

MCA: Shamala case decision 'regrettable'
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The MCA is dismayed by yesterday's Federal Court's decision allowing the objection of Dr M Jeyagandesh in the custody battle with his estranged wife S Shamala.

While the party's deputy publicity chief Loh Seng Kok understood the court's constraint considering that Shamala had fled the country, it was still a shame that the court did not address basic conversion issues.

"MCA believes that while the court was constrained, the judges could have at least attempted to provide their views on the issues referred to them by way of obiter dictum (a non-binding opinion by the judge).

malaysiakini interview loh seng kok 061108 01"Although the views if expressed, would not be a binding precedent, they would provide clear guidance to lower courts and litigants as well as other stakeholders," Loh (left) said in a statement today.

The Federal Court, although unanimously allowed the objection to Shamala's case on the grounds of the contempt of court case pending against for absenting herself from a court hearing, the apex court did not clarify the five questions thrown up by the long standing issue of unilateral conversion of children.

However, Chief Judge of Sabah and Sarawak Richard Malanjum offered a novel solution of giving Shamala and her children three months to return before hearing her appeal.

Conversion laws should be reviewed

Loh also pushed for a parliamentary review of the relevant family and conversion laws to provide status quo when both parents cannot agree on the child's faith until he or she reaches the age of majority.

Loh also pushed for a parliamentary review of the relevant family and conversion laws to provide so in the event both parents cannot agree on the child's faith, then it should remain status quo until the child reaches the age of majority.

"The government must act forthwith to table in parliament the necessary amendments to the various laws to give effect to the cabinet decision that if one spouse embraces Islam, the children should follow the faith that the parents agreed on at the time of marriage or implied by their common religion.

"Such amendments if passed by parliament would go a long way to fortify the Malaysia spirit and intent," he said.

It was previously reported that the Muslim conversion laws appeared to have hit a wall with the Council of Rulers yet to approve the government's proposed law reforms.

The government had last year attempted to table amendments to the Law Reform (Marriage and Divorce) Act 1976, Administration of Islamic Law (Federal Territories) Act 1993 and Islamic Family Law (Federal Territories) Act 1984.

The move came in the wake of several domestic disputes spurred by secret conversions to Islam, which quickly escalated into a nationwide religious uproar.

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