



جَابَاتَانِ اِغَامَا اِسْلَامِ سِلَانْغُورِ

JABATAN AGAMA ISLAM SELANGOR

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KNOWING THE SHAREE'AH CRIMINAL CODE



**Let us strive in increasing
our *taqwa* of Allah**

***Subhaanahu Wata'aala* with
utmost effort in fulfilling all
of His Commands and
avoiding all of His**

prohibitions. May we become
among the *muttaqeen*.

On this blessed day, let us
listen and ponder upon a
khutbah entitled:

*“Knowing The Sharee‘ah
Criminal Code”*

Indeed, Allah *Subhaanahu Wata'aala* has created mankind having various ethnicities, looks, culture, different level of thinking and emotions. Hence, Allah *Subhaanahu Wata'aala* has

revealed the complete
Sharee'ah for the entire
mankind, in ensuring
happiness in this world
and the Hereafter. Allah
Subhaanahu Wata'aala
mentions in al-Qur'an:

“And there is for you in legal retribution [saving of] life, O you [people] of understanding, that you may become righteous.”

(al-Baqarah 2:179)

Verily, Allah *Subhaanahu Wata'aala* is All-Knowing of all the circumstances and the need of mankind living in a society. Furthermore, Allah *Subhaanahu Wata'aala* who is The Most Merciful and

**The Most Compassionate
will ensure that the
human life will not
become destroyed without
having guidance and
guidelines from Him.**

That is why the Islamic *Sharee'ah* was revealed with perfection, covering all aspects of lives from matters pertaining to worship to aspects of social, legal, economy, finance,

governance, international relations, and many more.

What is actually meant by the *Sharee'ah* Criminal Code?

Sharee'ah Criminal Code are laws pertaining to offenses

related to life, physical body, dignity, religion, lineage, and personal wealth, all according to the Islamic rulings.

In reality, the *Sharee'ah* Criminal Code has already

been implemented with
success during the time of
Rasulullah ﷺ, the
Rightly-Guided Caliphs, the
dynasties of the Umayyad,
‘Abbasid, Andalusia, and
the Ottoman Empire, where

citizens lived in peace and enjoyed justice in their ruling government. History also has recorded its implementation by the Malay Sultanate of Malacca whom had control of trades

between the East and the West at that time, and also the sultanate of Terengganu, Perak, and Pasai, all from the Malay ancestry once upon a time ago, prior to being colonized by Western

colonialists.

Its implementation has proven and manifested peace and happiness. As an example, in the 24 years of implementation by the Saudi government, only 16 people

were actually sentenced for the cutting of the hand for stealing. Even in its early stages, the Bruneian government had felt positive effects after implementing the first phase of their

***Sharee'ah* Criminal Code.**

The *Sharee'ah* Criminal Code is comprised of three aspects, namely:

1. Laws pertaining to *Qisaas* (retribution) offenses.

This is related to murder or

injury that can be reciprocated, if it involves offences pertaining to *Qisaas* and *diyah* (blood money).

***2. Hudood* laws.**

There are six criminal offences that is punishable

**by mandatory sentence
namely fornication and
sodomy, accusing someone
of adultery (*qazaf*),
consuming intoxicants,
stealing, and apostasy.**

3. *Ta'zir* laws

It refers to criminal offenses other than offences relating to *Qisaas* and *hudud*, where its punishment will be determined according to suitability by the ruling authority.

