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Fracturing interwoven heteronormativities in Malaysian Malay-Muslim masculinity: A research note

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Abstract

My aim in this article is to problematise the heteronormalised interlacings of citizenship, ethnicity, masculinity, ascendancy, morality, matrimony and religion among Malaysian Malay-Muslim men through queer analyses. The civil partnership of Malaysian Ariff Alfian Rosli caused considerable tumult among many Malay-Muslims in Malaysia, dislodging an entrenched image of heteronormative masculinity. I argue that Ariff's resoluteness in faith has irrevocably fractured heteronormative familiarities and opened up new avenues for a reconsideration of *Syariah* legalities on sexuality for non-heteronormative Malaysian Malay-Muslim men.

Keywords

Islam, Malaysian Malay-Muslim masculinity, non-heteronormative sexualities, queer lived religion, *Syariah* laws

Sexuality, sacredness and lives

I wish to queer, to fracture the interweavings of citizenship, ethnicity, masculinity, ascendancy, morality, matrimony and religion in Malaysia, as embodied by Malaysian Malay-Muslim men. My queering enterprise aims to interrogate and deconstruct unquestioned normativities which have taken on a force of 'naturalness' and pursue constructive alternatives that have been overlooked or dismissed as invalid. By using the example of Ariff Alfian Rosli, a Malaysian Malay-Muslim man who wedded in a civil partnership in Ireland in 2011, I aim to bring the ensuing fractured

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heteronormative familiarities into conversation with visions of new spaces for non-heteronormative¹ Malaysian Malay-Muslim men in relation to Islamic *Shari'ah* (or *Syariah*, as spelled in accordance with the Malaysian Syariah Criminal Offences (Federal Territories) Act, 1997). *Syariah* laws in Malaysia are officially applicable only to Muslims and mainly consist of specific legal interpretations of sexuality, marriage and family life. Although *Syariah* laws appear in various forms in Malaysia, my main point of reference is the aforementioned Act. By using an integrated framework of queer analysis and lived religion, I aspire towards the interrogation of institutional Islam by the life decisions of Malaysian Malay-Muslim men as exemplified by Ariff.²

The interface of queer theory and lived religion may appear to be difficultly positioned. Nevertheless, this step is intentional as I am distilling the methodological and epistemological tools of both conceptual devices to destabilise the placeholders of institutional Islamic imagination in relation to non-heteronormative sexualities. The analytical instruments of queer theory are increasingly being reconstituted and applied in new and creative ways. Similarly, the conceptual qualities of lived religion have been reworked to augment religious studies on spatiality in relation to sacredness (Bergmann, 2008), the use of theological language (Meyer, 2008), and the theorisation of spirituality (Taves, 2003). By untethering the tenets of queer theory and lived religion from their conventional fields of discipline to intersect in common space as my working framework, I am embarking on a queer methodology that concentrates on a trenchant and incisive mode of inquiry. In place of a direct engagement with Ariff by way of qualitative interviewing, which has proven impossible due to my inability to contact him, I utilise and interpret snapshots of Ariff's life and narratives. Ariff emblemises many other non-heteronormative Malaysian Malay-Muslim men who have wrestled with the aforementioned interweavings (Ismail, 2001; Williams, 2010). In this sense, certain complexities and struggles of Malaysian men who do not abide by heteronormative dictates are 'microcosmically captured' (Goh, 2011: 293) in Ariff, and interpreted through the interrogative qualities of queer theory and lived religion.

To explore visions of a 'radical inclusivity' (Wilcox, 2006: 75) for non-heteronormative Malaysian Malay-Muslim men, I proceed by supplying a backdrop on the antagonism of the Malaysian civil and religious authorities³ towards non-heteronormative persons. Thereafter, I problematise issues of power, morality and the institutional concept of matrimony in relation to Malay-Muslims. I continue by highlighting the slippages and fracturing the familiarities that have been constructed on heteronormative assumptions of Malaysian Malay-Muslim masculinity before concluding with interrogations of 'another discursive horizon, another way of thinking the sexual' (de Lauretis, 1991: iv) and the religious as a nexus that is embodied and lived by non-heteronormative Malaysian Malay-Muslim men.⁴

In allowing for a confluence of queer prisms and concepts of lived religion, I mean to explore how the negotiations of Ariff's sexuality and religious beliefs 'at the individual level, as an ever-changing, multi-faceted, often messy – even contradictory – amalgam of beliefs' (McGuire, 2008: 4) are intertwined with

intersecting matters of citizenship, ethnicity, masculinity, ascendancy, morality, matrimony and religion. Thus, I wish to incite a rethinking of what is perceived as ‘deviant sexual orientation and behaviour’ (Roslina, 2011) in the *Syariah* legal systems, and pursue a questioning and reorganisation of the hierarchies in which Islam is imagined in relation to the lives of non-heteronormative persons. These interrogations serve to provide more generous border expansions to the enclosures that delineate institutional Islam from lived Islam.

