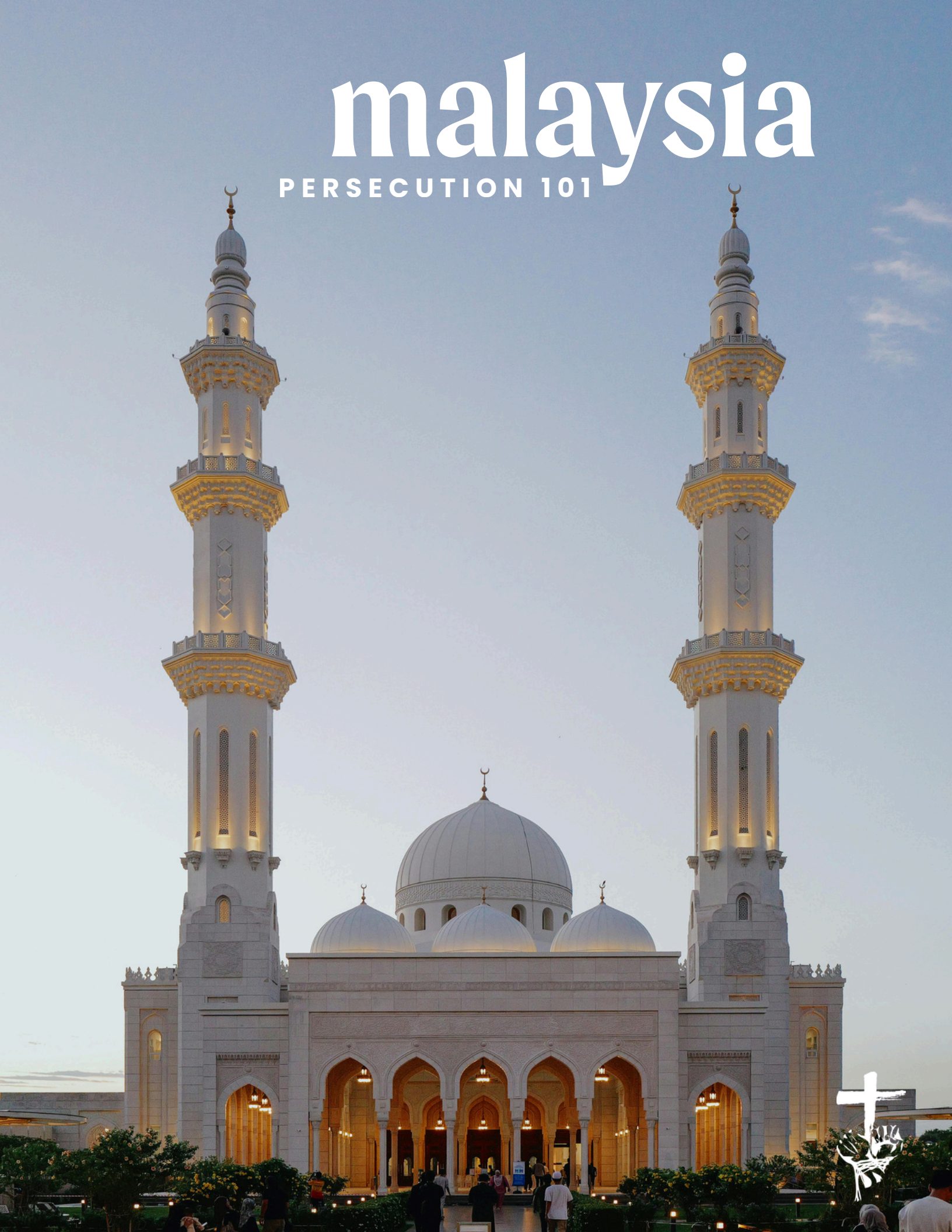
malaysia

PERSECUTION 101





malaysia

PERSECUTION 101

Strict government enforcement of Sunni Islam and lack of societal space for non-Muslims has created a repressive environment for Christians in the southeastern Asian nation.

