INTERRELIGIOUS RELATIONS

Localising the Practice of Islam in the Context of Singapore

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Abstract

Postcolonial nation states in Southeast Asia have taken different trajectories in the localisation of Islam within their respective societies. Post-independence Singapore's experience of localisation of Islam is largely through a centralised Muslim religious authority created by legislation drawn from Singapore's colonial legacy. Policies and religious rulings of the central authority through the Islamic Religious Council of Singapore (MUIS) and the Fatwa Committee have significantly contributed to the Muslim community's adaptation to Singapore's urbanisation and multicultural society. I argue that as the evolving context becomes more complex in the future, Singapore's centralised approach in localising the practice of Islam will require further adaptation. It cannot depend merely on reactive changes to state-directed policies, laws, and regulations. It must be complemented with a more proactive, robust, and organic approach where there is a thorough assessment of the changing conditions and deliberate critical re-evaluation of religious tradition conditioned by a vibrant discursive tradition within the community.

Introduction

Localisation has been an integral part of Muslims' ongoing efforts to adapt Islam within different periods of time and space. The localised practice of Islam in Southeast Asia has been well-documented, particularly in Malaysia and Indonesia.[1] The nature of the Islam that came into the region as early as the seventh century was not entirely the form of Islam practised by the early community of believers during the Prophet's time but "embedded forms" of Islam which originated from places like Arabia, Persia, India and China.[2] The process of localisation in Southeast Asia underwent several phases beginning with Muslim traders and travellers who interacted and intermarried with the local populace.[3] It was only after the thirteenth century that a significant growth of Islam in the Malay-Indonesian world was observed through the propagation of Islam by Sufis and *tariqas*.[4] The Sufis tolerated the syncretic practices of localised Islam which incorporated pre-Islamic beliefs in spirits and magical incantations. Islam became more widespread after the conversion to Islam of the Malay rulers of the Malacca Sultanate in the fifteenth century (1400-1511 CE).[5] Islam and *adat* (customary law) formed the basis of social order in the Sultanate, where the administration of Muslim religious affairs formed an important part of the symbolisation of legitimacy.[6] The practice of Islam and *adat* continued in later sultanates in the Malay-Indonesian world.[7] From the seventeenth century onwards, as students returned from Mecca and Medina, orthodox Sunni tradition in the Malay-Indonesian world became more established with the transmission of Islamic doctrines by these students, who later became *ulama'*.[8] By the nineteenth century, the position of Islam in British Malaya (1824-1957 CE) was strengthened through the power-sharing arrangement between sultans of the different Malay states and the British colonisers, which became entrenched with the Treaty of Pangkor in 1874.[9] This led to the bureaucratisation of Islam in Malaya with the introduction and regulation of the Religious Council (Majlis Agama) and syariah courts.[10]

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[1] Some examples of written work include: M.B. Hooker, "Adat and Islam in Malaya," *Journal of the Humanities and Social Sciences of Southeast Asia* 130.1 (1974): 69-90; Clifford Geertz, *Islam Observed: Religious Development in Morocco and Indonesia*, Chicago, IL: University of Chicago Press, 1968.

[2] There are many theories as to who were the early people who brought Islam to the region. They have included Arab, Indian and Persian traders coming from possibly Arabia, India or China. See Shamsul A.B., "Making Sense of the Plural-Religious Past and the Modern-Secular Present of the Islamic-Malay World and Malaysia," *Asian Journal of Social Science, Special Focus: Islam between Holism and Secularism* 33.3 (2005): 449-472.

[3] Khairudin Aljunied, "Islam in Southeast Asia," in *Oxford Research Encyclopedia of Religion*, Oxford: Oxford University Press, 2019, 1-19, DOI: 10.1093/acrefore/9780199340378.013.658.

[4] Syed Farid Alatas, "Notes on Various Theories Regarding The Islamization Of The Malay Archipelago," *The Muslim World* 75 (1985):162-175.

[5] Vincent J. H. Houben, "Southeast Asia and Islam," *The Annals of the American Academy of Political and Social Sciences – Islam: Enduring Myths and Changing Realities* 588 (Jul. 2003): 149-170.

[6] Alfian Yasrif Kuchit, "The Institutionalisation of Islam in Singapore: The Administration of Muslim Law Act and the Birth of a 'Majlis Ugama'," in *Fulfilling the Trust: 50 Years of Shaping Muslim Religious Life in Singapore*, ed Norshahril Saat, Singapore: World Scientific, 2018, 15-31.

[7] Other sultanates in the Malay Peninsula included the Johor-Riau Sultanate, the Perak Sultanate, the Pahang Sultanate, among others.

[8] Most of them were prolific writers who produced the earliest works written in the Malay language relating to various disciplines of Islamic knowledge. All of their works introduced the orthodox teachings of the most authoritative Sunni *ulama'* in Arabia. They also founded essential Islamic institutions such as *pesantren* or *pondok* (traditional Islamic boarding schools). The *pondok* played a very crucial role in the transmission of Islamic knowledge from the *ulama'* to the students of the *pondok*, the maintenance of Islamic tradition and the reproduction of the *ulama'* class. The *ulama'*, particularly of the seventeenth century, were mostly responsible for the earliest reforms of Islamic teachings and Muslim life in the archipelago. Through their works and preaching, the pre-Islamic beliefs and practices among the Malays which were earlier accommodated by the Sufis and the Malay rulers were gradually transformed to conform to more orthodox Sunni teachings. See Azyumardi Azra, "Islamic Reform in Southeast Asia: Assimilation, Continuity and Change," in *Muslim Reform in Southeast Asia: Perspectives from Malaysia, Indonesia and Singapore*, ed Syed Farid Alatas, Singapore: MUIS, 2009, 16-29.

[9] The Pangkor Treaty of 1874 was a significant event in colonial Malayan history which signified the beginning of the creation of British Malaya. Raja Abdullah was made the rightful Sultan of Perak but had to accept the presence of a British Resident. See Norshahril Saat, *Faith, Authority and the Malays: The Ulama in Contemporary Singapore*, Singapore: The Malay Heritage Foundation, 2015.

