

Malaysian court tells convert she must stay Muslim: Convert could be jailed for apostasy

News in the [June 26, 2007](#) issue

A Malaysian woman who converted to Christianity and waged a seven-year fight to legalize the change now stands in danger of being jailed for apostasy after the Muslim-majority country's highest court ruled that she does not have a constitutional right to convert from Islam.

Lina Joy, said to be Malaysia's best-known Christian convert and believed to be in hiding, had taken her case to a Malaysian federal court, which decided in a 2-1 decision May 30 that she could not remove "Islam" from the religion category of her government identity card.

"She cannot simply at her own whims enter or leave her religion. She must follow rules," said Chief Justice Ahmad Fairuz Sheikh Abdul Halim. "Apostasy is a matter linked to Islamic laws. Civil courts cannot interfere."

The court ruling means that Joy will have to take her case to an Islamic, or Shari'a, court which has the jurisdiction to impose prison sentences on those it finds guilty of apostasy. It was also a major setback to her hopes of marrying the Christian man she loves.

The landmark ruling tested Malaysia's claim that it provides freedom of religion to its diverse population, which is 60 percent Muslim but also includes Buddhists, Christians, Hindus and members of other faiths. Islam is Malaysia's official religion.

"This decision reflects a growing trend of decisions in the courts where civil courts are abdicating their responsibility of providing legal redress to individuals who only seek to profess and live their religion according to their conscience," said Catholic bishop Paul Tan Chee Ing, chair of the Christian Federation of Malaysia.

Judge Richard Malanjum, the only non-Muslim on the panel, voted against the decision, saying it was “unreasonable” to tell Joy to turn to the Islamic court because it could lead to her being convicted of apostasy.

The case was the latest in a series of legal disputes that have raised questions about freedom of religion in the country. They include several high-profile custody cases of children born to parents of different religions and cases involving burials—including one in which an army officer was buried as a Muslim despite protests from his Hindu wife.

“Freedom of religion here is an illusion,” said Leonard Teoh, a lawyer for the Malaysian Consultative Council of Buddhism, Christianity, Hinduism, Sikhism and Taoism. *-Ecumenical News International*