



Australian Government
Refugee Review Tribunal

Country Advice

Malaysia

Malaysia – MYS38719 – Faith Healers –
Yi Guan Dao – Muslims – Non-Muslims –
Allah – Legal Ruling – Bigamy –
Conversion – Circumcision

18 May 2011

1. Are there reports of faith healers operating in Malaysia as recently as the 1990s?

Information was found on faith healers operating in Malaysia. Faith healing is reported to continue to find favour in Malaysia, which has a long history of alternative medicine.¹ In a November 2010 article, Dr Mohamad Hashim Kamali, the founding chairman of the International Institute of Advanced Islamic Studies (IAIS) Malaysia, said that recourse to bomohs, faith healers and psychic agents was widespread in Malaysia.² Another article from October 2010 indicates that “[t]hough uncommon, the continued use of exorcists and bomoh, or faith healers, has in part led the government to draft a law to regulate practitioners of traditional and complementary medicine.”³

According to occult researcher Azizah Ariffin, black magic in Malaysia “originally derived from animist practices which were reinforced by Hindu beliefs before the arrival of Islam in the region.” It had “been a part of Malay life for many centuries as the village bomoh still held on to animist beliefs and rites of earlier religions to cure people”. With the arrival of Islam, the people’s spiritual welfare was taken care of by the Imam. In the 1980s, “the Islamisation of the bomohs began, and only recently have many witchdoctors begun using Koranic verses to cure people instead of rituals.” In Muslim-majority Malaysia, “meddling with the occult is banned under Islam” and the religious authorities “are notorious for their hardline enforcement of moral and spiritual rules.” Islamic bomohs, however, are reportedly “tolerated and even approved of, as a better alternative to old-style black magic practitioners who still do a brisk trade with their concoctions and incantations.” Azizah Ariffin indicates that “[t]he Islamic bomohs are the ones who use the Koranic verses and they do no harm but help to cure ailments and remove black magic spells. It is the bomohs who don’t use the Koran that are of concern because only some do good while others are the real black magic practitioners using animist rituals”.⁴

Mohammad Tamyas Abdul Wahid, a leading Islamic cleric, says that “although black magic is against Islam, it is widely used in Malaysia by those intent on controlling spouses or cheating others out of their possessions.” According to Wahid:

¹ Ahmad, R. & Teo, A. 2010, ‘Malaysia to control faith healers as more seek spirit aid’, *Reuters News*, 14 October – Attachment 1

² Kamali, M.H. 2010, ‘Not easy to use laws against black magic’, *New Straits Times*, 29 November – Attachment 2

³ Ahmad, R. & Teo, A. 2010, ‘Malaysia to control faith healers as more seek spirit aid’, *Reuters News*, 14 October – Attachment 1

⁴ Bose, R. 2010, ‘The new face of Malaysia’s Islamic witchdoctors’, *Agence France-Presse*, 22 August – Attachment 3

“We must differentiate between bomohs who use the words of the Koran and try to help heal people using these holy verses and phrases, compared to those who try to seek the help of jinns and ghosts to gain favour,” he says.

“There has been a shift as many realise through education that these bomohs using spirits are evil compared to those using the Koran to help heal and do good things.”

One of Malaysia’s best-known bomohs is Haron Din, who is also a senior figure in the conservative Islamic party PAS and part of the country’s religious establishment. He and a group of faith healers exorcise spirits and demons using Koranic verses in a clinic he opened three decades ago outside Kuala Lumpur.⁵

As previously mentioned, in October 2010 it was reported that the continued use of exorcists and bomoh, or faith healers, had “in part led the government to draft a law to regulate practitioners of traditional and complementary medicine.” Under the Traditional and Complementary Medicine Bill, which was to be tabled in parliament in 2011, Malaysia’s 11,000 practitioners in fields such as acupuncture and homeopathy would be required to obtain practicing licences from and register with the Ministry of Health. Muslim faith healers would also be subject to guidelines drawn up jointly by Malaysia’s Islamic Development Department and recognised practitioner bodies, including Haron Din’s clinic. According to Haron Din, “[m]any faith healers claim to conduct Islamic treatments when they in fact are going against Islam, so we need the mechanism to control the practitioners”. There had been complaints of cheats, while others offered amulets, curses and spells using black magic, which was forbidden by Islam. Dr Ramli Abdul Ghani, the head of Traditional and Complementary Medicine at Malaysia’s Ministry of Health, said that under the proposed law, practicing black magic would not be listed as an offence, although persons who went against the faith healers’ guidelines could lose their licences. Initially, only Islamic faith healers were to be subject to the proposed law.⁶

Earlier, in May 2010, Malaysia’s Ministry of Health had warned the public against seeking treatment from faith healers or unregistered traditional and complementary medical practitioners.⁷

2. Are there any reports of faith healers of the Muslim faith?

As previously mentioned, in Muslim-majority Malaysia, “meddling with the occult is banned under Islam” and the religious authorities “are notorious for their hardline enforcement of moral and spiritual rules.” Islamic bomohs, however, are reportedly “tolerated and even approved of, as a better alternative to old-style black magic practitioners who still do a brisk trade with their concoctions and incantations.” One of Malaysia’s best-known bomohs is Haron Din, who is also a senior figure in the conservative Islamic party PAS and part of the country’s religious establishment. He and a group of faith healers exorcise spirits and demons using Koranic verses in a clinic he opened three decades ago outside Kuala Lumpur.⁸

⁵ Bose, R. 2010, ‘The new face of Malaysia’s Islamic witchdoctors’, *Agence France-Presse*, 22 August – Attachment 3

⁶ Ahmad, R. & Teo, A. 2010, ‘Malaysia to control faith healers as more seek spirit aid’, *Reuters News*, 14 October – Attachment 1

⁷ Hussein, S. 2010, ‘Ministry warns public to be wary of faith healers’, *Bernama Daily Malaysian News*, 28 May – Attachment 4

⁸ Bose, R. 2010, ‘The new face of Malaysia’s Islamic witchdoctors’, *Agence France-Presse*, 22 August – Attachment 3

In relation to Islam generally, *The Concise Encyclopaedia of Islam* does not include an entry on faith healers. It does include an entry on magic, or as-sihr. Although a distinction is made between white magic and black magic, “magic as such is condemned in Islam, and its practice forbidden. Nevertheless, it is widely practiced.”⁹

The Oxford Dictionary of Islam also does not include an entry on faith healers. Its entry on magic indicates that the word sihr covers a wide range of subjects, but “[i]ts basic meaning is the same as the English word magic: falsification of reality, having contact with supernatural or psychic powers, and creating a transforming effect on the soul... Most of the Quranic references to magic are negative... Even though white magic has been somewhat tolerated, its practice has been emphatically discouraged.”¹⁰

In a previously mentioned article dated 29 November 2010, Dr Mohamad Hashim Kamali, the founding chairman of the IAIS Malaysia, said that “sorcery (sihr) constitutes a grave violation of the faith” in Islam. According to the article:

In Islam, sorcery (sihr) constitutes a grave violation of the faith, and believing in it is viewed as tantamount to associating other deities with God and ultimately the denial of Islam itself. Sihr is forbidden and the public must be protected against its harm. Sihr has an aspect in common with religion in that both subscribe to the belief in the existence of a supernatural power.

