



جامعة إسلامية سلاغور  
JABATAN AGAMA ISLAM SELANGOR



# 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’ān:  
“[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  
*radiyAllaahu'an*h who  
mentioned that ibn 'Abbaas  
*radiyAllaahu'anhu*ma 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 (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) 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‘ala.*

“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)

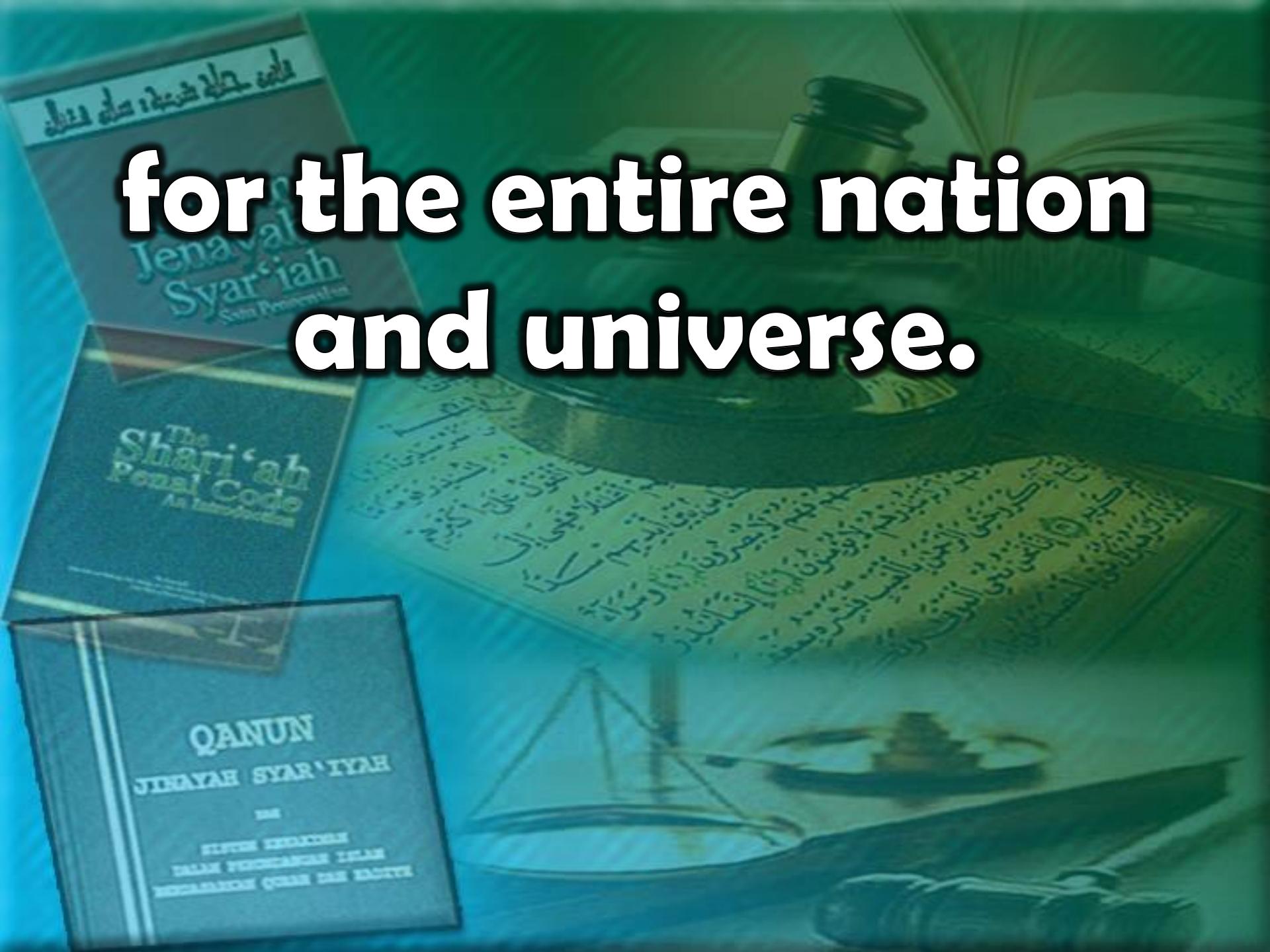
بَارَكَ اللَّهُ لِيْ وَلَكُمْ فِي الْقُرْآنِ الْعَظِيمِ وَنَفَعَنِي  
وَإِيَّاكُمْ بِمَا فِيهِ مِنَ الْآيَاتِ وَالذِّكْرِ الْحَكِيمِ  
وَتَقَبَّلَ مِنِي وَمِنْكُمْ تِلَاوَتُهُ إِنَّهُ هُوَ السَّمِيعُ  
الْعَلِيمُ. أَقُولُ قَوْلِيْ هَذَا وَأَسْتَغْفِرُ اللَّهَ الْعَظِيمَ  
لِيْ وَلَكُمْ وَلِسَائِرِ الْمُسْلِمِينَ 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.**



