) is not restricted to using the 25 prohibited words to convert Muslims, which is the whole purpose of the Selangor Enactment. It is drafted in much wider terms, and covers an indeterminate and open-ended category of potential offenders.

The vital question that follows is: can the officers of the Bible Society who are non-Muslim be subject to criminal prosecution under Section 9(1)?

In my opinion, it would be unconstitutional for Jais to purport to extend the criminal jurisdiction of Section 9(1) over non-Muslims in circumstances where the Bibles are being used solely for Christian worship among Christians, with absolutely no evidence of any attempt to convert Muslims to the Christian faith.

As the President of the Bar Council stated in his press statement dated 3 January 2014, "It is alarming that the religious body or enforcement agency of one religion

would purport to have jurisdiction or purview over other religions."

This fact is so elementary, and yet so profound. It has been totally disregarded by Jais.

The 10-point solution

The impounding of Malay Bibles in East and West Malaysia in early 2011 triggered religious concerns in plural Malaysia prompting the Federal Government to discuss resolution mechanisms with Christian leaders.

The result was the 10-point solution set out in a letter dated 11 April 2011 from Prime Minister Najib Razak to Bishop Ng Moon Hing, the Chairman of the Christian Federation of Malaysia. The Prime Minister was at pains to point out that the 10-point solution was "a collective decision by the Cabinet".

Although this letter has been in the public domain for some time, and was relied upon by the Catholic Church during the hearing of the recent appeal of the Herald case before the Court of Appeal, it deserves to be reproduced so that every Malaysian can read it for himself or herself. Hence, it appears after this article.

The Malay Bibles referred to in that letter had been impounded by government agencies in Kuching and Port Klang because they contained the word Allah. Hence, the 10-point solution was the product of complex negotiations to resolve the overriding problem of the use of the word Allah in the Malay Bible. That was the factual basis of the letter. Indeed, the

Prime Minister's letter cannot be interpreted in any other manner.

Points 1 and 2 are of crucial significance because the government announces its policy of permitting the importation into and the printing in Malaysia of Bibles in Bahasa Malaysia/Indonesia.

Point 6 recognises the impossibility of having separate rules for East and West Malaysia; accordingly people travelling to and from either side of the South China Sea are free to bring along their Malay Bibles.

Point 8 contemplates the release of the impounded Bibles: 30,000 in Kuching and 5,100 in Port Klang.

It would be reasonable for anyone to assume that once the 10-point solution had been announced in April 2011, the problem of the use of the word Allah in Malay Bibles would have been resolved once and for all. That is certainly the only interpretation one can reasonably give to the letter, read in its entirety against the background of the tension then prevailing in the country, and which it was intended to resolve.

Hence it would be reasonable to ask: why was this problem not resolved three years ago? The only reasonable response is that there is no political will to resolve this issue. Indeed, there is short-term political gain to be made by fermenting the problem because it serves as the ideal distraction from the real ills facing Malaysians, particularly, rising costs of living caused by price hikes of nearly every basic item without any increase in salaries, wages or

incomes.

Malaysians in the thousands must urge the Najib government which issued the April 2011 letter to comply with it immediately. It is as plain and simple as that. Decisive past leaders like Tunku Abdul Rahman, Tun Dr Ismail, Hussein Onn, and indeed his late father would have done just that. So Najib, please act as the Prime Minister by acting at once on your own letter.

From a legal perspective, one should remind Jais, as a statutory authority, that it is subject to the law, as this eloquent statement from Chief Justice Raja Azlan Shah (as His Majesty then was) in the Sri Lempah case in [1979] 1 MLJ 148 indicates:

Unfettered discretion is a contradiction in terms... Every legal power must have legal limits, otherwise there is dictatorship. In particular, it is a stringent requirement that a discretion should be exercised for a proper purpose, and that it should not be exercised unreasonably. In other words, every discretion cannot be free from legal restraint; where it is wrongly exercised, it becomes the duty of the courts to intervene. The courts are the only defence of the liberty of the subject against departmental aggression. In these days when government departments and public authorities have such great powers and influence, this is a most important safeguard for the ordinary citizen: so that the courts can see that these great powers and influence are exercised in accordance with law... (my emphasis)

It is significant that Point 7 in the Prime Minister's letter contem-

plates disciplinary action being taken against civil servants who do not comply with the directives requiring proper implementation of the Cabinet decision in that letter. Accordingly, all the Jais officers who participated in the raid must be subject to such disciplinary proceedings.

From a political perspective, it is very disappointing that the Pakatan state government of Selangor allowed Jais to act in this arrogant and high-handed manner. It is absolutely unacceptable for proper political governance for the Menteri Besar and his ExCo to wash their hands of this affair.

The Menteri Besar, as the duly elected head of government for the State, is responsible for the actions of all his state agencies. If these steps were taken without his knowledge, it would be shocking because it would mean that Jais is a rogue elephant — a state within a state.