[10] Aljunied, "Islam in Southeast Asia," 8.

Unlike the other Malay states, Singapore came fully under the British colonial government in 1824.[11] Thus there was no symbolically significant position there for the sultans. Nonetheless, the British colonial administration adopted similar structures to the Religious Council and syariah courts to address Muslim religious needs. This paved the way for Muslim representation in Singapore's colonial setup, but more importantly, it began to centralise religious administration and allowed for the formation of a particular Muslim religious consciousness. Muslims in Singapore began to develop their own unique features, especially after Singapore became an independent nation in 1965. The Singapore experience of localisation of Islam is especially interesting as not much has been written about it and because Singapore is not considered a Muslim nation but, within its secular state structure, it has a religious bureaucracy administering Muslim affairs within a multicultural environment. Since its formation in 1968, the Islamic Religious Council of Singapore (MUIS) has been central in driving efforts to localise the practice of Islam. MUIS made it more explicit with the introduction of the Singapore Muslim Identity (SMI) project in 2005.

The main focus of this article is on the localisation of the practice of Islam in Singapore since the nation's independence in 1965. While the centralised approach has attained generally positive outcomes for the Singapore Muslim community in the last fifty years, I argue that as the evolving context becomes more complex in the future, this approach will require further adaptation. With the advent of social and digital disruptions, localisation cannot depend on reactive changes due to external pressures driven by state-directed policies, laws, and regulations. It must be complemented with a more proactive, robust, and organic approach where there is a thorough assessment of the changing conditions and deliberate critical re-evaluation of religious tradition conditioned by a vibrant discursive tradition within the community.

Concept of Localised Islam

Ijtihad (independent reasoning) is a key interpretive instrument used by Muslim jurists to interpret the Qur'an, hadith, and existing jurisprudential rulings and relate them to the Muslim community's changing conditions.[12] While there is acceptance that legal rules may be changed and modified in accordance with changing circumstances, this is largely focused on matters relating to worldly transactions (*muamalat*).[13] Matters relating to worship and religious devotion (*ibadat*) are generally regarded as immutable.[14] For non-immutable matters, the interpretive process would include considering "the meaning of the text, the effective cause ('*illah*) on which it was originally founded and the welfare (*maslahah*) of the community" at a particular time and place.[15]

Local norms and customs which Muslims encounter in new places are considered in the interpretive process. This has its precedence in the Prophet's time where he retained certain pre-Islamic Arabic cultural practices which were not against the principles of Islam. This practice continued in subsequent generations after the Prophet including during the time of the four great Imams of the Islamic schools of jurisprudence (eighth to ninth century CE). A notable example is Imam al-Shafi'i's (767-820 CE) evolving religious views in Egypt which contrasted from his earlier views while in Baghdad due to considerations of local norms and cultures.[16]

The significance of this interpretive process remains relevant today. In discussing local Islamic knowledge production for Europe's growing Muslim communities, Martin van Bruneissen frames this interpretive

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[11] Treaties were signed by Sultan Hussein Shah and Temenggong Abdul Rahman of the Johor-Riau Sultanate in 1819 and 1824 which sold Singapore and the outer lying islands to the British East India Company (EIC). The Malay aristocracy could no longer exercise any formal authority though they continued to have a presence in Singapore.

[12] Within the Prophetic tradition, there is a renowned hadith which narrates the conversation between the Prophet and his companion, Muadh Ibn Jabal, whom he sent to Yemen to be a ruler and judge. The Prophet sought Muadh's response on the sources for his decision-making as a judge. Muadh responded by firstly pointing to the Qur'an, followed by the Prophet's Sunnah (exemplary guidance or teachings) and if he could not find guidance from either, he would consider his own judgement and *ijtihad*. The Prophet affirmed and approved of Muadh's responses. This hadith has become one of the clear sources of authority within the Islamic tradition on the validity of *ijtihad* especially with the end of divine revelation upon the Prophet's demise. See Mohammad Hashim Kamali, *Shari'ah Law: An Introduction*, Oxford: Oneworld Publications, 2008.

[13] Such worldly transactions include marriage, inheritance, politics, social and economic activities, etc.

[14] Religious devotional activities would include the five daily prayers, fasting in Ramadan, performing the Haj, and so on.

[15] Kamali, *Shari'ah Law*, 26.

[16] Ibid, 81.

process as the dual process of *universalisation* and *localisation*.[17] *Universalisation* refers to the separation of what is universal in the Islamic message from what is contingent by identifying what is essential and non-negotiable. *Localisation* is adapting the universalised message to local customs and needs by identifying which elements of Islam as they existed in the original context were specifically Arabian and could be altered, while retaining those elements that were immutable. This dual process has formed multiple localised practices of Islam throughout the world. This process is also expressed in varying terminologies like "indigenised Islam" and "embedded" forms of Islam.[18]

Post-independence Singapore and centralisation of religious authority

Islam in the Colonial Period

The colonial period saw significant changes being made to transform indigenous social and political structures.[19] The colonial powers introduced secular structures of rule to the existing indigenous governing structures, resulting in a legal-bureaucratic system which allowed the continued existence of Islamic laws as well as the customary (*adat*) laws but made subservient to the demands of colonial laws and institutions.[20]

The early process of centralisation of religious authority in Singapore began in 1877 when influential Muslim representatives approached the British colonial rulers for an improvement of the administration of Muslim marriages.[21] This resulted in the enactment of the Mohammedan Marriage Ordinance three years later. Muslims also sought British help to coordinate *hajj* (pilgrimage to Mecca) activities and manage religious funds. In 1906, the Muslim Endowment Board was established and finally, in 1915, the Mohammedan Advisory Board was set up, providing an official avenue for Muslim representatives to negotiate with the British colonial administration.[22] The Mohammedan Advisory Board, known as the Muslim Advisory Board from 1947, became the precursor to the eventual establishment of Singapore's central Muslim religious authority after independence.

