

21 February, 2022

### **Loh Siew Hong's plight: Uphold love in Keluarga Malaysia and respect the Federal Constitution**

Gabungan Bertindak Malaysia (GBM) urges all parties to put humanity and familial love in Keluarga Malaysia before any misplaced sentiment of communal pride and allow the three children of domestic violence victim Loh Siew Hong to be returned to her with full custody including on their faith.

GBM urges all parties to refrain from seeing this as a communal contest to determine one's faith to the extent that both the harmonious inter-ethnic relation and the image of Islam are undermined. Loh's children returning to their mother does not close the door of them becoming Muslims as adults.

As Islam is a compassionate and just faith, it sees faith – hidayah (for embracing Islam) – as the absolute right of Allah. If Allah so wishes, then no one can prevent anyone from embracing Islam under free will. Islam does not condone inhumane acts like Australia's past policy

(1905-1967) which took away aboriginal children to be placed under government agencies and churches to assimilate them. Islam also emphasises familial ties notwithstanding in religious differences, exemplified by the Prophet Mohamad's unwavering love for his uncle Abu Talib, who protected the Prophet from harms but remained a non-believer till his death.

GBM calls upon all parties to consider and accept the informed opinion of Prof Emeritus Shad Saleem Faruqi on the Federal Constitution, the cornerstone of the nation's integrity, and laws on this matter, amongst others: <https://www.freemalaysiatoday.com/category/opinion/2022/02/18/low-siew-hong-case-federal-court-decision-overrides-state-law/>

(a) A custody order from the courts is binding on all persons and any defiance of the judicial order may amount to contempt of court. Nobody is immune from this law.

(b) Federal Constitution is the supreme law of the land and any state law that violates the Federal Constitution can be struck down by the superior civil courts;

(c) The 2018 M Indira Gandhi Federal Court decision is binding authority for the proposition that unilateral conversion of minors to another religion without the consent of both parents is unconstitutional.

GBM expresses total sympathy with Loh who suffers physical abuse by her ex-husband Nagahswaran Muniandy and separation of her husband. GBM urges all parties to consider these facts when forming their opinion on the issue <https://www.malaysiakini.com/news/611301>

(a) Deprived of financial support beyond rental utilities by Nagahswaran, Loh had to work to support her family since 2014, when her youngest son was three years old.

(b) Beginning 2017, Nagahswaran started to take crystal methamphetamine (ice) and became jealous and abusive, and she learned that he even had an affair.

(c) Between 2017 and 2019, she was severely assaulted twice. After the first assault, he broke her legs and arms. She was in plaster for six months and placed in an old folk's home for a month by the Welfare Department. He was released on a RM 10,000 bail. In the second assault, Nagahswaran hit her head with a hammer and broke her legs again. She was hospitalised and received 27 stitches on her head.

(d) During the recovery of her broken legs in the second assault, Loh sought refuge in the shelter at Women's Center for Change in Penang and eventually found a job as chef in Genting Highland.

(e) In July 2019, she obtained interim custody of children and subsequently filed for divorce. By then, Nagahswaran was sentenced to two-year jail term in Kelantan over a drug-related offence.

(f) Loh could not find her children until recently when she discovered her twin daughters (14) with an Islamic NGO and her son (10) at a Tahfiz in Penang. All three were converted to Islam without her knowledge and consent. Her search for them in 2020 and 2021 was made difficult by the restriction of cross-state travel under the Movement Control Order.

GBM calls upon all Malaysians, regardless of religious, ethnic, cultural and political background, to come together defending mothers and children from suffering of domestic violence, and refrain from framing human suffering from communal angles for socio-political mileage. In particular, Prime Minister Datuk Seri Ismail Sabri's Keluarga Malaysia Government must give 100% commitment to support families, abused parents and children.

GBM register our confidence that Malaysians can find a just and reasonable solution on the plight of Loh and her children. Muslim Malaysians should not buy into fearmongering that the non-Muslims are out to reduce the number of Muslims.

Lest we forget, Malaysia never run short of heartening stories of Malay kids being raised as Muslims by their non-Muslim adopted parent, including retired Kindergarten teacher Connie

Wong in Kota Kinabalu who raised at least four Muslims kids in the past 20 years, <https://www.thestar.com.my/news/nation/2015/07/20/teacher-to-go-it-alone>

, retired businessman Mr Lim Peng Chik (74 in 2019) in Ipoh who raised four Malay teenagers as his own

<https://www.nst.com.my/news/nation/2019/05/492095/chinese-man-who-insists-fasting-and-tarawih-prayers-his-4-adopted-malay?fbclid=IwAR1tYECbMgznBhqhQ5QRlyEomHQ5qXUZaAlJ2GYzUOW5LIRS7MZ54vuHmy0>

, and most recently, retired kindergarten teacher Chee Hoi Lam who has raised Rohana Abdullah,

<https://www.freemalaysiatoday.com/category/nation/2022/01/15/let-me-live-like-everyone-else-says-woman-raised-by-chinese-teacher/>

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GBM urges Malaysians to see that we are made into different ethnicities and faiths, when God could have made us homogenous if he so wishes, so that we recognise and love each other. Let us not let our differences separate us or aim to eliminate the diversity out of fear.

Issued by

Badlishah Sham Baharin,

Chair, Gabungan Bertindak Malaysia (GBM)

For and on behalf of the Executive Council, GBM

-- [Gabungan Bertindak Malaysia\(GBM\)](#) **Plan of Action for Malaysia (PoAM)**    〇〇〇〇〇〇  
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