

Counsel: 'Allah' could give rise to religious confusion

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By Hafiz Yatim

The home minister issued a directive in early 2009 to bar the Bahasa Malaysia version of the Herald - The Catholic Weekly from using the word 'Allah' is because it could give rise to religious confusion.

NONESenior federal counsel Suzana Atan said as this may threaten public safety and public order, the directive was issued.

She said this in laying the grounds of the government's appeal over the Kuala Lumpur High Court decision which declared that the ban on the word 'Allah' was unconstitutional.

"The minister acted on his 'absolute discretion' to bar the publication from using the word 'Allah'. This discretionary power is by law conferred on him and the court must be cautious in reviewing decisions of such nature," she said.

"The word 'Allah' in Islam refers to one god but the Christians have a different concept altogether," she said.

NONEShe said the minister's decision was non-justiciable as the court would be considered as stepping into the shoes of the decision-maker.

Suzana said secondly, the home minister has acted within his function and powers in accordance with the Printing Presses and Publications Act 1984 to make the decision to bar the publication.

This is because the cabinet had in 1986 decided that 'Allah' is among the words that are barred from usage by the non-Muslims.

The other words included 'Kaabah', and 'baitullah'.

Suzana hence argued that the decision made by the minister is reasonable as it is within the 1986 cabinet directive and in line with other state enactments.

On Dec 31, 2009 Kuala Lumpur High Court judge Justice Lau Bee Lan had declared the ban on the word as unconstitutional.

Six councils and an association standing as interveners

Besides the government's appeal, six state Islamic councils and the Malaysian Chinese Muslims Association (Macma) are standing as interveners in the appeal.

The councils are those from Terengganu, Kedah, Johor, Malacca, Selangor and the Federal Territory.

Only lawyers from Terengganu, Macma and Selangor submitted in the appeal in support of the government's appeal.

Lawyer and former Malaysia Airlines chairperson Abdul Aziz Abdul Rahman submitted that there is no usage of the word 'Allah' in the Christian Bibles.

"I have perused the Bibles and there is no mention of 'Allah' in the English text.

"Hence, to equate the translation of God as Allah which refers to the Muslim God is inappropriate," he said.

Lawyers for the Archbishop of the Roman Catholic Church led by Porres Royan will submit shortly in support of the court decision.

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