Despite the introduction of such structures, colonialism did not directly result in any significant transformation with respect to Muslim religious thinking within Malay society, which was still influenced by feudal elements.[23] Nonetheless, modern developments inspired the emergence of Islamic reformism in the early twentieth century which challenged the dominant religious thinking within the community. Reformist and pan-Islamist ideas were introduced into Southeast Asia largely through the teachings of returning Haj pilgrims and Malay-Indonesian students from Mecca and particularly, Cairo. This was made possible because of Singapore's position as a hub in the movement of people and cultural-religious ideas in Southeast Asia. Additionally, advancements in printing introduced literature in the vernacular language which facilitated the spread of such new Islamic ideas to a general reading public, thereby reducing regional disparities in Islamic thinking. Reformist influenced magazines such as *Al-Imam* (1906-1980 CE) were published in Singapore to educate their readers, usually incorporating translated reformist articles from the Middle East which focused on "the legitimacy of *ijtihad*…championing human rationality (*akal*), and against submission to *taqlid* (blind and absolute following)".[24]

On the education front, the leadership of traditional learning centres or *pondoks* was gradually taken over by the returning reformist-oriented Middle Eastern graduates who converted them into *madrasahs* adopting

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[17] Martin van Bruneissen, "Producing Islamic Knowledge in Western Europe: Discipline, Authority and Personal Quest," in *Producing Islamic Knowledge: Transmission and Dissemination in Western Europe*, eds Martin van Bruneissen and Stefano Allievi, London: Routledge, 2010, 1-27.

[18] Shamsul A.B., "Making Sense," 453.

[19] Houben, "Southeast Asia and Islam," 155.

[20] Khairudin Aljunied, *Muslim Cosmopolitanism: Southeast Asian Islam In Comparative Perspective*, Edinburgh: Edinburgh University Press, 2017.

[21] Kuchit, "The Institutionalisation of Islam in Singapore," 18.

[22] Faizah bte Zakaria, "Majlis Ugama Islam Singapura," Singapore National Library Board Infopedia, available at: https://eresources.nlb.gov.sg/infopedia/articles/SIP_1105_2011-09-27.html.

[23] Saat, *Faith, Authority and the Malays*, 28.

[24] *Al-Imam* was modelled after similar publications in Cairo like *Al-Manar* and *Al-Urwat al-Wuthqa*. See Azhar Ibrahim Alwee, "The Idea of Religious Reform: Perspectives of Singapore Malay-Muslim Experiences," in *Muslim Reform in Southeast Asia: Perspectives from Malaysia, Indonesia and Singapore*, ed Syed Farid Alatas, Singapore: MUIS, 2009, 79-109, 94.

the *nizami* (structured) system.[25] This reformist group came to be known as the Kaum Muda (Young Faction) as opposed to the Kaum Tua (Old Faction) which represented the religious bureaucracy. The reformistic spirit of the Kaum Muda, though not dominant in the following years, subsequently inspired efforts to re-evaluate and rethink religious tradition among segments of the religious elite as well as the wider community.[26] Among the prominent groups which emerged before independence were the All-Malayan Muslim Missionary Society, generally referred to as Jamiyah, founded in 1932 and Muhammadiyah which emerged during the post-war period, being officially established in 1957.[27]

Paradox of Secularism and Management of Religion

Singapore's key consideration in dealing with matters pertaining to religion was shaped by the tumultuous circumstances of its transition into an independent nation. It experienced two major ethnic riots in 1964 while it was part of the Malaysian Federation.[28] After two years, Singapore separated from Malaysia in 1965 to become a sovereign state. The negative experience of communal ethnic politics was instrumental in driving Singapore's determination to build a cohesive society. Only with a cohesive society could it ensure a stable social and political atmosphere critical for its survival. This was to be achieved by formulating a national identity underpinned by the principles of meritocracy, secularism, and multiracialism.

Singapore's model of secularism does not aim to eliminate religion from the public sphere.[29] Instead, it allows for the freedom to practice and observe one's religion as long as it does not undermine national interests with respect to public security and social cohesion. It recognises the value of religion when it contributes to nation-building through educational, social and charitable works, and moral guidance. In other words, religion promotes social unity and contributes to the common good of all.[30]

Bryan Turner argues that while the secular approach to governance serves to separate religion from the public domain, it is inevitable that to avoid social conflict, the Singapore government has to paradoxically

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[25] The reformist model of madrasah was the Madrasah al-Iqbal al-Islamiyyah founded in Singapore by Sheikh Al-Hadi, which inspired Muslims in other areas of Southeast Asia to adopt similar models of learning. Under the *nizami* system, students were demarcated by age-group, taught curricula which incorporated modern sciences alongside the traditional revealed sciences, and subjected to written examinations. Enrolment was also gradually opened to female students. See Ahmad Fauzi Abdul Hamid, "Islamic Education in Malaysia," *RSIS Monograph* 18 (2010): 13-24.

[26] Ibid, 26.

[27] Husain Haikal and Atiku Garba Yahaya, "Muslim Organisations in Singapore: An Historical Overview," *Islamic Studies* 35.4 (Winter 1996): 435-447.

[28] The Federation of Malaya was established as an independent nation in 1957 comprising eleven states (nine Malay states and two of the former British Straits Settlements, Penang and Malacca. It evolved into the Federation of Malaysia when Sabah, Sarawak and Singapore joined the Federation in 1963. Singapore left the Federation in 1965 to become an independent state. The underlying insecurities between the different ethnic and religious communities which were largely suppressed during the colonial period eventually surfaced after Singapore was granted self-government in 1959 and fed into the ethnic politics which coloured the turbulent Malaysian political landscape when Singapore was part of the Malaysian Federation. The Malays and Chinese felt insecure about issues of economic power and political dominance. This was further aggravated by the threat of Communism in the region. Competing ideological issues between Singapore's ruling party, the People's Action Party, and Malaysia's ruling party, the United Malays National Organisation (UMNO) on racial representation and equality were central to the break up from Malaysia. The religious undertone of the ethnic tensions was made palpable by the episode of the first of the two ethnic riots, which occurred during the Mawlid (Prophet Muhammad's birthday) celebrations in Singapore. Seeing the negative effects of communal ethnic politics, the Singapore government became determined to build a cohesive multi-ethnic nation state. This was motivated by the prevailing belief that Singapore's survival as a nation is dependent primarily on a stable social and political atmosphere which could only be achieved with a cohesive society.

