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What Sharia law may bring for non-Muslims in Brunei

Punishments such as flogging, the cutting of limbs and being stoned to death will be phased in over time

World Watch Monitor (01.05.2014) - The Sultan of Brunei has announced a controversial new law based on Islamic criminal punishments criticised by UN human rights officials and other human rights groups.

"I place my faith in and am grateful to God the Almighty to announce that Thursday May 1, 2014, will see the enforcement of Sharia law phase one, to be followed by the other phases," Sultan Hassanal Bolkiah, leader of the country's absolute monarchy government for nearly 47 years, said in a speech the day preceding the implementation of the law.

Brunei, a tiny country of just over 420,000 people nestled in Southeast Asia, has already been practicing Islamic laws to regulate civil affairs such as personal and family issues, but now the laws will be extended to cover criminal offences.

The new Islamic penalties will be introduced over time, at least another year or two, and will eventually include severe bodily punishments, such as: flogging for adultery, cutting of limbs for theft, and stoning to death for rape and sodomy.

The first phase includes laws for offences against eating or drinking in public during Islam's fasting month, which are punishable by fines and imprisonment.

Parts of the law also apply to non-Muslims. In February, Sharia law experts from the Ministry of Religious Affairs announced that non-Muslims could be punished for wearing indecent clothing that 'disgraces Islam'. The offender could be jailed for up to six months, fined a maximum penalty of BN\$ 2,000 (US\$ 1,600), or both. Even now, it is mandatory for women of all religions—including Christians—to wear a *hijab* (head covering) if they work for the government or are attending official functions. However, now that the Sharia penal code is enacted, a violation against these religious instructions will be criminalized.

In the past, church leaders claimed to receive heavy monitoring by the government so the new penal code is expected to add pressure, anxiety, and fear upon Christians who make up 8.7 percent of the population.

"Brunei's decision to implement criminal Sharia law is a huge step backwards for human rights in the country. It constitutes an authoritarian move towards brutal medieval punishments that have no place in the modern, 21st century world," said Phil Robertson, deputy director of the Asia division at Human Rights Watch.

Another restriction aimed at Christians who converted from a Muslim background includes a law that prohibits any Muslim parents from letting non-Muslims care for their

child. The act is punishable by a jail term of up to five years, a fine of up to BN\$ 20,000 (US\$ 15,600), or both.

Consequently, people who convert to Christianity can lose custody of their child should their new faith come to light. "All parental rights are awarded to the Muslim parent if a child is born to mixed-faith parents and the non-Muslim parent is not recognized in any official document, including the child's birth certificate," wrote the US Department of State in the *2012 International Religious Freedom Report*. What's more, once Sharia law takes effect, the restriction may be extended to daycare services operated by non-Muslims.

The new penal code also cites that non-Muslims can no longer share their faith with Muslims and atheists. Offenders are at risk of being fined of up to BN\$ 20,000 (US\$ 15,600), sent to jail for five years at most, or both.

Teaching other religions outside Islam to a child of Muslims or atheists carries the same punishment. Because of this, the few Christian schools will receive a setback as many of their students are non-Christians; the school day normally begins with a reading from the Bible.

Sultan of Brunei unveils strict sharia penal code

Fines and jail terms for offences such as indecency and failure to attend Friday prayers, with future penalties to include flogging and death by stoning

The Guardian (30.04.2014) / <http://www.theguardian.com/world/2014/apr/30/sultan-brunei-sharia-penal-code-flogging-death-stoning> - The sultan of oil-rich Brunei has announced the introduction of tough Islamic criminal punishments, pushing ahead with plans that have sparked international condemnation and rare domestic criticism of the fabulously wealthy ruler.

"With faith and gratitude to Allah the almighty, I declare that tomorrow, Thursday 1 May 2014, will see the enforcement of sharia law phase one, to be followed by the other phases," the absolute monarch said in a royal decree on Wednesday.

