LOCAL RELIGIOUS FUNCTIONARIES AND STATE’S RELIGIOUS BUREAUCRACIES: AN ANALYSIS OF THE ROLES OF THE IMAMS IN KELANTAN

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INTRODUCTORY REMARKS

The aim of this article is basically to analyse the nature of the relationship between local religious functionaries, the Imams, and state’s religious bureaucracies in the state of Kelantan, principally that of the Majlis Agama Islam dan Adat Istriadat Melayu Kelantan or in short the Majlis. This treatment is, to be sure, unabashedly brief and somewhat historical in nature. It is also to be maintained that forces of bureaucratization has very much shaped the nature of the relationship. In terms of time-frame, the “present” roles of the Imams vis-a-vis the Majlis refers to the situation as it existed in the late 1970s, since the observation is born out of a research effort carried out in that particular period.

HISTORICAL ANTECEDENTS

The political system of Kelantan prior to the coming of the British has been described as lacking centralized control; one could only speak of an intermittent if not elusive centralization (Roff, 1974: 104). The absence of centralized control seems to have given the opportunity to the local religious functionaries, the Imams, to play an influential role in the periphery (ibid.). Their roles were not limited to performing religious functions but they also carried out functions that were administrative in nature including, among others,

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"the alienation of land, supervision of produce taxes, and assessment and collection of the triennial bani or poll-tax" (ibid: 105). The Imams' relatively autonomous position began to be undermined when a somewhat different form of district administration was introduced in the 1860s or 1870s with the appointment of district or 'circle' headmen based on the Thai model. The district headmen were known as Tok Kweng. The introduction of this new form of district administration led to the Imams' Mukim being placed within the Kweng's boundary (ibid: 105). Though the authority of the Imams was now parallel to that of Tok Kwengs it has been argued that the Imams still retained a substantial amount of authority and rarely succumbed to central control (ibid: 15-107).

In sum, for most of the nineteenth century, the authority of the rural Imams had proved to be an enduring structure forming in the words of Roff, "the hinge of an attenuated if slowly strengthening religious administration" (ibid: 106). The introduction of the Tok Kwengs system of headmen in the 1870s and the reorganization of the system of land tenure and registration in 1881 were the two most important administrative changes that seem to have affected the functioning of the Imams and such administrative changes had an important impact in the 1890s (ibid: 107).

The first serious attempt towards centralizing religious authority was made in 1888, arising initially from the decisions by the Chief Minister and the Mufti whereby strict observance of certain Islamic laws was required (ibid: 107). This process was further reinforced in the early 1900s (ibid: 108). Of particular interest was the formation of an institution known as Pemeriksa Jumaat (Friday Inspectors) with the responsibility of ensuring regular performance of the Friday prayers (ibid: 109). This renewed awareness in religious matters was said to have been due to an increasing penetration of the administrative reforms which were felt even at the remotest village level. These reforms had started in 1892 under the Siamese Commissionership System; and included the introduction of a new Padi Tax (ibid: 109).

Although the increased bureaucratization process was a prominent feature in early twentieth-century Kelantan, the Imams influence at the village level was still great. W.A. Graham, the British Adviser who administered Kelantan from 1903 to 1909, who was keen of making Kelantan a more secular and centralized state, had to admit this fact. In his report on the state
of Kelantan of this period he stated that, "for the last 30 or 40 years the Tok Kweng and Imam have existed side by side, the former in some places and the latter in others, being the more influential" (Graham, 1905). This, perhaps, testifies to the claim that despite serious attempts by architects of administrative modernization, the traditional Kelantanese religious authority structure survived in largely in much the same form. Roff (1974) saw this enduring process as a kind of "institutional continuity" and in Kelantan, as observed by Roff, it was very much helped by the "self-determination" of the Kelantanese traditional values, specifically the religious values (ibid: 149). So great was the influence wielded by the Imams that Roff made a very important, and perhaps crucial observation, in that: "He who controlled the Imams, it might have been said, commanded the state" (ibid: 118).

THE STATE RELIGIOUS AUTHORITY STRUCTURES AND THE IMAMS

In its schematic representation, the relationship between the state (Kelantan) and the religious authority structures, as it existed in the late 1970s, can be ideally described as follows.

As provided by Article 3(2) of the constitution of the Federation of Malaysia, the Sultan is the head of the Muslim religion, and the principal administrative organ is the Majlis Agama (Religious Council). However, in Kelantan, unlike other states in Peninsular Malaysia, there are two religious institutions. The first is the Majlis, a somewhat autonomous religious body with the Sultan as its head, and with its own administrative staff. The other is the Mahkamah Syariah (Syariah Court) and Mahkamah Khadi (Khadi Court), joined as one.1 Heading this institution is the Mufti who is assisted at the district level by Khadis. The Mahkamah is not an autonomous religious body but a part of the state’s bureaucracy. At the bottom of the religious administrative hierarchy, representing both Majlis and Mahkamah, are the Imams who are in charge of the various mukims.

