APPENDIXES

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Managing minorities in competitive authoritarian states: multiracialism and the hijab issue in Singapore

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ABSTRACT

This article assesses the Singapore state's approach towards multiracialism by focusing on the hijab issue. I argue that a combination of elite ideology and regime type can explain the state's overall stances on religion, including the hijab issue. Previously, when the state was hegemonic, its policies were determined solely by the ideologies held by its key elites. However, as the state moves towards competitive authoritarianism with increased electoral competition, the dominant party will no longer be able to act solely based on its ideological predispositions. This explains why a staunch no-hijab stand was held by the state in the past, whereas in recent years, there appears to be a softening of this stance.

KEYWORDS
Authoritarian; elite ideology; hijab; multiracialism; Singapore

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The uninterrupted reign of the People's Action Party (PAP) in Singapore since its independence has ensured that it dominates the socio-political landscape almost ubiquitously; the party is often equated to the state, and its ideologies are considered 'national' rather than 'party' ideologies. One of the governing paradigms staunchly upheld by the authoritarian state in Singapore is 'multiracialism' (K.P. Tan 2012b). Efforts are persistently made to convince Singaporeans to embrace the PAP's version of multiracialism. I argue that a combination of the regime type and elite ideology can explain the state's stances on religion, including the hijab (Malay: *tudung*) policy. I further contend that firstly, the concept of multiracialism presupposes a value-laden worldview or governing paradigm regarding race, and secondly, wariness of diversity is the main feature of the state's version of multiracialism.

I will be relying mostly on the statements, official or otherwise, of the PAP leadership, past and present, and the government's policies on religion, to establish the party's worldviews. It is worth noting that any study on the ideologies of the PAP cannot but scrutinise the ideas of Lee Kuan Yew, the first prime minister of Singapore, who basically shaped the country's governing ideologies.[1]

Authoritarianism and management of minorities

The Singapore state has been termed an 'illiberal democracy' (Hussin Mutalib 2000). In spite of the presence of elections, and the room for contestations by other actors in

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society, the state is undoubtedly authoritarian and endeavours to remain so. The state is heavy handed and has resorted, in the past, to draconian measures to keep the opposition parties in check. Though there is room for legal contestation for power, it is minimal or subdued. Elections, though regular, are not completely fair due to electoral engineering measures and state control of the media.[2] The substantive elements associated with a democracy such as freedoms of speech and assembly are also lacking, though not completely missing; some criticism of the ruling regime is allowed though, by and large, freedom is curtailed. Singapore has also been deemed to be a 'semi-democracy', whereby the incumbent regime uses elements of procedural democracy in order to suppress the substantive aspects of democracy (Case 1996).

Yet things seem to be slowly but surely changing. The 2011 general election basically showed that opposition parties could effectively provide a substantial challenge to the PAP, in spite of the many barriers that the incumbent has instituted. The PAP garnered the lowest vote share in its history, winning about 60% of the popular vote. The general election also saw the rise of the Workers' Party, which firmly established itself as the number two party in the country, and it confirmed this by beating the PAP in two sub- sequent by-elections (Cunha 2012). One could make the case then that Singapore is becoming a 'competitive authoritarian' regime (Levitsky and Way 2010), whereby despite the dominant position of the incumbent party, contestations to its power are real, though severely limited.[3]

Some scholars have made the point that the regime type determines the treatment of minorities within a polity. Barany (2002) argues that the more democratic a regime is, the more likely ethnic minorities are to be treated well and given full citizenship rights, as tolerance is a cornerstone of liberal democracies, whereas authoritarian regimes can afford to ignore minority demands. Others have also noted the tendencies of democratic regimes to pander more to religious groups when there are electoral imperatives to do so. Republican candidates in the US are known to attempt to win the conservative votes by not only incorporating biblical speech in their rhetoric, but also by adopting pro-Christian policies (Kuru 2009). While this is a useful starting point, it does not adequately account for a number of issues. Firstly, some democratic regimes have themselves displayed less tolerance for minorities. The French model of secularism is famous in this regard: the hijab has generated much furore and is banned from state schools. This is due to a par- ticular way of viewing what the relationship between religion and the state should be, that is shared by both the governing elites and the majority of French people, which is referred to as political culture, or a shared ideology on state-religion interactions (Wayland 1997). One could see some parallels between the French case and Turkey, where Kemalist secularism persisted even after the country democratised, and there was a strict separation of 'church' and state. The hijab was not allowed to be worn in public institutions until recently. The concept of 'tolerance' in different democracies carries

[2]These include the Group Representation Constituencies (GRCs), a form of party block vote whereby parties compete in teams. The PAP will always field one or two 'heavyweight' ministers in the GRC, hence severely disadvantaging the opposition. For a more thorough discussion on electoral engineering in Singapore, see Mutalib (2002); Sun (2015); N. Tan (2014).

[3]Levitsky and Way (2010: 34) considered Singapore to be a borderline case between competitive and fully authoritarian, but eventually settled it to be of the latter category. However, this was before the 2011 general election and subsequent by-elections in 2012 and 2013, in which the PAP suffered substantial losses. Thus, I concur with Ortmann (2011) that Singapore can be considered a competitive authoritarian regime.

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different connotations, and this is in no small part due to the varying notions of secularism in these countries, and even within citizens of the same polity (Levey and Mahmood 2009). While a country like the United States practices a 'passive' form of secularism (Kuru 2007), Turkey and France can be said to govern via 'assertive secularism' (Grigoriadis 2009); the differences can be attributed to the different historical paths of each nation and development of understandings of its constitution. Secondly, it also ignores the fact that democratic parties have in the past used religious minorities as scapegoats for their electoral ends, resulting in more minority oppression instead of liberation. Increasingly, far-right parties are gaining traction in Europe because of a perceived cultural threat posed by Muslims (Lucassen and Lubbers 2012), while in India, Muslims are routinely portrayed as a threat to the Indian way of life in a bid to shore up Indian nationalism (Roy 2004). In Indonesia, increased competitiveness in elections has resulted in politicians courting less tolerant groups to bolster their chances of winning (Buehler 2013). Thirdly, it also does not account for the variation within authoritarian regimes in their treatment of min- orities as some authoritarian regimes are more benevolent than others. The manner in which Shiites were treated under the Baath regime in Iraq during Saddam Hussein's reign was inexorably inhumane, and incomparable to the treatment of Chinese under the Barisan Nasional in Malaysia or the Malays in Singapore.

This article builds upon these works, and introduces another variable to assist in explaining policies towards ethnic minorities: the governing ideology of the elites in power. How the ruling class in an authoritarian regime views diversity is a crucial factor that determines what concessions are given towards its minorities. This ideological predisposition is primarily shaped by the elites' and nation's personal-historical experiences, and geo-political conditions. However, in competitive or electorally authoritarian regimes, the ruling party's popularity or electoral strength has to be considered as well; the more dominant the party is, the more it is able to act upon its ideologies, as it is more insulated from public pressure.[4] Increased electoral competition does not by any means guarantee more tolerance in policies crafted; indeed, as the examples above have shown, it could very well lead to discriminatory laws. What is argued here is that increased electoral competition will render the previously dominant party unable to completely act on its ideological predispositions.

Unlike democracies, authoritarian regimes do not have to pander to the masses as much; therefore their policies are more a result of elite governing paradigms than of electoral considerations. Yet unlike traditional authoritarian regimes, policies in competitive authoritarian regimes are not solely a result of elite ideologies, rather, they are dependent on the strength of the incumbent party. As the political scene gets more competitive, more and more concessions might have to be made in general, including to ethnic minorities, in spite of governing paradigms, so as to maximise electoral gains.

In Singapore, the Muslim minority is given special considerations in some areas. There is a Minister of Muslim Affairs portfolio in the cabinet, which is exclusive to Islam, and the constitution stipulates that it is the duty of the state to address the concerns of Muslims in the country. This is due to the 'politics of survival' faced by the nation (H.C. Chan 1971), being a Chinese-majority nation amidst the Malay world, and was part of its bid to placate

[4]See the literature on competitive authoritarian or hybrid regimes, including Diamond (2002), Howard and Roessler (2006), Schedler (2006) and Bunce and Wolchik (2010).

its larger neighbours by showing that its Malay-Muslim minority would be taken care of. Hence these special considerations are largely a product of historical circumstances. Yet at the same time, the state is reluctant to accede to some demands of the Muslim community, as the discussion on the hijab issue will show. I argue that the unwillingness to agree to the hijab demands was ultimately a result of its deep-rooted inhibitions on religious diversity, which is reflective of its adherence to 'multiracialism'. I further contend that one can expect a softening of this stance as the electoral scene becomes more competitive, in view of the rise of the opposition in Singapore, and considering that the non-Muslims are rather ambivalent towards this issue and there is no significant opposition to the grant- ing of the right to wear the hijab to Muslims.

Multiracialism explained: the PAP's governing paradigm

Singapore is constitutionally a self-declared multiracial country (Chua 2003: 60). The Chinese-Malay-Indian-Others (CMIO) model is a manifestation of the PAP's version of multiracialism. Each ethnic group is allowed space to practice its own culture, but is expected to transcend differences with the others when the national imperative, as defined by the PAP, requires them (Hussin Mutalib 2011). Each ethnic group is to be treated equally and fairly, without any appearance of favoritism (Moore 2000: 344). Eth- nicity is heavily emphasised in almost every facet of a Singaporean's life: a person's ethnic group is stated on his or her identity card, there are racial quotas for public housing, and even the electoral system employs a form of the party block vote system (known as the Group Representation Constituency) where teams competing in a multi-member district must have at least one member from an ethnic minority group, amongst many other pol- icies (Reynolds et al. 2005: 47). Multiracialism refers to the policy of managing both eth- nicity and religion, as the two are greatly intertwined in the Singapore context.[5] PAP leaders are keen to assert that as a multiracial society, this approach is inevitable and is the only 'pragmatic' option. Goh Chok Tong, the former prime minister, states:

> This practical approach of nation-building whereby every community has two playing fields has given us multi-racial harmony. This approach helps us to build a harmonious nation out of diversity.
>
> (C. Tan 2009a: 42)

However, I postulate that multiracialism is more than simply a pragmatic way of governing a heterogeneous society. Even though Singapore's politicians and journalists alike use the terms multiracialism and multiculturalism interchangeably, the two concepts need to be distinguished. Multiracialism begins with the idea that ethnic and religious diversity is a problem that needs to be conscientiously managed, whereas multiculturalism's starting point is that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17). The two ideologies could give birth to radically different policies. So while diversity is promoted, encouraged and room is given to express the very multiplicity of cultural practices under multiculturalism, multiracialism views diversity as an inherent problem, and

[5]For the Muslims especially, ethnicity and religion are entangled. 'Malay' is often conflated with 'Muslim', despite there being non-Malay Muslims (Arabs, Indians, inter alia). Nevertheless, most Malays are Muslims, and the majority of Muslims belong to the Malay race. As such, the term Malay-Muslim is often used in official discourses to refer to Muslims (see Lily Zubaidah 2012).

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actively seeks to control it. The lack of individual freedoms in Singapore is often attributed to the idea that allowing for uninhibited openness would easily lead to racial tensions and, at worst, conflicts and riots. What warrants emphasis here is the fact that there is a worldview or a predisposition about (and in this case, against) racial diversity that translates into actual governing paradigms, and eventually policies; it is not pragmatic or natural to view race as either a problem or strength. Rather, a regime's beliefs about ethnicity inform the direction that will be taken. Hence, multiracialism itself, a key founding myth of the nation-state, is not a value-free ideology. The PAP's power and uninterrupted rule have ensured that it has successfully made multiracialism a national, and not just party, ideology. The perpetuation of multiracialism is a direct product of its authoritarian strength.

This is in spite of the PAP's claims of being 'non-ideological' in running the country. Equating being pragmatic to being 'rational', PAP leaders constantly espouse the view that for the PAP, what matters is being efficient or what 'works', rather than exploring recourses basedonideological predispositions. Thissignifies a purposeful attempttodepicttheparty as being governed by principles of rationality (Mauzy and Milne 2002: 52–3) rather than religious adherence to policies or systems that do not yield desired outcomes; adopting an approach whereby efficiency, usually defined in economic terms, becomes the end goal. Chan Heng Chee (1975) described Singapore as an 'administrative state', where a technical and value-free approach to governance has ostensibly abolished politics from state decision-making processes. Ultimately, success or 'what works' is defined in economic and material terms; the government's claim to legitimacy is based on delivering economic prosperity and guaranteeing racial stability, and the PAP's pragmatism is evaluated, if not justified, through these ends. A quote by Lee Kuan Yew aptly encapsulates this position:

> We [the PAP's founders] were not ideologues. We did not believe in theories as such. A theory is an attractive proposition, intellectually. What we faced was a real problem of human beings looking for work, to be paid, to buy their food, their clothes, their homes and to bring their children up. So whatever the final outcome, we had the immediate respon- sibility of getting the economy up.
>
> (Han et al. 1998: 109)

Nevertheless, the state's handling of racial affairs show that it is not always true that pragmatic and non-ideological concerns exclusively motivate policies. The very fact that there is a worldview that shapes leaders' ideas on race, shows that at least in the realm of race and religion, the PAP has a clear ideological predisposition that guides its policies, and this predisposition is expressed in its version of multiracialism.

State leaders do, from time to time, use both 'multiracialism' and 'multiculturalism' when in fact they are referring to a policy of consciously regulating race and religion, which resembles multiracialism more than multiculturalism. While the state mistakenly uses both terms interchangeably, it is unambiguous in its policies of putting ethnicity in check and clearly articulates its worldview of ethnicity being a cause for concern, if not properly handled (E.K.B. Tan 2004).

One needs to study the history and experiences of the nation, and the nation's founders to understand the origins of this view on race. It was a British colonial legacy that race was continually emphasised, which gave birth to certain stereotypes being perpetuated (Alatas 2010). When Singapore was part of the Malaysian Federation, racial riots occurred between the Malays and Chinese in 1964. While there was a multitude of factors that

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could have contributed towards the clashes, the riots were eventually almost entirely regarded as being racial in nature (Milne 1966: 177). Coupled with Lee's less-than-pleasant encounters with the Malay 'ultras' or supremacists when the former was a parliamentarian in the Federation, a negative impression of the volatility of race was formed and ingrained in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders. What made the matter more complex was the inextricable association between 'Malay' and 'Muslim' in the region: not only were the clashes linked to race, religion was further scrutinised. The survivalist mentality was ingrained into the psyches of Lee and his colleagues following separation from Malaysia (Hussin Mutalib 2011: 1165), and this contributed further to the scepticism towards religion; a state that perceives itself as being vulnerable and threatened will be wary of religions, especially those with comprehensive value systems, as they have the potential to mobilise citizens against state policies (Walid 2013: 1182). This is how geo-political conditions and the elites' own experiences have shaped their mindsets on ethnicity. Insofar as religion is tolerated, it is only when it does not directly contradict state proclamations; and when it could help propagate state policies or strengthen the government's positions on issues, religion is even encouraged (Tamney 1996). The state has employed various methods to keep religion in check, including strategies of co-optation (Walid 2013), 'hard' and 'soft' instruments (E.K. B. Tan 2011). The PAP's regulatory style towards religious life has been dubbed as 'intrusive secularism' (Aljunied 2012), 'accommodative secularism'(Thio 2010) and 'strategic secularism' (Lily Zubaidah 2012). Not only do state policies reflect the PAP's worldview on race and religion, its leaders have been upfront about the party's outlook on theexplosive nature of diversity. The state's interventionist approach towards handling diversity can be seen from numerous examples including the Maintenance of Religious Harmony Act (MRHA) whereby a person can be arrested for 'inciting' others on religious grounds, to the government-prodded Inter-Racial and Religious circles (IRRC) which are meant to promote inter-racial bonding, and even more cynically, the arrest of Chris- tian church members that were said to be 'plotting' against the state (see below).

That the regard for ethnicity as a primeval force for dispute is inherited by later generations of ministers and policymakers is evident from the rhetoric espoused up till today. Race and 'racial harmony' is constantly emphasised and they are keen to espouse that it is a 'work in progress', and Singapore has not completely attained it yet. Racial vio- lence is often depicted as the inevitable outcome if a plural society is not carefully con- trolled, and if draconian measures are not put in place (E.K.B. Tan 2004: 77). The state narrative consistently references the Maria Hertogh riots which occurred in 1950, attribut- ing the cause of the violence to religion, despite the existence of competing narratives that view the riots as a mode of resistance towards colonialism (Aljunied 2009).[6] The aforementioned 1964 clashes are also regularly highlighted. The perception of ethnicity being inherently problematic is institutionalised through various state mechanisms and policies, including the education curriculum. A new generation PAP leader, Minister for Education, Heng Swee Keat, stated as recently as 2012:

[6]The Maria-Hertogh riots occurred in 1950, whenmobs of Muslims attacked Europeans and Eurasians inSingapore. This was after the colonial court (Singapore was still under British rule) ruled that a Dutch girl who was raised by Muslim parents in Singapore had to be returned to her Dutch Catholic parents (see Aljunied 2009).

> In learning about the significance of the various customs and practices, students will come to respect the customs and practices as unique to each community. Students also learn about the causes and consequences of the Maria Hertogh riots and the 1964 race riots, to realise the importance of the continual efforts by every Singaporean to ensure racial and religious harmony. Students learn about the various measures put in place in our society to promote inter-racial and inter-religious understanding, such as creating common space and shared experiences, formation of Inter-Racial Confidence Circles and Harmony Circles.
>
> (Parliament of Singapore, 12, Session 1, 16 January 2012)

The prevailing discourse on race is further reinforced when even PAP leaders from an ethnic minority background subscribe to the view. Two quotes from Malay MPs highlight this:

> Many post-65ers, like myself, may not have experienced the racial riots of the 1960s. But we can surely learn from history, such as the Maria Hertogh riots in the 1960s which were started by a single picture published in a newspaper. Today, modern communication technologies have greater potential to create such tension with swift and dramatic effect, with technologies such as video MMS.
>
> (Parliament of Singapore, Zaqy Mohamad, 11, Session 1, 27 February 2007)
>
> Racial and religious harmony was not a natural instinct when we attained self-government 50 years ago. The multi-racial and multi-religious profile of our country posed a big challenge for the government of the day as there were potential community fault lines that could scuttle the good work that needed to be done. Many would not even know that 34 people were killed and 563 injured in two outbreaks of racial riots in 1964. But Singaporeans of that era, shocked by the horror of those riots, have resolved from then on never to take racial harmony for granted.
>
> (Parliament of Singapore, Zainudin Nordin, 11, Session 2, 19 August 2009)

Ethnicity and religion is constantly talked up and portrayed as a potential source of conflict. This preconceived notion of race and religion guides the PAP's 'pragmatism': it anchors in place a certain set of values that shapes the party's ethno-religious policies. It is no surprise, once multiracialism is understood for what it is, that the state does not allow for complete religious freedom, constantly intrudes in the realm of religion, and does not encourage discussions and open debates on these issues as race and religion are considered out-of-bounds.

Analysing the PAP's no-hijab stance

According to the majority of Islamic jurists and the Shafii school of thought that most Singaporean Muslims adhere to, and more pertinently, according to the official edict of the Islamic Religious Council of Singapore (MUIS), it is compulsory for all females beyond the age of adolescence to don the hijab.[7] The religious obligation to wear the hijab is not a matter of contention amongst the religious elites in Singapore, as articulated by the mufti Dr Fatris Bakaram (2013) – who is the highest authority on Islamic jurispru- dence in the country – in his widely circulated note on Facebook. The matter gets even more interesting considering that MUIS is essentially an arm of the state; it is under

[7] I do not seek to make a normative stance on the jurisprudential obligations of donning the hijab for Muslims, though two points are instructive. Firstly, while there are some Muslim scholars who argue against the obligatory nature of the hijab, the dominant position within the Sunni school of thought, including Al-Azhar University (the leading Sunni authority), is that wearing the hijab is compulsory. Secondly, MUIS and most religious scholars in Singapore subscribe to this opinion too, which is most pertinent for this article.

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the direct purview of the Ministry of Culture, Community and Youth, and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.[8]

The state's official policy has been to disallow the hijab to be part of school uniforms, and in some government services which require uniforms to be worn, such as nursing, the police force and the army. The reasons enunciated by the state will be discussed in the next section. Muslims have been asking the policy to be reconsidered since 1977, though the subject only garnered national attention on two occasions, in 2002, and in late 2013 to early 2014. In 2002, the parents of four children openly defied this policy by sending their children to state schools donning the hijab. Immediately, the issue attracted nation- wide attention. PAP leaders almost instantaneously came out in full force to chastise those involved in the incident. They singled out Zulfikar Shariff, a social activist who was heavily critical of the state's no-hijab stance, as the mastermind behind the entire saga, and began vilifying him in public (Tan K.P. 2003). Instead of engaging the Muslim community on what was palpably a genuine concern, the state instead chose to view the incident as a direct challenge to its hitherto unbridled power. The state-controlled media continued to portray Zulfikar in a negative light, and blamed him for instigating the entire episode. At this point in time, senior PAP leaders, including the then Prime Minister Goh Chok Tong, weighed in on the issue and reaffirmed the state's policy. MUIS issued a statement via the Mufti, who said that 'education is more important [than the hijab]' (BBC 2012). The statement was not unanticipated as the Mufti's government-linked pos- ition probably forced his hand. Despite the Mufti's call, the Muslim community continued to push the agenda, mostly by expressing online discontentment towards the state, organ- ising public forums to discuss the matter and via a few public statements by some Muslim organisations (Walid 2013). Zulfikar eventually felt compelled to leave for Australia in anticipation of the authoritarian state machinery to be used unrestrainedly against him as media attacks against him intensified (Lily Zubaidah 2009: 38). The hijab issue then faded into the background, failing to attract mainstream attention until 2013. It must be reiterated that the PAP was electorally still highly dominant in 2002 as it had just secured one of its largest vote shares (75.3%) ever in the 2001 election. The PAP's willing- ness to be heavy-handed in this episode, I argue, was motivated by the elites' worldview on ethnicity, and enabled by its commanding political position.

In 2013, several online petitions were set up by a few Muslims to gather support to apply pressure on the state to reconsider its position. These were done organically, without any particular organisation or individual spearheading the efforts. One Facebook page in particular, the Singapore Hijab Movement, had attracted over 20,000 'likes'. Senti- ments were running high, as evinced from the vitriolic nature of some of the comments made online. This occurred in a climate where dissent towards the government was not only possible due to the proliferation of social media and the internet which severely undermined the state's grip on information via traditional media, but also widespread due to discontentment over perceived state failures in general, such as over-congestion in public transport and rising levels of income inequalities. This solely virtual movement drew a response from the cabinet; the Deputy Prime Minister, Teo Chee Hean issued an

[8]For a further discussion on the interaction between MUIS and the state, see Kong (1993).

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ambiguous statement, asserting the need for Singapore to maintain 'social harmony' (R. Chan 2013), without making a commitment on the hijab policy itself.

Muslims continued to pursue the issue online. As a show of support for the movement, many changed their Facebook profile picture to one that was designed specifically for the cause: a silhouette of a female wearing the hijab which bore the colours of the national flag (see Figure 1). This was later removed (Lee 2013).

The image was clearly meant to question the state's policy, by insinuating that there is no contradiction between practising one's religion and staying loyal to the country. Another group, World Hijab Day Singapore (WHDS 2014), planned to conduct a 'celebration' of the hijab, together with various WHD movements internationally, on the 1 February 2014. The organisers had intended to 'showcase the beauty of the hijab' by going to the street and speaking to non-Muslims about its significance. However, it was reported that the authorities pressured them against organising the event. The cancellation of the event acquired significant attention on alternative/online media, but was completely ignored in the mainstream media. The state neither confirmed nor denied allegations that WHDS members were faced with 'pressure and threats'.

Prime Minister Lee Hsien Loong eventually held a closed door session in late January 2014 with a hundred selected community leaders to discuss the hijab. No conclusion was reached, or new policy changes announced. All that was released to the media were conciliatory statements of ambiguous nature from both sides (Grosse 2014). Despite no changes in the hijab policy, as yet, one could evidently discern a change in tone and

Figure 1 Image posted on Facebook by the Singapore Hijab Movement in 2013 that was later removed.

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approach. While the leadership's statements on the hijab and how it would affect social harmony, together with the consistent affirmations of race and religion being potential fault lines, remained the same, the government's handling of the issue now differed. Earlier, in 2002, when the PAP was dominant, it could afford to be more assertive and harsh towards those who championed the issue, like Zulfikar. But in 2013, when the political climate had changed and the PAP's authoritarianism was now more of a 'competitive' nature and the party had suffered electoral setbacks just two years earlier, a more lenient stance was taken, whereby the prime minister tried to have a dialogue with community leaders and reason with them, rather than employ the knuckleduster approach. Again, governing ideologies had to be tampered with electoral realities in producing the final policy outcome.

Multiracialism: guiding philosophy behind the no-hijab stance

The state's approach towards the hijab is consistent with its general outlook on race and religion; it is always extremely cautious in letting differences come to the fore. The desire for uniformity amongst citizens is perhaps matched by the obsession against external displays of piety. PAP leaders have given a few reasons to justify its no-hijab policy. Firstly, it argues that allowing the hijab to be worn will affect the 'common space'(Law 2003: 56). What exactly is meant by common space is undefined or purposely vague. Secondly, Singapore is a secular society that does not mix religion with politics (Suzaina 2004) and finally, if the state acquiesces to the wishes of the Muslim community, other ethno-religious communities will be emboldened to assert their respective demands. A PAP Muslim MP, Zainal Sapari, even used the far-fetched comparison to the Jehovah Wit- nesses' desire not to be conscripted into the National Service in Singapore as their faith does not allow the carrying of arms (Channel News Asia 2015; *Today* 2014). While the analogy is clearly stretched, the message that was intended was that religious demands could come into conflict with national imperatives, as was the case with the hijab demand. This will, the state argues, undermine the social fabric of the country. If every race and religion starts becoming more assertive, and begins to demand its own space and rights, social harmony of the nation could be harmed. There could be diminished trust between the races, and eventually, the stability and peace the nation has acquired would be in severe jeopardy. Eventually, the economic conditions would be unfavorably affected, as Singapore's miraculous economic growth has been predicated upon social stability and harmony. Such is the reasoning behind the government's guarded approach towards racial and religious demands. In 2002, Goh Chok Tong who was then prime min- ister opined that if girls in state schools were allowed to wear the hijab, ethnic differences would be amplified and integration impeded (Law 2003). This is another reflection of how the multiracialism ideology has translated into the PAP's hijab stance.

Another reason given by the government is the alleged opening of Pandora's box – if the state is seen to react under pressure and accede to the demands of one group, others would see it as a weakness and start demanding for their rights too. Even were others to increase their demands, this in itself would not be a cause for concern, unless of course, there is a preconceived view on race and religion. It would be no exaggeration to say that the PAP, as an authoritarian party, has had a vengeful disdain for those that challenge its authority. Opposition parties have been marginalised, individual politicians

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bankrupted (Lydgate 2003), social activists clamped down on (Shariff 2004), civil society groups stifled (Lee 2002) and dissenting voices co-opted (Hewison 1999). Therefore, it is natural to expect wariness from the PAP towards religion and ethnicity, two potent potential sources of mobilisation against the state. This attitude is reflected in the above mentioned secularist approaches and politicians' rhetoric.

This is not to say that the PAP uses pragmatism as merely a rhetorical device. I argue that the PAP's policies are born out of genuine convictions. However, the negative worldview of diversity is so ingrained in PAP leaders that they cannot see beyond a situation whereby they have to actively manage ethnicity and religion. Their pragmatism is constrained by their predispositions. It would not be fair to assert that the PAP is Islamophobic. What is more accurate is that they are wary of *all* religions, or potential sources of disobedience though for various reasons that will be explicated later, special reservation is exercised towards Islam. In the 1980s, the Catholic Church was targeted by the state. Senior PAP leaders accused the church of meddling in politics, and 22 people were arrested under the Internal Security Act, where they could be detained indefinitely without trial, for a plotting a 'Marxist Conspiracy' against the state (Barr 2010). While details of the entire episode were (and still are) sketchy, it is fair to say that the incident is mired in controversy. What is less disputable though is that the state showed, in no uncertain terms, its intolerance towards religion as a socio-political force. Lee Kuan Yew, the prime minister during this mass detention, expressed his views on the incident and religion's role in Singapore as a whole:

> What we want our religious and para-religious group to do is to give relief to the destitute, the disadvantaged, the disabled, to take part in activities which foster communal fellowship. Emphasis on charity, alms-giving and social and community work.
> I urge that churchmen, lay preachers, priests, monks, Muslim theologians, all those who claim divine sanction or holy insights, take off your clerical robes before you take on anything economic or political. Come out as a citizen or join a political party and it is your right to belabor the government. But you use a church or a religion and your pulpit for these purposes and there will be serious repercussions.
>
> (Haas 1989: 61–2)

Following this episode, Lee Kuan Yew proclaimed in the 1988 National Day Rally that communalism had reared its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62). The fear of religion, rightly or wrongly, was apparent. Religion, like race, had to be consciously managed, so that it could fulfill its nation-building imperatives of helping the disadvantaged and disabled, instead of being a disruptive political force. In addition to the Marxist conspiracy saga, another incident displays the state's wariness towards religion. In 2009, a Christian couple who distributed pamphlets that were intended to proselytise others and were dubbed as insulting to other religions was charged under the Sedition Act. Prime Minister Lee Hsien Loong found the incident noteworthy enough to be given a mention in the 2009 National Day Rally.

As mentioned earlier, while a cynical view of primordial forces that regulate ethnic and religious behaviour is applied to all religions and races, special scepticism is reserved for the Muslims and Malays. Being a Chinese-majority state in a Malay-Muslim region, or a 'Chinese nut in a Malay nutcracker' (Huxley 1991: 208), has shaped the nation's insecurities with regards to military threats by its larger neighbours, Malaysia and Indonesia

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(Tan A.T. 2004). As a result, the Malay-Muslims within the country are often treated with mistrust. PAP leaders have gone on record to state that Malays are not allowed to hold the highest positions in the Singapore Armed Forces because, if the country goes to war with either Malaysia or Indonesia, the loyalty of Singaporean Malay-Muslims is not guaranteed as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006). The situation was compounded by the discovery of terrorist cells in Singapore, several years after the 9/11 attacks in New York, and the state became even more distrustful of the Malay-Muslim community, especially in the immediate aftermath (Tan E.K. 2007). The fact that Singapore was closely allied to the United States in its 'war on terror' meant that the city-state shared many of the presumptions held by the latter about militant Islam (A. Tan 2002). PAP leaders equated the threat of terrorism and alleged Muslim separateness to the rising religiosity levels of Muslims (Steiner 2011), immediately casting not only *Muslims* as the problem, but *Islam* too. Even the prac- tice of not drinking alcohol or subscribing to a halal diet, which have been practised by most Muslims since the time of Prophet Muhammad, was now seen as a barrier to inte- gration. Lee reminisced of the past, where Muslims were 'less strict' in observing their practices.

> I would say today, we can integrate all religions and races except Islam. The generation that worked with me – Othman Wok, Rahim Ishak – that was before the wave came sweeping back, sweeping them; that generation integrated well. We drank beer, we went canvassing, we went electioneering, we ate together … Halal, non-halal and so on, I mean, they are all divisive … Islam is exclusive.
>
> (Han et al. 2011: 228–30)

Any external symbols of piety by the Muslims were now perceived (even more) as genuinely problematic. The hijab was one such symbol, probably the most potent one.

> You know, I will eat pork, (they will eat) whatever they eat, their halal food, and in college, we'll sit down the same table. Women will not have scarves and so on. But with the rise of oil money … . gradually, now you see so many of the women with headscarves. Are you mad?
>
> (Lee Kuan Yew, as quoted in Plate 2013: 126)
>
> And so we had to stand firm. I said, 'This is not the school uniform, no, and if you want to be on the front end of the desk, you do not wear a headscarf, you wear this uniform. If you want to wear a scarf, you go[to] the back end.
>
> (Han et al. 2011: 231)

An even more scathing indictment of Islam reflected his predispositions towards the faith.

> But the Muslims believe that if they mastered the Quran and they are prepared to do all that Muhammad has prescribed, they will succeed. So, we can expect trouble from them, and so, it happened.
>
> (Plate 2013: 126)

Lee Kuan Yew and the state's mistrust of Malays, is undoubtedly partially shaped by geo-politics and the international climate of general suspicion towards Muslims due to the terrorism issue. It is these geo-political factors that ultimately help to contribute towards shaping and solidifying the PAP's overall worldview on religion and Islam. While Lee Kuan Yew's forthright and often disparaging remarks on Islam are not repeated by his successors, one can see a similar inclination on their part with regards to religion, and specifically the hijab issue. At the 2013 PAP Convention, Prime Minister Lee Hsien

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Loong mentioned that Muslims in Singapore would like to see the hijab being allowed in more work settings but he cautions:

> We are united because collectively we have decided to come together as one nation. We have not forced people to conform to one culture. We have given every group extensive freedom to practice their own religions and to keep our cultures alive. But at the same time, we need to compromise, to give and take, to get along with one another. And therefore to maintain the common space that we all share. Because otherwise we will weaken Singapore.
>
> (H.L. Lee 2013)

This statement echoed the Minister for Communications and Information and Minister-in-charge of Muslim Affairs Yaacob Ibrahim's Facebook posting on the hijab, whereby he stressed the need to balance 'creating an environment where Muslims can practise freely and peacefully' with the need to 'manage and balance the diverse needs of our multi-racial and multi-religious society', as well as 'the need for accommodation and compromise by all parties' (Yaacob 2013). Both Lee Hsien Loong and Yaacob constantly reiterate the explosive potential race and religion could have, and hence the need for the state to manage racial/religious issues and demands in a delicate manner. Lee Hsien Loong was frank about his belief that if the PAP does otherwise, it would 'weaken' Singapore. Thus, the PAP believes that the more each community demands for its religious preferences, the more distinct each community would be and would pose a threat to 'social harmony'. The state's aversion to diversity, exacerbated by the Muslim 'terror threat', meant that it tried hard to reduce the 'distinctiveness' of the Malay-Muslim community. The madrasah, traditionally independent entities, some of which had existed for over a century in Singapore, had their curricula reformed to be more in step with the economic 'realities' of the country; three were even put directly under the purview of the government (C. Tan 2009b). This significant development cannot be emphasised enough: the Muslim community had hitherto consistently guarded the independence of the madrasah in Singapore. Yet, the state saw it necessary to intrude upon this space, despite the resistance and outcry it had met in earlier attempts. This was part of a wider attempt to homogenise Singapore society and bring the Muslims closer to non-Muslims (Barr 2013: 71–2). In a similar vein, having the hijab worn by some frontline civil servants would draw attention to distinctiveness, instead of homogeneity. The more religion continues to be emphasised by citizens, the more the state worries that its loyalty to the nation is in question: again, this is typical of an authoritarian state that is on its guard against diversity.

Evidently, the no-hijab policy can be situated within this context. The PAP's predilections concerning race and religion inform its policies. And multiracialism, which views differences as a problem rather than a strength, is the foundation of all its ethnic policies, resulting in scepticism towards religion and a desire for uniformity. Coupled with the state's geo-political complexities, political history and the threat of terrorism, Islam, Malays and Muslims are viewed with even more mistrust; it was predictable that overt displays of Muslim religiosity were greeted with suspicion. The hijab is, after all, a symbol of female Muslim piety. It is perhaps feared that the demands for the hijab is in fact reflective of higher levels of religiosity, which is what is actually problematic for the state.

Yet, this ideology of multiracialism does not exist in a vacuum. In spite of its guardedness towards diversity, the state did not react to the 2013 hijab demands in the same forceful manner that it did in 2002. This is not because multiracialism ceased to be an important

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governing paradigm since the state has stood by its core ideologies and has refused to compromise on them, as evinced by numerous statements given above. Rather, the evolving political realities circumscribed the options that the PAP could embark on. The 2011 election proved that the political climate was such that the PAP was no longer as ubiquitous as it used to be, and in a competitive electoral environment, the voting power of the Muslim minority is significantly enhanced, especially in districts commanding competition. Hence, it would not be a surprise if this policy is further relaxed before the next general election, in a bid to win the Muslim vote. The no-hijab policy for certain sectors in the public service and schools has been in place since independence despite repeated calls for change from the Muslim community. Activism by Muslims was high in 2002 and 2013–14. The PAP reacted in its typical 'knuckle-duster' (K.P. Tan 2009: 58) style in 2002, by disparaging those involved, especially Zulfikar. By 2013–14, however, a slightly softer approach has been taken. Lee Hsien Loong personally met with a hundred community leaders and despite the seemingly staged nature of the dialogue, the state rhetoric has slightly changed. Halimah Yacob, the PAP Speaker of Parliament who dons the hijab herself, stated that she hoped 'thegovernment will review its position' for the nurses (Ong 2014). Lee Hsien Loong stated that the policy was not static, and could be changed over time (Amir 2014). While undoubtedly these could easily be perceived as paying lip service to the Muslim populace, it could also signal a future change in policy. Even if the government relaxes its hijab ban, it does not signify a paradigm shift in its governance, as its overall approach towards race and religion has not changed. Rather, the decision could be attributed to the increasingly competitive electoral arena, where the hitherto hegemonic PAP had its worst performance in the 2011 general elections, conceding much ground to the Workers' Party.[9]

Conclusion

Multiracialism presupposes some assumptions on ethnicity and religion, and it would be mistaken to evaluate ethnic policies in the country without understanding what these assumptions are. By no means are these assumptions 'natural' or 'pragmatic' by themselves, rather they are the result of historical, geo-political and perhaps even personal circumstances, which eventually translate into governing ideologies. A value-free approach towards understanding policies, therefore, is insufficient to fathom the full intricacies and complications of the realities of political decision-making. The hijab issue is useful for analysing the state's overall approach on religious issues.

Even though I have drawn on the Singapore example, I believe the argument made can provide for a more general theoretical contribution in studying a country's policies on religion as the state ideologies coupled with a ruling party's electoral strength will determine the actual governing policies.

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[9]The new developments in the political scene, whereby the Workers' Party has emerged as a significant challenger to PAP hegemony, have led analysts to term politics in Singapore as the 'new normal', see for e.g. K.P. Tan (2012a).

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Convention on the Elimination of Discrimination Against Women and the Prospect of Development of Muslim Personal Law in Singapore

A 2

NOOR AISHA BINTE ABDUL RAHMAN

Abstract

This paper examines Singapore's partial reservations to Articles 2 and 16 of the United Nations Convention on the Elimination of Discrimination against Women (CEDAW). It contends that the reservations justified on the basis of protect- ing the rights of the Muslim minority community to practice its personal law has unwittingly impeded the potential of reviewing and addressing significant gaps and limitations in the ways in which the laws are conceived and administered. More pertinently, the policy reinforces the dominance of traditionalism in the think- ing of dominant stakeholders of the law. Taking the standpoint that the values of equality and non-discrimination on the basis of gender espoused by CEDAW are compatible with the objectives of Muslim law, this paper maintains that ratifying the relevant Articles of CEDAW will strengthen the process of the development of the Muslim personal law and address essentialist presumptions of the law. This per- spective departs from the dominant discourse on the Muslim law and CEDAW which is framed in terms of conflict and polarity between the law and human rights, religious law and women's rights, and universal values versus cultural rela- tivism.

Introduction

Muslims in Singapore constitute a substantial minority of about 15% of the state's multi-ethnic, multi-religious population.[1] Although constitutionally a secular state, Muslims living in Singapore are legally bound by a system of personal law based on an admixture of selected classical *fiqh* (traditions) and *adat* (customs) which regulate the Muslim family. This arrangement has persisted since the colonial period during which the per- sonal laws of the plural inhabitants of the colony became confined in their application largely to the domain of the family.[2] However after independence, only the Muslims remain bound to the Muslim law while the religious and customary laws of the other plural communities were abolished.[3] Under the existing dual legal system of family law, non-Muslims in Singapore are governed by the Women's Charter of 1960 while the Muslims are subject to the Administration of Muslim Law Act (AMLA) of 1966.

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Administration of the Law

It is pertinent to iterate that the AMLA merely administers the Muslim law in these areas but does not codify it. What constitutes the law is largely determined by legal authorities conferred with the power to administer it. Although the Act does not specifically direct the Shariah Court (SYC) to apply the tenets of any particular school of law, generally, it is the law of the Shafie School to which the majority of the Muslims in Singapore belong to, which is applied. This is further confined to a particular kind of juristic opinion within the school concerned.[4] The AMLA also institutionalizes a legal committee to provide legal opinions (*fatwa*) on matters of Muslim personal law.[5] Such opinions may have the force of law if they form the basis of legal judgment by any court in Singapore. The mode of thinking of relevant agencies on the legacy of Muslim law that has been formu- lated within concrete socio-historical contexts of the past signifies the extent to which it is able to meet the needs and challenges confronting contemporary Muslim families.

The AMLA binds all Muslims and would presumably cease to apply only if they abjure Islam. This means that unless specifically provided within the Act, Muslims cannot avail themselves to the common law on concurrent areas, regardless of their choice, a position reinforced by relevant statutes which excludes or exempts them from the purview of these laws. Except in the areas specifically defined in the AMLA, the common law applies to Muslims as citizens of the state in all other areas. The AMLA is not confined to provisions pertaining to the family. Those relating to the family extend to marriages (including all matters incidental thereto), divorce and matters ancillary such as custody and maintenance of children, division of matrimonial property, consolatory gift (*mutaah*) and maintenance of wives. The Act also administers declarations of inheritance and *waqf* (endowments).

However, Muslims are not completely isolated from the purview of the common law and jurisdiction of the civil courts in specific areas of family law, conditioned presumably by perceived compatibility of legal principles applied by the civil courts. For instance, the civil courts have long heard and determined disputes pertaining to the maintenance of Muslim wives and children as well as cases involving domestic violence. [6] Disputes per- taining to inheritance are only heard in the High court. Since the amendments in 1999, interaction between the two legal systems has been extended with Muslim peti- tioners given the choice of legal forum in disputes pertaining to the division and disposi- tion of matrimonial property and custody of children upon divorce. This right is however not automatic but conditional upon mutual consent of parties involved or leave granted by the SYC in its absence.[7] The amendment also facilitated enforcement of SYC orders for these matters by the civil courts. The more recent amendment to the AMLA in 2008 which effectively recognized orders of the SYC for maintenance and *mutaah* (consolatory gift) as orders for maintenance under the Women's Charter is a further extension of the interaction between the two systems of laws.[8] It removed the cumbersome procedure required for Muslim women to have the SYC order registered in a district court before it can be enforced. Since then, Muslim women petitioners can commence enforcement proceedings at the Family Court on husbands who have defaulted on payments without the inconvenience of additional costs and delays. Apart from the interaction of laws and jurisdiction, legal reasoning and principles based on the common law have gradually assimilated into the administration of Muslim law given the influence of judicial officers and practitioners at the SYC, some of whom are trained in the common law.

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Muslim Law and Social Change

The introduction of the AMLA in Singapore in 1966 was contemporaneous with modernization of Muslim family law in response to social change in the many newly independent Muslim societies in the twentieth century.9 While the introduction of the colonial capitalistic economy had already gradually modified the primacy of the extended family within a complex system of rights and obligations based on traditional customary laws and mores, the process of nation building after independence impacted upon the family institution more incisively. The growing economy, rapid industrialization and the introduction of mass education for all induced far more complex social change. As more women acquired education, participated in the workforce and began to contribute to the public domain in various capacities, demands for legal change congruent with the shift from traditional communal norms toward greater expansion of freedom and rights of the individual irrespective of gender became inevitable.

Muslim family law became the major site of contestations by competing groups with varying orientations and perspectives on the law and the extent to which it can be modified or changed to adjust to the new socio-economic condition. After all, it was this domain that had persisted despite centuries of colonial domination. While other areas of the indigenous law had been effectively replaced by foreign law of the colonial powers, family law based on a syncretic admixture of religious law and customs was largely preserved. Though changes to procedures and administration of the law were evident, slower to change was the substantive law.[10]

In several Muslim states, modernization of the personal law involved codification of classical *fiqh* traditions. The process altered aspects of the traditional legal methodology and modified *fiqh* traditions pertaining to marriage and matters incidental as well as divorce.[11] Although its overriding justification was to strengthen the institution of mar- riage and the rights of parties within it, in particular rights of women, the extent to which codification brought about improvements in these areas has been strongly con- tested. Hallaq, for instance, maintained that codification was part of the power dynamics of the evolving modern state rather than a teleological effort to progress toward a more sophisticated legal culture. The process, he asserted, effectively severed the law from its own indigenous jural system through nebulous devices. Hence, he submitted that while the popular Muslim imagination appears to hold these remnants of *Shariah* to be an authentic and genuine expression of the *fiqh* family law, the fact of the matter is that this sphere of law underwent structural and foundational changes that has resulted in its severance from both the substance of classical *fiqh* (which in many ways were much richer than the condensed statutes) and the methodology by which *fiqh* had operated.[12] In Singapore, the introduction of the AMLA in 1966 was intertwined with the process of legal and institutional changes in the domain of the Muslim family law that had occurred in large parts of the Muslim world. Unlike many of these codes, the AMLA as its very title suggests, largely focused on administering the Muslim law. In the effort of the lawmakers to buttress Muslim marriages, the AMLA introduced provisions that strengthened the powers and jurisdiction of the SYC which had already been established in 1958 to hear disputes pertaining to marriage and divorce not by mutual consent. It also sustained the arbitration process within the Court with the intent of reconciling parties where possible and safeguarding marriage against arbitrary and hasty divorce. Mandatory registrations of marriage and divorce were more effectively regulated. Furthermore, strin- gent administrative measures were introduced to curb the practice of polygamy. In the initial period of its establishment, these provisions proved effective in reducing the high incidence of divorce that had plagued the Muslim community.[13] Provisions in the AMLA also attempted to enhance and protect the rights of women. The Act accorded the *qadi* appointed, the power to solemnize a marriage in the event of objection by the

guardian (*wali*) of the bride. Women's rights to maintenance during marriage and after divorce and their share in matrimonial assets and *mutaah* were also clearly stipulated. The Act also regulated conditional divorce (*cerai taqlik*), divorce by judicial decree (*cerai faskh*) and by redemption (*cerai khuluk)* for women.[14]

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Although these legal changes among many others were intended to strengthen the insti - tution of marriage and the rights of parties upon divorce that would reflect more closely contemporary social values and expectations of marriage, this objective has yet to be fully realized. Understanding actual impediments to achieving the objective of the law is impaired by the predominant tendency to perceive the problem as one rooted in the con- flict between an eternal and fixed system of religion-based law and the demands of modern society. Such an approach occurs extensively in the writings of some Orientalist scholars who generally subscribe to the essentialist notion that Islamic law being inher- ently unchanging, fossilized and immutable, the very nature of the law itself impedes change and reform.[15] The perception strongly implies that legal reform cannot take place unless the law itself is eradicated and replaced. This a-historical and a-sociological approach deflects attention from concrete social factors that impede the process of legal transition to modernization.

Examining the mode of thinking of dominant groups in the realm of the Muslim law and the extent it compounds the problem of ideological lag amidst the challenge of social change, provides a trajectory that departs from reductive and essentialist under- standing of the Muslim law. Within this perspective, the problem is perceived as con- ditioned by the prevalence of traditionalism or conservatism among dominant agencies on the Muslim law who rigidly cling to selective classical rulings as sacred and immutable, much in the same way as the Qur'an and other inspired traditions are regarded. Any change or modification to the law is perceived as a threat to its certainty and stability. This mode of thinking of the Muslim law is in a way, a mirror image of the Orientalist style of thought which reduces the Muslim law to an abstract bundle of rules that are divorced from specific socio- historical contexts and practical considerations that have conditioned its emergence. In traditionalism, the Muslim law is cherished as unchanging and immutable despite the diversity of legal opinions within the tradition formulated on the basis of rationality and systematic methodology. Revaluation and reform of the law are regarded with strong ambivalence, akin to challenging the word of God and the tra- ditions of the Prophet Muhammad. This mode of thought cuts across ideological dimen- sions and its politicization can seriously compound the problems of legal development.[16] No attempt is made at discerning between meaningful and relevant tradition from those that are obsolete on the basis of principles, nor are historically specific legal formulations distinguished from the eternal, universal and absolute values that underlie them. Further- more, the legal contributions of others though socially beneficial are not deemed integral to the development of the Muslim law. Dogmatism in clinging to selective traditions at the expense of others, overrides emphasis on improving human lives in concrete terms.[17] This mode of thought compounds the problem of persistence of lag in legal adjustment to the demands of social change with adverse implications on women and the family generally. Though some aspects of the law have been adjusted and changed in tandem with changing conditions, these were likely to have been spurred by competing group thought. Given the dominance of conservatism however, changes have been piece- meal, lacking more comprehensive treatment. Furthermore, they generally pertain to administration of the law rather than the substantive law.

CEDAW: The International Bill of Rights for Women

Historically, the foundation for legal reform has largely been drawn from the Muslim reli- gious tradition. However, not hermeneutically sealed from other cultural influences within the interconnected global milieu in which they exist, Muslims have also

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assimilated a diversity of ideas and influences in the process of development. Even religious values and traditions are understood in relation to these influences that extend beyond the Muslim cultures and tradition per se. For instance, contemporary unprecedented developments in human rights agenda have impacted on the language and framework of discourse pertaining to Muslim women and the law. Ziba Mir-Hosseini, in her study on the struggle for women's rights in the context of post-revolution Iran observed that while there have been strong efforts by some prominent religious scholars at endorsing universal values of justice and gender equality rooted in the Islamic tradition, noticeable shifts toward conceiving the issue as one premised on rights have taken place.[18] Such shifts, according to another scholar signify attempts at reconciling and adapting Islamic values with the "universal", "legitimate" and "socially just" discourse on human rights.[19] Spurred by the west around the end of the Cold War and accelerated by development of the social media, the rights movement has been accompanied by the establishment of universal rights instruments and legal frameworks at the level of individual member states. The United Nations Convention on the Elimination of Discrimination against Women (CEDAW) is an example of this development. It is a United Nations Rights Document, sometimes described as an international bill of rights for women which was adopted by the General Assembly on 18 December 1979 and came into force in 1981.[20] Its overriding goal is to eradicate gender-based discrimination in both the private and public spheres of women's lives. In CEDAW, discrimination is defined as:

> any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)

It also sets up an agenda to end such discrimination not by simply adopting a formal equality approach but compels by way of Article 2, signatory states to undertake, as a matter of urgency, measures that will ensure equality of opportunity and equality of access to those opportunities. The provisions are expected to apply universally to all states that are parties to the Convention, irrespective of their cultural and religious diversity.

It has been observed that CEDAW has contributed significantly to improving rights of women in various legal systems. Bayefsky et al.[21] maintain to the effect that the Convention has facilitated the understanding of modern international human rights standards in general; integrated women's rights into the broader human rights context in terms of standards and implementation; and promoted domestic or national implementation efforts. At the national level, CEDAW has provided women in various signatory states with a powerful advocacy tool in drafting constitutions, judicial decision-making, and formulating national laws and government policies. The process of reporting to CEDAW's Committee has also been found to have empowered women's groups at the national level in numerous concrete instances in countries such as Zimbabwe, Croatia, Mauritius, Bangladesh and the Philippines.

CEDAW offers a framework and impetus for further reforms of the Muslim personal law in operation in Singapore. While the process has undoubtedly taken place and remains anchored in progressive values derived from the Muslim heritage and other cul- tural influences, CEDAW with its focus on the centrality of women's rights can strengthen it. Such an opportunity is however seriously hampered by the dominant mode of thinking of the Muslim law.

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Although a signatory to this Convention, Singapore had initially entered a blanket reservation to Articles 2 and 16. In 2011, this reservation was lifted and a partial one adopted specifically to Article16 1(a), (c) and (h) and 16 (2). [22] Article16 (1) and (2) provides the following:

> Article16 (1)
> State parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
> a. The same right to enter into marriage;
> b. The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
> c. The same rights and responsibilities during marriage and at its dissolution;
> d. The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
> e. The same rights to decide freely and responsibly on the number and pacing of children and to have access to the information, education and means to enable them to exercise these rights;
> f. The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
> g. The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
> h. The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.
> Article16 (2)
> The betrothal and the marriage of a child shall have no legal effect and all necessary actions, including legislation, shall be taken to specify a minimum age for marriage and to make compulsory the registration of marriages in an offi- cial registry.

A "reservation" to an Article means that although accepting other provisions, the ratifying state will not implement that particular provision, thereby limiting the extent of acceptance of the convention. The reservation took into consideration the views of members of the key Muslim institutions, namely the Religious Council (MUIS), the SYC, Registry of Muslim Marriages as well as other Muslim civic organizations.[23] The major aspects of the Muslim law which Muslim stakeholders deemed inconsistent with these provisions pertain to marriage, divorce and inheritance. More specifically, they include the right of a husband to terminate his marriage unilaterally (*talaq*) unlike a wife who is required to prove a ground for divorce; a husband's right to polygamy *albeit* subject to several restrictions; the requirement of a *wali*/guardian for marriage only for the bride and the legal obligation of a husband to maintain the family. Muslim inheritance laws were also highlighted for justification on CEDAW as it stipulates that a woman's share in division and distribution of property is half that of a man. These laws were highlighted in the Shadow Report of the Association of Women for Action and Research (AWARE), a major local non-governmental organization that has actively advocated for lifting the blanket reservation to CEDAW.[24]

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In explicating its policy, the government maintained that while it is committed to an ongoing review process to meet the needs of a changing population, it respects the rights of the Muslim minority community to practice its religious laws. Its statement on the reservation was conveyed as follows:

> In the context of Singapore's multi-racial and multi-religious society and the need to respect the freedom of minorities to practice their religious and personal laws, the Republic of Singapore reserves the right not to apply the provisions of Articles 2 and 16 where compliance with these provisions would be contrary to their religious and personal laws.

It further added that this is deemed necessary to maintain the delicate balance of Singapore's multi-religious society.[25]

Singapore's position which implies that the Muslim personal law is incompatible with specific provisions of the Convention is not unique. It has been noted that it is largely the Muslim countries that have entered the "most explicit and all-encompassing reser- vations" to the Convention based on the premise that Article16 or parts of it, contradicts religious law that regulates family relationship.[26] Malaysia, Singapore's neighbor, for instance, reserves Article16 on the same premise, that it contradicts religious law on family relationships for Muslims and that full compliance with the Convention would mean major changes to the existing family law.[27] It is maintained that unlike Article16 which emphasizes equal rights and obligations of wives and husbands within marriage and the family, Shariah law regulates family relationships on the basis of responsibilities or duties of parties in marriage in which the women's role is deemed not equal but comp- lementary to men. The difference has been articulated as Shariah law prescribing a "sep- arate but equal" approach. Thus, for example, a husband's financial obligation toward his wife, not reciprocated by her, is balanced by his unilateral right to divorce.

The general reservation adopted by Muslim states, could have influenced the views of Singapore's Muslim elite and in turn the government's cautionary approach toward not ratifying unreservedly the relevant Articles. Reservations to CEDAW, including Article16, have been objected to as defeating its fundamental object and purpose which is to compel state parties to abolish discriminatory laws and policies against women. It is deemed to undermine the effectiveness of the instrument in addressing dis- crimination in the private lives and relationship of citizens. When a state purports to accept its obligations but avoids changing its law comprehensively, the regime of the Con- vention is weakened.[28] Hence, the CEDAW Committee has conveyed its serious concern to the Singapore counterparts on the validity of religious-based reservations toward ful- filling the fundamental objectives of the Convention.[29]

It is contended that the mode of thought on the Muslim law underlying the reservation reveals the traits of traditionalism or conservatism. It overlooks consideration for the complexity of competing understanding within the Muslim legal tradition and contemporary society on the areas of law deemed incompatible with equal rights espoused by CEDAW highlighted above. The reservation also promotes an intransigent position. Although it does not disagree with the objectives of the Convention, it favors the Muslim law in operation without considering the need for explication and engagement on how the law safeguards against discrimination and promotes gender equality, values espoused both by Islam and the Convention. It leans toward upholding the selected laws as sacrosanct and absolute without ample discussion on the basis of common prin- ciples espoused both by CEDAW and Islam even in the face of challenge of gender dis- criminatory elements in the law. Generally, the discourse is characterized as one of

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dichotomy, incompatibility or conflict between Shariah law and the relevant sub-sections of Article16.

The lack of engagement is also evident on the part of members of the UN CEDAW Committee. In its concluding remarks the Committee expressed its deep concern with the preservation of the dual marriage regime that applies in Singapore and the gender discriminatory provisions that persist in the Muslim law on marriage and divorce. It also called upon the government to allow Muslims the freedom of choice of law. Although it urged for reform of the Muslim law, there is hardly any engagement or discussions that can pave the way for how such efforts can be carried out without compromising Islamic values and traditions and the principles of equality and non-discrimination espoused in Article16.[30] The position and approach taken by both the stakeholders of the law and the Convention do not alleviate the apparent dichotomy. The problem is not isolated from wider debates on Islam and human rights in general. As Mayer aptly observes, "Many theoretical visions of Islam and human rights presume both sides are rigid and fixed entities." On the contrary, according to the author, Muslim legal traditions have been subjected to modifications and different practices and accumulating evidence reveal that many Muslims have conceptions of their religious heritage and human rights as mutually reinforcing. Likewise, on the other side, perspectives on human rights change over time.[31] The problem is compounded by the lack of awareness of, and inadequate consideration for competing and progressive elements as a platform for revising the law, aggravated by attitudes toward Islam that overall, mar genuine and objective negotiation. Consequently, the potential for legal change is adversely impeded. As Naim warned, "it is difficult to establish universal standards across cultural boundaries as each tradition has its own internal frame of reference and derives the validity of its precepts and norms from its own sources. When a cultural tradition relates to other traditions and perspectives it is likely to do so in a negative and perhaps even a hostile and antagonistic way."[32] The need for meaningful engagement that takes into serious consideration variety of thought and meanings of values within each tradition is imperative. In its absence, reservations that have typified Muslims' responses to CEDAW on the one hand and essentialist notions of the Muslim law as incompatible with equal rights on the other hand will persist.

Polygamy

The debates on polygamy highlighted as the basis for reservation to Article16 illustrate the problem. They reveal the assumption of a fixed meaning ascribed to the term "same rights" used in Article16 which must exclude polygamy regardless of circum- stances. As women do not have the right to take on more than one husband as with the case of polygamy, the reservation is deemed necessary. The CEDAW Committee's expressed concern with legal authorization of polygamy reflects and reinforces such a presumption.[33] The presumption which entails the eradication of polygamy if Article16 is to be ratified would likely close all doors to any possibility of ratifying the Article and create doubts over the universality of principles advocated. Such doubts pertaining to CEDAW are by no means confined to Muslims. In a way, they reflect the concerns of many other groups about how the instrument assumes a hegemony that thwarts particular cultural or religious beliefs. Voices of dissent by various religious groups within American society, for instance, reveal the perception that the meaning given to principles of the Convention threatens their right of worship and practice of their religious beliefs and convictions. It

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has also been challenged as promoting a radical Western agenda, rejected by many within the West itself, as perpetuating a form of "cultural colonialism".[34]

If the reservation is to be lifted, the real challenge must lie in how polygamy is to be understood and administered without compromising the principles enshrined both in Article16 as well as the Muslim legal tradition. This is because any attempt to eradicate polygamy will likely invite backlash from various elements, in particular conservative groups who subscribe to the view of the law's immutability. This is in fact the justification already adduced by many state actors in Muslim countries for their reservation to Article16.[35] Within Muslim states, however, there is strong support for polygamy to be curbed or restricted effectively through stringent administration, due to social necessity, without abolishing it. Polygamy has been banned only in Tunisia. Tunisia's law lienot only on the moral rider in verse 3:127 of the Koran which states to the effect that if a person was afraid that he could not do justice to co-wives then he must marry only one, but also on the additional comment in Verse 4:129 that "you will never be able to do justice to women no matter how much you desire". This departs from the law in most other Muslim states and societies, including Singapore in which only the first rider is usedas thebasis of law interpreted on two levels: a legal level where limited polyg- amy is allowed and a moral level toward which it is hoped society would move in the course of time, much like the matter of slavery. This approach stands in between two min- ority positions; the first which regards polygamy as completely a matter of the private judgment of the individual and the other which gives legal import to the riders and dis- misses the latitude given to the permission clause.[36]

Polygamy in Singapore

The occurrence of polygamy in Singapore is very low.[37] Its negligible occurrence could have been induced by several factors, not excluding contemporary conceptions and expectations of marriage as a partnership, pragmatic considerations, the effectiveness in which the institution is administered and other relevant factors. Despite this, it is not banned for the reasons explained above. Some of the regulatory factors restricting the practice include the requirement of the husband to satisfy the Registrar that there is lawful benefit to the marriage, as, for instance, in cases where a wife is unable to con- ceive or is incapacitated from performing her functions as a wife; that the income and financial capacity of the husband is satisfactory and will not adversely affect the families and that the existing wife consents to the marriage. Impediments to registration of poly- gamous marriages contracted outside Singapore and difficulties of proof may also account for its negligible incidence.

