



Majlis Perundingan Malaysia Agama Buddha, Kristian, Hindu, Sikh dan Tao

Malaysian Consultative Council of Buddhism
Christianity, Hinduism, Sikhism and Taoism

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MCCBCHST: WE REJECT THE PRIVATE MEMBERS BILL ON HUDUD

The Malaysian Consultative Council of Buddhism, Christianity, Hinduism, Sikhism and Taoism (MCCBCHST) categorically rejects the private members bill relating to the imposition of HUDUD Law in Kelantan. It is unconstitutional, tearing at the core of the Federal Constitution and going against the social contract embodied in the ALLIANCE MEMORANDUM as submitted by LORD REID COMMISSION'S REPORT and the WHITE PAPER which led to Independence. It also goes against the Cobbold Commission Report and the guarantees given to Sabah and Sarawak. It has the potential to undermine religious freedom and fundamental liberties as enshrined in Part II of the Constitution. The Non-Muslim's position too would be in jeopardy under Hudud and they would not have equal rights if implemented.

MCCBCHST was aghast at news of the Prime Minister's Department being complicit in the tabling of the Bill as The Minister in the Prime Minister's Department Datuk Sri Azalina Othman Said had moved a motion for the Hudud Bill to be read immediately during the debate then in progress in the House. This item was then positioned at No.15 on the Dewan Rakyat Order Paper. This raises the question as to how far Putrajaya is involved in the PAS move to table the HUDUD Bill then. It will directly impact on its other moves to bring about Harmony and Unity in the Country under the Jawatankuasa mempromosikan Persefahaman Dan Keharmonian Antara Penganut Agama (JKMPKA) which was set up for this purpose.

It is also worth noting that such an important Bill was not even discussed even among Barisan Nasional's component members and many were caught by surprise by the introduction of the Bill.

The Hudud Bill is unconstitutional because it seeks to include criminal offences which are at the moment under the Federal list and already offences under the Federal Penal Code. The Federal list comes under Parliament and States cannot legislate on it. At the moment States are only allowed to legislate on criminal offences as stated in the state list Schedule 9. The

Hudud offences of theft, rape, murder and incest are already criminal offences under the Federal list and the proposed Bill is seeking to amend the Syariah Courts Criminal Jurisdiction Act 1965 to allow for enhanced punishments. They thus encroach into the Federal list and seek to create a dual criminal system, which is not allowed by the constitution.

Our first 5 Prime Ministers, beginning with Tunku Abdul Rahman until Tun Abdullah Ahmad Badawi, had objected to Hudud Law and Islamic Law being introduced into The Constitution. Our former Prime Minister Tun Dr. Mahathir Mohamad had warned the PAS government of Kelantan in 1994 against introducing Hudud Law in the State because 'Hudud Law punishes victims while actual criminals were often left off with minimum punishment'. Tun Abdullah Badawi had promoted "Islam Hadhari" which was inclusive of all religions. But we now see the present leadership in Putrajaya being amenable to introduction of Hudud Law and ignoring the advice of the first 5 Prime Ministers and the HISTORY leading to Independence.

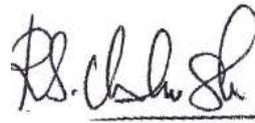
MCCBCHST hopes that the Putrajaya leadership will take heed of the various views expressed and would defend the Constitution and pull back support for the Hudud Bill.

The hudud countries at the moment are no examples to follow and according to our former Prime Minister Tun Dr. Mahathir Mohamad they are all failed and unstable states. We must cherish the unity we have now and not embark on political adventure which can rock and undermine our unity.

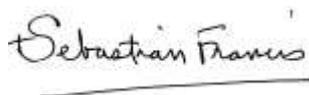
DATED: 30 May 2016



Ven. Dato' Seri Jit Heng
President



Datuk R.S. Mohan Shan
Deputy President



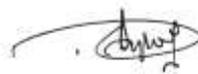
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