

## **'Islamic law doesn't say protests are haram'**

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The powerful PAS syura council has challenged the National Fatwa Council's declaration following the Bersih 3.0 rally on April 28, that participation in certain demonstrations is haram for Muslims.

The syura council, comprising religious scholars and top party leaders, is headed by spiritual leader Nik Abdul Aziz Nik Mat, who had claimed that it was wajib for Muslims to attend the rally for clean and fair elections.

In a statement, the council likened demonstrations to a knife or sword, emphasising that it is the purpose or use that is of greater significance from the Islamic perspective.

"Basically, there is no hukum (Islamic law) on whether a demonstration is haram (illegal), wajib (mandatory), sunat (encouraged), harus (neither encouraged nor discouraged) or makruh (not encouraged) as there is no specific evidence on this (in Islamic teaching)," it noted.

"The hukum depends on the intention. If the intention is good and important, a hukum can be wajib or sunat. If the intention does not serve the interest of the people, a hukum is either haram or makruh."

The council also said demonstrations are a norm in any democratic nation as a means for people to convey their message to the government and fellow-citizens, especially when voices are being silenced.

"In the context of today's Malaysia, the (Bersih 3.0) sit-in was one of the best ways to overcome cruelty, like what had happened in Egypt," it said.

Noting that a "good demonstration" is one that is peaceful, clean and free of negative elements, the council said this could be tainted by provocation by law-enforcement forces.

This could lead to scuffles between demonstrators and those in authority, as seen at the start of the sustained demonstrations in Egypt which had led to president Hosni Mubarak's ouster.

"However, it is an offence in the context of democratic nation when the ruling party uses state machinery to hamper peaceful demonstrations, because the state machinery not only belongs to the ruling party but also to the people who stage a demonstration."

In the case of Bersih, the council said that none of its eight demands were against Islam.

"Instead, (some of the demands) were in line with what is demanded by Islam and others were instruments to ensure justice," it said.

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