

**FIRST LEGISLATIVE ASSEMBLY  
STATE OF SINGAPORE**

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**SECOND SESSION**

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**REPORT OF THE SELECT COMMITTEE ON THE  
ADMINISTRATION OF MUSLIM LAW BILL**

**L.A. 11 of 1961**

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**Ordered by the Assembly to be printed:  
3rd May, 1961**

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**SELECT COMMITTEE ON THE  
ADMINISTRATION OF MUSLIM LAW BILL**

The Bill was committed to a Select Committee by resolution of the Assembly passed on 29th December, 1960.

The Select Committee originally consisted of the following Members:-

Mr. Speaker (Sir George Oehlers, O.B.E.) (*Chairman*).

Dato Abdul Hamid bin Haji Jumat, P.M.N.

Inche Ahmad Jabri bin Mohammad Akib.

Inche Baharuddin bin Mohamed Ariff.

Mr. K. M. Byrne.

Inche Mohd. Ariff bin Suradi.

Madam Sahorah binte Ahmat.

Inche Yaacob bin Mohamed.

Pursuant to a resolution of the Assembly passed on 22nd February, 1961, Mr. K. M. Byrne was discharged from the Select Committee and Inche M. Ismail Rahim was added to the Committee.

On 27th April, 1961, Inche Buang bin Omar Junid was nominated to the Committee to take the place of Inche Baharuddin bin Mohamed Ariff, who died on 20th April, 1961.

**FIRST LEGISLATIVE ASSEMBLY  
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**SECOND SESSION**

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**REPORT OF THE SELECT COMMITTEE ON THE  
ADMINISTRATION OF MUSLIM LAW BILL**

The Select Committee to whom the Administration of Muslim Law Bill was committed have agreed to the following report:-

1. In accordance with Standing Order No. 75 (Advertisement when Bill committed to a Select Committee), an advertisement inviting the public to make written representations on the Administration of Muslim Law Bill was published in the following newspapers on 5th January, 1961: -

*Berita Harian  
Utusan Melayu  
Nanyang Siang Pau  
Sin Chew Jit Pau  
Straits Times  
Tamil Murasu.*

Publicity to the invitation was also given in a Press release and in broadcast over Radio Singapore. The closing date for written representations was 21st January, 1961.

2. Representations submitted before the closing date were received from Tuan Syed Othman bin A. Rahman bin Yahya and appear as Paper S.C. (Administration of Muslim Law Bill) No. 1 in Appendix I to this Report.

3. Prior to the closing date, the undermentioned persons and bodies represented to your Committee that the closing date for the submission of representations should be extended:

Dato S. I. O. Alsagoff,  
Chairman, Muslim Advisory Board  
Committee of Women's Movement, UMNO  
UMNO, West Coast Road Branch  
Persekutuan Kebenaran  
Pan Malayan Islamic Party, Singapore  
Inche Abdul Latiff bin H. M. Akram,  
Trustee of Bencoolen Street Haniffi Mosque  
Inche Mustajab bin Shai'en  
Inche Mohd. Yusoff bin Hj. Jonid,  
Secretary, Madrasatul Alsaediatul Allslamiah.

Your Committee gave consideration to the grounds for the requests for extension and accordingly agreed to extend the closing date from 21st January to 26th April, 1961.

4. Consequently, a second advertisement inviting representations on the Bill and extending the closing date to 26th April, 1961, was published in the following newspapers on 30th January, 1961: -

*Berita Harian  
Utusan Melayu  
Nanyang Siang Pau  
Sin Chew Jit Pau  
Straits Times  
Tamil Murasu.*

Publicity to this invitation was also given in a Press release and in broadcast over Radio Singapore.

5. On the 17th day of April, 1961, a further representation was received from the United Malays National Organization requesting for an extension of one month after the closing date of 26th April, 1961, to enable them to express their views on the Bill. Your Committee have since been informed that the Organization has completed its examination of the Bill and does not need any extension of time.

6. Written representations received after 21st January, 1961, are annexed Report as Appendix I, numbered Paper S.C. (Administration of Muslim Law Bill) as Bill) as hereinafter appearing:-

	...	<i>Paper S.C.</i>
(1) Tuan Sheikh Maarof bin Mohd. Jarhom ...	...	No. 2
(2) Tuan Haji Mohd. Amin bin Haji Ismaon ...	...	No. 3
(3) All Malaya Muslim Missionary Society, Singapore ...	...	No. 4
(4) Dato Syed Ibrahim bin Omar Alsagoff ...	...	No. 5
(5) Muslim Welfare Association, Singapore ...	...	No. 6
(6) United Malays National Organization, Singapore ...	...	No. 7
(7) Committee of Protest against the Administration of Muslim Law Bill ...	...	No. 8

7. Your Committee also received certain representations that the Bill be withdrawn, one of such representations being dated the 26th of April, 1961, and coming from a body of persons styling themselves the "Committee of the Muslims of Singapore". As a Select Committee on a Bill is not empowered to withdraw the Bill, the representors have been informed that in so far as the Assembly is concerned, any representation that the Bill be withdrawn should be made by way of Petition to the Assembly under the relevant Standing Orders.

8. Your Committee held three meetings.

9. Your Committee are of the opinion that, at this late period of the Session, having regard in particular to the closing date for the submission of written representations, i.e., 26th April, 1961, it is not possible to bring their consideration of the Bill to a satisfactory conclusion. They have therefore agreed to present this Report of the representations received, and to recommend that, should a similar Bill be introduced in the next Session and should the Bill be committed to a Select Committee, this Report be referred to that Select Committee for consideration.

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*Notes:-*

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## APPENDIX I

### Written Representations

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## WRITTEN REPRESENTATIONS

## Paper S.C. (Administration of Muslim Law Bill) No. 1

*(Translation from Malay)*

Syed Othman bin A. Rahman bin Yahya,  
 Malay Girls' School,  
 Scotts Road,  
 Singapore 9.

9th January, 1961.

Clerk of the Legislative Assembly,  
 Empress Place,  
 Singapore 6.

Sir,

I read in the *Utusan Melayu*, No. 99 of its 22nd year of publication (Kuala Lumpur), dated 5th January, 1961, corresponding to 18th Rejab 1380 A.H., on page 3, that the Muslims of Singapore are asked to make representations on the Muslims Administration Ordinance which was introduced in the Legislative Assembly on 29th December, 1960, and referred to a Select Committee.

(1) There should be a "Yang di-Pertua Pejabat Ugama"(1) to deal with official and other matters pertaining to administration of Muslim affairs.

(2) A Mufti should be appointed whose duty is to issue "fetuas" on any questions which may be raised by Singapore citizens of the Muslim faith and from outside Singapore.

(3) The post of Chief Kathi should be abolished and the powers of the Chief Kathi should be given in full to Kathis to be exercised within the districts and territories of Singapore.

(4) The "Imams" of mosques within the districts and territories of Singapore should be appointed "Naib Kathis" and be given letters of authority which are approved by the "Yang di-Pertua Pejabat Ugama", Singapore and they should be carefully examined by him.

