

DEMOCRATIC ISLAMISTS?
A CASE STUDY ON THE PAN-MALAYSIAN ISLAMIC PARTY (PAS)

Master of Arts in Law and Diplomacy Thesis

Submitted by Erica Miller

27 April 2006

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THE FLETCHER SCHOOL

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ACRONYMS AND DEFINITIONS

ABIM – Muslim Youth Movement of Malaysia (apolitical, revivalist)
APU – *Angkatan Perpaduan Ummah* (Ummah Solidarity Movement)
ASEAN – Association of Southeast Asian Nations
BA – *Barisan Alternatif* (Opposition Coalition)
BERJASA - *Barisan Jemaah Islamiah SeMalaysia* (a small Islamic party)
BN – *Barisan Nasional* (Ruling Coalition)
DAP – Democratic Action Party (Chinese-Based)
ISA – Internal Security Act
Keadilan – *Reformasi*-oriented Political Party established by Anwar Ibrahim’s Wife
KMM – *Kumpulan Militan Malaysia* (Malaysia Mujahideen Movement)
NAM – Non-Aligned Movement
NST – *New Straits Times* (Malaysian Newspaper)
OIC – Organization of the Islamic Conference
PAS – *Parti Islam SeMalaysia* (Pan-Malaysian Islamic Party)
PRM – Malaysian Peoples’ Party
RM – Malaysian *Ringgit* (National Currency)
S46 – *Semangat 46* (Spirit of ’46)
UMNO – United Malays National Organization (Head of Ruling BN Coalition)

Malay and Arabic Words and Concepts

‘alim, ulama – Muslim religious scholar(s)
Bahasa Malayu – the Malay language
Bumiputra – literally, “sons of the soil,” or ethnic Malays
ceremah – Malaysian political gathering
Dewan Muslimat – PAS Women’s Wing
Dewan Pemuda – PAS Youth Wing
Dewan Ulama – PAS *Ulama* Council
dhimmi – agreement to protect the rights of non-Muslims
fiqh – Islamic jurisprudence
fitna – disorder
hakimiyya – the divine sovereignty of God
Harakah – PAS’ Newspaper
hisba – ombudsman
hudud – Islamic penal code
‘ijma – consensus
ijtihad – interpretation
Islam Hadhari – “Civilizational” or Progressive Islam; Approach Espoused by UMNO
jahiliyya – ignorance
khalwat – “close proximity” between unmarried Muslims of the opposite sex in private
kuliyah – lecture
Majlis Ulama – Ulama Council
maslaha – public interest
Menteri Besar – the chief executive of a Malaysian state
muktamar – PAS’ annual general assembly meeting

Murshid'ul Am – PAS' Spiritual Leader
muwajaha silmiyah – peaceful approach
nass – explicitly defined Islamic provisions
Qisas – retaliatory punishment
qiyas - analogy
Reformasi – Malaysian Reform Movement that began in the late 1990s
riba – usury or interest
sharia – divine law
shura – consultation
Sunna – traditions of the Prophet Muhammad
Tabung Haji – Pilgrims Board Fund
Tafsir – *Quranic* exegesis
tawhid – oneness of God
ta'zir – discretionary punishments
tudung – headscarf
umma – the community of believers
zakat – alms

INTRODUCTION: PERSPECTIVES ON ISLAMISM AND DEMOCRACY

In recent years, a number of politically-loaded terms linked to Islam – including Islamism, *Salafi*, *Wahhabi*, fundamentalist, *jihadi*, and extremist, among others – have entered the popular vernacular by way of the media, policymakers, and even scholars, but these terms are seldom defined and often carelessly applied. The reasons for the increased use of such terms is valid enough – to intellectually manage the vast quantities of complex information on Islam we are presented with each day – but this phenomena has also produced unintended consequences.¹

Instead of contributing to a greater understanding of the Muslim world, the careless application of terms – intended to provide description – has served to reinforce misunderstandings and negative stereotypes of Islam by conjuring images of Osama bin Laden, the September 11 attacks, and angry, bearded men carrying weapons. These images of the “other” have colored not only the American public’s perception of Islam, but have also found their way into policy circles, blurring the empirical evidence used to make foreign policy decisions with preconceived notions and untested assumptions. While some of these assumptions are likely to prove true in some instances and while subconscious bias can never be fully eliminated, both observers and architects of current events should be aware of how these images influence perceptions and judgments.

This study seeks to contribute to a heightened understanding of “Islamism” as it relates to political parties functioning within democratic or democratizing countries. To begin, it will briefly examine theoretical Islamist approaches to participation in democratic systems to establish that many Islamists – in spite of what their critics, based on their particular

¹ For a brief and thought-provoking examination of the disutility of absolutist descriptions See: Stanley Fish, “Condemnation Without Absolutes,” *The New York Times*, October 15, 2001.

interpretation of Islamism or democracy, may say – do believe that Islam and democracy are compatible and that the participation of Islamist political parties in democratic systems is permissible and, indeed, desirable. With this principle established, the core contribution of this study follows with an in-depth analysis of the Pan-Malaysian Islamic Party (PAS), its evolution, and its political agenda. The experience of PAS, which has a long-term record of peacefully participating in Malaysia’s quasi-democratic system, may challenge many of the assumptions commonly held about Islamist parties, while at the same time reinforcing others. This dual result demonstrates the need to consider each Islamist group within its own particular context rather than resorting to absolute conceptions of what Islamism is or is not in practice.

What is Meant by Islamism and Democracy?

“Islamism,” also known as “political Islam,” is one of those terms that is frequently used but seldom defined. This paper will employ Olivier Roy’s basic definition of Islamism – “the contemporary movement that conceives Islam as a political ideology” – and describe the people who subscribe to this view as “Islamists.”² It is important to note that because the term Islamism is fundamentally linked with political involvement, it should not be viewed as interchangeable with the term “Islam,” which is apolitical.³

Almost universally, the ultimate objective of Islamist groups is to establish an Islamic state, which is “a moral society on the basis of god’s *sharia* (divine law) for the service of the oneness of God [*tawhid*].”⁴ Opinions on the optimal geographic boundaries of the Islamic state – whether within the traditional nation-state or in the form of a transnational entity – and the means

² Olivier Roy, *The Failure of Political Islam*, Carol Volk, trans. (Cambridge: Harvard University Press, 1994), ix.

³ Sabah al-Said, *Between Pragmatism and Ideology: The Muslim Brotherhood in Jordan, 1989-1994* (Washington: Washington Institute for Near East Policy, 1995).

⁴ Ahmad S. Moussalli, *Moderate and Radical Islamic Fundamentalism: The Quest for Modernity, Legitimacy, and the Islamic State* (Gainesville: University Press of Florida, 1999), 19.

by which it is established – whether violent or non-violent, democratic or undemocratic – vary from group to group. Regardless of these details, Islamist groups are devoted to action and can often be described as seeking to change the political *status quo*.⁵

Within this broad conception of Islamism, however, there exists a wide variety of intellectual perspectives and practical political manifestations. While it is not possible to examine all of these different strands in the context of this study, the chart below by RAND provides an excellent typology of the diversity of current Islamist perspectives, relative approaches, and geographic spread.⁶ To be sure, just as Islam cannot be seen as monolithic, neither can the various manifestations of Islamism.

While the antecedents of modern day Islamism can be traced to the emergence of various Muslim reform movements and reformers in the 19th and early 20th centuries, Islamism is generally recognized as ascending onto the mainstream political scene in the 1970s. This epoch follows the 1973 oil crisis and the decline of the ideology of Arab nationalism following the Six-Day War in 1967, and – interestingly for the purposes of this study – it also happens to coincide with the beginning of the so-called “third wave” of democracy.⁷ The year 1979 can be seen as the point when Islamism became consolidated as a global political force due to several crucial events: the Iranian Revolution, the beginning of the Soviet invasion of Afghanistan and *jihad* of the *mujahideen*, and the seizure of the Grand Mosque at Mecca by a Muslim dissident group.

⁵ Robin Wright, “Two Visions of Reformation,” *Journal of Democracy* 7(2) (October 1996), 66.

⁶ Angel Rabassa, et al, *The Muslim World After 9/11* (Santa Monica: RAND, 2004), 10-13.

⁷ See: Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma, 1991).

Typology of Muslim Tendencies

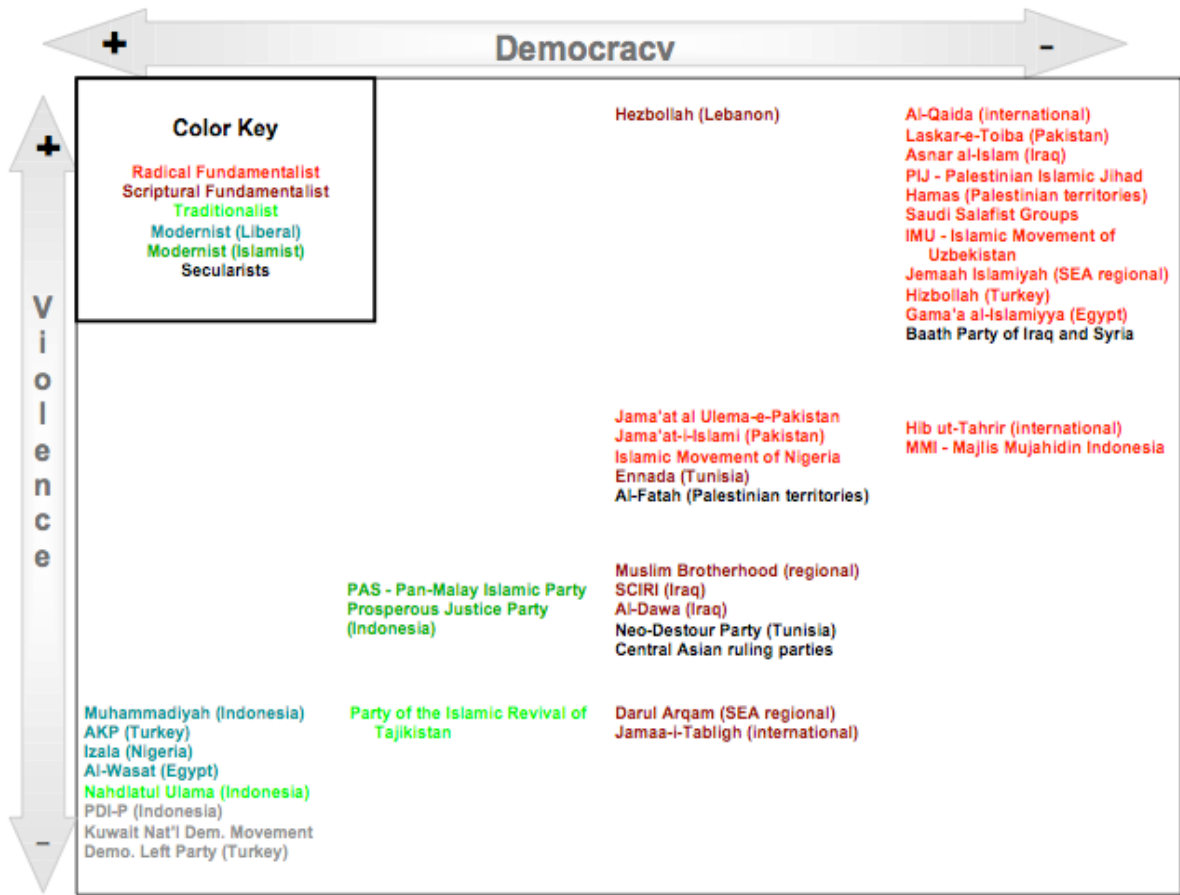


Figure 1: Adapted from Angel Rabassa, et al., *The Muslim World After 9/11* (Santa Monica: RAND, 2004), 10-13.

Presently some scholars, such as Olivier Roy, proclaim Islamism to be a failure while others, such as Daniel Pipes,⁸ categorically reject all manifestations of Islamism as the enemy. When considering the vast array of Islamist movements active today, such as those listed on the RAND typology, it is difficult to say that either of these propositions is entirely correct. To this end, Gilles Kepel observes that:

Islamism is not the tidal wave that its supporters longed for and its opponents dreaded. It is by no means the End of History of the Muslim world today. It is but a social movement like any other – communism, nationalism, liberalism, fascism, socialism . . . – which is subject to ebbing and flowing, to internal contradictions, and it has to compete fiercely with other social movements in order to attract and mobilize its followers.⁹

Kepel's assessment is reflective of the experience of the many Islamist groups that openly and peacefully compete in their country's democratic or democratizing systems. It is these gradualist Islamist political parties that are the focus of this piece. Before proceeding, however, it is important to establish a working definition of democracy.

Like Islamism, democracy is also a term that is used often lightly and without an accompanying definition. When this study refers to democratic systems, it employs Philippe Schmitter and Terry Lynn Karl's minimalist definition of democracy, which focuses on procedure – i.e. the existence of elections – rather than the presence of democratic values. Schmitter and Karl define democracy as “a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competitions and cooperation of their elected representatives.”¹⁰ While the presence of democratic values – such as the equality of all citizens, basic standards of human rights, and

⁸ Pipes' views quickly become apparent from a visit to his website www.danielpipes.org.

⁹ Gilles Kepel, “The Political Sociology of Islamism,” *ISIM Newsletter*, October 1998, 25.

¹⁰ Philippe Schmitter and Terry Lynn Karl, “What Democracy Is . . . And Is Not,” *Journal of Democracy* 2(3) (Summer 1991), 76.

freedom of speech, religion, and press, among others – in a democratic or democratizing country are important and – in my view – highly desirable, they are largely subjective and difficult to measure. Thus, the procedural definition better suits the purposes of this study.

Theoretical Islamist Perspectives on Participation in Democratic Systems

Among Islamist thinkers, there are a variety of approaches to the participation of Islamist groups in democratic political systems ranging from full support, to ambivalence, to rejection. Islamists – among them Sayyid Qutb – that reject democracy make several arguments against it, including that it is inherently secular and thus inappropriate for Muslim societies, that it is a foreign, Western concept, or that because Islam is a comprehensive system it does not require the mechanisms of governance provided by democracy.¹¹ Despite the voices against democratic participation, Syed Ahmad Hussein says that “the consensus among Islamists has preponderantly been toward the compatibility thesis,” which emphasizes the Islamic concepts of *shura* (consultation), *ijma’* (consensus), *ijtihad* (interpretation), and *maslaha* (public interest).¹² Ahmad Moussalli argues that democracy was determined by the reformers of the 19th and early 20th century to be “noncontradictory to Islam and thus potentially adaptable” and then “turned by most fundamentalists,¹³ through a process of identification with *shura*, into an obligatory political and normative principle in any new Islamic political system.”¹⁴

¹¹ John Esposito, *The Islamic Threat: Myth or Reality?* (Oxford, Oxford University Press, 1999), 242; Syed Ahmad Hussein, “Muslim Politics and the Discourse on Democracy,” *Democracy in Malaysia: Discourses and Practices*, Francis Loh Kok Wah and Khoo Boo Teik, eds. (Richmond: Curzon Press, 2002), 77. Because this section is only intended to provide a brief overview, an extensive examination of Islamist critiques of democracy will not be conducted in order to allow for an examination of currents that reconcile democracy and Islamism.

¹² Hussein, 78.

¹³ “The activist affirmation of a particular faith that defines that faith in an absolutist and literalist manner is termed fundamentalism. It involves the effort to purify or reform the beliefs and practices of adherents in accord with the self-defined fundamentals of the faith.” Definition from John O. Voll, “Fundamentalism,” *The Oxford Dictionary of the Modern Islamic World*, Vol. 2, John L. Esposito (Ed.) (New York: Oxford University Press, 1995), 32-33.

¹⁴ Moussalli, 7.

One of the earliest proponents of the establishment of an Islamic state and grandfather of Islamist politics is Hassan al-Banna. Influenced by the reformers Muhammad Abduh and, especially, Rashid Rida,¹⁵ al-Banna founded the Egyptian Muslim Brotherhood in 1928 based upon his view that society had fallen into a state of *jahiliyya* (ignorance),¹⁶ characterized by the corrupt government and Western imperialism that had engulfed Egypt as a result of the *umma*'s (community) deviation from the true way of God. Al-Banna's proposed remedy to this situation was to mobilize each individual within the *umma* to understand God's message and, more importantly, to act upon it "with determination and energy."¹⁷

The ultimate goal of this activism for al-Banna was the creation of a reformist Islamic system of government based upon *hakimiyya*, the divine sovereignty of God. In such a system, the *Quran* and *Sunna* (traditions of the Prophet Muhammad) speak directly to the people of the state, who would use its teachings to create a constitution that embodies the *sharia* as the primary source of law. Because of the important role of the individual in this process, the *umma* was to possess the authority over the state: "Allah . . . showed [the Muslims] that He had chosen them, selected them, elected them – apart from all mankind – to be the leaders of His creation."¹⁸

Al-Banna was assassinated before he could fully articulate his vision – including its means of implementation – more fully, but his writings indicate a view toward flexibility not appreciated by many in the West and not accepted by some of the more hardline Islamists that followed him. While Sayyid Qutb categorically rejected imported models of governance,¹⁹ al-Banna was of the view that Islam has dealt with all other social systems – including nationalism,

¹⁵ Guilain Denoeux, "Hasan al-Banna," Arabies, <http://www.arabies.com/Special%20Report/Hasan%20al-Banna.htm>; Hamid Enayat, *Modern Islamic Political Thought* (Kuala Lumpur: Islamic Book Trust, 2001), 87-93.

¹⁶ Literally, ignorance, but also refers to the pre-Islamic era.

¹⁷ Hassan al-Banna, "To What Do We Summon Mankind."

¹⁸ Al-Banna.

¹⁹ Yvonne Haddad, "Sayyid Qutb: Ideologue of Islamic Revival," *Voices of Resurgent Islam*, John Esposito, ed. (Oxford: Oxford University Press, 1983), 69-72.

socialism, and capitalism – and has incorporated their best traits while rejecting their features that stand in contrast to Islamic principles.²⁰ According to Ahmad Moussalli, this flexibility – coupled with his preference for the *umma* to play a central role in governance – allowed for al-Banna’s acceptance of democracy and constitutionalism, which he rooted in the Islamic concept of *shura*.²¹ In al-Banna’s mind, Islam is the only comprehensive system, flexible enough to deliver the soundest laws to guide the lives of individuals as well as nations “in all times and places.”²²

Al-Banna’s approach is taken one step further by the exiled Tunisian Islamist Rachid Ghannouchi, who argues that because Islam is a comprehensive and flexible system, it allows for power-sharing among various actors – even secular ones – to serve the interests of Muslims and non-Muslims alike, promote stability, and prevent *fitna* (disorder).²³ In Ghannouchi’s view, Islam “brought general principles,” and it “is [the *umma*’s] duty to formulate this program through interaction between Islamic principles and modernity” by way of *shura*.²⁴ According to journalist Robin Wright, who interviewed Ghannouchi several times in the early 1990s, Ghannouchi:

advocates an Islamic system that features majority rule, free elections, a free press, protection of minorities, equality of all secular and religious parties, and full women’s rights in everything from polling booths, dress codes, and divorce courts to the top jobs in the presidential palace.²⁵

This construction is positive from a perspective of democratic liberalism, but Mohamed Elhachmi Hamdi cautions the reader by noting that the exiled Ghannouchi has an agenda that is

²⁰ Al-Banna.

²¹ Ahmad Moussalli, 107-131.

²² Al-Banna.

²³ Rachid Ghannouchi, “Participation in Non-Islamic Government,” *Liberal Islam: A Sourcebook*, Charles Kurzman (ed.) (Oxford: Oxford UP, 1998), 89-95.

²⁴ Quote in Wright, 72.

²⁵ Wright, 72.

furthered by holding “up a comforting mirror to the West” . . . reassuring it of “the supremacy of [its] own values.”²⁶

While the Middle Eastern perspective is often the first to be taken into account when considering Islamism and its roots, there are a number of democracy-friendly Islamist perspectives from Southeast Asia, where the bulk of this study takes us. Among the most important personalities to this end is the Malaysian Islamist Anwar Ibrahim. Perhaps most well-known for being politically martyred by former Malaysian Prime Minister Mahathir bin Mohamad, thrown in jail – where he was allegedly beaten – on trumped up charges, and freed in 2004 only to embark on a world-wide speaking tour where he has proclaimed the compatibility of Islam and democracy. As will be discussed later in this study, Anwar is a larger than life figure in Malaysia and has had – perhaps more than any other individual – a significant impact on the politics of the country.

Anwar came of age at the beginning of the 1970s, the decade that ushered in Islamic revivalism in Malaysia and abroad. The charismatic leader, like many Islamists in Malaysia, was initially drawn to Islamic activism out of his conviction that the rights of ethnic Malays should be defined in increasingly Islamic terms. He recalls, “we were impatient and angry about the plight of the Malays, their education, rural development, rural health . . . We were very angry, disgusted, and critical of the government. There seemed to be no moral foundation and no spiritual guidance. We turned to Islam to fill this vacuum and to look for solutions.”²⁷ Influenced by the writings of Hassan al-Banna, Sayyid Qutb, and Abu al-Ala al-Mawdudi, he

²⁶ Mohamed Elhachmi Hamdi, “The Limits of the Western Model,” *Journal of Democracy* 7(2) (October 1996), 83.

²⁷ John L. Esposito and John O. Voll, *The Makers of Contemporary Islam* (New York: Oxford University Press, 2001), 179.

came to see Islam as a comprehensive way of life and believed in non-violent Islamic activism “within the bounds of legal opposition.”²⁸

While Anwar’s early activism was closely linked to *Parti Islam SeMalaysia* (PAS) – the focus of the following case study – he broke ranks with the party in order to join the ruling UMNO government in the early 1980s. As a policymaker, he began to articulate a new paradigm of development within an Islamic and Asian context because he believed that “much of the definition of development originating in the West has rejected any reference to moral and ethical considerations.” Anwar’s new paradigm focused on the socio-economic Islamic concepts of *maslaha* and *hisba* (ombudsman), which he based upon his belief that “Southeast Asian Muslims prefer to concentrate on the task of economic growth and eradicating poverty instead of amputating the limbs of thieves.”²⁹

These three intellectual perspectives as well as the experience of Islamist political parties that currently participate in democratic systems, or desire to in the future, contribute to the proposition that the words “democracy” and “Islamism” are not a fundamental contradiction of terms. Rather, the compatibility or incompatibility of these concepts is a function of the outlook and approach of each particular group in question. To this end, what does the experience and agenda of *Parti Islam SeMalaysia* reveal about democracy and Islamism in the Malaysian context?

²⁸ Ibid., 181.

²⁹ Ibid., 192-193.

A CASE STUDY ON THE PAN-MALAYSIAN ISLAMIC PARTY (PAS)

Since its establishment in 1951, the Pan-Malaysian Islamic Party, known in Malay³⁰ as *Parti Islam SeMalaysia* (PAS), has taken an incremental approach toward its ultimate objective of Islamic governance, which it has attempted to achieve within the constraints of the Malaysian political system. While most analyses of Islamism focus on groups in greater Southwest Asia, PAS has existed unnoticed by many commentators on Islamism despite its position as one of the first Islamist political parties – over both the *Jama'at-e Islami* of Pakistan and the Muslim Brotherhood of Egypt – to obtain real political power by way of constitutionally-sanctioned democratic elections.³¹ As the largest and most powerful opposition party in Malaysia, PAS has moved the country's political discourse away from issues of secularism and nationalism toward religious issues. In its pursuit of electoral seats, the group has adapted and evolved as a means of overcoming the considerable challenges it faces, but has never abandoned its central objective of creating an Islamic state in Malaysia.

Unlike the experience of many other Islamist groups that have been prohibited from functioning in the open space of electoral politics, PAS is unique in that it has participated openly in electoral politics since the period before Malaysian independence in 1957. While the context in which PAS operates differs from that of many other Islamist parties, an in-depth understanding of the group's evolution and agenda could provide valuable insight into how other Islamist parties might behave should they be allowed to compete in free and fair elections. Despite the contextual differences that stand between the experience of PAS and other Islamist

³⁰ The official language of Malaysia is *Bahasa Melayu*, which I have called Malay here for simplicity.

³¹ Farish Noor, "Blood, Sweat, and Jihad: The Radicalization of the Political Discourse of the Pan-Malaysian Islamic Party (PAS) from 1982 Onwards," *Contemporary Southeast Asia*, August 1, 2003.

political parties, the PAS agenda is archetypally Islamist and could be mistaken for that of the Muslim Brotherhood of Egypt or Jordan.

This case study will examine the history and evolution of PAS within the context of the Malaysian political system and analyze the party's mechanisms for adapting to electoral setbacks. It will then seek to classify the group's ideology in light of its agenda in the areas of Islamic law and governance, democracy and domestic politics, foreign policy and security, and economics. It finds that PAS is a politically savvy actor that has demonstrated its adaptability to electoral conditions and challenges. Despite this adaptability, it is unlikely that the group – even in the face of complete liberalization of the Malaysia political process – will ever achieve national political power given Malaysia's demographics, cleavages within the Malay-Muslim community, and institutional challenges that favor the incumbents. Yet, this assessment shows that presently PAS can be called a party of “democratic Islamists” and that its position as the most powerful opposition party serves the cause of greater democratization within the Malaysian political system.

At the outset it is worth noting that many commentators focus the majority of their analysis on PAS' rhetoric and its evolution over the years. As commentator Farish Noor keenly observes: “As the language of PAS' politics began to alter, so did the political and ideological frontiers that were drawn up within this increasingly Islamized discursive space . . . PAS [is] now projecting an image of Islam that was couched in terms of a politics of authenticity and purity.”³² While PAS' use of Islamic language and symbolism is surely rich, the present case study seeks to focus, to the extent it is possible, on concrete actions carried out by PAS. Because PAS has had limited experience in government, however, rhetoric is at times the only evidence of PAS' positions and objectives with respect to a particular issue.

