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Mediation and Interreligious Discourse: Prospects and Challenges in Resolving Interreligious Skirmishes in Malaysia

Haslina Ibrahim*
Ainul Jaria bt. Maidin**

Abstract: This article aims to promote mediation as an alternative dispute resolution mechanism to deal with interreligious skirmishes taking place in Malaysia. This is in view of the increasing statistics of interreligious disputes reported in the media. The reason for recommending interreligious mediation is due to its constructive nature in peacebuilding initiatives and its successful stories across the globe. The article discusses the potential actors of religious mediators and their requirements as well as the processes and conditions for a successful mediation. The article also highlights the need for certified training to make a credible mediator. Using mainly textual research, the article managed to gather and analyse the meaning and concept, historical background and the structure of mediation. Since mediation is new in Malaysia, the article found that the government's role is crucial in its institutionalization; hence the article proposes that the Ministry of National Unity leads the initiative.

Keyword: Mediation, Interreligious, Peacebuilding, Religious Coexistence, Religious disputes

Abstrak: Artikel ini bertujuan untuk mengemukakan mediasi sebagai mekanisme alternatif penyelesaian pertikaian bagi menangani perselisihan

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antara agama yang berlaku di Malaysia. Ini adalah berikutan meningkatknya statistik perselisihan antara agama yang direkodkan di media. Untuk itu, mediasi antara agama dicadangkan sebagai pelan pembinaan perdamaian memandangkan ia bersifat konstruktif berdasarkan kisah-kisah kejayaannya di seluruh dunia. Artikel ini imembincangkan peranan perantara agama dan syarat-syarat yang diperlukan bagi menjayakan sesebuah proses mediasi antara agama. Artikel ini juga menekankan seseorang perantara perlu menjalani latihan persijilan mediasi yang diperakui untuk menjadi seorang perantara agama yang berkredibiliti. Dengan menggunakan kaedah analisis tekstual, artikel ini telah mengumpulkan dan seterusnya menganalisa makna, konsep, sejarah latarbelakang dan struktur mediasi. Oleh kerana mediasi antara agama adalah suatu yang baru di Malaysia, artikel ini mendapati bahawa peranan kerajaan adalah sangat diperlukan bagi menginstitusikan mediasi di negara ini. Oleh yang demikian artikel ini mencadangkan agar Kementerian Perpaduan Negara diberi mandat untuk mengetuai inisiatif tersebut.

Kata kunci: Mediasi, Hubungan Antara Agama, Pembinaan Perdamaian, Kepelbagaian Agama, Perselisihan Antara Agama

Introduction

The world we live in today is perhaps more challenging than in the past. One of the reasons that contribute to this is the technological progression that is gradually shrinking the globe. Ironically, in this global village we hardly know each other, even though we are more aware of each other's presence. Plurality, indeed, is a remarkable characteristic of this village, and as much as we are expected to live with each other, we should fully recognize that we are not living in a harmonious utopia. When it comes to religion, the differences are stark and real, with many areas for potential discrepancies. Religious pluralists assume that men in general take two possible positions: either to include or to exclude others. Nevertheless, they only deal with the ideals of coexistence. They propose for constructive ways of coexistence by means of interreligious engagement activities, dialogues and discourses. However, these pluralists have overlooked that there are also real areas of discrepancy. In cases where disagreement stems from clashes on religious issues and escalates from individuals and spreads among to society, what are the possibilities for remedy?

A report published in 2019 by the Pew Research Centre stated that 2007 to 2017, government restrictions on religion and social

hostilities involving religion have been on the rise. (Majumdar et al., 2019, p. 5) The social hostilities index according to one report is made up of four categories, which are; hostilities related to religious norms, interreligious tension and violence, religious violence by organized groups, and individual and social group harassment. (Majumdar et al., 2019) This report should be taken as an early warning to be alert, and that interreligious mediation is direly needed. Nevertheless, research has been done to explore the role of religion in conflict resolution and peacebuilding. Generally, scholars and researchers have acknowledged the role of spirituality in conflict transformation. Abu Nimer in this regard highlighted that religion plays a unique peacebuilding role in the various case studies, for example in the Philippines, East Germany, South Africa, and Zimbabwe. (Abu-Nimer, 2001, p. 686)

Hence, strategies to overcome the conflict among the different religious adherents are urgently needed. This paper discusses mediation as a potential measure to deal with interreligious disputes. Mediation is originally a form of alternative dispute resolution (ADR) method developed to overcome the obstacles faced in commencing legal proceedings. Thus, there is great potential for promoting mediation as a cross-disciplinary engagement with interreligious conflict discourse. The 'why' and 'how' of this engagement should take place will be deliberated in this paper in order to provide the terms of reference for making interreligious mediation a viable initiative under the Malaysian national plan on unity and integration.

