SCHOOL OF GRADUATE STUDIES
UNIVERSITI TEKNOLOGI MALAYSIA

ABSTRACT AND TITLE PAGE APPROVAL

Title of thesis: HUKUMAN PEMULIHAN DAN PELAKSANAANNYA DALAM PERUNDANGAN ISLAM DI NEGERI JOHOR

Degree Award: MASTER OF PHILOSOPHY

Student Name: MOHD AFIZUL HAKIM BIN IBAKARIM

Faculty: FACULTY OF ISLAMIC CIVILISATION

Year: 2017

The following panels have checked the abstracts in English and Bahasa Melayu:

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Approved by:

Deputy Dean (Faculty) Graduate Studies

Date: 13-2-2017
FAKULTI TAMADUN ISLAM
UNIVERSITI TEKNOLOGI MALAYSIA
PENGESAHAN ABSTRAK

Tajuk Tesis (BM) : HUKUMAN PEMULIHAN DAN PELAKSANAANNYA DALAM PERUNDANGAN
ISLAM DI NEGERI JOHOR

Program : SARJANA FALSAFAH

Nama Pelajar : MOHD AFIZUL HAKIM BIN IBAKARIM

Fakulti : FAKULTI TAMADUN ISLAM

Tahun : 2017

Abstrak Bahasa Melayu tesis ini telah disemak oleh panel yang di bawah:

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Penyuntingan

- Artikel perlu disunting semula
- Artikel telah disunting oleh panel yang dilantik
Hukuman Pemulihan dan Pelaksanaannya Dalam Perundangan Islam di Negeri Johor

ABSTRAK


ABSTRAK


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ABSTRAK


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ABSTRAK

ABSTRAK

Title of the thesis: HUKUMAN PEMULIHAN DAN IPELAKSANAAN YNYA; DALAM PERUNDANG-UNDANG ISLAM DI NEGERI JOHOR

Degree Award: SARJANA FALSAFAH

Student Name: MOHD AFIZUL HAKIM BIN IBAKARIM

Faculty: FAKULTI TAMADUN ISLAM

Year: 2019

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Deputy Dean (Academic) Faculty of Islamic Civilizations
Date: 10/31/2017.
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Editing

- Abstract need to be edited
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Rehabilitative Punishment and its Implementation in Syariah Law in State of Johor

Abstract

Syariah law enactments in Johor has provided some rehabilitative punishments. There are four issues that must be resolved before the rehabilitative punishment could be carried out; is the issues relating to the stand of Syariah law on the concept of rehabilitative punishment in Islamic fiqh; the uncertainty about the forms of rehabilitative punishment in Syariah law; ambiguities in implementing the rehabilitative punishment; the implementation prospect of the rehabilitative punishment in Johor. The objectives of this study are to analyze the concept of rehabilitative punishment in Islamic fiqh, identify the forms of recovery punishment from a legal point of Syariah law, review the implementation of rehabilitative punishment in Syariah law, and identify the implementation prospects of more comprehensive rehabilitative punishment in Johor. The research methodology used is qualitative method. The data was collected through the document analysis and partial structure interviews of seven respondents, including three Judges of Syariah High Court of Johor, and four persons each of whom is the Chief Registrar, Department of Syariah Judiciary of Johor, Judge of Syariah Subordinate Court of Johor, Chief Syariah Prosecutor of Johor, and Chief Religious Enforcement Officer of Johor. The study showed that there are the main source of the rehabilitative punishment in Islamic fiqh, is two authorities from al-Quran and three authorities from al-Sunnah. There are two forms of rehabilitative punishment found in Syariah law enactments in Johor known as community service and correctional institutions. There are also legal provisions that providing rehabilitation punishment in Civil law. This study take part found shape prospects in implementing the rehabilitation in the future. The implication of this study is very wide relevant in the context improve understanding of court officials in Johor about on the rehabilitative punishment in Islamic jurisprudence recovery in Johor. String from it, the court officials to recognize the forms of punishment in Islamic jurisprudence recovery in Johor, and besides that this may also help the officers of the court to deliver their judgment and at the same time execute a rehabilitative from of punishment in Johor.