Malaysia and its non-heteronormative citizens

Malaysia’s multi-ethnic population of 26 million citizens include Malays (54.6%), Chinese (24.6%), non-Malay *Bumiputeras* (12.8%), Indians (7.3%) and other ethnic compositions (0.7%) (Department of Statistics, Malaysia, 2010). Such ethnic diversity has birthed a proliferation of religious adherents, but Muslims form the majority (61.3%) of the population (Department of Statistics, Malaysia, 2010), with Islam codified as ‘the religion of the Federation’ (Federal Constitution, 1957: 3.1).

Civil and Islamic laws coincide in the illegality of non-heteronormative practices: penetrative anal sex is criminalised as ‘carnal intercourse against the order of nature’ in section 377 A of the Malaysian Penal Code, and applies to both men and women. Sodomy translates as *liwat* in Bahasa Malaysia (the national language), and is rendered a distinct gendered form in section 2.1 of the *Syariah Criminal Offences (Federal Territories) Act, 1997* as the unlawful act of ‘sexual relations between male persons’. These stipulations, which are hardly ever imposed on the masses, were most conspicuously exacted on the former Malaysian deputy prime minister Anwar Ibrahim, against whom allegations of homosexual activity were brought (Fuller, 2008). Antagonism also appears when non-heteronormative sexualities are brought to public attention. Examples include the banning of the sexuality rights festival *Seksualiti Merdeka* in November 2011 (Aw, 2011) for manifesting “‘deviationist sexuality’” (Hafiz, 2011) and reports of a Malaysian Malay-Muslim man, a University College Dublin medical student at the time, Ariff Alfian Rosli, who entered into a civil partnership with a man in Ireland and sparked fury among many local Muslims in December 2011 (Yow, 2011).

A major portion of vilification occurs through anti-LGBT events and public denouncements from civil and religious leaders. In April 2012, approximately 1000 people participated in an anti-LGBT demonstration in the grounds of a local university (Woon, 2012). A workshop entitled ‘*LGBT Mengundang Bala Allah*’ (‘LGBT invites the Wrath of God’) was also held in the same month at another local university in which LGBT persons were labelled as traitors to Islam and human civilisation (Utusan Online, 2012). In June 2012, the Prime Minister’s Department declared that LGBT persons were ineligible for protection under the Malaysian Constitution (Mazwin, 2012), and in December 2012, Malaysian Prime Minister Najib Razak excluded LGBT rights in the signing of the ASEAN Human Rights Declaration during the 21st ASEAN Summit in November (Mergawati, 2012). Despite claims that issues of non-heteronormativity are deployed to mask

political agendas (Pragalath, 2011), the fact remains that sexual and gender identities that are deemed to be incongruent with heteronormative dispositions are vulnerable to hostility and opposition.

Critics and scholars have spoken up against what they conclude as the extremities of Malaysian Islamic religious dictatorship on issues of sexuality, including the sexual activities of non-heteronormative persons. Despite articulated concerns that Islam is deployed to justify homophobia (Shah, 2005), discourses against non-heteronormative sexualities as sinful transgressions of divine law (Hashim et al., 2008; Haslinda, 2007) and heterosexuality as an ontological fixity (Ahmad, 2006), remain constant features in Malaysian Islam. Non-heteronormative male sexual practices are often relegated to positions of moral excess and social ills that are comparable to adultery, gambling and drug 'addiction' (Farish, 2005; Ismail, 2001; Lee, 2010b; Williams, 2010). Although Malaysian scholars have expertly furnished an understanding that normative popular identity perceptions of Malaysian Malay-Muslim masculinity are ineluctably heterosexual (Ismail, 2001; Maznah, 2010; Shamsul and Fauzi, 2006), little has been done to discuss this beyond its religiously heteronormalised confines.

