

Negotiating Islamic Values and Human Rights: Community Responses to Same-Sex Marriage Legalization among Patani Muslims in Southern Thailand

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Abstract

This study examines how Muslim actors in the Patani region of Southern Thailand negotiate Islamic values and human rights principles in responding to the legalization of same-sex marriage. Using an interpretivist qualitative multiple-case study design, the research involved seven purposively selected informants across Yala, Pattani, and Narathiwat, comprising three heads of Islamic religious councils, two students, one teacher, and one community activist. Data were generated through in-depth unstructured interviews, participatory observation, and document analysis, and were analyzed through iterative coding, thematic categorization, cross-case comparison, and interpretive synthesis, with credibility strengthened through source and methodological triangulation. The findings indicate a pattern of normative negotiation rather than a simple acceptance-rejection dichotomy. Participants generally maintained the Islamic normative position that same-sex marriage is not religiously valid, while distinguishing this theological judgment from the civic treatment of individuals. They simultaneously emphasized human dignity, security, legal protection, freedom from violence, and peaceful coexistence, while recognizing the state's authority to regulate civil law. Responses were shaped by religious education, ulama authority, Patani Malay cultural identity, educational background, and exposure to digital and transnational human-rights discourse. The study contributes the concept of normative religious non-acceptance with civic accommodation to explain how religious commitment and minority citizenship may coexist without requiring normative homogenization.

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Introduction

The legalization of same-sex marriage has emerged as one of the important arenas in contemporary debates about equality, human rights, religious freedom, and social recognition (Akhtar & Rahman, 2025). In various national contexts, the extension of marriage rights to same-sex couples is framed as a form of institutional transformation aimed at expanding legal equality and protection for citizens regardless of sexual orientation. However, changes in legal institutions do not necessarily result in normative agreement in society, especially when the institution of marriage has a close relationship with religion, family structure, morality, and the process of social reproduction. Thailand became a significant case in this global development when the country recognized same-sex marriage, thus placing it in the global mainstream regarding sexual equality and the right to non-discrimination. However, the change in the law took place in a religiously and culturally diverse society, including the Muslim community in the Southern region of Thailand (Islamiyah & Rosyidi, 2025). In this context, legislative changes can trigger a process of social adaptation when religious communities

need to interpret, negotiate, or adapt religious principles to new legal norms. The question is not simply whether religious communities accept or reject same-sex marriage, but how they give meaning to those changes when human rights demands interact with religious norms that have long been the basis of social life. Previous studies on marriage equality have focused heavily on aspects of legal recognition, LGBTQ+ rights, public attitudes, and changes in national institutions, while research on how minority religious communities have shaped responses to such changes has been relatively limited Hamisan, (Hamisan & Muda, 2024). This phenomenon therefore requires an analysis that goes beyond the dichotomy between "religion" and "human rights" by examining the normative negotiation processes that take place in community life.

The main tension in this issue lies in the clash between universal human rights principles and contextual moral-religious frameworks (Adimekwe, 2024). Human rights discourse typically emphasizes equality before the law, individual autonomy, human dignity, and protection from discrimination. (Mustapha, 2025), while the Islamic normative tradition understands marriage in a religious framework related to family formation, moral responsibility, and social continuity. However, the relationship between the two frameworks should not be understood simplistic as a conflict between religious conservatism and liberal modernity. Such framing risks ignoring the ability of Muslim actors to interpret, distinguish, and negotiate the various principles they deem important. In this perspective, the legalization of same-sex marriage can be understood as a normative negotiation space, which is the process by which individuals and communities determine the boundaries, priorities, and relationships between religious commitments and human rights principles (Binangkit, Huda, & Santoso, 2025). The process is also influenced by globalization, digital media, education, generational change, social mobility, and increased exposure to transnational sexual rights discourse. Research related to Islam and human rights shows that Muslim actors do not form a uniform response to rights discourse; rather, the principle of human rights is interpreted through different theological, cultural, political, and historical contexts (An-Na'im, 2008; Baderin, 2003; Sachedina, 2009). Similarly, studies related to Islam, sexuality, and gender show that Muslim responses to sexuality issues need to be understood in terms of the diversity of interpretations and social experiences in the Muslim community, rather than by considering Muslims as a homogeneous normative actor (Kugle, 2010; Siraj, 2012). Thus, the more important analytical question is how Islamic values and human rights principles are negotiated simultaneously and how the relationship between the two is mediated by social structures, religious authorities, local cultures, and social change (Abdoeh, 2024).

This conceptual gap points to limitations in the existing literature. Studies on same-sex marriage have produced extensive knowledge on legal institutionalization, public opinion, political mobilization, LGBTQ+ citizenship rights, and policy change, while studies on Islam and sexuality have paid much attention to theological interpretations, gender norms, sexual ethics, and debates on sexual rights (Fitriyah & Alauddin, 2024). However, the two areas have not yet been fully integrated to explain how minority Muslim communities respond when the country implements the extension of marriage rights in a social environment that is still strongly influenced by religious norms. More importantly, some literature tends to position human rights and Islamic values as two competing normative frameworks, rather than as a source of meaning that can be negotiated by social actors in everyday life (Almas & Lordos, 2025). This gap is becoming increasingly significant in the context of Southeast Asia characterized by globalization, digital communication, social change, modernization

of legislation, and transformation of relations between religions and states. In that context, the Patani Muslim community provides an important analytical space as Islamic identity interacts with the distinctive social, cultural, historical, and institutional structures of the Thai state. This study does not see the Patani community as passive recipients of changes in national legislation, but as an active social space in producing meaning, interpretation, and response to these changes. From the perspective of negotiated modernity, modern change does not necessarily abolish religious norms; rather, it can produce selective forms of adaptation, reaffirmation of religious identity, negotiation of moral boundaries, and social adaptation (Eisenstadt, 2000; Göle, 2016; Eisenstadt & Pacella, 2025).

