

Impossible to enforce hudud in Malaysia, says law minister

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By Elizabeth Zachariah

De facto law minister Nancy Shukri today dismissed the chance of hudud being implemented in Kelantan, saying the Private Member's Bill on the issue will never get a single vote from Sarawak lawmakers in Parliament.

She agreed with fellow minister Datuk Seri Nazri Aziz that it was impossible to implement the Islamic penal code in Malaysia, as there were already provisions for criminal offences in the penal code.

"We have the federal constitution. We have to look at the offences under hudud. There might be double jeopardy," Nancy, who is Batang Sadong MP, told reporters in Parliament today.

"A lot of provisions are already under the federal constitution, there needs to be another study if we were to allow hudud to pass through."

Nazri, the former law minister, said that hudud was unsuitable for Malaysia and those who discussed it were fools.

The first Umno minister to openly dismiss the implementation of the Islamic penal code, he said that the hudud could only be implemented by amending the Federal Constitution and this would require two-thirds of legislators in Parliament to support it.

"No need to discuss something that will not happen. It is stupid for anyone to even be discussing hudud," he told reporters in the Parliament lobby yesterday.

He was referring to the PAS-controlled Kelantan government's effort to implement hudud in the state, a move which his own party has yet to make an open stand on.

PAS president Datuk Seri Abdul Hadi Awang had, on March 18, made known his intention to table a private member's bill to amend the Shariah Courts (Criminal Jurisdiction) Act 1965 which governs the scope of punishments meted out by the Shariah courts.

Nancy who is from Parti Pesaka Bumiputera Bersatu (PBB), a Barisan Nasional (BN) component party, said that Sarawak would not vote for the implementation of the hudud, believing such laws had no place in Malaysia.

"I am in agreement with Datuk Nazri. It is just not possible. In Sarawak, I don't think they will get the vote for hudud," she added.

Umno, the lead Malay party in the ruling BN coalition, is being pressured by the opposition Pakatan Rakyat (PR) to state whether it supports Kelantan PAS's plan to

enforce hudud in the state. Both Umno and PAS are arch-rivals in vying for the Malay-Muslim vote.

Twelve of Umno's state assemblymen in Kelantan last week voted in support of the state's Shariah Criminal Code Enactment II 1993 (Amendment 2015), which the legislative assembly passed unanimously. So did the lone PKR state assemblyman.

At the Federal level, the party led by Prime Minister Datuk Seri Najib Razak has been silent on whether it supported the move, and whether it will back a private member's bill in Parliament to amend a federal law to allow hudud to be implemented.

Umno's partner, the multiracial Gerakan party, is suing the Kelantan state government over the code and challenging its constitutionality.

The opposition PKR and DAP, meanwhile, say that Umno's goading of PR parties' inability to resolve the hudud issue with PAS is a ploy to destroy the opposition pact.
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