Though less than two thirds of the population of Malaysia identifies as Muslim, the government there has created a system designed to restrict religious minorities at every turn. Muslims are also subject to strict government control, with officials taking an invasively active role in operating the internal affairs of Muslim and non-Muslim groups alike. Malaysia's constitution mandates that all ethnic Malays be registered as Muslim which, when combined with the federal blasphemy law and state-level apostasy laws, creates an environment with little room for religious freedom.

QUICK FACTS

Type of Government
Federal parliamentary constitutional monarchy

Head of Government
Prime Minister
Anwar Ibrahim

Total Population
Approx. 34.56 million

Religious Demography
63.5% Muslim - 21.94 mil
18.7% Buddhist - 6.46 mil
9.1% Chriistian - 3.14. mil
6.1% Hindu - 2.1 mil
2.6% Other

Ethnic Demography
63.8% Bumiputera
20.6% Chinese
6% Indian
9.6% Other



TYPES OF PERSECUTION

Regulation of Religious Affairs

The government of Malaysia heavily regulates the internal affairs of religious groups in the country.

Legal Restrictions

Federal and state law perpetuate religious discrimination, including through blasphemy and apostasy laws and legal structures which make changing one's religion difficult or impossible.



ICC IN MALAYSIA

While the government of Malaysia may not be friendly to foreign Christian organizations doing work in the country, ICC has still been able to make inroads to Malaysia and deliver aid to Christians facing particular need because of their faith. In a society with little room for Christianity, persecution can take many forms and requires a wide range of responses.

In one example of ICC's work in Malaysia, ICC worked with local partners to deliver aid to families suffering because of the COVID-19 pandemic. Capitalizing on its work with Muslim-background believers in the country, ICC was able to provide support to those whose businesses were shut down. With little else to fall back on, the assistance ICC provided was an important part of ensuring their survival.



Backgrounder on Religious Freedom in Malaysia

Shortly after gaining independence from the United Kingdom in 1957, Malaysia was formally founded in 1963. Ostensibly a secular state, according to its constitution, Malaysian law has long codified religious discrimination and the promotion of Sunni Islam over all other creeds. Even its constitution, despite claiming to create a secular state, declares that "Islam is the religion of the Federation" and mandates that all ethnic Malays be considered Muslim by default, regardless of their personal convictions or their family's religious heritage.

Each person's religious status is recorded on their national identification card, MyKad, allowing the government to police religion and creating a significant barrier for any person wishing to change their religion. The process for officially changing one's religion on MyKad is cumbersome and subject to review by Sharia courts, in the case of Muslims desiring to leave Islam.

Applicants for official conversion must ask the courts to recognize them as apostates, a crime with punishments varying from caning to imprisonment to death, depending on the state. In most cases, the Sharia courts refuse to recognize conversions from Islam to another religion, even after lengthy legal challenges in both the Sharia and secular court system.

While updating one's religious designation on MyKad may be a matter of personal conviction for converts from Islam, it is also an important legal matter since the country runs parallel legal systems, with Muslim citizens under the jurisdiction of Sharia courts. These courts have become increasingly empowered over the years, with an amendment to the constitution clarifying that any matters under the jurisdiction of Sharia courts may not be decided by secular civil courts.

Non-Muslims do not have standing in Sharia courts but may be brought before Sharia courts in some cases, including family matters involving divorce, conversion, and underage marriage. This leads to situations in which Christians and other religious minorities are treated unequally under the law and are left with little legal recourse in a system designed to promote the majority religion.



Onerous as it is to convert from Islam, there are no similar restrictions for non-Muslims desiring to convert to Islam, or to another religion. The law even allows for so-called unilateral conversions, where one parent may convert to Islam and declare his or her children Muslim as well. This declaration places questions of custody and other family matters under the jurisdiction of Sharia courts, where the non-Muslim spouse has no legal standing. This legal structure has led to cases where children have been taken from non-Muslim parents, then left with no legal recourse.