[29] Tania Ng Tze Lin, "The Rule of Law in Managing God: Multi-religiosity in Singapore," *Asian Journal of Public Affairs* 3.2 (April 2010), 92-103.

[30] In the 1980s, Singapore's religious harmony was viewed to be under threat from what the government considered to be a heightened religious fervour among the local religious communities. Aggressive proselytization and excessive conviction in exclusive beliefs created the likelihood of friction and misunderstanding among various religious groups. There was perceived to be a danger of inflamed passions triggering violence and disrupting Singapore's religious harmony. This concern led to the introduction of the Maintenance of Religious Harmony Act (MRHA) in 1990. It came into effect in March 1992 and led to the establishment of a Presidential Council for Religious Harmony, a consultative body headed by Singapore's President, to moderate relations between the various religious groups in Singapore and advise the government on how to deal with sensitive local religious issues. Through the MRHA, the authorities can serve restraining orders on religious leaders and members of religious groups who threaten Singapore's religious harmony through their words or actions as well as anyone who conducts political and subversive activities under the guise of religion.

manage religions.[31] It has to ensure religious spaces are protected and that no single faith becomes overly dominant in terms of political or ideological power. Religious diversity without management may create a certain social distance between social groups which can eventually "harden into separate enclaves".[32] Thus the Singapore government sees its role in managing such social processes is in the interest of creating social unity. It is thus a paradox that to keep religion and politics apart, the Singapore government must actively mediate to ensure that "religion does not undermine public security, social stability and nationalist goals".[33]

Like other religious communities, Muslims in Singapore are subject to the same expectation that the practice of their religion should contribute to the well-being of the nation. Nevertheless, due to the special rights of the Malays and the pragmatic political decision to put the Malays in Singapore at ease during the difficult period surrounding the separation,[34] the government has accommodated the community's need to retain certain legal structures that allow the continued practice of Muslim personal law.[35] This paved the way for a more central religious authority.

AMLA, Mufti and the Fatwa Committee

Calls for a central Muslim religious authority in Singapore started as early as 1948 when a committee consisting of Singaporean Muslim organisational representatives was formed. The Administration of Muslim Law Bill was tabled in the Legislative Assembly in 1960 and subsequently passed in 1966.[36] The outcome was the Administration of Muslim Law Act (AMLA) which became one of the most important artefacts contributing to the localisation of Islam in Singapore. AMLA led to the creation of three key religious institutions – MUIS, the Syariah Court, and the Registry of Muslim Marriages.

The formulation phase of AMLA took into account the views and representations of the religious elite as well as other Muslim leaders. Various Muslim groups and personalities gave their written and oral representations to the Select Committee on the Bill.[37] Among the objections, one was not wanting an institution that controls and regulates Islamic affairs when this could result in interference by the government.[38] Eventually, the community overcame their differences and saw the value of AMLA.

The process of localisation is evident in AMLA in the way that aspects of Sharia law have been embedded within Singapore's English common law derived legal system. This has resulted in a product which is unique to Singapore and has almost no precedence in any secular nation.[39] For example, in marriage matters,

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[31] Bryan S. Turner, "Religion in Liberal and Authoritarian States," in *Religion and the State – A Comparative Sociology*, eds Jack Barbalet, Adam Possamai and Bryan S. Turner, London: Anthem Press, 2011, 25-41.
[32] Ibid, 26.
[33] Ibid, 28.
[34] For the Malays in Singapore, the separation caused tremendous psychological trauma. In a relatively short space of time, they progressed from being a political minority whose special rights were recognised by the colonial government, to becoming a political majority in a wider Federation during Singapore's merger with Malaysia in 1963, and upon separation in 1965, becoming a minority community again. Although they opted to remain in Singapore, due to their ethnic and religious ties to Malaysia, their loyalty to Singapore would be occasionally questioned, which has caused discomfort for the community and hampered trust-building.
[35] Singapore's Malay ethnic minority is acknowledged as the "indigenous people" in the nation's Constitution but Singapore's progress as a nation has not correspondingly resulted in the progress of the Malays, who have lagged behind other ethnic groups, especially in critical fields like education and the economy. State-Malay relations have oscillated over the years as a balance has been sought between fulfilling the nation's goals and the community's aspirations. See Hussin Mutalib, "The Singapore Minority Dilemma – Between Malay Persistence and State Resistance," *Asian Survey* 51.6 (November/December 2011): 1156-1171.
[36] The Administration of Muslim Law Bill sought to strengthen the Syariah Court and constitute a central governing body to replace the Muslim Advisory Board. The Bill adopted some of the laws in Malaysian states such as Penang, Selangor and Pahang as well as incorporated amendments to the Muslims Ordinance 1957.
[37] The organisations which made representations included the Religious Teachers Association (PERGAS), Angkatan Islam (AI), Singapore UMNO, Muslim Missionary Society (Jamiyah), South Indian Jamiatul Ulama (SIJU), and Permusi. See Noor Aisha Abdul Rahman, "Singapore's Muslim Law versus Syariah Revivalism," *ISEAS Yusof Ishak Institute Perspective* 36 (2016): 1-9.
[38] See Anon., "Administration of Muslim Law Act 1966," Singapore National Library Board Infopedia, available at: https://eresources.nlb.gov.sg/infopedia/articles/SIP_2015-12-29_131700.html?s=Administration%20of%20Muslim%20Law%20Act%201966.
[39] Comparable laws on administration of Islamic matters exist in India (e.g. the Muslim Personal Law (Shariat) Application Act, 1937) and Austria (e.g. Austrian Islam Act, 2015) but with differing structures and outcomes due to the local dynamics within those societies.

it follows the system of legal pluralism reflective of the colonial period where Muslim personal law is administered and not codified.40 Syncretic elements are observed in the sources of Muslim law applied in the Syariah Court. Although it is based on the Shafi'i school of jurisprudence, it has incorporated elements of Malay customs where they are relevant. This demonstrates the sensitivity and accommodation to local norms which has characterised Muslim law as highlighted earlier. Additionally, elements and principles of civil law as well as legal ideas from other Muslim legal traditions are also reflected in the AMLA.