³² Noor, Blood.

I. MALAYSIA AND ITS POLITICAL CONTEXT

Before examining PAS in detail, it is important to understand the context in which it operates. A former British colony, Malaysia received independence in 1957 following the successful completion of municipal elections and creation of a western-style constitution, both of which occurred under British guidance.³³ One of the central features of Malaysian political life is the state's multi-ethnic character with the majority Malays (and indigenous people), who are predominantly Muslim, comprising about 61 percent of the total population; the Chinese, 24 percent; and the Indians, 7 percent.³⁴ Prior to independence, the ethnic Malays – citing their *Bumiputra* (literally, “sons of the soil”) status – demanded “safeguards” and “special privileges” to be codified in the constitution.³⁵ Islam,³⁶ along with *Bahasa Malayu* (the Malay language), has been called a *chief* component of Malay identity.³⁷ Accordingly, among the special privileges granted to the Malay community by the British – known as the “ethnic bargain” – was a prominent role for Islam in the constitution and thus in the political institutions of independent Malaysia.

³³ The boundaries of modern-day “Malaysia” were established in 1963 when the Borneo territories of Sabah and Sarawak were united with peninsular Malaya. Singapore was also included, but left the Federation in 1965.

³⁴ Central Intelligence Agency, “Malaysia,” *The World Factbook*, 2005, <http://www.cia.gov/cia/publications/factbook/geos/my.html>. Note: “Other” ethnic groups comprise almost 8 percent of the total population.

³⁵ Hussein, 81; K.J. Ratnam, “Religion and Politics in Malaya,” *Readings on Islam in Southeast Asia*, Ahmad Ibrahim, Sharon Siddique, Yasmin Hussain (eds.) (Singapore: ISEAS, 1985), 143.

³⁶ It is commonly believed that Islam was originally brought to the Malay Peninsula by Indian merchants, who practiced *Sunni* Islam and were strongly influenced by *Sufi* mysticism. *Sunni* and *Sufi* practices fused with indigenous Malay beliefs and customs – such as animism – to create a unique strain of Islam that continues to be practiced in Malaysia today. Farish Noor notes that even at the time of independence, “The Malays were still very much under the residual influence of their traditional rulers and conservative *ulama* whose understanding and practice of Islam was a relatively moderate and private affair. . . . the Malay-Muslims of the peninsula . . . were still not comfortable with the idea of political Islam.” Farish Noor, *Islam Embedded: The Historical Development of the Pan-Malaysian Islamic Party PAS (1951-2003)* (Kuala Lumpur: Malaysian Sociological Research Institute, 2004), 86. For additional information See: Mohamad Talib Osman, “Islamization of the Malays: A Transformation of Culture,” *Readings on Islam in Southeast Asia*, Ahmad Ibrahim, Sharon Siddique, and Yasmin Hussein, eds., (Singapore: ISEAS, 1985), 44; Robert Day McAmis, *Malay Muslims: The History and the Challenges of Resurgence Islam in Southeast Asia* (Grand Rapids: Eerdmans, 2002), 50.

³⁷ Ratnam, 143.

To this end, Article 3(1) of the Malaysian Constitution states: “Islam is the religion of the Federation, but other religions may be practiced in peace and harmony in any part of the Federation.”³⁸ To ensure the rights of minorities, Articles 8(1) and 8(2) stipulate that: “All persons are equal before the law and entitled to the equal protection of the law; and that “there shall be no discrimination against citizens on the ground only of religion, race, descent, or place of birth.” While the constitution provided citizenship and naturalization rights for non-Malays, it also – in addition to codifying Islam as the state religion – made it “lawful for the Federation or a State to establish or maintain . . . Islamic institutions or provide or assist in providing instruction in the religion of Islam and incur such expenditure as may be necessary for the purpose,” (Article 12(2)). Finally, with respect to the Malaysian Constitution, there are state-run *sharia* courts that enforce personal status laws for Muslims only.³⁹

While Malaysia is among the 22 of the 44 predominantly Muslim countries that currently give Islamic principles a constitutional role, the legal reach of Islam is limited to personal status law at the state level of jurisdiction.⁴⁰ Unlike some other predominantly Muslim countries, Islamic principles are neither listed as “the” or “a” source of legislation in the Malaysian constitution (this feature is known as a “source clause”) nor is there constitutional language prohibiting the creation of laws contrary to Islam (known as a “repugnancy clause”).⁴¹ In fact, Part 1 Article 3(4) of the constitution, which names Islam as the official religion of the state

³⁸ Constitution of Malaysia, <http://www.helpinelaw.com/law/constitution/malaysia/malaysia01.php>. See Appendix 1 for the full text of relevant constitutional provisions.

³⁹ Constitution of Malaysia, “Ninth Schedule: State List,” <http://www.helpinelaw.com/law/constitution/malaysia/malaysia15.php>.

⁴⁰ Tad Stahnke and Robert C. Blitt, *The Religion-State Relationship and the Right to Freedom of Religion or Belief: A Comparative Textual Analysis of the Constitutions of Predominantly Muslim Countries* (Washington: United States Commission on International Religious Freedom, March 2005), 9.

⁴¹ Stahnke and Blitt, 10.

while upholding the rights of religious minorities, goes so far as to say that nothing in this article conflicts with any other *constitutional* (rather than Islamic) provision.⁴²

Malaysia is a federal parliamentary democracy featuring a bi-cameral legislature and a non-hereditary monarchy.⁴³ With few interruptions since independence,⁴⁴ Malaysia has held – as specified by the Constitution – periodic national parliamentary and state assembly elections. Parliamentary elections must be held at least once every five years and each of the 222 seats is awarded to the candidate who receives a simple majority of the vote.⁴⁵ There are currently 27 registered political parties in Malaysia, including the ruling Barisan Nasional (BN) coalition, which is comprised of 14 separate political parties and has captured at least 2/3 of the parliamentary seats in all 11 general parliamentary elections since independence.⁴⁶ The most powerful component party within the BN is the United Malays National Organization (UMNO), which has held the prime ministership since independence and is PAS’ primary rival for the Malay-Muslim vote.⁴⁷ There are no other *major* political parties with an Islamic platform.⁴⁸

⁴² Constitution of Malaysia, <http://www.helpline.law.com/law/constitution/malaysia/malaysia01.php>.

⁴³ Department of State, Malaysia, <http://www.state.gov/r/pa/ei/bgn/2777.htm> (accessed February 9, 2006).

⁴⁴ From 1969 until 1971, parliament was temporarily suspended – under authority of the Internal Security Act – due to inter-communal violence and rioting.

⁴⁵ Election Commission of Malaysia, “Election Process in Malaysia,” <http://www.spr.gov.my/process.htm>. Like many former British colonies, Malaysia uses the Westminster plurality electoral system, which features a first-past-the-post election system. Political scientist Arend Lijphart believes plurality systems such as this have a tendency to promote a two-party (or in the case of Malaysia, a two-coalition) system, one-party government, and executives that are dominant in relation to their legislatures. All three of these characteristics are present in Malaysia. Farish Noor has observed that use of the plurality electoral system has disadvantaged PAS in the past, such as in the general election of 1959, in that it has allowed the UMNO-led coalition to win a greater percentage of parliamentary seats than it received in terms of the popular vote. Farish Noor, *Islam Embedded*, 153-154.

⁴⁶ Election Commission of Malaysia, “List of Political Parties Registered with the Election Commission,” www.spr.gov.my/political.htm; Barisan Nasional, “Component Parties,” www.bn.org.my/parties.html; Freedom House, “Freedom in the World: Malaysia,” 2005, www.freedomhouse.org/template.cfm?page=15&year=2005 (accessed February 9, 2006).

⁴⁷ For simplicity, throughout the piece I refer to UMNO as the ruling party. In reality, UMNO is only one part of the BN ruling coalition, which is comprised of a number of political parties, but has historically been the *de facto* lead party within the BN. Additionally, a UMNO leader has held every prime ministership since independence.

⁴⁸ The only other registered Islamic party is Barisan Jemaah Islamiah SeMalaysia (BERJASA), which was established in 1977 as an offshoot of PAS due to conflicts among party leadership. This party is not currently a major player on the Malaysian political scene.

There are several contextual trends that characterize Malaysian politics. The first is that Malaysians tend to vote for either political parties of their own ethnic group or one of the few parties with no official ethnic affiliation.⁴⁹ This trend is intensified by the fact that most of the major political parties have an ethnic or religious identity. While several parties, such as Keadilan, have been established in recent years with the goal of moving past the ethnic politics that have characterized Malaysian politics, they have not performed well at the polls.⁵⁰ Because of this ethnic voting trend and the lack of an ethnic group that accounts for more than 2/3 percent of the Malaysian population, multi-party coalitions – such as the BN – have featured prominently in Malaysian politics.

The moderate level of political freedom and democratization found in Malaysia is another key contextual characteristic. Freedom House describes the Malaysian political system as “free, but not fair,” receiving a political rights rating of four, which falls in the middle of the spectrum from most free (1) to least free (7).⁵¹ While Malaysia’s rating improved due to the relative transparency of the 2004 general parliamentary election, much of the state’s political power is vested in the hands of the prime minister and cabinet.⁵² In general, the authority of the parliament has decreased since former Prime Minister Mahathir, who held the seat for 22 years from 1981 until 2003, came to office, and opposition parties like PAS continue to face serious structural and electoral challenges. This state of affairs caused Samuel Huntington to classify Malaysia as a “quasi-democracy” in his 1991 book *The Third Wave*.⁵³ Fifteen years on, this

⁴⁹ Joseph Liow, *Outlook for Malaysia’s 11th General Election* (Singapore: Institute of Defence and Strategic Studies, March 2004); Hussein; Khoo Boo Teik, “Searching for Islam in Malaysian Politics: Confluences, Divisions and Governance,” *Southeast Asia Research Centre Working Paper Series*, City University of Hong Kong, No. 72, September 2004, http://www.cityu.edu.hk/searc/WP72_04_Khoo.pdf.

⁵⁰ Liow, *Outlook*, 20.

⁵¹ Freedom House, “Freedom in the World: Malaysia,” 2005, www.freedomhouse.org/template.cfm?page=15&year=2005.

⁵² *Ibid.*

⁵³ Huntington, 19.

characterization continues to accurately portray the transitional status of Malaysia's democratization.

Another key dynamic that has featured prominently in Malaysian politics in recent years is "the Anwar Factor." Anwar Ibrahim, a popular and well-respected Islamic revivalist leader who rose to the public eye in the 1970s, continues to be an advocate of a multi-ethnic and multi-religious Malaysia as well as for social justice and democracy through a progressive Islamic framework.⁵⁴ Anwar was co-opted by UMNO by being invited to join the Mahathir administration in 1981, a move that served to reinforce the party's renewed commitment to Islam.⁵⁵ Yet Mahathir dismissed and jailed Anwar in 1999 on charges of sexual misconduct and corruption, which resulted in a public outcry over Anwar's mistreatment while in prison.⁵⁶ Many view Anwar's dismissal and incarceration as politically motivated as Mahathir perceived Anwar's increasing popularity as a threat to his power. The Anwar row served to contribute to public perceptions of UMNO corruption and reinforces Freedom House's "free, but not fair" classification of the Malaysian political system. A federal court overturned Anwar's conviction in September 2004, which further elevated the popularity of UMNO.⁵⁷

A final trend that has had great impact on Malaysian politics, in general, and on PAS, in particular, is the issue of terrorism. The September 11 attacks drove to the surface lingering concerns about terrorism, which were subsequently reinforced when terrorism hit closer to Malaysia in the form of the October 2002 Bali bombings. As will be explained in some detail later, several PAS members – in addition to several members of the UMNO ruling party – have

⁵⁴Fred R. von der Mehden, "Malaysia and Indonesia," *The Politics of Islamic Revivalism*, Shireen T. Hunter (ed.) (Bloomington: Indiana UP, 1988), 251.

⁵⁵ Hussein, 88.

⁵⁶ Liow, *Outlook*, 7.

⁵⁷ *BBC News*, "Malaysia's Anwar Ibrahim Set Free," September 2, 2004, <http://news.bbc.co.uk/2/hi/asia-pacific/3619790.stm>.

been detained under Malaysia's Internal Security Act (ISA) on charges of militancy. These arrests have been manipulated politically, but have also forced Malaysian political parties – including PAS – to take a decisive stand on the issue of terrorism. In sum, dealing with militancy at home and events abroad, including the Malaysian response to U.S. military action in Iraq and Afghanistan, have thrust the issue of terrorism to the center of the Malaysian political agenda.

II. HISTORY AND EVOLUTION OF PAS

The Origins of PAS

Parti Islam seMalaysia was officially established prior to Malaysian independence on November 24, 1951.⁵⁸ PAS was initially a branch of UMNO, which was established in 1946 by the Malay nationalist movement⁵⁹ and was intended to unite the Malay-Muslims of the country in anticipation of independence.⁶⁰ In addition to the regular party members, the early party was comprised of three main sections – the *Dewan Ulama* (Ulama Council), *Dewan Pemuda* (Youth Wing), and *Dewan Muslimat* (Women's Wing) – all of which remain today.⁶¹ Although they had their own council, the *ulama* did not wield great influence in the party until several decades after its establishment. PAS and UMNO officially severed ties when PAS' second president, Dr. Elias Abbas, officially registered the party on May 31, 1955, only one week before campaigning for Malaysia's first federal election, held in July 1955, began. Once PAS became fully independent from UMNO, it intended to serve as a direct challenge to the majority party's more secular approach.

⁵⁸ *Parti Islam SeMalaysia*, "FAQ: Introduction to PAS," <http://www.parti-pas.org/faq1.php>.

⁵⁹ Hussein, 81-82.

⁶⁰ Farish Noor, *Islam Embedded*, 74-75. The *Dewan Ulama* was not established until December 1957.

⁶¹ *Ibid.*

The core objective of PAS – which continues to drive its political agenda – is the creation of an Islamic state in Malaysia by elevating what the group perceives to be Islam’s purely symbolic status in the Constitution to a more substantive, operational level.⁶² PAS justifies this objective by interpreting the Quranic verse, “And there may spring from you a nation that invites goodness and enjoins right and forbids indecency,” (*Al-Imran*, 3:104) to be an imperative from God commanding the creation of an Islamic state.⁶³ To do this, PAS embraced “a third way,” neither nationalist nor communist, but an Islamic system that sought to “uphold the holiness of Islam and its supremacy as well as its independence.”⁶⁴ In its formative years, PAS advocated the creation of an Islamic state in only the most general of terms, failing to provide substantive detail to elements such as *fiqh* (Islamic jurisprudence), Islamic economics, and Islamic education.⁶⁵ In addition to the religious aspects of its agenda, strong emphasis was initially placed – in the words of PAS’ third leader, Dr. Burhanuddin al-Helmy – on the fusion of “Malay nationalism with Islamic ambitions,” as PAS believed that the UMNO sold out Malay interests to the Chinese and Indians in exchange for electoral success.⁶⁶

After receiving only one parliamentary seat in the first federal elections in July 1955, the party’s leaders concentrated their attention on creating a more robust organizational structure, expanding the geographic reach of the party, increasing the number of members, exploiting new means of disseminating the party’s message, and better integrating *ulama* into the largely professional party.⁶⁷ This expanded focus resulted in PAS’ first substantial electoral victory in

⁶² Ratnam, 144.

⁶³ PAS, FAQ.

⁶⁴ PAS, FAQ; Sayyid Qutb originally proposed the concept of a third way, but he – unlike some other Islamists – saw no room for any integration of non-Islamic concepts into governance structures. For more detail See: Sayyid Qutb, “Introduction,” *Milestones*, http://www.youngmuslims.ca/online_library/books/milestones/Introduction.asp.

⁶⁵ Noor, *Islam Embedded*, 85.

⁶⁶ Hussein, 85

⁶⁷ Noor, *Islam Embedded*, 88-96, 147-153. Note that these elections were conducted prior to independence from Britain, which occurred in 1957. Unlike the experience of some other former British colonies, the British worked

the 1959, which gave the party control of the state assemblies in the northeastern peninsular Malaysian states of Kelantan and Terengganu – where the electorate was largely traditional, conservative, and Malay – as well as 13 national parliamentary seats. With this election, PAS made history to become the first Islamist party to come to power by electoral means in Southeast Asia and one of the first in the entire Muslim world.⁶⁸ PAS met with mixed results in the 1964 general election, which resulted in its loss of the Terengganu state assembly but a general increase in its share of the popular vote in the north of the Malay peninsula.⁶⁹

The 1969 election yielded similar results despite the fact that PAS won almost half of the Malay-Muslim popular vote nationally.⁷⁰ The suspension of parliament from May 1969 until 1972 due to ethnic tensions, coupled with the autocratic and highly-personalized leadership style of PAS' fourth president Mohammad Asri Muda, compelled PAS to join its rival UMNO and other parties in a coalition as a means of consolidating the political power of the Malay community.⁷¹ Prior to joining the coalition, there had been much debate within PAS about whether or not to cooperate with UMNO, as many in *Parti Islam* fundamentally disagreed with UMNO's secular approach to governance and politics. Under the leadership of Asri Muda, characterized as a "staunch Malay ethno-nationalist," PAS' agenda shifted away from that of progressive Islam and toward that of ethnic politics, which alienated the party's traditional base.⁷² Despite the differences between the two groups, both sought political expediency and

with the residents of Malaya, as it was then known, to create stable and functioning state institutions and promote cooperation between the different ethnic communities in advance of their withdrawal.

⁶⁸ Noor, *Islam Embedded*, 155. Noor notes that the Muslim Brotherhood had met brief electoral success in Yemen in the 1940s.

⁶⁹ Noor, *Islam Embedded*, 178-179.

⁷⁰ Hussein, 85

⁷¹ Mustafa Ali, "The Islamic Movement and The Malaysian Experience," *Power-Sharing Islam*, Azzam Tamimi (ed.) (Liberty: London, 2003, 114-115.

⁷² Noor, *Blood*.

accommodation. For its part, PAS' leadership was able to justify compromise with its political rival after identifying its priorities and possible areas of shared interests with UMNO.

Revivalism and its Legacy

The period of the UMNO-PAS alliance coincided with the onset of Islamic revivalism, which served to decisively shift the core focus of Malay-Muslim politics away from Malay nationalism toward the politics of Islam for both parties. Revivalism in Malaysia was not monolithic, but a multi-faceted movement with many causes, both internal and external. Scholar Mohamad Abu Bakar attributes an internal re-education about the holistic nature of Islam as the primary cause of revivalism in Malaysia.⁷³ This re-education created a greater awareness and understanding of Islam among Malay-Muslims as well as a heightened sense that Islam is a comprehensive way of life and, thus, should play a greater role in the public sphere.⁷⁴

Anwar Ibrahim, the popular and well-respected leader of the Muslim Youth Movement of Malaysia (ABIM), was the linchpin of Malaysian Islamic revivalism of the 1970s, which he promoted as a balance between the strict adherence to Islam among the faithful and education, modern technological skills, and economic progress.⁷⁵ While the primary forces behind revivalism were internal to Malaysia, several external factors also played a role, including: the spread of Islamic literature, the influence of foreign fundamentalist movements and international Islamic organizations, the return of Malay-Muslim students from study abroad, and the struggles

⁷³ Mohamad Abu Bakar, "External Influences on Contemporary Islamic Resurgence in Malaysia," *Contemporary Southeast Asia* 13 no.2 (September 1991), 220.

⁷⁴ Joseph Liow, "Deconstructing Political Islam In Malaysia: UMNO's Response to PAS' Religio-Political Dialectic," Singapore: Institute of Defence and Strategic Studies, March 2003. <http://www.ntu.edu.sg/idss/WorkingPapers/WP45.pdf>, 2.

⁷⁵ McAmis, 81.

of co-religionists in the 1973 Arab-Israeli War and the Iranian Revolution.⁷⁶ The emergence of new technologies aided the spread of these trends during this time frame.

Despite its unimpressive electoral results during the period of the PAS-UMNO coalition in the 1970s, PAS saw itself as having a direct impact on national-level governance for the first time. PAS leadership believed that the UMNO-led government's push to "Islamize" aspects of government can be attributed in part to PAS' tireless advocacy of Islamic programs, policies, and laws during this period.⁷⁷ Besides the access to power that PAS gained from being an accepted member of the ruling coalition, it also brought PAS into the mainstream of Malay-Muslim politics, which attracted new members from walks of life not previously associated with PAS, such as government employees.⁷⁸

While participation in the coalition brought some benefits, many of PAS' more substantive Islamic proposals, such as amending parts of the Constitution to make them more "Islamic," were rejected outright by UMNO, leaving PAS dissatisfied with its role in the governing coalition. Although PAS' first power-sharing experiment was discontinued in late 1977 when it was removed from the coalition by UMNO due to internal disagreements,⁷⁹ this experience paved the way for PAS to engage in more dramatic compromises and power-sharing initiatives in the future that would come to yield electoral success. The internal disagreements that forced PAS from the ruling coalition also caused a split within the party leadership, with many PAS members joining the ranks of a new, offshoot Malay-Muslim Islamist party, BERJASA, as well as UMNO. These factors contributed to PAS' major electoral upset in the 1978 general election: its representation in the Kelantan state assembly dropped from 19 to two

⁷⁶ Abu Bakar, 220 – 228.

⁷⁷ Hussein, 86; Mustafa Ali, 115-117.

⁷⁸ Mustafa Ali, 117.

⁷⁹ Mustafa Ali, 118; Hussein, 87; Noor, *Islam Embedded*, 275-281.

seats and in Terengganu it lost all nine.⁸⁰ The loss of the party's Kelantan stronghold, which it had controlled since 1959, caused a "major psychological blow" to PAS.⁸¹

The Islamic revivalism of the 1970s would have a lasting impact, influencing all subsequent political debates within the Malay-Muslim community to the present day. In 1981, the controversial UMNO Prime Minister, Dr. Mohamad bin Mahathir, took office to begin his 22 year reign over Malaysian political life. "Radically opposed to [the views] of the traditional *ulama* and radical Islamists," Mahathir's initial focus upon entering office was to defeat the political challenge posed by PAS.⁸² He sought to do this by beating the PAS Islamists at their own game by pursuing of his own brand of modernist-developmental Islamic policies.⁸³ To assist him in this, he enlisted the help of Anwar Ibrahim – long considered to be a PAS supporter – who ran as a UMNO candidate in the 1982 general election.⁸⁴ As UMNO "Islamized," by pursuing policies and programs perceived to be Islamic, PAS also pursued increasingly Islamic policies in order to maintain its position as *the* Islamic party of Malaysia.

The Islamization of PAS during this time had a variety of manifestations. Despite PAS' Sunni identity, its leadership identified deeply with the Iranian Revolution of 1979. Party leader Abdul Hadi Awang, the current President of PAS who is considered to be among the more "radical" of PAS members, was among the first Malaysians to visit Iran under Ayatollah Khomeini following the Iranian Revolution along with Anwar Ibrahim.⁸⁵ PAS also heightened its "Islamic rhetoric" during the 1980s. In a 1981 speech at a village *ceremah* (political gathering) in Terengganu, Hadi Awang called UMNO members and supporters infidels in what

⁸⁰ Mustafa Ali, 119.

⁸¹ Noor, *Islam Embedded*, 283.

⁸² Noor, *Islam Embedded*, 301.

⁸³ *Ibid.*

⁸⁴ Noor, *Islam Embedded*, 304-305; Hussein, 87-88.

⁸⁵ Hussein, 91; John L. Esposito and John O. Voll, *Makers of Contemporary Islam* (New York: Oxford University Press, 2001), 180.

became known as “Amanat Haji Hadi” (“Hadi’s Message”).⁸⁶ In 1984, the country’s National Fatwa Council denounced the statement as un-Islamic, but concerns over it fostering disunity among Muslims resurfaced in April 2001 when the Council and Hadi met to discuss the statement.⁸⁷

Most importantly, as a result of revivalism and the organizational and leadership challenges faced by the party, PAS replaced many of its leaders, who were overwhelmingly from the professional classes, with *ulama* in the early 1980s. Controversial PAS President Asri Muda was ousted on May 1, 1983, by means of an internal PAS coup, and Yusof Rawa became the party’s fifth president.⁸⁸ Influenced by the Iranian revolution, Rawa dramatically reoriented PAS away from the politics of ethno-nationalism that characterized its approach during the 1970s and toward the pursuit of “authentic” Islamic goals and practices under the direct guidance of the *ulama*.⁸⁹ Rawa created the post of *Murshid’ul Am*, or Spiritual Leader, a concept he borrowed from the Muslim Brotherhood of Egypt.⁹⁰ He also intensified PAS’ recruitment of university graduates, intellectuals, and professionals in order to have a ready supply of policy planners and strategists.⁹¹ To bridge the gap that had previously existed between the *ulama* and lay intellectuals, Rawa expanded the *Ulama Council (Dewan Ulama)* to become the “Council of *Ulama* and Islamist Intellectuals.”⁹²

It was during this period that ‘*alim* Nik Aziz, current PAS Spiritual Leader and *Menteri Besar* (Chief Executive) of Kelantan, rose to a position of leadership within the party. The

⁸⁶ *Pertubuhan Berita Nasional Malaysia*, “I Am Ready for ‘Muzakarah’ with Fatwa Council – Hadi,” April 25, 2001.

⁸⁷ *Pertubuhan Berita Nasional Malaysia*, “Hadi Must Retract Immediately ‘Amanat,’ Says Abdullah,” April 24, 2001.

⁸⁸ Noor, Blood. Other *ulama* that assumed leadership roles at this time include Nik Aziz and Abdul Hadi Awang.

⁸⁹ Noor, Blood.

