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Becoming Malay : a sociological examination of religion in Malaysia

Sarah F. Herron
Whitman College

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Becoming Malay: A Sociological Examination of Religion in Malaysia

by

Sarah F. Herron

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for graduation with Honors in Sociology.

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Certificate of Approval

This is to certify that the accompanying thesis by Sarah F. Herron has been accepted in partial fulfillment of the requirements for graduation with Honors in Sociology.

Alvaro Santana-Acuña

Whitman College
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Abstract

This paper explores the macro-level role of religion in Malaysian society with specific references to structural functionalism. The author asserts that religion, namely Islam, is used as a political tool by the majority Malay population to sort people in and out of the majority. Given the correct “key,” or professed religion, the government will grant specific groups political representation and economic assistance, as well as general social acceptance into the dominant population. Individuals who are not Muslim possess the wrong “key,” and therefore face a “closed door” excluding them from many parts of the political, economic, and social spheres. Case studies examining Indian Muslims and aboriginal Orang Asli tribes in Malaysia illustrate the complexity of how religion, and other identities coupled with religious identity, functions in the larger Malaysian society. Additionally, the historical section and analysis of the Constitution provides context for the historically rooted conditions that impact the modern narratives of identity and religion. The larger goal of this work is to problematize the rarely stated, but commonly held assumption that Sociology as a field is rooted in Western intellectual history and therefore, almost by necessity, focuses on the West. Foundational sociological theorists may not provide a wholistic framework for understanding the role of religion in Malaysian society while interdisciplinary sources and new research can. By utilizing a diverse array of research done by anthropologists, Asian studies scholars, political theorists, and religious studies specialists, sociological questions about non-Western cultures can be framed, explored and potentially answered.

Introduction

Malaysia, located along the northern border of Indonesia and south of the South China Sea, has three main population groups: Malay, Chinese, and Indian. Processes of colonization mixed with the historical context of the land has created tension between the larger identified ethnic groups and incited debates about the proper role of religion.

Though frustration certainly exists throughout society, very few instances of physical or explicit violence erupts between individual citizens. Many scholars and political activists use Malaysia as a positive example of post-colonial nations coming to terms with their natural histories and centuries of colonization; however, researchers heavily involved in Malaysian fieldwork and ethnographic studies are cautious of making such claims.

Political controversy and international events can escalate tensions in Malaysia, and riots resulting in the murder of Chinese Malaysians in 1969 keep the possibility of violence alive.

It is not possible to evaluate all the reasons behind ethnic and religious violence in Malaysia in this paper. I hope to focus on religion, primarily Islam, without separating it from its Malaysian context. To understand how religion functions as an interconnected influence and force through Malaysian society, I will employ an overall functionalist approach. Emile Durkheim pioneered structural functionalism, and a modern synopsis of the framework involves viewing society as “a system of interconnected parts that work together in harmony to maintain a state of balance and social equilibrium as a whole.” In *Understanding Social Problems*, functionalism is applied to religion by saying, “religion provides moral guidance and an outlet of worship of a higher power” (Mooney, Schacht, and Knox 2007). “Moral guidance” and “outlet of worship” both exist in the private,

individual domain, and yet to understand Malaysia, frameworks that account for religion in the public sphere must be consulted.

The approach I am taking can be understood as “critical functionalist.” I examine the interdependent institutions and social factors entangled in religious identity, as well as a relatively new approach, critical theory. Critical scholars, like Saba Mahmood, evaluate discourses and “universal theories” from a non-Western perspective, and identify failures and weak points in those theories by applying them to very different cultural contexts. Mahmood focuses predominantly on the Middle East and by examining the culture, societal norms, and interactions between the West and “Other” societies, she pokes holes in many foundational theorists. It is not a matter of semantics whether or not Western theories can claim universality; it is inherently linked with global power dynamics and remnants of colonial enforcement of Western domination and concepts. In addition, understanding a theory as “universal” can lead to misunderstandings about realities elsewhere. If I were to strictly follow functionalism, I would focus my analysis on “individual Islamic morality” and Islam as an “outlet for worship.” The vagueness in the latter term could leave room for negotiation on definitions and conclusions. It nonetheless remains clear that societies who legislate religion into their constitutions; use religion in their court of law; and police religious behavior may not be adequately evaluated by a strict interpretation of functionalist tenets.

The application of functionalism to religion in an introductory level textbook may arguably be a simplified example. Perhaps it was meant to convey the general application of the concept, not necessarily a thorough functionalist assessment of religion. Even so, the allocation of religion to the individual sphere follows the academic tendency of

Europe and North America to strictly separate the “secular” and the “religious.” This dichotomy owes its existence to the emergence of the modern state and learning how to legislate diverse beliefs in line with reducing “worldly harm,” as propagated by John Locke (Mahmood 1996). The modern state emerged out of Europe and imperialism exported an unequal and typically undesired spread of these concepts outside of their natural Western context. Malaysia grants Islam a prominent and foundational place in their constitution, uses sharia law and polices the religious behavior of the majority of the population. From the perspective of someone in the United States or Western Europe, this may appear as an *inappropriate* societal placement of religion, an *overbearing* religious institution. Critical theory undertakes the task of identifying western bias in these judgements and attempts to provide alternative frameworks for understanding the question at hand. If I am to understand how religion functions in Malaysia, and to what extent institutions and identities are associated with or impacted by religious conceptualizations, then I need to adjust or ignore frameworks rooted in European secularism.

Forsaking any specific field’s theoretical formula allows me to examine Malaysia in the natural context of southeast Asia along with the complications brought by centuries of colonization. Sociology is not the only academic field rooted in Western paradigms; however, by utilizing a diverse array of sources from scholars who often exclusively conduct research in the region and live in southeast Asia, I develop a richer interpretation of my sociological question: what role does religion functionally play in Malaysia?

In search of an answer, I utilize research retrieved from a variety of fields to structure two case studies. One explores Indian Muslims who live in Malaysia and the

other examines the Orang Asli, a collective name for indigenous tribes living inland on the western peninsula. Ethnographic research like quotes, historical or current events, and legal proceedings guide the studies through individual identity conflicts and political pressures to assimilate. Clashes of opinion between these groups and the Malay-dominant government illustrate the complicated and nuanced role of religion in Malaysian society while additional sections dedicated to historical context and the constitution highlight root issues impacting modern frustrations. All of these sections constitute qualitative “data” and conclusions garnered will support or not support my initial, broad hypothesis: religion in Malaysia functions not only in the private and social spheres, but in the political and economic realms as well.

After discussing the general historical context of the geographic area, I examine the scope of functionalist theories and their ability to account for Malaysian complexity. Their scope is limited, and at that point, I will look to interdisciplinary theory to provide a more wholistic picture of religion in Malaysian society. Ultimately, the case studies show religion to be a “tool” of Malay politicians who use Islamic observance to filter people in and out of the politically empowered and governmentally-assisted majority. I do not claim that sociology *innately* fails to account for this conclusion; they provide worthwhile comparisons and contrasting worldviews. The case studies simply reveal the gaps within sociological theory that hinders understanding of complex cultures with unique values that are often entangled with the vestiges of colonialism. Before reaching this conclusion, I explore Emile Durkheim’s *Elementary Forms* and Robert Bellah’s theory on civil religion.

Foundational Literature

Emile Durkheim (1912) and Robert Bellah (1967), both heavily associated with the functionalist school of thought, provide well-regarded and important frameworks for understanding religion. Durkheim is a foundational figure for both religious studies and sociology; his role in formalizing both as academic disciplines cannot be understated. His collection of books written in 1912 collectively titled, *The Elementary Forms of Religious Life*, pursues an understanding of the fundamental nature of religion and its relationship with greater society. Heavily influenced by Durkheim's groundbreaking theories, Bellah formulated his own functionalist framework by examining the role of religion in American life and politics, re-imagining the term "civil religion." Both theorists pay special attention to the macro-level picture of how religion interacts with or reflects society, so to begin a conversation between Durkheim, Bellah, and religion in Malaysian society, I will concisely summarize parts of their process and discuss their larger conclusions.

Durkheim was among the first to critically analyze the frequently (and often thoughtlessly) used term, 'religion.' After breaking down commonly held definitions of the term, he defines it in his own words as "a whole composed of parts – a more or less complex system of myths, dogmas, rites and ceremonies—they operate as if it formed a kind of indivisible entity." Myths, dogmas, rites and ceremonies are therefore the basis of Durkheimian religion, but he does try to distance himself from universal claims. Instead of trying to force a broader definition, Durkheim then introduces the method of his overall work: "Since a whole can be defined only in relationship to the parts that comprise it, a better method is to try to characterize the system produced by their union"

(Durkheim 1912). In essence, Durkheim believes that by analyzing specific parts of a given religion, he can capture the 'essence' of what religion functionally does for a group of people, thus analyzing the "system produced" by the union of its constituent parts. On a general note, he also introduces the terms "sacred" and "profane" as two parts of a dichotomy. "Sacred" is whatever a group defines as being the realm of religion which is set apart from the matters of everyday existence, or the "profane."

Durkheim employs these words and his approach by analyzing the beliefs of an Australian aboriginal group. He labels their religion "totemism" and sets out defining certain constituent parts that he believes reveals the nature of religion. He identifies "clan" as people who have joined a "bond of kinship," based not on blood, but on a shared "name." These individuals "regard themselves as forming a single family, which is broad or narrow depending on the size of the clan. The "name" they share is related to "material things with which it thinks it has special relations," and this is called a "totem." Individuals at one point come together, and through what he would later title "collective effervescence," an association is made between the group and a material item, usually an animal or part of nature. This association turns the material object into a "totem," and represents a tight bond of kinship by which the clan identifies the group and each individual member.

He then transitions his argument to the origins of totemism and introduces his larger claim about the function of religion in society. Totemism, he claims, originated out of human society; the "totemic principle," the "god" or imaginary force behind the totem, "can be none other than the clan itself" (Durkheim 1912). This is important when looking

at the larger argument Durkheim makes: Religion is not a force on its own, but instead, arises out of human engagement and the creation of society.

Perhaps further critiques of Durkheim's theory will emerge in later sections, however, for now, his formulation of the "negative cult," "positive cult," and "piacular rites" deserve attention. His ultimate claim is that religion was born out of society, but for what purpose? By examining different types of rituals aboriginals engaged in, Durkheim generalizes that "negative cults" or "negative rites" serve to "prevent unsanctioned mixture and contact" between the sacred realm and the profane world (Durkheim 1912). They set boundaries for behavior and forbid certain actions as "taboo." A larger function of religion, then, is to divide behaviors and actions along the communally constructed lines of sacred and profane. By doing so, a set of norms is explicitly made known to the community, making self-policing and policing others possible.

What also helps those norms become more outwardly present in society is the "positive cult," or the rites that reproduce the "totemic species" to demonstrate the clan's "ideal." By re-enacting rites that at least originally symbolized the totemic being, aboriginal people model their own selves after the communally asserted "ideal." The negative cult defines what is not acceptable in society, and the positive cult defines the ideal. Piacular rites, the final form of rites identified by Durkheim, are rituals of mourning aimed at restoring "the energy" of the group that certain events "threatened to take away." Death and tragic events "demand crying, lamenting, and wounding oneself" not as forms of individual mourning, but of mourning for the larger group (Durkheim 1912). Durkheim frames these piacular rites as the "duty" of members of the community because of their totemic relationship to one another; a loss in one specific family is a loss

to the entire community, so the energetic yet often painful rituals serve to mend the loss. A summary look at Durkheim's rites precludes the role of religion in establishing taboos, enforcing ideals, and keeping the community active during times of tragedy by reaffirming group identity. Now that the basics of Durkheim's theory on religion have been identified, it is time to briefly examine his intellectual progeny, Robert Bellah.

Bellah followed in Durkheim's functionalist footsteps and challenged the "ceremonial" placement of religion in American society. He uses a phrase coined by Alexis de Tocqueville and argues that outside of churches and synagogues there exists another type of religion: civil religion (Bellah 1967). It is not unaffected by religious institutions at all; however, it represents a public form of American shared religious valued. The difference between "public" and "private" are derivative of the role of secularism in Western experience. The separation of church and state is not a universal phenomenon. In the case of America, the decision of the founding fathers to institute such a legal separation "clearly separates the religious sphere, which is considered to be private, from the political one." Despite the cleavage between the two spheres, the majority of Americans practice a form of Christianity which acts as a shared basis of identity. Bellah does not claim that this is the only shared value between Americans, however the common religious element grants "a religious dimension for the whole fabric of American life, including the political sphere." After looking at a number of speeches by American presidents in which they reference God, swear upon the Bible and the like, he asserts "the inauguration of the president is an important ceremonial event in this religion," or in his own terms: civil religion. It reaffirms "the religious legitimation of the highest political authority" (Bellah 1967). This is a different formulation of religion than

is normally discussed; the blend of communal Christian influences in America has turned the political system into its own form of religion in which different rites and rituals are accorded different levels of significance.

A theme Bellah identifies within American civil religion is the Protestant value of carrying out “God’s will on earth.” This is rooted in *Manifest Destiny* ideology and prior European justification narratives on the nature of power and the right to conquer others in imperial conquest. This also translates to debates about the role of America in international politics; “Gods work” is not limited to U.S soil, despite other countries challenging this assumption in more recent years. In the end, Bellah claims “I would argue that the civil religion at its best is a genuine apprehension of universal and transcendent religious realities in or, one could almost say, as revealed through the experience of the American people” (Bellah 1967). It is unclear if Bellah agrees with Durkheim’s claim that religion itself originates out of, and is ultimately about the worship of, society. However, Bellah does argue that civil religion originated from “transcendent religious realities” shared by the majority of religious Americans.

Is Bellah’s “civil religion” only found in America? Does Durkheim’s reductionist approach work elsewhere? I will return to these questions after outlining the historical context of the region to evaluate their applicability to the Malaysian context.

Historical Context

Before I begin analyzing unique case studies to evaluate the role of religion Malay identity and society, it is important to succinctly outline Malaysian history in order to understand the historical processes and different international players that impacted the role of religion as a political and economic tool. Like many other non-European countries

rich in natural resources, Malaysia endured centuries of colonization by not only Western empires, but also by Japan during World War II. With that in mind, I will briefly outline the pre-colonial, colonial, and post-independence history of the country while teasing out important developments that directly impact modern Malaysia.

Pre-Colonial Malaysia

First, it is important to recognize the geographical crossroads at which Malaysia is located to demonstrate the accessibility of the land and important trading implications. The South China Sea splits Malaysia's two land masses apart with one half being the most southern tip of continental Asia. Any trade by water moving east to west must cross through Malaysia's territory. Likewise, any trade or land migration on the north-south axis also passes through Malaysian land, which granted the country wealth and diversity in antiquity. Prior to the advent of diversity, the indigenous Malays were largely animistic, believing in the power of nature and the existence of departed souls as actors in their day to day lives. Gordon P. Means mentions that these formative animistic beliefs are now considered "primitive" by the Malay majority. Echoing Durkheim, these beliefs are now considered exclusive to tribes on the interior of the Malaysian peninsula, tribal people in the Sarawak and Sabah states in East Malaysia, and groups like the Australian aboriginals abroad. Despite the negative association between animism and primitiveness, Means also asserts that these indigenous beliefs did not evaporate from the rest of the population. Through generations of religious dialogue and interaction within Malaysia, these animistic beliefs "continue among those indigenous peoples who, at one time or another, became converted to other religious traditions" (Means 1982). Beginning with a wave of migrants from India in the third century BCE, each new wave instigated clashes

and required adjustments to previously held beliefs. Through accommodations and the intermixing of interacting parties, different beliefs were subsumed into different traditions, creating a unique mix of Hinduism, Buddhism, and local animism from the new Indian population and the indigenous peoples. Out of this intermixing also came the ‘Malay’ people, born from the indigenous groups of Malaysia who lived in the territory since ancient times and from the wholly-immigrant Indian traders who moved to Malaysia. Despite claiming “indigeneity” in modernity, history reveals the fundamental immigrant roots of the Malay population.

