

LINA JOY: CLEAR SIGN OF THE TIMES

- Toward an Inter-textual Theological Reflection -

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Lina Joy's case is an issue symbolic of a religious crisis. It is certainly a "clear signs of the times" that urges thinking amongst the critical-minded Malaysians of the diverse religions. In this reflection, I hope to begin with legal citation-exposition of Dr. Shah Saleem Faruqi, a professor of Law at UiTM and then the more religious explanation of Dr. Syed Ali Tawfik Al-Attas, Director-General, and Md Asham Ahmad, a Fellow, both from the Centre For Syariah, Law and Political Science, IKIM. Then I will proceed with the inter-textual theological reflection that enables believers to better respond to God's salvific actions in our world.

Legal-Textual and Religious Explanations

Dr. Shah Saleem Faruqi argues that Article 4 (1) does not foreground "the idea of a theocracy" but rather the adoption of the Federal Constitution as a supreme Constitution" and not the *syariah*. Islam (Article 3 (1) becomes "the religion of the Federation, but other religions may be practiced in peace and harmony." (CAN News, Vol. 26, no.6, June 2007:30] He emphasizes that the *syariah* only applies to Muslims and that, too, in areas demarcated by the Constitution in Schedule 9, List II, Item 1" (Ibid.) In fact, the State *aqida* laws must not violate Article 11 or the supreme Constitution, and must never contravene the Federal list by criminalizing Muslims who submits themselves to "a formal procedural requirement of renunciation" for "acts of belligerency by *murtad* must be punished under the Federal Penal Code," under section 298. (Ibid., 31-32). Dr. Syed Ali Tawfik Al-Attas and Md. Asham Ahmad postulate that the fundamental elements of Islam are premised on revelation, reason and language. According to both, "*kalimah shahadah*, namely, to profess the act of being bearing witness" is only accepted only when the testimony is "a truthful witness." (Ibid., 26] for "the Qu'ran clearly mentions that God does not accept one who desires other than Islam as his religion. It means that whosoever 'converts' to Islam not for the sake of submitting to the will of God according to the religion of Islam is not truly a Muslim." (Ibid., 27) In explaining reason, both emphasize that "knowledge is the property of reason ('*aqil*). Without reason there can be no true knowledge, and without true knowledge it is not possible to convert to Islam willingly and consciously" for the Prophet clearly stated "No religion (*din*) to one who has no reason ('*aqil*'). (Ibid.) In summary, Dr. Syed Ali Tawfik Al-Attas and Md. Asham Ahmad are of the conviction that forced Islam without bearing a truthful witness, aided by true knowledge of the truth about Islam does not make anyone a Muslim." (Ibid., 29) Dr. Shah Saleem Faruqi is concise and conclusive: "Obviously, one's status as a Muslim is not eternal. It can be lost or forfeited." (Ibid., 29) Besides, "it is a flagrant violation of the Constitution as drafted in 1957 to imprison someone for his religious belief." (Ibid., 32) Dr. Syed Ali Tawfik Al-Attas and Md. Asham Ahmad assertively state that "Islam is not to be made the desperate handmaiden of any political party" and "using the mechanism of the judiciary to 'Islamise' people, or to prevent them from leaving Islam is totally absurd" lest "Islam will be put on trial." But alas "this is already happening."

(Ibid., 28). All three scholars are in agreement that forced Islam does not make Muslims truthful Muslims.

