The recent controversy over the raid by JAWI (Federal Territory Religious Department) officers on a popular nightspot where about 100 Muslim revellers were nabbed for alleged “indecent behaviour” is yet another sequel to the protracted religio-cultural quandary faced by the Malay-Muslim masses in this country. Going back in time, one could recall the ballyhoo in 1997 regarding the refusal by few state governments and local authorities, at the insistence of a few Islamic organizations, to grant permission to stage rock concerts featuring the then international pop idol Michael Jackson and the popular local singing group KRU. This was followed by the arrest of three Malay girls in Selangor by JAIS (Jabatan Agama Islam Selangor) for taking part in a beauty pageant. Then there was the raid on a pub where its female Malay-Muslim singer and several patrons were detained. In 2003, a RELA member, who participated in an anti-vice raid operation conducted by a state religious department, was alleged to have videotaped a female detainee easing herself. In the same year, some overzealous Ipoh City Council enforcement officers booked young Chinese couples for “indecent behaviour” in a public park. There were also similar reports of harassment by Kuala Lumpur City Council enforcement personnel against young Malay-Muslim couples holding hands in shopping complexes. In between these incidents that caught the news headlines, there were countless khalwat arrests made by the state religious authorities, involving popular local artistes and public figures.

Indubitably, the latest incident might not read as the closing chapter to the great epic of the arduous culturo-moral struggles of the Malay-Muslims in this country. Instead, the situation is expected to become more complex and acute in the years to come as our society is drawn towards greater modernization and industrialization, as our country is sucked deeper into the impending process of globalization and greater global market-capitalist orbit, and as our social life is enmeshed with external heterogeneous cultural influences.

Essentially, therefore, the recent controversy and those preceding it cannot be simply understood and explicated in terms of personal moral weakness and failing, be it on the part of the so-called “offenders” or their “moral enforcers”. This means that one cannot view such controversies as merely a clash or discord between, on the one side, some morally misguided and strayed individuals who must be brought back into the fold, and, on the other side, a few overenthusiastic religious enforcement officers doing their honest job but who need caution and
guidance to observe the correct and proper procedures. However, it is tempting for most of us to adopt the otherwise superficial explanation of the situation because by reducing the controversy to a personal level, we hope that the conflicting parties might be able to arrive at some middle-ground for a compromise. However, the position is not that simple.

The disturbing culturo-moral drama we see incessantly unfolding in our society today is essentially the surface expression of its inner reality and dynamics. The incidents mentioned above are, therefore, but the manifestation of the cultural and moral crises and strains brought about upon our social life by the rapid process of modernity and its attendant economic appendages of industrialization, urbanization, suburbanization and consumerist market-economy that hinges upon the commodification of cultural life and manipulation of desires through seductive advertisement. As many sociologists have pointed out, such modernization process would invariably weaken the traditional communal ties and relationships. It would also undermine and subvert the community’s customs, mores, religion, and commonly shared values, morality, memories and symbols upon which those ties and relationships are built and established.

Accordingly, as more and more Malay-Muslims are today drawn into the modern-urban cash economy that revolves around specialization, mass production, consumerism, and consumption, the traditional relations that once held them in a close and compact bond, that was suffused with a deep emotional sense of belonging, solidarity, and collective identity, have now been largely severed, broken and transformed. In their place, Malay-Muslims generally are now finding themselves relating and interacting with, or rather confronting, others as isolated, atomized, independent individuals, undergirded by the ideas and beliefs that celebrate rationality, relativism, utilitarianism, instrumentalism, individualism, personal identity and choice, and “doing one’s own thing”.

This new socio-economic formation has in turn created a further complicated cultural condition confronting the Malay-Muslims. While it releases them from their traditional ties and mode of life, at the same time its immense economic capacity has ushered them, in their individuated condition, into a new freedom - how to spend and use their leisure time. Here the divergence among the Malay-Muslims in this country takes shape. Those Malay-Muslims who could easily identify and align themselves with modernity and its alluring cultural life-style, find it congenial to embrace and participate in the entertainment and pastime activities, fun, and pleasure that its market-consumer leisure industry puts on offer. Nightclubbing is just but one of such leisure time activities. However, for those who are still embedded in the traditional belief system and moral-ethical grid, and hence, unable to fully come to terms with modern cultural condition, they find themselves saddled in an intractable dilemma. While they resist being drawn into the cauldron of modern cultural life, they are also finding their own values and belief systems eroding or being co-opted into the very system they seek to reject. Thus, the question they are faced with is this: how would their
future moral and ethical life be like in the irreversible tide of the present socio-economic condition?

