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CULTURE  
SPEECH BY THE MINISTER FOR SOCIAL AFFAIRS, ENCHE UTHERAN  
BIN WOK, ON THE ADMINISTRATION OF MUSLIM LAW BILL AT  
THE PARLIAMENT ON AUGUST 17, 1966.

Mr. Speaker, Sir, I beg to move "That the Bill be read a Third Time".

The Administration of Muslim Law Bill which has been under consideration for a number of years was referred to a Select Committee in January, 1966 after its introduction into Parliament. The closing period for the submission of written representations to the Bill, originally fixed at 24th January, 1966, was eventually extended to the 31st March, 1966. In all, eighteen written representations were received and oral evidence was heard from fourteen of the representers. The Bill was subjected to a close scrutiny not only by Muslim organisations and persons but also by the Select Committee, who had the benefit of the advice not only of the Attorney-General but also of Tuan Haji Mohamed Sanusi bin Mahmood, the President of the Shariah Court. The Bill was also referred to a number of Muslim scholars in England and the United Arab Republic and it is hoped that the Bill, while it may not satisfy every one, will be welcomed as a significant step forward in the regulation of Muslim religious affairs and in the proper administration of Muslim law in Singapore.

The Bill, it must be emphasised, does not seek to deal with the Muslim law itself but only with its administration. No attempt has been made to alter the fundamental concepts or rules of Muslim law and where the Bill suggests improvements in the administration of the Muslim law every effort has been made to follow the precedents which have been adopted in other Muslim countries. The Bill in the main follows the structure of the various Administration of Muslim Law enactments in the States in Western Malaysia and it has also followed the changes

in the administration of Muslim law in the Arab countries and in Pakistan and in this respect represents a considerable advance towards the better administration of the law and the removal of discriminations and abuses in such administration.

The Bill seeks to constitute a Council of Muslim Religion which will be responsible for the regulation of Muslim religious affairs in Singapore. Most of the representations received dealt with the composition of the Council and many would like it to be a fully elected body entirely free from any control or supervision. This no doubt would be an ideal to which all of us should strive. But those who are aware of the position in Singapore and how easily religious issues can be used or abused to create division, dissatisfaction and civil strife must agree that to begin with, any rate, there must be some control and supervision not necessarily by the Government but by the more stable elements in Muslim society. The Bill therefore provides for an equal number of elected and appointed members - and this is indeed in line with the composition of the Councils of Muslim religion in the States of Malaysia. In the present stage of Muslim society in Singapore, also, it would appear that election from the Muslim registered societies in Singapore will not in fact provide a representative body in Singapore and the power of the President to appoint members will enable the Majlis to be a body more fully representative of the Muslims of Singapore. This will be the first time that the Muslims of Singapore will have a body to regulate their religious affairs. The Council of Muslim religion will have considerable executive powers and will not be merely an advisory body like the Muslim Advisory Board. It appears to be wise caution to ensure that the powers of the Council are not abused - that it will be an executive body whose sole purpose is to serve the interests of the Muslims of Singapore

and that it will not be used for any personal, sectional or political purposes. On behalf of the Government I should like to give the assurance that no political influence will be made to bear on the Council. All that the Government is interested in is to see that the affairs of the Muslims in Singapore are entrusted to a wise, forward-looking and stable organisation.

The Council, as I have said, will have considerable executive powers. Some representers would like to deny the Council these powers and in effect to leave the organisation of Muslim society very much as it is at present. The power of the Council to arrange for the orderly collection and distribution of zakat and zakat fitrah has, for example, been criticized. At present zakat fitrah is collected not only by Muslim societies, including political organisations, but also by individuals. There is duplication and wastage of resources. If zakat fitrah were properly collected, a sum of \$100,000/- can be collected each year and this will provide an effective fund for the relief of poverty and distress among the Muslims in Singapore. Some representers again would deny the Majlis the powers in relation to charitable foundations which are now possessed by the Muslim and Hindu Endowments Board. The Bill, it is true, provides that the Majlis shall have power to take over the administration of any Muslim charitable endowment, if it is shown that this is to the advantage of the endowment. This power is already possessed, as I said, by the Muslim and Hindu Endowments Board. It is not contemplated that the Council will be able to take over the administration of all Muslim endowments in Singapore; most of them will still be under the control of private trustees but subject to the supervision of the Council and with power to the Council to remove the trustees and appoint new trustees,

where such a step appears to be necessary. I should like to emphasise that the Council will be a Muslim organisation, whose members should and can be trusted to ensure that the interests of the Muslims will be safeguarded.

The Bill seeks also to strengthen the powers of the Shariah Court in Singapore and to provide for the better administration of Muslim law in Singapore. A Mufti will be appointed and he will be the Chairman of a Committee of the Council, which will be empowered to give rulings on Muslim law. The administration of the law relating to marriage and divorce has been further strengthened following the precedents in the Arab countries and Pakistan and the Bill will provide that the Muslim law will apply not only to the distribution of Muslim estates on intestacy but also to testate succession among Muslims. In all these matters the views of the representers have been given full consideration and the Bill has in fact been amended to meet the representations made.

In many respects the Bill represents a compromise. On the minimum age of marriage, for example, some representations would like the age increased to eighteen - others would prefer not to have a minimum age of marriage. The Bill provides that the minimum age shall be 16 years.

While it has not been possible to please everybody and to accept all the representations made, it is hoped that the Bill will be welcomed as one more step - a significant step - in the regulation of Muslim affairs and in the proper administration of Muslim law in Singapore. The Bill also represents a significant advance in social legislation for the protection of women, and it is hoped that Muslim women will in particular welcome the Bill. The Bill has not it is

true, given the Muslim women all the benefits of the Women's Charter, 1961 - but in itself and within its limitations - represents a charter which has restored to Muslim women their rights of which for long they have been deprived.

Sir, I beg to move.

AUGUST 17, 1966.

Time issued 1515 hours

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