(5) Pulau Tekong, Tanjong Kling and Southern Islands and other islands administered by the Government of Singapore, to appoint the Imams of their mosques as "Naib Kathis".

(6) There should be a Public Prosecutor and inspector to enquire into offences by Muslims such as failing to observe the fast during the Fasting month, offences concerning "Fitrah" and Muslim shops (that is to say eating shops) and acts damaging to character pertaining to the Muslim religion.

(7) There should be a notice-server to serve summonses or notices to accused Muslims, male or female, to appear before the Shariah Court for hearing.

(8) The power to make an arrest, by a warrant, on an accused person for absenting himself from court, should be given to the Religious Inspector.

(9) I would like to suggest to the Select Committee aforesaid that if it is not practicable to carry out the administration of the Muslim law, it would be well for the Singapore Government authorities to communicate with the Johore Government authorities. Request an officer who has retired from the post of "Yang di-Pertua Ugama"(2) Johore, to serve for three years, as is being made by the Government of Brunei at the moment, but the officer should be of the "Sunnah" schools of thought.

*Translators Notes:-*

- (1) Literally "President or Head of Religious Office". Possibly what is intended is President or Head of the Religious Affairs Department.
- (2) Literally "President or Head of Religion". Possibly what is intended is President or Head of the Religious Affairs Department.

In my own name, I, Syed Othman bin Abdul Rahman bin Yahya, a citizen of Singapore and in all honesty and sincerity entitled to give my opinions and to co-operate at all times whenever so required, am ready to come forward and appear during the forthcoming sittings of the Committee.

A thousand thanks to the Select Committee.

*Additional Note:-*I am not a member of any Muslim organisation at the moment and for the time being.

I am, Sir,  
Yours respectfully,  
Syed Othman bin A. Rahman bin Yahya.

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(Translation from Malay)

Syed Othman bin A. Rahman b. Yahya,  
Malay Girls' School,  
Scotts Road,  
Singapore 9

14th January, 1961.

Clerk of the Legislative Assembly,  
Empress Place,  
Singapore, 6.  
Sir,

Continuation of my letter dated 9th January, 1961,

"acts damaging to character of Muslims and the Islam Religion".

(1) A female Muslim, whether a marriageable girl or a 'janda' and a wife of a person, who cohabit with men who are Muslims should be punished with imprisonment for <sup>six</sup> months to a year without the option of a fine, to be followed by a thrashing with three strokes of the rotan, to a maximum of six strokes.

(2) Female non-Muslims, whether marriageable girls or widows and wives of persons, who cohabit with men who are Muslims should be punished similar to the punishment for Muslims as in (1).

(3) A man who is a non-Muslim and who cohabits with a *female* Muslim, as for (2), should be punished as in (1).

(4) The offences mentioned above should be tried in the Shariah Court on condition that no bail be allowed to both parties whether the offences be as in (1), (2) or (3).

(5) Cohabitation outside marriage is absolutely 'haram'(3) and a great sin under the law of Islam, the All-Pure.

(6) The offence of cohabitation should be investigated with great care, with adequate evidence of witnesses on both sides as to who is in the right and who is in the wrong.

(7) If, for cohabitation, only the Muslim party to the offence is punished, in my opinion, it is manifestly unjust.

(8) I submit this suggestion to the Select Committee as no such suggestion has yet been made throughout the Federation of Malaya or elsewhere.

(9) If Muslim women who cohabit with men who are Muslims or non-Muslims are punished with a fine and the non-Muslims are allowed to go free unpunished and (if) a Muslim woman and a Muslim man are punished with an imprisonment of six months and with a fine of \$25 only, in my opinion, this is but a plaything

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Translator's Note:-

(3) 'haram'=sinful because forbidden by religion.

to Muslims and non-Muslims alike. I dare say that they will surely ridicule the Islam Religion (and say) 'what can it do to us?'. That being so, conduct such as this becomes increasingly rampant among both Muslims and non-Muslims.

(10) In the event that this suggestion is agreed to by the Select Committee and is reported back to the government to become (part of) the law concerning Muslims, acts such as these would get less and less and would possibly disappear altogether.

(11) Muslims should be prohibited from consuming or buying whatever intoxicating drinks (alcoholic liquor) whether of western or eastern origin and whether sold in liquor saloons or in other shops. Nor should Muslims, men or women, be allowed to work in such places. I know many Muslims are employed as waiters and waitresses in such establishments.

(12) Our Muslim leaders who are representatives of the people in the State of Singapore or in the Assembly are not allowed to partake of intoxicating drinks (alcoholic liquor) during functions held by government, wherever they may be, or outside such functions; rather, only non-Muslims may be so allowed.

I wish to express a thousand thanks and I am prepared at any time, if required, to appear before the Select Committee during its forthcoming sittings.

I am, Sir,  
Yours respectfully,  
*Syed Othman bin A. Rahman bin Yahya.*

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## **Paper S.C. (Administration of Muslim Law Bill) No. 2**

*(Translation from Malay)*

Maarof bin Mohd. Jarhom,  
448 Paya Lebar Road,  
Singapore 14.

1st February, 1961.

The Clerk of the Legislative Assembly,  
Assembly House,  
Empress Place,  
Singapore.

Sir,

The Majlis Ugama Islam, being a dignified body as its name implies, it is necessary that a small general election be held among Muslims resident in Singapore, to give an opportunity for them to elect members of the said Majlis Ugama Islam, so that people who are fully qualified and versed in the religious knowledge of Islam and who enjoy the confidence of the public could be elected. The Majlis should be given full power to control all Muslim "wakfs" relating to mosques schools and "nazr 'am" for the welfare of Muslims carried out by existing "wakfs" and "nazr" and any "wafk" in general. This Majlis is a branch of the Government of Singapore and is responsible to the Yang di-Pertuan Negara. This Majlis should not have a membership of other than Muslims who are sufficiently qualified and should have a fixed place in the State of Singapore. In the letter which I now submit, I have withdrawn my suggestions as contained in the letter dated 19th January, 1961. That letter no longer applies and is superseded by this letter.



*Suggestions as stated below.*

15 (1) *Members Present.*-It is desirable that two-thirds of the members be present before the business of the Majlis could become valid or could be transacted.

*Members of the Majlis.*-The chairman of the Majlis should have a vice-chairman to take his place when he is ill or away from the State or unavoidably absent. It is desirable that a permanent "naib" takes his place for the reasons stated-other than the reasons described, his function cannot be recognized-so that the business of the Majlis is not hindered.

59 (2).-'Zakat' and 'fitrah' should be collected and distributed to the seven 'asnafs'<sup>(4)</sup> as soon as practicable according to the time it is usually received, in every month of Ramathan. Any surplus can then be deposited in the Fund. And this Fund can be sent back to the "Bait-ul-Mal"<sup>(5)</sup> to become part of the "Bait-ul-Mal".

