

**ISLAM AND SECULARISM  
DYNAMICS OF ACCOMODATION**

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## FOREWORD

I am pleased to write this short foreword to introduce the Department's Seminar and Occasional Papers Series. The series provides the opportunity for staff members of the Department as well as scholars of Malay Studies in general to have their research findings on Malay subjects made known to a wider audience. It is also hoped that this initiative will provide the avenue for a beneficial exchange of ideas and viewpoints on Malay issues between town and gown.

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# ISLAM AND SECULARISM: DYNAMICS OF ACCOMMODATION

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## Introduction

This paper is an attempt to examine the relationship between Islam (a religion that stresses the inseparability between the religious and the secular) and its practice in a secular state that is to say Singapore. In doing so, attempts will be made to relate the discussion to the experience of other Southeast Asian states in particular Malaysia and Indonesia. This will not only offer some basis for comparison but equally shed light on the extent that Islamic injunctions serve to unify religious practices under the concept of 'umamah' (community of believers).

Islam is 'different' in Singapore in the sense that it is the religion of a minority community - the majority of its members being of Malay ethnic background. However, if the Singapore population is categorized according to religious affiliation (Buddhism, Taoism, Christianity, Islam, Hinduism including as well non-religionists or free-thinkers), rather than race, then the Malays who make up about 14.1% of the total population constitute a fairly significant religious minority.<sup>1</sup>

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<sup>1</sup> The 1980 Census recorded the following figures: Christians, 10.2%; Buddhists, 26.7%; Taoists, 29.3%; Muslims, 16.3%; Hindus, 3.7%; Other Religionists, 0.6%; and non-religionists, 13.2%. The Census of 1990, however show a slight rise in the number of Christians.

The practice of Islam, as in the case of the other religions in Singapore is granted full official recognition. Since attaining self-government, Singapore has adhered strictly to the policy of multi-racialism and multi-culturalism - the latter incorporates the right of each religion to propagate its beliefs and practices among its adherents. The government's role have been to ensure that this provision is followed to the letter. To ensure that no attempts are made to demean or insult another religion and to prevent the use of religion for political and other purposes (as in the case of liberation theology) Parliament in 1991 promulgated the Religious Harmony Bill.

Muslims in Singapore are supportive of the Bill because it reiterates a policy followed during colonial times which disallowed religious proselytization by Christians in particular among the Malay population. In recent times, attempts by certain Christian groups at conversion have also been a source of concern among the Malay Muslim population.<sup>2</sup>

The sensitivity of the Malays toward overtures made to convert them goes back to the 19th century when Christian missionaries were actively setting up schools to educate (and some to convert) the local non-European population made up of Malays, Chinese and Indians. For a long time, the Malays resisted such overtures by avoiding Missionary schools despite the clear economic advantages accruable from an English medium education. Be that as it may, Malay coolness toward education provided by the

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<sup>2</sup> Most of these took the form of religious literature which were slipped under doors or put in mail boxes in an insensitive manner. This does not, of course, deny the fact that one or two of the more marginal Christian groups had also attempted to proselytize directly among Malay Muslims claiming that it was within their religious calling to do so.

Christian missions was indicative of one powerful fact viz. the hold of Islam on the Malay consciousness, so much so that being Malay has come to be regarded as synonymous with being Muslim.

In Singapore, several factors will enhance the role of Islam in the social and cultural life of the Malays. Traditionally Malay identity was structured of two identifiable traditions viz., the *Adat*, constituting the ancestral customs and sayings of the Malays, and Islam. However, among Malay Singaporeans, it is Islam which forms the basis for a self-conscious evolving Malay cultural identity. At the same time, Islam serves to maintain the cognitive boundary separating Malays from non-Malays. Elements of the *Adat* continue to persist some woven indelibly into the religious fabric founded on Islam. Most are confined to rituals relating to the rites of passage viz., birth, marriage, and death. Much of the *Adat* that are seen to be incompatible with Islamic prescriptions have been rejected or discarded in particular those that contravene Islamic monotheism (Tauhid). To-day, the *Adat* appears as a patchwork; its consequentiality determined either by the degree of religious orthodoxy exemplified or by the preference to adhere to traditional cultural practice.<sup>3</sup> In this regard, the *Adat* saying that 'custom is the real law and Syariah (Islam) the ideal law' continues to apply to some extent though here again, it is necessary to reiterate the trend toward strict adherence to Islamic ideals.

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<sup>3</sup> For example, Malays generally still hold the 'bersanding' ceremony (bride and groom sitting on a dais as 'king and queen' for the day) when a wedding is celebrated. This is regarded as an ancestral practice. Islam, on the other hand only requires the 'akad nikah' or solemnization ceremony which basically entails the bride and groom signing a formal agreement to marry before witnesses.

Unlike the Singapore situation, the *Adat* continues to have wide ranging influence on the Malays in peninsular Malaysia. *Adat*, in this respect refers to all aspects of Malay custom and belief including those of an Islamic genesis. No doubt, as in the case of Singapore Malays, many *Adat* beliefs and practices that contravene Islamic monotheism have also been discarded. However, there continues to be a core of *Adat* or customary practices centred on the institution of the Malay sultanate that is actively maintained both for cultural and political reasons.<sup>4</sup>

Indeed, the Malay sultanate and the *Adat* surrounding it is regarded by Malay nationalists as the most tangible evidence undergirding Malay political legitimacy in the Malay states. The *Adat*, in this regard stresses particularism and exclusiveness in contradistinction to Islam which stresses universalism and inclusiveness. Still, for political or nationalistic reasons this is not seen as contradictory.<sup>5</sup>

Another factor that will strengthen the influence of Islam as against the *Adat* in Singapore Malay society is the fact that it is associated with life in an urban milieu - a situation that tends to promote a more intellectualistic as against a ritualistic form of Islam. With the Singapore Malay population becoming better educated and

<sup>4</sup> The *Adat* referred to here relates to rituals underlying state ceremonies many of which date back to the pre-Islamic period; modes of behaviour and speech governing relationships between the royal family and commoners; customary rights and prerogatives accorded the sultan and members of his immediate family; and elements of animistic belief associated with the royal regalia and instruments used by the royal band (*nobat*). Some Malays still believe in the spiritual power of the ruler, dead or alive to cause death, pestilence etc.