A significant aspect of the AMLA which has intensified the localisation of Islam is the creation of MUIS, the position of *mufti*, and the *Fatwa* Committee. Unlike its precursor, the Muslim Advisory Board, which performed only an advisory role, MUIS has executive powers to oversee and administer Islamic matters in Singapore which include the administration of mosques in Singapore, the issuance of *fatwa*, appointment of mosque officials, management of *waqf* (endowment), supervision of religious education, and the collection and disbursement of *zakat* (tithes). 41

With the creation of the position of the *mufti*, or the highest authority on Islamic law, and the *Fatwa* Committee, which is responsible for issuing religious rulings pertaining to Islamic law, there was a diminishing role for other sources of *fatwa* and relegation of status for *fatwas* issued by other religious actors.42 Prior to this, the Muslim community would seek other sources for *fatwas* which included overseas *muftis* in Malaysia and Egypt. Over time, the *fatwa* institution entrenched its position in society and became the primary reference point for religious issues in Singapore.

Singapore's secular political environment and multicultural society contributes to the *fatwa* institution's considerations in deriving appropriate *fatwas* and religious positions which not only benefit the community but also safeguard the nation's well-being. Thus, at times, the positions taken would go against classical positions or established positions adopted by other *fatwa* institutions in other parts of the Muslim world.43 In some instances, the issues encountered have no precedent in Islamic tradition, which requires a creative effort to derive new answers in view of new contexts. Two recent examples of *fatwas* are the *fatwa* on the Central Provident Fund (CPF) nomination and the *fatwa* on the permissibility for premature Muslim babies to be fed milk processed by the Human Milk Bank.44

Due to the lack of familiarity with such new religious positions, it has been very challenging for MUIS and the *Fatwa* Committee to explain and educate the Muslim masses. This has been made even more difficult by the emergence of other narratives, particularly available on social media, which challenge the need for Singaporean Muslims to contextualise the practice of Islam. Thus, a continuous process of dialogue and engagement with the Muslim community is required to address the diverse views on specific issues.

Since the inception of MUIS and the *Fatwa* Committee, Singapore's evolving context has meant changes have been made to practice in relation to various religious issues. MUIS, through the *Mufti* and the *Fatwa* Committee, has played a leading role in dealing with this changing context which has subsequently shaped localised practices of Islam in Singapore. There are many segments of the community, whether religious

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40 Rahman, "Singapore's Muslim Law versus Syariah Revivalism," 2.
41 The president of MUIS is appointed by the President of the Republic of Singapore on the recommendation of the Prime Minister and based on a list of nominees from the different Muslim organisations in Singapore.
42 Afif Pasuni, "Negotiating Statist Islam: *Fatwa* and State Policy in Singapore," *Journal of Current Southeast Asian Affairs* 1 (2018): 57-88.
43 Nazirudin Nasir, "Contextualisation and Modernisation: Islamic Thought Through Fatwas in Singapore," in *Fulfilling the Trust*, ed Saat, 57-71.
44 The Central Provident Fund (CPF) is a compulsory comprehensive savings plan for working Singapore citizens and permanent residents to fund their retirement, healthcare and housing requirements. Employers and employees contribute a mandated monthly amount to the Fund. The CPF Nomination Scheme allows the individual the option to specify who will receive their CPF savings and how much each nominee should receive, upon their demise. The *Fatwa* Committee opined that it is permissible for Muslims to make a nomination instead of or in addition to subjecting the CPF savings to Islamic inheritance distribution laws (*faraidh*) as the Committee regarded such a nomination system as a contemporary form of property distribution which is not found in classical Islamic scholarly works. For the *fatwa* on the milk bank, the Fatwa Committee took a different position from the *Mufti* of Selangor and the international Islamic Fiqh Academy, both of which forbid the use of milk banks for Muslim babies. The views against the permissibility of using milk from milk banks are due to the status of *mahramiyah* (kinship or relations that bar marriage), that can come about from breastfeeding. The Fatwa Committee's opinion is based on the consideration that the milk bank does not cause the affinity of *maharamiyah* due to factors such as method of feeding, amount of milk, restriction to access to the identity of the milk donor. See *Fatwa* on CPF Nomination, available at: https://www.muis.gov.sg/officeofthemufti/Fatwa/CPF-Nomination and *Fatwa* on Milk Bank, available at: https://www.muis.gov.sg/-/media/Files/OOM/Fatwa/Fatwa-Text-on-Milk-Bank-English.pdf.

and community leaders, academics, the media or ordinary people, who have supported and even reinforced the logic and rationale of MUIS' narratives. At the same time, there are also those who have had alternative views. I will highlight two examples which demonstrate how the central religious authority adopted positions which departed from the traditional view due to the considerations of local realities. Notwithstanding the institutional authority of MUIS and the *Fatwa* Committee, ultimately the community gave its support to MUIS' position after having assessed the merits of the arguments based on their lived realities.

Contestation on Method to Determine Prayer Times and Festive Months

First, is the issue of the determination of prayer times and the beginning and end of lunar months, which is an important aspect of the proper performance of rituals in Islam. Traditionally, Muslim societies adopted the prophetic tradition of sighting the new moon above the horizon or the *rukyah* method. The alternative is to use *hisab* (astronomical calculations) on its own or as a secondary method to complement the *rukyah*.

In some Muslim societies today, where diasporic communities reside, differences continue to persist in determining the start of Ramadan or Eid, resulting in division and inconvenience. Each ethnic community has their own preferred method based on their sources of religious authority.