Issues are often conflated, however, when sihr is practised, as it usually is, by men of religion relying on religious sources, and it becomes difficult to differentiate religiosity from sihr.¹¹

The Oxford Dictionary of Islam also includes an entry on karamah, which means grace, with reference to charismatic gifts or the capacity to perform miracles, and signifies a state of sanctity. It also means miracles, which are an important part of popular Islam and Sufism. Holy people are believed to possess karamah, or the ability to perform miracles, as a sign of God’s favour. Conservatives, however, often regard Sufi claims to perform miracles as suspect out of fear that people will come to worship humans rather than God as performers of miracles.¹²

The Concise Encyclopaedia of Islam refers to karamat (singular: karamah) as “[g]ifts or powers of a spiritual or psychic nature acquired by a Saint, short of miracle working. The term is not used for the psychic powers that could be possessed by a sorcerer, and is equivalent to the Sanskrit siddhi in the elevated sense of ‘spiritual attainment’”.¹³

3. Please give a summary of the tenets of the Yin Guan Dao faith.

The Tian Dao or Yiguan Dao sect “was founded in Shandong province in the 1920’s by Zhang Tianran (Zhang Guangbi, 1889–1947).” The sect “is rooted in an older sectarian tradition” which was active in the Ming and Qing dynasties.¹⁴ Roughly translated, the meaning of yiguan dao is “unity way” or “the way of pervading unity.” It “claims it unites ‘the world’s five great religions’: Buddhism, Taoism, Confucianism, Islam, and Christianity.

⁹ Glasse, C. 2001, *The Concise Encyclopaedia of Islam*, Revised Edition, Stacey International, London, p. 279 – Attachment 5

¹⁰ Esposito, J.L. 2003, *The Oxford Dictionary of Islam*, Oxford University Press, New York, p. 185 – Attachment 6

¹¹ Kamali, M.H. 2010, ‘Not easy to use laws against black magic’, *New Straits Times*, 29 November – Attachment 2

¹² Esposito, J.L. 2003, *The Oxford Dictionary of Islam*, Oxford University Press, New York, p. 166 – Attachment 6

¹³ Glasse, C. 2001, *The Concise Encyclopaedia of Islam*, Revised Edition, Stacey International, London, p. 251 – Attachment 5

¹⁴ Clart, P. 2005, ‘Yiguan Dao’, in *Encyclopedia of Contemporary Chinese Culture* ed E.L. Davis, Routledge, London, pp. 699-700, at p. 699 – Attachment 7

Scriptures from all these religions are believed to be sacred texts, but the current followers of the five religions are believed to be misguided. Initiates are told they are fortunate for they have just received the dao or 'way,' which supersedes all previous religions. Religions merely urge humans to be good; the dao, on the other hand, allows believers to escape from the cycle of death and rebirth (reincarnation) and reach nirvana.”¹⁵

According to an assistant professor of history at the National University of Singapore who provided information on the Tian Dao to the Immigration and Refugee Board of Canada in September 2003:

Tiandao is fundamentally syncretist, which means that it views all religions as being part of its own lineage. Thus, it traces its own founding to include the major figures of world religions, including the Buddha, Confucius, Mohammed and Jesus Christ. Each of these was said to have revealed part of a larger truth in a preordained plan for universal salvation. This process would eventually lead up to the revelation of Tiandao, alternately known as Yiguandao (the Way of Penetrating Unity), the latter name emphasizing the idea that the teaching already existed in the guise of other religions before it was formally revealed to the world.¹⁶

Key teachings of the sect include belief in an imminent apocalypse and the advent of a saviour who would open a path of salvation during this period. It was believed that Zhang Tianran was an incarnation of the Living Buddha Jigong, who had been sent by the Eternal Mother Wuji Laomu to transmit the Dao to humans, who were her lost and confused children. Those who received the Dao in the initiation ritual would be among the saved and be assured to return to the Mother's paradise.¹⁷ Members of Yiguan Dao worship all gods, a syncretism that is typical of Chinese religion. Yiguan Dao is different to popular religion primarily through “its focus on the Maitreya Buddha and in its belief in the Venerable Heavenly Mother.”¹⁸

Yiguan Dao is reported to operate secretly, with its members discreet in seeking converts, its temples in ordinary homes and only initiated members attending ceremonies. Initiation into the sect “involves receiving the secret three treasures: a mantra, a hand position, and the symbolic opening of a door in the body so the soul may depart from the proper exit and not from one of the body's other orifices. After initiation, new members are taught the three treasures meaning, which is the core secret of the sect.”¹⁹

A professor of history at Washington University in St. Louis, Missouri provided the following information on the Tian Dao initiation sequence in September 2001:

The Yiguandao initiation sequence is called “Seeking the Way” (qiu dao). It is typically performed after the Welcoming the Spirits (ying shen) rituals and is performed under the guidance of a dianchuanshi. It consists of the applicant performing a number of offerings (of incense, xian) and kowtows (bowing and touching the head to the ground, ketou) before the altar, stating his or

¹⁵ Bosco, J. 1994, ‘Yiguan Dao: “Heterodoxy” and Popular Religion in Taiwan’ in Rubenstein, M.A. 1994, *The Other Taiwan: 1945 to the Present*, East Gate, New York, Ch.16, pp. 423-444, at p.424 – Attachment 8

¹⁶ Immigration and Refugee Board of Canada 2003, *CHN41903.E – China: Whether Tian Dao incorporates Christian elements into its beliefs and practices and, if so, the description of these Christian elements*, 18 September – Attachment 9

¹⁷ Clart, P. 2005, ‘Yiguan Dao’, in *Encyclopedia of Contemporary Chinese Culture* ed E.L. Davis, Routledge, London, pp. 699-700, at p. 699 – Attachment 7

¹⁸ Bosco, J. 1994, ‘Yiguan Dao: “Heterodoxy” and Popular Religion in Taiwan’ in Rubenstein, M.A. 1994, *The Other Taiwan: 1945 to the Present*, East Gate, New York, Ch.16, pp. 423-444, at p.433 – Attachment 8

¹⁹ Bosco, J. 1994, ‘Yiguan Dao: “Heterodoxy” and Popular Religion in Taiwan’ in Rubenstein, M.A. 1994, *The Other Taiwan: 1945 to the Present*, East Gate, New York, Ch.16, pp. 423-444, at p.424 – Attachment 8

her name and asking for the way, and then kneeling. The dianchuanshi then instructs the initiate in the “Three Treasures,” including opening of the Dark Gate through touching the forehead.²⁰

Yiguan Dao is reported to borrow much of its belief and ritual from popular religion. Its religious activities include morning and evening prayer sessions. Only the most devout attend them every day, with believers expected to attend at least on the full and new moon. The ceremonies “involve group kowtowing to a long list of gods.”²¹

Spirit writing is used by the Yiguan Dao “to receive encouragement and direction from deities.” Three trained children are selected to represent heaven, humankind and earth. The child who represents heaven holds a hoop with a wooden stylus attached and writes on a board covered in sand, the “characters said to have the calligraphy not of the child but of the god who descends on the child and makes him or her write.” The child who represents humankind reads the characters aloud and moves a rake to erase them from the sand. The child who represents earth writes the message on paper. The message is typically in doggerel rhyme and encourages followers to work for the dao.²²

A PhD dissertation dated July 1997 by Soo Khin Wah, now an Associate Professor in the Department of Chinese Studies at the University of Malaya,²³ provides a detailed history of the Yiguan Dao or Unity Sect and its organisation, teachings and rituals.²⁴

RRT research responses dated 8 January 2010²⁵ and 19 February 2003²⁶ provide further information on the tenets of the Yiguan Dao religion.