<sup>5</sup> For this aspect of Malay politics vide: Mohamad Abu Bakar, *Islam and Nationalism in Contemporary Malay Society*, pp 115-171 in Taufik Abdullah and Sharon Siddique (ed) *Islam and Society in Southeast Asia*. ISEAS, Singapore, 1987.

<sup>7</sup> Gaffney, Patrick P, *Popular Islam*, pp 38-51 in C E Butterworth and I W Zartman (ed) *Political Islam*. Annals of the American Academy of Political and Social Science. Vol 524, Nov 1992.

<sup>6</sup> This does not imply or suggest that Islam puts no stress on achieving economic security. Indeed as learned Muslims would argue Islam is a total way of life and its precepts perennial. Much of the intellectual discussion undertaken by Muslims on Islam up to how has been on the problem of promoting development by recourse to its teaching.

Last but not least, is the organisational structure that has been put in place to administer Islamic practice in Singapore. This form of Islamic practice, co-ordinated and guided by a state-sanctioned authority has been termed variously as 'official' or 'establishment' Islam.<sup>7</sup> The terms used, however, are unfortunate as they tend to connote control and rigidity. This mode of religious administration goes back to the period of British colonial role in the Malay states when religious departments (Jabatan Ugama) or councils return to later.

an Islam influenced by economic logic may be expected to emerge.<sup>6</sup> Moreover, a significant number of the Malay-Muslim leaders of Singapore in business, the professions and community organizations are of Arab and Indian ethnic background. As during the colonial period, this group of Singapore Muslims have continued to exert a powerful influence on the economic and religious activities of the Malay-Muslim community as a whole. Certainly, their immigrant origins (as it is the case with the Javanese, Boyanese and Minangkabause of Singapore) suggest a strong sense of survival and a readiness to adapt and change. This is a fundamental point that the discussion will

simultaneously propelled by the common desire to obtain the material comforts of life,

(Majlis Ugama) were established to look after the religious needs of the Malays.<sup>8</sup> In the context of colonial politics, such a mode of religious administration could be regarded as suspect - a means to ensure that Islam would not politicize the Malays. However, at the same time, the institution of a formal religious structure under colonial auspices as exemplified by the *Jabatan* or *Majlis* brought important benefits to the Malays, among the more important being: the provision of upgraded Malay religious schools; the systematization of Muslim law administration including the collection of tithes (*zakat-fitrah*); the construction and maintenance of mosques and suraus; the standardization of the religious syllabi to accord with the Sunni legal tradition (*syariah*); and the stabilization of marriage among Malay Muslims. In more recent years, the value of the *Jabatan* or *Majlis* has been re-affirmed by its role in checking the growth of deviationist sects (*ajaran sesat/songsang*). Such sects have either veered from Islamic orthodoxy or are seen as subverting national policies aimed at improving the Malays. With the ever threatening presence of PAS, a religious party committed to establishing a theocratic state in multi-religious Malaysia (hence potentially destabilising politically) it is not surprising that the government in power (the National Front Government led by UMNO) would for political and religious reasons want to put the practice of Islam under its aegis. This form of 'official' or 'establishment' Islam is guided by genuine political, economic and moral concerns and is not used purely for political control, though it is

8 The British became officially involved in the affairs of the Malay states in 1874 when the Pangkor Engagement was signed. In putting his signature to the document, Sultan Abdullah of Perak agreed to accept a British Resident to advise him on the administration of the state. Thus began the British 'forward movement' which was to engulf the other Malay states in similar fashion. However, on the matter of Malay customs and religion (Islam) the Malay sultan was officially declared its head. Following that, a department (*Jabatan*) or council (*Majlis*) was set up to administer it.



an observed fact in Malaysia that many things have been said or actions justified in the name of Islam by different political parties and individuals. Yet, here again there is another facet of Islam that need to be kept in mind viz., its mode of adaptation to the local milieu.

### The Singapore Muslim Religious Council (MUIS)

A formal authority to administer the needs of Muslims in Singapore took form following the passing of the Administration of Muslim Law Act (AMLA) in August 1966. Under the Act, provision for the establishment of a Singapore Muslim Religious Council (Majlis Ugama Islam Singapura or MUIS) was provided. The Council was formally established in 1968.

Though the structure and original motivations of MUIS are broadly similar to the *Jabatan Ugama* or *Majlis Ugama* in the Malay states yet the political circumstances as well as the socio-economic milieu under which MUIS operates are not.<sup>9</sup> This difference has led to interesting variations in the manner Islam is administered and the manner certain religious precepts are accommodated to the demands of secular life in a multi-ethnic and multi-religious society like Singapore. This facet of Islam in Singapore will also be a focal aspect of this study.

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<sup>9</sup> Essentially MUIS is managed by a Council headed by the President who chairs its meetings and formulates its policies. Its work is assisted by two committees viz., the Legal or Fatwa Committee and the Appeal Board. The former, chaired by the Mufti (Muslim consultant jurist) is responsible for providing learned opinions or rulings touching on all aspects of Islamic practice while the latter hear appeals on dispute of marriage and divorce cases including custody of children and their maintenance. In this respect, the work of the Appeal Board is linked to the Syariah Court whose responsibilities include the adjudication of Muslim Divorce and the Muslim law on inheritance (Hukum Faraid).