The implementation of the
***Sharee'ah* Criminal Code is**
in line with the command of
Allah *Subhaanahu Wata'aala*
and the guidance of
Rasulullah ﷺ to all of us.
Regarding fornication,

Allah Subhaanahu Wata'aala
mentions in al-Qur'an:

“The [unmarried]
woman or [unmarried]
man found guilty of
sexual intercourse - lash
each one of them

**with a hundred lashes,
and do not be taken by
pity for them in the
religion of Allah, if you
should believe in Allah
and the Last Day.**

**And let a group of the
believers witness
their punishment.”**

(an-Noor 24:2)

**For *qazaf*-related offenses,
which is accusing others of
committing adultery, Allah
Subhaanahu Wata'aala
mentions in al-Qur'an:**

**“And those who accuse
chaste women and then do**

**not produce four witnesses
- lash them with eighty
lashes and do not accept
from them testimony ever
after. And those are the
defiantly disobedient.”**

(an-Noor 24:4)

Regarding stealing, Allah

Subhaanahu Wata'aala

mentions in al-Qur'an:

“[As for] the thief, the male

and the female, amputate

their hands in recompense

for what they committed as

**a deterrent [punishment]
from Allah. And Allah is
Exalted in Might and
Wise.”**

(al-Maa'idah 5:38)

For committing apostasy, it was narrated from 'Ikrimah *radhiyAllaahu'anh* who mentioned that ibn 'Abbaas *radhiyAllaahu'anhuma* stated that Rasulullah ﷺ said:

**“Whoever changed his
religion (Islam), then
kill him.”**

(al-Bukhaari)

In safeguarding the intellect (*'aql*), Islam strictly prohibits its adherents from consuming intoxicants. Such offense is punishable with 40 lashes as mentioned in the *hadeeth* of Anas bin Maalik

radiyAllaahu‘anh:

“The Prophet (ﷺ) beat a drunk with palm-leaf stalks and shoes. And Abu Bakr gave (such a sinner) forty lashes.”

(al-Bukhaari)

Similarly for all other offenses, they all would have religious basis in their rulings, whether from al-Qur'an, *Hadeeth*, and others sources of Islamic law.

**After we have understood
upon the benefits of
implementing the *Sharee'ah*
Criminal Code, then it is
unbecoming for us as
Muslims to omit Allah's
Laws and His Messenger in**

**these matters, that we have
the audacity to accept
manmade laws instead. It is
very unfortunate that there
are Muslims claiming that
the Criminal Code revealed
by Allah *Subhaanahu***

Wata'aala is no longer suitable, outdated. Even more unfortunate are those that boldly state that Islamic law is unjust. How is such when we would pledge with our utterance every time we

pray:

***My prayer, and my service
of sacrifice, my life and
my death are all for Allah,
the Lord of the Universe.***

***Allah Subhaanahu Wata'aala
has reminded us***

in al-Qur'an:

“It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should [thereafter] have any

choice about their affair.

And whoever disobeys

Allah and His Messenger

has certainly strayed into

clear error.”

(al-Ahzaab 33:36)

Let us realize that the crime statistics today has not reduced even though we are using manmade legislations. Furthermore, the criminal offender will repeat the same offense after getting released

from prison. They are
unafraid and undaunted
from repeating the same
criminal act.

Let us ponder upon the
golden history of Islam,
when the *Sharee'ah* was

**implemented full-blown by
the Islamic government,
where human civilization
rapidly developed in
various fields, the society
lived in peace, science and
technology went forward**

**through great leaps and
bounds, the glory of
knowledge crossed
boundaries that it
changed civilizations in
Europe and the West.**

In concluding today's *khutbah*, the important concerns and recommendations for us would be:

1. The Muslim *ummah* should get to know,

comprehend, and learn the *Sharee'ah* Criminal Code that was divinely revealed by Allah *Subhaanahu Wata'aala*.

2. The Muslim *ummah* should not fear the

**implementation of the
Sharee'ah Criminal Code
for its effectiveness has
been proven in the aspects
of justice, prosperity, and
civilization for the
humankind.**

3. The Muslim *ummah* is obligated to have *imaan* with full certainty upon everything promised by Allah *Subhaanahu Wata'aala* in attaining a better life that is full of

barakah and pleasing
to Allah *Subhaanahu*
Wata'aala.