Mediation and Interreligious Mediation

Mediation is an alternative dispute-resolution (ADR) mechanism that can be conducted outside the court or as part of the court process. The word 'alternative' refers to a process by which participants who are the disputing parties choose to resolve their conflict outside the courtroom either voluntarily or with an order from the court. José Ferrer Sánchez defines mediation as a non-adversarial proceeding in which a neutral third party, rather than act as a judge, assists the parties to identify points of controversy and negotiate to reach a mutually acceptable result. (Sánchez, 2012, p. 729) The use of mediation in resolving disputes is not new. It is an established practice for resolving disputes which has been implemented since time immemorial and long before the advent of the court's adversarial system. For example in Malaysia, the use

of mediation was more prevalent in the past, particularly in the rural areas. Since the 1600s or possibly even earlier, each village has been administered by the village head (*Ketua Kampung*), whose duties include the settling of disputes.(Bastin & Winks, 1979) Mediation, in that unrefined form, was a dynamic and flexible process. The leader among aborigine groups known as the *Tok Batin* has a similar function in his community. These traditional mechanisms of conflict prevention, management and resolution were largely effective and respected, and their decisions were binding.

Every society has its own institutional mechanisms and cultural norms to sustain living in harmony. These are the structures that peace education, confidence building, peacebuilding, conflict monitoring, prevention, management and resolution. If these mechanisms were effective in handling and managing conflicts among the people of Malaysia, it was largely because they reflected the local socio-political orientation, and addressed the social, political, economic as well as religious conflicts among the people who more or less upheld communal values. Therefore, in traditional Malaysian societies, it was customary for the people to sit down informally to get their problems mediated by the leader. However, as courts of law were introduced in Malaysia by the colonial masters, all disputes were to be brought to the Malaysian administration of justice system, which was essentially a blend of Islamic and Malay customary practices. The advantage of the traditional system was that it handled disputes with amicable settlements, emphasising on reconciliation and the restoration of social harmony, rather than on punishment of the conflicting parties.

In contrast to a trial at the court, mediation is a private process, made voluntarily between the disputing parties, and assisted by a mediator who is a neutral third party to explore their problems, manage their emotions, explore their needs and create a safe space for them to negotiate and reach a settlement on their own accord. It is very different from legal proceedings in a court of law, which serve to secure a 'win or lose' decision by the court.(*Alternative Dispute Resolution: Mediation And Conciliation*, n.d., p. 1) Instead, the mediation process enables both parties to emerge as winners.

It is essential for the mediator to gain the trust of the parties in order to maintain neutrality and confidentiality in the process. Since mediation is conducted outside the court, it is a form of extrajudicial process, whereby the disputing parties either participate voluntarily or by the order of the court. The underlying intention is for the mediator to help with creating a safe space for them to communicate, negotiate and guide them to resolve the conflict themselves. In this regard, mediation is different from arbitration; for the latter, the, arbitrator's decisions are binding on the parties.(Sánchez, 2012, p. 764) A mediator need not be legally qualified.

The mediator, who is a neutral third party with no power to impose a resolution, helps the disputing parties to reach a mutually acceptable settlement. (Bush & Folger, 2005, p. 2) The mediator will facilitate communication between the conflicting individuals or parties by enabling them to explore concerns and to create their own outcomes. Mediation requires involvement from the conflicting parties to systematically isolate the disputed issues in order to develop options, consider alternatives and reach a consensual settlement that will accommodate both parties' needs. It is the conflicting parties who will be responsible for arriving at a win-win solution to their problem, and mutually come to an agreement on the resolution as well as take ownership of the decision.

Suitability of Mediation in Resolving Interreligious Conflict

The conflict resolution process involving religious issues can be done through the role of the mediator. (Hurst, 2014, p. 35) As a matter of fact, mediation can be applied to all kind of disputes, including interreligious disputes, whether it concerns religious personnel or even institutions. Interreligious disputes involve arguments on matters related to religious creed; objects (i.e. symbols, texts, images, principles etc.) hate speech, inequality and discrimination. José Ferrer Sanchez raised the point that the subtlety of mediation lies in its potential to create links, to regenerate relationships, and to promote fruitful meetings and discussions between the disputing parties. It involves recognition of each others' values, and the ability to live and learn from conflicts that often cannot be avoided. (Sánchez, 2012, p. 767)

There is yet to be an explicit historical account as to when religious mediation was first introduced. Sánchez however refers to the Christians' experience in practicing mediation in 1636 by the Puritans of Dedham, a small community southeast of Boston, whom allegedly considered in

their constitutional charter an informal system of conflict resolution, which was mediation. Sánchez also believes that the Bible teaches that conflicts should be resolved among members of religious congregations; this also explains the role of priests and pastors as mediators. (Sánchez, 2012, p. 766) Mir Mubashir and Luxshi Vimalarajah however stated that mediation has been a practice since ancient times by wise men, elders and religious leaders to 'settle disputes', and it continues to be practiced in traditional societies. Today, mediation has become a professional practice. As a matter of fact, there are professional tradition and faith-oriented mediators. (Mubashir & Vimalarajah, 2016, p. 8)

As for Olusola O. Isola, an advocate of interreligious mediation, he perceived that "interfaith dialogues, education and awareness" are part of the major features of interfaith mediation. Isola regarded interfaith dialogue as a form of mediation is among one of the peacebuilding efforts.(Isola, 2014, p. 2) He believes that interfaith dialogues and mediation is as old as the history of relationships among major religious groups across the world. He cited that from the fifteenth to nineteenth century, there were dialogues among Catholics, Orthodox Christians, Muslims, Jews and Sufis in the Balkans. He also referred to an interreligious dialogue between the Christians, Jews, Buddhists, Hindus and Taoists in Madrid hosted by King Juan Carlos of Spain in 2008, and an event called World Religions Dialogue and Symphony in Gujarat in 2009 hosted by a Hindu preacher, Morari Bapu, as examples of peacebuilding initiatives in the face of imminent major violent conflicts among religions across the world. (Isola, 2014, p. 4) For Isola, the prime objective of interreligious mediation is fot the realization of peace, and given the circumstances in his own country, Nigeria, he stressed the need for interreligious mediation to facilitate understanding and maintain a peaceful co-existence among the adherents of the various faiths. (Isola, 2014, p. 6)

