

**A PROCEDURAL REVIEW ON KHALWAT OPS**

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FACULTY OF LAW**

**OCTOBER 2007**

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Submitted in Partial Fulfillment of the Requirements

For the Bachelor in Legal Studies (Hons)

**University Teknologi MARA**

**Faculty of Law**

**October 2007**

The students / authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

## ABSTRACT

This thesis deals with the law on khalwat in Malaysia. It deals with the ground procedures in its enforcement by the State religious department as well as its officers. The main aim of this research is to examine the procedures and to highlight the procedural irregularities in light of the constitutional right and liberties of a person being held for the offence of khalwat under the Syariah Law.

The enforcement of khalwat law violates the fundamental rights of the individual as provided under our Constitution and recognized under international standards thus critical reevaluation of the law is necessary.

We shall attempt to examine the written and unwritten procedures and code of conduct in of the religious enforcers in enforcing khalwat law. We will determine whether procedures such as spying, intentional fault finding, breaking and entering into a premise without a warrant and others are constitutional or not.

In light of the above we shall highlight the flaws in the current system and will attempt to provide suggestions and recommendations so as to balance out the need to enforce the law and the rights of the individual. In our research we will also look into the law of khalwat in today's modern context and determine whether such laws are still necessary.

## ACKNOWLEDGEMENT

First and foremost, we would like to express our deepest gratitude to our project paper supervisor, En Ismail for his valuable in-sight, guidance and most importantly, his tolerance in ensuring that we were on the right track and for reminding us of the ever-nearing submission dateline.

A special mention to Pn. Norha Abu Hanifah, our Legal Research and Methodology lecturer, whom has sharpened knowledge on the matter as well as our research skills. Without her constructive criticisms and opinions, this subject and topic would not have been possible.

We thank the various Religious Departments as well as the officers who have contributed their time in sharing their knowledge and experience with us. To Encik Mohd Akmal Bin Senin, the Assistant Director of the JAIS's enforcement Management Department whom kindly spared time in his busy schedule to let us interview him. For Cik Hamimah Binti Abdul Hamid, who took time out from completing her own project paper to assist us in obtaining the relevant texts and materials. We owe a great debt to Ms. Clarice in undertaking the rigorous task of editing our work. We also thank the various other individuals who have contributed directly or otherwise to this project paper. May God bless all of you with good health, happiness and prosperity.

It is important for us to emphasize that we would not be able to complete this paper without the hard work and dedication given by our group mates. Congratulations! Most of the research was done and discussed by us together in our various ad hoc meetings. The typing and editing were divided equally amongst ourselves to cope with the burdening workload.

Last but not least, we would like to thank our families who have stood by us and for their unconditional love, never-ending support and believe. They are our pillars of strength.

Thank you.

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