Plans for the sharia penalties – which will eventually include flogging, severing of limbs and death by stoning – triggered condemnation on social media sites in the tiny sultanate earlier this year.

Confusion has swirled around implementation of the punishments following the unexplained postponement of an expected 22 April start date that raised questions over whether the Muslim monarch was hesitating.

But 67-year-old Sultan Hassanal Bolkiah – one of the world's wealthiest men – said in his decree that the move was "a must" under Islam, dismissing "never-ending theories" that sharia punishments were cruel in comments clearly aimed at detractors.

"Theory states that Allah's law is cruel and unfair but Allah himself has said that his law is indeed fair," he said.

The initial phase beginning on Thursday introduces fines or jail terms for offences ranging from indecent behaviour, failure to attend Friday prayers, and out-of-wedlock pregnancies.

A second phase covering crimes such as theft and robbery is to be implemented later this year, involving more stringent penalties such as severing of limbs and flogging.

Late next year, punishments such as death by stoning for offences including sodomy and adultery will be introduced.

The monarch's wealth – estimated three years ago at \$20bn by Forbes magazine – has become legendary, with reports of a vast collection of luxury vehicles and huge, gold-bedecked palaces.

The monarchy was deeply embarrassed by a sensational family feud between Hassanal and his younger brother Jefri Bolkiah over the latter's alleged embezzlement of \$15bn during his tenure as finance minister in the 1990s.

Court battles and exposés revealed salacious details of Jefri's jetset lifestyle, including allegations of a harem of western paramours and a luxury yacht he owned called "Tits".

Bruneians enjoy among the highest standards of living in Asia due to the country's energy wealth, with education, medicine and other social services heavily subsidised.

The sultan first proposed the sharia penal code in 1990s, and in recent years has increasingly warned of rising crime and pernicious outside influences including the internet. He has called Islam a "firewall" against globalisation.

He announced the implementation plans in October.

Brunei is the first country in east or south-east Asia to introduce a sharia penal code on a national level.

Situated on Borneo island, which it shares with Malaysia and Indonesia, the small state already practised a relatively conservative form of Islam compared with its Muslim-majority neighbours, banning the sale of alcohol and restricting other religions.

Muslim ethnic Malays, who make up about 70% of the population, are broadly supportive of the move by their revered father-figure.

But some Malays and non-Muslim citizens privately express unease. About 15% of Brunei's people are non-Muslim ethnic Chinese.

Earlier this year, many users of Brunei's active social media – the only avenue for public criticism of authorities – denounced the penal code as barbaric and out of step with the gentle Bruneian national character.

The move could indicate the sultan is becoming more conservative as he ages, said Joseph Chinyong Liow, a Singapore-based professor of Muslim politics.

"The sultan himself is at a point where there is a need to come to terms with religious identity, both personally and for the country," he said.

Liow said the sultan may have viewed sharia as a popular step, as support grows among some Muslims in south-east Asia for a post-colonial return to Islamic roots.

Brunei's legal system currently features civil courts along with sharia-compliant chambers handling non-criminal issues such as marital and inheritance cases.

The UN's human rights office said this month it was deeply concerned about the changes, adding that women typically bore the brunt of punishment for crimes involving sex.

"It's a return to medieval punishment," said Phil Robertson, deputy Asia director for Human Rights Watch. "It's a huge step back for human rights in Brunei and totally out of step with the 21st century."

Officials have said judges will face high burdens of proof, and will have wide discretion to avoid sharia punishments.

Sultanate of Brunei "postpones" introduction of Sharia

Asia News (22.04.2014) - Due to be introduced today the new norms have been postponed until a later date to "due to unavoidable circumstances". Government promises implementation "in the very near future". Experts await return of Sultan from foreign visit, real moral leader and biggest supporter of the "Islamized" Criminal Code.