The structure of MUIS is quite obviously determined by the responsibilities it is expected to perform. In this respect, as it is the case with the states of Malaysia its role is confined to matters of Islamic practice. It has no jurisdiction over secular matters. Though there is a division between what are termed strictly religious matters as against secular matters, MUIS is cognizant of its larger responsibilities in the Malay-Muslim community of Singapore - the overall objective being to imprint a religious dimension on all areas of Malay life. In this regard, it sees itself as playing the key role in preserving and promoting a life-style sanctioned by Islam. Unlike Malaysia where Islam in the official religion of the state (thus to some Muslims a justification to bring about its wider institutionalization) the challenge to MUIS in Singapore is how to maintain the integrity of Islamic belief and practice in the Malay-Muslim community within the parameters of a multi-religious plural society.

As mentioned earlier, MUIS should not be seen to be concerned only with religious matters.<sup>10</sup> To be both functional and relevant it has to be seen as an integral part of the evolving Malay-Muslim community of Singapore and its value-consciousness. MUIS is set in an existential milieu that puts a premium on economic success - a value that is embraced by many in the Malay-Muslim community. At the same time, there are the facets of concern arising from the Malay-Muslim pursuit of economic success (in particular those touching on Islamic sensibility and morality) that MUIS cannot ignore.

<sup>10</sup> The responsibilities of MUIS include: the issuing of Islamic rulings; collecting and distributing Muslim tithes (zakat-fitrah); registering converts; administering mosques; controlling missionary activities; administering the religious treasury (Baitul-Mal); arranging pilgrimage; constituting Appeal Boards to hear disputes of marriage and divorce; offering bursaries, scholarships and study grants to Muslim students; providing financial assistance to poor and needy Muslims; issuing 'halal' certificates; administering religious schools and managing bequeaths (wakaf).

On the one hand, MUJIS is guided by the concern to be in keeping with the Malay-Muslim community's desire to share in the fruits of economic growth and modernization in Singapore and on the other to ensure that it is not at the expense of religious neglect. Islamic sensibility then refers not only to the perceived importance of upholding high moral-ethical standards both at the individual and societal levels but equally the need to attend to fellow Muslims who need special help and assistance in consonance with the ideals professed by the 'umamah'.<sup>11</sup>

The structure and function of MUJIS is largely community defined. Its original conceptualization and subsequent establishment was guided by the need to systematize and unify Islamic practice and worship to serve as basis for community development. Indeed, this came at a time when the various ethnic strands coming under the rubric 'Malay' began to develop a sense of common identity in the plural society of Singapore.<sup>12</sup> The nature of Islamic practice in Singapore, therefore, cannot be categorized as 'official' or 'establishment' in the pejorative sense. Indeed, the legal status of MUJIS is that of a statutory board and in this respect is granted the authority to

<sup>11</sup> The problems faced are drug-addiction, broken families (single-parent families), divorce and separation, delinquency and juvenile crimes in particular gang fights and prostitution. It should be mentioned that these are not uniquely Malay problems. They are present in various degrees (more in some areas) among the Chinese and Indians in Singapore. In terms of drug addiction (recidivism) there is certainly more incidence of this proportionately among the Malays. The divorce rates of the Malays have fallen compared to the 1970s and before though still at a high rate of 18% - a figure that is comparable to the Chinese who in the last decade have witnessed a steady rise in divorce rates.

<sup>12</sup> The current Singapore Malay population is made up of 352,389 Malays; 436 Javanese, 322 Boyanese, 18 Bugis, 12 Banjarese and 597 other Malays. Vide. 1990 Census, Singapore.

formulate policies that are relevant to meeting the religious needs of the Malay-Muslim community in Singapore. The leading members of the Council are successful professionals. Several are also active in Malay-Muslim organizations. Hence, other than the Mufti most members of the Council are not 'ulama' (theologians) in the strict sense. Though appointment to the Council is recommended by the Minister in-charge of Muslim Affairs, it is the President of Singapore who has the prerogative to confirm or reject a candidate as the case may be.

The work of MUIS is subject to public scrutiny. This can be seen from the responses of the Malay-Muslim public to its initiatives in maintaining the integrity of Muslim belief and practice and the public statements of Malay-Muslim politicians touching on Muslim matters. Understandably, the Malay political leadership is conscious of the role that Islam can play to provide the emotional support as well as the religious justification for ideas and initiatives that are seen to be beneficial to the Malay-Muslim community in Singapore. In doing so, it has always been scrupulous in order to avoid a stance that could be interpreted as official interference in the work of MUIS.<sup>13</sup>

Be that as it may MUIS obviously has a difficult task. For it to have legitimacy (by this is meant that there is no compromise of basic religious principles for purely secular ends) it has to remain true to its declared mission of promoting the moral-ethical life of Muslims guided by the Syariah while at the same time exemplify responsiveness to what are seen as important national concerns - that is to say, concerns that transcend the

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<sup>13</sup> The Malay MPs in this regard have an unenviable task viz., how to be good politicians serving the Malay-Muslim community on the one hand and how to be national leaders on the other.

boundary of religion or race. This seeming contradictory demand will be examined in due course.

