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Malaysian Federal Court refuses four people their right to affirm Christian identity

By Matt K. George

World Watch Monitor (27.02.2018) - <http://bit.ly/2FKuX61> - Malaysia's highest court dismissed an appeal today (27 February) against four appellants who wanted to be formally recognised as Christians.

The five judges of the Malaysian Federal Court ruled that in matters of conversion away from Islam, it was necessary for them to consult the Islamic Sharia courts.

The president of the court, Tan Sri Zulkefli Ahmad Makinudin, said the decision was unanimous.

He added that even though there are no specific provisions in the Sharia ordinance over conversions out of Islam, the religious court still has legal authority on what he termed "apostasy".

Raucous, unruly scenes and shouts of "Allahu akbar" ("Allah is the greatest") greeted the decision as a mob surrounded the Catholic Archbishop of Kuching, Simon Peter Poh, outside the court complex. He was jostled while being escorted to his car amid fears that he might be assaulted.

Three of the appellants had previously converted from Christianity to Islam when they married Malay-Muslim spouses, but now want to affirm their Christian identity again. The fourth is a Malay-Muslim who embraced the Christian faith and was baptised in 2009.

The Federal Court, sitting in Kuching, the capital of Sarawak state, yesterday (26 February) heard the joint appeal of the four appellants who want their conversions legally recognised. The judges then adjourned their decision to today.

The lawyer for the appellants, Baru Bian, an opposition politician and a campaigner for the customary rights of indigenous Malaysians, many of whom are Christian, had been optimistic that the judges would base their decision on the substance of the country's civil law.

He said the argument of the state was that Sarawak Shariah Court Ordinance 2001 "has provisions on conversion into Islam". Since there is no provision for those who want to leave the faith, he argued that the civil court should have jurisdiction.

Three of the appellants – Mohamed Syafiq Abdullah, who has taken the name Tiong Choo Ting; Jenny Peter, who was formerly Nur Muzdhalifah Abdullah; and Salina Jau Abdullah – converted to Islam in order to marry Muslims. All four were asking the Federal Court to have their names and their faith changed on their national identity cards.

In 2006 Jenny Peter divorced her Muslim husband and re-embraced Christianity. The Muslim husband of Salina Jau divorced her in 1992, and she too returned to Christianity. In the case of Tiong Choo Ting, he began to practise Christianity after his Muslim wife died in 2007.

The fourth appellant, Syarifah Nooraffyza Wan Hosen, is ethnic Malay and was raised as a Muslim. In her declaration she said she no longer practises Islam and was baptised in 2009. She wants her identity card to record her new faith and a new name, Vanessa Elizabeth.

According to local media, all four were required to undergo counselling for renouncing the Muslim faith. But they have remained adamant they want to renounce Islam, and have signed statutory declarations expressing this desire.

All four remain Muslims as far as official documentation is concerned.

Critics accused the court of failing to understand its powers to rule on an individual's choice of religion. "It means that freedom of religion, which is a constitutional right and a matter for the civil court, is subservient to Islamic laws," one Christian human-rights campaigner said.

Some social-media users said they felt disappointed by the Federal Court's decision. Some even nicknamed the case the Sharia Court's "Hotel California" clause, recalling the 1970s song by The Eagles about a hotel you could check into but never leave.

Islam is considered intrinsic to the identity of Malaysia's majority Malay people, and under Sharia (Islamic law), renouncing Islam is viewed as apostasy, a crime, although liberal Muslim theologians argue that conversion is a matter for the individual. Many of the country's sizeable Buddhist, Christian and Hindu populations are of non-Malay heritage.

In recent decades Islamists have become increasingly vocal in their demands that Malaysia be governed as a Muslim state, and analysts say the spread of a more conservative interpretation of Islam lies behind the rise in attacks on churches and church leaders.

At the same time, civil courts have handed jurisdiction over Islamic religious matters to the Sharia court system and at times taken a policy of non-interference between the two courts. This has left people wishing to leave Islam in legal limbo.

According to Malaysia's constitution, the country is a secular state with Islam as its main religion. However, Islamists refute this, saying that the colonial-era charter of rights is no longer valid, and they demand the precedence of religious law.

Malaysia church attacks highlight growth of Islamic extremism

World Watch Monitor (31.01.2018) - <http://bit.ly/2FB9U4a> - Located within easy reach of three active centres of Islamic extremism – Mindanao in the Philippines, Arakan in Myanmar and the southern provinces of Thailand – Malaysia has become a breeding

ground for IS recruitment, weapon smuggling and communication, according to the International Centre for Political Violence and Terrorism Research.

In its latest report, the Singapore-based research centre says IS sympathisers number into the thousands in Malaysia and amount to a “virtual caliphate”, as reported by Free Malaysia Today.

But although they pose a real security threat, Malaysia’s Christians are generally unaware of the risk, a local source told World Watch Monitor.

“When we talked about IS in our [security] training, they do not show concern as they think it will not happen here,” the source said. “This could be due to lack of knowledge and exposure about the matter itself.”

Two attacks on churches were reported recently by The Council of Churches of Malaysia (CCM), the ecumenical body which includes the Province of South East Asia dioceses of Kuching, Sabah and West Malaysia.

In one of the incidents, shortly after the midnight service on 1 January, a “water bomb” made from modified fragments of fireworks exploded in front of the Luther Centre in Petaling Jaya, to the west of the capital Kuala Lumpur, injuring three Christians.

The general secretary of the CCM, Rev. Dr. Hermen Shastri, said “police believe the attack on the Luther Centre was carried out by a ‘Mat Rempit’ – a gang-style individual who carries out public disturbances”.

A week later, a Methodist Church was attacked with a petrol bomb in Kota Bharu, a conservative city on the north-east of Peninsular Malaysia. The attack is believed to have been “motivated by extremists who are out to stoke the flames of religious intolerance in the country”, according to Rev. Shastri. Four weeks earlier, some objects thrown at the church had smashed its windows, Malaysia’s Star newspaper reported.

“We call on the police to reinforce their efforts to act firmly against this growing trend, where there are people committed to disrupting inter-religious harmony by targeting religious buildings with flagrant acts of vandalism and arson,” Rev. Shastri said. “Such actions if left unchecked may embolden extremists and unscrupulous elements to engage in such actions in the run up to the coming national General Elections in 2018.”

Religious extremism in Malaysia takes different shapes. In September last year, two laundrettes erected signs saying they would serve “Muslim customers only”. Following a rebuke from a local Muslim leader, one of the laundrettes replaced its sign with one stating “Muslim friendly”. At the other, the owner agreed to serve customers of all faiths after a visit from both the local mufti and the state crown prince.