

Press Release

The Decision of the Court of Appeal is a Clear Proof of the Danger of the Secular System to the Faith of Muslims

In January this year, Malaysia's Federal Court had made a decision that shocked the country albeit it was an expected one. The court had annulled the conversion to Islam of three children by their father, after his conversion to Islam and after parting with his Hindu wife. Today (14/09/2018) the Court of Appeal made another similar decision by granting full guardianship of two children who had been converted by their mother to Islam, to their Buddhist father. How could two Muslim judges, out of a three-member bench, rule contrary to their own faith and religion!? The reason for the decision given by both courts are similar - the conversion of the said children is null and void due to the absence of consent by the other spouse.

This is among the consequences of the secular system in Malaysia, a system that separates religion from the state. The state is ruled in the absence of religion. The law is purely based on the minds of members of Parliament and members of the State Legislative Assembly, rather than on Al-Quran and As-Sunnah. The country's existing constitution is the one inherited from the Kufr colonialist. Likewise, the existing court is a legacy of the Kufr colonialist, which applies the colonial law, with all rules of the game set by the colonialist! While Malaysia is proud of having a Shariah court, it is a fact that the court is lower than a civil court, and its jurisdiction is very limited, making it not shariah enough! The Kufr democratic system and the laws, both inherited from the colonialist are still dominating this country, making the Muslims subject to the civil law and civil courts, but the non-Muslims instead, are not subjected to Shariah law and Shariah courts! So much so, when there is a dispute between Muslims and non-Muslims, including in matrimonial matters, it will end up in a civil court that is not ruled by Islamic law. Therefore, the results can certainly be predicted easily.

By granting the guardianship of the two converted children to their Buddhist father, the two judges have actually "sold out" the faith (Deen) of these children. It is noteworthy that the "selling out" of faith is not a trivial matter since it drives to the consequences of heaven and hell. The judges had the audacity to dump the faith of these children and disregard the safety of these children in the Hereafter, just so that they abide by man-made laws that are against the divine law! This is the result of the secular thought and system that dominate the country today. This system that separates religion from life is in fact harming the faith of the Muslims. The law resulting from this system allows any Muslim to become apostate and remain unpunished. Even the judges are empowered to annul or "re-convert" a person from Islam. Since there has been a precedent in this

case, it is very probable that there will be similar cases hitting this country. What is happening demonstrates the real threat of the secular system to the faith of the Muslims!

The secular democratic system that harms the Deen of this Ummah is indeed a system imposed by the Kufr colonialist over us. Unfortunately, even after the "independence" of this country, the ruling party has maintained this system and is very proud of it, even defending it with full force. The new ruling party of Pakatan Harapan which took over the government last May, is also not to be expected to make changes. This is because, besides an absence of will, there is also an absence of knowledge on how to change the system on the part of the new government. Furthermore, it is impossible for a government that has a majority of non-Muslim members in the Parliament, to change the secular system to an Islamic one! Clearly, the new government is nothing more than just a successor to this secular system that harms the Deen of the Muslims! What makes the situation worse is that the religious authorities scattered across the country are just looking silently at this faith-harming court decisions, as they are just silently looking at the disease of liberalism in the country. At the same time, some of them are champions at arresting and bringing Islamic preachers to court.

Hizb ut Tahrir hereby calls upon the Muslims, who love this Deen and love their brothers and sisters, to be alert about this case and devote all possible efforts in expressing our objection to the court's decision which endangers the faith of this Ummah. Furthermore, and far more important, the Muslims must rise and work to replace this colonial-inherited secular democratic system, which is at the core of putting the faith of Muslims at stake, with the Prophet-inherited Islamic system which will save the faith of this Ummah. Hizb ut Tahrir hereby calls upon the Muslims to work hand in hand in establishing the laws of Allah (swt) in full, by way of re-establishing the Righteous Caliphate upon the method of the Prophethood, for only by this way, the long atrocious "service" of this secular system can be terminated, and replaced with the Islamic system that will bring blessings to the whole universe.

Abdul Hakim Othman

Spokesperson of Hizb ut Tahrir in Malaysia