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Hijab in the Public Sphere of Muslim Countries in Southeast Asia, Media, State Rules, and Society Opinion

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Abstract

This article aims to explain state regulations and media perspectives in Muslim-majority countries in Southeast Asia regarding the use of the hijab as a religious symbol in public spaces. The influence of globalization has increased diversity in the media landscape in the public sphere, going beyond traditional face-to-face interactions and encompassing the vast realm of the Internet. While Muslim women in secular Western countries face bans on wearing the hijab in public spaces, Muslim women in Muslim-majority countries in Southeast Asia face challenges regarding their style of wearing the hijab in public spaces. This qualitative research is based on studying public space and religion. The analysis was carried out in three Southeast Asian countries, namely Indonesia, Malaysia, and Brunei Darussalam, which have Muslim populations with different characteristics. Indonesia and Malaysia are multicultural regions but are dominated by Muslims, and Brunei is a country with a Muslim majority. These three countries have different patterns of managing religion in public spaces. However, Malaysia is a necessary jurisdiction for the Islamic law legal system, and Brunei was ruled by a king who held absolute executive and legislative powers and implemented a combination of England's common law and Sharia law, in contrast to Indonesia, which is not an Islamic country, there is an obligation to wear hijab in the public sphere, especially in several provinces. Religious symbols in public spaces reflect the relationship between public space phenomena, the state, and the social context in a region. Social media has expanded the public sphere, providing greater opportunities for religious groups to present their arguments or engage in da'wah (religious outreach).

Keywords: Public_Sphere; Southeast_Asia; Muslim_Countries; Hijab_Media; Hijab_State_rules

Introduction

The presence of religion in the public sphere will give rise to different phenomena in every part of the world. The presence of religion in the public sphere of Western Europe is not a usual phenomenon but only in extraordinary cases and contexts, so the public sphere there continues to be secular, especially since religious actors participate in the public sphere by carrying out non-religious communication (Köhrsen, 2012, p. 284). An instance in a distinct context pertains to the phenomenon of incorporating religious symbols in the public sphere, exemplified by the utilization of the headscarf (known as hijab) by Muslim women (Muslimah).

For example, the issue of the Islamic headscarf crystallized in France and Turkey, where there was a ban on the use of the headscarf on women in connection with Republican secularism by legal rulings or the support of the army (Göle, 2010, p. 43). Numerous studies have examined the rise of Islam in the public sphere, yielding diverse findings. Research conducted on the level of tolerance towards Muslims in Germany reveals that the majority of Germans are accepting of the presence of religion, particularly Islam, within German public spaces, and this acceptance extends to aspects such as the use of the hijab and the

establishment of places of worship (Van der Noll, 2014, p. 60—74).

Meanwhile, in the post 9/11 USA, in labor selection, Muslim women who wear the hijab have very low job opportunities because the headscarf may not be so accepted in Western culture; on the other hand, the lack of religious clothing may also not be accepted in conservative Muslim cultures (Ghumman & Ryan, 2013, p. 671—698). Research on the use of the hijab in Muslim-majority countries in Southeast Asia takes a different approach compared to the analysis of Western contexts, which often focuses on debates surrounding prohibition and state regulations about secular concepts.

Instead, studies in Southeast Asia examine conservative and contemporary hijab styles and their correlation with social media. Social media platforms have emerged as a significant community for Malay Muslim youths, serving as a channel for shaping their perceptions of hijab styles, and consequently, the study of hijab choices encompasses a wide range of topics, including consumer culture, capitalism, and piety (Williams & Kamaludeen, 2017, p. 210).

Furthermore, Muslim women in Southeast Asia have played a significant role in promoting gender cosmopolitanism within the region. Through their active advocacy for the hijab and the creative presentation of modesty in various styles, these women have revolutionized the perception of humility within modern societies. In doing so, they have also reshaped conventional understandings of gender justice in Muslim-majority Southeast Asian contexts. Their contributions have been instrumental in challenging existing norms and promoting a more inclusive and diverse understanding of gender roles and rights in the region (Aljunied, 2017, p. 102—132).