Queering power, morality and matrimony in relation to Malay-Muslims

In queering issues connected to power, morality and the institutional concept of marriage in relation to Malay-Muslims, I engage in a 'transgression of all conventional categorizations and analyses' (Stein and Plummer, 1994: 182) by unmasking what has been unproblematically hallowed and naturalised. Hence, my project aims at 'tracing how particular racial, sexual, and gender formations engender practices and subjectivities that exceed the nation's boundaries and contest its absolutist logic' (Gopinath, 2005: 160). In this section, I wish to highlight three particularly poignant – but by no means exhaustive – elements in the construction of imagined and idealised 'Malayness' and 'Muslimness' as embodiments of ascendancy and power: politico-economic triumph, moral integrity and heteronormative marriages. 'Malayness', 'Muslimness', 'Malaysianness' and 'manness' are terms I use to describe imagined and idealised performative concepts which appropriate a normative and ontological force, despite being unstable and shifting constructs. Also, power wielded in the ruling structure is in turn reliant on the greater extension of the Malay-Muslim masses upon which it projects this power and organises its continuous cohesion and credibility.

Malay-Muslims in Malaysia, along with other non-Malay *Bumiputeras*, are accorded a 'special status' (Federal Constitution, 1957: 153) due to 'their special position as the original owners of the country' (HG Lee, 2003: 25). This status is often decked with economic privileges such as the New Economic Policy (NEP) to provide the *Bumiputeras* with greater participation in the nation's wealth (Durrishah, 2003). The NEP, which included among its objectives an ethically non-discriminatory eradication of poverty 'also became a period of planned

“Malay Agenda” [which included] the betterment of Malays’ (Durrishah, 2003: 2). This preferential treatment of Malays has contributed to the increasing resentment of the non-*Bumiputera* Malaysian ethnic groups who lack eligibility for this economic largesse (Chin, 2009). Malaysian Malays are also practitioners of Islam by default (Federal Constitution, 1957: 160.2), and these two identities are often conflated. As ‘advancing the Islamic agenda... advances a Malay agenda’ (Lee, 2010a: 15), a measure of ‘Malayness’ and ‘Muslimness’ is vital for the construction of ‘good subjects’ (Peletz, 2002: 239) among Malay-Muslims.

Malaysia’s ruling coalition, known as *Barisan Nasional* (BN) or the National Front, has helmed the governmental leadership of Malaysia since 1957 (Idris, 2009: 659). UMNO is the major party within BN that claims to represent the interests of the Malays and by extension, Muslims (Kamarulnizam, 1999; Liow, 2004). Its existence as a formidable force within BN has prompted Malaysian political scientist Farish A Noor to label the nation’s leadership as an ‘UMNO/BN-led federal government’ (Farish, 2003: 201), implying the dominant position of UMNO within the coalition government. Various prime ministers throughout the history of Malaysia who have been groomed in this UMNO/BN-led government have offered idealised iconic images to be emulated by the entire Malay-Muslim populace, including ‘the “New Malay”... “Towering Malay”... “Glocal Malay”’ (Lee, 2010a: 45). These glowing epithets emphasise successful ‘sophistication in business’ (Mahathir, 1970: 34) and emphasise goals of achieving Malaysian-Malay ascendancy. These totems constitute an imperative for a distancing from what Mahathir Mohamad, the former Malaysian prime minister who remains an influential figure in Malaysia today, refers to as the Malay traits of self-abasement and deference which have been misconstrued by non-Malays as weakness (see Mahathir, 1970: 116–117). Moreover, owing to the conflation between the Malay and Muslim identities, the call to economic ascendancy has also evolved into a divine Islamic vocation. During UMNO’s General Assembly in December 2012, UMNO Youth information chief Reezal Merican Naina Merican boldly proclaimed that UMNO partisans were the ‘*mukhtarin*, the chosen ones’ designated for the task of ‘uplifting the Malays, giving them identity and putting Islam side by side with Malays’ (Hazlan, 2012), thus canonising pursuits of politico-economic ascendancy as sacred tasks and goals for Malay-Muslims under UMNO’s august charge.

