

The Application of Alternative Punishments for Heretical Teachings in the Sharia Court

Nur Arisha Dayana Binti Akmal¹, Mohamad Azhan Yahya², Muhammad Syahrul Deen Ahmad Rosli³,
Ahmad Azam Mohd Shariff⁴, Mohamad Rizal Abd Rahman⁵, Mohd Sabree Nasri⁶

^{1,2}Undergraduate Student, Faculty of Law, University Kebangsaan Malaysia, (Corresponding author),
Senior

³Senior Lecturer, Academy of Contemporary Islamic Studies, University Technology MARA,

⁴Legal Advisor, Afandi Dahari & Associates, Selangor, Malaysia

⁵Associate Professor, Faculty of Law, University Kebangsaan Malaysia

⁶Lecturer, Faculty of Law, Governance and International Relations. UNIMEL

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ABSTRACT

This study focuses at the problem of deviant teachings, which are becoming more common in Malaysia and are endangering not only the unity and security of the country but also Muslims. Any ideology, belief, or behavior that purports to be Islamic but really conflicts with the Quran, Sunnah, Ijma', Qiyas, and the principles of Ahli Sunnah wal Jamaah is considered a deviant teaching. The study primarily focuses on juvenile offenders (10–16 years old) who participate in deviant teachings, and it places special attention on the function of alternative or ta'zir punishments as more suitable forms of discipline than the original penalties for these offenses. The primary objectives of this research are to determine how alternative punishments for juvenile offenders are implemented within the parameters of Islamic and statute law, to pinpoint faults with these legal provisions, and to provide fixes for these concerns. This study compares the rules with those in nations like Brunei and Indonesia, analyzing the penalties for juvenile offenders engaging in deviant teachings using only legal and qualitative approaches. The method of critical analysis is used to comprehend the new problems and offer helpful suggestions. According to the legislative rules, juvenile criminals are frequently exposed to deviant teachings as a result of adult influence and environmental variables. Flexible ta'zir penalties are thought to be a preferable choice for juvenile offenders than incarceration, which might have a detrimental effect on their future. To educate and reintegrate individuals into real Islamic beliefs, alternative punishments like counseling, community service orders, rehabilitation, and religious classes are suggested. It is anticipated that this strategy will help juvenile offenders have a greater awareness of their errors and stop them from happening again in the future. In summary, alternative sanctions that target juvenile offenders are more suitable and successful in stifling the dissemination of false information and guaranteeing their reintegration into society.

Keywords— Heresy, Young Offenders, Alternative Punishment, Effectiveness

INTRODUCTION

Recently, deviant teachings have resurfaced and spread widely through newly revived heretical doctrines aimed at leading Muslims astray. These teachings not only result in religious deviation but also pose a threat to national security and harmony, especially when followers of such teachings go as far as harming innocent members of society (Harian Metro, 2024). Deviant teachings can be defined as any doctrine, belief, or practice propagated by Muslims or non-Muslims that is claimed to be Islamic in nature, when in reality, it contradicts the teachings of Islam. These teachings go against the Quran, Sunnah, Ijma' (consensus), and Qiyas (analogical reasoning), as well as the creed of Ahlus Sunnah Wal Jamaah (Dewan Negeri Selangor, 2016).

This is clearly mentioned in Surah Al-Ma'idah, verse 16:

“Through it Allah guides those who pursue His pleasure to the ways of peace, and He brings them out of darkness into the light by His permission and guides them to a straight path”. (Al-Quran. al-Maidah: 16)