⁹⁰ *Ibid.*

⁹¹ Farish Noor, Blood.

⁹² *Ibid.*

installation of the *ulama* was intended to provide the party with leadership capable of performing *ijtihad* on fundamental Islamic sources and apply this understanding to current political developments in order to prevent deviation from true Islamic principles and guide long-term planning.⁹³ The rise of the *ulama* faction was accompanied by the popular perception of PAS as a “fundamentalist party.”⁹⁴ It was this shift in leadership that led to the party’s first in-depth articulation of its vision for an Islamic state during the 1980s.

As a result of this change in trajectory and Mahathir’s enmity for the party, PAS faced challenges from the Malaysian security services beginning in the mid-1980s, when some of its leaders were arrested or detained “under the Internal Security Act (ISA) on the grounds that their speeches and religious sermons were a threat to national security and racial harmony in the country.”⁹⁵ Several PAS leaders and members were killed during this timeframe in skirmishes instigated by the security services and independent street gangs. The most notable of these episodes was the death of outspoken PAS member Ustaz Ibrahim Mahmood (also known as Ibrahim Libya) and fourteen of his supporters at the hands of the security services on November 19, 1985.⁹⁶ In sum, this shift in an increasingly “radical” direction and the subsequent government crackdown caused PAS to suffer electoral defeats throughout the 1980s, which ultimately had a moderating effect on PAS.⁹⁷

⁹³ Mustafa Ali, 120.

⁹⁴ Noor, *Islam Embedded*, 294, 311.

⁹⁵ Farish Noor, *Blood*.

⁹⁶ Mahmood, who advocated total jihad against the secular state of Malaysia, was known as one of PAS’ more radical members during this time.

⁹⁷ Hussein, 74-107; Liow, *Deconstructing*.

Profile of PAS: Nik Aziz:

Since the Islamization of the early 1980s, the public face of PAS is Nik Abdul Aziz bin Nik Mat (most commonly known as Nik Aziz), the Spiritual Leader of PAS and *Menteri Besar* (Chief Executive) of Kelantan province. Nik Aziz is a direct descendant of the Sultans of northern peninsular Malaysia (including the Sultans of Langkasuka and Kelantan) and his father, Raja Mohammad II, was one of the most influential *ulama* in Kelantan. When young Nik Aziz was allegedly forced to wear short trousers at a state run school, his father sent him to traditional *pondok* schools run by *ulama* in Kelantan and Terengganu states.

From 1952 until 1957, Nik Aziz studied at the infamous Dar ul-Uloom Deoband seminary in India, which educated prominent Islamist thinker Sayyid Abul A'la al-Mawdudi and is generally considered to be an anti-rationalist and Wahhabi inspired institution. Malaysian Political Scientist Farish Noor notes that it was at Dar ul-Uloom when Nik Aziz was taught that “Islam was in need of purification and that the task of safeguarding the interests of Muslims falls on the *ulama*.” Nik Aziz carried this understanding with him to Lahore, Pakistan, where he studied Quranic exegesis (*tafsir*) and to al-Azhar in Cairo where he studied Islamic law and jurisprudence (*fiqh*). He first encountered the writings of Hassan al-Banna and Sayyid Qutb during his time at al-Azhar, from which he graduated in 1962 with a degree in Law. Noor notes Nik Aziz stayed true his educational roots upon his return to Malaysia, emphasizing the religious as well as socio-political obligations of his students – a testament to his perception of Islam’s comprehensive nature – and acting upon the Deobandi belief that “Muslims should only be guided by the *Ulama*.”

Nik Aziz became a member of PAS in the 1960s, a Member of Parliament for his home state of Kelantan in 1967, and *Menteri Besar* in the early 1980s when PAS recaptured the Kelantan state assembly. Each Friday morning, Nik Aziz gives a *kuliyah* (lecture) on the street in Kota Bharu, the State capital of Kelantan, that typically has both a religious and political message. The well-known *kuliyah* are recorded in books and on audio- and video-tapes and are then distributed throughout Malaysia. Nik Aziz is described as soft-spoken, hospitable, and frugal – with the exception of his new Mercedes – as he still lives in the simple house he inherited from his father. Although the 75-year-old has recovered from a heart attack he suffered in July 2004, there has been discussion among senior PAS leadership as to who will replace him as *Menteri Besar* and Spiritual Leader.

See: Farish Noor, “The Other Malaysia: Of Mortal *Ulama* and Belly Buttons,” *Brand New Malaysian*, March 21, 2005, (reprinted from *Malaysiakini*, 2000), http://www.brandmalaysia.com/movabletype/archives/2005/03/the_other_malay.html; Joceline Tan, “PAS’ Two Gurus – Nik Aziz vs. Hadi,” *New Straits Times* (Malaysia), April 9, 2000; *The Economist*, “The Greening of Malaysia,” April 3, 2003; Reme Ahmad, “PAS Leaders Face tough Task of Boosting Party’s Image,” *The Straits Times* (Singapore), August 26, 2004.

PAS President Rawa stepped down in 1988 and assumed the role of Spiritual Leader, allowing technocrat Fadzil Noor to become the 6th President of PAS. Noor’s moderate approach emphasized pragmatic strategies intended to make PAS more competitive in the democratic

process, such as working cooperatively within coalitions and garnering additional support from urban areas, PAS strongholds, and middle-class professionals.⁹⁸

The Recent Past and Present: Moderation and Fluctuation

Currently, it is estimated that PAS has a membership of 800,000, making it the largest opposition party in Malaysia.⁹⁹ The party's stronghold remains in the northern part of peninsular Malaysia – namely the states of Kelantan and Terengganu – but it has met limited electoral success in other states, including Kedah and Perlis, and seeks to expand into other areas of the country.¹⁰⁰ While PAS' current positions on various issues will be detailed in the next section, "The PAS Agenda," its experience from the early 1990s to the present day has been marked by both moderation and fluctuation. Serving in a coalition with other likeminded parties during the 1990 and 1995 elections allowed PAS to overcome the electoral slump it encountered during the 1980s and recapture the state assembly of Kelantan. Despite this, PAS' primary rival UMNO went on to achieve one of its greatest victories in the 1995 elections.¹⁰¹

In the latter half of the 1990s as the extended term of Prime Minister Mahathir drew to a close, he increasingly became seen by many Malaysians as authoritarian and corrupt. Led by pragmatic moderate Fadzil Noor, PAS recognized the political opportunity inherent in Mahathir's increasing unpopularity and began to shift its opposition focus back toward its roots of promoting democracy and transparency within an Islamic framework.¹⁰² This shift can also be attributed to PAS' recent historical experience whereby the party met electoral success only

⁹⁸ Noor, Blood.

⁹⁹ Reme Ahmad, "Ghost-buster Works His Magic," *The Straits Times* (Singapore), March 19, 2005.

¹⁰⁰ Reme Ahmad, "Graft: 'Big Fish Are Still Out There,'" *The Straits Times* (Singapore), February 29, 2004; Terence Chong, "PAS Turns Islam into Strategic Election Tool," *The Straits Times* (Singapore), March 17, 2004.

¹⁰¹ Hussein, 94.

¹⁰² Hussein, 94-101.

once it shifted away from its uncompromising hard-line position in the 1980s to a position of engagement and coalition-building in the 1990s. Shortly after PAS embarked on this transition, popular Islamic activist Anwar Ibrahim was arrested and incarcerated in 1999. This action on the part of the ruling government was met with widespread condemnation from all sectors of Malaysian society and led PAS to join forces with other opposition parties to launch the *Reformasi*, or reform, movement.

PAS' moderation, receipt of "protest votes" due to the Anwar factor, and its alliance with other *Reformasi*-oriented opposition parties in the *Barisan Alternatif* (BA) coalition, allowed the party to achieve its greatest election victory in 1999, winning back the state assembly of Terengganu after losing it in 1978 and capturing 27 national parliamentary seats and 98 state seats.¹⁰³ Following this electoral success and the confidence it gained from it, PAS once again began to push its Islamic agenda with renewed vigor. This shift is attributable – at least in part – to the sudden death of moderate PAS President Fadzil Noor in 2002 and his succession by his deputy, firebrand Hadi Awang, who remains PAS' seventh president.

On October 31, 2003, after 22 years Prime Minister Mahathir retired and was replaced by Abdullah Ahmad Badawi, a UMNO leader widely seen as an honest broker and considered to have outstanding Islamic credentials. Since entering office, Badawi has embraced a policy of *Islam Hadhari* (Civilizational, or Progressive, Islam) as a means of continuing UMNO's Islamization of government and countering the political challenge posed by PAS.¹⁰⁴ The attractiveness of *Islam Hadhari* to many Malaysian Muslims, PAS' admitted overconfidence and arrogance in dealings with coalition partners, and the general structural challenges facing

¹⁰³ Meredith Weiss, "The 1999 Malaysian General Elections: Issues, Insults, and Irregularities," *Asian Survey* 40(3) (May-June 2000), 416; William Case, "The PAS Muktamar 2005," *Asian Analysis*, July 2005, <http://www.aseanfocus.com/asiananalysis/article.cfm?articleID=860>.

¹⁰⁴ For the Malaysian government's explanation of *Islam Hadhari* See: Department of Islamic Development Malaysia, "The Concept of Islam Hadhari," <http://www.islam.gov.my/islamhadhari/concept.html>.

opposition parties in Malaysia, cost PAS a sizeable electoral setback in the 2004 general election where its national Parliamentary representation dropped from 27 seats to 7.

The party lost control of the state assembly in Terengganu and clung to power in Kelantan by only a few seats. The ruling *Barisan Nasional* coalition captured another seat from PAS in Kelantan by-elections held in December 2005.¹⁰⁵ The BN achieved this victory by only a 134-vote margin and left PAS with only a one-seat majority in Kelantan's state assembly.¹⁰⁶ Analysts believe that the 960 ethnic-Chinese voters of Kelantan served as the critical swing vote in this close election.¹⁰⁷

	Parliament		State Assemblies	
1999 Election	BN	148	BN	281
	• UMNO	71	• UMNO	176
	BA	42	BA	113
	• PAS	27	• PAS	98
	TOTAL SEATS	192	TOTAL SEATS	394
2004 Election	BN	198	BN	453
	• UMNO	109	• UMNO	302
	Opposition	20	Opposition	51
	• PAS	7	• PAS	36
	TOTAL SEATS	219	TOTAL SEATS	505
Source: The Star Online: Malaysia Election 1999 and 2004, http://thestar.com.my/election2004/results/results.html .				

	Kelantan State Assembly		Terengganu State Assembly	
1999 Election	BN (incl. UMNO)	2	BN (incl. UMNO)	4
	PAS	41	PAS	28
	TOTAL SEATS	43	TOTAL SEATS	32
2004 Election	UMNO	21	UMNO	27
	PAS	24	PAS	4
	TOTAL SEATS	43	TOTAL	32
Source: Meredith Weiss, "The 1999 Malaysian General Elections: Issues, Insults, and Irregularities," <i>Asian Survey</i> 40(3) (May-June 2000), 417-418.				

¹⁰⁵ Baradan Kuppusamy, "Islamic Party in Surprise Defeat," *South China Morning Post*, December 8, 2005.

¹⁰⁶ Ibid.

¹⁰⁷ Baradan Kuppusamy, "No Expense Spared to Win Chinese Votes," *South China Morning Post*, November 21, 2005.

PAS' Processes of Adaptation

PAS faced its 2004 electoral setback in the same way it has historically dealt with defeat – through self-examination and changes in leadership. From the above examination of PAS' evolution it is clear that the party has been personality-driven throughout its lifespan. The figure below illustrates how PAS' leaders have historically been the critical factor in the party's agenda. Since the establishment of PAS in 1951, two fundamental leadership shifts can be observed. Both were a function of electoral defeat and served to adjust the party's perceived weaknesses.

The first leadership shift occurred after the party suffered its first major electoral defeat in the late 1970s, which resulted in the loss of control of the Kelantan state assembly. To remedy its faults the group saw it necessary to “reconstruct” itself in a new image: a return to “authenticity” symbolized by the rise of the *ulama* faction.¹⁰⁸ This shift was marked by a departure from PAS' early emphasis on ethnic nationalism and its more accommodationist approach during the 1960s and 1970s.

The second key shift, a function of PAS' 2004 loss at the polls, is currently underway. Shortly after the election, PAS conducted an internal, post-mortem review of the reasons for the party's loss, which it primarily attributed to election fraud on the part of UMNO and the Malaysian election commission.¹⁰⁹ One month later, PAS widened its inquiry by inviting 20 journalists – supporters and critics alike – to provide their observations of the party and the

¹⁰⁸ Mustafa Ali, 120.

¹⁰⁹ Brendan Pereira, “PAS Leaders Have Their Own Demons to Blame for Loss,” *The Straits Times* (Singapore), March 27, 2004.

Presidents of PAS and their Religio-Political Orientation

- 1) **Haji Ahmad Fuad** – 1951–September 1953
Professional; Oriented Toward Malay ethno-nationalism
- 2) **Dr. Abbas Elias** – 1953–1956:
Professional and Pragmatic; Oriented toward Malay Ethno-nationalism
- 3) **Dr. Burhanuddin al-Helmy** – 1956–1969
Professional and Pragmatic; Oriented Toward Islam’s Role in Promoting Malay Nationalism and Anti-Colonialism
- 4) **Mohamad Asri Muda** – *De Facto* President from 1964–1969; President 1969–1983
Autocratic, Highly- Personalized Leadership Style; Strongly Oriented Toward Malay Nationalism

<1978 ELECTORAL DEFEAT> 1st Leadership Shift Toward *Ulama* Leadership

- 5) **Yusof Rawa** – 1983–1988
Ulama Faction; Strongly Oriented Toward a Return to Islamic Authenticity
- 6) **Fadzil Noor** – 1988–2002
Ulama Faction; But Largely Seen as Pragmatic
- 7) **Abdul Hadi Awang** – 2002 to Present
Ulama Faction; Seen as Controversial and Fiery

<2004 ELECTORAL DEFEAT> 2nd Leadership Shift Toward Professional Current

reasons for its defeat.¹¹⁰ This was the first time the party invited observers from outside of its ranks to provide this type of feedback.

The panel identified PAS’ key weaknesses as: the aggressiveness and arrogance of its leadership and style, weak media strategy vis-à-vis rival UMNO, and failure to reach out to the young and non-Muslims.¹¹¹ PAS’ standing among the young was so low that Malaysian political scientist Mohammad Agus Yusoff said that nearly 90 percent of voting-age youth in PAS

¹¹⁰ Reme Ahmad, “PAS Turns to Critics for the Full Story on Election Losses,” *The Straits Times* (Singapore), April 28, 2004.

¹¹¹ *Ibid.*

stronghold Kelantan voted against the party in the 2004 election.¹¹² The findings from the outsider panel forced PAS to accept responsibility for its loss and increased the recognition of some PAS leaders that “We have to change our approach. In Kelantan, we have to rely on the performance of the state government and deliver our promises to the people.”¹¹³ The party also recognized that its harsh rhetoric condemning its rival UMNO does not have the same impact as it did during the Mahathir administration because current Prime Minister Badawi is perceived as gentler and more religiously devout than his predecessor.

The PAS leadership began to craft a new strategy of moderation at its summer 2004 *muktamar* (annual party convention). It was at this time that the party began to consider procedures for naming a successor for the positions of spiritual leader and Kelantan *Menteri Besar*, both currently held by the aging ‘*alim* Nik Aziz. Between 2004 and 2005, PAS organized a rare public debate between one of its highest-ranking female members, a member of the feminist group Sisters in Islam, and a non-Muslim lawyer to discuss Islamic law and its implications for women.¹¹⁴

PAS initiated its leadership changes during its summer 2005 *muktamar*, when younger, more progressive leaders were voted into key party leadership positions by the 1,000 PAS members in attendance.¹¹⁵ Perhaps most notably, the number two position of Deputy President was won by a liberal ‘*alim*, Nasharuddin Mat Isa, who was educated in the UK and the Middle East, is fluent in Malay, English, and Arabic, and is well respected by party *ulama* as well as lay professionals.¹¹⁶ Mat Isa, who ousted a hardline incumbent, acknowledged the need for the party

¹¹² Sheridan Mahavera, “PAS Banks on Mawi’s Influence,” *New Straits Times* (Malaysia), October 3, 2005.

¹¹³ Reme Ahmad, “PAS Leaders Face Tough Task of Boosting the Party’s Image,” *The Straits Times* (Singapore), August 26, 2004.

¹¹⁴ Reme Ahmad, “Role of Islamic Law Debated in Rare Public Forum,” *The Straits Times* (Singapore), April 28, 2005.

¹¹⁵ Reme Ahmad, “Keen Jostling for Party Posts in PAS Elections,” *The Straits Times* (Singapore), June 2, 2005.

¹¹⁶ Yang Razali Kassim, “The Remaking of PAS: Is There an Anwar Hand?” IDSS Commentaries, June 30, 2005.

to change, saying: “We have to re[think] our approach. The fundamentals will not change, only the packaging.”¹¹⁷ Since Mat Isa’s election, he has served as the face of PAS to the media. A new Vice President and Secretary-General were also elected from the liberal *ulama*-lay professional branch of the party.¹¹⁸ While the traditional *ulama* – including President Hadi Awang – still hold an important place within the party hierarchy, the transition to younger, more progressive leadership represents a break from the recent past.

Along with the changes in leadership, PAS undertook several additional policies to bolster its appeal. These include de-emphasizing its agenda on an Islamic state, calling for enhanced civil liberties and freedoms of assembly and the press, building better relationships with the Chinese and other non-Muslim communities, and enhancing the role of women in the party.¹¹⁹

On the first point, anecdotally at least, there has been a marked decrease in the party’s rhetoric on the Islamic state and the *hudud* legislation (PAS’ agenda on these two topics will be discussed in much great detail later) in the press when compared to the period prior to the 2004 election. At the 2005 *muktamar* President Hadi Awang did not use the phrase “Islamic state” in his keynote address, but did say – when pointedly questioned by the media – that the party would implement such a state if it came to power, but emphasized the freedom of non-Muslims to choose whether or not they would be bound by Islamic law.

Commentator Yang Razali Kassim has noted that “PAS has conceded that there was no other way to stay relevant in [a] multi-racial and multi-religious society unless it could reconcile the party’s quest for an Islamic society – as opposed to an Islamic state – with the sentiments of

¹¹⁷ Carolyn Hong, “PAS ‘Invites’ Anwar to Lead Opposition,” *The Straits Times* (Singapore), June 14, 2005.

¹¹⁸ Kassim.

¹¹⁹ Kazzim; Reme Ahmad, “PAS Pledges Reforms to Try and Win Back Votes,” *The Straits Times* (Singapore), June 4, 2005.

the non-Muslim minorities who have to be won over.”¹²⁰ Even prior to the 2004 electoral upset, the Islamic party had tried to bridge the gap between it and non-Muslims, particularly the Chinese. It has done this by running tours for Chinese to PAS-led Kelantan and Terengganu and holding barbeque pork dinners to demonstrate how the lives of the Chinese residents of these two states has not been negatively impacted by PAS-rule.¹²¹ Additionally, the party has encouraged PAS members of Chinese descent to serve as unofficial ambassadors to the Chinese community.¹²² The effort to bring minorities into the PAS fold has re-fueled internal debate over whether or not to allow non-Muslims to become members of the party.¹²³ To date, this issue remains unsettled.

PAS has tried to better integrate women, who account for roughly 50 percent of the party’s members, into leadership positions.¹²⁴ While PAS leaders often highlight that the first female member of the Malaysian parliament was from the party, women have never held the very highest leadership positions within the party. Prior to the 2005 *muktamar*, Dr. Mariah Mahmud, a medical doctor and Information Chief of PAS’ Women’s Branch, planned to contest one of the party’s three Vice President positions, but she came in fourth place.¹²⁵ Conservative ‘*alim* Nik Aziz, who had strongly supported Dr. Mahmud’s candidacy, said he was not disappointed with the results: “It was a contest and she lost . . . it does not mean that PAS does not accept women as part of its leadership.”¹²⁶

Clearly, PAS understands that it needs to make changes to its strategy and agenda in order to heighten its appeal to swing voters. To this end, the party apparatus is well-suited to

¹²⁰ Yang Razali Kassim, “The Remaking of PAS: Is There an Anwar Hand?” IDSS Commentaries, June 30, 2005.

¹²¹ Leslie Lau, “PAS Plans Tours to Woo Chinese Voters,” *The Straits Times* (Singapore), November 27, 2003.

¹²² Hon, 8/12/01.

¹²³ Kassim.

¹²⁴ Reme Ahmad, “Ghost-buster Works His Magic,” *The Straits Times* (Singapore), March 19, 2005.

¹²⁵ Reme Ahmad, “Woman Doctor Poised to Soften PAS Image,” *The Straits Times* (Singapore) May 7, 2005.

¹²⁶ *New Straits Times* (Malaysia), “Idea of a Woman V-P Still New,” June 7, 2005.

adapting to political circumstances, and its mechanisms for self-correction through leadership changes indicate a degree of political sophistication. If the statements of party leaders on PAS' forward strategy of moderation are taken at face value, however, it seems that the party is cosmetically toning down its rhetoric rather than dramatically changing its underlying agenda. The next section of this study – “The PAS Agenda” – will explore the party's current views on a variety of issues. This analysis will show that – as things currently stand – the nature of many of the party's fundamental policies precludes the acceptance of these policies from communities outside of the conservative Muslim community. If PAS is seriously interested in moderation, its next generation leaders must push for sincere rather than superficial moderation while taking care not to create cleavages between the new pragmatists and the old-guard *ulama*.

II. THE PAS AGENDA

This section examines the current agenda¹²⁷ of *Parti Islam SeMalaysia* (PAS) to ascertain its positions in four key areas – Islamic Law and Governance, Democracy and Domestic Politics, Foreign Policy and Security, and Economics. In each category, it seeks to answer the questions: What does PAS stand for and what are the implications of its position? How ideological or pragmatic is the party on a given issue? Is there congruence between rhetoric and action? Such an analysis of PAS' positions is valuable for ascertaining the types of policies the party would be likely to pursue if it were elected to power at the national level.

Much of the information provided in the section is drawn from PAS' recent experience governing the northern peninsular Malaysian states of Kelantan (1990-Present) and

¹²⁷ Data from 1989 onwards is considered in this assessment.

Terengganu¹²⁸ (1999-2004). As these two states of the so-called “Malay belt” – both with a population that is over 95 percent Malay¹²⁹ – represent PAS’ traditional stronghold areas, they present conditions favorable for the election of Islamically-oriented candidates and passage of Islamically-oriented laws. Although PAS has been somewhat successful in pursuing its agenda in these states, this should not be taken as an automatic indication of the party’s appeal on the national level.

Ethnic Composition of Kelantan and Terengganu			
Kelantan		Terengganu	
1970		1970	
• Bumiputra	92.4%	• Bumiputra	93.6%
• Chinese	5.7%	• Chinese	5.6%
• Indian	0.8%	• Indian	0.7%
2000		2004	
• Bumiputra	95.0%	• Bumiputra	94.8%
• Chinese	3.8%	• Chinese	2.6%
• Indian	0.3%	• Indian	0.2%
Source: Richard Leete, Kelantan’s Human Development Progress and Challenges, UNDP, August 2004; Richard Leete, Terengganu’s Human Development Progress and Challenges, UNDP, April 2006.			

Islamic Law and Governance:

The pursuit of an “Islamic state” is the *raison d’être* of PAS. It has remained the ultimate objective of the party’s political struggle and serves to influence every aspect of its activities despite the fact that this objective is not explicitly mentioned in the party’s constitution.¹³⁰ Because the *Quran* and *Sunna* were relatively silent on the means by which to operationalize “Islamic law” or the governance of an “Islamic state,” Islamist parties and governments often

¹²⁸ Laws or actions of PAS in Terengganu occurred during PAS’ period of rule from 1999 to 2004, unless otherwise indicated.

¹²⁹ Chua Chin Hon, “Living in the PAS,” *The Straits Times* (Singapore), August 12, 2001.

¹³⁰ *BBC Monitoring* from *Harakah*, “Malaysian Opposition Leader Discusses Stand on Islamic State, Religious Laws,” October 18, 2003.

pay a great deal of lip service to these concepts without providing specifics.¹³¹ This trend is heightened by the fact that many Islamist parties around the world are not allowed to openly compete in electoral politics, and have therefore had little – if any – practical experience in official governance. Because of this many Islamist groups have had little impetus to articulate their vision of how an Islamic state would play out in practice. Rather, Islamist thinking on an Islamic state has largely occurred in the realm of theory.

PAS' experimentation with the concept of an Islamic state has been a gradual and iterative process. Although the group adopted the goal of facilitating the creation of an Islamic state shortly after its establishment, it did not begin to truly articulate what such a state would look like until the mid-1980s, when members from the *ulama* faction rose to leadership positions. During its periods of its rule in Kelantan (1959-1978 and 1990-present) and Terengganu (1999-2004), it has tried to operationalize its theory on the Islamic state, with mixed results. While PAS' pursuit of an Islamic state has been laced with its share of ambiguities and contradictions, the multi-ethnic, multi-religious character of Malaysia and the coalition-oriented nature of Malaysian politics have forced the group to address publicly difficult issues and provide a blueprint of what its Islamic state would look like. Similar pressure is uncommon among other Islamist opposition parties that have little chance of achieving power at the national level or that operate in less pluralistic environments.