Yet between the leadership represented by MUIS and the Malay-Muslim political elite associated with the government in power there is a shared perception regarding the place of Islam in the Malay-Muslim community of Singapore. This cohesion of elite perception is grounded on the belief that for Singapore Malay Muslims to progress, it is vitally important that they be seen as progressive that is to say, to be faithful and dutiful Muslims on the one hand and on the other to enhance Islam's image and standing through exemplary behaviour in secular pursuits. It can be seen that there is a tendency in this respect to stress the activating aspects of Islam as against the purely ritualistic or doctrinal. Such a perception obviously calls for greater openness in religious interpretation. MUIS' influence is multi-faceted. It is in effect the institution that sets the tone and quality of Muslim ethical life in Singapore.<sup>14</sup> To achieve the religious and secular objectives as envisaged it is clear that the leadership of MUIS and the Malay-Muslim political elite have to be in tune with each other. This in fact is the case largely. Both are committed to the realization of what has been termed 'a model Islamic community' in Singapore guided by the highest ideals of Islam. The model community

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<sup>14</sup> Other Islam oriented organizations of a voluntary nature include: JAMIYAH (Muslim Missionary Society of Singapore); PERDAS (Association of Adult Students of Islam); and PERTAPIS (Islamic Theological Association of Singapore). All three organizations are active in religious propagation. In addition, JAMIYAH and PERTAPIS contribute importantly to the welfare and training needs of the Malay-Muslim community in Singapore. The role of the Mosque Management Committees should also not be forgotten as they are each responsible for a variety of activities organized within the mosque's precincts. In the case of the Muslim converts, they are served by the DARUL ARQAM. Finally, the role of MUIS (Muslim Religious Council of Singapore) in promoting studies on Islam and related subjects should also be mentioned.

<sup>15</sup> The PDI is a coalition of Muslim and Muslim related political parties/groups. Since 1992, it has accepted the *Pancasila* (National Ideology) as the over-arching ideology for Indonesian society. This means in effect that Islam has to take second place though, of course, a basic tenet of the *Pancasila* is 'Believe in one God' which in this regard is a belief shared with Islam.

This, therefore, is an important ideological difference between Muslims in Singapore and Muslims associated with the Pan Malaysian Islamic Party (PMIP/PAS) in Malaysia and until recently the Indonesian Development Party (PDI) in Indonesia.<sup>15</sup> Be that as it may, the institutional arrangements (legal, constitutional and political) undergirding religious practice in Singapore have effectively depoliticized religion. Each religion, as it were, has to find the most efficacious means within the parameters of practice laid down by the government, to minister to its followers. How the practice of Islam is accommodative attitude toward matters of worship in Singapore.

Given the strict adherence to secularism as the basis of government in the multi-religious state of Singapore (a principle reiterated in the Religious Harmony Bill which proscribes the misuse and abuse of religion) it is obvious that no political party can be allowed to operate on religious grounds. Religion and state which traditional Islam regarded as integral to each other quite obviously cannot be a realistic proposition. In any case, the Malay-Muslim leadership whether political or religious have always exemplified an well in education or work and the readiness to assist Muslims in need.

as conceptualized, it is argued, must take cognizance of the religious injunctions centering on 'fardhu ain' (obligatory religious duties that must be fulfilled by every Muslim) and 'fardhu kifayah' (collective religious obligations of Muslims). The latter is given contemporary relevance and importance and includes such concerns as doing

The *Mufti* provided cogent reasons for this change of opinion stating that: at the time when the first *farwa* was made, there had yet to be common agreement among the learned theologians of Islam (ulama) regarding the permissibility of kidney transplant.

and indeed actively advocating kidney donation by Muslims. Replacing the earlier one was announced by the *Farwa Committee*, this time allowing. However, in 1988, shortly following the enforcement of the Act, a new religious ruling

forbidden (haram).

issued by the *Mufti* of Singapore stating that the donation of kidneys by Muslims was years (1974) prior to the promulgation of the Act a *farwa* (religious ruling) had been sensitivities, the government exempted Muslims from the requirements of the Act. Ten hospitals to remove kidneys from victims of accidents. Cognizant of Muslim religious from the requirements of the Act which inter alia empowers the government through its residents between the age of 21-60 years to sign an opt out form in order to be exempted passed the Human Organ Transplant Act which requires all Singaporeans and Permanent of securing kidney donors a national concern. To effect this, the government in 1987 mention the hardship imposed on dependents of kidney patients) have made the matter people requiring kidney transplant. This together with the cost of dialysis (not to over two decades. Medical statistics published show a rising trend in the number of The need for voluntary kidney donors has been an issue of great importance in Singapore

### The Kidney Transplant Controversy

realized will constitute the next concern of this study.

Moreover, there was also insufficient evidence to show that kidney transplant was a reliable medical technique. The fact that the number of kidney patients in Singapore had risen in recent years underlined the need for society - wide understanding, sympathy and support.

The change of opinion regarding kidney transplant was given religious justification by the *Mufti* by recourse to verse 173 of Surah Al-Baqarah which states that what is forbidden becomes permissible when an emergency arises (darurat) provided all possible means of saving the life of the kidney patient have been exhausted. The declaration of *darurat* to sanction kidney donation does not invalidate the essential teaching of Islam on the non-violation of the human body. Furthermore, in stating his view, the *Mufti* as chairman of the *Farwa Committee of MUSIS* was also guided by the opinion of learned Muslim jurists of Egypt, Saudi Arabia and Indonesia.<sup>16</sup>

Subsequently, MUSIS and the National Kidney Foundation (NKF) of Singapore jointly published a pamphlet containing guidelines on how kidney donation can be effected by Muslims. The pamphlet explains that Muslims who wish to donate their kidneys can do so only if they are adults (between 21-60 years of age) of sound mind and have not been coerced into it. As an added precaution, donors are required to sign a pledge before relatives as witnesses to indicate that they have willingly decided to donate their kidneys

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<sup>16</sup> The relevant authorities cited include: the Majmak el Fiqh el Islami of Rabitah Alam Islami; the Jabatan Kajian Fiqh Islami (Muktamar Islam); the Sheikh of Alhazhar Sheikh Jadul Haq Ali; the Mufti of Egypt, Shaikh Dr Mohd Syaid Tantaawi; the Council of Ulama of Saudi Arabia; and the Council of Ulama of Indonesia.