It can be argued that while forcing a woman against her will either to enter into or remain in a polygamous marriage is clearly inconsistent with the principles espoused by CEDAW and the Muslim law, how her rights are compromised in situations that depart from these, has not been given due consideration. For example, if a wife chooses to remain in a polygamous marriage or if a woman decides to enter into one based on the same ground of freedom of choice, how in these instances can it be said that she is discriminated against or denied of her rights to or within marriage? Would not prohibiting her of that choice to do so discriminate against her instead? This is a per- tinent issue which has hardly been addressed in debates on CEDAW. The problem is compounded by the tendency to presume that the term "same rights" must be read as subjecting husbands and wives to similar laws. It is exacerbated by the pervasive unfavor- able attitude towardpolygamy, generally. Without a thoroughanalysis oftheimplications

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of how equal rights are compromised within a given cultural milieu, the possibility of revaluation of the law driven by ratifying CEDAW is dimmed.

Conditions Imposed on the Husband

The perception of polygamy as incompatible with the Convention has deflected attention from more pressing problems pertaining to its administration which directly bear upon principles of non-discrimination and equality. A major shortcoming in this respect is the lack of transparency in the significance accorded to conditions imposed on a husband in an application for polygamy. This is a matter that impacts directly upon the rights and freedom of women. For instance, although the consent of the existing wife is one of the major preconditions for a successful polygamous marriage application, there is at present, a lack of clarity on the importance accorded to this particular factor, a problem not confined to Singapore. A study on the administration of Islamic marriage laws in Malaysia revealed that Shariah judges tended to give emphasis only to a man's financial capacity to support more than one family in deciding whether or not permission should be granted.[38] Equal rights for women can only mean that her consent should be accorded overriding significance as it is the only condition which directly involvesher rights as a party to the marriage. A clear precedent for this approach is provided in the Syrian law which elevates this precondition in application for polygamy.[39] While other objective factors such as the husband's financial capacity or the element of "lawful' benefit" are nonetheless relevant indicators that must be factored by judges in the interest of the individuals and their families even with the wife's consent, the prerequisite of consent on the part of the first wife should not be reduced to secondary importance. Rati- fying CEDAW can spur discussions on how existing safeguards can be more justly admi- nistered in realizing the objectives of the Muslim law, presently non-existent.

Rights of Wives in Polygamous Unions

A related issue that also requires redress which could be spurred by lifting the reservation is the lack of comprehensiveness of existing legal remedies available to women seeking to terminate their marriages due to polygamy. This issue is closely intertwined with the prin- ciple of equality of rights and non-discrimination against women in divorce which both Islam and CEDAW enjoin. Giving a woman the right to consent to polygamy must also be accompanied by her right to exit from it should it become unbearable to her. Cur- rently, the AMLA does not clearly recognize polygamy as a ground for divorce. Although the provision of "inequitable treatment of a wife in a polygamous marriage" is stipulated in Section 49 for divorce by judicial decree, polygamy itself is not. The provision implies that unless a wife can prove that polygamy is detrimental to her interest in the sense that she has not been given equal treatment by her husband, the law offers her no way out of her marriage by way of judicial decree. Furthermore, presumably the burden of proof for "inequitable" treatment falls on her. This is inevitably more onerous than if polygamy itself constitutes an independent ground for divorce. While presumably such application can be heard under the ground of "harm caused to wife not amounting to physical harm" or the more general limb providing for "any other ground recognized in Muslim law", as far as I am aware, these have not been extended to include polygamy. In fact based on judgment of the SYC thus far, Section 49 has been confined only to cases whereby the husband is found to have been inflicted with impotency, incurable disease and insanity.

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A form of divorce forwomenthatmay potentiallyencompass polygamyis *taqlik* or conditional divorce. This type of divorce arises when the terms of the marriage contract is breached or violated by the husband. A woman can include polygamy as a ground for divorce within her marriage contract, breach of which if proven in court, would operate as one *talaq*. Although such a practice is well recognized in Islamic law, it is uncommon in Singapore where generally, the level of awareness of women of prenuptial agreements is low. While the Registry of Muslim Marriages has mandatorily included four conditions in every marriage certificate, violation of any of which if proven, effects as one conditional divorce, none of these however, includes polygamy. Given the low level of consciousness of women of their rights in marriage and divorce generally, there appears no cogent reason why polygamy cannot be included as part of the prenuptial contract. That being the case, ratifying Article16 would pave the way for revaluation of these limitations on the basis of the principles of equality and non-discrimination. It can also provide an opportunity for rethinking the scope of *taqlik* within existing law and policy. Alternatively, it can be argued that although at present, *taqlik* takes the form of expressed conditions stipulated in the marriage certificate at the point of marriage, this does not preclude certain implied conditions from being inferred within the agreement. It is not unreasonable, for instance, to presume that at the point of marriage there is an expectation that the marriage will be monogamous as otherwise a wife will not seek divorce when her husband decides to take on another wife. This means that although polygamy as a ground for conditional divorce is unwritten in the marriage contract, a presumption can be inferred from the contract that the couple intended the marriage to be monogamous. The intention can also be presumed at the point at which the wife refuses to consent to the application of the polygamous marriage by her husband. While under the present administration of the law, polygamy is deemed to be allowed unless proven otherwise the law can be administered to presume that the parties had intended the marriage as monogamous. This presumption of an implied condition against polygamy would radically alter dominant approach in the administration of polygamy and effectively curb the practice without even tampering with the Koranic provision. While such an interpretation can be initiated without ratifying CEDAW, lifting the reservation will provide the impetus for change.

Laws Regulating Divorce

Another aspect of the Muslim personal law that has been consistently invoked as inconsistent with Article16 is the law regulating divorce (*talaq*). Although predominantly articulated as revealing Islamic law's incompatibility with Article16, the crux of the actual problem lies in rigidity in the mode of thinking on *talaq* and how it is administered. The prevalence of this factor has resulted in a missed opportunity provided by CEDAW to analyze and evaluate the consistency of divorce philosophy underlying the Muslim law premised on the basis of equality. Despite reforms that have taken place in many Muslim societies, in Singapore, the view that divorce is the prerogative of the husband who has the unfettered right to terminate his marriage without cause remains legally operative. Unlike the case of polygamy in which a woman's right of choice is not automatically divested from her, *talaq* reflects disparity in this respect as a man is absolutely free to divorce his wife whenever he wishes just by pronouncing the word divorce whereas a woman can only terminate her marriage even to an extremely undesirable husband by having to prove a ground in court or by persuading her husband to release her. The continued observance of this law stems from a selective inference from the Qur'anic Verse 2.237

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referring specifically to dower. It validates the practice legally while acknowledging it to be morally abominable. Hence, though the SYC is granted the power to examine the reasons for divorce (a measure to prevent unwarranted divorce) so that the *talaq* can be pronounced with the permission of the judge after considering the arguments of both parties, *talaq* pronounced outside court is nevertheless deemed valid if it found to have been uttered clearly. This emphasis on formal utterance in determining the validity of *talaq* is contrary to law found in many other Muslims states which have vested the power of dissolution of marriage in the courts after hearing both sides. Ahmad's attack on *talaq* way back in 1966 remains pertinent:

> ...[I]n most Muslim countries the right of the Muslim husband has been restricted and it is only bigoted fanaticism and the lack of social consciousness which leads the Muslim men in Singapore to claim their exclusive right in this matter.[40]

The law on t*alaq* is also at odds with the law in contemporary societies which uphold the necessity for equality in divorce regulation, irrespective of gender. Most civil law systems permit divorce on grounds which are substantially common to husbands and wives. The practice has also been condemned by many scholars who maintain that the view that Muslim husbands enjoy arbitrary unilateral power to inflict instant divorce does not accord with Islamic injunctions.[41] Hesitant to amend the law, the conservative minded resorts to justifications to the effect that no reasonable husband will arbitrarily divorce his wife and that a husband guilty of such act will suffer severe punishment in the Hereafter. Such reasoning strongly implies that the unfettered right of a man to divorce his wife without cause cannot be changed although it is morally reprehensible to do so. This reluctance has resulted in an inconsistent philosophy of divorce. While a husband can divorce his wife arbitrarily, the wife on the other hand must prove a ground for divorce. The burden is imposed upon her to show cause for divorce. The issue here is not forcing a man against his will to put up with an empty shell but the gender partiality in favoring the husband who can obtain divorce unilaterally. While some states have ensured that *talaq* must be pronounced in Court, in Singapore, this is not the case. Furthermore, the introduction of a pecuniary penalty for divorce without cause in the form of monetary compensation for wives as a safeguard against abuse in some countries is also not found in the AMLA. Ratifying CEDAW can spur the inclusion of such a law already established in the personal law codes of several Muslim states. It can also pave the way for remedying the incongruence and anachronism of the law and its administration.

Forms of Divorce for Wives

Divorce by Judicial Decree: fasakh

Review of the law on *talaq* cannot be approached in isolation from laws governing divorce as a whole. For instance, at present, *fasakh* or divorce by judicial decree is applicable only to wives.[42] All the nine limbs of Section 49 of the AMLA that a wife can claim as grounds for divorce, including husband's imprisonment for three years or more, chronic illness, impotency, insanity, cruelty of conduct even if it does not amount to physical ill- treatment, associating with people of ill-repute, attempts at forcing one's spouse to live an immoral life, lives and cohabits with another, do not apply to a husband. The law which appears to be partial in favor of wives must be understood in the light of *talaq*. Strong justifications based on equality and justice call for this imbalance to be addressed

so that *fasakh* be extended to both parties regardless of gender. Extending *fasakh* to husbands must be a part of a comprehensive review involving the law and administration of *talaq*.

Conditional Divorce: taqlik

Divorce or *talaq* being the prerogative of the husband has also rendered divorce by *taqlik* (conditional divorce) confined in its application only to wives. In Singapore, *taqlik* occurs when a husband violates the terms of the marriage contract imposed by a wife and which he has agreed upon at the time of marriage. It is the surest form of divorce for women at present. Like *fasakh*, the need to extend this form of divorce to husbands would reflect recognition of equal rights of both parties. Ratifying CEDAW can provide the basis for addressing this imbalance. Another limitation of *taqlik* that can be addressed is the con- scribed and rigid way in which it is administered. Printed on the marriage certificate, the mandatory conditions limited to four are as follows: causing physical injury to wife, failure to maintain her for more than four months, deserting her for more than four months, causing damage to her personal property and lowering her self-esteem. There is hardly, if any attempts at explicating the rationale for the mandatory force of the con- ditions and their selection. Furthermore, the conditions are administered without enligh- tening women on the nature and ramifications of the prenuptial agreement nor does it empower them to vary the mandatory conditions based on their own choices. This impairs their rights and role as active agencies in marriage. Although the conditions do provide minimum protection for wives, the crux of the matter lie less in the conditions available to them for divorce but more with the problematic mode of thinking of the law that prescribes divorce as the prerogative of a husband without cause.

Divorce by Redemption: Khul

Even the administration of *khul* (divorce by redemption) which is perhaps the only form of divorce that gives women equal opportunity to leave a marriage where it is no longer possible to remain in one, is marred by drawbacks that effectively undermine the balance of rights. The principle underlying *khul* is that a wife should not be tied to a mar- riage that is no longer bearable to her. This form of divorce is recognized in classical Muslim law based on the approval of Prophet Muhammed who sanctioned it subject only to a wife repaying her husband her marriage gift.[43] Modifications to this tradition is evident in laws that allow her to divorce subject to the payment of a sum mutually agreed upon by both parties or otherwise fixed by the Court. In Singapore, the amount is usually determined by the marriage gift (*hantaran*) to the wife. However, this opportu- nity for equal right to divorce is impaired by the condition that the husband must consent to the divorce despite the wife's willingness to return the marriage gift.[44] Furthermore, arbitration conducted by arbitrators (*hakam*) appointed by both parties to attempt to reconcile them is institutionalized only for this form of divorce. Should their efforts at reconciliation fail and the husband still refuses to divorce his wife, the *hakam* can decree a divorce by virtue of the power delegated by the parties. Alternatively a husband can delegate his right of *talaq* to the wife (talaq *tawfid*). Hence, though women do eventually succeed in obtaining a divorce by *khul*, the legal procedures involved are intertwined with the husband's consent. This undermines the very objective of this form of divorce which is unconditional. Its limitations can be reviewed if Article16 is ratified.

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Divorce by Mutual Consent: mubaraat

Lifting the reservation would also provide an opportunity for revaluation of the administration of another form of divorce that is gender equal, i.e. divorce by mutual consent (*mubaraat*). This form of divorce based on the recognition by both parties that their marriage has broken down irretrievably has been hailed as a reflection of the progressive and humane spirit of the law.[45] As family breakdowns often involve the "fault" of both parties, divorce by mutual consent has been appraised as a better alternative to fault-based divorce. It also frees parties from contentious litigation process that often engenders bit- terness and at times collusion against the law. In Singapore, this form of divorce falls outside the jurisdiction of the SYC. Authorization is accorded to the *qadi* to register the divorce. Hence, divorce by mutual consent is popularly referred to as *qadi* divorce (*cerai qadi*). Although it is gender equal, this type of divorce has been confined to the limited cases of divorce involving childless couples and those without a matrimonial home. The basis for this policy appears to have stemmed from problems of lack of clarity in the jurisdiction of the SYC vis-à-vis the High Court in the matter of ancillary issues arising from such divorce prior to 1999. The amendments to the AMLA in 1999, however, have clearly plugged the lacunae by allowing both the SYC and High Court jurisdiction over ancillary issues arising from *qadi* divorce subject to specified con- ditions. Despite this clarification the policy has not been reviewed. Here again ratifying Article16 of CEDAW provides the potential for review of the law on this form of divorce. Its framework can facilitate the development of a consistent philosophy of Muslim law of divorce grounded in equality consonant with Islam.

Maintenance of Wives

Yet another example of Muslim law highlighted as inconsistent with the CEDAW Article16 is the view that maintenance of wives and the family is the legal obligation of husbands. This example reflects another streak of conservatism in the mode in which the Muslim law is understood and applied. This law is based on particular selection of classical legal opinion conditioned by traditional gender roles where wives were primarily homemakers and husbands, breadwinners. This arrangement does not accurately reflect the reality of Muslim families in Singapore whereby wives who are economically employed are more likely to jointly contribute to the family's maintenance though many may not be the major breadwinners of the family. Despite the changing social reality, women continue to be subjected to laws grounded in traditional gender roles. The situation reveals the limitation of the "separate but equal" approach used to justify perceived incompatibility between Shariah law and CEDAW. While a woman's role cannot be generally reduced to homemaking today, it continues to underlie the rationale for rejecting Article16. Here again CEDAW provides the prospect for reviewing prevail- ing law that would reflect more accurately women's roles in and their contributions to the family in the midst of social change.

Inheritance: *faraid*

Another contentious aspect of the Islamic law highlighted as ground for reservation is inheritance *(faraid*), in which shares apportioned to male heirs double the females. Historically this law was an improvement for women. It has thus been generally noted that the important change brought by the Koran was that it gave shares to mothers, daughters, sisters, wives and granddaughters, hitherto denied to them. The Qur'an

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also warned that these were the "limits of God" which must not be transgressed. (Qur'an IV: 7) Muslim jurists generally perceived that the greater share accorded to men under the inheritance law was directly linked to their responsibility to support the womenfolk. The reciprocity of mutual rights and obligations was based on strong bonds of kinship sustained by customary sanctions sufficient to compel obedience. Some Muslims have also argued that examined as a whole, women under the Muslim marriage law were accorded certain privileges as, for example, in the provision of *mahr* (dower) which would make up the deficiency in their share of inheritance.

In Singapore as with other Muslim societies generally, the system of reciprocity of rights and obligations based on kinship ties have been impacted by social change. It is no longer uncommon that the obligation of maintaining the family today has fallen on the shoulders of both sons and daughters. However, both the law and its administration have not responded to the changing condition. Furthermore, no legal mechanism for enforcing such obligations on the part of male kin in the event of violation or neglect to provide for female kin exists within the AMLA. Sections 111 and 112 of the AMLA compel a Muslim to distribute his estate in accordance with the Muslim law as modified by Malay custom. Under the Muslim law within the classical Shafie School, a person can only will away one-third of his estate. The remainingtwo-thirds must go to his next-of-kin and distributed among them according to fixed shares.

Customary practices compatible with the Muslim law however are commonly observed. They reflect various ways in which Muslims depart from distribution based on fixed shares irrespective of gender in response to changing conditions. Among these is the practice of varying the shares of the estate based on the mutual consent of the beneficiaries. Conveying all of one's assets as a gift to one's beneficiary in any proportion during one's lifetime regardless of gender is also another way in which the impact of *faraid* has been tampered with. Even the Religious Council has endorsed arrangements that effectively override the *faraid*. A recent *fatwa* by the Legal Committee of the Council that approves the right of survivorship in joint tenancy agreement by way of an instrument referred to as *nuzriah* illustrate the point.[46] Though it does not strictly benefit only the womenfolk, it can be used as justification to sanction positively the rights of women to inherit the entire property of her husband (and vice versa). Under the joint tenancy scheme the presumption of advancement which operates in the event of death, allows absolute beneficial ownership of a property to be conferred on the survivor. This presumption occurs especially with matrimonial property as they are usually purchased by spouses. The closeness of the relationship of joint tenants raises the presumption that the property was purchased with the understanding that should one of them dies, the other will have full ownership. The presumption of advancement can be revoked if contestant claimants can prove that the property is intended to be held on the basis of tenants in common which will entitle the survivor only a fraction, usually 50% of the interest in the property.

Apart from the above is another *fatwa* validating Central Provident Fund (CPF)[47] nominations through the same instrument, that is, the *nuzriah.* It legitimizes wives inheriting the asset of their husbands completely if they are nominated (and vice versa) without tampering with the *faraid* directly.[48] CPF funds have been most commonly used to purchase matrimonial property either by way of joint tenancy or tenancy-in-common. Whatever the scheme, the nomination expresses the clear intent of the owner of the funds that the beneficiary nominated has the sole right to inherit CPF monies. It presumes the intent of the owner that whoever is left behind will not be subjected to hardship of having to sell the property (usually the matrimonial home) but will continue to have a roof over his/her

head. Although these matters are regulated by the common law which applies to Muslims, the *fatwa* nevertheless provides a strong religious basis that legitimizes the gender equal approach in the matter of estate. However, the *nuzriah*, the instrument invoked to validate variations to the *faraid* is not free from doubt.[49] Given its conceptual and legal limitations, the necessity for rethinking the administration of the *faraid* if not its substance, to reflect the needs and condition of Muslims cannot be avoided. Ratifying Article16 will reflect more accurately the ways in which Muslims have distributed their property in reality. However, more can be done to give effect to the objectives that underlie the law. At present Section 112 of the AMLA merely accords the SYC with the power to declare the interest of the beneficiaries to the estate of the deceased in fixed shares. The Court is not empowered to determine the facts of the case. This means that irrespective of the circumstances of each case, the division of the estate is fixed. Furthermore, under the present law, no laws exist for a woman to enforce mainten- ance from the male beneficiaries who default. Such inadequacies can be potentially addressed if CEDAW is endorsed.

Lifting the Reservations

The arguments thus far attempt to deal with problems and limitations in the adminis- tration of the Muslim law of inheritance which can be potentially addressed by lifting the reservation to Article16. More pertinent is the prospect CEDAW offers in appraising dominant understanding of the law itself. Endorsing CEDAW may allow for greater mobilization of resources toward raising awareness of the principles underlying the Muslim law of inheritance and harnessing ideas that reflect more closely corresponding social conditions. In this respect, the argument of a Turkish scholar on the concept of "limits of God" beyond which the rights of the individual begin to be infringed, used in the Koran in the context of division of shares for inheritance, is instructive. It is main- tained that while it is prohibited to transgress the "limits of God", encouragement is given to move toward the opposite direction in granting generously beyond the minimum incumbent by law. Therefore, it can be said that on the right side of the "limits of God", the individual has full latitude of action.[50]

Efforts at reviewing the underlying principles of inheritance law in relation to socio-his- torical contexts have been undertaken by prominent Indonesian scholars. In the late 1950s and 1960s, Hazairin, for instance, spearheaded attempts in Indonesia at interpret- ing Islamic inheritance law to reflect the bilateral kinship structure and needs of Indone- sian society.[51] Based on the premise that certain passages in the Qur'an relating to inheritance are not fixed and reflected traditional social customs of Arabic society, Hazairin mooted the idea that division and distribution of shares can vary without com- promising the principle of social justice espoused by the law. With this conviction, he introduced legal concepts that facilitated equal division even across generational lines. His ideas took a new lease of life in the 1980s with the agenda of re-actualization of Islamic teachings proposed by leaders such as Munawir Sjadzali that aimed to make Islam and its laws more responsive to contemporary and local needs of Indonesian society. Sjadzali maintained that without compromising the eternal principle underlying the law, the division can vary under specific conditions. The idea found support among prominent members of the legal establishment, including former Supreme Court Judge, Yahya Harahap who not only proposed for half share as the minimum limit, but also maintained that the minimum limit should be allowed to vary to permit greater share

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for women should circumstances warrant.[52] The potential for engagement of these thoughts which have long been debated may be further developed if CEDAW is ratified.

Requirement of the Guardian: *Wali*

Yet another example that has been highlighted as ground for reservation to CEDAW is the requirement of the *wali* (guardian) whose permission is perceived as necessary for the bride to be married off.[53] The power and role of the *wali* (usually the bride's father) in marriage today cannot be said to discriminate women or sanction inequality thereby rendering it incompatible with Article16 of CEDAW. Provisions in the AMLA reveal that although a *wali* is required for a bride to be married off, he does not have the power to prevent her from marrying a person of her choice even if he objects to the marriage. Where a *wali* refuses to solemnize a marriage, a *qadi* can be appointed to do so instead.[54] The role of the *qadi* is confined to ensuring that there are no lawful impedi- ments to the marriage before solemnizing the marriage.

Clearly, the law has departed from classical *fiqh* tradition in which the *wali* in some cases had significant powers in determining who his ward should marry. It must be added, however, that even in those days while guardianship vested in males, this did not merely reflect the power of patriarchy. The guardian also represented the complex of interests of the family, the wider community as well as the ward as marriage has never been an exclusive affair of the couple per se even in contemporary Muslim societies.[55] The Minhaj, for instance, stipulates that:

> a father can dispose as he pleases of the hand of his daughter without asking her consent whatever her age may be, provided sheis still a virgin although it is com- mendable to consult her as to her future husband.

Althoughthislegal positionwas adoptedinthecase of Syed Abdullah Al-Shatiri v Shariffa Salamah [1959 MLJ 137] where the Shariah Appeal Board decided that where a virgin girl is given in marriage by her father, her consent is not essential to the validity of the marriage, this is no longer the legal position today.[56] The law on *wali* in Singapore also departs from the Family Law Enactments of several Malaysian states such as Kelantan, Kedah and Melaka in which provisions to the effect that a daughter can be married off without her consent if the prospective husband is not hostile to her, is of the same status as her (*kufu*) and is able to pay her a reasonable marriage gift (*mahr*), have remained. This being the case, it cannot serve as a convincing ground for the reservation. Existing provisions on the power and role of the *wali* reflect the transition of marriage from one based on traditional communal norms to an institution that gives greater rec- ognition to the rights of the individual in marriage. Affirming Article16 will help strengthen the process of evolution of the law on *wali* based on values of equality and non-discrimination consistent with Islam.

While the discussion above focuses on the examples highlighted in the submissions to CEDAW in justifying the reservation, there exist others that can be said to violate Article16 which may be addressed by lifting the reservation. This will pave the way for a more comprehensive review of the state of the Muslim law in operation and render it in conformity with the values espoused within its own tradition as well as CEDAW's. An example not highlighted is the law relating to children born out of wedlock. The issue here is not the status of the child but its repercussions on the equal rights and responsibilities of the parties as parents irrespective of their marital status. Stemming from the problem of selective reliance on legal interpretations of the past, the law as it

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stands in Singapore is that the biological father of a child conceived before marriage is not deemed the child's legal parent. The ruling has repercussions on the issue of custodial rights as only a mother is recognized as the legitimate custodial parent. While some Muslim states such as India and Pakistan have long departed from this selective classical ruling, thereby deeming the child born within six months after marriage as having been born in wedlock, this is not the position here. The selective classical law persists despite the fact that paternity can be proven with greater certainty given advancements in scientific knowledge. The issue of maintenance of the child however does not pose a problem as the matter comes under the purview of civil law regulated by the Charter but applicable to Muslims. Under the provisions of the Charter, a father is legally obliged to maintain his child even if the child is illegitimate. Ratifying CEDAW will provide the avenue for a more comprehensive review of the existing limitations in the ways the Muslim law is conceived and administered.

Conclusion

This paper has attempted to argue that the crux of the problem toward ratifying Articles 2 and 16 of CEDAW lie not in the nature of the Muslim law as such or in its incompatibility with the human rights convention. Rather, the problem lies in the weight of conservatism as a dominant mode of thinking of the law. This has reinforced anachronism and incongruence between law and actual conditions of contemporary Muslim families in significant aspects. While CEDAW offers strong potentials for revaluation and reform of the Muslim law the prevalence of the rigid mode of thought has diminished this prospect. Consequently, vaguely worded reservations to CEDAW and tendency to remove the application of the Muslim law persist. In effect, the reservation has reinforced the situ- ation in which selective rulings that undermine gender equality are condoned while adversely curbing the opportunity to review the state of the law and provide opportunity for much needed development.

This paper further maintains that the development of progressive legal orientation grounded both in Islam's tradition and philosophy and modern knowledge that has paved the way for legal development historically must be strengthened to address the needs of contemporary Muslim families. This is by no means an easy task given the type of religious education that has proliferated in the Muslim world. As Mahmood in addressing the problem of law reform in India observes, "Persons who are trained in a particular system, tradition and social order, and have spent their lives in studying and adhering to the same, are invariably not tolerant of any alternative system, irrespective of its merits."[57] Yet, the need for continuous engagement through rational means (not emotional or political brandishing) cannot be abandoned if greater inroads are to be made to improve the law. Raising awareness of the problems of the law in operation on the lives ofthose involved must persist sothat existing genderimbalances, social injustice and maladjustment to contemporary needs and conditions can be better understood and addressed through legal reform. Taking the back seat in not ratifying CEDAW has not contributed toward alleviating the problematic aspects of the Muslim law affecting women. On the contrary, it has dimmed prospects for its review and the loss of an opportunity to reform existing loopholes and inadequacies that impact on women negatively. This paper also reveals that while in the abstract, the policy of partial reservation based on minority rights is generally deemed positive, its actual implications may be adverse to the community's interests as a whole. In acknowledging the rights of the minority to determine and practice its own personal laws, the state has unwittingly compounded

the problem by relying on dominant stakeholders predisposed to conservatism with adverse repercussions on women.[58]

NOTES

1. Accessed June 1, 2012. http://www.singstat.gov.sg/pubn/popn/c2010sr1/cop2010sr1.pdf.
2. As early as in 1823, Sir Stamford Raffles in laying down rules for Singapore had provided that "in all cases regarding the ceremonies of religion and marriage andrules of inheritance, the laws and customs of the Malays will be respected where they shall not be contrary to reason, justice and humanity ". Sharon Siddique and Taufik Abdullah, eds., "The Administration of Islam in Singapore" in *Islam and Society in Southeast Asia*, Singapore: ISEAS, 1986 p. 321. For a discussion on the development of Muslim personal law via the Muhammedan Ordinances, refer to Ahmad Ibrahim, *The Legal Status of Muslims in Singapore*, Singapore: Malayan Law Journal, 1965, pp. 3–11.
3. Apart from continuities with the colonial policy, the dual system of family law in Singapore was also perhaps conditioned by legal institutional developments that had taken place in Malaya in the context of pre-independence and the politics of merger. For a background on some of these developments, read Ahmad Ibrahim, *ibid.*
4. In directing the Majlis (Religious Council) and the Legal (Fatwa) Committee on legal authorities to be followed in issuing any ruling, Section 33 of the AMLA stipulates that the tenets of the Shafi'i school of law will be followed. Subsection 2, however provides to the effect that if the Majlis or the Legal Committee considers that doing so opposes public interest, the tenets of any of the other accepted schools of Muslim law considered appropriate may be followed with justifications. *Administration of Muslim Law Act*, Chapter 3, Singapore Statutes (Online) Singapore: Attorney General's Chambers, 2001, section 33.
5. *Ibid*., section 31.
6. The SYC has ceased to issue summons for maintenance of wives and/or children since 1963. See, J. Djamour, *The Muslim Matrimonial Court of Singapore*, London: Athlone Press, 1966, p. 170.
7. *Administration of Muslim Law Act*, *op cit.,* Section 35A.
8. *Ibid*., section 53.
9. Fazlur Rahman, "A Survey of Modernization of Muslim Family Law", *International Journal of Middle East Studies,* Vol. 11, No. 4, 1980, pp. 451–456 and J. N. D. Anderson, "Reforms in the Law of Divorce in the Muslim World", *Studia Islamica*, No. 31, 1970, pp. 41–52, discusses some aspects of changes in the name of law reform that were effected in large parts of the Muslim world, including India, Southeast Asia, and the Middle East during that period. For a critique of the reform agenda, read Wael B. Hallaq, *Shariah: Theory, Practice, Transformation*, Cambridge: Cambridge University Press, 2009, pp. 443–500.
10. A combination of factors impacted on the preservation of the Muslim family law. In Malaya, the colo - nial policy of non-intervention in matters of religion and custom played a large part in severing this realm of the Muslim law from the impact of socio-economic changes. The fact that modernization did not arise from within these societies but was thrust upon them selectively from above by the foreign power further hampered the law from being subject to revaluation and change.
11. For some examples, read Mahmood, *Islamic Law in Modern India*, *op. cit.* Refer also to Wael B. Hallaq, *Shariah, op cit*.,
12. Wael B. Hallaq, *Shariah*, *op cit*., p. 444.
13. M. Siraj, "The Shariah Court and the Control of the Divorce Rate", *Malaya Law Review,* Vol. 5, No. 1, 1963, pp. 148–159.
14. Refer to Parliamentary Debates, Singapore 24(2), 13 Dec 1965 Col.42;24(14), 30 Dec Col. 770–773; 25(4), 17 Aug. 1966 Col. 237–247.
15. For a critique of the Orientalist approach to the study of Islamic law, refer to Noor Aisha Abdul Rahman, *Colonial Image of Malay Adat Law,* Leiden: Brill, 1986, Chapter 3. Read also Hallaq, *op cit*., 445–446.
16. For a discussion on traditionalism and its impact, read Noor Aisha Abdul Rahman, "Traditionalism and Its Impact on the Administration of Justice, the Case of Singapore", *Inter-Asia Cultural Studies,* Vol. 3, No. 3, 2004, pp. 415–432. A powerful critique of the problems of politicization of Muslim law reinforced by the traits of conservatism is discussed by Muhammad Said Al-Ashmawy, *Against Islamic Extremism*, ed. Carolyn Fluehr-Lobban, Gainsville: University of Florida Press, 2001. Read

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also his *Islam and the Political Order*, Washington, DC: Council for Research in Values and Philosophy, 1994.

17. For insights into this mode of thinking refer to the works of Syed Hussein Alatas, *Biarkan Buta*, Singapore: Pustaka Nasional, 1974; Abdullahi An-Naem, *Islam and Human Rights: Selected Essays of Abdullahi An-Naim*, Surrey: Ashgate, 2010; Khaled Abou El-Fadl, *Speaking in God's Name: Islamic Law, Authority and Women*, Oxford: One World, 2001.
18. Ziba Mir-Hosseini, "The Conservative Reformist Conflict over Women's Rights in Iran", *International Journal of Politics, Culture and Society*, Vol. 16, No. 1, 2002, pp. 37–53.
19. Shahra Razavi, "Islamic Politics, Human Rights and Women's Claims for Equality in Iran", *Third World Quarterly*, Vol. 27, 2006, No. 7, 2006, pp. 1223–1237.
20. CEDAW GA Res 34/180, 34 UN GAOR Supp (No 46) at 193, UN Doc A/34/46. Among the United Nations human rights treaties, CEDAW has received the highest number of reservations to some of its core provisions, including those examined inthis paper. The system that permits partial ratification of its provisions has given rise to debates over its effectiveness. Most reservations in CEDAW are in relation to key issues pertaining to marriage, divorce, reproductive rights, inheritance, succession and maintenance often made on the grounds that national law, tradition, religion or culture are incongruent with its articles or principles.
21. Anne F. Bayefsky, Denesha Reid, and Kathryn Balmforth, "The CEDAW Convention: Its Contri- bution Today", *Proceedings of the Annual Meeting, American Society of International Law*, Vol. 94, 2000, pp. 197–203.
22. Accessed June 13, 2012. http://aap.1.mcys.gov.sg/Policies/WomenCelebratingWomen/CEDAWReports.aspx.
23. See the discussions. Accessed June 16, 2012. http:app1.mcys.gov.sg/Portals/O/Files/CEDAW/49th_Singapore%27sResponses20tc CEDAW/C/SGP/Q/4/Add.1.
24. Accessed June 1, 2012. http://www.aware.org.sg/wp-content/uploads/cedaw-report-only.pdf.
25. Accessed June 23, 2011. http://www.un.org/womenwatch/daw/cedaw/reservarions.htm.
26. Michele Brandt and Jeffrey A. Kaplan, "The Tension Between Women's Rights and Religious Rights: Reservations to CEDAW by Egypt, Bangladesh and Tunisia", *Journal of Law and Religion*, Vol. 12, No. 1. 1995–1996. p. 120.
27. Malaysia is a party to CEDAW in 1995 subject to the understanding that the provisions of the Convention are not in conflict with the provisions of the Shariah law and the Federal Constitution of Malaysia in 1957. Based onthat premise, reservations have beenentered onseveral provisions, including articles 2 (except (f)) and 16(a),(c),(f),(g) all of which are perceived to be in conflict with these national laws. Apparently the Malaysian government's reservations are also based on the premise that it contradicts some essential aspects of religious law regulating family relationship for Muslims and that full compliance with the Convention would mean a major reform to the existing family law. Najiba Mohd Zin, "The Impact of International Instruments on Women's Rights and Family Well-Being in Malaysia: Challenges and Prospects for Reform", in *Religious Activism and Women's Development in Southeast Asia*, ed. Noor Aisha Abdul Rahman, Singapore: RIMA, 2013, pp. 231–245.
28. Sindiso Ngaba, "CEDAW: Eliminating Discrimination Against Women", *Agenda*, Reproductive Rights 27: 81–89 at p. 83.
29. Accessed June 1, 2012. http://app1.mcys.gov.sg/Portals/0/Files/CEDAW-C-SGP-CO-4.pdfp.3.
30. Accessed December 16, 2012. CEDAW/C/SGP/CO/4/Rev.1.
31. Ann Elizabeth Mayer, "The Islam and Human Rights Nexus: Shifting Dimensions". Accessed July 5, 2012. http://www.nuigalway.ie/human_rights/reframing_Islam/Docs/Papers/Mayer.pdf.
32. Abdullahi A. An-Naim. "Islam, Islamic Law and the Dilemma of Cultural Legitimacy for Universal Human Rights", in *Asian Perspectives on Human Rights*, eds. Claude E. Welch, Jr and Virginia A. Leary, Boulder: Westview Press, 1990, pp. 31 –54.
33. Accessed June 1, 2012. http://app1.mcys.gov.sg/Portals/0/Files/CEDAW-C-SGP-CO-4.pdfp.3.
34. Bayefsky et al., "The CEDAW Convention", *op cit.*
35. Read the examples discussed by Ann Elizabeth Mayer, "Internationalizing the Conversation on Women's Rights: Arab Countries Face the CEDAW Committee", in *Islamic Law and the Challenges of Modernity*, eds. Yvonne Yazbek Haddad and Barbara Freyer Stowasser, Walnut Creek: Altamira Press, 2004, pp. 133–159.
36. Rahman, "A Survey", *op. cit*.
37. In 2012 only 12 polygamous marriages were registered out of a total of 4802 marriages. Refer to Stat - istics on Marriage and Divorce. Accessed December 16, 2012. http://www.singstat.gov.sg/publications/publications_ and_ papers/marriages_ and_ divorces/smd2012.pdf.

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38. Donald L. Horowitz, "The Qur'an and the Common Law: Islamic Law Reform and the Theory of Legal Change", *The American Journal of Comparative Law*, Vol. 42, No. 2, 1994, pp. 233–293. The author reported that in Kelantan, for instance, the general tendency has been toward liberality in granting permission. See, p. 286. It has also been noted that Shariah judges tend to give emphasis only to a man's financial capacity to support more than one family in deciding permission in polygamy applications. Nik Noriani Nik Badli Shah, "The Syariah Law System: Family Law Concerns and Reforms", *Law Gazette*, p. 4.
39. Rahman, A Survey, *op cit*., p. 457.
40. Djamour, *The Muslim Matrimonial Court*, *op. cit*.
41. Tahir Mahmood ed., *Muslim Personal Law: the Role of the State in the Subcontinent*, New Delhi: Vikas Publishing House, 1977, p. 158.
42. This was the state of the law in Malaysia until the amendment of section 52 of the Islamic Family Law Enactment in 2005.
43. The impact this can have on women's rights and lives has long been noted by the Muslim scholar who submitted:It is sometimes suggested thatthe greatest defect ofthe Islamic system is the absolute power given to the husband to divorce his wife without cause. But experience shows that greater suffering is endangered by the husband's withholding divorce than by his irresponsible exercise of this right. Under such conditions, the power to release herself is the surest safeguard for the wife. No system of law can produce marital happiness but humane laws may at least alleviate sufferi ng. And when marital life is wrecked, the home utterly broken up by misunderstanding and infidelity, what greater boon can a wife have than the power to secure her own liberty.Asaf A. Fyzee, "The Muslim Women's Right of Dissolving her Marriage", *The Bombay Law Reporter Journal*, Vol. XXXV111, No. 21, 1936, pp. 123–127.
44. See, for example, Islamic Family Law (Federal Territories) Act 1984, section 49.
45. Krishna V. R. Iyer, *The Muslim Women Protection of Rights in the Divorce Act 1986*, Lucknow: Eastern Book Co., 1987, pp. 74–75.
46. Accessed June 20, 2012. http://www.muis.gov.sg/cms/oomweb/fatwa.aspx?id=14386 .
47. The CPF has been established by the government as a compulsory comprehensive savings plan for working Singaporeans and permanent residents to fund their retirement, healthcare and housing needs with contributions from the employer (16%) and the employee (20%) of the gross monthly salary.
48. Accessed June 20, 2012. http://www.muis.gov.sg/cms/oomweb/fatwa.aspx?id=15604 . The CPF scheme of forced savings initiated and managed by the state by way of compulsory deductions from worker ' salaries and employer's contributions can be utilized only for purposes specific under the CPF Act. Every individual who contributes to this fund is given the right to nominate a beneficiary in the event of his/her death to whom CPF monies will be distributed. The Act further expressly states that such moneys are deemed to be impressed with a trust in favor of the beneficiaries and are not to form part of the deceased member's estate or be subject to his debts.
49. See the judgment in the case of Ismail bin Ibrahim v Mohd Taha bin Ibrahim [2004] 4 Singapore Law Review, S2.
50. Mahmood, ed., *Islamic Law in Modern India*, *op. cit*.
51. See, Hazairin, *Hukum Kewarisan Bilateral menurut Al-Qur'an* [Bilateral Inheritance Law according to the Quran] (in Indonesian). Jakarta: Tintamas, 1958; and Hazairin, *Hukum Kekeluargaan Nasional* [National Family Law] (in Indonesian). Jakarta: Tintamas, 1968. Note: Hazairin is an Indonesian name and it does not have a family name.
52. Euis Nurlaelawati, *Modernization, Tradition and Identity: The Kompilasi Hukum Islam and Legal practice in the Indonesian Religious Courts*, Amsterdam: Amsterdam University Press, 2010, pp. 75–84.
53. Accessed June 1, 2012. http://app1.mcys.gov.sg/Portals/O/Files/CEDAW-C.SGP-CO.4pdf.
54. See, Administration of Muslim Law Act, *op cit.,* Section 96.
55. Wael B. Hallaq, *op cit.,* pp. 462–463.
56. Ahmad Ibrahim, *Islamic law in Malaya,* Singapore: Sociological Research Institute, 1965, p. 187.
57. Mahmood, *Muslim Personal Law*, *op. cit*., p. 135.
58. The problem is illustrated in the case of Malaysia whereby in 1999, the Guardianship of Infants Act was amended to give non-Muslim mothers equal right to guardianship of their children but no similar amendment was made to accord same rights to Muslim mothers.

Managing minorities in competitive authoritarian states: multiracialism and the hijab issue in Singapore

by Walid Jumblatt Abdullah

No.	Conjunction	Participant 1	Participant 2	Process	Participant 3	Participant 4	Participant 5	Circumstances	Type of process
TITLE									
				Managing	**minorities**			**in competitive authoritarian states: multiracialism and the hijab issue in Singapore.**	**Material**
ABSTRACT									
1.		This article		assesses	the Singapore state's approach towards multiracialism			by focusing on the hijab issue.	Material
2.	- *that*	I		argue	*that* a combination of elite ideology and regime type can explain the state's overall stances on religion, including the hijab issue.				Verbal
3.	that *and*	a combination of elite ideology	*and* regime type	can explain	the state's overall stances on religion, including the hijab issue.				Verbal
4.	Previously, when	the state		was	hegemonic,				Relational (Identifying)
5.		its policies		were determined solely	by the ideologies held by its key elites.				Material
6.	However, as *towards*	the state		moves *towards*	competitive authoritarianism with increased electoral competition,				Material

7.		the dominant party		will no longer be able				to act solely based on its ideological predispositions.	Material
8.		This		explains				*why* a staunch no-hijab stand was held by the state in the past, whereas in recent years, there appears to be a softening of this stance.	Verbal
9.	why	a staunch no-hijab stand		was held	by the state			in the past, whereas in recent years, there appears to be a softening of this stance	Material
10.		there		appears	to be a softening of this stance.				Material
11.		The uninterrupted reign of the People's Action Party (PAP)		has ensured				- in Singapores (Place) - since independence (Time) - that it dominates the socio-political landscape almost ubiquitously; the party is often equated to the state, and its ideologies are considered 'national' rather than 'party' ideologies.	Material

12.	that	it		dominates	the socio-political landscape			- almost ubiquitously;	Material
13.		the party		is often equated	.			- to the state,	Material
14.	and	its ideologies		are considered	'national' rather than 'party' ideologies.				Relational (Attributive)
15.		One of the governing paradigms staunchly upheld by the authoritarian state in Singapore		is 'multiracialism'*(K.P.Tan2012b).*					Relational (Attributive)
16.		Efforts		are *persistently* made				- persistently - to convince Singaporeans to embrace the PAP's version of multiracialism.	Relational
17.		I		argue	that a combination of the regime type and elite ideology can explain the state's stances on religion, including thehijab(Malay:tudung)policy.				Verbal

18.	that	a combination of the regime type and elite ideology		can explain	the state's stances on religion, including the hijab (Malay:tudung) policy.				Verbal
19.	I			*further* contend	that *firstly,* the concept of multiracialism presupposes a value-laden world view or governing paradigm regarding race,and secondly, wariness of diversity is the main feature of the state's version of multiracialism			- further - firstly	Verbal
20.	that and	the concept of multiracialism		presupposes	a value-laden world view or governing paradigm regarding race			- Firstly - *and* secondly, wariness of diversity is the main feature of the state's version of multiracialism.	Relational (Identifying)
21.	and	wariness of diversity		is	the main feature of the state's version of multiracialism			secondly	Relational (Attributive)
22.	I			will be relying	*mostly* on the statements, official or otherwise, of the PAP leadership, past and present, and the government's policies on religion,			to establish the party's worldviews	Verbal

23.	It			is	worth noting			that any study on the ideologies of the PAP cannot but scrutinise the ideas of Lee Kuan Yew, the first prime minister of Singapore, who basically shaped the country's governing ideologies.	Relational (Attributive)
Authoritarianism and management of minorities									
24.	The Singapore state			has been termed				an 'illiberal democracy' (Hussin Mutalib 2000)	Relational (Identifying)
25.		the state		is *undoubtedly*	authoritarian	and endeavours		1. *In spite of the presence of elections, and the room for contestations by other actors in society,* 2. *Undoubtedly* 3. to remain so.	Relational (Attributive)
26.		The state		is	heavy handed				Relational (Attributive)
27.	and			has resorted,				in the past, to draconian measures to keep the opposition parties in check.	Relational (Identifying)
28.	Though	there		is	room for legal contestation for power,				Existential

29.		it		is	minimal or subdued.				Relational (Attributive)
30.	*though*	Elections, *though regular,*		are not	*completely* fair			1. *though regular* 2. *completely* 3. due to electoral engineering measures and state control of the media.	Relational (Attributive)
31.	*and*	The substantive elements		associated	with a democracy such as freedoms of speech			*and* assembly are also lacking,	Material
32.		assembly		are also	lacking,			though not completely missing; some criticism of the ruling regime is allowed though, by and large, freedom is curtailed.	Relational (Attributive)
33.		some criticism of the ruling regime		is allowed				though, by and large, freedom is curtailed.	Material
34.		freedom		is curtailed.					Relational (Attributive)
35.		Singapore		has also been deemed				to be a ‘semi-democracy’,	Material

36.	*whereby*	the incumbent regime		uses	elements of procedural democracy			in order to suppress the substantive aspects of democracy (Case 1996).	Material
37.	Yet	things		seem				to be slowly but surely changing.	Relational (Attributive)
38.		The 2011 general election		*basically* showed				1. *basically* 2. that opposition parties could effectively provide a substantial challenge to the PAP, in spite of the many barriers that the incumbent has instituted.	Material
39.	that	opposition parties		could *effectively* provide	a substantial challenge to the PAP,			1. *effectively* 2. in spite of the many barriers that the incumbent has instituted.	Material
40.		The PAP		garnered	the lowest vote share in its history,			winning about 60% of the popular vote.	Material
41.		The general election		*also* saw	the rise of the Workers' Party,			1. *also* 2. which firmly established itself as the number two party in the country, and it confirmed this by beating the PAP in two subsequent by-elections (Cunha 2012).	Mental

42.	and	it		confirmed	this			by beating the PAP in two subsequent by-elections (Cunha 2012).	Material
43.		One		could make	the case			then that Singapore is becoming a 'competitive authoritarian' regime (Levitsky and Way 2010),	Material
44.	then that	Singapore		is becoming	'competitive authoritarian' regime			(Levitsky and Way 2010), whereby despite the dominant position of the incumbent party, contestations to its power are real, though severely limited.	Material
45.		Some scholars		have made	the point that the regime type determines the treatment of minorities within a polity.				Material
46.	that	the regime type		determines	the treatment of minorities within a polity.				Material
47.		Barany (2002)		argues	that				Verbal
48.	that	the more democratic a regime		is,	the more likely ethnic minorities are to be treated well and given full citizenship rights, as tolerance is a cornerstone of liberal democracies, whereas authoritarian regimes can afford to ignore minority demands.				Relational (Identifying)

49.		Others		have *also* noted	the tendencies of democratic regimes			*1. also* 2. to pander more to religious groups when there are electoral imperatives to do so.	Material
50.		Republican candidates in the US		are known	to attempt to win the conservative votes by the conservative votes			by not only incorporating biblical speech in their rhetoric,but also by adopting pro-Christian policies (Kuru 2009).	Mental
51.		this		is	a useful starting point,			While for a number of issues,	Relational (Identifying)
52.	it			does not *adequately* account				1. *adequately* 2. for a number of issues.	Material
53.		some democratic regimes		have	themselves displayed less tolerance for minorities.			1. *Firstly,*	Relational (Attributive)
54.		The French model of secularism		is	famous			in this regard: the hijab has generated much furore and is banned from state schools.	Relational (Attributive)
55.		the hijab		has generated	much furore			and is banned from state schools.	Material
56.	and			is banned				from state schools.	Material
57.		This		is	due to a particular way of viewing what the relationship between religion and the state should be,				Existential
58.	that			is shared	by both the governing elites and the majority of French people,			which is referred to as political culture, or a shared ideology on state-religion interactions (Wayland 1997).	Material

				which is referred	to as political culture, or a shared ideology on state-religion interactions (Wayland 1997).			1. *which*	Mental
59.		One		could see	some parallels between the French case and Turkey,			where Kemalist secularism persisted even after the country democratised, and there was a strict separation of 'church' and state.	Mental
60.	where	Kemalist secularism		persisted	even after the country democratised,			and there was a strict separation of 'church' and state.	Mental
61.	and	there		was	a strict separation of 'church' and state.				Existential
62.		The hijab		was not allowed	to be worn in public institutions until recently.				Material
63.		The concept of 'tolerance' in different democracies		carries	different connotations,			and this is in no small part due to the varying notions of secularism in these countries,and even within citizens of the same polity (Levey and Mahmood, 2009)	Material
64.	and	this		is	in no small part due to the varying notions of secularism in these countries			and even within citizens of the same polity (Levey and Mahmood, 2009)	Relational (Attributive)
65.	While	a country *like*	the United States	practices	a 'passive' form of secularism (Kuru2007),			Turkey and France can be said to govern via 'assertive secularism' (Grigoriadis 2009); the differences can be attributed to the different historical paths of each nation and development of	Material

								understandings of its constitution.	
66.	*and*	Turkey ***and***	France	can be said	to govern via 'assertive secularism' (Grigoriadis 2009);			the differences can be attributed to the different historical paths of each nation and development of understandings of its constitution.	Verbal
67.		the differences		can be attributed	to the different historical paths of each nation and development of understandings of its constitution.				Material
68.		It		*also* ignores	the fact that democratic parties have in the past used religious minorities as scapegoats for their electoral ends, resulting in more minority oppression it instead of liberation.			1. *Secondly,* 2. *also*	Material
69.		far-right parties		are gaining	traction			1. *Increasingly,* 2. in Europe 3. because of a perceived cultural threat posed by Muslims (Lucassen and Lubbers 2012), while in India, Muslims are routinely portrayed.	Material

70.	1. because of *2. while*	a perceived cultural threat		posed by	Muslims (Lucassen and Lubbers 2012),			*while* in India, Muslims are routinely portrayed as a threat to the Indian way of life in a bid to shore up Indian nationalism (Roy 2004). .	Material
71.	while *in India*	Muslims		are *routinely* portrayed	as a threat to the Indian way of life in a bid to shore up Indian nationalism (Roy 2004). .			*1. in India* *2. routinely*	Material
72.		increased competitiveness in elections		has resulted		in politicians courting less tolerant groups to bolster their chances of winning (Buehler 2013).		1. *In Indonesia,*	Material
73.		it		*also* does not account	for the variation within authoritarian regimes			*1. Thirdly,* *2. also* 3. in their treatment of minorities as some authoritarian regimes are more benevolent than others.	Material
74.		some authoritarian regimes		are	more benevolent			than others.	Relational (Attributive)
75.		The manner *in which Shiites*		were treated				*1. in which Shiites* 2. under the Baath regime in Iraq during Saddam Hussein's reign was inexorably inhumane, and incomparable to the treatment of	Material

								Chinese under the Barisan Nasional in Malaysia or the Malays in Singapore.	
76.		*under* the Baath regime in Iraq during Saddam Hussein's reign		was	*inexorably* inhumane,			1. *under* 2. and incomparable to the treatment of Chinese under the Barisan Nasional in Malaysia or the Malays in Singapore.	Relational (Attributive)
77.		This article		builds				upon these works,	Material
78.	and			introduces	another variable			to assist in explaining policies towards ethnic minorities: the governing ideology of the elites in power.	Material
79.		*How* the ruling class in an authoritarian regime		views				1. *How* 2. diversity is a crucial factor that determines what concessions are given towards its minorities.	Mental
80.		diversity		is	a crucial factor			that determines what concessions are given towards its minorities.	Relational (Attributive)
81.	that			determines	what concessions are given towards its minorities.				Material
82.	1. *and*	This ideological predisposition		is *primarily* shaped	by the elites'	*and* nation's personal-historical experiences,	*and* geo-political conditions.	1. *primarily*	Material
83.	.	the ruling party's popularity or electoral strength		has to be considered				1. However, in competitive or electorally	Material

								2. authoritarian regimes, as well; the more dominant the party is, the more it is able to act upon its ideologies, as it is more insulated from public pressure	
84.		the more dominant the party		is,				the more it is able to act upon its ideologies, as it is more insulated from public pressure	Relational (Attributive)
85.		the more it		is	able to act upon its ideologies,			as it is more insulated from public pressure	Relational (Identifying)
86.	as	it		is	more insulated			from public pressure.	Relational (Attributive)
87.		Increased electoral competition does not by any means guarantee more tolerance in policies		crafted				; indeed, as the examples above have shown,it could very well lead to discriminatory laws.	Material
88.		What is argued here		is	that increased electoral competition will render the previously dominant party unable to completely act on its ideological predispositions.				Relational (Identifying)
89.	that			increased				electoral competition will render the previously dominant party unable to	Material

								completely act on its ideological predispositions.	
90.		electoral competition		will render	the previously dominant party			unable to completely act on its ideological predispositions.	Material
91.		authoritarian regimes		do not have				1. Unlike democracies, 2. to pander to the masses as much; 3. therefore their policies are more a result of elite governing paradigms than of electoral considerations.	Relatioanal (Attributive)
92.		their policies		are	*more* a result of elite governing paradigms than of electoral considerations.			1. therefore, 2. *more*	Relational (Identifying)
93.		policies in competitive authoritarian regimes		are not *solely*	a result of elite ideologies			1. Yet unlike traditional authoritarian regimes, 2. *solely*, 3. rather, they are dependent on the strength of the incumbent party.	Relational (Identifying)
94.		they		are	dependent			on the strength of the incumbent party.	Relational (Attributive)
95.		*As* the political scene		gets	more competitive			, more and more concessions might have to be made in general,including to ethnic minorities, in spite of	Material

								governing paradigms, so as to maximise electoral gains.	
96.		the Muslim minority		is given	special considerations			1. *In Singapore,* 2. in some areas.	Material
97.		There		is	a Minister of Muslim Affairs portfolio in the cabinet,			which is exclusive to Islam,and the constitution stipulates that it is the duty of the state to address the concerns of Muslims in the country.	Existential
98.		This		is	due to the 'politics of survival' faced by the nation (H.C. Chan 1971),			being a Chinese-majority nation amidst the Malay world,and was part of its bid to placate its larger neighbours by showing that its Malay-Muslim minority would be taken care of.	Relational (Identifying)
99.		these special considerations		are	largely a product of historical circumstances.			1. *Hence*	Relational (Identifying)
100.		the state		is	reluctant			1. *Yet at the same time,* 2. to accede to some demands of the Muslim community, as the discussion on the hijab issue will show.	Relational (Attributive)
101.		I		argue	that the unwillingness to agree to the hijab demands was ultimately a result of its deep-rooted inhibitions on religious diversity,				Verbal

					which is reflective of its adherence to 'multiracialism'.				
102.	that	the unwillingness to agree to the hijab demands		was	*ultimately* a result of its deep-rooted inhibitions on religious diversity, which is reflective of its adherence to 'multiracialism'.			1. *ultimately*	Relational (Identifying)
103.		I		further contend	that one can expect a softening of this stance as the electoral scene becomes more competitive,			in view of the rise of the opposition in Singapore, and considering that the non-Muslims are rather ambivalent towards this issue and there is no significant opposition to the granting of the right to wear the hijab to Muslims.	Verbal
104.	that	one		can expect	a softening of this stance as the electoral scene becomes more competitive,			in view of the rise of the opposition in Singapore,	Material
105.	and			considering	that the non-Muslims are rather ambivalent towards this issue and there is no significant opposition to the granting of the right to wear the hijab to Muslims.				Mental
106.		the non-Muslims		are	rather ambivalent towards this issue				Relational (Identifying)
107.	and	there		is	no significant opposition to the granting of the right				Existential

					to wear the hijab to Muslims.				
108.		Singapore		is	*constitutionally* a self-declared multiracial country (Chua 2003: 60).			1. *constitutionally*	Relational (Identifying)
109.		The Chinese-Malay-Indian-Others (CMIO) model		is	a manifestation of the PAP's version of multiracialism.				Relational (Identifying)
110.		Each ethnic group		is allowed	space			to practice its own culture,	Material
111.	but			is expected				to transcend differences with the others when the national imperative, as defined by the PAP, requires them (Hussin Mutalib 2011).	Material
112.		Each ethnic group		is	to be treated equally and fairly, without any appearance of favoritism (Moore 2000: 344).				Relational (Identifying)
113.		Ethnicity		is *heavily* emphasised				in almost every facet of a Singaporean's life: a person's ethnic group is stated on his or her identity card, there are racial quotas for public housing, and even the electoral system employs a form of the party block vote system (known as the	Material

								Group Representation Constituency) where teams competing in a multi-member district must have at least one member from an ethnic minority group, amongst many other policies (Reynolds et al. 2005: 47).	
114.		a person's ethnic group		is stated				on his or her identity card, there are racial quotas for public housing, and even the electoral system employs a form of the party block vote system (known as the Group Representation Constituency) where teams competing in a multi-member district must have at least one member from an ethnic minority group, amongst many other policies (Reynolds et al. 2005: 47).	Verbal
115.		there		are	racial quotas			for public housing, and even the electoral system employs a form of the party block vote system (known as the Group Representation Constituency) where teams competing in a multi-member district must have at least one member from an ethnic minority group, amongst many other policies (Reynolds et al. 2005: 47).	Relational (Attributive)

116.		Multiracialism		refers				to the policy of managing both ethnicity and religion, as the two are greatly intertwined in the Singapore context.	Relational (Identifying)
117.		the two		are greatly intertwined				in the Singapore context.	Verbal
118.		PAP leaders		are	keen			to assert that as a multiracial society, this approach is inevitable and is the only 'pragmatic' option.	Relational (Attributive)
119.		this approach		is	inevitable				Relational (Attributive)
120.	and			is	the only 'pragmatic' option.				Relational (Attributive)
121.		Goh Chok Tong, the former prime minister,		states:				This practical approach of nation-building whereby every community has two playing fields has given us multi-racial harmony. This approach helps us to build a harmonious nation out of diversity. (C. Tan 2009a: 42)	Verbal
122.		This practical approach of nation-building whereby every community		has	two playing fields			has given us multi-racial harmony.	Relational (Attributive)
123.		This approach		helps	us			to build a harmonious nation out of diversity. (C. Tan 2009a: 42)	Material
124.	*However*,	I		postulate				that multiracialism is more than simply a pragmatic way	Verbal

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								of governing a heterogeneous society.	
125.	that	multiracialism		is	more than simply a pragmatic way of governing a heterogeneous society.				Relational (Attributive)
126.	Even though	Singapore's politicians	and journalists	*alike* use	the terms multiracialism and multiculturalism interchangeably, .			the two concepts need to be distinguished	Material
127.		Multiracialism		begins	with the idea			that ethnic and religious diversity is a problem that needs to be conscientiously managed, whereas multiculturalism's starting point is that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17).	Material
128.	that	ethnic and religious diversity		is	a problem			that needs to be conscientiously managed, whereas multiculturalism's starting point is that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17).	Relational (Identifying)
129.	that			needs				to be conscientiously managed, whereas multiculturalism's starting point is that diversity is a strength that needs to be	Material

								celebrated (Hussin Mutalib 2012: 115–17).	
130.	whereas	multiculturalism's starting point		is				that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17).	Relational (Attributive)
131.		The two ideologies		could give birth				to radically different policies.	Material
132.	So while , and	diversity		is promoted, encouraged				and room is given to express the very multiplicity of cultural practices under multiculturalism, multiracialism views diversity as an inherent problem actively seeks to control it.	Material
133.	and	room		is given				to express the very multiplicity of cultural practices under multiculturalism, multiracialism views diversity as an inherent problem actively seeks to control it.	Material
134.	multiraciali sm			views	diversity			as an inherent problem actively seeks to control it.	Mental
135.		The lack of individual freedoms in Singapore		is often attributed				to the idea that allowing for uninhibited openness would easily lead to racial tensions and, at worst, conflicts and riots.	Material
136.	that			allowing				for uninhibited openness would easily lead to racial tensions and, at worst, conflicts and riots.	Material

137.		What warrants emphasis here		is				the fact that there is a worldview or a predisposition about (and in this case, against) racial diversity that translates into actual governing paradigms, and eventually policies; it is not pragmatic or natural to view race as either a problem or strength.	Relational (Identifying)
138.	that	there		is	a worldview or a predisposition			about (and in this case, against) racial diversity that translates into actual governing paradigms, and eventually policies; it is not pragmatic or natural to view race as either a problem or strength.	Relational (Identifying)
139.		it		is not	pragmatic or natural			to view race as either a problem or strength.	Relational (Attributive)
140.	Hence,	multiracialism itself, a key founding myth of the nation-state,		is not	a value-free ideology.				Relational (Attributive)
141.		The PAP's power and uninterrupted rule		have ensured				that it has successfully made multiracialism a national, and not just party, ideology.	Material
142.	that	it		has *successfully* made	multiracialism a national,			and not just party, ideology.	Material
143.		The perpetuation of multiracialism		is	a direct product of its authoritarian strength.				Relational (Identifying)