The Singapore Muslim community faced a similar experience in the past when the *rukyah* method was used. Singapore's climactic conditions, where cloud coverage sometimes made it impossible to sight the moon, resulted in uncertainty in determining times and dates. When *Mufti* Sanusi Mahmood, the first *Mufti* of Singapore (*Mufti*: 1968-1972), announced that *Eid* would occur on a regular working day due to the moon not being sighted, it inconvenienced many Muslims and caused their displeasure. Thus, recognising this problem, succeeding *Mufti* Syed Isa Mohd Semait (*Mufti*: 1972-2010), pushed for the *hisab* method to be used instead to provide ease for the community.[45] In 1974, at a meeting in Jakarta, Indonesia, Malaysia and Singapore agreed to use the *rukyah* as the first method, complemented with the *hisab* method.[46] *Mufti* Syed Isa saw this as an opportunity to bring greater unity and convenience to Muslims in the region. Most religious and community leaders, as well as the media, strongly supported the Mufti's adoption of the *hisab* method.[47]

However, for some Muslims, the *hisab* method was still considered to be in conflict with prophetic guidance. They felt that astronomical calculations should not replace physical sighting and "relying on *hisab* alone was seen as a violation of God's immutable laws and an innovation that must be rejected".[48] This was further influenced by Malaysia's decision to revert to the *rukyah* method.

At a seminar organised by Jamiyah in 1980, former *Mufti* Sanusi Mahmood presented a paper which emphasised prophetic guidance for *rukyah* to be preferred.[49] This resulted in Jamiyah adopting the *rukyah* method and organising the *Eid* prayers on a different day from the rest of the Muslim community. Jamiyah's rationale was to unite Muslims around the common use of the *rukyah*. However, Jamiyah's created more confusion and division within the Singapore Muslim community, resulting in strong criticisms from the media as well as the public through newspaper forums. Due to this negative response, Jamiyah subsequently opted to follow *Mufti* Syed Isa's recommendation to adopt the *hisab* method.

Today, the use of the *hisab* method has become a local norm with virtually no contestation except for the occasional query from new Muslim migrants to Singapore who prefer the *rukyah* method. Although the role of *Mufti* Syed Isa was central in persuading the community to accept the *hisab* method due to the climatic circumstances and the reality of modern living, it was the Muslim community's recognition and appreciation of the logic of the *Mufti*'s arguments that led to the confident acceptance of the *hisab* method, despite the strong prophetic tradition associated with the *rukyah* method.

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[45] Zakir Hussain, *Keeping The Faith: Syed Isa Semait, Mufti of Singapore 1972-2010*, Singapore: Straits Times Press, 2012, 66.
[46] Anon., "Council will keep using Maths for Puasa month," *The Straits Times* (20 May 1980), 11. Available at: https://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19800520-1.2.77.
[47] Anon., "Fasting: Muslims urged to follow the Mufti's decision," *The Straits Times* (22 May 1980), 6. Available at: https://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19800522-1.2.24.
[48] Nasir, "Contextualisation and Modernisation," 60.
[49] Anon., "Jamiyah Adopts *Rukyah* System for Puasa," *The Straits Times* (19 May 1980), 9. Available at: https://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19800519-1.2.48.

Consolidation and Relocation of Waqf

Another example relates to the issue of consolidation and relocation of *waqf*. [50] The classical religious view considers *waqf* properties as perpetual in nature and unable to be sold or transferred. In many parts of the Muslim world, the rigid adoption of this position without considering the local context has resulted in certain *waqf* properties failing to achieve the desired benefit and purpose. This could be related to inefficient management of properties or the unfortunate situation where the properties are in a poor location with limited value.

Through the 1999 AMLA revision, MUIS has been able to undertake renewal of *waqf* properties. This has involved scrapping old estates and building new ones.[51] However, there has been a challenge where *waqf* properties are dilapidated and have faced possible compulsory purchase under Singapore's urban renewal plan through the Land Acquisition Act. Even with cash compensation from the government, the amounts have typically been too small to purchase good quality replacement property. Furthermore, the cash, being the *waqf*'s sole residual asset, has often remained uninvested due to potential risks, and eventually diminished as it has to be used to finance the mandatory statutory audit expenses associated with the *waqf*.[52]

Recognising Singapore's local realities, the *Fatwa* Committee opted to go against the *waqf*'s traditional religious position and allowed for the disposal of poorly performing *waqf* properties as well as those in unfavourable locations. The cash would then be consolidated to purchase a better property. This approach is known as *istibdal*, usually an unpopular position among classical jurists. To avoid wanton application of the approach, the *Fatwa* Committee restricted its application to certain properties only, and set conditions for the newly developed property.[53]

The *fatwa* facilitated MUIS's implementation of the 11 Beach Road project where 43 *waqf* properties from various parts of Singapore were disposed of and merged into a new premium property in the city centre. Through a combination of the amount raised from the disposal and the use of the *sukuk al-musharaka* financial instrument, MUIS was able to raise 34 million Singapore dollars for the project. The prime location also meant higher rent and property resulting in significantly better yield compared to the previous assets. The outcome kept to the conditions imposed by the *Fatwa* Committee where the testator's intention and named beneficiaries remained unchanged while allowing for a greater yield.[54]

Through the formation in 2002 of its subsidiary, Warees, MUIS has been able to utilise this flexible interpretation to *waqf* management to the fullest potential through creative development and rejuvenation of *waqf* properties, contributing to the growth of the community's assets. Despite a reduction in the total land area of *waqf* properties, the *waqf* value has been significantly enhanced. The net asset value of the properties has increased from S$14,821 in 1990 to an asset value of S$880 million in the 2018 financial year.[55] Correspondingly, rental income has also increased tremendously.

Singapore's rapid urbanisation has significantly transformed not only the physical environment but also the social context. Religious positions associated with past lived experiences where the Muslim community was relatively more homogenous (i.e. ethnically Malay and followers of the Shafi'i Sunni tradition) had to be changed in view of a more plural social space. The centralised religious authority had to depart from classical views while remaining focused on ensuring public benefit. Nevertheless, counter-arguments were expected as some still wanted certainty and preferred to cling to more established religious positions. However, with time and

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[50] A *waqf* is a property (estate or cash) donated by the owner (*waqif*). The *waqif* assigns a property (*mawquf*) as *waqf*, specifies its purpose, selects the beneficiaries and appoints a trustee (*mutawalli*). The *mutawalli* administers the *waqf* and distributes the revenues to the beneficiaries for eternity in principle. Article 59 of AMLA stipulates that all *waqf* properties in Singapore are under the regulation and supervision of MUIS. See Nagaoka Shinsuke, "Revitalisation of *Waqf* in Singapore: Regional Path Dependency of the New Horizons in Islamic Economics," *Kyoto Bulletin of Islamic Area Studies* 9 (March 2016): 4-18.