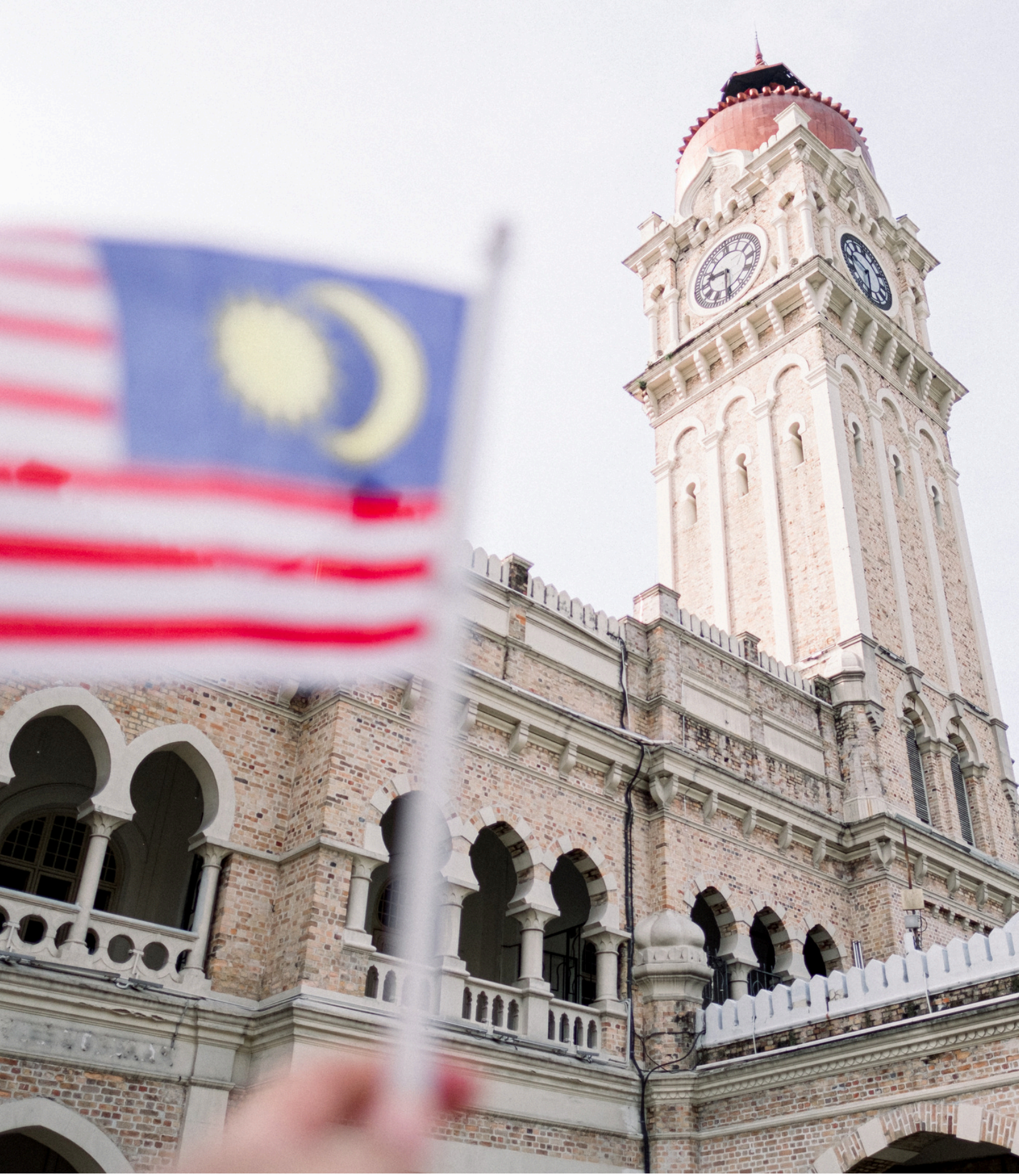
Sharia courts may approve marriages for girls under the minimum age of 16. In addition to the broader human rights concerns that this practice raises, it can be a particular problem for religious minorities and families considered Muslim, but which privately practice another religion.

Proselytizing a Muslim is a criminal offense, but Muslims may share their faith without restriction so long as they adhere to the government-approved version of Islam. On this and many other fronts, Malaysia has failed to live up to its secular ideals, instead creating a legal system rife with discrimination against religious minorities and slanted to favor one religion over all the rest.

Resources and Reports

State Department 2022 Report on International Religious Freedom – Malaysia Chapter

USCIRF 2023 Annual Report – Malaysia Chapter



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