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KUALA LUMPUR JOURNAL

Once Muslim, Now Christian and Caught in the Courts



Palani Mohan for The New York Times

A leading Malaysian civil rights lawyer, Malik Imtiaz Sarwar, who is Muslim, has advocated for Lina Joy, a Malay who converted from Islam to Christianity and now wants to marry. Under Malaysian law, ethnic Malays are Muslim, and need permission from an Islamic court to marry. Those challenging this contention have received death threats.

By JANE PERLEZ
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KUALA LUMPUR, [Malaysia](#), Aug. 19 — From the scant personal details that can be pieced together about Lina Joy, she converted from Islam to Christianity eight years ago and since then has endured extraordinary hurdles in her desire to marry the man in her life.

Her name is a household word in this majority Muslim country. But she is now in hiding after death threats from Islamic extremists, who accuse her of being an apostate.

Five years ago she started proceedings in the civil courts to seek the right to marry her Christian fiancé and have children. Because she had renounced her Muslim faith, Ms. Joy, 42, argued, Malaysia's Islamic Shariah courts, which control such matters as marriage, property and divorce, did not have jurisdiction over her.

In a series of decisions, the civil courts ruled against her. Then, last month, her lawyer, Benjamin Dawson, appeared before Malaysia's highest court, the Court of Appeals, to argue that Ms. Joy's conversion be considered a right protected under the Constitution, not a religious matter for the Shariah courts.

"She's trying to live her life with someone she loves," Mr. Dawson said in an interview.

Threats against Ms. Joy had become so insistent, and the passions over her conversion so inflamed, he had concluded there was no room for her and her fiancé in Malaysia. The most likely solution, he said, was for her to emigrate.

For Malaysia, which considers itself a moderate and modern Muslim country with a tolerance for its multiple religions and ethnic groups of Malays, Indians and Chinese, the

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case has kicked up a firestorm that goes to the very heart of who is a Malay, and what is Malaysia.

Her case has heightened a searing battle that has included street protests and death threats between groups advocating a secular interpretation of the Constitution, and Islamic groups that contend the Shariah courts should have supremacy in many matters.

Some see the rulings against Ms. Joy as a sign of increasing Islamization, and of the pressures felt by the government of Prime Minister Abdullah Badawi as it tries to respond to the opposition Islamic party, Parti Islam Semalaysia.

About 60 percent of Malaysia's 26 million people are Muslim, 20 percent are Buddhist, nearly 10 percent are Christian and 6 percent Hindu.

Malaysia has powerful Islamic Affairs Departments in its 13 states and in the capital district around Kuala Lumpur. The departments, a kind of parallel bureaucracy to the state apparatus that were strengthened during the 22-year rule of former Prime Minister [Mahathir Mohamad](#), run the Shariah courts.

"Malaysia is at a crossroads," Mr. Dawson said. "Do we go down the Islamic road, or do we maintain the secular character of the federal constitution that has been eroding in the last 10 years?"

In rulings in her case, civil courts said Malays could not renounce Islam because the Constitution defined Malays to be Muslims.

They also ruled that a request to change her identity card from Muslim to Christian had to be decided by the Shariah courts. There she would be considered an apostate, and if she did not repent she surely would be sentenced to several years in an Islamic center for rehabilitation.

Mr. Dawson said Ms. Joy had been interested in Roman Catholicism since 1990 and was baptized in 1998 at Our Lady of Fatima Church in Kuala Lumpur. Because she considered herself a Christian, Ms. Joy did not believe the Shariah courts applied to her. In an affidavit to a lower civil court in 2000, she said she felt "more peace in my spirit and soul after having become a Christian."

Because of the death threats, including some calls to hunt her down, Mr. Dawson said, he could not say where she was, and could not make her available for an interview, even by telephone.

Similarly, her fiancé, whom Mr. Dawson referred to as Johnson, a Christian of ethnic Indian background whom Ms. Joy met in 1990, had received death threats and was not prepared to be interviewed.

Last month, Prime Minister Badawi appeared to side with the Islamists when he ordered that forums organized around the country to discuss religious freedom must stop. The forums, run by a group called Article 11, named after the section of the Constitution that says Malaysians are free to choose their religion, were disrupted on several occasions by Islamic protesters.

The chief organizer of the Article 11 forums, a well-known human rights lawyer, Malik Imtiaz Sarwar, a Muslim, received a death threat this month that was widely circulated by e-mail.

With the heading "Wanted Dead," the message featured a photograph of Mr. Malik and said: "This is the face of the traitorous lawyer to Islam who supports the Lina Joy apostasy case. Distribute to our friends so they can recognize this traitor. If you find him dead by the side of the road, do not help."

Mr. Malik, 36, who presented a brief in support of Ms. Joy to the Appeals Court, said he was seeking police protection. "We must not confuse the crucial distinction between a

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country in which the majority are Muslims, and is thus an Islamic country, and a country in which the supreme law is the Shariah, an Islamic state," Mr. Malik said.

Conversions of Muslims to Christianity are not common in Malaysia, though most converts do not seek official approval for marriage and therefore do not run into the obstacles Ms. Joy confronted. One 38-year-old convert, who said in an interview at a Roman Catholic parish that he would provide only his Christian names, Paul Michael, and not his surname, for fear of retribution, described how he led a double life.

"Church members know us as who we are, and the outside world knows us as we were," he said. He was fearful, he said, that if his conversion became public the religious authorities would come after him, and he could be sentenced to a religious rehabilitation camp.

One such place, hidden in the forest at Ulu Yam Baru, 20 miles outside the capital, is ringed like a prison by barbed wire, with dormitories protected by a second ring of barbed wire. Outside a sign says, "House of Faith," and inside the inmates spend much of their time studying Islam.

Paul Michael said he and other former Muslims moved from church to church for services to avoid detection. They call themselves "M.M.B.B.," for Malay Muslim Background Believers. "It's a group of Malays who are no longer Muslims," he said.

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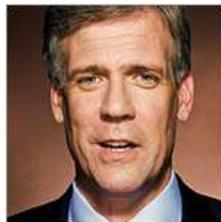
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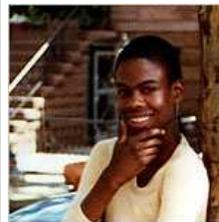


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