The seventh "asnaf" is the Phisabilillah. This Phisabilillah is nowadays construed to include students of the Religion, Muslim "Muballekhs",<sup>(6)</sup> and assistance to the poor who are on a pilgrimage to Mecca.

62 (1) and (2).-If a person intends to dedicate a part of his property to 'wakf' or makes a 'nazr' by writing it down in a letter in his own handwriting bearing his own signature and which letter is kept in his safe-keeping, such as not to raise any doubts, it should be considered as valid even if it has no witnesses whatever. This is because many people disrelish the idea of others knowing about their intentions or about their charitable deeds during their life-time or they have no time to get others to bear witness. Is it fair to invalidate such noble intentions of theirs and to reject someone's charitable deeds? I think it is not fair.

63 (1).-Regarding this paragraph I don't quite understand the term 'khas'. If by 'khas' is meant a part of the property of the deceased left to his family or to his children or to his parents, this should not come under the jurisdiction of the Majlis. It *should* be exempted, unless it is clearly established by a competent court that *the* trustee has embezzled a part of the property or has failed to administer the 'wakf' as required.

66.-I am in complete agreement with this chapter. But it is desirable that the report of accounts be made in the Malay language both in Rumi and Jawi, so that all Muslims may know it, because there are those who do not know Rumi at all and those who do not know Jawi.

72.-In this chapter the arrangement is good. I support it. But what perplexes me is that this chapter does not specify on what varieties is 'zakat' at 2½ per cent to be paid. Although it is already understood in the chapter on 'zakat' by those who know, yet this will cause the people to be split and divided. In general, for a part of the money or rice, flour, gold or silver, etc. which has an income after a full year, 'zakat' due on it must be paid. Also included is business in bateks or business in all goods, except the apparel and adornments of a woman, limited, to those on her body. And there is a tricky question-for example, a big business carried on by some people who buy immovable property to get a big profit, such as houses and land, undoubtedly for business and not for residence.

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*Translator's Notes:-*

(4) Categories.

(5) Treasury.

(6) Preachers; missionaries.

Exempted are houses and land for own use. But this property is for business and to seek profit. Should it be free from 'zakat' or should it be liable to pay 'zakat' according to this ordinance? This should be debated to accord with the esteemed law of Islam.

"Zakat-ul-Mal"<sup>(7)</sup> is not from profit; whether it be profit or loss, it is obligatory to pay 'zakat' due on the value of the capital that exists for a full year. I have also to make this conclusion so that we do not become accomplices in the matter of this ordinance.

75 (1).-I heartily welcome this clause. From the past there has been no opportunity for organisations connected with Muslim welfare but that they were rejected. But now, the position being that the government is of the people and for the people, its true nature can be seen. Every charitable collection for a cause should be used for that particular cause. A collection for charity in general can be paid into this Fund. For instance, a donation collected for building a mosque, if not used on that mosque, should be transferred to another mosque and so forth.

77 (1).-I give my support for this existing provision on account of its good purpose and to safeguard all 'wakfs' or mosques in Singapore which have been neglected and used arbitrarily. And by means of this ordinance it would be possible to administer the 'wakfs' of the mosques systematically and to the satisfaction of all Muslims in the State of Singapore.

There is one matter in this clause which I cannot agree with; it is the sentence which states about dedicating without requesting for permission ... This, I feel, should not be included in this ordinance, because this particular provision would interfere with the freedom of persons to do charitable deeds and to make a dedication of 'wakf', in all sincerity, to mosques and so forth. And it may well be that the public would be dissuaded from dedicating a 'wakf' as it would not be solely for the sake of Allah.

78 (2) and (3).-In this clause of the ordinance I suggest that the Committee of Muslim 'wakfs' should have a person or two whose duty is to inspect the conditions and the necessity for repair of mosques in all aspects and to give a report to the Committee about any particular mosque that is in need of repair. An Imam should not have that duty. What the Imam should properly be entrusted to do is to carry out his duties as an Imam, which are understood. This inspector can get whatever information he wants from the mosque officials or by seeing for himself

79.-In this clause, it is probable that something similar to what is required to be done may arise, but an announcement should be made in the press to Muslim in general. If there are any objections which are well-founded they should be submitted within the period of one month of the date of the announcement. If no objections are raised within the period, the intention of this ordinance can be put into effect.

81.-The appointment of 'pegawai masjid' should not be made on the opinion and with the support of a few persons or by electing officious persons or persons who have officiated as 'pegawai masjid' in the past; rather, the views of residents should be sought concerning the 'pegawais' who were known in the past when the position was worse and they were far from co-operative and working wholeheartedly.

84 (5).-This clause states that it is the Majlis which has power to close a school if it is considered unsatisfactory. Here there is no mention of 'temporary'-that is to say, while reorganization and improvement in the system is carried out or while its supervision is being transferred to competent persons. As every existing school must surely have students and children who are keen to study the Religion, what is to be the position if the schools are closed? The question is, 'temporary' should be added in this clause.

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Translator's Note:-

(7)The 'zakat' on property.

Reverting to clause 59 regarding 'Bait-ul-Mal'. This 'Bait-ul-Mal' is an esteemed institution and is of considerable importance. In my opinion this 'fund' should be controlled by the Yang di-Pertuan Negara, that is, the Head of State. This is because this fund can receive all contributions, heirlooms which have no heirs to inherit them and all property found to have no owner and a part of government fund or part of the revenue from taxes-any taxes-or from a part of proceeds derived from gambling for social welfare purposes, which is prohibited by the Religion-all amalgamated with funds which come from Majlis Ugama Islam from existing Funds or from Muslim benefactors. When paid into a 'Bait-ul-Mal' fund, under the direction of the Yang di-Pertuan Negara, it can be used for any Muslim welfare purpose such as for building mosques and 'madrasahs'<sup>(8)</sup> or for carrying out repairs, or for giving out scholarships, in deserving cases, to religious school students and national school students who are children of Muslims.

The accumulation of this fund becomes 'halal'<sup>(9)</sup> in the view of Islam, if it is amalgamated into the main 'Bait-ul-Mal' fund as has been explained above.

In conclusion I would assert to the Committee of the Majlis Ugama Islam that in my suggestions which are embodied in this letter and which emanate from my own thoughts in conformity with the precepts of the esteemed Religion of Islam and with its laws, I feel satisfied on what I have submitted.

To the Committee on the Muslims Ordinance I'd like to say that should my presence be required to give evidence or to answer questions of the said Committee, I will be present at any time required.

Thanking you.

Yours truly,  
S. M. M. Jarhom.

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**Paper S.C. (Administration of Muslim Law Bill) No. 3**

*(Translation from Malay).*

Haji Mohd. Amin bin Haji Ismaon,  
4 Geylang Serai,  
Singapore 14.

24th January, 1961.

The Assembly House,  
Empress Place,  
Singapore.

Sir,

I have read the Administration of Muslim Law Bill, 1960, printed by Lee Kim Heng, Acting Government Printer, Singapore 1961.

I find there are many (matters) which are agreeable and there are also those which, it is requested, are to be added and altered and deleted.