144.		This		is	*in spite of* the PAP's claims of being 'non-ideological'			in running the country.	Relational (Attributive)
145.		PAP leaders		*constantly* espouse	the view that for the PAP,			1. Equating being pragmatic to being 'rational', 2. what matters is being efficient or what 'works', rather than exploring recourses based on ideological predispositions	Material
146.		what matters		is	being efficient or what 'works',			rather than exploring recourses based on ideological predispositions.	Relational (Identifying)
147.		This		signifies	a purposeful attempt to depict the party as being governed by principles of rationality (Mauzy and Milne 2002: 52–3)			rather than religious adherence to policies or systems that do not yield desired outcomes; adopting an approach whereby efficiency, usually defined in economic terms, becomes the end goal.	Relational (Identifying)
148.		adopting an approach whereby efficiency,		usually defined				in economic terms, becomes the end goal.	Material
149.		Chan Heng Chee (1975)		described				Singapore as an 'administrative state', where a technical and value-free approach to governance has ostensibly abolished politics from state decision making processes.	Verbal

150.		value-free approach to governance		has *ostensibly* abolished	politics			*1. ostensibly* 2. from state decision making processes.	Material
151.		success or 'what works'		is defined	in economic and material terms;			1. *Ultimately*,	Material
152.		the government's claim to legitimacy ends.		is based	on delivering economic prosperity and guaranteeing racial stability,			and the PAP's pragmatism is evaluated, if not justified, through these.	Material
153.	and	the PAP's pragmatism		is evaluated,				if not justified, through these.	Material
154.		A quote	by Lee Kuan Yew	aptly encapsulates	this position:			We [the PAP's founders] were not ideologues. We did not believe in theories as such. A theory is an attractive proposition, intellectually. What we faced was a real problem of human beings looking for work, to be paid, to buy their food, their clothes, their homes and to bring their children up. So whatever the final outcome, we had the immediate responsibility of getting the economy up. (Han et al. 1998: 109)	Verbal
155.		We [the PAP's founders]		were not	ideologues.				Relational (Attributive)
156.		We		did not believe				in theories as such.	Mental

157.		A theory		is	an attractive proposition, intellectually.				Relational (Attributive)
158.		What we faced a		was	real problem of human beings looking for work, to be paid, to buy their food, their clothes, their homes and to bring their children up.				Relational (Identifying)
159.		we		had	the immediate responsibility of getting the economy up. (Han et al. 1998: 109)			So whatever the final outcome,	Relational (Attributive)
160.		*Nevertheless*, the state's handling of racial affairs		show				that it is not always true that pragmatic and non-ideological concerns exclusively motivate policies.	Material
161.	that	it		is not	always true			that pragmatic and non-ideological concerns exclusively motivate policies.	Relational (Attributive)
162.		The very fact that there		is	a worldview			that shapes leaders' ideas on race, shows that at least in the realm of race and religion, the PAP has a clear ideological predisposition that guides its policies, and this predisposition is expressed in its version of multiracialism.	Relational (Identifying)

163.				shows				that at least in the realm of race and religion, the PAP has a clear ideological predisposition that guides its policies, and this predisposition is expressed in its version of multiracialism.	Material
164.		the PAP		has	a clear ideological predisposition			that guides its policies, and this predisposition is expressed in its version of multiracialism.	Relational (Identifying)
165.	and	this predisposition		is expressed				in its version of multiracialism.	Mental
166.		State leaders do, from time to time,		use				both 'multiracialism' and 'multiculturalism' when in fact they are referring to a policy of consciously regulating race and religion, which resembles multiracialism more than multiculturalism.	Material
167.		they		are referring				to a policy of consciously regulating race and religion which resembles multiracialism more than multiculturalism.	Relational (Identifying)
168.	While	the state		*mistakenly* uses	both terms interchangeably,			it is unambiguous in its policies of putting ethnicity in check and clearly articulates its worldview of ethnicity being a cause for concern, if not properly handled (E.K.B. Tan 2004).	Material

169.		it		is	unambiguous			in its policies of putting ethnicity in check and clearly articulates its worldview of ethnicity being a cause for concern, if not properly handled (E.K.B. Tan 2004).	Relational (Attributive)
170.		One		needs				to study the history and experiences of the nation, and the nation's founders to understand the origins of this view on race.	Mental
171.		It		was	a British colonial legacy			that race was continually emphasised, which gave birth to certain stereotypes being perpetuated (Alatas 2010).	Relational (Identifying)
172.	that	race		was *continually* emphasised,				which gave birth to certain stereotypes being perpetuated (Alatas 2010).	Material
173.	When	Singapore		was	part of the Malaysian Federation,			racial riots occurred between the Malays and Chinese in 1964.	Relational (Identifying)
174.		racial riots		occurred	between the Malays	and Chinese		in 1964.	Material
175.	While	there		was	a multitude of factors			that could have contributed towards the clashes, the riots were eventually almost entirely regarded as being racial in nature (Milne 1966: 177).	Existential
176.	that			could have contributed				towards the clashes,	Material

177.		the riots		were *eventually almost entirely* regarded	as being racial in nature (Milne 1966: 177).				Material
178.		Coupled with Lee's less-than-pleasant		encounters	with the Malay 'ultras'	or supremacists		when the former was a parliamentarian in the Federation, a negative impression of the volatility of race was formed and ingrained in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.	Material
179.	when	the former		was	a parliamentarian in the Federation,				Relational (Identifying)
180.		a negative impression of the volatility of race		was formed				and ingrained in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.	Material
181.	and			ingrained				in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.	Material
182.	which			was passed down				to later generations of leaders.	Relational (Attributive)
183.		What made the matter more complex		was	the inextricable association between 'Malay' and 'Muslim' in the region			: not only were the clashes linked to race, religion was further scrutinised.	Relational (Identifying)
184.		religion		was *further* scrutinised.					Material
185.		The survivalist mentality		was ingrained	into the psyches of Lee	and his colleagues		following separation from Malaysia (Hussin Mutalib 2011: 1165), and this contributed further to the	Material

								scepticism towards religion; a state that perceives itself as being vulnerable and threatened will be wary of religions, especially those with comprehensive value systems, as they have the potential to mobilise citizens against state policies (Walid 2013: 1182).	
186.	and	this		contributed				further to the scepticism towards religion;	Material
187.		a state *that*		perceives				itself as being vulnerable	Mental
188.	and	threatened		will be	wary of religions,			especially those with comprehensive value systems, as they have the potential to mobilise citizens against state policies (Walid 2013: 1182).	Relational (Attributive)
189.	as	they		have	the potential			to mobilise citizens against state policies (Walid 2013: 1182).	Relational (Attributive)
190.		This		is				how geo-political conditions and the elites' own experiences have shaped their mindsets on ethnicity.	Relational (Identifying)
191.		how geo-political conditions	and the elites' own experiences	have shaped				their mindsets on ethnicity.	Material
192.		Insofar as religion		is	tolerated,			it is only when it does not directly contradict state	Relational (Attributive)

								proclamations; and when it could help propagate state policies or strengthen the government's positions on issues, religion is even encouraged (Tamney 1996).	
193.		it		is only				when it does not directly contradict state proclamations; and when it could help propagate state policies or strengthen the government's positions on issues, religion is even encouraged (Tamney 1996) .	Relational (Identifying)
194.	when	it		does not *directly* contradict	state proclamations;				Material
195.	and when	it		could help	propagate state policies or strengthen the government's positions on issues,			religion is even encouraged (Tamney 1996).	Material
196.		religion		is *even* encouraged (Tamney 1996).					Material
197.		The state		has employed	various methods			to keep religion in check, including strategies of co-optation (Walid 2013), 'hard' and 'soft' instruments (E.K. B. Tan 2011).	Material
198.		The PAP's regulatory style towards religious life		has been dubbed				as 'intrusive secularism' (Aljunied 2012), 'accommodative secularism' (Thio 2010) and 'strategic	Material

								secularism' (Lily Zubaidah 2012).	
199.		*Not only do state policies reflect* the PAP's worldview on race and religion, its leaders		have been	upfront			about the party's outlook on the explosive nature of diversity.	Relational (Attributive)
200.		The state's interventionist approach towards handling		can be seen				from numerous examples including the Maintenance of Religious Harmony Act (MRHA) whereby a person can be arrested for 'inciting' others on religious grounds, to the government-prodded Inter-Racial and Religious circles (IRRC) which are meant to promote inter-racial bonding, and even more cynically, the arrest of Christian church members that were said to be 'plotting' against the state (see below) .	Mental
201.	whereby	a person		can be arrested	for 'inciting' others on religious grounds,			to the government-prodded Inter-Racial and Religious circles (IRRC) which are meant to promote inter-racial bonding, and even more cynically, the arrest of Christian church members that were said to be 'plotting' against the state (see below).	Material
202.		the arrest of Christian church members		*that* were said				to be 'plotting' against the state (see below).	Verbal

203.	That	the regard for ethnicity as a primeval force for dispute		is inherited	by later generations of ministers			and policymakers is evident from the rhetoric espoused up till today,	Material
204.	and	policymakers		is				evident from the rhetoric espoused up till today,	Relational (Identifying)
205.		Race	and 'racial harmony'	is constantly emphasised				and they are keen to espouse that it is a 'work in progress', and Singapore has not completely attained it yet.	Material
206.	and	they		are	keen			to espouse that it is a 'work in progress', and Singapore has not completely attained it yet.	Relational (Attributive)
207.	that	it		is	a 'work in progress'			, and Singapore has not completely attained it yet.	Relational (Identifying)
208.	and	Singapore		has not *completely* attained	it			yet.	Material
209.		Racial violence		is often depicted				as the inevitable outcome if a plural society is not carefully controlled, and if draconian measures are not put in place(E.K.B. Tan 2004: 77).	Material
210.	if	a plural society		is not *carefully* controlled,				and if draconian measures are not put in place(E.K.B. Tan 2004: 77).	Material
211.	and if	draconian measures		are not put				in place(E.K.B. Tan 2004: 77).	Material

212.		The state narrative		*consistently* references	the Maria Hertogh riots			which occurred in 1950, attributing the cause of the violence to religion, despite the existence of competing narratives that view the riots as a mode of resistance towards colonialism (Aljunied 2009).	Material
213.		The aforementioned 1964 clashes		are also *regularly* highlighted.					Material
214.		The perception of ethnicity being inherently problematic		is				institutionalised through various state mechanisms and policies, including the education curriculum.	Relational (Identifying)
215.		A new generation PAP leader, Minister for Education, Heng Swee Keat,		stated				as recently as 2012: *In learning about the significance of the various customs and practices, students will come to respect the customs and practices as unique to each community. Students also learn about the causes and consequences of the Maria Hertogh riots and the 1964 race riots, to realise the importance of the continual efforts by every Singaporean to ensure racial and religious harmony. Students learn about the various measures put in place in our society to promote inter-racial and inter-religious*	Verbal

								understanding, such as creating common space and shared experiences, formation of Inter-Racial Confidence Circles and Harmony Circles. (Parliament of Singapore, 12, Session 1, 16 January 2012)	
216.		students		will come				1. In learning about the significance of the various customs and practices, 2. to respect the customs and practices as unique to each community.	Material
217.		Students		learn				about the various measures put in place in our society to promote inter-racial and inter-religious understanding, such as creating common space and shared experiences, formation of Inter-Racial Confidence Circles and Harmony Circles. (Parliament of Singapore, 12, Session 1, 16 January 2012)	Material
218.		The prevailing discourse on race		is further reinforced				when even PAP leaders from an ethnic minority background subscribe to the view.	Material
219.		Two quotes from Malay MPs		highlight				this: *Many post-65ers, like myself, may not have*	Material

								experienced the racial riots of the 1960s. But we can surely learn from history, such as the Maria Hertogh riots in the 1960s which were started by a single picture published in a newspaper. Today, modern communication technologies have greater potential to create such tension with swift and dramatic effect, with technologies such as video MMS. (Parliament of Singapore, Zaqy Mohamad, 11, Session 1, 27 February 2007)	
220.		Many post-65ers, like myself,		may not have experienced	the racial riots of the 1960s.				Mental
221.	But	we		can *surely* learn				from history, such as the Maria Hertogh riots in the 1960s which were started by a single picture published in a newspaper.	Material
222.		modern communication technologies (Parliament of Singapore, Zaqy Mohamad, 11, Session 1, 27 February 2007)		have	greater potential			1. *Today,* 2. to create such tension with swift and dramatic effect, with technologies such as video MMS.	Relational (Attributive)
223.		Racial and religious harmony		was not		a natural instinct		when we attained self-government 50 years ago.	Relational (Attributive)
224.	when	we		attained				self-government 50 years ago.	Material

225.		The multi-racial	and multi-religious	posed	profile of our country a big challenge for the government of the day			as there were potential community fault lines that could scuttle the good work that needed to be done.	Material
226.	as	there		were	potential community fault lines			that could scuttle the good work that needed to be done.	Existential
227.	that			could scuttle	the good work			that needed to be done.	Material
228.		Many		would not even know				that 34 people were killed and 563 injured in two outbreaks of racial riots in 1964.	Mental
229.	that	34 people		were killed				and 563 injured in two outbreaks of racial riots in 1964.	Material
230.	and	563		injured				in two outbreaks of racial riots in 1964.	Material
231.	But	Singaporeans of that era,		shocked				by the horror of those riots, have resolved from then on never to take racial harmony for granted.	Mental
232.				have resolved				from then on never to take racial harmony for granted.	Material
233.		Ethnicity	and religion	is *constantly* talked up				and portrayed as a potential source of conflict.	Verbal
234.	and		portrayed					as a potential source of conflict.	Material
235.		This preconceived notion of race	and religion	guides	the PAP's 'pragmatism': it				Material

					anchors in place a certain set of values that shapes the party's ethno-religious policies.				
236.		it		anchors				in place a certain set of values that shapes the party's ethno-religious policies.	Material
237.	that			shapes	the party's ethno-religious policies.				Material
238.		It		is	no surprise,			once multiracialism is understood for what it is, that the state does not allow for complete religious freedom, constantly intrudes in the realm of religion, and does not encourage discussions and open debates on these issues as race and religion are considered out-of-bounds.	Relational (Attributive)
239.		*once*		is understood				for what it is, that the state does not allow for complete religious freedom, constantly intrudes in the realm of religion, and does not encourage discussions and multiracialism open debates on these issues as race and religion are considered out-of-bounds.	Material
240.	that	the state		does not allow				for complete religious freedom, constantly intrudes in the realm of religion, and	Material

								does not encourage discussions and multiracialism open debates on these issues as race and religion are considered out-of-bounds.	
241.				*constantly* intrudes				in the realm of religion, , and does not encourage discussions and multiracialism open debates on these issues as race and religion are considered out-of-bounds.	Material
242.	and			does not encourage	discussions			and multiracialism open debates on these issues as race and religion are considered out-of-bounds.	Material
243.	and	multiracialism		open	debates			on these issues as race and religion are considered out-of-bounds.	Material
244.	and	religion		are considered	out-of-bounds.				Mental
245.		it		is	compulsory for all females beyond the age of adolescence to don the hijab.			According to the majority of Islamic jurists and the Shafii school of thought that most Singaporean Muslims adhere to, and more pertinently, according to the official edict of the Islamic Religious Council of Singapore (MUIS),	Relational (Identifying)

246.		The religious obligation to wear the hijab		is not	a matter of contention amongst the religious elites in Singapore,			as articulated by the mufti Dr Fatris Bakaram (2013) – who is the highest authority on Islamic jurisprudence in the country – in his widely circulated note on Facebook.	Relational (Attributive)
247.	as			articulated	by the mufti Dr Fatris Bakaram (2013) – who is the highest authority on Islamic jurisprudence in the country – in his widely circulated note on Facebook.				Verbal
248.		The matter		gets	even more interesting			considering that MUIS is essentially an arm of the state;it is under the direct purview of the Ministry of Culture, Community and Youth, and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.	Material
249.	considering that	MUIS		is *essentially*	an arm of the state;			it is under the direct purview of the Ministry of Culture, Community and Youth, and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.	Relational (Identifying)
250.		it		is	under the direct purview of the Ministry of Culture,			and is tasked with advising the government and President of Singapore on the religious affairs of the	Relational (Identifying)

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					Community and Youth,			Muslims.	
251.	and			is tasked				with advising the government and President of Singapore on the religious affairs of the Muslims.	Material
252.		The state's official policy		has been				to disallow the hijab to be part of school uniforms, and in some government services which require uniforms to be worn, such as nursing, the police force and the army.	Relational (Identifying)
253.		The reasons		enunciated	by the state will be discussed in the next section.				Material
254.		the state		will be discussed				in the next section.	Verbal
255.		Muslims		have been asking	the policy to be reconsidered since 1977,			though the subject only garnered national attention on two occasions, in 2002, and in late 2013 to early 2014.	Verbal
256.	though	the subject only		garnered	national attention			on two occasions,in 2002, and in late 2013 to early 2014.	Material
257.		the parents of four children		*openly* defied	this policy			1. *In 2002*, 2. by sending their children to state schools donning the hijab.	Material
258.		the issue		attracted	nationwide attention.			*Immediately,*	Material

259.		PAP leaders		almost *instantaneously* came out				in full force to chastise those involved in the incident.	Material
260.		They		singled out (Phrasal Verb)	Zulfikar Shariff, a social activist who was heavily critical of the state's no-hijab stance, as the mastermind behind the entire saga,			and began vilifying him in public (Tan, K.P. 2003).	Material
261.	and			began				vilifying him in public (Tan, K.P. 2003).	Material
262.		the state		*instead* chose	to view the incident as a direct challenge to its hitherto unbridled power.			Instead of engaging the Muslim community on what was palpably a genuine concern,	Material
263.		The state-controlled media		continued	to portray Zulfikar in a negative light,			and blamed him for instigating the entire episode.	Material
264.	and			blamed	him			for instigating the entire episode.	Verbal
265.		senior PAP leaders, including the then Prime Minister Goh Chok Tong,		weighed	in on the issue and reaffirmed the state's policy.			1. At this point in time,	Material
266.	and			reaffirmed	the state's policy.				Material
267.		MUIS		issued	a statement via the Mufti, who said that 'education is more				Verbal

					important [than the hijab]' (BBC 2012).				
268.		The statement		was not unanticipated	as the Mufti's government-linked position probably forced his hand.				Material
269.		linked position		probably forced	his hand.				Material
270.		the Muslim community mostly by		continued				1. Despite the Mufti's call, 2. to push the agenda, expressing online discontentment towards the state, organising public forums to discuss the matter and via a few public statements by some Muslim organisations (Walid 2013).	Material
271.		Zulfikar		*eventually* felt	compelled			to leave for Australia in anticipation of the authoritarian state machinery to be used unrestrainedly against him as media attacks against him intensified (Lily Zubaidah 2009: 38).	Mental
272.		The hijab issue then		faded				into the background, failing to attract mainstream attention until 2013.	Material
273.		It		must be reiterated				that the PAP was electorally still highly dominant in 2002 as it had just	Verbal

								secured one of its largest vote shares (75.3%) ever in the 2001 election.	
274.	that	the PAP		was	*electorally still highly* dominant in 2002 .			as it had just secured one of its largest vote shares (75.3%) ever in the 2001 election	Relational (Attributive)
275.		I		argue,				1. The PAP's willingness to be heavy-handed in this episode, 2. was motivated by the elites' worldview on ethnicity, and enabled by its commanding political position.	Verbal
276.				was motivated	by the elites' worldview on ethnicity,				Material
277.	and			enabled	by its commanding political position.				Material
278.		several online petitions		were set up	by a few Muslims			1. In 2013, 2. to gather support to apply pressure on the state to reconsider its position.	Material
279.		These		were done				organically, without any particular organisation or individual spearheading the efforts.	Material
280.		One Facebook page in particular, the Singapore Hijab Movement,		had attracted				over 20,000 'likes'.	Material

281.		Sentiments		were running				high,as evinced from the vitriolic nature of some of the comments made online.	Material
282.		This		occurred				in a climate where dissent towards the government was not only possible due to the proliferation of social media and the internet which severely undermined the state's grip on information via traditional media, but also widespread due to discontentment over perceived state failures in general, such as over-congestion in public transport and rising levels of income inequalities.	Material
283.		This solely virtual movement		drew	a response from the cabinet;			the Deputy Prime Minister, Teo Chee Hean issued anambiguous statement, asserting the need for Singapore to maintain 'social harmony' (R. Chan 2013), without making a commitment on the hijab policy itself.	Material
284.		the Deputy Prime Minister, Teo Chee Hean		issued	anambiguous statement,			asserting the need for Singapore to maintain 'social harmony' (R. Chan 2013), without making a commitment on the hijab policy itself.	Verbal
285.		Muslims		continued				to pursue the issue online.	Material

286.		many		changed	their Facebook profile picture			1. As a show of support for the movement, 2. to one that was designed specifically for the cause: a silhouette of a female wearing the hijab which bore the colours of the national flag (see Figure 1).	Material
287.	that a			was designed	specifically for the cause: silhouette of a female wearing the hijab which bore the colours of the national flag (see Figure 1).				Material
288.		This		was later removed (Lee 2013).					Material
289.		The image		was *clearly* meant				to question the state's policy, by insinuating that there is no contradiction between practising one's religion and staying loyal to the country	Material
290.	that	there		is	no contradiction			between practising one's religion and staying loyal to the country.	Existential
291.		World Hijab Day Singapore (WHDS 2014),.		planned				1. Another group, 2. to conduct a 'celebration' of the hijab, together with various WHD movements	Material

								internationally, on the 1 February 2014	
292.		The organisers		had intended				to 'showcase the beauty of the hijab' by going to the street and speaking to non-Muslims about its significance.	Material
293.		it		was reported				1. However, 2. that the authorities pressured them against organising the event.	Verbal
294.	that	the authorities		pressured	them			against organising the event.	Material
295.		The cancellation of the event		acquired	significant attention			on alternative/online media, but was completely ignored in the mainstream media.	Material
296.	but			was completely ignored				in the mainstream media.	Mental
297.		The state		neither confirmed nor denied	allegations			that WHDS members were faced with 'pressure and threats'.	Verbal
298.	that	WHDS members		were faced				with 'pressure and threats'.	Material
299.		Prime Minister Lee Hsien Loong		*eventually* held	a closed door session			in late January 2014 with a hundred selected community leaders to discuss the hijab.	Material
300.		No conclusion		was reached,				or new policy changes announced.	Material
301.		All that		was released				to the media were conciliatory statements of ambiguous nature from both sides (Grosse 2014).	Material

302.		one		could *evidently* discern				1. Despite no changes in the hijab policy, as yet, 2. a change in tone and approach.	Mental
303.		While the leadership's statements on the hijab and how it would affect social harmony, together with the consistent affirmations of race and religion being potential fault lines,		remained				the same, the government's handling of the issue now differed.	Material
304.		it		could afford	to be more assertive			1. Earlier, in 2002, when the PAP was dominant, 2. and harsh towards those who championed the issue, like Zulfikar.	Material
305.	and			harsh	towards those who championed the issue, like Zulfikar.				Material
306.		But in 2013, when the political climate had changed and the PAP's authoritarianism		was	now more of a 'competitive' nature			and the party had suffered electoral setbacks just two years earlier, a more lenient stance was taken, whereby the prime minister tried to have a dialogue with community leaders and reason with them, rather than employ the knuckleduster approach.	Relational (Attributive)

307.	and	the party		had suffered	electoral setbacks just two years earlier,			a more lenient stance was taken, whereby the prime minister tried to have a dialogue with community leaders and reason with them, rather than employ the knuckleduster approach.	Material
308.		governing ideologies		had				1. Again, 2. to be tampered with electoral realities in producing the final policy outcome.	Relational (Identifying)
Multiracialism: guiding philosophy behind the no-hijab stance									
309.		The state's approach towards the hijab		is	consistent			with its general outlook on race and religion; it is always extremely cautious in letting differences come to the fore.	Relational (Attributive)
310.		it		is *always extremely*	cautious			in letting differences come to the fore.	Relational (Attributive)
311.		The desire for uniformity amongst citizens		is perhaps matched	by the obsession against external displays of piety.				Material
312.		PAP leaders		have given	a few reasons			to justify its no-hijab policy.	Material
313.		it		argues	that allowing the hijab to be worn will affect the 'common space' (Law 2003: 56).			*1. Firstly,*	Verbal
314.		What exactly is meant by common space		is undefined	or purposely vague.				Material
315.		Singapore		is	a secular society that does not mix			1. Secondly, 2. and finally, if the state acquiesces to	Relational (Identifying)

					religion with politics (Suzaina 2004)			the wishes of the Muslim community, other ethno-religious communities will be emboldened to assert their respective demands.	
316.	that			does not mix	religion with politics (Suzaina 2004)				Material
317.	and *finally*, if	the state		acquiesces	to the wishes of the Muslim community,			other ethno-religious communities will be emboldened to assert their respective demands.	Material
318.		other ethno-religious communities		will be emboldened				to assert their respective demands.	Material
319.		A PAP Muslim MP, Zainal Sapari,		even used	the far-fetched comparison			to the Jehovah Witnesses' desire not to be conscripted into the National Service in Singapore as their faith does not allow the carrying of arms (Channel News Asia 2015; Today 2014).	Material
320.								While the analogy is clearly stretched, the message that was intended was that religious demands could come into conflict with national imperatives, as was the case with the hijab demand.	
321.		This		will,				the state argues, undermine the social fabric of the country.	

322.		the state		argues,				undermine the social fabric of the country.	Verbal
323.V	If	every race and religion		starts				becoming more assertive, and begins to demand its own space and rights, social harmony of the nation could be harmed.	Material
324.	and			begins				to demand its own space and rights, social harmony of the nation could be harmed.	Material
325.		social harmony of the nation		could be harmed.					Material
326.		There .		could be diminished				trust between the races, and eventually, the stability and peace the nation has acquired would be in severe jeopardy	Material
327.		the economic conditions		would be	unfavorably affected,			1. Eventually, 2. as Singapore's miraculous economic growth has been predicated upon social stability and harmony	Material
328.	as	Singapore's miraculous economic growth		has been predicated				upon social stability and harmony.	Material
329.	Such			is	the reasoning behind the government's guarded approach towards racial and religious demands.				Relational (Identifying)
330.		Goh Chok Tong who was then prime minister		opined				1. In 2002, 2. that if girls in state schools were allowed to wear the hijab, ethnic	Verbal

								differences would be amplified and integration impeded (Law 2003).	
331.	that if	girls in state schools		were allowed				to wear the hijab,	Material
332.		ethnic differences		would be amplified				and integration impeded (Law 2003).	Material
333.		This		is	another reflection of how the multiracialism ideology has translated into the PAP's hijab stance.				Relational (Identifying)
334.		Another reason		given	by the government			is the alleged opening of Pandora's box – if the state is seen to react under pressure and accede to the demands of one group, others would see it as a weakness and start demanding for their rights too.	Verbal
335.				is	the alleged opening of Pandora's box				Relational (Identifying)
336.	if	the state		is seen				to react under pressure and accede to the demands of one group, others would see it as a weakness and start demanding for their rights too.	Mental
337.		Even		were	others			to increase their demands, this in itself would not be a cause for concern, unless	Relational (Attributive)

								of course, there is a preconceived view on race and religion.	
338.		this in itself		would not be	a cause for concern,			unless of course, there is a preconceived view on race and religion.	Relational (Attributive)
339.		there		is	a preconceived view on race and religion.				Relational (Attributive)
340.		It		would be	no exaggeration			to say that the PAP, as an authoritarian party, has had a vengeful disdain for those that challenge its authority.	Relational (Attributive)
341.	that	the PAP, as an authoritarian party,		has had	a vengeful disdain			for those that challenge its authority.	Relational (Attributive)
342.		Opposition		have been marginalised	individual politicians bankrupted (Lydgate 2003),			parties social activists clamped down on (Shariff 2004), civil society groups stifled (Lee 2002) and dissenting voices co-opted (Hewison 1999).	Material
343.		parties social activists		clamped down on (Shariff 2004),					Material
344.		civil society groups		stifled (Lee 2002)				and dissenting voices co-opted (Hewison 1999).	Material
345.	Therefore,	it		is	natural			to expect wariness from the PAP towards religion and ethnicity, two potent potential sources of mobilisation against the state.	Relational (Attributive)
346.		This attitude		is reflected				in the above mentioned secularist approaches and politicians' rhetoric.	Material

347.		This		is not				to say that the PAP uses pragmatism as merely a rhetorical device.	Relational (Attributive)
348.	that	the PAP		uses	pragmatism as merely a rhetorical device.				Material
349.		I		argue	that the PAP's policies are born out of genuine convictions.				Verbal
350.	that	the PAP's policies		are born				out of genuine convictions.	Material
351.	However, and religion.	the negative worldview of diversity		is so ingrained				in PAP leaders that they cannot see beyond a situation whereby they have to actively manage ethnicity	Material
352.	that	they		cannot see				beyond a situation whereby they have to actively manage ethnicity	Mental
353.		Their pragmatism		is constrained				by their predispositions.	Material
354.		It		would not be	fair			to assert that the PAP is Islamophobic.	Relational (Attributive)
355.	that	the PAP		is	Islamophobic.				Relational (Attributive)
356.		What is more accurate			is			that they are wary of all religions, or potential sources of disobedience though for various reasons that will be explicated later, special reservation is exercised towards Islam.	Relational (Identifying)

357.	that	they		are	wary			of all religions, or potential sources of disobedience though for various reasons that will be explicated later, special reservation is exercised towards Islam.	Relational (Attributive)
358.		the Catholic Church		was targeted	by the state.			In the 1980s ,	Material
359.		Senior PAP leaders		accused				the church of meddling in politics, and 22 people were arrested under the Internal Security Act, where they could be detained indefinitely without trial, for a plotting a 'Marxist Conspiracy' against the state (Barr 2010).	Verbal
360.	and	22 people		were arrested	under the Internal Security Act,			where they could be detained in definitely without trial, for a plotting a 'Marxist Conspiracy' against the state (Barr 2010).	Material
361.	While	details of the entire episode		were				(and still are)sketchy, it is fair to say that the incident is mired in controversy.	Relational (Attributive)
362.		it		is	fair			to say that the incident is mired in controversy.	Relational (Attributive)
363.	that	the incident		is mired				in controversy.	Material
364.		What is less disputable though		is				that the state showed, in no uncertain terms, its intolerance towards religion as a socio-political force.	Relational (Identifying)
365.	that	the state		showed,				in no uncertain terms, its intolerance towards religion as a socio-political force.	Material

366.		Lee Kuan Yew, the prime minister during this mass detention,		expressed	his views on the incident and religion's role in Singapore as a whole:			What we want our religious and para-religious group to do is to give relief to the destitute, the disadvantaged, the disabled, to take part in activities which foster communal fellowship. Emphasis on charity, alms-giving and social and community work. I urge that churchmen, lay preachers, priests, monks, Muslim theologians, all those who claim divine sanction or holy insights, take off your clerical robes before you take on anything economic or political. Come out as a citizen or join a political party and it is your right to belabor the government. But you use a church or a religion and your pulpit for these purposes and there will be serious repercussions. (Haas 1989: 61–2)	Mental
367.		What we want our religious and para-religious group to do		is				to give relief to the destitute, the disadvantaged, the disabled, to take part in activities which foster communal fellowship.	Relational (Attributive)
368.		I		urge				that churchmen, lay preachers, priests, monks,	Verbal

								Muslim theologians, all those who claim divine sanction or holy insights, take off your clerical robes before you take on anything economic or political.	
369.				Come out				as a citizen	Material
370.	or			join	a political party				Material
371.	and	it		is	your right to belabor the government.				Relational (Identifying)
372.	But	you		use	a church or a religion			and your pulpit for these purposes and there will be serious repercussions. (Haas 1989: 61–2)	Material
373.	and	there		will be serious repercussion. (Haas 1989: 61–2)					Existential
374.		Lee Kuan Yew		proclaimed				1. *Following this episode,* 2. *in the 1988 National Day Rally* 3. that communalism had reared its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62).	Verbal

375.	that	communalism		had reared				its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62).	Material
376.	and that	religious fundamentalism		could tear	the country apart (Haas 1989: 62).				Mental
377.		The fear of religion, *rightly or wrongly,*		was	apparent.			*rightly or wrongly,*	Relational (Attributive)
378.		Religion, like race,		had to be *consciously* managed,				so that it could fulfill its nation-building imperatives of helping the disadvantaged and disabled, instead of being a disruptive political force.	Material
379.	so that	it		could fulfill	its nation-building imperatives of helping the disadvantaged and disabled, instead of being a disruptive political force.				Material
380.	and			disabled,				instead of being a disruptive political force.	Material
381.		another incident		displays	the state's wariness towards religion.			In addition to the Marxist conspiracy saga,	Material
382.		a Christian couple who distributed pamphlets that were intended to proselytise others		was charged				1. In 2009, 2. under the Sedition Act.	Material

		and were dubbed as insulting to other religions							
383.		Prime Minister Lee Hsien Loong		found	the incident noteworthy enough to be given a mention in the 2009 National Day Rally.				Material
384.		while a cynical view of primordial forces that regulate ethnic and religious behaviour		is	applied			1. As mentioned earlier, 2. to all religions and races, special scepticism is reserved for the Muslims and Malays.	Relational (Attributive)
385.	and	races, special scepticism		is reserved				for the Muslims and Malays.	Material
386.		Being a Chinese-majority state in a Malay-Muslim region,	or a 'Chinese nut in a Malay nutcracker' (Huxley 1991: 208),	has shaped	the nation's insecurities			with regards to military threats by its larger neighbours, Malaysia and Indonesia (Tan A.T. 2004).	Material
387.		the Malay-Muslims within the country		are often treated				As a result, with mistrust.	Material
388.		PAP leaders		have gone				on record to state that Malays are not allowed to hold the highest positions in the Singapore Armed Forces because, if the country goes to war with either Malaysia or Indonesia, the loyalty of Singaporean	Material

								Malay-Muslims is not guaranteed as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006).	
389.	that	Malays		are not allowed				to hold the highest positions in the Singapore Armed Forces because, if the country goes to war with either Malaysia or Indonesia, the loyalty of Singaporean Malay-Muslims is not guaranteed as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006).	Material
390.	if	the country		goes				to war with either Malaysia or Indonesia, the loyalty of Singaporean Malay-Muslims is not guaranteed as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006).	Material
391.		the loyalty of Singaporean Malay-Muslims		is not guaranteed				as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006).	Material

392.		The situation		was compounded	by the discovery of terrorist cells in Singapore,			several years after the 9/11 attacks in New York, and the state became even more distrustful of the Malay-Muslim community, especially in the immediate aftermath (Tan E.K. 2007).	Material
393.	and	the state		became				even more distrustful of the Malay-Muslim community, especially in the immediate aftermath (Tan E.K. 2007).	Material
394.		The fact that Singapore		was *closely* allied				to the United States in its 'war on terror' meant that the city-state shared many of the presumptions held by the latter about militant Islam (A. Tan 2002).	Material
395.		PAP leaders		equated	the threat of terrorism			and alleged Muslim separateness to the rising religiosity levels of Muslims (Steiner 2011), immediately casting not only Muslims as the problem, but Islam too.	Material
396.	Even	the practice of not drinking alcohol or subscribing to a halal diet, which have been practised by most Muslims since the time of Prophet Muhammad,		was now seen				as a barrier to integration.	Mental
397.		Lee		reminisced				of the past, where Muslims were 'less strict' in observing their practices.	Mental

398.		Any external symbols of piety by the Muslims		were now perceived (even more)				as genuinely problematic.	Mental
399.		The hijab		was				one such symbol, probably the most potent one.	Relational (Identifying)
400.		An even more scathing indictment of Islam		reflected				his predispositions towards the faith.	Material
401.		Lee Kuan Yew	and the state's mistrust of Malays	is *undoubtedly partially* shaped,	by geo-politics and the international climate of general suspicion towards Muslims due to the terrorism issue.				Material
402.		It		is	these geo-political factors			that ultimately help to contribute towards shaping and solidifying the PAP's overall worldview on religion and Islam.	Relational (Identifying)
403.		While Lee Kuan Yew's forthright and often disparaging remarks on Islam		are not repeated	by his successors,			one can see a similar inclination on their part with regards to religion, and specifically the hijab issue.	Material
404.		Prime Minister Lee Hsien Loong		mentioned	that Muslims in Singapore would like to see the hijab being allowed in more work settings but he cautions:			1. At the 2013 PAP Convention, 2. *We are united because collectively we have decided to come together as one nation. We have not forced people to conform to one culture. We have given every group*	Verbal

								extensive freedom to practice their own religions and to keep our cultures alive. But at the same time, we need to compromise, to give and take, to get along with one another. And therefore to maintain the common space that we all share. Because otherwise we will weaken Singapore. (H.L. Lee 2013)	
405.		We		are	united			because collectively we have decided to come together as one nation.	Relational (Attributive)
406.	because *collectively*	we		have decided				to come together as one nation.	Material
407.		We		have not forced	people			to conform to one culture.	Material
408.		We		have given	every group extensive freedom			to practice their own religions and to keep our cultures alive.	Material
409.	But *at the same time,*	we		need				to compromise, to give and take, to get along with one another.	Mental
410.	And therefore to			maintain	the common space			that we all share.	Material
411.	Because otherwise	we (H.L. Lee 2013)		will weaken	Singapore.				Material

412.		This statement		echoed	the Minister for Communications and Information	and Ministerin-charge of Muslim Affairs Yaacob Ibrahim's Facebook posting on the hijab,		whereby he stressed the need to balance 'creating an environment where Muslims can practise freely and peacefully' with the need to 'manage and balance the diverse needs of our multiracial and multi-religious society', as well as 'the need for accommodation and compromise by all parties' (Yaacob 2013).	Verbal
413.		Both Lee Hsien Loong	and Yaacob	constantly reiterate				the explosive potential race and religion could have, and hence the need for the state to manage racial/religious issues and demands in a delicate manner.	Verbal
414.		Lee Hsien Loong		was	frank			about his belief that if the PAP does otherwise, it would 'weaken' Singapore.	Relational (Attributive)
	Thus,	the PAP		believes				that the more each community demands for its religious preferences, the more distinct each community would be and would pose a threat to 'social harmony'.	Mental
415.		The state's aversion to diversity,		exacerbated	by the Muslim 'terror threat',			meant that it tried hard to reduce the 'distinctiveness' of the Malay-Muslim community.	Material

416.		The madrasah, traditionally independent entities, some of which had existed for over a century in Singapore,		had	their curricula reformed to be more in step with the economic 'realities' of the country; three were even put directly under the purview of the government (C. Tan 2009b).				Relational (Identifying)
417.		This significant development		cannot be emphasised				enough: the Muslim community had hitherto consistently guarded the independence of the madrasah in Singapore.	Material
418.		, the state		saw	it necessary to intrude upon this space, despite the resistance and outcry it had met in earlier attempts.			1. Yet	Mental
419.		This		was	part of a wider attempt to homogenise Singapore society			and bring the Muslims closer to non-Muslims (Barr 2013: 71–2).	Relational (Identifying)
		having the hijab worn by some frontline civil servants		would draw	attention to distinctiveness, instead of homogeneity.			In a similar vein,	Material
420.		The more religion		continues				to be emphasised by citizens, the more the state worries that its loyalty to the nation is in question: again, this is typical of an authoritarian state that is on its guard against diversity.	Material
421.		the no-hijab policy		can be situated				1. Evidently, 2. within this context.	Material

422.		The PAP's predilections concerning race and religion		inform				its policies.	Verbal
423.	And	multiracialism, which views differences as a problem rather than a strength,		is	the foundation of all its ethnic policies, resulting in scepticism towards religion and a desire for uniformity.				Relational (Identifying)
424.		Coupled with the state's geo-political complexities, political history and the threat of terrorism, Islam, Malays and Muslims		are viewed				with even more mistrust; it was predictable that overt displays of Muslim religiosity were greeted with suspicion.	Mental
425.		The hijab		is	, after all, a symbol of female Muslim piety.				Relational (Identifying)
426.		It		is perhaps feared				that the demands for the hijab is in fact reflective of higher levels of religiosity, which is what is actually problematic for the state.	Mental
427.		this ideology of multiracialism		does not exist	in a vacuum.			Yet,	Existential
428.		the state		did not react				1. In spite of its guardedness towards diversity, 2. to the 2013 hijab demands in the same forceful manner that it did in 2002.	Material

429.		This		is not				because multiracialism ceased to be an important governing paradigm since the state has stood by its core ideologies and has refused to compromise on them, as evinced by numerous statements given above.	Relational (Identifying)
430.	Rather,	the evolving political realities		circumscribed	the options			that the PAP could embark on.	Material
431.		The 2011 election		proved				that the political climate was such that the PAP was no longer as ubiquitous as it used to be, and in a competitive electoral environment, the voting power of the Muslim minority is significantly enhanced, especially in districts commanding competition.	Material
432.	Hence,	it		would not be	a surprise			if this policy is further relaxed before the next general election, in a bid to win the Muslim vote.	Relational (Attributive)
433.		The no-hijab policy for certain sectors in the public service and schools		has been				in place since independence despite repeated calls for change from the Muslim community.	Relational (Identifying)
434.		Activism by Muslims		was	high			in 2002 and 2013–14.	Relational (Attributive)
435.		The PAP		reacted				in its typical ‘knuckle-duster’ (K.P. Tan 2009: 58) style in 2002, by disparaging	Verbal

								those involved, especially Zulfikar.	
436.		a slightly softer approach		has been taken.				By 2013–14, however,	Material
437.		Lee Hsien Loong personally		met	with a hundred community leaders			and despite the seemingly staged nature of the dialogue, the state rhetoric has slightly changed.	Material
438.		Halimah Yacob, the PAP Speaker of Parliament who dons the hijab herself,		stated				that she hoped ‘the government will review its position’ for the nurses (Ong 2014).	Verbal
439.	that	she		hoped	‘the government will review its position’ for the nurses (Ong 2014).				Mental
440.		Lee Hsien Loong		stated				that the policy was not static, and could be changed over time (Amir 2014).	Verbal
441.	that	the policy		was not	static,			and could be changed over time (Amir 2014).	Relational (Attributive)
442.	and			could be changed				over time (Amir 2014).	Material
443.		it		could also signal	a future change in policy.			While undoubtedly these could easily be perceived as paying lip service to the Muslim populace,	Material
444.		it		does not signify	a paradigm shift in its governance, as its overall approach towards race and religion has not changed.			Even if the government relaxes its hijab ban,	Relational (Identifying)

445.	Rather,	the decision		could be attributed				to the increasingly competitive electoral arena, where the hitherto hegemonic PAP had its worst performance in the 2011 general elections, conceding much ground to the Workers' Party.	Relational (Identifying)
446.		Multiracialism		presupposes	some assumptions on ethnicity and religion,			and it would be mistaken to evaluate ethnic policies in the country without understanding what these assumptions are.	Material
447.	rather	they		are	the result of historical, geo-politica l and perhaps even personal circumstances, which eventually translate into governing ideologies			By no means are these assumptions 'natural' or 'pragmatic' by themselves,.	Relational (Identifying)
448.		A value-free approach towards understanding policies, therefore,		is	insufficient			to fathom the full intricacies and complications of the realities of political decision-making.	Relational (Attributive)
449.		The hijab issue		is	useful			for analysing the state's overall approach on religious issues.	Relational (Attributive)
450.		I		believe	the argument made can provide for a more general theoretical contribution in studying a country's policies on religion			Even though I have drawn on the Singapore example,	Mental

					as the state ideologies coupled with a ruling party's electoral strength will determine the actual governing policies.				

Existential				
No.	**Conjunction**	**Existent**	**Process**	**Circumstances**
451	Though	there	is	room for legal contestation for power,
452		This	is	due to a particular way of viewing what the relationship between religion and the state should be,
453	and	there	was	a strict separation of ‘church’ and state.
454		There	is	a Minister of Muslim Affairs portfolio in the cabinet,which is exclusive to Islam,and the constitution stipulates that it is the duty of the state to address the concerns of Muslims in the country.
455	and	there	is	no significant opposition to the granting of the right to wear the hijab to Muslims.
456	While	there	was	a multitude of factors that could have contributed towards the clashes, the riots were eventually almost entirely regarded as being racial in nature (Milne 1966: 177).
457	as	there	were	potential community fault lines that could scuttle the good work that needed to be done.
458	that	there	is	no contradiction between practising one’s religion and staying loyal to the country.
459	and	there	will be serious repercussion. (Haas 1989: 61–2)	
460		this ideology of multiracialism	does not exist	1. Yet, 2. in a vacuum.

Material Process								
No.	**Conjunction**	**Actor**	**Process**	**Goal**	**Initiator**	**Recipient**	**Scope**	**Circumstances**
			Managing	**minorities**				**in competitive authoritarian states: multiracialism and the hijab issue in Singapore.**
461.		This article	assesses	the Singapore state's approach towards multiracialism			by focusing on the hijab issue.	
462.		its policies	were determined *solely*	by the ideologies held by its key elites.				*solely*
463.	However, as *towards*	the state	moves *towards*	competitive authoritarianism with increased electoral competition,				
464.		the dominant party	will no longer be able	to act *solely* based on its ideological predispositions.				*solely*
465.	Why, *whereas*	a staunch no-hijab stand	was held	by the state				in the past, *whereas* in recent years, there appears to be a softening of this stance
466.		there	appears	to be a softening of this stance.				
467.		The uninterrupted reign of the People's Action Party (PAP)	has ensured				-	- in Singapores (Place) - since independence (Time) - that it dominates the socio-political landscape almost ubiquitously; the party is often equated to the state,

								and its ideologies are considered 'national' rather than 'party' ideologies.
468.	that	it	dominates	the socio-political landscape			-	- almost ubiquitously;
469.		the party	is often equated				-	- to the state,
470.	*and*	The substantive elements	associated	with a democracy such as freedoms of speech				*and* assembly are also lacking,
471.		some criticism of the ruling regime	is allowed					though, by and large, freedom is curtailed.
472.		Singapore	has also been deemed	to be a 'semi-democracy',				
473.	*whereby*	the incumbent regime	uses	elements of procedural democracy				in order to suppress the substantive aspects of democracy (Case 1996).
474.		The 2011 general election	*basically* showed					*3. basically* *4.* that opposition parties could effectively provide a substantial challenge to the PAP, in spite of the many

								barriers that the incumbent has instituted.
475.	that	opposition parties	could *effectively* provide	a substantial challenge to the PAP,				*3. effectively* *4.* in spite of the many barriers that the incumbent has instituted.
476.		The PAP	garnered	the lowest vote share in its history, winning about 60% of the popular vote.				
477.	and	it	confirmed	this				by beating the PAP in two subsequent by-elections (Cunha 2012).
478.		One	could make	the case				then that Singapore is becoming a 'competitive authoritarian' regime (Levitsky and Way 2010),
479.	then that	Singapore	is becoming	'competitive authoritarian' regime				(Levitsky and Way 2010), whereby despite the dominant position of the incumbent party, contestations to its power are real, though severely limited.
480.		Some scholars	have made	the point that the regime type determines the treatment of minorities within a polity.				
481.	that	the regime type	determines	the treatment of minorities within a polity.				
482.		Others	have *also* noted	the tendencies of democratic regimes				*1. also* 2. to pander more to religious groups when there are electoral imperatives to do so.
483.	it		does not *adequately* account				*3.*	*4. adequately* 5. for a number of issues.

484.		the hijab	has generated	[from state school]				and is banned from state schools.
485.	and	[the hijab]	is banned					from state schools.
486.	that, *which*		is shared	by both the governing elites and the majority of French people,				*which* is referred to as political culture, or a shared ideology on state-religion interactions (Wayland 1997).
487.		The hijab	was not allowed	to be worn				in public institutions until *recently.*
488.		The concept of 'tolerance' in different democracies	carries	different connotations,				and this is in no small part due to the varying notions of secularism in these countries,and even within citizens of the same polity (Levey and Mahmood, 2009)
489.	While	a country *like* the United States	practices	a 'passive' form of secularism (Kuru2007),				Turkey and France can be said to govern via 'assertive secularism' (Grigoriadis 2009); the differences can be attributed to the different historical paths of each nation and development of understandings of its constitution.
490.		the differences	can be attributed	to the different historical paths of each nation and development of understandings of its constitution.				
491.		It	*also* ignores	the fact that democratic parties have in the past used religious minorities as scapegoats for their electoral ends, resulting in more minority oppression it instead of liberation.			*3.*	*4. Secondly,* *5. also*

492.	*because*	far-right parties	are gaining	traction			*4.*	*5. Increasingly,* *6.* in Europe *7. because* of a perceived cultural threat posed by Muslims (Lucassen and Lubbers 2012), while in India, Muslims are routinely portrayed.
493.	1. because of *2. while*	a perceived cultural threat	posed by	Muslims (Lucassen and Lubbers 2012),				*while* in India, Muslims are routinely portrayed as a threat to the Indian way of life in a bid to shore up Indian nationalism (Roy 2004). .
494.	while *in India*	Muslims	are *routinely* portrayed	as a threat to the Indian way of life in a bid to shore up Indian nationalism (Roy 2004). .				*3. in India* *4. routinely*
495.		increased competitiveness in elections	has resulted	in politicians courting less tolerant groups to bolster their chances of winning (Buehler 2013).				2. *In Indonesia,*
496.		it	*also* does not account	for the variation within authoritarian regimes			4.	*5. Thirdly,* *6. also* 7. in their treatment of minorities as some authoritarian regimes are more benevolent than others.
497.		The manner *in which Shiites*	were treated				3.	*4. in which Shiites* 5. under the Baath regime in Iraq during Saddam Hussein's reign was inexorably inhumane, and incomparable to the treatment of Chinese under the Barisan Nasional in

								Malaysia or the Malays in Singapore.
498.		This article	builds					upon these works,
499.	and		introduces	another variable				to assist in explaining policies towards ethnic minorities: the governing ideology of the elites in power.
500.	that		determines	what concessions are given towards its minorities.				
501.	1. *and*	This ideological predisposition	is *primarily* shaped	by the elites'	*and* nation's personal-historical experiences,	*and* geo-political conditions.	*2.*	3. *primarily*
502.	.	the ruling party's popularity or electoral strength	has to be considered				3.	4. However, in competitive or electorally authoritarian regimes, 5. as well; the more dominant the party is, the more it is able to act upon its ideologies, as it is more insulated from public pressure
503.		Increased electoral competition does not by any means guarantee more tolerance in policies	crafted					; indeed, as the examples above have shown,it could very well lead to discriminatory laws.
504.	that		increased					electoral competition will render the previously dominant party unable to completely act on its ideological predispositions.

505.		electoral competition	will render	the previously dominant party				unable to completely act on its ideological predispositions.
506.		*As* the political scene	gets	more competitive				, more and more concessions might have to be made in general,including to ethnic minorities, in spite of governing paradigms, so as to maximise electoral gains.
507.		the Muslim minority	is given	special considerations			*3.*	*4. In Singapore,* *5.* in some areas.
508.	that	one	can expect	a softening of this stance as the electoral scene becomes more competitive,				in view of the rise of the opposition in Singapore,
509.		Each ethnic group	is allowed	space				to practice its own culture,
510.	but		is expected					to transcend differences with the others when the national imperative, as defined by the PAP, requires them (Hussin Mutalib 2011).
511.		Ethnicity	is *heavily* emphasised	in almost every facet of a Singaporean's life: a person's ethnic group is stated on his or her identity card, there are racial quotas for public housing, and even the electoral system employs a form of the party block vote system (known as the Group Representation Constituency) where teams competing in a multi-member district must have at least one				1. *heavily*

				member from an ethnic minority group, amongst many other policies (Reynolds et al. 2005: 47).				
512.		This approach	helps	us				to build a harmonious nation out of diversity. (C. Tan 2009a: 42)
513.	Even though	Singapore's politicians and journalists	*alike* use	the terms multiracialism and multiculturalism interchangeably, the two concepts need to be distinguished .				
514.		Multiracialism	begins	with the idea				that ethnic and religious diversity is a problem that needs to be conscientiously managed, whereas multiculturalism's starting point is that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17).
515.	that		needs					to be conscientiously managed, whereas multiculturalism's starting point is that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17).
516.		The two ideologies	could give birth					to radically different policies.
517.	So while , and	diversity	is promoted, encouraged					and room is given to express the very multiplicity of cultural practices under multiculturalism, multiracialism views diversity as an inherent problem actively seeks to control it.

518.	and	room	is given					to express the very multiplicity of cultural practices under multiculturalism, multiracialism views diversity as an inherent problem actively seeks to control it.
519.		The lack of individual freedoms in Singapore	is often attributed					to the idea that allowing for uninhibited openness would easily lead to racial tensions and, at worst, conflicts and riots.
520.	that		allowing					for uninhibited openness would easily lead to racial tensions and, at worst, conflicts and riots.
521.		The PAP's power and uninterrupted rule	have ensured	that it has successfully made multiracialism a national, and not just party, ideology.				
522.	that	it	has *successfully* made	multiracialism a national,				and not just party, ideology.
523.		PAP leaders	*constantly* espouse	the view that for the PAP,			3.	4. Equating being pragmatic to being 'rational', 5. what matters is being efficient or what 'works', rather than exploring recourses based on ideological predispositions
524.		adopting an approach whereby efficiency,	usually defined					in economic terms, becomes the end goal.
525.		value-free approach to governance	has *ostensibly* abolished	politics				*1. ostensibly* 2. from state decision making processes.
526.		success or 'what works'	is defined	in economic and material terms;			*2.*	3. *Ultimately,*

527.		the government's claim to legitimacy ends.	is based	on delivering economic prosperity and guaranteeing racial stability,				and the PAP's pragmatism is evaluated, if not justified, through these.
528.	and	the PAP's pragmatism	is evaluated,					if not justified, through these.
529.		*Nevertheless,* the state's handling of racial affairs	show					that it is not always true that pragmatic and non-ideological concerns exclusively motivate policies.
530.			shows					that at least in the realm of race and religion, the PAP has a clear ideological predisposition that guides its policies, and this predisposition is expressed in its version of multiracialism.
531.		State leaders do, from time to time,	use	both 'multiracialism' and 'multiculturalism' when in fact they are referring to a policy of consciously regulating race and religion, which resembles multiracialism more than multiculturalism.				
532.	While	the state	*mistakenly* uses	both terms interchangeably,				1. mistakenly 2. interchangebly 3. it is unambiguous in its policies of putting ethnicity in check and clearly articulates its worldview of ethnicity being a cause for concern, if not properly handled (E.K.B. Tan 2004).
533.	that, which	race	was *continually e*mphasised,	which gave birth to certain stereotypes				*continually*

				being perpetuated (Alatas 2010).				
534.		racial riots	occurred	between the Malays	and Chinese			in 1964.
535.	that		could have contributed					towards the clashes,
536.		the riots	were *eventually almost entirely* regarded	as being racial in nature (Milne 1966: 177).				
537.		Coupled with Lee's less-than-pleasant	encounters	with the Malay 'ultras'	or supremacists			when the former was a parliamentarian in the Federation, a negative impression of the volatility of race was formed and ingrained in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.
538.		a negative impression of the volatility of race	was formed					and ingrained in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.
539.	and		ingrained					in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.
540.		religion	was *further* scrutinised.					
541.		The survivalist mentality	was ingrained	into the psyches of Lee	and his colleagues			following separation from Malaysia (Hussin Mutalib 2011: 1165), and this contributed further to the scepticism towards religion; a state that perceives itself as being vulnerable and threatened will be wary of religions, especially those with comprehensive value systems, as they have the potential to mobilise citizens against

								state policies (Walid 2013: 1182).
542.	and	this	contributed					further to the scepticism towards religion;
543.		how geo-political conditions and the elites' own experiences	have shaped					their mindsets on ethnicity.
544.	when	it	does not *directly* contradict	state proclamations;				
545.	and when	it	could help	propagate state policies or strengthen the government's positions on issues,				religion is even encouraged (Tamney 1996).
546.		religion	is *even* encouraged (Tamney 1996).					
547.		The state	has employed	various methods				to keep religion in check, including strategies of co-optation (Walid 2013), 'hard' and 'soft' instruments (E.K. B. Tan 2011).
548.		The PAP's regulatory style towards religious life	has been dubbed					as 'intrusive secularism' (Aljunied 2012), 'accommodative secularism' (Thio 2010) and 'strategic secularism' (Lily Zubaidah 2012).
549.	whereby	a person	can be arrested	for 'inciting' others on religious grounds,				to the government-prodded Inter-Racial and Religious circles (IRRC) which are meant to promote inter-racial bonding, and even more cynically, the arrest of Christian church members that were said to be

								‘plotting’ against the state (see below).
550.	That	the regard for ethnicity as a primeval force for dispute	is inherited	by later generations of ministers				and policymakers is evident from the rhetoric espoused up till today,
551.		Race and ‘racial harmony’	is constantly emphasised					and they are keen to espouse that it is a ‘work in progress’, and Singapore has not completely attained it yet.
552.	and	Singapore	has not *completely* attained	it				yet.
553.		Racial violence	is often depicted					as the inevitable outcome if a plural society is not carefully controlled, and if draconian measures are not put in place(E.K.B. Tan 2004: 77).
554.	if	a plural society	is not *carefully* controlled,					and if draconian measures are not put in place(E.K.B. Tan 2004: 77).
555.	and if	draconian measures	are not put					in place(E.K.B. Tan 2004: 77).
556.		The state narrative	*consistently* references	the Maria Hertogh riots				which occurred in 1950, attributing the cause of the violence to religion, despite the existence of competing narratives that view the riots as a mode of resistance towards colonialism (Aljunied 2009).
557.		The aforementioned 1964 clashes	are also *regularly* highlighted.					
558.		students	will come				3.	4. In learning about the significance of the various customs and practices, 5. to respect the customs and practices as unique to each community.

559.		Students	learn					about the various measures put in place in our society to promote inter-racial and inter-religious understanding, such as creating common space and shared experiences, formation of Inter-Racial Confidence Circles and Harmony Circles. (Parliament of Singapore, 12, Session 1, 16 January 2012)
560.		The prevailing discourse on race	is further reinforced					when even PAP leaders from an ethnic minority background subscribe to the view.
561.		Two quotes from Malay MPs	highlight					this: *Many post-65ers, like myself, may not have experienced the racial riots of the 1960s. But we can surely learn from history, such as the Maria Hertogh riots in the 1960s which were started by a single picture published in a newspaper. Today, modern communication technologies have greater potential to create such tension with swift and dramatic effect, with technologies such as video MMS. (Parliament of Singapore, Zaqy Mohamad, 11, Session 1, 27 February 2007)*
562.	But	we	can *surely* learn					from history, such as the Maria Hertogh riots in the 1960s which were started by a single picture published in a newspaper.
563.	when	we	attained					self-government 50 years ago.

564.		The multi-racial and multi-religious	posed	profile of our country a big challenge for the government of the day				as there were potential community fault lines that could scuttle the good work that needed to be done.
565.	that		could scuttle	the good work				that needed to be done.
566.	that	34 people	were killed					and 563 injured in two outbreaks of racial riots in 1964.
567.	and	563	injured					in two outbreaks of racial riots in 1964.
568.			have resolved					from then on never to take racial harmony for granted.
569.	and		portrayed					as a potential source of conflict.
570.		This preconceived notion of race and religion	guides	the PAP's 'pragmatism': it anchors in place a certain set of values that shapes the party's ethno-religious policies.				
571.		it	anchors					in place a certain set of values that shapes the party's ethno-religious policies.
572.	that		shapes	the party's ethno-religious policies.				
573.		*once*	is understood					for what it is, that the state does not allow for complete religious freedom, constantly intrudes in the realm of religion, and does not encourage discussions and multiracialism

								open debates on these issues as race and religion are considered out-of-bounds.
574.	that	the state	does not allow					for complete religious freedom, constantly intrudes in the realm of religion, and does not encourage discussions and multiracialism open debates on these issues as race and religion are considered out-of-bounds.
575.			*constantly* intrudes					in the realm of religion, , and does not encourage discussions and multiracialism open debates on these issues as race and religion are considered out-of-bounds.
576.	and		does not encourage	discussions				and multiracialism open debates on these issues as race and religion are considered out-of-bounds.
577.	and	multiracialism	open	debates				on these issues as race and religion are considered out-of-bounds.
578.		The matter	gets	even more interesting				considering that MUIS is essentially an arm of the state;it is under the direct purview of the Ministry of Culture, Community and Youth, and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.
579.	and		is tasked					with advising the government and President of Singapore on the religious affairs of the Muslims.

580.		The reasons	enunciated	by the state will be discussed in the next section.				
581.	though	the subject only	garnered	national attention				on two occasions,in 2002, and in late 2013 to early 2014.
582.		the parents of four children	*openly* defied	this policy				3. *In 2002,* 4. *openly* 5. by sending their children to state schools donning the hijab.
583.		the issue	attracted	nationwide attention.				*Immediately,*
584.		PAP leaders	almost *instantaneously* came out					in full force to chastise those involved in the incident. *instantaneously*
585.		They	singled out (Phrasal Verb)	Zulfikar Shariff, a social activist who was heavily critical of the state's no-hijab stance, as the mastermind behind the entire saga,				and began vilifying him in public (Tan, K.P. 2003).
586.	and		began					vilifying him in public (Tan, K.P. 2003).
587.		the state	*instead* chose	to view the incident as a direct challenge to its hitherto unbridled power.				Instead of engaging the Muslim community on what was palpably a genuine concern,
588.	*1. and*	The state-controlled media	continued	to portray Zulfikar in a negative light,				and blamed him for instigating the entire episode.

