

implementation of syariah

by Dr Anton Hukum

Submission date: 17-Jul-2019 09:09PM (UTC+0700)

Submission ID: 1152638392

File name: Impelementation_of_Syariah_Penal_Code_in_Brunai_Darussalam.docx (147.41K)

Word count: 5171

Character count: 28165

**PEMBERLAKUAN SYARIAH PENAL CODE
DI BRUNEI DARUSSALAM**

**Anton Minardi
NIDN 0420047501
Maesuroh**



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**Pusat Penelitian dan Pengembangan Kepada Masyarakat (P3M)
Fakultas Ilmu Sosial dan Ilmu Politik
Universitas Pasundan
2019**

PENGESAHAN LAPORAN PROGRAM KEPAKARAN
FISIP UNPAS BIDANG PENGABDIAN KEPADA MASYARAKAT

Penelitian : **PEMBERLAKUAN SYARIAH PENAL CODE
DI BRUNEI DARUSSALAM**

Peneliti :
Nama : ¹⁴ Dr. Anton Minardi, S.IP., SH., M.Ag., MA.
Maesuroh (Anggota Peneliti)
Jabatan/Golongan : Lektor Kepala/IV B
Jurusan/Fakultas : Ilmu Hubungan Internasional (HI)/Fisip
Perguruan Tinggi : Referensi Baru mengenai Syariah Penal Code
Waktu Penelitian : 3 (Tiga) Bulan
Biaya : Rp. 2.000.000 (Mandiri)

Bandung, 30 Januari 2019

Ketua Jurusan HI

Peneliti

Dr. Ade Priangani, M.Si.

¹⁴ Dr. Anton Minardi, S.IP., SH., M.Ag., MA.

Mengetahui,

Dekan Fisip

Ketua P3M Fisip

³¹ M. Budiana, S.IP., M.Si.

Yanti Purwanti, S.Sos., M.Si.

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PEMBERLAKUAN SYARIAH PENAL CODE
DI BRUNEI DARUSSALAM
5
(THE IMPLEMENTATION OF SYARIAH PENAL CODE
IN BRUNEI DARUSSALAM)

Dr. Anton Minardi*

Maesuroh*

Abstract

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This journal discusses about the application of shari'a penal code in Brunei Darussalam, in the Brunei institutionalization called Perintah Kamun Jenayah Syariah. Research in this discussion using qualitative methods with descriptive analysis techniques. Brunei Darussalam inaugurated the punishment of the shari'a crime on 1 May 2014 and applied in 3 stages, the stages imposed the criminal penalty in the level of violations and sanctions from mild to severe. The reaction of the international community can not be avoided because the punishment concerns Human Rights which became a hot issue after the cold war. The reaction of censure in the form of oral and written in electronic media and mass media has had a negative impact on the government and namely the image of the brunei sultanate family. Various actions have been carried out by Brunei state so that the condition will not cause any protracte deffect and sharia law will be implemented.

Keywords: *Implementation, Syariah Penal Code, Jenayah, Sultan, Brunei Darussalam.*

PROLOGUE

Human Rights became a hot issue in international relations after the end of the cold war. Global change is marked by the changing norms that make Human Rights a priority, interdependence and strong network of people crossing the borders of the country.

* Researcher Chief of International Relations Department FISIP UNPAS
E-mail: Abdurrahmananton1975@yahoo.com

* Researcher Member of International Relations Department FISIP UNPAS
E-mail: maesuroh16@gmail.com

The international recognition of human rights issues was contained in the ¹² Universal Declaration of Human Rights approved and proclaimed by the General Assembly of the United Nations in Resolution 217 a (iii) of 10 December 1948. One of the four pillars of the Declaration equality, right to life, freedom, security, not being treated cruelly and in the same legal protection.¹ And it is followed by other conventions which now form the complete structure of international human rights law that explains basic civil, political, social, economic and cultural rights and protection against social discrimination and harsh punishment. These declarations and conventions serve as the country's reference in making a policy concerning human rights issues tailored to the specific circumstances of each country.²

¹³ Brunei Darussalam a small country located in Southeast Asia in the northern part of Borneo Island / Kalimantan and bordering Malaysia, the political system and government applied is an absolute monarchy with a Sultan who serves as head of government and head of state.³ According to data in 2017 the population of this country 436,620 people with a composition of about 80% is Muslim (*CIA, World Factbook 2017*).⁴ Since the first sultanate has been using Islamic law be it criminal law and civil law. The period of colonialization west of Brunei Darussalam only uses civil law of Islam and after its independence takes time to throw Islamic criminal law to apply in his country.