PAS' Islamic State Document: Theoretically Constructing an Islamic State

PAS' Islamic State document was officially presented in November 2003, revoked for a brief period of time due to criticism from non-Muslim and Muslim elements of society, and then

¹³¹ This was a recurring trend for many of the Islamic thinkers – Islamist or otherwise – that I studied in Professor Frank Vogel's class "Contemporary Islamic Legal Thought" at Harvard Law School during the Fall 2005 Semester.

finally re-released and made available to the public on the PAS website.¹³² Despite the substantial media hype surrounding the terms of the document, at its official release the President of PAS repeatedly emphasized that PAS' conception of an Islamic state upholds all of the current principles of the Malaysian Constitution, including freedom of religion, status quo of the court system, the rights of minorities, and the democratic rights of each citizen.¹³³ While the document does affirm some democratic values, it has a decidedly Islamic character.

In the document, PAS defines an Islamic state as one that “provides security, welfare, and services to the entire country . . . based on the *sharia* with the intention of fulfilling the demands of Islam as a complete and comprehensive way of life.” The key characteristics of PAS' model Islamic state include:¹³⁴

- The most virtuous member of society serving as the leader of the state and the vicegerent of God on earth (divine sovereignty or *hakimiyyah*);
- Use of the *sharia* as the government's primary source of governmental guidance (including the sources of the *Quran* and *Sunna* and the mechanisms of *ijma* (consensus) and *qiyas* (analogy));¹³⁵
- Use of the methodology of *shura* (consultation) to address issues that require *ijtihad*, but not those legal rules that are explicitly defined in textual sources (*nass*);

¹³² Dato' Seri Tuan Guru Hadi Awang, President, PAS Party Malaysia. Full-Text Speech. “The Launching of the Document on Islamic State.” November 12, 2003. www.freeanwar.net/July2003/facnews121103b.htm. Lim Kit Siang, “The PAS Decision to not make public its Islam State blueprint is most disappointing,” September 17, 2003, <http://www.malaysia.net/dap/lks2617.htm>.

¹³³ Dato' Seri Tuan Guru Hadi Awang, Speech.

¹³⁴ PAS, Islamic State Document (ISD).

¹³⁵ Including *qiyas* as one of the fundamental sources of law is an innovation for PAS. The party's original principles included Islam, the *Quran*, the *Hadith*, and the *ijma* of the *ulama*. Noor, *Islam Embedded*, 73.

- Codification and implementation of the *sharia* as the “law of the land” as a mechanism for enjoining what is good and forbidding that which is evil and ensuring justice and equality; and,
- Islamic education for the Muslim citizens of the state in order to promote “good moral and spiritual values” and to provide for “the cleansing and purification of society.”

In calling for the state to be led by the most virtuous member of society, PAS did not specify that leaders must be *ulama*, however, in its early public discussions on the Islamic state in Malaysia in the mid-1980s the party envisioned an elected parliament that would be overseen by a *Majlis Ulama* (Ulama Council), which – like the Council of Guardians in Iran – could overrule decisions made by parliament to ensure compliance with Islamic law.¹³⁶ While this is not an explicit feature of the 2003 Islamic state document, in its discussion of *shura* the document says that free debate and action would be permitted in the elected House of Representatives, but that the Senate would be permitted to *review* any bill passed by the lower house. The document does not specify whether or not the Senate would be elected or appointed, clerical or lay.

In its theoretical construction of the Islamic state, PAS has explicitly addressed the status of minorities, which has been demanded by the Malaysian masses given the multi-cultural and multi-religious nature of the country. The party notes upfront that “Non-Muslim members of the state will

When you buy a Mercedes, you get a Mercedes manual. It tells you how to drive it. If you have a Toyota, you have a Toyota manual. If you try to drive a Mercedes using a Toyota manual, the car will spoil. That is what is happening in our country. Our leaders are using the wrong manual. In life too, God has given us a manual. It is the Quran.

Dr. Haron Din, PAS Candidate
PAS Ceremah, March 2004

¹³⁶ Noor, Blood.

continue to enjoy freedom of religious beliefs and rituals and are at liberty to practice their own way of life without any inhibitions or obstructions by the Islamic state,” based upon the *Quranic* verse, “There is no compulsion in religion” (*Sura al-Baqarah: 256*).¹³⁷ The document goes on to say that while the *sharia* will be codified as the supreme law of the land, “only the Muslim members of the state are subjected to the *Sharia* Penal Code (*Hudud, Qisas, and Ta’zir*).¹³⁸ The non-Muslim [citizens] are given the option of either being subjected to the [*sharia*] penal code or to be subjected to the current penal code of the land.”¹³⁹ Although the document does not address whether non-Muslims would have the right to be political leaders in the Islamic state, PAS leaders have told the media that non-Muslims would be allowed to lead states where the majority of the population is non-Muslim, such as Penang, and that Islamic law in those states would only be applicable to Muslims.¹⁴⁰

The document also upholds the principle of “Freedom” – including freedom of religious beliefs, speech, political association, assembly, private ownership, education (including that in one’s mother tongue, a sweetener to encourage Chinese support of the party), and cultural expression as well as individual and economic freedoms – as one of the seven primary principles that would guide the Islamic state. PAS’ Islamic state document explicitly highlights the compatibility of the above freedoms with the Universal Declaration of Human Rights, while also adding the disclaimer – as have other Constitutional-defined “Islamic states,” like Afghanistan¹⁴¹

¹³⁷ PAS, ISD.

¹³⁸ Donald Horowitz defines *Qisas* as “retaliatory punishments originating in Mosaic law,” and *Ta’zir* as “those that are discretionary with particular rulers, vary from place to place, and hence are most distant from core Islamic requirements.” See: Horowitz, 260.

¹³⁹ PAS, ISD.

¹⁴⁰ *New Straits Times* (Malaysia), “Hadi: PAS Will Allow Non-Muslims to Lead States non-Muslim Majority,” August 13, 2002.

¹⁴¹ A self-declared “Islamic Republic” (Article 1(1)), Afghanistan’s new constitution holds that the state will uphold international treaties it has signed as well as the Universal Declaration of Human Rights (Article 1(7)). While the implications of these articles seem to be self-explanatory, the presence of Article 1(3), which states that “In

– that these rights are sacred so long as they do not contract any provision of the *sharia*, a provision known as a repugnancy clause.¹⁴²

The document stops short of promoting “absolute rights,” as “freedoms in Islam are regulated so as not to injure and come into conflict with other individuals’ interest[s] or [that of] the society at large.” Similarly, the rights of women are qualified by the document. While PAS says it seeks to “empower women” and “encourage healthy competition of women alongside men,” both points are only permissible so long as they are “within the limits of the *sharia*” and “in accordance with [women’s] nature and potential.” Leaving these points up to interpretation upon implementation allows for a wide range of possible outcomes and does not necessarily guarantee the fundamental rights of women. In essence, under this construction the rights of women would be determined by those responsible for interpreting the *sharia*, who could be progressive or could be conservative, should PAS come to power on the national scene.

In the document, PAS states its belief that the implementation of an Islamic state will provide for security (as crime would be deterred given the *hudud* punishments), prosperity (given the implementation of an Islamically-acceptable economic system), and the peaceful solutions to problems (given the methodology of *shura*). In sum, the group’s model approach to the Islamic state can be summarized by its belief – found in the conclusion of the document – that:

Islam is the solution to all human problems, including issues arising from a plural society. The embodiment of Parliamentary Consultation and Representation (*Shura*) would be enhanced in the Islamic Government. The Islamic state secures the progress, well-being, and prosperity of society. The state prospers and secures the pleasure of the Almighty.

How does PAS’ Islamic state model compare to the party’s policies on the ground in the states of Kelantan and Terengganu and its proposals at the national level?

Afghanistan, no law can be contrary to the beliefs and provisions of the sacred religion of Islam,” could come into conflict with Article 1(7) depending upon how these Islamic beliefs and provisions are interpreted in practice.

¹⁴² Stahnke and Blitt, 10.

PAS' Islamic Governance in Practice

Despite its comprehensive theoretical model, PAS' actual record of implementing policies that work toward the realization of an Islamic state has been mixed. There are several possible explanations for why this is so, including Malaysian constitutional law, lack of a nation-wide popular mandate and tenuous hold on state bodies of power, lack of political will to alienate current and potential supporters, lack of governmental experience, incompetence, financial constraints, and political moderation by PAS leaders. As a result, since PAS re-gained control of Kelantan in 1990 and Terengganu in 1999 (only to subsequently lose it again in 2004), the party has focused its attention on literalist reforms – such as prohibitions on alcohol and gambling, imposition of the *hudud* penal code, the segregation of the sexes, and other moral initiatives – rather than those consistent with the “spirit” of Islam, such as the pursuit of justice and equality. In other words, it has focused largely on form rather than substance.

Hudud

PAS has attracted much media attention in recent years over its attempted implementation of the *hudud* punishments, a set of *Quranic* criminal laws and punishments for six major types of offenses: theft, rebellion or highway robbery, illicit sex, false accusation of someone having illicit sex, drunkenness, and apostasy.¹⁴³ *Hudud* is controversial due to its enumerated punishments – including stoning to death, whipping, and amputation – which many consider to be cruel, unusual, and contrary to current human rights standards. In its Islamic state document, the party unequivocally states that the implementation of the *sharia*, including *hudud*, is a mandatory obligation for an Islamic state, citing *Sura al-Maaidah*: 38: “And as for the male

¹⁴³ Judith Nagata, “How to be Islamic without being an Islamic state: Contested models of development in Malaysia,” in *Islam, Globalization, and Postmodernity*, Akbar S. Ahmed and Hastings Donnan, eds. (London: Routledge, 1994), 68.

thief and female thief, cut off their hands as a recompense for that which they committed, a punishment by way of example from Allah: And Allah is All Powerful, All Wise.”¹⁴⁴

In addition to their perception of *hudud* as a religious obligation, PAS leaders believe that the code serves as a deterrent to would-be criminals. Although there is no independent data to corroborate this, current PAS President Hadi Awang has publicly stated that since *hudud* went on the books, “According to police, the crime rate in Terengganu has dropped by 50 percent. The main effect of the *hudud* law is that it has instilled fear among criminals from committing crime.”¹⁴⁵

Although many in PAS view *hudud* as a pillar of the Islamic state, several fundamental – and related – structural factors prevent its full implementation and enforcement, including the federal government’s argument that state law is subordinate to federal law under the constitution and that *hudud* conflicts with the Malaysian Penal Code.¹⁴⁶ PAS argues that the *hudud* laws cannot be unconstitutional because the constitution holds that Islam is the official religion of the state and gives the states jurisdiction over laws relating to Islam.¹⁴⁷ The party also argues that – in principle – all manmade laws are subordinate to God’s law.

While the constitution does assign interpretation of Islam to the state, it explicitly limits the scope of this right to Islamic personal status and family law, assigning jurisdiction over criminal law to the federal government and thus the secular courts.¹⁴⁸ Furthermore, Article 75 of the constitution states that “If any State law is inconsistent with a Federal law, the Federal law

¹⁴⁴ PAS, ISD.

¹⁴⁵ *Financial Times Information* from *Bernama*, “PAS Fears Govt Policy on SAR Influenced by US, Says Hadi,” March 17, 2003.

¹⁴⁶ Sheridan Mahavera and Hafidah Samat, “PAS Banks on Mawi Influence,” *New Straits Times* (Malaysia), October 3, 2005; Liow, *Deconstructing*, 14; Nagata, 71-72.

¹⁴⁷ *BBC Monitoring* from *Harakah*, “Malaysian Islamic Party Chief, Opposition Leader Praises Islamic Laws,” October 18, 2002.

¹⁴⁸ See Appendix 1 for Relevant Articles of the Malaysian Constitution, particularly the Ninth Schedule enumerations of Federal and State Rights. Nagata, 67.

shall prevail and the State law shall, to the extent of the inconsistency, be void.” Many scholars have argued that in trying to pass and implement *hudud*, PAS-led states are exceeding their jurisdiction and trying to effect “a silent re-writing of the Federal constitution.”¹⁴⁹ Under these circumstances, *hudud* could only be enforceable in the event that the federal constitution is amended, which would require a 2/3 majority in Parliament. PAS lawyers have suggested that, at a minimum, the constitution could be amended to allow *some* states – presumably those run by PAS – to permit *hudud* punishments.¹⁵⁰

Despite these significant systemic barriers, PAS has nevertheless attempted to introduce and implement *hudud* in states under its control. In 1992, shortly after coming to power in Kelantan, PAS introduced and passed *hudud* legislation in the state assembly.¹⁵¹ Yet, the party has never implemented the code in the face of repeated warnings and threats of legal action by the federal government.¹⁵² Of the delays in implementation, PAS Spiritual Leader and Kelantan Chief Executive Nik Aziz mused: “There is no hurry. If you cannot carry a sack of rice because it is too heavy, you do not give up and leave it. You carry it bit by bit.”¹⁵³

A decade after PAS first attempted to enact *hudud* in Kelantan, the party turned its attention to the passage and enforcement of similar legislation in Terengganu. On July 8, 2002, the then-PAS-led government of Terengganu passed the Terengganu Sharia Criminal Enactment (popularly known as *Hudud and Qisas*), but the bill was not enforced because the federally-controlled Attorney-General and Prisons Agency refused to arrest, prosecute, and jail alleged offenders.¹⁵⁴ A PAS spokesman commented that even without police assistance, the law could

¹⁴⁹ *New Straits Times* (Malaysia), “Lawyers: PAS Hudud Will Be Illegal When Gazetted In State,” October 2, 2003.

¹⁵⁰ *The Straits Times* (Singapore), “PAS Perfect in Kelantan,” November 2, 2003.

¹⁵¹ Hussein, 95, 97.

¹⁵² Brendan Pereira, “No Islamic Laws for Kelantan . . . For Now,” *The Straits Times* (Singapore), October 5, 1996.

¹⁵³ *Ibid.*

¹⁵⁴ Baradan Kuppusamy, “Lawyer Attempts to Block Sharia Bills,” *South China Morning Post*, October 23, 2003.

still be implemented by Terengganu's Religious Affairs Enforcement Division.¹⁵⁵ A UMNO lawyer and politician filed petitions in Federal court challenging the constitutionality both states' legislation in July 2002 and November 2003, respectively.¹⁵⁶ Despite this petition, Terengganu officials began to "enforce" *hudud* in November 2004, but no one has been charged under the law.¹⁵⁷

When PAS first made known its intention to introduce *hudud* into Kelantan in the early 1990s, the party "made it clear that it intends its law to cover all residents of Kelantan, regardless of religious or ethnic origin and . . . made no mention of any *dhimmi* [agreement to protect the rights of non-Muslims] provision."¹⁵⁸ Currently, when PAS leaders discuss the implementation of *hudud*, however, they explicitly state that the laws would *not* apply to non-Muslims, but that they are confident that – one day – non-Muslims would come accept the laws.¹⁵⁹ This clearly represents an important innovation on PAS' part.

During its time in power, PAS considered amending the Terengganu state constitution to allow for the appointment of one non-Muslim member to the state assembly – should one not be elected during ordinary elections – as a means of increasing communication and understanding on issues of Islamic governance, like *hudud*.¹⁶⁰ While this would have been a positive step, at the same time, party leaders recently rejected the ruling government's proposal to create an Interfaith Commission (IFC) because it "threatens the Islamic faith" and "will be the gateway for

¹⁵⁵ *BBC Monitoring* from *Malaysiakini*, "Malaysia: Terengganu Sultan Signs Islamic Law Bill," August 2, 2002.

¹⁵⁶ *Bernama*, "Court to Hear Both Petitions Challenging Hudud Law," March 19, 2004. There has been no formal decision on either petition.

¹⁵⁷ Salbiah Ahmad, "Islam in Malaysia: Constitutional and Human Rights Perspectives," 2004, www.law.emory.edu/ihr/wrkpaper/s_ahmad.doc.

¹⁵⁸ Nagata, 72.

¹⁵⁹ *Financial Times Information* from *Bernama*, "Element of Politics is There – Hadi," November 9, 2003; *BBC Monitoring* from *Harakah*, "Malaysian Opposition Leader Discusses stand on Islamic State, Religious Laws," October 18, 2003.

¹⁶⁰ *BBC Monitoring* from *Malaysiakini*, "Terengganu Sultan Signs Islamic Law Bill," August 2, 2002.

the rise of liberal Islam.”¹⁶¹ These contradictory claims seem to indicate that PAS may only be interested in communicating on Islamic governance issues on its own terms.

In spite of its willingness to compromise on the applicability of *hudud* to non-Muslims, PAS has been much less willing to compromise on the substance of *hudud* given its view that the code is God’s immutable law as specified in the *Quran*.¹⁶² For example, despite the outcry against its *hudud* proposals by women’s groups – including the well-known group Sisters in Islam – the party maintained the provision that rape victims must provide four, good Muslim males as witnesses to the crime in order to provide testimony before a court.¹⁶³ PAS leadership has stated unequivocally that they do not “care if PAS loses in the general election for implementing the *Hudud* and *Qisas* because what is important is to discharge our responsibility to gain Allah's blessing.”¹⁶⁴ Interestingly enough, the ruling UMNO party *does* seem to care about losing elections as a result of *hudud*. Since reclaiming control of the Terengganu state assembly in 2004, the ruling party has been unwilling to repeal the *Hudud* and *Qisas* for fear that doing so will cause it to look un-Islamic to the voters of the conservative state.¹⁶⁵

When asked about *hudud*, PAS leaders often contrast it with Malaysia’s current criminal law. PAS President Hadi Awang has described *hudud* as more forgiving and humane than current Malaysian law in many instances, including those of drug abuse and firearm possession that carry a death sentence under the current system, but not under *hudud*.¹⁶⁶ He elaborates, “If the offence is a minor crime, the offender must be given a warning first. If the crime is repeated,

¹⁶¹ Reme Ahmad, “PAS Says ‘No’ to Interfaith Body,” *The Straits Times* (Singapore), June 6, 2005.

¹⁶² Donald Horowitz, “The Qur’an and the Common Law: Islamic Legal Reform and the Theory of Legal Change,” *The American Journal of Comparative Law* 42(2) (Spring 1994), 260.

¹⁶³ Baradan Kuppusamy, “Lawyer Attempts to Block Sharia Bills,” *South China Morning Post*, October 23, 2003.

¹⁶⁴ *Financial Times Information from Bernama*, “Hadi Appreciates Dr. Mahathir’s Invite to OIC Summit,” October 15, 2003.

¹⁶⁵ Carolyn Hong, “PAS Legacy Becomes Problem for UMNO,” *The Straits Times* (Singapore), November 27, 2004.

¹⁶⁶ *BBC Monitoring from Harakah*, “Malaysian Opposition Leader Discusses Stand on Islamic State, Religious Laws,” October 18, 2003.

then the offender should be sentenced. [The] death sentence must be the last resort when other ways to deal with the offence committed are closed.”¹⁶⁷ PAS has maintained that *hudud* punishments require strict rules of evidence and that they would not be enforced until society has fully understood the requirements of the code.¹⁶⁸ Another feature of PAS’ *hudud* is the opportunity for the victim(s) of the crime to grant a pardon to the offender.¹⁶⁹

Moral Law:

While PAS has not be able to fully enforce *hudud* laws even though they were passed in the Kelantan and Terengganu state assemblies, it has been able to pass and fully enforce a number of other “moral laws” outside of the realm of *hudud*. These moral laws are intended to encourage upstanding and Islamically-acceptable behavior, to limit exposure to foreign and corrupting influences, and to prevent opportunities for violation of *hudud* laws. While all of the provisions described below can be constitutionally enforced in the states, in practice their enforcement is inconsistent.

Dress Codes: Muslim women and women featured in advertisements in Kelantan and Terengganu must follow a modest dress code and wear a *tudung* (headscarf) or face the prospect of being fined for non-compliance.¹⁷⁰ Likewise, businesses whose female employees do not wear headscarves face having their licenses revoked.¹⁷¹ A similar dress code applicable to non-Muslim women has been passed, but not enforced, in neighboring Terengganu and this option

¹⁶⁷ Ibid.

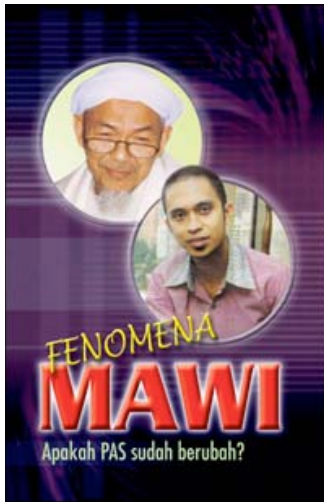
¹⁶⁸ Hussein, 95, 97; Nagata, 71.

¹⁶⁹ Ibid.

¹⁷⁰ *The Straits Times* (Singapore), “Kelantan Bans Ads that Show Women Without Headscarves,” January 24, 2003.

¹⁷¹ *The Times of India*, “Malaysian Islamists Insist on Scarves,” March 24, 2000.

has been proposed in Kelantan.¹⁷² These dress codes have also impacted the ability of women to participate in certain sports, such as swimming, track and field, and volleyball.¹⁷³ Finally, men in Kelantan are encouraged by the PAS-led government, but not required, to adopt “Islamic” dress.¹⁷⁴



The image to the left is an advertisement for the PAS-sponsored concert featuring Mawi that ran in PAS' newspaper *Harakah*. It features Kelantan *Menteri Besar* and PAS Spiritual Guide, Nik Aziz, and the Malaysian pop singer, Mawi. The advert reads: “Phenomena Mawi: Has PAS Changed?”

Restrictions on Live Entertainment: In 2001 and 2002, in an effort to “cultivate modesty and high morals” the PAS-led state governments of Terengganu and Kelantan, respectively, passed a ban on women over the age of 12 performing in front of a male audience and on all non-religious rock and pop music concerts.¹⁷⁵ In Kelantan in 2005, however, the PAS-led government broke with its no-concert rule to organize a pop concert featuring Mawi, the winner of *Akademi Fantasia 3*, a Malaysia-wide talent competition similar to *American Idol*.¹⁷⁶ Although men and women were segregated during the concert, Kelantan officials noted that the show demonstrated their approval of “wholesome entertainment in line with Islamic values.”¹⁷⁷

¹⁷² Carolyn Hong, “Kelantan Dress code for Non-Muslims,” *The Straits Times* (Singapore), March 11, 2005;

Carolyn Hong, “PAS Dress Code Draws Lawsuit Threat,” *The Straits Times* (Singapore), January 8, 2004.

¹⁷³ Azura Abas, “Floored by the Dress Code,” *New Straits Times* (Malaysia), April 26, 2000; Tan, 4/19/2001.

¹⁷⁴ Khoo, *Searching*, 16-18.

¹⁷⁵ *Channel NewsAsia*, “Malaysian state Bans Women Entertainers, Rock Groups,” September 19, 2002.

¹⁷⁶ Sheridan Mahavera, “PAS Banks on Mawi Influence,” *New Straits Times* (Malaysia), October 3, 2005.

¹⁷⁷ *Ibid.*

Kelantan also restricts certain types of traditional Malay cultural performances that it considers to have Hindu influences.¹⁷⁸

Restrictions on Other Types of Entertainment: After reclaiming power in Kelantan in 1990, PAS outlawed karaoke lounges, bars, gambling centers, and pool parlors, although a few are allowed to operate – illegally – so long as they do not entertain Muslim customers.¹⁷⁹ Lights must also be kept on during movies to prevent inappropriate behavior.¹⁸⁰ Once PAS came to power in Terengganu in 1999, gambling was among the first activities it prohibited. Observers have noted that the ban on gambling has had two impacts: the first, making it more rampant and the second, driving it – unregulated – underground.¹⁸¹ PAS spokesmen have said that if PAS came to power in the state of Pahang, they would permit private gambling for small stakes during Chinese celebrations.¹⁸² Alcohol is also restricted in PAS-controlled states. In Terengganu, PAS initially began restricting hard liquor licenses and then gradually began restricting the availability of beer.¹⁸³

Segregation of the Sexes: *Khalwat* (“close proximity” between unmarried Muslims of the opposite sex in private) and the mixing of the sexes in public places are both against the law. In 1996, the Kota Baru (Kelantan) town council passed an ordinance requiring supermarkets and department stores to have separate male and female check-out lines, although this has been

¹⁷⁸ Leslie Lau, “Sorry, Siti, You Can’t Perform in Kelantan,” *The Straits Times* (Singapore), September 20, 2002.

¹⁷⁹ Chua Chin Hon, “Living in the PAS,” *The Straits Times* (Singapore), August 12, 2001; *Deutsche-Press Agentur*, “Malaysian Hard-Line Muslims May Lift the Ban on Snooker, Karaoke,” June 14, 2005.

¹⁸⁰ Joceline Tan, “Terengganu’s Curbs Making Chinese Edgy,” *The Straits Times* (Singapore), April 19, 2001.

¹⁸¹ Hon, 8/12/01.

¹⁸² *Agence France Presse*, “Malaysia Islamic Party Sticks to Plan to Shut Down Casino,” July 19, 2001. PAS has never been in control of the state of Pahang.

¹⁸³ Tan, 4/19/2001.

loosely enforced in practice.¹⁸⁴ Officials also banned unisex hair salons, which had the impact of cutting salon clientele – and thus profits – in half.¹⁸⁵

Tourism: While tourism is not prohibited, the behavior of tourists in Kelantan and Terengganu is regulated. In Terengganu, tourists must dress “properly,” no bikinis are allowed to be worn on the beach, tour groups must be segregated, and hotels are to have separate swimming pools for men and women.¹⁸⁶ Similar restrictions are present in Kelantan and are seen by hotel executives as a detriment to their industry.¹⁸⁷ PAS’ moral law has even impacted tourist attractions. Terengganu, which is well-known for its beaches, is a popular tourist destination because it is one of the only remaining sites in the world where endangered leatherback turtles come lay their eggs and nest.¹⁸⁸ The PAS-led government removed a giant statue of a turtle – a local landmark for 25 years – shortly after coming to power because it was seen as “against the teachings of Islam.” While PAS cannot be seen as a great promoter of tourism, some exceptions have been made for the tourism industry. For example, although alcohol is highly regulated, PAS officials have *verbally* agreed that top hotels can sell alcohol to tourists on their premises.