Based on these conceptual problems and gaps, this study aims to analyze how the Patani Muslim community negotiates Islamic values and human rights principles in responding to the legalization of same-sex marriage in Thailand. Specifically, the study focuses on three interrelated dimensions: first, the shape of the Patani Muslim community's response to the legalization of same-sex marriage from the perspective of Islamic values and human rights principles; second, religious, socio-cultural, globalization, and media factors that influence the formation of the response; and third, the process of how community members negotiate the relationship between Islamic normative commitments and human rights demands in the face of changes in national policies (Sulistiowati, & Mumtazah, 2025). The Patani Muslim community in Southern Thailand was chosen as the context of the study not only because of geographical considerations, but because of its position as a social space that brings together religious identity, local culture, minority status, changes in national legislation, as well as the influence of global discourse. This context allows the study to examine more deeply the dynamic relationship between religious preservation, social adaptation, modernity, and institutional transformation in minority Muslim communities (Mohamad et al., 2022). The novelty of this study lies in the attempt to conceptualize the response to the legalization of same-sex marriage as a process of negotiated normative positioning, i.e. the process by which community members seek to maintain their moral commitment and Islamic identity while confronting the principles of equality, human dignity, and human rights that are increasingly institutionalized through the legal system (Siahaan et al, 2025; Butar-butur & Esther, 2025).

Method

This study uses an interpretivist paradigm with a constructivist epistemological approach to analyze how the Patani Muslim community interprets and negotiates the relationship between Islamic values and human rights discourse in the context of the legalization of same-sex marriage in Thailand (Yasir, 2025). The response of society is not positioned as a fixed attitude or merely an individual preference, but as a construction of meaning formed through religious interpretation, cultural experience, institutional authority, and everyday social interaction. This position is in line with critical qualitative inquiry which views social knowledge as something contextual, contestative, and influenced by power relations (Pariyono et.al, 2025). The study used a multiple case study design with three interrelated case contexts in the Patani area, namely Yala, Pattani, and Narathiwat. The selection of the three cases was carried out purposively based on the wealth of information and its relevance to the phenomenon being studied. The three regions were not chosen solely on the basis of geographical proximity, but because they provide a social context that allows researchers to examine the intersection between religious authority, Muslim identity, changes in national law, and human rights discourse. Thus, the case is understood as a limited social unit but embedded in broader cultural,

religious, and institutional structures (Saragih et.al, 2025; Karyanto, 2025). The orientation of the research is conceptual representativeness, not statistical generalization.

Informants were selected through purposive sampling based on the relevance of experience and depth of contextual knowledge to the research problem. A total of seven informants were involved, consisting of three chairmen of Islamic religious councils, two students, one academic teacher, and one community activist. The composition of informants is designed heterogeneously to obtain institutional, educational, young generation, and civil society perspectives, so that the analysis does not depend on one group of authorities (Junaidi, 2025). The chairman of the religious assembly is chosen because he has knowledge of the interpretation of Islamic values and the religious dynamics of society; students provide the perspective of the younger generation dealing with contemporary social and educational changes; academic teachers provide a perspective on the formation of knowledge and values in the educational environment; while activists provide a perspective rooted in community involvement and broader social dynamics (Pratiwi et.al, 2025). Data collection was conducted through in-depth, unstructured interviews, participatory observations, and documentation. The interviews lasted a total duration of about 3 hours and 10 minutes and were conducted in Malay which is used in the social context of the Patani community so that informants can articulate their experiences, beliefs, and sensitive meanings in the language closest to their experiences. The interview data is then transcribed and transliterated into Simeric/Thai as required by documentation, before being translated into English for the purposes of analysis and scientific publication. The process of translation is treated as an interpretive process, not just the transfer of words between languages, especially when dealing with religious terms, cultural expressions, and concepts that have contextual meaning (Apaut & Fallo, 2025). Participatory observation is used to understand the context of social interactions, communication patterns, religious practices, and community responses to social change. Meanwhile, documentation is used to enrich the empirical context through institutional documents, educational materials, public statements, and relevant policy documents. Data collection is carried out iteratively until it reaches thematic saturation, which is when additional data no longer produces new substantive categories or dimensions that are relevant to the analytical framework (Widiawan, 2025).