[51] Ibid, 9.

[52] Masagoes Muhammad Isyak, "Enhancing Community Assets: Sustaining the Wakaf Legacy," in *Fulfilling the Trust*, ed Saat, 165-177.

[53] Assets must gain a higher yield than the previous assets; assets to be purchased should be freehold in nature and the assets that are being disposed of should be sold for a period of at least 99 years.

[54] Isyak, "Enhancing Community Assets," 170.

[55] For net asset value in 1990, see Shamsiah Abdul Karim, "Contemporary Shari'a Compliance Structuring for the Development and Management of Waqf Assets in Singapore," *Kyoto Bulletin of Islamic Area Studies* 3.2 (March 2010): 143-164. For net asset value in 2018, see MUIS 2018 Annual Report, 165, available at: https://www.muis.gov.sg/-/media/Files/Corporate-Site/Annual-Reports/Muis_AR_-2018.pdf.

experience, the Muslim community grew to see the value of the approach taken and has grown accustomed to the localised practice which other Muslims from outside Singapore would have difficulty appreciating and understanding.

Post-9/11 and the Singapore Muslim Identity Project

The earlier examples reflect how religious positions have been adapted to an evolving local context. In the process of MUIS' engagement with the community on those changes, religious rulings became a form of public education which allowed the Muslim community to assess the different arguments and actively internalise before accepting the new positions and adopting new localised practices. This engagement and learning process has been a feature of many debates that have emerged over time. Gradually, the Muslim community began to appreciate the need to contextualise their practice of Islam with proper guidance from religious leaders. Nevertheless, the impact of the global resurgence of Islam beginning in the 1970s and the spread of absolutist and literalist religious orientations began to challenge the need for contextualisation.

These absolutist and literalist religious orientations propagated religious narratives which expanded what constitutes the universal within Islam and at the same time reduced the acceptance of local cultures. Khaled Abou El Fadl specifically refers to Puritanical-Salafism as the source and driver of this development.[56] The religious narratives propagated by Puritanical-Salafism include those requiring Muslims to distance themselves from local Muslim cultures and stress their belonging to a universal *ummah*. This encompasses the rejection of the concept of culture, whether conceived of as arts and intellectual production or as an integrated system of socially acquired values, beliefs, and rules of conduct. Such views do not value the contribution of Muslim civilisations such as the Umayyads or the Ottomans and reject the traditional religious schools as well as Sufism. Olivier Roy classifies such orientations as a form of "neofundamentalism" which embodies an explicit process of "deculturation" and promotes the "decontextualisation" of religious practices.[57]

The rise of violent religious extremism beginning with the events of 11 September 2001 and the emergence of groups like Al-Qaeda and, later, ISIS (Islamic State of Iraq and Syria) represents the extreme manifestation of such exclusivist and absolutist thinking. In Singapore, MUIS saw the need to address this phenomenon and decided to promote a counter-narrative with the introduction of the notion of the Singapore Muslim Identity (SMI) project in 2005 which reaffirms a set of attributes and values rooted to the Singapore context which is modern and plural.[58] It aims to imbue a contextualised understanding of Islam rooted to the Islamic ethos of becoming a blessing not only to Muslims but also to all humanity.

The "neofundamentalist" orientation sought to make Muslims feel constantly under siege and as though it is not possible to live as good Muslims in a secular state and religiously diverse society like Singapore. Through the SMI effort, MUIS intended to instil a deeper appreciation of Islam's inclusive tradition and confidence in practising Islam in Singapore. The SMI became an important narrative emanating from the central Islamic authorities to shape the community's progressive orientation. This was spread not just through slogans and pronouncements, but also through concrete transformations of the religious sector and institutions like the mosque and madrasah by infusing progressive ideas and values in the design of policies, programmes, and curricula.

Mosques in Singapore evolved from just being spaces for worship to outward-looking and inclusive institutions which are positioned as key touchpoints contributing to the community's development. Mosques have been remodelled as multifunctional institutions catering to a multiracial context.[59] This has been achieved by making mosques more accessible to diverse groups including women, youths, people with special needs, new migrants, as well as the larger Singaporean society. For example, mosques organise various social programmes in collaboration with national and grassroots organisations. Another institute, the Harmony Centre

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[56] Khaled Abou El Fadl, *Reasoning With God: Reclaiming Shari'ah in the Modern Age*, Lanham, MD: Rowman & Littlefield, 2014.

[57] Olivier Roy, *Globalized Islam: The Search for a New Ummah*, New York, NY: Columbia University Press, 2004.

[58] Mohammad Alami Musa, "Living as Faithful Muslims in Secular Singapore," in *Majulah! 50 Years of Malay/Muslim Community in Singapore*, eds Zainul Abidin Rasheed and Norshahril Saat, Singapore: World Scientific, 2016, 225-238.

[59] Eugene K. B. Tan, "Norming "Moderation" in an "Iconic Target": Public Policy and the Regulation of Religious Anxieties in Singapore," *Terrorism and Political Violence* 17.3 (Spring/Summer 2005): 443-462.

was established within the An-Nahdhah Mosque in October 2006 to promote interfaith understanding and serve as a platform for the training of youth, religious, and community leaders involved in interfaith relations.

The madrasah curriculum was re-designed to allow for more critical thinking and substantive application of traditional religious concepts to contemporary issues.[60] New structures and initiatives were also created. This included the introduction of the Mandatory Asatizah Recognition Scheme in 2017 to ensure only qualified individuals can teach Islam and that there is a continuous process of re-learning and unlearning.[61] The scheme also requires asatizah to comply with a Code of Ethics which reinforces the value of respect of differing views and the importance of context in religious teaching. Another new development is the plan to introduce the one-year Postgraduate Certificate in Islam in Contemporary Societies (PCICS) for returning overseas graduates which will be delivered in partnership with international partners like Al-Azhar University and University of Jordan as well as local universities like National University of Singapore and the Singapore University of Social Sciences. Through PCICS, future asatizah are expected to have greater appreciation of the local context, particularly in applying their Islamic learning. This will help shape the practice of Islam in Singapore so that it is deeply localised.

