

Press Release

Not Content with Defamation, the Spokesperson and Three Other Members of Hizb ut Tahrir were Charged by the Selangor Religious Authorities

The spokesperson of Hizb ut Tahrir / Malaysia (HTM), Abdul Hakim Othman, together with three other members of the party, Wan Noorul Hisham Wan Salleh, Hishamudin Ibrahim and Sopian Jahir were charged at the Hulu Langat Shariah Court in Selangor today. Abdul Hakim was charged under Section 12 (c) of the Shariah Criminal Offences (Selangor) Enactment 1995 for acting in contempt of the lawful authority, or defies, disobeys or disputes the lawful orders or directions, of the Mufti, expressed or given by way of a fatwa, in holding a press conference on 4 December 2015 at the office of HTM at No 47-1, Jalan 7/7A, Section 7, Bandar Baru Bangi, Selangor. The section provides a maximum fine of RM3,000 or jailed up to two years or both, upon conviction. Three others were charged with abetment (engages in the conspiracy) under Section 46 (b) of the same Enactment which carries the same punishment, upon conviction. The prosecution was conducted by the Chief Shariah Prosecutor of the Selangor Islamic Religious Department (JAIS), Abdul Syukor Abdul Hamid. The four pleaded not guilty to the charges.

Right after the charge was read out in court, Abdul Hakim requested that the court dismiss the case, because the fatwa issued by the Mufti is full of defamation, lies, fabrication and confusion on Hizb ut Tahrir. Hizb ut Tahrir had already handed over the official objections/answers to the Mufti on 28 June 2016 answering the details of all points in the fatwa and had requested that the Mufti retract the fatwa that is laden with defamation, lies, fabrication and confusion. However, the request has neither been answered nor the fatwa retracted. On the same basis, the four members of Hizb ut Tahrir submitted a Representation to the said Chief Shariah Prosecutor on 17 February 2017 to not proceed with the prosecution, but this was not attended to until now.

In his argument in court, HTM's Spokesman requested the court to adjourn the case if it refuses to withdraw it, due to the fact that an application for a Judicial Review has already been filed at the Shariah High Court, Shah Alam, applying for a court's order to retract the malicious fatwa.

Again, we, Hizb ut Tahrir / Malaysia would like to take the opportunity to ask the Mufti and/or the Fatwa Committee and/or the religious authorities of Selangor, to retract the fatwa and instruct the Chief Shariah Prosecutor to retract the prosecution's case against our four members. You have defamed us and spread falsehood towards Hizb ut Tahrir, have not given us room to answer the malicious fatwa and close all doors for discussion. Is this in line with Islam? Is holding a press conference to explain the truth and to answer defamation, an offense in Islam, that members of Hizb ut Tahrir are prosecuted for doing so? Shouldn't arguments be answered with arguments, but you have answered arguments with "power" instead!

For the umpteenth time, we invite you to sit down and have a virtuous, intellectual, brotherhood-based and fair discussion, as enjoined by Islam, whether privately or openly. We pray that Allah (swt) open your hearts to goodness and may Allah (swt) always guide us on the right path. And do take heed of the warning of Allah (swt):

﴿إِنَّ الَّذِينَ فَتَنُوا الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ ثُمَّ لَمْ يَتُوبُوا فَلَهُمْ عَذَابُ جَهَنَّمَ وَلَهُمْ عَذَابُ الْحَرِيقِ﴾

"Verily, those who put into trial believing men and believing women, and then do not turn in repentance, then they will have the torment of Hell, and they will have the punishment of the burning Fire" [Al-Burooj: 10].

Media Office of Hizb ut Tahrir in Malaysia