**“So how [will it be] when
We bring from every
nation a witness and we
bring you, [O
Muhammad] against these
[people] as a witness?”**

(an-Nisaa' 4:41)

بَارَكَ اللَّهُ لِي وَلَكُمْ فِي الْقُرْآنِ الْعَظِيمِ وَنَفَعَنِي

وَإِيَّاكُمْ بِمَا فِيهِ مِنَ الْآيَاتِ وَالذُّكْرِ الْحَكِيمِ

وَتَقَبَّلَ مِنِّي وَمِنْكُمْ تِلَاوَتَهُ إِنَّهُ هُوَ السَّمِيعُ

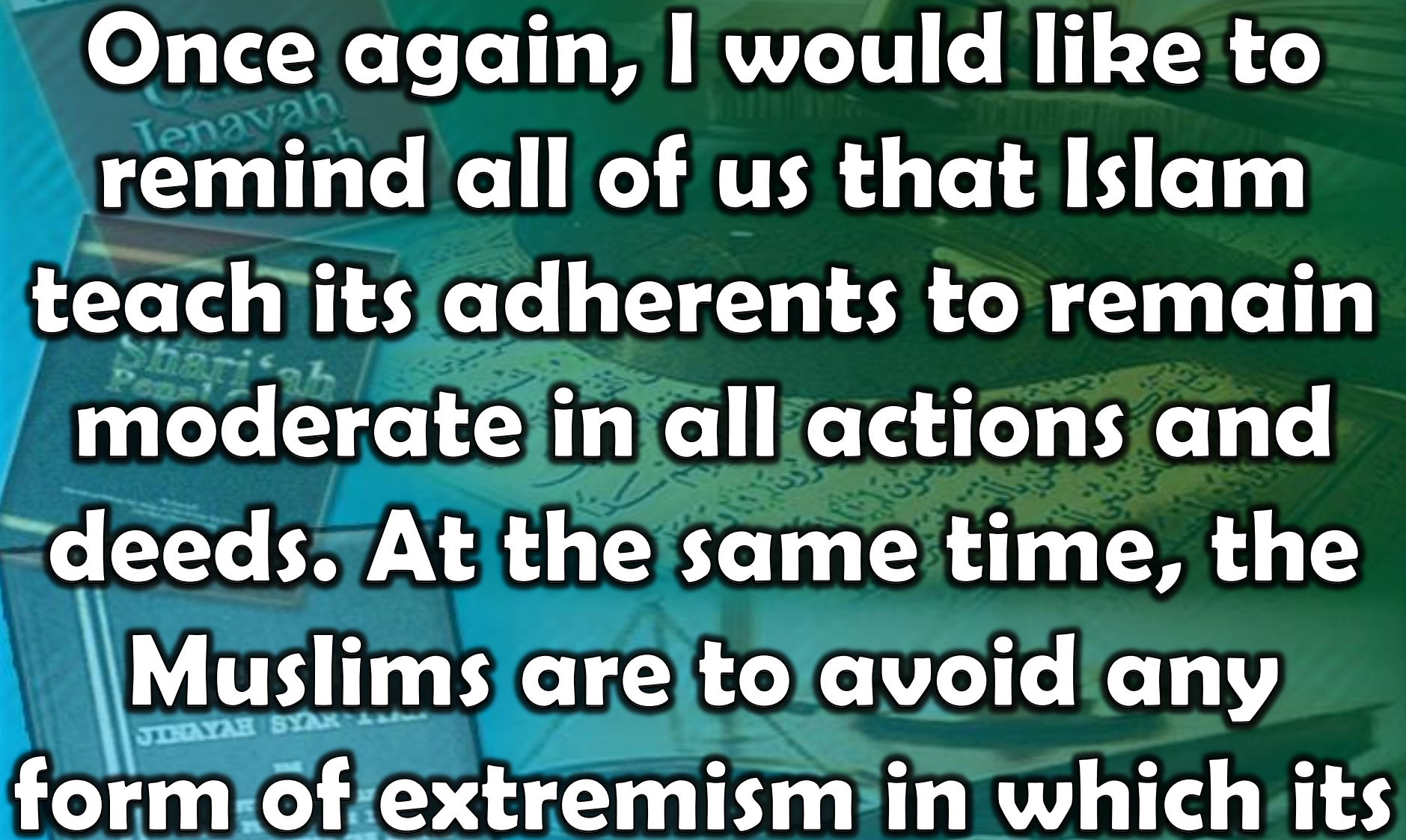
الْعَلِيمُ. أَقُولُ قَوْلِي هَذَا وَأَسْتَغْفِرُ اللَّهَ الْعَظِيمَ