4. Are there reports of this faith being practised by Malaysians of Chinese ethnicity and if so, are there any reports of proponents of this faith being harmed or mistreated because of their faith?

The PhD dissertation dated July 1997 by Soo Khin Wah provides information on the development of the Yiguan Dao or Unity Sect in Peninsular Malaysia. The first Unity Sect Fotang (Buddha hall) in Peninsular Malaysia was set up by Lu Wende in Kuala Lumpur in 1948. The sect initially made little progress and by 1966, only four Fotang had been established. In 1978, an elder of the Fayi Chongde branch of the Unity Sect visited Malaysia to set up two family shrines. The visit led to the establishment of a Fayi Chongde Fotang in Peninsular Malaysia. Another sub-branch of the Fayi branch and the Changzhou branch of the Unity Sect also set up Fotangs in Malaysia.

The spread of the Unity Sect caused tensions with existing Chinese religious bodies, particularly the Malaysian Buddhist Association (MBA), the umbrella organisation for nearly

²⁰ Immigration and Refugee Board of Canada 2001, CHN37766.E – China: Tian Dao, including rituals and their sequence in initiation ceremony; whether worship gatherings are held on the 1st and 15th of the lunar calendar month; significant dates of special commemorations and celebrations; homage paid to the seasons; homage to “laomu” or the Venerable Mother; and the three treasures (September 2001), 12 September – Attachment 10

²¹ Bosco, J. 1994, ‘Yiguan Dao: “Heterodoxy” and Popular Religion in Taiwan’ in Rubenstein, M.A. 1994, *The Other Taiwan: 1945 to the Present*, East Gate, New York, Ch.16, pp. 423-444, at pp.425 & 435 – Attachment 8

²² Bosco, J. 1994, ‘Yiguan Dao: “Heterodoxy” and Popular Religion in Taiwan’ in Rubenstein, M.A. 1994, *The Other Taiwan: 1945 to the Present*, East Gate, New York, Ch.16, pp. 423-444, at pp. 431-432 – Attachment 8

²³ ‘Curriculum Vitae: Associate Professor Dr. Soo Khin Wah’ (undated), University of Malaya UM expert website http://umexpert.um.edu.my/papar_cv.php?id=AAAJxnAAQAAAF9vAAc – Accessed 13 May 2011 – Attachment 11

²⁴ Soo, K.W. 1997, *A Study of the Yiguan Dao (Unity Sect) and its development in peninsular Malaysia*, PhD thesis, University of British Columbia – Attachment 12

²⁵ RRT Country Advice 2010, *Country Advice CHN35859*, 8 January, (Question 1) – Attachment 13

²⁶ RRT Country Research 2003, *Research Response CHN15735*, 19 February, (Question 1) – Attachment 14

all Mahayana Buddhist associations in Malaysia. With respect to ethnic Chinese religious affiliation, the government saw the MBA as representing the ethnic Chinese collectively, and the increased popularity of the Unity Sect threatened the existing interests of the MBA and other Chinese Buddhist associations. Following the expulsion of 12 Taiwanese Unity Sect members from Singapore in July 1981, the Johore State Police head office instructed police to investigate the sect's activities. On 17 August 1981, the MBA chairman speaking at a Buddhist Studies Seminar accused the Unity Sect of being heretical and maintaining only a façade of Buddhism. While its membership grew, the Unity Sect continued to face adverse press reports from minor local Chinese media.

In September 1993, the press reported that the sect was causing problems in the family of Mr. Yan Cailin in Johore. By November 1993, Yan Cailin had organised a Committee of Justice and Anti-heretical Sects to combat the sect and called on those who opposed the Unity Sect to provide testimonies revealing the sect's misdeeds. On 27 November 1993, the door of a Fotang in Lingga New Village, Muar, was defaced with black paint and eggs were thrown at the building. On 8 January 1994, a wagon in Muar was burned. Press reports on campaigns against the Unity Sect ended in early 1994, with the violence, which involved legal prosecutions at later stages of its development, possibly causing the press to be more cautious.

The initial stage of the Unity Sect's development in Peninsular Malaysia usually began with a family shrine set up in a member's house. With the growth in membership, public halls were developed as bigger congregational sites and the number of family shrines also grew. Training programmes were developed and by 1997 many Unity Sect branches in Peninsular Malaysia had introduced a complete set of sectarian education programmes. The Unity Sect is reported to have sought links to political figures in Malaysia to authenticate their legitimacy.

The Unity Sect is reported to have flexibility in organising its activities and has had success in recruiting young members. It has a congregational nature, stressing ethical living and spiritual self-discipline. The sect's organisations in Peninsular Malaysia also provide a variety of recreational and skill-learning activities. According to Soo Khin Wah:

That the Unity Sect has proselytized successfully in Peninsular Malaysia in the recent two decades is indicated by its capability to offer a more defined world view, and to cater for everyday interests of young members. The Chinese traditional world view and morality values propagated by the sect also turned out to be an asset, especially during the early 1970s and 1980s, when the local Chinese community felt that their ethnic identity was threatened by the increasing Islamic resurgence and government policies coloured by strong Malay nationalist overtones. These qualities possessed by the sect at that point were found particularly relevant to their identity quest, and hence helped the sect to successfully recruit those who made sense out of this religious symbolism.²⁷

In September 2001, Soo Khin Wah reported that there were "two (out of five) major overseas Fayi Chongde sub-branch's 'religious domains' in Peninsular Malaysia, namely the Kuala Lumpur Fayi Chongde [KLFC] Cultural and Educational Center (Jilongpo Chongde Wenjiao Yanxi Hui) located at the Federal capital [sic] city of Malaysia, and the Chongde Daoyuan (Chongde Sanctuary of the Dao) of Alor Setar, in the northern state of Kedah." The KLFC religious domain was in charge of 51 public halls covering a wide geographical area. Since the early 1990's, it had been actively involved in organising various social-cultural activities, such as public talks by guest speakers from Taiwan, music nights, charitable medical services,

²⁷ Soo, K.W. 1997, *A Study of the Yiguan Dao (Unity Sect) and its development in peninsular Malaysia*, PhD thesis, University of British Columbia, pp. 7, 149-169, 172-173, 190-191, 241 & 250-251 – Attachment 12

blood donations, and visits to old people's homes and orphanages. The Chongde Daoyuan religious domain covered 34 public halls.²⁸

5. Please advise whether RRT advice MYS35349 as it relates to the legal and political framework in Malaysia for Muslims and non-Muslims remains current. Please confirm that the State of Kedah has a different Islamic Council and Religious Department than the Federal territory of Kuala Lumpur.