Table 1. Informant profile

No	Initials	Remarks	Location
1	KM1	Head of the Islamic Religious Council	Yala Region
2	KM2	Head of the Islamic Religious Council	Patani Region
3	KM3	Head of the Islamic Religious Council	Narathiwat Province
4	PD1	Student	Wittaya Ibtida School
5	PD2	Student	University Amirah
6	GO	Teacher	University Amirah
7	KG	Squirt	Nusantara

Data analysis is carried out through interpretive and iterative processes that include open coding, iterative coding, thematic categorization, conceptual abstraction, and interpretive synthesis. The initial stage begins with repeated reading of interview transcripts, observation notes, and documents to gain a thorough understanding of the data and identify units of meaning related to Islamic values, human rights, legal change, identity, social norms, and societal negotiations (Atqiya

et al, 2025). Furthermore, open coding is carried out inductively while still using theoretical concepts as sensitizing concepts, especially regarding identity negotiations, normative conflicts, legitimacy, and institutional adaptation. Codes that have conceptual relevance are compared, grouped, and abstracted into broader categories. The analysis process takes place alternately between empirical data, codes, categories, and interpretations so that the themes that emerge can be examined, refined, combined, or systematically differentiated (Muptiah, 2025). Interpretive synthesis was then used to identify similarities and differences in perspectives between religious council chairmen, students, teachers, and activists, as well as compare patterns of meaning in Yala, Pattani, and Narathiwat.

The validity of interpretation was strengthened through triangulation of methods and sources, namely comparing interviews with observations and documentation and comparing the perspectives of different groups of informants. Credibility is strengthened through repeated engagement with data, examination of alternative interpretations, and cross-source comparisons (Muhammad & Sofa, 2025). The researcher also applies reflexivity by being aware of position, cultural proximity, and possible interpretive biases in understanding the context of Patani. Cultural and linguistic proximity is treated as a source of access as well as a potential positional bias, so the researcher uses reflective notes during the data collection and analysis process to distinguish the meaning derived from the informant from the researcher's interpretation. The consistency of the analysis is maintained through systematic coding procedures and cross-source comparisons, while interpretive validity is assessed based on the suitability between analytical claims and empirical evidence.

Results and Discussion

Islamic and Human Rights Perspectives on Patani Muslims' Response to Same-Sex Marriage Legalization in Thailand

The results of the study show that the response of the Patani Muslim community to the legalization of same-sex marriage in Thailand is not singular, but rather forms a spectrum of attitudes centered on Islamic values while considering the reality of life as a minority group in a pluralistic state system. First, the majority of informants, especially scholars, Islamic boarding school leaders, religious teachers, and community leaders, stated that same-sex marriage is not acceptable as a valid form of marriage according to Islamic teachings because it is contrary to the principles of sharia regarding the formation of families based on the relationship between men and women. The rejection is directed more towards the normative aspects of religious teachings than at individuals who have different sexual orientations. Second, some of the informants emphasized that as Thai citizens they are aware that the state has the authority to establish civil laws that apply to all citizens regardless of religion. This awareness gives birth to an attitude that distinguishes between acceptance of state policies as legal facts and acceptance of the substance of these policies according to religious beliefs. Third, it was found that most respondents still support respect for the basic rights of every individual, such as the right to legal protection, the right to a sense of security, and the right to be free from violence and discrimination. Thus, the form of response of the Patani Muslim community can be categorized as a rejection of the legalization of same-sex marriage from the perspective of Islamic law, but still accompanied by a commitment to respect human dignity, maintain peaceful social relations, and avoid discriminatory actions in community life.

The first observation shows that the discussion of the issue of same-sex marriage in the Muslim community is more placed in the framework of religious education and social life than as an

issue of social confrontation. In some religious activities and community gatherings, researchers observed that religious leaders emphasized the importance of explaining the position of Islam based on sharia principles, but simultaneously reminded people to maintain manners, respect fellow citizens, and not to commit acts that demean other groups.

As stated by one of the Islamic religious council leaders:

"According to the Islamic view, marriage has clear provisions and the relationship between a man and a woman is the basis for the formation of a family. Therefore, we cannot say that same-sex marriage is in accordance with the Shari'a. However, differences in religious views do not mean that a person should be treated with violence. As a Muslim society, we must maintain morals, security, and good relations with all citizens." (Km 1, Chairman of the Yala Regional Islamic Religious Council, June 18, 2025, interview)

The statement of Km 1 shows that there is a conceptual distinction between normative rejection and treatment of individuals. The rejection of same-sex marriage is placed in the realm of Islamic beliefs and legal principles, while social relations with individuals of different views remain directed at respect and protection. These findings suggest that religious responses do not automatically develop into a rejection of personal dignity, but rather are negotiated through the principles of morality, social peace, and civic responsibility.

This distinction was reinforced by another Islamic religious council leader, who explained the relationship between religious belief and state law as follows:

"As Muslims, we have our own views on what is called marriage based on religion. But we also live in a country that has diverse laws and societies. So, when the state sets the rules, we understand that they apply as the laws of the land. Understanding state law does not necessarily mean that all content is in accordance with religious beliefs. These two things need to be differentiated so that the community does not experience conflicts." (Km 2, Head of the Islamic Religious Council of Patani Region, 7 September 2025, interview)

"In our society, this issue should be discussed with knowledge and wisdom, not with anger. We still adhere to the Islamic teachings on family and marriage, but at the same time every human being has the right to feel safe and not be treated harshly. Differences in legal and religious issues must be managed through dialogue so as not to cause divisions in society." (Km3, Head of the Narathiwat Region Islamic Religious Council, 22 November 2025, interview)

The second observation shows that religious and social leaders tend to use normative language when explaining Islamic positions, but avoid language that leads to insults to individuals. In community interactions, more attention is directed to family education, strengthening religious understanding, and fostering the younger generation. This communication pattern shows that there are efforts to maintain Islamic identity and norms while preventing the issue of same-sex marriage from developing into an open conflict in the social life of the Patani community.