لِي وَلَكُمْ وَلِسَائِرِ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ

وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ الْأَحْيَاءِ مِنْهُمْ

وَالْأَمْوَاتِ فَاسْتَغْفِرُوهُ

إِنَّهُ هُوَ الْغَفُورُ الرَّحِيمُ

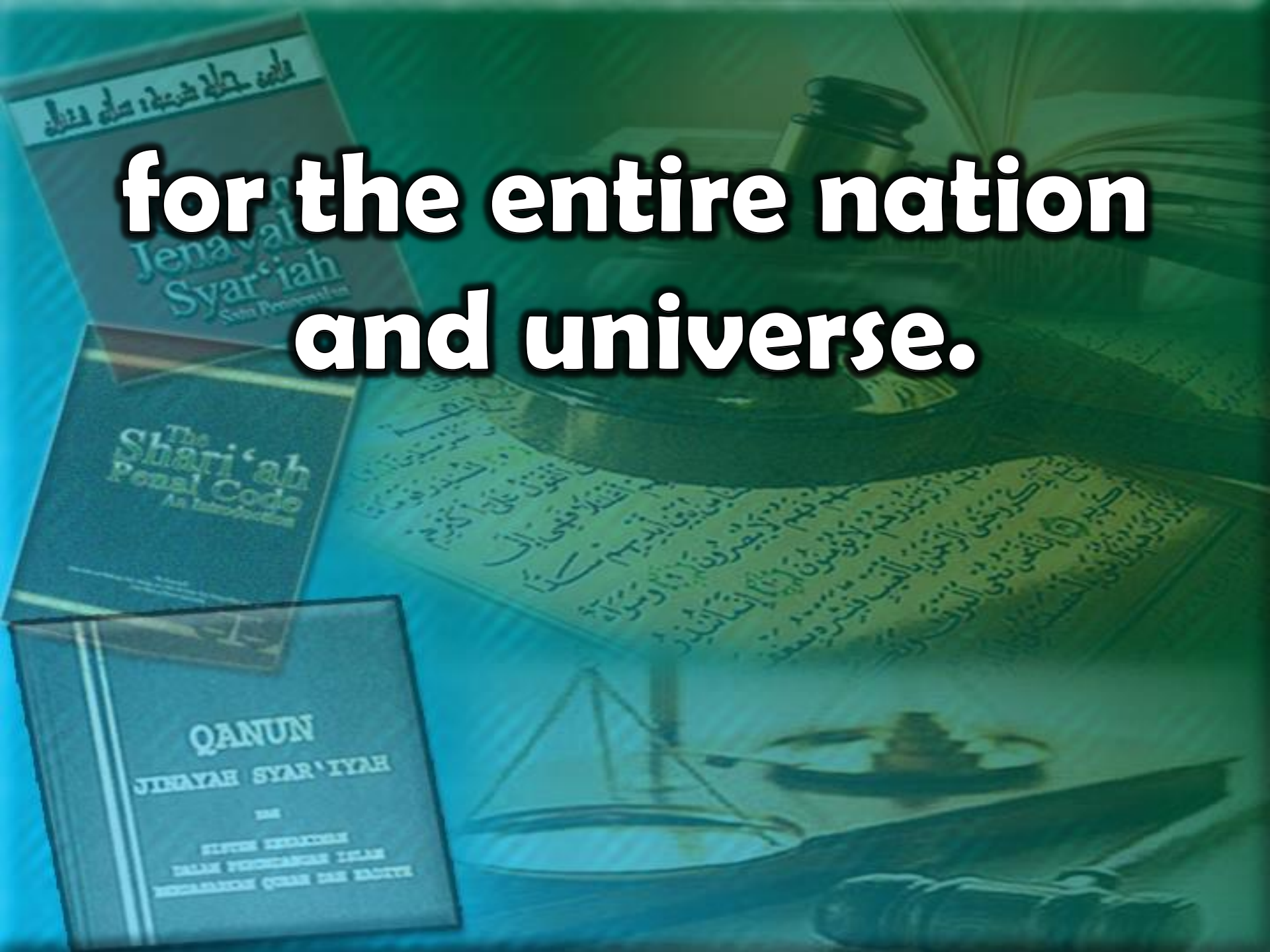


Once again, I would like to remind all of us that Islam teach its adherents to remain moderate in all actions and deeds. At the same time, the Muslims are to avoid any form of extremism in which its

**consequences will only disrupt
the harmony, unity, and
security of the Muslim ummah
and our nation. Extremism
will only give negative
impression upon the nobility
and holiness of al-Islam. On
the contrary, the Muslim**

**ummah must inculcate noble
akhlaaq, having utmost
personality and attitude as
true Muslims so that the world
will know that
Rasulullah (ﷺ) was sent
down as a messenger, and
Islam that was revealed is
mercy**

