

3 January 2014

Dear Pastor/ Elder/ Church Leader,

**Re: Responding to possible action against churches for using "Allah"**

The Selangor Islamic Religious Department on 2 Jan 2014 raided the office of the Bible Society of Malaysia and seized over 300 copies of the Alkitab and the Iban bible.

There was also news JAIS plans to send letters to all Selangor churches reminding them to comply with the ban on a list of Arabic words, including "Allah", under a state law. This law is the Selangor Non-Islamic Religions (Control of Propagation Among Muslims) Enactment 1988.

There are also news reports that Umno Selangor is threatening to protest outside different churches in Selangor.

Given these developments, we wish to remind churches of the following:-

**I. On non-jurisdiction over non-Muslims**

- a) that JAIS, as an Islamic authority, has no jurisdiction with respect to non-Muslims. Should your church receive any letter from JAIS purporting to act legally and insisting that your church stop or refrain from using the word "Allah" or any other banned words listed in the Enactment, kindly forward a copy of the letter to us and then seek legal advice on the matter.
- b) NECF has already stated our position regarding the use of the word "Allah" in our statement dated 10 January 2013 "[Advisory to National Evangelical Christian Fellowship \(NECF\) Malaysia member churches on the use of "Allah" by non-Muslims](#)". The Christian Federation of Malaysia has also issued a fact sheet "[When, Why and How Christians Use the Word "Allah"](#)" dated 16 May 2013. Although the High Court decision is now overruled by the Court of Appeal, our position still stands as it is based on our Constitution.
- c) NECF's position is based on Article 11 of the Malaysian Federal Constitution which provides for the right of any person to practice and profess his or her religion.
- d) While Article 11(4) of the Constitution allows state and federal laws to control or restrict the propagation of other religions among Muslims, this *does not affect one's rights to manage and to profess one's own religion* under Article 11(1) and (3) which includes the use of words, language, worship and other aspects of practicing the religion.

As such, the ban against non-Muslims from using "Allah" under the Enactment 1988 is only within the context of the propagation of religion, and does not affect our rights to profess, practice and to manage our own affairs, including to worship and read the Alkitab in churches, homes and any place of Christian meetings.

**II. On protests outside churches**

- a) Should there be a protest in the form of public gathering at or near your church premises, please be advised on the following:-
  1. Advise your members to stay within your premises and do all you can to keep the peace and stay calm. Call for prayer and intercession for the peace, harmony and protection of all God's people and property.

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2. Immediately lodge a police report and request for police presence and assistance to keep the peace and safety of all persons.
3. Ensure you have prepared a team of your own comprising your church leadership or staff with a clear chain of command and instructions on what each person is to do in such a situation.
4. Video the protest and ask the media to be present.
5. Once the videotaping has been done, keep the copies for evidence in the event of legal proceedings.
6. DO NOT engage with the protesters to avoid any unintended provocation. Let the police or authorised personnel handle the matter.
7. Ensure that your church or organisation has an updated list of police station numbers in your area and media contact numbers.

### III. On possible attempts to raid a church or premises of a Christian organisation

- a) In general, the Muslim religious authorities have no jurisdiction with respect to non-Muslims. Christians therefore have the right to deny entry to any religious department officer who requests entry into a meeting at a house, church premise, or any private property used for Christian worship and activities.
- b) Should JAIS officers or any religious officers accompanied by the police insist on entering your premises, non-Muslims must ensure (1) their identification as authorized officers; and (2) they produce a search warrant before obliging entry into your premises for a search<sup>1</sup>. The validity of their actions can subsequently be challenged through legal recourse.
- c) If there is no warrant and forced entry is used, allow this to proceed with consideration for the personal safety of your staff/church members present. But *do video record* the entry and keep the recording as evidence. As a safeguard to having recording devices confiscated, try to get as many people present as possible to make simultaneous recordings. Pay attention and note down any items that are seized and confiscated.
- d) As the raid takes place, inform your media contacts as soon as possible.
- e) Lodge a police report on the raid and note the use of forced entry and seizure of items. In your report, state that your church or organisation has been denied your rights to the exercise of freedom of religion under the Federal Constitution.

In this season of trial and testing, we urge the Christian community to be cognizant of their rights under the Federal Constitution and not to respond with fear or uncertainty. Any action that any Islamic religious authority takes against you is unconstitutional and can be challenged in court. Let us be reminded that the Lord God is sovereign and in control of all circumstances in Malaysia. Let us continue to worship Him and give Him glory as we always have and to continuously offer prayers for the welfare and wellbeing of our society and beloved nation.

In Christ,



Eugene Yapp  
Secretary-General  
NECF Malaysia

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<sup>1</sup> Section 54 Criminal Procedure Code provides for a search warrant to be issued in certain specific instances for purposes of conducting a search and inspection