**TO BE ADDED-WALI HAKIM**

A. The Chief Kathi or the Naib Kathi must solemnize a marriage at the office of the Shariah Court for the convenience of the people of Singapore and its territories; it is stated at page 24, Solemnization of Marriage, clause 91 (1) sub-clause (3) in the absence of a valid wali of the woman to be wedded (resort) must (be had to) Wali Hakim.

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*Translators Notes:-*

(8) Religious schools.

(9) Permitted; lawful.

B. The Wali who wishes to delegate (authority for) solemnization of marriage must give prior notice of seven days to the Chief Kathi or the Naib Kathi, of the time, day and hour and give the address of the place where he stays.

C. The Chief Kathi or the Naib Kathi may instruct Kathis living in the vicinity of persons who need them to register marriages.

#### AGAINST

D. At page 16, part IV, "Financial", clause 59 (1) sub-clause (2) all "zakat" and "fitrah" collected will be paid into this Fund-I request this to be deleted, because Allah's Command has been expressed in the Quran, Juz (Section) 10, Sura: "Taubat" (which) all Muslims must know.

The rich must give out "zakat". The rich and the poor must give out "fitrah"; those who cannot afford it, it is not obligatory upon them.

E. It is the law of Allah as stated (that "zakat" should?) be the right of people of eight categories. I state each one below:-

1. The Needy
2. The Poor
3. The Collectors ( of "zakat")
4. The would-be Converts
5. The Slaves, for their redemption
6. Those who are indebted
7. Those who teach religion in God's cause
8. The Way-farers who are penniless.

(By) this Command (if "zakat" is) distributed to those who have no right to it, (then according to) Muslim Law (its distribution) is not proper and not valid as is clarified in the book "Arshadol Anam" at page 45 of the 1322 Hegira edition, even though the three "ulol amal"<sup>(10)</sup> is not included in the eight categories mentioned in the Quran in the Juz (Section) aforesaid.

#### PART VI

F. At page 23 clause 36 (1) sub-clause (3) the Yang di-Pertuan Negara may at any time at his pleasure by a notification in the *Gazette* cancel it.

G. I am prepared to appear before the Assembly whenever I am required to give clarification (on any matter) which is not satisfactory (in) every one of my suggestions from A to F, and I thank you in anticipation.

Yours truly,  
*Haji Mohd. Amin.*

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#### **Paper S.C. (Administration of Muslim Law Bill) No. 4**

#### ALL MALAYA MUSLIM MISSIONARY SOCIETY

Secretary' Office,  
31 Lorong 12, Geylang,  
Singapore 14.

1st February, 1961.

The Clerk of the Legislative Assembly,  
Assembly House,  
Empress Place,  
Singapore 6.

Dear Sir,

#### Administration of Muslim Law Bill

I am directed to refer to your letter L.A. Bill/60/Pt. II on the above subject and to append hereunder part of the amendments so far decided by the members of the Sub-Committee appointed by this Society to study the Bill.

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*Translators Note:-*

- (10) The phrase "ulol amal" is vague. If the phrase intended is "ulol amil", it may possibly refer to "the Collectors (of zakat)"; if "ulu al amri", it means "the authorities" or "the government".

AMENDMENTS TO BILL:

- 7 (D) not less than ten members to be appointed by the Yang di-Pertuan Negara *after consultation with the reputed, active and old Muslim Societies.*
- 21 (1) The Secretary shall keep minutes of all meetings of the Majlis and at every meeting the minutes of the previous meeting *shall be taken as read* and confirmed, subject to any amendment which may be required.
- 31 (2) The members of the Legal Committee, other than the Mufti, shall be appointed by the Yang di-Pertuan Negara *on the advice of the Majlis* for such period as he may deem fit and a notification of every such appointment shall be published in the *Gazette.*
- 33 (1) Provided that if the Majlis or the Legal Committee considers that the following of the tenets of the Shafie School of Law will be opposed to the public interest the Majlis may follow the tenets of any of the other *reputed* Schools of Muslim Law, etc.
- 57 (4) The Yang di-Pertuan Negara shall annually nominate *on the advice of the Majlis* at least seven Muslim, etc.
- 59 (2) Government should give assurance that "Zakat" will not be imposed until complete equality and justice can be applied; and that every Muslim who is well off will be made to pay, and proper arrangement be made for that; and as this may take a long time 2½ per cent or more of Income Tax payable by Muslim should be set aside for purposes for which "Zakat" money is intended to be spent. Therefore every Muslim will be made to do his duty.
- 62 (1) Re Wakaf to add to this section the following:  
It is the intention of Government to allow the present Trustees to carry out the object of the trust. If this cannot be added to the bill an assurance from the Government to be given to this effect. Because according to the Muslim Law the conditions set up by the settler (the one who made the Wakaf) is similar or equal to the exact words of the Law.

Yours faithfully,  
A. Wanjor,  
Hon. Secretary.

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**Paper S.C. (Administration of Muslim Law Bill) No. 5**

Dato Syed Ibrahim bin Omar Alsagoff,  
2A Raffles Place,  
Singapore.

14th February, 1961.

The Clerk of the Legislative Assembly,  
Assembly House,  
Singapore 6.

Dear Sir,

I enclose herewith Memorandum containing a representation by me on some points of the Muslim Law Ordinance, 1960 in English ...

Yours faithfully,  
Data Syed Ibrahim bin Omar Alsagoff.

Memorandum by Date Syed Ibrahim bin Omar Alsagoff, Chairman,  
Singapore Muslim Advisory Board

The Administration of Muslim Law Ordinance, 1960.

We the Muslims of Singapore have always envied the Malay States for having religious departments.

Now that we are going to have a religious department, indeed we are very pleased. The present Muslim Bill in most parts is a satisfactory one. But as human beings can overlook something I am submitting this memorandum to cover what may have been overlooked.

When the above Bill was discussed by the Muslim Advisory Board I was away from Singapore and therefore I did not have the opportunity of presenting my views at the meeting of the Board.

I strongly suggest that the word 'Zakat' wherever it appears in the Bill should be deleted. I beg to bring to the notice of the Government and the Members of the Legislative Assembly the following points:-

1. In Muslim Law 'Zakat' only means a tax of 2½ per cent on capital, other than articles and goods mentioned later, which remain under the ownership of one person for not less than one complete year.

In the olden days when 'Zakat' was collected in Muslim countries it was the only form of taxation. There was no other assessment on property and no income tax was payable. As conditions in those Muslim countries changed their Governments ceased to impose 'Zakat' with the result that at present no 'Zakat' is imposed or payable in Turkey, Egypt, Syria, Pakistan, Iran, Morocco, Tunis, Indonesia or Iraq and even Saudi Arabia, which include the greatest holy cities in Islam, Mecca and Medina. Islam is the official religion of all those States, except Turkey and Indonesia, the 2 latter have overwhelming Muslim majority.