Accompanying this economic elevation are impositions of institutionally-defined Islamic moral integrity among the Malay-Muslim populace, owing in no small part to Mahathir’s advocacy of ‘Asian values’ (Mahathir and Ishihara, 1995) and the securing of former deputy prime minister Anwar’s downfall with charges of unnatural immorality (Taipei Times, 2006). Mahathir was also responsible for initiating the Islamisation of Malaysia’s administration in areas that encompassed moral issues. This included the declaration of Malaysia as an Islamic state, the establishment of *Jabatan Kemajuan Islam Malaysia* (JAKIM) or the Department of Islamic Development Malaysia, and a magnification of the role of the *Syariah* legal system under the federal government’s jurisdiction (Abbott and Gregorios-Pippas, 2010; Kamarulnizam, 1999; Martinez, 2001), all of which enhanced governmental

involvement in religious issues. Mahathir's propagation of 'values' proved to be 'registers of Islamic and/or Malay values' (Peletz, 2002: 239), built on heteronormative notions of gender, sexuality and familial life in Malaysia. His thoughts were subsequently imbibed by the political rhetoric of UMNO as ethical goals for Malay-Muslims. Despite UMNO's endeavours to paint its Islamic leadership with shades of 'modernity, economic development, material progress, rationality and liberalism' (Farish, 2003: 205), reality became markedly different as 'moral surveillance, enforcement and more severe punishments of Muslims' (Zainah, 2005: 123) in sexuality matters were soon set in place (see JCH Lee, 2009). As in the case of political and economic gains, morality is also deployed as a religiously sanctioned apparatus for UMNO 'to legitimise itself with the majority Muslim constituents' (Norani, 2006: 341). Ultimately, UMNO both foregrounds itself as the benchmark of Malay-Muslim morality, and imposes these ideals on the Malay-Muslim populace.

Marriage is held in high esteem among Malay-Muslims as an Islamic requirement which appeases God through the production of offspring (JAKIM, undated: 2.1). There exists an underlying contractual agreement in Muslim marriages which buttresses gender differentiation and role-acting (Kugle, 2010; Shannahan, 2009). The *akad nikah* is defined by JAKIM as 'a sacred bond which legitimises the relationship between a man and a woman' (JAKIM, undated: 2.1). This situates the preferred manner in which Malay-Muslim men and women are expected to conduct themselves and relate to each other in matters of gender and sexuality. Furthermore, male dominance is a revered trait in a Malaysian-Muslim marriage, and women have had to bear the brunt of discriminatory injunctions which include an eclipse of their rights in marriage and family life, a greater ease for men to secure divorces, and the right to claim part of an existing wife's fortune while taking another in polygynous marriages (compare the Islamic Family Law (Federal Territories) Act 1984 and subsequent amendments in the Islamic Family Law (Federal Territories) (Amendment) Act 2005; see also Maznah, 2011; Zainah and Rumminger, 2008). This privileged heteropatriarchal dominance within marriage further encapsulates notions of ascendancy and moral legitimacy. Whereas perpetrators of (hetero)sexual transgressions can be forgiven – as in cases of Malay-Muslim politicians (Shamsul and Fauzi, 2006) – those who act 'deviantly' from normative male sexualities are irrevocably flung from grace, for such deviance can 'threaten the family institution' (New Straits Times, 2012).

Similar to Malaysian Islamic marriage, efforts to create an upwardly mobile and a morally upright 'Malay-Muslim-ness' have not, however, prioritised gender egalitarianism. There is a 'misogynistic bent' (Zainah, 2005: 127) in the politico-economic, socio-cultural and religious spheres, which records a proclivity towards Malay-Muslim men over Malay-Muslim women. Despite the significant role of women in the early days of UMNO, efforts to include them in national development still smack of tokenism (Ng et al., 2006). Hence, while I agree that women have been targeted as highly-regulated biological commodities in perpetuating 'an identity of Islamicness' (Maznah, 2010: 361) in ethnically-pluralistic

Malaysia (Maznah, 2011), I argue that ‘masculinity possesses greater cultural currency in Malaysia than femininity’ (Goh, 2012: 178). In other words, there is a subtle preferential treatment for men over women in political, religious and socio-cultural quadrants, often culminating in the subordination of women (see Sisters in Islam, 1991). Gender inequality contributes to ‘the ideal-typical representation of patriarchy as being Islam’s symbol’ (Maznah, 2011: 181), whereby the spotlight is on men.

Hence, the imagined and idealised Malaysian Malay-Muslim person is portrayed as decidedly male, heteropatriarchal and heterosexual in his ascendancy and dominance in political, economic, matrimonial and familial arenas, his piety, and his ethical impeccability in accordance with institutional Islam. Yet this imaginary is not a theoretical phantom – real lives embody these ‘body-reflexive practices’ (Connell, 2005: 65). Malaysian Islam undergirds and provides for continuity in the unitary identity of the Malaysian Malay-Muslim man by spiritually shoring up interlaced notions of political and economic conquests, moral uprightness, heteropatriarchy, masculinity and ethnic identity. As this portrayal of the Malaysian Malay-Muslim ‘good subject’ continues to gain ontological ground, the religio-political bulwark of Malaysian Malay-Muslim masculinity is ready to repel any encroachment on this jealously guarded compounded identity at any and all costs. As the following section will show however, some Malaysian individuals have indeed undermined these identity fortressings.