It is clearly evident that any teaching which falls under this definition and contradicts the verse mentioned from the surah constitutes a deviant teaching and is therefore forbidden to be followed. However, many people remain heedless and choose to believe in the deviant teachings being spread. According to the Syariah legal authorities, a false doctrine refers to the claim that acts which are explicitly prohibited in Islam are in fact permissible—for instance, engaging in intimate relations with someone other than one's lawful spouse, which is clearly forbidden in Islam (Aqilah & Siti Aisyah, 2022). In reality, such claims are nothing more than manipulations that exploit religion to distort human faith. The offence of promoting deviant teachings may also be classified as the offence of making false claims, which is often committed by individuals who proclaim themselves as leaders of these heretical groups. Deviant teachings easily influence certain segments of society as the perpetrators often claim to be prophets or saints of God (wali), and assert that they possess knowledge of the unseen, which is fundamentally against Islamic teachings. False claims are essentially another name for deviant teachings—they involve declaring oneself as a prophet or saint, or uttering statements claiming knowledge of matters beyond human capacity (Siti Zubaidah, 2022).

Deviant teachings are also considered a Syariah criminal offence, serving as one of the methods to eradicate and discipline the staunch followers of such teachings who continue to indulge in these major sins openly. What is even more alarming is the involvement of young offenders or teenagers who have been identified as participants in these deviant activities (Hadi, 2023). In response, the Department of Islamic Development Malaysia (JAKIM), as the responsible authority, works in collaboration with security agencies and relevant stakeholders at both the Federal and state levels to combat these groups that have deviated from the true path. Once reports of such activities are received, the authorities will take action by arresting individuals involved in deviant teachings and imposing appropriate punishments as provided under the respective state Syariah criminal enactments or Acts. The increasing number of deviant teachings cases in Malaysia has raised serious concerns, as it reflects how many individuals, including young offenders, have fallen into the trap of such heresies. This highlights the dangerous nature of these teachings, which are capable of spreading rapidly and sustaining their presence even after several years. Therefore, the implementation of alternative punishments for offenders involved in deviant teachings is crucial, not only to control the spread but also to serve as a lesson for those involved.

RESEARCH METHODOLOGY

A pure legal research approach was employed to achieve the objectives of this study as outlined above. This doctrinal study adopts a qualitative method, where the law is examined in depth to gain a better understanding, particularly in relation to the appropriate punishment for young offenders involved in deviant teachings. The primary sources for this study include sections and enactments under Syariah criminal laws from various states in Malaysia as well as international jurisdictions. Secondary sources consist of journal articles and online news reports (Kamel, Adibah & Azhan, 2021).

In addition, data collection through library research was also conducted to achieve the objectives of the study. All references were obtained online through databases provided by the PTSL e-journal portal, such as Lexis Nexis and Hein Online. The literature review involved examining statutes, cases, journals, articles, and books. Through general reading, several Malaysian journals were found to address the issue of deviant teachings and discussions on young offenders in Malaysia. Therefore, to enrich the information for this study, journals, articles, and statutes from foreign jurisdictions were also referred to. The selected materials focused on these topics to identify suitable recommendations for determining appropriate punishments for young offenders involved in deviant teachings. This also aimed to assess whether alternative sentencing is the most appropriate option for them. Statutes and articles from countries such as Indonesia and Brunei were also reviewed to provide insights and understanding of appropriate punishments.

The data and information obtained from the literature analysis will be examined using a comparative approach to evaluate various sources and methodologies applied in the related literature. A comparative and

recommendation-based approach is employed to assess the punishments imposed on followers of deviant teachings in countries such as Brunei and Indonesia. These countries were selected because they are Islamic nations with specific legal provisions addressing deviant teachings, and the relevant data and information from these jurisdictions are readily accessible. A critical analysis approach enables the researcher to understand the issues that arise, gain deeper insight, and propose constructive recommendations. This allows the researcher to examine every aspect of the relevant statutes thoroughly, critically analyse the legal principles, regulations, or institutions involved, and evaluate their impacts in detail to achieve the intended research objectives.