Therefore, I will analyze the state regulations and media perspectives in Muslim-majority countries in Southeast Asia regarding the use of the hijab as a religious symbol in the public sphere. This research is qualitative research based on the study of public sphere and religion. The analysis was carried out in three Southeast Asian countries, namely Indonesia, Malaysia, and Brunei Darussalam, which have Muslim populations with different characteristics. Indonesia and Malaysia are multicultural regions but are dominated by Muslims, and Brunei is a country with a Muslim majority. These three countries have different patterns of managing religion in public spaces. Data were collected from media articles, legal documents, and interviews with many social observers in Indonesia, Malaysia, and Brunei Darussalam. Then, the data were analyzed through content analysis and a comparative analysis of findings between each country.

The influence of globalization has brought about growing diversity in the media landscape of the public sphere, expanding beyond traditional face-to-face interactions to encompass the vast realm of the Internet. Within the Muslim Ummah, the internet has emerged as a crucial avenue for discussing Sharia, enabling the conveyance of criticism and evaluation of contemporary issues that may not be explicitly mentioned in the Qur'an and hadith (Turner, 2011, p. 151—174). Thus, the discussion broadens, and information from diverse parts of the world rapidly evolves, contributing to the growing societal concerns surrounding religious practices in public spheres, specifically about the use of religious symbols.

1. The Public Sphere

The public sphere is a field of social life where something close to society's opinion can be formed, including when private individuals get together and express their opinions freely, with guaranteed access for all citizens (Habermas, 1974, p. 49). The public sphere is a site where social meanings are generated, circulated, contested, and reconstructed so that how relations of social domination affect culture and social structure can be studied (Fraser, 1995, p. 288). Research on the public sphere is important in describing a society's sociology. The prospect and future of the public sphere seem reasonably secure in a world that continues to be shaped by

capitalism, religion, and science forces (Zaret, 1993:230). Ideally, the essence of the public sphere is to combine disagreements and differences and accommodate aesthetic-affective forms of discourse to form a public opinion (Dahlberg, 2005, p. 129).

Secularists propose a limit on religion in the public sphere, but the specifics of political secularism vary from case to case while religion must enter the public sphere to help many parties to understand each other and reach mutual accommodation (Calhoun, 2011, p. 75—91). The public sphere as a meeting place for various types of society which can be multicultural becomes a place for the process of fusion, or it is also possible as a place to sharpen differences which in the process are expected to form a public opinion that can be used as a basis for making regulations or consensus.

The phenomenon of the public sphere in each region is certainly different because of the different characteristics of each society, but we cannot deny or discard this concept because the public sphere always exists as a result of social and political interactions. Therefore, I disagree with what was conveyed by Santos, who stated that the public sphere is no longer thought of as the global south, a metaphor for countries in Africa that have suffered from colonialism and neo-colonialism because of suffering from capitalism and colonialization (de Sousa Santos, 2012, p. 62). Post-colonialism countries face different problems, but the public sphere still exists with its variant phenomena.

The disparities in history and governance have led to contrasting public sphere dynamics between Europe and the United States. While European public spheres emerged organically in response to feudal states, which initially aimed to control and stifle them, the U.S. public sphere can be viewed as a state-driven political endeavor right from its inception (Benson, 2009, p. 189). Discourse in the American public sphere is closer to participatory liberal theory than discourse in the German public sphere, especially on the issue of abortion, so laxity in the American public sphere may be considered uneasy in Germany (Ferree, Gamson, & Gerhards, 2002, p. 319). Moreover, discourses that come into contact with religious teachings are brought into the public sphere of countries with a background of people closely related to religious education, for example, in Muslim-majority countries.

With urbanization in the developing world, there has been an increase in piety and religious awakening, and religion has become a significant factor in political and ideological struggles (Turner, 2014, p. 771). The public sphere provides space for religious practice in Islam, and Islamic law has provisions regarding what is right and what is wrong concerning political power in public and religious communities (Eder, 2006, p. 608). In modern society, Muslims also become actors in the public sphere and even accommodate authoritarian states or militant secularism in both Muslim countries and Western countries (Eickelman & Salvatore, 2002, p. 112). The opinion that Muslims can become actors in secular Western countries is slightly different from Casanova's opinion which states that religious arguments in the public sphere of secular countries will be complicated (Casanova, 2011, p. 85).