Fracturing normativities, creating new spaces

In December 2011, colourful photographs of Ariff Alfian Rosli in a civil partnership ceremony with a certain ‘Jonathan’ in Dublin, Ireland, appeared on the internet, causing an almost instantaneous uproar among many Malaysian Malay-Muslims (Facebook, 2011). Support for Ariff was almost non-existent, although Malaysian scholar Shanon Shah objected to the fiery reactions towards Ariff on his blog (Shah, 2011). Despite the rancorous remarks that were hurled at him, Ariff never once disavowed the fact that he had indeed entered into a civil partnership with another man. Instead, his retort was that he was the unfortunate recipient of unwanted public attention and that his sole intention was ‘to get by without upsetting anyone or causing any trouble’ (Yow, 2011). Returning to Malaysia was however, no longer an option for him as he feared for his safety in his own homeland (Shazwan, 2011). Ariff’s actions were considered by Norizan Ali, the chairperson of the Kepong Islamic Youth Organisation Muslim group, as ‘a disgrace to our religion, race and country’ (Huffington Post, 2011). Norizan’s remarks bear a direct correlation with photographs of Ariff in traditional attire comprising ‘a black *Baju Melayu*, complete with a gold *samping* and *tanjak*’ (Zamzukhairi, 2011). These images manifested the unthinkable coalition of a Malaysian Malay-Muslim masculine identity with non-heteronormative sexuality within a matrimonial framework. Ariff had transgressed ‘theological and judicial principles aside from those forbidding illicit sex’ (Ali, 2006: 78), which included the

prohibition of disclosing sinful deeds and behaviour, and the denial of basic Islamic tenets on sexuality. Ariff was perceived to have made a public spectacle of a grievous religious offence and disregarded Islamic regulations on sexuality.

Sexuality in Islamic legality is branded by a ‘*halal-nikah, haram-zina*’ (Shannahan, 2009: 2) or licit/illicit duality which considers any sexual activity or relationship other than the heteronormative ‘complementarity and unity of sexes (*zawj*)’ (Yip, 2008: 104) in men–women partnerships within legitimate matrimony sinful and illicit. The licit/illicit bifurcation is one that bears immense repercussions on the sexual lives of all Muslims, including non-heteronormative Malay-Muslims. Even if the socio-cultural and popular disapprobation of non-heteronormative male sexualities was to relax in its rigidity – as reflected in rejoinders that I have heard from Malaysian Malay-Muslim acquaintances that non-heteronormative men ‘are entitled to make their own choices and be happy’ and what they do ‘is between them and God’ – it would not mean a facile and automatic erasure of the ‘categorical impossibility’ (Ali, 2006: 78) and illegality of same-sex commitments in *Syariah* legalities. The dichotomy between impositions of institutionalised Islam and the actual attitudes of many Malaysians towards non-heteronormative persons further evinces the complex and unstable state in which Islam is taught, understood and practised in Malaysia. The actual lived experiences of many non-heteronormative Malaysian Malay-Muslim men, and the disposition of acceptance among many Malaysians towards them, further fractures and disarms the fixity of Malay-Muslim ideologies on notions of non-heteronormative sexualities.

What must have proven unbearably infuriating for various Malaysian Malay-Muslim groups was that their calls for repentance from Ariff (Yow, 2011) fell on deaf ears. Rather than recanting his man–man union and ceasing his non-heteronormative inclinations in favour of religious proscriptions, Ariff reinstated his Malay-Muslim identity with even greater fervour: ‘I did not convert [to] another religion, what was reported was extremely contrary to the real fact. I was born as a Muslim, I am still a Muslim and will remain a Muslim until I die. There is nothing that can shake my faith’ (Zamzukhairi, 2011). Ariff had coupled an illicit identity and act with a personal resoluteness in Islamic practice within himself. He had contributed to a de-hegemonising of entrenched gender and sexual differentiation and roles within Islamic marriages that form a “‘legitimised” legal system’ (Shannahan, 2009: 62). By unabashedly embodying grave, ‘unnatural iniquity’, Ariff had indeed fractured normativities of masculinity, heterosexuality, heteronormative marriage and religion, which are interwoven with issues of citizenship, ethnicity and upward mobility of Malaysian Malay-Muslim men.