On May 1, the government officially enforces the Islamic criminal law, the Shariah Penal Code Order (SPCO) 2013 or in Brunei's Institution, called the Javanese Syariah Law Code, which is applied in 3 stages namely, the first stage of offenders will be subject to prison sentence and early fines application of SPCO. Legal reform in Brunei Darussalam is a starting point ³⁰ for the development of the issue of human rights violations which are widely reported by the mass media or electronic, where there is no more state protection in the freedom of religion other than Islam.

The opposition to the imposition of the SPCO is not only due to restrictions on religious freedom, restrictions on women, the prohibition of LGBT, but more due to the punishment that would be accepted by perpetrators such as the death penalty by stoning and beheaded against violations of sodomy, adultery, rape, murder and LGBT.

Brunei Darussalam has become the world's attention and has been criticized by the international community, especially the western countries, the international human rights

²³ ¹ Abdul H. ²¹ n. Hak Asasi Manusia di Dunia yang Berubah (Jakarta: Yayasan Obor Indonesia, 1994), xi.

² ¹ Ariam Budiardjo, Dasar-Dasar Ilmu Politik (Jakarta: PT.Gramedia Pustaka Utama, 2008), hlm. 211.

³ Arini Firdausiyah, "Hukum Syariah Islam di Brunei Darussalam", Skripsi Hubungan Internasional, tidak diterbitkan, Universitas Jember, 2017, hlm. 1.

⁴ Asia Centre, Country Briefing on Freedom of Religion or Belief in the Universal Periodic Review Process - Brunei Darussalam (Bangkok: Asia Centre, 2017), hlm. 2.

community, individuals and organizations⁵, not least the UN as the world's largest organization with institutions ²⁹under the auspices of the United Nations High Commission on Human Rights (UNHCR) as a ³²high commissioner of Human Rights. UNHCR commissioner Rupert Colville said that UNHCR urged the government to postpone the revision of the ¹⁰Islamic penal code and conduct a comprehensive review to ensure compliance with international human rights standards. Major states such as the United States through members of the US Senate in ASEAN also expressed their disagreement with the application of the law as it is ¹⁰against international obligations and requested to match its law to international obligations in the field of human rights.⁶

Rationally before the arrival of British ¹⁵Brunei Darussalam has applied the Islamic criminal law, the composition of the majority Muslim population, the state of Islamic teachings, and the state ideology is the Melayu Islam Beraja (MIB) whose purpose is to implement Islamic teachings and law and make it as a life guide connected with characteristics and the true Malay character. So it is natural that Brunei Darussalam apply Shariah ¹⁵penal code order 2013. When based on the concept of state sovereignty then the government has full control of its internal affairs within a territory or territorial or geographical boundaries and the state is entitled to regulate its household affairs through state institutions without state interference other, such as determining the applicable law in that country. So that the international community be it a country or international organization can not intervene in Shariah Penal Code Code 2013 policy. Driven by the above background, the authors want to describe matters relating to The Implementation of Punishment Jenayah Syariah in Brunei Darussalam.