Information relating to the legal and political framework in Malaysia for Muslims and non-Muslims provided in Question 1 of *Research Response MYS35349* of 16 September 2009 remains current.²⁹

The most recent US Department of State report on religious freedom in Malaysia includes the following information on the legal and policy framework in Malaysia in relation to religion:

The government maintains a dual legal system, whereby Shari'a courts rule on religious and family issues involving Muslims and secular courts rule on other issues pertaining to both Muslims and the broader population. Government policies promoted Islam above other religions. Minority religious groups remained generally free to practice their beliefs; however, over the past several years, many have expressed concern that the civil court system has gradually ceded jurisdictional control to Shari'a courts, particularly in areas of family law involving disputes between Muslims and non-Muslims... Religious minorities continued to face limitations on religious expression, including restrictions on the use of real property.

...The constitution provides for freedom of religion. Article 11 states that "every person has the right to profess and practice his religion," but also gives state and federal governments the power to "control or restrict the propagation of any religious doctrine or belief among persons professing the religion of Islam." The law allows for citizens and organizations to sue the government for constitutional violations of religious freedom. The constitution provides that federal law has precedence over state law. It also states that issues of Islamic law are state, rather than federal, matters. The constitution establishes the power of the federal judiciary under Section 121(1) by creating two high courts of equal and independent authority -- one in Peninsular Malaysia and one in Eastern Malaysia. However, in June 1988 parliament amended the constitution, adding Section 121(1A) which provides, "the Courts referred to in Clause (1) shall have no jurisdiction in respect to any matter within the jurisdiction of the [Shari'a] courts." This amendment introduced ambiguity about Shari'a versus civil law that has not been resolved clearly. Civil courts generally decided in favor of the government in matters concerning Islam. Article 3 of the constitution states that "Islam is the religion of the Federation" and "Parliament may by law make provisions for regulating Islamic religious affairs." Article 160 of the constitution defines ethnic Malays as Muslim. Civil courts generally ceded authority to Shari'a courts in cases concerning conversion from Islam, and the latter remained reluctant to allow such conversions. The constitution identifies the traditional rulers, also known as sultans, as the "Heads of Islam" within their respective states. Other laws and policies placed some restrictions on religious freedom.

...Authorities at the state level administer Shari'a laws through Islamic courts and have jurisdiction over all Muslims. Shari'a laws and the degree of their enforcement vary by state. State governments impose Islamic law on Muslims in some cultural and social matters but generally do not interfere with the religious practices of non-Muslim communities; however, debates continued

²⁸ Soo, K.W. 2001, 'Recent Development of the Yiguan Dao Fayi Chongde sub-branch in Singapore, Malaysia and Thailand', *Paper presented at the Conference in Honour of Prof. Daniel L. Overmyer on His Retirement on Religious Thought and Lived Religion In China*, University of British Columbia, Vancouver, 15-16 September – Attachment 15

²⁹ RRT Research & Information 2009, *Research Response MYS35349*, 16 September, (Question 1) – Attachment 16

regarding incorporating elements of Shari'a law, such as khalwat (restricting close physical proximity with the opposite sex), into civil law...

State Islamic religious enforcement officers have the authority to accompany police on raids of private premises as well as public establishments to enforce Shari'a law, including violations such as indecent dress, alcohol consumption, or Muslims in close proximity to members of the opposite sex. The state Islamic authorities did not provide information on the number of raids religious enforcement officers initiated.³⁰

In relation to whether the State of Kedah has a different Islamic Council and Religious Department to the Federal territory of Kuala Lumpur, an undated article indicates that "[t]here are 14 Islamic Councils, one for each of the 13 states and one for the Federal Territory Wilayah Persekutuan of Kuala Lumpur" in Malaysia, and the Islamic Councils "depend on the Islamic Religious Department which is a government department existing in each state to provide the administrative services and to implement the decisions of the Council." The article mentions the Islamic Council of the Federal Territory of Kuala Lumpur.³¹ Articles from May 2010 refer to the the Kuala Lumpur Islamic Council,³² and the Federal Territory Islamic Council.³³ Reference was also found to an Islamic Affairs Department (JAWI) in Kuala Lumpur.³⁴ Another article refers to Jawi as the Federal Territory Islamic Department.³⁵ A recent article mentions the Kedah Islamic Council and state Religious Affairs Department.³⁶

- 6. The Malaysian government in 2009 sought to restrict the use of the word "Allah" by any non-Muslim faith. Was this held by the High Court of Kuala Lumpur in 2009 to be unconstitutional? If the Malaysian government appealed to the Court of Appeal, please advise whether the appeal has been determined and if so, the result of that appeal. Please advise whether the current ruling applies to all of Malaysia, or just the Federal territory of Kuala Lumpur.**

On 31 December 2009, the High Court of Kuala Lumpur held that a prohibition by the Malaysian government on the use of the word "Allah" by the Catholic Herald was unconstitutional, ruling in favour of the Catholic Church. The government filed an appeal and sought a stay of the court's decision. The Catholic Herald did not oppose the stay and on 4 January 2010, the trial court issued the requested stay pending review of the decision by the Court of Appeal.³⁷ As at 8 May 2011, the government's appeal against the High Court's decision had not yet been heard.³⁸

³⁰ US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November, Introduction & Section II – Attachment 17

³¹ 'Zakat in the context of the Malaysian Economy' (undated), *The Halal Journal* <http://www.halaljournal.com/article/3377/zakat-in-the-context-of-the-malaysian-economy> - Accessed 11 September 2009 – Attachment 18

³² 'Indian-Malaysian lawyer challenges Islamic court' 2010, *Associated Press Newswires*, 14 May – Attachment 19

³³ 'Malaysian Muslim convert seeks to renounce Islam' 2010, *BBC Monitoring Asia Pacific*, source: Malaysiakini website, 18 May – Attachment 20

³⁴ Stewart, S. 2009, 'Life in the twilight for Malaysia's Muslim transsexuals', *Agence France-Presse*, 6 September – Attachment 21

³⁵ 'Mosque not the place to express anger, says Jamil Khir' 2011, *Bernama Daily Malaysian News*, 6 May – Attachment 22

³⁶ 'Mosques shouldn't be used to spread ideology, says Kedah Ruler' 2011, *The Star Online*, 21 February <http://thestar.com.my/news/story.asp?file=/2011/2/21/nation/8104740&sec=nation> – Accessed 16 May 2011 – Attachment 23

³⁷ US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November, Section II – Attachment 17

³⁸ Hong, C. 2011, 'Another religious row erupts in Malaysia', *Straits Times*, 8 May – Attachment 24