**O 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**

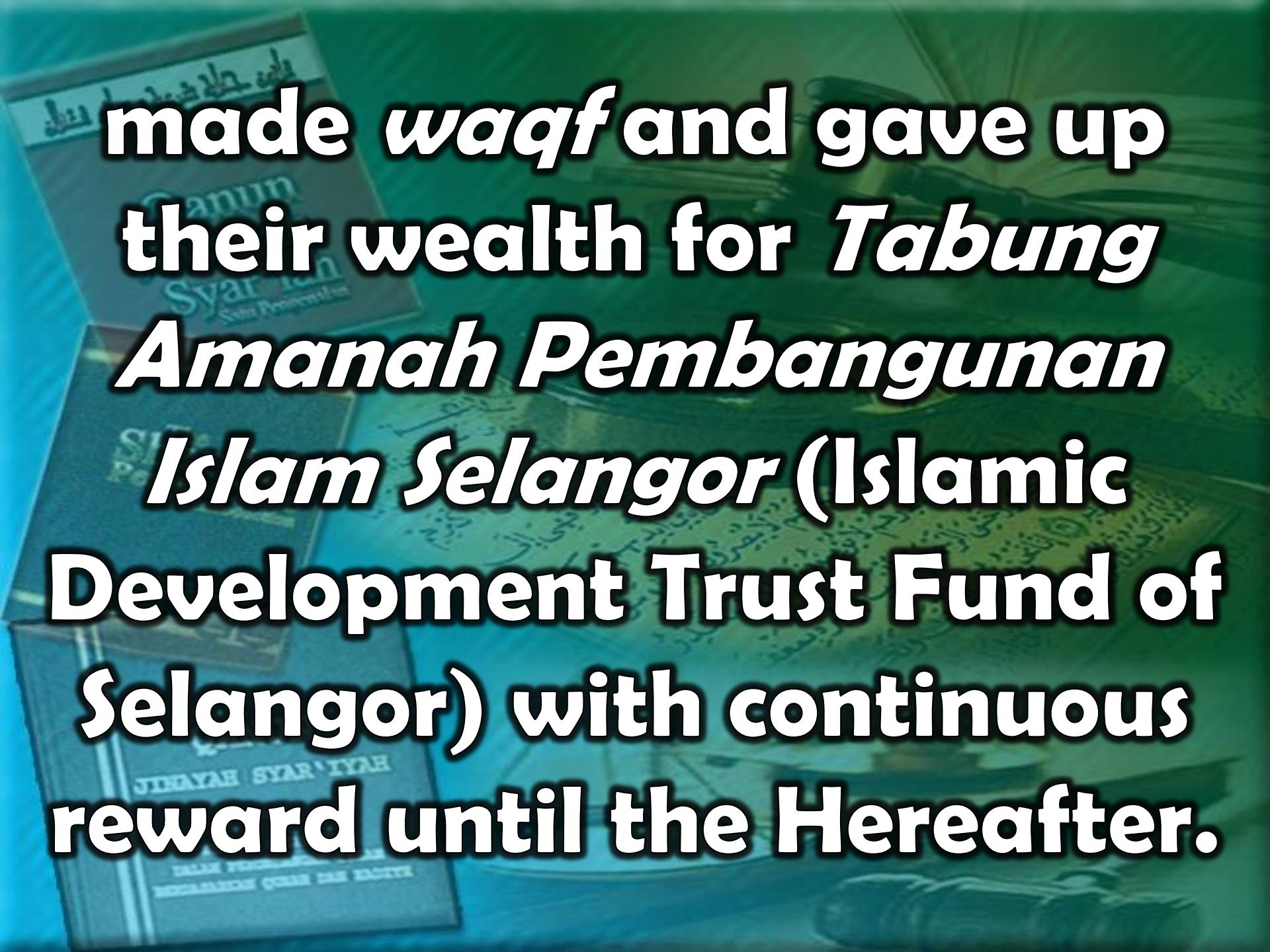
**advanced state, prosperous,  
and providing welfare.**

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

**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.**

**O 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.**

**O 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.

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



# بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِيْمِ

JABATAN AGAMA ISLAM SELANGOR

## *DI SEDIAKAN OLEH :*

# UNIT KHUTBAH,

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