Queer lived religion

While Ariff’s actions and identity may have been anathema to institutionalised heteronormative ideals of Malaysian Malay-Muslim masculinity, I argue that they hold the potential to incite a serious rethinking of alternative Malaysian Malay-Muslim masculine ‘identity articulations’ (Yip, 2010: 91). The intent to

live out Islamic values by this non-heteronormative man harbours an unprecedented wisdom to challenge, inform and enrich Malaysian Muslim ethical legalities. It is towards a discussion on the instruments of “‘lived religion’” or “‘religion and everyday life’” (Neitz, 2012: 3) from non-heteronormative perspectives that I now turn. I further refract my examination of lived religion through the prism of queer analysis to underscore non-heteronormative issues in lived religion for my discussion on queer lived religion.

A characteristic of lived religion is that it blurs the boundaries between what is superior, valid, doctrinal and official, and what is inferior, illegitimate, pietistic and personal in religious practices. Instead, lived religion values personal agency by locating spiritual authority and religious self-apprehension in the actual living out of religious convictions and cherished values in a person’s everyday life experiences and circumstances, socio-cultural and geopolitical embeddedness, and interpersonal relationships. Lived religion confounds imposed polarities between what is perceived as sacred and profane, and rejects religious categorical fixities. It provides viable alternatives for those who crave affiliation with institutionalised religion, yet find themselves unable to uncritically subscribe to its tenets and thus resort to more personalised ways of living out that affiliation (McGuire, 2008; Neitz, 2012; Streib, 2008). Such alternatives do not simplistically imply that one route chosen renders the other obsolete or faulty. Rather, alternatives evince ‘the correlation – and sometimes co-presence – of different experiences... when an experience of truth opens by itself and freely towards a different one’ (Afloroaei, 2012: 163). These hallmarks of lived religion are echoed in queer Muslim scholar Dervla Sara Shannahan’s research on British LGBT Muslims who defined the relationship between their sexualities and faith ‘as part of their own personal *din* (religion)’ and notions of God which were based on ‘their own readings of the Qur’an, of the sunnah, and of their life experiences’ (2009: 70). Hence, many LGBT Muslims have had to exercise a personal ‘*ijtihad* or creative legal reasoning’ (Kugle, 2010: 195) by appropriating a more inclusive stance in concomitantly embracing their non-heteronormative sexualities and faith as a way of life.

Lived religion also finds many parallels with queer analyses of religion. While queer critique had initially belittled religion as little more than cultural fiction (Jones, 2010), its role as critical hermeneutics has been recast by scholars who expose heteronormative encrustations in religions, spiritualities and theologies, and who recognise the valence of non-heteronormative embodied experiences of transcendence (Bong, 2009; Wilcox, 2006; Yip, 2005). Queer hermeneutics drill through impervious religious barricades to allow for the inclusion of non-heteronormative experiences and alternative expressions of transcendental beliefs. They subvert exclusive and discriminatory religious perimeters by privileging the lived experiences of non-heteronormative persons of faith. In this manner, a queer approach to religion is also inclusive, as it displays how ‘religious orientation, identity and practices have become increasingly internally referential and reflexively organized, prioritizing human subjectivity’ (Yip, 2005: 60–61). For non-heteronormative men such as Ariff who allow their sexualities and adherence

to Islam to co-habit spaces of ‘ongoing productive tension’ (Yep et al., 2003: 4), I see queer lived religion as a helpful ‘conceptual apparatus’ (McGuire, 2008: 12) that can assist in a deeper understanding of how Malaysian Malay-Muslim men live out Islam, and how these lived realities can provoke a rethinking of non-negotiable *Syariah* legalities.

The queerness of lived religion in Ariff’s case lies in how he ‘challenge[s] the definition of licitness itself’ (Ali, 2006: 95) in the steadfast living out of his Islamic faith, sexuality and same-sex union. He demonstrates that gender categories, biological functions, or simplistic legitimacy/illegitimacy issues in accordance with *Syariah* legalities cannot neatly bind him. The details of the *Syariah* Criminal Offences (Federal Territories) Act 1997 in which prohibitions of *liwat* appear, resonate with queer Muslim scholar Scott Siraj al-Haqq Kugle’s comment that *Syariah* laws on marriage do not adequately deal with matters of ‘love, care, reciprocity, and mutual consent’ (Kugle, 2010: 187–188). As a non-heteronormative Muslim man in a same-sex union who merely wanted ‘to get by without upsetting anyone or causing any trouble’, Ariff’s lived experiences provide a window through which to view how non-heteronormative Malaysian Malay-Muslim men who value their faith are capable of exercising agency in decisions on egalitarian relationships that embody loving commitment by appealing to the realm of interior validation.