This shows that the public sphere phenomenon may differ from one region to another, and in some cases, even within one country. In the spring of 2010, an English nurse refused to remove or hide a cross while working and was consequently moved to a desk job; then, she took her case to an industrial tribunal (Davie, 2014, p. 27). In America, young women who wear the hijab receive a lot of criticism. This is a consequence of Islamophobia concern both Muslim-West Relations and the larger debate about multiculturalism so that Muslims face obstacles in their participation in the public sphere (Kalin, 2011. P. 3—20). However, sometimes they also receive support and praise, and the hijab as a Muslim self-identity is appreciated in the public sphere thanks to the attitude of American Muslims who have also changed to be wiser in responding to the impact of the destruction of the WTC (Ali, 2005).

Meanwhile, in a Muslim country, Malaysia, for example, a problem from a different point of view arises in connection with using the hijab. Although the majority of Malay women in Malaysia wear the hijab today compared to 30 years ago, there is no national requirement that Muslim women cover their hair in the country; unlike some other parts of the world, the veil is fashionable in Malaysia and is usually combined with different colors of clothing (Hochel, 2013, p. 44). In Indonesia, the increasing role of Islam in the public sphere provides religious women with an important platform, facilitating their involvement in national debates on issues such as Sharia law, abortion, and pornography and contributing to the relationship between religion and the state (Rinaldo, 2008, p. 1781).

Discussing how the state manages religion, especially the use of religious attributes and how people's opinion in the public sphere in these three countries is interesting to study within the framework of the sociology of religion, which for a long time has been dissolved in secular and political studies in the West after the 9/11 incident. States are now actively managing religions instead of neglecting them, particularly focusing on "managing Muslims" under the guise of social pluralism and multiculturalism (Turner, 2011, p. 175—193). Recently, non-Western religious studies have been dominated by anthropologists and historians; it is time for the sociology of religion to return to being a universal social science that does not only discuss religion (especially Islam) and various issues related to the effects of 9/11 (Riesebrodt & Konieczny, 2005, pp. 125—143).

However, problems arise from people's assumptions implemented in the public sphere of dialogue, namely the internet media, which has been developing rapidly lately, and how the media reports and guides society's opinion. Newspaper coverage to question how the media represents the ideological interests of Western countries towards the symbolic representation of Islam in public after 11 September 2001 through critical discourse analysis of 72 stories published in the New York Times and Washington Post between 2004 and 2006 is to support the interests, values, and Western hegemony with representations that create the common sense that Muslim women will not use religious symbols in public (Byng, 2010, p. 109). Byng's research focuses on Western countries where Muslims are migrants and becomes a minority that continues to grow, resulting in high multiculturalism in the Western region, such as France, Britain, and the USA. If this research were conducted in an Islamic-based country or a country with a majority Muslim population, it would produce a different point of view.

Social media continues to develop into a public sphere in the virtual world of society in line with the development of globalization and global communication technology. The media is a source of information about religious issues and religious experiences so that they can encourage secular practices while at the same time inviting religious imaginations, which are usually subjective (Hjarvard, 2011, p. 119—135). The development of social media and the internet into public service and commons-based media for the economy, state, and civil society, refutes Habermas' opinion, which states that the public sphere concept that's grounded in the political economy (Fuchs, 2014, p. 57). In the Islamic world, by utilizing the media through sermons and articles, Islamic public spheres continue to be developed to get broader consumers (Anderson, 2003, p. 887—906).

Easier access to the public sphere as a result of modernization, development, secularism, and democracy has provided an open arena where Muslim separatists in Mindanao, Muslim democrats and militants in Indonesia, Christian zealots in the Philippines, Buddhist fundamentalists in Burma can communicate their views and compete for power (Al Qurtuby, p.432). From a sociological point of view, the Internet poses a radical challenge to authority and legitimacy and plays an essential role in the propagation of religions in the world (Turner, 2011, p. xviii). However, it cannot be denied that online media expands the meaning of the public

sphere for religious people, especially Muslims in Southeast Asia.