Inter-Textual Theological Reflection

The open letter of the 38 leading Muslim religious scholars and leaders around the world (see Herald, *Herald*, Nov 5, 2006:11] proves to be a great source of relevant Qu'ranic teachings. First and foremost, the Qu'ranic tenet, '*There is no compulsion in religion*' addresses those "in position of strength, not weakness," a teaching that takes to task the political and judicial powers that reduces Islam to a handmaid and 'islamicizes' the weak. These scholars and leaders further attest that "the earliest commentaries on the Qu'ran (such as that of *Al-Tabari*) make it clear that some Muslims of Medina wanted to force their children to convert from Judaism or Christianity to Islam and this verse was precisely an answer to them not to try to force their children to convert to Islam." [See An Open letter to Pope Benedict XVI, *Herald*, Nov 5, 2006:11] Liberty of worship is paramount in Islam: Say: "*The truth is from your Lord; so whosoever will, let him believe, and whosoever will, let him disbelieve.*" (*al-Kahf*18:29); and Say: "*O disbelievers! I worship not that which ye worship; Nor worship ye that which I worship. And I shall not worship that which ye worship. Nor will ye worship that which I worship. Unto you your religion, and unto me my religion.*" (*al-Kafirun*:109:1-6) [Ibid.] The Qu'ranic teachings further enjoin Muslims to maintain "a consonance between the truths of the Quranic revelation and the demands of human intelligence, without sacrificing one for the other. *God says, "We shall show them Our signs in the horizons and in themselves until it is clear to them that it is the truth (Fussilat 41:53)*. Reason itself is one among the many signs within us, which God invites us to contemplate, and to contemplate with, as a way of knowing the truth." (ibid.) Only by living in such undivided consonance can those in power administer Qu'ranic justice with kindness and the Qu'ran enjoins, "*Lo! God enjoins justice and kindness, and giving to kinsfolk, and forbids lewdness and abomination and wickedness. He exhorts you in order that ye may take heed (al-Nahl, 16:90)*. Equally, God says in the Qu'ran that "*He has prescribed for Himself mercy (al-An'am, 6:12)* and that God says in the Qu'ran, "*My mercy encompasses everything.*" (*al-A'raf* 7:156). [Ibid.] With justice and mercy, Muslims are to live peacefully with their neighbours: "*And if they incline to peace, do thou incline to it; and put thy trust in God (al-Anfal 8:61)*; "*Let not hatred of any people seduce you into being unjust. Be just, that is nearer to piety.*" (*al-Ma'idah* 5:8) "*Who so slays a soul not to retaliate for a soul slain, nor for corruption done in the land, it shall be as if s/he had slain humankind altogether (al-Ma'idah 5:32)*. In the final analysis, these scholars and leaders categorically state that "*We emphatically agree that forcing others to believe – if such a thing be truly possible at all - is not pleasing to God and that God is not pleased by blood. Indeed, we believe, and Muslims have always believed, that "Who so slays should not to retaliate for a soul slain, nor for corruption done in the land, it shall be as if he had slain mankind altogether"*" (*al-Ma'idah* 5:32) [Ibid.] Biblical teachings are equally emphatic that powers must not be used for unlawful usurpation and victimization as indicated in 2 Samuel 12:9-10 when David put Uriah the Hittite to the sword and coveted his wife. Those in power must lend themselves to the service of the least of the brethren in society (Matt.25: 40-41) in the act of feet-washing (John 13:14-15 in which the disciples are to emulate the self-giving action of the master) and willful self-

emptying of hierarchical superiority (Phil 2:6-8). Such behavior demonstrates the 'solidarity from the below' with those on the margin who are powerless and branded as 'sinners, tax-collectors and prostitutes' (Matt 9:10-13; Mk 2:15-17; Lk5:29-32) In fact the trail of Jesus demonstrates sufficiently that the Roman Imperial powers that is seemingly powerful is hollow. In fact, St. John takes pain to unmask the earthly powers by asserting: "*You would have no power over me at all if it had not been given you from above.*" (John 19:11). The power from on high is the only power that subverts the earthly power with all its wicked attempts to bury the victims in 'tombs of judicio-political limbo' as if the buried would be silenced forever by handing "*a considerable sum of money to the soldiers*" (Mat. 28:13), with assurance that "*should the governor come to hear of this, we undertake to put things right with him ourselves and to see that you do not get into trouble.*" (Mat. 28:14-15) Yet this power erupts gloriously 'from below' to liberate all those who are entombed and enslaved by the powers that be. The Risen Lord is "*I am with you always: yes to the end of time*" (Matt. 28:20) is present to us in Spirit. This Spirit continues to be the source of power of the marginal peoples (comprising Jewish-Hellenist communities of equal disciples and citizens) who struggle against the might of the Greco-Roman world. Through the boundary-shattering power of the Risen Lord, the God of Judaism is de-monopolized and became the God of "*anybody of any nationality who fears God and does what is right is acceptable to God*" for God "*has no favourites.*" (Acts 10:34-35) This God is "*the God not only of the Jews ...most certainly of the Gentiles too, since there is only one God.*" (Rom.3:29) This God at work in the power of the Spirit of the Risen Lord which enjoins the early Christian communities to bring about "God's saving justice" in terms of working for "peace and joy" that signify the presence of God's Kin-dom: "*So then, let us be always seeking the ways which lead to peace and the ways in which we can support one another.*" (Rom. 14:17-18) This concerted efforts is motivated by the Spirit of the Risen Lord who "*is the peace between us*" and "*by restoring peace to create a single New Human out of the two of them*" (Eph.2:14-16) for God is a "*God not of disorder but of peace.*" (1 Cor.14:33) In this way, God eventually becomes the God "*of all, through all and within all.*" (Eph.4:6) Believers, especially those with power, must be reasonable, open to revealed truths and do what is right and just so as to be acceptable to God and thus bears truthful testimonies to their faith in the ONE GOD. Only God's saving justice and truthful believers can erase the prejudices and suspicion that spawns tyranny, ensure the democratic space for religious liberty of worship, fosters and nurtures the much desired peace between the believers.

Conclusion

The Creative Spirit of God continues to motivate all who are prophetic in our times, be they the 38 leading Muslim Scholars and leaders, Dr. Syed Ali Tawfik Al-Attas and Md. Asham Ahmad, Dr. Shah Saleem Faruqi, Richard Malanjun or Lina Joy herself. The supremacy of the Constitution must guarantee greater constitutional democracy for those who willfully and conscientiously want to exercise their fundamental freedom of religion. All of them deserve our moral support. Let this nation in the next 50 years be guided and shaped by believers and citizens of goodwill who subscribe to revelation, reason and just practices.