In the case of a deceased person, kidney transplant can be carried out if consent from the next-of-kin has been obtained; that the deceased when still alive had pledged to donate his kidneys; that there is assurance that the donated kidneys will not be used for other purposes than to save the life of a kidney patient; and finally, that the transplant be done speedily and expeditiously in accordance with the Muslim requirement that the dead should be buried within 8 hours.

However, despite the religious arguments put forward in support of kidney donation and the categorical assurances given to ensure that it would be done in accordance with Islamic requirements there was an initial disquiet in the Malay-Muslim community. Some were confused arising from what they saw as one *farwa* over-riding another. Others believed that MUIS was under official pressure to pronounce the second *farwa* declaring the permissibility of organ donation.<sup>18</sup>

The *Mufti* as chairman of the *Farwa Committee* had to publicly reiterate the Koranic support for organ donation/transplant on the one hand and on the other to refute the

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<sup>17</sup> The witnesses and their relationship to the donor must follow the hierarchy as laid down by Islam beginning with the father and followed respectively by paternal grandfather, son, grandson, full brother, half brother (same father different mother), full brother's son, half brother's son, full paternal uncle, half-paternal uncle (same grandfather different grandmother), full paternal uncle's son, half paternal uncle's son and MUIS for those without relatives

<sup>18</sup> A common view was that the issuing of the second *farwa* in 1988 following as it did the passing of the Organ Transplant Act earlier could have created such an impression.

allegation that MUIS was under pressure from official quarters to rescind the earlier *farwa*. In doing so, the *Mufti* explained that far from being officially pressured Muslims in Singapore should be thankful in that they were excluded from the requirements of the Human Organ Transplant Act. Non-Muslims as it were have to opt out of the Scheme in order to be exempted whereas Muslims are under no obligation to opt out or to opt in as the case may be. It is a matter left entirely to their individual decision or conscience. Moreover, the *Mufti* also explained that the *farwa* (second) allowing for organ donation was formulated after extensive consultation had been conducted with a cross section of the *alim ulama* (religious teachers and Muslim theologians) of Singapore. The *farwa*, therefore, had majority support.

The ruling allowing for organ transplant or donation pronounced by the *Farwa* Committee of MUIS clearly recognized *ijtihad* (judicial reasoning or independent judgement) guided by the special needs of the Muslim community in Singapore. Since the main purpose of the *farwa* pertaining to kidney transplant is to save life, it therefore serves as a powerful argument for widening the scope of religious interpretation on issues of critical importance to Muslims in Singapore. To be sure, implicit in the ruling or *farwa* supporting organ donation is the perception of sections of the Malay-Muslim community that Muslims in Singapore should be seen to be contributing their fair share to the common good. It is common knowledge that Muslim kidney patients have received transplants from non-Muslims. For this group of Muslims, the renewal of life and hope from receiving kidney transplants is the greatest blessing they can hope for.

Such people need no convincing concerning the correctness or otherwise of the *fatwa*.<sup>19</sup> Indeed, it could be argued that the practice of certain aspects of Islam in Singapore is directly or indirectly influenced by the concern among the religious elite in general that it is important to project the image that Islam is both adaptive and progressive. This is because the practice of Islam is so much tied to the ideal that the Malay-Muslim leadership has set itself to attain in the multi-racial and multi-cultural society of Singapore. That ideal incorporates two dimensions viz., to measure up to the non-Muslims in national endeavours whether it is in the form of economic achievement or political influence and to preserve communal identity based on Islamic precepts. This, at least represents the modernistic and forward looking Muslims of Singapore. For this group of Muslims, religious piety must be balanced by secular success and vice-versa. It is therefore, this approach toward the challenges of community development that the leadership represented by MUIS and the Malay political elite is desirous of promoting.

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<sup>19</sup> Muslims who disapprove of organ donation often cite the Hadith attributed to Aisyah, wife of the Prophet that: "Breaking the bone of the dead is similar to breaking the bone of the living". In Al-Baqarah verse 195 of the Koran is the admonition: "Do not caste yourself in the path of destruction." Essentially, the opposition against organ donation are founded on the following beliefs: (a) the need to respect the dead in trust by God and therefore the human being has no right to use it for purposes other than those sanctioned by the religion. Moulavi in his, *The Islamic Point of View on Transplantation of Organs* (Yusuf Publishers & Distributors, Singapore, 1991) also mentions the following reservations viz. that there is no specific mention in the Koran concerning the permissibility of organ donation; that the process of organ transplant may involve a Muslim donor and a non-Muslim recipient or alternatively a non-Muslim donor and a Muslim recipient; and that a successful kidney transplant may enable the recipient (sometimes a potential criminal or evil-doer) to live and therefore to commit acts detrimental to public well-being. Muslims who are persuaded by such arguments tend to declare that 'God knows best'. Believers should therefore accept God's infinite purpose or wisdom.

21 In fact, this was given as a reason by some Singapore Muslims who chose to observe *ibadah korban* in Indonesia where it is claimed that the meat is more needed. According to a *Berita Harian* report dated 20 June 1991, as many as 137 Muslims did just that in that year and in doing so spent a total of S\$25,000.

20 *Berita Harian*, Singapore 20 June 1991.

down.<sup>21</sup> Following the Minister's speech, question were asked regarding the sacrificed were left undistributed or wasted thus negating the religious stipulation laid suggestion, the Minister was clearly prompted by the fact that most of the animals costing approximately \$140,000 were slaughtered in 1991 alone.<sup>20</sup> In making his madrasahs, (religious schools). It was estimated that 3,000-4,000 sheep and goats mosques; and the provision of mosques; and the provision of financial assistance to as: the purchase of dialysis machines for kidney patients; the building and upgrading of needed for the ritual of sacrifice be re-channelled for more urgent and needy causes such organized by PERTAPIS made suggestion that the money spent on sheep and goats Minister of State for Education) while officiating at the *ibadah korban* celebration In July 1990, HJ Sidek Saniff, then the Parliamentary Secretary for Education (currently

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pilgrimage (Haj) to Mecca.