589.		senior PAP leaders, including the then Prime Minister Goh Chok Tong,	weighed	in on the issue and reaffirmed the state's policy.				2. At this point in time,
590.	and		reaffirmed	the state's policy.				
591.		The statement	was not unanticipated	as the Mufti's government-linked position probably forced his hand.				
592.		linked position	probably forced	his hand.				
593.		the Muslim community mostly by	continued				3.	4. Despite the Mufti's call, 5. to push the agenda, expressing online discontentment towards the state, organising public forums to discuss the matter and via a few public statements by some Muslim organisations (Walid 2013).
594.		The hijab issue then	faded					into the background, failing to attract mainstream attention until 2013.
595.			was motivated	by the elites' worldview on ethnicity,				
596.	and		enabled	by its commanding political position.				
597.		several online petitions	were set up	by a few Muslims			3.	4. In 2013, 5. to gather support to apply pressure on the state to reconsider its position.

598.		These	were done					organically, without any particular organisation or individual spearheading the efforts.
599.		One Facebook page in particular, the Singapore Hijab Movement,	had attracted					over 20,000 ‘likes’.
600.		Sentiments	were running					high,as evinced from the vitriolic nature of some of the comments made online.
601.		This	occurred					in a climate where dissent towards the government was not only possible due to the proliferation of social media and the internet which severely undermined the state’s grip on information via traditional media, but also widespread due to discontentment over perceived state failures in general, such as over-congestion in public transport and rising levels of income inequalities.
602.		This *solely* virtual movement	drew	a response from the cabinet; the Deputy Prime Minister, Teo Chee Hean issued anambiguous statement, asserting the need for Singapore to maintain ‘social harmony’ (R. Chan 2013), without making a commitment on the hijab policy itself.				1. *solely*
603.		Muslims	continued					to pursue the issue online.

604.		many	changed	their Facebook profile picture				3. As a show of support for the movement, 4. to one that was designed specifically for the cause: a silhouette of a female wearing the hijab which bore the colours of the national flag (see Figure 1).
605.	that a		was designed	specifically for the cause: silhouette of a female wearing the hijab which bore the colours of the national flag (see Figure 1).				
606.		This	was later removed (Lee 2013).					
607.		The image	was *clearly* meant					*1. clearly* 2. to question the state's policy, by insinuating that there is no contradiction between practising one's religion and staying loyal to the country
608.		World Hijab Day Singapore (WHDS 2014),.	planned					3. Another group, 4. to conduct a 'celebration' of the hijab, together with various WHD movements internationally, on the 1 February 2014
609.		The organisers	had intended	to 'showcase the beauty of the hijab' by going to the street and speaking to non-Muslims about its significance.				

610.	that	the authorities	pressured	them				against organising the event.
611.		The cancellation of the event	acquired	significant attention				on alternative/online media, but was completely ignored in the mainstream media.
612.	that	WHDS members	were faced					with ‘pressure and threats’.
613.		Prime Minister Lee Hsien Loong	*eventually* held	a closed door session				in late January 2014 with a hundred selected community leaders to discuss the hijab.
614.		No conclusion	was reached,					or new policy changes announced.
615.		All that	was released					to the media were conciliatory statements of ambiguous nature from both sides (Grosse 2014).
616.		While the leadership’s statements on the hijab and how it would affect social harmony, together with the consistent affirmations of race and religion being potential fault lines,	remained					the same, the government’s handling of the issue now differed.
617.		it	could afford	to be more assertive				3. Earlier, in 2002, when the PAP was dominant, 4. and harsh towards those who championed the issue, like Zulfikar.

618.	and		harsh	towards those who championed the issue, like Zulfikar.				
619.	and	the party	had suffered	electoral setbacks just two years earlier,				a more lenient stance was taken, whereby the prime minister tried to have a dialogue with community leaders and reason with them, rather than employ the knuckleduster approach.
620.		The desire for uniformity amongst citizens	is perhaps matched	by the obsession against external displays of piety.				
621.		PAP leaders	have given	a few reasons				to justify its no-hijab policy.
622.		What exactly is meant by common space	is undefined	or purposely vague.				
623.	that		does not mix	religion with politics (Suzaina 2004)				
624.	and *finally*, if	the state	acquiesces	to the wishes of the Muslim community,				other ethno-religious communities will be emboldened to assert their respective demands.
625.		other ethno-religious communities	will be emboldened					to assert their respective demands.
626.		A PAP Muslim MP, Zainal Sapari,	even used	the far-fetched comparison				to the Jehovah Witnesses' desire not to be conscripted into the National Service in Singapore as their faith does not allow the carrying of arms (Channel News Asia 2015; Today 2014).
627.	While	the analogy	is clearly stretched,					the message that was intended was that religious demands could come into conflict with national imperatives, as was the case with the hijab

								demand.
628.	*that*	the message	*that* was intended					was that religious demands could come into conflict with national imperatives, as was the case with the hijab demand.
629.	that	religious demands	could come					into conflict with national imperatives,
630.V	If	every race and religion	starts					becoming more assertive, and begins to demand its own space and rights, social harmony of the nation could be harmed.
631.	and		begins					to demand its own space and rights, social harmony of the nation could be harmed.
632.		social harmony of the nation	could be harmed.					
633.		There .	could be diminished					trust between the races, and eventually, the stability and peace the nation has acquired would be in severe jeopardy
634.		the economic conditions	would be	unfavorably affected,			3.	4. Eventually, 5. as Singapore's miraculous economic growth has been predicated upon social stability and harmony
635.	as	Singapore's miraculous economic growth	has been predicated				upon social stability and harmony.	
636.	that if	girls in state schools	were allowed					to wear the hijab,
637.		ethnic differences	would be amplified					and integration impeded (Law 2003).

638.		Opposition	have been marginalised	individual politicians bankrupted (Lydgate 2003), parties social activists clamped down on (Shariff 2004), civil society groups stifled (Lee 2002) and dissenting voices co-opted (Hewison 1999).				
639.		parties social activists	clamped down on (Shariff 2004),					
640.		civil society groups	stifled (Lee 2002)					and dissenting voices co-opted (Hewison 1999).
641.		This attitude	is reflected				in the above mentioned secularist approaches and politicians' rhetoric.	
642.	that	the PAP	uses	pragmatism as *merely* a rhetorical device.				1. merely
643.	that	the PAP's policie s	are born					out of genuine convictions.
644.	However, and religion.	the negative worldview of diversity	is so ingrained					in PAP leaders that they cannot see beyond a situation whereby they have to actively manage ethnicity
645.		Their pragmatism	is constrained					by their predispositions.
646.		the Catholic Church	was targeted	by the state.				In the 1980s ,
647.	and	22 people	were arrested	under the Internal Security Act,				where they could be detained in definitely without trial, for a plotting a 'Marxist Conspiracy' against the state (Barr 2010).

648.	that	the incident	is mired					in controversy.
649.	that	the state	showed,					in no uncertain terms, its intolerance towards religion as a socio-political force.
650.			Come out					as a citizen
651.	or		join	a political party				
652.	But	you	use	a church or a religion				and your pulpit for these purposes and there will be serious repercussions. (Haas 1989: 61–2)
653.	that	communalism	had reared					its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62).
654.		Religion, like race,	had to be *consciously* managed,					1. *consciously* 2. so that it could fulfill its nation-building imperatives of helping the disadvantaged and disabled, instead of being a disruptive political force.
655.	so that	it	could fulfill	its nation-building imperatives of helping the disadvantaged and disabled, instead of being a disruptive political force.				
656.	and		disabled,					instead of being a disruptive political force.
657.		another incident	displays	the state's wariness towards religion.				In addition to the Marxist conspiracy saga,

658.		a Christian couple who distributed pamphlets that were intended to proselytise others and were dubbed as insulting to other religions	was charged					3. In 2009, 4. under the Sedition Act.
659.		Prime Minister Lee Hsien Loong	found	the incident noteworthy enough to be given a mention in the 2009 National Day Rally.				
660.	and	races, special scepticism	is reserved				for the Muslims and Malays.	
661.		Being a Chinese-majority state in a Malay-Muslim region, or a 'Chinese nut in a Malay nutcracker' (Huxley 1991: 208),	has shaped	the nation's insecurities with regards to military threats by its larger neighbours, Malaysia and Indonesia (Tan A.T. 2004).				
662.		the Malay-Muslims within the country	are often treated					As a result, with mistrust.
663.		PAP leaders	have gone	on record to state that Malays are not allowed to hold the highest positions in the Singapore Armed				

				Forces because, if the country goes to war with either Malaysia or Indonesia, the loyalty of Singaporean Malay-Muslims is not guaranteed as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006).				
664.	that	Malays	are not allowed	to hold the highest positions in the Singapore Armed Forces because, if the country goes to war with either Malaysia or Indonesia, the loyalty of Singaporean Malay-Muslims is not guaranteed as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006).				
665.	if	the country	goes					to war with either Malaysia or Indonesia, the loyalty of Singaporean Malay-Muslims is not guaranteed as they might sympathise with their co-religionists at the expense of national security

								(Rahil Ismail and Shaw 2006).
666.		the loyalty of Singaporean Malay-Muslims	is not guaranteed					as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006).
667.		The situation	was compounded	by the discovery of terrorist cells in Singapore,				several years after the 9/11 attacks in New York, and the state became even more distrustful of the Malay-Muslim community, especially in the immediate aftermath (Tan E.K. 2007).
668.	and	the state	became	even more distrustful of the Malay-Muslim community, especially in the immediate aftermath (Tan E.K. 2007).				
669.		The fact that Singapore	was *closely* allied	to the United States in its 'war on terror' meant that the city-state shared many of the presumptions held by the latter about militant Islam (A. Tan 2002).				closely
670.		PAP leaders	equated	the threat of terrorism				and alleged Muslim separateness to the rising religiosity levels of Muslims (Steiner 2011), immediately casting not only Muslims as the problem, but Islam too.
671.		An even more scathing indictment of Islam	reflected					his predispositions towards the faith.

672.		Lee Kuan Yew and the state's mistrust of Malays	is *undoubtedly partially* shaped,	by geo-politics and the international climate of general suspicion towards Muslims due to the terrorism issue.				
673.		While Lee Kuan Yew's forthright and often disparaging remarks on Islam	are not repeated	by his successors,				one can see a similar inclination on their part with regards to religion, and specifically the hijab issue.
674.	because *collectively*	we	have decided	to come together as one nation.				
675.		We	have not forced	people				to conform to one culture.
676.		We	have given	every group extensive freedom				to practice their own religions and to keep our cultures alive.
677.	And therefore to		maintain	the common space				that we all share.
678.	Because otherwise	we (H.L. Lee 2013)	will weaken	Singapore.				
679.		The state's aversion to diversity,	exacerbated	by the Muslim 'terror threat',				meant that it tried hard to reduce the 'distinctiveness' of the Malay-Muslim community.
680.		This significant development	cannot be emphasised					enough: the Muslim community had hitherto consistently guarded the independence of the madrasah in Singapore.
		having the hijab worn by some frontline civil servants	would draw	attention to distinctiveness, instead of homogeneity.				In a similar vein,

681.		The more religion	continues	to be emphasised by citizens, the more the state worries that its loyalty to the nation is in question: again, this is typical of an authoritarian state that is on its guard against diversity.				
682.		the no-hijab policy	can be situated					3. Evidently, 4. within this context.
683.		the state	did not react					3. In spite of its guardedness towards diversity, 4. to the 2013 hijab demands in the same forceful manner that it did in 2002.
684.	Rather,	the evolving political realities	circumscribed	the options				that the PAP could embark on.
685.		The 2011 election	proved	that the political climate was such that the PAP was no longer as ubiquitous as it used to be, and in a competitive electoral environment, the voting power of the Muslim minority is significantly enhanced, especially in districts commanding competition.				
686.		a slightly softer approach	has been taken.					By 2013–14, however,
687.		Lee Hsien Loong personally	met	with a hundred community leaders				and despite the seemingly staged nature of the dialogue, the state rhetoric has slightly changed.

688.	and		could be changed					over time (Amir 2014).
689.		it	could also signal	a future change in policy.				While undoubtedly these could easily be perceived as paying lip service to the Muslim populace,
690.		Multiracialism	presupposes	some assumptions on ethnicity and religion,				and it would be mistaken to evaluate ethnic policies in the country without understanding what these assumptions are.

Mental Process					
No.	**Conjunction**	**Senser**	**Process**	**Phenomenon**	**Circumstances**
69		The general election	*also* saw	the rise of the Workers' Party,	3. *also* 4. which firmly established itself as the number two party in the country, and it confirmed this by beating the PAP in two subsequent by-elections (Cunha 2012).
69		Republican candidates in the US	are known	to attempt to win the conservative votes by the conservative votes	by not only incorporating biblical speech in their rhetoric,but also by adopting pro-Christian policies (Kuru 2009).
			which is referred	to as political culture, or a shared ideology on state-religion interactions (Wayland 1997).	2. *which*
69		One	could see	some parallels between the French case and Turkey,	where Kemalist secularism persisted even after the country democratised, and there was a strict separation of 'church' and state.
69	where	Kemalist secularism	persisted	even after the country democratised,	and there was a strict separation of 'church' and state.
69		*How* the ruling class in an authoritarian regime	views		*1. How* 2. diversity is a crucial factor that determines what concessions are given towards its minorities.
69	and		considering	that the non-Muslims are rather ambivalent towards this issue and there is no significant opposition to the granting of the right to wear the hijab to Muslims.	
69	multiracialism		views	diversity	as an inherent problem actively seeks to control it.
69		We	did not believe		in theories as such.
69	and	this predisposition	is expressed		in its version of multiracialism.

70		One	needs		to study the history and experiences of the nation, and the nation's founders to understand the origins of this view on race.
70		a state *that*	perceives		itself as being vulnerable
70		The state's interventionist approach towards handling	can be seen		from numerous examples including the Maintenance of Religious Harmony Act (MRHA) whereby a person can be arrested for 'inciting' others on religious grounds, to the government-prodded Inter-Racial and Religious circles (IRRC) which are meant to promote inter-racial bonding, and even more cynically, the arrest of Christian church members that were said to be 'plotting' against the state (see below) .
70		Many post-65ers, like myself,	may not have experienced	the racial riots of the 1960s.	
70		Many	would not even know		that 34 people were killed and 563 injured in two outbreaks of racial riots in 1964.
70	But	Singaporeans of that era,	shocked		by the horror of those riots, have resolved from then on never to take racial harmony for granted.
70	and	religion	are considered	out-of-bounds.	
70		Zulfikar	*eventually* felt	compelled	to leave for Australia in anticipation of the authoritarian state machinery to be used unrestrainedly against him as media attacks against him intensified (Lily Zubaidah 2009: 38).
70	but		was completely ignored		in the mainstream media.

70		one	could *evidently* discern		3. Despite no changes in the hijab policy, as yet, 4. a change in tone and approach.
71	if	the state	is seen		to react under pressure and accede to the demands of one group, others would see it as a weakness and start demanding for their rights too.
71	that	they	cannot see		beyond a situation whereby they have to actively manage ethnicity
71		Lee Kuan Yew, the prime minister during this mass detention,	expressed	his views on the incident and religion's role in Singapore as a whole:	What we want our religious and para-religious group to do is to give relief to the destitute, the disadvantaged, the disabled, to take part in activities which foster communal fellowship. Emphasis on charity, alms-giving and social and community work. I urge that churchmen, lay preachers, priests, monks, Muslim theologians, all those who claim divine sanction or holy insights, take off your clerical robes before you take on anything economic or political. Come out as a citizen or join a political party and it is your right to belabor the government. But you use a church or a religion and your pulpit for these purposes and there will be serious repercussions. (Haas 1989: 61–2)
71	and that	religious fundamentalism	could tear	the country apart (Haas 1989: 62).	
71	Even	the practice of not drinking alcohol or subscribing to a halal diet, which have been practised by	was now seen		as a barrier to integration.

		most Muslims since the time of Prophet Muhammad,			
71		Lee	reminisced		of the past, where Muslims were ‘less strict’ in observing their practices.
71		Any external symbols of piety by the Muslims	were now perceived (even more)		as genuinely problematic.
71	But *at the same time,*	we	need		to compromise, to give and take, to get along with one another.
	Thus,	the PAP	believes		that the more each community demands for its religious preferences, the more distinct each community would be and would pose a threat to ‘social harmony’.
71		, the state	saw	it necessary to intrude upon this space, despite the resistance and outcry it had met in earlier attempts.	2. Yet
71		Coupled with the state’s geo-political complexities, political history and the threat of terrorism, Islam, Malays and Muslims	are viewed		with even more mistrust; it was predictable that overt displays of Muslim religiosity were greeted with suspicion.
72		It	is perhaps feared		that the demands for the hijab is in fact reflective of higher levels of religiosity, which is what is actually problematic for the state.
72	that	she	hoped	‘the government will review its position’ for the nurses (Ong 2014).	
72		I	believe	the argument made can provide for a more general theoretical contribution in studying a country’s policies on religion as the state ideologies coupled with a ruling party’s electoral strength will determine the actual governing policies.	Even though I have drawn on the Singapore example,

Relational (Attributive)					
No.	**Conjunction**	**Carrier**	**Process**	**Attribute**	**Circumstances**
723	and	its ideologies	are considered	'national' rather than 'party' ideologies.	
724		One of the governing paradigms staunchly upheld by the authoritarian state in Singapore	is 'multiracialism'*(K.P.Tan2012b).*		
725	and	wariness of diversity	is	the main feature of the state's version of multiracialism	secondly
726	It		is	worth noting	that any study on the ideologies of the PAP cannot but scrutinise the ideas of Lee Kuan Yew, the first prime minister of Singapore, who basically shaped the country's governing ideologies.
727		the state	is *undoubtedly*	authoritarian and endeavours	4. *In spite of the presence of elections, and the room for contestations by other actors in society,* 5. *Undoubtedly* 6. to remain so.
728		The state	is	heavy handed	

729		it	is	minimal or subdued.	
730	*though*	Elections, *though regular*,	are not	*completely* fair	4. *though regular* 5. *completely* 6. due to electoral engineering measures and state control of the media.
731		assembly	are also	lacking,	though not completely missing; some criticism of the ruling regime is allowed though, by and large, freedom is curtailed.
732		freedom	is curtailed.		
733	Yet	things	seem		to be slowly but surely changing.
734		some democratic regimes	have	themselves displayed less tolerance for minorities.	2. *Firstly*,
735		The French model of secularism	is	famous	in this regard: the hijab has generated much furore and is banned from state schools.
736	and	this	is	in no small part due to the varying notions of secularism in these countries	and even within citizens of the same polity (Levey and Mahmood, 2009)
737		some authoritarian regimes	are	more benevolent	than others.
738		*under* the Baath regime in Iraq	was	*inexorably* inhumane,	3. *under*

		during Saddam Hussein's reign			4. and incomparable to the treatment of Chinese under the Barisan Nasional in Malaysia or the Malays in Singapore.
739		diversity	is	a crucial factor	that determines what concessions are given towards its minorities.
740		the more dominant the party	is,		the more it is able to act upon its ideologies, as it is more insulated from public pressure
741	as	it	is	more insulated	from public pressure.
742		authoritarian regimes	do not have		4. Unlike democracies, 5. to pander to the masses as much; 6. therefore their policies are more a result of elite governing paradigms than of electoral considerations.
743		they	are	dependent	on the strength of the incumbent party.
744		the state	is	reluctant	3. *Yet at the same time,* 4. to accede to some demands of the Muslim community, as the discussion on the hijab issue will show.
745		there	are	racial quotas	for public housing, and even the electoral system employs a form of the party block vote system (known as the Group Representation Constituency) where teams competing in a multi-member district must have at least one member from an ethnic minority group, amongst many other policies (Reynolds et al. 2005: 47).
746		PAP leaders	are	keen	to assert that as a multiracial society, this approach is inevitable and is the only 'pragmatic' option.
747		this approach	is	inevitable	
748	and		is	the only 'pragmatic' option.	

749		This practical approach of nation-building whereby every community	has	two playing fields	has given us multi-racial harmony.
750	that	multiracialism	is	more than simply a pragmatic way of governing a heterogeneous society.	
751	whereas	multiculturalism's starting point	is		that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17).
752		it	is not	pragmatic or natural	to view race as either a problem or strength.
753	Hence,	multiracialism itself, a key founding myth of the nation-state,	is not	a value-free ideology.	
754		This	is	*in spite of* the PAP's claims of being 'non-ideological'	in running the country.
755		We [the PAP's founders]	were not	ideologues.	
756		A theory	is	an attractive proposition, intellectually.	
757		we	had	the immediate responsibility of getting the economy up. (Han et al. 1998: 109)	So whatever the final outcome,
758	that	it	is not	always true	that pragmatic and non-ideological concerns exclusively motivate policies.
759		it	is	unambiguous	in its policies of putting ethnicity in check and clearly articulates its worldview of ethnicity being a cause for concern, if not properly handled (E.K.B. Tan 2004).
760	which		was passed down		to later generations of leaders.

761	and	threatened	will be	wary of religions,	especially those with comprehensive value systems, as they have the potential to mobilise citizens against state policies (Walid 2013: 1182).
762	as	they	have	the potential	to mobilise citizens against state policies (Walid 2013: 1182).
763		Insofar as religion	is	tolerated,	it is only when it does not directly contradict state proclamations; and when it could help propagate state policies or strengthen the government's positions on issues, religion is even encouraged (Tamney 1996).
764		*Not only do state policies reflect* the PAP's worldview on race and religion, its leaders	have been	upfront	about the party's outlook on the explosive nature of diversity.
765	and	they	are	keen	to espouse that it is a 'work in progress', and Singapore has not completely attained it yet.
766		modern communication technologies (Parliament of Singapore, Zaqy Mohamad, 11, Session 1, 27 February 2007)	have	greater potential	3. *Today*, 4. to create such tension with swift and dramatic effect, with technologies such as video MMS.
767		Racial and religious harmony	was not	a natural instinct	when we attained self-government 50 years ago.
768		It	is	no surprise,	once multiracialism is understood for what it is, that the state does not allow for complete religious freedom, constantly intrudes in the realm of religion, and does not encourage discussions and open debates on these issues as race and religion

					are considered out-of-bounds.
769		The religious obligation to wear the hijab	is not	a matter of contention amongst the religious elites in Singapore,	as articulated by the mufti Dr Fatris Bakaram (2013) – who is the highest authority on Islamic jurisprudence in the country – in his widely circulated note on Facebook.
770	that	the PAP	was	*electorally still highly* dominant in 2002 .	as it had just secured one of its largest vote shares (75.3%) ever in the 2001 election
771		But in 2013, when the political climate had changed and the PAP's authoritarianism	was	now more of a 'competitive' nature	and the party had suffered electoral setbacks just two years earlier, a more lenient stance was taken, whereby the prime minister tried to have a dialogue with community leaders and reason with them, rather than employ the knuckleduster approach.
772		The state's approach towards the hijab	is	consistent	with its general outlook on race and religion; it is always extremely cautious in letting differences come to the fore.
773		it	is *always extremely*	cautious	in letting differences come to the fore.
774		Even	were	others	to increase their demands, this in itself would not be a cause for concern, unless of course, there is a preconceived view on race and religion.
775		this in itself	would not be	a cause for concern,	unless of course, there is a preconceived view on race and religion.
776		there	is	a preconceived view on race and religion.	
777		It	would be	no exaggeration	to say that the PAP, as an authoritarian party, has had a vengeful disdain for those that challenge its authority.

778	that	the PAP, as an authoritarian party,	has had	a vengeful disdain	for those that challenge its authority.
779	Therefore,	it	is	natural	to expect wariness from the PAP towards religion and ethnicity, two potent potential sources of mobilisation against the state.
780		This	is not		to say that the PAP uses pragmatism as merely a rhetorical device.
781		It	would not be	fair	to assert that the PAP is Islamophobic.
782	that	the PAP	is	Islamophobic.	
783	that	they	are	wary	of all religions, or potential sources of disobedience though for various reasons that will be explicated later, special reservation is exercised towards Islam.
784	While	details of the entire episode	were		(and still are)sketchy, it is fair to say that the incident is mired in controversy.
785		it	is	fair	to say that the incident is mired in controversy.
786		What we want our religious and para-religious group to do	is		to give relief to the destitute, the disadvantaged, the disabled, to take part in activities which foster communal fellowship.
787		The fear of religion, *rightly or wrongly,*	was	apparent.	*rightly or wrongly,*
788		while a cynical view of primordial forces that regulate ethnic and religious behaviour	is	applied	3. As mentioned earlier, 4. to all religions and races, special scepticism is reserved for the Muslims and Malays.

789		We	are	united	because collectively we have decided to come together as one nation.
790		Lee Hsien Loong	was	frank	about his belief that if the PAP does otherwise, it would ‘weaken’ Singapore.
791	Hence,	it	would not be	a surprise	if this policy is further relaxed before the next general election, in a bid to win the Muslim vote.
792		Activism by Muslims	was	high	in 2002 and 2013–14.
793	that	the policy	was not	static,	and could be changed over time (Amir 2014).
794		A value-free approach towards understanding policies, therefore,	is	insufficient	to fathom the full intricacies and complications of the realities of political decision-making.
795		The hijab issue	is	useful	for analysing the state’s overall approach on religious issues.

Relational (Identifying)					
No.	**Conjunction**	**Identified**	**Process**	**Identifier**	**Circumstances**
796	Previously, when	the state	was	hegemonic,	
797		Efforts	are *persistently* made		- persistently - to convince Singaporeans to embrace the PAP's version of multiracialism.
798	that and	the concept of multiracialism	presupposes	a value-laden world view or governing paradigm regarding race	- Firstly - *and* secondly, wariness of diversity is the main feature of the state's version of multiracialism.
799	The Singapore state		has been termed		an 'illiberal democracy' (Hussin Mutalib 2000)
800	and		has resorted,		in the past, to draconian measures to keep the opposition parties in check.
801	that	the more democratic a regime	is,	the more likely ethnic minorities are to be treated well and given full citizenship rights, as tolerance is a cornerstone of liberal democracies, whereas authoritarian regimes can afford to ignore minority demands.	
802		this	is	a useful starting point,	While for a number of issues,
803		the more it	is	able to act upon its ideologies,	as it is more insulated from public pressure
804		What is argued here	is	that increased electoral competition will render the previously dominant	

				party unable to completely act on its ideological predispositions.	
805		their policies	are	*more* a result of elite governing paradigms than of electoral considerations.	3. therefore, *4. more*
806		policies in competitive authoritarian regimes	are not *solely*	a result of elite ideologies	4. Yet unlike traditional authoritarian regimes, 5. *solely*, 6. rather, they are dependent on the strength of the incumbent party.
807		This	is	due to the 'politics of survival' faced by the nation (H.C. Chan 1971),	being a Chinese-majority nation amidst the Malay world,and was part of its bid to placate its larger neighbours by showing that its Malay-Muslim minority would be taken care of.
808		these special considerations	are	largely a product of historical circumstances.	*2. Hence*
809	that	the unwillingness to agree to the hijab demands	was	*ultimately* a result of its deep-rooted inhibitions on religious diversity, which is reflective of its adherence to 'multiracialism'.	2. *ultimately*
810		the non-Muslims	are	rather ambivalent towards this issue	
811		Singapore	is	*constitutionally* a self-declared multiracial country (Chua 2003: 60).	2. *constitutionally*
812		The Chinese-Malay-Indian-Others (CMIO) model	is	a manifestation of the PAP's version of multiracialism.	
813		Each ethnic group	is	to be treated equally and fairly, without any appearance of favoritism (Moore 2000: 344).	

814		Multiracialism	refers		to the policy of managing both ethnicity and religion, as the two are greatly intertwined in the Singapore context.
815	that	ethnic and religious diversity	is	a problem	that needs to be conscientiously managed, whereas multiculturalism's starting point is that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17).
816		What warrants emphasis here	is		the fact that there is a worldview or a predisposition about (and in this case, against) racial diversity that translates into actual governing paradigms, and eventually policies; it is not pragmatic or natural to view race as either a problem or strength.
817	that	there	is	a worldview or a predisposition	about (and in this case, against) racial diversity that translates into actual governing paradigms, and eventually policies; it is not pragmatic or natural to view race as either a problem or strength.
818		The perpetuation of multiracialism	is	a direct product of its authoritarian strength.	
819		what matters	is	being efficient or what 'works',	rather than exploring recourses based on ideological predispositions.
820		This	signifies	a purposeful attempt to depict the party as being governed by principles of rationality (Mauzy and Milne 2002: 52–3)	rather than religious adherence to policies or systems that do not yield desired outcomes; adopting an approach whereby efficiency, usually defined in economic terms, becomes the end goal.
821		What we faced a	was	real problem of human beings looking for work, to be paid, to buy their food, their clothes, their homes and to bring their children up.	
822		The very fact that there	is	a worldview	that shapes leaders' ideas on race, shows that at least in the realm of race

					and religion, the PAP has a clear ideological predisposition that guides its policies, and this predisposition is expressed in its version of multiracialism.
823		the PAP	has	a clear ideological predisposition	that guides its policies, and this predisposition is expressed in its version of multiracialism.
824		they	are referring		to a policy of consciously regulating race and religion which resembles multiracialism more than multiculturalism.
825		It	was	a British colonial legacy	that race was continually emphasised, which gave birth to certain stereotypes being perpetuated (Alatas 2010).
826	When	Singapore	was	part of the Malaysian Federation,	racial riots occurred between the Malays and Chinese in 1964.
827	when	the former	was	a parliamentarian in the Federation,	
828		What made the matter more complex	was	the inextricable association between ‘Malay’ and ‘Muslim’ in the region	: not only were the clashes linked to race, religion was further scrutinised.
829		This	is		how geo-political conditions and the elites’ own experiences have shaped their mindsets on ethnicity.
830		it	is only		when it does not directly contradict state proclamations; and when it could help propagate state policies or strengthen the government’s positions on issues, religion is even encouraged (Tamney 1996) .
831	and	policymakers	is		evident from the rhetoric espoused up till today,
832	that	it	is	a ‘work in progress’	, and Singapore has not completely attained it yet.

833		The perception of ethnicity being inherently problematic	is		institutionalised through various state mechanisms and policies, including the education curriculum.
834		it	is	compulsory for all females beyond the age of adolescence to don the hijab.	According to the majority of Islamic jurists and the Shafii school of thought that most Singaporean Muslims adhere to, and more pertinently, according to the official edict of the Islamic Religious Council of Singapore (MUIS),
835	considering that	MUIS	is *essentially*	an arm of the state;	it is under the direct purview of the Ministry of Culture, Community and Youth, and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.
836		it	is	under the direct purview of the Ministry of Culture, Community and Youth,	and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.
837		The state's official policy	has been		to disallow the hijab to be part of school uniforms, and in some government services which require uniforms to be worn, such as nursing, the police force and the army.
838		governing ideologies	had		3. Again, 4. to be tampered with electoral realities in producing the final policy outcome.
839		Singapore	is	a secular society that does not mix religion with politics (Suzaina 2004)	3. Secondly, 4. and finally, if the state acquiesces to the wishes of the Muslim community, other ethno-religious communities will be emboldened to assert their respective demands.

840	Such		is	the reasoning behind the government's guarded approach towards racial and religious demands.	
841		This	is	another reflection of how the multiracialism ideology has translated into the PAP's hijab stance.	
842			is	the alleged opening of Pandora's box	
843		What is more accurate		is	that they are wary of all religions, or potential sources of disobedience though for various reasons that will be explicated later, special reservation is exercised towards Islam.
844		What is less disputable though	is		that the state showed, in no uncertain terms, its intolerance towards religion as a socio-political force.
845	and	it	is	your right to belabor the government.	
846		The hijab	was		one such symbol, probably the most potent one.
847		It	is	these geo-political factors	that ultimately help to contribute towards shaping and solidifying the PAP's overall worldview on religion and Islam.
848		The madrasah, traditionally independent entities, some of which had existed for over a century in Singapore,	had	their curricula reformed to be more in step with the economic 'realities' of the country; three were even put directly under the purview of the government (C. Tan 2009b).	
849		This	was	part of a wider attempt to homogenise Singapore society	and bring the Muslims closer to non-Muslims (Barr 2013: 71–2).
850	And	multiracialism, which views differences as a problem rather than a strength,	is	the foundation of all its ethnic policies, resulting in scepticism towards religion and a desire for uniformity.	

851		The hijab	is	, after all, a symbol of female Muslim piety.	
852		This	is not		because multiracialism ceased to be an important governing paradigm since the state has stood by its core ideologies and has refused to compromise on them, as evinced by numerous statements given above.
853		The no-hijab policy for certain sectors in the public service and schools	has been		in place since independence despite repeated calls for change from the Muslim community.
854		it	does not signify	a paradigm shift in its governance, as its overall approach towards race and religion has not changed.	Even if the government relaxes its hijab ban,
855	Rather,	the decision	could be attributed		to the increasingly competitive electoral arena, where the hitherto hegemonic PAP had its worst performance in the 2011 general elections, conceding much ground to the Workers' Party.
856	rather	they	are	the result of historical, geo-politica l and perhaps even personal circumstances, which eventually translate into governing ideologies	By no means are these assumptions 'natural' or 'pragmatic' by themselves,.

Verbal Process								
No.	**Conjunction**	**Sayer**	**Process**	**Receiver**	**Quoted**	**Reported**	**Verbiage**	**Circumstances**
857.	- *that*	I	argue			*that* a combination of elite ideology and regime type can explain the state's overall stances on religion, including the hijab issue.		
858.	that *and*	a combination of elite ideology *and* regime type	can explain			the state's overall stances on religion, including the hijab issue.		
859.		This	explains			*why* a staunch no-hijab stand was held by the state in the past, whereas in recent years, there appears to be a softening of this stance.		
860.		I	argue			that a combination of the regime type and elite ideology can explain the state's stances on religion, including thehijab(Malay:tudung)policy.		
861.	that	a combination of the regime type and elite ideology	can explain			the state's stances on religion, including the hijab (Malay:tudung) policy.		
862.	I		*further* contend			that *firstly,* the concept of multiracialism presupposes a value-laden world view or governing paradigm regarding race,and secondly, diversity is the main feature of the state's version of multiracialism wariness of	-	- further - firstly

863.	I		will be relying			*mostly* on the statements, official or otherwise, of the PAP leadership, past and present, and the government's policies on religion,		to establish the party's worldviews
864.		Barany (2002)	argues	that				
865.	*and*	Turkey ***and***	can be said			to govern via 'assertive secularism' (Grigoriadis 2009);		the differences can be attributed to the different historical paths of each nation and development of understandings of its constitution.
866.		I	argue			that the unwillingness to agree to the hijab demands was ultimately a result of its deep-rooted inhibitions on religious diversity, which is reflective of its adherence to 'multiracialism'.		
867.		I	further contend			that one can expect a softening of this stance as the electoral scene becomes more competitive, in view of the rise of the opposition in Singapore, and considering that the non-Muslims are rather ambivalent towards this issue and there is no significant opposition to the granting of the right to wear the hijab to Muslims.		
868.		a person's ethnic group	is stated		his or her identity card, there are racial quotas for public housing, and even the electoral system employs a form of the party block vote system (known as the			on

					Group Representation Constituency) where teams competing in a multi-member district must have at least one member from an ethnic minority group, amongst many other policies (Reynolds et al. 2005: 47).			
869.		the two	are greatly intertwined					in the Singapore context.
870.		Goh Chok Tong, the former prime minister,	states:		This practical approach of nation-building whereby every community has two playing fields has given us multi-racial harmony. This approach helps us to build a harmonious nation out of diversity. (C. Tan 2009a: 42)			
871.	*However*,	I	postulate			that multiracialism is more than simply a pragmatic way of governing a heterogeneous society.		
872.		Chan Heng Chee (1975)	described			Singapore as an 'administrative state', where a technical and value-free approach to governance has ostensibly abolished politics from state decision making processes.		
873.		A quote by Lee Kuan Yew	aptly encapsulates	this position:	We [the PAP's founders] were not ideologues. We did not believe in theories as such. A theory is an attractive proposition, intellectually. What we faced was a real problem of			

					human beings looking for work, to be paid, to buy their food, their clothes, their homes and to bring their children up. So whatever the final outcome, we had the immediate responsibility of getting the economy up. (Han et al. 1998: 109)			
874.		the arrest of Christian church members	*that* were said		to be 'plotting' against the state (see below).			
875.		A new generation PAP leader, Minister for Education, Heng Swee Keat,	stated		*In learning about the significance of the various customs and practices, students will come to respect the customs and practices as unique to each community. Students also learn about the causes and consequences of the Maria Hertogh riots and the 1964 race riots, to realise the in our society to promote inter-racial and inter-religious understanding, such as creating common space and shared experiences, formation of Inter-Racial Confidence Circles and Harmony Circles.* (Parliament of Singapore, 12, Session 1, 16 January 2012)			as recently as 2012:

876.		Ethnicity and religion	is *constantly* talked up					and portrayed as a potential source of conflict.
877.	as		articulated	by the mufti Dr Fatris Bakaram (2013) – who is the highest authority on Islamic jurisprudence in the country – in his widely circulated note on Facebook.				
878.		the state	will be discussed					in the next section.
879.		Muslims	have been asking	the policy to be reconsidered since 1977,				though the subject only garnered national attention on two occasions, in 2002, and in late 2013 to early 2014.
880.	and		blamed	him				for instigating the entire episode.
881.		MUIS	issued	a statement via the Mufti, who said		that 'education is more important [than the hijab]' (BBC 2012).		
882.		It	must be reiterated			that the PAP was electorally still highly dominant in 2002 as it had just secured one of its largest vote shares (75.3%) ever in the 2001 election.		

883.		I	argue,			The PAP's willingness to be heavy-handed in this episode, was motivated by the elites' worldview on ethnicity, and enabled by its commanding political position.	3.	4.
884.		the Deputy Prime Minister, Teo Chee Hean	issued	anambiguous statement,		asserting the need for Singapore to maintain 'social harmony' (R. Chan 2013), without making a commitment on the hijab policy itself.		
885.		it	was reported				3.	4. However, 5. that the authorities pressured them against organising the event.
886.		The state	neither confirmed nor denied	allegations		that WHDS members were faced with 'pressure and threats'.		
887.		it	argues			that allowing the hijab to be worn will affect the 'common space' (Law 2003: 56).	*2.*	*3. Firstly,*
888.		the state	argues,			undermine the social fabric of the country.		
889.		Goh Chok Tong who was then prime minister	opined			that if girls in state schools were allowed to wear the hijab, ethnic differences would be amplified and integration impeded (Law 2003).	3.	4. In 2002,
890.		Another reason	given	by the government		is the alleged opening of Pandora's box – if the state is seen to react under pressure and accede to the demands of one group,		

						others would see it as a weakness and start demanding for their rights too.		
891.		I	argue			that the PAP's policies are born out of genuine convictions.		
892.		Senior PAP leaders	accused			the church of meddling in politics, and 22 people were arrested under the Internal Security Act, where they could be detained indefinitely without trial, for a plotting a 'Marxist Conspiracy' against the state (Barr 2010).		
893.		I	urge			that churchmen, lay preachers, priests, monks, Muslim theologians, all those who claim divine sanction or holy insights, take off your clerical robes before you take on anything economic or political.		
894.		Lee Kuan Yew	proclaimed			that communalism had reared its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62).		*Following this episode, in the 1988 National Day Rally*
895.		Prime Minister Lee Hsien Loong	mentioned	that Muslims in Singapore would like to see the hijab being allowed in more work settings but he cautions:	*We are united because collectively we have decided to come together as one nation. We have not forced people to conform to one culture. We have given every group extensive freedom to practice their own religions and to keep our cultures alive. But at the same time, we need to compromise, to give and take, to get along with one*		3.	4. At the 2013 PAP Convention,

					another. And therefore to maintain the common space that we all share. Because otherwise we will weaken Singapore. (H.L. Lee 2013)			
896.		This statement	echoed	the Minister for Communications and Information and Ministerin-charge of Muslim Affairs Yaacob Ibrahim's Facebook posting on the hijab,		whereby he stressed the need to balance 'creating an environment where Muslims can practise freely and peacefully' with the need to 'manage and balance the diverse needs of our multiracial and multi-religious society', as well as 'the need for accommodation and compromise by all parties' (Yaacob 2013).		
897.		Both Lee Hsien Loong	constantly reiterate			the explosive potential race and religion could have, and hence the need for the state to manage racial/religious issues and demands in a delicate manner.		
898.		The PAP's predilections concerning race and religion	inform			its policies.		
899.		The PAP	reacted			in its typical 'knuckle-duster' (K.P. Tan 2009: 58) style in 2002, by disparaging those involved, especially Zulfikar.		
900.		Halimah Yacob, the PAP Speaker of Parliament who dons the hijab herself,	stated			that she hoped 'the government will review its position' for the nurses (Ong 2014).		
901.		Lee Hsien Loong	stated			that the policy was not static, and could be changed over time (Amir 2014).		

Convention on the Elimination of Discrimination Against Women and the Prospect of Development of Muslim Personal Law in Singapore

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No	Conjuction	Clause	Ellipsis	Type Of Process
1.		This paper **examines** Singapore's partial reservations to Articles 2 and 16 of the United Nations Convention on the Elimination of Discrimination against Women (CEDAW).		Material
2.		It **contends**		Verbal
3.		that the reservations **justified** on the basis of protecting the rights of the Muslim minority community to practice		Verbal
4.		its personal law **has unwittingly impeded** the potential of reviewing and addressing significant gaps and limitations in the ways in		Material
5.		which the laws **are conceived**		Mental
6.	and	**administered**.	the laws	Material
7.		*More pertinently,* the policy **reinforces** the dominance of traditionalism in the thinking of dominant stakeholders of the law.		Material
8.		Taking the standpoint that the values of equality and non-discrimination on the basis of gender **espoused** by CEDAW		Material
9.		**are** compatible with the objectives of Muslim law,		Relational (Attributive)
10.		this paper **maintains** that ratifying the relevant Articles of CEDAW will strengthen the process of the development of the Muslim personal law and address essentialist presumptions of the law.		Material
11.	that	**ratifying** the relevant Articles of CEDAW will strengthen the process of the development of the Muslim personal law and address essentialist presumptions of the law.		Material
12.		**will strengthen** the process of the development of the Muslim personal law		Material
13.	and	**address** essentialist presumptions of the law.		Verbal
14.		This perspective **departs** from the dominant discourse on the Muslim law and CEDAW which is framed in terms of conflict and polarity between the law and human rights, religious law and women's rights, and universal values versus cultural relativism.		Material
15.	which	**is framed** in terms of conflict and polarity between the law and human rights, religious law and women's rights, and universal values versus cultural relativism.		Material
16.		Muslims in Singapore **constitute** a substantial minority of about 15% of the state's multiethnic, multi-religious population.		Material
17.	Although	*constitutionally* a secular state, Muslims living in Singapore **are legally bound** by a system of personal law based on an admixture of selected classical fiqh (traditions) and adat (customs) which regulate the Muslim family.		Relational (Attributive)

18.		This arrangement **has persisted** since the colonial period during		Material
19.	which	the personal laws of the plural inhabitants of the colony **became** confined in their application largely to the domain of the family.		Relational (Attributive)
20.	However	after independence, only the Muslims ***remain*** bound to the Muslim law		Relational (Attributive)
21.	while	the religious and customary laws of the other plural communities **were abolished.**		Material
22.		Under the existing dual legal system of family law, non-Muslims in Singapore **are governed** by the Women's Charter of 1960		Material
23.		What constitutes the law **is largely determined** by legal authorities conferred with the power to administer it.		Material
24.	Although	the Act **does not specifically direct** the Shariah Court (SYC) to apply the tenets of any particular school of law, generally,		Material
25.		it **is** the law of the Shafie School to which the majority of the Muslims in Singapore belong to,		Relational (Identifying)
26.	which	**is applied.**		Material
27.		This **is further confined** to a particular kind of juristic opinion within the school concerned.		Relational (Attributive)
28.		The AMLA also **institutionalizes** a legal committee to provide legal opinions (fatwa) on matters of Muslim personal law.		Material
29.		Such opinions **may have** the force of law if they form the basis of legal judgment by any court in Singapore.		Relational (Identifying)
30.	*that*	The mode of thinking of relevant agencies on the legacy of Muslim law *that* **has been formulated** within concrete socio-historical contexts of the past signifies the extent to which		Material
31.		it **is able** to meet the needs and challenges confronting contemporary Muslim families.		Relational (Attributive)
32.		The AMLA **binds** all Muslims and would presumably cease to apply only if they abjure Islam.		Material
33.		This **means**		Relational (Identifying)
34.	that	unless specifically **provided** within the Act,		Material
35.		Muslims **cannot avail** themselves to the common law on concurrent areas, regardless of their choice,		Material
36.		a position **reinforced** by relevant statutes which excludes or exempts them from the purview of these laws.		Material
37.		Except in the areas specifically **defined** in the AMLA,		Relational (Identifying)
38.		the common law **applies** to Muslims as citizens of the state in all other areas.		Material

39.		The AMLA **is not confined** to provisions pertaining to the family.		Material
40.		Those relating to the family **extend** to marriages (including all matters incidental thereto), divorce and matters ancillary such as custody and maintenance of children, division of matrimonial property, consolatory gift (mutaah) and maintenance of wives.		Material
41.		and **determined** disputes pertaining to the maintenance of Muslim wives and children as well as cases involving domestic violence.		Material
42.		Disputes pertaining to inheritance **are only heard** in the High court.		Mental
43.		Since the amendments in 1999, interaction between the two legal systems **has been extended** with Muslim petitioners given the choice of legal forum in disputes pertaining to the division and disposition of matrimonial property and custody of children upon divorce.		Material
44.		Muslim petitioners **given** the choice of legal forum in disputes pertaining to the division and disposition of matrimonial property and custody of children upon divorce.		Material
45.		This right **is** however **not** automatic		Relational (Attributive)
46.	but	conditional upon mutual consent of parties **involved**		Material
47.	or	**leave** grantedby the SYC in its absence.		Material
48.		The amendment **also facilitated** enforcement of SYC orders for these matters by the civil courts.		Material
49.		The more recent amendment to the AMLA in 2008 which effectively recognized orders of the SYC for maintenance and mutaah (consolatory gift) as orders for maintenance under the Women's Charter **is** a further extension of the interaction between the two systems of laws.		Relational (Attributive)
50.		It **removed** the cumbersome procedure required for Muslim women to have the SYC order registered in a district court before it can be enforced.		Material
51.		the cumbersome procedure **required** for Muslim women to have the SYC order registered in a district court		Material
52.	before	it **can be enforced.**		Material
53.		Since then, Muslim women petitioners **can commence** enforcement proceedings at the Family Court on husbands who have defaulted on payments without the inconvenience of additional costs and delays.		Material
54.	who	**have defaulted** on payments without the inconvenience of additional costs and delays.		Material
55.		Apart from the interaction of laws and jurisdiction, legal reasoning and principles based on the common law **have gradually assimilated** into the administration of Muslim law given the influence of judicial officers and practitioners at the SYC,		Material
56.		some of whom **are trained** in the common law.		Material
57.		The growing economy, rapid industrialization and the introduction of mass education for all **induced** far more complex social change.		Material
58.	As	more women **acquired** education,		Material
59.		**participated** in the workforce		Material
60.	and	**began** to contribute to the public domain in various capacities,		

61.		demands for legal change congruent with the shift from traditional communal norms toward greater expansion of freedom and rights of the individual irrespective of gender **became** inevitable.		Relational (Attributive)
62.		Muslim family law **became** the major site of contestations by competing groups with varying orientations and perspectives on the law and the extent to		Relational (Attributive)
63.	which	it **can be modified**		Material
64.	or	**changed** to adjust to the new socio-economic condition.		Material
65.		After all, it **was** this domain that had persisted despite centuries of colonial domination.		Relational (Identifying)
66.	that	**had persisted** despite centuries of colonial domination.		Material
67.	While	other areas of the indigenous law **had been effectively replaced** by foreign law of the colonial powers,		Material
68.		family law based on a syncretic admixture of religious law and customs **was largely preserved.**		Material
69.	Though	changes to procedures and administration of the law **were** evident,		Relational (Attributive)
70.		slower to change **was** the substantive law.		Relational (Identifying)
71.		In several Muslim states, modernization of the personal law **involved** codification of classical fiqh traditions.		Material
72.		The process **altered** aspects of the traditional legal methodology		Material
73.	and	**modified** fiqh traditions pertaining to marriage and matters incidental as well as divorce.		Material
74.	Although	its overriding justification **was** to strengthen the institution of marriage and the rights of parties within it, in particular rights of women, the extent to		Relational (Identifying)
75.		which codification brought about improvements in these areas **has been** strongly **contested.**		Material
76.		Hallaq, for instance, **maintained**		Material
77.		that codification **was** part of the power dynamics of the evolving modern state rather than a teleological effort to progress toward a more sophisticated legal culture.		Relational (Identifying)
78.		The process, he asserted, **effectively severed** the law from its own indigenous jural system through nebulous devices.		Relational (Attributive)
79.		he **asserted**		Verbal
80.		Hence,he **submitted** that while the popular Muslim imagination appears to hold these remnants of Shariah to be an authentic and genuine expression of the fiqh family law,		Material
81.	that while	the popular Muslim imagination **appears** to hold these remnants of Shariah to be an authentic and genuine expression of the fiqh family law,		Relational (Identifying)
82.		the fact of the matter **is** that this sphere of law underwent structural and foundational changes that has resulted in its severance from both the substance of classical fiqh (which in many ways were much richer than the condensed statutes) and the methodology by which fiqh had operated.		Relational (Identifying)

83.		that this sphere of law underwent structural and foundational **changes** that has resulted in its severance from both the substance of classical fiqh (which in many ways were much richer than the condensed statutes) and the methodology by which fiqh had operated.		Material
84.		that **has resulted** in its severance from both the substance of classical fiqh (which in many ways were much richer than the condensed statutes)		Material
85.		and the methodology by which fiqh **had operated.**		Material
86.		In Singapore, the introduction of the AMLA in 1966 **was intertwined** with the process of legal		Material
87.	and	institutional **changes** in the domain of the Muslim family law		Material
88.	that	**had occurred** in large parts of the Muslim world.		Material
89.		Unlike many of these codes, the AMLA as its very title **suggests**,		Relational (Identifying)
90.		largely **focused** on administering the Muslim law.		Material
91.		In the effort of the lawmakers to buttress Muslim marriages, the AMLA **introduced** provisions		Verbal
92.	that	**strengthened** the powers and jurisdiction of the SYC		Material
93.	which	**had already been established** in 1958 to hear disputes pertaining to marriage and divorce not by mutual consent.		Material
94.		It **also sustained** the arbitration process within the Court with the intent of reconciling parties where possible and safeguarding marriage against arbitrary and hasty divorce.		Material
95.		Mandatory registrations of marriage and divorce **were more effectively regulated**.		Material
96.	Furthermore,	stringent administrative measures **were introduced** to curb the practice of polygamy.		Verbal
97.		In the initial period of its establishment, these provisions **proved** effective in reducing the high incidence of divorce that had plagued the Muslim community.		Material
98.		Provisions in the AMLA **also attempted** to enhance and protect the rights of women.		Material
99.		The Act **accorded** the qadi appointed, the power to solemnize a marriage in the event of objection by the guardian (wali) of the bride.		Material
100.		Women's rights to maintenance during marriage and after divorce and their share in matrimonial **assets**		Material
101.	and	mutaah **were also clearly stipulated**.		Material
102.		The Act also **regulated** conditional divorce (cerai taqlik), divorce by judicial decree (cerai faskh) and by redemption (cerai khuluk) for women.		Material
103.	Although	these legal changes among many others **were intended** to strengthen the institution of marriage and the rights of parties upon divorce		Material
104.	that	**would reflect** more closely contemporary social values and expectations of marriage,		Relational (Identifying)
105.		this objective **has** yet to be fully realized.		Relational (Attributive)

106.		Understanding actual impediments to achieving the objective of the law **is** impaired by the predominant tendency to perceive the problem as one rooted in the conflict between an eternal and fixed system of religion-based law and the demands of modern society.		Relational (Attributive)
107.		Such an approach occurs extensively in the writings of some Orientalist scholars who generally **subscribe** to the essentialist notion that Islamic law being inherently unchanging, fossilized and immutable, the very nature of the law itself impedes change and reform.		Material
108.		The perception strongly **implies** that legal reform cannot take place unless the law itself is eradicated and replaced.		Relational (Identifying)
109.	that	legal reform **cannot take place** unless the law itself is eradicated and replaced.		Material
110.	unless	the law itself **is eradicated**		Material
111.	and	**replaced.**		Material
112.		This a-historical and a-sociological approach **deflects** attention from concrete social factors that impede the process of legal transition to modernization.		Material
113.	that	**impede** the process of legal transition to modernization.		Material
114.		Examining the mode of thinking of dominant groups in the realm of the Muslim law and the extent it compounds the problem of ideological lag amidst the challenge of social change, **provides** a trajectory		Material
115.		that **departs** from reductive and essentialist understanding of the Muslim law.		Material
116.		Within this perspective, the problem **is perceived** as conditioned by the prevalence of traditionalism or conservatism among dominant agencies on the Muslim law who rigidly cling to selective classical rulings as sacred and immutable,		Mental
117.		much in the same way as the Qur'an and other inspired traditions **are regarded**.		Material
118.		Any change or modification to the law **is perceived** as a threat to its certainty and stability.		Mental
119.		This mode of thinking of the Muslim law **is** in a way, a mirror image of the Orientalist style of thought which reduces the Muslim law to an abstract bundle of rules that are divorced from specific socio-historical contexts and practical considerations that have conditioned its emergence.		Relational (Identifying)
120.		a mirror image of the Orientalist style of thought which **reduces** the Muslim law to an abstract bundle of rules		Material
121.	that	**are divorced** from specific socio-historical contexts and practical considerations that have conditioned its emergence.		Material
122.	and	practical considerations that **have conditioned** its emergence.		Material
123.		In traditionalism, the Muslim law **is cherished** as unchanging and immutable despite the diversity of legal opinions within the tradition formulated on the basis of rationality and systematic methodology.		Material
124.		Revaluation and reform of the law **are regarded** with strong ambivalence, akin to challenging the word of God and the traditions of the Prophet Muhammad.		Material
125.		This mode of thought **cuts** across ideological dimensions		Material
126.	and	its politicization **can seriously compound** the problems of legal development.		Material

127.		No attempt **is made** at discerning between meaningful and relevant tradition from those that are obsolete on the basis of principles, nor are historically specific legal formulations distinguished from the eternal, universal and absolute values that underlie them.		Material
128.	that	**are** obsolete on the basis of principles,		Relational (Attributive)
129.		nor **are** historically specific legal formulations distinguished from the eternal, universal and absolute values that underlie them.		Relational (Attributive)
130.	Furthermore,	the legal contributions of others though socially beneficial **are not deemed** integral to the development of the Muslim law.		Mental
131.		Dogmatism in clinging to selective traditions at the expense of others, **overrides** emphasis on improving human lives in concrete terms.		Material
132.		This mode of thought **compounds** the problem of persistence of lag in legal adjustment to the demands of social change with adverse implications on women and the family generally.		Material
133.	Though	some aspects of the law **have been adjusted**.		Material
134.	and	**changed** in tandem with changing conditions,		Material
135.		these **were** likely to have been spurred by competing group thought		Existential
136.		Given the dominance of conservatism however, changes **have been** piecemeal, lacking more comprehensive treatment.		Relational (Attributive)
137.	Furthermore,	they generally **pertain** to administration of the law rather than the substantive law.		Material
138.		Historically, the foundation for legal reform **has largely been drawn** from the Muslim religious tradition.		Material
139.	However,	not hermeneutically **sealed** from other cultural influences within the interconnected global milieu in which they exist,		Material
140.		Muslims **have also assimilated** a diversity of ideas and influences in the process of development.		Material
141.		Even religious values and traditions **are understood** in relation to these influences that extend beyond the Muslim cultures and tradition per se.		Mental
142.	that	**extend** beyond the Muslim cultures and tradition per se.		Material
143.	For instance,	contemporary unprecedented developments in human rights agenda **have impacted** on the language and framework of discourse pertaining to Muslim women and the law.		Material
144.		Ziba Mir-Hosseini, in her study on the struggle for women's rights in the context of post-revolution Iran **observed** that while there have been strong efforts by some prominent religious scholars at endorsing universal values of justice and gender equality rooted in the Islamic tradition, noticeable shifts toward conceiving the issue as one premised on rights have taken place.		Material
145.	that while	there **have been strong** efforts by some prominent religious scholars at endorsing universal values of justice and gender equality rooted in the Islamic tradition, noticeable shifts toward conceiving the issue as one premised on rights have taken place.		Existential

146.		Such shifts, according to another scholar signify **attempts** at reconciling and adapting Islamic values with the "universal", "legitimate" and "socially just" discourse on human rights.		Material
147.		Spurred by the west around the end of the Cold War and accelerated by development of the social media, the rights movement **has been accompanied** by the establishment of universal rights instruments and legal frameworks at the level of individual member states.		Material
148.		The United Nations Convention on the Elimination of Discrimination against Women (CEDAW) **is** an example of this development.		Relational (Attributive)
149.		It **is** a United Nations Rights Document, sometimes described as an international bill of rights for women which was adopted by the General Assembly on 18 December 1979 and came into force in 1981.		Relational (Identifying)
150.		sometimes **described** as an international bill of rights for women which was adopted by the General Assembly on 18 December 1979 and came into force in 1981.		Material
151.	which	**was adopted** by the General Assembly on 18 December 1979		Material
152.	and	**came** into force in 1981.		Material
153.		Its overriding goal **is** to eradicate gender-based discrimination in both the private and public spheres of women's lives.		Relational (Identifying)
154.		In CEDAW, discrimination **is defined** as: any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)		Relational (Identifying)
155.		any distinction, exclusion or restriction **made** on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)		Relational (Identifying)
156.		which **has** the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)		Relational (Identifying)
157.		It also **sets** up an agenda to end such discrimination not by simply adopting a formal equality approach but compels by way of Article 2, signatory states to undertake, as a matter of urgency, measures that will ensure equality of opportunity and equality of access to those opportunities.		Material
158.		signatory **states** to undertake, as a matter of urgency, measures that will ensure equality of opportunity and equality of access to those opportunities.		Verbal
159.	*that*	measures *that* **will ensure** equality of opportunity and equality of access to those opportunities.		Material

160.		The provisions **are expected** to apply universally to all states that are parties to the Convention, irrespective of their cultural and religious diversity.		Material
161.	that	**are** parties to the Convention, irrespective of their cultural and religious diversity		Relational (Identifying)
162.		It **has been observed** that CEDAW has contributed significantly to improving rights of women in various legal systems.		Material
163.	that	CEDAW **has contributed** significantly to improving rights of women in various legal systems.		Material
164.		Bayefsky et al. **maintain** to the effect that the Convention has facilitated the understanding of modern international human rights standards in general; integrated women's rights into the broader human rights context in terms of standards and implementation; and promoted domestic or national implementation efforts.		Material
165.	that	the Convention **has facilitated** the understanding of modern international human rights standards in general;		Material
166.		**integrated** women's rights into the broader human rights context in terms of standards and implementation;		Material
167.	and	**promoted** domestic or national implementation efforts**.**		Material
168.		At the national level, CEDAW **has provided** women in various signatory states with a powerful advocacy tool in drafting constitutions, judicial decision-making, and formulating national laws and government policies.		Material
169.		The process of reporting to CEDAW's Committee **has also been found** to have empowered women's groups at the national level in numerous concrete instances in countries such as Zimbabwe, Croatia, Mauritius, Bangladesh and the Philippines.		Material
170.		CEDAW **offers** a framework and impetus for further reforms of the Muslim personal law in operation in Singapore.		Verbal
171.	While	the process **has undoubtedly taken** place		Material
172.	and	**remains** anchored in progressive values derived from the Muslim heritage and other cultural influences,		Relational (Attributive)
173.		CEDAW with its focus on the centrality of women's rights **can strengthen** it.		Material
174.		Such an opportunity **is** however seriously hampered by the dominant mode of thinking of the Muslim law.		Relational (Attributive)
175.		Although a signatory to this Convention, Singapore **had initially entered** a blanket reservation to Articles 2 and 16.		Material
176.		In 2011, this reservation **was lifted**		Material
177.		and a partial one **adopted** specifically to Article16 1(a), (c) and (h) and 16 (2).		Material
178.		A "reservation" to an Article **means** that although accepting other provisions, the ratifying state will not implement that particular provision, thereby limiting the extent of acceptance of the convention.		Relational (Identifying)
179.		the ratifying state **will not implement** that particular provision, thereby limiting the extent of acceptance of the convention.		Material

