

**MCA disagrees with sultan on Bible remedy**  
**MalaysiaKini.com**  
**Jun 20, 2014**

In a rare move, a MCA leader has decided to tread where many fear to do so - which is to disagree with the sultan and lock horns with Islamic authorities.

Ti Lian Ker, who heads the party's religious harmony bureau, dismissed the need to refer the issue concerning seized copies of the bible to the courts when the attorney-general has made a decision.

He said the Attorney-General's Chambers' decision not to file charges against the Bible Society of Malaysia (BSM) and to announce that the "case is closed" is in accordance with the law.

"They have exercised their discretionary powers and have not referred the matter of the unconstitutional seizure of the 321 (Malay and Iban language) Al-Kitab and Bub Kudus to the court since there is no case," he added.

Although Ti did not mention it in his media statement, it is obvious that he was referring to Selangor Sultan Sharafuddin Idris' stand on the impasse.

Yesterday, the ruler ordered the state Islamic department (Jais) to promptly refer the issue of whether to return or destroy the seized copies of the Bible to the prosecutor and court for final determination.

Return the bibles

Meanwhile, Ti said Jais and the state Islamic affairs council (Mais) should not act in defiance or challenge the decision of the AG Chambers at this juncture unless if there is abuse or bad faith by the latter.

"Article 145 (3) of the Federal Constitution provides that the AG 'has the discretion to institute, conduct or discontinue any proceedings for an offence, other than proceedings before a syariah court, a native court or a court martial'.

"As such there is no necessity to refer this matter to court. The assertion that 'this decree is in line with the instruction contained in the minutes issued by AG Chambers stating that concerning the seized Al-Kitab, Jais is asked to take further action according to the law' is flawed as the AG had decided not to institute any action," he added.

Ti said Mais or Jais cannot usurp the discretionary powers accorded to the AG by instituting an action in court as AG had already decided and repeated that the case is closed.

"The AG Chambers has decided. There is no case and since there are no proceedings in court, the items should be returned to BSM to show that Jais or Mais are not inflicting hardship or injustice on BSM.

"The ball is now in the court of Mais and Jais to follow the rule of law and the spirit of the Federal Constitution," he added.

Ti said Islam's emphasis is on justice and in this case, justice must not only be done but must be seen to be done.

"Mais and Jais should not inflict any hardship or injustice on the freedom of others when there was no wrong committed at all as decided by the AG Chambers," he added.

In a related development, Selangor legal advisers are expected to meet with Jais to discuss the sultan's order.

Copyright © 1999-2012 Mkini Dotcom Sdn. Bhd  
Source: <http://www.malaysiakini.com/news/266311>