"In our school, the teacher explained that Islamic teachings have rules about family and marriage. However, we are also taught not to insult or hurt others just because they have a different view. I think we can disagree with a rule based on religion, but we should still respect people as human beings and live well together. That's important for a diverse society." (Pd 1, Ibtida' Wittaya School Students, February 14, 2025, interview)

Overall, the three observations and four interview excerpts show a pattern of negotiation between commitment to Islamic values and awareness of the principle of citizenship in a plural state. The Patani Muslim community tends to maintain the normative boundary that same-sex marriage is not in accordance with the sharia, but does not automatically deny the basic rights and dignity of the individual. Thus, the community's response can be understood as "normative religious non-

acceptance with civic accommodation", i.e. normative non-acceptance based on religion that goes hand in hand with acceptance of common life, legal protection, and social peace.

Factors influenced the response of the Patani Muslim community to the legalization of same-sex marriage in Thailand

This study found that the response of the Patani Muslim community was influenced by a combination of religious, socio-cultural, and globalization factors that interacted with each other. First, the most dominant factor is religious understanding obtained through Islamic education, religious gatherings, Islamic boarding schools, and the authority of scholars who have high legitimacy in people's lives. The stronger a person's attachment to traditional religious education, the more firmly he or she rejects the legalization of same-sex marriage. Second, the cultural identity of the Patani Malay plays a role in strengthening this view. For many informants, the concept of the heterosexual family is not only understood as a religious teaching but also as part of a cultural identity inherited from generation to generation. Therefore, changes in the definition of marriage are perceived as a challenge to the sustainability of local cultural values. Third, the study found the influence of globalization, particularly through digital media and social media, which expands people's access to various perspectives on human rights, diversity of sexual identities, and public policies in different countries. This influence is most evident among the younger generation and more highly educated groups who interact more frequently with global information. Although the majority still maintain religious views, they tend to adopt a more moderate approach in responding to the issue, such as rejecting hate speech, avoiding stigmatization, and prioritizing dialogue. These findings show that the response of the Patani Muslim community is not shaped solely by religious doctrine, but also by cultural identity, social experience, educational background, and exposure to global information flows.

The first observation shows that study activities, religious learning, and community meetings are still the main spaces for the formation of understanding about family and marriage. The researcher observed that religious leaders actively explained the concept of the family based on Islamic principles and linked it to the moral responsibility of society. In these interactions, participants showed strong attention to the explanation of scholars, especially when the issue of changing family values was associated with the sustainability of Muslim identity and Patani Malay culture (Subaryana, M. K. S. 2025).

"The public's understanding of marriage is largely shaped by religious education since childhood. In cottages, madrasas, and recitations, they learn that the family has rules that are derived from Islamic teachings. Therefore, when there is a change in the definition of marriage, people with strong religious education usually give a more emphatic response. For them, this problem is not just a change in the law of the country, but related to religious principles that have become the guideline of life." (Km 1, Chairman of the Yala Regional Islamic Religious Council, June 18, 2025, interview)

The Km 1 statement shows that religious education serves as the main mechanism for forming a framework for public interpretation of social change. The influence of education not only produces knowledge about marriage norms, but also shapes the way society assesses legal and social changes based on the Islamic framework. Thus, the stronger the internalization of religious education and the legitimacy of the authority of the ulama, the stronger the tendency to maintain the concept of marriage inherited through Islamic educational institutions.

"In Patani society, family is not just a matter of relationships between two people. It is related to Malay culture, religion, and the way we raise children. The value of family has been inherited by parents and

society since ancient times. Therefore, changes in the definition of marriage are easily considered as changes to culture. The community feels the need to maintain these values because they see the family as an important part of the Patani Muslim Malay identity." (Km 2, Head of the Islamic Religious Council of Patani Region, 7 September 2025, interview)

"Now young people get a lot of information through Facebook, TikTok, YouTube, and other social media. They can see how people in other countries talk about human rights and sexual identity. This information makes them more aware of differences of view. But knowing another view doesn't necessarily make them abandon religion. Some young people still adhere to the teachings of Islam, but they prefer dialogue and do not want to insult different people." (Km 3, Head of the Narathiwat Region Islamic Religious Council, 22 November 2025, interview)

The second observation shows that there is a difference in response patterns between the older group and the younger generation in the conversation about same-sex marriage issues. In informal discussions after educational activities, the younger generation was seen to refer more often to information from social media and digital sources, while community leaders used more religious sources and local social experiences. Nevertheless, the younger generation still shows attachment to religious values, especially when it comes to the concept of family and marriage norms (Umam, C., Hamid, A., & Anim, S. 2025).

"I get information about this issue not only from teachers or ustaz, but also from the internet and social media. There I found a different view than what I was used to hearing in school. It made me understand that people have different experiences. However, for me, understanding the other person's point of view does not mean having to accept everything. We can still adhere to the teachings of Islam while engaging in dialogue with others and avoiding hatred." (Pd 1, Ibtida' Wittaya School Students, February 14, 2025, interview)

Overall, the results of interviews and observations show that the response of the Patani Muslim community cannot be explained only through religious doctrinal factors. Islamic education and the authority of the ulama became the normative foundation, while the Patani Malay identity strengthened the attachment to the traditional family concept. At the same time, digital globalization is expanding the space for encounters with alternative perspectives, especially for the younger generation. The interaction of these three factors results in a response that remains oriented to Islamic values, but is increasingly open to dialogue, differences of view, and rejection of stigmatization.

