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No. 209/2013 dated 11 November 2013

The “Allah” Issue Revisited

By Choong Pui Yee

Synopsis

The Malaysian Court of Appeal ruling on the “Allah” issue contradicts the Cabinet Ten-Point Solution, a decision that allows the usage of the word “Allah” by Christians in East Malaysia. The controversy continues to divide Malaysians while it pacifies the Muslim community.

Commentary

THE MALAYSIAN Court of Appeal ruling last month upholding the Home Ministry’s ban on the use of the term “Allah” by the Catholic weekly The Herald has not really settled the controversy that divides Malaysians of the Christian and Muslim faiths. The ruling contradicts the Ten-Point Solution of the Malaysian cabinet that allowed the continued usage of the word “Allah” by Christians in East Malaysia.

The verdict overturns the 2009 High Court ruling giving the Herald the right to use the term “Allah” for God. The Appeal Court held that the use of “Allah” by Christians was not justified on the grounds that the usage of “Allah” is not integral to the Christian faith. Notwithstanding this, Prime Minister Najib Razak stated that the Christians in East Malaysia would not be affected by this decision and that they can continue to use the word “Allah”. In his Muslim New Year message, he had also said he would continue to defend the exclusive rights of the Muslims in Malaysia to use the word “Allah”.

Overview of the “Allah” Saga

At the same time, 2,000 weekly newsletters of The Herald which were meant to be distributed to the churches in Sabah were seized by the Home Ministry within weeks of the Court of Appeal ruling. The Home Ministry stated that they needed to ensure the newsletters did not contain the word “Allah”. It released the seized bibles a few days later.

The contest over the word “Allah” started in 1986 when the Malaysian government gazetted legislation that banned non-Muslims from using four Arabic words - Allah, Solat, Kaabah and Baitullah. The reasons for such legislation were to prevent the propagation of Christianity among Muslims and to avoid confusing Muslims. Despite this legislation, many Malay-speaking Christians especially in the eastern part of Malaysia had continued to use the word “Allah” to refer to their God. Publishers of The Herald based their case on historical grounds. They argued that the term “Allah” predates Islam and was in fact used by pagan nomadic tribes in the Arabian Peninsula to refer to a supreme deity. More importantly, they also made the case that because both Islam and Christianity are monotheistic religions and have a tradition elsewhere in the Arabic-speaking world of using the term “Allah”, the Malaysian government had no basis to ban Christians from using the term.

Lingering confusion

During the appeal hearing, presiding Judge Mohd Zawawi bin Salleh declared that the Christians themselves have not reached a consensus as to how to use the word "Allah". This is despite the fact that the Christian Federation of Malaysia had consistently and unanimously fought to use this word. It is also important to note that the basis for this conclusion by Judge Zawawi derived from his own extensive research which had not been discussed by the lawyers representing the parties. Compounding the matter, Prime Minister Najib had assured the Christians in East Malaysia that the Ten-Point Solution remained.

Clearly the court decision and the Ten-Point Solution are contradictory. As the court decision did not specify that the Ten-Point Solution remains for the Christians in East Malaysia, this means that the court decision should override the Ten-Point Solution notwithstanding Najib's assurance to the Christians in East Malaysia. Yet different ministers and legal experts have continued to debate the matter. While some had argued that the court decision was applicable to the whole of Malaysia, others had continued to abide by the Ten-Point Solution as assured by the Prime Minister. It seems that the confusion would likely continue in the near future.

Wider ramifications

The recent court ruling will also have wider ramifications with regards to minority rights in Malaysia. The media summary of the Appeal Court highlights that the safety of the people and the state is the supreme law and that the welfare of the individual or group must yield to that of the community. This ruling seems to imply that one community is more equal than others. The continued usage of the word "Allah" by the Christian community may have repercussions on the safety of the people and the state.

There is no doubt that a multi-religious society needs to be sensitive especially when dealing with religious issues. However, once one community's rights are prioritised over others, it will only deepen the anxieties of those who consequently feel aggrieved and complicate matters of religious and minority rights. In the long run, the state will suffer a legitimacy deficit among the minority communities.

As of now, the dilemma over how to reconcile the Ten-Point Solution and the court ruling will remain. The Christian minority who has been addressing their God as "Allah" will probably have to think twice before they do so. If anything, there is no winner in the continuing "Allah" saga.

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