RESEARCH FINDINGS

Legal Provisions on Deviant Teachings

As mentioned above, deviant teachings constitute one of the Syariah criminal offences in Malaysia. Therefore, to curb the spread of this offence, punishments for such crimes have been enforced under several Syariah criminal laws in various states, classified under specific categories within the respective state enactments. Among them are as shown in Table 1 below:

Table 1: Legal Provisions on Deviant Teachings in the States of Malaysia

Section	Enctment	Offences	Punishments
Section 7(1)	Syariah Criminal Offences (Selangor State) Enactment 1995 [Selangor Enactment]	<u>False Doctrine</u> Any person who teaches or explains any doctrine or performs any ceremony or act relating to the religion of Islam anywhere, whether in private or public, if such doctrine, ceremony, or act contravenes Islamic Law or any fatwa currently in force in the state	Shall be liable to a fine not exceeding five thousand ringgit, or to imprisonment for a term not exceeding three years, or to whipping not exceeding six strokes, or to any combination of these punishments.
Section 3	Act 559 Syariah Criminal Offences (Federal Territories) Act 1997	<u>Wrongful Worship</u> Any individual who devotes himself to nature or performs acts showing reverence or offerings to any creature, animal, place, or object in a manner that is contrary to Islamic Law.	Liable to a fine not exceeding three thousand ringgit or to imprisonment not exceeding two years or both.
Section 4	Act 559 Syariah Criminal Offences (Federal Territories) Act 1997	<u>False Doctrine</u> Any person who teaches or explains any doctrine or performs any ceremony or act relating to the religion of Islam anywhere, whether in private or public, if such doctrine, ceremony, or act contravenes Islamic Law or any fatwa currently in force in the Federal Territories.	Liable to a fine not exceeding five thousand ringgit, or to imprisonment not exceeding three years, or to whipping not exceeding six strokes, or to any combination of these punishments.
Section 4	Syariah Criminal Offences Enactment (Kedah Darul Aman) 2014	<u>False Doctrine</u> Any person who teaches or explains any doctrine or performs any ceremony or act relating to the religion of Islam anywhere, whether in private or public, if such doctrine, ceremony, or act contravenes Islamic Law or any fatwa currently in force in	Liable to a fine not exceeding five thousand ringgit or imprisonment not exceeding three years or whipping not exceeding six strokes or any combination of those punishments.

Section 5	Act 559 Syariah Criminal Offences (Federal Territories) Act 1997	<u>Propagating a Religious Doctrine</u> Mana-mana individu yang mempromosikan atau menyebarkan doktrin atau kepercayaan agama selain daripada agama Islam di kalangan orang Islam telah melakukan kesalahan.	Dikenakan denda tidak melebihi tiga ribu ringgit atau dipenjarakan tidak melebihi dua tahun atau kedua-duanya
Section 6	Act 559 Syariah Criminal Offences (Federal Territories) Act 1997	<u>False Claim</u> Any individual who: (a) declares himself or others as a prophet, Imam Mahdi, or saint; (b) states or claims to know events or matters beyond human understanding or knowledge, while the declaration, statement, or claim is false and contrary to Islamic teachings,	Liable to a fine not exceeding five thousand ringgit or imprisonment not exceeding three years or both.
Section 5	Syariah Criminal Code Enactment (I) 2019 Kelantan	<u>False Claim</u> Any individual who: (a) declares himself or others as a prophet, Imam Mahdi, or saint; (b) states or claims to know events or matters beyond human understanding or knowledge, while the declaration, statement, or claim is false and contrary to Islamic teachings,	Liable to a fine not exceeding five thousand ringgit and imprisonment not exceeding three years and whipping not exceeding six strokes.
Section 5	Syariah Criminal Offences Enactment 2013 Pahang	<u>False Doctrine</u> Any person who teaches or explains any doctrine or performs any ceremony or act relating to the religion of Islam anywhere, whether in private or public, if such doctrine, ceremony, or act contravenes Islamic Law or	Liable to a fine not exceeding five thousand ringgit or imprisonment not exceeding three years or whipping not exceeding six strokes or any combination of those punishments.
Section 12	Act 559 Syariah Criminal Offences (Federal Territories) Act 1997	Opinion contrary to a fatwa Any individual who gives, develops, or spreads opinions on Islamic teachings, Islamic Law, or issues that are contrary to any fatwa currently in force in the Federal Territories.	Liable to a fine not exceeding three thousand ringgit or imprisonment not exceeding two years or both.
Section 10	Syariah Criminal Enactment 1992 Perak	<u>Propagating religious teachings</u> Anyone who spreads teachings or beliefs other than the teachings or beliefs of Islam among Muslims is committing an offence	Liable to a fine not exceeding three thousand ringgit or imprisonment not exceeding two years or both.
Section 11	Syariah Criminal Enactment 1992 Perak	<u>False Claim</u> Anyone who declares himself or others as a prophet, Imam Mahdi, saint, or behaves and utters words or claims that he or others know of unseen events with false claims contrary to Islamic teachings.	Liable to a fine not exceeding five thousand ringgit or imprisonment not exceeding three years or both.
Section 7	Act 559 Syariah Criminal Offences (Federal Territories) Act 1997	Insulting, or causing to be held in contempt, etc., the <u>religion of Islam</u> . Any individual who by speech, writing, picture, or other means: (a) insults Islam or causes Islam to be insulted; (b) mocks, ridicules, or makes fun of practices or ceremonies relating to Islam; or (c) insults or causes the laws relating to Islam in the Federal Territories to be viewed with contempt.	Liable to a fine not exceeding three thousand ringgit or imprisonment not exceeding two years or both.