Spread of Islam

By 1414, Islam quickly eclipsed all other traditions in the region. Centuries after Indian traders introduced Hinduism and Buddhism, Parameswara, the powerhouse ruler of Malacca (a central location for controlling trade routes in and out of inland Southeast Asia), converted to Islam, and suddenly it became far more convenient to convert to Islam than not to. Other rulers followed suit in the hopes of attaining “preferential political and trade advantages” and the mode of governance switched from local rulers, to local sultans (Means 1982). This does not mean that animism, Buddhism, or Hinduism disappeared – on the contrary – specific aspects of each religion became part of the Sufi-based religious mosaic of Malaysia. However, it is important to note that the relatively quick domination of Islam as a community actor and binding agent between Malaysians set the stage for the mobilization of Islam as a political force in Malaysia today.

Returning to historical politics, notions of the modern ‘state’ or ‘nation’ cannot be appropriately applied to the Malaysian territory before colonization, as none of the inhabitants identified their communities as such. With the institution of sultans, another

prominent scholar on Southeast Asia named Lian Kwen Fee claims their identity and society largely rested on “kinship-based sultanates” which could not “transcend the boundaries of personal loyalty and kinship connections” (Fee 1997). And yet, these relatively peaceful Sultan-based communities ceased to function as locales of power once foreign invaders exerted various degrees of control over different aspects of Malaysia.

Colonization: Portuguese and Dutch Occupation of Malacca

The British certainly played the largest role in forcing change upon Malaysian society, however it was actually the Portuguese who first colonized Malacca in 1511. After a little less than one hundred years, “the Malays had already incorporated Islam as a core element of their culture,” and any attempt of Christian proselytizing or challenge to Islam meant a direct “challenge to [Malay] culture and way of life” (Means 1982). Five hundred years ago, the function of religion in Malaysian society seems to have profound ethnic connotations, given that attempting to disrupt Islamic practice constituted a direct attack on Malay cultural identity. The indigenous Malay resisted Christianity in their staunch support of Islam and interpreted any attempt of conversion as an attack on their fundamental identity. This identity had not stopped forming even though different colonial powers left different impacts in their wake.

The Dutch captured Malacca from the Portuguese in 1641 but learned from the previous rulers’ mistake and made no attempt to spread Christianity among the local population. They controlled the trade routes for just under two hundred years until a shift in power granted the British Empire access to Southeast Asia. The two competing colonial powers agreed that Britain would control Malaya while the Dutch would focus on Sumatra and more southern islands. After utilizing local civil wars between different

Malay factions and “Chinese secret societies,” the British crafted treaties between all the different groups, essentially “transferring rights of protection and suzerainty to Britain,” and wholly undermining the governing power of the local sultans. The British continued the pattern of trying not to meddle in cultural affairs, leaving the sultans in charge of all things culturally and religiously Malay, but they also removed the power for the sultans to take any type of political action. Had they challenged existing Islamic structures, perhaps the sultans would have acted less complacent. The British “were quite willing to give symbolic support to Islam in the recognition that it was a central pillar of authority for Malay society” (Means 1982). The Malay elites themselves formed an essential cog in the colonial machine, for the British system of indirect rule relied heavily on their management of day-to-day business in the colony.

British Malaya

The British attempted to stay out of cultural and religious happenings and yet, their indirect colonial government inherently evolved out of Western frameworks of thought. As Means himself states, “once the British assumed responsibility for matters ‘other than Muslim religion and Malay custom,’ formal distinctions had to be made between Islamic affairs and secular civil administration” (Means 1982). Their desire not to meddle in those specific affairs shows a fundamental lack of understanding of Islamic society and law. Before colonization, the sultans handled all matters through shari’a courts and through Islamic law, not simply personal, cultural, or religious issues – all matters. The British, coming from a society that places value on secularism, a belief that rejects religious influence in governing bodies and institutions of the state, did not understand that asking to only control non-Islamic parts of society was impossible. For

example, the British abolished Islamic courts and placed judges trained in English law in the courtrooms. To them, a court of law demands secularism, not shari'a law, which was pointed out by the well-regarded Professor Ahmad Ibrahim. As summarized by Shamsul A.B, Professor Ibrahim said, "the deteriorating position of the *shari'a* is mainly caused by the British misunderstanding of Islam as a religion, since the term *ugama Islam* has been equated with the Christian understanding of religion" (Shamsul 2005). The British colonizers ultimately assumed that Malaysian religion, born out of an incredibly different context, possessed the same sphere of influence as British religion. By looking at the sultanate as a political system and the role of religion coupled with ethnic identity, it is clear that their assumption had been fundamentally inappropriate for the Malaysian context.

As mentioned, the British did support and recognize Islamic faith as a core of Malaysian society but also attempted to secularize different aspects of society like the government. This alone caused frustration among the Malay population, and yet the British continued to meddle generation after generation. When signing over their power, the sultans entrusted the British Crown with 'protecting' the Malay people, and this rhetoric of 'protection' became all the more powerful when the British realized they needed more cheap labor than what the Malay population could offer. In order to exploit natural resources effectively, the British brought thousands of foreign workers into the colony and placed them in lucrative positions within the emerging Malaysian economy. The Malays, on the other hand, were left in their less lucrative, rural context. While discussing the impacts of this forced immigration, Mah Hui Lim contextualizes contemporary racial dynamics by stating, "The production of tin and rubber required

wage labor which was not forthcoming from the Malay peasantry” and therefore “foreign labor, as well as capital, was imported, thereby threatening to disrupt the life of the Malay peasantry.” The British brought in Indians, primarily Tamil, and Chinese populations to work, and as Lim continues, “To minimize these disruptions, and to maintain a form of colonial rule which would still be viewed as in the interest of the Malays, the concept of ‘protection’ was created” (Lim 1985). The Malay traditional lifestyles would be protected by the British, and elites were rewarded handsomely for their cooperation. However, the British were actually dividing and conquering their colony; by ‘protecting’ the rural customs and sovereignty of the Malays, now considered one cohesive, ‘indigenous’ group, they were also preventing them from engaging in economically productive and ‘modern’ activities.

Contextualizing the special consideration given to Islam as the prominent religion in Malaya, it is now important to note that this was done while immigrants of different backgrounds came into the colony for work. The Chinese were largely secular; they had their own religions, Christianity later among them, but considered spirituality a private matter and because of disunity, did not make claims based on their religion. The Tamil Indians largely identified with Hinduism, Jainism, or Buddhism, however other non-Tamil Indians also immigrated into the country, some also Muslim, but by no means a majority. The role of religion as a claim to political power will become central in the case studies of later sections.

If it is not already apparent, the Indian and Chinese populations were comparatively disunified in the face of the (newly proclaimed) homogenous Muslim-Malay population, however the British colonial government placed the immigrants in

more modern, urban jobs, thereby granting them economic power in the country. A wealth gap naturally developed, where the 'protected' rural Malay population fell behind the Indian and Chinese populations while that very 'protection' also granted them political power within the country. To the anxious, majority Malay people, watching the British and Malay jointly institute Islam as the prominent religion of British Malaya gave them hope that "the country was legitimately theirs, despite massive immigration of non-Muslim Chinese and Indians during the colonial era." Means continues, "Malays viewed Islam not only as defining community boundaries but also as distinguishing between those who were believed to have legitimate domicile rights and those who should properly excluded from such rights" (Means 1982). This would have massive implications and consequences for the Malaysian post-independence movement.

Japanese Colonization and Independence

The British maintained a strong grip on Malaya through World War I and up to World War II. Lian Kwen Fee categorizes the years before the second world war as "placid," and with the British maintaining an indirect colonial rule, tensions among the colonized began to grow. The hostile takeover by Japanese forces during the war led Malay groups to seek independence by attempting to ally with Indonesia. Those hopes were not realized upon the return of the British. While Japanese occupation itself did not last long, the Japanese "encouraged political activity in Malay society" by mobilizing the Malay majority in favor of the new rulers (Fee 1997). This sounds fairly positive, but the Japanese also utilized brutal conquest tactics in taking Malaya from British, Australian, and Malay forces. The global climate of decolonization, the exhaustion of Malaya after hundreds of years of oppression, and Japanese encouragement and violence meant that

the Malays were ready to fight for independence when Britain returned to reclaim their colony.

The British watched their colonies from a distance during the war and decided to unify their territories upon reclaiming them. They had three primary reasons for attempting unification, as explained by Fee: First, the Southeast Asia colonies produced a headache of “perennial problems of an incoherent administration,” and unifying the different parts of Malaya would streamline governance. Second, Britain recognized their role in introducing a host of new migrant populations into Malaya and decided that a unified country with equal rights for all would erase the centuries of dividing and conquering they themselves enacted. Lastly, the allied forces committed to a policy of decolonizing to “convince the world of the justice of its cause” (Fee 1997). The second point detailed above was inherently absurd. The Malay population in Malaya fundamentally rejected the idea of equal rights for all. They had been economically left behind, and now their exclusive access to the political sphere came under threat.

Because of widespread protest to the Union (a unified country with equal rights) by the Malays, a second meeting was held in 1948 that established three realities: 1. Britain re-established the country of Malaya as primarily a ‘Malay’ country, 2. Citizenship could be extended to individuals who meet the requirements of being ‘Malay,’ however “this was not to be regarded as nationality,” and 3. Both parties established that to be ‘Malay’ means to speak the Malay language, profess the religion of Islam, and “conform to Malay custom” (Fee 1997). These terms are intentionally vague as to cast the widest net and increase numeric representation but narrow enough to exclude Chinese and most Indian economic players. This category of ‘Malay,’ or *Melayu*,

as Fee continues, “was to be conceived as ethnic and to transcend ‘racial’ origins” despite possessing both racial primacy claims and a very important emphasis on Islam. The role of religion at this point in Malaysian history includes the ability to include and exclude people from the majority population and justify claims of majority supremacy. This pattern and the categories of Malay-ness will become invariably important as we look at Indian Muslims and the even-more-indigenous Orang Asli.

Post-Independence and the New Economic Policy (NEP)

There is one more facet of Malaysian history to examine that will contextualize modern identity politics in Malaysia. The meeting in 1948 began the peaceful and formal decolonization process, and after fifteen more years of shaky colonial rule, the British Malaya officially became Malaysia in 1963. After centuries of occupation, Malaysians finally controlled their own fate. Despite Malays possessing most of the political power, the economic system in post-independence Malaysia largely promoted laissez-faire policies which benefited the Chinese and foreign business. All development throughout the ‘60s seem to skip over the Malay population, as they interpreted the policies as remnants of the colonial era, unfair, pro-Western, and pro-Chinese. As briefly mentioned in the introduction, after the 1969 elections, these issues came to the forefront of society as the majority Malays rioted and demanded the government act in accordance with the constitution. This government-aimed anger resulted in the death of 196 Chinese citizens, as estimated by the Malay government and media at the time. Other international estimates claim the number of Chinese Malaysians killed was much higher, closer to 600. Economic frustrations and identity politics led to this outburst of violence, as Malay rioters believed the government neglected the duty they promised to uphold after

independence. With the Chinese population benefitting the most from the laissez faire economics in place, they became the target of frustrations in place of the Malay government. In reaction to the acute increase in violence, the UMNO (United Malays National Organization; the largest and dominant political group since its formation) recognized the urgent need to address the most politically represented population and instituted the New Economic Policy, or the NEP, in 1971.

The NEP boasts goals of racial unification, equitability, and evening the playing field for all Malaysians, but these goals do not match the consequences of such an amendment. Article 153, the NEP, or ‘Malay Special Privileges,’ are all labels about the same thing: government programs aimed at closing the wealth gap between the Chinese, Indians, and Malays in Malaysia. The Article dictates that “the Ruler shall reserve for the *Bumiputras* a reasonable proportion of positions in the public service and educational institutions, scholarships, and trading or business permits or licenses” (Lim 1985). *Bumiputra* literally translates to ‘*Son of the Soil*,’ calling upon indigenous claims to justify special status, and is often used to rationalize who receives special privileges or not. This will be discussed at a later time, but not all “indigenous” peoples, the Orang Asli for example, receive Bumiputra status which provides a unique glimpse into how identity is constructed in Malaysia.

Along with the aforementioned Bumiputra quotas in business and education, Malay rulers may also “declare certain areas as Malay Reservation Land where only Malays are entitled to ownership,” banks were instructed to increase lending to Bumiputras, and other quotas about Malay ownership and participation in companies were added later. Malay elites within the government additionally made these privileges

practically impossible to change, as the “consent of the Conference of Rulers,” i.e., consent of the sultans, is required to make changes to the Amendment, instead of the usual legislative process (Lim 1985). This means that the sultans must come to an agreement about amending the privileges, and since they are all Malay and in charge of looking after the greater Malay community, this makes these policies harder to change than the constitution itself.

Surprisingly, the economically dominant Chinese and Indians did not protest these privileges at their conception. Initially, Chinese entrepreneurs even exploited this system by partnering with not-so-savvy Malay businessmen for access to special government handouts. Despite mishaps in the efficacy of the program, as time passed, the wealth gap between the immigrant populations (now having lived in Malaysia for generations) and the ‘native’ Malays closed, and Malays began earning more than Indians in Malaysia. And yet, these special privileges are, to this day, still heavily guarded by the Malays in power. Malays have far more upward mobility than other groups in the country, and despite claims of discrimination and discontent from non-Malays, the government continues to endorse the elevated citizenship of their Bumiputras.

Kikue Hamayotsu analyzes the escalating tension between ethnic/religious groups in Malaysia as a conservative reaction to more democratic and inclusive pushes for equal rights by minority groups. She argues “precisely these assertive and confident civil and political societies – and their emphasis on equal rights and equitable development for all Malaysians – have put the traditional Malay and religious elites on the defensive.” The political agenda of outspoken minorities threatens the political supremacy of the Malays, and thus the entire structure of the current government, yet the UMNO cannot afford to

lose their non-Malay voters. Islamic fundamentalism is rising around the globe as well, which translates into greater amounts of isolation and hostility from the Malays in response to multicultural pushes by minority groups. As their political authority is challenged, the role of Islam becomes a tool of unification against disunified foes, and therefore, the religion becomes even further politicized, which further deteriorates the “already complicated inter-ethnic relations of the country” (Hamayotsu 2013). The UMNO is supposed to be the party for the Malay people, however due to the complicated nature of governing a pluralistic country, the Malaysian Islamic Party’s (PAS) popularity is increasing in response to perceptions of the dominant party superficially altering their rhetoric. The UMNO has had to visibly alter their rhetoric to focus on Bumiputras’ right to special privileges and acknowledgements in some elections, and yet highlight the ‘multi-ethnic harmony’ and ‘rights for all’ in other elections. Understandably, most scholars point to this as the largest barrier to true harmony in Malaysia. A government cannot ensure special status of some over others while also assuring equal rights and participation. No one is placated, and tensions continue to rise.

The numerically few instances of ethnic/religious violence in the country lead some to applaud Malaysia for how they run their Plural Society, a term coined by colonial scholar J.S Furnivall. In other words, despite being intentionally fractured by the British in their “workplace, language, and social organizations” and using different stores, restaurants, schools, and the like, there has been few riots or tangible consequences for how the post-Independence government legislated Malay-ness (Hirschman 1980). However, the bubbling tension indicates that all is not necessarily well in modern Malaysia. In the section that follows, I return to the foundational

functionalist theorists, Durkheim and Bellah, to examine their theories in relation to the historical context outlined above.

