

'Affidavit on PM's letter not relevant in CD case'

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By Nigel Aw

The government has objected to the submission of an affidavit relating to a letter from Prime Minister Najib Abdul Razak to the Christian Federation of Malaysia which states that Christians in Sabah and Sarawak can import or publish Bibles in any language without restrictions.

Senior federal council Arik Sanusi Yeop Johari told a special Court of Appeals sitting at the Duta Court Complex at Jalan Duta this morning that the affidavit by the Christian Federation of Malaysia was not relevant.

The sitting today was for the submission for an appeal by Sarawakian Christian Jill Ireland Bill Lawrence to overturn the Kuala Lumpur High Court's (Appellate and Special Powers Division) decision in May not to allow former home minister Syed Hamid Albar to be cross-examined for issuing orders to confiscate eight of her religious CDs which bore the word 'Allah' in a judicial review case on the matter.

Jill, who was granted permission by the Kuala Lumpur High Court on May 4, 2009 to challenge the decision, is seeking an order directing the home minister to return the CDs and to declare that she had the right to use materials with the word 'Allah' to describe God.

The letter sent out in April 2010 is in connection with Minister in the Prime Minister's Department Idris Jala's 10-point solution to the 'Allah' controversy.

Under the solution, Christians in Sabah and Sarawak can use Bibles with the word 'Allah' to describe God but Christian in the peninsula would require such Bibles to carry a cross its front cover on top of a stamp that reads 'Christian Publication'.

However, the objection will only be decided on May 9 in which the appellant is expected to refile a more detailed submission following complaints by Arik Sanusi that it was not particularised and that he had only received it yesterday.

The panel, comprising of Justice Abdul Wahab Patail, Justice Clement Allan Skinner and led by Justice Ramly Ali, said a decision on the matter would have a "big effect" because it involved a former minister and advised the appellant to be more detailed in their submission.

Jill is represented by lawyers Lim Heng Seng and Annou Xavier.

'We will insist on calling ex-home minister'

Speaking to journalists outside the court room, Annou said among the matters the panel had advised them to address was the question of whether Syed Hamid should be cross examined as he no longer has access to the Home Ministry's files.

"But we already have an answer to that, we will still insist on calling him. He may no longer have the ministry's documents but the chief secretary can still disclose them," he said.

Annou, in the submission, said he will also ask for documents which led to the government's decision to deem the use of the word 'Allah' in Bahasa Malaysia as a threat to national security.

On May 11, 2008, Custom officers confiscated eight CDs from Jill which bore titles such as 'The way to use the keys to the kingdom of Allah', and 'True worship in the kingdom of Allah'.

The CDs were confiscated under Section 9(1) of the Printing Presses and Publications Act 1984 when she landed at the Low Cost Carrier Terminal (LCCT) in Sepang and were handed over to the Home Ministry.

In a similar case on Dec 31, 2009, the Kuala Lumpur High Court in a landmark decision declared the Home Ministry's blanket ban on the use of the word 'Allah' for non-Muslims as illegal, null and void.

Though hailed as a victory by Christian groups, the decision sparked widespread protests among the Muslim community.

The tension sparked a series of attacks against churches, the most severe being a firebomb strike on the three-storey Metro Tabernacle church in Desa Melawati, Kuala Lumpur which gutted its ground floor.

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