"Due to unavoidable circumstances" the Sultanate of Brunei has delayed its implementation of sharia, or Islamic law, originally timetabled to enter into force today. Strongly backed by the Sultan, the norm has been forcefully condemned by the United Nations and has raised fierce internal debates over the danger of a gradual "Islamization" of the state. So far, the government has not indicated exactly when it will be introduced but has promised it will happen "in the very near future". Experts explain the Sultan - currently in Singapore - who is considered the real "moral" leader, is the only person capable of declaring the full entry into force of the controversial law. However, the "declaration ceremony" is going ahead as planned on April 30 to launch the first phase of the new penal code.

In recent months, the Sultan Hassanal Bolkiah (pictured) has introduced Islamic law (Sharia), for Muslims including death by stoning for adultery, amputation for thieves, flogging for other crimes such as abortion and consumption alcohol, the death penalty for blasphemy. The 67 year old Sultan said that "with the entry into force of the law", "our duty to Allah" will be "fulfilled". For centuries, the same family has held power in the small oil rich kingdom of 400 thousand people; in office since 1967, aged 21, he has been pushing for the introduction of Islamic law - and its punishment - in the state since 1996.

Even the local Catholic leadership has commented recently the introduction of sharia, speaking of a "challenge and opportunity" for the community. Bishop Cornelius Sim, apostolic vicar in the Sultanate, pointed out that, faced with a gradual "Islamisation" in the last two decades, the Church must show a "creative" response to overcome "the present challenges". The pressures exerted by political power are subtle but constant, while the local press - under establishment pressure - never misses an opportunity to talk about conversions from Christianity to Islam. The prelate says he remains "serene" even though Christians and minorities are becoming "second-class citizens".

The Sultanate of Brunei is a small state located on the island of Borneo, which is also home to parts of Malaysia and Indonesia. It is a developed country, and one of the richest in the world. Malay is the official language, but English and Chinese are both widely spoken. About 70% of the population of this nation - which is an absolute monarchy- is Muslim, around 10 % of the population is atheist, 13 % is Buddhist, and a small number have indigenous beliefs. Christians, half of whom are Catholic, constitute 10 % of Brunei's population.

Harsh sharia penalties to apply to non-Muslims in Brunei

Barnabas Fund (08.04.2014) - A new sharia penal code that includes archaic Islamic penalties such as flogging and stoning to death – some of which will be applied to non-Muslims – is being rolled out in Brunei from this month.

The laws, which will be introduced in three phases over the next two years, have been criticised both in and outside of Brunei.

In a letter to the Sultan of Brunei, Hassanal Bolkiah, the International Commission of Jurists (ICJ) said that the new penal code violates international human rights standards.

It raised concerns about the imposition of the death penalty and other penalties that constitute torture or other cruel, inhuman, or degrading treatment or punishment; discrimination against women; and violation of the rights to religious freedom, freedom of opinion and freedom of expression.

There has been much criticism of the code by Bruneians on social media, prompting a warning from the Sultan that critics could be prosecuted under the new laws.

Non-Muslim communities, who comprise around a third of the population, are especially concerned. They would be liable to face the harshest sharia penalties for certain crimes, such as robbery and adultery.

The new laws will also further restrict their already constrained rights and freedoms.

The government of Brunei has long promoted the Shafii school of Sunni Islam and discouraged the practice of other religions; evangelism by non-Muslims is illegal, and non-Muslim public religious gatherings are restricted.

Under the new measures, non-Muslims are banned from using 19 Islamic words, including "Allah", and there are penalties for printing, disseminating, importing, broadcasting and distributing publications contrary to Islamic teaching.

Converts from Islam as well as those who help them to change their religion will be especially endangered. Criticising Islam or bringing it into contempt will reportedly be punishable by death or 30 years in prison and 40 lashes.

Those who commit apostasy, leaving Islam, are liable to face the [death penalty](#).

Before the new penal code was introduced in Brunei, elements of sharia law were already in force, but these mostly concerned family matters.

Christians comprise around ten per cent of the population.
