



#bahagianpengurusanmasjid Khutbah Multimedia

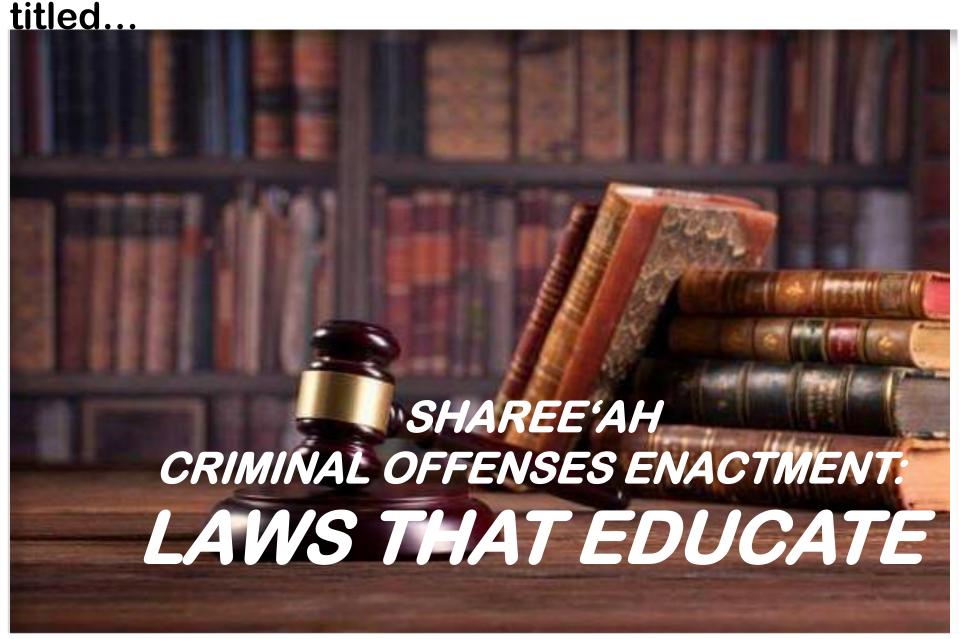


I sincerely implore all of us to altogether strive in increasing our taqwa of Allah Subhaanahu Wa Ta'aala by performing

all His Commands and leaving out all matters that He forbade. May we all be bestowed with happiness and success in this world and the Hereafter.

Respected congregants are reminded to not use the cellular phone while the khutbah is being delivered.

On this glorious day, I will discuss upon a khutbah.



Sharee'ah law refers to one branch of Islamic law that deals with criminal conduct and punishment for certain offense. As expounded in books of

figh al-Jinaayaat (jurisprudence criminal law), among the type of punishment that has been determined by the sharee'ah is the punishment of hudood that involves criminal

cases such as zinaa (adultery), theft, alcohol consumption, qazaf which is accusation of zinaa without the presence of four male witnesses, murtad (apostasy) and hiraabah

which is seizing the wealth of others through coercion or threat, done individually or in a group.

Aside from the punishment of *hudood*, there is also the

punishment of qisaas, which is retribution for criminal acts involving loss of life and bodily harm. In cases where forgiveness is granted by the victim's heirs, then the perpetrator will be

subjected to diyat (blood money), which is financial compensation that has been pre-determined. In addition, there is the punishment of ta'zeer which is punishment stipulated by the

authorities upon offenses that are not included in the hudood and qisaas categories. This punishment has not been specifically in the determined religious texts, but it is

left to the discretion of the authorities based on the severity of the offense and general maslahah (benefit) of the masses.

In Malaysia, Sharee'ah Laws are practiced in the form of Sharee'ah **Criminal** Offenses Enactment at the state level. It is a form of ta'zeer punishment that has been legislated by

authorities (ulil the based amri) on sharee'ah principles and within the scope of jurisdiction allowed by Federal the Constitution.

Unlike hudood and qisaas, which have limitations and specified form of punishments laid out by the religious scripture, the sharee'ah laws practiced today focuses more on the

implementation of *ta'zeer* punishment.

These laws are flexible in nature in determining the type and severity of the punishment for particular offense,

without violating any basic principles of the sharee'ah. Among the examples of ta'zeer offense stipulated in the Sharee 'ah Criminal Offenses Enactment is claiming oneself or

others as Prophet, Rasool, Imaam Mahdi, or wali (saint), insulting the religion of Islam or desecrating the sanctity religion, of the intoxicants, consuming committing adultery,

khalwat (close proximity unmarried between individuals of opposite gender), and other wrongdoings related to the violation of akhlaaq and adab according to the sharee 'ah.

All these offenses are given attention in the sharee'ah law as social preventive measures and in building a Muslim society that is dignified and having virtuous akhlaaq (character).

Hence, it is clear that the implementation of this law is not solely intended to punish, but it is part of the responsibility of ulil amri in preserving the five main elements upheld by the sharee 'ah,

namely religion, life, intellect, lineage, and wealth.

It is hoped that the existence of the Sharee'ah Criminal Offenses Enactment

with coincides the hikmah (wisdom) of the messengership Rasulullah , which is to mankind's perfect akhlaaq and taking them out of the darkness of jaahiliyyah (ignorance)

that is filled with oppression and torment.

In the *hadeeth* of Abu Hurayrah *radiyAllaahu* 'anh, Rasulullah ﷺ said:

إِنَّمَا بُعِثْتُ لِأَتَّمِّمَ صَالِحَ الْأَخْلَاقِ

"Verily, I have only been sent to perfect righteous character."