So far as I know, so far as Malaya is concerned only in 2 States namely, Trengganu and Pahang is 'Zakat' levied. In these 2 States I am given to understand that 'Zakat' is payable as follows:

(i) On paddy-10 per cent of the amount of paddy produced.

On cattle-on 30 to 39 head-1 calf of 1 year old.

On 40 to 59 head-1 calf of 2 years old.

On 60 to 69 head-2 calves of 1 year old.

On goats and sheep-depending on heads owned.

On gold -2½ per cent of the total value of gold held for one complete year.

On silver-2½ per cent of the total value of silver held for one complete year.

On merchandise-of the value of \$25.73 cents or more at the rate of 2½ per cent of the total value of the merchandise held one complete year.

On gold or silver found as treasure trove-20 per cent of the total value of treasure found.

I do not think that in these 2 States of Trengganu and Pahang the Muslims are paying any income tax if at all. The majority of Muslims in these 2 States are not sufficiently well off to pay income tax.

I also understand that in Selangor and Penang, provision has been made in their enactments for imposition of 'Zakat', but in fact no 'Zakat' has been or is being collected in those States. Therefore what is the use of passing a law which will be very difficult to implement or which is impossible to be carried out.

2. To carry out assessment and collection of 'Zakat' in Singapore a proper Department with recognised valuers for landed properties and many varieties of merchandise goods would have to be set up and such Department would cost an enormous sum of money-out of all proportion to the results which will be achieved.

3. If any 'Zakat' is imposed it must of course be deductible from income tax and therefore I believe that taking everything into consideration the result will be that the total revenue collected from Muslims will be less than it is today. I have been informed by the State Advocate-General that 'Zakat' will be deductible from income tax.

If the Government wishes to obtain funds for Islam and Muslims in Singapore, I would suggest that 2 or 3 per cent of the income tax paid by Muslims in Singapore be allocated for the purpose, if we are to be practical and give benefit to the Muslims in general and Malays in particular as soon as possible, instead of trying to impose a law which is difficult to carry out, if not totally impossible, or it takes a long time before it can be carried out. I think such law which was passed in Selangor years ago has not been enforced until now.

If it is practical and can be carried out with equality and justice and if every Muslim, liable to give 'Zakat' and well off, will pay it then I will be the first one to support its imposition. Justice and equality in practice can only be achieved as suggested before, if 2 or 3 per cent of income tax payable by every Muslim individual or firm is set aside and used for purposes for which 'Zakat' moneys are proposed to be spent.

I have always done, as known, what I could in contributing to Islamic causes and urging others who have not contributed or have not contributed enough to do their duty, therefore I will be the last person to try to avoid paying 'Zakat'. I only oppose it now for the above-mentioned reasons.

If, however, Government does not agree to delete the word 'Zakat' from the Bill, Government should give an undertaking that 'Zakat' will not be imposed, until complete equality and justice can be applied, and that everyone who is well off will be made to pay and proper arrangements be made for that; and as this may take a long time 2 or 3 per cent of income tax payable by Muslims should be set aside and used for purposes for which 'Zakat' moneys are intended to be spent.

If 'Zakat' is to be imposed it should naturally be applied as laid down in the Muslim religion with all details about it.

Under the present conditions it is very difficult, if not impossible, to apply same with justice to all payers.

It will be seen from what is stated above in this memorandum that 'Zakat' is payable only on merchandise.

On merchandise goods 'Zakat' is payable at the end of every Muslim year on the stock the merchant has at that time and his money in the Bank relating to the merchandise business and other money he has.

This is not an easy thing to do in these days as the Collector must have valuers for every special merchandise which are-some-time so many especially in provision shops.

In landed properties if they are acquired for investment namely to derive benefit from its rent there is no 'Zakat' payable neither on the rent nor on the capital value of the properties. But if the land or landed properties are acquired merely for business by person who deals in properties, i.e. buying and selling, he is liable to pay. 'Zakat' on the same line as merchandise businessmen, namely, the landed properties to be valued at the end of every Muslim year and the owners have to pay 'Zakat' on it and on what money they have in the Bank at that time.

What about that class of Muslims whose business and capitals are invested in stocks and shares? What about Muslim Bankers, owners of rubber plantations, doctors and lawyers, engineers and other professionals who are better off than some Muslims who are liable or classified to pay 'Zakat'?

From the above it appears that the imposition of 'Zakat' under the present conditions and circumstances is not practical or can be done with any sense of justice and equality. I think there can be justification for Government on taking the 2 or 3 per cent from income tax payable by Muslims to be allocated for the following reasons: -

- (i) 'Zakat' money is to be spent mostly on welfare and charitable objects. Government spends a lot of its revenue on welfare and help.
- (ii) the constitution of the State of Singapore provides that the Malays and their religion Islam has special interest or privilege. 'Zakat' or its substitute can come under that.

4. Part 4 of the Bill under which it is provided that the Majlis shall be the sole trustee of the Wakaffs, deep consideration must be given to this, if Islamic rules are to be followed and Muslims are to be encouraged to make endowments and donate money for charitable purposes. It is a clear rule of the Law of Islam that the conditions set up by the donor as to the appointment of trustees and the objects of the trusts should be strictly followed, that is to say that no trustee appointed by the donor should be removed unless it is found that he is dishonest or incapable of acting and no funds of the Wakaf should be applied for purposes other than those specified by the donor.

It appears from the Bill that all trustees of charitable trusts are to be automatically removed and if they are allowed to act at all they will be the agents of the Majlis and not the attorneys of the endower or the donor.

It is well known that human beings are much more generous after their death than they are during their lifetime and therefore most of the Muslims when they make their wills settle one-third of their Estate for welfare work or charity and appoint their own trustees for the purpose of carrying out their wishes. If they know that the trustees whom they appoint are going to be superceded by someone who is not selected by them I do not think they will give one-third of their estates for charitable purposes. I am of the view that the Bill in this respect tends to discourage Muslims from giving one-third of their estates for charities, and as a result, for instance, I will be a discouraged Muslim.

I may mention that I have held and now hold the following positions:-

- (1) Member of the Singapore Muslim Advisory Board from 1928;
- (2) Chairman of the Singapore Muslim Advisory Board since 1947;
- (3) President of the All Malaya Muslim Missionary Society for 25 years.

I apologise for taking much of the valuable time of the Select Committee and pray to Allah for the success and right guidance for all.



**Paper S.C. (Administration of Muslim Law Bill) No. 6**

**MUSLIM WELFARE ASSOCIATION**

139 Rangoon Road,  
Singapore 8.

25th April, 1961.

The Select Committee of the Legislative Assembly on  
The Administration of Muslim Law Ordinance, 1960.

(Bill No. 114, presented and read a first time on the 29th November, 1960).

Through: The Clerk of the Legislative Assembly,  
Assembly House,

Singapore 6.

Gentlemen,

Comments to the new Bill No. 114 as published in Supplement No. 77  
on the 9th December, 1960

We take the opportunity and liberty to put forward our humble comments on this enforcement of MUSLIM LAW by the newly elected leftist P.A.P. Government with the sincere hope and belief that these comments will be given full consideration for the benefit and well-being of the Muslims of Multi-races, more particularly to the Malays and other locally domiciled Muslims, so as to bring Peace, Harmony and Prosperity to the New Self-governing State of Singapore under the P.A.P. Government.