180.		The reservation **took** into consideration the views of members of the key Muslim institutions, namely the Religious Council (MUIS), the SYC, Registry of Muslim Marriages as well as other Muslim civic organizations.		Material
181.		The major aspects of the Muslim law which Muslim stakeholders **deemed** inconsistent with these provisions pertain to marriage, divorce and inheritance.		Mental
182.		More specifically, they **include** the right of a husband to terminate his marriage unilaterally (talaq) unlike a wife who is required to prove a ground for divorce; a husband's right to polygamy albeit subject to several restrictions; the requirement of a wali/guardian for marriage only for the bride and the legal obligation of a husband to maintain the family.		Material
183.		a wife who **is required** to prove a ground for divorce;		Material
184.		Muslim inheritance laws **were also highlighted** for justification on CEDAW as it stipulates that a woman's share in division and distribution of property is half that of a man.		Material
185.	as	it **stipulates** that a woman's share in division and distribution of property is half that of a man.		Material
186.		These laws **were highlighted** in the Shadow Report of the Association of Women for Action and Research (AWARE), a major local non-governmental organization that has actively advocated for lifting the blanket reservation to CEDAW.		Material
187.	that	has **actively advocated** for lifting the blanket reservation to CEDAW.		Material
188.		In explicating its policy, the government **maintained** that while it is committed to an ongoing review process to meet the needs of a changing population, it respects the rights of the Muslim minority community to practice its religious laws.		Material
189.	that while	it **is committed** to an ongoing review process to meet the needs of a changing population,		Material
190.		it **respects** the rights of the Muslim minority community to practice its religious laws.		Mental
191.		Its statement on the reservation **was conveyed** as follows: In the context of Singapore's multi-racial and multi-religious society and the need to respect the freedom of minorities to practice their religious and personal laws, the Republic of Singapore reserves the right not to apply the provisions of Articles 2 and 16 where compliance with these provisions would be contrary to their religious and personal laws.		Verbal
192.		In the context of Singapore's multi-racial and multi-religious society and the need to respect the freedom of minorities to practice their religious and personal laws, the Republic of Singapore **reserves** the right not to apply the provisions of Articles 2 and 16 where compliance with these provisions would be contrary to their religious and personal laws.		Material
193.		It further **added** that this is deemed necessary to maintain the delicate balance of Singapore's multi-religious society.		Material
194.	that	this **is deemed** necessary to maintain the delicate balance of Singapore's multi-religious society.		Mental
195.		Singapore's position which implies that the Muslim personal law **is** incompatible with specific provisions of the Convention is not unique.		Relational (Identifying)
196.		It **has been noted** that it is largely the Muslim countries that have entered the "most explicit and all-encompassing reservations" to the Convention based on the premise that Article16 or parts of it, contradicts religious law that regulates family relationship.		Material

197.	that	it **is** largely the Muslim countries that have entered the "most explicit and all-encompassing reservations" to the Convention based on the premise that Article16 or parts of it, contradicts religious law that regulates family relationship.		Relational (Identifying)
198.	that	**have entered** the "most explicit and all-encompassing reservations" to the Convention based on the premise that Article16 or parts of it, contradicts religious law that regulates family relationship.		Material
199.	*that*	Malaysia, Singapore's neighbor, for instance, reserves Article16 on the same premise, *that* it **contradicts** religious law on family relationships for Muslims and that full compliance with the Convention would mean major changes to the existing family law.		Material
200.		the Convention **would mean** major changes to the existing family law.		Relational (Identifying)
201.		It **is maintained** that unlike Article16 which emphasizes equal rights and obligations of wives and husbands within marriage and the family, Shariah law regulates family relationships on the basis of responsibilities or duties of parties in marriage in which the women's role is deemed not equal but complementary to men.		Material
202.		Shariah law **regulates** family relationships on the basis of responsibilities or duties of parties in marriage in which the women's role is deemed not equal but complementary to men.		Material
203.	which	the women's role **is deemed** not equal but complementary to men.		Mental
204.		The difference **has been articulated** as Shariah law prescribing a "separate but equal" approach.		Verbal
205.		Thus, for example, a husband's financial obligation toward his wife, not reciprocated by her, **is balanced** by his unilateral right to divorce.		Relational (Attributive)
206.		The general reservation adopted by Muslim states, **could have influenced** the views of Singapore's Muslim elite and in turn the government's cautionary approach toward not ratifying unreservedly the relevant Articles.		Material
207.		The general reservation **adopted** by Muslim states,		Material
208.		Reservations to CEDAW, including Article16, **have been objected** to as defeating its fundamental object and purpose which is to compel state parties to abolish discriminatory laws and policies against women.		Material
209.		It **is deemed** to undermine the effectiveness of the instrument in addressing discrimination in the private lives and relationship of citizens.		Mental
210.		When a state purports to accept its obligations but avoids changing its law comprehensively, the regime of the Convention **is** weakened.		Relational (Attributive)
211.	When	a state **purports** to accept its obligations but avoids changing its law comprehensively,		Verbal
212.	but	**avoids** changing its law comprehensively,		Material
213.		Hence, the CEDAW Committee **has conveyed** its serious concern to the Singapore counterparts on the validity of religious-based reservations toward fulfilling the fundamental objectives of the Convention.		Verbal
214.		It **is contended** that the mode of thought on the Muslim law underlying the reservation reveals the traits of traditionalism or conservatism.		Verbal

215.		the reservation **reveals** the traits of traditionalism or conservatism.		Relational (Identifying)
216.		It **overlooks** consideration for the complexity of competing understanding within the Muslim legal tradition and contemporary society on the areas of law deemed incompatible with equal rights espoused by CEDAW highlighted above.		Material
217.	and	contemporary society on the areas of law **deemed** incompatible with equal rights espoused by CEDAW highlighted above.		Mental
218.		The reservation also **promotes** an intransigent position.		Verbal
219.	Although	it **does not disagree** with the objectives of the Convention,		Material
220.		it **favors** the Muslim law in operation without considering the need for explication and engagement on how the law safeguards against discrimination and promotes gender equality ,		Material
221.		values **espoused** both by Islam and the Convention.		Material
222.		It **leans** toward upholding the selected laws as sacrosanct and absolute without ample discussion on the basis of common principles espoused both by CEDAW and Islam even in the face of challenge of gender discriminatory elements in the law.		Material
223.		Generally, the discourse **is characterized** as one of dichotomy, incompatibility or conflict between Shariah law and the relevant sub-sections of Article16.		Material
224.		The lack of engagement **is** also evident on the part of members of the UN CEDAW Committee.		Relational (Attributive)
225.		In its concluding remarks the Committee **expressed** its deep concern with the preservation of the dual marriage regime that applies in Singapore and the gender discriminatory provisions that persist in the Muslim law on marriage and divorce.		Relational (Identifying)
226.		It **also called** upon the government to allow Muslims the freedom of choice of law.		Verbal
227.		Although it **urged** for reform of the Muslim law,		Verbal
228.		there **is** hardly any engagement or discussions		Relational (Attributive)
229.		that **can pave** the way for how such efforts can be carried out without compromising Islamic values and traditions and the principles of equality and non-discrimination espoused in Article16.		Material
230.		The position and approach **taken** by both the stakeholders of the law		Material
231.	and	the Convention **do not alleviate** the apparent dichotomy.		Material
232.		The problem **is not isolated** from wider debates on Islam and human rights in general.		Material
233.		As Mayer **aptly observes**, “Many theoretical visions of Islam and human rights presume both sides are rigid and fixed entities.”		Material
234.		“Many theoretical visions of Islam and human rights **presume** both sides are rigid and fixed entities.”		Material
235.		both sides **are** rigid and fixed entities.”		Relational (Attributive)

236.		On the contrary, according to the author, Muslim legal traditions **have been subjected** to modifications and different practices and accumulating evidence reveal		Mental
237.		that many Muslims **have** conceptions of their religious heritage and human rights as mutually reinforcing.		Relational (Identifying)
238.		Likewise, on the other side, perspectives on human rights **change** over time.		Material
239.		The problem **is compounded** by the lack of awareness of, and inadequate consideration for competing and progressive elements as a platform for revising the law,		Material
240.		**aggravated** by attitudes toward Islam that overall, mar genuine and objective negotiation.		Material
241.		Consequently, the potential for legal change **is adversely impeded**.		Material
242.		As Naim **warned**, "it is difficult to establish universal standards across cultural boundaries as each tradition has its own internal frame of reference and derives the validity of its precepts and norms from its own sources.		Verbal
243.		"it **is** difficult to establish universal standards across cultural boundaries as each tradition has its own internal frame of reference and derives the validity of its precepts and norms from its own sources.		Relational (Attributive)
244.	and	**derives** the validity of its precepts and norms from its own sources.		Material
245.		When a cultural tradition **relates** to other traditions and perspectives it is likely to do so in a negative and perhaps even a hostile and antagonistic way."		Relational (Identifying)
246.		it **is** likely to do so in a negative and perhaps even a hostile and antagonistic way."		Relational (Attributive)
247.		The need for meaningful engagement that takes into serious consideration variety of thought and meanings of values within each tradition **is** imperative.		Relational (Attributive)
248.		that **takes** into serious consideration variety of thought		Material
249.		In its absence, reservations that have typified Muslims' responses to CEDAW on the one hand and essentialist notions of the Muslim law as incompatible with equal rights on the other hand **will persist.**		Material
250.		that **have typified** Muslims' responses to CEDAW on the one hand		Relational (Identifying)
251.		The debates on polygamy **highlighted** as the basis for reservation to Article16 illustrate the problem.		Material
252.		They **reveal** the assumption of a fixed meaning ascribed to the term "same rights" used in Article16 which must exclude polygamy regardless of circumstances.		Verbal
253.	which	must **exclude** polygamy regardless of circumstances.		Material
254.		As women **do not have** the right to take on more than one husband as with the case of polygamy,		Relational (Identifying)
255.		the reservation **is deemed** necessary.		Mental
256.		The CEDAW Committee's expressed concern with legal authorization of polygamy **reflects** and reinforces such a presumption.		Relational (Identifying)
257.	and	**reinforces** such a presumption.		Material

258.		The presumption which entails the eradication of polygamy if Article16 **is** to be ratified would likely close all doors to any possibility of ratifying the Article		Relational (Identifying)
259.		and **create** doubts over the universality of principles advocated.		Material
260.		Such doubts pertaining to CEDAW **are** by no means confined to Muslims.		Relational (Identifying)
261.		In a way, they **reflect** the concerns of many other groups about how the instrument assumes a hegemony that thwarts particular cultural or religious beliefs.		Relational (Identifying)
262.		how the instrument **assumes** a hegemony		Mental
263.		that **thwarts** particular cultural or religious beliefs.		Material
264.		Voices of dissent by various religious groups within American society, for instance, **reveal** the perception		Verbal
265.		that the meaning **given** to principles of the Convention threatens their right of worship		Material
266.	and	**practice** of their religious beliefs and convictions.		Material
267.		It **has also been challenged** as promoting a radical Western agenda, rejected by many within the West itself, as perpetuating a form of "cultural colonialism".		Material
268.		**rejected** by many within the West itself, as perpetuating a form of "cultural colonialism".		Material
269.		If the reservation is to be lifted, the real challenge **must lie** in how polygamy is to be understood and administered without compromising the principles enshrined both in Article16 as well as the Muslim legal tradition.		Verbal
270.	If	the reservation **is** to be lifted,		Relational (Identifying)
271.		This **is** because any attempt to eradicate polygamy will likely invite backlash from various elements, in particular conservative groups who subscribe to the view of the law's immutability.		Relational (Identifying)
272.	because	any attempt to eradicate polygamy **will likely invite** backlash from various elements, in particular conservative groups who subscribe to the view of the law's immutability.		Material
273.		This **is** in fact the justification already adduced by many state actors in Muslim countries for their reservation to Article16.		Relational (Identifying)
274.		the justification already **adduced** by many state actors in Muslim countries for their reservation to Article16.		Verbal
275.		Within Muslim states, however, there **is** strong support for polygamy to be curbed or restricted effectively through stringent administration, due to social necessity, without abolishing it.		Relational (Attributive)
276.		Polygamy **has been banned** only in Tunisia.		Material
277.		Tunisia's law **lie** not only on the moral rider in verse 3:127 of the Koran which states to the effect that if a person was afraid that he could not do justice to co-wives then he must marry only one, but also on the additional comment in Verse 4:129 that "you will never be able to do justice to women no matter how much you desire".		Material
278.	which	**states** to the effect		Verbal

279.	that if	a person **was** afraid		Relational (Attributive)
280.	that	he **could not do** justice to co-wives		Material
281.	then	he **must marry** only one,		Material
282.	but	also on the additional **comment** in Verse 4:129		Verbal
283.	that	"you **will never be** able to do justice to women no matter how much you desire".		Relational (Identifying)
284.		This departs from the law in most other Muslim **states** and societies, including Singapore in which only the first rider is used as the basis of law interpreted on two levels: a legal level where limited polygamy is allowed and a moral level toward which it is hoped society would move in the course of time, much like the matter of slavery.		Verbal
285.		the first rider **is used** as the basis of law interpreted on two levels: a legal level		Material
286.	where	limited polygamy **is allowed** and a moral level toward		Material
287.	which	it **is hoped** society would move in the course of time, much like the matter of slavery.		Mental
288.		This approach **stands** in between two minority positions; the first which regards polygamy as completely a matter of the private judgment of the individual		Material
289.	and	the other which **gives** legal import to the riders		Material
290.	and	**dismisses** the latitude given to the permission clause.		Material
291.		The occurrence of polygamy in Singapore **is** very low.		Relational (Attributive)
292.		Its negligible occurrence **could have been induced** by several factors, not excluding contemporary conceptions and expectations of marriage as a partnership, pragmatic considerations,		Material
293.		the effectiveness in which the institution **is administered** and other relevant factors.		Material
294.	Despite this,	it **is not banned** for the reasons explained above.		Material
295.		Some of the regulatory factors restricting the practice include the requirement of the husband to satisfy the Registrar that there **is** lawful benefit to the marriage, as, for instance, in cases where a wife is unable to conceive or is incapacitated from performing her functions as a wife; that the income and financial capacity of the husband is satisfactory and will not adversely affect the families and that the existing wife consents to the marriage.		Relational (Attributive)
296.		that the income and financial capacity of the husband **is** satisfactory		Relational (Attributive)
297.	and	**will not adversely affect** the families and that the existing wife consents to the marriage.		Material
298.		in cases where a wife **is** unable to conceive or is incapacitated from performing her functions as a wife;		Relational (Attributive)
299.		Impediments to registration of polygamous marriages **contracted** outside Singapore		Material
300.	and	difficulties of proof **may also account** for its negligible incidence.		Material

301.		It **can be argued** that while forcing a woman against her will either to enter into or remain in a polygamous marriage is clearly inconsistent with the principles espoused by CEDAW and the Muslim law, how her rights are compromised in situations that depart from these, has not been given due consideration.		Verbal
302.	that while	forcing a woman against her will either to enter into or remain in a polygamous marriage **is clearly inconsistent** with the principles espoused by CEDAW		Relational (Attributive)
303.	and	the Muslim law, how her rights are compromised in situations that depart from these, **has not been given due consideration.**		Material
304.		For example, if a wife **chooses** to remain in a polygamous marriage		Material
305.	or	if a woman **decides** to enter into one based on the same ground of freedom of choice, how in these instances can it be said that she is discriminated against or denied of her rights to or within marriage?		Material
306.		Would not **prohibiting** her of that choice to do so discriminate against her instead?		Material
307.		This **is** a pertinent issue which has hardly been addressed in debates on CEDAW.		Material
308.	which	**has hardly been addressed** in debates on CEDAW.		Verbal
309.		The problem **is compounded** by the tendency to presume that the term "same rights" must be read as subjecting husbands and wives to similar laws.		Material
310.	that	the term "same rights" **must be read** as subjecting husbands and wives to similar laws.		Material
311.		It **is exacerbated** by the pervasive unfavorable attitude toward polygamy, generally.		Material
312.		Without a thorough analysis of the implications of how equal rights **are compromised** within a given cultural milieu		Material
313.		, the possibility of revaluation of the law driven by ratifying CEDAW **is dimmed.**		Material
314.		The perception of polygamy as incompatible with the Convention **has deflected** attention from more pressing problems pertaining to its administration which directly bear upon principles of non-discrimination and equality.		Material
315.		A major shortcoming in this respect **is** the lack of transparency in the significance accorded to conditions imposed on a husband in an application for polygamy.		Relational (Identifying)
316.		This **is** a matter that impacts directly upon the rights and freedom of women.		Relational (Identifying)
317.	that	**impacts** directly upon the rights and freedom of women.		Material
318.		For instance, although the consent of the existing wife **is** one of the major preconditions for a successful polygamous marriage application, there is at present, a lack of clarity on the importance accorded to this particular factor, a problem not confined to Singapore.		Relational (Identifying)
319.		there **is** at present, a lack of clarity on the importance accorded to this particular factor, a problem not confined to Singapore.		Relational (Identifying)
320.		A study on the administration of Islamic marriage laws in Malaysia **revealed** that Shariah judges tended to give emphasis only to a man's financial capacity to support more than one family in deciding whether or not permission should be granted.		Relational (Identifying)

321.	that	Shariah **judge**s tended to give emphasis only to a man's financial capacity to support more than one family in deciding whether or not permission should be granted.		Verbal
322.		Equal rights for women **can only mean** that her consent should be accorded overriding significance as it is the only condition which directly involves her rights as a party to the marriage.		Relational (Identifying)
323.	that	her consent **should be accorded** overriding significance as it is the only condition which directly involves her rights as a party to the marriage.		Material
324.	as	it **is** the only condition which directly involves her rights as a party to the marriage.		Relational (Identifying)
325.		A clear precedent for this approach **is provided** in the Syrian law which elevates this precondition in application for polygamy.		Material
326.		While other objective factors such as the husband's financial capacity or the element of "lawful' benefit" **are** nonetheless relevant indicators that must be factored by judges in the interest of the individuals and their families even with the wife's consent, the prerequisite of consent on the part of the first wife should not be reduced to secondary importance.		Relational (Attributive)
327.	that	**must be factored** by judges in the interest of the individuals and their families even with the wife's consent,		Material
328.		the prerequisite of consent on the part of the first wife **should not be reduced** to secondary importance.		Material
329.		Ratifying CEDAW **can spur** discussions on how existing safeguards can be more justly administered in realizing the objectives of the Muslim law, presently non-existent.		Material
330.		A related issue that also requires redress which could be spurred by lifting the reservation **is** the lack of comprehensiveness of existing legal remedies available to women seeking to terminate their marriages due to polygamy.		Relational (Identifying)
331.	that	also **requires** redress		Material
332.	which	**could be spurred** by lifting the reservation		Material
333.		This issue **is closely intertwined** with the principle of equality of rights and non-discrimination against women in divorce which both Islam and CEDAW enjoin.		Material
334.		Giving a woman the right to consent to polygamy **must also be accompanied** by her right to exit from it should it become unbearable to her.		Material
335.		Currently, the AMLA **does not clearly recognize** polygamy as a ground for divorce.		Material
336.		Although the provision of "inequitable treatment of a wife in a polygamous marriage" **is stipulated** in Section 49 for divorce by judicial decree, polygamy itself is not.		Material
337.		The provision **implies** that unless a wife can prove that polygamy is detrimental to her interest in the sense that she has not been given equal treatment by her husband, the law offers her no way out of her marriage by way of judicial decree.		Relational (Identifying)
338.	that	unless a wife **can prove**		Material
339.	that	polygamy **is** detrimental to her interest in the sense		Relational (Attributive)
340.	that	she **has not been given** equal treatment by her husband,		Material

341.		the law **offers** her no way out of her marriage by way of judicial decree.		Verbal
342.	Furthermore,	presumably the burden of proof for "inequitable" treatment **falls** on her.		Material
343.		This **is** inevitably more onerous than if polygamy itself constitutes an independent ground for divorce.		Relational (Attributive)
344.	if	polygamy itself **constitutes** an independent ground for divorce.		Material
345.	While	presumably such application **can be heard** under the ground of "harm caused to wife not amounting to physical harm" or the more general limb providing for "any other ground recognized in Muslim law", as far as I am aware,		Behavioural
346.		these **have not been extended** to include polygamy.		Material
347.		In fact based on judgment of the SYC thus far, Section 49 **has been confined** only to cases whereby the husband is found to have been inflicted with impotency, incurable disease and insanity.		Material
348.		A form of divorce for women that may potentially encompass polygamy **is** taqlik or conditional divorce.		Relational (Identifying)
349.	that	**may potentially encompass** polygamy		Material
350.		This type of divorce arises when the terms of the marriage contract **is breached or violated** by the husband.		Material
351.		A woman **can include** polygamy as a ground for divorce within her marriage contract, breach of which if proven in court, would operate as one talaq.		Material
352.	Although	such a practice **is well recognized** in Islamic law,		Material
353.		it **is** uncommon in Singapore where generally,		Relational (Attributive)
354.		the level of awareness of women of prenuptial agreements **is** low.		Relational (Attributive)
355.	While	the Registry of Muslim Marriages **has mandatorily included** four conditions in every marriage certificate, violation of any of which if proven, effects as one conditional divorce, none of these however, includes polygamy.		Material
356.		Given the low level of consciousness of women of their rights in marriage and divorce generally, there **appears** no cogent reason why polygamy cannot be included as part of the prenuptial contract.		Material
357.		That being the case, ratifying Article16 **would pave** the way for revaluation of these limitations on the basis of the principles of equality and non-discrimination.		Material
358.		It **can also provide** an opportunity for rethinking the scope of taqlik within existing law and policy.		Material
359.		Alternatively, it **can be argued** that although at present, taqlik takes the form of expressed conditions stipulated in the marriage certificate at the point of marriage, this does not preclude certain implied conditions from being inferred within the agreement.		Verbal
360.		taqlik **takes** the form of expressed conditions stipulated in the marriage certificate at the point of marriage,		Material

361.		this **does not preclude** certain implied conditions from being inferred within the agreement.		Material
362.		It **is not** unreasonable, for instance, to presume that at the point of marriage there is an expectation that the marriage will be monogamous as otherwise a wife will not seek divorce when her husband decides to take on another wife.		Relational (Attributive)
363.	that	at the point of marriage there **is** an expectation		Relational (Identifying)
364.	that	the marriage **will be** monogamous		Relational (Attributive)
365.	as	otherwise a wife **will not seek** divorce when her husband decides to take on another wife.		Material
366.		This **means** that although polygamy as a ground for conditional divorce is unwritten in the marriage contract, a presumption can be inferred from the contract that the couple intended the marriage to be monogamous.		Relational (Identifying)
367.	that although	polygamy as a ground for conditional divorce **is unwritten** in the marriage contract,		Relational (Identifying)
368.		a presumption **can be inferred** from the contract that the couple intended the marriage to be monogamous.		Material
369.		The intention **can also be presumed** at the point at which the wife refuses to consent to the application of the polygamous marriage by her husband.		Material
370.	which	the wife **refuses** to consent to the application of the polygamous marriage by her husband.		Verbal
371.	While	under the present administration of the law, polygamy **is deemed** to be allowed unless proven otherwise the law can be administered to presume that the parties had intended the marriage as monogamous.		Mental
372.		otherwise the law **can be administered** to presume		Material
373.	that	the parties **had intended** the marriage as monogamous.		Material
374.		This presumption of an implied condition against polygamy **would radically alter** dominant approach in the administration of polygamy and effectively curb the practice without even tampering with the Koranic provision.		Material
375.	While	such an interpretation **can be initiated** without ratifying CEDAW,		Material
376.		lifting the reservation **will provide** the impetus for change.		Material
377.		Another aspect of the Muslim personal law that has been consistently invoked as inconsistent with Article16 **is** the law regulating divorce (talaq).		Relational (Identifying)
378.	that	**has been consistently invoked** as inconsistent with Article16		Material
379.		Although predominantly articulated as revealing Islamic law's incompatibility with Article16, the crux of the actual problem **lies** in rigidity in the mode of thinking on talaq and how it is administered.		Material
380.	Although	predominantly **articulated** as revealing Islamic law's incompatibility with Article16,		Verbal
381.	and	how it **is administered.**		Material

382.		The prevalence of this factor has resulted in a missed opportunity **provided** by CEDAW to analyze and evaluate the consistency of divorce philosophy underlying the Muslim law premised on the basis of equality.		Material
383.		underlying the Muslim law **premised** on the basis of equality.		Material
384.		Despite reforms that have taken place in many Muslim societies, in Singapore, the view that divorce is the prerogative of the husband who has the unfettered right to terminate his marriage without cause **remains** legally operative.		Material
385.	*that*	Despite reforms *that* **have taken** place in many Muslim societies,		Material
386.		the view that divorce **is** the prerogative of the husband		Relational (Identifying)
387.		who **has** the unfettered right to terminate his marriage without cause		Relational (Identifying)
388.		Unlike the case of polygamy in which a woman's right of choice **is not** automatically **divested** from her,		Relational (Identifying)
389.		talaq **reflects** disparity in this respect as a man is absolutely free to divorce his wife whenever he wishes just by pronouncing the word divorce whereas a woman can only terminate her marriage even to an extremely undesirable husband by having to prove a ground in court or by persuading her husband to release her.		Relational (Identifying)
390.	as	a man **is** absolutely free to divorce his wife		Relational (Identifying)
391.	whenever	he **wishes** just by pronouncing the word divorce		Mental
392.	whereas	a woman **can only terminate** her marriage even to an extremely undesirable husband by having to prove a ground in court or by persuading her husband to release her.		Material
393.		The continued observance of this law **stems** from a selective inference from the Qur'anic Verse 2.237 referring specifically to dower.		Material
394.		**referring** specifically to dower.		Material
395.		It **validates** the practice legally while acknowledging it to be morally abominable.		Material
396.		Hence, though the SYC **is granted** the power to examine the reasons for divorce (a measure to prevent unwarranted divorce)		Material
397.	so that	the talaq **can be pronounced** with the permission of the judge after considering the arguments of both parties,		Material
398.		talaq pronounced outside court **is nevertheless deemed** valid		Mental
399.	if	it **found** to have been uttered clearly.		
400.		This emphasis on formal utterance in determining the validity of talaq **is** contrary to law found in many other Muslims states which have vested the power of dissolution of marriage in the courts after hearing both sides.		Relational (Identifying)
401.		which **have vested** the power of dissolution of marriage in the courts after hearing both sides.		Material

402.		Ahmad's attack on talaq way back in 1966 **remains** pertinent: ...[I]n most Muslim countries the right of the Muslim husband has been restricted and it is only bigoted fanaticism and the lack of social consciousness which leads the Muslim men in Singapore to claim their exclusive right in this matter.		Relational (Attributive)
403.		...[I]n most Muslim countries the right of the Muslim husband **has been restricted**		Material
404.	and	it **is only bigoted** fanaticism		Material
405.		and the lack of social consciousness which **leads** the Muslim men in Singapore to claim their exclusive right in this matter.		Material
406.		The law on talaq **is** also at odds with the law in contemporary societies which uphold the necessity for equality in divorce regulation, irrespective of gender.		Relational (Identifying)
407.		which **uphold** the necessity for equality in divorce regulation, irrespective of gender.		Material
408.		Most civil law systems **permit** divorce on grounds which are substantially common to husbands and wives.		Material
409.	which	**are** substantially common to husbands and wives.		Relational (Identifying)
410.		The practice **has also been condemned** by many scholars who maintain that the view that Muslim husbands enjoy arbitrary unilateral power to inflict instant divorce does not accord with Islamic injunctions.		Verbal
411.		who **maintain** that the view that Muslim husbands enjoy arbitrary unilateral power to inflict instant divorce does not accord with Islamic injunctions.		Material
412.		that the view that Muslim husbands enjoy arbitrary unilateral power to inflict instant divorce **does not accord** with Islamic injunctions.		Material
413.		Hesitant to amend the law, the conservative **minded** resorts to justifications to the effect that no reasonable husband will arbitrarily divorce his wife and that a husband guilty of such act will suffer severe punishment in the Hereafter.		Mental
414.	that	no reasonable husband **will arbitrarily divorce** his wife		Material
415.	and that	a husband guilty of such act **will suffer** severe punishment in the Hereafter.		Material
416.		Such reasoning strongly **implies** that the unfettered right of a man to divorce his wife without cause cannot be changed although it is morally reprehensible to do so.		Relational (Identifying)
417.	that	the unfettered right of a man to divorce his wife without cause **cannot be changed** although it is morally reprehensible to do so.		Material
418.	although	it **is** morally reprehensible to do so.		Relational (Attributive)
419.		This reluctance **has resulted** in an inconsistent philosophy of divorce.		Material
420.	While	a husband **can divorce** his wife arbitrarily, the wife on the other hand must prove a ground for divorce.		Material
421.		the wife on the other hand **must prove** a ground for divorce.		Material
422.		The burden **is imposed** upon her to show cause for divorce.		Material

423.		The issue here **is not forcing** a man against his will to put up with an empty shell but the gender partiality in favoring the husband who can obtain divorce unilaterally.		Material
424.		who **can obtain** divorce unilaterally.		Material
425.	While	some states **have ensured** that talaq must be pronounced in Court, in Singapore, this is not the case.		Material
426.	that	talaq **must be pronounced** in Court, in Singapore,		Material
427.		this **is not** the case.		Material
428.	Furthermore,	the introduction of a pecuniary penalty for divorce without cause in the form of monetary compensation for wives as a safeguard against abuse in some countries **is also not found** in the AMLA.		Material
429.		Ratifying CEDAW **can spur** the inclusion of such a law already established in the personal law codes of several Muslim states.		Material
430.		It **can also pave** the way for remedying the incongruence and anachronism of the law and its administration.		Material
431.		Review of the law on talaq **cannot be approached** in isolation from laws governing divorce as a whole.		Material
432.	For instance	, at present, fasakh or divorce by judicial decree **is** applicable only to wives.		Relational (Attributive)
433.		All the nine limbs of Section 49 of the AMLA that a wife **can claim** as grounds for divorce, including husband's imprisonment for three years or more, chronic illness, impotency, insanity, cruelty of conduct even if it does not amount to physical illtreatment, associating with people of ill-repute, attempts at forcing one's spouse to live an immoral life, lives and cohabits with another, do not apply to a husband.		Material
434.		even if it **does not amount** to physical illtreatment,		Material
435.		**associating** with people of ill-repute,		Material
436.		**attempts** at forcing one's spouse to live an immoral life,		Material
437.		lives and cohabits with another,		
438.		**do not apply** to a husband.		Material
439.		The law which appears to be partial in favor of wives **must be understood** in the light of talaq.		Mental
440.	which	**appears** to be partial in favor of wives		Material
441.		Strong justifications **based** on equality and justice call for this imbalance to be addressed so that fasakh be extended to both parties regardless of gender.		Material
442.		Extending fasakh to husbands **must be** a part of a comprehensive review involving the law and administration of talaq.		Relational (Identifying)
443.		Divorce or talaq being the prerogative of the husband has also rendered divorce by taqlik (conditional divorce) **confined** in its application only to wives.		Material
444.		Divorce or talaq being the prerogative of the husband **has also rendered** divorce		Material

445.		In Singapore, taqlik **occurs** when a husband violates the terms of the marriage contract imposed by a wife and which he has agreed upon at the time of marriage.		Material
446.	when	a husband violates the terms of the marriage contract **imposed** by a wife		Material
447.	and which	he **has agreed** upon at the time of marriage.		Material
448.		It **is** the surest form of divorce for women at present.		Relational (Identifying)
449.		Like fasakh, the need to extend this form of divorce to husbands **would reflect** recognition of equal rights of both parties.		Relational (Identifying)
450.		Ratifying CEDAW **can provide** the basis for addressing this imbalance.		Material
451.		Another limitation of taqlik that can be addressed **is** the conscribed and rigid way in which it is administered.		Relational (Identifying)
452.	which	it **is administered.**		Material
453.		Printed on the marriage certificate, the mandatory conditions limited to four **are** as follows: causing physical injury to wife, failure to maintain her for more than four months, deserting her for more than four months, causing damage to her personal property and lowering her self-esteem.		Relational (Identifying)
454.		**causing** physical injury to wife,		Material
455.		**deserting** her for more than four months,		Material
456.		**causing** damage to her personal property		Material
457.	and	**lowering** her self-esteem.		Material
458.		There **is** hardly, if any attempts at explicating the rationale for the mandatory force of the conditions and their selection.		Relational (Identifying)
459.	if	any attempts at explicating the rationale for the mandatory **force** of the conditions and their selection.		Material
460.		Furthermore, the conditions **are administered** without enlightening women on the nature and ramifications of the prenuptial agreement nor does it empower them to vary the mandatory conditions based on their own choices.		Material
461.		This **impairs** their rights and role as active agencies in marriage.		Material
462.		Although the conditions do provide minimum protection for wives, the crux of the matter **lie** less in the conditions available to them for divorce but more with the problematic mode of thinking of the law that prescribes divorce as the prerogative of a husband without cause.		Material
463.	that	**prescribes** divorce as the prerogative of a husband without cause.		Material
464.		Even the administration of khul (divorce by redemption) which is perhaps the only form of divorce that gives women equal opportunity to leave a marriage where it is no longer possible to remain in one, **is marred** by drawbacks that effectively undermine the balance of rights.		Material
465.	which	**is** perhaps the only form of divorce		Relational (Identifying)

466.		that **gives** women equal opportunity to leave a marriage		Material
467.	where	it **is** no longer possible to remain in one,		Relational (Identifying)
468.	that	effectively **undermine** the balance of rights.		Material
469.		The principle underlying khul **is** that a wife should not be tied to a marriage that is no longer bearable to her.		Relational (Identifying)
470.	that	a wife **should not be tied** to a marriage		Material
471.	that	**is** no longer bearable to her.		Relational (Identifying)
472.		This form of divorce **is recognized** in classical Muslim law based on the approval of Prophet Muhammed who sanctioned it subject only to a wife repaying her husband her marriage gift.		Material
473.	who	**sanctioned** it subject only to a wife repaying her husband her marriage gift.		Material
474.		Modifications to this tradition **is** evident in laws that allow her to divorce subject to the payment of a sum mutually agreed upon by both parties or otherwise fixed by the Court.		Relational (Identifying)
475.	that	**allow** her to divorce subject to the payment of a sum		Material
476.		mutually **agreed** upon by both parties		Material
477.	or otherwise	**fixed** by the Court.		Material
478.		In Singapore, the amount **is usually determined** by the marriage gift (hantaran) to the wife.		Material
479.		However, this opportunity for equal right to divorce **is impaired** by the condition		Material
480.		that the husband **must consent** to the divorce despite the wife's willingness to return the marriage gift.		Material
481.		Furthermore, arbitration conducted by arbitrators (hakam) appointed by both parties to attempt to reconcile them **is institutionalized** only for this form of divorce.		Material
482.		Should their efforts at reconciliation fail and the husband still refuses to divorce his wife, the hakam **can decree** a divorce by virtue of the power delegated by the parties.		Material
483.		Should their efforts at reconciliation **fail**		Material
484.		and the husband **still refuses** to divorce his wife,		Verbal
485.		**delegated** by the parties.		Material
486.		Alternatively a husband **can delegate** his right of talaq to the wife (talaq tawfid).		Material
487.		Hence, though women do eventually succeed in obtaining a divorce by khul, the legal procedures involved **are intertwined** with the husband's consent.		Material
488.	though	women **do** eventually succeed in obtaining a divorce by khul,		Material
489.		This **undermines** the very objective of this form of divorce which is unconditional.		Material
490.		which **is** unconditional.		Relational (Attributive)
491.		Its limitations **can be reviewed** if Article16 is ratified.		Material

492.	if	Article16 **is ratified.**		Material
493.		Lifting the reservation **would also provide** an opportunity for revaluation of the administration of another form of divorce that is gender equal, i.e. divorce by mutual consent (mubaraat).		Material
494.	that	**is** gender equal, i.e. divorce by mutual consent (mubaraat).		Relational (Identifying)
495.		This form of divorce based on the recognition by both parties that their marriage has broken down irretrievably **has been hailed** as a reflection of the progressive and humane spirit of the law.		Material
496.	that	their marriage **has broken** down irretrievably		Material
497.		As family breakdowns often involve the "fault" of both parties, divorce by mutual consent **has been appraised** as a better alternative to fault-based divorce.		Material
498.		It also **frees** parties from contentious litigation process that often engenders bitterness and at times collusion against the law.		Material
499.	that	**often engenders** bitterness and at times collusion against the law.		Material
500.		In Singapore, this form of divorce **falls** outside the jurisdiction of the SYC.		Material
501.		Authorization **is accorded** to the qadi to register the divorce.		Material
502.		Hence, divorce by mutual consent **is popularly referred** to as qadi divorce (cerai qadi).		Material
503.		Although it is gender equal, this type of divorce **has been confined** to the limited cases of divorce involving childless couples and those without a matrimonial home.		Material
504.	Although	it **is** gender equal,		Relational (Identifying)
505.		The basis for this policy **appears** to have stemmed from problems of lack of clarity in the jurisdiction of the SYC vis-à-vis the High Court in the matter of ancillary issues arising from such divorce prior to 1999.		Material
506.		The amendments to the AMLA in 1999, however, **have clearly plugged** the lacunae by allowing both the SYC and High Court jurisdiction over ancillary issues arising from qadi divorce subject to specified conditions.		Material
507.		Despite this clarification the policy **has not been reviewed.**		Material
508.		Here again ratifying Article16 of CEDAW **provides** the potential for review of the law on this form of divorce.		Material
509.		Its framework **can facilitate** the development of a consistent philosophy of Muslim law of divorce grounded in equality consonant with Islam.		Material
510.		Yet another example of Muslim law highlighted as inconsistent with the CEDAW Article16 **is** the view that maintenance of wives and the family is the legal obligation of husbands.		Relational (Identifying)
511.	that	maintenance of wives and the family **is** the legal obligation of husbands.		Relational (Identifying)
512.		This example **reflects** another streak of conservatism in the mode in which the Muslim law is understood and applied.		Relational (Identifying)

513.	which	the Muslim law **is understood**		Mental
514.	and	**applied.**	The Muslim law	Material
515.		This law **is based** on particular selection of classical legal opinion conditioned by traditional gender roles where wives were primarily homemakers and husbands, breadwinners.		Material
516.	where	wives **were** primarily homemakers and husbands, breadwinners.		Relational (Identifying)
517.		This arrangement **does not accurately reflect** the reality of Muslim families in Singapore whereby wives who are economically employed are more likely to jointly contribute to the family's maintenance though many may not be the major breadwinners of the family.		Relational (Identifying)
518.		Despite the changing social reality, women **continue** to be subjected to laws grounded in traditional gender roles.		Material
519.		The situation **reveals** the limitation of the "separate but equal" approach used to justify perceived incompatibility between Shariah law and CEDAW.		Relational (Identifying)
520.	While	a woman's role **cannot be generally reduced** to homemaking today,		Material
521.		it **continues** to underlie the rationale for rejecting Article16.		Material
522.		Here again CEDAW **provides** the prospect for reviewing prevailing law		Material
523.	that	**would reflect** more accurately women's roles in and their contributions to the family in the midst of social change.		Relational (Identifying)
524.		Another contentious aspect of the Islamic law highlighted as ground for reservation **is** inheritance (faraid),		Relational (Attributive)
525.	in which	**shares** apportioned to male heirs double the females.		Material
526.		Historically this law **was** an improvement for women.		Relational (Attributive)
527.		It **has thus been generally noted** that the important change brought by the Koran was that it gave shares to mothers, daughters, sisters, wives and granddaughters, hitherto denied to them.		Material
528.	that	the important change brought by the Koran **was** that it gave shares to mothers, daughters, sisters, wives and granddaughters, hitherto denied to them.		Relational (Identifying)
529.	that	it **gave** shares to mothers, daughters, sisters, wives and granddaughters, hitherto denied to them.		Material
530.		The Qur'an **also warned** that these were the "limits of God" which must not be transgressed. (Qur'an IV: 7)		Material
531.	that	these **were** the "limits of God" which must not be transgressed. (Qur'an IV: 7)		Material
532.		Muslim jurists generally perceived that the greater share accorded to men under the inheritance law **was directly linked** to their responsibility to support the womenfolk.		Material
533.		Muslim jurists **generally perceived**		Mental
534.	that	the greater share **accorded** to men under the inheritance law		Material

535.		The reciprocity of mutual rights and obligations **was based** on strong bonds of kinship sustained by customary sanctions sufficient to compel obedience.		Material
536.		strong bonds of kinship **sustained** by customary sanctions sufficient to compel obedience.		Material
537.		Some Muslims **have also argued** that examined as a whole, women under the Muslim marriage law were accorded certain privileges as, for example, in the provision of mahr (dower) which would make up the deficiency in their share of inheritance.		Material
538.	that	**examined** as a whole,		Material
539.		women under the Muslim marriage law **were accorded** certain privileges as, for example, in the provision of mahr (dower)		Material
540.	which	**would make up** the deficiency in their share of inheritance.		Relational (Identifying)
541.		In Singapore as with other Muslim societies generally, the system of reciprocity of rights and obligations based on kinship ties **have been impacted** by social change.		Material
542.		It **is** no longer uncommon that the obligation of maintaining the family today has fallen on the shoulders of both sons and daughters.		Relational (Identifying)
543.	that	the obligation of maintaining the family today **has fallen** on the shoulders of both sons and daughters.		Material
544.	However,	both the law and its administration **have not responded** to the changing condition.		Verbal
545.	Furthermore,	no legal mechanism for enforcing such obligations on the part of male kin in the event of violation or neglect to provide for female kin **exists** within the AMLA.		Existential
546.		Sections 111 and 112 of the AMLA **compel** a Muslim to distribute his estate in accordance with the Muslim law as modified by Malay custom.		Material
547.		Under the Muslim law within the classical Shafie School, a person **can only will away** one-third of his estate.		Material
548.		The remaining two-thirdsmust **go** to his next-of-kin		Material
549.	and	**distributed** among them according to fixed shares.		Material
550.		Customary **practices** compatible with the Muslim law however are commonly observed.		Material
551.	however	**are commonly observed.**		Material
552.		They **reflect** various ways in which Muslims depart from distribution based on fixed shares irrespective of gender in response to changing conditions.		Relational (Identifying)
553.	which	Muslims **depart** from distribution based on fixed shares irrespective of gender in response to changing conditions.		Material
554.		Among these **is** the practice of varying the shares of the estate based on the mutual consent of the beneficiaries.		Relational (Identifying)
555.		Conveying all of one's assets as a gift to one's beneficiary in any proportion during one's lifetime regardless of gender **is** also another way in which the impact of faraid has been tampered with.		Relational (Identifying)
556.	which	the impact of faraid **has been tampered** with.		Material
557.		Even the Religious Council **has endorsed** arrangements		Material

558.		that effectively **override** the faraid.		Material
559.		A recent fatwa by the Legal Committee of the Council that approves the right of survivorship in joint tenancy agreement by way of an instrument **referred** to as nuzriah illustrate the point.		Material
560.		A recent fatwa by the Legal Committee of the Council that **approves** the right of survivorship in joint tenancy agreement		Verbal
561.	Though	it **does not strictly benefit** only the womenfolk,		Material
562.		it **can be used** as justification to sanction positively the rights of women to inherit the entire property of her husband (and vice versa).		Material
563.		Under the joint tenancy scheme the presumption of advancement which operates in the event of death, **allows** absolute beneficial ownership of a property to be conferred on the survivor.		Material
564.		This presumption **occurs** especially with matrimonial property as they are usually purchased by spouses.		Material
565.	as	they **are usually purchased** by spouses.		Material
566.		The closeness of the relationship of joint tenants **raises** the presumption that the property was purchased with the understanding that should one of them dies, the other will have full ownership.		Material
567.		the property **was purchased** with the understanding that should one of them dies,		Material
568.		the other **will have** full ownership.		Relational (Attributive)
569.		The presumption of advancement **can be revoked** if contestant claimants can prove that the property is intended to be held on the basis of tenants in common which will entitle the survivor only a fraction, usually 50% of the interest in the property.		Material
570.	if	contestant claimants **can prove** that the property is intended to be held on the basis of tenants in common which will entitle the survivor only a fraction, usually 50% of the interest in the property.		Material
571.	that	the property **is intended** to be held on the basis of tenants in common		Material
572.	which	**will entitle** the survivor only a fraction, usually 50% of the interest in the property.		Material
573.		Apart from the above **is** another fatwa validating Central Provident Fund (CPF) nominations through the same instrument, that is, the nuzriah.		Relational (Identifying)
574.		that **is**, the nuzriah.		Relational (Attributive)
575.		It **legitimizes** wives inheriting the asset of their husbands completely		Material
576.	if	they **are nominated** (and vice versa) without tampering with the faraid directly.		Material
577.		CPF funds **have been** most commonly used to purchase matrimonial property either by way of joint tenancy or tenancy-in-common.		Relational (Identifying)
578.		Whatever the scheme, the nomination **expresses** the clear intent of the owner of the funds that the beneficiary nominated has the sole right to inherit CPF monies.		Relational (Identifying)

579.		that the beneficiary nominated **has** the sole right to inherit CPF monies.		Relational (Identifying)
580.		It **presumes** the intent of the owner that whoever is left behind will not be subjected to hardship of having to sell the property (usually the matrimonial home) but will continue to have a roof over his/her head.		Material
581.	that whoever	**is** left behind will not be subjected to hardship of having to sell the property (usually the matrimonial home)		Relational (Identifying)
582.	but	**will continue** to have a roof over his/her head.		Material
583.	Although	these matters **are regulated** by the common law which applies to Muslims, the fatwa nevertheless provides a strong religious basis that legitimizes the gender equal approach in the matter of estate.		Material
584.		which **applies** to Muslims,		Material
585.		the fatwa nevertheless **provides** a strong religious basis		Material
586.	that	**legitimizes** the gender equal approach in the matter of estate.		Material
587.	However,	the nuzriah, the instrument invoked to validate variations to the faraid **is not** free from doubt.		Relational (Attributive)
588.		Given its conceptual and legal limitations, the necessity for rethinking the administration of the faraid if not its substance, to reflect the needs and condition of Muslims **cannot be avoided.**		Material
589.		Ratifying Article16 **will reflect** more accurately the ways in which Muslims have distributed their property in reality.		Relational (Identifying)
590.	which	Muslims **have distributed** their property in reality.		Material
591.		However, more **can be done** to give effect to the objectives that underlie the law.		Relational (Attributive)
592.	that	**underli**e the law.		Material
593.		At present Section 112 of the AMLA **merely accords** the SYC with the power to declare the interest of the beneficiaries to the estate of the deceased in fixed shares.		Material
594.		The Court **is not empowered** to determine the facts of the case.		Material
595.		This **means** that irrespective of the circumstances of each case,		Relational (Identifying)
596.		the division of the estate **is fixed.**		Material
597.		Furthermore, under the present law, no laws **exist** for a woman to enforce maintenance from the male beneficiaries who default.		Existential
598.		Such inadequacies **can be potentially addressed** if CEDAW is endorsed.		Verbal
599.	if	CEDAW **is endorsed.**		Material
600.		The arguments thus far attempt to deal with problems and limitations in the administration of the Muslim law of inheritance which **can be potentially addressed** by lifting the reservation to Article16.		Verbal

601.		More pertinent **is** the prospect CEDAW offers in appraising dominant understanding of the law itself.		Relational (Identifying)
602.		Endorsing CEDAW **may allow** for greater mobilization of resources toward raising awareness of the principles underlying the Muslim law of inheritance and harnessing ideas		Material
603.	that	**reflect** more closely corresponding social conditions.		Relational (Identifying)
604.		In this respect, the argument of a Turkish scholar on the concept of "limits of God" beyond which the rights of the individual begin to be infringed, used in the Koran in the context of division of shares for inheritance, **is** instructive.		Relational (Attributive)
605.	which	the rights of the individual **begin** to be infringed,		Material
606.		**used** in the Koran in the context of division of shares for inheritance,		Material
607.		It **is maintained** that while it is prohibited to transgress the "limits of God", encouragement is given to move toward the opposite direction in granting generously beyond the minimum incumbent by law.		Material
608.		that while it **is prohibited** to transgress the "limits of God",		Material
609.		encouragement **is given** to move toward the opposite direction in granting generously beyond the minimum incumbent by law.		Material
610.		Therefore, it **can be said** that on the right side of the "limits of God", the individual has full latitude of action.		Verbal
611.		the individual **has** full latitude of action.		Relational (Identifying)
612.		Efforts at reviewing the underlying principles of inheritance law in relation to socio-historical contexts **have been undertaken** by prominent Indonesian scholars.		Material
613.		In the late 1950s and 1960s, Hazairin, for instance, **spearheaded** attempts in Indonesia at interpreting Islamic inheritance law to reflect the bilateral kinship structure and needs of Indonesian society.		Material
614.		Based on the premise that certain passages in the Qur'an relating to inheritance **are not fixed**		Material
615.	and	**reflected** traditional social customs of Arabic society,		Relational (Identifying)
616.		Hazairin **mooted** the idea		Verbal
617.		that division and distribution of shares **can vary** without compromising the principle of social justice espoused by the law.		Material
618.		With this conviction, he **introduced** legal concepts		Material
619.		that **facilitated** equal division even across generational lines.		Material
620.		His ideas **took** a new lease of life in the 1980s with the agenda of re-actualization of Islamic teachings proposed by leaders such as Munawir Sjadzali		Material
621.	that	**aimed** to make Islam and its laws more responsive to contemporary and local needs of Indonesian society.		Verbal

622.		Sjadzali **maintained** that without compromising the eternal principle underlying the law,		Material
623.		the division **can vary** under specific conditions.		Material
624.		The idea found support among prominent members of the legal establishment, including former Supreme Court Judge, Yahya Harahap who not only proposed for half share as the minimum limit, but also maintained that the minimum limit should be allowed to vary to permit greater share for women **should circumstances** warrant.		Material
625.		Yahya Harahap who **not only proposed** for half share as the minimum limit,		Material
626.		but also **maintained** that the minimum limit should be allowed to vary to permit greater share for women		Material
627.		that the minimum limit **should be allowed** to vary to permit greater share for women		Material
628.		The potential for engagement of these thoughts which have long been debated **may be further developed** if CEDAW is ratified.		Material
629.		The potential for engagement of these thoughts which **have long been debated**		Verbal
630.		if CEDAW **is ratified**.		Material
631.		Yet another example that has been highlighted as ground for reservation to CEDAW **is** the requirement of the wali (guardian) whose permission is perceived as necessary for the bride to be married off.		Relational (Identifying)
632.		Yet another example that **has been highlighted** as ground for reservation to CEDAW		Material
633.		whose permission **is perceived** as necessary for the bride to be married off.		Mental
634.		The power and role of the wali (usually the bride's father) in marriage today **cannot be said** to discriminate women or sanction inequality thereby rendering it incompatible with Article16 of CEDAW.		Verbal
635.		Provisions in the AMLA **reveal** that although a wali is required for a bride to be married off,		Relational (Identifying)
636.		that although a wali **is required** for a bride to be married off,		Material
637.		he **does not have** the power to prevent her from marrying a person of her choice even		Relational (Identifying)
638.		if he **objects** to the marriage.		Material
639.	Where	a wali **refuses** to solemnize a marriage,		Verbal
640.		a qadi **can be appointed** to do so instead.		Material
641.		The role of the qadi **is confined** to ensuring		Material
642.	that	there **are** no lawful impediments to the marriage before solemnizing the marriage.		Existential
643.		Clearly, the law **has departed** from classical fiqh tradition in which the wali in some cases had significant powers in determining who his ward should marry.		Material
644.		which the wali in some cases **had** significant powers in determining		Relational (Identifying)
645.		who his ward **should marry.**		Material

646.		It **must be added**, however, that even in those days while guardianship vested in males, this did not merely reflect the power of patriarchy.		Material
647.		that even in those days while guardianship **vested** in males,		Material
648.		this **did not merely reflect** the power of patriarchy.		Relational (Identifying)
649.		The guardian **also represented** the complex of interests of the family,		Material
650.		the wider community as well as the ward as marriage **has never been** an exclusive affair of the couple per se even in contemporary Muslim societies.		Relational (Identifying)
651.		The Minhaj, for instance, **stipulates** that: a father can dispose as he pleases of the hand of his daughter without asking her consent whatever her age may be, provided she is still a virgin although it is commendable to consult her as to her future husband.		Verbal
652.		a father **can dispose** as he pleases of the hand of his daughter without asking her consent whatever her age may be, provided she is still a virgin although it is commendable to consult her as to her future husband.		Material
653.	as	he **pleases** of the hand of his daughter without asking her consent whatever her age may be,		Verbal
654.		**provided** she is still a virgin		Material
655.		she **is** still a virgin		Relational (Attributive)
656.	although	it **is** commendable to consult her as to her future husband.		Relational (Attributive)
657.		Although this legal position **was adopted** in the case of Syed Abdullah Al-Shatiri v Shariffa Salamah [1959 MLJ 137] where the Shariah Appeal Board decided that where a virgin girl is given in marriage by her father, her consent is not essential to the validity of the marriage, this is no longer the legal position today.		Material
658.	where	the Shariah Appeal Board **decided** that where a virgin girl is given in marriage by her father, her consent is not essential to the validity of the marriage, this is no longer the legal position today.		Material
659.	that where	a virgin girl **is given** in marriage by her father,		Material
660.		her consent **is not** essential to the validity of the marriage,		Relational (Identifying)
661.		this **is** no longer the legal position today.		Relational (Identifying)
662.		The law on wali in Singapore **also departs** from the Family Law Enactments of several Malaysian states such as Kelantan, Kedah and Melaka in which provisions to the effect that a daughter can be married off without her consent if the prospective husband is not hostile to her, is of the same status as her (kufu) and is able to pay her a reasonable marriage gift (mahr), have remained.		Material

663.		that a daughter **can be married** off without her consent if the prospective husband is not hostile to her, is of the same status as her (kufu) and is able to pay her a reasonable marriage gift (mahr), have remained.		Material
664.	if	the prospective husband **is no**t hostile to her,		Relational (Identifying
665.		is of the same status as her (kufu)	the prospective husband	Relational (Identifying
666.	and	**is** able to pay her a reasonable marriage gift (mahr),	the prospective husband	Relational (Identifying)
667.		**have remained.**		Relational (Attributive)
668.		This being the case, it **cannot serve** as a convincing ground for the reservation.		Material
669.		Existing provisions on the power and role of the wali **reflect** the transition of marriage from one based on traditional communal norms to an institution that gives greater recognition to the rights of the individual in marriage.		Relational (Identifying)
670.		that **gives** greater recognition to the rights of the individual in marriage.		Material
671.		Affirming Article16 **will help** strengthen the process of evolution of the law on wali based on values of equality and non-discrimination consistent with Islam.		Material
672.	While	the discussion above **focuses** on the examples highlighted in the submissions to CEDAW in justifying the reservation,.		Material
673.		there **exist** others that can be said to violate Article16 which may be addressed by lifting the reservation		Existential
674.		that **can be said** to violate Article16 which may be addressed by lifting the reservation		Verbal
675.		which **may be addressed** by lifting the reservation		Verbal
676.		This **will pave** the way for a more comprehensive review of the state of the Muslim law in operation		Material
677.	and	render it in conformity with the values **espoused** within its own tradition as well as CEDAW's.		Material
678.		An example not highlighted **is** the law relating to children born out of wedlock.		Relational (Identifying)
679.		The issue here **is not** the status of the child but its repercussions on the equal rights and responsibilities of the parties as parents irrespective of their marital status.		Relational (Identifying)
680.		Stemming from the problem of selective reliance on legal interpretations of the past, the law as it stands in Singapore is that the biological father of a child conceived before marriage **is not deemed** the child's legal parent.		Mental
681.		The ruling **has** repercussions on the issue of custodial rights as only a mother is recognized as the legitimate custodial parent.		Relational (Identifying)
682.	as	only a mother **is recognized** as the legitimate custodial parent.		Material

683.	While	some Muslim **states** such as India and Pakistan have long departed from this selective classical ruling, thereby deeming the child born within six months after marriage as having been born in wedlock, this is not the position here.		Verbal
684.		India and Pakistan **have long departed** from this selective classical ruling, thereby deeming the child born within six months after marriage as having been born in wedlock, this is not the position here.		Material
685.		The selective classical law **persists** despite the fact		Material
686.		that paternity **can be proven** with greater certainty given advancements in scientific knowledge.		Material
687.		The issue of maintenance of the child however does not pose a problem as the matter comes under the purview of civil law **regulated** by the Charter but applicable to Muslims.		Material
688.		Under the provisions of the Charter, a father **is legally obliged** to maintain his child even		Material
689.	if	the child **is** illegitimate.		Relational (Attributive)
690.		Ratifying CEDAW **will provide** the avenue for a more comprehensive review of the existing limitations in the ways the Muslim law is conceived and administered.		Material
691.		the Muslim law **is conceived.**		Material
692.	and	**administered**	the Muslim law is	Material
693.		This paper **has attempted** to argue that the crux of the problem toward ratifying Articles 2 and 16 of CEDAW lie not in the nature of the Muslim law as such or in its incompatibility with the human rights convention.		Material
694.		Rather, the problem **lies** in the weight of conservatism as a dominant mode of thinking of the law.		Material
695.		This **has reinforced** anachronism and incongruence between law and actual conditions of contemporary Muslim families in significant aspects.		Material
696.	While	CEDAW offers strong potentials for revaluation and reform of the Muslim law the prevalence of the rigid mode of thought **has diminished** this prospect.		Material
697.		Consequently, vaguely **worded** reservations to CEDAW and tendency to remove the application of the Muslim law persist.		Verbal
698.		In effect, the reservation **has reinforced** the situation in which selective rulings		Material
699.	that	undermine gender equality **are condoned** while adversely curbing the opportunity to review the state of the law and provide opportunity for much needed development.		Material
700.		This paper further **maintains** that the development of progressive legal orientation grounded both in Islam's tradition and philosophy and modern knowledge that has paved the way for legal development historically must be strengthened to address the needs of contemporary Muslim families.		Material
701.	that	the development of progressive legal orientation **grounded** both in Islam's tradition and philosophy and modern knowledge		Material
702.	that	**has paved** the way for legal development historically must be strengthened to address the needs of contemporary Muslim families.		Material

703.		**must be strengthened** to address the needs of contemporary Muslim families.		Material
704.		This **is** by no means an easy task given the type of religious education that has proliferated in the Muslim world.		Relational (Identifying)
705.	that	**has proliferated** in the Muslim world.		Material
706.		As Mahmood in addressing the problem of law **reform** in India observes, "Persons who are trained in a particular system, tradition and social order, and **have spent** their lives in studying and adhering to the same, are invariably not tolerant of any alternative system, irrespective of its merits."		Material
707.		**are invariably not** tolerant of any alternative system, irrespective of its merits."		Relational (Attributive)
708.		Yet, the need for continuous engagement through rational means (not emotional or political brandishing) **cannot be abandoned** if greater inroads are to be made to improve the law.		Material
709.	if	greater inroads **are** to be made to improve the law.		Relational (Identifying)
710.		Raising awareness of the problems of the law in operation on the lives of those involved **must persist** so that existing gender imbalances, social injustice and maladjustment to contemporary needs and conditions can be better understood and addressed through legal reform.		Material
711.	so that	existing gender imbalances, social injustice and maladjustment to contemporary needs and conditions **can be** better understood and addressed through legal reform.		Relational (Attributive)
712.		Taking the back seat in not ratifying CEDAW **has not contributed** toward alleviating the problematic aspects of the Muslim law affecting women.		Material
713.		On the contrary, it **has dimmed** prospects for its review and the loss of an opportunity to reform existing loopholes and inadequacies that impact on women negatively.		Material
714.		This paper also **reveals** that while in the abstract, the policy of partial reservation based on minority rights is generally deemed positive, its actual implications may be adverse to the community's interests as a whole.		Relational (Identifying)
715.		the policy of partial reservation based on minority rights **is generally deemed** positive,		Mental
716.		its actual implications **may be** adverse to the community's interests as a whole.		Relational (Attributive)
717.		In acknowledging the rights of the minority to determine and practice its own personal laws, the state **has unwittingly compounded** the problem by relying on dominant stakeholders predisposed to conservatism with adverse repercussions on women.		Material

Material Process								
No	**Conjuction**	**Actor**	**Process**	**Goal**	**Initiator**	**Receipent**	**Scope**	**Circumstances**
718.		This paper	**examines**	Singapore's partial reservations to Articles 2 and 16 of the United Nations Convention on the Elimination of Discrimination against Women (CEDAW).				
719.		its personal law	**has *unwittingly* impeded**	the potential of reviewing and addressing significant gaps and limitations in the ways				***unwittingly***
720.	and	(the laws)	**administered**.					
721.		the policy	**reinforces**	the dominance of traditionalism in the thinking of dominant stakeholders of the law.				*More pertinently*
722.		Taking the standpoint that the values of equality and non-discrimination on the basis of gender	**espoused**		by CEDAW			
723.		this paper	**maintains**	that ratifying the relevant Articles of CEDAW will strengthen the process of the development of the Muslim personal law and address essentialist presumptions of the law.				