Through the case of Ariff Alfian Rosli, Malaysian institutional Islam finds itself interrogated and challenged on several levels: what constructive options can arise when the *Syariah* ethical legalities confront Malaysian Malay-Muslim men who have claimed sexuality-faith spaces in which to flourish? What are creative avenues beyond simplistic gender and sexuality codifications in which Muslim leaders can inclusively assist all Malaysian Muslims to ‘aspire to the highest standards of Muslim ethics’ (Ali, 2006: 78)? How would Muslim leaders navigate queer Qur’ānic perspectives that ‘diversity is a positive reality’ (Kugle, 2010: 43) for non-heteronormative Malaysian Muslim men who embrace the message of Islam in their daily lives through *ijtihad* but whose wellbeing is manifestly injured by unproblematic interpretations of *Syariah* legalities? Through *fiqh*, or ‘the process of coming to decisions about practical acts based on divine guidance’ (Kugle, 2010: 130) regarding Islamic jurisprudence, what provisions can be made by Muslim authorities who listen from their hearts to expand the borders of and adopt a more inclusive attitude in regard to Malaysian *Syariah* laws? What meaningful possibilities lie in the evolution of Malaysian *Syariah* laws towards mediating a closer symbiosis between Islamic theology and ethical legalities for non-heteronormative Malay-Muslim men?

Conclusion: Another way of thinking the sexual and the religious

The multiple musings in the previous section are intended to incite debates rather than elicit solutions. Nonetheless, I believe that any attempt to articulate an alternative Malaysian Malay-Muslim imaginary that pertains to non-heteronormative

Malay-Muslim men is crucial, even if acceptance and practical implementations may still lie in distant horizons. I believe that a general trajectory in the direction of embracing and celebrating non-heteronormative Malay-Muslim men on the part of institutional Malaysian Islam may lie in fostering a deeper engagement with Qur'ānic notions of diversity and pluralism. I am coupling this position with my own emphasis on the need for heartfelt attention to the narratives of these men and those who support them. Such notions can reimagine Malaysian institutional Islam from theological and institutional perspectives by developing a more inclusive stance for non-heteronormative Malay-Muslim men.

Both Kugle (2010) and Malaysian Islamic studies scholar Mohammad Hashim Kamali (2009) offer that diversity, pluralism and multiplicity are facets of the divine plan. Kamali reinvestigates and recasts orthodox Islamic principles such as *samḥah* and *tasāmuḥ* (generosity and ease), *tawḥīd* (the oneness of God which is intrinsically annexed to how God creates diversely), *ikhtilāf al-tanawwu'* (difference created by diversity, which enfolds *ijtihād*) and *karāmah* (human dignity) to shore up Islam's endorsements of diversity and pluralism in ethnicity, language, religion, politics, culture and law within a Malaysian context. These traits would translate well as frameworks with which to subvert the ideological stagnation of institutional Islam in Malaysia in relation to non-heteronormative Malay-Muslims. *Samḥah* and *tasāmuḥ* are vital qualities that go beyond mere tolerance to a deep recognition, understanding and appreciation of diversity and pluralism, which are applicable to gender and sexual diversities. These qualities strive for an atmosphere that is free from fear and agitation, within which it is possible to calmly explore the intricacies of *ikhtilāf al-tanawwu'* pertaining to non-heteronormative sexualities. An acknowledgement of the multitudinous creativeness of God in *tawḥīd* can remove obstructions to a deeper understanding of the myriad variations of human persons, thus affirming the *karāmah* of all individuals, including those who do not conform to heteronormative configurations of gender and sexuality. By using these principles as the optics through which to hear and understand the life stories and faith negotiations of non-heteronormative Malay-Muslim men, a platform for ongoing conversations on an Islamic-based inclusiveness for non-heteronormativity men can emerge.