If he knew about these actions before they were undertaken, he should resign. The voters of Selangor gave him a second mandate just eight months ago. But it was certainly not on the basis that he would allow a state agency to behave this way. At the very least, a full public apology by the Menteri Besar is warranted, and a public undertaking that such conduct would never be repeated in his watch. ¶

Tommy Thomas, a leading constitutional lawyer, is a long-time contributor to Aliran.

Archbishop saddened by protests

My dear people in the Archdiocese of Kuala Lumpur,

Greetings of peace to you.

Justice, and only justice, you shall follow, that you may live and inherit the land that the Lord your God is giving you (Deuteronomy 16:20).

The Catholic Church has been in the forefront of justice and peace. As Malaysians, our actions have always been within our rights as entrenched in the Federal Constitution to practise our faith free from interference and intimidation.

However, I am deeply saddened and aggrieved by recent events involving the use of offensive words and the burning of an effigy of Father Lawrence Andrew (Editor of Herald, The Catholic Weekly), which is tantamount to an attack against the Christian community. It is deplorable that certain groups also wish to organise mega demonstrations and road shows. These insensible actions by groups of persons have caused a great deal of unease, anxiety and even anger among Malaysians.

Furthermore, the endorsement of such actions by certain political leaders and the unexplained silence of others only add fuel to a fire that seems to be spreading un-

controllably. We cannot accept or tolerate any group that promotes division, discord and disharmony in society.

I call upon the Catholic faithful to be strong through these adversities and continue to profess our faith with courage and determination.

I find solace and am heartened to see Malaysians of all races and religious affiliations standing up and coming forward for the cause of justice and peace. I thank God for the presence and support of these people who are contributing to Malaysia being a place where communities can live together peacefully, respecting and even appreciating the religious commonalities as well as differences of each other.

Priests and laity alike are called to promote justice and peace. Therefore, let us stand by and pray for Father Lawrence Andrew and other individuals/groups who are involved in this noble cause. We need to engage and dialogue with like-minded peoples, working towards building bridges and standing up against those who seek to use religion to divide this nation. We must also continue to engage with the authorities and call on them to take appropriate action to prevent further provocative acts of intimidation towards



minority communities.

Lastly, we must not forget to pray for our adversaries who have misunderstood our faith, since we all pray to the one true God. Let us pray in our homes, BECs and parishes that those bent on disuniting the peoples of Malaysia, will find the true path of peace. I also call upon the faithful to pray for our leaders, especially our Prime Minister, to stand up with courage and be the leader to unite Malaysians of every race, religion and political affiliation.

May God bless you.

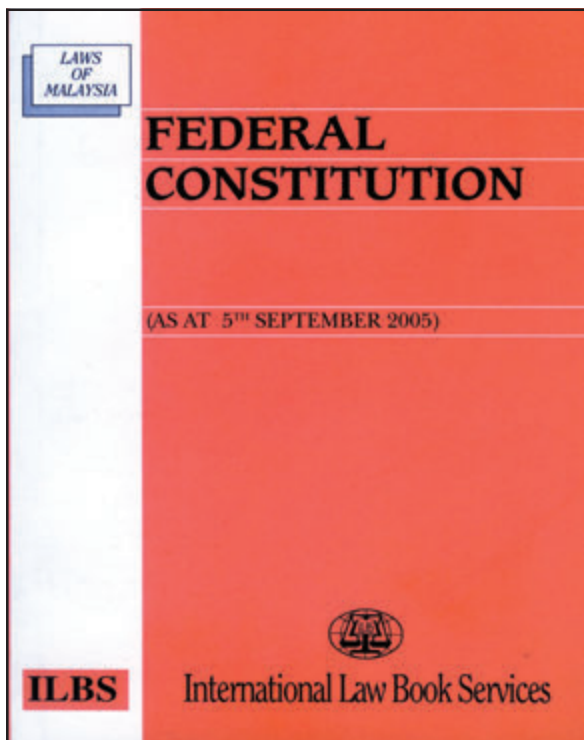
Yours in Christ,

Archbishop Emeritus
 Murphy Pakiam
 Administrator,
 Archdiocese of Kuala Lumpur.

19 January 2013

Jais raid: Governmental failure over religious issues

The controversy over the Malay Bibles should have been resolved with the 10-point solution – but there has been no political will, says Tommy Thomas.



Last week's attack by Jais, a governmental agency, on the office of the Bible Society of Malaysia must be condemned by all right-thinking people in the strongest terms.

Apart from being unconstitutional and in violation of the rule of law, it represents the worst kind of behaviour by government bu-

reaucrats flexing their awesome powers over minorities.

Occurring in a multi-ethnic, multi-religious society compounds the problem. Twentieth century history across the globe is replete with examples where the

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