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States get order on Islamic rulings (HL)

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KUALA LUMPUR, Fri. - Datuk Seri Dr Mahathir Mohamad today told State Governments to put on hold the implementation and enforcement of certain rulings governing Muslims that reflect negatively on Islam pending the formulation of uniform Syariah laws for the whole country.

He mentioned the recent case of the arrest of three part-time models for taking part in a beauty contest, the manner in which they were arrested and charged under section 31 of the Selangor State Islamic Crime Enactment for dressing indecently.

The Prime Minister said that State Governments should refrain from gazetting fatwa issued by mufti to discourage them from issuing more religious rulings until a study, now being conducted by a committee under the Prime Minister's Department, was completed.

He said this in response to a question at a Press conference after chairing a three-and-a-half-hour meeting of the Umno supreme council at Menara Dato Onn.

He was asked whether pending the completion of the study, State Governments should put on hold enforcement of the rulings and whether mufti should temporarily refrain from issuing fatwa.

"Yes, we will do this. Although mufti issue fatwa, if the State Governments do not gazette them, they will not become law," said the Umno president.

He said the temporary suspension was necessary to prevent people from suffering because some of what had been classified as offences now might not be so after the study.

Dr Mahathir said although mufti had been given the powers to issue fatwa, this did not mean that they could do it arbitrarily.

He said fatwa should be aimed at addressing confusion arising out of certain religious matters and countering deviationist teachings like those of the Al-Arqam and other sects.

Asked whether the study would define the powers of mufti, Dr Mahathir said this would be carried out, including also on their role.

"This is because in some legislations, it is stated that only the mufti can issue fatwa and repeal them.

"On the contrary, in the issuing of fatwa, there must be a committee which comprises many others who are experts in other areas including non-religious matters," he said, citing the need for the views of women to be represented.

He said religious laws found to be unsuitable and repressive would be repealed as Islam did not require its followers to be extreme in their actions, which often resulted in the Muslims becoming divided and weak.

The Prime Minister said the council deliberated at length the implementation of Syariah laws and felt that the main problem lay with the wrong perception on the position of certain people like the ulama.

"There are many who claim being an ulama ... those who consider themselves as descendants of the Prophet, thus their words cannot be rejected. This is incorrect."

Dr Mahathir said these were matters that should be explained to the people, adding that State Governments should ensure that the implementation of Islamic laws such as action taken against Muslim beauty contest participants would not reflect on Islam as being repressive.

"We have to realise that Malaysia is different from many other Islamic

countries where the people there are 100 per cent Muslims."

Dr Mahathir said Umno felt the approach taken in curbing wrongdoings should not always be confined to drastic measures but more through advice.

"We have to look into other pressing problems affecting Muslims like dadah addiction, bohsia, AIDS and other ills," he said, adding that it now seemed that the focus was more on matters like Muslims not covering their aurat.

The Prime Minister reminded the State Governments to ensure that the implementation of the Islamic laws would not paint a negative image of the religion.

"The image of Islam has been tarnished by the actions of extremists who use force ... this has only divided the Muslims. In a way, they have become the tools of the enemies of Islam."

On whether the Government would issue criteria on who could claim themselves as ulama, Dr Mahathir said: "Ulama are those who are pious and knowledgeable in Islam, besides not having any personal and political interests.

"In Malaysia, the people always regard those who possess in-depth knowledge of the religion as ulama. Even then, we notice that their knowledge is not that in-depth actually ... they should not only be well-versed in things like fiqah and ussuluddin but also in other matters like language."

On whether he expected objections from opposition parties on the move being made by the Government, he expressed hope that all parties would abide by the laws to be implemented after the study and not to politicise it.

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