

Shariah bill unconstitutional, Sabah and Sarawak PKR assert
Free Malaysia Today
April 21, 2017

PKR leaders from the two states say the Malaysia PAS president Abdul Hadi Awang aspires to, is not the Malaysia envisioned in the Malaysia Agreement 1963.

PETALING JAYA: PKR leaders in Sabah and Sarawak have reiterated their stand against PAS' move to amend the Syariah Courts (Criminal Jurisdiction) Act 1965, also known as Act 355.

In a joint statement today, Sabah PKR chairperson Christina Liew and Sarawak PKR chairman Baru Bian said PAS president Abdul Hadi Awang had the right to table the bill. However, they added, that was the extent of their agreement on the matter.

"We are opposed to the bill in its current form as it is clearly a means to pave the way for hudud law to be imposed, which would in effect be introducing a dual criminal justice system," they said.

Arguing that this was in violation of the Federal Constitution, the duo said PKR in Sabah and Sarawak was not convinced that Act 355, if passed, would not be enforced on non-Muslims.

Pointing to the recent episode in Kelantan, where non-Muslim traders were told they would have to halt their business during Maghrib prayers, they said even without shariah law, there had been many instances of "over-zealous officers" trying to impose Islamic practices on those from other faiths.

They also referred to Shad Faruqi, a former law professor at UiTM, who said in 2016 that the dormant Kelantan Syariah Criminal Code (1993), which Hadi was trying to resurrect through Act 355, extended to consenting non-Muslims.

This also violated the constitution, which provides that shariah courts have no jurisdiction over non-Muslims, they said.

"The position of PKR Sabah and Sarawak has always been that the Malaysia Hadi Awang aspires to, is not the Malaysia that we agreed to form in 1963.

"Any attempt to introduce hudud or shariah law in Malaysia will be viewed by Sabah and Sarawak as a breach of the Malaysia Agreement, and we would consider such a breach to be actionable in a court of law."

If, despite their objections, Act 355 was still pursued, they said it should be dealt with through a select committee in Parliament from both the government and the opposition.

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Source: <http://www.freemalysiatoday.com/category/nation/2017/04/21/shariah-bill-unconstitutional-sabah-and-sarawak-pkr-assert/>