Mediator accreditation globally requires a person seeking to be a certified mediator to undergo 40 hours of professional training and to pass a practical assessment. In Malaysia, mediation accreditation training is accredited by the Malaysian Mediation Centre (MMC). A good number of lawyers have been certified as mediators under this program. Accord Group from Australia has also been providing training for mediators

in Malaysia. However, there is no single professional mediator accreditation body in Malaysia. There is also specialised training and accreditation for interreligious mediators by the International Islamic University Malaysia on the request of the Department of Unity, which has been provided since 2018. The Department of Unity has also been providing training for community leaders in community mediation to help the department diffuse skirmishes within the community.

In Nigeria, there is an Interfaith Mediation Centre that was formed in 1995 by Imam (Dr) Muhammad Ashafa and Pastor (Dr) James Wuye. (Isola, 2014, p. 6) One of the activities conducted is mentoring faithbased organizations and training them with mediation skills. In the Philippines, there is an organization called The Network for Religious and Traditional Peacemakers established in 2013. The organization trains mediators coming from traditional and religious authorities or leaders and civil society actors who incorporate traditional and religious elements in their conflict transformation efforts. These mediators are known as tradition-and faith-oriented insider mediators (TFIMs). (Mubashir & Vimalarajah, 2016, p. 3) Abu Nimer suggested for training on interreligious peacebuilding to be developed instead of relying on general interreligious exposures and engagement. He stated that the goal of such training is to facilitate a change from the participants' narrow, exclusionist, antagonistic, or prejudiced attitudes and perspectives to a more tolerant and open-minded attitude. (Abu-Nimer, 2001, p. 686)

Considering the nature of the disputes and the people involved in the disputes, the right mediator to deal with interreligious issues should come from among religious practitioners and activists. Indeed, it is high time for any government or non-governmental organizations to take up this initiative in a more proactive manner. Furthermore, such initiative is consistent with Goal 16 of the Sustainable Development Goals (SDGs) set in 2015 by the United Nations, which aims to promote peaceful and inclusive societies for sustainable development as well as to provide access to justice for all and build effective, accountable and inclusive institutions at all levels."(Rosa, 2017, p. 28)

Interreligious Mediation and Promotion of Interreligious Discourse

Initiatives on interreligious mediation are not a new venture. Several institutions and agencies have been established which focus specifically

on interreligious mediation alone, such as the Interfaith Mediation Centre of Muslim Christian Dialogue Forum (IMC-MCDF) and the International Center for Ethno-Religious Mediation in Nigeria, the Interfaith Democratic Empowerment in South Africa, the Center for Humanitarian Dialogue (a Swiss-based private diplomacy organisation), and the Network for Religious and Traditional Peacemakers in the Philippines, to name a few.

In addition to the mediation certificate, it is essential for interreligious mediators to be exposed to (if not formally trained in) interreligious discourse. The exposure is important to help them understand the interreligious issues they are dealing with in terms of their nature, meaning, significance and sensitivity to the disputing parties. A mediator can be a good practitioner of his religion in the sense that he may be an imam that leads prayers, a priest that offers sermons at mass gathering, a Hindu swami who serves in a temple or a Bikkhu serving in a Buddhist monastic order. It is important that they learn to understand the principles and values of other religions in order to be prepared to deal with problems concerning religions other than their own religion. It would be the perfect arrangement if a mediator is exposed to subjects such as comparative religion or religious studies to familiarize themselves with the different religions. It is also essential for them to experience participating in interreligious dialogue or activities as a means to learn about other religions.

Such exposure can also be initiated by creating avenues for interreligious engagement. Imam Muhammad Ashafa, the co-founder of the Interfaith Mediation Center (IMC) in Nigeria, is reported to have creative ways of enabling mediation and interreligious experience happen concurrently, where he called them "backdoor strategies". To realize the strategies, IMC has created space for the disputing parties to meet, reach out to one another, to overcome prejudices by introducing activities such as storytelling, fun fairs, peace declaration, humanitarian services, peace education curricula, scriptural reflections, sports and others. He believed that "once people are stuck together, we can get them to discuss things to bother them. We do not need to call the process mediation. What's important is that we help them to talk to each other.(Kusumaningrum, 2017, p. 1) These activities are also known as diapraxis, which means dialogue and praxis or dialogue in action. Mubashir and Vimalarajah listed them out to serve as good

models; some examples are the 'coffee club'—a creative dialogue forum in Kenya, group counselling in Southern Thailand, and interfaith volunteering activities in the Mandalay region, Myanmar.(Mubashir & Vimalarajah, 2016, p. 19)

The need for mediators with a credible interreligious background has been greatly discussed in a monograph titled *Tradition- & Faith-Oriented Insider Mediators (TFIMs) as Crucial Actors in Conflict Transformation.* (Mubashir & Vimalarajah, 2016) The monograph recommends the following individuals or agencies as actors of mediation, for example: indigenous leaders, clan elders, village chiefs, tribal judges, individuals representing traditional institutions/authorities in traditional societies/communities, spiritual leaders, individuals representing religious institutions, e.g. priests, imams, lamas, monks, rabbis, and Faith-Based Organisations (FBOs).