Thus the transmission of authority from state’s religious bodies to the Imams is less ‘streamlined’. This is peculiarly Kelantanese since the Imams in Kelantan are in incorporated into two ‘types’ of authority structure, formal and informal.

1 The term Majlis here refers to the Majlis Agama Islam dan Adat Istiadat Melayu Kelantan. Henceforth, the abbreviated Majlis will be used throughout the article in referring to this religious institution. Similarly, the term Mahkamah will be used to refer to both Mahkamah Syariah and Khadi.
The Imams are formally under the Majlis, and autonomous state religious institution. They function under the Majlis as “Collectors of Zakat and Fitrah”. Simultaneously, but more informally, they are also under the Mahkamah, the state religious court. They serve the Mahkamah as “Registrars of Muslim Marriages and Divorces”. Their relationship with the Mahkamah is informal inasmuch as the Mahkamah’s decisions are not legally binding on them. The Imams have been asked, on the basis of “goodwill” (jasa baik), to be “Registrars of Muslim Marriages and Divorces” in their respective mukims on behalf of the Mahkamah. The Pegawai Agama (Religious Officer) at the Majlis is the person who is in charge of the Imams in Kelantan, not the Mufti of the Mahkamah.

Interestingly, it is only the Imams of Kelantan who have the advantage of having to perform two functions simultaneously. Outside Kelantan the registration of Muslim marriages and divorces is a responsibility of the Majlis rather than the Mahkamah and this is the only function of the local Imams. They do not function as the “collectors of Zakat and Fitrah”, a function assigned to specially appointed officials mainly from the Majlis. In some places, for example in Penang, we even find cases where Penghulus were appointed as “collectors of Zakat and Fitrah” in their respective areas.

The brief discussion above has indicated the fact that the Imams’ relationship with the authorities that regulate their behaviour presents a peculiar and complicated pattern. The Imams’ relations with the outside authority, however, often cross district boundaries. This is so, because they are formally seen as directly answerable to the Majlis, the state religious institution that does not have offices at the district level, which the Mahkamah does in the form of Khadi Court. Thus the Imams’ authority structure is two-fold. The Imams’ formal relationship is to the Majlis whilst their informal association is with the Mahkamah.

THE FORMAL REQUIREMENTS FOR THE POSITION OF THE IMAMS

The Evolution of the Appointment Procedures

Traditionally, the position of the Imams was hereditary, similar to that of the Penghulus.² The only difference that one might expect, however, was that

² In Kelantan, the term Penghulu is equivalent to Ketua Kampung (village leaders) in other
while the position of the Penghulu was determined by one’s physical prowess, the Imam’s position was determined by command of religious knowledge. In the traditional setting, it was not uncommon to find the two qualities in one person. The informal Imams at this time were also, more often then not, Tok Gurus. Having received pondok education and after having established pondok schools in their respective villages, the Tok Gurus were the most likely candidates, chosen by the villagers, to be the Imams. At this time, they can be considered as informal Imams since the state machinery was not as yet involved with the procedures of their appointment.

The situation changed with the introduction of modern administration by the British in the early twentieth century. By 1915, with the formation of the Majlis, the appointment of the Imams was formalised with the Majlis issuing Surat Tau/iah. At this early stage, the Imams were still chosen by the villagers; and more often than not the Majlis ratified the choice.

The appointment procedures, however, radically changed during the 1960’s when prospective Imams were summoned to the Majlis where they had to undergo an oral test. In this test the candidates were asked to read aloud in front of examiners certain passages from the Koran. The purpose was to check for correct pronunciation.

During the 1970s, the procedures were again radically changed. This time the candidates were subjected to written as well as oral examinations, in a manner similar to those undergone by ordinary school children. Usually the written examination required the Imams to answer questions concerning the Unity and Existence of God (Tauhid). They were asked to prove that God exists; what are the qualities (Sifat) of God? Was the earth created by God or by natural forces? They were also asked to distinguish the meaning of Rasul (Messenger of God), Nabi (Prophet), and Wahyu (Revelation).

In the late 1970s, vacancies for the position of Imams were usually

3 Tok Gurus are the most respected informal religious teachers in Kelantan. As a cautionary note, it is important however to distinguish the differences between Tok Gurus and Tok Lebais. Tok Gurus are usually pondok ‘graduates’ while Tok Lebais, on the other hand, are those respected village elders who are very concerned with matters pertaining to religion. Both Tok Gurus and Tok Lebais are usually hajis. Sometimes the term Tok Alim is used as a general concept covering both Tok Gurus and Tok Lebais.

4 The word pondok literally means “hut”. The “huts” are usually built encircling the guru’s house or the mosque where the religious teaching is held.

5 The content of the examination is derived from examination questions made available to me by the Majlis. The examination paper was dated 3rd. April, 1976.
announced after the Friday prayers by the out-going Imams. Notices were also posted at the Majlis and sometimes at the respective Penggawas offices. For those interested there were application forms, obtainable from the Majlis, to be filled and returned by specific dates.

