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Not possible to implement all Islamic laws, says PM

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PRIME Minister Datuk Seri Dr Mahathir Mohamad said the Government is not rejecting Islamic laws but, under the present circumstances, it does not think that it is possible to implement fully all the laws.

This is because complete codification of Islamic laws is not possible as Malaysia is multi-racial and multi-religious. The fact that Islamic laws are largely uncodified opened them to many interpretations, some of which must be contrary to the tenets of Islam.

Dr Mahathir said the laws of the country are not such as to negate the principles of Islamic laws and justice. "The punishment may be different but the principles are the same," he said at the opening of an international seminar on Islamic law in the contemporary world in Kuala Lumpur yesterday.

He said it is quite impossible to obtain examples of codified Muslim laws from other Muslim countries and difficult to determine the procedures followed in carrying out due process of law.

And although the laws of Islam should be based directly on the Quran and the Hadis, they have always lent themselves to different interpretations.

As such, he added, Islamic laws in Malaysia are codified to avoid injustice.

Dr Mahathir also said Muslims today, including the Malays, are less tolerant and care little for the views of others when practising the teachings of Islam, including the interpretation of Islamic laws and their implementation.

It would seem that a Muslim is only Muslim if he is harsh in the execution of Islamic laws. "Even when Islam permits flexibility, it should be rejected in favour of rigidity. The greater the rigidity in the interpretations, the more a Muslim is faithful," he said.

Dr Mahathir said Islam today appears to be different from the religion of peace and tolerance that was brought by the Prophet Muhammad. "Islam has become a rigid, intolerant and seemingly unjust religion to the faithful and to others because of the fanaticism and misplaced orthodoxy of people with vested interest.

"If Islam is to be once again the religion of justice, then modern Muslim jurists must look again at the old interpretations of Islam, in particular those relating to justice. There can be no doubt that Islam upholds justice.

"If it does not seem to do so, it is not because Islam is wrong. It must be the practitioners of Islam who are wrong."

Dr Mahathir also said there are some Muslims who would consider that if the enforcement of Islamic laws resulted in the victim being punished and not the criminal, then it would still be just.

He said there is a need to demonstrate that Islamic laws and enforcement are as just as could be and while such laws could not be in full accord with modern liberal thinking, they could be compatible with universal concepts of justice.

Islamic justice, he said, will not differ much from Western justice when it comes to punishing the criminal and according justice to the victim.

Later at a dialogue, Dr Mahathir said it is not practical to impose a death sentence on professed Muslims who commit apostate.

"Such a move will provide disincentive to the non-Muslims to embrace Islam as we have put fear in them of the possible death sentence if they

renounce to their original religion," he said.

The two-day seminar, jointly organised by the Institute of Islamic Understanding Malaysia (Ikim) and the Department of Syariah Judiciary Malaysia, is aimed at examining efforts to implement Islamic laws in the contemporary Muslim world.

Participants comprise of judges, lawyers, scholars and practitioners of Islamic laws from Egypt, Nigeria, Yemen, Iraq, Turkey, Indonesia, Russia, Brunei and Malaysia.

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