



*By Art Harun*

*First published in [ARTiculations](#)*

Dear Doctor,

I refer to your article ["Accused as criminals better than being evil."](#)

Before I join issue with you on several matters in your article, allow me to state some disclaimers. This is to prevent me from being labeled anti this and that or pro this and that.

First and foremost I am just an ordinary citizen of this country of ours who is just concerned with the well being of our country. Although I have my own political views, I am not affiliated to nor am I associated with any political party at all. I am a Malay and a Muslim. I am not anti-Malay or anti-Islam. Nor am I pro non-Malays or non-Muslims.

Now that I have made that clear, I shall address some of the issues raised.

Firstly, the "social contract". These two words have become a cliché in Malaysia. Whenever somebody or some parties raise some sensitive issues which the Government does not wish to address, they will be referred to the "social contract". Soon, I suppose when a thief snatches a handbag from a poor woman, he will shout to the woman, "social contract"!

What is the "social contract"? I will not repeat what it is as I have written about it [here](#). The first thing to note about it is that any social contract is not cast in stone. It may change as the society and state change and the need of the two parties to the contract evolve with time. What was deemed good 52 years ago may not be good anymore now, and vice versa.

If we take our Federal Constitution as an example, there have been hundreds of amendments made to it. That is the nature of it. It is a breathing and living contract which changes or ought to change according to the time.

Being so, questioning the provisions of the social contract is not a blasphemous act. Nor is it an act of treason. It is in fact a necessity for our society and our state to evolve into a progressive one. With all due respect, for you to label a certain party as "ultra kiasu" just because it apparently questions - if at all they did that - the "social contract" is unbefitting of your stature as a respectable ulamak and a well known senior lecturer. It is like labeling your own students "kiasu" for asking too many questions.

Why can't we be positive about things? Are we so used to be told what to do, what to hear and what to say all these while that we have forgotten to engage with each other properly without any ill feeling? If an ulamak and academician like yourself can't engage properly and without emotion, I shudder to think of the prospect of this nation of ours. Have we all closed our heart and soul to any opposite views?

The second thing to note about the social contract is the fact that this contract, like any other contract, has two parties to it. The first party is the people. The second party is the State (or the government). It runs two ways. The people say "I give you, the government, some of my rights in exchange of you giving me certain benefits". So, the obligations exist on both side of the fence. Not only one.

That means both side must conform to the social contract. Both sides have their own respective obligations to perform. Nowadays, we talk as if only the people are supposed to perform the social contract. We talk as if the government does not have any obligation to perform under the social contract. That is an obvious misconception.

The thing is this. The government is powerful because it holds the power. If the people do not perform the social contract, the government would come with all its might and prosecute him or her. I ask you, what can the people do if the government does not perform its side of the bargain? Do you expect the people to keep quiet?

Thirdly, it is to be noted that as a living document, the terms of the social contract may be renegotiated from time to time. Among others, John Locke posits as such. Locke even posits the rights of rebellion in the event the social contracts lead to tyranny.

Of course I am not advocating a rebellion here. I am stating that the people have every right to question about the social contract and to scrutinise the performance of its terms by the government. And the people have every right - in fact it is arguable that it is the people's duty - to prevent a tyranny or an act of tyranny.

Being so, I am sure it is not such a sin as made out by you for any party to question the social contract. That is within his or her right as a party to the social contract.

The next issue which I wish to address is the misstatement of the real issues in contemporary Malaysia. I have to state this because when the issues are misstated, the arguments in support would also go wrong. Emotions can seep in and everything will turn ugly.

The issues at hand, in my opinion, are not the status of Islam as the religion of the Federation or the special positions enjoyed by the Malays and the natives of Borneo. Those are entrenched in the Federal Constitution.

I have chosen the words in the preceding paragraph deliberately. Nowadays, when the arguments for "equality" are raised, the other side quickly jump and say "you are questioning the status of Islam" or "you are questioning the special rights of the Malays" or worse still, "you are questioning the position of the Malay rulers".

Notice how the issues have been misstated to suit their purpose. What are in existence are not "special rights" but "special positions" and the parties which enjoy these positions are not only the Malays but also the natives of Sabah and Sarawak. Please read [this article](#) for further explanation on this issue.

On the position of Islam, I don't think anybody in their right mind would question the status of Islam as the religion of the Federation. But dear Doctor, you must be wise enough to discern between official religion and the law of the country. These are two different things. Similarly, you must also be unemotional enough to discern the difference between Bahasa Malaysia as the official language and the rights of the people to speak whatever language they wish.

What have been raised in contemporary Malaysia is not the status of Islam as the religion of the Federation. Many events have taken place so far in relation to inter-faith integration that would call for a closer look at the freedom of religion as enshrined in our Constitution in order to find solutions. These events were perhaps not within the foresight of the fathers of our nation when the Constitution was being drafted.

It is then left to us, the children of today, to take the bull by the proverbial horn and try to find acceptable solutions to everybody in accordance with the common standard of fairness and civility.

Among others, these problems are:

- the controversy surrounding inter-faith marriages between Muslims and non-Muslims where a non-Muslim would convert to Islam to marry a Muslim but later re-convert to his or her original faith;
- the controversy surrounding the forced indoctrination of a certain faith - whether Islam or other faith - on children who are below the age of majority;
- the controversy surrounding the issue of apostasy in Islam;
- the controversy surrounding the unfair allocation of budget for the erection of temples or churches as compared to the mosques and suraus;
- the controversy surrounding the right to practise Islam by Muslims in accordance with their sectarian beliefs;
- the controversy surrounding some fatwas issued by some body of ulamaks;
- the controversy surrounding the usage of the word "Allah" to signify God;
- the controversy surrounding the publication of Bible in Bahasa Malaysia;
- the controversy surrounding moral policing.