The case arose following the Home Ministry approving the Catholic weekly Herald's publication permit with the conditions that usage of the word "Allah" was prohibited and the word "Limited" (Terhad) was to be endorsed on the front page to indicate that it must be circulated only to Christians. The usage had been prohibited by the minister on the "grounds of national security and to avoid misunderstanding and confusion among Muslims." Titular Roman Catholic Archbishop Tan Sri Murphy Pakiam, as the Herald's publisher, had subsequently filed an application for a judicial review seeking a declaration that the minister's decision for prohibition was illegal and the word "Allah" was not exclusive to Islam. In an oral judgment on 31 December 2009, Justice Lau Bee Lan declared the minister's order to prohibit the Herald from using the word "Allah" as "illegal, null and void." Pursuant to Article 3(1) of the Federal Constitution, the applicant "had the constitutional right to use 'Allah' in Herald in the exercise of his right that religions other than Islam might be practised in peace and harmony in the country." Justice Lau also ruled that the Constitution, under which Islam is the country's religion, did not empower the minister to make the prohibition. The applicant also had the right to use the word "Allah" in the Herald under Article 10 in exercising his right to freedom of speech and expression. Justice Lau ruled that the respondents, being the minister and the Malaysian government, had failed "to prove how the use of the word 'Allah' could threaten national security."³⁹

According to another report, the High Court judge's decision indicated "that the use of the word 'Allah' in Herald was constitutional as long as the periodical was confined to educate the followers of the Christian faith." She had "said the use of the word was in accordance with Articles 3, 10, 11 and 12 of the Federal Constitution, the supreme law of the land." Article 11 gave every religious group the right to manage its own affairs, and under Article 12, religious groups had the right to instruct and educate believers of the same faith. The judge "had ruled that the use of the word 'Allah' would only be banned if the periodical was used to propagate Christianity among Muslims."⁴⁰

Commenting on the High Court decision, Minister in the Prime Minister's Department Datuk Seri Mohd Nazri Aziz, who said the High Court decision was wrong, also believed the decision "should only be effective in Sabah, Sarawak, Penang and the Federal Territories." According to Aziz, "since religious matters come under the state, and to give effect to the requirement of the Constitution, every state with a sultan as the head of Islam has its own enactment on the propagation of Islam, except for Penang, the Federal Territories, Sabah and Sarawak." He said that in Sabah and Sarawak, it had been a practice for many years for churches to use the word Allah in their sermons and he did not think a law should be passed there, "but here (Peninsular Malaysia) is different as there are already laws in nine out of 11 states." There was no state enactment in Penang and the Federal Territories to prohibit usage of the word Allah by non-Muslims.⁴¹

In relation to whether the current ruling applies to all of Malaysia or just the Federal territory of Kuala Lumpur, the Superior Courts in Malaysia "are comprised of the Federal Court (the highest court), the Court of Appeal, and the two High Courts. By virtue of Act 121(1) of the Federal Constitution, judicial power in the Federation is vested on two High Courts of coordinate jurisdiction and status, namely the High Court of Malaya for Peninsular Malaysia

³⁹ Goh, L. 2010, 'Court rules Herald free to use the word "Allah"', The Malaysian Bar website, source: The Star, 1 January http://www.malaysianbar.org.my/legal/general_news/court_rules_herald_free_to_use_the_word_allah.html - Accessed 12 May 2011 – Attachment 25

⁴⁰ 'Act wisely on court ruling, says Shahrizat' 2010, *New Straits Times*, 2 January – Attachment 26

⁴¹ Giam Say Khoo 2010, 'Nazri: Penang and FT can also use "Allah"', The Malaysian Bar website, source: The Sun, 19 January http://www.malaysianbar.org.my/legal/general_news/nazri_penang_and_ft_can_also_use_allah.html - Accessed 12 May 2011 – Attachment 27

and the High Court of Borneo for Sabah and Sarawak.”⁴² Under Malaysia’s Courts of Judicature Act 1964, local jurisdiction in the case of the High Court in Malaya means “the territory comprised in the States of Malaya, namely, Johore, Kedah, Kelantan, Malacca, Negeri Sembilan, Pahang, Penang, Perak, Perlis Selangor, Terengganu and the Federal Territory of Kuala Lumpur”. Local jurisdiction in the case of the High Court in Sabah and Sarawak means “the territory comprised in the States of Sabah, Sarawak and the Federal Territory of Labuan”. Section 23 of the Act sets out the general civil jurisdiction of the two High Courts and Section 24 sets out the specific civil jurisdiction.⁴³

7. Please give a summary of the laws of bigamy in Malaysia, in particular: whether a married woman can be legally married to another man without divorcing her first husband where her second husband is Muslim, and if that woman converted to Islam, would she be permitted to marry for a second time to a Muslim man without divorcing her first husband.

Under Article 3 of Malaysia’s constitution, “Islam is the religion of the Federation”.⁴⁴ Family law in Malaysia was reported in 2009 to comprise “of Islamic law for all Muslims contained in state legislation comprising administrative provisions and the substantive law based on the Qur’an and Sunnah (the primary sources) and authoritative interpretations (fiqh) and since 1976, the Law Reform (Marriage and Divorce) Act... for all non-Muslims.”⁴⁵ The government in Malaysia “maintains a dual legal system, whereby Shari’a courts rule on religious and family issues involving Muslims and secular courts rule on other issues pertaining to both Muslims and the broader population.”⁴⁶

The law is reported to allow polygyny, which a few Muslim men practiced.⁴⁷ Muslim women are reportedly not permitted to practice polyandry.⁴⁸ With certain restrictions, polygamy is permitted in Islamic marriage in Malaysia.⁴⁹ Under Islamic law, Muslim men are permitted to have up to four wives although “they need permission from their existing spouses - recognised officially by Islamic authorities - before they can marry again.”⁵⁰ In August 2010, Bung Mokhtar Radin, a ruling coalition politician in Malaysia who had been sentenced in May 2010 to one month’s jail for marrying a second wife without an Islamic court’s

⁴² Noordin, S.M. & Keng, L.P. 2009, ‘Update: An Overview of Malaysian Legal System and Research’, GlobaLex website, March/April <http://www.nyulawglobal.org/Globalex/Malaysia1.htm> - Accessed 12 May 2011 – Attachment 28

⁴³ Federation of Malaysia 1964, ‘Courts of Judicature Act 1964’, Act 91, Chief Registrar’s Office Federal Court of Malaysia Official website, 16 March, Sections 3, 23 & 24 <http://portal.kehakiman.gov.my/> - Accessed 13 May 2011 – Attachment 29

⁴⁴ US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November, Section II – Attachment 17

⁴⁵ Kamarudin, Z. 2009 ‘Conversion And Its Legal Effect On The Family’, Institute of Islamic Understanding Malaysia website, 8 September http://www.ikim.gov.my/v5/index.php?lg=2&opt=com_article&grp=2&sec=&key=1889&cmd=resetall – Accessed 30 October 2009 – Attachment 30

⁴⁶ US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November, Introduction – Attachment 17

⁴⁷ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Malaysia*, April, Section 6 – Attachment 31

⁴⁸ ‘What are the types of marriages in Malaysia?’ 2008, Lawyerment website, 9 August <http://www.lawyerment.com/library/kb/Families/Marriage/1019.htm> - Accessed 18 May 2011 – Attachment 32