Return to Functionalist Theory

Is there a way to understand Malaysian society through these well-regarded, foundational theorists? Durkheim uses his totemic theory to describe the religions of “primitive peoples,” and ultimately identifies specific components of totemic religion that “even the most advanced religions are based:” the distinction between sacred and profane realms, the idea of the clan and soul, negative cults, positive cults and piacular rites. Using these concepts, he hopes to “understand what religion in general is” while also using an empirical scientific premise for permitting universalism. He posits, “If a scientist managed to intercept the secret of life in only a single case, the truths thus obtained would be applicable to all living things” (Durkheim 1912). Durkheim does admit that stretching theories beyond the cultural knowledge of the theorist can present problems, however he nonetheless believes he found ‘secrets of religion’ underlying all religious experience and religion as manifested in greater society.

If what Durkheim claims is true, his basic concepts should be able to account for Malaysian religion. Islam (an “advanced religion”) in Malaysia can act like a ‘clan’ in the sense that “it awakens that feeling of support, safety, and protective guidance” which ultimately binds the individual to that communal force. It makes him or her “rise above himself [or herself]” and motivates collective action (Durkheim 1912). Malays working with colonial forces lobbied the British to allow the legislation of Islam into the Constitution for the invigorating effect it would grant Malays; they would finally be able to collectively mobilize their rural, economically poor population. After mobilization,

“Muslim first” ideology is frequently found among the Malay majority as the religion actively grants them protection against perceived immigrant threats and reduces anxieties that originated in colonial processes. The Prophet functions as the totem for the Malay individuals, and Islam itself has its own sets of positive cults that reaffirm the sacred while separating it from the profane, negative cults that establish taboos (like eating pork), and piacular cults that reaffirm the communal nature of Islam.

So far, I believe Durkheim’s theories can attest to the nature of Islam in one of its institutional forms. What this framework lacks is a dimension of analysis in which the role of religion in society (or religion as society) is examined in a diverse set of contexts. Critical approaches and attacks on Western theoretical universalism are a relatively recent phenomena, so it is understandable why Durkheim did not address certain concerns of the modern age. However - this will end up being my major critique of Bellah as well - the distinctions these scholars make between sacred and profane, secular and religious, are rooted in the intellectual history and “common knowledge” of the West. When discussing the tendency for primitive people to associate different animals, plants, or minerals with categorically different items, Durkheim claims, “I do not believe it possible to characterize the mentality of lower societies by a sort of one-sided and exclusive inclination not to make distinctions” (Durkheim 1912). He reacts against the idea that primitive people do not make any distinctions at all but attempts to illuminate the fallacies within the types and levels of distinctions they do make. His use of the word “primitive” exposes his hierarchical thinking, and it is important to remember that the entire purpose of his research was to identify core parts of religion by examining what he calls “primitive” or underdeveloped tribal religions.

This rhetoric sounds superficially familiar to how the modern Malaysian government conceives of their indigenous Orang Asli, but more so the paternalistic resistance the British colonizers had towards including Islam in the Constitution. The distinctions Durkheim problematize focus on ritual aspects and symbols within the religious tradition, but it closely mirrors the British concern that legislating religion would “undermine” the secular function of the state. The debate surrounding secularism and the proper societal place for religion historically began with the attitude that western understanding is “more developed” than “primitives” elsewhere and ends with cultural misunderstandings and/or the attempt to forcefully impose certain western concepts via imperialism in any form.

If Durkheim believes “society is the soul of religion,” then how could he not address the different aspects of society that religion can occupy? In other words, religion in the West may be relegated to more private spheres, but religion on a global scale is not always confined to any specific sphere. It should be quite clear that religion in Malaysia functions within the private sphere as people cultivate their personal relationship with their God, but also plays explicit and unique roles in the macro-level of society as well. Religion grew to be deeply connected with ethnicity in Malaysia, just as it is linked with ideas of nationalistic ownership and political dynamics. Durkheim did not focus on the consequences and impacts of religion in a given society; he examined foundational concepts that can apply to “all” religions. However, religion in Malaysia does not simply cause consequences outside the purview of Durkheim’s focus, it’s very function is paired with a different scope of meaning.

Durkheim's framework can provide insight into some of the basic functions of rites and rituals in Malaysian Islam, however it fails to account for the larger picture of how religion functions in, or as, Malaysian society. How does Robert Bellah's concept of "civil religion" account for religion in Malaysia? He begins by problematizing the "ceremonial" placement of religion in America; Americans vary in terms of how much space they want between church and state, however it is nonetheless written in the United States Constitution that the state shall remain secular, and the church is the dominion of the religious. Already, a fascinating comparison between the perception of the "ceremonial" placement of American religion and the stated "ceremonial" place of Malaysian religion appears. In America, the "ceremonial" position given to religion is explicitly derived from the secular Constitution, but not all politicians nor citizens agree that it should be restricted to "ceremonial." In a similar but contrary vein, Malaysian religion is explicitly legislated into the nation, but repeatedly pronounced to only have a "ceremonial" function. Fundamentalist Christian Americans have to first argue against the separation of church and state if they want an explicit recognition of their religion in law, but Muslims in Malaysia have the constitutional grounding to ask for legal Islamic reforms beyond just a "ceremonial" role of religion.

The formal separation between church and state "has not denied the political realm a religious dimension," despite "personal religious belief, worship, and association" being considered "strictly private affairs." The social space American culture gives to religion is derivative of Western intellectual history and ties into aforementioned debates of secularism. Secularism holds firm in many aspects of western culture and governance, however the "common elements of religious orientation that the

great majority of Americans share” grant a “religious dimension for the whole fabric of American life.” Civil religion in America is vague, implicit, and yet unconsciously understood by the majority Christian population in the States. It also functions outside of the sphere of “Churches,” who are in charge of “piety and voluntary social action,” but they “were neither to control the state nor to be controlled by it” (Bellah 1967). In contrast, religion does not only occupy “private” spheres in Malaysia but is diffuse throughout Malaysian society. Because the majority practices Islam in their post-colonial, southeast Asian context, religion impacts the social, political and economic realms, not simply the political as seen in America. Politicians discuss and legislate Islam explicitly instead of implicitly, and sultans (Heads of State) directly regulate mosques while utilizing the political fervor of Muslim Malays to control many aspects of the state governance.

The largest difference between Bellah’s assessment of civil religion in America and civil religion in Malaysia seems to involve different relegations of ‘secular’ and ‘religious.’ This translates into different ways of explicitly or implicitly discussing religion in different spheres of society. In addition, another major difference involves how civil religion in America “borrowed selectively from religious tradition” in such a subtle way that, “the average American saw no conflict between” civil religion and the secular state. Civil religion gradually carved out its space in American society, meaning there was no acute “bitter struggle” between Christians and secularists (Bellah 1967). Muslims have occupied the land and managed Malaysian affairs for thousands of years. During the birth of the modern Malaysian nation, they legislated Islam as the official-yet-ceremonial religion after centuries of lacking political autonomy. Clearly, religion and

the state formed a very different relationship in post-colonization Malaysia; concerns about economic development, immigration, and who should hold natural citizenship colored the relationship between the state and religion. Minorities worry about their rights when highly Islamic language is evoked, unlike the “shrug” of the “average American” given to casual references and rituals related to their civil religion. In a sense, a “bitter struggle” has developed in Malaysia, however it is far more complicated than the “bitter struggle” Bellah references.

I do not believe “civil religion” as a sociological concept, like Durkheim’s Elementary Forms, can fully explain the role and function of religion in the Malaysian state. They provide frameworks that produce interesting comparisons and illuminate a difference in worldviews. In all fairness, Bellah says his theory of civil religion is “genuinely American and genuinely new,” unlike Durkheim who tried to make universal claims about all religion (Bellah 1967). Robert Bellah did not intend to stretch his theory beyond the American context, and Emile Durkheim’s claims of universalism are appropriate for his time. I do not mean to needlessly tear down sociological theories; Durkheim and Bellah provide a theoretical foundation for interdisciplinary sources to fill in the gaps between their western understanding and Malaysian reality. In the following section, I consult Asia-specific research to examine how Malaysians conceive of their identities in relation to the larger role of religion and the government.

Literature Review

Contemporary research in Malaysia largely focuses on the three biggest population groups (the Malays, Chinese, and Indians) with a focus on Malay Special Privileges and escalating ethnoreligious violence. In order to explore the functional role

of religion in Malay society, I have already discussed a few of these scholars, but it is important to quickly highlight a few other researchers that continue to monitor and analyze macro-level group relationships in the country. Juliet Pietsch and Marshall Clark (2014) distributed surveys to minority individuals to ascertain levels of trust and animosity towards the Malay-dominant government. In the article discussing their findings, “Citizenship rights in Malaysia: the experience of social and institutional discrimination among ethnic minorities,” they find minorities are becoming “increasingly dissatisfied with their experience of citizenship” due to frequent instances of “institutional and social discrimination.” These negative interactions between the Malay government and minority groups lead to “low levels of confidence in Malaysia’s national institutions.” showing the futility of dominant politicians using multicultural rhetoric instead of addressing the needs of minority groups (Pietsch and Clark 2014).

Pietsch and Clark explore minority concerns about government policy and orientation, which is a large and dominant field in modern Malaysian research. Sharon Siddique, another Asian Studies scholar, did not focus on minority groups. Instead, she used a critical approach during the 1980s to analyze the majority designator, ‘Malay,’ and how this groups’ “ethnic identity is exclusively tied to Islam,” necessitating a hyphenated identity, “Malay-Muslim.” Her evidence comes from constitutional vagueness surrounding ethnic origins of ‘Malay,’ and the ability of some Chinese and Indians to “masuk Melayu” (or “become Malay,” which she points out, has the same colloquial meaning as “masuk Islam”). Regardless, these converts are not always accepted as ‘Malay,’ however the fact that “Many” converts are accepted “as full members of the community” highlights the “central role” of Islam as a “boundary marker of Malay-

Muslim ethnicity” (Siddique 1981). In later sections, tribal Orang Asli interactions with governmental bodies and the awkward constitutional placement of Indian Muslim identity will provide evidence for Siddique’s claim about Islam functioning as a “boundary marker” in Malaysia.

In a similar vein, Judith Nagata wrote a chapter for a more recent ethnography-based book titled “Everyday Life in Southeast Asia” (2011). Her chapter, “A Question of Identity: Different Ways of Being Malay and Muslim in Malaysia” traces the history of the term “Malay” and explores a more social side of “becoming Malay.” She examines religious conversion as a historically “social process” by which people could successfully, and often without conflict, assimilate into the emerging majority. After colonialism and independence, as mentioned in the historical section in both this work and Nagata’s, new claims to power and indigeneity became associated with ‘Malay’-ness, therefore inciting conflict where there was once general agreement. Nagata then examines how the global Islamic community, or the “*umma*,” influenced Malaysia in the 1960’s, causing an “Islamic resurgence,” one in which the Malay majority began thinking of themselves as “Muslims first” (Nagata 2011).

This idea of being intrinsically linked with the greater Islamic community and prioritizing religious identity becomes a trend throughout other ethnographic work. Lim Beng Soon, Azirah Hashim and Richard Buttny identify similar themes in focus-group interviews, as detailed in their 2014 article “Accounts of religio-cultural identity in Singapore and Malaysia” in *The International Journal of the Sociology of Language*. Singapore joined the Malaysian Federation after decolonization in 1963, but quickly left the union two years later in 1965; they share ethnic populations, geographic history, and a

similar religious breakdown, however Soon's group noted that among the individuals in their experiment, "Singaporeans generally saw themselves first as Singaporeans, wore their national identity with pride, and only after this identified with whatever ethnic group they belong to." Among all of their Singaporean respondents (a mix between Indian, Chinese, Malay; Buddhist, Hindu, Muslim, Christian and agnostic) none identified first and foremost with their personal religion. Their identification with the nation produces a fascinating comparison with the Malaysian focus group, who asserts "religious identity matters more than ethnic identity" or in explicit contrast with Singaporean identity, "national Malaysian identity." Islam is also the dominant religion in Singapore, however they prioritize the "secular" nature of their government; this de-emphasis of the scope of religion is not matched in Malaysia. "Shared religion" is constitutionally legislated, and Soon's group finds that it "is presented as a primary form of connectivity and community in these Malays' discourse" (Soon, Hashim and Buttny 2014).

The connection between Malay-Muslims within the country and the identification with the larger global Islamic community have both become stronger trends in recent years. Richard Buttny, Azirah Hashim and Kiranjit Kaur add to previous ethnographic research in their own group-oriented experiment which they titled, "Ethnopolitical discourse among ordinary Malaysians: diverging accounts of 'the good-old days' in discussing multiculturalism." They asked eight diverse participants questions about Malaysian ethnoreligious dynamics and tensions in recent years. Interestingly enough, different groups provided different reasons as to why the various ethnic and religious groups no longer view each other amicably: as the Malays "invoked being Muslim as the primary source of identity," the non-Malay participants identified "the politicization of

Islam as a cause for the increasing boundary between groups” (Buttny, Hashi and Kaur 2013). The Arab-led Muslim world exerts pressure on Malaysia to be in line with the rest of the *umma* and become a true Islamic State. The Malay government, while still trying to balance minority needs with the Malay-Muslim majority, has slowly moved towards further Islamization in response to internal pressures from outspoken Muslim leaders and external pressures from the global community. This has not only escalated frustration felt by minority groups, but also further isolated Malays from the larger, diverse Malaysian community.

Consequences of Islamization certainly impact non-Muslim groups in Malaysia, but it can be argued that Malay women are among the first in the country to feel increasingly Islamist agendas. In “The Malaysian Islamization Phenomenon: The Underlying Dynamics and Their Impact on Muslim Women,” Bob Oliver argues exactly that. Using qualitative surveys and interviews, Oliver contributes his own general ideas on the increasing separation between ethnoreligious groups in the country: first, as Malays gain more wealth and live more densely in urban areas, they are converting their village-version of Islam to a more “pure” and strict Islam. The exact reason this isolates Malays from the other minority groups, in Oliver’s words, is “an obsession on the part of Malays with ensuring that there is not even the slightest chance they will come into contact, in even the most indirect way, with pork.” Restaurants that serve the meat or attending households (like the Chinese) who freely eat pork has become less justifiable as Malays increasingly adhere to stricter versions of Islam (Oliver 2016).

Considering each group has their own education circuit, clothing stores, and religious institutions, restaurants and bars were among the few places where the different

groups could interact naturally. With increasing Islamization, Malays are decreasing (if not eliminating) the amount of alcohol they consume, leading to further isolation of Malays from the pluralistic community of Malaysia. Drinking and the ability of men and women to spend time together are both examples of social actions only now being regulated by the Malaysian government, exemplifying Oliver's second idea on why diverse groups are growing further apart in Malaysia. The "politicization of Islam" seems to be a natural consequence of more and more Malays abiding by stricter religious codes, however, because of the constitutional link between Islam and the country, the government must become more fundamental in orientation as well. The "increase in the extent of codification of Sharia law," as Oliver highlights, directly dictates what once-casual Muslim women wear in the country and how they interact with newly patriarchal-leaning courts (Oliver 2016). This is a very recent topic of research, so although I will discuss the politicization of Islam at length throughout the sections, the most recent wave of Islamization that Oliver documents in 2016 will likely not be accounted for. The outcomes and consequences of continued Islamization in the country is a topic for future research.

The research above demonstrates some of the dominant questions being asked about Malaysian society right now. They largely focus on the 'Malays,' if not the other two larger population groups, Indians and Chinese, and how religion and ethnicity play a role in the political tension plaguing the country. Both 'religion and ethnicity' are usually identified as the two major social and political players in Malaysian identity politics, however I want to now turn to a closer analysis of the Constitution to examine the legislated role of Islam. This will provide a foundation for the case studies on the Orang

Asli and Indian Muslims in which opinions and experiences outside of the three dominant groups can be examined to reveal a more wholistic picture of how religion functions in different parts of Malaysian society.