(Ahmad)

In the state of Selangor, the drafted Sharee'ah Criminal Offenses Enactment 1995 serves as proof of the commitment in implementing Islamic Sharee 'ah that are

founded upon the five principles of magaasid sharee'ah (higher objectives of Islamic law) that was mentioned earlier. These five principles are not only pillars of the legislation,

but they also serve as an important framework in ensuring that Islamic sharee'ah functions in preserving the rights, dignity, and honor of the human being, which

is also stated as insaaniyyah. karaamah Let us see how these principles are applied in the provisions Sharee'ah Criminal Offenses Enactment that was drafted.

effort to First, in the religion, preserve Section of the 8 stipulates enactment punishment upon those claiming themselves or others to be a prophet, messenger,

Imaam Mahdi, or wali. This is no trivial matter! It opens the door for deviant teachings, misguiding the 'aqeedah of the ummah, and misleads the public.

Second, in preserving the honor of the religion and dignity of the Muslim ummah, Section 10 provides punishment upon actions that insults Islam or degrade its sanctity. Committing

blasphemy upon religion, whether openly or through subtle satire, is poison that can threaten harmony and cause public unrest. Therefore, enforcement this measure is vital in

curbing fitnah and preserving the unity of the ummah.

Third, in the effort of preserving the intellect, Section 18 stipulates the prohibition of alcohol

consumption and intoxicants. **Fellow** these congregation, things not only take away the sanity of the individual, but it can lead to the destruction of the family institution and

serve as the cause of various crimes that threaten public order.

Fourth, for the sake of protecting the lineage and upholding the family

institution, Sections 25 and 29 of this enactment provides punishment for zinaa and khalwat. Nowadays, social ills are becoming more worrying, with an increase in cases of

illegitimate children and marriage conflicts. This is the adverse effect when the limits for social interactions between opposite genders are not observed, as Allah Subhaanahu Wa Ta'aala

mentions in verse 32 of Soorah al-Israa':

"And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way."

Fifth, in safeguarding the wealth, Section 17 of this enactment provides the prohibition of gambling. We are all well informed that gambling is not just a game of luck, but it is a game that cultivates

greed and leads to addiction and criminal acts. In Islam, wealth is an amaanah (trust) that must be managed with full responsibility, not to be made as a tool in fulfilling the lustful desire

and enjoyment that contradicts the sharee 'ah.

Allah Subhaanahu Wa Ta'aala mentions in verse 90 of Soorah al-Maa'idah:

"O you who have indeed, believed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but

defilement from the work of Satan, so avoid it that you may be successful."

The Islamic Sharee'ah is not only a discussion on hudood, qisaas, and ta'zeer in theory, but they are translated through tarbiyyah continuous (education) and supported with the

implementation of laws that are enforced within its respective states today.

Even though the implementation of *hudood* and *qisaas* cannot be

implemented fully due to legal constraints and other factors with higher priority to be given due attention, let us not remain heedless in implementing those

that we can execute to our level best. There is one legal maxim that states:

مَا لَا يُدْرَكُ كُلُّهُ، لَا يُثْرَكُ كُلُّهُ، أَوْ لَا يُثْرَكُ كُلُّهُ، أَوْ لَا يُثْرَكُ كُلُّهُ لَا يُثْرَكُ جُلُّهُ لَا يُثْرَكُ جُلُّهُ

"What cannot be attained fully, should not be abandoned entirely, or most of it should not be left."

Therefore, the existence of Sharee'ah Criminal Offenses Enactment signifies a serious effort from religious institutions such as the Islamic Religious Department, the Mufti Department,

the Sharee'ah Prosecution Department, and the Sharee'ah Court in preserving the akhlaaq, 'aqeedah, and well-being of the society. It is not laws that shackle, but in truth it is laws that protect.

To conclude khutbah today, let us derive several lessons as guide and guidelines for our lives, namely:

1. The Muslim ummah must comprehend the provisions laid out in the Sharee'ah Criminal Offenses Enactment as an

effort honest to the empower sharee'ah gradually within the context of federal legislation.

2. The Muslim ummah must have certainty continuous that tarbiyyah, supported by the implementation of laws, can raise an ummah that is

disciplined, having noble akhlaaq, and safeguarded from social harm.

3. The Muslim ummah must strive protect ourselves, our family members, and communities from committing matters that contradicts the sharee'ah.

"[We said], "O David, indeed We have made you a successor upon the earth, so judge between the people in truth and do not follow [your own] desire, as it will lead you astray from

the way of Allah." Indeed, those who go astray from the way of Allah will have a severe punishment for having forgotten the Day of Account."

(Soorah Sad 38:26)

THE SECOND KHUTBAH

O Allah! Make us among Your slaves that preserves the amaanah. Protect our state and nation from destruction due to acts of disobedience, bribery,

embezzlement, and power abuse. Bestow upon us leader that is trustworthy, honest, and firm in upholding the truth and executing justice according to the Sharee'ah.

O Allah, make the masaajid and suraus in the state of Selangor as Your peaceful homes, uniting everyone, and serve as the heart of the ummah's strength.

O Allah! Protect the Muslims and Masjid al-Aqsa in Palestine. Safeguard them from oppression and evil, and bestow upon them determination, courage, and victory.

O Allah! Strengthen the 'ageedah of the Muslims in this state, 'ageedah that is upon the creed of Ahl as-Sunnah wal-Jamaa'ah, which is upon the path of

Prophet Muhammad Companions and radiyAllaahu 'anhum, and spare us from all of the fitan that can harm the union and unity of the Muslim ummah.