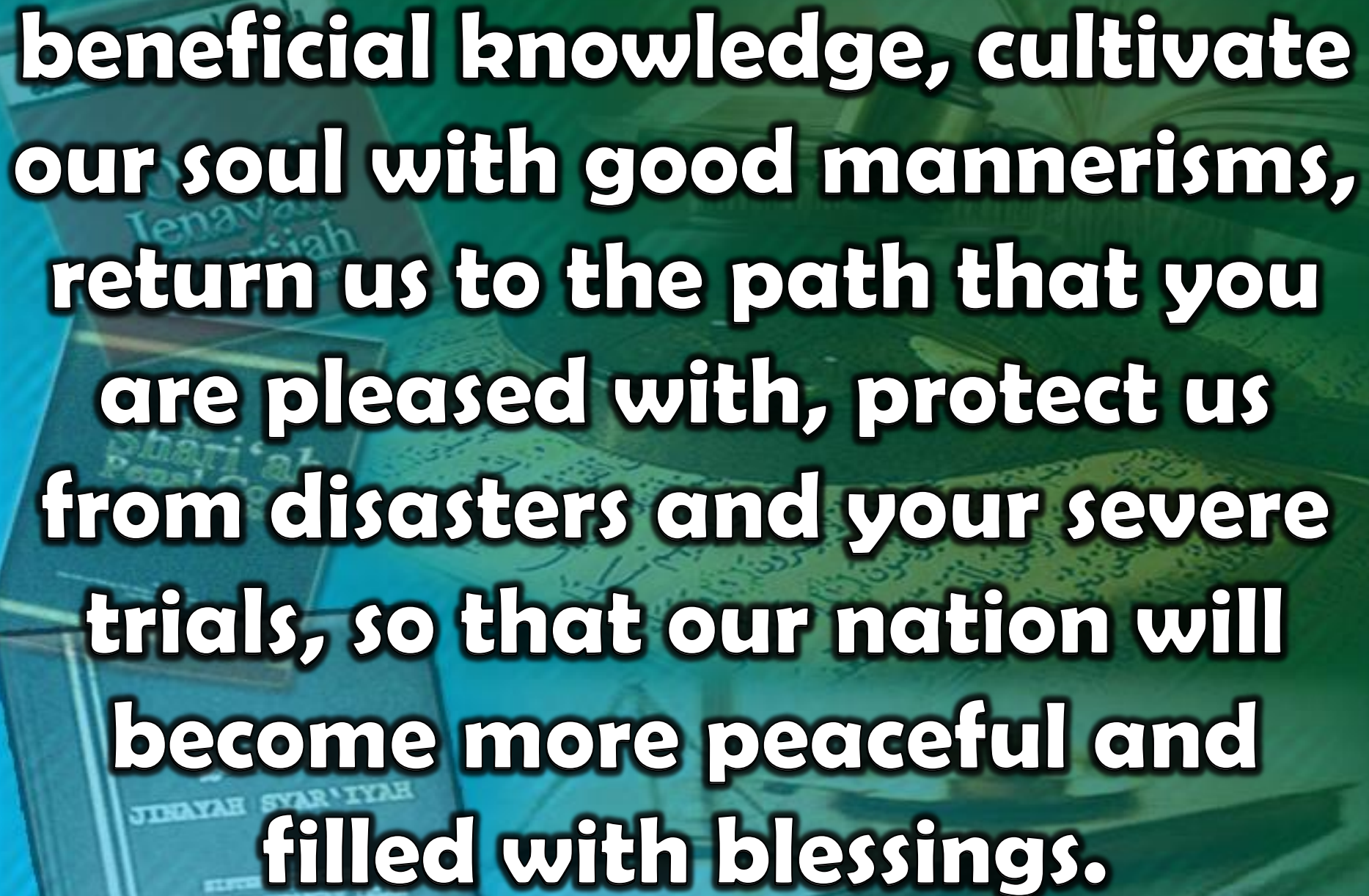
**for the entire nation
and universe.**



○ Allah, You are the Lord that is All Mighty, we are grateful to You for having bestowed upon us *rahmah* and *ni'mah*, that we are able to continue the effort in empowering the Muslim *ummah* especially in Selangor, as an