Patani Muslims' Negotiation of Islamic Values and Human Rights on Same-Sex Marriage

The results of the study show that the Patani Muslim community developed various forms of negotiation between Islamic values and human rights principles in response to the legalization of same-sex marriage in Thailand. First, negotiations are carried out through a firm distinction between respect for the dignity of every human being and recognition of same-sex marriage as a legitimate institution according to religious principles. Most informants expressed the view that respecting every individual is part of Islamic teachings, but such respect does not necessarily imply religious recognition or acceptance of same-sex marriage. Second, the Patani Muslim community understands the principles of human rights through the framework of *maqāṣid al-syarī'ah*. From this perspective, the rights to life, security, freedom of opinion, and protection from violence are considered universal values that are compatible with the objectives of Islamic law, whereas recognition of same-sex marriage remains outside the boundaries of Islamic teachings. Third, the research found that this negotiation process is realized through educational and dialogical approaches, including

strengthening religious literacy, promoting education on tolerance, and developing constructive communication with people who hold different views. Such strategies are considered more effective than confrontational approaches because they can maintain social stability and strengthen community cohesion without requiring the community to abandon its religious principles. Thus, this study identifies a normative negotiation pattern in which the Patani Muslim community maintains its theological beliefs regarding the concept of marriage in Islam while simultaneously recognizing the importance of respecting the fundamental rights of citizens within a democratic and multicultural society. These findings indicate that the relationship between Islamic values and human rights is understood as a relationship that can be managed through dialogue, mutual respect, and peaceful coexistence rather than as an inherent conflict that must result in social confrontation.

The first observation shows that in religious activities and community gatherings, discussions about same-sex marriage tend to be directed towards explaining Islamic principles regarding the family, rather than on judgments or negative treatment of individuals. Religious leaders were seen emphasizing the importance of maintaining manners in different views. Participants are also directed to understand that disapproval of a practice does not justify acts of insult, violence, or discrimination against people who have different views (Mista, H., Warohmah, M., & Syathibye, A. 2025).

"Islam teaches us to respect human beings and keep everyone safe. But respect for human beings is not the same as saying that all forms of marriage are in accordance with the teachings of Islam. We still have religious boundaries regarding marriage. At the same time, we don't teach society to hate or hurt different people. For us, defending religious principles and respecting human beings are two things that can be done at the same time." Km 1, Chairman of the Yala Regional Islamic Religious Council, June 18, 2025, interview.

The Km 1 statement shows a clear form of normative negotiation through the separation between the theological assessment of marriage and the social treatment of the individual. The informant maintains the normative limits of Islam regarding the institution of marriage, but does not use these differences as a basis for negating human dignity. These findings show that the principle of respect for human beings is used as a bridge between religious commitments and the demands of social life in a pluralistic society.

"If we talk about human rights, Islam also has principles to protect life, security, honor, and rights of a person. Within the framework of maqāṣid al-syarī'ah, human beings should be protected from tyranny and violence. But the protection of human beings does not necessarily mean that all forms of marriage must be religiously accepted. So, we see a difference between protecting someone's rights as a human being and giving religious recognition to something that is not in accordance with the sharia." Km 2, Head of the Islamic Religious Council of Patani Region, 7 September 2025, interview.

"In a diverse society, we should not resolve differences with anger. Young people need to be taught how to convey the views of Islam in a good way. If there are people who have different views, we can explain our position without insulting them. Dialogue is better than conflict because the Patani people live together in the same social space. In this way, religious values are maintained and social relations are also harmonious." Km 3, Head of the Narathiwat Region Islamic Religious Council, 22 November 2025, interview.

The second observation shows that educational and dialogical approaches are one of the important mechanisms in managing differences of views. In discussion and learning activities, the researcher observed that participants were given space to express questions and opinions without being directed to confrontational actions. Explanations of Islamic norms are delivered with an emphasis on tolerance, dialogue manners, and the obligation to maintain social relations. This

pattern shows that there is an effort to maintain religious identity through constructive communication.

"For the younger generation, we can now see a lot of views through the internet. I understand that there are people who have different views on marriage and human rights. But for me, understanding that view doesn't mean having to accept everything. We can still hold to the teachings of Islam, but the way we express our opinions must be respectful of others. I think dialogue and education are better than using insulting or hateful words." Pd 1, Ibtida' Wittaya School Students, February 14, 2025, interview.

Overall, the results of interviews and observations show that the Patani Muslim community does not respond to the legalization of same-sex marriage through an absolute pattern of opposition, but through a normative negotiation process. Islamic values remain the basis for determining the concept of marriage, while the principle of respect for human dignity, security, and basic rights is the basis of social relations. Educational, dialogical, and non-confrontational approaches then serve as a mechanism to maintain religious beliefs while maintaining social cohesion in a pluralistic society.