Case Study Introduction: The Constitution

Before introducing two case studies that will explore the complex role of religion in Malaysian identity, I want to begin with a closer look at the Malaysian Federal Constitution in the hopes of establishing a concrete foundation for analyzing the tightly-coupled relationship between ethnicity and religion. On page 153 of the 2010 reprinted Constitution, Article 160(2) states: “*‘Malay’ means a person who professes the religion of Islam, habitually speaks the Malay language, conforms to Malay custom...*” This strict and legal link between religious identity (‘Muslim’) and ethnicity (‘Malay’) presents an interesting glimpse into the role religion and ethnicity play as political qualifiers. By tightly defining who can call themselves ‘Malay’ along ethnic and religious lines, the government can purposively exclude certain groups from constitutional privileges or representation. On the other hand, the vagueness of “Malay custom” juxtaposed with strict religious and language categories leaves room for certain groups to stretch and utilize the constitutional definitions for their own gain, like Malaysian Indian Muslims in the next section.

Another part of the Constitution, Article 3, requires serious exploration in terms of the role of religion in Malaysian society. The first clause states, “Islam is the religion of the Federation; but other religions may be practised in peace and harmony in any part of the Federation.” It took years for the clause to be fully accepted into the Constitution due to debates about the nature of secular and religious states, and concerns from

minority groups over their representation and welfare. Arguments from critical theory fields in a variety of disciplines have touched on the assumed universal nature of secularism as a value in society. They point out many modern and historical instances where cultures outside the influence of Western intellectual history have different conceptions and values surrounding what it means to be ‘secular,’ and what it means to be ‘religious.’ In these constitutional debates, we see those critiques play out in real time; despite British reluctance, the Malays wanted their religion inscribed in their constitution. It was only after convincing the British that Islam would only play a “ceremonial” role that the colonial power allowed Article 3 on the final draft.

Joseph M. Fernando outlines specific constitutional debates by looking at the minutes from official drafting meetings and paperwork from different parts of the process. He examines prior discussion on the topic of secularism within the Malaysian constitution and asserts that arguments have largely focused on the positions of two chief justices that are largely in agreement. On the topic of Clause 3(1), former Lord President Tun Mohamed Suffian Hashim “has written that Islam was made the official religion primarily for ceremonial purposes,” in order to align prayers and holidays with government practice when it is needed (Fernando 2006). These holidays include the birthdays of politicians past and present, installations of new kings and Independence Day, reminiscent of civil religion in America, but it is also important to remember the reasons other Islamic nations have justified instituting religion in their government infrastructure. Different parts of the Quranic tradition, like the Path of the Prophet, serve as proof for the necessity of an Islamic government by primarily highlighting the role of the Prophet as a force of government himself, and how he structured society in line with

his espoused Muslim ideals. The Prophet serves as the utmost model for Muslim behavior, so the Quran's emphasis on just courts and pious leaders translates to the need for sharia law and Muslim leaders in majority-Muslim countries. Without those criteria, Muslims cannot attempt to follow in the Prophets footsteps to the fullest degree. It becomes important here to restate the non-universal nature of secularism. Islamic countries are as they are because they make sociological sense to (most) of the inhabitants of that country.

Returning to the constitutional debates, Fernando introduces a more nuanced dilemma for the Malaysian leaders as they worked to figure out how to legislate Islam into the government. According to the more unofficial documents he accessed, the Alliance Party (working with the British) "insisted that Islam should be declared in the Constitution as the official religion of the Federation," but not necessarily that "the state shall be an Islamic State" (Fernando 2006). The difference between these positions boils down to the exact role religion could play in the sphere allocated to it. In a state with an official religion, specific religious principles and legal proceedings are not inherently legislated throughout the society. In an Islamic State, the role of religion is foundational in all manners of government operations. The Malays originally opted for the "ceremonial" position of religion, an official religion that maintained the ability to manage non-Muslim legal needs.

The very first draft of the Constitution, established through a series of meetings between Malay government leaders and British representatives of the Crown in 1957, did not contain the provision asserting Islam's role in the Federation. Britain, the Commissioners, "felt that such a provision would contradict the nature of the state" - the

secular nature of the state, and therefore were set to turn down the proposal. Despite being a temporary constitution, created to establish the basic structure of independence, the provision to legislate Islam met a surprising amount resistance from the sultans as well. In modern Malaysia, the sultans are called the Heads of State, and stridently support Islam's position in the Constitution. During negotiations with Britain in the 1950's however, their position as Heads of State had not been established. They believed the provision would "encroach on their traditional position as heads of the Muslim religion," which at the time, was their only avenue of power (Fernando 2006). Relegating Islamic affairs on a federal level would deemphasize their power, so the eventual decision to enshrine Islam within the constitution came with the negotiation that sultans would be seen as state leaders and would still function as Heads of Religion.

The Malays did not create the constitution solely with the British, though they may as well have. Minority groups and labor unions within the country lobbied the Commission to "ensure the secular nature of the state" in fear that the Malay majority would eventually try to restrict their freedom of worship. The Malay Forum, a party lobbying for Islam to be in the Constitution, took a more moderate approach. They argued for recognizing Islam as the religion practiced by the majority of Malaysians, but for other religions practiced within the nation to be recognized as well. Party Negara Secretary-General Data Onn Jaafar submitted a draft proposal requesting, "The State shall recognise the special position of Islam as the religion professed by the majority of the citizens. The State shall also recognise Christianity, Buddhism, and Hinduism as some of the religions and beliefs existing in the territory of the Union" (Fernando 2006). Had this proposal to make religion a more general force in the constitution been accepted

and incorporated into the modern constitution, a more multi-cultural, pluralistic approach would be easier to justify. This approach however, was not in favor with other Malay leaders, like the heads of the recently-formed UMNO group leading the drafting process.

Historical context provides at least a partial reason for UMNO negotiations: awareness of economic gaps between Malays and the Chinese/Indian groups post-colonization. UMNO branded itself as protecting the interests and well-being of the ‘indigenous’ Malays (but not aboriginal groups, as the Orang Asli case study will demonstrate) and with the political power granted to them by the British, were therefore first and foremost concerned with the poverty of the rural Malays. Anti-immigrant sentiments existed throughout the majority group, however they targeted the Chinese in particular because of their great economic power and independence (even more so than the Indians). This context played a large role in the drafting process due to the authority vested in the Malays to create the foundation of the new nation. Indeed, the British eventually agreed to add Islam as the official religion of the country once UMNO officials began arguing that doing so would produce an “important psychological impact on Malays.” Exact details on what that impact would be remain unstated, however the Commission agreed to support the article only if the sultans’ power was not compromised and the religious rights of non-Muslims would be equally upheld. The non-Muslim groups lobbying the Commission “did not raise any objection to the insertion of the new article, despite concerns expressed by any non-Muslim organizations.” The UMNO explicitly assured the other groups, “[the article] was intended to have symbolic significance rather than practical effect.” The UMNO would use the same argument during a later phase of drafting by claiming “the provision had more political significance

than practical effect,” however the debate would continue for a few more years (Fernando 2006).

The drafting process came to an end, and the formal Constitution became finalized on August 31st, 1957. The controversial Article 3 has not changed since then, and the full article is as follows:

(1) Islam is the religion of the Federation, but other religions may be practised in peace and harmony in any part of the Federation.

(2) In every State other than Malacca and Penang the position of the Ruler as the Head of the Muslim religion in his State in the manner and to the extent acknowledged and declared by the Constitution of that State, and, subject to the Constitution, all rights, privileges, prerogatives and powers enjoyed by him as Head of that religion, are unaffected and unimpaired; but in any acts, observances or ceremonies to which the Conference of Rulers has agreed that they should extend to the Federation as a whole each of the other Rulers shall in his capacity of Head of the Muslim religion authorise the Yang di-Pertuan Agong to represent him.

Both clauses possess visible consequences of the constitutional debates. First, Islam is clearly established as the religion of Malaysia, but based on interpretation, not explicitly an Islamic state. Second, the “other religions” are the religions The Malay Forum wanted to identify – Christianity, Buddhism and Hinduism – in an effort to validate non-majority practices and beliefs. Naming religions in the Constitution enshrines and validates their position in society, so the vague term “other religions” naturally evoked anxiety from the non-Muslim minority. Of course, UMNO successfully and continually reassured minority groups and the Commission that the rights of non-Muslims would be upheld. Finally, the third consequence of the debate involves the recognition of the sultans as Heads of State and in charge of Malay culture and religion, but also that the state leaders must also allow the Yang di-Pertuan Agong, the royal office of the Malaysian monarch, to represent them in part or in full. As a quick note, the recognition of the sultans’ power led to Malaysia

being called a “Federation;” a federation indicates a group of states with a central government capable of instituting law, and the simultaneous ability of states to govern themselves.

Even as the finalized product came to fruition, multiple schools of thought continued to debate the role of religion in Malaysia. One position, championed by the UMNO, celebrated the incorporation of Islam into the Constitution in hopes that it would help revitalize the Malay people. Another position, still from the Muslim perspective, advocated that Islam should not be associated with the modern state because it would “lower the dignity of Islam.” This is a fascinating argument made by speaker Haji Ahmad bin Haji Hussain in the Malayan Parliament. This interesting pronouncement that connects the modern state to the degradation of religion is not explicated and he only says, “I do not know what will be the implication” of this connection will be. He then expresses his hope that under the new constitution, Islam’s teachings will not be hindered. Perhaps Hussain meant it as a critique on the modern state due to its association with Western frameworks and materialism, but the explicit narrative of vilifying Western culture had not quite taken its pervasive modern form yet in the 50s. Or perhaps he simply worried about the regulation of Islam under a federal system; either way, he did not elaborate.

Another anxious party involves the labor unions and more generally, the minority groups in Malaysia who could only hold UMNO to their promise of fair practice. Their concern is far more justifiable than the conceptual concerns of the final school of thought, the British themselves. G. Shelly, a Brit representing the Eurasian community, expressly advocated against Article 3 for a secular Malaysia, because secularism “is the rich

heritage which the past is handing to the future.” It would, perhaps, be a more accurate assessment that Shelly meant secularism is the “rich heritage” of the dominating colonizers. A professor named K. L. Devaser similarly advocated for “the state to be above religion,” as if religion is some sort of bad habit unsuitable for government consideration (Fernando 2006). These pleas for secularism only matter because of power dynamics between colonized and colonizer. After all, Malaysians were not allowed to draft their own constitution independently, they were allowed to draft an acceptable constitution in line with British values, with only so much room for negotiation.

Despite concerns from multiple parties, the ‘ceremonial’ position of Islam did not agitate the non-Muslim citizens of Malaysia for decades. In recent years however, the “growing influence of religion in politics in Malaysia” renewed the debate on Article 3(1). Shad Saleem Faruqi, a legal scholar, stated “Opinions are clashing because there is not a litmus test or universally agreed list of criteria to typify a social or legal system as theocratic or temporal.” Faruqi pinpoints the heart of the issue in this quote and goes on to state that the term ‘secular’ does not appear anywhere in the Malaysian Constitution. (Fernando 2006). More interesting to the questions framing this paper, however, is the lack of clarity within the Malaysian Constitution about the role of the secular and the role of the religious. I would assert that clarity is not necessary – that would be in line with the desire of colonial powers – however the ambiguity allows political emphasis to shift from Malaysia-as-Islamic-state to Malaysia-as-secular-state, depending on political atmosphere and which populations elections hinge on.

“Masuk Melayu” and Becoming Bumiputra

Why does ambiguity matter? What are the modern consequences of legislating Islam as the religion of Malaysia, but also maintaining freedom of worship? As we have already discussed at multiple points, possessing a Muslim identity is one of the three criteria for being ‘Malay’ in the eyes of the government, and being ‘Malay’ means being considered ‘indigenous.’ Being Malay also means receiving special recognition and assistance from government policy, like the New Economic Policy discussed in the historical section. Suddenly, the prominence given to Islam has ethnic and economic implications that go beyond a ‘ceremonial’ place in society.

Article 153 of the Constitution outlines ‘Malay Special Privileges,’ or the *Bumiputra Laws*. They claim the Malaysian government must safeguard the interests of the Malay Bumiputra, the *Sons of the Soil*, over other ethnic groups (like Chinese and Indian populations). I outlined the benefits Malays receive in the historical section, however it is again relevant to mention that the privileges were not meant to be permanent. As the Malays come closer and closer to closing the wealth gap between them and the Chinese, tensions between racial/religious groups heighten. Rhetoric from minority groups has changed from initial neutral support to claims of discrimination. However, the tension and ambiguity surrounding this public debate highlights the complex role of religion in Malaysia, and groups like Indian Muslims and the Orang Asli, who struggle to situate themselves between the law and asserted identity, show just how murky the waters of identity politics are.

In the case studies that follow, I use ethnographic evidence as guides to Malaysian society. Each quote highlights one or more impacts of the role of religion within the

nation-state, usually with reference to constructions of identity and their ability to fit within or navigate through the constitutional criteria for ‘Malay’-ness. It is my hope that these case studies will produce an empirical yet descriptive analysis of the role of religion within Malaysian society.

The First Case Study: Indian Muslims in Malaysia

With reference to Article 160, it must be restated that three criteria must be met to receive the status ‘Malay:’ practicing Islam, speaking Malay, and adhering to Malay custom. Malay “custom” is notoriously vague, but in terms of the government applying the term, Indians, Malays, and Chinese generally dress in distinct styles and eat at specific eateries or restaurants. In terms of what “custom” means, style and food are the most commonly referenced. Generations after being brought into Malaysia by British colonizers, most Indians in Malaysia practice Hinduism and speak Tamil. However, there is also a noteworthy population of around 800,000 Indian Muslims diffuse throughout the country and a large concentration in the northwestern state, Penang. Many of these ancestrally Indian people have lived in Malaysia for generations, practice Islam, speak Malay, and often practice Malay custom, yet only in July of 2017 did the Malaysian Prime Minister Najib Razak claim that he would *seriously* evaluate whether or not Indian Muslims should be universally included in the ethnoreligious category, “Malay.” This would be significant alone for reasons that will be discussed, but it is not an isolated incident. Patrick Pillai notes that in the case of Indian Muslims, “there are pleas for them to be classified as Malays before almost every national election” (Pillai 2015). This is related to what was referenced in previous sections, namely that politicians in the ruling party drastically change their rhetoric from supporting multi-culturalism to defending

Malay values depending on who they need votes from. The time before an election is therefore a lobbying period for different groups to ascertain promises from politicians, thereby informing said politicians who they must cater to for votes.

Perhaps in the August 2018 elections Indian Muslims will finally receive the universal acknowledgment of being ‘Malay,’ though the very nature of this request demonstrates how intricately bound the role of religion is with ethnicity. Indian Muslims cannot be fully represented by the majority-Hindu Indian political party because of their religious difference and are refused representation by the UMNO on the grounds of their ancestral identity. They occupy an awkward space in Malaysia, and exploring their political representation, interaction with bumiputra quotas and “conversion” tendencies will illuminate how the societal function of religion impacts Indian Muslims.

Political Representation

The brief history of Malaysia in earlier sections provides a common ground for understanding the pre-colonial and colonial impacts on identity construction in the region. There is more history to explore however. The history of how Indian Muslims have been politically represented serves a more sociological purpose: to demonstrate the consequences of constitutional legislation of religion as a formal (“ceremonial?”) entity in the Malaysian nation-state.

