

Court to rule on Putrajaya's "Allah" appeal on October 14
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The Court of Appeal will rule on October 14 whether the Catholic weekly newspaper, Herald, can use the word "Allah" in its Bahasa Malaysia section.

Federal Counsel Andi Razalijaya A. Dadi said the Attorney General's Chambers received a letter notifying them about the date from the Court of Appeal registry today.

On September 10, a three-man bench led by Datuk Seri Mohamad Apandi Ali heard submissions on the issue from lawyers representing Putrajaya, the Kuala Lumpur Archdiocese of the Roman Catholic Church and Muslim religious councils.

On December 31, 2009, the High Court in Kuala Lumpur ruled the weekly newspaper could use the word.

The September 10 hearing was for Putrajaya's appeal against that decision.

Putrajaya's lawyer, Suzana Atan, submitted then that the home minister banned the publication from using the word on the grounds of national security and public order.

She said that the prohibition was ordered as it touched on Islamic religious sensitivities.

"In this country, Allah is a sensitive word," she said when arguing to reverse the High Court order of December 31, 2009.

Muslims make up nearly 60% of the Malaysian population and Islam is the official religion.

Suzana said that after the High Court ruling, there were several arson attempts on churches and an incident in which vandals tossed a pig's head into a mosque.

The government filed two affidavits, both obtained from journalists, as fresh evidence to support its appeal.

"The ban was actually a pre-emptive measure by the minister," she said.

Suzana said the word caused a lot of confusion among Muslims and Christians as it had a different meaning to each religious group.

Lawyer Porres Royen, who represented the church, submitted that the minister did not have sufficient material before him when he made the decision to stop Herald from using the word.

He told the three-man bench that the government relied on public opinion that a "certain section of the society" was sensitive to the use of the word but pointed out that public opinion was irrelevant as legal and constitutional issues were now before the court.

On the bench with Apandi were Datuk Abdul Aziz Abdul Rahim and Datuk Zawawi Salleh.

Royen said the minister also imposed an unreasonable restriction on the publication as the

usage of the word in the Catholic weekly newspaper was intended only for Christians and only sold within church grounds.

"This ban was a gross violation of a constitutional right," he said in defending the High Court ruling.

Lawyer Mubashir Mansor, who represented the Terengganu council, said Herald had gone online and so the word was accessible to Muslims.

He also said there was an enactment in Terengganu which banned the use of the word by non-Muslims.

"The enactment is constitutional as it aims to stop non-Muslims from propagating their religion among Muslims," he said.

The Allah row erupted in early 2009 when the home ministry threatened to revoke Herald's permit because it used the word when referring to God.

The action prompted the church to sue the government for violating its constitutional rights.

In its ruling, the High Court allowed the church's judicial review application and lifted the minister's ban.

Judge Lau Bee Lan said that the church had a constitutional right to use the word Allah in its newspaper on the grounds that religions other than Islam can be practised in peace and harmony. - October 7, 2013.

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