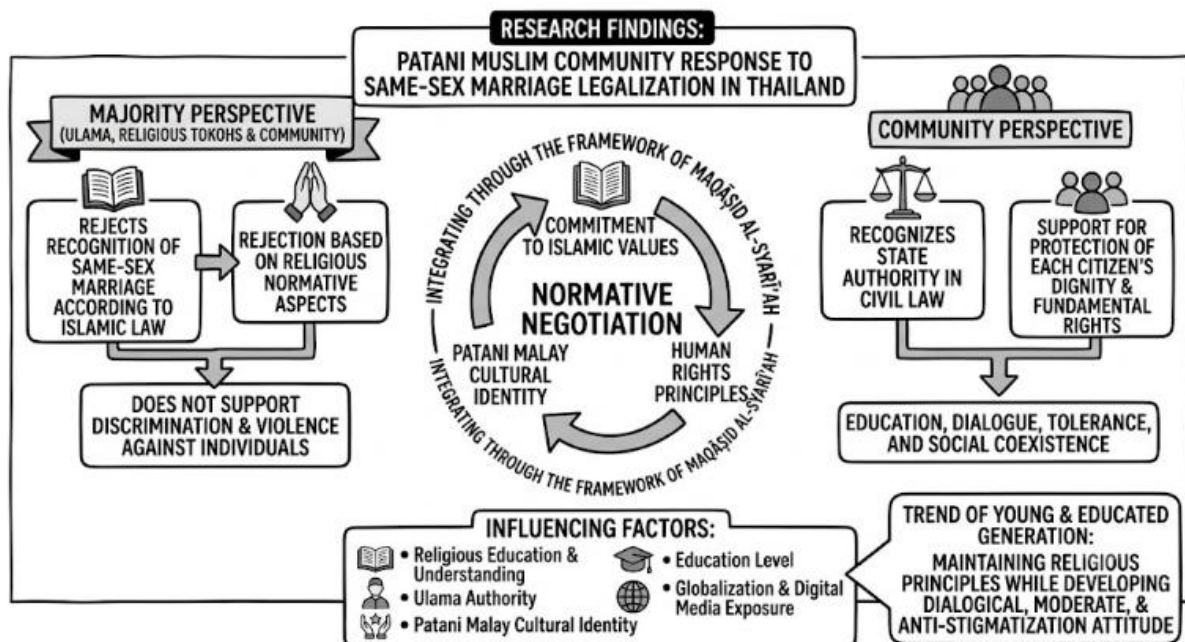


Figure. 1. Patani Muslim community response to same-sex marriage legalization in Thailand

Discussion

The most important findings of the study show that the Patani Muslim community responds to the legalization of same-sex marriage in Thailand through a pattern of normative negotiation between commitment to Islamic values, Patani Malay cultural identity, and human rights principles (Yanuardi, Putra & Rohana, 2025). The majority of the community, especially clerics, Islamic boarding school leaders, religious teachers, and community leaders, still reject the recognition of same-sex marriage as a valid marriage according to Islamic law, but the rejection is mainly directed at the normative aspects of religion and is not interpreted as legitimacy against discrimination or violence against individuals. At the same time, the community recognizes the authority of the state to establish civil law and supports the protection of the dignity, security, and fundamental rights of every citizen. The response is influenced mainly by religious education and understanding, the authority of the ulama, the cultural identity of the Patani Malays, the level of education, as well as exposure to globalization and digital media that introduce perspectives on diversity and human rights. Interestingly, the

younger generation and the highly educated group tend to maintain religious principles while developing a more dialogical, moderate, and anti-stigmatizing attitude. Overall, the study found that the Patani Muslim community does not view Islam and human rights solely as two conflicting values, but negotiates them through the framework of *maqāṣid al-syarī'ah*, education, dialogue, tolerance, and social coexistence, thus allowing them to maintain theological beliefs regarding marriage while respecting the dignity and basic rights of the individual in a pluralistic Thai society (Amrinsyah, 2025). This pattern converges with Glas and Spierings (2021), who identified a meaningful distinction between rejection of homosexuality and rejection of homosexual people among Arab Muslims, and with Geurts et al. (2024), who found that believing Islam prohibits homosexuality does not by itself produce interpersonal intolerance. Bratton et al. (2020) likewise documented substantial variation in Muslim attitudes toward homosexuality and marriage equality, indicating that religious affiliation should not be treated as a homogeneous predictor of civic attitudes.

The findings of the study show that the response of the Patani Muslim community to the legalization of same-sex marriage cannot be adequately understood through the simple opposition between acceptance and rejection, or between Islam and human rights (Yono, 2025). This response actually shows the normative negotiation process that takes place in a social space where Patani Malay identity, religious authorities, state law, and human rights discourse interact with each other. In this context, the rejection of the recognition of same-sex marriage as a valid marriage according to Islam does not automatically result in a rejection of the basic rights of the individual (Mufid, S. 2025). The findings indicate a conceptual distinction between theological recognition and civic recognition: communities can maintain normative boundaries on what is considered religiously valid, while recognizing that individuals retain dignity, security, and rights as citizens. This distinction is important because it shows that religious identity does not work as a completely closed normative system, but as a structure of meaning that continues to negotiate with a plural civic order (Nabila et.al, 2025). The distinction between theological judgment and civic recognition also resonates with McCargo's (2011) account of 'informal citizenship' in Southern Thailand, in which Malay Muslims negotiate belonging to the Thai state while retaining a distinct ethno-religious identity.