724.	that		**ratifying**	the relevant Articles of CEDAW will strengthen the process of the development of the Muslim personal law and address essentialist presumptions of the law.				
725.			**will strengthen**	the process of the development of the Muslim personal law				
726.		This perspective	**departs**	from the dominant discourse on the Muslim law and CEDAW which is framed in terms of conflict and polarity between the law and human rights, religious law and women's rights, and universal values versus cultural relativism.				
727.	which		**is framed**	in terms of conflict and polarity between the law and human rights, religious law and women's rights, and universal values versus cultural relativism.				
728.		Muslims in Singapore	**constitute**	a substantial minority of about 15% of the state's multiethnic, multi-religious population.				
729.		This arrangement	**has persisted**	since the colonial period during which the personal laws of the plural				

				inhabitants of the colony became confined in their application largely to the domain of the family.				
730.	while	the religious and customary laws of the other plural communities	**were abolished.**					
731.		non-Muslims in Singapore	**are governed**		by the Women's Charter of 1960			Under the existing dual legal system of family law,
732.	but		**does not codify**	it.				
733.		What constitutes the law	**is largely determined**		by legal authorities conferred with the power to administer it.			**largely**
734.	Although	the Act	**does not specifically direct**		the Shariah Court (SYC)	to apply the tenets of any particular school of law, generally,		**specifically** to apply the tenets of any particular school of law, generally,
735.	which		**is applied.**					
736.		The AMLA also	**institutionalizes**	a legal committee to provide legal opinions (fatwa) on matters of Muslim personal law.				
737.	*that*	The mode of thinking of relevant agencies on the legacy of Muslim law *that*	**has been formulated**	within concrete socio-historical contexts of the past signifies the extent to which				
738.		The AMLA	**binds**	all Muslims		.		and would presumably cease to apply only if they abjure Islam
739.	that		unless specifically **provided**	within the Act,				unless specifically
740.		Muslims	**cannot avail**	themselves to the common law on concurrent areas,				

				regardless of their choice,				
741.		a position	**reinforced**	by relevant statutes which excludes or exempts them from the purview of these laws.				
742.		the common law	**applies**			to Muslims as citizens of the state in all other areas.		
743.		The AMLA	**is not confined**	to provisions pertaining to the family.				
744.		Those relating to the family	**extend**	to marriages (including all matters incidental thereto), divorce and matters ancillary such as custody and maintenance of children, division of matrimonial property, consolatory gift (mutaah) and maintenance of wives.				
745.		The Act also	**administers**	declarations of inheritance and waqf (endowments).				
746.	However,	Muslims	**are not completely isolated**	from the purview of the common law and jurisdiction of the civil courts in specific areas of family law, conditioned presumably by perceived compatibility of legal principles applied by the civil courts.				**completely**
747.	and		**determined**	disputes pertaining to the maintenance of				

				Muslim wives and children as well as cases involving domestic violence.				
748.		interaction between the two legal systems	**has been extended**	with Muslim petitioners given the choice of legal forum in disputes pertaining to the division and disposition of matrimonial property and custody of children upon divorce.				Since the amendments in 1999,
749.		Muslim petitioners	**given**	the choice of legal forum in disputes pertaining to the division and disposition of matrimonial property and custody of children upon divorce.				
750.	but	conditional upon mutual consent of parties	**involved**					
751.	or		**leave**	grantedby the SYC in its absence.				
752.		The amendment	**also facilitated**	enforcement of SYC orders for these matters by the civil courts.				
753.		It	**removed**	the cumbersome procedure required for Muslim women to have the SYC order registered in a district court before it can be enforced.				
754.		the cumbersome procedure	**required**			for Muslim women to have the SYC order registered in a district court		
755.	before	it	**can be enforced.**					

756.	Since then,	Muslim women petitioners	**can commence**	enforcement proceedings				at the Family Court on husbands who have defaulted on payments without the inconvenience of additional costs and delays.
757.	who		**have defaulted**	on payments without the inconvenience of additional costs and delays.				
758.		Apart from the interaction of laws and jurisdiction, legal reasoning and principles based on the common law	**have gradually assimilated**	into the administration of Muslim law given the influence of judicial officers and practitioners at the SYC,				
759.		some of whom	**are trained**	in the common law.				
760.	While	the introduction of the colonial capitalistic economy	**had already gradually modified**	the primacy of the extended family within a complex system of rights and obligations based on traditional customary laws and mores,				**already gradually**
761.		the process of nation building after independence	**impacted**	upon the family institution more incisively.				
762.		The growing economy, rapid industrialization and the introduction of mass education for all	**induced**					far more complex social change.
763.	As	more women	**acquired**	education,				
764.			**participated**	in the workforce				

765.	and		**began**	to contribute to the public domain in various capacities,				
766.	which	it	**can be modified**					
767.	or		**changed**	to adjust to the new socio-economic condition.				
768.	that		**had persisted**	despite centuries of colonial domination.				
769.	While	other areas of the indigenous law	**had been effectively replaced**			by foreign law of the colonial powers,		
770.		family law based on a syncretic admixture of religious law and customs	**was largely preserved.**					**largely**
771.		modernization of the personal law	**involved**	codification of classical fiqh traditions.				In several Muslim states,
772.		The process	**altered**	aspects of the traditional legal methodology				
773.	and		**modified**	fiqh traditions pertaining to marriage and matters incidental as well as divorce		.		
774.	which	codification brought about improvements in these areas	**has been** strongly **contested.**					strongly
775.		Hallaq, for instance,	**maintained**					for instance,
776.	Hence,	he	**submitted**	that while the popular Muslim imagination appears to hold these remnants of Shariah to be an authentic and genuine expression of the fiqh family law,				
777.	that	this sphere of law underwent	**changes**	that has resulted in its severance from both the substance of				

		structural and foundational		classical fiqh (which in many ways were much richer than the condensed statutes) and the methodology by which fiqh had operated.				
778.	that		**has resulted**	in its severance from both the substance of classical fiqh (which in many ways were much richer than the condensed statutes)				
779.	and	the methodology by which fiqh		**had operated.**				
780.		the introduction of the AMLA in 1966	**was intertwined**	with the process of legal				In Singapore,
781.	and	institutional	**changes**	in the domain of the Muslim family law				
782.	that		**had occurred**	in large parts of the Muslim world.				
783.			largely **focused**	on administering the Muslim law.				largely
784.	that		**strengthened**	the powers and jurisdiction of the SYC				
785.	which		**had already been established**	in 1958 to hear disputes pertaining to marriage and divorce not by mutual consent.				
786.		It	**also sustained**	the arbitration process within the Court with the intent of reconciling parties where possible and safeguarding marriage against arbitrary and hasty divorce.				
787.		Mandatory registrations of	**were more effectively regulated**.					**more effectively**

		marriage and divorce						
788.		these provisions	**proved**	effective in reducing the high incidence of divorce that had plagued the Muslim community.				In the initial period of its establishment,
789.		Provisions in the AMLA	**also attempted**	to enhance and protect the rights of women.				
790.		The Act	**accorded**	the qadi appointed, the power to solemnize a marriage in the event of objection by the guardian (wali) of the bride.				
791.		Women's rights to maintenance during marriage and after divorce and their share in matrimonial	**assets**					
792.	and	mutaah	**were also clearly stipulated**.					**also clearly**
793.		The Act also	**regulated**	conditional divorce (cerai taqlik), divorce by judicial decree (cerai faskh) and by redemption (cerai khuluk)		for women.		
794.	Although	these legal changes among many others	**were intended**	to strengthen the institution of marriage and the rights of parties upon divorce				
795.		Such an approach occurs extensively in the writings of some Orientalist scholars who generally	**subscribe**	to the essentialist notion that Islamic law being inherently unchanging, fossilized and immutable, the very nature of the law itself impedes change and reform.				Generally, extensively

796.	that	legal reform	**cannot take place**	unless the law itself is eradicated and replaced.				
797.	unless	the law itself	**is eradicated**					
798.	and		**replaced.**					
799.		This a-historical and a-sociological approach	**deflects**	attention from concrete social factors that impede the process of legal transition to modernization.				
800.	that		**impede**	the process of legal transition to modernization.				
801.		Examining the mode of thinking of dominant groups in the realm of the Muslim law and the extent it compounds the problem of ideological lag amidst the challenge of social change,	**provides**	a trajectory				
802.	that		**departs**	from reductive and essentialist understanding of the Muslim law.				
803.		much in the same way as the Qur'an and other inspired traditions	**are regarded**					
804.	*which*	a mirror image of the Orientalist style of thought which	**reduces**	the Muslim law to an abstract bundle of rules				
805.	that		**are divorced**	from specific socio-historical contexts and				

				practical considerations that have conditioned its emergence.				
806.	and	practical considerations that	**have conditioned**	its emergence.				
807.		In traditionalism, the Muslim law	**is cherished**	as unchanging and immutable despite the diversity of legal opinions within the tradition formulated on the basis of rationality and systematic methodology.				
808.		Revaluation and reform of the law	**are regarded**	with strong ambivalence, akin to challenging the word of God and the traditions of the Prophet Muhammad		.		
809.		This mode of thought	**cuts**	across ideological dimensions				
810.	and	its politicization	**can seriously compound**	the problems of legal development.				**seriously**
811.		No attempt	**is made**	at discerning between meaningful and relevant tradition from those				that are obsolete on the basis of principles, nor are historically specific legal formulations distinguished from the eternal, universal and absolute values that underlie them.
812.		Dogmatism in clinging to selective traditions at the expense of others,	**overrides**	emphasis on improving human lives in concrete terms.				

813.		This mode of thought	**compounds**	the problem of persistence of lag in legal adjustment to the demands of social change with adverse implications on women and the family generally.				
814.	Though	some aspects of the law	**have been adjusted**.					
815.	and		**changed**	in tandem with changing conditions,				
816.	Furthermore,	they	generally **pertain**	to administration of the law rather than the substantive law.				generally
817.		the foundation for legal reform	**has largely been drawn**			from the Muslim religious tradition.		Historically, l**argely**
818.	However,		**sealed**	from other cultural influences within the interconnected global milieu in which they exist,				not hermeneutically
819.		Muslims	**have also assimilated**	a diversity of ideas and influences in the process of development.				
820.	that		**extend**	beyond the Muslim cultures and tradition per se.				
821.	For instance,	contemporary unprecedented developments in human rights agenda	**have impacted**	on the language and framework of discourse pertaining to Muslim women and the law.				
822.		Ziba Mir-Hosseini, in her study on the struggle for women's rights in the context of post-revolution Iran	**observed**	that while there have been strong efforts by some prominent religious scholars at endorsing universal values of justice and gender equality rooted in the Islamic				

				tradition, noticeable shifts toward conceiving the issue as one premised on rights have taken place.				
823.		Such shifts, according to another scholar signify	**attempts**	at reconciling and adapting Islamic values with the "universal", "legitimate" and "socially just" discourse on human rights.				
824.		the rights movement	**has been accompanied**		by the establishment of universal rights instruments and legal frameworks at the level of individual member states.			Spurred by the west around the end of the Cold War and accelerated by development of the social media,
825.			**described**	as an international bill of rights for women which was adopted by the General Assembly on 18 December 1979 and came into force in 1981.				sometimes
826.	which		**was adopted**		by the General Assembly on 18 December 1979			
827.	and		**came**	into force in 1981.				
828.		It also	**sets** up	an agenda to end such discrimination not by simply adopting a formal equality approach but compels by way of Article 2, signatory states to undertake, as a matter of urgency, measures that will ensure equality of				

				opportunity and equality of access to those opportunities.				
829.	*that*	measures	**will ensure**	equality of opportunity and equality of access to those opportunities.				
830.		The provisions	**are expected**	to apply universally to all states that are parties to the Convention, irrespective of their cultural and religious diversity.				
831.		It	**has been observed**	that CEDAW has contributed significantly to improving rights of women in various legal systems.				
832.	that	CEDAW	**has contributed** *significantly*	to improving rights of women in various legal systems.				*significantly*
833.		Bayefsky et al.	**maintain**	to the effect that the Convention has facilitated the understanding of modern international human rights standards in general; integrated women's rights into the broader human rights context in terms of standards and implementation; and promoted domestic or national implementation efforts.				
834.	that	the Convention	**has facilitated**	the understanding of modern international				

				human rights standards in general;				
835.			**integrated**	women's rights into the broader human rights context in terms of standards and implementation;				
836.	and		**promoted**	domestic or national implementation efforts**.**				
837.		CEDAW	**has provided**	women in various signatory states with a powerful advocacy tool in drafting constitutions, judicial decision-making, and formulating national laws and government policies.				At the national level,
838.		The process of reporting to CEDAW's Committee	**has also been found**	to have empowered women's groups at the national level in numerous concrete instances in countries such as Zimbabwe, Croatia, Mauritius, Bangladesh and the Philippines.				
839.	While	the process	**has undoubtedly taken**	place				**undoubtedly**
840.		CEDAW with its focus on the centrality of women's rights	**can strengthen**	it.				
841.	Although	a signatory to this Convention, Singapore	**had initially entered**	a blanket reservation to Articles 2 and 16.				**initially**
842.		this reservation	**was lifted**					In 2011,
843.	and	a partial one	**adopted** *specifically*	to Article16 1(a), (c) and (h) and 16 (2).				*specifically*
844.		the ratifying state	**will not implement**	that particular provision, thereby				

				limiting the extent of acceptance of the convention.				
845.		The reservation	**took**	into consideration the views of members of the key Muslim institutions, namely the Religious Council (MUIS), the SYC, Registry of Muslim Marriages as well as other Muslim civic organizations.				
846.		they	**include**	the right of a husband to terminate his marriage unilaterally (talaq) unlike a wife who is required to prove a ground for divorce; a husband's right to polygamy albeit subject to several restrictions; the requirement of a wali/guardian for marriage only for the bride and the legal obligation of a husband to maintain the family.				More specifically,
847.	*who*	a wife *who*	**is required**	to prove a ground for divorce;				
848.		Muslim inheritance laws	**were also highlighted**	for justification on CEDAW as it stipulates that a woman's share in division and distribution of property is half that of a man.				
849.	as	it	**stipulates**	that a woman's share in division and				

				distribution of property is half that of a man.				
850.		These laws	**were highlighted**	in the Shadow Report of the Association of Women for Action and Research (AWARE), a major local non-governmental organization that has actively advocated for lifting the blanket reservation to CEDAW.				
851.	that		has **actively advocated**	for lifting the blanket reservation to CEDAW.				
852.		the government	**maintained**	that while it is committed to an ongoing review process to meet the needs of a changing population, it respects the rights of the Muslim minority community to practice its religious laws.				In explicating its policy,
853.	that while	it	**is committed**	to an ongoing review process to meet the needs of a changing population,				
854.		the Republic of Singapore	**reserves**	the right not to apply the provisions of Articles 2 and 16 where compliance with these provisions would be contrary to their religious and personal laws.				In the context of Singapore's multi-racial and multi-religious society and the need to respect the freedom of minorities to practice their

								religious and personal laws,
855.		It further	**added**	that this is deemed necessary to maintain the delicate balance of Singapore's multi-religious society.				
856.		It	**has been noted**	that it is largely the Muslim countries that have entered the "most explicit and all-encompassing reservations" to the Convention based on the premise that Article16 or parts of it, contradicts religious law that regulates family relationship.				
857.	that		**have entered**	the "most explicit and all-encompassing reservations" to the Convention based on the premise that Article16 or parts of it, contradicts religious law that regulates family relationship.				
858.	*that*	it	**contradicts**	religious law on family relationships for Muslims and that full compliance with the Convention would mean major changes		to the existing family law.		Malaysia, Singapore's neighbor, for instance, reserves Article16 on the same premise,
859.		It	**is maintained**	that unlike Article16 which emphasizes equal rights and obligations of wives and husbands within marriage and the				

				family, Shariah law regulates family relationships on the basis of responsibilities or duties of parties in marriage in which the women's role is deemed not equal but complementary to men.				
860.		Shariah law	**regulates**	family relationships on the basis of responsibilities or duties of parties in marriage in which the women's role is deemed not equal but complementary to men.				
861.		The general reservation adopted by Muslim states,	**could have influenced**	the views of Singapore's Muslim elite and in turn the government's cautionary approach toward not ratifying unreservedly the relevant Articles.				
862.		The general reservation	**adopted**			by Muslim states,		
863.		Reservations to CEDAW, including Article16,	**have been objected**	to as defeating its fundamental object and purpose which is to compel state parties to abolish discriminatory laws and policies against women.				
864.	but		**avoids**	changing its law comprehensively,				comprehensively
865.		It	**overlooks**	consideration for the complexity of				

				competing understanding within the Muslim legal tradition and contemporary society on the areas of law deemed incompatible with equal rights espoused by CEDAW highlighted above.				
866.	Although	it	**does not disagree**	with the objectives of the Convention,				
867.		it	**favors**	the Muslim law in operation without considering the need for explication and engagement on how the law safeguards against discrimination and promotes gender equality ,				
868.		values	**espoused** both			by Islam and the Convention.		
869.		It	**leans**	toward upholding the selected laws as sacrosanct and absolute without ample discussion on the basis of common principles espoused both by		CEDAW and Islam even in the face of challenge of gender discriminatory elements in the law.		
870.		the discourse	**is characterized**	as one of dichotomy, incompatibility or conflict between Shariah law and the relevant sub-sections of Article16.				Generally,
871.	that		**can pave**	the way for how such efforts can be carried out without compromising Islamic values and traditions				

				and the principles of equality and non-discrimination espoused in Article16.				
872.		The position and approach	**taken**			by both the stakeholders of the law		
873.	and	the Convention	**do not alleviate**	the apparent dichotomy.				
874.		The problem	**is not isolated**	from wider debates on Islam and human rights in general.				
875.	As	Mayer	**aptly observes**,	"Many theoretical visions of Islam and human rights presume both sides are rigid and fixed entities."				**aptly**
876.		"Many theoretical visions of Islam and human rights	**presume**	both sides are rigid and fixed entities."				
877.	Likewise,	perspectives on human rights	**change**	over time.				on the other side,
878.		The problem	**is compounded**	by the lack of awareness of, and inadequate consideration for competing and progressive elements as a platform for revising the law,				
879.			**aggravated**	by attitudes toward Islam that overall, mar genuine and objective negotiation.				
880.		the potential for legal change	**is adversely impeded**.					Consequently, **adversely**
881.	and		**derives**	the validity of its precepts and norms from its own sources.				
882.	that		**takes**	into serious consideration variety of thought				

883.		reservations that have typified Muslims' responses to CEDAW on the one hand and essentialist notions of the Muslim law as incompatible with equal rights on the other hand	**will persist.**					In its absence,
884.		The debates on polygamy	**highlighted**	as the basis for reservation to Article16 illustrate the problem.				
885.	which		must **exclude**	polygamy regardless of circumstances.				
886.	and		**reinforces**	such a presumption.				
887.	and		**create**	doubts over the universality of principles advocated.				
888.	that		**thwarts**	particular cultural or religious beliefs.				
889.	that	the meaning	**given**	to principles of the Convention threatens their right of worship				
890.	and		**practice**	of their religious beliefs and convictions.				
891.		It	**has also been challenged**	as promoting a radical Western agenda, rejected by many within the West itself, as perpetuating a form of "cultural colonialism".				
892.			**rejected**		by many within the West itself, as perpetuating a			

					form of “cultural colonialism”.			
893.	because	any attempt to eradicate polygamy	**will likely invite**	backlash from various elements, in particular conservative groups who subscribe to the view of the law’s immutability.				
894.		Polygamy	**has been banned**	only in Tunisia.				
895.		Tunisia’s law	**lie**	not only on the moral rider in verse 3:127 of the Koran which states to the effect that if a person was afraid that he could not do justice to co-wives then he must marry only one, but also on the additional comment in Verse 4:129 that “you will never be able to do justice to women no matter how much you desire”.				
896.	that	he	**could not do**	justice to co-wives				
897.	then	he	**must marry**	only one,				
898.		the first rider	**is used**	as the basis of law interpreted on two levels: a legal level				
899.	where	limited polygamy	**is allowed**					and a moral level toward
900.		This approach	**stands**	in between two minority positions; the first which regards polygamy as completely a matter of the private judgment of the individual				
901.	and	the other which	**gives**	legal import to the riders				

902.	and		**dismisses**	the latitude given to the permission clause.				
903.		Its negligible occurrence	**could have been induced**	by several factors, not excluding contemporary conceptions and expectations of marriage as a partnership, pragmatic considerations,				
904.		the effectiveness in which the institution		**is administered**				and other relevant factors.
905.	Despite this,	it	**is not banned**	for the reasons explained above.				
906.	and		**will not adversely affect**	the families and that the existing wife consents to the marriage.				
907.		Impediments to registration of polygamous marriages	**contracted**	outside Singapore				
908.	and	difficulties of proof	**may also account**					for its negligible incidence.
909.	and	the Muslim law, how her rights are compromised in situations that depart from these,	**has not been given due consideration.**					
910.	if	a wife	**chooses**	to remain in a polygamous marriage				For example,
911.	or if	a woman	**decides**	to enter into one based on the same ground of freedom of choice, how in these instances can it be said that she is discriminated against or denied of her rights to or within marriage?				

912.			**prohibiting**			her of that choice to do so discriminate against her instead?		Would not
913.		This	**is**	a pertinent issue which has hardly been addressed in debates on CEDAW.				
914.		The problem	**is compounded**		by the tendency to presume that the term "same rights" must be read as subjecting husbands and wives to similar laws.			
915.	that	the term "same rights"	**must be read**	as subjecting husbands and wives to similar laws.				
916.		It	**is exacerbated**	by the pervasive unfavorable attitude toward polygamy, generally.				
917.		Without a thorough analysis of the implications of how equal rights	**are compromised**	within a given cultural milieu,				
918.		the possibility of revaluation of the law driven by ratifying CEDAW	**is dimmed.**					
919.		The perception of polygamy as incompatible with the Convention	**has deflected**	attention from more pressing problems pertaining to its administration which directly bear upon principles of non-discrimination and equality.				
920.	that		**impacts**	upon the rights and freedom of women.				directly
921.	that	her consent	**should be accorded**	overriding significance as it is the only condition which directly involves her				

				rights as a party to the marriage.				
922.		A clear precedent for this approach	**is provided**	in the Syrian law which elevates this precondition in application for polygamy.				
923.	that		**must be factored**		by judges in the interest of the individuals and their families even with the wife's consent,			
924.		the prerequisite of consent on the part of the first wife	**should not be reduced**	to secondary importance.				
925.		Ratifying CEDAW	**can spur**	discussions on how existing safeguards can be more justly administered in realizing the objectives of the Muslim law, presently non-existent.				
926.	that		also **requires**	redress				
927.	which		**could be spurred**	by lifting the reservation				
928.		This issue	**is closely intertwined**	with the principle of equality of rights and non-discrimination against women in divorce which both Islam and CEDAW enjoin.				**closely**
929.		Giving a woman the right to consent to polygamy	**must also be accompanied**		by her right to exit from it should it become unbearable to her.			
930.		the AMLA	**does not clearly recognize**	polygamy as a ground for divorce.				Currently,
931.	Although	the provision of "inequitable treatment of a	**is stipulated**	in Section 49 for divorce by judicial				

		wife in a polygamous marriage”		decree, polygamy itself is not.				
932.	that unless	a wife	**can prove**					
933.	that	she	**has not been given**	equal treatment	by her husband,			
934.	Furthermore,	the burden of proof for treatment “inequitable”	**falls**		on her.			presumably
935.	if	polygamy itself	**constitutes**	an independent ground for divorce.				
936.		these	**have not been extended**	to include polygamy.				
937.		Section 49	**has been confined**	only to cases whereby the husband is found to have been inflicted with impotency, incurable disease and insanity.				In fact based on judgment of the SYC thus far,
938.	that		**may potentially encompass**	polygamy				**may potentially**
939.		This type of divorce arises when the terms of the marriage contract	**is breached or violated**		by the husband.			
940.		A woman	**can include**	polygamy as a ground for divorce within her marriage contract, breach of which if proven in court, would operate as one talaq.				
941.	Although	such a practice	**is well recognized**	in Islamic law,				
942.	While	the Registry of Muslim Marriages	**has mandatorily included**	four conditions in every marriage certificate, violation of any of which if proven, effects as one conditional divorce, none of these				**mandatorily**

				however, includes polygamy.				
943.		there	**appears**	no cogent reason why polygamy cannot be included as part of the prenuptial contract.				Given the low level of consciousness of women of their rights in marriage and divorce generally,
944.	That	being the case, ratifying Article16	**would pave**	the way for revaluation of these limitations on the basis of the principles of equality and non-discrimination.				
945.		It	**can also provide**	an opportunity for rethinking the scope of taqlik within existing law and policy		.		
946.		taqlik	**takes**	the form of expressed conditions stipulated in the marriage certificate at the point of marriage,				
947.		this	**does not preclude**	certain implied conditions from being inferred within the agreement.				
948.	as otherwise	a wife	**will not seek**	divorce when her husband decides to take on another wife.				
949.		a presumption	**can be inferred**	from the contract that the couple intended the marriage to be monogamous.				
950.		The intention	**can also be presumed**	at the point at which the wife refuses to consent to the application of the polygamous marriage	by her husband	.		
951.	otherwise	the law	**can be administered**	to presume				

952.	that	the parties	**had intended**	the marriage as monogamous.				
953.		This presumption of an implied condition against polygamy	**would radically alter**	dominant approach in the administration of polygamy and effectively curb the practice without even tampering with the Koranic provision.				**radically**
954.	While	such an interpretation	**can be initiated**	without ratifying CEDAW,				
955.		lifting the reservation	**will provide**	the impetus for change.				
956.	that		**has been consistently invoked**	as inconsistent with Article16				**consistently**
957.		the crux of the actual problem	**lies**	in rigidity in the mode of thinking on talaq and how it is administered.				Although predominantly articulated as revealing Islamic law's incompatibility with Article16,
958.	and how	it	**is administered.**					
959.		The prevalence of this factor has resulted in a missed opportunity	**provided**		by CEDAW			to analyze and evaluate the consistency of divorce philosophy underlying the Muslim law premised on the basis of equality.
960.		underlying the Muslim law	**premised**	on the basis of equality.				
961.		the view that divorce is the prerogative of the husband who has the unfettered right to terminate his marriage without cause	**remains**	legally operative.				Despite reforms that have taken place in many Muslim societies, in Singapore,

962.	*that*	Despite reforms *that*	**have taken**	place in many Muslim societies,				
963.	whereas	a woman	**can only terminate**	her marriage even to an extremely undesirable husband by having to prove a ground in court or by persuading her husband to release her.				
964.		The continued observance of this law	**stems**	from a selective inference from the Qur'anic Verse 2.237 referring specifically to dower.				
965.			**referring**					specifically to dower.
966.		It	**validates**	the practice legally while acknowledging it to be morally abominable.				
967.		though the SYC	**is granted**	the power to examine the reasons for divorce (a measure to prevent unwarranted divorce)				Hence,
968.	so that	the talaq	**can be pronounced**	with the permission of the judge after considering the arguments of both parties,				
969.	if	it	**found**					to have been uttered clearly.
970.	which		**have vested**	the power of dissolution of marriage in the courts after hearing both sides.				
971.		...[I]n most Muslim countries the right of the Muslim husband	**has been restricted**					

972.	and	it	**is only bigoted**	fanaticism				
973.	and	the lack of social consciousness which	**leads**	the Muslim men in Singapore to claim their exclusive right in this matter.				
974.	which		**uphold**	t he necessity for equality in divorce regulation, irrespective of gender.				
975.		Most civil law systems	**permit**	divorce on grounds which are substantially common to husbands and wives.				substantially
976.	who that		**maintain**	that the view that Muslim husbands enjoy arbitrary unilateral power to inflict instant divorce does not accord with Islamic injunctions.				
977.	that	the view that Muslim husbands enjoy arbitrary instant divorce unilateral power to inflict	**does not accord**	with Islamic injunctions.				
978.	that	no reasonable husband	**will arbitrarily divorce**	his wife				**arbitrarily**
979.	and that	a husband guilty of such act	**will suffer**	severe punishment in the Hereafter.				
980.	that	the unfettered right of a man to divorce his wife without cause	**cannot be changed**					although it is morally reprehensible to do so.
981.		This reluctance	**has resulted**	in an inconsistent philosophy of divorce.				
982.	While	a husband	**can divorce**	his wife arbitrarily, the wife on the other hand must prove a ground for divorce.				

983.		the wife on the other hand	**must prove**	a ground for divorce.				
984.		The burden	**is imposed**	upon her to show cause for divorce.				
985.		The issue here	**is not forcing**	a man against his will to put up with an empty shell but the gender partiality in favoring the husband who can obtain divorce unilaterally.				
986.		who	**can obtain**	divorce unilaterally.				unilaterally
987.	While	some states	**have ensured**	that talaq must be pronounced in Court, in Singapore, this is not the case.				
988.	that	talaq	**must be pronounced**					in Court, in Singapore,
989.	Furthermore,	the introduction of a pecuniary penalty for divorce without cause in the form of monetary compensation for wives as a safeguard against abuse in some countries	**is also not found**	in the AMLA.				
990.		Ratifying CEDAW	**can spur**	the inclusion of such a law already established in the personal law codes of several Muslim states.				
991.		It	**can also pave**	the way for remedying the incongruence and anachronism of the law and its administration.				
992.		Review of the law on talaq	**cannot be approached**	in isolation from laws governing divorce as a whole.				

993.		All the nine limbs of Section 49 of the AMLA that a wife	**can claim**	as grounds for divorce, including husband's imprisonment for three years or more, chronic illness, impotency, insanity, cruelty of conduct even if it does not amount to physical illtreatment, associating with people of ill-repute, attempts at forcing one's spouse to live an immoral life, lives and cohabits with another, do not to a husband apply		.		
994.	even if	it	**does not amount**	to physical illtreatment,				
995.			**associating**	with people of ill-repute,				
996.			**attempts**	at forcing one's spouse to live an immoral life,				
997.			**do not apply**	to a husband.				
998.	which		**appears**	to be partial in favor of wives				
999.		Strong justifications	**based**	on equality and justice call for this imbalance to be addressed so that fasakh be extended to both parties regardless of gender.				
1000		Divorce or talaq being the prerogative of the husband has also rendered divorce by taqlik	**confined**	in its application only to wives.				

		(conditional divorce)						
1001		Divorce or talaq being the prerogative of the husband	**has also rendered**	divorce				
1002		taqlik	**occurs**	when a husband violates the terms of the marriage contract imposed by a wife and which he has agreed upon at the time of marriage.				In Singapore,
1003	when	a husband violates the terms of the marriage contract	**imposed**			by a wife		
1004	and which	he	**has agreed**					upon at the time of marriage.
1005		Ratifying CEDAW	**can provide**	the basis for addressing this imbalance.				
1006	which	it	**is administered.**					
1007			**causing**	physical injury to wife,				
1008			**deserting**	her for more than four months,				
1009			**causing**	damage to her personal property				
1010	and		**lowering**	her self-esteem.				
1011	if	any attempts at explicating the rationale for the mandatory	**force**	of the conditions and their selection.				
1012		the conditions	**are administered**	without enlightening women on the nature and ramifications of the prenuptial agreement nor does it empower them to vary the mandatory conditions based on their own choices.				Furthermore,

1013		This	**impairs**	their rights and role as active agencies in marriage.				
1014		the crux of the matter	**lie**	less in the conditions available to them for divorce but more with the problematic mode of thinking of the law that prescribes divorce as the prerogative of a husband without cause.				Although the conditions do provide minimum protection for wives,
1015	that		**prescribes**	divorce as the prerogative of a husband without cause.				
1016		Even the administration of khul (divorce by redemption) which is perhaps the only form of divorce that gives women equal opportunity to leave a marriage where it is no longer possible to remain in one,	**is marred**			by drawbacks that effectively undermine the balance of rights.		
1017	that		**gives**	women equal opportunity to leave a marriage the balance of rights.				
1018	that		**undermine**					effectively
1019	that	a wife	**should not be tied**	to a marriage				
1020		This form of divorce	**is recognized**	in classical Muslim law based on the approval of Prophet Muhammed who sanctioned it subject only to a wife				

				repaying her husband her marriage gift.				
1021	who		**sanctioned**	it				subject only to a wife repaying her husband her marriage gift.
1022	that		**allow**	her				to divorce subject to the payment of a sum
1023			**agreed**		by both parties			Mutually, upon
1024	or otherwise		**fixed**		by the Court.			
1025		the amount	**is usually determined**		by the marriage gift (hantaran) to the wife.			In Singapore,
1026		this opportunity for equal right to divorce	**is impaired**	by the condition				However,
1027	that	the husband	**must consent**	to the divorce despite the wife's willingness to return the marriage gift.				
1028		arbitration conducted by arbitrators (hakam) appointed by both parties to attempt to reconcile them	**is institutionalized**	only for this form of divorce.				Furthermore,
1029		the hakam	**can decree**	a divorce	by virtue of the power delegated by the parties.			Should their efforts at reconciliation fail and the husband still refuses to divorce his wife,
1030		Should their efforts at reconciliation	**fail**					
1031			**delegated**		by the parties.			
1032		a husband	**can delegate**	his right of talaq to the wife (talaq tawfid).				Alternatively
1033	though	women do *eventually* succeed	**are intertwined**	with the husband's consent.				Hence, *eventually*

		in obtaining a divorce by khul, the legal procedures involved						
1034	though	women	**do**	succeed in obtaining a divorce by khul,				*eventually*
1035		This	**undermines**	the very objective of this form of divorce which is unconditional.				
1036		Its limitations	**can be reviewed**	if Article16 is ratified.				
1037	if	Article16	**is ratified.**					
1038		Lifting the reservation	**would also provide**	an opportunity for revaluation of the administration of another form of divorce that is gender equal, i.e. divorce by mutual consent (mubaraat).				
1039		This form of divorce based on the recognition by both parties that their marriage has broken down irretrievably	**has been hailed**	as a reflection of the progressive and humane spirit of the law.				
1040	that	their marriage	**has broken**	down				irretrievably
1041		divorce by mutual consent	**has been appraised**	as a better alternative to fault-based divorce.				As family breakdowns often involve the "fault" of both parties,
1042		It also	**frees**	parties from contentious litigation process that often engenders bitterness and at times collusion against the law.				

1043	that		**often engenders**	bitterness and at times collusion against the law.				
1044		this form of divorce	**falls**	outside the jurisdiction of the SYC.				In Singapore,
1045		Authorization	**is accorded**	to the qadi to register the divorce.				
1046		divorce by mutual consent	**is popularly referred**	to as qadi divorce (cerai qadi).				Hence, **popularly**
1047	Although	it is gender equal, this type of divorce	**has been confined**	to the limited cases of divorce involving childless couples and those without a matrimonial home.				
1048		The basis for this policy	**appears**	to have stemmed from problems of lack of clarity in the jurisdiction of the SYC vis-à-vis the High Court in the matter of ancillary issues arising from such divorce prior to 1999.				
1049		The amendments to the AMLA in 1999, however,	**have clearly plugged**	the lacunae by allowing both the SYC and High Court jurisdiction over ancillary issues arising from qadi divorce subject to specified conditions.				
1050		Despite this clarification the policy	**has not been reviewed.**					
1051		Here again ratifying Article16 of CEDAW	**provides**	the potential for review of the law on this form of divorce.				
1052		Its framework	**can facilitate**	the development of a consistent philosophy of Muslim law of				

				divorce grounded in equality consonant with Islam.				
1053	and		**applied.**					
1054		This law	**is based**	on particular selection of classical legal opinion conditioned by traditional gender roles where wives were primarily homemakers and husbands, breadwinners.				
1055		women	**continue**	to be subjected to laws grounded in traditional gender roles.				Despite the changing social reality,
1056	While	a woman's role	**cannot be generally reduced**	to homemaking today,				
1057		it	**continues**	to underlie the rationale for rejecting Article16.				
1058		CEDAW	**provides**	the prospect for reviewing prevailing law				Here again
1059	in which		**shares**	apportioned to male heirs double the females.				
1060		It	**has thus been generally noted**	that the important change brought by the Koran was that it gave shares to mothers, daughters, sisters, wives and granddaughters, hitherto denied to them.				
1061	that	it	**gave**	shares to mothers, daughters, sisters, wives and granddaughters,				

				hitherto denied to them.				
1062		The Qur'an	**also warned**	that these were the "limits of God" which must not be transgressed. (Qur'an IV: 7)				
1063		Muslim jurists generally perceived that the greater share accorded to men under the inheritance law	**was directly linked**	to their responsibility to support the womenfolk.				
1064	that	the greater share	**accorded**	to men under the inheritance law				
1065		The reciprocity of mutual rights and obligations	**was based**	on strong bonds of kinship sustained by customary sanctions sufficient to compel obedience.				
1066		strong bonds of kinship	**sustained**	by customary sanctions sufficient to compel obedience.				
1067		Some Muslims	**have also argued**	that examined as a whole, women under the Muslim marriage law were accorded certain privileges as, for example, in the provision of mahr (dower) which would make up the deficiency in their share of inheritance.				
1068	that		**examined**	as a whole,				
1069		women under the Muslim marriage law	**were accorded**	certain privileges as, for example, in the provision of mahr (dower)				
1070		the system of reciprocity of	**have been impacted**	by social change.				In Singapore as with other

		rights and obligations based on kinship ties						Muslim societies generally,
1071	that	the obligation of maintaining the family today	**has fallen**	on the shoulders of both sons and daughters.				
1072		Sections 111 and 112 of the AMLA	**compel**	a Muslim to distribute his estate in accordance with the Muslim law as modified by Malay custom.				
1073		a person	**can only will away**	one-third of his estate.				Under the Muslim law within the classical Shafie School,
1074		The remaining two-thirdsmust	**go**	to his next-of-kin				
1075	and		**distributed**	among them according to fixed shares.				
1076		Customary	**practices**	compatible with the Muslim law however are commonly observed.				
1077	however		**are commonly observed.**					
1078	which	Muslims	**depart**	from distribution based on fixed shares irrespective of gender in response to changing conditions.				
1079	which	the impact of faraid	**has been tampered**					with.
1080	Even	the Religious Council	**has endorsed**	arrangements				
1081	that		**override**	the faraid.				effectively
1082		A recent fatwa by the Legal Committee of the Council that approves the right	**referred**	to as nuzriah illustrate the point.				

		of survivorship in joint tenancy agreement by way of an instrument						
1083	Though	it	**does not strictly benefit**	only the womenfolk,				
1084		it	**can be used**	as justification to sanction positively the rights of women to inherit the entire property of her husband (and vice versa).				
1085			**allows**	absolute beneficial ownership of a property to be conferred on the survivor.				Under the joint tenancy scheme the presumption of advancement which operates in the event of death,
1086		This presumption	**occurs**	with matrimonial property as they are usually purchased by spouses.				especially
1087	as	they	**are usually purchased**		by spouses.			
1088		The closeness of the relationship of joint tenants	**raises**	the presumption that the property was purchased with the understanding that should one of them dies, the other will have full ownership.				
1089		the property	**was purchased**	with the understanding that should one of them dies,				
1090		The presumption of advancement	**can be revoked**	if contestant claimants can prove that the property is intended to be held on the basis of tenants in common				

				which will entitle the survivor only a fraction, usually 50% of the interest in the property.				
1091	if	contestant claimants	**can prove**	that the property is intended to be held on the basis of tenants in common which will entitle the survivor only a fraction, usually 50% of the interest in the property.				
1092	that	the property	**is intended**	to be held on the basis of tenants in common				
1093	which		**will entitle**	the survivor only a fraction, usually 50% of the interest in the property.				
1094		It	**legitimizes**	wives inheriting the asset of their husbands				completely
1095	if	they	**are nominated**	(and vice versa) without tampering with the faraid directly.				
1096		It	**presumes**	the intent of the owner that whoever is left behind will not be subjected to hardship of having to sell the property (usually the matrimonial home) but will continue to have a roof over his/her head.				
1097	but		**will continue**	to have a roof over his/her head.				
1098	Although	these matters	**are regulated**	by the common law which applies to Muslims, the fatwa				

				nevertheless provides a strong religious basis that legitimizes the gender equal approach in the matter of estate.				
1099	which		**applies**	to Muslims,				
1100		the fatwa nevertheless	**provides**	a strong religious basis				nevertheless
1101	that		**legitimizes**	the gender equal approach in the matter of estate.				
1102		Given its conceptual and legal limitations, the necessity for rethinking the administration of the faraid if not its substance, to reflect the needs and condition of Muslims	**cannot be avoided.**					
1103	that		**underlie**	the law.				
1104		At present Section 112 of the AMLA	**merely accords**	the SYC with the power to declare the interest of the beneficiaries to the estate of the deceased in fixed shares.				
1105		The Court	**is not empowered**	to determine the facts of the case.				
1106		the division of the estate	**is fixed.**					
1107	if	CEDAW	**is endorsed.**					
1108		Endorsing CEDAW	**may allow**	for greater mobilization of resources toward raising awareness of the principles underlying the				

				Muslim law of inheritance and harnessing ideas				
1109	which	the rights of the individual	**begin**	to be infringed,				
1110			**used**	in the Koran in the context of division of shares for inheritance,				
1111		It	**is maintained**	that while it is prohibited to transgress the “limits of God”, encouragement is given to move toward the opposite direction in granting generously beyond the minimum incumbent by law.				
1112	that while	it	**is prohibited**	to transgress the “limits of God”,				
1113		encouragement	**is given**	to move toward the opposite direction in granting generously beyond the minimum incumbent by law.				
1114		Efforts at reviewing the underlying principles of inheritance law in relation to socio-historical contexts	**have been undertaken**		by prominent Indonesian scholars.			
1115		Hazairin, for instance,	**spearheaded**	attempts in Indonesia at interpreting Islamic inheritance law to reflect the bilateral kinship structure and needs of Indonesian society.				In the late 1950s and 1960s,
1116		Based on the premise that certain passages in	**are not fixed**					

		the Qur'an relating to inheritance						
1117		that division and distribution of shares	**can vary**	without compromising the principle of social justice espoused by the law.				
1118		he	**introduced**	legal concepts				With this conviction,
1119	that		**facilitated**	equal division even across generational lines.				
1120		His ideas	**took**	a new lease of life in the 1980s with the agenda of re-actualization of Islamic teachings proposed by leaders such as Munawir Sjadzali				
1121		Sjadzali	**maintained**	that without compromising the eternal principle underlying the law,				
1122		the division	**can vary**	under specific conditions.				
1123		The idea found support among prominent members of the legal establishment, including former Supreme Court Judge, Yahya Harahap who not only proposed for half share as the minimum limit, but also maintained that the minimum limit	**should circumstances**	warrant.				

		should be allowed to vary to permit greater share for women						
1124	*who*	Yahya Harahap *who*	**not only proposed**	for half share as the minimum limit,				
1125	but also		**maintained**	that the minimum limit should be allowed to vary to permit greater share for women				
1126	that	the minimum limit	**should be allowed**	to vary to permit greater share for women				
1127		The potential for engagement of these thoughts which have long been debated	**may be further developed**	if CEDAW is ratified.				
1128	if	CEDAW	**is ratified**.					
1129	Yet *that*	another example *that*	**has been highlighted**	as ground for reservation to CEDAW				
1130	that although	a wali	**is required**	for a bride to be married off,				
1131	if	he	**objects**	to the marriage.				
1132		a qadi	**can be appointed**	to do so instead.				
1133		The role of the qadi	**is confined**	to ensuring				
1134		the law	**has departed**	from classical fiqh tradition in which the wali in some cases had significant powers in determining who his ward should marry		.		Clearly,
1135	who	his ward	**should marry.**					
1136	however,	It	**must be added**,	however, that even in those days while guardianship vested in males, this did not				

				merely reflect the power of patriarchy.				
1137	that even *while*	in those days *while* guardianship	**vested**	in males,				
1138		The guardian	**also represented**	the complex of interests of the family,				
1139		a father	**can dispose**	as he pleases of the hand of his daughter without asking her consent whatever her age may be, provided she is still a virgin although it is commendable to consult her as to her future husband.				
1140			**provided**	she is still a virgin				
1141	Although	this legal position	**was adopted**	in the case of Syed Abdullah Al-Shatiri v Shariffa Salamah [1959 MLJ 137] where the Shariah Appeal Board decided that where a virgin girl is given in marriage by her father, her consent is not essential to the validity of the marriage, this is no longer the legal position today.				
1142	where	the Shariah Appeal Board	**decided**	that where a virgin girl is given in marriage by her father, her consent is not essential to the validity of the marriage, this is no longer the legal position today.				

1143	that where	a virgin girl	**is given**	in marriage	by her father,			
1144		The law on wali in Singapore	**also departs**	Enactments of several Malaysian states such as Kelantan, Kedah and Melaka in which provisions to the effect that a daughter can be married off without her consent if the prospective husband is not hostile to her, is of the same status as her (kufu) and is able to pay her a reasonable marriage gift (mahr), have remained.		from the Family Law		
1145	that	a daughter	**can be married**	off without her consent if the prospective husband is not hostile to her, is of the same status as her (kufu) and is able to pay her a reasonable marriage gift (mahr), have remained.				
1146	that		**gives**	greater recognition to the rights of the individual in marriage.				
1147		Affirming Article16	**will help**	strengthen the process of evolution of the law on wali based on values of equality and non-discrimination consistent with Islam.				
1148	While	the discussion above	**focuses**	on the examples highlighted in the submissions to CEDAW in justifying the reservation,.				

1149		This	**will pave**	the way for a more comprehensive review of the state of the Muslim law in operation				
1150	and	render it in conformity with the values	**espoused**	within its own tradition as well as CEDAW's.				
1151	as	only a mother	**is recognized**	as the legitimate custodial parent.				
1152		India and Pakistan	**have long departed**	from this selective classical ruling, thereby deeming the child born within six months after marriage as having been born in wedlock, this is not the position here.				
1153		The selective classical law	**persists**	despite the fact				
1154	that	paternity	**can be proven**	with greater certainty given advancements in scientific knowledge.				
1155		The issue of maintenance of the child however does not pose a problem as the matter comes under the purview of civil law	**regulated**		by the Charter but applicable to Muslims.			
1156		a father	**is legally obliged**	to maintain his child even				Under the provisions of the Charter, **legally**
1157		Ratifying CEDAW	**will provide**	the avenue for a more comprehensive review of the existing		Muslim law is conceived and administered.		

				limitations in the ways the				
1158		the Muslim law	**is conceived.**					
1159	and		**administered**					
1160		This paper	**has attempted**	to argue that the crux of the problem toward ratifying Articles 2 and 16 of CEDAW lie not in the nature of the Muslim law as such or in its incompatibility with the human rights convention.				
1161	Rather,	the problem	**lies**	in the weight of conservatism as a dominant mode of thinking of the law.				
1162		This	**has reinforced**	anachronism and incongruence between law and actual conditions of contemporary Muslim families in significant aspects.				
1163	While	CEDAW offers strong potentials for revaluation and reform of the Muslim law the prevalence of the rigid mode of thought	**has diminished**	this prospect.				
1164		the reservation	**has reinforced**	the situation in which selective rulings				In effect,
1165	that	undermine gender equality	**are condoned**	while adversely curbing the opportunity to review the state of the law and provide opportunity for much needed development.				

1166		This paper further	**maintains**	that the development of progressive legal orientation grounded both in Islam's tradition and philosophy and modern knowledge that has paved the way for legal development historically must be strengthened to address the needs of contemporary Muslim families.				
1167	that	the development of progressive legal orientation	**grounded**	both in Islam's tradition and philosophy and modern knowledge				
1168	that		**has paved**	the way for legal development historically must be strengthened to address the needs of contemporary Muslim families.				
1169			**must be strengthened**	to address the needs of contemporary Muslim families		.		
1170	that		**has proliferated**					in the Muslim world.
1171	As	Mahmood in addressing the problem of law	**reform**	in India observes, "Persons who are trained in a particular system, tradition and social order,				
1172	and		**have spent**	their lives in studying and adhering to the same, are invariably not tolerant of any alternative system, irrespective of its merits."				

1173	Yet,	the need for continuous engagement through rational means (not emotional or political brandishing)	**cannot be abandoned**	if greater inroads are to be made to improve the law.				
1174								
1175		Raising awareness of the problems of the law in operation on the lives of those involved	**must persist**	so that existing gender imbalances, social injustice and maladjustment to contemporary needs and conditions can be better understood and addressed through legal reform.				
1176		Taking the back seat in not ratifying CEDAW	**has not contributed**	toward alleviating the problematic aspects of the Muslim law affecting women.				
1177		it	**has dimmed**	prospects for its review and the loss of an opportunity to reform existing loopholes and inadequacies that impact on women negatively.				On the contrary,
1178		the state	**has unwittingly compounded**	the problem by relying on dominant stakeholders predisposed to conservatism with adverse repercussions on women.				In acknowledging the rights of the minority to determine and practice its own personal laws,

Verbal Process								
No	**Conjuction**	**Sayer**	**Process**	**Receiver**	**Quoted**	**Reported**	**Verbiage**	**Circumstances**
1179.		It	**contends**					
1180.	that	the reservations	**justified**			on the basis of protecting the rights of the Muslim minority community to practice		
1181.	and		**address**			essentialist presumptions of the law.		
1182.		he	**asserted**					
1183.		the AMLA	**introduced**			provisions		In the effort of the lawmakers to buttress Muslim marriages,
1184.	Furthermore,	stringent administrative measures	**were introduced**			to curb the practice of polygamy.		
1185.		signatory	**states**			to undertake, as a matter of urgency, measures that will ensure equality of opportunity and equality of access to those opportunities.		
1186.		CEDAW	**offers**			a framework and impetus for further reforms of the Muslim personal law in operation in Singapore.		
1187.		Its statement on the reservation	**was conveyed**		as follows:			

					In the context of Singapore's multi-racial and multi-religious society and the need to respect the freedom of minorities to practice their religious and personal laws, the Republic of Singapore reserves the right not to apply the provisions of Articles 2 and 16 where compliance with these provisions would be contrary to their religious and personal laws.			
1188.		The difference	**has been articulated**			as Shariah law prescribing a "separate but equal" approach.		
1189.	When	a state	**purports**			to accept its obligations but avoids changing its law		comprehensively,
1190.		the CEDAW Committee	**has conveyed**			its serious concern to the Singapore counterparts on the validity of religious-based reservations toward fulfilling the fundamental objectives of the Convention.		Hence,
1191.	*that*	It	**is contended**			*that* the mode of thought on the		

						Muslim law underlying the reservation reveals the traits of traditionalism or conservatism.		
1192.		The reservation also	**promotes**			an intransigent position.		
1193.		It	**also called**			upon the government to allow Muslims the freedom of choice of law.		
1194.	Although	it	**urged**			for reform of the Muslim law,		
1195.	As	Naim	**warned**,		"it is difficult to establish universal standards across cultural boundaries as each tradition has its own internal frame of reference and derives the validity of its precepts and norms from its own sources.			
1196.		They	**reveal**			the assumption of a fixed meaning ascribed to the term "same rights" used in Article16 which must exclude polygamy regardless of circumstances.		
1197.		Voices of dissent by various religious groups within American	**reveal**			the perception		

		society, for instance,						
1198.	If	the reservation is to be lifted, the real challenge	**must lie**			in how polygamy is to be understood and administered without compromising the principles enshrined both in Article16 as well as the Muslim legal tradition.		
1199.		the justification already	**adduced**				by many state actors in Muslim countries for their reservation to Article16.	
1200.	which		**states**			to the effect		
1201.	but	also on the additional	**comment**					in Verse 4:129
1202.		It	**can be argued**			that while forcing a woman against her will either to enter into or remain in a polygamous marriage is clearly inconsistent with the principles espoused by CEDAW and the Muslim law, how her rights are compromised in situations that depart from these, has not been given due consideration.		

1203.	which		**has hardly been addressed**			in debates on CEDAW.		**hardly**
1204.	that	Shariah	**judge**s			tended to give emphasis only to a man's financial capacity to support more than one family in deciding whether or not permission should be granted.		
1205.		the law	**offers**	her		no way out of her marriage by way of judicial decree.		
1206.		it	**can be argued**				that although at present, taqlik takes the form of expressed conditions stipulated in the marriage certificate at the point of marriage, this does not preclude certain implied conditions from being inferred within the agreement.	Alternatively,
1207.	which	the wife	**refuses**					to consent to the application of the polygamous marriage by her husband.
1208.	Although		**articulated**			as revealing Islamic law's		predominantly

						incompatibility with Article16,		
1209.		The practice	**has also been condemned**	by many scholars who maintain that the view that Muslim husbands enjoy arbitrary unilateral power to inflict instant divorce does not accord with Islamic injunctions.				
1210.	and	the husband	**still refuses**			to divorce his wife,		
1211.	However,	both the law and its administration	**have not responded**			to the changing condition.		
1212.	*that*	A recent fatwa by the Legal Committee of the Council	**approves**			the right of survivorship in joint tenancy agreement		
1213.		Such inadequacies	**can be *potentially* addressed**			if CEDAW is endorsed.		***potentially***
1214.		The arguments thus far attempt to deal with problems and limitations in the administration of the Muslim law of inheritance which	**can be potentially addressed**					by lifting the reservation to Article16.
1215.	Therefore,	it	**can be said**				that on the right side of the "limits of God", the individual has full latitude of action.	
1216.		Hazairin	**mooted**	the idea				
1217.	that		**aimed**				to make Islam and its laws more responsive to contemporary and local needs of Indonesian society.	

1218.		The potential for engagement of these thoughts which	**have long been debated**					
1219.		The power and role of the wali (usually the bride's father) in marriage today	**cannot be said**				to discriminate women or sanction inequality thereby rendering it incompatible with Article16 of CEDAW.	
1220.	Where	a wali	**refuses**				to solemnize a marriage,	
1221.		The Minhaj, for instance,	**stipulates**		that: a father can dispose as he pleases of the hand of his daughter without asking her consent whatever her age may be, provided she is still a virgin although it is commendable to consult her as to her future husband.			
1222.	as	he	**pleases**					of the hand of his daughter without asking her consent whatever her age may be,
1223.	that		**can be said**				to violate Article16 which may be addressed by lifting the reservation	
1224.	which		**may be addressed**					by lifting the reservation
1225.	While	some Muslim	**states**				such as India and Pakistan have	

							long departed from this selective classical ruling, thereby deeming the child born within six months after marriage as having been born in wedlock, this is not the position here.	
1226.		vaguely	**worded**			reservations to CEDAW and tendency to remove the application of the Muslim law persist.		Consequently,

Behavioral Process				
No	**Conjuction**	**Behaver**	**Process**	
122	While	presumably such application	**can be heard**	under the ground of “harm caused to wife not amounting to physical harm” or the more general limb providing for “any other ground recognized in Muslim law”, as far as I am aware,

Existential Process				
No	**Conjuction**	**Existent**	**Process**	**Circumstances**
1228.		these	**were**	likely to have been spurred by competing group thought
1229.	that while	there	**have been strong**	efforts by some prominent religious scholars at endorsing universal values of justice and gender equality rooted in the Islamic tradition, noticeable shifts toward conceiving the issue as one premised on rights have taken place.
1230.	Furthermore,	no legal mechanism for enforcing such obligations on the part of male kin in the event of violation or neglect to provide for female kin	**exists**	within the AMLA.
1231.	Furthermore,	under the present law, no laws	**exist**	for a woman to enforce maintenance from the male beneficiaries who default.
1232.	that	there	**are**	no lawful impediments to the marriage before solemnizing the marriage.
1233.		there	**exist**	others that can be said to violate Article16 which may be addressed by lifting the reservation

Mental Process					
No	**Conjuction**	**Senser**	**Process**	**Phenomenon**	**Circumstances**
1234.	which	the laws	**are conceived**		
1235.		Disputes pertaining to inheritance	**are only heard**		in the High court.
1236.		the problem	**is perceived**	as conditioned by the prevalence of traditionalism or conservatism among dominant agencies on the Muslim law who rigidly cling to selective classical rulings as sacred and immutable,	Within this perspective,
1237.		Any change or modification to the law	**is perceived**	as a threat to its certainty and stability.	
1238.	Furthermore,	the legal contributions of others though socially beneficial	**are not deemed**	integral to the development of the Muslim law.	
1239.	Even	religious values and traditions	**are understood**	in relation to these influences that extend beyond the Muslim cultures and tradition per se.	
1240.		The major aspects of the Muslim law which Muslim stakeholders	**deemed**	inconsistent with these provisions pertain to marriage, divorce and inheritance.	
1241.		it	**respects**	the rights of the Muslim minority community to practice its religious laws.	
1242.	that	this	**is deemed**	*necessary* to maintain the delicate balance of Singapore's multi-religious society.	*necessary*
1243.	which	the women's role	**is deemed**	not equal but complementary to men.	
1244.		It	**is deemed**	to undermine the effectiveness of the instrument in addressing discrimination in the private lives and relationship of citizens.	
1245.	and	contemporary society on the areas of law	**deemed**	incompatible with equal rights espoused by CEDAW highlighted above.	

1246.		according to the author, Muslim legal traditions	**have been subjected**	to modifications and different practices and accumulating evidence reveal	On the contrary,
1247.		the reservation	**is deemed**		necessary.
1248.		how the instrument	**assumes**	a hegemony	
1249.	which	it	**is hoped**	society would move in the course of time, much like the matter of slavery.	
1250.	While	under the present administration of the law, polygamy	**is deemed**	to be allowed unless proven otherwise the law can be administered to presume that the parties had intended the marriage as monogamous.	
1251.	whenever	he	**wishes**	just by pronouncing the word divorce	
1252.		talaq pronounced outside court	**is *nevertheless* deemed**	valid	***nevertheless***
1253.		Hesitant to amend the law, the conservative	**minded**	resorts to justifications to the effect that no reasonable husband will arbitrarily divorce his wife and that a husband guilty of such act will suffer severe punishment in the Hereafter.	
1254.		The law which appears to be partial in favor of wives	**must be understood**	in the light of talaq.	
1255.	which	the Muslim law	**is understood**		
1256.		Muslim jurists	**generally perceived**		
1257.	whose	permission	**is perceived**	*as necessary* for the bride to be married off.	*as necessary*
1258.		Stemming from the problem of selective reliance on legal interpretations of the past, the law as it stands in Singapore is that the biological father of a child conceived before marriage	**is not deemed**	the child's legal parent.	
1259.		the policy of partial reservation based on minority rights	**is generally deemed**	positive,	*generally*

Relational Attributive					
No	**Conjuction**	**Carrier**	**Process**	**Attribute**	**Circumstances**
1260.			**are**	compatible with the objectives of Muslim law,	
1261.	Although	a secular state, Muslims living in Singapore	**are legally bound**	by a system of personal law based on an admixture of selected classical fiqh (traditions) and adat (customs) which regulate the Muslim family.	*constitutionally*
1262.	which	the personal laws of the plural inhabitants of the colony	**became**	confined in their application largely to the domain of the family.	
1263.	However	only the Muslims	***remain***	bound to the Muslim law	after independence,
1264.		It	**is**	pertinent to iterate that the AMLA merely administers the Muslim law in these areas	
1265.		This	**is further confined**	to a particular kind of juristic opinion within the school concerned.	
1266.		it	**is able**	to meet the needs and challenges confronting contemporary Muslim families.	
1267.	For instance,	the civil courts	**have long heard**		
1268.		This right	**is not**	automatic	however
1269.		The more recent amendment to the AMLA in 2008 which effectively recognized orders of the SYC for maintenance and mutaah (consolatory gift) as orders for maintenance under the Women's Charter	**is**	a further extension of the interaction between the two systems of laws.	
1270.		The introduction of the AMLA in Singapore in 1966	**was**	contemporaneous with modernization of Muslim family law in response to social change in the many newly independent Muslim societies in the twentieth century.	
1271.		demands for legal change congruent with the shift from traditional communal norms toward	**became**	inevitable.	

		greater expansion of freedom and rights of the individual irrespective of gender			
1272.		Muslim family law	**became**	the major site of contestations by competing groups with varying orientations and perspectives on the law and the extent to	
1273.	Though	changes to procedures and administration of the law	**were**	evident,	
1274.		The process, he asserted,	**effectively severed**	the law from its own indigenous jural system through nebulous devices.	**effectively**
1275.		this objective	**has**		yet to be fully realized.
1276.		Understanding actual impediments to achieving the objective of the law	**is**	impaired by the predominant tendency to perceive the problem as one rooted in the conflict between an eternal and fixed system of religion-based law and the demands of modern society.	
1277.	that		**are**	obsolete on the basis of principles,	
1278.	nor		**are**	historically specific legal formulations distinguished from the eternal, universal and absolute values that underlie them.	
1279.		changes	**have been**	piecemeal, lacking more comprehensive treatment.	Given the dominance of conservatism however,
1280.		The United Nations Convention on the Elimination of Discrimination against Women (CEDAW)	**is**	an example of this development.	
1281.	and		**remains**	anchored in progressive values derived from the Muslim heritage and other cultural influences,	
1282.		Such an opportunity	**is**	however seriously hampered by the dominant mode of thinking of the Muslim law.	however seriously
1283.	Thus,	for example, a husband's financial obligation toward his	**is**	**balanced**	by his unilateral right to divorce.

		wife, not reciprocated by her,			
1284.		the regime of the Convention		**is** weakened.	When a state purports to accept its obligations but avoids changing its law comprehensively,
1285.		The lack of engagement	**is**	also evident on the part of members of the UN CEDAW Committee.	
1286.		both sides	**are**	rigid and fixed entities."	
1287.		"it	**is**	difficult to establish universal standards across cultural boundaries as each tradition has its own internal frame of reference and derives the validity of its precepts and norms from its own sources.	
1288.		it	**is**	likely to do so in a negative and perhaps even a hostile and antagonistic way."	
1289.		The need for meaningful engagement that takes into serious consideration variety of thought and meanings of values within each tradition	**is**	imperative.	
1290.	that if	a person	**was**	afraid	
1291.		The occurrence of polygamy in Singapore	**is**	very low.	
1292.		Some of the regulatory factors restricting the practice include the requirement of the husband to satisfy the Registrar that there	**is**	lawful benefit	to the marriage, as, for instance, in cases where a wife is unable to conceive or is incapacitated from performing her functions as a wife; that the income and financial capacity of the husband is satisfactory and will not adversely affect the families and that the existing wife consents to the marriage.
1293.	that	the income and financial capacity of the husband	**is**	satisfactory	

1294.	in cases where	a wife	**is**	unable	to conceive or is incapacitated from performing her functions as a wife;
1295.	that while	forcing a woman against her will either to enter into or remain in a polygamous marriage	**is**	clearly inconsistent	with the principles espoused by CEDAW
1296.	While	other objective factors such as the husband's financial capacity or the element of "lawful' benefit"	**are**	nonetheless relevant indicators	that must be factored by judges in the interest of the individuals and their families even with the wife's consent, the prerequisite of consent on the part of the first wife should not be reduced to secondary importance.
1297.	that	polygamy	**is** detrimental to her interest in the sense		
1298.		This	**is**.	inevitably more onerous than	if polygamy itself constitutes an independent ground for divorce
1299.		it	**is**	uncommon	in Singapore where generally,
1300.		the level of awareness of women of prenuptial agreements	**is**	low.	
1301.		It	**is not**	unreasonable,	for instance, to presume that at the point of marriage there is an expectation that the marriage will be monogamous as otherwise a wife will not seek divorce when her husband decides to take on another wife.
1302.	that	the marriage	**will be**	monogamous	
1303.		Ahmad's attack on talaq way back in 1966	**remains**	pertinent: ...[I]n most Muslim countries the right of the Muslim husband has been restricted and it is only bigoted fanaticism and the lack of social consciousness which leads the Muslim men in Singapore to claim their exclusive right in this matter.	
1304.	although		it **is** morally reprehensible to do so.		
1305.	For instance	fasakh or divorce by judicial decree	**is**	applicable only to wives.	, at present,
1306.			which **is** unconditional.		