*Raya Haji* or *Idil Adha* is associated mainly with Muslims who have completed the was willing to sacrifice his own son Ismail. This religious celebration also called *Hari* month or Dzulhijjah in remembrance of the Prophet Abraham who in obedience to God religious celebration involving the sacrifice of sheep or goats on the 10th day of the 12th it is also illustrated by the controversy over the observance of *ibadah korban* briefly, a This approach to community development and the religious-secular dynamics underlying

<sup>22</sup> In elaborating, the Mufti explained it as follows: "If A makes a pledge to carry out the sacrificial ritual (*ibadah korban*) a month before (the celebration of Hari Raya Haji) and the Muslim community requires to carry out worthy social-welfare projects, then A can be encouraged to change from performing the sacrificial ritual to that doing good deeds". *Berita Harian*, 10 July 1991.

Yet a dissenting view was expressed by the president of PERDAUS (Association of Adult Students of Islam). Writing in the local Malay daily *Berita Harian* on 25 July 1991, under the caption "Intention (of *ibadah korban*) should not be altered", he argued that the ritual of sacrifice on Hari Raya Haji day has a deeper meaning than what

of kidney donation/transplant. driven by existential demands as confronted, the most striking example being the issue moment - a standpoint though in keeping with the general spirit of Islam nonetheless is the urgency of meeting the needs of the Malay-Muslim community in this life and at this religious as well as non-religious programmes. In doing so, both were in fact stressing practice of *ibadah korban* as a potential source of valuable funds for financing urgent It can be seen that both the Minister of State for Education and the *Mufti* saw the

Raya Haji.

have the consent of the persons concerned and be expedited long before the day of Hari sacrifice or *ibadah korban*.<sup>22</sup> Also, the re-channelling of such potential funds should enjoined (*harus*) by Islam provided they have not been pledged to fulfil the act of the effect that the transfer of such moneys for purposes beneficial to the community was their intention may be. In response, the *Farwa Committee* of MUIS issued a ruling to permissibility of transferring money meant for *ibadah korban* to other uses, good though

appears on the surface. Citing Koranic verses,<sup>23</sup> he explained that the performance of the ritual of sacrifice or *ibadah korban* was a command of God and His Prophet (Muhammad). It is, therefore, incumbent on every Muslim to exemplify obedience and trust (attullahah wa attutrasul) by observing it. To reinforce his view, he resorted to Islamic tradition stating that neither the Companions of the Prophet nor eminent Muslim jurists of the past had ever questioned changing the intention underlying the observance of *ibadah korban*. According to him, an intention whether expressed or unexpressed to perform the *ibadah korban* already constituted a pledge or vow and therefore must not be left unfulfilled, for to do so would mean forsaking the act regarded as the most commendable (sunnat) by Muslims.

In a follow-up statement by the Fatwa Committee of MUIS it was explained that performing the *ibadah korban* is indeed a commendable act. However, it also iterated that a person who merely expresses an intention or desire to perform it can alter that intention or desire if he so wishes unless a pledge or vow (nazar) has been made, in which case it is incumbent on him to fulfil it.<sup>24</sup> The *Fatwa Committee's* follow-up statement differentiated between *korban udiyah* (sacrifice of animals on the day of Hari Raya Haji) and *korban nazar* (sacrifice of animals on the day of Hari Raya Haji to fulfil a pledge or vow). The former is regarded as commendable (sunnat) while the latter obligatory (wajib).

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<sup>23</sup> Al-Hajj: 34

Al-Kauthar 2

Riwayat Termidzi

Riwayat Adda Rugatni

<sup>24</sup> *Berita Harian*, 27 July 1991.

The two alternatives are not necessarily in conflict. Moreover, to regard the first as conservative and the second as modernistic would be to trivialize the issue. Fundamentally, Muslims in Singapore (perhaps in all other Muslim communities subjected to the demands of change and modernization), are primarily concerned with fulfilling the obligatory duties required of them by their religion - firstly as faithful Muslim and secondly as Muslims supportive of the *ummah*, both being answerable to Allah or God. Both entail specific and obligatory duties as exemplified in the so called Five Pillars of Islam viz. Declaration of Faith, that there is no God but the God and Muhammad is the Messenger of God; Prayer five times a day; Fasting in the month of

everywhere?

This leads then to the matter concerning what constitutes correct religious practice - the question of authenticity? Is correct religious practice to be identified with the scrupulous perhaps even literal observance of all aspects of the faith? Or should it be regarded as one where there is openness to change and adaptation whilst at the same time guided by the need to preserve the core of Muslim doctrine and beliefs shared by all Muslims

cited.

Both the issue of kidney donation and the issue of *ibadah korban* point to several problematics underlying the practice of Islam in a secular state. On the one hand, one could attribute the different or opposing views as a matter of correct religious interpretation. This task is not made easy by the simple fact that not only is the Koran vague on some issues (organ donation being an example) but that for some issues differing view-points are possible depending on the Koranic verses or Hadith traditions

25 Muslims recognize three existential conditions viz. *Darul Islam* (where Muslims live together as a majority practising the syariah; *Darul Harb* (where Muslims live as a persecuted community usually under conditions of war; and *Darul Sulh* (where Muslims, though a minority live in peace and are given full liberty to practice their faith.