2. The Self-Governing State of Singapore is a Secular State according to its new Constitution. His Excellency the Yang di-Pertuan Negara under no circumstances can declare ISLAM as the State's Religion. His Excellency on the otherhand cannot be declared as the Defender of ISLAM in the State of Singapore. Muslims all over the world believe and know that ISLAM IS A DIVINE RELIGION. It is the duty of the Muslims of Singapore to adopt and guide ourselves as true believers according to the teaching of the HOLY QUARAN and TRADITIONS of the Holy Prophet Muhammad (May Peace of Allah be on His Soul) as loyal and law-abiding citizens of Singapore. We humbly plead that under no circumstances the P.A.P. Government should enact laws to control and administer the Islamic faith in Singapore. Muslims in Singapore were left behind and neglected not only by the former Rulers but also by our own fortunate brethren in Islam. However, there is no use to lament for the past, but we must have courage, determination and patience to overcome all the difficulties and hardships by honest deeds and sacrifices in the name of Allah for the cause of humanity, peace and prosperity of the new State and our own Salvation.

3. The State's Muslim Advisory Board and the Muslim Religious body were Colonial set-up to serve the Imperial interests and the Colonial Administration and now the P.A.P. Government is going to use these bodies to control and dominate the Islamic faith in the State of Singapore. We plead that under no circumstances the elected Government should create "MAJLIS UGAMA ISLAM" as defined in the above Bill (Part II. Sections 3 to 33) to control and regulate the Islamic faith. We also plead that no Public servant to sit in any Public body as Administrator. Public servant may be a member as observer in a public body and not to use his influence over that body to carry Government directive as defined in the Bill. The Muslims and Islamic faith are not to be regulated by the State in any form. The Muslims of Singapore we plead are not to be deprived of their human rights to observe and follow the Islamic faith freely and devotedly according to their firm belief and way of customary practices. Islam always preach and stands for Universal Brotherhood and Peace among mankind. According to

the teachings of Islam, all mankind are born innocent and equal, and is always for helping and rewarding those who will make sacrifice for the just and noble cause for humanity, and worldly peace and happiness among human races. Undoubtedly it will go against the interests of the Muslims and the State of Singapore if it tries to regulate it by legislation and by the use of Statutory Bodies as defined in the new Bill. According to the teachings of Islam, Allah never wants anyone to take law in his own hands to preserve God-hood and to please Allah by so doing. Allah is merciful and kind, and All-Knowing. Therefore, we plead that the P.A.P. Government should not enforce this legislation in haste to please few, who are undoubtedly behind this pious hill in the name of religion. We would respectfully request to adjourn Part II, Part IV, V and Sections 133 to 137 of Part IX, and thereby have deleted from the Bill. Muslims in the State of Singapore are not to be discriminated, prosecuted and made criminals to meet their religious obligations. We, the Muslims are very proud of our Islamic faith and all the defects and faults are to be improved by education and genuine co-operation among the Muslims of all races according to the teachings of Islam under democratic Government. Domination and exploitation of privileged few must be eliminated before any legislation is contemplated by the present elected Government. Each and every Muslims are loyal and faithful to their religious obligations, though a great many of them are defective due to human weakness and many other unavoidable circumstances-POVERTY, ILLITERACY, CONTINUOUS DEFECTIVE SOCIAL SYSTEM AND DISCRIMINATION FROM ALL QUARTERS.

4. *Re:* PART III. THE SHARIAH COURT.

*Representation-Section 38 to be amended as follows:-*

"Every party to any proceedings shall appear in person or by Advocate and Solicitor or by an Agent, generally or specially authorized to do so *by the party concerned*, and the Court should not be prejudiced against such Agent. It is rather impossible for Muslims to engage Advocates and Solicitors to conduct their cases at the Shariah Court, due to economic reasons. Court should be helped to have a clear picture of the dispute for administration of justice. No room for touts.

5. *Re:* PART VI. MARRIAGE AND DIVORCE.

In order to improve the moral and social status and dignity of the Muslims in Singapore, Welfare, Chastity and well-being of all Muslim brides should receive the prior concern and attention of all the Kathi, Naib Kathi, and the President of the Shariah Court or any other Officials concerned before any attempt of solemnizing a Muslim Marriage for Spinsters and all others. No spinster of any age and of any School should be given in marriage to any person without the presence or written request and written consent of the Father or Guardian. Special permission or licence must be obtained from the Yang di-Pertuan Negara or the Minister concerned or the Chief Justice of the State for solemnizing the marriage of a spinster of any age without the presence or written consent properly made by the father or guardian. It should be a criminal offence who ever will take part in solemnizing a marriage for a spinster girl of any age without the request or presence or written consent of the father or guardian of the bride concerned, in any addition heavy damage are to be paid to father or guardian by those who will solemnize such illegal marriage in the Muslim law only.

*Solemnization of Marriage.* Section 91. (3) The above condition to be added in the subsection so as to protect the welfare and well-being of the woman, and under no circumstances run-away or secret marriage to be solemnized without the written consent of the father or guardian.

(5) to be deleted entirely so as to follow the majority for the beauty dignity of Islamic way of life.

*Restriction on solemnization of marriages.* Section 92. (1) It should be clearly defined as "NO marriage shall be solemnized under the Ordinance unless all the conditions necessary for the validity thereof, in accordance with the Muslim Law and welfare and well-being and social status of the woman and her father or guardian, are satisfied." It must be carried and the Government must see that there is no more racket in Muslim marriages, and proper and honest enquiry made through proper channels and final solemnizing of marriage by reporting the matter to the Minister and with the approval of the Minister.

*Place of marriage.* Section 94. Every marriage shall be solemnized in the house where the bride or groom ordinarily resides, and in the presence and company of their parents/guardians, near relations and friends. By giving a month's Notice and giving full descriptions of the Bride and Groom a Kathi may solemnize a marriage in the daerah masjid in which the bride ordinarily resides, but not in any other place and secretly.

*The Amount of Mas-kahwin* must be increased to that of a monthly Gross Income of the Groom, for improving the status of Muslim women and happy conjugal life.

*Marriage and Divorce Fees should be fixed at \$5 each.*

Copy of Marriage Certificate at \$2 and similar amounts for Divorce also.  
Muslim women should not discriminated and exploited any more.

## 6. PART IX. OFFENCES.

Another section should be added under this heading so to protect Muslim girls and women from moral danger. Anyone trying to keep company of any girl or woman and make love before marriage should be guilty of serious offence, and must be punished accordingly. Anyone guilty of aid and abettment of such evil act should be guilty and punished accordingly. Vices and immorality are in the increase in Singapore, and Government should protect the innocent for the good and well-being of the Muslims of the State.