It is also suggested that interreligious mediators should establish partnership with academia, think tanks and policy-developing centers to generate related research and practical engagements to promote research and development. In this way, the interreligious mediators will be able to share and learn specific faith-oriented approaches to mediation and interfaith entry points for mediation peculiar to a religion. Therefore, interreligious mediators will also be able to make a comparison between the different approaches to mediation among the different religions. (Mubashir & Vimalarajah, 2016, p. 5) Mubashir and Vimalarajah also reported the success of traditional and faithbased mediators as an alternative to the liberal secular mediators in peacebuilding efforts deliberated in a number of significant literatures. (Mubashir & Vimalarajah, 2016, p. 9) Nevertheless they acknowledged that current research lacks a clear conceptual approach on the traditional faith-based mediator roles and their relation with other peacebuilding actors.(Mubashir & Vimalarajah, 2016, p. 10)

Interreligious Skirmishes in Malaysia

In Malaysia, ethnicity, race and religion are closely intertwined. Most of the Muslims are Malays or at least, that is how the latter is defined in the Federal Constitution, even though there are a good number of Muslims from other ethnicities or races who have reverted to Islam. In terms of religion, the Chinese are the most divided with the majority of them being Buddhists while the remaining are followers of Chinese

traditional religions, Confucianism, Taoism or Christianity. The Indian ethnics are Hindu, Sikh or Christian. Osman Bakar acknowledged that this close identification of religion with 'race' had the important effect of making the two issues of inter-ethnicity and inter-religion become intricately dependent on each other.(Bakar, n.d., p. 625). However, as of now, the issue of identity in Malaysia is becoming more interesting as there are a considerable number of Muslim reverts from among the Chinese, Indians, as well as the aborigines.

This confusion over racial and religious disputes perhaps can be linked to the findings of surveys that indicate a decline in the public's perception of interethnic issues. The Merdeka Center for Opinion Research in 2011 reported that there was a significant decline by 12% from 78% in February 2006 to 66% in May 2011 in the public's perceptions on ethnic relations in Malaysia.(Keat, 2011) The survey conducted by the Center also found that in general, Malaysians were pessimistic over ethnic relation issues. Another survey was conducted in 2019, where the Center's findings showed that 7% of the respondents think that the country has been in the wrong direction when it comes to racial polarization.(*National Public Opinion Survey Perception towards Direction, Leadership & Current Issues (Survey Period: 28 June – 1 July 2019*), 2019)

Several interreligious disputes have been reported in printed media, exaggerated by social media and debated in academic writings.¹ Raymond L. M. Lee for example in his work *Patterns of Religious Tension in Malaysia* made a survey on the issues from the 50s to the 80s. He traced the appearance of some of the religious tensions back to as early as the 70s on the issue of building of temples or shrines, as the law had been tightened by government policy. In the 80s, there was the case of Nesdale's derogatory remarks on Islam, the distribution of free posters of a Eurasian singer wearing a cross, the distribution of Christian literature and pamphlets to Muslims, the tightening of Shariah laws and the use of Malay words and language in the Bible.(Raymond L. M. Lee, 1988) Tamir Moustafa highlighted two court cases; Azlina Jailani who denounced Islam, and *Shamala v. Jayaganesh* on the latter's

¹ (Fong & Ishak, 2010) Please refer to this article for list of ethnic and religious conflicts before 2010.

reversion to Islam, where he demanded the right of custody over his children.(Moustafa, 2014, p. 484)

Maszlee Malik listed a few more examples; the cow-head protest in Shah Alam in August 2009, the torching of three churches in the Klang Valley in early January 2010, the attack on two suraus in Muar in late January 2010, the protest of Muslim residents in Taman Medan over the display of a cross on a newly minted church in April 2015, the Low Yat fracas and the Red Shirt demonstration. (Malik, 2016, p. 2) In 2005, there was a dispute over the late M.Moorthy's status of religion before his death, and in 2010 there was a controversy regarding the usage of the word Allah by Christians in Malaysia. (Ismail & Mujani, 2012, p. 1003) In 2011, there was an incident where twelve Muslims were detained for attending a breaking fast and thanksgiving ceremony held at the Damansara Utama Methodist Church. (Sofian & Hussein, 2013, p. 463) Zaid Ibrahim alleged that Muslims were provoked by the idea that the Christian community was on a proselytization mission towards the Muslims.(Olivier, 2020, p. 195) The most recent was the 2018 incident at Sri Maha Mariamman Temple Subang Jaya Selangor that unfortunately claimed the life of a civil servant. Regarding the last dispute, it was largely reported in social media as a religious dispute, whereas it was originally a problem linked to the relocation of a temple that lead to the struggle between a group of Malay perpetrators and the temple authorities over a piece of land where the temple is located. Violence erupted during the struggle, which led to injuries and death. All the culprits were soon detained and charged.