⁴⁹ ‘What is bigamy? Is bigamy punishable by law? What is the punishment for bigamy in Malaysia?’ 2008, Lawyerment website, 8 September <http://www.lawyerment.com/library/kb/Families/Marriage/1033.htm> - Accessed 18 May 2011 – Attachment 33

⁵⁰ ‘One woman men’ 2005, *New Sunday Times*, 7 August – Attachment 34

permission, was reported to have escaped going to jail and had been fined by an Islamic High Court.⁵¹

Bigamy, in civil marriage, is reported to be a crime in Malaysia.⁵² Bigamy has been reported to be “outlawed in the country”,⁵³ and to be “outlawed for non-Muslims in Malaysia”.⁵⁴ Under Section 494 of Malaysia’s penal code, subject to a certain exception, a person who has a husband or wife living and “marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife” faces up to seven years imprisonment and a fine.⁵⁵

In relation to the situation when a married non-Muslim in Malaysia converts to Islam, there appears to be uncertainty in relation to when that person may marry again if the non-converting spouse does not bring a petition for divorce under Section 51(1) of the Law Reform (Marriage and Divorce) Act 1976. Under Section 3(3) of that Act, the Act does not apply to a Muslim or any person married under Islamic law.⁵⁶ A September 2009 paper which refers to legal issues that may arise upon conversion in Malaysia indicates that “in Muslim family law a Muslim cannot marry a non-Muslim, so upon conversion the marriage becomes invalid after a fixed period; the [Law Reform (Marriage and Divorce)] Act requires that it be formally dissolved.”⁵⁷ Section 51(1) of the Law Reform (Marriage and Divorce) Act provides for dissolution of a marriage on the ground that one party to the marriage has converted to Islam. The party who has not converted may petition for divorce after the expiration of the period of three months from the date of conversion.⁵⁸

A May 2009 paper indicates that Section 51 of the Act “provides that if one party to a marriage has converted to Islam, only the party who has not converted has the right to petition for divorce.” According to the paper, “[i]f the husband converts, he cannot dissolve his marriage in civil court because he is now a Muslim. Only the wife who did not convert may do so. If the husband manages to get any order from the Syariah court, it has no legal effect on the non-Muslim wife.”⁵⁹ Another undated paper comments that:

⁵¹ ‘Malaysian politician escapes jail for practicing polygamy’ 2010, *Asian News International*, 11 August – Attachment 35

⁵² ‘What is bigamy? Is bigamy punishable by law? What is the punishment for bigamy in Malaysia?’ 2008, Lawyerment website, 8 September <http://www.lawyerment.com/library/kb/Families/Marriage/1033.htm> – Accessed 18 May 2011 – Attachment 33

⁵³ ‘One woman men’ 2005, *New Sunday Times*, 7 August – Attachment 34

⁵⁴ ‘Ten percent of Muslim men in Malaysia have more than one wife, says survey’ 2005, *Associated Press Newswires*, 7 August – Attachment 36

⁵⁵ Federation of Malaysia 1997, ‘Penal Code’, Act 574, incorporating all amendments up to 1 January 2006, Malaysian Attorney-General’s Chambers website, 7 August

<http://www.agc.gov.my/agc/Akta/Vol.%2012/Act%20574.pdf> – Accessed 20 May 2010 – Attachment 37

⁵⁶ Federation of Malaysia 1976, ‘Law Reform (Marriage and Divorce) Act 1976’, Act 164, incorporating all amendments up to 1 January 2006, Attorney-General’s Chambers of Malaysia website, 11 March

<http://www.agc.gov.my/Akta/Vol.%204/Act%20164.pdf> – Accessed 18 May 2011 – Attachment 38

⁵⁷ Kamarudin, Z. 2009 ‘Conversion And Its Legal Effect On The Family’, Institute of Islamic Understanding Malaysia website, 8 September

http://www.ikim.gov.my/v5/index.php?lg=2&opt=com_article&grp=2&sec=&key=1889&cmd=resetall – Accessed 30 October 2009 – Attachment 30

⁵⁸ Federation of Malaysia 1976, ‘Law Reform (Marriage and Divorce) Act 1976’, Act 164, incorporating all amendments up to 1 January 2006, Attorney-General’s Chambers of Malaysia website, 11 March

<http://www.agc.gov.my/Akta/Vol.%204/Act%20164.pdf> – Accessed 18 May 2011 – Attachment 38

⁵⁹ Wan Ahmad, W. 2009 ‘Conversion of Children: A Legal Quagmire’, Institute of Islamic Understanding Malaysia website, 19 May

http://www.ikim.gov.my/v5/index.php?lg=2&opt=com_article&grp=2&sec=&key=1790&cmd=resetall – Accessed 30 October 2009 – Attachment 39

According to Islamic law, the marriage is terminated upon the expiration of three months of the conversion if the other spouse does not convert to Islam. The converted spouse is thus free to marry according to his or her personal law that is Islamic law. But the anomaly that then presents itself is that the non-converting spouse remains, in the eyes of the Civil law, married to the converted spouse until a divorce is sought and granted *pursuant to a petition for divorce initiated by the non-converting spouse under Section 51 of the LRA 1976*.⁶⁰

The September 2009 paper also notes that “if the converting spouse is the wife, and acting on the strength of a declaration by the Syariah court that she cannot remain married to a non-Muslim, she marries again, is she guilty of any offence? And if her non-Muslim ‘husband’ refuses to divorce her or is lackadaisical about it, what are his rights against her?”⁶¹

8. Are there reports of people being forcibly converted to Islam in Malaysia? Are there reports of children being converted to Islam without the consent of one or both of their parents?

Information was found regarding children being converted to Islam without the consent of one of their parents in Malaysia. The November 2010 US Department of State report on religious freedom in Malaysia indicates that “[t]here were reports of minors converted to Islam in cases where one parent voluntarily converted to Islam and converted the children without the consent of the non-Muslim parent. Shari’a courts usually upheld the conversions of minors despite the opposition of one parent, and the government in most cases did not act to prevent such conversions.”⁶²

In March 2011, Indira Gandhi, an ethnic Indian Hindu woman who was involved in a continuing custody dispute arising from the conversion of her three children to Islam by her estranged husband, applied to the High Court to move the case to Malaysia’s Federal Court or for it to be heard in full by the High Court. Her estranged husband had converted to Islam in 2009 and had also converted the three children without her permission.⁶³ In March 2010, the High Court had granted custody of her children to Gandhi. Her estranged husband K. Patmanathan, who had changed his name to Mohd Ridzuan Abdullah, had appealed the decision and retained custody of their youngest child, despite a court ordering him to surrender the child to Gandhi.⁶⁴ Mohd Ridzuan was also reported to have “obtained interim custody of the children from the Islamic Shariah High Court here.”⁶⁵

In April 2009, Malaysia’s federal government announced that if a spouse converted to Islam, the children would follow the faith agreed to by both parents at the time of marriage. The government also stated that civil courts were the proper forum for dissolving marriages where a spouse had converted to Islam. The Attorney General’s office was directed to review and