Impact of Islamic Law on Non-Muslims:

While PAS has been forward in saying that *hudud* legislation does not apply to non-Muslims, *hudud* and moral laws do have an undeniable impact on the lives of those who live in PAS-controlled states. Minority interest groups and political parties note that these measures infringe upon their constitutionally-guaranteed rights of equality under the law and freedom of religion. They also view these measures as a slippery slope that could pave the way for the

¹⁸⁴ *The Straits Times* (Singapore), “Kelantan Bans Ads that Show Women Without Headscarves,” January 24, 2003.

¹⁸⁵ Hon, 8/12/01.

¹⁸⁶ Carolyn Hong, “PAS Still Going Strong in Terengganu,” *The Straits Times* (Singapore), November 14, 2004.

¹⁸⁷ Hon, 8/12/01.

¹⁸⁸ *Deutsche Presse-Agentur*, “Giant Turtle Statue Offends Islamists in Malaysia,” March 3, 2000.

introduction and possible enforcement of more extreme or severely limiting laws. Additionally, given the Islamization race between UMNO and PAS, these trends raise concerns that even the more moderate UMNO ruling-party may begin to view the adoption of these types of restrictions as a political necessity.¹⁸⁹

This is evidenced by the unwillingness or inability of UMNO to reverse such rules upon re-capturing control of the Terengganu state assembly in 2004.¹⁹⁰

“First gambling, then alcohol, then beer. What next? The way we dress? We see nothing wrong with having a beer or going to unisex salons and nightclubs. They are imposing their beliefs on us.”

- Wong Meng Fong,
Malaysian Chinese
Association (MCA)
Politician, Terengganu,
April 2001

In addition to the concerns over civil rights and fundamental freedoms these types of regulations raise, they also have an economic impact, impairing or forcing some small businesses – which are often owned by members of the Chinese and Indian communities – to close by limiting their clientele or what products they are allowed to sell. There is anecdotal evidence that the doubly negative impact of these rules for non-Muslims is causing increased numbers of them to leave Kelantan and Terengganu for areas where they are afforded equal opportunities, in terms of civil rights and economics.¹⁹¹ In sum, these types of laws are likely to have negative consequences for the economic development as well as diversity of the states of Kelantan and Terengganu, two of the poorest states in all Malaysia. While it may have been Ayatollah Khomeini who proclaimed that “this revolution was not about the price of watermelons,”¹⁹² Kelantan *Menteri Besar* Nik Aziz was not far off when he said that the “goal [of implementing

¹⁸⁹ Tan, 4/19/2001.

¹⁹⁰ Carolyn Hong, “PAS Legacy Becomes a Problem for UMNO,” *The Straits Times* (Singapore), November 27, 2004.

¹⁹¹ Hon, 8/12/01.

¹⁹² Cited in: Afshin Molavi, “Buying Time in Tehran,” *Foreign Affairs*, November/December 2004.

Islamic laws] is to teach Islamic principles and install an administration based on religious ideals, not to create an economic miracle.”¹⁹³

Easing Islamic Law?

PAS’ 2004 electoral defeat and loss of the Terengganu state assembly forced it to recognize the unpopularity – even in the conservative states of Kelantan and Terengganu – of some aspects of its brand of Islamic law. As a result, the party has started to compromise on select moral laws, as evidenced by the occurrence of several PAS-sponsored pop concerts. Likewise, in early 2006 PAS lifted the ban on billiards in Kelantan, permitting the game to be played in open spaces so long as other moral laws are not broken.¹⁹⁴ The party is also currently considering permitting family-friendly religious karaoke.¹⁹⁵

Under its new, more progressive leadership, the party has also worked to provide a degree of predictability to the enforcement of Islamic law. For example, while new Deputy President Nasharuddin Mat Isa does agree that religious enforcement officers have the authority to ensure that that *sharia* is being upheld – a view similar to that espoused by the federal government – he believes that these authorities should not unduly interfere with an individual’s right to privacy.¹⁹⁶ PAS has also shown its support for the Federal government’s current proposal to unify state-level *sharia* laws under a national system in order to create consistency. To this end, PAS advocates the establishment of “a single national *Sharia*; the training and re-training of *Sharia* court judges and officers to make them more professional; and revising evidence and procedural processes from the current practice of having four male witnesses and

¹⁹³ Hon, 8/12/01.

¹⁹⁴ *Deutsche Presse Agentur*, “Hard-line Moslems to Lift Ban on Snooker, Billiards,” January 9, 2006.

¹⁹⁵ *Deutsche Press-Agentur*, “Malaysian Hard-line Muslims May Lift Ban on Snooker, Karaoke,” June 14, 2005.

¹⁹⁶ Wan Hamidi Hamid, “Call for Caution in Moral Policing,” *New Straits Times* (Malaysia), February 1, 2006.

confession, to include circumstantial evidence and expert opinion.”¹⁹⁷ According to Mat Isa, a standardized system would allow lawyers to practice in any one of Malaysia’s 14 states, but he believes that states should remain responsible for the administration of the law. Additionally, Mat Isa said that Islam permits women to become *sharia* judges.

While all of these compromises can be seen as part of PAS’ strategy of moderation, the motivation of PAS’ proposed reforms should be questioned. Are they truly sincere or merely political? Just a few weeks before Mat Isa outlined his view of *sharia* reforms to a mainstream newspaper, PAS President Hadi made a statement to the PAS *Harakah* newspaper that said that *sharia* courts should have more power than civil courts.¹⁹⁸ Additionally, while the easing of some of the moral laws described above can be seen as a positive step for the quality of life of inhabitants in PAS-controlled areas, these actions can be construed as largely political as they fail to address the more serious inequalities the laws promote.

Democracy and Domestic Politics

Commitment to Democracy and Democratic Values

While PAS has clearly demonstrated its commitment to electoral politics by its regular participation in elections since 1955, many see the mere existence of elections as not necessarily constituting the existence of true democracy. On the cynical side, PAS could be described as selectively embracing democratic principles based upon the extent to which they serve the party’s ultimate objective of creating an Islamic state. To this end, the group emphasizes ideals, such as freedom of speech and assembly and lack of arbitrary arrest – principles that would conceivably benefit PAS’ political prospects – while other democratic values, such as equality

¹⁹⁷ Wan Hamidi Hamid, “Call for Caution in Moral Policing,” *New Straits Times* (Malaysia), February 1, 2006.

¹⁹⁸ *BBC Monitoring* from *Harakah*, “Malaysian Islamist Party Leader: Islamic Court ‘Has No Sovereign Power,’” January 11, 2006.

for minority communities and respect for basic human rights, are paid little attention. On the other hand, however, PAS' promotion of any democratic values – whether for self-serving purposes or out of true belief in and respect for them – can be interpreted as helping to actively counteract long-standing illiberal tendencies within the Malaysian political system by raising awareness and pushing the system for greater liberalization.

In the early 1990s, PAS President Hadi Awang was quoted by a photojournalist as saying, “I am not interested in democracy, Islam is not democracy, Islam is Islam.”¹⁹⁹ Despite statements such as this to the contrary, PAS has lightened its rhetoric as it has gained additional practical political experience. To this end, it now often highlights its commitment to democracy and transparency, which has served to subtly criticize the Mahathir administration's legacy of authoritarianism and corruption that has continued to haunt current Prime Minister Badawi. PAS enshrined its commitment to democracy in its 2003 Islamic State Document, which states that “since its inception . . . PAS has been committed to and consistent with the observation and practice of parliamentary democracy. PAS has accepted democracy as the best methodology through which it should realize the ambition, vision, and mission of its political struggle.”²⁰⁰ Through this assertion, PAS inextricably links its pursuit of an Islamic state to the democratic process.

PAS' election slogans during different periods are emblematic of this rhetorical evolution from less to more democratic: in 1986, PAS' election slogan was the authoritative, “PAS: Party of Allah,” whereas in 1990 and 1995 it chose the slogan, “Progress with Islam.”²⁰¹ This “progress” of PAS' “emphasized questions of greater egalitarianism, governmental transparency,

¹⁹⁹ Daniel Pipes, “There Are No Moderates: Dealing With Fundamentalist Islam,” *The National Interest*, Fall 2005, <http://www.danielpipes.org/article/274>. Quote from: Hassan, *Allah O Akbar: Journey Through Militant Islam*, (London: Phaidon Press, 2004.), 137.

²⁰⁰ PAS, “The Islamic State Document,” <http://www.parti-pas.org/IslamicStateDocument.php>.

²⁰¹ Hussein, 93, 95.

the preservation of the environment, the repeal of unjust laws, and the establishment of a *hisba* (ombudsman) to check the excesses of government.”²⁰² In particular, upon the entry into office of Prime Minister Badawi following 22 years of rule by his predecessor Mahathir, PAS – along with a number of other opposition parties and non-governmental organizations – signed a memo calling for the establishment of a two-term limit for the prime ministership, along with abolishment of the Internal Security Act (ISA) and Sedition Act and passage of a Freedom of Information Act and Race Relations Act.²⁰³ Also during the transition from Mahathir to Badawi, PAS released a statement calling on the new Prime Minister to promote democracy by correcting defects in the Election Commission, the media, and the Anti-Corruption Agency and making new inquiries into prominent corruption and legal cases left unresolved from Mahathir’s term, particularly that of Anwar Ibrahim’s arrest.²⁰⁴

As the party’s message has evolved, it has expressed its certainty that the principles of Islam are fundamentally compatible with democracy.²⁰⁵ Following the arrest of several suspected militants in Malaysia in August 2001, Nik Aziz underscored PAS’ commitment to cooperating with authorities to undermine militancy, saying that the party would “never resort to undemocratic means to achieve its political struggle.”²⁰⁶ He added that any PAS member who violently opposes the government would be expelled from the party.²⁰⁷ Following the nationwide ban on all political gatherings (*ceremahs*) for reasons of “national security” in July 2001,

²⁰² Hussein, 95; Many of these concepts are also enumerated in PAS’ 2003 Islamic State Document.

²⁰³ *AFX News Limited*, “Malaysian PM Urged to Limit Political Term, Ease Reign on Democracy,” November 13, 2003.

²⁰⁴ *BBC Monitoring from Harakah*, “Islamic Party Leader Urges New PM to Promote Democratic Practices in Malaysia,” November 4, 2003. Anwar was subsequently released in 2004 when an appeals court reversed his conviction.

²⁰⁵ Hussein, 96; Dato’ Seri Tuan Guru Hadi Awang, President, PAS Party Malaysia. Full-Text Speech. “The Launching of the Document on Islamic State.” November 12, 2003.

www.freeanwar.net/July2003/facnews121103b.htm.

²⁰⁶ *Bernama*, “PAS Will Expel Militant Group, Says Nik Aziz,” September 5, 2001.

²⁰⁷ *Ibid.*

PAS made the conscious decision to approach the issue in a non-violent and democratic manner, by writing the Prime Minister a letter and immediately halting *ceremahs* once the police so ordered.²⁰⁸

While the party maintains that God alone is sovereign²⁰⁹ (*hakimiyyah*) – an archetypal characteristic of Islamist groups – the group has asserted its allegiance to gradual change within the confines of the Malaysian system. President Hadi has said that in the event of a major PAS victory at the national level, the current Malaysian Constitution, which was modeled after the British system, would be retained with some amendments (namely to produce a heightened role for Islam),²¹⁰ and that PAS would “continue to rule through the process of democracy.”²¹¹

Lastly, PAS has shown that it is capable of peacefully handling over power following the loss of elections, which demonstrates a willingness to play by the rules of electoral politics and a respect for the Malaysian constitution and will of the Malaysian people. PAS’ loss of the state assemblies of Kelantan in 1978 and Terengganu in 2004 are examples of this capability.²¹² The positive nature of these peaceful transitions must be tempered, however, by the fact that PAS operates as an opposition party within a country with a firmly-entrenched ruling party, active internal security forces, and powerful emergency laws, all of which serve as a deterrent against PAS disobedience during times of state-level regime transition. While PAS has clearly

²⁰⁸ Brandon Pereira, “PAS Softens Its Approach to Ban on Rallies,” *The Straits Times* (Singapore), August 20, 2001.

²⁰⁹ NST, 4/20/03. Specifically, Hadi said: “Islam recognizes governments irrespective of whether by ruler, caliph, or president. What is important is that a government is fair and holds Allah's government supreme.”

²¹⁰ *Bernama*, PAS will Retain Federal Constitution If It comes to Power – Hadi,” September 24, 2003.

²¹¹ *BBC Monitoring From Harakah*, “Malaysian Opposition Leader Discusses Stand on Islamic State, Religious Laws,” October 18, 2003.

²¹² At the state-level, at least, this meets the characteristics of Samuel Huntington’s two-turnover test whereby “a democracy may be viewed as consolidated if the party or group that takes power in the initial election at the time of transition loses a subsequent election and turns over power to those election winners, and if those election winners then peacefully turn over power to the winners of a later election.” According to Huntington, the first turnover is symbolic while the second demonstrates commitment to democracy where rulers – and not the regime – change. Of course, it cannot be said that Malaysia as a nation has passed the two-turnover test as the same ruling coalition, led by the same party – UMNO – has been in power since independence from Britain in 1957. See: Huntington, 266-267.

demonstrated a commitment to democracy in word and deed, which should not be discounted, the fundamental question still remains: if PAS achieved electoral victory on the federal level and thus controlled the institutions of state, if the public voted a PAS-led government out of office, would it leave peacefully or would the often cited “one man, one vote, one time” Islamist paradigm prevail?

Power-Sharing and Cooperation

Democratic power-sharing is not seen as an end in itself for PAS, but rather as “a strategy and a mechanism by which the ultimate objective – the establishment of an Islamic system of government – may be achieved.” Likewise, elections are viewed “as a mechanism for the Islamic movement to get the Islamic message across to the masses as well as an opportunity to forge a power-base.”²¹³ Because the democratic nature of the Malaysian political system permits PAS to operate openly as an Islamist political party, it has consciously taken a “peaceful approach,” or what Mustafa Ali terms a “*muwajaha silmiyah*,” which has served as “the guiding principle in its decisions to form liaisons with other groups, especially in terms of sharing influence or power.”²¹⁴ So long as conditions exist that allow for PAS’ political participation, *muwajaha silmiyah* remains possible. While there is no evidence that PAS would resort to violent or less democratic approaches if the political climate in Malaysia did not allow for *muwajaha silmiyah*, there is also no evidence ruling out the use of violent or undemocratic mechanisms if the political situation changed.

Senior PAS strategist and former Parliamentarian Mustafa Ali notes, “The prevailing political climate is a very important *condition* for the Islamic movement’s participation in active

²¹³ Mustafa Ali, 109, 123.

²¹⁴ Mustafa Ali, 113.

politics”²¹⁵ (emphasis added). Ali believes that Islamic movements, such as PAS, must only enter into power-sharing arrangements if the Islamic party is the primary actor in the coalition and thus able to set the agenda, rather than merely implementing the decisions of others.²¹⁶ Employing this framework, he is critical of PAS’ alliance with UMNO during the 1970s, believing that it led to the group’s political weakness during the late 1970s and 1980s.²¹⁷ This framework is characteristic of PAS’ approach to coalition membership since its first coalition experience of 1970s. In all coalitions in which PAS has been a part since this time, the party can be seen as the dominant member – holding the most elected seats and compromising to a degree, but ultimately not jeopardizing achievement of its core principles. While this approach has been consistently taken by PAS, whether intentionally or not, it has not always yielded optimal results in the long-term.

For the 1990 and 1995 elections, PAS was a member of the Ummah Solidarity Movement (*Angkatan Perpaduan Ummah* or APU) coalition with *Semangat 46* (Spirit of ‘46), a breakaway branch of UMNO claiming to represent the party’s original values, as well as two smaller Muslim parties, BERJASA and HAMIM.²¹⁸ The nature of this coalition conformed to the requisites for power-sharing outlined by Mustafa Ali in that PAS was the dominant group, in terms of numbers of seats and control of the agenda. Additionally, the various coalition members were cooperative with one another because they all shared a similar outlook on key policies, including that of an Islamic state. PAS’ participation in this coalition yielded the group’s first electoral success after a decade of setbacks as it enabled the party to regain control of the Kelantan state assembly, which it had lost in 1978, in the October 1990 general election.

²¹⁵ Mustafa Ali, 123.

²¹⁶ Mustafa Ali, 120.

²¹⁷ Mustafa Ali, 120.

²¹⁸ Mustafa Ali, 121.

When PAS formed a more heterogeneous coalition – the *Barisan Alternatif* – on September 20, 1999, comprised of the Democratic Action Party (DAP), Malaysian Peoples’ Party (PRM), and the People’s Justice Party (Keadilan), the coalition was much more tenuous in the long-term because the primary unifying factor was opposition to a common enemy – the *Barisan Nasional* ruling government led by UMNO – rather than a shared agenda.²¹⁹ Supported by the coalition, PAS performed unexpectedly well in the 1999 general election, which won it control of the Terengganu state assembly. In this coalition, PAS held the greatest number of elected seats out of all the members and thus held some influence over the agenda, but the disparity of views eventually caused friction among the BA members.

The aspect of PAS’ agenda that has been most problematic for power-sharing has been its firm commitment to eventual implementation of an Islamic state. Following months of debate over how to reconcile their respective approaches toward an Islamic state, the Chinese-led Democratic Action Party (DAP) left the *Barisan Alternatif* coalition shortly after the attacks of September 11, 2001.²²⁰ Upon entry into the coalition, the members had agreed to pursue a common platform that explicitly excluded the issue of an Islamic state, but PAS violated this understanding by publicly campaigning for such a state’s creation in the event of a BA victory.²²¹ Despite invitations by PAS for DAP to re-join the coalition, DAP remained outside, preferring to cooperate with PAS on an unofficial basis.²²²

PAS President Hadi Awang acknowledged DAP’s right to be opposed to PAS’ stance on the Islamic state, noting that cooperation of the two parties was explicitly geared toward defeat

²¹⁹ Keadilan, “Background: History,”

http://www.keadilanrakyat.org/english/index.php?option=com_content&task=view&id=22&Itemid=32.

²²⁰ Baradan Kuppasamy, “New Blow for Malaysian Opposition,” *South China Morning Post*, July 8, 2003.

²²¹ Bernama, “BA in Worst Crisis Following PAS’ Violation of its Manifesto,” August 18, 2001.

²²² *Bernama*, “PAS Still Wants DAP to Join Opposition Front,” January 13, 2003.

of the ruling BN coalition.²²³ He said the parties could work together to win votes now and “discuss these ideological and policy differences and objectives later.”²²⁴ Despite a common enemy uniting the remaining members of the Opposition Coalition (as the BA became known following the departure of DAP), a second party – the Malaysian People’s Party (PRM) – withdrew from the opposition coalition in Summer 2003, accusing PAS of “unilaterally decid[ing] coalition policies without consultation with other opposition partners.”²²⁵ PAS’ unwillingness to compromise with coalition partners was followed by substantial electoral defeats for PAS and other opposition parties in the 2004 general elections.

PAS has occasionally gone so far as to support some policies of the ruling UMNO-led BN coalition, but only when it directly supports the PAS agenda. Examples, as will be explored in greater detail in the Foreign Policy and Security and Economics sections, include PAS support of the government’s opposition to IMF intervention following the Asian financial crisis and to the wars in Afghanistan and Iraq. Such support rarely extends into the domestic arena, but has occurred when there is a concrete overlaps of interests, such as in areas of crime and religion.²²⁶ For example, domestically, PAS agreed with a 2005 government-sponsored amendment to Malaysia’s Islamic Family Law.²²⁷ The primary focus of PAS-UMNO/BN cooperation on international issues can be attributed to the confrontational and zero-sum nature of their relationship on the domestic level. On the international level, where PAS has no official presence and therefore nothing to lose from occasionally supporting the government if their interests align, the relationship is much more civil.

²²³ *New Straits Times* (Malaysia), “Hadi: Malays Still at the Core of Politics,” April 20, 2003.

²²⁴ *Bernama*, “Cooperate Now, Issue of Islamic State Can Be Discussed Later,” January 13, 2003.

²²⁵ *Ibid.*

²²⁶ *BBC Monitoring*, “Malaysian Deputy PM: Ruling Party Willing to Cooperate with Opposition on Islam,” January 22, 2004.

²²⁷ *BBC Monitoring* from *Malaysiakini*, “Malaysian Opposition Backs Government Stand on Islamic Family Law,” February 14, 2005.

In recent years, President Hadi has affirmed the need for pluralism in politics: “In our internal affairs, we need diverse principled views to make proper assessments. This is democracy. We have to respect democracy. There is nothing wrong with this openness. We need to realize that the existence of diverse parties is something positive, so that we have checks and balances.”²²⁸ To this end, PAS has initiated dialogues with its allies and adversaries in an effort to foster communication and explain the reasoning behind its policies, particularly its policy on the Islamic state. Despite all of this, the central question remains: what are the party’s true motivations for advocating reforms and heightened democratic practices in Malaysia? Is it an honest belief in democratic principles or a desire to ease prohibitions directly impacting its own electoral success?

Foreign Policy and Security

PAS’ general approach to foreign policy can be described as pan-Islamic, non-aligned, and largely ideological.²²⁹ Along these lines, the party also places great emphasis on non-interference and maintenance of Malaysian sovereignty. Despite the fact that pragmatic considerations escape PAS’ calculus on many international issues, the party nonetheless emphasizes the use of international organizations – such as the Organization of the Islamic Conference (OIC), UN, and Association of Southeast Asian Nations (ASEAN) – as forums for dispute resolution and dialogue. The group’s general lack of pragmatism in foreign affairs, however, is most surely a function of its pan-Islamic worldview as well as its lack of official experience in creating and implementing Malaysia’s foreign policy. Because of this state of affairs, much of the information describing PAS’ approach to international affairs is based upon

²²⁸ *NST*, 4/20/2003.

²²⁹ In its Islamic State Document, PAS proclaims its desire to “uphold a non-aligned foreign and international policy.”

the statements, oftentimes inflammatory, from the party's leaders. While statements should not be completely discounted in an attempt to understand PAS' views and potential policy actions, they can also not always be taken literally, especially in light of the prominent role that rhetoric and symbolism plays in Malaysian politics.

A speech by PAS President Hadi Awang before the 13th Non-Aligned Movement (NAM) Summit of February 2003 in Kuala Lumpur is perhaps reflective of what PAS' foreign policy agenda would be if it actually wielded power in Malaysia.²³⁰ Among the goals outlined in this speech are:

- Reduce the war sentiments of the United States and its allies;
- Protect the fate of the Palestinian people by pressuring the UN through the NAM;
- To fight terrorism, international prejudice against Islam must be eliminated;
- Create unity of the international community, organize protests, and devise a framework of other political and economic mechanisms to resist the U.S. attacks on Iraq; and,
- Promote the elimination of Israel's weapons of mass destruction.

PAS' Pan-Islamism

Most of PAS' foreign policies can be seen through a prism of pan-Islamism, the call for "all Muslims to unite in support of their faith," but the party cannot be said to seek the establishment of – or return to – a global caliphate.²³¹ This perspective influences the party's thinking on a variety of international issues, including recent wars being fought in Muslim

²³⁰ *BBC Monitoring* from *Harakah*, "Malaysian Opposition Leader Proposes Agenda in Statement to NAM Summit," February 21, 2003.

²³¹ Jacob M. Landau, "Pan-Islam," *The Oxford Dictionary of the Modern Islamic World*, Vol. 3, John L. Esposito (Ed.) (New York: Oxford University Press, 1995), 300-301. In all my research and in specific queries on the topic, I could find no mention establishment of a caliphate as one of PAS' goals.

countries by Western states, its stance on Israel, and the non-committal nature of its approach to the question of terrorism, all of which will be addressed in detail below.

PAS has cultivated relationships with Islamist political parties and governments around the world by sending official delegations abroad and organizing international conferences to bring Islamist thinkers and leaders together. In 1988, it organized an International Conference on Muslim Unity (*Ijtimak Antarabangsa Perpaduan Ummah*) that brought together Islamists from Egypt, Saudi Arabia, Thailand, Indonesia, Pakistan, Iran, and Iraq.²³² Likewise, the party sent a delegation to Turkey to personally congratulate the modernist Islamist Justice and Development Party (AKP) for its electoral victory in secular state as well as to learn lessons that could be applied to PAS' situation in Malaysia.²³³

To help facilitate a spirit of pan-Islamism and heightened defense of Muslims worldwide, PAS has advocated a more visible role for the Organization of the Islamic Conference in international affairs. In 1998, PAS called for the OIC to play a larger role in the conflicts in Kashmir, Kosovo, and Palestine²³⁴ and echoed this same sentiment in the lead up to the war in Iraq.²³⁵ It has also been critical, however, of perceived shortcomings in the OIC's agenda, such as not doing enough to prevent terrorism *against* Muslims²³⁶ and for not requiring members to sever ties with Israel.²³⁷

²³² Noor, Blood.

²³³ Brandon Pereira, "PAS Gets Tips from Turkey on How to Win Elections," *The Straits Times* (Singapore), December 5, 2002.

²³⁴ *Bernama*, OIC Asked to Step Up Role in Palestine, Kashmir, and Kosovo," July 24, 1998.

²³⁵ *BBC Monitoring for Harakah*, "Malaysia: Opposition Disappointed in Islamic Body's Inability to Defend Iraq," February 15, 2003.

²³⁶ *BBC Monitoring*, "Malaysian Opposition Party Leader Says OIC 'Secret Agent' of the West," December 20, 2005.

²³⁷ *Pertubuhan Berita Nasional Malaysia*, "Opposition Parties Urge OIC Members to Sever Ties with Israel," April 3, 2002.