**advanced state, prosperous,
and providing welfare.**

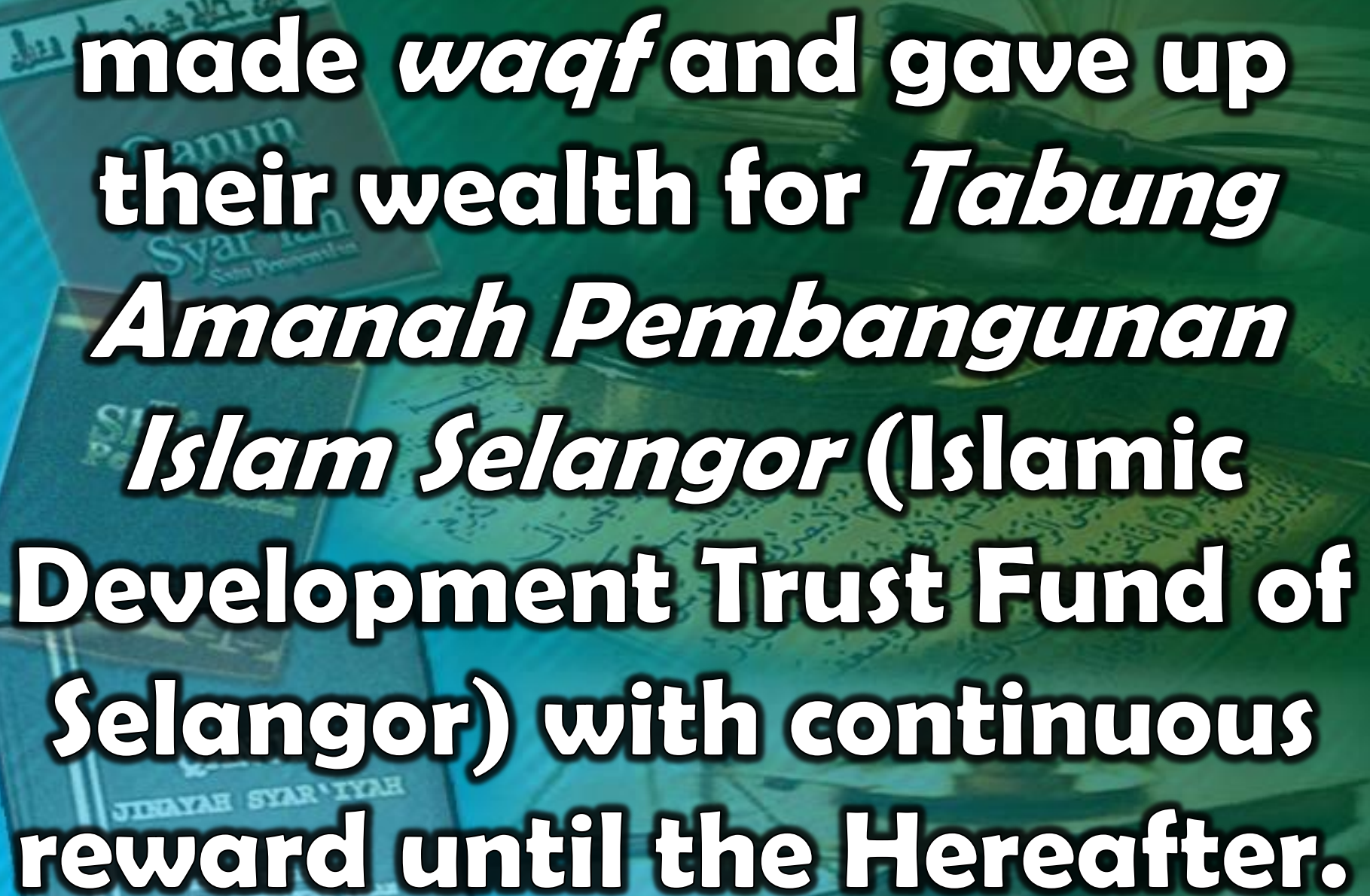
**Hence, we sincerely beseech
you, O Allah, strengthen our
imaan, accept our deeds,
strengthen our unity, increase
our *rizq*, enrich us with**

The background features a teal and blue color scheme. On the left, there are several books stacked. The top book has the title 'Tenava...siah' visible. Below it, another book is partially visible with the title 'SITI...'. The bottom-most book is 'JINAYAH SYAR'ITYAH' by KUTUB DALAM PERKAMPUS... and BERKASAH QURAN DAN HADITS. On the right side, a globe is faintly visible, showing continents and oceans. The overall image has a textured, slightly grainy appearance.