The sections discussed above represent the punishments that may be imposed on any follower of deviant teachings who is caught violating the prescribed laws.

In addition, our concern should be focused on young offenders or adolescents, who are also significantly involved as followers of deviant teachings in Malaysia. Although they have committed the same offences as adult offenders, they should be given appropriate punishments that take into account their age and other relevant factors, ensuring that the punishment is proportionate to their level of maturity. However, it must be emphasized that the punishment should still serve as a means of providing education and instilling a sense of accountability

Definition of Young Offenders

In the context of Islam, a young offender refers to an individual who has not yet reached the age of puberty, also known as a child offender. According to Abdul Basir bin Mohamad, before reaching the age of discernment (*mumayyiz*), a child is not held accountable for their wrongdoing as they have not yet developed the ability to understand or make informed choices (Hassan, Azam & Azhan, 2017). In Islamic law, both of these elements form the basis of criminal responsibility in determining whether an individual is guilty. A child is considered *mumayyiz* when they have reached the full age of seven until the age of puberty. At this stage, they possess the quality of discernment (*tamyiz*), such as the ability to understand and respond to questions, and the awareness of right and wrong (Nurhidayah & Zanariah, 2021).

In the context of Islamic law, according to the interpretation under Section 2 of the Syariah Criminal Procedure (Selangor) Enactment 2003, a "young offender" is defined as a person aged 10 years and under 16 years.

In addition, Section 2 of the Syariah Criminal Procedure Enactment (Kedah Darul Aman) 2014 also defines a "young offender" as an offender who is more than ten years old and less than sixteen years old.

This clarifies that child offenders who have not reached the age of 10 will not be subjected to any legal action or punishment, as it is believed that they have not yet developed the capacity to commit such offences. However, those aged between 10 and 16 may be subjected to punishment proportionate to the offence committed.

Implementation of Ta'zir Sentences Against Deviant Doctrine Followers

Ta'zir is a form of punishment for criminal offences that do not fall under Hudud or Qisas, and it is implemented at the discretion of the judge based on certain considerations of public interest (*maslahah*). Ta'zir punishments may take the form of fines, imprisonment, or caning, with the primary objectives being prevention, rehabilitation, and education (Fathi, n.d.; Hamidi, 2004). It aims to reform the offender's behaviour, cleanse them from sin, and prevent repeated offences so that they may become beneficial members of society.