Regional Relations

PAS' stated policy toward its regional neighbors is to work toward regional stability by enhancing "the spirit of mutual respect and solidarity amongst regional partners."²³⁸ Despite this proclamation, when PAS has been involved in Southeast Asian regional politics, its actions can often be explained by its pan-Islamic worldview.

After the Thai government cracked down on suspected Islamic militants in southern Thailand in spring 2004, PAS called the Thai action "brutal state sanctioned terror," noting that because Thai Muslims have legitimate frustrations "the way to peace is to address their long-standing grievances."²³⁹ A Thai intelligence report linked PAS to the violence in Thailand's south, but its author did not provide any evidence explaining how he arrived at this conclusion or what PAS' mechanism for aggravating the violence was.²⁴⁰ In fact, rather than inciting violence PAS has tried to serve as a broker of peace in southern Thailand. To this end, the party held a public seminar to devise ways in which the group could engage the Thai government in order to stop the violence.²⁴¹ Additionally, it called upon the Malaysian government to push for the convention of an emergency ASEAN summit in order to address the violence before the United States and other Western powers felt it necessary to become involved.²⁴²

PAS has also reached out to Singaporean Muslims, in particular when it views their rights as having been challenged. The party raised money for the legal defense of several Singaporean schoolgirls who were suspended for wearing headscarves to school and sent a delegation to

²³⁸ ISD.

²³⁹ *The Nation* (Thailand), "Southern Unrest: Thaksin Tells the World to Back Off," May 2, 2004.

²⁴⁰ *The Nation* (Thailand), "New Report Claims PAS Linked to South's Woes," November 9, 2004.

²⁴¹ *Ibid.*

²⁴² *Agence France Presse*, "Islamic Party Urges Malaysia to Turn to ASEAN Over Deadly Thai Violence," April 30, 2004.

Singapore to provide “moral support” to their girls and their families.²⁴³ Likewise, following a fact finding mission to Banda Aceh, Indonesia, the head of the PAS Youth Information Service called upon the OIC to take action to prevent the “Christianization” of those orphaned from the 2004 tsunami.²⁴⁴

However, PAS has offered recommendations on regional issues that are not related to religion. Commenting on a conflict over oil rights in Batu Unarang along the Malaysian-Indonesia border that led to the positioning of military vessels, PAS recommended that the militaries of both countries withdraw their troops from the disputed area and hold discussions.²⁴⁵ If resolution could not be reached, PAS recommended referring the case to an international tribunal.

View of the United States and Israel

Like many other Islamist – not to mention secular – political parties, PAS has been critical of U.S. foreign policy in recent years. Despite the enmity between PAS and the ruling UMNO party, current PAS President Hadi Awang praised former Prime Minister Mahathir – who took a more aggressive stance vis-à-vis the United States than has his successor Abdullah Badawi – for many of his foreign policies, especially those regarding the United States and his rejection of International Monetary Fund aid in the wake of the 1997 Asian financial crisis.²⁴⁶ PAS has been critical of U.S. political and military influence in Malaysia. The party spoke out against U.S. military aid to Malaysia and joint U.S.-Malaysian military exercises saying such

²⁴³ *Deutsche Presse-Agentur*, “Malaysian Islamic Party’s Backing of Headscarves Comes Under Fire,” May 24, 2002.

²⁴⁴ *BBC Monitoring from Harakah*, “Malaysian Islamic Party Urges OIC Action on ‘Christianization’ of Aceh Orphans,” February 8, 2005.

²⁴⁵ *BBC Monitoring from Harakah*, “Malaysian Opposition: Both Sides Must Leave Area Disputed With Indonesia,” March 15, 2005.

²⁴⁶ *New Straits Times* (Malaysia), “Hadi Praises Dr. Mahathir for his Refusal of IMF Aid Offer in 1997,” April 20, 2003.

activities would lead to American interference in Malaysian sovereignty and national defense.²⁴⁷ Following the Bali bombings in Indonesia, PAS held a similar line calling for non-interference by the United States in the Indonesian investigation.²⁴⁸ Additionally, PAS blamed the Malaysian federal government's crackdown on PAS-run *madrassas* on undue U.S. influence in domestic affairs.²⁴⁹ Before former U.S. Secretary of State Colin Powell visited Malaysia, the PAS Youth Wing issued a condemnation of the visit saying that it would hurt Malaysia's image because "the United States itself is the main initiator of terrorism throughout the world."²⁵⁰

Following the start of the war against Afghanistan in 2001, then-President of PAS Fadzil Noor, a moderate, said, "The U.S. action can be described as 'the elimination of Muslims' by a Western power and its allies. Israel, a U.S. ally, has implemented the same policy in Palestine."²⁵¹ To protest the U.S. actions, PAS organized demonstrations outside of the U.S. Embassy in Kuala Lumpur.²⁵² Allegedly, PAS declared a *jihad* against the United States and supported its members to fight in Afghanistan.²⁵³ Noor justified this position, labeling America an "enemy of Islam": "An Islamic nation is being attacked by an enemy of Islam and it is the duty of every Islamic nation to join forces to defend that country."²⁵⁴

In response to the start of the Iraq war in 2003, PAS Spiritual Leader Nik Aziz said that countries against the war should review their diplomatic and trade ties with the United States and

²⁴⁷ *BBC Monitoring*, "Malaysian Opposition Question Motive of U.S. Military Training Fund," February 10, 2003; *BBC Monitoring for Utusan Malaysia*, "Malaysian Foreign Minister Defends Military Exercises with USA," August 1, 2001.

²⁴⁸ *BBC Monitoring* from *Harakah*, "Malaysian Islamic Party Youth Chief Regrets U.S. Accusations in the Bali Blasts," October 15, 2002.

²⁴⁹ *Bernama*, "PAS Fears Govt Policy on SAR Influenced by U.S., Says Hadi," March 17, 2003.

²⁵⁰ *BBC Monitoring*, "Pan-Malaysian Islamic Party Youth Body Protests Against Powell's Visit," July 31, 2002.

²⁵¹ *BBC Monitoring* from *Harakah* Website, "Malaysia: Islamic Party Urges U.S. to Stop Bombings, Settle Mideast Conflict," October 21, 2001.

²⁵² *New Straits Times* (Malaysia), "Police Use Water Canons to Disburse Over 3,000 Protesters," October 13, 2001.

²⁵³ *New Straits Times*, October 13, 2001.

²⁵⁴ *Kyodo News Service*, "Malaysian Muslims Stage Major Anti-U.S. Protest," October 12, 2001.

noted that America's key interest in starting the war was to protect Israel.²⁵⁵ PAS condemned the unilateral way in which the U.S. went to war in Iraq as a "shameful" rejection of international law and announced that weapons inspectors should have more time to prove weapons did not exist in Iraq.²⁵⁶ PAS went so far as to criticize other Muslim countries that facilitated the U.S. war against Iraq by supplying intelligence, bases, and airspace as well as those countries that prevented their citizenry from protesting the American invasion.²⁵⁷ The party sent humanitarian missions to the greater Southwest Asia region to help the civilian victims of both the Afghanistan and Iraq conflicts.²⁵⁸

Nik Aziz's comments fundamentally linking the Iraq war to Israeli security to this end show that it is impossible to separate PAS' attitude toward the United States from its perspective on Israel. The connection PAS makes between the U.S. and Israel is further evidenced by the group's condemnation of President Bush's signature of a U.S. law requiring Jerusalem to be recognized as the official capital of Israel.²⁵⁹ PAS has further suggested that all Organization of the Islamic Conference (OIC) member-states sever all ties with Israel.²⁶⁰ Like many other Islamist groups, PAS views Israel as a symbol of Muslim oppression and humiliation and, since its establishment, has maintained a staunchly anti-Israel stance. Despite the fact that Malaysia does not have diplomatic or trade relations with Israel, the ruling government has maintained informal contacts with Israel and Israeli entities. These activities – such as when the Israeli

²⁵⁵ *New Straits Times* (Singapore), "Hadi: Attack on Iraq an Act of Arrogance by US," March 21, 2003.

²⁵⁶ *BBC Monitoring* from *Harakah*, "Malaysian Islamic Party Chief Calls Arab Nations' Conspiracy with U.S. Shameful," March 27, 2003; *Bernama*, "PAS to Table Emergency Motion on Iraq in Parliament," March 9, 2003.

²⁵⁷ *BBC Monitoring* from *Harakah*, "Malaysian Islamic Party Chief Says Arab Nation's Conspiracy with U.S. 'Shameful,'" March 27, 2003.

²⁵⁸ *Bernama*, "Malaysia: Islamic Party Urged to Join Government Aid Mission to Afghanistan," October 29, 2001; *New Straits Times* (Malaysia), "PAS to Provide Humanitarian Aid to Iraqi Refugees," March 27, 2003.

²⁵⁹ *Financial Times* for *Bernama*, "PAS Objects to 'Jerusalem Law' Signed by Bush," October 2, 2002.

²⁶⁰ *New Straits Times* (Malaysia), "PAS Wants Members to Break Off Ties," April 4, 2002.

cricket team was permitted into Malaysia to play a match in 2000²⁶¹ and when non-governmental Israeli experts were invited to a conference on the Middle East held in Kuala Lumpur²⁶² – have been strongly criticized by PAS leaders.

PAS Deputy President Nasharuddin Mat Isa has maintained that “We [PAS] are not anti-Semitic, but we do not want to get involved with Israeli groups,” as “their presence in Malaysia will be a form of acknowledgement of Israel.”²⁶³ Additionally, PAS President Hadi Awang has said that suicide bombings against Israelis are permissible, noting that “All Israelis are military personnel, Israel is a military zone, not a civilian area.”²⁶⁴ If PAS were to come to power, it is likely that the party’s rejection of Israel would continue and that unofficial relations between Malaysian and Israeli groups would be prohibited.

Despite its harsh rhetoric, PAS has reached out to Western governments, including the United States. During September 2001, President Hadi Awang was to meet with officials from the U.S. Department of State during a visit to Washington to address the Islamic Society of North America.²⁶⁵ It is unclear as to whether this meeting actually took place, but statements from PAS leaders indicated that the party viewed the visit as a very important legitimating event. In July 2001, PAS representatives met with Australian officials to discuss the arrest of opposition officials and human rights implications of the Internal Security Act.²⁶⁶ These events suggest that PAS is not fundamentally opposed to interactions or relations with Western nations, including the United States. However, U.S. policy choices since September 2001 – especially the

²⁶¹ *Deutsche Presse-Agentur*, “Islamist leader in Malaysia jailed for anti-Israel protest,” November 9, 2000.

²⁶² Carolyn Hong, “PAS Pulls Out of Meeting Because of Israelis,” *The Straits Times* (Singapore), March 23, 2005. PAS had initially approved the visit of the Israeli scholars as they were seen as sympathetic to the Palestinian cause. Closer to the time of the conference, senior PAS leaders learned of the Israeli participation, quickly condemned the visit, and pulled PAS out of the conference.

²⁶³ Hong, 3/23/2005.

²⁶⁴ *Channel NewsAsia*, “PAS treads uneasy ground in Malaysia,” September 19, 2003; For more on PAS’ stance on suicide bombing, see the section on PAS, Terrorism, and Militancy below.

²⁶⁵ Brandon Pereira, “PAS Chief Minister to Meet U.S. Officials,” *The Straits Times* (Singapore), August 21, 2001.

²⁶⁶ *Ibid.*

decisions to invade Afghanistan and Iraq – are anathema to PAS, which has strongly criticized them as unnecessary and un-Islamic. If a PAS-led government did come to power in Malaysia, the United States could assume that the party would take a staunchly anti-U.S. stance – at least rhetorically if not substantively – so long as U.S. foreign policy continues along its current course.

PAS, Terrorism, and Militancy

Even prior to September 11, 2001, PAS was linked by the Malaysian press, most of which is run by or affiliated with the ruling BN government, to localized Islamic terrorist movements, such as *Kumpulan Militan Malaysia* (Malaysian Mujahadeen Movement or KMM) and the *al-Maunah* group.²⁶⁷ Several PAS members were arrested under the authority of the Internal Security Act (ISA) during these raids, including Nik Adli, the son of PAS Spiritual Leader Nik Aziz. Arrested in early August 2001, Nik Adli, who studied at a *madrassa* in Pakistan and fought alongside the *mujahideen* in Afghanistan, is being held as the founder and leader of the KMM. Most evidence physically linking PAS to terrorist groups is weak at best, with the arrest of Nik Adli – by virtue of his family ties – standing as the most compelling.

It is worth noting that several members of the ruling UMNO party were also arrested as members of *al-Maunah*.²⁶⁸ While Nik Aziz has suggested that the arrests are politically motivated, he had also been a strong proponent of judicial reforms to the ISA, stating, “Give the ISA detainees, including my son, a chance to be brought to court . . . if the allegations are true, so be it.”²⁶⁹ *Habeas corpus* applications to bring 13 ISA detainees, including Nik Adli, before a

²⁶⁷ Joceline Tan, “PAS Hit Hard by Terrorist Attacks in U.S.,” *The Straits Times* (Singapore), September 22, 2001.

²⁶⁸ Noor, Blood.

²⁶⁹ *Pertubuhan Berita Nasional Malaysia*, “Prove Claims in Court, Nik Aziz Says of Arrests,” August 9, 2001.

judge to determine if their continued detention is lawful were rejected by a Malaysian court in September 2004.²⁷⁰

Following September 11, PAS has continued to be linked by the press and ruling government to militancy. For example, UMNO linked PAS to the Taliban regime, going so far as to air a series of prime-time television commercials that “interspersed images of PAS leaders with captions of [the] American bombing of Afghanistan and the murder of a woman by Taliban extremists.”²⁷¹ Analyst Joseph Liow notes that UMNO justifies these verbal attacks because PAS has been slow to condemn terrorists and extremists in the past and actually, at its 2002 *Muktamar* (annual meeting) meeting, PAS members voiced support for Palestinian suicide bombers.²⁷² Later, in 2003, President Hadi Awang noted that “Suicide bombers are *only* permitted in Palestine [but not Indonesia, he later added] because people are being oppressed by Zionist forces. If the method could contribute to the success of the Palestinian people's struggle, it is permitted by Islam.”²⁷³ It should be noted that some moderate Islamists, such as Sheikh Yusef al-Qaradawi, have approved the use of suicide bombings in the context of the Israel-Palestine conflict, while others, such as Shiekh al-Azhar Mohammad Sayed Tantawi, have categorically rejected it.

PAS’ response to allegations of militancy has been mixed, ranging from denial to complete rejection to support. PAS President Hadi Awang stated in an interview with the PAS newspaper, *Harakah*, that he believed that the KMM does not really exist, but rather had been “invented by the [Malaysian] government itself with the aim of legitimizing their actions against

²⁷⁰ *BBC Monitoring* from *Malaysiakini*, “Malaysian Court Rejects Appeal of 13 Detained Under Internal Security Act,” September 1, 2004.

²⁷¹ Liow, *Deconstructing*, 11.

²⁷² Joseph Liow, “Outlook for Malaysia’s 11th General Election,” Singapore: Institute of Defence and Strategic Studies, March 2004, 3.

²⁷³ *BBC Monitoring*, “Malaysian Opposition Leader Supports Suicide Bombings By Palestinians,” September 16, 2003.

the true Islamic movements led by the people that are beginning to get support.”²⁷⁴ Likewise, he said he believed the Abu Sayyaf terrorist group was created by the Philippine government “to legitimize actions against Muslims in the southern Philippines.”²⁷⁵ Yet, when speaking of the arrests he emphasized the importance of the rule of law, saying, “We are against militant activity. If there is proof that any PAS members are involved, charge them in a court of law.”²⁷⁶ On occasion, PAS has denied the link between Islamic extremism and the September 11 attacks. During a televised debate with a leader from the secular Democratic Action Party, PAS Deputy President Nasharuddin Mat Isa asked the moderator to “prove” the existence of such a link.²⁷⁷

On occasion, PAS leaders have expressed support for terrorist organizations. In September 2003 President Hadi Awang affirmed PAS’ support for HAMAS and Islamic Jihad, “Even though they are labeled as terrorists or criminals by U.S. imperialists and the Israeli Zionist regime, they represent the Palestinian people and must be referred to in any peace process.”²⁷⁸ In May 2002, PAS held a pro-Palestine international conference entitled, “Terrorized Palestine: In Tears and Blood,” at which a representative from Lebanese Hizbullah addressed the 200 attendees and a HAMAS leader spoke by teleconference.²⁷⁹

PAS has repeatedly reiterated that it is not a militant group and continued to emphasize its rejection of terrorism and violence as tools for achieving its objectives.²⁸⁰ It has also added that it does not condone terrorism more generally as “it is not the way to solve problems.”²⁸¹

²⁷⁴ *BBC Monitoring* from *Harakah*, “Malaysian Islamic Party Chief, Opposition Leader Praises Islamic Laws,” October 18, 2002.

²⁷⁵ *Ibid.*

²⁷⁶ Tan, September 22, 2001.

²⁷⁷ Leslie Lau, “Opposition Gets a Rare Airing in TV Debate,” *The Straits Times* (Singapore), September 14, 2004.

²⁷⁸ *BBC Monitoring* from *Utusan Malaysia*, “Malaysian Opposition Leader Supports Suicide Bombing By Palestinians,” September 16, 2003.

²⁷⁹ Reme Ahmad, “Middle East Groups Attend PAS Forum,” *The Straits Times* (Singapore), May 30, 2002.

²⁸⁰ *BBC Monitoring* from *Harakah*, “Malaysia: Islamic Party Youth Leader Reiterates Party Not a Militant Movement,” November 12, 2001.

²⁸¹ *Pertubuhan Berita Nasional Malaysia*, “PAS Condemns Terrorist Attacks on US,” September 12, 2001.

When asked about the ruling government's approach to arresting suspected terrorists under Malaysia's Internal Security Act, PAS President Hadi Awang rejected this approach, noting, "My view is that the government's action is more political. PAS leaders do not endorse militant activities. We have given strong reactions saying we do not agree with this violent method."²⁸² Despite its strong condemnation of the United States, it has officially condemned and expressed sympathy for the victims of some terrorist incidents, including the Bali bombings, the September 11 attacks, and the London subway bombings of 2005.²⁸³ Of September 11, then-PAS President Noor said: "PAS regards any attack on properties and lives of the public, including innocent children, women, and the aged, whether on American soil or any other part of the world as heinous crimes."²⁸⁴

Economics

Since the early 1980s, the ruling government of Malaysia has promoted a dual economic system whereby a conventional banking and finance sector exists alongside one that is considered to be "Islamic."²⁸⁵ The partial Islamization of the banking and finance sector in Malaysia must be seen in the broader context of the political Islamization campaign that began with the 1981 ascension of Mahathir to the position of Prime Minister as a means – in part – of marginalizing the political challenge posed by PAS. The ruling government, which promotes a

²⁸² *BBC Monitoring* from *Harakah*, "Malaysian Islamic Party Chief, Opposition Leader Praises Islamic Laws," October 18, 2002.

²⁸³ *Bernama*, "Hadi Sticks to Claim on Suicide Bombing," September 18, 2003; Joceline Tan, "PAS Worried by Possible Islamic Link to U.S. Attacks," *The Straits Times* (Singapore), September 17, 2001. PAS' official statement on the September 11 attacks did not mention the attack upon the Pentagon; *BBC Monitoring* from *Harakah*, "Malaysian Islamic Party MP Calls on Parliament to Discuss London Blasts," July 12, 2005.

²⁸⁴ *New Straits Times* (Malaysia), "PAS Describes Attacks as 'Heinous Crime,'" September 13, 2001.

²⁸⁵ Ibrahim Warde, *Islamic Finance in the Global Economy* (Edinburgh: Edinburgh UP, 2000), 123-124. Most generally, an Islamic banking system is one that follows the principles of the *Quran* and *Sunna* to guide financial transactions. A key feature of such a system is the prohibition on interest (usury), but other major characteristics include an emphasis on risk-sharing and promotion of economic and social development goals.

“modern” and “moderate” brand of Islam approved by many in the West, has successfully linked the Islamic banking and finance sector to an aggressive financial modernization campaign that has yielded impressive economic and technological development.²⁸⁶

Despite the financial success of this strategy, which has made Kuala Lumpur a regional and international financial center, PAS has taken issue with the ruling government’s approach, calling it not “Islamic” enough. For example, it commonly criticizes the government’s management of the *Tabung Haji* (Pilgrims Fund Board), which helps Malaysians save enough money to perform the Haj (pilgrimage to Mecca), saying it has made un-Islamic “sin investments,” an allegation the government has denied.²⁸⁷ There have been numerous allegations of mismanagement and lack of transparency of and interest-bearing investments by the *Tabung Haji* in the past.²⁸⁸ In its 2003 Islamic state document, PAS outlined its plan to – should it assume a national leadership position – gradually phase out the practice of *riba* (usury or interest) in all economic activities and allow citizens to freely conduct economic activities so long as they are permissible under the *sharia*.²⁸⁹

PAS, in coordination with other opposition parties, has also criticized the government’s economic policies in non-Islamic terms. Several times since 1999, the BA opposition coalition has introduced an alternative federal budget to pre-empt the federal government’s budget proposal.²⁹⁰ The 2006 alternative budget contained four sections – pro-people, pro-business, pro-growth, and pro-prudent public financial management – and focused heavily on subsidies

²⁸⁶ Ibid; Bruce Vaughn, “Malaysia: Political Transition and Implications for U.S. Policy,” CRS Report for Congress RL32129, October 21, 2003.

²⁸⁷ *Bernama*, “Tabung Haji Invests According to Hukum Syarak, Says Noh,” October 7, 2003.

²⁸⁸ Nagata, 63; Leslie Lopez, “Malaysian fund for Pilgrims Undergoes Scrutiny,” *The Asian Wall Street Journal*, December 3, 2004.

²⁸⁹ PAS, ISD

²⁹⁰ *BBC Monitoring* from *Malaysiakini*, “Malaysia’s Alternative Front Unveils “Shadow Budget,” September 29, 2005.

and freezes on tolls and taxes.²⁹¹ If elected to national leadership, PAS has stated its intention to prohibit cheating and “crony capitalism,” reduce the disparity in wealth among Malaysian citizens, and pursue policies that ensure equal access to economic participation.²⁹²

As the ruling party in the state of Kelantan from 1959-1978 and from 1990 to the present and in the state of Terengganu from 1999-2004, PAS has encountered a number of major financial challenges. The state of Kelantan is the poorest in Malaysia and has remained relatively untouched by the financial development that has had a marked impact on the rest of the country. Terengganu, on the other hand, has one of Malaysia’s higher per capita income levels, due in large part to its oil revenues and tourism industry, yet the percentage of the population under the poverty line is also among the highest in the country, which indicates a high income disparity among citizens of the state.

<p>Kelantan</p> <ul style="list-style-type: none"> • In 2002, lowest per capita GDP in Malaysia RM4,067 (\$1,112) • 12% households under poverty line in 2002, 10.6% in 2004 	<p>Terengganu</p> <ul style="list-style-type: none"> • In 2003, Per capita GDP: RM16,005 (\$4,374) • 11% households under the poverty line in 2002, 15.4% in 2004
<p>Sources: Richard Leete, <i>Kelantan’s Human Development Progress and Challenges</i>, UNDP, August 2004; Richard Leete, <i>Terengganu’s Human Development Progress and Challenges</i>, UNDP, April 2006; <i>Pertubuhan Berita Nasional Malaysia</i>, “Kelantan’s Per Capita Income Lowest Among States,” February 28, 2002.</p>	

Despite the disparity in wealth between the two states, it is well documented that the ruling *Barisan Nasional* coalition has practiced economically discriminatory practices toward the two states as a means of hurting the credibility of PAS. The monetary and administrative restrictions placed over Kelantan by the federal government have been so extreme that it has been unable to undertake any substantial infrastructural projects.²⁹³ Likewise in Terengganu,

²⁹¹ Ibid.

²⁹² PAS, ISD.

²⁹³ Khoo, Searching, 16-17. Khoo notes that the highly centralized system of Malaysian government allows the ruling government – led by UMNO – to redirect, delay, or withhold entirely funds that have been allocated to a state. Such tactics have not only be directed at PAS, but also at other minority groups in control of government at the state

PAS had to scale back its plan to create additional low-cost housing and it cancelled plans for a new state mosque and sports complex.²⁹⁴

Perhaps the most glaring example of this discrimination is that the federal government withheld oil royalties from petroleum-rich Terengganu each year PAS ruled the state (1999-2004), despite the fact that the royalties were automatically transferred to previous administrations as per the state's 1975 agreement with Malaysia's national oil company Petronas.²⁹⁵ These funds accounted for approximately 80 percent of the state's annual revenue.²⁹⁶ Instead, the federal government made the highly political move of providing "direct payments" to Terengganu citizens in the form of special development projects, which some speculate were designed to avoid misuse of the oil money by the PAS-led government.²⁹⁷

Hadi Awang, current PAS President and *Menteri Besar* of Terengganu during the era of PAS' control, called the federal decision "a blessing in disguise," as it forced the state to focus on developing other sectors, such as forestry, and increasing the productivity and professionalism of civil servants.²⁹⁸ To counter the financial crisis, the state government reviewed all of its investments and sold its shares of any that were unprofitable.²⁹⁹ In Kelantan, which does not rely on oil royalties but remains economically troubled, PAS has followed a similar strategy and has also tried to attract foreign investments – particularly from China – to the state, which in 2003

level, such as the *Parti Bersatu Sabah*, in the state of Sabah on the island of East Malaysia, in an attempt to limit their political action in order to drive them out of power.

²⁹⁴ Joceline Tan, "PAS State Hurt by Oil Money Squeeze," *The Straits Times* (Singapore), February 11, 2001.