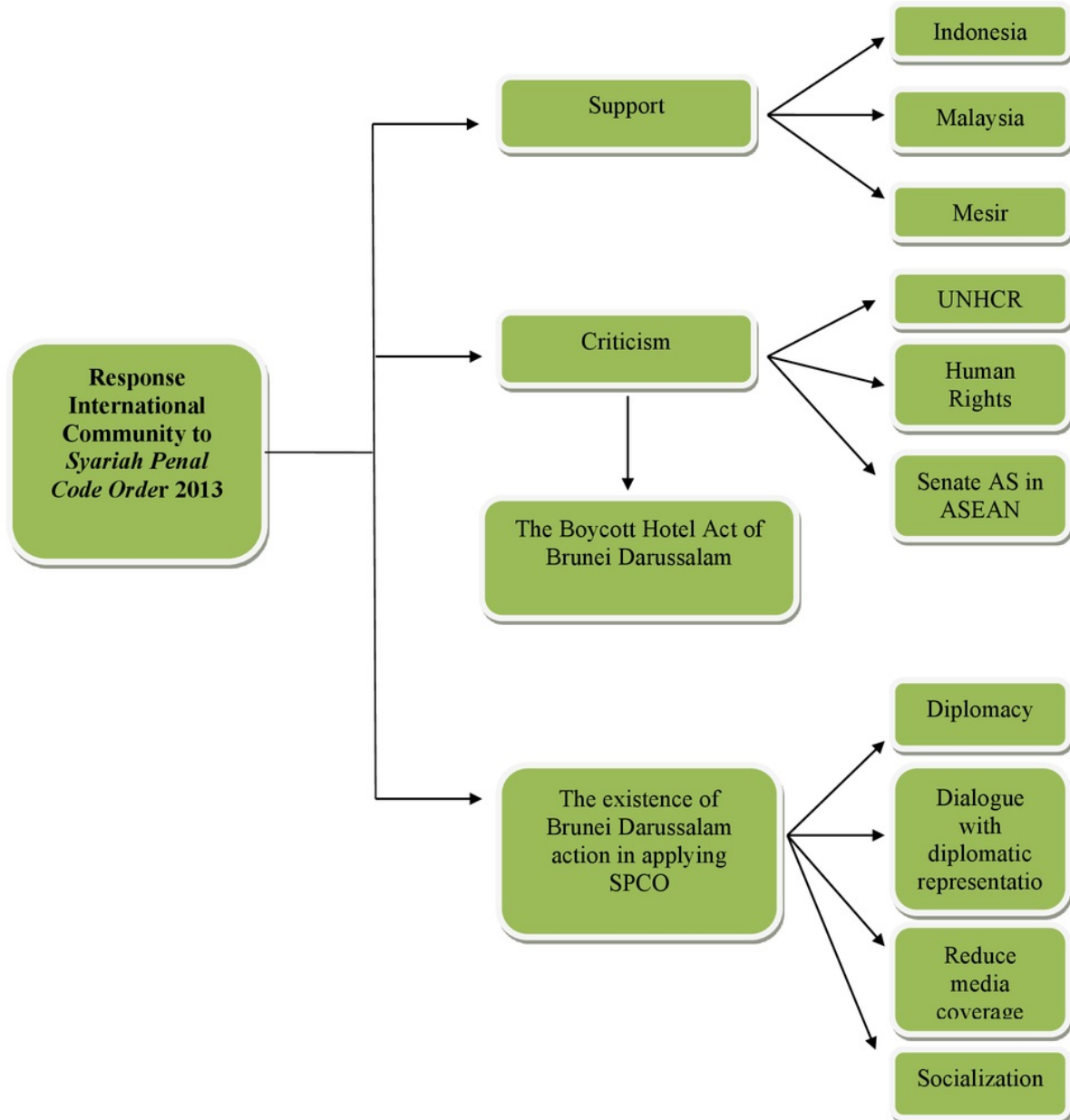
RESEARCH METHODS

The method used in this research is analytical descriptive. The analytical descriptive method of describing, clarifying, analyzing, and analyzing the existing phenomenon is based on the observation of some events in the actual problem with the existing reality to describe in detail certain social phenomena. The data collection technique used is literature study. The reading material used is in the form of text books, thesis, and electronic publications.

²² ⁵ Da ¹ Singh, Southeast Asian Affairs 2015 (Singapore: Institute Of Southeast Asian Studies, 2015), 76.

⁶As untuk Brunei: Syariat akan Melanggar peraturan Internasional", dalam <http://kiblat.net/2014/05/16/untuk-brunei-syariat-akan-melanggar-peraturan-internasional/>, diakses 14 September 2017.

RESEARCH RESULT



DISCUSSION

Before discussing the syariah penal code 2013 (SPCO), we must first find out the history of Islamic law in Brunei Darussalam. because by looking at history we can know the process of formation of SPCO at this time.

A. The Dynamics of Islamic Law In Brunei Darussalam

Brunei Darussalam has had law and sovereign legal system since the establishment of the country. The law implemented and enacted in Brunei Darussalam is the law and the Islamic legal system. The Islamic legal system is an Islamic law that is formalized with Brunei's canon law, although there is little influence of Brunei's customs and reams. This Islamic law applies in writing, side by side with customs (custom) and syara 'law. The law of the Brunei Kanun began to be written during the reign of Sultan Hasan (1605-1619 AD), Brunei's canon law contains 47 articles and an estimated 29 articles of which are adopted from elements of Islamic teachings.

