

Archbishop: Najib's solution on use of 'Allah' must hold

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Less than two years' after the 2009 landmark Kuala Lumpur High Court judgment that declared the ban on the use of the word 'Allah' by the Catholics as unconstitutional, the government came up with a 10 point solution to resolve the issue once and for all.

Based on it, Catholic Archbishop Murphy Pakiam (right), is questioning the continuation of the Home Ministry and government's appeal on The Herald, a Catholic weekly, which is pending at the Court of Appeal.

The 10 point solution, signed by Premier Najib Abdul Razak on April 11, 2011, had the agreement of the cabinet and was addressed to the Christian Federation of Malaysia chairperson, Ng Moon Hing.

In it, the government allows the importation and publication of bibles of all languages including Bahasa Malaysia/Bahasa Indonesia with the word 'Allah' on it without any restrictions.

The Archbishop said Najib must have known of the landmark Dec 31, 2009 decision, before signing the 10 point solution.

Murphy, in his affidavit in support to strike out of the ministry and government's appeal which will be heard by the appellate court on Aug 22, states that bibles of all languages including the indigenous language of Iban, Kadazan-Dusun and Lun Bawang can be printed locally and imported.

The solution also states that in recognition of the 1Malaysia government initiative, there is no ban on the carrying of the bibles from Sabah and Sarawak to Peninsular Malaysia and vice-versa.

"For Sabah and Sarawak, in recognising the large number of Christians there, there will be no requirement for any stamp or serial number be placed.

"However, for Peninsular Malaysia, taking into account of the larger Muslim community, the bibles must have the word 'Christian publication' and the 'cross' sign on it," said Murphy in the affidavit sighted by Malaysiakini.

"The Home Ministry secretary-general had been issued a directive to ensure proper implementation of the cabinet decision. Failure to comply will result in officers to face disciplinary action under the general orders provision."

The word 'Allah' for god, he said, had been in use in the Bahasa Malaysia/Bahasa Indonesia, and the indigenous languages of Sabah and Sarawak bibles for a long time, and are among those referred to in the letter.

No security threat

"The solution also acknowledges that there is no national security and public order threat by the use of the word Allah by Christians, which also includes in publication."

"It also strengthens the High Court decision that the home ministry and government acted irrationally, unreasonably and defied all logic," said the archbishop in the affidavit.

Murphy further states that the April 11 document is a recognition of the landmark decision, and in light of the unequivocal representation to the Christian community, there is no legitimacy to proceed with the appeal.

Hence, the archbishop in the affidavit believes that the appeal had been superseded by the current position taken by the Home Ministry and government.

"Any decision by the court to hear the merits (of the appeal) will be a futility exercise with no particular benefit as the ministry and government, had taken a position which negates the appeal."

"Hence, the court ought not act and deliberate in the appeal as it renders the matter academic. This is a proper and fit case for the appeal to be struck off," said Murphy in ending his affidavit.

NONEIt was reported that the Archbishop's application to strike out the appeal will be heard on Aug 22.

Failing which, the hearing of the government's appeal will be heard on Sept 10 along with seven interveners from the various state Islamic councils and the Malaysian Chinese Muslim Association.

Justice Lau Bee Lan (left) in her Dec 31, 2009 decision held that the word 'Allah' is not exclusive to Islam in lifting the ban on the Herald publication.

The Herald is published in English, BM, Mandarin and Tamil.

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