Hence, one can conveniently conceptualize the situation as structured of two tendencies in religious practice: one may be described as Islam in accordance with the Holy Book or Koran and the other Islam in accordance with the Holy Book or Koran but coloured by the existential contingencies associated with a Islamic community. Such contingencies as they exist are a function of the complexities of modern, urban-based, industrial societies. In this connection, the contrastive terms 'orthodox' and

Muslim salvation.

Being a good Muslim is also the concern of the more 'open-minded' Muslims. But as can be seen such 'open-mindedness' without compromising religious integrity is a consequence of contemporary existential demands faced by the Muslims whether they are of a secular or non-secular origin. For such Muslims, the stress made is on Islam's adaptiveness; the need to do good and to avoid committing evil; to uphold justice and humanity; and to live in harmony with all those (non-Muslims) who respect their religion.<sup>25</sup> These when internalized or practised, as argued by this group of Muslims, are as important in the eyes of God. In this regard, there are as observed two paths to

Ramadan; Paying Tithes; and Performing the Pilgrimage at Mecca. For some Muslims, then, being pious (good) and indeed salvation itself entails no less the literal observation of the word of God as recorded in the Koran. What is stated in the Koran is regarded as superior to human intelligence or reasoning which in any case comes from God.



In Singapore this facet of religious consciousness emerged in April 1991 when American led UN Forces moved to repel Iraqi invaders from Kuwait. Iraqi President Saddam had declared the Gulf War a Holy War or *jihad*, with a view to harnessing Muslim support throughout the world. It was an episode that pitched Muslims into two opposing camps: one in support of the call for a general *jihad* and the other rejecting it citing as reasons that it was not a religious war but merely the consequence of political ambition of one man. Moreover, Islamic holy cities as well as places of worship were not under threat

among Muslims are strictly not quite appropriate in this instance.

In Singapore there are basically two challenges facing the Malay-Muslim religious and political elites in their efforts to make Islamic practice pertinent and relevant given the community's declared intention to become a part of mainstream Singapore society on the one hand and on the other to preserve Muslim religious integrity viz.: how to mesh religious practice with secular demands and secondly how to establish and maintain that sense of Islamic unity as exemplified in the concept of *ummah* with Muslim communities elsewhere without being misunderstood politically. Both challenges are integral to each other because as the issue of kidney donation illustrates, its acceptance depends on how other Islamic countries view it as much as on what the Koran says about it. Similarly, Muslims are agreed on one religious premise, viz., should they see the practice of their faith threatened then it is legitimate to declare a *jihad*.

of destruction because of the war.<sup>26</sup>

In the case of Singapore, to allay doubts, the Mufti speaking on behalf of MUIS declared that there was no case for a *jihad*. A few days later on 24 January 1991, a statement issued by the Malay-Muslim parliamentarians also advised the Malay-Muslim community not to be "misled by Saddam".<sup>27</sup>

Nonetheless, the foregoing points to a more fundamental aspect influencing Malay Muslim behaviour in Singapore and in extension Islamic practice as well. On the one hand, both the Malay-Muslim political elite and the religious elite associated with MUIS and its affiliates such as mosques and madrasahs are concerned to ensure that Malay-Muslim behaviour in Singapore is grounded on the character and realities of Singapore society. This they see as vitally important to attaining the objectives of Malay-Muslim progress in both the religious and secular dimensions. In this connection, the community would not want to be seen, as a 'troublesome' and unco-operative' or one that makes

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<sup>26</sup> This study will not go into the intricacies of the term *jihad* suffice to say that it has essentially 2 levels viz., the individual and the societal undergirded by the concern to maintain the integrity of Islamic beliefs and values. *Jihad* basically means 'struggle' or 'effort' both to maintain high moral discipline as well as strengthen religious faith. See Bannerman, P, *Islam in Perspective*, Routledge, London, 1988.

<sup>27</sup> *Straits Times*, Singapore, 24 January 1991. It should be mentioned that the issue of the Gulf War was hotly debated in Singapore arising from a Straits Times survey to gauge the reactions of Singaporeans to it. Singapore Muslims were unhappy about the findings as they seemed to impute that they were more loyal to other Muslims than to the country of their domicile. The accuracy of the survey apart, the findings caste aspersions on Muslim Singaporeans in general and in that sense were angrily received.

Obviously, the implicit or explicit concern to be relevant vis-a-vis the over-arching realities of Singapore society could expose the Malay-Muslim political and religious leaders to accusations of failing to maintain Islamic integrity and practice, as indeed was the case with the issue of kidney donation.<sup>29</sup> This facet of life in the Malay-Muslim community of Singapore reflects shades of religious attitudes within the community as well as the ethnic differentiation underlying Singapore society. In this connection, (as this discussion has tried to show) both the Malay-Muslim political and religious elites see these as basic tasks that need to be addressed: the first requiring the unification of religious attitudes toward meeting the demands of modernization and development and the second the unification of community development objectives in the sense that the fruits of modernization and development sought by the Malay-Muslim community in Singapore can best be secured by being an integral part of mainstream national life. This involves no less the ability to balance satisfactorily communal with national demands. It is this concern that has coloured directly or indirectly the approach of the

<sup>28</sup> This view was expressed by Hj Zainul Abidin Rasheed, President of MUIS and Chief Executive Officer of MENDAKI (Council for the Development of the Muslim Community) at the dinner to honour Mr Goh Chok Tong on his appointment as Prime Minister. February 1991.

<sup>29</sup> It may be useful to mention that several years ago following the public debate on Kidney donation, a Task Force consisting of Muslims was set up by the Singapore Kidney Foundation (SKF) to promote and encourage voluntary donation. At the height of the kidney donation campaign targeted at Singapore Muslims in 1991, the Minister in-charge of Muslim Affairs Dr Ahmad Mattar and the Mufti of Singapore, Tuan Syed Isa Semait were among those who signed pledges to donate. As far back as August 1987, an editorial in the *Berita Harian*, with the caption 'Grant the Opportunity to Live' had advocated the importance for Muslims to respond positively to the Kidney Donation Campaign.