This law of kanun has been perfectly implemented and strengthened in the reign of Sultan Jalilul Akbar (1619-1649 AD). To ensure this Brunei Kanun Law, the Sultanate of Brunei always strives that the syara 'law and customary law of Brunei society can be implemented, and constituted as the Brunei State Constitution, the Sultan Jalilul Akbar has her son Sultan Abdul Jalilul Jabbar (1649-1652 AD) to carry out such wills with the administration of the State carried out in a consensual manner, in negotiations, and in shari'a with respectable parties such as the dignitaries and implementers of other States, including relatives shall not be abandoned. The law of syara 'which applies as Brunei's canon law has been proved by a note from W.H. Treacher, the steward of the General British Consul who first came to Brunei in 1871 AD.

When Britain entered the territory of Brunei and more so when Brunei decided to be under British protectorate, Britain's growing influence on legal issues in Brunei strengthened. In 1847, it was a historic year for Britain, since since then the eradication of the power of the Sultanate of Brunei Court which enacted Brunei laws based on Brunei Canal Law, Customs and Syara Law. Subsequent developments formed agreements in 1856 and 1888. The contents of the two treaties, among others, stated that the Brunei Darussalam party authorized the British to implement the law applicable in the Sultanate of Brunei Darussalam with the

agreement in 1906 Brunei officially accepted the system placement ⁵ of the British Resident officially in the Sultanate of Brunei Darussalam.

The Sultanate of Brunei is not content with the intervention and control of local Islamic rules, customary laws and local laws by submitting a petition containing that the English should not revolutionize, transfer and breach the Brunei Darussalam law. Britain rejected the contents of the petition and in 1908 began to make changes by enacting two systems of law (civic and syara '), two systems of law enforcement in different courts (Civil Court and Sharia Court) and unbalanced judiciary. The changes that made the application of Islamic law in Brunei Darussalam narrower with the only law of Islam on marriage, divorce and its consequences, the wirasah regulate all issues with inheritance, while things about Jinayah and Kanun Jinayah apply only to the people of Islam only.

After 96 years under British rule Brunei officially became an independent state on January 1, 1984 ²⁰ under the leadership of His Majesty Majesty Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah. The 29th Brunei Darussalam state leader wants the Islamic Shari'a back in the country. By relying on the philosophy of state the melayu Islam beraja (MIB), various aspects of Islamic practice and related Islamic jurisprudence have been added cumulatively. And in ²⁸ October 2013 the government of Brunei Darussalam announces the nationalization of Islamic sharia law regardless of religion by issuing BRUNEI ⁵ SYARIAH PENAL CODE ORDER 2013 in Brunei Darussalam Institution (order made under case 83 (3)), Order of Penalty Penalty, 2013 on December 2, 2013. This Islamic sharia law applies to anyone without exception which is imposed on 1 May 2014 with new revisions and additions issued in October 2014 within the Brunei Darussalam Institution (order made under case 83 (3)), Order Kanune Penalty Penalty (Pindaan), 2014.

B. Legal Structure of Kanun Jenayah Brunei Darussalam

The law of the Brunei Darussalam Catholic canon which has been established through Case No. 83 (3) through the Brunei Darussalam State Gazette on October 22, 2013. Officially in the institutional law of the country using the term Kanun Penalty Penalty in 2013, broadly speaking, the Brunei Catholic canon is divided into five major sections: Beginning (Part I) , Exceptions 'Am / General (Part II), shubhat (Part III), Errors (Section IV), and ' Am / General (Section V).⁷

⁷ Lihat Perintah Kanun Hukuman Jenayah (*Dokumen Perlembagaan Negara Brunei Darussalam*).

Part I of the beginning, governing general provisions relating to the Catholic canon, such as the definition and definition, the objectives of the application of the law of Jenayat, the criteria for the determination of a person's religion and the exceptions. Section II regulates exceptions, including 24 lists of excluded acts and considered not as criminal acts (jarīmah) for certain reasons, such as judicial acts that enforce Shari'a or Court law (Articles 7 and 8 of Kanun), by accident (Article 10 Kanun), deeds by imperfect people (Article 14), and deeds committed by unaccompanied or small children (Art. 18).