Ta'zir punishment also serves as a form of deterrence (*tarbiyyah* and *ta'dib*), intended to prevent others from committing similar offences (Md Amin & Nadia, 2017). The theory of deterrence is designed to guide offenders to learn from their mistakes. However, alternative punishments must be considered carefully, taking into account factors such as the severity of the crime, the offender's age, character, and mental health status (Jasri & Hasnizam, 2016). Such punishments should only be imposed if the court is convinced that they would bring appropriate benefit to the offender.

Suitability of Alternative Sentences for Young Offenders

In Malaysia, it is understood that the age range for young offenders is between 10 and 16 years, indicating that they are eligible to be punished under Section 128 of the Syariah Criminal Procedure Enactment 2004 or Section 54(1) of the Selangor Syariah Criminal Offences Enactment 1995, although they may also be subjected to the original punishment for the offence of deviant teachings (*ajaran sesat*). However, it is important to recognise that most young offenders are merely followers rather than leaders of such deviant groups. If they are only acting as followers, it would be appropriate to impose alternative punishments that can educate and give them the opportunity for self-reflection and repentance. Nevertheless, we must also acknowledge the possibility that young offenders may commit extreme acts in connection with deviant teachings. In such cases, the original punishment may be imposed if the court deems it appropriate. It is crucial to remember that even when young

offenders are involved in serious offences related to deviant teachings, they are still young and should be given the opportunity to repent and reform themselves. The original punishment, which may involve imprisonment and fines, is indeed strict and may outwardly serve as a deterrent. However, it must be emphasized that the primary focus should be on rehabilitating these misguided young individuals so that they may return to the light of truth and hope after being led astray into darkness.

Among the ways to address this issue is by focusing on rehabilitation and education. For example, encouraging young offenders to express and reflect on their experiences can help them understand their mistakes and the consequences of their actions through counselling sessions during the punishment period. Alternative punishments often involve various preventive measures and rehabilitation programmes, including community service, good Behaviour orders, counselling, Fardu Ain classes, akidah strengthening programmes, mosque-based activities, and more (Jasri & Hasnizam, 2016). As stated under Section 54(1), the court may allow the individual to undergo counselling or rehabilitation at a rehabilitation centre. These alternative punishments should be considered even for young offenders involved in extreme cases of deviant teachings, as they are more appropriate to help the offenders reflect and repent for their actions. Through counselling, they will have the opportunity to learn the correct teachings of Islam and engage in self-reflection for their wrongdoing. Such punishments are proportionate and appropriate because they offer the chance for the offenders to grasp the true meaning of their mistakes. Young offenders must be taught and guided by professionals in order to return to the right path.

Compared to the original punishment, young offenders would only spend their sentence in prison without receiving any guidance or support from experts to help restore and correct their beliefs. The existing punishment also fails to provide sufficient moral lessons, as the most effective form of punishment for young offenders is one that allows them to realise and remember that such an offence is a serious crime and a major sin in Islam. It is also important to recognise that young offenders often follow the influence of adults and are easily swayed by what happens around them, which may lead them to become deeply involved in deviant teachings. This highlights the injustice of imposing harsh punishment on them if such circumstances are indeed true. Therefore, if the original punishment is imposed, it may only yield short-term results, as it does not truly rehabilitate or cleanse the young offender from within. This again reflects the unfairness of subjecting them to severe punishment when their actions stem from external influences beyond their maturity or understanding.

According to Paizah Haji Ismail, ta'zir is prescribed to guide the offender back to a better state, cleanse them of the sins of their wrongdoing, and transform them into a productive and beneficial individual in society (Hassan, Azam & Azhan, 2017). This further emphasizes that young offenders involved in deviant teachings must have their beliefs cleansed and be re-educated with the true teachings of Islam so that they no longer believe in the false and misleading ideologies propagated by deviant groups. An example of an alternative punishment that may be imposed on young offenders is to require them to attend a rehabilitation centre aimed at correcting and strengthening their faith (aqidah) and belief (iman), through activities such as attending religious talks, congregational prayers, and personal development programmes (Hasnizam & Jasri, 2018). This is to ensure they are not easily swayed by misguided and deviant teachings that may still be widespread outside. Young offenders are still children as easily as they can be tainted, they can also be cleansed and instilled with the right beliefs. If they are sent to prison, they would not gain any benefit nor be properly educated with true religious teachings, and thus, the intended objective of the punishment would not be fulfilled.