The country is very liberal and I think they (Indian Muslims) will be accepted by all if they can pick either to become a Muslim or Indian. The Federal Constitution also define(s) a Muslim very clearly. If they want to become a Muslim then just follow the Constitution. The problem of Indian Muslims will be resolved if they can decide and choose to become either a Muslim or an Indian. (Pillai, 2015, p. 31)

There is no better place to begin than with the former Prime Minister, Mahathir Mohamad. He made this statement at a celebratory political dinner in Penang surrounded by Indian Muslims, and to that end, Pillai believes he “was politely telling them that they should choose to be either Malay (“Muslim”) or Indian.” Pillai does not examine this quote further but does point out Mohamad’s use of the term “Muslim” in place of “Malay.” Muslims filled the crowd Mohamad addressed, and yet he tells them to “pick either to become a Muslim or Indian.” The crowd is already Muslim, and they are already Indian, and yet they are not either of those categories as conceptualized by the nation.

Mohamad’s use of the term “Muslim” instead of “Malay” may have been a mistake, or he may have been referring to different identities that Malaysians espouse. As seen in the literature review, Lim Beng Soon, Azirah Hashim and Richard Buttny’s interview respondent clearly articulated, “The true participating Muslim will react first as a Muslim” so perhaps Mohamad was calling upon the crowd to drop their ethnic ties to India and act like “true participating Muslim[s]” (Soon, Hashim, and Buttny 2014). Previous studies discussing the prioritization of religious identity over national identity miss the intricate relationship between the two identities, but Mohamad’s accidental use of the term “Muslim” instead of “Malay” highlights the relationship incredibly well. To him, Malay means Muslim, and Muslim means Malay, and the referenced Constitution provides the foundation for such an understanding of Malay identity. The Constitution does not say that all Muslims are inherently Malay, but it does say that all Malay are inherently Muslims which leaves a window of opportunity for Indian Muslims to receive political representation via converting ethnicities.

In essence, Indian Muslims are able to convert ethnicities because of the superseding role religion plays within the Malaysian Constitution. If an Indian identifies with Islam first and would like to be recognized as Malay, he must sacrifice his claim to Indian heritage. No longer would he require two identifications, “Indian” and “Muslim,” but one inclusive label, “Malay,” to indicate belonging to the majority population and religious affiliation. On the other hand, the required sacrifice of heritage is not always an option for individual Indian Muslims, or necessarily desired as a required step to receiving adequate government assistance or representation.

How Indian Muslims use the Constitution to convert ethnicities will be discussed when bumiputra quotas are examined in greater detail, however what is important here is the political implications of Mohamad’s statement. Converting ethnicities to attain access to bumiputra quotas and handouts is understandable, however Indian Muslims have another reason to seek recognition as Malay. The main party that represents all Indians, 6.2% of the Malaysian population, is the Malaysian Indian Congress, the MIC. The MIC does not possess much bargaining power in the government coalition according to Jan Stark. This is because of the relatively small population Indians represent, and the larger voting powers of the other minority group, the Chinese (20.8%), and the majority Malay group (61.7%) (IndexMundi 2018).

In addition to being a relatively powerless group numerically, the party also suffers from internal religious divisions. The Chinese are more unified with their secular public appearance than the Indians who, similar to Malays, incorporate religion into many different facets of their lives, including politics. Following this train of thought, it then makes sense that the MIC is an overtly Hindu national group in Malaysia trying to

advocate for Indians in general. These attempts to represent the vast majority Tamil speaking Hindu Indians and the severe minority of Muslim Indians in the same party have historically failed, and Indian Muslim frustrations about their lack of true political representation leads to two ends: the first involves converting to ‘Malay’ to receive representation by the UMNO, and the other involves forming a new political party, the Kongres Indian Muslim Malaysia (KIMMA).

Though the Malay population entertains intense reservations about who can and who cannot be considered ‘Malay,’ politicians in the UMNO understand that every person who converts to Malay is another person added to the Malay majority and removed from the minority. This makes monopolizing power and attaining votes easier for the dominant party, therefore, the UMNO has historically applied pressure directly on Indian Muslim communities to convert. The most popular (and delicious) hawker centers in Malaysia are open twenty-four hours and run by Indian Muslims. Normally, the different population groups stay in their own spheres and eat at their own restaurants, but the hawker industry famously accommodates all religious eating restrictions and adjusts their menus to fit different local tastes. Despite the multicultural mixing promoted by these eateries, the role of Indian Muslims at the heart of this operation means that the UMNO will not undertake their causes.

Stark cites a case in Penang where the UMNO leveraged political power to pressure communities into conversion. A local hawker center requested renovations to their marketplace, their place of employment and livelihood, to which the UMNO responded “join the UMNO or go through the proper political channels.” The “proper political channels” for Indian Muslims would likely be the MIC, which has habitually

underrepresented their Muslim constituents, or the KIMMA, which is now famously corrupt. The rejection of the proposal paired with futile alternatives “re-enforced the trend of lower class Indian Muslims to seek closer affiliation” with the Malay identity to gain access to responsive political channels and resources via bumiputra quotas (Stark 2006). The temptation to forfeit their ambiguous identity and reframe themselves as ‘Malay’ in the face of stringent political realities directly illustrates the consequences of the unique construction of ‘Malay’ as an ethnoreligious category based on supremacy of Malays and Islam in the Constitution. Because the hawkers in Penang maintained their Indian identity, UMNO, the political party in charge of Malaysia, would not represent them. In Malaysia, the UMNO is not responsible for representing non-Malays; it is the job of the MIC or KIMMA to represent Indians, and the Malaysian Chinese Association (MCA) job to represent the Chinese. Though members of the Muslim League in Penang formed KIMMA to address the lack of juridical space given to Indian Muslims, the new party had even less bargaining power and a long list of mishaps to discredit its potential to represent anyone.

During colonization, Members of the Muslim League in Penang grew frustrated with their lack of political representation in the grander narrative of Malaysian politics. Even before official independence, Indian Muslims slowly began joining the UMNO and forfeiting their Indian identities “as a reflection of contradicting ethnic and religious loyalties” (Stark 2006). Local branches of UMNO offices opened up in concentrated areas of Indian Muslims, and they began conducting certain meetings in Tamil. Considering the Constitution highlights the Malay language as a requirement for Malay status, this development illustrates the overtly political nature of the issue. So long as the

superiority of the Malay population is not in question, formal language can be compromised. Formal religion, however, cannot. Language, then, is an important but not critical facet of Malay identity, at least when the political discussion is centered on one specific group and not involving other groups.

Although the Muslim League represented Indian Muslim interests to the MIC and the UMNO represented individuals willing to sacrifice their Indian heritage, Indian Muslims still experienced gaps in their political representation. The UMNO would not manage their former ethnic identity, an identity that is hard to escape with potential friends and family back in India, and the Muslim League could not efficiently lobby the MIC to take action on behalf of their religious identity. The domain of Indian affairs is to the MIC while the domain of Muslim affairs is to the UMNO, which means Indian Muslims, who can only identify with one party, were left with mediocre options for political leverage. Out of this dilemma came the KIMMA political party.

The UMNO is the head of the National Front (BN, *Barisan Nasional*) in Malaysia. In general, popular and large political parties are members of the BN whereas unpopular and small political parties exist on the periphery until they can form their own larger coalition among the other small unofficial parties. Assuming they are large enough, coalitions can then submit an application to be included in the BN. KIMMA entered the scene in the late '80s as a small and unpopular political party, but joined a larger coalition attempting to make use of a weakened UMNO during a particularly rough election cycle. At the head of this coalition stood PAS, the Malaysian Islamic Party that to this day propagates pro-Malay, pro-Islamization of the government, and anti-immigrant leanings. The BN repeatedly denied their entry as UMNO politicians struggled to balance pro-

multicultural and pro-Malay sentiments; allowing a fundamentalist Islamic group into the National Front was not an option. Because of PAS's role in the coalition, none of the parties, including KIMMA, could enter the BN and gain a political foothold.

Another chance to enter the BN came in the late '90s as the UMNO struggled to obtain votes, however KIMMA failed to utilize the opportunity because of "being deeply divided over a leadership struggle" (Stark 2006). At one point members also levied massive allegations of corruption upon the party leader who would make deals with the government and personally steal most of the benefit. To make matters worse, the coalition fell apart after PAS allegedly referred to Indian Muslims as *ular mamak*. *Mamak* is the pejorative name given to Indian Muslims to distinguish them from Malays, and *ular* means 'snake.' This racialized insult resulted in KIMMA filing a defamation claim against PAS and in the failure of the larger coalition. Despite both being Islamic parties, PAS still utilized negative ethnic language to address Indian Muslims, showing that in this case, both religion and ethnic identifications must be present for kindred recognition.

The MIC in the BN would not merge with other Indian groups, and KIMMA grew tired of lobbying deaf ears. After six unsuccessful attempts to join the National Front without a coalition, in 2010 KIMMA "was finally accepted as an associate member of UMNO, with observer status" thereby winning political representation at long last (Pillai 2015). The president of KIMMA at the time was made a senator in 2011, giving more political access to the Indian Muslim population. However, Pillai reiterates that this success did not come easy, and not all problems had disappeared.

...(the) identity of the Indian Muslims changes from Indian Muslim to Indian when they join the MIC and becomes Indian Muslim again when they form

KIMMA and finally changes further to Malay when they join the UMNO. (Pillai, 2015, p. 32)

This quote reflects the hesitation and anxiety that met KIMMA when it fully entered politics. The Constitution had not changed, and Indian Muslims still occupied an awkward space within identity categories in Malaysia, regardless of how much political power they acquired. The “fluid identities” of the Indian Muslim population “led to suspicion and confusion” about their intentions and role to play within the government. Traditionally, Indian Muslims have different needs than (Hindu) Indians which have very different needs from the Malay population, and yet through the political history of Malaysia, Indian Muslims traversed all three identifications depending on which party they chose to identify with. The structure of Malaysian government pairs ethnic needs with religious needs, so in this strict system, no other group can navigate between parties like the Indian Muslims. This unique ability, as mentioned, is exactly what makes Malays question Indian Muslim intentions, and whether or not they truly want to pursue Malay needs over their Indian heritage.

The last facet of political representation hinges upon the anxiety felt by Malays in the presence of politically powerful Indian Muslims. Their lobbying power became restricted by suspicion about their intentions, so rhetoric from KIMMA and other Indian groups alike began to change. The president of the Malaysian Indian Muslim Association “told members they had not benefited from their identity” in the strict ethnoreligious structure of the country. They possessed more political power than ever before, and yet party leaders began to realize that it was still not enough – they were still not receiving full political representation. Instead of trying to change the Malaysian social structure to

accommodate their strange identity, leaders advocated “renounc[ing] their Indian identity and ally[ing] themselves with the majority Malay Muslims” to fit themselves in the existing structure (Pillai 2015).

Mahathir Mohamad, through his decades as head of the UMNO, propagated the special nature of Malays while balancing a multicultural approach like all other politicians in Malaysia, and yet he is also an example of Indian Muslims renouncing their heritage for political means.

My family and I have always fulfilled those formal criteria. But I am Malay not just on paper. I am also Malay in sentiment and in spirit. I identify completely with the Malays and their problems, their past and their present, their achievements and failures. I do not do so sentimentally and uncritically, but thoroughly and thoughtfully. (Pillai, 2015, p. 24).

Mohamad’s father was born and raised in Penang; the history of intermarriage between Indian immigrants and local Malays means that he is undeniably of Indian descent, however he managed to convince the Malay majority that in truth, he identifies “completely with the Malays.” His family identified as Malay before he was born, and by presenting far more culturally Malay than Indian, he experienced little suspicion about his motives. Still, had he not renounced his Indian heritage and asserted the ethnoreligious identity Malay, he would not have been successful leading the nation. In fact, had he insisted “on being an Indian Muslim and maintained his Indian Muslim identity,” he would “not have any chance of becoming the longest-reigning Prime Minister of Malaysia” (Chuah, Shukri, and Yeoh 2011).

The ability to gain political representation or hold political office inherently rests on the individual or group ability to orient their identity within the Malaysian framework.

Very few groups in Malaysia can maneuver between the strict boundaries set up by the Constitution, and as discussed, Indian Muslims have the most freedom to make these identity changes because they share the same religion as the dominant political party. Religion, while being tightly paired with ethnic identity and anxieties, functions as a path to power and representation in modern Malaysia. It also functions as a qualifier for economic advantages, as we shall see in the next section.

Access to Bumiputra Laws

It should be clear from the historical section and literature review that bumiputra laws are highly controversial and exacerbate ethnoreligious tensions within Malaysia. Designed to be temporary and with little consideration of long-term effects, who does and does not have access to the special privileges dictates who is considered part of the majority, who is considered indigenous, and who has a natural claim to government protection. Indians in particular have fallen behind Malays in term of wealth, and because they are more frequently recognized as foreigners in their country, requests to be included in poverty eradication programs produces a “lukewarm response” from the government. The stated intention of the NEP and Malay special privileges was to universally reduce poverty and even the playing field among the racial groups of Malaysia, and yet “both the NEP and NDP has provided far fewer opportunities” for Indians, “both in terms of ameliorating living standards and of political participation” (Stark 2006). However, what about the Indian Muslims who converted ethnicities to access the handouts and qualify for quotas? There are many ways for Indian Muslims to reframe their identity, and in this section, I will explore formal interactions between the government and Indian Muslims born and raised in Malaysia.

We feel uncomfortable to be known as Indian because people automatically think we are Hindus when we are actually Muslims. All our children do not even know how to speak Tamil. They only converse in Malay, and our wives wear the baju kurung or kebaya nowadays, no more the sari. (Pillai 2015, p. 27)

The label of ‘Indian’ does not always fit where the Constitution dictates, and the quote above from an Indian Muslim man living in Malaysia highlights this fact. He mentions the Malay language with full knowledge of the constitutional criterion, same with the reference to the clothing their wives wear. Clothing is an easy cultural identifier in Malaysia since the Chinese, Indian and Malays all have distinct styles of dress, however the association between culture and dress is not always perfect. Even so, the uncomfortable nature of being known as Indian is an interesting piece of evidence to briefly examine. The man quoted does not feel uncomfortable about being viewed as Indian because it has negative stereotypes, for example. No, he feels uncomfortable because being seen as Indian implies he is of a different religion than Islam. The relationship between Malay, not Indian, and Muslim identity is so tight, that it produces anxiety for individuals who do not fit in the expected categories. Indian and Hindu is paired tightly as well, but it is not written in the constitution that every Indian person must be Hindu, whereas it is written that every Malay person must be Muslim (with very few exceptions, as we will see with the Orang Asli next). Factoring in the power of the majority, the access to economically beneficial handouts, and increasing tension between non-Malay groups and the Malay population, this anxiety is understandable. An interesting topic for future research would involve ethnographic research on Indians who have converted to “Malay” to ascertain whether they maintain a social “Malay” identity in the public sphere and an “Indian” identity in the privacy of their homes.

So, how does an Indian Muslim convert ethnicities to obtain the prized Malay status? Assuming the individual was born in Malaysia, speaks Malay and practices Malay custom, the process is relatively simple. The process is even more simple if a couple wants to assert their child's Malay identity at birth.

These younger Malaysian-born Indian Muslims ensure their children are registered in their birth certificate and identity card (IC) as 'Malay Muslim' so that there is no problem from the start. The parents also make sure their children have the Malay patronymic 'bin' and 'binti' and not 'anak' or 'son/daughter of,' which is usually used in the ICs of Indians. (Pillai 2015, p. 23)

When my parents make my IC (identity card) they put my Bangsa (race) as Melayu (Malay) and my religion as Islam. So, I'm Malay and that is a fact and no one has questioned me so far. (David 2009, p. 44)

Identity cards play a massive role in ethnic conversion. '*Bin*' and '*Binti*' are always used on the government identification card of Muslim Malays whereas anything else indicates non-Malay. '*Anak lelaki*' is the term written on male Indian ICs and '*anak perempuan*' denotes a female Indian; all terms are used by the Malaysian government to racially encode identity upon populations. Note, '*anak*' is used to denote non-Malay individuals, but there is no accompanying religious denotation on the birth certificate. A Hindu Indian and a Muslim Indian have similar, if not identical, markers in the eyes of the state, which considering they have very different needs and habits, causes frustration on the behalf of Indian Muslims. It is fortunate that these labels create a window of opportunity for couples with infants, as the right to choose identification, so long as it can be proven, falls on the parents.