Malay-Muslim political and religious leadership to issues affecting Muslims in Singapore. In this they have been guided by what may be termed 'situational pragmatism' while simultaneously ensuring that the approach advocated can be defended on the basis of the Koran and Hadith. Hence, in a sense, it might be justifiable to state that secular demands are shaping the character of religious practice in subtle ways. The process is made easier by the simple fact that the end objectives sought are regarded as desirable and critical by Singapore Muslims in general. Their receptiveness in this regard will also depend on how well non-Muslim Singaporeans understand Muslim sensitivities and accord respect to them.

### Islam in Theory and Practice

The discussion has shown that there is no common monolithic Islam that captures the hearts and minds of all Muslims alike. What can be said is that Muslims wherever they are share a common set of doctrines and rituals guided by the teachings of the Koran and the Hadith. The Koran as G.A.R. Gibb explains "is the intuitive experience of Muhammad, the fountain to which Muslims return again and again to refresh their spiritual vision".<sup>30</sup> Seen in terms of its practical demand on Muslims, the Koran requires of them the construction of a society founded on the highest ethical standards. Muslims have in a sense attempted to define those ethical standards by recourse to the Koran as a first charge and failing, to resort to consensus (ijma) after a thorough investigation of the issues requiring resolution.

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<sup>30</sup> G A R Gibb, *Studies on the Civilization of Islam*. Routledge and Kegan Paul. London. 1962. p

In modern complex societies, the task of achieving consensus has been the responsibility of persons respected for their religious learning and piety. With the bureaucratization of religious education, it has become increasingly the case where those possessing the requisite religious qualifications from accredited Islamic institutions of higher learning such as Al-Azhar who are involved directly in establishing consensus of religious interpretation and practice. Such persons, by and large are also employees of the state hence giving the impression that they are merely functionaries propagating an official line in religious interpretation. This may very well be the case in some situations yet as it seems obvious that there are limitations to it.

Consequently, the term 'official' Islam tends to suggest manipulation and deception. To regard it as necessarily bad is to lead the discussion of Islam astray. As Ayubi has argued "Sunrites (which in this case include the Malays) tend to look to the state as the organizer of their religious affairs" as against the Shites.<sup>31</sup> In this respect "opposition to the state is almost tantamount to abandoning the faith".<sup>32</sup> In any case, hardly any secular national state in the Islamic world to-day fashions its political system by merely aping the traditions associated with early Islam.<sup>33</sup>

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<sup>31</sup> Ayubi, Nazih N, *State Islam and Communal Plurality*, p 83 in C E Butterworth and I W Zartman (eds) *Political Islam, the Annals of the American Academy of Political and Social Science*. November 1992, Sage Pub, London.

<sup>32</sup> *Ibid.*, p 83.

<sup>33</sup> This point was also made by Lapidus, I M. See his, *The Golden Age: The Political concepts of Islam*, Annals, AAPSS 524, November 1992. p 20.

As mentioned in the early part of this study, the administration of Muslim law (Shariah) in Singapore has traditionally been confined to the areas of marriage and divorce, inheritance, public endowments (wakaf), collection and disbursement of Muslim tithes (zakat-fitrah) and the management of the Baitul-Mal (public treasury). Currently, the responsibilities of MUIS include the administration of mosques and madrasahs. Moreover, in Singapore high status in the Malay-Muslim community is gained through success gained in secular pursuits be it in politics or the professions.

The desire to excel in these areas absorb the energies as well as dominate the consciousness of the new generation of Muslims. This is an important difference compared to Muslim societies elsewhere in the past where religious learning and piety were the defining features of social status. Certainly, regard and respect for religious learning remains yet at the same time, seeking a vocation through religious study does not represent a preferred choice for many of the most talented. Indeed, to achieve relevance, leading madrasahs in Singapore now offer a mix of secular and religious subjects.

Maybe one should regard the secular-religious dichotomy not as conflicting categories but more so as an on-going dialectic (as it seems to be suggested by what can be observed in Muslim societies). For Muslims, the call (dakwah) to exemplify the highest moral-ethical standards of behaviour is a constant concern. Yet at the same time, they are having to cope with the contingencies of existence under different political and economic circumstances.

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Sometimes, it is the emotions associated with the former that seize their consciousness and shape their responses whilst at other times the business of pursuing earthly success gets the upper hand until it becomes again the subject of religious or moral-ethical scrutiny. In Singapore, as in the case of Malaysia and Indonesia, the religious and political leaders associated with the government in power will continue to set the tone and direction of Muslim life. However, because the state has the prerogative of setting the parameters of political and civil action, the influence of the religious leaders is necessarily confined to the non-political realm. On the other hand, if both the religious and political leaders share a common development ideology (as it is the case of Singapore and largely so in the case of Malaysia and Indonesia as well), then the stage is set for the attainment of both religious and secular ideals as set by the parameters of a multi-ethnic and multi-religious state. Discerning Muslims who are acquainted with the demands of modernization have consistently argued that Islam is adaptable - implying that it is able to cope with every contingency of life. Such an attitude suggests at least some degree of openness and flexibility in religious practice and in that respect spearhead change. At the same time, they also contend that Islamic values or precepts are perennial suggesting that there exist in Islam certain ethico-religious immovables. Both, as it appears, serve as the guiding principles for this group of Muslims in their approach to modernization. As for other Muslims, the teachings of the Koran including as well the traditions of the Prophet represent immutable truths and therefore should be followed faithfully. The Koran is seen as the very word of Allah in this regard. Both this and the former represent two religious attitudes - they compete for ascendance among Muslims wherever they live.

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