Section III shubḥat-shubḥat, regulates on matters belonging to criminal acts categorized as shubḥat, ie acts not purely committed by any person and outside of the criminal act established in Kanun, such as those who advocate people another to commit a criminal act. In part IV, the Brunei Catholic canon describes the errors that in fiqh or Qānūn jināyat are called jar'mah. This part of the division is divided into 4 major sections, namely: 1) Sariqah (theft), ḥirābah (robbery), adultery, zinā bi'l-jabar (zina with coercion), liwāṭ (homosexual), qazaf (accusing people to commit adultery without witness), drinking intoxicating drinks and irtidād (out of Islam); 2) Qatl (murder), Suicide and injury; 3) Pulling back the creed and 4) Common mistakes ('ām) such as the non-prayer of the Friday, disrespecting the month of Ramadan, the female-like man, spreading the religion other than the Islamic religion, persuading the Muslims to abandon their religion and so on. In section V contains general descriptions or 'Am of them Islamic law is imposed if there is no other provision, disregard (withdraw).

**The Abuse and Punishment table refers to Perintah Kanun Hukuman Jenayah
Syariah 2013**

Violation / Error	Punishment
Sariqah	<ul style="list-style-type: none"> - Sentenced to had: - Cut on right wrist joint. - Cut left foot up foot book. - Nisab content of 1 dinar (4.25 gram of gold) - Maximum jail 15 year.

Hirābah	<ul style="list-style-type: none"> - - Killed if in a robbery accompanied by murder - Same with theft punishment if reaching nishab, including when co-same and reach nishab respectively - Qiṣāṣ or <i>arsy</i>
Zina	<ul style="list-style-type: none"> - When muḥṣan, punished stoning to death - Ghayru muḥṣan whipped 100 times and jailed within 1 year (Applies to Muslims and non-Muslims) <p>Witnessed by the Muslims</p>
Khalwat	<p>Fines of 4000 USD, maximum imprisonment of 1 year, or both</p> <p>(applies to Muslims and non-Muslims)</p>
Khamar	<ul style="list-style-type: none"> - - 40 times whip mistakes first - 80 times whip the second mistake, - 80 times whips and jail maximum 2 years for third error
Rape	<ul style="list-style-type: none"> - - If muḥṣan, stoned to death - If ghayru muḥṣan
Qadhaf or Qazaf	<p>80 times whip</p>
Liwāṭ	<p>Equated with the penalty of adultery (stoning or 100 times whip)</p>
Musāhaqah	<ul style="list-style-type: none"> - Fines 40,000 USD - Sentenced maximum 10 years - Whipped 40 times <p>a combination of two penalties.</p>
Qatl	<p>The perpetrator was sentenced to death</p> <p>The perpetrator was sentenced to death as Qisas with a ¹⁵ fine not exceeding 100,000 USD and imprisonment not exceeding 25 years</p>

Common mistakes / 'Am	<ul style="list-style-type: none"> - No Friday prayer: not exceeding 200 USD first mistake, not exceeding 300 USD second error, and not exceeding USD 1000 third and subsequent errors. - Disrespect the month of Ramadan: fines not exceeding 4,000 USD and 1 year imprisonment for second error and so on. - Men resemble women: a fine of 1,000 USD or 4,000 USD and a jail term of 3 month 1 years.
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The above offenses and penalties constitute a breach of the subject which furthermore has its own details in the shari'a penal code or the 2013 Directive of the Sentencing Directive of Penalties regarding the penalties imposed on a society which corresponds to the form and type of the offense.

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C. The Implementation Policy of Jenayah Sharia in Brunei Darussalam

In the implementation of sharia penal code or Perintah Kanun Hukuman Jenayah 2013 is done gradually in 3 years the first stage 1 May 2014, the second stage 1 May 2015 and the third stage or the last stage on 1 May 2016. Application of this stage is done so that the community and the government including the prosecutor's office can gradually accept the change.⁸

The first stage

The first stage of the implementation of the national Sharia Penalty Penalty in Brunei Darussalam began on Thursday 1 May 2014. This stage is the initial stage that contains the rules of the lightest type of violation or sanctions. Overall, this first stage contains 55 general rules. Among them are those who do not respect the month of Ramadhan such as open eating place openly during the day, men who do not perform Friday prayer, spread other religion besides Islam, pregnant outside marriage for women who have never been married before or in a state with the status of not having a husband, holding a religious event other than Islam