7. We further plead that the P.A.P. Government would be good enough to appoint an immediate Probe for the well-being and welfare of the Singapore Muslims and more particularly Malays, relating to:-

### (a) ILLS OF MUSLIMS, CAUSES AND REMEDIES.

8. We pray that the various points we have raised above will receive your sympathetic consideration, and give us an opportunity to appear before your committee for further oral evidence to clarify any points verbally and put forward more on this important bill for the benefit of the Muslims and the State of Singapore.

We have the honour to be,

Gentlemen,

Your obedient servants,

For and on behalf of the MUSLIM WELFARE ASSOCIATION,

*M. A. Majid,*  
President.

*Ibrahim Abu Bakar,*  
Hon. General Secretary,

**Paper S.C. (Administration of Muslim Law Bill) No. 7**

UNITED MALAYS NATIONAL ORGANIZATION

25th April, 1961.

The Clerk of the Legislative Assembly,  
Assembly House, Empress Place,  
Singapore.

Dear Sir,

Administration of Muslim Law Bill

On behalf of the U.M.N.O. Singapore, I thank you for your letter\* dated 19th April, 1961.

I am instructed to send to you the following suggestions for the Select Committee to consider.

Further suggestions, will be forwarded to you as soon as possible.

Thanking you.

Yours faithfully,  
*Syed Esa Almenoar,*  
Secretary, U.M.N.O.,  
Singapore.

- 
- I. Section 7 (d) to read:-  
"not less than ten members to be appointed by the Yang di-Pertuan Negara after consultation with the President"-
  - II. Section 7 (4) to read:-  
No person shall be appointed a member of the Majlis unless he is above the age of twenty-five years and professes the Muslim religion.
  - III. Section 8 (1) to read:-  
All Secretary of the Majlis shall be a Muslim and shall be appointed by the Yang di-Pertuan Negara.
  - IV. Section 31 (2) to read:-  
The members of the Legal Committee other than the Mufti, shall be appointed by the Yang di-Pertuan Negara on the advice of the Majlis.
  - V. *To be added* Section 32 (5) and to read:-  
Any unanimous ruling given by the Legal Committee shall be published in the *Gazette* and shall thereupon be binding on all Muslim resident in Singapore.  
Section 33 (3) *to be deleted.*
  - VI. Section 37 (2) to read:-  
All documents and written proceedings may be written or type written in the national language (Jawi or Rumi) script.
  - VII. Section 57 (4) to read:-  
The Yang di-Pertuan Negara shall on the advice of the Majlis annually nominate at least seven Muslims to form a panel of persons from among whom an Appeal Board of three may be constituted from time to time by the Secretary of the Majlis.
  - VIII. Section 57 (5).  
(5) On any person appealing against the decision of the Court or applying for leave to appeal in accordance with the provisions by subsection (1) of this Section, the President shall select three persons

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\*Not reproduced.

to form an Appeal Board to hear the appeal or application for leave to appeal and shall nominate one of such person to preside over the appeal Board.

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**Paper S.C. (Administration of Muslim Law Bill) No. 8**

*(Translation from Malay)*

SU/JKM/ 1/61

Secretary,  
c/o Block 4, No. 43 S.H.B. Qrs.  
East Reclamation Road,  
Singapore 2.

25th April, 1961.

Clerk of the Legislative Assembly,  
Assembly House,  
Singapore 6.

Sir,

*Re: "Administration of Muslim Law Bill, 1960"*

I have the honour to inform you that I have been entrusted with the task of communicating the memorandum attached to this letter to you.

2. The attached memorandum is the result of a study made by the Committee of Protest Against the Administration of Muslim Law Bill 1960 (the names\* of whose members are given below) which was formed at a meeting of Muslim bodies in the Southern district under the sponsorship of Singapore U.M.N.O., Southern Division on 9th April, 1961 at the Radin Mas School, for the express purpose of deliberating on the matter stated above.

\* Ustaz Muhammad Yusoff bin Abd Rahman,  
Lebai Yaacob bin Haji Ismail,  
Inche M. Wajidi bin Haji Wan Daud,  
Inche M. Roziz bin Mas'od and  
Inche Ismail Bakar.

3. The above-named committee members have been given full authority by the meeting and are ready to give clarifications and explanations as and when required. Please direct your letter to the above address.

4. That is all and thank you.

Yours faithfully,  
*Ahmad Rahmat*

Secretary,  
Committee of Protest Against the  
Administration of Muslim Law  
Bill, 1960.

c.c.

1. Ustaz Muhammad Yusoff bin Abd Rahman.
  2. Lebai Yaacob bin Haji Ismail.
  3. Inche M. Wajidi bin Haji Wan Daud.
  4. Inche M. Roziz bin Mas'od.
  5. Inche Ismail Bakar.
-

MEMORANDUM OF COMMITTEE OF PROTEST AGAINST THE  
ADMINISTRATION OF MUSLIM LAW BILL, 1960

SU/JKM/1/61

Secretary,  
c/o Block 4, No. 43 S.H.B. Qrs.  
East Reclamation Road,  
Singapore 2.

24th April, 1961.

Clerk of the Legislative Assembly,  
Assembly House,  
Singapore 6.

Sir,

The Committee of Protest against the Administration of Muslim Law Bill has carefully studied the Bill and are of the opinion that-

PART I.  
PRELIMINARY

Clause 2. The definition of 'Muslim' is not exact.

PART II.  
MAJLIS UGAMA ISLAM

There is no specific guarantee that the Yang di-Pertuan Negara [will be appointed from amongst] people who profess the religion of Islam. A note on this is contained in item '5 on the reasons why this memorandum rejects the Bill.

Clause 7 (a). It ought to be: The President of the Majlis must be a person who professes the religion of Islam and understands the laws of the four Schools of Law and the Arabic Language.

It is not so in Clause 7 (a).

Clause 7 (4). It ought to be: No person shall be appointed a member of the Majlis unless he is above the age of 35 years and professes the Muslim religion and understands the Muslim law.

It is not so in Clause 7 (4).

Clause 21. Another sub-clause should be added to Clause 21, that is, Clause 21 (4) to read "The Malay Language shall be the official language in the Majlis".

Clause 31 (1). It ought to be: There shall be a Legal Committee of the Majlis, consisting of the Mufti, two other members of the Majlis, and not more than two other fit and proper Muslims who understand the Muslim religion and are not members of the Majlis.

It is not so in Clause 31 (1) which is content with "*fit and proper*".

Clause 32 (2). It ought to be: The issue of every ruling should be according to Muslim law and cannot be by the decision of voting.

It is not so in Clause 32 (2).

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*Note:-*Words in square brackets thus [...] are put in by Translator.

PART III.  
THE SHARIAH COURT

Clause 37 (2). It ought to be: The word 'or' be replaced by 'and'.

It is not so in Clause 37 (2).

Clause 43 (b). The taking of oath should be according to Muslim ways.

It is not so in Clause 43 (b).

PART IV.  
FINANCIAL

Clause 59 (1). The word DANA (FUND) to be substituted with BAITUL-MAL (TREASURY).