Furthermore, if young offenders involved in deviant teachings are sentenced to prison along with more hardened and committed offenders of similar crimes, the likelihood of them remaining trapped in those deviant teachings is very high. Young offenders are highly susceptible to being influenced by other inmates, and this must be prevented at all costs. Through alternative sentencing, the negative impacts of imprisonment can also be avoided for young offenders (Hasnizam & Jasri, 2018). In addition, there is serious concern that they may be influenced or negatively affected by other prisoners, which could further deteriorate their spiritual state after their release (Arifah & Adib, 2014). It is also important to note that prison sentences are managed by the Malaysian Prisons Department, and to date, there is no prison dedicated specifically to offenders convicted under Syariah criminal law under the jurisdiction of the Syariah courts (Arifah & Adib, 2014). This means that Syariah offenders sentenced to prison will be housed with other civil or criminal law offenders (Arifah & Adib, 2014). If they are placed together, the chances of repentance and returning to the right path become very slim. Therefore, instead

of imprisonment, it would be more appropriate and effective to impose alternative punishments on young offenders. Such alternatives would be more impactful in disciplining and educating them, and ultimately preventing the recurrence of such offences in the future.

Overall, the effectiveness of alternative punishments for young offenders involved in deviant teachings suggests a more rehabilitative and preventive approach compared to the original punishment. This approach has the potential to guide young offenders back to the right path and prevent them from repeating the same mistakes. The original punishment merely instills fear in them without helping them to truly understand the nature of their wrongdoing or why they were arrested. Therefore, through this approach, the justice system seeks to correct the behaviour of young offenders by implementing alternative sentencing.

Challenges In the Legal Provisions Implementing Alternative Punishments

There are several challenges in implementing alternative punishments, one of which relates to Section 128 of the Syariah Criminal Procedure Enactment 2004, which outlines alternative sentencing for young offenders through a good behaviour bond. Offenders may be ordered to attend counselling sessions, participate in welfare programmes, join mosque activities, perform community service, and engage in other activities aimed at improving their behaviour and awareness (Fattah, Mustaqim, Azhan & Azam, 2023). One of the issues that arises concerning this provision is the evaluation of parental or guardian negligence in supervising the young offender, and the potential consequences it may have on the offender's misconduct. There have been cases where the offender was fined and placed under a good behaviour order supervised by a surety, typically a family member, for six months (Hassan, Azam & Azhan, 2017). This can pose a problem if the parents or guardians fail to adequately monitor the young offender, potentially leading to a repetition of the offence.

This is especially concerning in cases involving deviant teachings, which may take place outside of parental awareness. If parents are negligent or preoccupied with work—even temporarily the young offender might reoffend and breach the good behaviour order. Such outcomes would render the court's decision to offer an alternative sentence ineffective despite prior careful consideration. The primary objective of alternative sentencing should be the rehabilitation of the young offender, giving them a second chance to repent and return to the right path.

In addition, a second issue arises regarding what constitutes a breach of a good behaviour bond by a young offender, and to what extent a failure to comply is permissible. The criteria for "good behaviour" are not clearly defined in the provision, making it highly dependent on judicial or administrative discretion. This highlights that, although Section 128 provides for alternative sentencing, the application of such punishments is neither uniform nor standardised. When uniformity is lacking, the alternative sentences imposed on young offenders may vary—for instance, in the number of fines imposed or the duration of the good behaviour order.