Future Challenges and Limitations to Singapore's Localisation Approach

Post-independence Singapore's experience of localisation of the practice of Islam has largely been focused on adjustments of religious practices to Singapore's changing socio-political context. Despite a certain degree of contestation on certain issues due to the departure from classical Islamic views, MUIS as the central religious authority has generally been able to build consensus and acceptance of its religious positions. Nevertheless, the community's own experience of the outcomes and benefits of those decisions over time has helped to validate and make Muslims appreciative of the logic and rationale of those positions. However, going forward, this approach alone will be inadequate due to the nature of issues that will be confronted. I would like to highlight two emerging areas which will require further adaptations be made to the centralised approach.

As Singapore becomes more globalised and its society becomes more cosmopolitan, it will have to grapple with forces of change shaped by global cultural norms and values. For example, Singapore has been under pressure from the United Nations Human Rights Council and the United Nations' Office for the High Commissioner for Human Rights (OHCHR) to conform to the Universal Declaration of Human Rights (UDHR) by abolishing the death penalty and the criminalisation of gay sex. However, at present, Singapore has chosen to adopt a "pragmatic" approach instead of an "ideological" one in its realisation of human rights.[62] Similarly, the Singapore Muslim community is also facing pressure both locally and globally on certain issues. A recent example is the pressure by local women's advocacy groups like AWARE as well as the global media on the continued practice of female circumcision which some regard as part of the spectrum of female genital mutilation (FGM).[63] Debate on such issues can no longer be limited to merely having a religious ruling from the *Fatwa* Committee but requires a wider engagement with various stakeholders including the groups which have raised concerns on the practice of female circumcision.

Another emerging area is the growing diversity in society. The changing complexion of Singapore society due to immigration, inter-ethnic marriages, and proliferation of social media requires us to accept that we live amidst people with diverse opinions, ideas, beliefs, and practices. Thus, groups which were previously

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[60] After the formation of the Joint Madrasah System in 2009 through consolidation of three madrasahs – Madrasah Aljunied, Madrasah Al-Arabiah and Madrasah Irsyad Zuhri – under one system, MUIS initiated a review of the JMS madrasah curriculum in 2010. Among the curriculum changes included the introduction of a new secondary-level inter-disciplinary subject taught in English called "Islam and Society" which addresses contemporary and emerging issues related to living Islam in a modern society. See Farah Mahamood Aljunied and Zalman Putra Ahmad Ali, "Madrasah Education: A Journey Towards Excellence," in *Fulfilling the Trust*, ed Saat, 89-109.

[61] Hariz Baharudin, "Parliament: More than 4,000 accredited Islamic religious teachers in Singapore," *The Straits Times* (12 Feb 2019), available at https://www.straitstimes.com/politics/parliament-more-than-4000-accredited-islamic-religious-teachers-in-singapore.

[62] Charissa Yong, "Singapore's approach to human rights 'pragmatic' says Govt in report to the United Nations" *The Straits Times* (11 Dec 2015), available at: https://www.straitstimes.com/singapore/singapores-approach-to-human-rights-pragmatic-says-govt-in-report-to-the-united-nations.

[63] Yvette Tan, "Why female genital mutilation still exists in modern Singapore," *BBC News* (21 Nov 2016), available at: https://www.bbc.com/news/world-asia-37819753.

not visible will now claim their space to assert their identity. Within the Singapore Muslim community, this would refer to groups like the Shias and Ahmadiyahs. Due to the intersection between religion and various aspects of social life, religious institutions will be challenged to rethink religious views especially when social norms evolve.

Within such a diverse and complex environment, a more robust approach will be needed in responding to emerging challenges. Having a centralised authority through MUIS and the *Fatwa* Committee to give specific religious prescriptions alone will no longer suffice. It will require a wider ecology involving a "socially responsible media, progressive civil society organisations" and an enlightened public. This is aptly described in the notion of "assertive pluralism" suggested by Cherian George which could be considered in adapting the existing centralised approach to an evolving context.[64] This would mean instilling civic values in the community that are "sensitive to the reality of diversity" and encouraging people to have a "sympathetic imagination" in the way they view the humanity in others. [65] Localisation of the practice of Islam would then be more organic and avoid a top-down approach by encouraging more horizontal trust-building.

Conclusion

With colonialism and the subsequent emergence of postcolonial nation states, the localisation of the practice of Islam in the Malay-Indonesian world has undergone transformation due to changing social structures. Singapore took a different trajectory from its neighbours due to it not being a Muslim-majority nation unlike its close neighbours, Indonesia, Malaysia, and Brunei whose governance had stronger ties to Islam. Nevertheless, the Singapore government built upon the colonial legacy of a centralised religious authority which became a key institution for the Muslim community after the nation's independence. The subsequent localisation of the practice of Islam in Singapore has been largely driven by centralised religious authority through MUIS and the *Fatwa* Committee and their policies and rulings on religious matters, which have had to adapt to Singapore's urbanisation and multicultural society.

We have observed that the centralised approach driven by MUIS has largely been a response to the changing social context and pressures arising from national policies. By 2005, this was further concretised through the concept of the Singapore Muslim Identity which continues to be a basis to reform and strengthen the local religious institutions like mosques, madrasahs, and asatizah.

With the growing complexity of the issues encountered, the present approach of centralised religious authority will not be adequate. An "assertive pluralism" would allow for a more robust approach in developing a localised practice of Islam which is inclusive, progressive and organic. This would involve a paradigm shift for the Muslim community, from merely making reactive adjustments to meet parochial needs, to undertaking a more proactive transformation to be of value and a positive contributor to wider human society. This would require a deliberate critical re-evaluation of religious tradition conditioned by a vibrant discursive tradition within the community.

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[64] Cherian George, *Hate Spin: The Manufacture of Religious Offense and Its Threat to Democracy*, Cambridge, MA: MIT Press, 2016, 212.
[65] Ibid, 216.

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