Being declared Malay at birth means the government does not usually require proof of using the Malay language, adhering to Islam or practicing the Malay culture. However, being born into ‘Malay’ is not the only way for Indian Muslims to convert ethnicity and obtain the bumiputra status. Like the birth certificate serving as a vehicle of opportunity, ICs, application forms, and other government documents provide space for identity manipulation, but only if the Indian Muslim individual was born in Malaysia.

When I was in school, I never saw my friend Mohd Rahim bin Kadir as an Indian. I know he has Indian blood but I consider him just like me, Malay. He speaks Sarawak Malay just like other Malays too, and on Fridays we go to mosque together with other Muslims from school.
(David 2009, p. 43)

The methods available to Indian Muslims born in India will be discussed in the following section, but for now, it is important to note the many different facets of what the government wants in their Malay population. As seen in the above quote, Indian Muslims born in Malaysia use the same Islamic schools and religious circuits as the Malays, making them already culturally, linguistically, and religiously similar. They are not indistinguishable from the Malays in all cases; the Malay respondent could identify that his friend had ethnically Indian roots, however his language proficiency and religious practice makes his ethnoreligious category ‘Malay’ appropriate. Indian Muslims born in India are seen as too different to the Malaysian government; they seem to be entrenched in a different culture and bring an Indian brand of Islam into the fold. They may speak Indian languages at home rather than Malay, and overall, their identity is considered too ‘Indian’ to count as Malay. This will be explored later because Indian Muslims born in Malaysia already provide interesting insights into what it means to be Malay in the eyes of the federal government.

Only Bumiputeras can enter UiTM (University Technology MARA) and more easily other public universities compared to a non-Bumiputera. I applied and got accepted to do a course in Science. I applied as a Bumiputera- a Malay. So I'm a Bumiputera – a Malay because of my religion, even though both my parents are Indian Muslims and not Malays. There is no column for Indian Muslims in the application form. (David 2009, p. 43)

“There is no column for Indian Muslims in the application form” for universities, says an Indian Muslim/Malay respondent. If nothing else, this statement alone illustrates the awkward placement of Indian Muslim identity within Malaysia. It is assumed by the government that if you are Muslim, you are also Malay; the non-Malay-Muslim minority is so small already, and with patterns of ethnic conversions, it seems like the inability to fully identify as Indian Muslim on forms functions as an added pressure to conform to the Malay majority. The respondent also differentiates their identity from the identity of their parents, which is interesting for multiple reasons. The classification system is so strong that once a child attains the ethnoreligious category of the majority, through being claimed as Malay at birth or through claiming Malay status through applications and government forms, they distance themselves from their parents' identification. Receiving benefits and freely moving within Malay society is so tightly bound with the Malay identity, it appears that Malay children do not want to jeopardize their opportunities by closely identifying with their former identity or their family's history.

Maya Khemlani David of the University of Malaya Kuala Lumpur and Caesar Dealwis of UiTM interviewed numerous Indian Muslims to understand the pressures placed on them to conform to the Malay identification. Every single Indian Muslim they interviewed under the age of thirty “stated that they classified themselves as Malays when applying for government scholarships and places in public universities” (David

2009). This is the most common way to ethnically convert that is available to Indian Muslims in Malaysia. It is highly significant that every young respondent claimed to utilize this simple system to access bumiputra quotas and handouts. In line with political desires to increase the majority, individuals who fully meet the criteria choose how they want to identify to the government by writing 'Malay' instead of 'Indian' in the ethnic category. The sheer simplicity shows the political and social pressures to conform to the Malay majority, but perhaps it better demonstrates the contentious nature of Malay special privileges. Indian Muslims are the only population that have maximum leeway to access these benefits, and therefore every young Indian Muslim born in Malaysia identifies as Malay to access the program. The Orang Asli are the only other group that has a similar flexibility within the system, but Indian Hindus, the vast majority of Chinese, and other smaller populations have no ability to convert ethnicities given their failure to meet the criteria outlined in the Constitution.

So far, it is clear that language use, expressed culture and most prominently, Islamic observance, can allow Indian Muslims to apply for or claim Malay identity. As identity politics has become more controversial in recent years the access available to Indian Muslims becomes more complicated. Dr. Mohamed Iqbal, an Indian Muslim community leader, claims that in more tertiary areas there exists an "inability of some to qualify for places, scholarships, and loans reserved for Malays." Indian Muslims born in India share this problem, however Iqbal references Indian Muslims who have been "classified as Malays in their birth certificate and identity cards." He says, "This is because they fail the ethnicity test when application forms demand information on their *keturunan ibu-bapa* (parent's ancestry)" (Pillai 2015). Despite claiming to be 'Malay,'

institutions in more rural areas require a follow-up ethnicity test requesting parental origins. Indian Muslims with at least one Malay parent may successfully pass, however the previously mentioned freedom of Indian Muslim couples to claim ‘Malay’-ness for their children appears to not always result in success.

If the government recognizes their category of Malay, why are they denied entry to institutions in more rural areas? The federal government may recognize the identity and yet, most bumiputra quotas and handouts are managed on the state level. In addition, the historical section reminds us that the majority Malay population dominates rural Malaysia. The liberalizing effect of urban areas does not reach tertiary areas of the nation, and the bulk of rural Malays are more conservative and protective of their Malay privileges. On the federal level, ‘Malay’ is imposed to create and bolster majorities, but on the state and constituent level, ‘Malay’ is a category reserved for the indigenous population disadvantaged through colonial policy. Indian Muslims, despite fulfilling all constitutional criteria, are seen as immigrants, not naturalized citizens. On both a federal and state level, ‘Malay’ is an ethnoreligious category used to control power dynamics and identify people who can truly claim belonging to Malaysia. This is already apparent in the practice of ethnic conversion by Indian Muslims born and raised in the country, however the final section looks at options available to Indian Muslims born outside of the country.

Conversion Complications

The Malays worry that we will take away their rights, but many Indian Muslims want the ‘bin’ and ‘binti’ for cultural identity and education access for their children. Some parents complain their children are ethnically ostracized in schools because of their names. Yet they cannot change their children’s names. If some Indians from India have ‘bin’ and

‘binti’ on their names and Chinese converts are allowed to do so, why not us? It’s not too much to ask. (Pillai 2015, p. 28)

Marrying a local Malay is the easiest way for Indian Muslims born in India to guarantee ‘Malay’ status for (at least) their children. Most Indian laborers brought into the country during colonization were single men who had no issue intermixing with the local Malay population. Mahathir Mohamad touched on this history of intermarriage when he claims Penang Malays all possess Indian blood, and he is not wrong. Indian Muslims in particular have much in common with the Muslim Malays, and the rich history of mixing between the two groups increases the flexibility of Indian Muslims to claim Malay indigenous status. As the quote above shows however, the Malays experience anxiety and perceive other groups attempting to join their category as a threat to their supremacy and natural claims to the land. On a state by state basis, some Indian Muslims (even those born in India) can obtain the *bin* and *binti* designators on their ICs, and Chinese individuals willing to convert to Islam are rarely, but notably able, to use the Malay identifiers as well. The unequal access to Malay identity is what leads Indian Muslims to plead for universal recognition of their bumiputra status before every election. In essence, they are asking the federal government to enforce the same constitutional outcome in every state; the Constitution is incredibly flexible in the way ‘Malay’ is defined, but the ambiguity creates opportunities as well as challenges.

As discussed in the last section, the majority of Indian Muslims in Malaysia “have inter-married, fully assimilated into the Malay community, and are classified as Malay” (Pillai 2015). However, there is a notable minority who refuse, or are denied, bumiputra status. A small portion of Indian Muslims refuse to “rely on Bumiputera policy quotas” and utilize “corporate networks” of Indian Muslims abroad (Stark 2006). These

individuals usually come from wealthier castes and occupations within the Indian national context and are far more likely to marry a woman from their homeland to preserve their culture. Unfortunately, the other group of true 'Indian Muslims' in Malaysia were also born in India yet moved to Malaysia for economic opportunity. They learn to speak Malay, assimilate into Malay culture, and practice Islam, however the fact of their birth and frequent travels back to India cast doubt on their loyalty to the Malaysian state.

The majority of this group are older men who hold permanent residence in Malaysia, but not citizenship. They maintain their Indian citizenship and earn money for their Indian wives and children back in their homeland. However, families can have this structure for generations, and it is often not by choice that the Indian family remains in India. They are denied citizenship on the grounds of their Indian birth, so they are subsequently denied the ability to vote, bringing their family into Malaysia and certainly access to the bumiputra quotas. Because of this political reality, Indian Muslims born in India must commute back and forth between India and Malaysia, exacerbating the government assumption that their true loyalties lie elsewhere. In fact, in response to complaints from the continued denial of citizen applications, the government responded that "sincerity will be judged by the number of times they reapply, and their ability to speak and write Malay." Remember, many of these individuals have lived and worked in Malaysia for generations, but even this "does not qualify them as citizens, especially if they spend periods in both countries and have their family in India" (Pillai 2015). The man who gave this response, then Deputy Home Minister Dato' Megat Junid Megat Ayub, is apparently unaware that this group of Indian Muslims mostly keep their family

in India and maintain their Indian roots because the government does not allow them to do otherwise.

The government does not track this population of Indian Muslim Permanent Residents in the formal sense, but one grass-root leader claims “there are thousands who are born in India and cannot get Malaysian citizenship” (Pillai 2015). Unfortunately, this group of Tamil/Malay speaking Indian Muslims mostly constitute market vendors and working-class individuals. They do not possess the wealth of the other Indian Muslim group, and they do not possess the Malaysian birth of the larger Indian Muslim group. Thousands of these individuals are among the poorest of all Malaysians, trailing behind other Indian Muslims and Malays who can access economic support via bumiputra quotas, Hindu Indians who are represented and supported by the MIC, and the Chinese who maintain powerful economic networks within the country. More than anyone else, this population needs access to bumiputra quotas, and yet despite the NEP and NDP explicitly geared towards alleviation poverty from all groups, the lack of citizenship disqualifies these Indian Muslims.

Some Indian Muslim permanent residents (PR) manage to obtain PR status for their wives, and thus “have managed to obtain citizenship for their Malaysian-born children.” However, “most are unable to switch their children’s official ethnic identity to Malay” simply because “they are classified as being of ‘Indian descent’ (*Keturunan India*).” The frequent mention of exceptions or use of the term “most,” “some,” and the like all highlight the complexity and subjectivity of identity in Malaysia. By requesting Malay recognition for their children, they are asking the government to remove ‘*anak*’ from their ICs, as discussed before. However, whether or not the government completes

their request is unbelievably variable. It comes down to “ad-hoc administrative decisions by individual civil servants in Registration Departments, where decisions varied widely from state to state.” To clarify, the ability for PR Indian Muslims to obtain government assistance for their children comes down to the opinions and leanings of individual government employees. In more rural states, civil servants are more likely to deny these applications, and cited reasons for denial include “the applicant’s Bahasa Malaysia is not seen to be fluent enough,” or even “wearing Indian rather than Malay clothes” (Pillai 2015). Though clothing can be used as an indicator of culture and language proficiency is a requirement, what is considered Malay ‘enough’ or fluent ‘enough’ is not outlined in the Constitution; instead the federal government assumes civil servants and state governments will be able to judge specific individuals in a constitutionally uniform manner without acknowledging the impact of individual political leanings in the Malay government.

The constitutional vagueness means that just as Indian Muslims have the right to apply for Malay status given their perception of fitting into the criteria, different levels of the government can justify their exclusion based on their perception of Indian Muslims not fitting the criteria *enough*. In terms of the larger argument being made, religion provides hope to Indian Muslims born outside of Malaysia, but their assumed ethnic loyalty disqualifies them in the eyes of the government. Other Indian Muslims experience more freedom to choose how they identify, and yet their innate ‘Indian-ness’ undermines the ethnoreligious category ‘Malay,’ causing the problems we have discussed.

If Malaysia denies some Indian Muslims bumiputra status because of their lack of ‘indigenous-ness,’ how do they handle other groups with far fewer cultural and religious

similarities? The Chinese fit into this category, and they are purposively legislated out of the Constitution. However, the meaning of bumiputra is literally, *Sons of the Soil*. The superiority of the bumiputra does not rest on speaking Malay or practicing Malay custom; it rests upon Islam as a force in politics and the claim of “natural rights” to the land. This fundamental claim to indigeneity by the Malay majority is directly challenged by another group within state boundaries, the Orang Asli.

The Second Case Study: The Orang Asli of Peninsular

Malaysia

The issues faced by the aboriginal tribes of the Orang Asli in Malaysian society are incredibly different from the frustrations of Indian Muslims. While Indian Muslims must convert ethnicities and sacrifice their claims of Indian heritage, they face far fewer issues assimilating into the dominant culture. The Orang Asli, on the other hand, face multiple types of discrimination that I will explore in part. A massive factor in Malay resistance to the Orang Asli seems to be their perceived incompatibility with modernity and development, similar to other international aboriginal struggles. Though I will certainly discuss questions of ‘indigeneity’ and stereotypes leveled against them, the role of socioeconomic status as a qualifier for Malay identity requires further research that does not fit the scope of this current work.

Don Nonini’s book (2015), *“Getting By” Class and State Formation among Chinese in Malaysia*, discusses the relationship between socioeconomic status and race as powerful influences on how ‘Malay’ is defined and used, similar to my own conclusion on the tightly coupled relationship between religion and ethnic identity. Malays wrote the

Constitution (under the strict guidance of the British) and legislated special privileges in an explicit attempt to level the playing field for all races. This meant that it intentionally excludes the economically well-off Chinese from receiving any benefit from the government. This general statement could be gleaned from the historical section, whereas Nonini's ethnography does a far better job at assessing the nuance and different facets of life for Chinese-Malaysian citizens.

This comparison with Chinese populations is important in the sense that it provides a place to begin analyzing the socioeconomic factor within the Orang Asli. The Constitution does not explicitly protect these aboriginal people, not for their wealth, but because of their poverty. They number only .5 percent of the population and the vast majority are "farmers who live close to forest areas," though some groups are semi-nomadic (Idrus 2010). It is of critical importance to understand that the 'Orang Asli' – which translates to "original people" – is a "crucial pan-ethnic or supra-tribal identity through which they are currently placed and administered in the modern nation-state." In this statement, Nah is referencing the 18 different tribal groups that make up the 'Orang Asli' category. Like 'Malay,' 'Orang Asli' references a highly pluralistic, diverse group with a wide variety of customs and beliefs. The modern nation-state and its insistence on naming categories to promote streamlined governance failed the Orang Asli, who have no political party or power to advocate for their interests. Because of their "pan-ethnic identity," leaders from the community have to "speak about themselves through singular voices while being aware of their own plurality, internal fractures and unresolved differences" (Nah 2006).

These groups share few common customs, aside from largely practicing animism and cultivating an intimate, dependent relationship with their ancestral land. Beyond that, these groups fought and intermixed for thousands of years, and yet remain mutually exclusive with their own tribal identities, Durkheimian totems, and geographic domain. The Malays, arising out of intermarriage between the indigenous population and different waves of immigrants throughout the land's history, paid little attention to the numerically insignificant group until colonization. Before, the largely-coastal Malay population looked to the sultanate as their leaders and locales of power to identify the self with. The livelihoods of the inland, "primitive" Orang Asli were of no interest to the majority until Britain forced aspects of the modern nation-state upon British Malaya. The categories they imposed with their census ultimately led to the modern categories of identity in Malaysia, so when confronted with the aboriginal population, the immediate response from the British was to make them 'Malay.' Both the sultanate and government civil workers at the time balked at the proposal, as the aboriginals did not practice Islam. More importantly, the aboriginals themselves expressed "a violent antipathy against becoming 'Malays'" (Nah 2006). This desire to maintain their own identification will be examined in later sections, however the historical importance is such that the aboriginals still had to be legislated into the modern state. Instead of being 'Malay,' the British inscribed their presence in Malaysia as (unwilling) subjects of the sultanate, and later the state.