Before any alternative sentence can be considered, two fundamental legal elements must be established: first, that the offender committed the act (*actus reus*); and second, that the offender had the intention to commit it (*mens rea*) (Syariah Criminal Offences Enactment, 2013). Most offenders would meet the first element, as participation in deviant teachings constitutes a physical act (Aqilah & Siti Aisyah, 2022). However, the critical question is whether the offender knowingly or unknowingly joined the deviant group. No individual should be held fully accountable for an act committed under coercion or due to mental incapacity. A person is only liable for a criminal offence if the act is committed intentionally, with awareness of the nature of the act, its possible consequences, and knowledge that it is prohibited by applicable law (Norjihan & Najaa, 2023). If a young offender unknowingly joined a deviant teaching group, the court may consider alternative sentencing, but only if it can be proven that there was no intent to commit a Syariah offence. According to Section 42 of the Syariah Criminal Offences (Selangor) Enactment 1995, such an act is not an offence if committed without intent.

Limitations and Recommendations for Future Research

This study is primarily doctrinal in nature, relying on statutory analysis, case law, and secondary literature to examine the position of alternative punishments for young offenders in cases involving deviant teachings. While this method provides a strong legal foundation, several limitations must be acknowledged. The research does not

incorporate empirical validation or statistical data to measure the actual effectiveness of alternative punishments in rehabilitating juvenile offenders. The absence of quantitative evidence, such as recidivism rates or compliance with rehabilitation programmes, limits the ability to assess whether such punishments achieve their intended objectives in practice. Future research should therefore include empirical methods, such as surveys or interviews with affected juveniles, probation officers, or rehabilitation centres, to evaluate outcomes more comprehensively.

Another limitation is the lack of direct engagement with key stakeholders such as judges, prosecutors, law enforcement officers, religious counsellors, and families of offenders. Direct insights from these actors would provide practical perspectives on the challenges of implementing alternative sentencing and enrich the recommendations with real-world applicability. While this study has highlighted ambiguities in the criteria for good behaviour bonds and the absence of uniform guidelines across jurisdictions, the analysis remains theoretical. Comparative references to other jurisdictions such as Brunei and Indonesia are useful, but more systematic impact assessments are needed to determine which models best support juvenile rehabilitation in Malaysia.

In view of these limitations, it is recommended that statistical data on the prevalence of young offenders involved in deviant teachings and their rehabilitation outcomes be collected and published regularly by relevant authorities. At the same time, national-level guidelines on alternative sentencing in Syariah courts should be developed to ensure uniformity, clarity, and fairness in sentencing practices. A structured framework for impact evaluation of alternative punishments should also be introduced, using indicators such as reduced recidivism, improved religious understanding, and reintegration into society. Moreover, interdisciplinary collaboration between legal scholars, criminologists, psychologists, and religious counsellors should be fostered to create a holistic and practical model of juvenile rehabilitation under Syariah law. By addressing these gaps, future research can provide a more comprehensive understanding of how alternative punishments function in practice and strengthen their role as effective tools for rehabilitating young offenders.

CONCLUSION

In conclusion, deviant teachings in Malaysia pose a serious threat to the development of children, as such offences often involve children as followers. Children must be protected, as they are the most vulnerable to various risks, whether as victims or as participants in crimes (Alias, Siti Khadijah & Kamini, 2017). Alternative sentencing is viewed as the most appropriate option for young offenders involved in deviant teachings, as it offers both a lesson and a warning to prevent them from reoffending. However, original punishments should still be considered, particularly for more severe offences. A combination of both conventional and alternative punishments would provide a more balanced approach, ensuring that young offenders receive appropriate consequences while also being given the opportunity to understand their wrongdoing and rehabilitate without the long-term negative impacts of imprisonment. This approach is hoped to more effectively guide them back to the right path.

It is recommended that Section 128 be amended to include provisions for taking action against parents or guardians who are negligent in supervising young offenders. Additionally, clear guidelines should be established regarding the definition of "good behaviour" for young offenders, such as attendance in counselling sessions and compliance with curfews. The establishment of specific criteria for alternative sentencing is also necessary to distinguish the severity of offences and to ensure fair assessment of rehabilitation progress. Such an approach will aid in correcting the behaviour of young offenders and reintegrating them into society.

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