Osman Bakar shared a thought-provoking viewpoint which is worth reflecting over: the increase of interreligious intolerance in Malaysia. He rationalized that Malaysians have become more religious, and he called this phenomenon *religionization*. When *Islamization* (Abbott & Gregorios-Pippas, 2010) is known to have taken place in the Malay community and even in the national administration, religionization has also taken place in each religious community. Thus, there was Christianization of the Christians, Buddhistisation of the Buddhists and Hindunisation of the Hindus. These, according to him, were one of the contributing factors that had been generating tensions between the multi-religious people of this country.(Bakar, n.d., p. 628)however, is with the prevailing current public perceptions on the state of religious tolerance in the country, the outstanding challenges to its progress,

and the adequacy of measures being taken by the relevant authorities, agencies, and organisations in dealing with the challenges in question. In order to put the discussion on these current public perceptions in its proper perspectives, in the view of the author it would be desirable for the discussion to be preceded by an adequate presentation on the historical development of interreligious relations in Malaysia since independence. Highlighted in this historical account are the salient features of interreligious relations over the decades that helped to determine the nature and extent of religious tolerance, as well as the impact of the Islamic revival in the 1970s and the Western-originated human rights discourse on interreligious relations in Malaysia. The author also discusses the current public perceptions and their understanding of its underlying issues. On the basis of these perceptions he makes several inferences regarding the state of religious tolerance in contemporary Malaysia.","container-title":"Islam and Civilisational Renewal","la nguage":"en","page":"18","source":"Zotero","title":"The Face of Religious Tolerance in Post-Colonial Malaysia: Understanding Shaping Factors", "author": [{"family": "Bakar", "given": "Osman "}]},"locator":"628"}],"schema":"https://github.com/citation-stylelanguage/schema/raw/master/csl-citation.json"} The main reason is that religionization in his opinion has made people of different religions became even more exclusive than before. It is rather disturbing to state that even though Malaysians are living in a pluralistic society, meaningful interaction and engagement has still failed to take place. This is the main stumbling block in achieving interreligious understanding, hence the rise in racial and religious prejudices, especially in social media.

Nevertheless, there has been a pressing view portrayed in academic literature alleging that it was the increasing encroachment of Islam on the lives of non-Muslims that lead to such tension. Islam is claimed to be a tool to oppress non-Muslims; it is an important symbol for the expression of Malay identity, but it is also a political weapon in the hands of aspirants of Malay power.(Raymond L. M. Lee, 1988, p. 418) However, the case as to whether this allegation is justifiable or not is beyond the scope of this article.

The author to a certain extent tends to agree with Moustafa, who blames the judicial system as the primary source of tension. His harsh criticism is as follows:

"Instead of resolving legal questions, the judicial system is hard-wired to produce legal controversies anew. Rather than simply arbitrating between contending parties, courts exacerbated ideological cleavages. And instead of assuaging uncertainties, courts in Malaysia repeatedly instill a tremendous degree of uncertainty, indeterminacy, and anxiety around the meaning and content of "religious freedom." Ironically, law and courts—the very instruments charged with resolving conflict and safeguarding rights—repeatedly deliver precisely the opposite." (Moustafa, 2014, p. 482)

Given the list of and the usual way those disputes were dealt with, Moustafa's criticism is worth considering. Interreligious relations in Malaysia are one of the most sensitive aspects as they overlap with the question of ethnic and racial rights of the citizen. In addition, beginning this millennium, there has been more elusive interpretation of rights and freedom pervading into various aspects of human life including religion, choice of gender, sexual orientation and lifestyle. The court's verdict is a just a paradox to the idea of freedom embraced by many these days. Hence, a research conducted by Pew Research Center published in 2019 established the Government Restriction Index that is made up of the four following categories:(Majumdar et al., 2019, p. 8)

- a) Government favoritism of religious groups
- b) Laws and policies restricting religious freedom
- c) Government limit on religious activities
- d) Government harassment of religious groups

In 2017, Malaysia was ranked eighth with regard to government favoritism of religious groups, with Islam being the most favorite religion since it is the official religion of the state. (Majumdar et al., 2019, p. 14) Malaysia is ranked eighteenth in the category of countries with the most restrictive laws and policies towards religious freedom. Just how objective and reliable the statistics are, is a matter for another research. However, taking these statistics as they are, it has left us with a mind-boggling impression on the positive role of religion in the state as well as on individual affairs

With such impression on the individual freedom of religion and the role of the state in managing religion, it is reasonable enough to look for better alternatives to overcome religious disputes away from the court. Mediation is one of those ways, and consistent with our call, interreligious mediation is also the better alternative. However, the route to mediation is a long and arduous journey. It requires awareness from the masses as well as the religious leaders who can be potential religious mediators. This requires the religious leaders to undertake learning various other religions tenets and values that can be achieved with continuous engagement. The leaders will need to undergo professional training, especially to be a certified mediator. Political will that appreciates innovative ways of solving problems is also essential in extending interreligious relations in this country.