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⁸ VOA Islam, "Berikut Fase-Fase Penerapan Syariat Islam Di Brunei Darussalam," <http://www.voa-islam.com/read/world-news/2014/05/04/30171/berikut-fasefase-penerapan-syariat-islam-di-brunei-darussalam/#sthash.n2gqY6ln.dpbs>

openly, insulting the fatwa of the Religious Council or the Minister of Religion and publishing something related to the religion of Islam without permission from the Royal Religious Council. This first stage has sanctioned prison sentences and financial penalties. At this stage during its execution there is no report of any official registered violation of the Brunei Darussalam prosecutor's office.⁹

The second stage

The second stage of the implementation of the Law of Syariah Law begins 12 months or a year after the first stage is implemented, ie on May 1, 2015. The second stage has several points classification rules that have been established, some of which are stealing and drinking khamr (liquor). In this case there is a provision of differences in the amount of the amount of liquor consumed between Muslims and non-Muslims, committing adultery with others in the status of still having a husband or wife applies to non-Muslims. Sanctions imposed for violations in this second stage are cuts, flogging or imprisonment of 30 years plus financing of the fine. At the first and second stages during the execution of this rule there is no official documented offense report from the Brunei Darussalam Prosecutor's Office.¹⁰

The third stage

In this third stage, the application of the punishment of Jenayah Syariah begins 12 months or a year after the second phase, which is on May 1, 2016. This stage is the last and is at the highest level with the most severe violations and sanctions. The rules of this third stage are some blasphemy of Islam, contempt against Al-Quran and Prophet Muhammad SAW, committing adultery with others in status still have husband or wife and religion of Islam, doing homosexual or lesbian, claiming to be God or Prophet and not willing to acknowledge the truth of hadith. Sanctions imposed for this stage are the death penalty by stoning or beheadings.¹¹

D. International Community Response to Government Policy of Brunei Darussalam

⁹ Arini, Firdausiyah, "penerapan Hukum Syariah Islam di brunei Darussalam" (S.os., Universitas jember, 2017), 35-37.

¹⁰ *Ibid*

¹¹ *Ibid*

After the introduction of Sharia penal code through the Brunei Darussalam Kingdom News on 22 October 2013, a response from the international community arose. There is support from Southeast Asian countries such as Malaysia and Indonesia which provide a positive outlook on such execution and from Muslim countries such as Egypt when the 2014 ¹⁷ United Nations Human Rights Council Report on the Working Group on the Universal Periodic Review fully supports Brunei socializes Islamic law to the international community.¹²

The United Nations High Commissioner for Human Rights (UNHCR) ¹⁰ In its statement, UNHCR Commissioner Rupert Colville said that the death penalty for various acts mentioned in shari'a penal code is a violation of International Law. Urge the government to suspend the implementation of the revised law ¹⁹ and conduct a comprehensive review to ensure compliance with international human rights standards and to request the Sultanate of Brunei to moratorium formal execution and stop it dead.¹³ Phil Robertson, deputy director of Human Rights Watch for the Asian region also gave a rhythm to the Sultanate of Brunei that Brunei's undertaking brought back the country to medieval darkness (decadence). And the International Commission of Jurists (ICJ) said they regretted the new law, adding that, if implemented, they would cause serious human rights abuses.

The United States government as a whole is calm in the face of changes to Brunei's criminal law, but the Foreign Ministry said that the United States has personally conveyed their concerns to the Brunei government. And in a US Senate hearing meeting in ASEAN, a US senate member said that some corporal punishments mandated in Brunei if applied would be contrary to international obligations and requested to match its law to international human rights obligations.

In addition to the response in the form of condemnation some of the international community took various measures to prevent the implementation of the SPCO with a demonstration movement for boycott Dorchester Collection Hotel a luxury hotel ³ owned by Brunei investment agency, an arm of the Brunei finance ministry ³ that owns and covets 10 5 star luxury hotels in various countries, the hotel is one of Beverly Hills Hotel in Los Angeles, United States. The boycott carried out by the cancellation of events by international organizations such as The Motion Picture & Television Fund refused to ³ do business with hotels owned by Sultan Hassanal Bolkhiah or the Brunei government, the Finance Director at

¹² http://ap.ohcr.org/document/dpage_e.aspx?si=A/69/53. "Report of the Human Right Council-Twenty-Fifth Session. Diakses 27 Februari 2018.