1307.		Another contentious aspect of the Islamic law highlighted as ground for reservation	**is**	inheritance (faraid),	
1308.		this law	**was**	an improvement for women.	Historically
1309.		the other	**will have**	full ownership.	
1310.		that	**is**	, the nuzriah.	
1311.	However,	the nuzriah, the instrument invoked to validate variations to the faraid	**is not**	free from doubt.	
1312.	However,		**can be done**	to give effect to the objectives that underlie the law.	more
1313.		the argument of a Turkish scholar on the concept of "limits of God" beyond which the rights of the individual begin to be infringed, used in the Koran in the context of division of shares for inheritance,	**is**	instructive.	In this respect,
1314.		she	**is**	still a virgin	
1315.	although	it	**is**	commendable to consult her as to her future husband.	
1316.			**have remained.**		
1317.	if	the child	**is**	illegitimate.	
1318.			**are invariably not**	tolerant of any alternative system, irrespective of its merits."	
1319.	so that	existing gender imbalances, social injustice and maladjustment to contemporary needs and conditions	**can be**	better understood and addressed through legal reform.	
1320.		its actual implications	**may be**	adverse to the community's interests as a whole.	

Relational Identifying Process					
No	**Conjuction**	**Identified**	**Clause**	**Identifier**	**Circumstances**
1321.	while	the Muslims	**are**	subject to the Administration of Muslim Law Act (AMLA) of 1966.	
1322.		it	**is**	the law of the Shafie School to which the majority of the Muslims in Singapore belong to,	
1323.		Such opinions	**may have**	the force of law if they form the basis of legal judgment by any court in Singapore.	
1324.		This	**means**		
1325.		Except in the areas *specifically*	**defined**	in the AMLA,	*specifically*
1326.		it	**was**	this domain that had persisted despite centuries of colonial domination.	After all,
1327.		slower to change	**was**	the substantive law.	
1328.	Although	its overriding justification	**was**	to strengthen the institution of marriage and the rights of parties within it, in particular rights of women, the extent to	
1329.	that	codification	**was**	part of the power dynamics of the evolving modern state rather than a teleological effort to progress toward a more sophisticated legal culture.	
1330.	that while	the popular Muslim imagination	**appears**	to hold these remnants of Shariah to be an authentic and genuine expression of the fiqh family law,	
1331.		the fact of the matter	**is**	that this sphere of law underwent structural and foundational changes that has resulted in its	

				severance from both the substance of classical fiqh (which in many ways were much richer than the condensed statutes) and the methodology by which fiqh had operated.	
1332.		the AMLA as its very title	**suggests**,		Unlike many of these codes,
1333.	that		**would reflect**	more closely contemporary social values and expectations of marriage,	
1334.		The perception strongly	**implies**	that legal reform cannot take place unless the law itself is eradicated and replaced.	
1335.		This mode of thinking of the Muslim law	**is**	in a way, a mirror image of the Orientalist style of thought which reduces the Muslim law to an abstract bundle of rules that are divorced from specific socio-historical contexts and practical considerations that have conditioned its emergence.	
1336.		It	**is**	a United Nations Rights Document, sometimes described as an international bill of rights for women which was adopted by the General Assembly on 18 December 1979 and came into force in 1981.	NOT REL IDENTIFYING
1337.		Its overriding goal	**is**	to eradicate gender-based discrimination in both the private and public spheres of women's lives.	
1338.		discrimination	**is defined**	as: any distinction, exclusion or restriction made on the basis of sex which has the	In CEDAW,

				effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)	
1339.		any distinction, exclusion or restriction	**made**	on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)	
1340.	which		**has**	the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)	
1341.	that		**are**	parties to the Convention, irrespective of their cultural and religious diversity	

1342.	*although*	A “reservation” to an Article	**means**	that *although* accepting other provisions, the ratifying state will not implement that particular provision, thereby limiting the extent of acceptance of the convention.	
1343.		Singapore’s position which implies that the Muslim personal law	**is**	incompatible with specific provisions of the Convention is not unique.	NOT IDENTIFYING PROCESS
1344.	that	it	**is**	*largely* the Muslim countries that have entered the “most explicit and all-encompassing reservations” to the Convention based on the premise that Article16 or parts of it, contradicts religious law that regulates family relationship.	*Largely* NOT IDENTIFYING PROCESS
1345.		the Convention	**would mean**	major changes to the existing family law.	NOT IDENTIFYING PROCESS
1346.		the reservation	**reveals**	the traits of traditionalism or conservatism.	
1347.	In	its concluding remarks the Committee	**expressed**	its deep concern with the preservation of the dual marriage regime that applies in Singapore and the gender discriminatory provisions that persist in the Muslim law on marriage and divorce.	
1348.	that	many Muslims	**have**	conceptions of their religious heritage and human rights as mutually reinforcing.	NOT IDENTIFYING PROCESS
1349.	When	a cultural tradition	**relates**	to other traditions and perspectives it is likely to do so in a negative and perhaps even a hostile and antagonistic way.”	NOT IDENTIFYING PROCESS

1350.	that		**have typified**	Muslims' responses to CEDAW on the one hand	
1351.	As	women	**do not have**	the right to take on more than one husband as with the case of polygamy,	NOT IDENTIFYING PROCESS
1352.		The CEDAW Committee's expressed concern with legal authorization of polygamy	**reflects**.	and reinforces such a presumption	
1353.	*which , if*	The presumption *which* entails the eradication of polygamy *if* Article16	**is**	to be ratified would likely close all doors to any possibility of ratifying the Article	
1354.		Such doubts pertaining to CEDAW	**are**	by no means confined to Muslims.	
1355.		they	**reflect**	the concerns of many other groups about how the instrument assumes a hegemony that thwarts particular cultural or religious beliefs.	In a way,
1356.	If	the reservation	**is**	to be lifted,	
1357.		This	**is**	because any attempt to eradicate polygamy will likely invite backlash from various elements, in particular conservative groups who subscribe to the view of the law's immutability.	NOT IDENTIFYING PROCESS
1358.		This	**is**	in fact the justification *already* adduced by many state actors in Muslim countries for their reservation to Article16.	*already*
1359.	that	"you	**will never be**	able to do justice to women no matter how much you desire".	NOT IDENTIFYING PROCESS
1360.		A major shortcoming in this respect	**is**	the lack of transparency in the significance accorded to conditions imposed on a husband in an application for polygamy.	

1361.		This	**is**	a matter that impacts directly upon the rights and freedom of women.	
1362.		the consent of the existing wife	**is**	one of the major preconditions for a successful polygamous marriage application, there is at present, a lack of clarity on the importance accorded to this particular factor, a problem not confined to Singapore.	For instance, although
1363.		A study on the administration of Islamic marriage laws in Malaysia	**revealed**	that Shariah judges tended to give emphasis only to a man's financial capacity to support more than one family in deciding whether or not permission should be granted.	
1364.		Equal rights for women	**can only mean**	that her consent should be accorded overriding significance as it is the only condition which directly involves her rights as a party to the marriage.	
1365.	as	it	**is**	the only condition which directly involves her rights as a party to the marriage.	
1366.	*that*	A related issue *that* also requires redress which could be spurred by lifting the reservation	**is**	the lack of comprehensiveness of existing legal remedies available to women seeking to terminate their marriages due to polygamy.	
1367.	*that*	The provision	**implies**	*that* unless a wife can prove that polygamy is detrimental to her interest in the sense that she has not been given equal treatment by her husband, the law offers her no way	

				out of her marriage by way of judicial decree.	
1368.	*that*	A form of divorce for women *that* may potentially encompass polygamy	**is**	taqlik or conditional divorce.	
1369.	*that although*	This	**means**	*that although* polygamy as a ground for conditional divorce is unwritten in the marriage contract, a presumption can be inferred from the contract that the couple intended the marriage to be monogamous.	
1370.	that although	polygamy as a ground for conditional divorce	**is unwritten**	in the marriage contract,	NOT IDENTIFYING PROCESS
1371.	*that*	Another aspect of the Muslim personal law *that* has been consistently invoked as inconsistent with Article16	**is**	the law regulating divorce (talaq).	
1372.		the view that divorce	**is**	the prerogative of the husband	
1373.	who		**has**	the unfettered right to terminate his marriage without cause	
1374.		Unlike the case of polygamy in which a woman's right of choice	**is not** *automatically* **divested**	from her,	*automatically* NOT IDENTIFYING PROCESS
1375.		talaq	**reflects**	disparity in this respect as a man is absolutely free to divorce his wife whenever he wishes just by pronouncing the word divorce whereas a woman can only terminate her marriage even to an extremely undesirable husband by having to prove a ground in court or by persuading her husband to release her.	

1376.	as	a man	**is**	*absolutely* free to divorce his wife	*absolutely* NOT IDENTIFYING PROCESS
1377.		This emphasis on formal utterance in determining the validity of talaq	**is** of dissolution of marriage in the courts after hearing both sides.	contrary to law found in many other Muslims states which have vested the power	
1378.	*which*	The law on talaq	**is**	also at odds with the law in contemporary societies *which* uphold the necessity for equality in divorce regulation, irrespective of gender.	
1379.	which		**are**	*substantially* common to husbands and wives.	*substantially*
1380.	that	Such reasoning strongly	**implies**	*that* the unfettered right of a man to divorce his wife without cause cannot be changed although it is morally reprehensible to do so.	
1381.		Extending fasakh to husbands	**must be**	a part of a comprehensive review involving the law and administration of talaq.	
1382.		It	**is**	the surest form of divorce for women at present.	
1383.		the need to extend this form of divorce to husbands	**would reflect**	recognition of equal rights of both parties.	Like fasakh,
1384.	*that*	Another limitation of taqlik *that* can be addressed	**is**	the conscribed and rigid way in which it is administered.	
1385.		the mandatory conditions limited to four	**are**	as follows: causing physical injury to wife, failure to maintain her for more than four months, deserting her for more than four months, causing damage to her personal property and lowering her self-esteem.	Printed on the marriage certificate,
1386.	where		it **is** no longer possible to remain in one,		

1387.	*that*	The principle underlying khul	**is**	*that* a wife should not be tied to a marriage that is no longer bearable to her.	
1388.	that		**is**	no longer bearable to her.	
1389.		Modifications to this tradition	**is**	evident in laws that allow her to divorce subject to the payment of a sum mutually agreed upon by both parties or otherwise fixed by the Court.	
1390.	that		**is**	gender equal, i.e. divorce by mutual consent (mubaraat).	
1391.	Although	it	**is**	gender equal,	
1392.	Yet, *that*	another example of Muslim law highlighted as inconsistent with the CEDAW Article16	**is**.	the view *that* maintenance of wives and the family is the legal obligation of husbands	
1393.	that	maintenance of wives and the family	**is**	the legal obligation of husbands.	
1394.		This example	**reflects**	another streak of conservatism in the mode in which the Muslim law is understood and applied.	
1395.	where	wives	**were**	*primarily* homemakers and husbands, breadwinners.	*primarily*
1396.		This arrangement	**does not *accurately* reflect**	the reality of Muslim families in Singapore whereby wives who are economically employed are more likely to jointly contribute to the family's maintenance though many may not be the major breadwinners of the family.	***accurately***
1397.		The situation	**reveals**	the limitation of the "separate but equal" approach used to justify perceived incompatibility between Shariah law and CEDAW.	

1398.	that		**would reflect**	*more accurately* women's roles in and their contributions to the family in the midst of social change.	*more accurately*
1399.	that	the important change brought by the Koran	**was**	that it gave shares to mothers, daughters, sisters, wives and granddaughters, hitherto denied to them.	
1400.	which		**would make up**	the deficiency in their share of inheritance.	
1401.		It	**is**	no longer uncommon that the obligation of maintaining the family today has fallen on the shoulders of both sons and daughters.	NOT IDENTIFYING PROCESS
1402.	*which*	They	**reflect**	various ways in *which* Muslims depart from distribution based on fixed shares irrespective of gender in response to changing conditions.	
1403.		Among these	**is**	the practice of varying the shares of the estate based on the mutual consent of the beneficiaries.	
1404.		Conveying all of one's assets as a gift to one's beneficiary in any proportion during one's lifetime regardless of gender	**is**	also another way in which the impact of faraid has been tampered with.	
1405.	*that*	Apart from the above	**is**	another fatwa validating Central Provident Fund (CPF) nominations through the same instrument, *that* is, the nuzriah.	
1406.		CPF funds	**have been**	*most commonly* used to purchase matrimonial property either by way of	*most commonly*

				joint tenancy or tenancy-in-common.	
1407.		the nomination	**expresses**	the clear intent of the owner of the funds that the beneficiary nominated has the sole right to inherit CPF monies.	Whatever the scheme,
1408.	that	the beneficiary nominated	**has**	the sole right to inherit CPF monies.	
1409.	that whoever		**is**	left behind will not be subjected to hardship of having to sell the property (usually the matrimonial home)	
1410.		Ratifying Article16	**will reflect**	*more accurately* the ways in which Muslims have distributed their property in reality.	*more accurately*
1411.	*that*	This	**means**	*that* irrespective of the circumstances of each case,	
1412.		More pertinent	**is**	the prospect CEDAW offers in appraising dominant understanding of the law itself.	
1413.	that		**reflect**	*more closely* corresponding social conditions.	*more closely*
1414.		the individual	**has**	full latitude of action.	
1415.	and		**reflected**	traditional social customs of Arabic society,	
1416.	Yet, *that*	another example *that* has been highlighted as ground for reservation to CEDAW	**is**	the requirement of the wali (guardian) whose permission is perceived as necessary for the bride to be married off.	
1417.		Provisions in the AMLA	**reveal**	*that although* a wali is required for a bride to be married off,	
1418.		a wali	is required	for a bride to be married off,	

1419.		he	**does not have**	the power to prevent her from marrying a person of her choice even	
1420.	which	the wali in some cases	**had**	significant powers in determining	
1421.		this	**did not merely reflect**	the power of patriarchy.	
1422.		the wider community as well as the ward as marriage	**has never been**	an exclusive affair of the couple per se even in contemporary Muslim societies.	
1423.		her consent	**is not**	essential to the validity of the marriage,	
1424.		this	**is**	no longer the legal position today.	
1425.	if	the prospective husband	**is no**t	hostile to her,	
1426.		the prospective husband	is)	of the same status as her (kufu	
1427.	and	the prospective husband	**is**	able to pay her a reasonable marriage gift (mahr),	
1428.		Existing provisions on the power and role of the wali	**reflect**	the transition of marriage from one based on traditional communal norms to an institution that gives greater recognition to the rights of the individual in marriage.	
1429.		An example not highlighted	**is**	the law relating to children born out of wedlock.	
1430.		The issue here	**is not**	the status of the child but its repercussions on the equal rights and responsibilities of the parties as parents irrespective of their marital status.	
1431.		The ruling	**has**	repercussions on the issue of custodial rights as only a mother is recognized as the legitimate custodial parent.	

1432.		This	**is**	by no means an easy task given the type of religious education that has proliferated in the Muslim world.	
1433.	if	greater inroads	**are**	to be made to improve the law.	
1434.	*that while*	This paper also	**reveals**	*that while* in the abstract, the policy of partial reservation based on minority rights is generally deemed positive, its actual implications may be adverse to the community's interests as a whole.	

Managing minorities in competitive authoritarian states: multiracialism and the hijab issue in Singapore

Walid Jumblatt Abdullah

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No.	Words, Phrases, Clause and Sentence	Appraiser	Appraising Items	Classification of Attitude			Appraised
				Affect	Judgment	Appreciation	
1.	Previously, when the state was hegemonic, its policies were determined solely by the ideologies held by its key elites.	Walid Jumblatt Abdullah	solely		✓ Social esteem; (+) (normality)		its key elites.
2.	However, as the state moves towards competitive authoritarianism with increased electoral competition, the dominant party will no longer be able to act solely based on its ideological predispositions.	Walid Jumblatt Abdullah	solely		✓ Social esteem; (+) (normality)		the dominant party
3.	However, as the state moves towards competitive authoritarianism with increased electoral competition, the dominant party will no longer be able to act solely based on its ideological predispositions.	Walid Jumblatt Abdullah	able		Social esteem (-) Capacity		the dominant party
4.	This explains why a staunch no-hijab stand was held by the state in the past, whereas in recent years, there appears to be a softening of this stance.	Walid Jumblatt Abdullah	softening			✓ (-) Valuation	a staunch no-hijab stand
5.	The uninterrupted reign of the People's Action Party (PAP) in Singapore since its independence has ensured that it dominates the socio-political landscape almost ubiquitously; the party is often equated to the state, and its ideologies are considered 'national' rather than 'party' ideologies.	Walid Jumblatt Abdullah	uninterrupted		✓ Social esteem; (+) (normality)		reign of the People's Action Party (PAP) in Singapore
6.	The uninterrupted reign of the People's Action Party (PAP) in Singapore since its independence has	Walid Jumblatt Abdullah	ubiquitously			✓ (+) Composition	the socio-political landscape

	ensured that it dominates the socio-political landscape almost ubiquitously; the party is often equated to the state, and its ideologies are considered 'national' rather than 'party' ideologies.						
7.	the party is often equated to the state, and its ideologies are considered 'national' rather than 'party' ideologies.	Walid Jumblatt Abdullah	often		✓ Social esteem; (+) normality		the party
8.	One of the governing paradigms staunchly upheld by the authoritarian state in Singapore is 'multiracialism' (K.P. Tan 2012b).	K.P. Tan	staunchly			✓ (+) Valuation	One of the governing paradigms
9.	Efforts are persistently made to convince Singaporeans to embrace the PAP's version of multiracialism.	Walid Jumblatt Abdullah	persistently		✓ Social esteem; (+) normality		
10.	I further contend that firstly, the concept of multiracialism presupposes a value-laden worldview or governing paradigm regarding race, and secondly, wariness of diversity is the main feature of the state's version of multiracialism.	Walid Jumblatt Abdullah	value			✓ (+) Valuation	the concept of multiracialism
11.	It is worth noting that any study on the ideologies of the PAP cannot but scrutinize the ideas of Lee Kuan Yew, the first prime minister of Singapore, who basically shaped the country's governing ideologies.	Walid Jumblatt Abdullah	worth			✓ (+) Valuation	any study on the ideologies of the PAP cannot but scrutinize the ideas of Lee Kuan Yew,
12.	The Singapore state has been termed an 'illiberal democracy' (Hussin Mutalib 2000).	Hussin Mutalib	illiberal			✓ (-) Valuation	democracy
13.	In spite of the presence of elections, and the room for contestations by other actors in society, the state is undoubtedly authoritarian and endeavours to remain so.	Walid Jumblatt Abdullah	undoubtedly			✓ (+) Composition;Complexity	authoritarian

14.	Though there is room for legal contestation for power, it is minimal or subdued.	Walid Jumblatt Abdullah	legal			✓ (+) Valuation	contestation for power
15.	Elections, though regular, are not completely fair due to electoral engineering measures and state control of the media.	Walid Jumblatt Abdullah	fair		✓ Social sanction; (+) propriety		Elections
16.	The substantive elements associated with a democracy such as freedoms of speech and assembly are also lacking, though not completely missing; some criticism of the ruling regime is allowed though, by and large, freedom is curtailed.	Walid Jumblatt Abdullah	completely missing			✓ (-) Composition;Balance	freedoms of speech
17.	Singapore has also been deemed to be a 'semi-democracy', whereby the incumbent regime uses elements of procedural democracy in order to suppress the substantive aspects of democracy (Case 1996).	Case	'semi-democracy'			✓ (-) Valuation	Singapore
18.	Yet things seem to be slowly but surely changing.	Walid Jumblatt Abdullah	slowly			✓ (-) Reaction;Quality)	
19.	The 2011 general election basically showed that opposition parties could effectively provide a substantial challenge to the PAP, in spite of the many barriers that the incumbent has instituted.	Walid Jumblatt Abdullah	basically			✓ (+) Valuation	The 2011 general election
20.	The 2011 general election basically showed that opposition parties could effectively provide a substantial challenge to the PAP, in spite of the many barriers that the incumbent has instituted.	Walid Jumblatt Abdullah	could		✓ Social sanction; (+) Capacity		opposition parties
21.	The 2011 general election basically showed that opposition parties could effectively provide a substantial challenge to the PAP, in spite of the many barriers that the incumbent has instituted.	Walid Jumblatt Abdullah	effectively		✓ Social sanction; (+) Propriety		opposition parties

22.	One could make the case then that Singapore is becoming a 'competitive authoritarian' regime (Levitsky and Way 2010), whereby despite the dominant position of the incumbent party, contestations to its power are real, though severely limited.	Levitsky and Way	competitive			✓ (+) Reaction;Quality)	Singapore regime
23.	While this is a useful starting point, it does not adequately account for a number of issues.	Walid Jumblatt Abdullah	useful			✓ (+) Valuation	adopting pro-Christian policies
24.	Firstly, some democratic regimes have themselves displayed less tolerance for minorities.	Walid Jumblatt Abdullah	tolerance		✓ Social sanction; (-) Veracity		some democratic regimes
25.	The French model of secularism is famous in this regard: the hijab has generated much furore and is banned from state schools.	Walid Jumblatt Abdullah	secularism			✓ (-)Valuation	The French model
26.	The French model of secularism is famous in this regard: the hijab has generated much furore and is banned from state schools.	Walid Jumblatt Abdullah	famous			✓ (+) Composition;Complexity	The French model of secularism
27.	the hijab has generated much furore and is banned from state schools.	Walid Jumblatt Abdullah	furore			✓ (+) Reaction;Impact	the hijab
28.	One could see some parallels between the French case and Turkey, where Kemalist secularism persisted even after the country democratised, and there was a strict separation of 'church' and state.	Walid Jumblatt Abdullah	secularism		Social sanction; (-) Propriety		Kemalist
29.	While a country like the United States practices a 'passive' form of secularism (Kuru 2007), Turkey and France can be said to govern via 'assertive secularism' (Grigoriadis 2009); the differences can be attributed to the different historical paths of each nation and development of understandings of its constitution.	Kuru	'passive'			✓ (-) Valuation	form of secularism

30.	Turkey and France can be said to govern via 'assertive secularism' (Grigoriadis 2009);	Grigoriadis	assertive			✓ (+) Reaction;Quality	Turkey and France
31.	Increasingly, far-right parties are gaining traction in Europe because of a perceived cultural threat posed by Muslims (Lucassen and Lubbers 2012), while in India, Muslims are routinely portrayed as a threat to the Indian way of life in a bid to shore up Indian nationalism (Roy 2004).	Lucassen and Lubbers	Increasingly			✓ (+) Reaction;Quality	far-right parties are gaining traction
32.	In Indonesia, increased competitiveness in elections has resulted in politicians courting less tolerant groups to bolster their chances of winning (Buehler 2013).	Buehler	tolerant		✓ Social esteem; (+) Tenacity		increased competitiveness in elections
33.	Thirdly, it also does not account for the variation within authoritarian regimes in their treatment of minorities as some authoritarian regimes are more benevolent than others.	Walid Jumblatt Abdullah	benevolent		✓ Social sanction; (+) propriety		their treatment of minorities as some authoritarian regimes
34.	The manner in which Shiites were treated under the Baath regime in Iraq during Saddam Hussein's reign was inexorably inhumane, and incomparable to the treatment of Chinese under the Barisan Nasional in Malaysia or the Malays in Singapore.	Walid Jumblatt Abdullah	inhumane		✓ Social esteem; (-) Tenacity		Saddam Hussein's reign
35.	How the ruling class in an authoritarian regime views diversity is a crucial factor that determines what concessions are given towards its minorities.	Walid Jumblatt Abdullah	crucial			✓ (-) Composition;Balance	How the ruling class in an authoritarian regime views diversity
36.	This ideological predisposition is primarily shaped by the elites' and nation's personal-historical experiences, and geo-political conditions.	Walid Jumblatt Abdullah	primarily		✓ Social esteem; (+) Normality		the elites' and nation's personal-historical experiences, and geo-political conditions.

37.	However, in competitive or electorally authoritarian regimes, the ruling party's popularity or electoral strength has to be considered as well;	Walid Jumblatt Abdullah	considered			✓ (+) Composition;Balance	the ruling party's popularity or electoral strength
38.	the more dominant the party is, the more it is able to act upon its ideologies, as it is more insulated from public pressure.	Walid Jumblatt Abdullah	able to		✓ Social esteem; (+) Capacity		the more dominant the party
39.	Increased electoral competition does not by any means guarantee more tolerance in policies crafted; indeed, as the examples above have shown, it could very well lead to discriminatory laws.	Walid Jumblatt Abdullah	tolerance		✓ Social sanction; (+) Propriety		policies crafted
40.	What is argued here is that increased electoral competition will render the previously dominant party unable to completely act on its ideological predispositions.	Walid Jumblatt Abdullah	dominant		✓ Social esteem; (+) Tenacity		increased electoral competition
41.	Yet unlike traditional authoritarian regimes, policies in competitive authoritarian regimes are not solely a result of elite ideologies, rather, they are dependent on the strength of the incumbent party.	Walid Jumblatt Abdullah	unlike			✓ (-) Composition;Complexity	traditional authoritarian regimes
42.	As the political scene gets more competitive, more and more concessions might have to be made in general, including to ethnic minorities, in spite of governing paradigms, so as to maximise electoral gains.	Walid Jumblatt Abdullah	competitive		✓ Social esteem; (-) Capacity		the political scene
43.	more and more concessions might have to be made in general, including to ethnic minorities, in spite of governing paradigms, so as to maximise electoral gains.	Walid Jumblatt Abdullah	might have		✓ Social sanction; (+) Propriety		maximise electoral gains.
44.	In Singapore, the Muslim minority is given special considerations in some areas.	Walid Jumblatt Abdullah	special		✓ Social esteem; (+) Normality		the Muslim minority's consideration

45.	There is a Minister of Muslim Affairs portfolio in the cabinet, which is exclusive to Islam, and the constitution stipulates that it is the duty of the state to address the concerns of Muslims in the country.	Walid Jumblatt Abdullah	exclusive		✓ Social esteem; (+) Normality		a Minister of Muslim Affairs portfolio in the cabinet,
46.	Yet at the same time, the state is reluctant to accede to some demands of the Muslim community, as the discussion on the hijab issue will show.	Walid Jumblatt Abdullah	reluctant		✓ Social esteem; (-) Capacity		the state
47.	I argue that the unwillingness to agree to the hijab demands was ultimately a result of its deep-rooted inhibitions on religious diversity, which is reflective of its adherence to 'multiracialism'.	Walid Jumblatt Abdullah	unwillingness		✓ Social esteem; (-) Capacity		agree to the hijab demands
48.	I further contend that one can expect a softening of this stance as the electoral scene becomes more competitive, in view of the rise of the opposition in Singapore,	Walid Jumblatt Abdullah	competitive		✓ Social esteem; (-) Capacity		the electoral scene
49.	and considering that the non-Muslims are rather ambivalent towards this issue and there is no significant opposition to the granting of the right to wear the hijab to Muslims.	Walid Jumblatt Abdullah	considering			✓ (+) Composition;Balance	the non-Muslims
50.	and considering that the non-Muslims are rather ambivalent towards this issue and there is no significant opposition to the granting of the right to wear the hijab to Muslims.	Walid Jumblatt Abdullah	ambivalent			✓ (-) Reaction;Impact	the non-Muslims
51.	Each ethnic group is to be treated equally and fairly, without any appearance of favoritism (Moore 2000: 344).	Moore	equally		✓ Social sanction; (+) Propriety		ethnic group's treatment
52.	Each ethnic group is to be treated equally and fairly, without any appearance of favoritism (Moore 2000: 344).	Moore	fairly		✓ Social sanction; (+) Propriety		ethnic group's treatment

53.	However, I postulate that multiracialism is more than simply a pragmatic way of governing a heterogeneous society.	Walid Jumblatt Abdullah	heterogeneous			✓ (+) Valuation	society
54.	Even though Singapore's politicians and journalists alike use the terms multiracialism and multiculturalism interchangeably, the two concepts need to be distinguished.	Walid Jumblatt Abdullah	distinguished		✓ Social esteem; (+) Capacity		the terms multiracialism and multiculturalism
55.	So while diversity is promoted, encouraged and room is given to express the very multiplicity of cultural practices under multiculturalism, multiracialism views diversity as an inherent problem, and actively seeks to control it.	Walid Jumblatt Abdullah	very multiplicity			✓ (+) Valuation	cultural practices under multiculturalism, multiracialism views diversity
56.	The lack of individual freedoms in Singapore is often attributed to the idea that allowing for uninhibited openness would easily lead to racial tensions and, at worst, conflicts and riots.	Walid Jumblatt Abdullah	often		✓ Social esteem (+) normality		The lack of individual freedoms in Singapore
57.	Hence, multiracialism itself, a key founding myth of the nation-state, is not a value-free ideology.	Walid Jumblatt Abdullah	value			✓ (+) Valuation	myth of the nation-state
58.	This signifies a purposeful attempt to depict the party as being governed by principles of rationality (Mauzy and Milne 2002: 52–3) rather than religious adherence to policies or systems that do not yield desired outcomes; adopting an approach whereby efficiency, usually defined in economic terms, becomes the end goal.	Mauzy and Milne	purposeful			✓ (+) Valuation	attempt to depict the party
59.	Chan Heng Chee (1975) described Singapore as an 'administrative state', where a technical and value-free approach to governance has ostensibly abolished politics from state decision-making processes.	Chan Heng Chee	administrative			✓ (+) Valuation	state

60.	Ultimately, success or 'what works' is defined in economic and material terms; the government's claim to legitimacy is based on delivering economic prosperity and guaranteeing racial stability, and the PAP's pragmatism is evaluated, if not justified, through these ends.	Walid Jumblatt Abdullah	prosperity			✓ (+) Reaction;Quality	economic
61.	Ultimately, success or 'what works' is defined in economic and material terms; the government's claim to legitimacy is based on delivering economic prosperity and guaranteeing racial stability, and the PAP's pragmatism is evaluated, if not justified, through these ends.	Walid Jumblatt Abdullah	stability		✓ Social esteem (+) Normality		guaranteeing racial
62.	Nevertheless, the state's handling of racial affairs show that it is not always true that pragmatic and non-ideological concerns exclusively motivate policies.	Walid Jumblatt Abdullah	always true		✓ Social sanction (-) Veracity		the state's handling of racial affairs
63.	While the state mistakenly uses both terms interchangeably, it is unambiguous in its policies of putting ethnicity in check and clearly articulates its worldview of ethnicity being a cause for concern, if not properly handled (E.K.B. Tan 2004).	E.K.B. Tan	unambiguous			✓ (+) Composition;Complexity	Terms of multiracialism and mukticulturalism
64.	Coupled with Lee's less-than-pleasant encounters with the Malay 'ultras' or supremacists when the former was a parliamentarian in the Federation, a negative impression of the volatility of race was formed and ingrained in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.	Walid Jumblatt Abdullah	negative		✓ Social sanction (-) Veracity		impression of the volatility
65.	What made the matter more complex was the inextricable association between 'Malay' and 'Muslim' in the region: not only were the clashes	Walid Jumblatt Abdullah	complex			✓ (+) Composition;Complexity	the matter

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	linked to race, religion was further scrutinised.						
66.	The survivalist mentality was ingrained into the psyches of Lee and his colleagues following separation from Malaysia (Hussin Mutalib 2011: 1165), and this contributed further to the scepticism towards religion; a state that perceives itself as being vulnerable and threatened will be wary of religions, especially those with comprehensive value systems, as they have the potential to mobilise citizens against state policies (Walid 2013: 1182).	Walid	vulnerable			✓ (+) Valuation	a state that perceives itself as being
67.	Insofar as religion is tolerated, it is only when it does not directly contradict state proclamations; and when it could help propagate state policies or strengthen the government's positions on issues, religion is even encouraged (Tamney 1996).	Tamney	tolerated		✓ Social sanction; (-) Veracity		religion
68.	Racial violence is often depicted as the inevitable outcome if a plural society is not carefully controlled, and if draconian measures are not put in place (E.K.B. Tan 2004: 77).	E.K.B. Tan	often		✓ Social esteem (+) normality		Racial violence
69.	The aforementioned 1964 clashes are also regularly highlighted.	Walid Jumblatt Abdullah	regularly		✓ Social esteem (+) normality		The aforementioned 1964 clashes
70.	The perception of ethnicity being inherently problematic is institutionalised through various state mechanisms and policies, including the education curriculum.	Walid Jumblatt Abdullah	problematic			✓ (-) Valuation	The perception of ethnicity
71.	Ethnicity and religion is constantly talked up and portrayed as a potential source of conflict.	Walid Jumblatt Abdullah	potential			✓ (+) Valuation	Ethnicity and religion's potrait

72.	The matter gets even more interesting considering that MUIS is essentially an arm of the state; it is under the direct purview of the Ministry of Culture, Community and Youth, and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.	Walid Jumblatt Abdullah	interesting			✓ (+) Reaction;Quality	The matter
73.	The matter gets even more interesting considering that MUIS is essentially an arm of the state; it is under the direct purview of the Ministry of Culture, Community and Youth, and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.	Walid Jumblatt Abdullah	considering			✓ (+) Composition;Balance	The matter
74.	Muslims have been asking the policy to be reconsidered since 1977, though the subject only garnered national attention on two occasions, in 2002, and in late 2013 to early 2014.	Walid Jumblatt Abdullah	reconsidered			✓ (+) Composition;Balance	Muslims have been asking the policy
75.	Instead of engaging the Muslim community on what was palpably a genuine concern, the state instead chose to view the incident as a direct challenge to its hitherto unbridled power.	Walid Jumblatt Abdullah	genuine			✓ (+) Valuation	the Muslim community's concern
76.	The state-controlled media continued to portray Zulfikar in a negative light, and blamed him for instigating the entire episode.	Walid Jumblatt Abdullah	negative		✓ Social sanction (-) Veracity		The state-controlled media continued to portray Zulfikar
77.	MUIS issued a statement via the Mufti, who said that 'education is more important [than the hijab]' (BBC 2012).	BBC	more important			✓ (+) Composition;Complexity	
78.	Zulfikar eventually felt compelled to leave for Australia in anticipation of the authoritarian state machinery to be used unrestrainedly against him as media attacks against him intensified (Lily Zubaidah 2009: 38).	Zulfikar	compelled	✓ (-) attributed;displeasure			Zulfikar

79.	The hijab issue then faded into the background, failing to attract mainstream attention until 2013.	Walid Jumblatt Abdullah	faded			✓ (-) Valuation	The hijab issue
80.	It must be reiterated that the PAP was electorally still highly dominant in 2002 as it had just secured one of its largest vote shares (75.3%) ever in the 2001 election.	Walid Jumblatt Abdullah	reiterated			✓ (+) Reaction;Impact	
81.	The PAP's willingness to be heavy-handed in this episode, I argue, was motivated by the elites' worldview on ethnicity, and enabled by its commanding political position.	Walid Jumblatt Abdullah	motivated			✓ (+) Reaction;Quality	The PAP's willingness to be heavy-handed in this episode
82.	These were done organically, without any particular organisation or individual spearheading the efforts.	Walid Jumblatt Abdullah	organically			✓ (+) Valuation	
83.	Sentiments were running high, as evinced from the vitriolic nature of some of the comments made online.	Walid Jumblatt Abdullah	vitriolic			✓ (-) Reaction;Impact	Sentiments
84.	This occurred in a climate where dissent towards the government was not only possible due to the proliferation of social media and the internet which severely undermined the state's grip on information via traditional media, but also widespread due to discontentment over perceived state failures in general, such as over-congestion in public transport and rising levels of income inequalities.	Walid Jumblatt Abdullah	undermined			✓ (-) Reaction;Impact	This occurred in a climate where dissent towards the government was not only possible due to the proliferation of social media and the internet
85.	This solely virtual movement drew a response from the cabinet; the Deputy Prime Minister, Teo Chee Hean issued an ambiguous statement, asserting the need for Singapore to maintain 'social harmony' (R. Chan 2013), without making a commitment on the hijab policy itself.	R. Chan	solely		✓ Social esteem; (+) (normality)		virtual movement

86.	As a show of support for the movement, many changed their Facebook profile picture to one that was designed specifically for the cause: a silhouette of a female wearing the hijab which bore the colours of the national flag.	Walid Jumblatt Abdullah	specifically			✓ (+) Valuation	many changed their Facebook profile picture
87.	The image was clearly meant to question the state's policy, by insinuating that there is no contradiction between practising one's religion and staying loyal to the country.	Walid Jumblatt Abdullah	clearly			✓ (+) Composition;Complexity	The image
88.	The cancellation of the event acquired significant attention on alternative/online media, but was completely ignored in the mainstream media.	Walid Jumblatt Abdullah	ignored		✓ Social esteem; (capacity) -		The cancellation of the event acquired significant attention on alternative/online media
89.	All that was released to the media were conciliatory statements of ambiguous nature from both sides (Grosse 2014).	Grosse	conciliatory			✓ (+) Composition;Balance	the media
90.	The state's approach towards the hijab is consistent with its general outlook on race and religion; it is always extremely cautious in letting differences come to the fore.	Walid Jumblatt Abdullah	consistent			✓ (+) Composition;Balance	The state's approach towards the hijab
91.	What exactly is meant by common space is undefined or purposely vague.	Walid Jumblatt Abdullah	purposely		✓ Social esteem; (capacity)		common space
92.	While the analogy is clearly stretched, the message that was intended was that religious demands could come into conflict with national imperatives, as was the case with the hijab demand.	Walid Jumblatt Abdullah	clearly			✓ (+) Composition;Complexity	the analogy
93.	If every race and religion starts becoming more assertive, and begins to demand its own space and rights, social harmony of the nation could be harmed.	Walid Jumblatt Abdullah	assertive			✓ (+) Reaction;Quality	race and religion

94.	There could be diminished trust between the races, and eventually, the stability and peace the nation has acquired would be in severe jeopardy.	Walid Jumblatt Abdullah	diminished		✓ Social sanction (-) Propriety		
95.	Eventually, the economic conditions would be unfavorably affected, as Singapore's miraculous economic growth has been predicated upon social stability and harmony.	Walid Jumblatt Abdullah	unfavorably			✓ (-) Composition;Balance	the economic conditions
96.	Opposition parties have been marginalised, individual politicians bankrupted (Lydgate 2003), social activists clamped down on (Shariff 2004), civil society groups stifled (Lee 2002) and dissenting voices co-opted (Hewison 1999).	Lydgate	marginalised			✓ (-) Composition;Complexity	Opposition parties
97.	I argue that the PAP's policies are born out of genuine convictions.	Walid Jumblatt Abdullah	genuine			✓ (+) Valuation	the PAP's policies
98.	While details of the entire episode were (and still are) sketchy, it is fair to say that the incident is mired in controversy.	Walid Jumblatt Abdullah	fair		✓ Social Sanction (+) Propriety		details of the entire episode
99.	What is less disputable though is that the state showed, in no uncertain terms, its intolerance towards religion as a socio-political force.	Walid Jumblatt Abdullah	disputable		✓ Social Sanction (-) Propriety		the state
100.	Following this episode, Lee Kuan Yew proclaimed in the 1988 National Day Rally that communalism had reared its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62).	Lee Kuan Yew	reared			✓ (-) Composition;Balance	Following this episode, Lee Kuan Yew proclaimed in the 1988 National Day Rally that communalism
101.	Following this episode, Lee Kuan Yew proclaimed in the 1988 National Day Rally that communalism had reared its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62).	Lee Kuan Yew	ugly head		✓ Social Sanction (-) Propriety		Following this episode, Lee Kuan Yew proclaimed in the 1988 National Day Rally that communalism

102.	The fear of religion, rightly or wrongly, was apparent.	Walid Jumblatt Abdullah	fear			✓ (-) Composition;Complexity	religion
103.	The fear of religion, rightly or wrongly, was apparent.	Walid Jumblatt Abdullah	apparent			✓ (+) Composition;Complexity	The fear of religion, rightly or wrongly,
104.	Religion, like race, had to be consciously managed, so that it could fulfill its nation-building imperatives of helping the disadvantaged and disabled, instead of being a disruptive political force.	Walid Jumblatt Abdullah	could		✓ Social Esteem (+) Capacity		Religion, like race, had to be consciously managed
105.	Prime Minister Lee Hsien Loong found the incident noteworthy enough to be given a mention in the 2009 National Day Rally.	Prime Minister Lee Hsien Loong	noteworthy			✓ (+) Valuation	Prime Minister Lee Hsien Loong found the incident
106.	As a result, the Malay-Muslims within the country are often treated with mistrust.	Walid Jumblatt Abdullah	often		✓ Social Esteem (+) Normality		the Malay-Muslims within the country
107.	The situation was compounded by the discovery of terrorist cells in Singapore, several years after the 9/11 attacks in New York, and the state became even more distrustful of the Malay-Muslim community, especially in the immediate aftermath (Tan E.K. 2007).	Tan E.K.	distrustful		✓ Social Sanction (-) Veracity		The situation was compounded by the discovery of terrorist cells in Singapore, several years after the 9/11 attacks in New York, and the state
108.	Any external symbols of piety by the Muslims were now perceived (even more) as genuinely problematic.	Walid Jumblatt Abdullah	genuinely			✓ (+) Valuation	Any external symbols of piety by the Muslims
109.	Lee Hsien Loong was frank about his belief that if the PAP does otherwise, it would 'weaken' Singapore.	Lee Hsien Loong	frank	✓			Lee Hsien Loong
110.	This significant development cannot be emphasised enough: the Muslim community had hitherto consistently guarded the independence of the madrasah in Singapore.	Walid Jumblatt Abdullah	consistently			✓ (+) Valuation	the Muslim community

111.	The hijab is, after all, a symbol of female Muslim piety.	Walid Jumblatt Abdullah	piety			✓ (+) Valuation	a symbol of female Muslim
112.	It is perhaps feared that the demands for the hijab is in fact reflective of higher levels of religiosity, which is what is actually problematic for the state.	Walid Jumblatt Abdullah	religiosity			✓ (+) Valuation	the hijab
113.	Hence, it would not be a surprise if this policy is further relaxed before the next general election, in a bid to win the Muslim vote.	Walid Jumblatt Abdullah	would not		✓ Social Sanction (-) Propriety		a surprise
114.	Lee Hsien Loong stated that the policy was not static, and could be changed over time (Amir 2014).	Lee Hsien Loong	static		✓ Social Esteem (+) Normality		the policy
115.	A value-free approach towards understanding policies, therefore, is insufficient to fathom the full intricacies and complications of the realities of political decision-making.	Walid Jumblatt Abdullah	insufficient		✓ Social Esteem (-) Capacity		A value-free approach

No.	Words, Phrases, Clause and Sentence	Monogloss	Heterogloss	
			Contract	Expand
1.	This article assesses the Singapore state's approach towards multiracialism by focusing on the hijab issue.		✓ (Proclaim;Endorse)	
2.	I argue that a combination of elite ideology and regime type can explain the state's overall stances on religion, including the hijab issue.		✓ (Proclaim;Pronounce)	
3.	This explains why a staunch no-hijab stand was held by the state in the past, whereas in recent years, there appears to be a softening of this stance.			✓ (Attribute;Acknowledge)
4.	Efforts are persistently made to convince Singaporeans to embrace the PAP's version of multiracialism.	✓		
5.	I argue that a combination of the regime type and elite ideology can explain the state's stances on religion, including the hijab (Malay: tudung) policy.		✓ (Proclaim;Pronounce)	
6.	I further contend that firstly, the concept of multiracialism presupposes a value-laden worldview or governing paradigm regarding race, and secondly, wariness of diversity is the main feature of the state's version of multiracialism.		✓ (Proclaim;Pronounce)	

7.	It is worth noting that any study on the ideologies of the PAP cannot but scrutinize the ideas of Lee Kuan Yew, the first prime minister of Singapore, who basically shaped the country's governing ideologies.	✓		
8.	The Singapore state has been termed an 'illiberal democracy' (Hussin Mutalib 2000).			✓ (Attribute;Acknowledge)
9.	In spite of the presence of elections, and the room for contestations by other actors in society, the state is undoubtedly authoritarian and endeavours to remain so.	✓		
10.	The state is heavy handed and has resorted, in the past, to draconian measures to keep the opposition parties in check.	✓		
11.	Though there is room for legal contestation for power, it is minimal or subdued.	✓		
12.	Elections, though regular, are not completely fair due to electoral engineering measures and state control of the media.	✓		
13.	The substantive elements associated with a democracy such as freedoms of speech and assembly are also lacking, though not completely missing; some criticism of the ruling regime is allowed though, by and large, freedom is curtailed.	✓		
14.	Singapore has also been deemed to be a 'semi-democracy', whereby the incumbent regime uses elements of procedural democracy in order to suppress the substantive aspects of democracy (Case 1996).			✓ (Attribute;Acknowledge)
15.	The 2011 general election basically showed that opposition parties could effectively provide a substantial challenge to the PAP, in spite of the many barriers that the incumbent has instituted.			✓ (Attribute;Distance)
16.	The PAP garnered the lowest vote share in its history, winning about 60% of the popular vote.	✓		
17.	The general election also saw the rise of the Workers' Party, which firmly established itself as the number two party in the country, and it confirmed this by beating the PAP in two subsequent by-elections (Cunha 2012).			✓ (Attribute;Acknowledge)
18.	One could make the case then that Singapore is becoming a 'competitive authoritarian' regime (Levitsky and Way 2010), whereby despite the dominant position of the incumbent party, contestations to its power are real, though severely limited.			✓ (Attribute;Acknowledge)
19.	Barany (2002) argues that the more democratic a regime is, the more likely ethnic minorities are to be treated well and given full citizenship rights, as tolerance is a cornerstone of liberal democracies, whereas authoritarian regimes can afford to ignore minority demands.			✓ (Attribute;Acknowledge)
20.	Republican candidates in the US are known to attempt to win the conservative votes by not only incorporating biblical speech in their rhetoric, but also by adopting pro-Christian policies (Kuru 2009).			✓ (Attribute;Acknowledge)
21.	The French model of secularism is famous in this regard: the hijab has generated much furore and is banned from state schools.	✓		

22.	This is due to a particular way of viewing what the relationship between religion and the state should be, that is shared by both the governing elites and the majority of French people, which is referred to as political culture, or a shared ideology on state-religion interactions (Wayland 1997).			✓ (Attribute;Acknowledge)
23.	The hijab was not allowed to be worn in public institutions until recently.	✓		
24.	The concept of 'tolerance' in different democracies carries different connotations, and this is in no small part due to the varying notions of secularism in these countries, and even within citizens of the same polity (Levey and Mahmood 2009).			✓ (Attribute;Acknowledge)
25.	While a country like the United States practices a 'passive' form of secularism (Kuru 2007),			✓ (Attribute;Acknowledge)
26.	Turkey and France can be said to govern via 'assertive secularism' (Grigoriadis 2009);			✓ (Attribute;Acknowledge)
27.	Increasingly, far-right parties are gaining traction in Europe because of a perceived cultural threat posed by Muslims (Lucassen and Lubbers 2012),			✓ (Attribute;Acknowledge)
28.	while in India, Muslims are routinely portrayed as a threat to the Indian way of life in a bid to shore up Indian nationalism (Roy 2004).			✓ (Attribute;Acknowledge)
29.	In Indonesia, increased competitiveness in elections has resulted in politicians courting less tolerant groups to bolster their chances of winning (Buehler 2013).			✓ (Attribute;Acknowledge)
30.	This article builds upon these works, and introduces another variable to assist in explaining policies towards ethnic minorities: the governing ideology of the elites in power.			
31.	This ideological predisposition is primarily shaped by the elites' and nation's personal-historical experiences, and geo-political conditions.	✓		
32.	What is argued here is that increased electoral competition will render the previously dominant party unable to completely act on its ideological predispositions.	✓		
33.	Unlike democracies, authoritarian regimes do not have to pander to the masses as much; therefore their policies are more a result of elite governing paradigms than of electoral considerations.		✓ (Disclaim;Counter)	
34.	Yet unlike traditional authoritarian regimes, policies in competitive authoritarian regimes are not solely a result of elite ideologies, rather, they are dependent on the strength of the incumbent party.		✓ (Disclaim;Counter)	
35.	In Singapore, the Muslim minority is given special considerations in some areas.	✓		
36.	There is a Minister of Muslim Affairs portfolio in the cabinet, which is exclusive to Islam, and the constitution stipulates that it is the duty of the state to address the concerns of Muslims in the country.	✓		
37.	This is due to the 'politics of survival' faced by the nation (H.C. Chan 1971), being a Chinese-majority nation amidst the Malay world, and was part of its bid			✓ (Attribute;Acknowledge)

	to placate its larger neighbours by showing that its Malay-Muslim minority would be taken care of.			
38.	Yet at the same time, the state is reluctant to accede to some demands of the Muslim community, as the discussion on the hijab issue will show.		✓ (Disclaim;Counter)	
39.	I argue that the unwillingness to agree to the hijab demands was ultimately a result of its deep-rooted inhibitions on religious diversity, which is reflective of its adherence to 'multiracialism'.		✓ (Proclaim;Pronounce)	
40.	I further contend that one can expect a softening of this stance as the electoral scene becomes more competitive, in view of the rise of the opposition in Singapore, and considering that the non-Muslims are rather ambivalent towards this issue and there is no significant opposition to the granting of the right to wear the hijab to Muslims.		✓ (Proclaim;Pronounce)	
41.	Singapore is constitutionally a self-declared multiracial country (Chua 2003: 60).			✓ (Attribute;Acknowledge)
42.	The Chinese-Malay-Indian-Others (CMIO) model is a manifestation of the PAP's version of multiracialism.	✓		
43.	Each ethnic group is allowed space to practice its own culture, but is expected to transcend differences with the others when the national imperative, as defined by the PAP, requires them (Hussin Mutalib 2011).			✓ (Attribute;Acknowledge)
44.	Each ethnic group is to be treated equally and fairly, without any appearance of favoritism (Moore 2000: 344).			✓ (Attribute;Acknowledge)
45.	Ethnicity is heavily emphasised in almost every facet of a Singaporean's life: a person's ethnic group is stated on his or her identity card, there are racial quotas for public housing, and even the electoral system employs a form of the party block vote system (known as the Group Representation Constituency) where teams competing in a multi-member district must have at least one member from an ethnic minority group, amongst many other policies (Reynolds et al. 2005: 47).			✓ (Attribute;Acknowledge)
46.	However, I postulate that multiracialism is more than simply a pragmatic way of governing a heterogeneous society.		✓ (Proclaim;Concur)	
47.	Even though Singapore's politicians and journalists alike use the terms multiracialism and multiculturalism interchangeably, the two concepts need to be distinguished.		✓ (Disclaim)	
48.	Multiracialism begins with the idea that ethnic and religious diversity is a problem that needs to be conscientiously managed, whereas multiculturalism's starting point is that diversity is a strength that needs to be celebrated (Hussin Mutalib 2012: 115–17).			✓ (Attribute;Acknowledge)
49.	The two ideologies could give birth to radically different policies.			✓ (Entertain)

50.	What warrants emphasis here is the fact that there is a worldview or a predisposition about (and in this case, against) racial diversity that translates into actual governing paradigms, and eventually policies; it is not pragmatic or natural to view race as either a problem or strength.			✓ (Attribute;Acknowledge)
51.	This signifies a purposeful attempt to depict the party as being governed by principles of rationality (Mauzy and Milne 2002: 52–3) rather than religious adherence to policies or systems that do not yield desired outcomes; adopting an approach whereby efficiency, usually defined in economic terms, becomes the end goal.			✓ (Attribute;Acknowledge)
52.	Chan Heng Chee (1975) described Singapore as an 'administrative state', where a technical and value-free approach to governance has ostensibly abolished politics from state decision-making processes.			✓ (Attribute;Distance)
53.	The very fact that there is a worldview that shapes leaders' ideas on race, shows that at least in the realm of race and religion, the PAP has a clear ideological predisposition that guides its policies, and this predisposition is expressed in its version of multiracialism.		✓ (Proclaim;Endorse)	
54.	State leaders do, from time to time, use both 'multiracialism' and 'multiculturalism' when in fact they are referring to a policy of consciously regulating race and religion, which resembles multiracialism more than multiculturalism	✓		
55.	While the state mistakenly uses both terms interchangeably, it is unambiguous in its policies of putting ethnicity in check and clearly articulates its worldview of ethnicity being a cause for concern, if not properly handled (E.K.B. Tan 2004).			✓ (Attribute;Acknowledge)
56.	It was a British colonial legacy that race was continually emphasised, which gave birth to certain stereotypes being perpetuated (Alatas 2010).			✓ (Attribute;Acknowledge)
57.	While there was a multitude of factors that could have contributed towards the clashes, the riots were eventually almost entirely regarded as being racial in nature (Milne 1966: 177).			✓ (Attribute;Acknowledge)
58.	Coupled with Lee's less-than-pleasant encounters with the Malay 'ultras' or supremacists when the former was a parliamentarian in the Federation, a negative impression of the volatility of race was formed and ingrained in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.			✓ (Attribute;Distance)
59.	The survivalist mentality was ingrained into the psyches of Lee and his colleagues following separation from Malaysia (Hussin Mutalib 2011: 1165),			✓ (Attribute;Acknowledge)
60.	and this contributed further to the scepticism towards religion; a state that perceives itself as being vulnerable and threatened will be wary of religions, especially those with comprehensive value systems, as they have the potential to mobilise citizens against state policies (Walid 2013: 1182).			✓ (Attribute;Acknowledge)

61.	This is how geo-political conditions and the elites' own experiences have shaped their mindsets on ethnicity.	✓		
62.	Insofar as religion is tolerated, it is only when it does not directly contradict state proclamations; and when it could help propagate state policies or strengthen the government's positions on issues, religion is even encouraged (Tamney 1996).			✓ (Attribute;Acknowledge)
63.	The state has employed various methods to keep religion in check, including strategies of co-optation (Walid 2013),			✓ (Attribute;Acknowledge)
64.	'hard' and 'soft' instruments (E.K.B. Tan 2011).			✓ (Attribute;Acknowledge)
65.	The PAP's regulatory style towards religious life has been dubbed as 'intrusive secularism' (Aljunied 2012), 'accommodative secularism' (Thio 2010) and 'strategic secularism' (Lily Zubaidah 2012).			✓ (Attribute;Acknowledge)
66.	Race and 'racial harmony' is constantly emphasised and they are keen to espouse that it is a 'work in progress', and Singapore has not completely attained it yet.		✓ (Disclaim)	
67.	Racial violence is often depicted as the inevitable outcome if a plural society is not carefully controlled, and if draconian measures are not put in place (E.K.B. Tan 2004: 77).			✓ (Attribute;Acknowledge)
68.	The state narrative consistently references the Maria Hertogh riots which occurred in 1950, attributing the cause of the violence to religion, despite the existence of competing narratives that view the riots as a mode of resistance towards colonialism (Aljunied 2009).			✓ (Attribute;Acknowledge)
69.	The prevailing discourse on race is further reinforced when even PAP leaders from an ethnic minority background subscribe to the view.	✓		
70.	This preconceived notion of race and religion guides the PAP's 'pragmatism': it anchors in place a certain set of values that shapes the party's ethno-religious policies.	✓		
71.	It is no surprise, once multiracialism is understood for what it is, that the state does not allow for complete religious freedom, constantly intrudes in the realm of religion, and does not encourage discussions and open debates on these issues as race and religion are considered out-of-bounds.	✓		
72.	The religious obligation to wear the hijab is not a matter of contention amongst the religious elites in Singapore, as articulated by the mufti Dr Fatris Bakaram (2013) – who is the highest authority on Islamic jurisprudence in the country – in his widely circulated note on Facebook.			✓ (Attribute;Acknowledge)
73.	The state-controlled media continued to portray Zulfikar in a negative light, and blamed him for instigating the entire episode.	✓		
74.	At this point in time, senior PAP leaders, including the then Prime Minister Goh Chok Tong, weighed in on the issue and reaffirmed the state's policy.	✓		

75.	MUIS issued a statement via the Mufti, who said that 'education is more important [than the hijab]' (BBC 2012).			✓ (Attribute;Acknowledge)
76.	Despite the Mufti's call, the Muslim community continued to push the agenda, mostly by expressing online discontentment towards the state, organising public forums to discuss the matter and via a few public statements by some Muslim organisations (Walid 2013).			✓ (Attribute;Acknowledge)
77.	Zulfikar eventually felt compelled to leave for Australia in anticipation of the authoritarian state machinery to be used unrestrainedly against him as media attacks against him intensified (Lily Zubaidah 2009: 38).			✓ (Attribute;Acknowledge)
78.	The PAP's willingness to be heavy-handed in this episode, I argue, was motivated by the elites' worldview on ethnicity, and enabled by its commanding political position.		✓ (Proclaim;Pronounce)	
79.	This solely virtual movement drew a response from the cabinet; the Deputy Prime Minister, Teo Chee Hean issued an ambiguous statement, asserting the need for Singapore to maintain 'social harmony' (R. Chan 2013), without making a commitment on the hijab policy itself.			✓ (Attribute;Acknowledge)
80.	Muslims continued to pursue the issue online.	✓		
81.	As a show of support for the movement, many changed their Facebook profile picture to one that was designed specifically for the cause: a silhouette of a female wearing the hijab which bore the colours of the national flag.	✓		
82.	This was later removed (Lee 2013).			✓ (Attribute;Acknowledge)
83.	Another group, World Hijab Day Singapore (WHDS 2014), planned to conduct a 'celebration' of the hijab, together with various WHD movements internationally, on the 1 February 2014.			✓ (Attribute;Acknowledge)
84.	All that was released to the media were conciliatory statements of ambiguous nature from both sides (Grosse 2014).			✓ (Attribute;Acknowledge)
85.	Despite no changes in the hijab policy, as yet, one could evidently discern a change in tone and approach.		✓ (Disclaim)	
86.	While the leadership's statements on the hijab and how it would affect social harmony, together with the consistent affirmations of race and religion being potential fault lines, remained the same, the government's handling of the issue now differed.			✓ (Entertain)
87.	Earlier, in 2002, when the PAP was dominant, it could afford to be more assertive and harsh towards those who championed the issue, like Zulfikar.			✓ (Entertain)
88.	But in 2013, when the political climate had changed and the PAP's authoritarianism was now more of a 'competitive' nature and the party had suffered electoral setbacks just two years earlier, a more lenient stance was taken, whereby the prime minister tried to have a dialogue with community leaders and reason with them, rather than employ the knuckleduster approach		✓ (Proclaim;Concede)	