Emerging spaces in the network public sphere may not fit as easily into the once familiar professional, organizational, and institutional containers, but the new media configurations supporting these spaces must still be understood regarding a larger framework of power (Reese & Shoemaker, 2016, p. 389). Religious discussions related to piety, cross-generational discussions, and proselytization (da'wa) are trending in public online as a new form of the public sphere due to globalization (Slama & Barendregt, 2018, p. 3—31). Arguments regarding religion in the public sphere are not only about secular or state politics but also internal religious discussions. Some of the problems that have arisen recently, about which the Qur'an and *hadith* do not provide much information in diaspora communities, are usually resolved through online discussions, and in the perspective of legal sociology, this fact represents a new kind of Muslim consensus (Turner, 2011, p. 155).

2. Hijab in the Public Sphere of Muslim Countries, Between State Rules and Society Opinion

While Muslim women in secular Western countries face a ban on wearing the hijab in public spheres, Muslim women in Muslim-majority countries in Southeast Asia face challenges regarding the style of wearing the hijab in public spheres. The style of hijab in Southeast Asia's younger generation, which is influenced by consumer culture products and Western media, has raised criticism from conservative culture fanatics (Williams & Kamaludeen, 2017, p. 203). The diversity of content and easy accessibility to social media makes the use of the hijab a transformative socialization agent for Malay Muslims in the multicultural country of Malaysia and makes the hijab a symbol of Malay identity rather than a symbol of religious obligation (Hassim, 2017, p. 1—4).

The emerging debate is not only focused on whether to use it or not, but also on style and consumerism in relation to social status. Social media has become a platform for

spreading the influence of hijab celebrations on the consumption of exclusive hijab brands in Brunei and Malaysia (Mohamad & Hassim, 2021, p. 498). In addition, social media also serves as a source of data to understand the diversity within the discursive formations of Muslim communities (Beta, 2014, p. 387). In Federation Malaysia, Islam is the religion of the Federation, but this does not cover a legal perspective, so Islamic law is not the highest law of the Federation because the Federal Constitution has clearly stated that the highest law of the country is the Constitution itself (Adil & Ahmad, 2016). However, the hijab is a part of daily life in Malay society in Malaysia.

Currently, the Malaysian Malay community has more negative opinions towards women who do not wear the hijab, meaning that the Malay community demands more women to wear the hijab. This is conveyed in the media on the internet, which is easily accessible to many people. In April 2023, an actress in Malaysia, Alya Iman, became national news and received a lot of blasphemy from Malaysian netizens due to her attitude of no longer wearing a headscarf/hijab (https://www.bharian.com.my/hiburan/selebriti/2023/04/1094102/saya-buka-tudung-sebab-tak-nak-hipokrit-alya-iman). On the other hand, at the same time, April 2023, a Malaysian radio broadcaster named DJ Lin received a lot of praise and good coverage in the national media after deciding to wear the hijab (https://www.bharian.com.my/hiburan/selebriti/2023/04/1089582/dj-lin-berhijab-selepas-kehilangan-ibu-abang).

The consequences of Islamophobia concern both Muslim-West relations and the more considerable debate about multiculturalism, whereby preventing Muslims from fully participating in the political life of society, as Kalin argued in 2011 is very different from the phenomenon of religion and the public sphere in non-Western countries, which are also multicultural. In Indonesian politics, using the hijab as a symbol of piety in the public sphere is very important so that politicians are well-received in society,

so it is often used in political campaigns (Dewi, 2017, p. 340—362). In the past few decades, more and more Indonesian women have adopted the hijab, with extraordinary variations in the headscarf style, so it has become a tool for achieving success in politics (Ni'mah, 2021, p. 174).