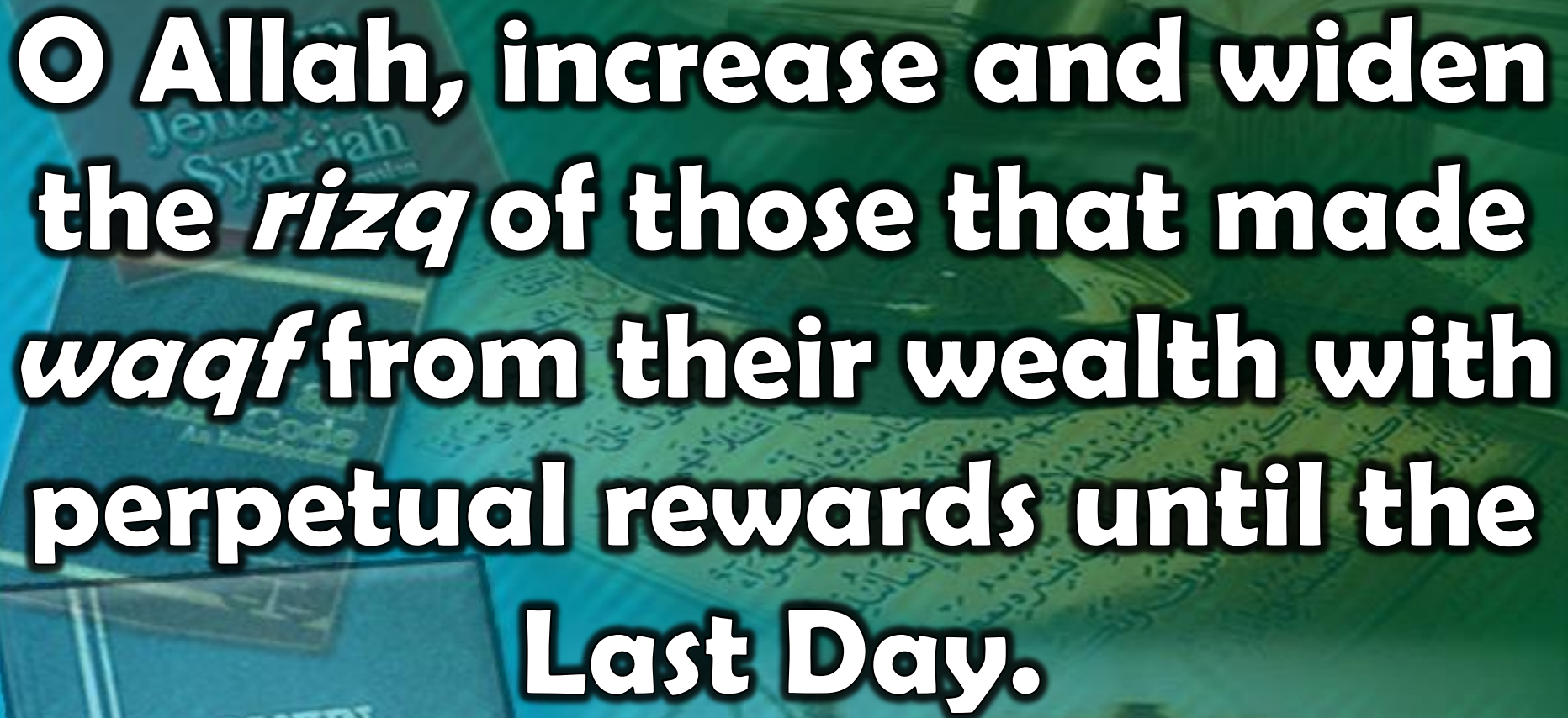
**beneficial knowledge, cultivate
our soul with good mannerisms,
return us to the path that you
are pleased with, protect us
from disasters and your severe
trials, so that our nation will
become more peaceful and
filled with blessings.**

○ Allah, we sincerely beseech you, strengthen our beliefs according to the creed of *Ahlus Sunnah wal-Jamaa'ah*, and protect us from deeds and *'aqeedah* that are astray such as the extreme *Shee'is*, *Qadiyani*, and other ideologies.

○ Allah, open up our hearts in fulfilling the five daily prayers, performing *zakaat*, and other obligations. Bless those that have fulfilled their *zakaat* and loving the *fuqaraa'* and *masaakin*, and those that have



made *waqf* and gave up their wealth for *Tabung Amanah Pembangunan Islam Selangor* (Islamic Development Trust Fund of Selangor) with continuous reward until the Hereafter.



○ Allah, increase and widen
the *rizq* of those that made
waqf from their wealth with
perpetual rewards until the
Last Day.

QANUN
JINAYAH SYAR'ITYAH
DITANJANGKAN
DALAM PERKAMPUSAN ISLAM
MUSLIMIN QURAN DAN HADIS



جَامِعَةُ اَلْاِسْلَامِ سِلَانْجُورِ
JABATAN AGAMA ISLAM SELANGOR

DI SEDIAKAN OLEH :

UNIT KHUTBAH,

**BAHAGIAN PENGURUSAN MASJID,
JABATAN AGAMA ISLAM SELANGOR**

