

**No Hudud If Putrajaya Does Not Amend Shariah Law, Says Pas  
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By Mohd Farhan Darwis**

For all its rhetoric on imposing the Islamic penal code, or hudud, on Muslims in Kelantan, PAS has admitted that the state government cannot proceed with its plan if amendments are not made to existing Shariah Court legislation.

PAS information chief Datuk Mahfuz Omar said the Shariah Court Act stood in the way of its plans to implement hudud in the east coast state.

"If the Barisan Nasional (BN) federal government does not amend the Shariah Court Act, which is standing in the way, we can't implement hudud in Kelantan," he told The Malaysian Insider in Kuala Lumpur.

Mahfuz said Putrajaya had to take the initial step to amend the law to enable PAS to go ahead with its plan to implement the Islamic law in the state.

"The implementation can only be done if the government does away with the barrier. We will wait for that because they said they will do it," he said.

The Pokok Sena MP said PAS followed democratic principles in going through with the hudud implementation as any federal lawmaker in Kelantan can choose to support or reject the amendment which the party wants to bring to Parliament.

"If they can't amend it, then there won't be any hudud. We will go through the democratic process.

"It's not that PAS does not want to implement this, but there are obstructions. This is because the government is not ready to amend the law," he said.

Kelantan Menteri Besar Datuk Ahmad Yakob recently revealed that the state intended to table a private member's bill to allow the implementation of hudud.

The bill would enable the Kelantan Shariah Penal Code II, which was passed in 1993 by the state assembly, to be enforced.

Ahmad's announcement closely followed the statement by Minister in the Prime Minister's Department Datuk Seri Jamil Khir Baharom that Putrajaya would back the state's move to implement hudud.

"A private member's bill will be tabled to amend the Shariah Court Act (Jurisdiction) 1965 so that it will give a wider scope to punish according to the Hudud Enactment," he said.

The state government had made the decision because a significant part of the hudud crimes like theft, robbery, rape, causing hurt and murder come under the federal government as stipulated in the Penal Code, as well as enforcement agencies such as the police and prisons.

The Kelantan government also said it was willing to guarantee that, as long as there were no setbacks and Putrajaya gives the green light to both private bills to be tabled and passed in Parliament, the Shariah Criminal Procedure Enactment 1993 will be implemented in Kelantan in 2015 by the latest.

"If it is true that they want it, then the federal government has to amend the Act," said Mahfuz.

PAS has come under fire for bringing up the hudud, which could also see the end of the opposition coalition of Pakatan Rakyat as DAP has urged the Islamist party to leave the pact if it was determined to go ahead with hudud, which involves the amputation of limbs, whipping and stoning to death for various offences.

DAP has been one of the strongest critics against the hudud punishment, saying that it was not part of the PR consensus after the 13th general election.

The Malay rights group Ikatan Muslimin Malaysia (Isma) had said recently that the hudud punishment should be implemented not only for the Muslims, but also for the non-Muslims.

Its president Abdullah Zaik Abdul Rahman had said that hudud should be carried out for the country's "well-being", adding that criminals would then be fearful of committing crimes.

The BN federal government had said that it would set up a joint technical committee with the Kelantan government to examine all angles of hudud, how it could be implemented in Malaysia, especially in Kelantan, and whether it could be implemented. – May 11, 2014.

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