

Legal experts to step up

Ruler orders study on state assemblies' skill to enact Islamic laws

SHAH ALAM: Selangor Ruler Sultan Sharafuddin Idris Shah has ordered the immediate formation of a special committee to conduct an in-depth and critical study on the competency of state legislative assemblies to enact Islamic laws under state enactments and the jurisdiction of Syariah courts.

Sultan Sharafuddin, who is also the National Council for Islamic Religious Affairs (MKI) chairman, said this is due to the number of cases under the jurisdiction of syariah courts being challenged at the Federal Court, particularly concerning the competency of state assemblies in formulating and approving Islamic (Syariah) laws, as well as the jurisdiction of the syariah courts that preside over them.

"This trend shows that the position of state enactments that pertain to syariah criminal offences is being increasingly challenged, thereby affecting the jurisdiction of the syariah courts in the states to adjudicate on them," the Ruler said at MKI's 70th meeting at the Sultan Salahuddin Abdul Aziz Shah Mosque here yesterday.

Also present was Prime Minister Datuk Seri Anwar Ibrahim, who is also MKI deputy chairman.

Sultan Sharafuddin is of the opinion that it can only be resolved by taking legislative action through specific amendments to the relevant laws to grant the state legislative assemblies broader powers in formulating provisions related to syariah criminal offences for Muslims, reported Bernama.

His Royal Highness stated that the special committee should propose amendments to the relevant laws, including provisions in the Federal Constitution, to create comprehensive solutions to these issues.

"The special committee should



Attention to detail: Sultan Sharafuddin (right) speaking to Anwar on arrival at MKI's 70th meeting. - Bernama

consist of constitutional law experts, civil and syariah law experts, academics, and not forgetting legal practitioners who possess the qualifications, skills and extensive experience in both civil and syariah law," the Ruler added.

In light of this, Sultan Sharafuddin hoped that Minister in the Prime Minister's Department (Religious Affairs) Datuk Dr Mohd Na'im Mokhtar, who was also present, could take immediate steps towards the formation of the special committee and propose the solutions to MKI and the Conference of Rulers. -

Meanwhile, the Selangor Ruler said that the 70th MKI meeting will discuss a policy paper that outlines comprehensive and detailed guidelines on the use of the word "Allah" by non-Muslims.

"All decisions reached by MKI regarding the issue of the term 'Allah' will be presented at the Conference of Rulers' upcoming meeting; thus, a policy concern-

ing the usage of the word 'Allah' by non-Muslims in this country will be finalised," the Ruler added.

Sultan Sharafuddin said during a discussion with the Prime Minister on June 7, His Royal Highness had expressed his views as the MKI chairman that the issue regarding the use of the word "Allah" by non-Muslims must first be discussed at the MKI level.

"My view on this matter has also been approved by His Majesty the Yang di-Pertuan Agong. This matter is in line with the function of MKI, which is responsible for advising the Malay Rulers on improving the administration of Islamic affairs," Tuanku added.

Sultan Sharafuddin said that given that this is a sensitive issue, it needs to be studied thoroughly and wisely, and resolved responsibly without delay.

The Sultan also called on states that have not joined the MKI to respond to the invitation and offi-

cially become members of the council's "musyawarah" (deliberation) platform.

The Ruler said that the council is an institution that was approved by the Conference of Rulers.

"The primary members of MKI are representatives from states that have a significant role in coordinating Islamic affairs," Tuanku added.

Sultan Sharafuddin said although there have been achievements from MKI discussions, there are still unresolved issues that demand the participants actively engage in producing valuable insights and solutions.

In another development, the Selangor Ruler noted that certain groups are openly sharing their views related to the disagreements on various sensitive matters that should be addressed by the MKI.

These include the method of determining the start of Ramadan and the sighting of the Syawal moon.

"I am disappointed by this situation because even though they state their intention is to strengthen their arguments, why does it create doubt about the expertise of knowledgeable muftis in astronomy and lead to decisions that do not align with what has been agreed upon?"

"This will certainly cause confusion among Muslims and could eventually lead to division," the Ruler said.

As such, to prevent confusion in the future, Sultan Sharafuddin advised the Department of Islamic Development Malaysia (Jakim) to establish a clear decision concerning the approach to determine the beginning of Ramadan and verify the sighting of the Syawal moon using "ruyah" (vision) and "hisab" (calculation).