¹ Kaskus, "Hukuman Mati Bagi Lgbt Di Brunei," Kaskus, <https://amp.kaskus.co.id/thread/572874fdc1cb1777478b4569/hukuman-mati-bagi-lgbt-di-brunei>

Hollywood said he could not tolerate or tolerate ³ repressive laws and as a result supports a business owned by the Sultan of Brunei or Brunei government funding linked to the Brunei government, as a result of annual Events Before the Oscar party at the hotel was not done at the hotel as happened during the previous years. In line with The Motion Picture & Television Fund, Richard Branson whose staff are not permitted to stay at one of the Dorchester Collection Hotels, the Virgin Group, Feminist majority Foundation also canceled the women's global rights awards ceremony at the Beverly Hills Hotel.¹⁴

LGBT advocacy group, The GillActionFund, opted to boycott the hotel belonging to Sultan Hassanal as a form of protest over the Sultan's blow. In view of the anti-gay and lesbian policies adopted by the ³ Government of Brunei, Gill Action made the decision to move its conference location from the Beverly Hills Hotel to another hotel. While the City Council of The Beverly Hills itself is considering efforts to release the Brunei investment in the ownership of the historic hotel.

The boycott also took place at the Dorchester Collection Hotel in London, Hollywood character Stephen Fry called for a boycott of the hotel chain and canceled his booking at the luxury Coworth Park Hotel in Ascot, on the outskirts of London. In addition, the British people are also angry with the enforcement of sharia penal code and it is a natural thing because Brunei including British Commonwealth.¹⁵

²⁷ In addition, the western media rushed to criticize the policy of the Sultanate of Brunei to be in conflict with international law, violating human rights, and other inappropriate criticisms. The criticism also addressed the personalities of the Sultan of Brunei which was a major force behind the application of Sharia Brunei. The western media searched for the Sultan's private faults, and spread false news to the Royal family. Frontpage magazine, for example, reviews the private life of the Sultan, his son, Abdul Azim, and his younger brother Pengeran Jefri Bolkiah. In his report, the media accused the beloved son of the Sultan of Brunei was fond of holding a party with Hollywood celebrities. Another media, Pagesix, even reveals the shame of the sister of the Sultan, namely Prince Jefri Bolkiah. Unmitigated this media called Jefri has nearly 40 prostitutes in the Hotel Dorchester, London. Sultan's sister is also described as a wasteful person, whose collectibles are worth millions of dollars. Reuters news agency also writes, Jefri's "mischievous life" is similar to other Western media reports.

¹ Anti Liberal News, "Mengapa Mereka Beramai-ramai Memboikot Hotel Sultan brunei," Anti Liberal News, <http://www.antiliberalnews.net/2014/05/07/mengapa-mereka-beramai-ramai-memboikot-hotel-sultan-brunei/>
¹⁵ VOA Islam, "Hasanal Bolkiah: Brunei Melaksanakan Syariah Islam Secara Penuh," VOA Islam, <http://www.voa-islam.com/read/world-news/2014/05/01/30138/hasanal-bolkiah-brunei-melaksanakan-syariah-islam-secara-penuh/#sthash.5r4T0pv3.dpbs>

Neither the Sultan nor the royal family had provided clarification on the various oblique reports that attacked the life of the Sultan's relatives.¹⁶

E. Impact of International Community Response to Brunei Darussalam

The response of the international community which is not only done orally and written in various media but also in the form of action has significantly impacted the government of Brunei Darussalam, the impact can be seen from the bad image finally obtained by the Royal Brunei family, the news published by the magazine such as Frontpage, Pagesix and Reuters about the life of members of the royal family such as mistakes, violations and activities that are not necessarily true. This gives an opinion to the international community that the royal family has a bad, glamorous, extravagant, arbitrary and indifferent nature to its people so that people doubt that the punishment will be applied fairly. Sultan hassanal Bolkiah also did not get out of the news, a lot of oblique news about the sultan that the sultan applying it because it is aged, the more religious, want to curb the rakyatanya, and the sultan is a dictatorial leader.

The boycott of the Dorchester Collection Hotel has aggravated the image of a hotel that has always had a good image as a world-class hotel where world events take place. Since 2014 human rights activists have made various actions that cause various events of the world to be undertaken to fail dilaksanakandihotel it. World activists in one year have managed to reduce activities or events that will be held at the Dorchester Collection Hotel and is rumored to make the hotel has decreased customers even almost no customers. As we know that Dorchester Collection Hotel is a 5 star luxury hotel owned by Brunei investment agency located ²⁶ in London, Paris, Los Angeles, Milan, Rome, Ascot and Geneva. The boycott of the hotel has had a considerable impact on Brunei's investment economy, although Brunei has many investment sectors and cash revenues from various sectors other than investment but this boycott also has an effect on the decrease of Brunei Darussalam's cash income.