Prof. Dr. Kamruzzaman Bin Yusof
Professor
Faculty of Islamic Civilization
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8130 Johor Bahru, Johor, Malaysia
6/1/2017
Rehabilitative Punishment and its Implementation under the Syariah Law in the State of Johor

Abstract

Syariah law enactments in Johor has provided some rehabilitative punishments. There are four issues that must be resolved before the rehabilitative punishment could be carried out; namely, the matters relating to the stand of Syariah law on the concept of rehabilitative punishment in Islamic fiqh; the uncertainty about the forms of rehabilitative punishment under the Syariah law; the ambiguities in implementing the rehabilitative punishment; and the implementation prospect of the rehabilitative punishment in Johor. The objectives of this study are to analyse the concept of rehabilitative punishment in Islamic fiqh, identify the forms of rehabilitative punishment under the Syariah law, review the implementation of rehabilitative punishment under the Syariah law, and identify the implementation prospects of more comprehensive rehabilitative punishment in Johor. The applied research methodology was qualitative method. Data collection was through document analysis and partial structure interviews of seven respondents, namely three Judges of the Syariah High Court of Johor, and four persons each of whom is the Chief Registrar of the Department of Syariah Judiciary of Johor, Judge of Syariah Subordinate Court of Johor, Chief Syariah Prosecutor of Johor, and Chief Religious Enforcement Officer of Johor. The study found the main sources of rehabilitative punishment in Islamic fiqh, namely two authorities from al-Quran and three authorities from al-Sunnah. There are two forms of rehabilitative punishment in the Syariah law enactments of Johor known as community service and correctional institutions. There are also legal provisions that provide rehabilitation punishment under the law. This study found prospects in implementing the rehabilitation in the future. The implication of this study is very relevant in the context of improving the understanding of court officials in Johor about the rehabilitative punishment under the Islamic law in Johor. Besides, the court officials can recognise the forms of rehabilitative punishment under the Islamic law in Johor and help them in delivering their judgment and executing the rehabilitative punishment in Johor.
ABSTRACT

Syariah law enactments in Johor has provided some rehabilitative punishments. There are four issues that must be resolved before the rehabilitative punishment could be carried out; namely, the matters relating to the stand of Syariah law on the concept of rehabilitative punishment in Islamic fiqh; the uncertainty about the forms of rehabilitative punishment under the Syariah law; the ambiguities in implementing the rehabilitative punishment; and the implementation prospect the rehabilitative punishment in Johor. The objectives of this study are to analyse the concept of rehabilitative punishment in Islamic fiqh, identify the forms of rehabilitative punishment under the Syariah law, review the implementation of rehabilitative punishment under the Syariah law, and identify the implementation prospects of more comprehensive rehabilitative punishment in Johor. The applied research methodology was qualitative method. Data collection was through document analysis and partial structur interviews of seven respondents, namely three Judges of the Syariah High Court of Johor, and four persons each of whom is the Chief Registrar of the Department of Syariah Judiciary of Johor, Judge of Syariah Subordinate Court of Johor, Chief Syariah Prosecutor of Johor, and Chief Religious Enforcement Officer of Johor respectively. The study found the main sources of rehabilitative punishment in Islamic fiqh, namely two authorities from al-Quran and three authorities from al-Sunnah. There are two forms of rehabilitative punishment in the Syariah law enactments of Johor known as community service and correctional institutions. There are also legal provisions that provide rehabilitation punishment under the law. This study found prospects in implementing the rehabilitation in the future. The implication of this study is very relevant in the context of improving the understanding of court officials in Johor about the rehabilitative punishment under the Islamic law in Johor. Besides, the court officials can recognise the forms of rehabilitative punishment under the Islamic law in Johor and help them in delivering their judgment and executing the rehabilitative punishment in Johor.
HUKUMAN PEMULIHAN DAN PELAKSANAANNYA DALAM PERUNDANGAN
ISLAM DI NEGERI JOHOR

MOHD AFIZUL HAKIM BIN IBAKARIM

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