This irresolvable dilemma has mired these traditionally bonded Malay-Muslims into cultural and moral uncertainties, insecurity, confusion and ambivalence, as well as identity fragmentation and loss, which find their manifestation in various forms, some of which are alarmingly reactive in nature. Hence, some of them try to overcome their predicament by finding a therapy of all sorts. Submitting themselves to the influence and guidance of religious and cult leaders or bomohs is among the popular ones. Others would seek a retreat into imagined safe haven of the past by joining or forming communal groups that revive pristine beliefs, values and practices, and by which their life is governed.

Still others, righteously believing that the threatened Malay-Muslim moral-spiritual boundaries must be secured and protected, take upon themselves officiously and officially, under the state religio-moralistic rules and regulations, to bring back into the fold those they consider as having deviated from the true path of the tradition and faith, or crossed the sacred boundaries. Further to that, however, these same “moral guardians”, conscious of their lower socio-economic and educational position, their traditional-rural background, as well as their declining social status and influence, also seize the opportunity to assert and stamp their symbolic superior cultural-moral position against those they label as deviants, “tidak berakhlak” or “sesat”, who mostly are from the upper and middle classes, affluent, sophisticated, modern or western educated, and English speaking. Hence, the videotaping of the peeing female detainee by the RELA member, detaining of artistes for khalwat, or the recent harassment, detention, denials, parading, humiliation, derision and scorn that the JAWI officers had put the jolly-making and pleasure-seeking Malay-Muslim youths through!

A further manifestation of the above dilemma can also be seen in the ambivalence shown by the general Malay-Muslim public and Malay-Muslim political elites toward these reactive measures, such as the incident involving JAWI officers above. Generally, the Malay-Muslim public adopts a sympathetic and conciliatory position toward any action taken by a religious department or group against what it perceives as wayward Malay-Muslims under the banner of preserving the purity and sanctity of the religion. However, it also wishes to see the religious enforcement officers observe proper and correct procedures in carrying out their duty, be more courteous in their treatment of offenders, and “more professional in performing their duties and to discipline the errant one.” Additionally, it calls for the provision of a standard code for syariah enforcers and a clearer guideline of do’s and don’ts for Malay-Muslims, as well as inclusion of women members in the raiding party. Such ambivalence is understandable as the ongoing socio-economic process gives to them extraordinary benefits (particularly medical, scientific and technological benefits) as well as material gains and enrichment that serve their comfort and well-being. Nonetheless, at
the same time they are most wary of the fact that the same process poses hazard and risk to their cultural, moral, and spiritual existence.

Similarly, the Malay-Muslim political elites, because they need to be seen as championing the cause of the religion of the Malays in order not to risk losing their Malay-Muslim voters’ support, either approvingly defend the actions of the religious authorities or otherwise apologetically explain away the issue, while at the same time are mindful not to project obscurantism on their part to the more educated, urban audience. Such was the case when a Malay-Muslim Minister, while, on the one hand, in a cavalier fashion sanitized JAWI officers’ conduct by declaring it as procedurally correct and proper, on the other hand, was unwilling to commit himself to ruling that Malay-Muslims could not in this country visit nightclubs, discos, entertainment centres, or any other place where “arak” was served. Or a woman Parliamentary Secretary to the Prime Minister’s Department, who, as reported in a Malay newspaper, adopted the following attitude toward a recent khalwat case: “Yang bersalah tetap bersalah dan jangan masih hendak menegakkan benang basah, tetapi yang hendak menangkap juga perlu ada hikmah kerana kita hendak menyedarkan dan jangan sampai nanti dia benci dan marah, lalu dia nak buat lagi.” Similarly, while many Cabinet ministers argued that Malaysia had little need for morality police, the Chief Minister of a State officially launched a “morality snoop squad”, that styled itself as Pasukan Gerak Khas 4B, “to complement the enforcement activities of religious authorities” of the state. (It was reported that the group had scored its first resounding success by reporting on two couples who were later caught by religious enforcement officials for khalwat.) Further, a Malay Deputy Minister, commenting on a Terengganu UMNO Youth leader’s call to have the 100 Muslim youths who were detained by JAWI officers charged in the Syariah court, was quoted saying, “We are not taliban. We do not want Muslims to be prevented from going to certain places or countries that are considered unIslamic environment.” As for the UMNO Youth, the controversy surrounding JAWI’s action appears to have split its central leadership: while its religious bureau head fully supports the religious department’s action, its Deputy Chief finds such a support “unfortunate” as it has “fallen into the … trap of simplifying the matter” that both he and the movement’s head “do not support.”