Responsibilities, Roles and Material Benefits Attached to the Office of the Imams

The Imams were in charge of mosques in their respective mukims. In fact, the mukims for the Imams, in contrast to the Penghulus, were determined by the existence of the mosques or suraus in the area. Basically, the roles of the Imams in the village community revolve around two main themes. First, the mosque itself, its maintenance and cleanliness. Second, the creation of a “moral community” (Masyarakat yang berakhlaq).

In return of their services, the Imams were entitled to commissions (habuan) for their services. As we have already seen, there were two institutions which directly and indirectly, controlled the functioning of the Imams. The two institutions were the Majlis and the Mahkamah and it was from these two that the Imams received their habuan mostly in the form of percentages. By serving the Majlis as “collectors of Zakat and Fitrah” they were entitled to twenty per cent of the total they had collected; and by being the “Registrars of Muslim Marriages and Divorces” for the Mahkmah they were given forty per cent of the total fees they had collected. Apart from the percentages they got by serving the above dual roles, they were paid an annual bonuses of RM100. “Special Bonuses” were also made available by the Majlis to those Imams who were efficient in the zakat and fitrah collections. On average, three to four Imams were chosen each year to receive this special bonus; and the amount ranged from RM200 to RM400.

On the question of retirement, it was only in the early 1970s that the Majlis became concerned with the age of retirement for the Imams. On comparison, the regulation that the Imams should retire by the time they reach the age of 55, came much later then the regulation which made this compulsory for Penghulus.

Since the Imams were appointed by the Majlis, it is also the Majlis which has the power to “suspend” or dismiss the Imams, although there is no “special committee” that surveyed and evaluated their performances as Imams. In the wider area of social activity, it is interesting to note that the Imams were not specifically discouraged or prohibited from participation in
politics. This may perhaps explained the reasons for the PMIP success in Kelantan since for the majority, the Imams were staunch supporters of the PMIP.

The Imams were, however, very much curbed with the introduction of the Majlis Enactment, 1966. What was singularly significant in the Enactment was the “Assessment List”: a more comprehensive and systematic approach in the collection of zakat. The Imams who were hitherto used to a very informal system of collecting zakat found the “Assessment List” most disturbing.

In the collection of zakat prior to 1966 the Majlis simply trusted the Imams. The padi grains collected were usually stored in one comer of the Imams’ houses and there was no hurry in selling the padi. After 1966, the Imams were supplied with special forms prepared by the Majlis (the “Assessment List”) to be filled in by the Imams for those anak-mukims qualifiable for zakat-collection.

To be sure, since the early 1960s, the Imams were rather suspicious of the Majlis’s role. They saw the Majlis as more inclined to shoulder responsibilities from the centre by having closer identification with national values and aspirations. Concomitantly the Majlis’s attitudes towards the Imams in general were increasingly bureaucratized. This could be seen, for instance, in the procedures for recruiting the Imams. In the face of increased bureaucratization, the Imams’ position, in contrast to the Penghulus, was advantaged by the fact that they still had their disposal a certain degree of choice. In order to free themselves from the weight of bureaucratization coming from the Majlis, they relentlessly tried to identify themselves with the Mahkamah, although knowing very well that they were legally under the Majlis.

CONCLUDING REMARKS

The above brief discussion has thrown lights, specifically on the Imams’ roles in relation to the Majlis and Mahkamah. In this case, two things need

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6 In contrast, the Penghulus, like ordinary government servants were strongly warned not to meddle in the politics of the day. The formation of Jawatankuasa Penasihat Penghulu-Penghulu Kampung (Consultative Committee for Village Heads) in 1968 was a step to ‘streamline’ the administration of the Penghulu. The level of politicization of this committee can be seen from the fact that the committee can independently dismiss a Penghulu without prior consultation with the State Executive Council.

7 This is the abbreviated version of Kelantan Council of Religion and Malay Custom Enactment 1966.
to be further clarified.

First, the indirect relationship between the Majlis and Mahkamah. this relationship is facilitated through the meditation of a body known as Jumaah Ulama (The Council of Ulama) which advises the Majlis mainly by issuing fatwas (religious rulings). The Mufti, as head of Mahkamah is also one of the Majlis’s Executive Committee Members, serving as an ex-officio member. Most of the members of the Jumaah Ulama are distinguished Tok Gurus from well-known pondoks in Kelantan. The Majlis is usually represented by its Pegawai Agama (Religious Officer).

Second, it can be argued that from the Imams’ point of view, though they are legally under the Majlis, they see themselves as able to move between their roles as “collectors of zakat and fitrah” or as “Registrars of Muslim Marriages and Divorces” and see these roles as having equal value. Their resistance and reluctance to be controlled by either of the two institutions which have direct bearing on their performance as Imams is a very fascinating and fundamental feature of the functioning of the Imams in present-day Kelantan.

REFERENCES