²⁹⁵ Reme Ahmad, "Chinese Leaving PAS-Controlled Terengganu," *The Straits Times* (Singapore), December 7, 2003. The amount of royalties withheld annually has ranged from 800RM (approximately US \$216 million) to 1RM billion (approximately US \$270 million), depending on oil prices.

²⁹⁶ Chua Chin Hon, "Living in the PAS," *The Straits Times* (Singapore), August 12, 2001.

²⁹⁷ *Ibid.*

²⁹⁸ *New Straits Times*, "Hadi: PAS Will Allow Non-Muslims to Lead States with Non-Muslim Majority," August 13, 2002.

²⁹⁹ *Financial Times From Bernama*, "There's Blessing in disguise Behind Oil Royalty Withdrawal, Says Hadi," August 12, 2002.

received no money from abroad.³⁰⁰ This more outward-looking, pragmatic trend has characterized PAS' approach to economic policy within Kelantan and Terengganu in recent years.

Despite the fact that the party does not have the financial wherewithal to pursue the all the reforms and projects it desires, it has sought instead to make an impact on what Khoo calls the "moral economy." Nik Aziz, the *Menteri Besar* of Kelantan since 1990, has tried to set a personal example for the people of the state by living modestly in his own house, reducing his own salary, and encouraging other PAS leaders to reduce their salaries and make charitable contributions – thus stressing "redistribution through Islamic practices."³⁰¹

In Terengganu, the party channeled *zakat* (alms) and resources from other religious funds to provide free medical care to extremely poor Muslims and non-Muslims in the state.³⁰² The state's encouragement of almsgiving yielded an increase in tithes from 11RM million in 1999 to 21RM million in 2000 to 30RM million in 2001.³⁰³ Following its rise to power in Terengganu, PAS quickly implemented several socio-economic programs, including increasing maternity leave, introducing a five day work week for civil servants, and abolishing the tolls for the Terengganu bridge.³⁰⁴ They also decreased the workweek for civil servants to allow more time for family and personal reflection and increased paid maternity leave from 42 to 60 days.³⁰⁵

Given the *Quranic* prohibition on the collection of *riba* (interest), once PAS gained control of Kelantan, it moved the state's money from conventional banks to interest-free Islamic

³⁰⁰ Reme Ahmad, "PAS Looks To China for Help in Kelantan, *The Straits Times* (Singapore), December 10, 2004.

³⁰¹ John Hilley, *Malaysia: Mahathirism, Hegemony and the New Opposition*, London: Zed Books, 2001, pp. 193-194; Khoo, 17.

³⁰² *Bernama*, "Terengganu To Offer Free Medical Treatment to Hardcore Poor," July 24, 2003.

³⁰³ *New Straits Times* (Malaysia), "Hadi: PAS Will Allow...", 8/13/02.

³⁰⁴ Tan, 2/11/01; The federal government did not implement a five-day work week until July 2005. PAS instituted this policy to give civil servants additional time with their families. See: *Bernama*, "Sick Leave Down, Domestic Tourism Up with Five-Day Week," October 23, 2005,

<http://www.bernama.com.my/bernama/v3/news.php?id=161853>.

³⁰⁵ *Ibid.*, 19-20.

bank accounts, which the party believes helped to encourage other banks to offer Islamic banking alternatives.³⁰⁶ It also encouraged businesses and banks to remove service charges from bills and loans.³⁰⁷ In trying to enforce an Islamic economic system, however, PAS has caused some small businesses to suffer in Kelantan and Terengganu. For example, unisex hair salons have had to choose whether to cater to exclusively male or exclusively female clientele, while pool halls, bars & nightclubs, karaoke lounges, pawn shops, and many establishments that sell alcohol or pork have been forced to close or restrict their business to non-Muslims.³⁰⁸ Although these rules are selectively enforced, they have still proven to be problematic for non-Muslims residing in these states and have not helped to alleviate the serious financial problems that plague Kelantan and Terengganu.

Finally, in keeping with its foreign policy of pan-Islamism, PAS supported a proposal by the Mahathir regime in 2003 for Malaysia to use the gold Islamic dinar as its currency for international trade rather than U.S. dollars.³⁰⁹ PAS President Hadi Awang said that such a proposal would free the world from U.S. monetary domination.³¹⁰ This proposal has stalled since Prime Minister Badawi assumed power in October 2003. As mentioned previously, PAS also agreed with Mahathir's rejection of IMF assistance following the Asian financial crisis; Hadi noted "We did not need the IMF for our financial recovery."³¹¹ That Malaysia did recover more quickly from the financial crisis than those countries that accepted IMF

³⁰⁶ *New Straits Times* (Malaysia), "Nik Aziz: We Liberated Kelantan From Usury," January 24, 2002.

³⁰⁷ Khoo, 16.

³⁰⁸ Hon, 8/12/01.

³⁰⁹ *New Straits Times* (Malaysia), "PAS Supports Initiative to Trade in Gold Dinar," July 3, 2003. Gold Islamic dinar is seen as a symbol of unity of the *Umma* and some view its reintroduction into the market as a prerequisite for increasing unity in the Muslim world today. See: Islamic Mint, "Launching the Islamic Gold Dinar and Silver Dirham in UAE," November 2001, <http://www.islamicmint.com/newsarticles/launch.html>.

³¹⁰ *Ibid.*

³¹¹ *New Straits Times* (Malaysia), "Hadi: Malays Still the Core of Politics," April 30, 2003.

assistance perhaps serves to strengthen PAS' sense of economic independence.³¹² While definitely Islamic in flavor, PAS' economic policies do contain elements of pragmatism. In particular, PAS seems open to innovating and adapting to meet financial challenges so long as such solutions are in accordance with Islamic economic principles.

III. CONCLUSION

Classifying PAS

Current *Parti Islam SeMalaysia* President Hadi Awang self-classified the party as an Islamist group by saying, "In Islam, religion cannot be separated from politics."³¹³ The above assessment of the group's evolution, agenda, and orientation corresponds with this general classification, but where does PAS fit in among the wide variety of Islamist groups? Employing R. Stephen Humphreys' Islamic ideal classifications, PAS can best be characterized as a hybrid of "fundamentalist" and "modernist."³¹⁴

The fundamentalist classification marks a government or group that seeks a return to the *sunna* and is characterized by a rejection of Western political models. It is the "reaffirmation, in a radically changed environment, of traditional modes of understanding and behavior," and holds that while change is inevitable, it "must be governed by traditional values."³¹⁵ The modernist classification is a compromise between the traditional Islamic model and the Western nation-state model. It "not merely reaffirms but also reevaluates, from top to bottom, the significance of . . . the *Quran*, the life of the Prophet, the example of the first Muslims, [and] the *sharia* . . . for

³¹² Vaughn, CRS, 4.

³¹³ *Financial Times Information* from *Bernama*, "Element of Politics is There – Hadi," November 9, 2003. This is when Roy's definition of Islamism – presented at the beginning of this piece – is used.

³¹⁴ R. Stephen Humphreys, "Islam and Political Values in Saudi Arabia, Egypt and Syria." *Middle East Journal* xxxiii (1) (Winter 1979), 1-19.

³¹⁵ Humphreys, 3.

modern life.”³¹⁶ While many observers would quickly characterize the party as fundamentalist in character and outlook, as PAS has evolved and increasingly been incorporated into mainstream politics, it has begun to fit more clearly under the “modernist” classification.

Humphreys’ classifications can be synthesized into RAND’s assessment, which labels PAS a “Modernist Islamist” party.³¹⁷

Modernists of the Islamist bent are closer to fundamentalists in advocating government based on the *sharia*. There is, in fact, considerable overlap in the rhetoric of Islamist modernists and fundamentalists, although the modernists generally do not manifest the militant intolerance and propensity for violence that characterize some of the radical fundamentalist groups.

This classification fits PAS precisely, but – more appropriately for the purposes of this study – can PAS be called a democratic Islamist party?

Assessment

Parti Islam SeMalaysia is a complex, politically sophisticated party that has evolved to meet new challenges and excelled in playing the “democratic game.” It has done this not by winning overwhelming electoral victories, but by remaining a viable political force for over fifty years despite the challenges posed to opposition parties by Malaysia’s quasi-democratic system. The party has demonstrated its adaptability by keenly detecting its own weaknesses and acting to correct these deficiencies. Like other Islamist groups, PAS – to revisit the words of Gilles Kepel – “is subject to ebbing and flowing, to internal contradictions, and . . . has to compete fiercely with other social movements in order to attract and mobilize followers.” Upon considering the PAS agenda holistically and as the table below suggests, the party’s approach to various issues

³¹⁶ Humphreys, 4.

³¹⁷ Rabassa, RAND, 24. See also the RAND typology on page 8 of this study.

does vary – and contradict, as Kepel suggests – from issue to issue between being pragmatic & ideological and being rhetoric-driven & action-oriented.

On the issue of **Islamic Law and Governance**, the party is strongly ideological with its Islamic state agenda serving as a major roadblock to power-sharing and building partnerships as well as attracting swing votes. While it has made some compromises over the years, such as stating that Islamic law would be optional for non-Muslims, the group is largely literal and uncompromising on its policies on the *hudud* penal code and other “moral laws,” and most of the recent reforms it has made in these areas have been largely cosmetic. The party is largely strong on rhetoric, but implementation of the more sweeping measures, such as *hudud*, has encountered structural challenges. Instead the party has emphasized the implementation of less controversial – but nevertheless unpopular – moral laws, but even this has remained inconsistent.

In the realm of **Democracy and Domestic Politics**, the party can be seen as largely pragmatic – especially when democracy is defined as procedural (i.e. elections) using a minimalist definition – due to its non-violent use of democratic mechanisms in service of its political goals. In Malaysia’s quasi-democratic system, PAS’ role as the largest and most powerful opposition party allows it to push for continued democratic reforms in a variety of fields, including freedom of the press and assembly, judicial and Internal Security Act reforms, prime ministerial term limits, and enhanced government transparency, among others. On the democracy front, PAS’ actions, which have pushed for gradualist change within the constraints of the system, has largely been congruent with its rhetorical respect for democracy and the Malaysian constitution. It has demonstrated this respect by peacefully leaving power at the state level in Kelantan and Terengganu when voted out of office

In the area of **Foreign Policy and Security**, the PAS agenda reverts back to the largely ideological stance found in the field of Islamic Governance. While there is no compelling evidence linking the party to terrorism, the group’s pan-Islamic and non-aligned worldview influences its stance on issues such as U.S. foreign policy, the Israel-Palestine conflict, the maintenance of Malaysian sovereignty. While the party is unable to take official international action on Malaysia’s behalf, its unofficial activities have also been shaped by its pan-Islamic worldview, which indicates a degree of congruence between rhetoric and action.

Pragmatic considerations return when the group’s approach to **Economics** is considered as PAS’ leaders have struggled to find practical solutions to the massive financial challenges in the states of Kelantan and Terengganu. Even the group’s emphasis on Islamic financial principles cannot be considered completely ideological as the field of Islamic banking is increasingly being seen as a legitimate alternative to conventional banking and finance, especially in Malaysia, which has been on the cutting edge of the industry. PAS’ economic policies in the states under its control have largely corresponded with its rhetoric by encouraging Islamic banking, enhancing the redistribution of wealth, and emphasizing the moral economy.

	Ideological or Pragmatic?	Rhetoric or Action?
Islamic Law & Governance	Largely Ideological	Largely Rhetorical; Inconsistent Implementation
Democracy & Domestic Politics	Largely Pragmatic	High Degree of Congruence Between Rhetoric and Action
Foreign Policy & Security	Largely Ideological	Largely Rhetorical; Unable to Officially Act on Foreign Policy, but Rhetoric-Action Congruence Occurs When Action is Possible
Economics	Largely Pragmatic	High Degree of Congruence Between Rhetoric and Action

Of the four categories under consideration, those of democracy and economics are the two in which the party has had a real opportunity to govern – based upon the party’s control of the state assemblies in Kelantan and Terengganu – and been required to govern out of obligation to its constituencies in these two states. It is in these two categories that the party has behaved most pragmatically and where its rhetoric has corresponded most closely with its action. On the other hand, in the categories in which PAS has taken a more ideological approach – Islamic governance and foreign policy & security – the party has been either unwilling or unable to implement its agenda through real action, keeping its experience largely in the rhetorical realm. While rhetoric remains an important consideration and can provide a great deal of information about a group’s worldview, talk – as they say – is cheap unless backed by observable deeds. These trends suggest that wielding real political power *may* have a sobering effect upon PAS’ ideological agenda so long as it views its Islamic ideals as not being compromised.

Although these trends exist presently for PAS within the Malaysian context, they would not necessarily persist if PAS began operating in a different contextual atmosphere. S.V.R. Nasr astutely points out that the factors that determine whether or not a party “remain[s] true to the ideals of democracy once they are in power is predicated on a separate set of factors from those that determine the extent of their participation in democratization,” noting that such groups’ “continued commitment to democracy, when and if in power, is as much open to speculation as are the actions and policies of secular leaders of democratic movements. Islamic parties do not have a monopoly over renegeing on democratic promises.”³¹⁸ Additionally, just because this trend is applicable to PAS does not mean that it can necessarily be categorically applied to other Islamist political parties operating in other democratic or democratizing contexts.

³¹⁸ S.V.R. Nasr, “Democracy and Islamic Revivalism,” *Political Science Quarterly* 110(2) (Summer 1995), 267.

Whither PAS?

While being pragmatic over ideological on issues that have a tangible impact and displaying congruence between word and deed does not necessarily make one a democrat, at the present juncture *Parti Islam SeMalaysia* can be called a party of democratic Islamists. This assertion is made with caution; clearly, not all of the group's policies could be held up as democratic benchmarks, particularly when compared against the definition of democracy we in the West typically champion. But hypothetically speaking, if the party's trend of actually implementing policies to which it takes a pragmatic approach did continue into a new Malaysian context in which PAS assumed power at the national level, it would be reasonable to assume – based on the findings of this study – that the party would continue to operate within the bounds of Malaysia's quasi-democratic system rather than taking the “one man, one vote, one time” approach. This would be marked, for example, by making any amendments to the constitution using the procedures enshrined within that very document and continuing to promote the democratic reforms that it currently calls for as an opposition party.

Despite all of this, it can be said with reasonably high confidence that it is unlikely that PAS – even in the face of total and complete liberalization and democratization of the Malaysian political process³¹⁹ – will ever achieve national political power to the extent that it can successfully amend the constitution. Several macro-level factors that preclude such a result include, but are not limited to, the highly pluralistic nature of Malaysian society and political cleavages within the Malay-Muslim community.³²⁰

³¹⁹ As has been said previously in this study, there are deeply entrenched structural barriers that privilege the ruling UMNO party and BN coalition over opposition parties like PAS. These include the federal government's control over state funding, the media, and the justice system, among others.

³²⁰ Each of these is alluded to at various points in this study, but a more complete explanation can be found in a paper I wrote entitled, “The Role of Islam in Malaysian Political Practice,” for Ayesha Jalal's course “Islam and the West,” in Fall 2004.

On the pluralistic nature of Malaysia, while Malay-Muslims, who account for the vast majority of PAS' supporters, do account for a majority of the Malaysian population, they are not an overwhelming majority. The multi-ethnic character of Malaysia has produced a reliance of all parties on political coalitions in an effort to remain politically viable, maintain an absolute majority in parliament, and – ultimately – achieve the 2/3 majority of parliament required to amend the constitution. Because Malaysian coalitions are comprised of parties espousing different ethnic and social agendas, compromise and cooperation has become a political necessity, which has ultimately had a moderating effect upon each alliance party member's agenda, Islamic or otherwise. Another feature of the pluralism constraint is the fact that Malaysians tend to vote for either political parties of their own ethnic or religious group or parties with no official ethnic affiliation, which means that there is not a large supply of swing voters to move into the PAS camp.³²¹

In addition to the pluralistic nature of Malaysia, there also exist cleavages within the Malay-Muslim community, from which PAS derives its support, which cause a majority of this community to reject the Islamist PAS message in favor of UMNO's *Islam Hadhari* (Progressive Islam). There is a wide spectrum of views among Malay-Muslims, both in the electorate and even within the two major Malay-Muslim political parties, UMNO and PAS. There are also geographic divisions at work: PAS has only enjoyed lasting electoral success in a few of the northern peninsular states, which are less diverse and have a strong Malay-Muslim identity, despite *repeated attempts* in recent years to achieve power in new states, such as Sabah, Sarawak, and Kedah.³²² Additionally, non-religious factors – such as perceived corruption and the Anwar factor – and economic variables play a role in Malay-Muslim voting patterns.

³²¹ The trend of voting largely along ethnic lines is well-documented: Liow, Outlook; Hussein; Khoo, Searching.

³²² Liow, Outlook, 16.

Despite these formidable challenges, PAS remains determined and committed to continuing its political struggle through the democratic process. While PAS' political participation seeks to realize the party's own agenda, its very presence on the Malaysian political scene contributes to the overall process of political liberalization in the country. By challenging the current ruling government by demanding accountability, transparency, term limits, freedom of speech, press, and assembly, and other democratic reforms, PAS has continued to push the limits of democratization in Malaysia. Finally, the experience of PAS reminds us of the complex nature of Islamist groups, like other social movements, and how such groups cannot be neatly defined or made to fit into overly simplistic and essentialist paradigms, but rather must be considered separately and within their own unique contexts.

APPENDIX 1: RELEVANT ARTICLES OF THE CONSTITUTION OF MALAYSIA³²³

Part 1: The State, Religion, and Law of the Federation

Article 3

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

(2) In every State other than States not having a Ruler the position of the Ruler as the Head of the religion of Islam in his State in the manner and to the extent acknowledged and declared by the Constitution, all rights, privileges, prerogatives and powers enjoyed by him as Head of that religion, are unaffected and unimpaired; but in any acts, observance or ceremonies with respect 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 religion of Islam authorize the Yang di-pertuan Agong to represent him.

(3) The Constitution of the States of Malacca, Penang, Sabah and Sarawak shall each make provision for conferring on the Yang di-Pertuan Agong shall be Head of the religion of Islam in that State.

(4) Nothing in this Article derogates from any other provision of this Constitution.

(5) Notwithstanding anything in this Constitution the Yang di-Pertuan Agong shall be the Head of the religion of Islam in the Federal Territories of Kuala Lumpur and Labuan; and for this purpose Parliament may by law make provisions for regulating Islamic religious affairs and for constituting a Council to advise the Yang di-Pertuan Agong in matters relating to the religion of Islam.

Article 4

(1) This Constitution is the supreme law of the Federation and any law passed after Merdeka [Independence] Day which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void.

Part II: Fundamental Liberties

Article 8

(1) All persons are equal before the law and entitled to the equal protection of the law.

(2) Except as expressly authorized by this Constitution, there shall be no discrimination against citizens on the ground only of religion, race, descent or place of birth in any law relating to the acquisition, holding or disposition of property or the establishing or carrying on of any trade, business, profession, vocation or employment.

³²³ Constitution of Malaysia,
<http://www.helpline.law.com/law/constitution/malaysia/malaysia01.php>.

(3) There shall be no discrimination in favor of any person on the ground that he is a subject of the Ruler of the State.

(4) No public authority shall discriminate against any person on the ground that he is resident or carrying on business in any part of the Federation outside the jurisdiction of the authority.

(5) This Article does not invalidate or prohibit -

(a) any provision regulating personal law;

(b) any provision or practice restricting office or employment connected with the affairs of any religion, or of an institution managed by a group professing any religion, to persons professing that religion;

(c) any provision for the protection, wellbeing or advancement of the aboriginal peoples of the Malay Peninsula (including the reservation of land) or the reservation to aborigines of a reasonable proportion of suitable positions in the public service;

(d) any provision prescribing residence in a State or part of a State as a qualification for election or appointment to any authority having jurisdiction only in that State or part, or for voting in such an election;

(e) any provision of a Constitution of a State, being or corresponding to a provision in force immediately before Merdeka Day;

(f) any provision restricting enlistment in the Malay Regiment to Malays.

Article 11

(1) Every person has the right to profess and practice his religion and, subject to Clause (4), to propagate it.

(2) No person shall be compelled to pay any tax the proceeds of which are specially allocated in whole or in part for the purposes of a religion other than his own.

(3) Every religious group has the right -

(a) to manage its own religious affairs;

(b) to establish and maintain institutions for religious or charitable purposes; and

(c) to acquire and own property and hold and administer it in accordance with law.

(4) State law and in respect of the Federal Territories of Kuala Lumpur and Lubuan, federal law may control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam.

(5) This Article does not authorize any act contrary to any general law relating to public order, public health or morality.

Article 12

(1) Without prejudice to the generality of Article 8, there shall be no discrimination against any citizen on the grounds only of religion, race, descent or place of birth -

(a) in the administration of any educational institution maintained by a public authority, and, in particular, the admission of pupils or students or the payment of fees; or

(b) in providing out of the funds of a public authority financial aid for the maintenance or education of pupils or students in any educational institution (whether or not maintained by a public authority and whether within or outside the Federation).

(2) Every religious group has the right to establish and maintain institutions for the education of children in its own religion, and there shall be no discrimination on the ground only of religion in any law relating to such institutions or in the administration of any such law; but it shall be lawful for the Federation or a State to establish or maintain or assist in establishing or maintaining Islamic institutions or provide or assist in providing instruction in the religion of Islam and incur such expenditure as may be necessary for the purpose.

(3) No person shall be required to receive instruction in or take part in any ceremony or act of worship of a religion other than his own.

(4) For the purposes of Clause (3) the religion of a person under the age of eighteen years shall be decided by his parent or guardian.

Article 75

If any State law is inconsistent with a federal law, the federal law shall prevail and the State law shall, to the extent of the inconsistency, be void.

Schedules

Ninth Schedule

List I – Federal List

4. Civil and criminal law and procedure and the administration of justice, including -

- (a) Constitution and organization of all courts other than Syariah Courts;
- (b) Jurisdiction and powers of all such courts.
- (c) Remuneration and other privileges of the judges and officers presiding over such courts;
- (d) Persons entitled to practice before such courts;
- (e) Subject to paragraph (ii), the following:
 - (i) Contract, partnership, agency and other special contracts; master and servant; inns and inn-keepers; actionable wrongs, property and its transfer and hypothecation, except land, bona bacantia; equity and trusts, marriage, divorce and legitimacy; married women's property and status; interpretation of federal law; negotiable instruments; statutory

declarations; arbitration; mercantile law; registration of businesses and business names; age of majority; infants and minors; adoption; succession, testate and intestate; probate and letters of administration; bankruptcy and insolvency; oaths and affirmations; limitation; reciprocal enforcement of judgments and orders; the law of evidence;

- (ii) the matters mentioned in paragraph (i) do not include Islamic personal law relating to marriage, divorce, guardianship, maintenance, adoption, legitimacy, family law, gifts or succession, testate and intestate;

(f) Official secrets, corrupt practices;

(g) Use of exhibition of coats of arms, armorial bearing, flags, emblems, uniforms, orders and decorations other than those of a State;

(h) Creation of offences in respect of any of the matters included in the Federal List or dealt with by federal law;

(i) Indemnity in respect of any of the matters in the Federal List or dealt with by federal law;

(j) Admiralty Jurisdiction;

(k) Ascertainment of Islamic law and other personal laws for purposes of federal law; and

(l) Betting and lotteries.

List II - State List

1. Except with respect to the Federal Territories of Kuala Lumpur and Labuan, Islamic law and personal and family law of persons professing the religion of Islam, including the Islamic law relating to succession, testate and intestate, betrothal, marriage, divorce, dower, maintenance, adoption, legitimacy guardianship, gifts, partitions and non-charitable trusts; Wakafs and the definition and regulation of charitable and religious endowments, institutions, trusts, charities and charitable institutions operating wholly within the State; Malay customs. Zakat, Fitrah and Baitulmal or similar Islamic religious revenue, mosques or any Islamic public places of worship, creation and punishment of offences by persons professing the religion of Islam against precepts of that religion, except in regard to matters included in the Federal List; the constitution, organization and procedure of Syariah courts, which shall have jurisdiction only over person professing the religion of Islam and in respect only of any of the matters included in this paragraph, but shall not have jurisdiction in respect of offences except in so far as conferred by federal law, the control of propagating doctrines and beliefs among persons professing the religion of Islam; the determination of matters of Islamic law and doctrine Malay custom.

APPENDIX 2: PAS ISLAMIC STATE DOCUMENT³²⁴

In the name of Allah, Most Gracious, Most Merciful.

“Those who, if We give them power in the land, establish worship and pay the poor due and enjoin kindness (the right) and forbid iniquity (the wrong). And Allah’s is the sequel of events.”
– Surah Al-Hajj: 41

“Allah commands that you should render back the trusts to those to whom they are due; and that when you judge between men, you judge with justice: Verily how excellent is the teaching which He gives you! Truly, Allah is Ever All Hearer and All Seer.”
– Surah An-Nisa’: 58

“Listen and obey even if your leader is a slave from Habsyah (Ethiopia), his hair the like of raisins, for so long as he listens and obeys the Book of Allah.”
– al-Hadith

PREFACE BY THE PRESIDENT OF THE ISLAMIC PARTY OF MALAYSIA (PAS)

In the Name of Allah, Most Gracious, Most Merciful

PRAISE be unto Allah, Lord of the Universe. Peace and Blessings be upon our leader and our Prophet, Muhammad, most honored of all the Prophets and upon his family and his companions, and whoever sincerely follows in their footsteps until the Day of Reckoning.

First and foremost I would like to express my profound gratitude unto the Almighty Allah, for it is only through His grace and permission alone that we are able to publish this monumental document in our struggle, at a time when the entire community is eagerly awaiting its publication. The publication of this document is sufficient evidence to squash allegations made by its enemies that PAS will not establish an Islamic State. It was even alleged that the entire membership of PAS never had the slightest intention of establishing an Islamic State in Malaysia.