From Bourdieu's perspective, these dynamics can be read as a form of reproduction as well as a transformation of the Malay-Muslim habitus of Patani. The religious habitus formed through the family, Islamic boarding schools, madrasas, mosques, recitations, and the authority of the ulama provides the disposition that makes heterosexual marriage norms understood not simply as individual preference, but as part of moral order and collective identity. Thus, religious education functions as a mechanism of social reproduction: it transmits classification schemes regarding family, morality, gender, and social relations from one generation to the next (Risalah, Janah & Sahlana, 2025). However, such reproduction is not mechanical. Exposure to formal education, digital media, globalization, and human rights discourse introduces new symbolic resources that allow the younger generation to reinterpret how religious beliefs should be applied in public spaces (Elkarimah & Madzkur, 2025). This is where the research findings expand the understanding of habitus: habitus not only reproduces the past, but also has a reflexive capacity to adapt norms as actors enter the changing social field (Fahrezi, & Saifudin, 2025). (Bourdieu, 1990). The role of religious education in reproducing while adapting identity is also consistent with Wekke et al. (2019), who found that Islamic education in Pattani combines local ethnic-religious aspirations with national institutional demands.

Bourdieu's concept of cultural capital further explains why community responses are not homogeneous. Religious education provides cultural capital that strengthens the authority of individuals to speak on behalf of Islamic norms, while public education and exposure to global discourse provide different symbolic capital for interacting with civic language, human rights, pluralism, and national law. Ulama, cottage leaders, religious teachers, and community leaders have a relatively strong position in the distribution of symbolic capital because their religious knowledge is recognized as a source of normative legitimacy (Ningrum, 2025). On the contrary, the young generation of higher education can acquire new forms of cultural capital through formal education and digital spaces. Consequently, there has been a shift in the mechanisms of legitimacy production: religious authority remains important, but social legitimacy is increasingly determined by the ability to articulate religious values in language that is acceptable in a pluralistic society. In Habermas' framework, these changes can be understood as an expansion of the space of communicative action. The findings that young and highly educated groups tend to maintain religious principles while developing a dialogical attitude suggest that identity negotiation takes place not only through the dominance of traditional authority, but also through a process of argumentation, deliberation, and the formation of mutual understanding. This results in a productive paradox (Yono, 2025). On the one hand, there are relatively strict normative boundaries regarding the definition of marriage in Islam; on the other hand, there is openness to the protection of the dignity and basic rights of the individual. Thus, religious commitment does not have to lead to social exclusion. These findings challenge reductionist assumptions that see the Muslim community as actors who must choose between loyalty to religious doctrine and commitment to human rights. On the contrary, the Patani community shows the possibility of normative pluralism, that is, the existence of several different legitimacy systems negotiated in the same social space (Nouval et.al, 2025). (Bourdieu, 1986).

The main tension that arises lies not in whether the Patani community accepts or rejects the legalization of same-sex marriage, but in how symbolic religious boundaries are maintained without turning into a mechanism of social stigmatization. In Bourdieu's terminology, the boundary between what is considered legitimate and illegitimate is part of a symbolic struggle to define legitimate social categories. However, the findings of the study suggest that these limits do not always translate into exclusionary practices. Communities can maintain a certain religious classification while accepting the principle that the state has the authority to regulate civil relations (Risalah, Janah, & Sahlana, 2025). The distinction between symbolic boundaries and social exclusion is very important here. The rejection of a form of marriage as a theological category is not in itself synonymous with the rejection of the existence of the individual as a citizen. The findings provide a correction to overly simplistic readings of the relationship between religion and human rights. Previous studies of faith-based communities have often shown the tension between religious norms and liberal rights discourse, especially when issues of rights touch on the areas of family, sexuality, and morality (Maslikah & Mawardi, 2025). However, this study shows that these conflicts can undergo institutional adaptation. The Patani Muslim community did not have to change its theological doctrine in order to adapt to changes in civil law. Instead, adaptation occurs through domain differentiation: religious norms are maintained as a source of community moral orientation, while state law is accepted as a mechanism for regulating citizenship. In this sense, the negotiations that occurred were not the secularization of Muslim identity, but the restructuring of the boundary between religious normativity and civic legality (Astarika et.al, 2025). At the normative level, this domain differentiation parallels arguments

by Baderin (2003), An-Na'im (2008), and Sachedina (2009) that Islamic commitments and human-rights norms need not be treated as mutually exclusive, but require contextual legal and ethical negotiation.

This is where symbolic legitimacy becomes dynamic: the legitimacy of a scholar or community leader does not solely depend on the firmness of defending norms, but also on the ability to explain those norms in a changing social context without producing violence or dehumanization (Syuhada et.al, 2025). The model generates four theoretical propositions. First, religious identity is reproduced through institutionalized cultural capital. Religious education, family, huts, and scholarly authorities maintain a normative framework that provides continuity of Malay-Muslim identity. Second, identity is destabilized but not necessarily displaced by competing symbolic regimes (Lestanto, et.al, 2025). Modern education, digital media, globalization, and human rights discourse present an alternative system of meaning, but it does not automatically replace religious habitus. Third, legitimacy is reconstructed through communicative negotiation. When religious authorities are confronted with plural societies and state laws, legitimacy increasingly depends on the ability to construct arguments that can be understood across groups. Fourth, coexistence emerges through differentiation rather than normative homogenization. Coexistence does not require that all members of the community have the same moral views; what is needed is the ability to distinguish between normative disapproval and denial of the fundamental rights of the individual (Saputra, et.al, 2025).