Roles of a Mediator and an Interreligious Mediator

A mediator is a person who facilitates the mediation process. Participants are given the freedom to choose the mediator they are comfortable with. The idea is that the mediator helps in the communication between them so they can be guided to resolve the conflict themselves. Kazi Abdul Rahman indicates that no advanced academic degree or technical professional experience is a prerequisite competency to be a mediator. A mediator can be a professor, sociologist, therapist, or psychologist. One can choose to be a professional mediator or be a part-timer alongside a professional role, or he can also do it occasionally. However, some skills are deemed crucial to be a good mediator. Those skills include communication, listening and note-taking skills, maintaining neutrality, (Rahman, 2012) probing and reality checking, demonstrating understanding, and most importantly detoxing communication, especially when the participants use blunt words or demonstrate provocative behaviour. (Macmillan, n.d., p. 68) When it comes to dealing with participants from different cultural or religious backgrounds, the mediator needs to familiarize himself with the local cultural styles of communication. Among the aspect of cultures are forms of courtesy; uses of humour; patterns of reciprocity; manners of conveying respect, gratitude, or disapproval, declining an offer or expressing criticism. As a matter of fact, the mediator should be able to realize if his identity may have a certain effect on the mediation such as his nationality, ethnicity, religion, and gender. (Smith et al., 208 C.E.)

Dedicated mediators will look for training and exposure to enhance their skill. They may pursue a professional certificate in order to be recognized as a certified mediator. There are several recognised training providers that offer a basic mediation skill course, where participants are required to complete a minimum of forty (40) hours face-to-face mediation training, and undergo an assessment. Successful participants will be awarded a Certificate in Mediation after successfully completing the training and assessment. (Dingle, 2013)

A mediator has to observe ethics and ground rules to gain trust from the participants. He should be neutral and sincere. These two qualities should be reflected in his charismatic personality so he can gain confidence from the parties he is trying to mediate. Only with such trust and confidence will the parties be ready to open up to the mediator. The identity of a mediator is closely related to the question of the credibility of mediation efforts. Someone with moral credibility will have more trust from the participants. This is the reason why religious leaders and activists are the perfect candidates to be an interreligious mediator.

In interreligious mediation, it is quite intricate as the mediator should not have any emotional attachment to his own religion or any other religions when mediating the session. He has to emphasize the common factors among the participants and that they have to understand the religious rights of the other participant. Hence, the first rule is to educate the participants about each other's rights.(Isola, 2014, p. 5) An interreligious mediator should realize that when working with conflict, differences are real. Conflict does not arise because of these differences; instead, it arises from the fear of seeing one's own customs (in this case, the mediator's) changed. So, it is the feeling of the need to protect one's own religious tradition and not simply the question of equality of religions.(Sánchez, 2012, p. 729)

Religions have common attributes that may positively benefit the religious mediators in the course of facilitating the mediation. The common attributes were highlighted by Thomas Princen, Luc Reychler and Jamie L. Hurst in their articles. They include 1) Moral legitimacy; 2) Neutrality; 3) Ability to advance other's political standing; 4) Ability to reach the (world) public's opinion 5) Network of information and contacts; and 6) Secrecy.(Hurst, 2014, p. 36; Reychler, 1997, p. 7) These theoretical values found their tangible form in an interesting concept for

interreligious mediators developed by The Network for Religious and Traditional Peacemakers (Network) based in Finland called Tradition-& Faith-Oriented Insider Mediators (TFIMs). It is the concept of local or insider mediation as a sub-group within a wider group of insider peacebuilders, and is seen to play a very special role as they mediate directly and informally between the actors involved in conflict. They are people of credibility on account of their in-depth knowledge of the conflict context, their close relationships with stakeholders, their long-term commitment, willingness to take risks, and their inherent motivation to end violence and promote peaceful coexistence.

The Network introduced interreligious mediators as peacemakers. According to the Network's report, the interreligious mediators are not only traditional and religious leaders/authorities, but also include a diverse array of actors who, in one way or another, incorporate traditional and religious elements in their conflict transformation efforts.(Mubashir & Vimalarajah, 2016, p. 3) It is believed that religious institutions are closer to the people on the ground, and this makes those affiliated with religious institutions more qualified to be an interreligious mediator.

As a mediator, TFIMs' actors are also persuaded to work intensively on intra-group, mediation and the purpose of this is to sensitize groups for inter-group mediation. In this regard, intra-faith mediation is regarded as a basis for interreligious mediation. (Mubashir & Vimalarajah, 2016, p. 4) This is one unique approach in the making of a TFIM actor. These insider mediators are capable of drawing on the conglomeration of religion, faith, spirituality, culture and traditional – values and practices that may serve as a source of inspiration. They are highly respected individuals; their opinions are highly regarded, they have moral and spiritual legitimacy to influence people, to mobilize them, to re-humanize man by using religious values such as justice for all, forgiveness, harmony, human dignity, and ultimately to motivate them to work towards peace. (Mubashir & Vimalarajah, 2016, p. 9)

The reputation already earned by the traditional and religious leaders makes them fit the expected role of a mediator. The only challenge they have to overcome is the emotional attachment they have for their own traditions or religion, for it can be a great hindrance to maintain sincerity and neutrality. Nevertheless, adequate professional training and continuous exposure to interreligious mediation will help

to improve their charisma in the mediation exercise. It is indeed an ongoing learning experience worth attempting, considering the complex world we are living in at this point of time, as well as in the future to come.