⁶⁰ Ngo, F. Y. (undated), ‘Malaysia’s Family Law: Custody and Religion’, Law Asia website <http://www.lawasia.asn.au/uploads/images/FLMalaysia.pdf> - Accessed 28 July 2005 – Attachment 40

⁶¹ Kamarudin, Z. 2009 ‘Conversion And Its Legal Effect On The Family’, Institute of Islamic Understanding Malaysia website, 8 September

http://www.ikim.gov.my/v5/index.php?lg=2&opt=com_article&grp=2&sec=&key=1889&cmd=resetall – Accessed 30 October 2009 – Attachment 30

⁶² US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November, Section II – Attachment 17

⁶³ ‘Ethnic Indian seeks top court intervention in custody battle’ 2011, *The Press Trust of India Limited*, 30 March – Attachment 41

⁶⁴ US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November, Section II – Attachment 17

⁶⁵ ‘Ethnic Indian seeks top court intervention in custody battle’ 2011, *The Press Trust of India Limited*, 30 March – Attachment 41

propose changes to the existing law. The government's action was criticised by the Malaysian Shari'a Lawyers Association and other Islamic groups. In June 2009, a senior constitutional body, the Conference of Rulers, "solicited the views of state religious councils before rendering its decision on proposed amendments to laws on conversion."⁶⁶ In November 2010, it was reported that the reform "has been stalled pending consultations with the Malay royal rulers."⁶⁷

In another case, Shamala Sathiyaseelan was married in a Hindu ceremony to her husband Jeyaganesh in 1998. Jeyaganesh had secretly converted to Islam in 2002, and converted their children to Islam without consulting Shamala. Jeyaganesh had been given custody of the children by a Shari'a court, and Shamala had brought a case in the civil court, arguing that as a non-Muslim, she was not bound by Shari'a court rulings and her children's conversion was void. She was granted custody of the children by the civil court and left Malaysia with them.⁶⁸ Jeyaganesh, now known as Muhammad Ridzwan,⁶⁹ had appealed the High Court's decision in 2004 to give Shamala custody of the children on the condition she raised them as Muslims. He had appealed in the civil courts and the Sharia courts.⁷⁰ On 12 November 2010, the Federal Court rejected a referral application brought by Shamala in relation to constitutional issues on conversion of children to Islam without both parents' consent. The Chief Justice said the court was reluctant to grant her further opportunity to hear constitutional issues on the validity of conversion of her children as she had avoided contempt proceedings taken against her by her estranged husband in relation to breaching a High Court order granting him visitation rights to their sons.⁷¹ Shamala's lawyer had said that she feared returning as a Sharia court order had given her estranged husband custody of the children and issued a warrant for her arrest.⁷²

Information was also found regarding a dispute over whether a man had converted to Islam before his death. On 25 January 2011, it was reported that Malaysia's Federal Court had denied the widow of Everest climber Sergeant M. Moorthy leave to appeal against the refusal of the High Court to entertain her application to determine the religious status of her late husband. The widow had sought a declaration that Moorthy was still a Hindu prior to his death five years ago and that he be given a burial according to Hindu rites. Moorthy was said to have converted to Islam prior to his death without informing his family. The Federal Court rejected the widow's application on the grounds that the matter was under the Syariah Court's exclusive jurisdiction. Moorthy had been buried in December 2005 at a Muslim Cemetery in Gombak, Selangor, after the Federal Territory Islamic Affairs Religious Council had obtained

⁶⁶ US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November, Section II – Attachment 17

⁶⁷ 'Malaysian court fails to rule on child conversions to Islam' 2010, *Agence France-Presse*, 12 November – Attachment 42

⁶⁸ US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November, Section II – Attachment 17

⁶⁹ 'Federal court rejects Shamala's referral application' 2010, *Bernama Daily Malaysian News*, 12 November – Attachment 43

⁷⁰ 'Malaysian court fails to rule on child conversions to Islam' 2010, *Agence France-Presse*, 12 November – Attachment 42

⁷¹ 'Federal court rejects Shamala's referral application' 2010, *Bernama Daily Malaysian News*, 12 November – Attachment 43

⁷² 'Malaysian court fails to rule on child conversions to Islam' 2010, *Agence France-Presse*, 12 November – Attachment 42

an ex-parte order from the Syariah Court stating that he had embraced Islam before his death.⁷³

9. Are there reports that male and female children who convert to Islam in Malaysia will be circumcised, with or without their parents' consent?

Specific information was not located on male and female children who convert to Islam in Malaysia being circumcised, with or without their parents' consent. Muslims are reported to be the largest single religious group to circumcise boys. In Malaysia, "the operation is a puberty rite that separates the boy from childhood and introduces him to adulthood." Traditionally in Islam, adult converts to Islam were encouraged to undergo circumcision, but this is not universally endorsed, particularly if there is a health risk.⁷⁴

The most recent US Department of State report on human rights practices in Malaysia refers to female circumcision being "reportedly a routine practice among Muslim Malays. In November 2009 local online news portal Malaysiakini reported that 'in Malaysia, female circumcision refers to the act of making a small scratch or using a sharp penknife to nick the prepuce of the vagina. It is usually performed on infants within a few months of birth, by medical doctors or midwives.'"⁷⁵

⁷³ 'No leave given to widow of late Everest climber to appeal' 2011, *Bernama Daily Malaysian News*, 25 January – Attachment 44

⁷⁴ 'Islam – Ethics – Circumcision of boys' 2009, *BBC*, 13 August
<http://www.bbc.co.uk/religion/religions/islam/islamethics/malecircumcision.shtml> - Accessed 10 May 2011 – Attachment 45

⁷⁵ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Malaysia*, April, Section 6 – Attachment 31

Attachments

1. Ahmad, R. & Teo, A. 2010, 'Malaysia to control faith healers as more seek spirit aid', *Reuters News*, 14 October. (FACTIVA)
2. Kamali, M.H. 2010, 'Not easy to use laws against black magic', *New Straits Times*, 29 November. (FACTIVA)
3. Bose, R. 2010, 'The new face of Malaysia's Islamic witchdoctors', *Agence France-Presse*, 22 August. (FACTIVA)
4. Hussein, S. 2010, 'Ministry warns public to be wary of faith healers', *Bernama Daily Malaysian News*, 28 May. (FACTIVA)
5. Glasse, C. 2001, *The Concise Encyclopaedia of Islam*, Revised Edition, Stacey International, London. (Library)
6. Esposito, J.L. 2003, *The Oxford Dictionary of Islam*, Oxford University Press, New York. (Library)
7. Clart, P. 2005, 'Yiguan Dao', in *Encyclopedia of Contemporary Chinese Culture* ed E.L. Davis, Routledge, London, pp. 699-700.
8. Bosco, J. 1994, 'Yiguan Dao: "Heterodoxy" and Popular Religion in Taiwan' in Rubenstein, M.A. 1994, *The Other Taiwan: 1945 to the Present*, East Gate, New York, Ch.16, pp. 423-444.
9. Immigration and Refugee Board of Canada 2003, *CHN41903.E – China: Whether Tian Dao incorporates Christian elements into its beliefs and practices and, if so, the description of these Christian elements*, 18 September. (REFINFO)
10. Immigration and Refugee Board of Canada 2001, *CHN37766.E – China: Tian Dao, including rituals and their sequence in initiation ceremony; whether worship gatherings are held on the 1st and 15th of the lunar calendar month; significant dates of special commemorations and celebrations; homage paid to the seasons; homage to "laomu" or the Venerable Mother; and the three treasures (September 2001)*, 12 September. (REFINFO)
11. 'Curriculum Vitae: Associate Professor Dr. Soo Khin Wah' (undated), University of Malaya UM expert website http://umexpert.um.edu.my/papar_cv.php?id=AAAJxnAAQAAAF9vAAc – Accessed 13 May 2011.
12. Soo, K.W. 1997, *A Study of the Yiguan Dao (Unity Sect) and its development in peninsular Malaysia*, PhD thesis, University of British Columbia.
13. RRT Country Advice 2010, *Country Advice CHN35859*, 8 January.
14. RRT Country Research 2003, *Research Response CHN15735*, 19 February.
15. Soo, K.W. 2001, 'Recent Development of the Yiguan Dao Fayi Chongde sub-branch in Singapore, Malaysia and Thailand', *Paper presented at the Conference in Honour of Prof. Daniel L. Overmyer on His Retirement on Religious Thought and Lived Religion In China*, University of British Columbia, Vancouver, 15-16 September.
16. RRT Research & Information 2009, *Research Response MYS35349*, 16 September.