These are issues which are being raised. They have nothing to do with the status of Islam under the Constitution or the status of the Malay rulers. Like it or not, these issues exist and will persist so long as we huddle ourselves in our dark caves, secure in our belief that those people who raise these issues are ultra kiasu and they have treasonous tendency.

This nation is built, from day one, by one strength and that strength is the unity of her people, regardless of race or religion. There is no such thing as this is "our" nation and not "theirs". In fact, may I respectfully point out that you, as a Chinese Muslim, are contradicting yourself when you refer to this land as "our own land" if what you meant by "our own land" is that this land is the land of the Malays. Please dear Doctor. Be more sensitive to the feelings of all Malaysians. You are after all an influential ustaz or teacher whose views are respected by many.

Now, as this nation of ours go into adulthood, it must confronts issues which naturally arise in the course of nation building. It must confront these issues unemotionally and with great respect to everybody involved. Lest the very basis of this nation, namely, the unity of her people, would just fade away and we can bet our last dime that destruction would be on its way. I fear for my children. I fear for this nation if we continue to count "our rights" as opposed to "theirs". There is no "opposite parties" mind you. We are in this together.

Now you have come up with a rather ingenious formula. It is based on the entitlement to more rights for the majority. It is numerical power, which many argue is the direct result of democracy. Jeremy Bentham postulates the utilitarian principle under which it is said that whatever brings the most happiness to the greatest number of people would be good. It would appear that you have managed to reduce the utilitarian principle into a science by reducing the yardstick of happiness and greatest number of people into a mathematical formula.

But with respect, you are threading on a dangerous path. Stretched to its logical conclusion, you



are validating the might of the majority over the helplessness of the minority. In the end, finally, what matters in your equation is the numbers involved. What if, in the future, the non-Muslims become the majority in this country, may I ask you? Would you accept their lording over you as a minority then?

What about the ban of the Islamic minarets in Switzerland? Do you, as a Muslim, accept that because after all Christians are the majority in Switzerland? What about the ban of the hijab and head scarf in France? Do you accept that on the same basis, ie, that Christians are the majority in France? What about the killing of Muslims Bosnians by the Serbs and Croats? You accept that too? After all Christians are the majority in that region. What if the Israelis manage to forcefully fill Gaza with Israelis leaving the Palestinians to be the minority, would you accept the desecration of everything that is Islam in Gaza?

What you are preaching, in my humble opinion, is political expediency suited for the current moment and nothing else. You are not seeing the bigger picture. With respect, you fail to look into ourselves as Muslims and spot our weaknesses as an Ummah against the backdrop of globalisation and openness. You pay scant regard to spirituality and our ability as Muslims, to face this new aged world on any ground other than the strength in numbers and loudness of our voice.

You mentioned Ibn Khaldun in your article. Can you point out the existence of what Ibn Khaldun termed in his "Muqadimmah" as the spirit of "assabiya" in our contemporary Muslim society? Do we have "assabiya" nowadays? Or is it a matter of whatever is mine is mine and yours is yours? In your mathematical formula, you are in fact preaching against Ibn Khaldun's "assabiya." The communal spirit, comradeship and camaraderie are obviously not important in your formula.

What about the numerical superiority of the non-Muslims in education for instance? Non-Muslims do get 9As or 10As in the examinations. Based on your numerical formula, wouldn't they have the right to be in our public university? If so, why don't they get what they are entitled to?

What about the numerical superiority in the non-Muslims' contribution to our national coffers through the payment of taxes, duties and investments made? If your numerical superiority formula is applied, wouldn't the non-Muslims then have more rights to build churches and temples compared to Muslims?

Don't get me wrong. I am not saying they are so entitled. But I am just applying your formula to real situations.

Non-Muslims' festivities should be limited to the percentage of their numbers. Sorry Doctor, I am laughing at the suggestion. Is that what matters? Festivities? Public holidays? They should have less number of temples and churches and we should have more mosques and suraus? (You seem to suggest that there are far too many churches and temples in Malaysia but have you seen the state of these churches and temples? Some are by the side of the road and in shop

lots. Some are just housed in a small doggie house.) How much space we occupy on our way to our graves? And how big our graves are? Good God, who is kiasu? What have we, the good people of Malaysia, become? And why have we descended into this deep pit of triviality? Oh my goodness.

Sometime I find your reasoning inconsistent Doctor. While you preach goodness and high morality and you make such huge outcry against the evil of living immorally as practised by some politicians and the likes, at the same time you don't really mind a newspaper which sometime write obvious lies and spread hatred. This is because, according to you, this newspaper is being frank. Well, is it okay to be bad as long as we are frank about it? You view with contempt the act of living together outside marriage by some non-Muslims but you can accept the act of lying and spreading hatred because the perpetrator is being frank? The last time I checked Doctor, even Hitler was being frank in wanting to kill all the Jews that ever walked the Earth. Was that okay?

The only way out of this racial and religious time bomb which is ticking fast in contemporary Malaysia to my mind is for all of us to confront all the issues in an unemotional manner. We should list them all out in the open. We should accept that those issues constitute problems and acknowledge that fact. We cannot deny their existence. We should stop assigning guilt. We should avoid pointing fingers. We should not adopt the my-religion-is-more-righteous-than-yours attitude.

After we manage to do that, we should then sit down and find the solutions as best as we can.

And we better do it fast. Because the longer we delay it, the more insidious and deep they will become. Soon more people will misuse those issues for whatever personal purpose which they may have. The situation may then become irreversible.

May God give all of us the wisdom.

Salam.