¹⁶ ⁹ ²⁶ sindoNews,” Ketika gebrakan hukum Syariah jadi bumerang Sultan Brunei,” SindoNews, <https://international.sindonews.com/newsread/862086/45/ketika-gebrakan-hukum-syariah-jadi-bumerang-sultan-brunei-1399631752>

F. Brunei Government Action To Keep Implementing Sharia Law

To continue implementing the sentence Brunei made efforts to various parties to ensure that the relationship between Brunei and the cooperating countries will remain good and the image of Brunei Darussalam in the international community is not getting worse with western media coverage. These efforts include:

1. Brunei is a British commonwealth, when ¹¹ Britain granted independence to Brunei in 1984 since then had a close relationship. ³ The Sultan has no army of his inhabitants, instead buying the 1,000 strong Army ¹¹ British Army regiment, the Royal Gurkha Rifles. In March 2014 the UK Ministry of Defense said it had held discussions with the authorities in Brunei to clarify whether the sharia law would affect the British army and other sectors of cooperation with the UK. However, no explanation of the outcome of the discussions to outsiders on the grounds that the British still allow Brunei to enforce the punishment. A MoD spokesman, he can not comment on the outcome of the negotiations.¹⁷
2. Inviting all members of the diplomatic countries in Brunei Darussalam to attend ⁵ the Brunei Islamic Religious Council (MUIB) meeting in the event of Sultan Hassanah Bolkiah, ²⁵ Minister of Religious Affairs, hajj Mohammad and the attorney general biodiversity pehin provide explanations of law enforcement.
3. Closing the major media to proclaim the continuity of the boycott. When the activists managed to change the event space by Out Magazine which previously held at the Beverly Hills Hotel instead held events at the Beverly Wilshire hotel, media such as the New York Times and Vanity Fair there was no preaching when the media reported the boycott. According to one activist based on expert information about the entertainment industry press, they have suggested that Beverly Hills Hotel pay the press to report fun stories about how the boycott will end.¹⁸

²¹⁷Independent, "international outcry as brunei introduces sharia law and takes country back to the dark ages," Independent, <http://www.independent.co.uk/news/world/asia/international-outcry-as-brunei-introduces-sharia-law-and-takes-country-back-to-the-dark-ages-9308088.html>

¹⁸James Duke Mason, "Boycott of the Pink Palace: The True Story," huffpost, <https://m.huffpost.com/us/entry/10030958>.

4. Provide understanding to the entire Brunei state community about the application of punishment through various print and electronic media and debriefing the students. So the entire community of Brunei Darussalam accepts and there is no longer a bad comment on social media, because social media is the only tool to expose their criticism. Hold a seminar on understanding shariah criminal law for youth to increase their trust in law and government

CONCLUSION

Brunei Darussalam before the arrival of the British had applied Islamic law in full. Colonial 96 years by the English make the law of Islam increasingly narrow and just apply the civil law of Islam alone. On 22 October 2013 Sultan Hassanal Bolkiah Brunei officially inaugurates the Kanun Directive of Jenayah 2013 and 1 May 2014 begins to be implemented in 3 stages where each stage is held within 12 months.

There is a growing response from the international community that supports such implementation as Malaysia and Indonesia and some are criticized. Major pressure comes from international organizations such as UNHCR and western countries, various ways of criticism are done either through social media such as whats up and twitter, magazines, news coverage and even the boycott of Brunei's Dorchester Collection Hotel, the response has an impact on the bad image gained by the royal family, the international community's doubt about the justice gained by the people of Brunei as well as the decreasing of Brunei's opinion through hotel investment. There is no obligation for Brunei Darussalam to stop the application of SPCO because it is the right of Brunei as a sovereign state to apply the law of the country.

In order to maintain the trust of countries that have a cooperative relationship with Brunei and reduce the negative image caused by negative news in the international community Brunei takes diplomatic steps with Britain, reduces foreign media coverage of its country and Invites all members of diplomatic countries in Brunei Darussalam to attend the Brunei Islamic Religious Council (MUIB) meeting, to date Brunei still enforces sharia law. That way Brunei Darussalam is the only country in Southeast Asia that applies Islamic law in full.

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