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**The Civil Society Organisations Media Statement on
No State-level Hudud Law without First Renegotiating Malaysia's
Federalism**

We, the Civil Society Organisations below representing multiethnic, multifaith and multi-issue opinion, holds that Malaysia was formed as a secular federation in 1963 and Hudud law at state-level is unconstitutional unless the entire federal arrangement is renegotiated.

Hence, it is grossly incorrect and inappropriate for a matter of such paramount importance to be dealt with by the Federal Parliament voting on a Private Member's Bill or even by any State Legislature.

Our full position is as follows:

1. Malaysia was formed by the union of Malaya, Sabah, Sarawak and then Singapore in 1963 adopting the Malayan Constitution as the basis of the new federation of constitution. For all intents and purposes, Malaysia is meant to be a secular federation.
2. The Ninth Schedule of both the Malayan Constitution and the Malaysian Constitution explicitly place in the federal jurisdiction "civil and criminal law and procedure and the administration of justice" (Item 4) except "Islamic personal law relating to marriage, divorce, guardianship, maintenance, adoption, legitimacy, family law, gifts or succession, testate and intestate".
3. Due to the centrality of the Ninth Schedule, its alteration especially on defining matters like judiciary must be treated with a deliberative full review on loosening the entire federal arrangement, and not done in isolation.
4. In any re-negotiation of the federal arrangement, Sabah and Sarawak must be treated as two equal partners to the collective of the Malayan states, as they were in 1963, not just two of thirteen.
5. The impact of Hudud Law will not be limited to the Muslims, as its spillover effect will definitely be borne by all Malaysians. Hence, any plan of introducing Hudud necessitates a public discourse and dialogue to build understanding involving Malaysians of all religious, ethnic, ideological and socio-economic backgrounds.
6. While the existing Syariah laws govern only personal and family matters and should concern only the Muslims, in practice, non-Muslims are

gravely affected in cases involving conversion and children custody when one party of an estranged marriage converts to Islam. Regrettably, this has caused the sense of alienation and fear of religious suppression on the part of non-Muslims, in contradiction of Islam's emphasis of justice. The impact of Hudud will only be more strongly felt.

7. Any state government or any party that intends to introduce Hudud Law is morally bound to engage all Malaysians – Muslims and non-Muslims alike - in public discourse and dialogue to convince them of the merits of Hudud Law in a multicultural society. It may start with commissioning independent research on the implementation of Hudud – in considerable varieties -- in countries and regions like Saudi Arabia, Pakistan, Afghanistan, Sudan, Aceh of Indonesia and the 12 Syariah States of Nigeria.

8. While the merits or demerits of any institutional options including Hudud can be considered by Malaysia, there must not be any majoritarian imposition of any institutional option in disregard of the legitimate interests of the minorities and dissidents. At present, as there is no any detailed study on the implementation of Hudud in other countries to provide an informed basis for such consideration, we oppose any move to amend the Federal Constitution to make possible the implementation of Hudud.

Endorsed by (by alphabetical order) (updated 29/4/14, 7pm)

1. Angkatan Warga Aman Malaysia (WargaAMAN) 马来西亚和平力量组织
2. Anak Muda Sarawak (AMS) 砂拉越青年之子
3. Association of Women Lawyers (AWL) 女律师组织
4. BARAMKINI 反巴兰水坝网络
5. Centre for Orang Asli Concerns (COAC) 原住民关不中心
6. Community Action Network (CAN) 社区行动网络
7. ENGAGE 社区参与网络
8. Federated TeoChew Associations of Malaysia 马来西亚潮州公会联合会
9. Federation & Alumni Associations Taiwan University, Malaysia (FAATUM) 马来西亚留台校友会联合总会
10. Federation of Malaysian Indian Organization (PRIMA) 马来西亚印裔组织联合会
11. Islamic Renaissance Front (IRF) 回教复兴前线组织
12. Japan Graduates Association, Malaysia (JAGAM) 马来西亚留日同学会
13. Jaringan Orang Asal Semalaysia (JOAS) 全马原住民网络
14. Kuala Lumpur and Selangor Chinese Assembly Hall (KLSCAH) 吉隆坡暨雪兰莪中华大会堂
15. Komuniti Seni Jalan Telawi (KsJT) Telawi 社区艺术
16. Lim Lian Geok Cultural Development Centre (LLG) 林连玉基金会
17. Lingkar Islam Tradisional (LIT) 伊斯兰传统圈

18. Majlis Perundangan Malaysian Agama Buddha, Kristian, Hindu, Sikh dan Tao (MCC BCHST) 马来西亚五大宗教理事会
19. Malaysia Youth & Student Democratic Movement (DEMA) 马来西亚青年与学生民主运动
20. Malaysians for Beng Hock 全民挺明福
21. Malaysian Indian's Progressive Association (MIPAS) 马来西亚印裔进步组织
22. Malaysian Youth Care Association (PRIHATIN) 马来西亚青年关怀组织
23. Nanyang University Alumni Association Malaya (Nandai) 马来西亚南洋大学校友会
24. National Indian Rights Action Team (NIAT) 全国印裔权益行动组织
25. Negeri Sembilan Chinese Assembly Hall 森美兰中华大会堂
26. Oriental Hearts and Mind Study Institute (OHMSI) 东方思想研究中心
27. Partners for Community Organization Sabah (PACOS) 沙巴社区伙伴关系组织
28. Penang Chinese Town Hall 槟城华人大会堂
29. Perak Women for Women Society (PWW) 霹雳妇女协会
30. Persatuan Alumni PBTUSM KL & Selangor 雪隆理华同学会
31. Persatuan Bekas Siswazah Universiti dan Kolej di China, Malaysia (LiuHua) 马来西亚留华同学会
32. Persatuan Kesedaran Komuniti Selangor (EMPOWER) 雪兰莪社区自强学会
33. Persatuan Masyarakat Selangor dan Wilayah Persekutuan (PERMAS) 雪隆社区协会
34. Pusat Komunikasi Masyarakat (KOMAS) 社区传播中心
35. Persatuan Sahabat Wanita Selangor (PSWS) 雪兰莪妇女之友学会
36. Sahabat Rakyat Working Committee (SRWC) 人民之友工委会
37. Save Sarawak River (SSR) 拯救砂拉越河流
38. Saya Anak Bangsa Malaysia (SABM) 马来西亚之子
39. Sister in Islam 回教姐妹组织
40. Society For The Promotion of Human Right (PROHAM) 人权促进组织
41. Tamil Foundation (TF) 淡米尔基金会
42. Tindak Malaysia 马来西亚行动组织
43. United Chinese School Alumni Associations of Malaysia (UCSAAM) 马来西亚华校校友会联合总会
44. Women's Centre for Change, Penang 槟城妇女改革中心