

## **A human right to practice religion of choice**

*Shamini Velayuthan, published 11 October 2005 in [Malaysiakini](#)*

I refer to your report Islam to stay on identity cards, rules court.

I strongly feel that freedom of religion is a constitutional and human right. It is a right that has been denied to Muslims and non-Muslims in Malaysia for far too long.

Thus, the issue at stake is not a new one. Many like Lina Joy, throughout the years, have fought a constant battle with our country's justice system to obtain freedom to practice the religion of their choice.

Even recently, groups like the Sky Kingdom sect have been cast as 'deviant groups' and a threat to national security. Even a PAS leader once stated that the penalty for apostasy (a person who leaves the religion) should be death.

Such has been the outright discrimination to apostates. But why should these people be denied their freedom to practice their religion of choice? Isn't it 'un-Islamic' to force someone to conform to religious beliefs and laws even when the person does not have faith in them?

The stories are many, but the outcome has been one. None of them have been successful in exercising their constitutional and human rights in Malaysia, but instead have faced numerous obstacles in their pursuit. Some have even resorted to leaving the country all together.

Like Lina Joy, many Muslims who turned to civil law have had their cases referred to the Syariah courts. The main reason why these people resort to the civil or state laws is because the Syariah courts have not been able to solve their problems. When civil courts claim not to have authority to decide on a Muslim's fate, it is as though to say that Muslims do not have the right to democracy.

It is rather unfair to let Syariah courts overrule the Constitution, which guarantees freedom of religion to every citizen of Malaysia. Whether we like it or not, whether it is Islamic or not, oppressing a person based on their religion and creed can be considered discriminatory and a violation of our basic human rights.

But, alas, this discrimination has been long tolerated in our country because of sensitivity to those involved. And thus, people like Lina Joy will continue to suffer...