Thus, this study expands on Bourdieu and Habermas at the same time. Bourdieu tends to emphasize the reproduction of structure through habitus, capital, and field, while Habermas pays greater attention to communicative rationality and the possibility of consensus. Patani's findings show that the two processes take place simultaneously. Habitus limits the possibilities of certain arguments, but deliberative communication can change the way those dispositions are articulated. On the contrary, deliberation does not take place in a neutral space because actors enter the public space with an unequal distribution of cultural and symbolic capital (Jannah, 2025). Therefore, this study offers the theoretical position that this formulation can be an important conceptual contribution to the study of religion, minority identity, and pluralism. The next implication concerns education as the main arena of reproduction as well as identity transformation (Wijaya & Laia, 2025). In the context of the Patani Muslim community, religious educational institutions not only function to transmit religious knowledge, but also to produce social dispositions regarding who they are, what values to maintain, and how they should place themselves in the pluralistic Thai state. Therefore, education is an identity-making institution. However, the pressures of modern education including the demands of employability, professional competence, social mobility, and integration into the job market create new pressures on traditional education models (Agustin et al, 2025). (Habermas, 1984).

In Bourdieu's perspective, this condition shows the importance of the ability to convert cultural capital into other forms of capital. Formal education, language mastery, digital literacy, professional competence, and cross-cultural communication skills can function as conversion mechanisms between religious capital and socio-economic opportunities. Therefore, the transformation of Islamic education should not be understood as a reduction in religious content. Rather, the challenge is to build a system that allows Islamic education to maintain cultural legitimacy while increasing employability capacity (Utami et al, 2025). The findings of this study thus expand the discussion on faith-based education from the issue of identity conservation to the issue of capital

conversion and social mobility. Overall, this study proposes a conceptual repositioning of the relationship between religion, identity, education, and human rights. The identity of the Patani Malay should not be understood as a fixed cultural essence, but as a process of ongoing symbolic negotiation. (Wahyudi et al, 2025). Bourdieu points out that the negotiation is rooted in habitus, capital distribution, and field structure; Habermas shows that change becomes possible through communication, argumentation, and deliberation. When the two perspectives are brought together, there is an understanding that identity transformation takes place through structured negotiation: actors do have reflective capacities, but these capacities are shaped by history, institutions, education, and the distribution of symbolic power (Sunggung & Saffanah, 2025).

The main theoretical contribution of this research is therefore not simply to show that the Patani Muslim community can be tolerant of different individuals without changing their theological beliefs. A more fundamental contribution is to show that normative disagreement and civic coexistence can be institutionally compatible (Amanah & Istingadah, 2025). This compatibility is not born from the loss of differences, but from the ability of the community to build boundaries between normative beliefs and civic treatment. Within this framework, *maqāṣid al-syarī'ah*, education, dialogue, and tolerance can serve as interpretive mechanisms that allow communities to maintain religious continuity while adapting to the pluralization of law and society. In the end, Patani's case shows that pluralism should not be understood as the elimination of normative differences (Wahyudi et al, 2025). Pluralism can work through the management of differences that allow groups to maintain symbolic boundaries while accepting the principle of common citizenship. In this perspective, Patani's Malay-Muslim identity is not merely an object influenced by changes in Thai law, but an active interpretive agency that continues to negotiate positions between tradition, state, globalization, and human rights. The findings offer a broader theoretical agenda for future research: it is no longer simply asking whether religion is compatible with human rights, but through what institutions, what cultural capital, and what forms of communication that compatibility is negotiated in everyday social life (Hadi et al, 2025). Taken together, these comparisons suggest that the contribution of the Patani case lies not in claiming simple tolerance, but in specifying how doctrinal non-acceptance can coexist with civic protection, non-violence, and social coexistence, a distinction also identified in broader research on Muslim attitudes toward homosexuality (Glas & Spierings, 2021; Geurts et al., 2024).

Conclusion

This study identifies normative negotiation as the central pattern through which the seven participants across Yala, Pattani, and Narathiwat interpreted the legalization of same-sex marriage. The case findings show that participants generally maintained the Islamic normative position that same-sex marriage is not religiously valid while distinguishing theological recognition from civic recognition. In this formulation, normative religious non-acceptance can coexist with civic accommodation expressed through respect for human dignity, security, legal protection, freedom from violence, and peaceful social relations. The findings therefore contribute to debates on religion, human rights, and minority citizenship by showing that normative disagreement does not necessarily require social exclusion or the abandonment of religious identity. The findings also suggest practical and theoretical implications for minority Muslim communities living within plural legal orders: religious education, dialogue, and the distinction between theological norms and civic treatment can function as mechanisms for managing normative difference. However, these conclusions are context-

bound. The study involved only seven purposively selected informants in three Patani settings, relied on qualitative accounts concerning a socially sensitive issue, and did not directly include the perspectives of LGBTQ+ individuals affected by the policy. Variations associated with gender, generation, education, locality, and digital-media exposure therefore require further investigation. Comparative multi-site research, longitudinal qualitative work, and mixed-method studies involving a broader range of community voices are needed to test the transferability of the proposed normative-negotiation framework.

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