

Amendments to Act 164 – Islam will always be undermined as long as man has control over the sovereignty

News:

Earlier this month, the Malaysian government tabled the second reading on the reform of Act 164. The amendment to the Law Reform (Marriage and Divorce) (Amendment) Act 2016 has added Section 88A (1) which states that if a parent converts to Islam, the religion of their children shall remain the same unless both parents agree to the conversion of the children to Islam, and that the children can decide their own religious faiths upon reaching the age of 18. This reform was vehemently rejected by Islamic NGOs and the Mufti of the state of Perak. Nevertheless, the Deputy Prime Minister of Malaysia justified the tabling of the reform by saying that the decision was taken based on national interest. The mufti of Perak on the other hand stressed that amendments to Act 164 are in conflict with the Federal Constitution and Islamic rulings, seen as belittling and disrespecting Islam and are also in conflict with the resolution of the 87th National Fatwa Committee meeting of June, 2009.

Comment:

In reality, the amendments to be carried out on Act 164 involves legislation concerning marriage and divorce of non-Muslims in Malaysia. However these amendments will affect Muslims as the reform of the Bill touches upon the status of the children of couples who convert to Islam. In other words, in the situation that only one partner of a marriage converts to Islam and the other remains a Kaffir, and does not agree to the conversion of their children to Islam, the children will remain as non-Muslims. This is in contrary to Islamic Shari'a. In Islam, when a parent converts to Islam, the young children will automatically be Muslims. There are details to this rule when it concerns toddlers but at the end of the day, the children are to become Muslims. It is quite clear that this reform is among the many demands made non-Muslim NGOs such as IFC (Inter Faith Council) in Malaysia. Among other demands are fighting for their right to use Islamic words such as 'Allah' and 'Kaabah' in their own context and to not make Islam as the dominant Deen in the country. Obviously, these are just words that they utter, which in themselves manifest their hatred to Islam. Clearly, what they hide in their hearts is much worse.

﴿قَدْ بَدَتِ الْبَغْضَاءُ مِنْ أَفْوَاهِهِمْ وَمَا تُخْفِي صُدُورُهُمْ أَكْبَرُ﴾

“Hatred has already appeared from their mouths, and what their breasts conceal is greater” [TMQ Al-i-Imran 118]

It is however, when viewed from a different angle, it is a good thing that Muslims are beginning to realize the issue. The suggested reform is also a wakeup call to Muslims that in a country like Malaysia, the laws of Allah can be changed. Especially so in a country where the voice of the minority (Kuffar) is deemed sacred within a secular framework. There is also a very good lesson to be learned from this issue. If indeed the state fatwa is strongly binding and must be respected as claimed by the religious institutions of the country, then all the Muslim members of Parliament must be held responsible and must be punished under the Shari'a courts for insulting the Islamic Shari'a and he Islamic courts. This is due to the fact that there is already a fatwa made by the religious council on this matter. It is indeed the right time for the Mufti (of Selangor) and the religious authorities to realize that all this while, they have manifested double standards charges against members of Hizb ut Tahrir were made with claims (more appropriate, libel and false allegations) that the Shabab had insulted the ruling of the Shari'a courts! Shame on the Mufti and the authorities! Now is the most appropriate time for them to charge those Muslim members of the Parliament for going against the fatwa! Even more so, this matter is closely related to the issue of Aqeedah and requires that prompt, serious actions be taken to prevent such blatant contempt of the faith of Islam by the Malaysian government!

Muslims should finally learn that in a democratic country, what had happened is a norm. The right of making and changing laws is in the hands of man, sovereignty is in the hands of man. And the laws of Allah will always be undermined, unless we work to implement Allah's laws under the rule of a Khalifah.

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