ICIBACC2014

INTERNATIONAL CONFERENCE ON ISLAMIC BUSINESS, ART, CULTURE & COMMUNICATION

"Addressing Challenges & Sustaining Excellence in a Globalised Malay & Islamic World"















A STUDY ON SYARIAH WHIPPING AS PUNISHMENT FOR DRUGS DEPENDANTS IN MALAYSIA

Yuhanza Binti Othman¹, Ida Rahayu Binti Mahat², Ekmil Krisnawati Erlen Joni³

Faculty of Law¹
UiTM Melaka
Yuhanza255@melaka.uitm.edu.my
Faculty of Law² UiTM Melaka
Faculty of Law³ UiTM Melaka

Abstract

The government has introduced various programs to rehabilitate and give treatment to drug dependent. However statistic from Agency Anti Dadah Kebangsaan (AADK) has shown that a number of drug dependents has increased annually. It is high time for the government to review and enhance the punishment for drug dependents. The Drug Dependents (Treatment and Rehabilitation) Act 1983 is silent on imposing punishment on a first offender. Therefore, this paper will examines on imposing whipping as punishment for drug dependent as provided by syariah law. Adopting the application of qiyas, the rule and punishment of drinking liquor which is stated in the Quran (5:90) and the Hadith is extended to consuming drugs. This paper seeks to discuss alternative methods to deter the public from drug abuse and at the same time to decrease the government expenditure in providing rehabilitation programs and services for drug (Abstract)

Keywords: rehabilitate; drug dependant; Act; syariah whipping; punishment