Mediation Process and Neutrality

Generally, a mediation session follows a certain order, beginning with developing the preparation for mediation, building the trust, commencing the mediation session, probing the issues, searching for agreement through negotiation, and finally recording and concluding the deal. The first step, which is developing preparation for mediation, involves stating the importance of confidentiality of the negotiation process; that is, recognizing the participant's mandate in the negotiation process and its outcome, and recognizing the right of the mediator as a neutral party. In the event that fees are applicable, it would be discussed at this level too. The second step is building the trust between the participants and the mediator. At this point, the mediator will try to establish a positive connection with the participants. His openness and honesty are central, and this can be felt by the participants. It is important for the mediator to show that he empathises with the participants. The mediator will also have to remind the participants of the importance of confidentiality of the session, where the mediator will remain a neutral party. Hence, the mediator has to be very careful not to demonstrate any elements of impartiality in his words and actions. The mediator should also be aware not to be influenced by his preconceived ideas, or any kind of persuasion from the participants. In this way, the mediator is behaving respectfully towards the participants.

Once the mediation session begins, the mediator needs to explain the process of mediation and the ground rules to the participants. The participants will be invited to volunteer to start making their opening statement. Once the participants have completed their statements, the mediator will have to summarize what has been said and develop the right agenda for discussion. Identifying the agenda is very important as it is crucial to only recognize important issues common to the participants to be resolved. This helps save time as the session will strategically focus on the root of the problem. In addition, the agenda will help to keep the mediation process right on the track so it is easier to know whether the mediation session is progressing well or not. Once the agenda is made

known, then it is time to explore the participants' issues and interests. The mediator will then play his role in facilitating the negotiation until the participants themselves come to an agreement to decide on a winwin solution. Ultimately, a successful mediation process depends not only on the mediator's skill, but most importantly on how much the participants are determined to find a way out of their problems.

Ideally, mediation is explained as a structured form of negotiation. However, an experienced mediator will know by heart to balance between the ideal and the reality that is taking place. There will also be occasions where the mediator has to brave nerve-wracking situations, face outraged participants and calm them down; such mediation sessions may even have to be postponed. However, a trained mediator has the skill to listen to and guide the participants to find an amicable solution to their problem. He does not impose solutions but guides them. Maintaining neutrality is a real test to the mediator, particularly when mediating interreligious disputes. Neutrality is not only exhibited in the words used by the mediator but in his body language as well. It is therefore important for the mediator to ensure that questions are phrased so as not to appear critical or judgmental. He also has to make sure that his verbal and non-verbal reactions to participant's comments do not suggest a particular view. (Macmillan, n.d., p. 25)

There is one interesting example of an interreligious mediation in the Balkans which involved the Catholics, the Muslims and the Serbs. It was noticed that the word 'reconciliation' was not favoured by the Balkans as it indicated forgiveness, which is very personal, and it is a choice of the individual who has endured a misdeed as only he/she has the power to decide. A mediator by the name of David Steele noted the need for a different strategy to make them realize their wrongdoings, hence feel sorry for them. Steele believed that the act of confession of sins is needed, even when it is not done directly by the person who admits them. What he did was, he persuaded every group to find a space to do some self-evaluation. The outcome of this move was rather interesting. He recorded:

I remember a Serbian soldier who was listening to angry Croats talking about the massacre in Vukovar. Instead of admitting anything that Croats had done wrong, they did not want to assess themselves at all. They were challenging the Serbs. Then the Serbian soldier said: 'You are right. The

massacre in Vukovar was absolutely wrong'. You could just hear the quiet after that. Finally, these Croats had heard the Serbian soldier say that it was a massacre (he was not involved himself, I am sure, but it was an acknowledgement of what had happened). (Merdjanova & Brodeur, 2009, pp. 74–75)

In this mediation process, Steele was guiding his participants to admit the wrongdoing that had taken place in their community (even though they were not party to the actual culprits). Steele was using the communal gathering to increase its members' consciousness about their past wrongdoings that finally enabled a public language and space for individual acts of repentance and forgiveness to follow. (Merdjanova & Brodeur, 2009, p. 74) It is important to note that in Steele's mediation attempt, he was well aware of the cultural norms of the Balkans. He was mediating between the Muslims, the Orthodox Croats and the Catholic Serbs. Therefore, not only that he was aware of the religious differences that divided them, but surprisingly the common cultural norms that further tore them apart, which is the norm regarding forgiveness and reconciliation. Instead of suppressing the norm, Steele managed to manoeuvre the situation whereby all participants were able to learn to confess their own mistakes which lead them to repent after which forgiveness and reconciliation were made possible.

The beauty of the mediation process is not only limited to its objective of achieving 'a win-win solution'. Most importantly, it is a constructive form of peacebuilding. Isola spoke of two stages peacebuilding initiatives; pre-conflict and post-conflict. Pre-conflict peacebuilding are efforts and initiatives that are utilized to ensure that an anticipated conflict does not manifest and bloom. Post-conflict peacebuilding is even more challenging as it involves efforts geared at restoring a broken and already devastated relationship among opposing parties. This involves confidence-building to ensure that the conflicting parties will be willing to come together to rebuild their relationship and continue on the path of peace.(Isola, 2014, p. 5)

Prospects and Challenges in Promoting Mediation in Resolving Interreligious Skirmishes

Compared to mediation, interreligious mediation is more specific in nature. Though the latter has been globally practiced with successful

results, it is relatively new in Malaysia. This is most probably due to the reason that interreligious incidents that have taken place in this country have not led to massive conflict which disrupts political stability and national harmony. Nevertheless, tracing back to all the interreligious incidents over the past sixty years, the country should be brave enough to acknowledge that there has been an increasing trend in the number. Some of them were recurring incidents; for example; the demand for the use of the word Allah by Malaysian Christians in 2010 was a repetition of a similar demand in 1986. There have been multiple court cases on the right of custody over children when one of the spouses reverts to Islam; likewise, the legal tussle over the bodies of the late M. Moorthy and Nyonya Tahir.(Shaari et al., 2006) Most importantly, the issue of Muslim's converting out of Islam (apostasy), such as the case of Azlina Jailani, has yet to be rightly addressed. In the past, all these skirmishes were brought before the court, hence the decrees made were legally binding upon the disputants, yet the anger was left unhealed. There is yet to be any research that examines possibilities in the future for similar cases to be recommended for mediation. Therefore, until interreligious mediation is formally institutionalized, we will have to resort to legal mitigation.