It is not so in Clause 59 (1).

Clause 60 (1). It ought to be: The words "shall vest in and become payable to the Majlis and form part of the Fund (Dana)" to be deleted.

It is not so in Clause 60 (1).

Clause 72 (1). It ought to be: With regard to the subject of Fitrah, the Majlis has no right to collect it; therefore the word 'Fitrah' should be deleted.

It is not so in Clause 72 (1).

PART VII.  
PROPERTY

Clause 110 (1) (a), (b), (c), (d), (e), (f), (g). It ought to be: In deciding questions of succession and inheritance in the Muslim law reference back should be made to the Quran, the Traditions of the Prophet, the Concensus of opinions among the learned jurists and the Analogical Deductions by the four Imams.

It is not so in Clause 110 (1) (a), (b), (c), (d), (e), (f) and (g).

PART IX.  
OFFENCES

Clause 126. It ought to be: With regard to Clause 126, sub-clause 126 (1) should be added, with the following: "Save as is otherwise in this Ordinance expressly provided, Section 131 (1) and (2) of this Ordinance shall apply to persons who are Muslims and non-Muslims."

Clause 134 (1), (2) and (3). It ought to be: The word 'Fitrah' in Clause 134 (1), (2) and (3) should be deleted as per the opinion of this Committee with regard to Clause 72 (1).

It is not so in Clause 134 (1), (2) and (3).

PART X.  
MISCELLANEOUS

Clause 142 (1) and (2) and Clause 143. It is undesirable to include these Clauses in the Bill; they should therefore be expunged.

2. As it is found that in principle there are a number of points which are contrary, this Committee suggests that the Bill be withdrawn for study afresh by the Muslim Advisory Council (Majlis Penasehat Islam) and that before it is

introduced to the Assembly to be deliberated upon and passed into law it should be assured that the Bill has been reviewed afresh by learned Muslim scholars and theologians recognised by the Muslims of Singapore.

3. This conclusion is based on the fact that-
  - (1) The Bill is one that supersedes the true laws of Islam.
  - (2) As there is freedom of worship in the State and Islam is not the official religion in this State, it is out of place for the government to bring about this Bill.
  - (3) The Bill is not drafted by learned Muslim scholars and theologians recognised by the Muslims of Singapore.
  - (4) The translation of the Bill in the Malay Language is not the responsibility of anyone so that the contents thereof are confusing.
  - (5) Full powers in the Bill rest with the Yang di-Pertuan Negara, whereas there is nothing specific concerning the Yang di-Pertuan Negara, for, according to the constitution of Singapore there is no specific guarantee that the Yang di-Pertuan Negara must be a person who professes the Muslim religion, and on this point it is contrary to the teachings of the Holy Quran.
  - (6) The Bill does not define Islam exactly, and only does it vaguely.
  - (7) In deciding on any particular matter in the Bill, reference back is not made to the Quran, the Traditions of the Prophet, the Concensus of opinions among the learned jurists and the Analogical Deductions by the four Imams; e.g. Clause 110 (a), (b), (c), (d), (e), (1) and (g) of the Bill.
  - (8) The Bill on the whole binds Muslims from promoting and developing the true teachings of Islam.
4. That is all for your information, thank you.

Yours faithfully,

*Ahmad Rahmat,*

Secretary,  
Committee of Protest Against the  
Administration of Muslim Law  
Bill, 1960.

c.c.

1. Ustaz Muhammad Yusoff bin Abd Rahman.
2. Lebai Yaacob bin Haji Ismail.
3. Inche M. Wajidi bin Haji Wan Daud.
4. Inche M. Roziz bin Mas'od.
5. Inche Ismail bin Bakar.



MINUTES OF PROCEEDINGS OF THE SELECT COMMITTEE ON THE  
ADMINISTRATION OF MUSLIM LAW BILL

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1st Meeting

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THURSDAY, 26TH JANUARY, 1961  
2.30 p.m.

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PRESENT:

Mr. Speaker (in the Chair).  
Dato Abdul Hamid bin Haji Jumat, P.M.N.  
Inche Ahmad Jabri bin Mohammed Akib.  
Mr. K. M. Byrne.  
Inche Mohd. Ariff bin Suradi.  
Madam Sahorah binte Ahmat.  
Inche Yaacob bin Mohamed.

ABSENT:

Inche Baharuddin bin Mohamed Ariff (with apologies).

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1. The Committee deliberated.
2. Agreed, that the date for submitting written representations be extended to 26th April, 1961.
3. Agreed, that the representation, dated 18th January, 1961, from the Muslim Welfare Association be returned and that the Association be invited to submit fresh representations relevant to and within the ambit of the Bill.
4. Written representations received, as contained in Papers S.C. (Administration of Muslim Law Bill) Nos. 1, 2 and 3, were considered.  
Agreed, that the three representors be asked whether they would consider making fresh representations with reference to specific clauses in the Bill, in the place of the representations they have already made.
5. Agreed, that the State Advocate-General be invited to be present at meetings of the Committee.
6. Agreed, that the acting Chief Kathi be invited to submit written representations and to give evidence on the Bill.

Adjourned to 10.00 a.m.,  
Tuesday, 2nd May, 1961.

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## **2nd Meeting**

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TUESDAY, 2ND MAY, 1961

**10.00 a.m.**

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PRESENT:

Mr. Speaker (in the Chair).  
Dato Abdul Hamid bin Haji Jumat, P.M.N.  
Inche Ahmad Jabri bin Mohammed Akib.  
Inche M. Ismail Rahim.  
Inche Yaacob bin Mohamed.

ABSENT:

Inche Buang bin Omar Junid.  
Inche Mohd. Ariff bin Suradi.  
Madam Sahorah binte Ahmat.

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The Committee deliberated.

Adjourned to 10.00 a.m.,  
Wednesday, 3rd, May, 1961.

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## **3rd Meeting**

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WEDNESDAY, 3RD MAY, 1961

**10.00 a.m.**

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PRESENT:

Mr. Speaker (in the Chair).  
Dato Abdul Hamid bin Haji Jumat, P.M.N.  
Inche Ahmad Jabri bin Mohammed Akib.  
Inche Buang bin Omar Junid.  
Inche Mohd. Ariff bin Suradi.  
Inche M. Ismail Rahim.  
Inche Yaacob bin Mohamed.

ABSENT:

Madam Sahorah binte Ahmat.

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1. The Committee deliberated.

*Report*

2. The Chairman's report brought up and read the first time.
3. Resolved, "That the Chairman's report be read a second time paragraph by paragraph."

Paragraphs 1 to 4 inclusive read and agreed to.

Paragraph 5:

Amendment made, at end, by adding-

"Your Committee have since been informed that the Organization has completed its examination of the Bill and does not need any extension of time."-(Inche Yaacob bin Mohamed).

Paragraph 5, as amended, read and agreed to.

Paragraphs 6 to 9 inclusive read and agreed to.

4. Resolved, "That this report be the report of the Committee to the Assembly."

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