89.	The desire for uniformity amongst citizens is perhaps matched by the obsession against external displays of piety.			✓ (Entertain)
90.	Firstly, it argues that allowing the hijab to be worn will affect the 'common space' (Law 2003: 56).			✓ (Attribute;Acknowledge)
91.	Secondly, Singapore is a secular society that does not mix religion with politics (Suzaina 2004) and finally, if the state acquiesces to the wishes of the Muslim community, other ethno-religious communities will be emboldened to assert their respective demands.			✓ (Attribute;Acknowledge)
92.	A PAP Muslim MP, Zainal Sapari, even used the far-fetched comparison to the Jehovah Witnesses' desire not to be conscripted into the National Service in Singapore as their faith does not allow the carrying of arms (Channel News Asia 2015; Today 2014).			✓ (Attribute;Acknowledge)
93.	While the analogy is clearly stretched, the message that was intended was that religious demands could come into conflict with national imperatives, as was the case with the hijab demand.			✓ (Entertain)
94.	This will, the state argues, undermine the social fabric of the country.			✓ (Attribute;Acknowledge)
95.	There could be diminished trust between the races, and eventually, the stability and peace the nation has acquired would be in severe jeopardy.			✓ (Entertain)
96.	Eventually, the economic conditions would be unfavorably affected, as Singapore's miraculous economic growth has been predicated upon social stability and harmony.			✓ (Entertain)
97.	In 2002, Goh Chok Tong who was then prime minister opined that if girls in state schools were allowed to wear the hijab, ethnic differences would be amplified and integration impeded (Law 2003).			✓ (Attribute;Acknowledge)
98.	Even were others to increase their demands, this in itself would not be a cause for concern, unless of course, there is a preconceived view on race and religion.			✓ (Entertain)
99.	It would be no exaggeration to say that the PAP, as an authoritarian party, has had a vengeful disdain for those that challenge its authority.			✓ (Entertain)
100.	Opposition parties have been marginalised, individual politicians bankrupted (Lydgate 2003), social activists clamped down on (Shariff 2004), civil society groups stifled (Lee 2002) and dissenting voices co-opted (Hewison 1999).			✓ (Attribute;Acknowledge)
101.	Therefore, it is natural to expect wariness from the PAP towards religion and ethnicity, two potent potential sources of mobilisation against the state.	✓		
102.	This attitude is reflected in the above mentioned secularist approaches and politicians' rhetoric.	✓		
103.	This is not to say that the PAP uses pragmatism as merely a rhetorical device.	✓		
104.	I argue that the PAP's policies are born out of genuine convictions.		✓ (Proclaim;Pronounce)	

105.	However, the negative worldview of diversity is so ingrained in PAP leaders that they cannot see beyond a situation whereby they have to actively manage ethnicity and religion.		✓ (Proclaim;Concede)	
106.	Their pragmatism is constrained by their predispositions.	✓		
107.	Senior PAP leaders accused the church of meddling in politics, and 22 people were arrested under the Internal Security Act, where they could be detained indefinitely without trial, for a plotting a 'Marxist Conspiracy' against the state (Barr 2010).			✓ (Attribute;Acknowledge)
108.	Following this episode, Lee Kuan Yew proclaimed in the 1988 National Day Rally that communalism had reared its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62).			✓ (Attribute;Acknowledge)
109.	Being a Chinese-majority state in a Malay-Muslim region, or a 'Chinese nut in a Malay nutcracker' (Huxley 1991: 208), has shaped the nation's insecurities with regards to military threats by its larger neighbours, Malaysia and Indonesia (Tan A.T. 2004).			✓ (Attribute;Acknowledge)
110.	PAP leaders have gone on record to state that Malays are not allowed to hold the highest positions in the Singapore Armed Forces because, if the country goes to war with either Malaysia or Indonesia, the loyalty of Singaporean Malay-Muslims is not guaranteed as they might sympathise with their co-religionists at the expense of national security (Rahil Ismail and Shaw 2006).			✓ (Attribute;Acknowledge)
111.	The situation was compounded by the discovery of terrorist cells in Singapore, several years after the 9/11 attacks in New York, and the state became even more distrustful of the Malay-Muslim community, especially in the immediate aftermath (Tan E.K. 2007).			✓ (Attribute;Acknowledge)
112.	The fact that Singapore was closely allied to the United States in its 'war on terror' meant that the city-state shared many of the presumptions held by the latter about militant Islam (A. Tan 2002).			✓ (Attribute;Acknowledge)
113.	PAP leaders equated the threat of terrorism and alleged Muslim separateness to the rising religiosity levels of Muslims (Steiner 2011), immediately casting not only Muslims as the problem, but Islam too.			✓ (Attribute;Acknowledge)
114.	This statement echoed the Minister for Communications and Information and Minister-in-charge of Muslim Affairs Yaacob Ibrahim's Facebook posting on the hijab, whereby he stressed the need to balance 'creating an environment where Muslims can practise freely and peacefully' with the need to 'manage and balance the diverse needs of our multiracial and multi-religious society', as well as 'the need for accommodation and compromise by all parties' (Yaacob 2013).			✓ (Attribute;Acknowledge)
115.	The madrasah, traditionally independent entities, some of which had existed for over a century in Singapore, had their curricula reformed to be more in step			✓ (Attribute;Acknowledge)

	with the economic 'realities' of the country; three were even put directly under the purview of the government (C. Tan 2009b).			
116.	Yet, the state saw it necessary to intrude upon this space, despite the resistance and outcry it had met in earlier attempts.		✓ (Disclaim;Counter)	
117.	This was part of a wider attempt to homogenise Singapore society and bring the Muslims closer to non-Muslims (Barr 2013: 71–2).			✓ (Attribute;Acknowledge)
118.	It is perhaps feared that the demands for the hijab is in fact reflective of higher levels of religiosity, which is what is actually problematic for the state.			✓ (Entertain)
119.	Yet, this ideology of multiracialism does not exist in a vacuum.		✓ (Disclaim;Counter)	
120.	The PAP reacted in its typical 'knuckle-duster' (K.P. Tan 2009: 58) style in 2002, by disparaging those involved, especially Zulfikar.			✓ (Attribute;Acknowledge)
121.	By 2013–14, however, a slightly softer approach has been taken.		✓ (Proclaim;Concede)	
122.	Halimah Yacob, the PAP Speaker of Parliament who dons the hijab herself, stated that she hoped 'the government will review its position' for the nurses (Ong 2014).			✓ (Attribute;Acknowledge)
123.	Lee Hsien Loong stated that the policy was not static, and could be changed over time (Amir 2014).			✓ (Attribute;Acknowledge)
124.	Even though I have drawn on the Singapore example, I believe the argument made can provide for a more general theoretical contribution in studying a country's policies on religion as the state ideologies coupled with a ruling party's electoral strength will determine the actual governing policies.		✓ (Disclaim;Counter)	

No.	**Words, Phrases, Clause and Sentence**	**Graduation**	
		Focus	**Force**
1.	The state is heavy handed and has resorted, in the past, to draconian measures to keep the opposition parties in check.		✓ (Intensification;Infusion)
2.	The 2011 general election basically showed that opposition parties could effectively provide a substantial challenge to the PAP, in spite of the many barriers that the incumbent has instituted		✓ (Quantification;Numbers)
3.	One could make the case then that Singapore is becoming a 'competitive authoritarian' regime (Levitsky and Way 2010), whereby despite the dominant position of the incumbent party, contestations to its power are real, though severely limited.		✓ (Intensification;Isolation;Grammatical)
4.	Firstly, some democratic regimes have themselves displayed less tolerance for minorities		✓ (Quantification;Number;Isolated)

5.	The French model of secularism is famous in this regard: the hijab has generated much furore and is banned from state schools.		✓ (Quantification; Mass/Presence)
6.	One could see some parallels between the French case and Turkey, where Kemalist secularism persisted even after the country democratised, and there was a strict separation of 'church' and state.		✓ (Quantification;Number)
7.	The hijab was not allowed to be worn in public institutions until recently.		✓ (Extent;Proximity;Time)
8.	Secondly, it also ignores the fact that democratic parties have in the past used religious minorities as scapegoats for their electoral ends, resulting in more minority oppression instead of liberation.		✓ (Extent;Proximity;Time)
9.	In Indonesia, increased competitiveness in elections has resulted in politicians courting less tolerant groups to bolster their chances of winning (Buehler 2013).		✓ (Quantification;Number;Isolated)
10.	Thirdly, it also does not account for the variation within authoritarian regimes in their treatment of minorities as some authoritarian regimes are more benevolent than others.		✓ (Intensification;Quality)
11.	The very fact that there is a worldview that shapes leaders' ideas on race, shows that at least in the realm of race and religion, the PAP has a clear ideological predisposition that guides its policies, and this predisposition is expressed in its version of multiracialism.	✓	
12.	Coupled with Lee's less-than-pleasant encounters with the Malay 'ultras' or supremacists when the former was a parliamentarian in the Federation, a negative impression of the volatility of race was formed and ingrained in the psyche of the founding fathers of the nation, which was passed down to later generations of leaders.	✓	
13.	What made the matter more complex was the inextricable association between 'Malay' and 'Muslim' in the region: not only were the clashes linked to race, religion was further scrutinised.		✓ (Intensification;Quality)
14.	The PAP garnered the lowest vote share in its history, winning about 60% of the popular vote.		✓ (Intensification;Quality)
15.	The state's interventionist approach towards handling diversity can be seen from numerous examples including the Maintenance of Religious Harmony Act (MRHA) whereby a person can be arrested for 'inciting' others on religious grounds, to the government-prodded Inter-Racial and Religious circles (IRRC) which are meant to promote inter-racial bonding, and even more cynically, the arrest of Christian church members that were said to be 'plotting' against the state (see below).		✓ (Intensification;Quality)
16.	That the regard for ethnicity as a primeval force for dispute is inherited by later generations of ministers and policymakers is evident from the rhetoric espoused up till today.		✓ (Extent;Proximity;Time)
17.	The matter gets even more interesting considering that MUIS is essentially an arm of the state; it is under the direct purview of the Ministry of Culture, Community and		✓ (Intensification;Quality)

	Youth, and is tasked with advising the government and President of Singapore on the religious affairs of the Muslims.		
18.	Instead of engaging the Muslim community on what was palpably a genuine concern, the state instead chose to view the incident as a direct challenge to its hitherto unbridled power.	✓	
19.	The state-controlled media continued to portray Zulfikar in a negative light, and blamed him for instigating the entire episode.	✓	
20.	MUIS issued a statement via the Mufti, who said that 'education is more important [than the hijab]' (BBC 2012).		✓ (Intensification;Quality)
21.	Despite the Mufti's call, the Muslim community continued to push the agenda, mostly by expressing online discontentment towards the state, organising public forums to discuss the matter and via a few public statements by some Muslim organisations (Walid 2013).		✓ (Quantification;Number)
22.	It must be reiterated that the PAP was electorally still highly dominant in 2002 as it had just secured one of its largest vote shares (75.3%) ever in the 2001 election.		✓ (Intensification;Quality;Isolation)
23.	The PAP's willingness to be heavy-handed in this episode, I argue, was motivated by the elites' worldview on ethnicity, and enabled by its commanding political position.	✓	
24.	In 2013, several online petitions were set up by a few Muslims to gather support to apply pressure on the state to reconsider its position.		✓ (Quantification;Number)
25.	This occurred in a climate where dissent towards the government was not only possible due to the proliferation of social media and the internet which severely undermined the state's grip on information via traditional media, but also widespread due to discontentment over perceived state failures in general, such as over-congestion in public transport and rising levels of income inequalities.		✓ (Quantification;Number)
26.	This was later removed (Lee 2013).		✓ (Extent;Proximity;Time)
27.	The image was clearly meant to question the state's policy, by insinuating that there is no contradiction between practising one's religion and staying loyal to the country.		✓ (Intensification;Quality;Isolation;Lexical)
28.	Prime Minister Lee Hsien Loong eventually held a closed door session in late January 2014 with a hundred selected community leaders to discuss the hijab.		✓ (Quantification;Number)
29.	Earlier, in 2002, when the PAP was dominant, it could afford to be more assertive and harsh towards those who championed the issue, like Zulfikar.		✓ (intensification;Quality)
30.	But in 2013, when the political climate had changed and the PAP's authoritarianism was now more of a 'competitive' nature and the party had suffered electoral setbacks just two years earlier, a more lenient stance was taken, whereby the prime minister tried to have a dialogue with community leaders and reason with them, rather than employ the knuckleduster approach.		✓ (intensification;Quality)
31.	While the analogy is clearly stretched, the message that was intended was that religious demands could come into conflict with national imperatives, as was the case with the hijab demand.		✓ (Intensification;Quality;Isolation;Lexical)

32.	If every race and religion starts becoming more assertive, and begins to demand its own space and rights, social harmony of the nation could be harmed.		✓ (intensification;Quality)
33.	Eventually, the economic conditions would be unfavorably affected, as Singapore's miraculous economic growth has been predicated upon social stability and harmony.	✓	
34.	What is more accurate is that they are wary of all religions, or potential sources of disobedience though for various reasons that will be explicated later, special reservation is exercised towards Islam.	✓	
35.	What is less disputable though is that the state showed, in no uncertain terms, its intolerance towards religion as a socio-political force.		✓ (Quantification;Number)
36.	Following this episode, Lee Kuan Yew proclaimed in the 1988 National Day Rally that communalism had reared its ugly head again in Singapore, and that religious fundamentalism could tear the country apart (Haas 1989: 62).	✓	
37.	Lee reminisced of the past, where Muslims were 'less strict' in observing their practices.		✓ (Quantification;Number)
38.	Any external symbols of piety by the Muslims were now perceived (even more) as genuinely problematic.	✓	
39.	This was part of a wider attempt to homogenise Singapore society and bring the Muslims closer to non-Muslims (Barr 2013: 71–2).	✓	
40.	By 2013–14, however, a slightly softer approach has been taken.		✓ (intensification;Quality;Process)
41.	Lee Hsien Loong personally met with a hundred community leaders and despite the seemingly staged nature of the dialogue, the state rhetoric has slightly changed.		✓ (intensification;Quality;Process)
42.	Rather, the decision could be attributed to the increasingly competitive electoral arena, where the hitherto hegemonic PAP had its worst performance in the 2011 general elections, conceding much ground to the Workers' Party.	✓	
43.	Elections, though regular, are not completely fair due to electoral engineering measures and state control of the media.		✓ (intensification;Quality)
44.	The substantive elements associated with a democracy such as freedoms of speech and assembly are also lacking, though not completely missing; some criticism of the ruling regime is allowed though, by and large, freedom is curtailed.		✓ (intensification;Quality;Process)
45.	Race and 'racial harmony' is constantly emphasised and they are keen to espouse that it is a 'work in progress', and Singapore has not completely attained it yet.		✓ (intensification;Quality;Process)
46.	The cancellation of the event acquired significant attention on alternative/online media, but was completely ignored in the mainstream media.		✓ (intensification;Quality;Process)

No	Words, Phrases, Clause and Sentence	Appraiser	Appraising Items	Classification of Attitude			Appraised
				Affect	Judgment	Appreciation	
1.	It contends that the reservations justified on the basis of protecting the rights of the Muslim minority community to practice its personal law has unwittingly impeded the potential of reviewing and addressing significant gaps and limitations in the ways in which the laws are conceived and administered.	Noor Aisha	potential		✓ Social esteem; (+) (Capacity)		reviewing and addressing significant gaps and limitations in the ways in which the laws are conceived and administered.
2.	It contends that the reservations justified on the basis of protecting the rights of the Muslim minority community to practice its personal law has unwittingly impeded the potential of reviewing and addressing significant gaps and limitations in the ways in which the laws are conceived and administered.	Noor Aisha	personal			✓ (+) valuation	law
3.	More pertinently, the policy reinforces the dominance of traditionalism in the thinking of dominant stakeholders of the law.	Noor Aisha	dominance			✓ (+) valuation	traditionalism
4.	Taking the standpoint that the values of equality and non-discrimination on the basis of gender espoused by CEDAW are compatible with the objectives of Muslim law, this paper maintains that ratifying the relevant Articles of CEDAW will strengthen the process of the development of the Muslim personal law and address essentialist presumptions of the law.	Noor Aisha	compatible			✓ (+) valuation	Taking the standpoint that the values of equality and non-discrimination on the basis of gender espoused by CEDAW
5.	This perspective departs from the dominant discourse on the Muslim law and CEDAW which is framed in terms of conflict and polarity between the law and human rights, religious law	Noor Aisha	dominant			✓ (+) valuation	discourse on the Muslim law and CEDAW

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	and women's rights, and universal values versus cultural relativism.						
6.	This perspective departs from the dominant discourse on the Muslim law and CEDAW which is framed in terms of conflict and polarity between the law and human rights, religious law and women's rights, and universal values versus cultural relativism.	Noor Aisha	universal			✓ (+) Reaction;Quality	values
7.	Muslims in Singapore constitute a substantial minority of about 15% of the state's multiethnic, multi-religious population.	Noor Aisha	substantial			✓ (+) Composition;Balance	Muslims in Singapore
8.	Although constitutionally a secular state, Muslims living in Singapore are legally bound by a system of personal law based on an admixture of selected classical fiqh (traditions) and adat (customs) which regulate the Muslim family.	Noor Aisha	classical			✓ (-) Reaction;Quality	fiqh
9.	This arrangement has persisted since the colonial period during which the personal laws of the plural inhabitants of the colony became confined in their application largely to the domain of the family.	Noor Aisha	inhabitants			✓ (-) Valuation	personal laws
10.	It is pertinent to iterate that the AMLA merely administers the Muslim law in these areas but does not codify it.	Noor Aisha	pertinent			✓ (+)Composition,Balance	
11.	What constitutes the law is largely determined by legal authorities conferred with the power to administer it.	Noor Aisha	determined		✓ (+)Judgement;Tenacity		the law
12.	This is further confined to a particular kind of juristic opinion within the school concerned.	Noor Aisha	particular			✓ (+) valuation	
13.	The AMLA also institutionalizes a legal committee to provide legal opinions (fatwa) on matters of Muslim personal law.	Noor Aisha	legal			✓ (+)Composition,Complexity	committee

14.	The mode of thinking of relevant agencies on the legacy of Muslim law that has been formulated within concrete socio-historical contexts of the past signifies the extent to which it is able to meet the needs and challenges confronting contemporary Muslim families.	Noor Aisha	legacy			✓ (+)Composition,Complexity	Muslim law
15.	This means that unless specifically provided within the Act, Muslims cannot avail themselves to the common law on concurrent areas, regardless of their choice, a position reinforced by relevant statutes which excludes or exempts them from the purview of these laws.	Noor Aisha	common		✓ (+)Social Esteem;Veracity		the laws of Muslim
16.	Except in the areas specifically defined in the AMLA, the common law applies to Muslims as citizens of the state in all other areas.	Noor Aisha	common		✓ (+)Social Esteem;Veracity		the laws of Muslim
17.	However, Muslims are not completely isolated from the purview of the common law and jurisdiction of the civil courts in specific areas of family law, conditioned presumably by perceived compatibility of legal principles applied by the civil courts.	Noor Aisha	legal			✓ (+)Composition,Complexity	principles
18.	For instance, the civil courts have long heard and determined disputes pertaining to the maintenance of Muslim wives and children as well as cases involving domestic violence.	Noor Aisha	domestic		✓ (-)Social Esteem;Capacity		violence.
19.	Since the amendments in 1999, interaction between the two legal systems has been extended with Muslim petitioners given the choice of legal forum in disputes pertaining to the division and disposition of matrimonial property and custody of children upon divorce.	Noor Aisha	legal			✓ (+)Composition;Complexity	systems

20.	This right is however not automatic but conditional upon mutual consent of parties involved or leave grantedby the SYC in its absence.	Noor Aisha	automatic			✓ (-)Composition;Complexity	This right
21.	Since then, Muslim women petitioners can commence enforcement proceedings at the Family Court on husbands who have defaulted on payments without the inconvenience of additional costs and delays.	Noor Aisha	inconvenience			✓ (-)Reaction;Quality	additional costs and delays from the husband
22.	Apart from the interaction of laws and jurisdiction, legal reasoning and principles based on the common law have gradually assimilated into the administration of Muslim law given the influence of judicial officers and practitioners at the SYC, some of whom are trained in the common law.	Noor Aisha	legal			✓ (+)Composition;Complexity	reasoning
23.	The introduction of the AMLA in Singapore in 1966 was contemporaneous with modernization of Muslim family law in response to social change in the many newly independent Muslim societies in the twentieth century.	Noor Aisha	contemporaneous			✓ (+)Valuation	The introduction of the AMLA in Singapore in 1966
24.	The growing economy, rapid industrialization and the introduction of mass education for all induced far more complex social change.	Noor Aisha	complex			✓ (-)Composition;Complexity	
25.	Muslim family law became the major site of contestations by competing groups with varying orientations and perspectives on the law and the extent to which it can be modified or changed to adjust to the new socio-economic condition.	Noor Aisha	major			✓ (+)Valuation	Muslim family law
26.	While other areas of the indigenous law had been effectively replaced by foreign law of the colonial powers, family law based on a syncretic	Noor Aisha	indigenous			✓ (+)Valuation	other areas's laws

	admixture of religious law and customs was largely preserved.						
27.	Though changes to procedures and administration of the law were evident, slower to change was the substantive law.	Noor Aisha	evident			✓ (+)Composition;Complexity	Though changes to procedures and administration of the law
28.	In several Muslim states, modernization of the personal law involved codification of classical fiqh traditions.	Noor Aisha	modernization			✓ (+)Valuation	Muslim states's personal laws
29.	The process altered aspects of the traditional legal methodology and modified fiqh traditions pertaining to marriage and matters incidental as well as divorce.	Noor Aisha	traditional			✓ (+)Valuation	the legal methodology
30.	The process, he asserted, effectively severed the law from its own indigenous jural system through nebulous devices.	Noor Aisha	indigenous			✓ (+)Valuation	jural system
31.	Hence, he submitted that while the popular Muslim imagination appears to hold these remnants of Shariah to be an authentic and genuine expression of the fiqh family law, the fact of the matter is that this sphere of law underwent structural and foundational changes that has resulted in its severance from both the substance of classical fiqh (which in many ways were much richer than the condensed statutes) and the methodology by which fiqh had operated.	Noor Aisha	be an authentic and genuine			✓ (+)Valuation	the fiqh family law,
32.	In the initial period of its establishment, these provisions proved effective in reducing the high incidence of divorce that had plagued the Muslim community.	Noor Aisha	effective		✓ (+)Social Esteem;Capacity		reducing the high incidence of divorce that had plagued the Muslim community.
33.	Understanding actual impediments to achieving the objective of the law is impaired by the predominant tendency	Noor Aisha	actual			✓ (+)Valuation	impediments to achieving the objective of the law

	to perceive the problem as one rooted in the conflict between an eternal and fixed system of religion-based law and the demands of modern society.						
34.	This a-historical and a-sociological approach deflects attention from concrete social factors that impede the process of legal transition to modernization.	Noor Aisha	modernization			✓ (+)Valuation	the process of legal transition
35.	Within this perspective, the problem is perceived as conditioned by the prevalence of traditionalism or conservatism among dominant agencies on the Muslim law who rigidly cling to selective classical rulings as sacred and immutable, much in the same way as the Qur'an and other inspired traditions are regarded.	Noor Aisha	prevalence		✓ (+)Social Esteem;Normality		traditionalism or conservatism among dominant agencies on the Muslim law
36.	Any change or modification to the law is perceived as a threat to its certainty and stability.	Noor Aisha	certainty.		✓ (+)Social Esteem;Veracity		Any change or modification to the law
37.	Any change or modification to the law is perceived as a threat to its certainty and stability.	Noor Aisha	stability		✓ (+)Social Esteem;Normality		Any change or modification to the law
38.	In traditionalism, the Muslim law is cherished as unchanging and immutable despite the diversity of legal opinions within the tradition formulated on the basis of rationality and systematic methodology.	Noor Aisha	immutable			✓ (+)Reaction;Impact	the Muslim law
39.	No attempt is made at discerning between meaningful and relevant tradition from those that are obsolete on the basis of principles, nor are historically specific legal formulations distinguished from the eternal, universal and absolute values that underlie them.	Noor Aisha	meaningful			✓ (-) Valuation	No attempt

40.	Furthermore, the legal contributions of others though socially beneficial are not deemed integral to the development of the Muslim law.	Noor Aisha	legal			✓ (+)Composition;Complexity	contributions of others though socially beneficial
41.	This mode of thought compounds the problem of persistence of lag in legal adjustment to the demands of social change with adverse implications on women and the family generally.	Noor Aisha	persistence		✓ (+)Social Esteem;Tenacity		legal adjustment to the demands of social change
42.	Given the dominance of conservatism however, changes have been piecemeal, lacking more comprehensive treatment.	Noor Aisha	dominance			✓ (+) valuation	conservatism
43.	Furthermore, they generally pertain to administration of the law rather than the substantive law.	Noor Aisha	substantive			✓ (+) valuation	law
44.	For instance, contemporary unprecedented developments in human rights agenda have impacted on the language and framework of discourse pertaining to Muslim women and the law.	Noor Aisha	unprecedented			✓ (-)Composition;Balance	contemporary developments in human rights agenda
45.	Ziba Mir-Hosseini, in her study on the struggle for women's rights in the context of post-revolution Iran observed that while there have been strong efforts by some prominent religious scholars at endorsing universal values of justice and gender equality rooted in the Islamic tradition, noticeable shifts toward conceiving the issue as one premised on rights have taken place.	Ziba Mir-Hosseini	struggle		✓ (+)Social Esteem;Tenacity		women's rights in the context of post-revolution Iran
46.	Its overriding goal is to eradicate gender-based discrimination in both the private and public spheres of women's lives.	Noor Aisha	discrimination			✓ (-) valuation	gender-based
47.	In CEDAW, discrimination is defined as: any distinction, exclusion or restriction made on the basis of sex	Noor Aisha	fundamental freedoms			(-) valuation	discrimination

	which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)						
48.	At the national level, CEDAW has provided women in various signatory states with a powerful advocacy tool in drafting constitutions, judicial decision-making, and formulating national laws and government policies.	Noor Aisha	powerful			✓ (+) valuation	advocacy tool
49.	The process of reporting to CEDAW's Committee has also been found to have empowered women's groups at the national level in numerous concrete instances in countries such as Zimbabwe, Croatia, Mauritius, Bangladesh and the Philippines.	Noor Aisha	concrete			✓ (+) valuation	The process of reporting to CEDAW's Committee instances
50.	While the process has undoubtedly taken place and remains anchored in progressive values derived from the Muslim heritage and other cultural influences, CEDAW with its focus on the centrality of women's rights can strengthen it.	Noor Aisha	progressive			✓ (+) valuation	values
51.	The reservation took into consideration the views of members of the key Muslim institutions, namely the Religious Council (MUIS), the SYC, Registry of Muslim Marriages as well as other Muslim civic organizations.	Noor Aisha	consideration			✓ (+)Composition;Complexity	the views of members of the key Muslim institutions, namely the Religious Council (MUIS), the SYC, Registry of Muslim Marriages
52.	The major aspects of the Muslim law which Muslim stakeholders deemed inconsistent with these provisions	Noor Aisha	inconsistent		✓ (-)Social Sanction;Veracity		The major aspects of the Muslim law which Muslim stakeholders deemed

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	pertain to marriage, divorce and inheritance.						
53.	Muslim inheritance laws were also highlighted for justification on CEDAW as it stipulates that a woman's share in division and distribution of property is half that of a man.	Noor Aisha	inheritance			✓ (+) valuation	Muslim laws
54.	Singapore's position which implies that the Muslim personal law is incompatible with specific provisions of the Convention is not unique.	Noor Aisha	incompatible			✓ (-) valuation	Singapore's position which implies that the Muslim personal law
55.	It is maintained that unlike Article16 which emphasizes equal rights and obligations of wives and husbands within marriage and the family, Shariah law regulates family relationships on the basis of responsibilities or duties of parties in marriage in which the women's role is deemed not equal but complementary to men.	Noor Aisha	equal rights and obligations			✓ (+)Composition;Balance	Article16
56.	Thus, for example, a husband's financial obligation toward his wife, not reciprocated by her, is balanced by his unilateral right to divorce.	Noor Aisha	balanced			✓ (+)Composition;Balance	husband's financial obligation toward his wife, not reciprocated by her,
57.	The general reservation adopted by Muslim states, could have influenced the views of Singapore's Muslim elite and in turn the government's cautionary approach toward not ratifying unreservedly the relevant Articles.	Noor Aisha	general		✓ (-)Social Esteem;Normality		reservation adopted by Muslim states,
58.	Although it does not disagree with the objectives of the Convention, it favors the Muslim law in operation without considering the need for explication and engagement on how the law safeguards against discrimination and promotes gender equality, values	Noor Aisha	considering			✓ (+)Composition;Balance	favors the Muslim law in operation

	espoused both by Islam and the Convention.						
59.	The need for meaningful engagement that takes into serious consideration variety of thought and meanings of values within each tradition is imperative.	Noor Aisha	meaningful			✓ (+) valuation	engagement that takes into serious consideration variety of thought and meanings of values
60.	The CEDAW Committee's expressed concern with legal authorization of polygamy reflects and reinforces such a presumption.	Noor Aisha	concern	✓ (Security;Surge)			The CEDAW Committee
61.	It has also been challenged as promoting a radical Western agenda, rejected by many within the West itself, as perpetuating a form of "cultural colonialism".	Noor Aisha	radical			✓ (-) valuation	Western agenda
62.	If the reservation is to be lifted, the real challenge must lie in how polygamy is to be understood and administered without compromising the principles enshrined both in Article16 as well as the Muslim legal tradition.	Noor Aisha	real challenge			✓ (-) valuation	If the reservation is to be lifted,
63.	This is because any attempt to eradicate polygamy will likely invite backlash from various elements, in particular conservative groups who subscribe to the view of the law's immutability.	Noor Aisha	conservative			✓ (-) valuation	particular groups who subscribe to the view of the law's immutability.
64.	Tunisia's law lie not only on the moral rider in verse 3:127 of the Koran which states to the effect that if a person was afraid that he could not do justice to co-wives then he must marry only one, but also on the additional comment in Verse 4:129 that "you will never be able to do justice to women no matter how much you desire".	Noor Aisha	never be able to		✓ (-)Social Esteem;Capacity		states to the effect that if a person was afraid that he could not do justice to co-wives then he must marry only one, but also on the additional comment
65.	This departs from the law in most other Muslim states and societies,	Noor Aisha	moral		✓		polygamy

	including Singapore in which only the first rider is used as the basis of law interpreted on two levels: a legal level where limited polygamy is allowed and a moral level toward which it is hoped society would move in the course of time, much like the matter of slavery.				(-)Social Sanction;Propriety		
66.	The perception of polygamy as incompatible with the Convention has deflected attention from more pressing problems pertaining to its administration which directly bear upon principles of non-discrimination and equality.	Noor Aisha	perception of polygamy as incompatible			✓ (-) valuation	perception of polygamy
67.	This is a matter that impacts directly upon the rights and freedom of women.	Noor Aisha	rights and freedom of women.			✓ (+) valuation	women.
68.	For instance, although the consent of the existing wife is one of the major preconditions for a successful polygamous marriage application, there is at present, a lack of clarity on the importance accorded to this particular factor, a problem not confined to Singapore.	Noor Aisha	successful		✓ (+) Social esteem;Capacity		polygamous marriage
69.	A clear precedent for this approach is provided in the Syrian law which elevates this precondition in application for polygamy.	Noor Aisha	clear			✓ (+)Composition;Complexity	precedent for this approach
70.	Although the provision of "inequitable treatment of a wife in a polygamous marriage" is stipulated in Section 49 for divorce by judicial decree, polygamy itself is not.	Noor Aisha	inequitable		✓ (-) Social esteem;Capacity		treatment of a wife in a polygamous marriage
71.	Clearly, the law has departed from classical fiqh tradition in which the wali in some cases had significant powers in determining who his ward should marry.	Noor Aisha	significant			✓ (+)Reaction;Impact	powers in determining who his ward should marry.

72.	It must be added, however, that even in those days while guardianship vested in males, this did not merely reflect the power of patriarchy.	Noor Aisha	patriarchy			✓ (+)Valuation	the power
73.	The guardian also represented the complex of interests of the family, the wider community as well as the ward as marriage has never been an exclusive affair of the couple per se even in contemporary Muslim societies.	Noor Aisha	complex			✓ (-)Valuation	interests of the family
74.	The Minhaj, for instance, stipulates that: a father can dispose as he pleases of the hand of his daughter without asking her consent whatever her age may be, provided she is still a virgin although it is commendable to consult her as to her future husband.	Noor Aisha	commendable			✓ (+)Valuation	a virgin
75.	The law on wali in Singapore also departs from the Family Law Enactments of several Malaysian states such as Kelantan, Kedah and Melaka in which provisions to the effect that a daughter can be married off without her consent if the prospective husband is not hostile to her, is of the same status as her (kufu) and is able to pay her a reasonable marriage gift (mahr), have remained.	Noor Aisha	prospective			✓ (+)Reaction;Quality	husband
76.	Existing provisions on the power and role of the wali reflect the transition of marriage from one based on traditional communal norms to an institution that gives greater recognition to the rights of the individual in marriage.	Noor Aisha	traditional			✓ (+)Valuation	communal norms
77.	Stemming from the problem of selective reliance on legal interpretations of the past, the law as it stands in Singapore is that the biological father of a child conceived	Noor Aisha	selective reliance			✓ (+)Valuation	Stemming from the problem

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	before marriage is not deemed the child's legal parent.						
78.	This paper has attempted to argue that the crux of the problem toward ratifying Articles 2 and 16 of CEDAWlie not in the nature of the Muslim law as such or in its incompatibility with the human rights convention.	Noor Aisha	incompatibility			✓ (-)Valuation	Articles 2 and 16 of CEDAW
79.	Rather, the problem lies in the weight of conservatism as a dominant mode of thinking of the law.	Noor Aisha	dominant			✓ (+) valuation	conservatism
80.	a dominant mode of thinking of the law.	Noor Aisha	dominant			✓ (+) valuation	mode of thinking of the law.
81.	This paper further maintains that the development of progressive legal orientation grounded both in Islam's tradition and philosophy and modern knowledge that has paved the way for legal development historically must be strengthened to address the needs of contemporary Muslim families.	Noor Aisah	progressive legal			✓ (+)Valuation	the development orientation grounded both in Islam's tradition and philosophy and modern knowledge
82.	As Mahmood in addressing the problem of law reform in India observes, "Persons who are trained in a particular system, tradition and social order, and have spent their lives in studying and adhering to the same, are invariably not tolerant of any alternative system, irrespective of its merits."	Noor Aisah	alternative			✓ (+)Reaction;Impact	system
83.	Yet, the need for continuous engagement through rational means (not emotional or political brandishing) cannot be abandoned if greater inroads are to be made to improve the law.	Noor Aisah	rational			✓ (+)Composition;Balances	the need for continuous engagement
84.	Raising awareness of the problems of the law in operation on the lives of those involved must persist so that	Noor Aisah	imbalances			✓ (-)Composition;Balances	existing gender

	existing gender imbalances, social injustice and maladjustment to contemporary needs and conditions can be better understood and addressed through legal reform.						
85.	Taking the back seat in not ratifying CEDAW has not contributed toward alleviating the problematic aspects of the Muslim law affecting women.	Noor Aisah	problematic			✓ (-)Composition;Complexity	aspects of the Muslim law affecting women.
86.	This paper also reveals that while in the abstract, the policy of partial reservation based on minority rights is generally deemed positive, its actual implications may be adverse to the community's interests as a whole.	Noor Aisah	positive			✓ (+)Reaction;Quality	the policy of partial reservation based on minority rights
87.	In acknowledging the rights of the minority to determine and practice its own personal laws, the state has unwittingly compounded the problem by relying on dominant stakeholders predisposed to conservatism with adverse repercussions on women.	Noor Aisah	dominant		✓ (+)Social Esteem;Normality		stakeholders

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No.	Words, Phrases, Clause and Sentence	Heterogloss	Monogloss	
			Contract	Expand
125.	This paper examines Singapore's partial reservations to Articles 2 and 16 of the United Nations Convention on the Elimination of Discrimination against Women (CEDAW).		✓ (Proclaim; Pronounce)	
126.	It contends that the reservations justified on the basis of protecting the rights of the Muslim minority community to practice its personal law has unwittingly impeded the potential of reviewing and addressing significant gaps and limitations in the ways in which the laws are conceived and administered.		✓ (Proclaim; Pronounce)	
127.	Taking the standpoint that the values of equality and non-discrimination on the basis of gender espoused by CEDAW are compatible with the objectives of Muslim law, this paper maintains that ratifying the relevant Articles of CEDAW will strengthen the process of the development of the Muslim personal law and address essentialist presumptions of the law.		✓ (Proclaim; Pronounce)	
128.	This perspective departs from the dominant discourse on the Muslim law and CEDAW which is framed in terms of conflict and polarity between the law and human rights, religious law and women's rights, and universal values versus cultural relativism.		✓ (Proclaim; Pronounce)	
129.	Muslims in Singapore constitute a substantial minority of about 15% of the state's multiethnic, multi-religious population.	✓		
130.	Although constitutionally a secular state, Muslims living in Singapore are legally bound by a system of personal law based on an admixture of selected classical fiqh (traditions) and adat (customs) which regulate the Muslim family.		✓ (Disclaim; Counter)	
131.	This arrangement has persisted since the colonial period during which the personal laws of the plural inhabitants of the colony became confined in their application largely to the domain of the family.		✓ (Proclaim; Pronounce)	
132.	However after independence, only the Muslims remain bound to the Muslim law while the religious and customary laws of the other plural communities were abolished.		✓ (Proclaim; Concur;Concede)	
133.	It is pertinent to iterate that the AMLA merely administers the Muslim law in these areas but does not codify it.			

134.	Although the Act does not specifically direct the Shariah Court (SYC) to apply the tenets of any particular school of law, generally, it is the law of the Shafie School to which the majority of the Muslims in Singapore belong to, which is applied.		✓ (Disclaim; Counter)	
135.	This is further confined to a particular kind of juristic opinion within the school concerned.			
136.	The AMLA also institutionalizes a legal committee to provide legal opinions (fatwa) on matters of Muslim personal law.	✓		
137.	This means that unless specifically provided within the Act, Muslims cannot avail themselves to the common law on concurrent areas, regardless of their choice, a position reinforced by relevant statutes which excludes or exempts them from the purview of these laws			✓ (Attribute;Acknowledge)
138.	However, Muslims are not completely isolated from the purview of the common law and jurisdiction of the civil courts in specific areas of family law, conditioned presumably by perceived compatibility of legal principles applied by the civil courts.		✓ (Proclaim; Concur;Concede)	
139.	This right is however not automatic but conditional upon mutual consent of parties involved or leave grantedby the SYC in its absence.		✓ (Proclaim; Concur;Concede)	
140.	Although its overriding justification was to strengthen the institution of marriage and the rights of parties within it, in particular rights of women, the extent to which codification brought about improvements in these areas has been strongly contested.		✓ (Disclaim; Counter)	
141.	The process, he asserted, effectively severed the law from its own indigenous jural system through nebulous devices.			✓ (Attribute;Acknowledge)
142.	Although these legal changes among many others were intended to strengthen the institution of marriage and the rights of parties upon divorce that would reflect more closely contemporary social values and expectations of marriage, this objective has yet to be fully realized.		✓ (Disclaim; Counter)	
143.	The perception strongly implies that legal reform cannot take place unless the law itself is eradicated and replaced.			✓ (Attribute;Distance)
144.	Within this perspective, the problem is perceived as conditioned by the prevalence of traditionalism or conservatism among dominant agencies on the Muslim law who rigidly cling to selective classical rulings as sacred and immutable, much in the same way as the Qur'an and other inspired traditions are regarded.	✓		

145.	This mode of thinking of the Muslim law is in a way, a mirror image of the Orientalist style of thought which reduces the Muslim law to an abstract bundle of rules that are divorced from specific socio-historical contexts and practical considerations that have conditioned its emergence.			✓ (Attribute;Acknowledge)
146.	Ziba Mir-Hosseini, in her study on the struggle for women's rights in the context of post-revolution Iran observed that while there have been strong efforts by some prominent religious scholars at endorsing universal values of justice and gender equality rooted in the Islamic tradition, noticeable shifts toward conceiving the issue as one premised on rights have taken place			✓ (Attribute;Acknowledge)
147.	Such shifts, according to another scholar signify attempts at reconciling and adapting Islamic values with the "universal", "legitimate" and "socially just" discourse on human rights.			✓ (Attribute;Distance)
148.	In CEDAW, discrimination is defined as: any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality with men, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (Article1)			✓ (Attribute;Acknowledge)
149.	Bayefsky et al. maintain to the effect that the Convention has facilitated the understanding of modern international human rights standards in general; integrated women's rights into the broader human rights context in terms of standards and implementation; and promoted domestic or national implementation efforts.			✓ (Attribute;Distance)
150.	At the national level, CEDAW has provided women in various signatory states with a powerful advocacy tool in drafting constitutions, judicial decision-making, and formulating national laws and government policies.			✓ (Attribute;Distance)
151.	Although a signatory to this Convention, Singapore had initially entered a blanket reservation to Articles 2 and 16.		✓ (Disclaim; Counter)	
152.	A "reservation" to an Article means that although accepting other provisions, the ratifying state will not implement that particular provision, thereby limiting the extent of acceptance of the convention.		✓ (Disclaim; Counter)	

153.	It is contended that the mode of thought on the Muslim law underlying the reservation reveals the traits of traditionalism or conservatism.			✓ (Attribute;Distance)
154.	Although it does not disagree with the objectives of the Convention, it favors the Muslim law in operation without considering the need for explication and engagement on how the law safeguards against discrimination and promotes gender equality, values espoused both by Islam and the Convention.		✓ (Disclaim; Counter)	
155.	Generally, the discourse is characterized as one of dichotomy, incompatibility or conflict between Shariah law and the relevant sub-sections of Article16.	✓		
156.	Although it urged for reform of the Muslim law, there is hardly any engagement or discussions that can pave the way for how such efforts can be carried out without compromising Islamic values and traditions and the principles of equality and non-discrimination espoused in Article16.		✓ (Disclaim; Counter)	
157.	As Mayer aptly observes, "Many theoretical visions of Islam and human rights presume both sides are rigid and fixed entities."			✓ (Attribute;Acknowledge)
158.	On the contrary, according to the author, Muslim legal traditions have been subjected to modifications and different practices and accumulating evidence reveal that many Muslims have conceptions of their religious heritage and human rights as mutually reinforcing.			✓ (Attribute;Distance)
159.	The problem is compounded by the lack of awareness of, and inadequate consideration for competing and progressive elements as a platform for revising the law, aggravated by attitudes toward Islam that overall, mar genuine and objective negotiation.	✓		
160.	As Naim warned, "it is difficult to establish universal standards across cultural boundaries as each tradition has its own internal frame of reference and derives the validity of its precepts and norms from its own sources. When a cultural tradition relates to other traditions and perspectives it is likely to do so in a negative and perhaps even a hostile and antagonistic way."			✓ (Attribute;Acknowledge)
161.	They reveal the assumption of a fixed meaning ascribed to the term "same rights" used in Article16 which must exclude polygamy regardless of circumstances.			✓ (Attribute;Distance)
162.	The CEDAW Committee's expressed concern with legal authorization of polygamy reflects and reinforces such a presumption.			✓ (Attribute;Distance)

163.	In a way, they reflect the concerns of many other groups about how the instrument assumes a hegemony that thwarts particular cultural or religious beliefs.			
164.	This is because any attempt to eradicate polygamy will likely invite backlash from various elements, in particular conservative groups who subscribe to the view of the law's immutability.	✓		
165.	This is in fact the justification already adduced by many state actors in Muslim countries for their reservation to Article16.			✓ (Entertain)
166.	It can be argued that while forcing a woman against her will either to enter into or remain in a polygamous marriage is clearly inconsistent with the principles espoused by CEDAW and the Muslim law, how her rights are compromised in situations that depart from these, has not been given due consideration.			✓ (Attribute;Acknowledge)
167.	This is a pertinent issue which has hardly been addressed in debates on CEDAW.	✓		
168.	The problem is compounded by the tendency to presume that the term "same rights" must be read as subjecting husbands and wives to similar laws.			✓ (Attribute;Distance)
169.	It is exacerbated by the pervasive unfavorable attitude toward polygamy, generally.			✓ (Attribute;Distance)
170.	The perception of polygamy as incompatible with the Convention has deflected attention from more pressing problems pertaining to its administration which directly bear upon principles of non-discrimination and equality.			✓ (Attribute;Distance)
171.	For instance, although the consent of the existing wife is one of the major preconditions for a successful polygamous marriage application, there is at present, a lack of clarity on the importance accorded to this particular factor, a problem not confined to Singapore.		✓ (Disclaim; Counter)	
172.	A study on the administration of Islamic marriage laws in Malaysia revealed that Shariah judges tended to give emphasis only to a man's financial capacity to support more than one family in deciding whether or not permission should be granted.			✓ (Attribute;Acknowledge)
173.	A related issue that also requires redress which could be spurred by lifting the reservation is the lack of comprehensiveness of existing legal remedies available to women seeking to terminate their marriages due to polygamy.			✓ (Attribute;Acknowledge)

174.	This issue is closely intertwined with the principle of equality of rights and non-discrimination against women in divorce which both Islam and CEDAW enjoin.	✓		
175.	Although the provision of "inequitable treatment of a wife in a polygamous marriage" is stipulated in Section 49 for divorce by judicial decree, polygamy itself is not.		✓ (Disclaim; Counter)	
176.	Although such a practice is well recognized in Islamic law, it is uncommon in Singapore where generally, the level of awareness of women of prenuptial agreements is low.		✓ (Disclaim; Counter)	
177.	Alternatively, it can be argued that although at present, taqlik takes the form of expressed conditions stipulated in the marriage certificate at the point of marriage, this does not preclude certain implied conditions from being inferred within the agreement.		✓ (Disclaim; Counter)	
178.	It is not unreasonable, for instance, to presume that at the point of marriage there is an expectation that the marriage will be monogamous as otherwise a wife will not seek divorce when her husband decides to take on another wife.	✓		
179.	This means that although polygamy as a ground for conditional divorce is unwritten in the marriage contract, a presumption can be inferred from the contract that the couple intended the marriage to be monogamous.		✓ (Disclaim; Counter)	
180.	This presumption of an implied condition against polygamy would radically alter dominant approach in the administration of polygamy and effectively curb the practice without even tampering with the Koranic provision.			✓ (Attribute;Acknowledge)
181.	Although predominantly articulated as revealing Islamic law's incompatibility with Article16, the crux of the actual problem lies in rigidity in the mode of thinking on talaq and how it is administered.		✓ (Disclaim; Counter)	
182.	Ahmad's attack on talaq way back in 1966 remains pertinent: ...[I]n most Muslim countries the right of the Muslim husband has been restricted and it is only bigoted fanaticism and the lack of social consciousness which leads the Muslim men in Singapore to claim their exclusive right in this matter.			✓ (Attribute;Acknowledge)
183.	The practice has also been condemned by many scholars who maintain that the view that Muslim husbands enjoy arbitrary unilateral power to inflict instant divorce does not accord with Islamic injunctions.	✓		

184.	Such reasoning strongly implies that the unfettered right of a man to divorce his wife without cause cannot be changed although it is morally reprehensible to do so.		✓ (Disclaim; Counter)	
185.	The issue here is not forcing a man against his will to put up with an empty shell but the gender partiality in favoring the husband who can obtain divorce unilaterally.	✓		
186.	While some states have ensured that talaq must be pronounced in Court, in Singapore, this is not the case.			✓ (Attribute;Distance)
187.	All the nine limbs of Section 49 of the AMLA that a wife can claim as grounds for divorce, including husband's imprisonment for three years or more, chronic illness, impotency, insanity, cruelty of conduct even if it does not amount to physical illtreatment, associating with people of ill-repute, attempts at forcing one's spouse to live an immoral life, lives and cohabits with another, do not apply to a husband.		✓ (Proclaim;Endorse)	
188.	Strong justifications based on equality and justice call for this imbalance to be addressed so that fasakh be extended to both parties regardless of gender.	✓		
189.	Although the conditions do provide minimum protection for wives, the crux of the matter lie less in the conditions available to them for divorce but more with the problematic mode of thinking of the law that prescribes divorce as the prerogative of a husband without cause.		✓ (Disclaim; Counter)	
190.	However, this opportunity for equal right to divorce is impaired by the condition that the husband must consent to the divorce despite the wife's willingness to return the marriage gift.		✓ (Proclaim; Concur;Concede)	
191.	Although it is gender equal, this type of divorce has been confined to the limited cases of divorce involving childless couples and those without a matrimonial home.		✓ (Disclaim; Counter)	
192.	Yet another example of Muslim law highlighted as inconsistent with the CEDAW Article16 is the view that maintenance of wives and the family is the legal obligation of husbands.		✓ (Disclaim; Counter)	
193.	The situation reveals the limitation of the "separate but equal" approach used to justify perceived incompatibility between Shariah law and CEDAW.		✓ (Proclaim;Endorse)	
194.	Some Muslims have also argued that examined as a whole, women under the Muslim marriage law were accorded certain privileges as, for example, in the provision of mahr (dower) which would make up the deficiency in their share of inheritance.			✓ (Attribute;Acknowledge)

195.	However, both the law and its administration have not responded to the changing condition.		✓ (Proclaim; Concur;Concede)	
196.	This presumption occurs especially with matrimonial property as they are usually purchased by spouses.			
197.	Although these matters are regulated by the common law which applies to Muslims, the fatwa nevertheless provides a strong religious basis that legitimizes the gender equal approach in the matter of estate.		✓ (Disclaim; Counter)	
198.	However, the nuzriah, the instrument invoked to validate variations to the faraid is not free from doubt.		✓ (Proclaim; Concur;Concede)	
199.	However, more can be done to give effect to the objectives that underlie the law.		✓ (Proclaim; Concur;Concede)	
200.	This means that irrespective of the circumstances of each case, the division of the estate is fixed.		✓ (Proclaim;Endorse)	
201.	The arguments thus far attempt to deal with problems and limitations in the administration of the Muslim law of inheritance which can be potentially addressed by lifting the reservation to Article16.			✓ (Attribute;Acknowledge)
202.	In this respect, the argument of a Turkish scholar on the concept of "limits of God" beyond which the rights of the individual begin to be infringed, used in the Koran in the context of division of shares for inheritance, is instructive.			✓ (Attribute;Acknowledge)
203.	Based on the premise that certain passages in the Qur'an relating to inheritance are not fixed and reflected traditional social customs of Arabic society, Hazairin mooted the idea that division and distribution of shares can vary without compromising the principle of social justice espoused by the law.			✓ (Attribute;Distance)
204.	His ideas took a new lease of life in the 1980s with the agenda of re-actualization of Islamic teachings proposed by leaders such as Munawir Sjadzali that aimed to make Islam and its laws more responsive to contemporary and local needs of Indonesian society			✓ (Attribute;Acknowledge)
205.	Sjadzali maintained that without compromising the eternal principle underlying the law, the division can vary under specific conditions.			✓ (Attribute;Acknowledge)
206.	The idea found support among prominent members of the legal establishment, including former Supreme Court Judge, Yahya Harahap who not only proposed for half share as the minimum limit,			✓ (Attribute;Distance)

	but also maintained that the minimum limit should be allowed to vary to permit greater share for women should circumstances warrant.			
207.	Yet another example that has been highlighted as ground for reservation to CEDAW is the requirement of the wali (guardian) whose permission is perceived as necessary for the bride to be married off.		✓ (Disclaim; Counter)	
208.	Provisions in the AMLA reveal that although a wali is required for a bride to be married off, he does not have the power to prevent her from marrying a person of her choice even if he		✓ (Disclaim; Counter)	
209.	The Minhaj, for instance, stipulates that: a father can dispose as he pleases of the hand of his daughter without asking her consent whatever her age may be, provided she is still a virgin although it is commendable to consult her as to her future husband.		✓ (Disclaim; Counter)	
210.	Although this legal position was adopted in the case of Syed Abdullah Al-Shatiri v Shariffa Salamah [1959 MLJ 137] where the Shariah Appeal Board decided that where a virgin girl is given in marriage by her father, her consent is not essential to the validity of the marriage, this is no longer the legal position today.		✓ (Disclaim; Counter)	
211.	Tunisia's law lie not only on the moral rider in verse 3:127 of the Koran which states to the effect that if a person was afraid that he could not do justice to co-wives then he must marry only one, but also on the additional comment in Verse 4:129 that "you will never be able to do justice to women no matter how much you desire".			✓ (Attribute;Distance)
212.	The guardian also represented the complex of interests of the family, the wider community as well as the ward as marriage has never been an exclusive affair of the couple per se even in contemporary Muslim societies.			✓ (Attribute;Distance)
213.	It also sets up an agenda to end such discrimination not by simply adopting a formal equality approach but compels by way of Article 2, signatory states to undertake, as a matter of urgency, measures that will ensure equality of opportunity and equality of access to those opportunities.	✓		

No.	Words, Phrases, Clause and Sentence	Graduation	
		Focus	Force
47.	More pertinently, the policy reinforces the dominance of traditionalism in the thinking of dominant stakeholders of the law.		✓
48.	Although constitutionally a secular state, Muslims living in Singapore are legally bound by a system of personal law based on an admixture of selected classical fiqh (traditions) and adat (customs) which regulate the Muslim family.		✓
49.	This arrangement has persisted since the colonial period during which the personal laws of the plural inhabitants of the colony became confined in their application largely to the domain of the family.		✓
50.	It is pertinent to iterate that the AMLA merely administers the Muslim law in these areas but does not codify it.		✓
51.	What constitutes the law is largely determined by legal authorities conferred with the power to administer it.		✓
52.	Although the Act does not specifically direct the Shariah Court (SYC) to apply the tenets of any particular school of law, generally, it is the law of the Shafie School to which the majority of the Muslims in Singapore belong to, which is applied.		✓
53.	This is further confined to a particular kind of juristic opinion within the school concerned.		✓
54.	The AMLA binds all Muslims and would presumably cease to apply only if they abjure Islam.		✓
55.	This means that unless specifically provided within the Act, Muslims cannot avail themselves to the common law on concurrent areas, regardless of their choice, a position reinforced by relevant statutes which excludes or exempts them from the purview of these laws.		✓
56.	Except in the areas specifically defined in the AMLA, the common law applies to Muslims as citizens of the state in all other areas.		✓
57.	However, Muslims are not completely isolated from the purview of the common law and jurisdiction of the civil courts in specific areas of family law, conditioned presumably by perceived compatibility of legal principles applied by the civil courts.		✓

58.	The introduction of the AMLA in Singapore in 1966 was contemporaneous with modernization of Muslim family law in response to social change in the many newly independent Muslim societies in the twentieth century.		✓
59.	While the introduction of the colonial capitalistic economy had already gradually modified the primacy of the extended family within a complex system of rights and obligations based on traditional customary laws and mores, the process of nation building after independence impacted upon the family institution more incisively.		✓
60.	While other areas of the indigenous law had been effectively replaced by foreign law of the colonial powers, family law based on a syncretic admixture of religious law and customs was largely preserved.		✓
61.	Although its overriding justification was to strengthen the institution of marriage and the rights of parties within it, in particular rights of women, the extent to which codification brought about improvements in these areas has been strongly contested.		✓
62.	Hallaq, for instance, maintained that codification was part of the power dynamics of the evolving modern state rather than a teleological effort to progress toward a more sophisticated legal culture.		✓
63.	The process, he asserted, effectively severed the law from its own indigenous jural system through nebulous devices.	✓	
64.	Hence, he submitted that while the popular Muslim imagination appears to hold these remnants of Shariah to be an authentic and genuine expression of the fiqh family law, the fact of the matter is that this sphere of law underwent structural and foundational changes that has resulted in its severance from both the substance of classical fiqh (which in many ways were much richer than the condensed statutes) and the methodology by which fiqh had operated.		✓
65.	In Singapore, the introduction of the AMLA in 1966 was intertwined with the process of legal and institutional changes in the domain of the Muslim family law that had occurred in large parts of the Muslim world.		✓
66.	Women's rights to maintenance during marriage and after divorce and their share in matrimonial assets and mutaah were also clearly stipulated.		✓
67.	Although these legal changes among many others were intended to strengthen the institution of marriage and the rights of parties upon divorce that would reflect more closely contemporary social values and expectations of marriage, this objective has to be fully realized.		✓
68.	Such an approach occurs extensively in the writings of some Orientalist scholars who generally subscribe to the essentialist notion that Islamic law		✓

	being inherently unchanging, fossilized and immutable, the very nature of the law itself impedes change and reform.		
69.	The perception strongly implies that legal reform cannot take place unless the law itself is eradicated and replaced.		✓
70.	Furthermore, the legal contributions of others though socially beneficial are not deemed integral to the development of the Muslim law.		✓
71.	This mode of thought compounds the problem of persistence of lag in legal adjustment to the demands of social change with adverse implications on women and the family generally.		✓
72.	Furthermore, they generally pertain to administration of the law rather than the substantive law.		✓
73.	It also sets up an agenda to end such discrimination not by simply adopting a formal equality approach but compels by way of Article 2, signatory states to undertake, as a matter of urgency, measures that will ensure equality of opportunity and equality of access to those opportunities.		✓
74.	The provisions are expected to apply universally to all states that are parties to the Convention, irrespective of their cultural and religious diversity.		✓
75.	It has been observed that CEDAW has contributed significantly to improving rights of women in various legal systems.		✓
76.	Such an opportunity is however seriously hampered by the dominant mode of thinking of the Muslim law.		✓
77.	More specifically, they include the right of a husband to terminate his marriage unilaterally (talaq) unlike a wife who is required to prove a ground for divorce; a husband's right to polygamy albeit subject to several restrictions; the requirement of a wali/guardian for marriage only for the bride and the legal obligation of a husband to maintain the family.		✓
78.	It further added that this is deemed necessary to maintain the delicate balance of Singapore's multi-religious society.		✓
79.	It has been noted that it is largely the Muslim countries that have entered the "most explicit and all-encompassing reservations" to the Convention based on the premise that Article16 or parts of it, contradicts religious law that regulates family relationship.		✓
80.	Malaysia, Singapore's neighbor, for instance, reserves Article16 on the same premise, that it contradicts religious law on family relationships for Muslims and that full compliance with the Convention would mean major changes to the existing family law.		✓
81.	When a state purports to accept its obligations but avoids changing its law comprehensively, the regime of the Convention is weakened.		✓

82.	Generally, the discourse is characterized as one of dichotomy, incompatibility or conflict between Shariah law and the relevant sub-sections of Article16.		✓
83.	Although it urged for reform of the Muslim law, there is hardly any engagement or discussions that can pave the way for how such efforts can be carried out without compromising Islamic values and traditions and the principles of equality and non-discrimination espoused in Article16.		✓
84.	Consequently, the potential for legal change is adversely impeded.		✓
85.	This is because any attempt to eradicate polygamy will likely invite backlash from various elements, in particular conservative groups who subscribe to the view of the law's immutability.		✓
86.	Within Muslim states, however, there is strong support for polygamy to be curbed or restricted effectively through stringent administration, due to social necessity, without abolishing it.		✓
87.	This approach stands in between two minority positions; the first which regards polygamy as completely a matter of the private judgment of the individual and the other which gives legal import to the riders and dismisses the latitude given to the permission clause.		✓
88.	This issue is closely intertwined with the principle of equality of rights and non-discrimination against women in divorce which both Islam and CEDAW enjoin.		✓
89.	Currently, the AMLA does not clearly recognize polygamy as a ground for divorce.		✓
90.	Furthermore, presumably the burden of proof for "inequitable" treatment falls on her.		✓
91.	This is inevitably more onerous than if polygamy itself constitutes an independent ground for divorce.		✓
92.	While presumably such application can be heard under the ground of "harm caused to wife not amounting to physical harm" or the more general limb providing for "any other ground recognized in Muslim law", as far as I am aware, these have not been extended to include polygamy.		✓
93.	A form of divorce for women that may potentially encompass polygamy is taqlik or conditional divorce.		✓
94.	Although such a practice is well recognized in Islamic law, it is uncommon in Singapore where generally, the level of awareness of women of prenuptial agreements is low.	✓	
95.	Although predominantly articulated as revealing Islamic law's incompatibility with Article16, the crux of the actual problem lies in rigidity in the mode of thinking on talaq and how it is administered.		✓

96.	Unlike the case of polygamy in which a woman's right of choice is not automatically divested from her, talaq reflects disparity in this respect as a man is absolutely free to divorce his wife whenever he wishes just by pronouncing the word divorce whereas a woman can only terminate her marriage even to an extremely undesirable husband by having to prove a ground in court or by persuading her husband to release her.		✓
97.	It is the surest form of divorce for women at present.	✓	
98.	There is hardly, if any attempts at explicating the rationale for the mandatory force of the conditions and their selection.		✓
99.	Hence, though women do eventually succeed in obtaining a divorce by khul, the legal procedures involved are intertwined with the husband's consent.		✓
100.	This undermines the very objective of this form of divorce which is unconditional.	✓	
101.	Hence, divorce by mutual consent is popularly referred to as qadi divorce (cerai qadi).		✓
102.	This arrangement does not accurately reflect the reality of Muslim families in Singapore whereby wives who are economically employed are more likely to jointly contribute to the family's maintenance though many may not bethe major breadwinners of the family.		✓
103.	The situation reveals the limitation of the "separate but equal" approach used to justify perceived incompatibility between Shariah law and CEDAW.		✓
104.	While a woman's role cannot be generally reduced to homemaking today, it continues to underlie the rationale for rejecting Article16.		✓
105.	Under the provisions of the Charter, a father is legally obliged to maintain his child even if the child is illegitimate.		✓

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- 2020 – Saat Ini : Anggota HISKI UNJ