Notwithstanding the aspirations we have for interreligious mediation, it remains to be a challenging task. First and foremost is to reinforce awareness and trust in the mediation practice, not only from the legal establishment, but from the masses that have put so much trust in legal mitigation instead of negotiation outside the court. Presently in Malaysia, the practice of mediation is still perceived as limited to professional legal practitioners and certified professional community mediators. Much has to be explored with regard to interreligious discourse and mediation, despite the increasing interest in interreligious dialogue among the public, religious leaders and the academia. Perhaps, what is needed at this stage is more exposition on the success stories of interreligious mediation practices taking place around the world and solid examples of successful mediation processes. Once these initiatives have taken place, we may proceed with the measures required for developing the professional requirements.

Isola in his article highlighted the most crucial issue in a mediator's professional acquisition, which is the issue of sincerity. He revealed that some of the mediators were motivated by various reasons, including

monetary benefits, political privileges and power that interfaith mediation confers on them.(Isola, 2014, pp. 7–8) If this is the reality, it will affect people's trust in the mediator, and the whole mediation process will be haphazard and jeopardised. Next are knowledge and mediation skills. It is important to be reminded that even though traditional and religious leaders are respected people in the community, they will be expected to mediate people from different religions. They need to be prepared with as much knowledge and skill as possible, including knowledge on other religious teaching, doctrines, values and law or ethics. They also need to learn how to manage their emotions in their speech and actions. It requires a skillful mediator to educate the participants about the terms and conditions of mediation, the process, the limit and the expected outcomes of the mediation exercise.

Governmental intervention at this initial stage is highly required, particularly in terms of providing the relevant resources, including selecting credible traditional and religious leaders to be trained as professional mediators with government financial aid. One good example of a governmental role is in the establishment of The Network for Religious and Traditional Peacemakers (Network), whereby part of the funding comes from the Ministry for Foreign Affairs of Finland. Some portion of the funding also come from KAICIID Dialogue Centre and the United States Institute of Peace as well as supported by in-kind contributions by several Network members and other external funders. The funds are channelled to Network activities through the Secretariat hosted by the Finn Church Aid (Network, n.d.). The government may also help to expose them to local, national, regional and international networking to enhance the visibility of the interreligious mediators for continuous learning and training opportunities. It is commendable for the government to be directly involved in the establishment of professional interreligious mediators to ensure some standard practices are made to avoid unsolicited incidents in the future

Osman Bakar raised his concern over the need for an enlightened national policy on interreligious relation in Malaysia. His main concern is over the competing ideas of ideological secularism or religious exclusivism that permeates in the issues of religion in the public space in this country. (Bakar, n.d., p. 623) Taking from his suggestion, interreligious mediation policy can be one of the tangible national policies that may guide the modest way to practice religion in this

country. The Ministry of National Unity would be the most appropriate taker to shoulder the responsibility.

Conclusion

Compared to other countries in the world, Malaysia is better off in terms of her experience in managing religious and racial pluralities. The country holds one of the most complex plurality set ups in the world, juggling with the rich ethnic, race, religion, language, political and educational backdrop. Having been criticized for formalizing Islam as the religion of the Federation by inserting an article in the Constitution, all eyes are on Malaysia to witness her struggle in striking the balance between the so called 'state and religion' against 'state versus religion' style of governance. In reality, disputes are unavoidable even in a nation with a homogenous population, where ugly civil wars have been recorded in human history and are still taking place in the modern world. Malaysia too has recorded a few unfortunate incidents of interreligious and interethnic dissensions. Nevertheless, Malaysians have time and again proven to be 'a law-abiding society', where they put their trust in the Malaysian court of justice. Perhaps, so far, the 'win or lose' challenge is the best alternative for dispute resolution on interreligious issues. This paper is proposing for a 'win-win solution' in resolving interreligious disputes, as it matches with the 'religion and state' style of governance we adhere to. Notwithstanding the fact that interreligious mediation is still new to most of us, it is time to develop our understanding and strategic initiatives to embark on its journey. In 2010, a committee representing different religions in Malaysia was commissioned at the national level and entrusted to promote integration and unity in the country. The committee is called the Committee for the Promotion of Inter Religious Harmony and Understanding (*JKMPKA*). In fact, the Committee is established under the Ministry of National Unity within the Prime Minister's Department. This epitomizes the government's commitment to promote interreligious, interracial and interethnic harmony in the country. Therefore, the current initiative to introduce mediation skills to the religious leaders should be mobilized to train the religious leaders with the skills needed to help manage interreligious skirmishes that may harm national unity and integration in Malaysia.

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