As already indicated above, the current cultural-moral imbroglio the Malays-Muslims are facing will linger for sometime in the future. Hence, any proposal for its resolution at this point in time, if it will work at all, is at best a temporary respite, or at worst, pretentious. This is because the situation the Malay-Muslims are presently locked into is not in a nature of a “personal trouble” to which a precise solution could be perfunctorily applied. Rather, it is a “phenomenon” that reflects a deeper contradiction in our society. Hence, it calls for our reflexive understanding, for only through such understanding can we derive a collective wisdom and consciousness, making its “synthesis” possible. To this end, it becomes necessary to highlight some of the important facets of the contradiction.
In the current socio-economic situation of our country, which is interlocked into the broader global economic framework, the decline of traditional social arrangements and the concomitant rise of individualism are some of the hard realities being forced upon us. Given such a condition, morality can neither exist nor can it be imposed on people’s life in an overarching and all encompassing way, in the manner it did in the traditional idyllic past. Morality instead is becoming more a personal individual matter, choice, preference and taste, just as one chooses one’s partner, apartment, car or identity. Any form of group or shared morality and normative standards can validly affect only those who subscribe or submit to their authority by voluntarily becoming members of the group. To treat the situation otherwise is not only a vain attempt to forcibly reverse the trend, but more seriously, it will cause stress and conflicts in the society.

As a corollary to the above, in the social condition where each individual person is becoming sovereign unto herself/himself, such that the respect of another’s individuality is itself a moral canon, it beckons us to realize that in so far as matters of knowledge and conviction are concerned, no person or group can claim the sole monopoly to “truth” or correct interpretation of “texts”. Instead, what is unpretentiously recognized is the idea of multivocality, where every person/group is respected for her/its right to have her/its voices heard and views counted. Equally acknowledged is the spirit of “pluralism” such that those who have been previously marginalized, suppressed and muted (women, homosexuals, transvestites, Orang Aslis, and other minority groups) are allowed to freely participate and engage in open and frank discussions and discourses.

The above social trend might sound strange or even alarming and threatening, for some; hence it is to be dismissed or resisted. However, for the enlightened others, on the account that this trend, wherever it spreads its wings, has the capability to unleash individuals’ inner creative energies that bring tremendous benefits to human race, it is expectantly greeted as a harbinger of a new epoch in the human history that provides the authentic condition for genuine human emancipation. Nevertheless, it must also be admitted that whether individuality can find the space to thrive and prosper in our society crucially depends on the position and attitude the state will adopt toward it citizens, qua individuals as well as members of its civil society.

In this respect, a point is emphasized here that in the condition of modernity as outlined above, an individual’s attachment and allegiance is essentially and invariably to the state. This is in tandem with his/her citizenship status as opposed to his/her past attachment to his/her tribe, clan, community, or even family. Therefore, all regulation of individual’s behaviour and conduct today comes solely under the exhaustive purview and jurisdiction of the state. No other body or authority should be allowed to make a competing claim to determine the individual’s life. By the same token, it is crucially important that the state provides full protection to the individual against any form of interference, encroachment or transgression (physical, moral or cultural) on his/her rights, position or status.
With regard to the role of the state toward individuals as members of the civil society, the state should assume the position of the mediating and harmonizing institution *vis-à-vis* such society, as well as giving it direction. But more importantly, the state should be a neutral arbiter among the self-interested agents in society. This impels that under no circumstance should the state allow itself to be subjected to or be under the sway of any sectarian interest or group of whatever hue or persuasion. It must transcend all such narrow and restricting interests. Equally crucial is that public officials should be conscious of interests beyond their self-interests and self-preservation. Only when the state and its public office holders come to embody higher purposes can the state realize its ideal condition of becoming a disinterested, enlightened transcending authority capable of genuinely making informed decisions over its citizenry.

However, it needs also to be recognized that such an enlightened Malaysian state will not come into existence on its own accord, particularly when there is such a widespread fracture and divisiveness in the society that assume variegated forms - ethnic, religious, political, economic, cultural, gender, etc. Thus, there looms the danger of the state becoming a mere extension of the civil society, or an agent of a competing interest in society. But such a woeful and pathological condition the state might find itself can be averted. To this end, it behooves all educated and honest citizens of this country to assist, encourage and inspire it to transcend its existing situation and realize its true potential toward an enlightened rule. This can come about by our insistence upon the state for greater transparency as well as democratic and ethical decision-making that enable educated and informed citizenry to freely and openly debate common ends in public sphere. Through such a process, we may finally triumph over the prevailing cultural morass of our society as manifested in both the bigotry of those who are bent to impose upon others their self-anointed sense of righteousness, as well as the banality of the life-styles manufactured and peddled by the devouring consumerist leisure-industry.

Mohd Darbi Bin Hashim  
Lecturer in Law, Social Theory and Epistemology  
Universiti Teknologi MARA (UiTM)  
Shah Alam.