The Malays are also considered "wards of the state," key words used by Russalina Idrus, while the Malays had their protections and rights explicitly inscribed in the Constitution. The Malays and British made the Orang Asli wards of the state, but without giving the same attention to their explicit rights in the Constitution. Partnered with their

lack of political representation, Orang Asli community leaders have had to find other sources of legal support to advocate for their rights in post-independence Malaysia.

Political Representation

Unlike KIMMA, MIC or UMNO for Indian Muslims, there is no political party to represent the Orang Asli. However, the colonial government founded the Department of Aborigines in 1953 during a crackdown on communist actors in Malaysia. After World War II, “nationalistic communists” originally allied with the British against the Japanese with the promise of independence. When Britain returned to reclaim their colony, not establish independence, the communists revolted and fled to the jungle to hide and fight. The jungle is the domain of the Orang Asli – though that name had not yet been developed – so upon realizing that the communist fighters only survived because of the assistance of the aboriginal population, both the British and Malays recognized the need for greater attention to their inland population.

The Department of Aborigines eventually came to be known as *Jabatan Hal-Ehwal Orang Asli*, or the JHEOA. The original intent of the department was to “win back’ the aborigines through propaganda” education, medicine, and general trade supplies, ignoring the fact that some of this material could be obtained through “communist channels.” On top of providing resources that were not wholly asked for by the different tribal groups, the British previously engaged in “forced resettlement and air raids over aboriginal settlements” to manage communist forces. The relationship between state and the Orang Asli clearly began with little trust and plenty of baggage, a pattern continued into modern Malaysia.

The JOA [JHEOA] is successful in instilling paternalistic control over the Orang Asli. Certain Orang Asli look at the JOA as a force that they have to listen to, that they must follow, and [whom] they cannot go against. It's ridiculous! Even when I wanted to bring a friend to see a kampung, in order to study their language, we have to ask the JOA for permission first! (Nah 2006, p. 292)

The JHEOA does not lobby for the needs and interests of the Orang Asli people.

The Malay-dominant government decides what resources to allocate and which programs to begin among the tribal populations, and the JHEOA enacts them locally. A two-way channel for communication does not exist; the JHEOA does not receive input from the Orang Asli about their needs to relay to the government, the government makes all the decisions for the diverse group. This “paternalistic control” has been critiqued as being “thinly veiled missions to ‘civilize the margins’” and many scholars have addressed the “strong assimilationist and Islamization agenda” behind the government projects (Idrus 2010). Indian and Chinese immigrants also experience pressure to conform to majority culture and religious practice, however this force is amplified to its most overt, powerful form by governmental policies directed at the Orang Asli. The final section will explore this idea in full, however remember, the notion of ‘indigenusness’ rests at the foundation of Malay claims to supremacy. Because the Orang Asli are undeniably indigenous, more so than the Malays themselves, they deeply threaten the entire premise of the Constitution and the current form of government. I mention this here to highlight the role of the “civilizing” and Islamization programs. Idrus claims there is a sense of desperation within the assimilationist programs to incorporate the Orang Asli into the ‘Malay’ fold as quickly as possible to reduce the anxiety that comes from such a threatening group existing on the margins. Though socioeconomic status plays a large

role in this, take note that the government identifies Islam as the solution to the ‘Orang Asli problem.’

Aside from the anxiety that comes from identity politics in Malaysia, an additional stressor is the valuable resources ancestral Orang Asli land possesses. The government considers them “failed subjects” of modernity and a threat to their supremacy, which partially explains their reluctance to listening to the actual needs of the community. However, the desire to access natural resources and land for Malay development may be a more insidious reason for the government’s deafness. In his review of other Orang Asli related research, Robert Knox Dentan identifies a common theme present in recent ethnographic studies: “[the Orang Asli] would welcome development that actually addressed their needs rather than the needs of those who covet Orang Asli land, trees, and other resources” (Dentan 1997). The government not only ignores the actual needs of the aboriginal population, but they also portray a sense of ignorance about the intimate relationship between the Orang Asli and their native, ancestral lands.

Land is the most important issue for the Orang Asli today, for without it, we have no rights... the Orang Asli are still unprotected in this manner. (Nah 2006, p. 292-293)

After legislating the aboriginal tribes as wards of the sultans, the British subsequently proclaimed “all unalienated lands are, by default, ‘Sultanate land.’” With their desire to develop the nation as quickly as possible, an unprecedented amount of development projects began on lands inhabited by aboriginal peoples. This more than anything altered the intimate relationship individual tribes had with the land, as “resettlement programs organized by the JHEOA” and “state appropriation of land” in the

“interests of the nation” moved them to different, unfamiliar locations. The government designated some land as “aboriginal reserves,” granting the Orang Asli minimal control and regulation over their new land. However, the lack of rights granted to them by the Constitution means that their ownership of the land is “not as secure as the status of Malay reservation land,” leaving them at the mercy of the dominant Malay population. Historical instances of relocations off aboriginal reserves demonstrates the flimsy nature of their claim to the land, which is compounded by the government only compensating for “the value of houses and fruit trees” when they relocate tribes. They do not not recognize “Orang Asli ownership of the land itself” (Nah 2006). They are considered “tenants-at-will,” and “subject to relocation or eviction when the land is needed for government projects” (Idrus 2010). This predicament is shared with other aboriginal populations around the world, particularly in Australia and the native populations of North America. Due to their inability to use their own constitution to argue for their rights, the Orang Asli have turned to precedents set by these other groups to negotiate their rights with the Malaysian state.

We have been told for a long time that the land we live on is State Land. The OA [Orang Asli] themselves already say this. Historically they have followed the customs of the land, but they have been brainwashed. Now we are trying to create awareness that we are ‘indigenous peoples’; that these are our own lands. But the process to know our own rights is a difficult one. People are still afraid of the JOA [JHEOA], the police. They want to move, but they are afraid of getting arrested. The function of the authorities is not clear to them. They only know that the police are government, and the government can have them arrested. (Nah 2006, p. 292)

The relatively recent development of Orang Asli community leaders using the court system to advocate for their rights certainly came about via exposure to other

international aboriginal struggles. This trend did not appear earlier due to reasons illuminated in the quote above. The non-existent nature of aboriginal rights in the Federal Constitution complicates knowing where to begin a legal battle, but the relationship between the community and government hinders productive action as well. As wards of the state, they are not considered actors. The Malay government, even under colonialism, never consulted with them on any matter. Decisions are made for the Orang Asli, the Orang Asli do not make decisions. The government narrative of the tribes as anti-development and “primitive” means that when action is taken, it is usually without enough explanation or justification, therefore relying more on force and fear than understanding. The history of violence enacted upon aboriginal communities by the state and the policing by the JHEOA has left the community apprehensive (at best) about government interventions and interactions. In that light, the hesitation to utilize the court system is understandable.

We are citizens (warganegara) too; we want our rights protected.” “It has been forty-eight years since our country gained independence. Today, we, the Orang Asli, we are just beginning to savor our independence. (Idrus 2010, p. 93)

The Temuan tribe of the Orang Asli were the first to overcome their hesitation after the government gave them two weeks to vacate their homes for a new highway in 1996. Idrus details the trials and political battles, however the most interesting consequence of these legal proceedings is the utilization of multiple frameworks of law. Because the definition of ‘Malay’ is so tightly coupled with Islam, and because of the exclusion of aboriginal groups during constitutional discussions, the Orang Asli must find alternative legal frameworks of identity to pair with the Constitution for leverage. Their

baseless foundation for juridical rights justifies the need to use other internationally recognized precedents to force the Malay government into recognizing the rights of this population group.

In the 2002 Sagong Tasi case, the Orang Asli plaintiffs utilized three different arguments to convince the secular court of the wrongful nature of their eviction. The first argument involves refuting the “tenant-at-will” status of their occupation of ‘State Land.’ At the time, the “limited precedents for native title decisions in Malaysia” forced them to turn to other precedents set in “Australia, Canada, Nigeria, South Africa, and the United States, all of which recognized the rights of ‘indigenous peoples’” to claim ancestral ownership of lands without official land titles. The second and third argument scrape up what little rights the Constitution grants aboriginal tribes, the second argument calling upon Article 8(1) of the Federal Constitution, “All persons are equal before the law and entitled to the equal protection of the law.” Used in conjunction with the Aboriginal Act (instituted during colonialism; the same act that rendered them “wards of the state”), the plaintiffs argued that the state has a “positive duty... to take appropriate steps to protect the land rights of the orang asli including to positively discriminate in their favor.” This argument flips the narrative used to describe the Orang Asli as “failed subjects” of modernity, and instead highlights the “government’s failure to protect the Orang Asli” (Idrus 2010).

The third argument relates to the financial compensation of government acquired land, calling on Article 13 of the Constitution that states, “1) No person shall be deprived of property save in accordance with law. 2) No law shall provide for the compulsory acquisition or use of property without adequate compensation.” The Orang Asli fighting

this case pointed out the double-standard visible by juxtaposing Article 13 and Article 8 with the Aboriginal Act. Article 13 and 8 from the supreme Federal Constitution advocate for a specific level of compensation, whereas the Aboriginal Act claims that aboriginal tribes can be reimbursed to a lesser degree for acquisition of their land. In summary, they emphasize the “supremacy of the Federal Constitution” over the stipulations of the Aboriginal Act, asserting their identity as “equal” Malaysian citizens and right to claim the compensation outlined in Article 13 (Idrus 2010).

Well, the Orang Asli cannot expect to be able to claim special privileges as a traditional people and be able to claim the same rights as other citizens. They cannot claim customary rights and the rights accorded to other non-Orang Asli citizens. (Idrus 2010, p. 103)

In essence, the Orang Asli argument rests upon their identity as Malaysian citizens with general rights accorded to them in the Constitution and their identity as aboriginal people with specific rights recognized by the international community. For fairness sake, it is important to note that the federal judge ruled in favor of the plaintiffs and set a positive precedent for future Orang Asli eviction cases. On the other hand, the State Attorney’s quote above demonstrates that some Malays in power felt like the ability to use multiple frameworks of law was unfair and inappropriate. From the Orang Asli perspective, it seems more unfair to be forced to use multiple frameworks to gain a fundamental recognition of rights. The efforts undertaken to maintain Malay supremacy began with tightly defining the majority group, and through that process, creating constitutional holes of identity for complex groups or unique individuals to fall through.

So far, I have only discussed the lack of political representation and legal battles of the Orang Asli. Considering that the Orang Asli are more rural than Malays and

engage in less lucrative activities than Indian Muslim market vendors, it is very important to also address bumiputra laws in regards to their identity.

Access to Bumiputra Laws

If bumiputra means *son of the soil*, and Orang Asli means *original people*, why did they not receive the same guarantees to quotas and government handouts? As a reminder, the British and Malays denied the Orang Asli of the Western Peninsula direct constitutional recognition. The final draft of the Constitution “eventually *did* recognize the ‘aborigines’ as being a separate group of citizens.” Unfortunately, from the perspective of the undeniably-indigenous Orang Asli, “they (along with all other non-Malay communities granted citizenship) were not accorded the same level of special privileges that the Malay were” (Nah 2005). The situation is further complicated by the later addition of the Sabah and Sarawak states into the federation a few years after independence. To understand the complicated and contrary nature of Orang Asli identity, the full clause defining the role of the government in protecting bumiputra needs to be examined.

- (1) It shall be the responsibility of the Yang di-Pertuan Agong to safeguard the special positions of the Malays and natives of any of the states of Sabah and Sarawak and the legitimate interests of other communities in accordance with the provisions of this article.

Sabah and Sarawak joined the federation in 1963, along with Singapore who subsequently left the federation in 1965. These states also possess aboriginal groups undeniably indigenous to the area, and so, upon their entry into the nation-state, “Malays could not be the only ones accorded ‘special status’ as indigenous people of the land.” Obviously, the Malays felt differently about the tribes already present in their federation

and presented these other tribes with “the same privileges given to the Malays” (Nah 2006). This calls into question the exact nature of the Orang Asli, and why they, and not the other aboriginal groups, were barred from constitutional recognition. Perhaps the negative stereotypes of the tribes living in West Malaysia did not extend to the tribes living in the new eastern front of the country.

Not all Orang Asli are specifically denied bumiputra privileges though; returning to the subjective enforcement of identity politics by individual state officials, some officials in rural states take the definition of ‘Orang Asli’ to be a linguistic and innate assertion of indigeneity and allow tribal members to count towards Malay quotas and government assistance. However, like the issue with Indian Muslims, the non-universal recognition of their rights produces frustration in communities who desperately need government assistance. At this point, I would like to closely examine the word ‘indigenous’ and how it functions as its own qualifier in Malaysian society.

They are an indigenous community whose social, economic and cultural development prevents them from sharing fully in the rights and advantages enjoyed by other sections of the population. It is right therefor that the Government should adopt suitable measures designed for their protection and advancement with a view of their ultimate integration with the Malay section of the community. (Nah 2006, p. 288)

Despite recognizing the group as “indigenous,” the Minister of the Interior identifies Orang Asli “social, economic and cultural development” as the factors barring them from enjoying constitutional “rights and advantages.” The language of this quote is rooted in the immediate aftermath of independence, after the Malay majority used “indigeneity” as a “compelling argument” to negotiate “special rights and privileges for themselves” with the British government. The Islamic sultans “were efficiently established and influential

enough to merit negotiation” with the British colonizers, however the “the small tribal communities” who lived deep in the jungle were not. Both groups “were simultaneously understood as being people indigenous to the land,” but at the same time, “both were treated differently” by the British, and subsequently, the Malays themselves (Nah 2006).

I believe the reason why these groups were treated differently and the exclusion of the Orang Asli during constitutional debates is heavily influenced by socioeconomic stereotypes used against rural, economically weak aboriginal groups. However, to restate, analyzing the role of socioeconomics does not fully fit the purview of this work.

...there could be no doubt that the Malays were the indigenous people of this country because the original inhabitants did not have any form of civilization compared with the Malays... [These] inhabitants also had no direction and lived like primitives in the mountains and jungles. (Nah 2003, p. 43-44)

To understand how the role of religion in Malaysian impacts the Orang Asli, it is important to examine the ‘solution’ to the indigenous people’s “primitive” nature. Quotes from newspapers like *The Star* and government officials illuminate the “ever-present question in the minds of State authorities: How do the Orang Asli fit in a nation-state whose political legitimacy is based on claims to indigeneity, as waged by the politically dominant group, the ‘Malays?’” The anxiety of the Malays is palpable, and though the stereotypes existed before the Constitution was finalized, it is not unreasonable to think that the threat to Malay supremacy existing within the undeniably indigenous population further propagates socioeconomic stereotypes. The claims that the Orang Asli “did not have any form of civilization compared with the Malays” ignores the historical fact that the indigenous groups bred the first Malays. Ultimately, their claims come across as a

politically dominant and anxious group attempting to justify their own superiority on different terms than what is explicitly outlined in the Constitution.

Another ever-present question about the Orang Asli in Malaysian society is: “How do their religious beliefs matter, in a nation-state in which Islam is the ‘religion of the Federation’ and the Malay language is given primacy... ?” (Nah 2003). This is the question most related to my argument, and most important in terms of illuminating how religion functions in Malaysia.

