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Mahathir-Law

CONSULTATION NECESSARY IN ADMINISTRATION OF ISLAMIC LAWS, SAYS PM

KUALA LUMPUR, July 23 (Bernama) -- Datuk Seri Dr Mahathir Mohamad said today people entrusted to interpret Islamic laws must not act alone without consultation as the administration of Islamic laws is a serious matter.

He said it is necessary that people who are "alim" (expert) in non-religious subjects be consulted as well.

"Certainly, on matters of procedure, legally qualified people should be brought in," he said when opening an International Seminar on the Administration of Islamic Laws at the Institute of Islamic Understanding Malaysia (Ikim)

Only when all the various experts are found and consulted, can Islamic law be administered in order to ensure justice, he said.

About 200 people comprising judges, lawyers, law practitioners, academicians, politicians and students, including from other Asean countries, are attending the two-day seminar.

Quoting verses from the Quran, Dr Mahathir said Islamic laws must, above all, be clearly equitable and just.

"Fanatical adherence to the formulations of laws by Muslim jurists of the past is only justified if the end result is justice, not hidden justice but clear and unequivocal justice," he said.

"If these laws result in obvious injustice then they must be reviewed. The reviewers must go back to the Quran and the verified Hadith."

He said modern Muslims must be prepared to interpret again the Quran and the Hadith even as the old jurists were in fact prepared to interpret and to make pronouncements on their own.

"Only when Islam is interpreted so as to be relevant in a world which is so different from what it was 1,400 years ago can Islam be regarded as a religion for all ages," he said.

It is important to note that Islam accepts circumstance as influencing the implementation of the laws and of justice, he said.

"The changes in modern times which have resulted in newer perceptions of what constitute justice in new crimes and new social problems cannot be ignored," he added.

Certainly, he said, in modern times, new crimes are being committed -- commercial crimes, dadah-related crimes, distribution and abuses, misrepresentations in the print and electronic media and numerous sophisticated ways of abuse of authority -- which are not specifically mentioned in the Quran or Hadith.

"Laws could therefore be made to govern these so-called new crimes. The most important thing about such laws is that they are at least in conformity with the spirit and the values which permeate the administration of Islamic justice as in the cases illustrated in the Quran," he said.

Answering questions during the dialogue with participants after the opening ceremony, Dr Mahathir said the issue of whether punishment meted out to criminals by Syariah courts is harsh or otherwise depends on perception.

"We should take into account the circumstances. We should not assert that in Islam the laws must be harsh.

"If we wish to impose punishment, it must be just, and not whether it is harsh or otherwise because what is uppermost to Islam is justice.

"Many people confuse justice with harshness, as if a punishment that is harsh must be just...that is not necessarily so."

He said Islam entreats its followers to be considerate and willing to forgive people who have done wrong. -- BERNAMA  
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