Verily the responsibility of establishing an Islamic State is as important as performing the daily obligatory rituals of Islam. This is in fact evident from the principle of an Islamic maxim which states:

“If an obligatory act can only be performed with the availability of a specific item, then the procurement of that item is equally obligatory.”

It is with this realization that PAS champions the cause for Islam as a “Deen wa Daulah” (Way of life and a State) to be established in our beloved country of Malaysia, based on the principles of the Shariah and guided by the dictates of the Almighty Allah:

³²⁴ PAS, Islamic State Document, <http://www.parti-pas.org/IslamicStateDocument.php>.

“And We have sent down to you the Book in truth, confirming the Scriptures that came before it, and guarding it in safety. So judge among them by what Allah has revealed, and follow not their vain desires, diverging from the truth that has come to you. To each among you We have prescribed a law and a clear way. If Allah had so willed, He would have made you one nation, but that (He) may test you in what He has given you; so compete in good deeds. The return of you (all) is to Allah; then He will inform you about that in which you used to differ.”

– Surah al-Maa'idah:48

As a result of the tireless and continuous efforts from all levels of PAS members, the concept of Islam as a complete way of life has been accepted by the society at large. This confirms the truth in what Allah has said;

“But no, by your Lord, they can have no Faith, until they make you(O Muhammad) judge In all disputes between them, and find in themselves no resistance against your decisions and accept them with full submission.”

– Surah An-Nisa': 65

The aspiration of establishing Islam in the domains of societal and political life has borne fruit when Kelantan and Terengganu are governed by PAS. With this success Islam is being practiced in both governance and administration in these two states within the legal bounds permitted taking into consideration obstacles and limitations that have to be encountered.

With the publication and dissemination of this document, we are hopeful that the Malaysian society will now be able to better appreciate the concept and model of the Islamic State and Government as striven for by PAS since its inception. The document also serves to clarify the concept of a true Islamic state as opposed to a “pseudo Islamic state”.

Should PAS be mandated to govern Malaysia, God willing, an Islamic state as outlined in this document will be implemented to the best of our ability.

‘Towards Victory’

Allahu Akbar!

Dato' Seri Tuan Guru Haji Abdul Hadi Awang
President
Islamic Party of Malaysia (PAS).

THE ISLAMIC STATE DOCUMENT

PREAMBLE

1. Islam is both a Belief system and a *Deen* - which is a complete and comprehensive way of life, that was revealed by Allah Almighty to the last of the Prophets, Muhammad Ibn Abdullah (may

peace be upon him) to be an eternal Guidance and Blessing not only to man but also to the entire Universe. Allah says in the Holy *Quran*:

“And We have sent you (O Muhammad) not but as a mercy for the whole Universe.”
– Surah Al-Anbiyaa’: 107

2. From the understanding and conviction that Allah is the Creator and Organizer of the whole Universe, springs the belief that Allah is the provider of the guidance and teachings for man to organize the complete system of individual, societal and national life. Islamic political leadership is therefore an important institution necessary for the achievement of human progress.

3. PAS takes full cognizance of the reality and sensitivity of this country’s multi-ethnic, multi-religious and multi-cultural makeup. Hence from its inception, PAS has stated in no uncertain terms, its stance on the status and position of Islam as a comprehensive system of life embracing the entire domain of socio-political life; be it at the individual, societal, national and international arenas.

4. The political history of this nation has witnessed that since its inception in 1951, the Islamic Party of Malaysia (PAS) has been committed to and consistent with the observation and practice of parliamentary democracy. PAS has accepted democracy as the best methodology through which it should realize the ambition, vision and mission of its political struggle.

5. As an Islamic political party, PAS advocates the implementation of Islam as a comprehensive way of life, identifying various major guidelines (derived from the vast principles and provisions of the Shariah) which are to be implemented in the establishment of an Islamic state.

6. PAS is fully committed in preserving both the interests of the religion (of Islam) and that of the nation and manifests this commitment categorically in the Vision and Mission statements as found in Section 5 (i) and (ii) of the Constitution of the party:

- i. To struggle for the establishment of a society and government in this country, that embodies and manifests Islamic values and laws that seek the pleasure of the Almighty
- ii. To uphold the sovereignty of the country and the sanctity of the religion of Islam

In Section 7 of the party’s Constitution, PAS reasserts that:

“The highest source of authority is the Holy Quran, the Prophetic Tradition (Sunnah of ar-Rasul), Consensus (Ijma’) of the Ulama’ and Analogy (Qiyas), which are clear and evident.”

7. The first Islamic State was established in the multi-racial, multi-cultural and multi-religious society of Medina in the period of the Prophet and the Rightly Guided Caliphates and so shall it need to be established till the end of time.

8. The Constitution of Medina, known as ‘Sahifah Medina’, has duly stipulated the rights and responsibilities of every citizen in a just manner for the plural society of Medina and those who took abode in the state.

9. The Holy *Quran* and the *Sunnah* have laid down the broad guiding principles of the Islamic State, which if taken together, primarily leads man to obedience and submission unto Allah. Allah says in the Holy *Quran*:

“I’ve not created Jinn and men, save that they may serve and worship me.”
Surah Az-Zaariyat:56

10. To place the Holy Quran and the Prophetic Tradition (As-Sunnah) as the primary source of legislation in the governance of the state and its judiciary is imperative and mandatory to the Islamic State as evidently emphasized by Allah’s commandment in the Quran:

“Surely We have sent down to you (O Muhammad) the Book in truth, that you might judge between men by that which Allah has shown you; so be not a pleader for the treacherous.”
Surah an-Nisaa’: 105

11. The Islamic State based its legislation on the laws of the Almighty Who is Most Gracious and Most Merciful. It is therefore impossible for these laws to be the cause or source of injustice.

12. The Islamic State is an ideal state cherished and longed for by all who love peace and true justice.

13. The true Islamic State is a state, which is peaceful and prosperous while receiving the pleasure of Allah the Almighty. When peace is combined with forgiveness from Allah, true peace will result.

14. Muslims are entrusted to say in their prayers:

“Truly, my prayer, my worship, my life and my death is only for Allah, Master and Cherisher of the entire Universe”.

The above oath, repeated in the daily prayers of the Muslims, is meaningless unless it’s true demands are earnestly fulfilled. To fulfill the demands of this oath, it is imperative that a true Islamic state be established.

15. Unless an Islamic State is established, the true import and demands of this oath could not be manifested in its entirety.

16. The Islamic system of government as outlined above is the conviction of a true believer (of Islam) and will lead to the embodiment of Islam in its purest form.

THE CONCEPT (TASAWWUR) OF AN ISLAMIC STATE.

FROM the understanding that Islam is a comprehensive way of life that pertains to both its character as a religion and a state (*Deen* and *Daulah*), the concept of an Islamic State is derived. It is an embodiment of the principles and ideals of Islam in all aspects of life, both at the national and international levels. Typical views of the state include:

- A state that practices and provides security, welfare and services to the entire citizenry, built based on the *Shariah* with the intention of fulfilling the demands of the Islam as a complete and comprehensive way of life for the attainment of success in this life and the Hereafter.
- A state that is headed by a leader who is God-fearing and the most virtuous member of society. Through his leadership, the institution of the state submits to the commandments of Allah and His Prophet in all aspects of life.
- A state which is God - fearing and Blessed, peaceful and prosperous while enjoying Allah's pleasure as mentioned in the *Quran*:

“If the people of the towns had believed and feared Allah, we should indeed have opened for them (All kinds of) blessings from Heaven and Earth; But they rejected (Our Messengers) and We seized them for what they used to earn (through their misdeeds).”

Surah al-A'raaf: 96

- The *Shariah* is the government's main source of guidance for governance in conducting the affairs of the state.
- The Muslim citizens of the state would be educated so as to embody the Islamic way of life in its entirety so as to inculcate good moral and spiritual values in the building of the society and the nation. The implementation of *Shariah* further provides the cleansing and purification of society. A virtuous and moral society in turn, entitles itself to further bliss and grace from the Almighty including the solution of problems and overflowing prosperity.
- The implementation of *Shariah*, *hudud* being a part of it, provides the much required peace and security as crimes would be reduced to its minimum.

“And (as for) the male thief and the female thief, cut off their hands as a recompense for that which they committed, a punishment by way of example, from Allah: And Allah is All Powerful, All Wise.”

Surah Al-Maaidah:38

The above stated injunction is from Allah and is mandatory and must be implemented.

- Non-Muslim members of the state will continue to enjoy freedom of religious beliefs and rituals and are at liberty to practice their own way of life without any inhibitions or obstructions by the Islamic state. This is as based on the verse of the *Quran*:

“There is no compulsion in religion”

Surah Al-Baqarah: 256

PRIMARY PRINCIPLES AND POLICIES OF THE ISLAMIC GOVERNMENT

1. A State that is based on the Supremacy of Law.

The determining characteristic of an Islamic State is its total commitment and will to see that the Shariah is codified into the law of the land and is implemented. Allah is the true Supreme Law-Giver as is consonant with the verse:

“ The Command Is for none but Allah: He has commanded that you worship none but Him: that is the(true) straight religion, but most men know not...”
Surah Yusuf: 40

Allah has ordained the leaders (of Islamic society) to implement what He has revealed and prohibits them from taking recourse to other sources of law.

In this regard, Allah emphatically says it in the Holy Quran:

“...and whosoever does not judge by what Allah has revealed, such are the disbelievers”.
Surah Al-Ma'idah: 44

“...and whosoever does not judge by what Allah has revealed, such are the Zalimun (unjust) .”
Surah Al-Ma'idah: 45

“...and whosoever does not judge by what Allah has revealed such are the Fasiqun (evil doers).”
Surah Al-Ma'idah: 47

Only the Muslim members of the state are subjected to the *Shariah* Penal Code (*Hudud, Qisas* and *Ta'zir*). The non-Muslim members are given the option of either being subjected to the same penal code or to be subjected to the current penal code of the land.

Allah says in the Holy Quran:

“(They like to) listen to falsehood, of devouring anything forbidden. So if they come to you, either judge between them or turn away from them. If you turn away from them, they cannot hurt you in the least. And if you judge, judge in equity between them. For Allah loves those who act justly.”
Surah al-Ma'idah: 42

If by implementing that which is stated above, PAS is said to be unjust, it is tantamount to saying that Allah is unjust in this injunction. Giving the option to the non-Muslim to choose between *Hudud, Qisas* and *Ta'zir* or otherwise is actually divinely derived and it is not an option provided by PAS. Any contention in this regards, amounts to contesting the Divine Wisdom.

2. Vicegerency – Khilafah

Adam, the first man created by Allah, was designated the position of Vicegerent of Allah on Earth. Vicegerency in this context signifies the position specifically for the guardianship over the religion of Islam and administrating the state according to its teachings. Allah says in the Holy *Quran*:

“Follow (O men!) the revelation given unto you from your Lord, and follow not, as friends or protectors, other than Him. Little do you remember.”
Surah Al-A’raf: 3

“He it is that has made you vicegerents on the earth: so whosoever disbelieves, on him will be his disbelief; and the disbelief of the disbelievers adds nothing but hatred of their Lord. And the disbelief of the disbelievers adds nothing but loss.”
Surah Al-Fatir: 39

“Do you wonder that there has come to you a reminder from your Lord through a man from amongst you to warn you? And remember that He made you vicegerents after the people of Noah, and increased you amply in stature. So remember the graces from Allah so that you may be successful.”
Surah Al-A’raf: 69

“Then We made you vicegerents in the land after them, that We might see how you would behave!”
Surah Yunus: 14

“They denied him, but We delivered him, and those with Him in the ship, and We made them vicegerents, while We drowned those who belied our signs. Then see what was the end of those who were warned!”
Surah Yunus: 73

“It is He Who has made you (His) vicegerents of the earth: And He has raised you in ranks, some above others: that He may try you in that which He has bestowed on you. Surely your Lord is swift in retribution and certainly He is Oft-Forgiving, Most Merciful”
Surah Al-An’am: 165

The meaning of vicegerency implies that man is a representative who will act on behalf of another (in this case, God) and will perform duties in accordance with that position. Hence man and it hereby implies leadership of the nation, must act in full consonance with the dictates of Allah and not according to his whims and fancies. Should he act in contravention to the dictates of the Almighty, he has indeed betrayed the trust and position of vicegerency of God on Earth. He no longer deserves to be called a vicegerent of Allah on Earth. On this, the Holy *Quran* emphasizes that:

“And your Lord said to the angels: Verily, I am going to place a vicegerent on earth.”

Surah Al-Baqarah: 30

Given the above, the Islamic state is the fulfillment of the concept of man's vicegerency on earth and with it will result a Divinely ordained system for the well being and prosperity of man the world over.

3. '*Taqwa*' or God-Fearing

The scholars of Islam define *Taqwa* or God-Fearing as "To obey Allah's dictates and to shun what He prohibits".

'*Taqwa*' is an important cornerstone of the Islamic State. When this pervades in the nation and its citizenry, the blessing of God descends on society and simultaneously seen as a natural sentinel against the spread of evil and corruption. It will also lead to the solution of problems as promised by Allah in the Holy *Quran*:

"And whosoever fears Allah and keeps his duty to Him, He will make a way for him to get out (from every difficulty). And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allah, then He will suffice him. Verily Allah will accomplish His purpose. Indeed Allah has set a measure for all things.
Surah At Talaq: 2-3.

"And whosoever fears Allah and keeps his duty to Him, He will make his matter easy for him."
Surah At Talaq: 4.

"And whosoever fears Allah and keeps his duty to Him, He will expiate from him his sins and will enlarge his reward."
Surah At Talaq: 5.

The establishment of the Islamic state has to be pursued earnestly such that a God-Fearing nation will come into being and its leaders serving as role models. The whole system so established will permeate with the spirit of '*Taqwa*' in order that Allah's Blessings will be derived.

4. Consultation (*Shura*)

Shura or consultation is one of the primary guiding principles in conducting the affairs of the state. The methodology of consultation has been enjoined by Almighty Allah in the Holy *Quran*:

". . . and who (conduct) their affairs by mutual consultation; and who spend out of what we have bestowed on them."
Surah asy-Shuraa: 38

". . . and consult them in the affairs. Then, when you have taken a decision, put your trust in Allah, certainly Allah loves those Who put their trust (in Him)."
Surah Al-'Imran: 159

Consultation is exercised in all matters pertaining to the administration and solving of problems of the nation, taking into consideration the benefits, advantages and disadvantages. Consultation is conducted only on matters requiring '*ijtihad*' or concerted opinion. For matters that have injunctions which are '*Qat'i*' or clear and undisputable, consultation cannot change that injunction.

The practice of *Shura* or Consultation would make the House of Representatives a forum wherein the elected representatives can exercise their right to free speech. The members of the House of Senate would subsequently serve the function of check and balance over bills passed by the House of Representatives.

5. Justice and Equality (*Al-'Adaalah wal Musaawah*)

Al-'Adaalah means justice while *al-Musaawah* means equality. Both Justice and Equality are other important cornerstones of the governance of an Islamic state. Allah says in the Holy *Quran*:

“O you who believe! Stand out firmly for Allah as just witnesses; and let not the enmity and hatred of others make you avoid justice. Be just: that is nearer to piety; and fear Allah. Verily Allah is well acquainted with what you do.”

Surah al-Maaidah: 8

“O ye who believe! Stand out firmly for justice, as witnesses to Allah, even though it be against yourselves, or your parents, or your kin, be he rich or poor, Allah is a better protector to both (than you). So follow not the lusts (of your hearts), lest you avoid justice; and if you distort your witness or refuse to give it, verily, Allah is ever well-acquainted with all what you do.”

Surah an-Nisa': 135

Based on the above verses, justice and equality in the eyes of Islam could only be achieved if a government implements Islam in all its aspects and in its entirety. Justice and equality can only be enjoyed by the Muslim and non-Muslim citizenry when Allah's will is implemented in its entirety.

Justice in Islam is certainly beyond the simple meaning of equality or fairness. *Al-Adaalah* means to place something at its most appropriate place and position. *Al-Musaawah* on the other hand, refers to the equal status in regards to the status of all citizens in the state. Inequalities only exists in the level of attainment of piety as exemplified by the Prophetic Tradition:

“There is no superiority of an Arab over a non-Arab except in matter of piety and righteousness”.

Allah says in the Holy *Quran*:

“Truly, the best amongst you in the sight of Allah, are those that are most righteous and God-fearing.”

Surah al-Hujuraat : 13

6. Freedom (*al-Hurriyah*)

Al-Hurriyah or Freedom as an ideal is cherished by all. The second Caliph of Islam, Omar al-Khattab once said:

“Why subjugate and enslave man, while he is born of his mother a free man”.

Before the advent of Islam, slavery was a dominant feature of human society. One of the objectives behind the coming of Islam is to free man of this slavery. The Islamic State guarantees the rights and freedom of the individuals and the citizens of the state. Amongst the rights and freedom protected by Islam are:

- a. Freedom of religious beliefs
- b. Individual freedom
- c. Freedom of speech, political association and assembly
- d. Freedom to private ownership
- e. Freedom of education (including right to use mother-tongue in education)
- f. Freedom of Religion and right to cultural expressions
- g. Freedom to engage in business and the search of livelihood.

All the above freedom and the freedom and rights of the citizens especially as enjoined by the Universal Declaration of Human Rights are also protected by the Islamic State. It must not however contravene the provision of *Shariah*.

The Holy *Quran* categorically stipulates:

“And say: “The truth is from your Lord.” Then whosoever wills, let him believe; and whosoever wills, let him disbelieve.”
Surah al-Kahfi: 29

However freedom in Islam does not conjure the meaning of absolute right. Freedom in Islam is regulated so as not to injure and come into conflict with other individuals’ interest or the society at large. Islam does not recognize man’s absolute freedom as it will threaten and endanger the freedom and rights of others.

7. Absolute Sovereignty (*As-Siyaadah wal-Haakimiyah*)

As-Siyaadah wal-Haakimiyah means absolute sovereignty. The Islamic State has an absolute sovereign Who cannot be challenged or interfered with. Absolute sovereignty belongs to Allah Almighty as He is the Creator and hence the Provider and Source of Laws. Allah says in the Holy *Quran*:

“ The Command Is for none but Allah: He has commanded that you worship none but Him: that is the(true) straight religion, but most men know not...”

As-Siyaadah is the characteristic that distinguishes a true Islamic state from a pseudo Islamic state. When *as-Siyaadah* or Sovereignty is rendered back unto the Rightful Owner (i.e. God Almighty), man's position is relegated to the position of a vicegerent i.e. acting on behalf and in accordance to the dictates of the Almighty. To eliminate or debunk the concept of *As-Siyaadah* is to elevate man to the position of God. Besides, *as-Siyaadah* provides man the means to always return to and invoke help and solace from the Almighty Allah while he strives for the achievement of those ideals, which are seemingly beyond the capability of ordinary men. Through it man becomes a mere servant of Allah seeking His pleasure in this world and in the Hereafter.

MAIN CHARACTERISTICS OF AN ISLAMIC STATE

BASED on the deliberation above, the main features and characteristics of the Islamic State can be summarized. The following features would be given due importance in the configuration and promulgation of policies and development of the state. Amongst the main features are:

- A Sovereign State
- Sovereignty of the state is an important cornerstone
- Sovereignty of the state is achieved through allegiance to the leadership of the country, Rule of Law and Constitution for as long as it does not contravene the dictates of Allah

- The Religion that is Obeyed
- As a state that is hinged upon religion, the belief in God is a supreme characteristic
- Each religious community is enjoined to abide by the respective teachings of their religions. As for the Muslims, they have no choice except to completely abide by their religion

- Implementing the *Shariah* to guarantee the 5 foundations of life:
 - Religion/Beliefs
 - Life
 - Intellect
 - Dignity and Purity of Lineage
 - Property

In implementing the *Shariah* all vices and crimes that endanger the above stated foundations would be checked. Man-made laws have been proven a failure in guaranteeing the security and dignity of the human race.

- Obedience to the State
 - The citizens are expected to render their undivided obedience and trust to the leadership of the country for as long as it does not contravene the *Shariah*.
 - Should the leaders fail to perform the responsibilities and duties of leadership, the citizens are entitled to revoke their obedience to them.

- Accountability and Transparency
 - The citizens possess all rights to demand transparency at all levels of leadership
 - The leaders would not only be questioned by the citizens and the Ombudsman Committee but more importantly by the Almighty Creator on the Day of Judgment.
- Enjoining Good and Forbidding Evil
 - The principle of ‘enjoining good and forbidding evil’ is a principle of society and the duty of everyone in the state.
 - All citizens are duty-bound to implement this principle within the domain of the family, society and as well at the national level.
 - This principle differentiates a truly Islamic State from a pseudo Islamic state.
- A Serving and Caring State
 - The state gives utmost care for the welfare of the citizenry.
 - The leaders must be willing to listen to the complaints of the citizens
 - The leaders are in fact ‘servants’ of the people.
- Parliamentary Shura (Consultation and Representation) and Constitutional Monarchy
 - The Islamic State will further strengthen the principles of Parliamentary Consultation and Representation (Shura) and Constitutional Monarchy in Malaysia based on the teachings of Islam.
- Integrated Development, Progressive and Technology friendly
 - The physical development will be integrated with the spiritual needs so as to bring about a progressive nation that is technologically advanced.

GENERAL POLICIES OF THE ISLAMIC STATE

BASED on the characteristics of the state stated above, PAS would arrange and strategize the following policies in the various aspects and departments of societal and national life. These policies will form the cornerstone of nation building. Amongst the critical policies are as follows:

The Economy

- The level of economic activities would be stepped up according to Islamic principles.
- The citizens are free to conduct their economic activities within the ambit of the Shariah
- The practice of Usury or Riba would be gradually phased out in all activities
- To ensure that practices of cheating, graft, monopoly, crony capitalism and nepotism are eliminated
- To allow equal access to participate in the various activities of the economy
- The divide between the ‘haves and have-nots’ is reduced
- Distributive justice is achieved so as to avoid monopoly of wealth in the hands of the rich and politically influential.

Social Development

- To construct a society that is morally sound and vibrant
- To achieve a balanced and caring society
- To encourage the total development of human potential
- To enhance social integration and harmony
- To create a quality of life enjoyed by all.
- To imbibe a strong sense of true patriotism
- To stress on the need of giving and caring in social development programs
- To institute the family unit as a basic and primary driver to social development

Defense Policy

- To upgrade the infrastructure and infrastructure of a vibrant defense capability to ward off attempts of external incursions.
- To achieve geostrategic partnership amongst friendly neighbors.
- To embrace the entire citizenry for national defense.

Foreign Policy

- To construct geopolitical network and smart partnership in securing regional stability.
- To enhance the spirit of mutual respect and solidarity amongst regional partners.
- To uphold non-aligned foreign and international policy.

Health Policy

- The stress is on a more holistic approach to health care and health delivery system.
- To prepare a medical and health scheme that charges minimal payment to all citizens.
- To upgrade the health care systems for the rural folks.
- To allow access to alternative medical therapy
- To prioritize the importance of preventive medicine.

Education

- To forward a truly integrated system of education so as to prepare a technologically and scientifically sound human resource entrenched in religion, morality and ethics.
- To deliver a well-thought and effective system of religious studies
- To offer free education at the primary level for all.
To encourage and expand on mother-tongue education
- To maintain Bahasa Melayu as the national language with the English Language as the second language.
- To encourage an educational system that brings success both here and the Hereafter.
- To provide sufficient infrastructure needs in education to the rural areas.
- To prepare a more comprehensive educational system so as to achieve the status of a newly industrialized nation.
- To encourage the use of ICT as a basic delivery system in national education

Policy on Women

- To empower women in accordance to their nature and potentials.
- To present a comprehensive Policy on Women Development

- To encourage healthy competition of women alongside men within the limits of the Shariah.
- To eliminate the exploitation of women in all aspects of life
- To prepare a new strategic plan for women in the new millennium
- To encourage cross-cultural women integration regardless of race and religion

Policy on Youth Development

- To emphasize the need of moral development in the National Youth Development Policy
- To arrange programs which will enable and empower the youth to free themselves of social evils
- To provide greater opportunity for skill-based development programs
- To develop the youthful potential of the younger generation as the future leaders of the nation
- To focus on imbibing patriotic sentiment, healthy living, resilient personality with visionary outlook in life.

Culture and Entertainment

- To develop a National Cultural Policy that reflects a truly Malaysian persona that is in line with the Shariah.
- To allow for the freedom of cultural expression of all the ethnic groupings in Malaysian society
- To enhance Eastern Culture that is in line with religious dictates

Tourism and the Hospitality Industry

- To develop a National Tourism Policy that is line with Islam
- To reduce the negative impact of foreign visitors
- To encourage the involvement of locals in the hospitality industry

Public Utilities

- Provision of public utilities are the main agenda and responsibility of the state.
- To reduce use of public funds for infrastructural development
- To enhance social consciousness of the need to take care of public utilities
- To enhance public awareness in society

Policy on Communication and ICT

- To develop a healthy public opinion that is in line with universal and Islamic perspectives
- To use communication as a crucial medium in Islamic propagation.
- To leverage on ICT in social development programs
- To optimize ICT as a medium of communication to impart knowledge and truth.

CONCLUSION

“Membangun Bersama Islam” – “Progress With Islam” would be embodied in establishing the Islamic Order and State.

Islam is the solution to all human problems, including issues arising from a plural society.

The embodiment of Parliamentary Consultation and Representation (Shura) and Constitutional Monarchy would be enhanced in the Islamic Government.

The Islamic State secures the progress, well-being and prosperity of society.

The state prospers and secures the pleasure of the Almighty.

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