Based on this approach, authorities in Islamic institutions in individual Malaysian states who find themselves more amenable to the idea of further investigations into these Islamic principles for greater inclusivity in non-heteronormative sexualities can be in the forefront of providing spaces for the celebration and inclusion of non-heteronormative Malay-Muslim men. A brief background on the hierarchical organisation of Islam in Malaysia may prove useful at this juncture. The deployment of Islamic or *Syariah* laws in the nation is not overarching. Such laws are administered according to enactments in the states which have sultans as heads of Islam, and which are overseen by the *Majlis Agama Islam* or Islamic Religious Council in these states. States with sultans as heads of Islam reserve the autonomy to legislate on Islamic matters, and have greater freedom in the governance of Islamic issues in contrast with states without sultans. Even if the Federal Parliament were to

intervene, the states with greater autonomy on Islamic governance still retain the power to withhold this intervention until it is legislated as a state law, and hold the right to modify its contents. By a similar token, *Syariah* courts which function separately from the *Majlis Agama Islam* are presided over by sultan-appointed *qāḍīs* (judges) in states that have sultans, and by the *Yang di-Pertuan Agong* or Supreme Head of Federation (the King of Malaysia) himself in states that do not have sultans (see Martinez, 2001; Kamali, 1997). Amidst the disparity in authoritative issues on Islam between the Malaysian states, there are glimmers of possibility for the exercise of autonomy in Islamic laws in individual states that can make provisions for a more celebrative and inclusive attitude towards non-heteronormative sexualities.

Hence the queer deconstruction of institutional suppression of non-heteronormative Malay-Muslim men need not be a tautological endeavour. Neither does the exercise of lived religion need to perch on the margins, perpetually ostracised from institutional Islam. The integrated queer lived religion methodology that I propose need not co-opt a visionless deconstructive stance. Islamic tenets and governing structures themselves can be recast to pave the way towards greater inclusivity in Malaysian institutional Islam for non-heteronormative Malay-Muslim men. The mechanism of exclusion also bears capacities for inclusion. Yet a greater reality is at stake here. Ariff's sexual identity and actions challenges the monolithic and heteronormative prescriptions of institutional Islam and its rhizomatic connection with all related forms of 'identity-based thinking' (Valocchi, 2005: 762), chiefly citizenship, ethnicity, masculinity, morality, economic and political power. Ariff does not only destabilise an Islamically sanctioned heteronormativity, which underpinned the entire cohesive masonry of 'Malaysianness', 'Malayness' and 'manness'; he also deconstructed the hagiographised and normalised edifice of a unitary and heteronormalised Malay-Muslim masculinity as a 'hegemonic status' (Yip, 2008: 104), which both supports and mirrors the ruling structure in its political, economic, moral and religious fortifications. This prompts the vital question of whether those who are ensconced in and reaping the rewards of this hegemonic status are willing to consider more inclusive ways of performing 'Malaysianness', 'Malayness', 'Muslimness' and 'manness', which will necessarily result in an upheaval of the status quo. Just how far are Malaysian civil and religious authorities willing to go in re-evaluating and transgressing their own construction of Malaysian Malay-Muslim masculinity for the sake of interests other than their own, and which may prove to be irrefutably indispensable for creating a more inclusive Malaysia?

Notes

1. I understand heteronormativity as the political and/or socio-cultural imposition of heterosexuality as a normative and natural regime in the areas of appearances, roles, behaviours and activities of gender and sexuality, and their intersections with ethnicity, socio-cultural identification, citizenship and religion. My use of 'non-heteronormative persons' and 'non-heteronormative sexualities' alludes to persons who are commonly

referred to as 'LGBT' by Malaysian religio-political forces. Similarly, I use 'non-heteronormative men' to refer to men who are sexually and/or romantically attracted to other men but do not necessarily subscribe to the popular understandings of 'gay' or 'homosexual,' or to a heterosexual/homosexual dichotomy. I also use 'LGBT' in this article whenever it coincides with the common term of reference used by Malaysian religio-political forces for non-heteronormative persons in the news media, even though the diversity of non-heteronormative subjectivities in Malaysia stretches well beyond the perimeters of 'LGBT'.

2. As many Malaysian Malay-Muslims have no surnames, I refer to Ariff and other Malaysian Malay-Muslims in this article by their first names, with the exception of those who have specifically indicated their use of surnames.
3. My reference to Malaysian civil, religious and Islamic authorities is not meant to be overarching and unitary. Instead, it underscores particular sectors of governance and institutionalised Islam in Malaysia that exhibit various forms of negativity towards non-heteronormative Malaysians.
4. I acknowledge my 'outsider-insider' status as a queer-gay, 'mostly Chinese' and 'interfaith Christian' Malaysian man who is researching on non-heteronormative men in relation to queer Christian theology, but who constantly finds his frameworks challenged, informed and expanded by other religions in Malaysia, particularly lived religious experiences.

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