17. US Department of State 2010, *International Religious Freedom Report for 2010 – Malaysia*, November.
18. ‘Zakat in the context of the Malaysian Economy’ (undated), *The Halal Journal* <http://www.halaljournal.com/article/3377/zakat-in-the-context-of-the-malaysian-economy> - Accessed 11 September 2009.
19. ‘Indian-Malaysian lawyer challenges Islamic court’ 2010, *Associated Press Newswires*, 14 May. (FACTIVA)
20. ‘Malaysian Muslim convert seeks to renounce Islam’ 2010, *BBC Monitoring Asia Pacific*, source: Malaysiakini website, 18 May. (FACTIVA)
21. Stewart, S. 2009, ‘Life in the twilight for Malaysia’s Muslim transsexuals’, *Agence France-Presse*, 6 September. (FACTIVA)
22. ‘Mosque not the place to express anger, says Jamil Khir’ 2011, *Bernama Daily Malaysian News*, 6 May. (FACTIVA)
23. ‘Mosques shouldn’t be used to spread ideology, says Kedah Ruler’ 2011, *The Star Online*, 21 February <http://thestar.com.my/news/story.asp?file=/2011/2/21/nation/8104740&sec=nation> – Accessed 16 May 2011.
24. Hong, C. 2011, ‘Another religious row erupts in Malaysia’, *Straits Times*, 8 May. (FACTIVA)
25. Goh, L. 2010, ‘Court rules Herald free to use the word “Allah”’, *The Malaysian Bar website*, source: The Star, 1 January http://www.malaysianbar.org.my/legal/general_news/court_rules_herald_free_to_use_the_word_allah.html - Accessed 12 May 2011.
26. ‘Act wisely on court ruling, says Shahrizat’ 2010, *New Straits Times*, 2 January. (FACTIVA)
27. Giam Say Khoo 2010, ‘Nazri: Penang and FT can also use “Allah”’, *The Malaysian Bar website*, source: The Sun, 19 January http://www.malaysianbar.org.my/legal/general_news/nazri_penang_and_ft_can_also_use_allah.html - Accessed 12 May 2011.
28. Noordin, S.M. & Keng, L.P. 2009, ‘Update: An Overview of Malaysian Legal System and Research’, *GlobaLex website*, March/April <http://www.nyulawglobal.org/Globalex/Malaysia1.htm> - Accessed 12 May 2011.
29. Federation of Malaysia 1964, ‘Courts of Judicature Act 1964’, Act 91, Chief Registrar’s Office Federal Court of Malaysia Official website, 16 March <http://portal.kehakiman.gov.my/> - Accessed 13 May 2011.
30. Kamarudin, Z. 2009 ‘Conversion And Its Legal Effect On The Family’, *Institute of Islamic Understanding Malaysia website*, 8 September http://www.ikim.gov.my/v5/index.php?lg=2&opt=com_article&grp=2&sec=&key=1889&cm_d=resetall – Accessed 30 October 2009.
31. US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Malaysia*, April.

32. 'What are the types of marriages in Malaysia?' 2008, Lawyerment website, 9 August
<http://www.lawyerment.com/library/kb/Families/Marriage/1019.htm> - Accessed 18 May 2011.
33. 'What is bigamy? Is bigamy punishable by law? What is the punishment for bigamy in Malaysia?' 2008, Lawyerment website, 8 September
<http://www.lawyerment.com/library/kb/Families/Marriage/1033.htm> - Accessed 18 May 2011.
34. 'One woman men' 2005, *New Sunday Times*, 7 August. (FACTIVA)
35. 'Malaysian politician escapes jail for practicing polygamy' 2010, *Asian News International*, 11 August. (FACTIVA)
36. 'Ten percent of Muslim men in Malaysia have more than one wife, says survey' 2005, *Associated Press Newswires*, 7 August. (FACTIVA)
37. Federation of Malaysia 1997, 'Penal Code', Act 574, incorporating all amendments up to 1 January 2006, Malaysian Attorney-General's Chambers website, 7 August
<http://www.agc.gov.my/agc/Akta/Vol.%2012/Act%20574.pdf> – Accessed 20 May 2010.
38. Federation of Malaysia 1976, 'Law Reform (Marriage and Divorce) Act 1976', Act 164, incorporating all amendments up to 1 January 2006, Attorney-General's Chambers of Malaysia website, 11 March <http://www.agc.gov.my/Akta/Vol.%204/Act%20164.pdf> – Accessed 18 May 2011.
39. Wan Ahmad, W. 2009 'Conversion of Children: A Legal Quagmire', Institute of Islamic Understanding Malaysia website, 19 May
http://www.ikim.gov.my/v5/index.php?lg=2&opt=com_article&grp=2&sec=&key=1790&cmd=resetall – Accessed 30 October 2009.
40. Ngo, F. Y. (undated), 'Malaysia's Family Law: Custody and Religion', Law Asia website
<http://www.lawasia.asn.au/uploads/images/FLMalaysia.pdf> - Accessed 28 July 2005.
41. 'Ethnic Indian seeks top court intervention in custody battle' 2011, *The Press Trust of India Limited*, 30 March. (FACTIVA)
42. 'Malaysian court fails to rule on child conversions to Islam' 2010, *Agence France-Presse*, 12 November. (FACTIVA)
43. 'Federal court rejects Shamala's referral application' 2010, *Bernama Daily Malaysian News*, 12 November. (FACTIVA)
44. 'No leave given to widow of late Everest climber to appeal' 2011, *Bernama Daily Malaysian News*, 25 January. (FACTIVA)
45. 'Islam – Ethics – Circumcision of boys' 2009, *BBC*, 13 August
<http://www.bbc.co.uk/religion/religions/islam/islamethics/malecircumcision.shtml> - Accessed 10 May 2011.