Freedom of religion is constitutionally the right political solution in overcoming potential conflicts at the level of social interaction among citizens as a form of challenge to religious pluralism (Habermas, 2006, p. 4). Malaysia, Brunei Darussalam, and Indonesia are 3 Southeast Asian countries with a Muslim majority amid their pluralism. These three countries are unique in translating Islamic religious teachings into state regulations. Malaysia is a necessary jurisdiction for Islamic law research globally because the Islamic legal system operates in parallel with the standard law legal system (Trakic & Tajuddin, 2021, p. 1). Interestingly, the use of the hijab in public spheres is not included in the regulation even though the headscarf is required in Islam, as we can find in the Quran (holy book of Islam), Surah An-Noor verse 3.

Then, Brunei Darussalam was ruled by a king who held absolute executive and legislative powers and implemented a combination of English common law and Sharia law, but in 2014 began reforming criminal law into Sharia criminal law (Müller, 2016, p. 199). Even though Brunei is an Islamic kingdom, the use of the hijab is also not stated in state regulations except for Muslim residents who work for the government and Muslim students in public schools. Brunei Darussalam is a sultanate (also Islamic) with a majority Muslim population. There is little evidence of open and uninhibited discussion of religious, social, or cultural issues, and any changes that might be desired in Brunei's mainstream media may be out of fear of crossing legal boundaries or going against official national attitudes and facing the consequences (Keasberry, 2021, p. 265). Some of the younger generations of Brunei that I interviewed stated that they love the Sultan and his policies because they live in prosperity.

In contrast to Indonesia, which is not an Islamic country, there is an obligation to wear the hijab in the public sphere, especially in public schools in several provinces. In Indonesia, there are several regulations regarding the obligation to use religious attributes for Muslim women in the public sphere, especially public services, such as in the province of West Sumatra; Solok regency it is regulated by Perda No. 6/2002, in Sawahlunto city by Perda No.2/2003, in Pasaman regency by Perda No.22/2003, in Pesisir Selatan regency by Perda No.4/2005, and Agam regency by Perda No.6/2005, in Padang Panjang regency by Perda No. 800/2993/BKD-PP/2003, Padang city by Perda 451.422/Binsos-iii/2005, and Tanah Datar regency by Perda No. 430/Kesra-2004 and government of South Sulawesi; Bulukumba regency by Perda No. 5/2003, Maros by Perda No. 16/2005), Enrekang by Perda No.6/2005, and Takalar by Perda No. 2/2006 (Aini & Siscawati, 2023, p. 507—508). The formulation of Perda that regulates Muslim attributes was carried out in successive years and could be viewed as sharing common policies by regions in one regional or administrative area.

Meanwhile, Indonesia is a country (not an Islamic state) with a majority Muslim population in addition to 5 other officially recognized religions and traditional beliefs which have also been officially recognized. This is very interesting to study because it is different from Turkey, which, although it has a close history with Islam, has become a secular country and once had regulations prohibiting the use of the hijab in the public sphere (now the ban has been lifted) like many studies that have been done. These three countries have different patterns of managing religion in the public sphere. It is interesting to analyze this to rethinking religion's management in the current globalization, which has increased multiculturalism.

3. Conclusion

The use of religious symbols in the public sphere reflects the interplay between

the phenomenon of the public sphere, the state, and the social context within a given region. Social media has expanded the public sphere, providing religious groups with more significant opportunities to convey their arguments or engage in da'wah (religious outreach). Malaysia, Brunei, and Indonesia are three geographically and culturally close countries with a majority Muslim population, but these three countries have different state systems. Although Malaysia is a country that parallels standard law with Islamic legal law, it does not have a policy to require the hijab in public spheres. Likewise, in Brunei, which is an Islamic kingdom, the use of the hijab in public spheres also does not state in state regulation. However, in Indonesia, which is not an Islamic country, there is an obligation to wear the hijab in public schools, especially in public schools in several provinces. However, the rapid development of public opinion cannot be generalized, as research indicates that countries in the Southeast Asian region, such as Malaysia and Brunei, exhibit distinct relationships between religion, media, and public opinion. Sociologists of Religion have consistently highlighted the differences in secular characteristics across countries, leading to varying manifestations of religion in the public sphere of each nation.

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