Conversion Complications

The Malay ‘anxiety’ I have mentioned stems from the threat Orang Asli pose to claims of indigenesness. They do not practice Islam, a fundamental part of what it means to be part of the majority, and they practice tribal customs. Despite these differences, the government claims Orang Asli “can effectively ‘become’ Malay by embracing Islam,” and therefore be fully counted among the Malay majority and be awarded access to the bumiputra laws (Nah 2006). The inherency of their indigeneity means only a change in spiritual beliefs is necessary for them to assimilate, despite actually practicing their non-Malay tribal customs. Perhaps it is because the Orang Asli already ethnically present as the dominant Malay group, unlike Indian and Chinese populations who do not physically look like the Malay population. Different from aboriginals in Australia, for example, the Orang Asli look very similar to the majority Malays because of their shared heritage and because in modernity, more tribal members are abandoning traditional clothing when interacting with the public sphere. Language is another factor that helps the assimilationist agenda; most Orang Asli individuals speak Malay along with their tribal language. This makes assimilation superficially

straightforward; unfortunately, the government did not stop to ask the opinions of the Orang Asli when deciding they should be assimilated into the majority.

From the perspective of the indigenous tribes, the government's anxious desire to assimilate them is viewed as "an erosion of their membership, of their 'colonization,' and of the eventual erasure of their existence in the social landscape of present-day Malaysia." Nah comes to this conclusion through years of working with the Orang Asli and learning about the "affective pride" that comes with being part of this pan-ethnic identity (Nah 2006). Years of resettlements, air raids, and discrimination, the Orang Asli have mended some of their internal fractures in recognition of the need for unity in the Malaysian political sphere. They are proud of what their aboriginal tribes have to offer the pluralistic, diverse nation, and do not want their tribal identities to be erased upon assimilation. This is in direct opposition to the desires of the Malay dominant government who want to fully assimilate Orang Asli into the Malay population so no challenge can be made to the entire group's claim to indigeneity. The government has spent "millions of ringgit" on "Islamization activities" which has resulted in more Orang Asli converting to Islam (Nah 2006). The use of Islamic conversion to quell Malay anxiety shows the nature of how the category of religion functions in Malaysian society. Religion and ethnicity together, more so than culture and socioeconomic factors, regulate individuals inside or outside of the majority in direct management of power dynamics within the country. Though the majority Malays views assimilation positively, the social consequences faced by converted Orang Asli members show the negative side of employing an assimilationist agenda.

The Jabatan's mandate is for economic development and education, not for Islamicizing Orang Asli. But, they promote this. Now, many Orang

Asli have become Muslims (masuk Islam). In my own view, there is a hidden agenda, a hidden motive, [that is] to co-opt the Orang Asli, especially the ones that are smart. This strengthens their [Malay Muslim] position. When the Orang Asli become Muslims, they change their thoughts, mindset, behaviors. When there are marriages, deaths, and so on, all our cultural practices become Islamic. Orang Asli are afraid to break the law, so they follow along. They are afraid of going against the authorities. If the authorities tell them to bury [the dead] in a certain way, they will do it. They go along rather than resist. (Nah 2005, p. 43-44)

This young Semalai man identifies many issues with the government's assimilationist agenda. It is impossible to know if the government has a secret agenda to "co-opt" intelligent Orang Asli; however, he is right to identify that assimilating tribal groups "strengthens their [Malay Muslim] position." He also addresses the cultural impact on the tribes, insofar as Orang Asli conversion means the entire tribe must adapt to Islamic practices (in "marriages, deaths, and so on") but also hints at the coerced nature of these Islamization policies. The fear instilled in the Orang Asli from the JHEOA "police" and historical acts of violence means that the community "follows along" in fear of "going against the authorities." How many Orang Asli convert because of a genuine desire to follow Islam is in question, however there are certainly individuals within the Orang Asli community who welcome the conversion.

The change in "mindset" the Semalai man notices in converted Orang Asli individuals insinuates full assimilation and acceptance of the dominant Malay culture. This may not be the case for all converted Orang Asli. According to Nah, Muslim Orang Asli occupy a "contested space," similar to the contested space held by Indian Muslims born in India. Not all immediately identify with the Malay culture, instead, some individuals "proudly retain their Orang Asli identity" despite their religious conversion. In a clear example of the coupled nature of religious and ethnic identity, they argue

“religion does not, and should not, erode their ethnic identity” (Nah 2005). This is an indirect request of the government to legally maintain their aboriginal status while also participating in the indigenous ‘Malay’ culture, similar to the arguments used in negotiation Orang Asli land rights.

The government does not appear to police the cultural practices of the Orang Asli, so perhaps there is room for the government to recognize the natives of the western peninsula in the same way they recognized the natives of Sabah and Sarawak: bumiputra, but distinct from the ‘Malay’ population. Socioeconomic stereotypes plausibly explain why this has not happened, and the government’s pursuit of a wholistic assimilationist approach. What is equally important is the tight association between cultural and religious rituals and the Orang Asli ethnic, tribal identity. The government cannot forbid an individual Orang Asli from maintaining their tribal identity even after conversion, and yet extra “work” is required to “prove” to the outside world, particularly to other Orang Asli, that he/she remains loyal to the Orang Asli after he/she embraces Islam.”

Juxtaposed with the individuals who convert and fully “embrace the Malay way of life altogether,” this is not an easy task. Even after putting in “work” to retain tribal identity, “to most Orang Asli, this person is considered ‘Malay’” solely because of their religious conversion (Nah 2005).

Religion qualifies acceptance into the dominant population, but also the exclusion from previous communal identities. The external pressure from the government to conform to the Malay dominant culture clashes with the internal pressure to remain Orang Asli. Although some individuals have tried to call upon the Aboriginal Act once more to “argue for a separation between their ethnic identity, as Orang Asli, and their

religious identity, as Muslims,” their acceptance in Orang Asli culture is dictated by the group, not by any government Acts (Nah 2005). The Orang Asli qualify membership with practicing their own tribal, non-Muslim customs in response to anxiety about their cultural erasure. Converting to Islam means following the desire to identify with the majority, obtain special privileges, and “become Malay” at the expense of “being Orang Asli.” However, conversion also means political representation and needs-based assistance from the government, which makes the decision of conversion a very difficult one.

Religion in Malaysian society appears to function as a doorway into the dominant political and social sphere; participation in those spheres requires the correct religious orientation, and groups lacking that specific orientation face a “closed door.” This conclusion will be expanded upon and complicated as I conclude the case studies in the next section and prepare to re-examine Durkheim and Bellah’s sociological framework.

Case Study Comparison and Findings

Both Indian Muslims and the Orang Asli struggle with fitting into the constitutional definition of ‘Malay,’ and yet both groups experience different consequences. Unlike the inland indigenous tribes, Indians as a whole are represented by the MIC political party, and Indian Muslims specifically have KIMMA. As discussed, MIC cannot and will not fully advocate for the Indian Muslim minority and KIMMA often lacks efficiency, but at least the parties recognize the existence of Indian Muslims within Malaysian society. On the other hand, the Malays and British excluded the Orang Asli from constitutional recognition while also denying them political platforms. Additionally, the indigenous tribes of peninsular Malaysia are still not validated by the

Constitution like the indigenous tribes of Sabah and Sarawak. The tribes on the eastern island of Malaysia lived separately from the Malays who controlled the UMNO and independence discussions; they also joined the Federation a few years after decolonization. Perhaps the social and geographic distance explains why Malays in power seem to care little about the identities and practices of the eastern tribes (thus legislating them into 'Malay'-ness without insisting they convert). If that is true, then perhaps the visibility and extensive history of interaction between the western Orang Asli and Malay population gave rise to the socioeconomic stereotypes and paternalistic attitude towards their needs.

I stated before that analyzing the impact of socioeconomic factors on the Orang Asli does not fit the purview of this work in full and yet it is simultaneously impossible to ignore. Indian Muslims, many of whom are eatery workers and working-class individuals, face socioeconomic discrimination as well but they do not illicit the same level of anxiety from the Malays as the Orang Asli. Indian Muslims share a religion with the majority, possess a rich history of interaction with the geographic area and do not look like Malays (like the Orang Asli). Their shared religion immediately highlights the role of religion in Malaysia as a social and political lubricant which allows groups and individuals recognition in the public sphere. Despite possessing an 'Indian' identity and looks, Islam specifically grants 'enough' common ground between the majority and Indian Muslims to allow many of them to pass through the semi-permeable boundary into 'Malay'-ness. As the case study on Indian Muslims revealed however, the commonalities forged by a shared religion only extend insofar as maintaining Malay political

dominance. Indian Muslims born in India are too ethnic-ized and their loyalties too questionable.

Religion can open doors to government assistance, bring recognition and acceptance by the majority; and promote political participation in Malaysian society. Indian Muslims born in India face more challenges and complicate this claim. Religion is inherently linked with ethnicity and ancestral claims, but more importantly, it is inherently linked with the power dynamics of the Malaysian nation. Of course, these power dynamics continue to adapt and shift, however they originate in a specific historical time and from particular processes of colonization. The anxious and economically hindered Malay, claiming indigeneity, insisted on legislating Islam into their Constitution while attempting to “catch up” to the other “immigrant” groups brought in by British colonizers for cheap labor. During the independence process, they took every step to ensure the superior status of the Malays would be maintained without the British symbolically granting them such status. They did this by asserting ‘indigeneity,’ which the Orang Asli challenge by having far stronger claims to geographic continuity, and by understanding what set the Malays apart from other “immigrant” groups.

In the face of the disunified Chinese (in terms of common religious beliefs) and the smaller population of Indians, mostly Hindu, the Malays could utilize their strong and pervasive identification with Islam as a way to ensure power remains with the majority. In doing so, they also naturally fell more in line with pressures from the internal and external Islamic community. Returning to general trends, the allowance of certain groups to convert religions and join the majority shows that ethnicity is marginally less of a factor when it comes to assimilation and access in Malaysia. Obviously in the case of

Indian Muslims, ethnicity is still important and remains tightly coupled with religious identity for most people in the nation. Islamic adherence, in many cases, provides enough proof of “loyalty” for fluid individuals to seamlessly merge in Malay culture, a beloved phenomenon for UMNO politicians who seek to numerically increase the voting pool of the majority.

So far, religion opens doors into the public sphere of Malaysian society but is also the foundation of political supremacy within the country, along with “indigeneity.” That means it is not “religion” that opens doors into the public sphere, it is Islam specifically. Malaysian religion then, generally speaking, acts as a doorman. Assuming the “correct” religion is present, the door will open, and all social spaces and spheres occupied by the majority become available. If the “correct” religion is not present, that door will remain shut, and only access to minority spheres will be available. Unfortunately, some cases are not so straightforward: even if the “correct” religion is present, there may be other factors that disqualify individuals from unlocking the door, like real or perceived ethnic loyalties. Adding to the complexity, in the case of Sabah and Sarawak, the “incorrect” religion was presented, and yet the Malays gave them constitutional keys to open the door. Though fascinating to examine, the general trend nonetheless supports the claim that religion functions as a legal and grounded way to maintain political supremacy by sorting those who qualify as the majority and those who do not. In most cases, an Indian Muslim individual experiences few issues forfeiting his or her Indian identity and assimilating into the majority culture, assuming they want to. Similarly, a tribal member from the peninsula assimilates very easily into Malay culture so long as they convert to the shared religion. Sadly, in the case of Orang Asli, entrance into the dominant culture can mean an

additional forfeiture of their tribal identity due to the greater tribal community's perception of their new loyalties. The door into the greater community opens, but the door shuts on their old community as they pass through. This is certainly not the case of all Orang Asli who convert; and yet, the trend itself shows how strongly religion is used as a community marker in Malaysia.

The conclusion of the case studies leaves us with a complicated and highly nuanced understanding of how religion functions in Malaysian society. To restate, religion generally functions as a tool to maintain Malay domination by sorting people in and out of the majority. Being in the majority means guaranteed access to political representation, government assistance, and social acceptance while also asserting "indigenous ownership" of the land itself. Being outside of the majority, for whatever reason, means individuals and groups in Malaysia may be underserved by the government, excluded from political debate, and relegated to their own relatively-isolated sphere in society. These political and social consequences can be traced back to a specific historical time and place, namely the 1950-60's constitutional debates between the British and the Malays about how to frame religion and the 'Malay' ethnoreligious category.

As a final note, it is important to understand that I have undertaken a large scale, macro-level analysis of how religion functions in Malaysia. I do not mean to reduce religion to only this societal role; the intimate relationship Muslims have with their religion is not accounted for here, nor is the incredibly personal relationship any non-Muslim Malaysian has with their religion. Micro-level quotes function as primary evidence, and individuals may be used to exemplify larger trends, however it is not my goal to explain how religion functions for individual citizens of Malaysia. It is also not

my goal to levy critiques against the Malaysian government or UMNO, though explaining historical narratives and minority perspectives may suggest as such. I lack the space to detail related theories, however many modern nations utilize different explicit or implicit means to maintain political and social hegemony. This is a concept not foreign to sociology as a field. This does not excuse any legitimate critiques made by Malaysian citizens, but given my positionality as a Caucasian American woman, my goal was to examine Malaysian society and religion in a sociological lens, not place judgements on a culture I was not born in.

Conclusion

I set out to explore the role of religion in the Malaysian context and discovered that the anxiety underlining Malays in the country stems from imperial economic and political policies clashing with the values and beliefs of the colonized people. The Malay and British drafting parties legislated this anxiety within the Constitution by strictly defining the majority ‘Malay’ in relation to Islamic adherence, speaking the Malay language, and practicing Malay customs. Islam became the “ceremonial” religion of the country, and special rights and protections of Malay individuals became enshrined in the fabric of the nation. By defining ‘Malay’ along narrow yet permeable lines while simultaneously providing benefits for the majority withheld from the minority, politicians and government actors can control the superiority of the Malay population. In this context, religion, along with ethnicity and socioeconomic status, act as *doormen* into the *domain of the Malay*. The political, economic, and many aspects of the social sphere are dominated by the Malays. To enter the *domain of the Malay*, then, means to enter the

public sphere and obtain adequate political representation, special government assistance, and in many instances, social acceptance.

Individuals who possess the correct *key* may enter this domain; “language” is not a frequently cited reason as an incorrect *key*, but “customs” and “Islamic adherence” are. Religion in the Malaysian context helps dictate “customs” and culture, as seen in the similarity between Indian Muslims and Malays. It is clear that the role of religion is both powerful and pervasive; the sociological answer to my question is that religion functions as a tool, or *doorman*, to sort people in or out of the Malay-dominated domain by political actors seeking to manage the majority.

Now, I want to introduce my final piece of evidence. The term *masuk Melayu* has the same colloquial meaning as *masuk Islam* in the Malay language. *To become Malay* and *to become Muslim* are used interchangeably in Malay identity narratives; both terms originated out of Malaysia’s natural southeast Asian history intertwined with imperial consequences. *Masuk* (pronounced ‘mah’ ‘soak’ with a soft ‘k’) has a more formal meaning, however. *Masuk*, according to formal dictionaries, means *to enter*, whereas *Menjadi* usually means *to become* (Cambridge Dictionary). *Masuk Melayu* is thereby recognized formally and informally as *to enter Malay*, just as *masuk Islam* necessarily means *to enter Islam*. The role of Islam in Malaysian society, as a *door into the domain of the Malay*, perfectly aligns with the very meaning of the frequently used term, *masuk Melayu*.

I could not have come to this conclusion without a variety of interdisciplinary sources added to a grounded functionalist framework. The nuance and complexity of Malaysian society overwhelmed every expected direction of this paper, and without

consulting alternative frameworks and disciplines, this project would have been impossible. It is my hope that this endeavor demonstrates to the field of sociology that it is possible to push beyond the western intellectual history of the discipline and embrace new and internationally grounded theories.

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