



The Role of Syariah Penal Code (Cap. 275) in Determining Criminal Responsibility for Minors in Brunei Darussalam

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Abstract: This article examines the construction of criminal responsibility for minors under the Syariah Penal Code (Cap. 275) within Brunei Darussalam's dual legal system, where civil and Syariah laws operate concurrently for Muslim citizens. The study aims to analyze how the Syariah framework conceptualizes juvenile accountability and to assess its compatibility with international child justice standards. Employing a doctrinal and comparative legal approach, the research systematically reviews statutory provisions in the Syariah Penal Code (Cap. 275), contrasts them with the Penal Code (Cap. 22), and evaluates their alignment with Article 40 of the United Nations Convention on the Rights of the Child (UNCRC). The findings reveal that, unlike the civil legal system, which primarily relies on chronological age thresholds, the Syariah Penal Code adopts a capacity-based model grounded in the concept of *taklif*. Criminal responsibility is determined by indicators such as discernment (*tamyiz*), puberty (*bulugh*), and 'aql (mental capacity), enabling a more individualized assessment of culpability. This framework effectively excludes minors from the full application of *hudud* and *qisas* punishments, instead emphasizing mitigated or discretionary sanctions. However, the absence of a clearly defined minimum age of criminal responsibility poses significant challenges, including potential legal uncertainty, inconsistent judicial interpretation, and tension with international norms that prioritize clear age limits, diversion mechanisms, and detention as a last resort. Academically, this research contributes to the development of comparative Islamic criminal law by offering a nuanced analytical framework that bridges classical doctrines of *taklif* with contemporary human rights discourse. It enriches the scholarship on dual legal systems by demonstrating how normative tensions between religious and international legal standards can be constructively reconciled.

Keywords: Brunei Darussalam; Criminal Responsibility; Juvenile Justice; Minor; Puberty.



Introduction

Brunei Darussalam operates a dual legal system in which civil law, shaped by English common law traditions, coexists with Syariah law rooted in the Islamic legal heritage of the Sultanate.¹ This duality echoes the constitutional identity of Brunei Darussalam as “*Melayu Islam Beraja*” – Malay Islamic Monarchy, and is evident in the way criminal justice is administered. Civil criminal law generally applies to all persons within Brunei Darussalam’s jurisdiction, whereas most Syariah criminal law applies only to Muslims and governs a separate category of offenses and punishments.² In this context, determining the criminal responsibility of minors is one of the most complex and sensitive legal issues.

The sensitivity of this issue is heightened in a dual legal system because the question is not only when a child can be held legally responsible, but also which normative framework should govern that determination. This makes juvenile criminal responsibility in Brunei Darussalam a particularly important site for examining the relationship between legal pluralism, child protection, and the demands of coherence within a modern justice system.³

Criminal responsibility is the legal capacity of an individual to be held accountable for criminal actions and subjected to criminal sanctions.⁴ When it comes to minors, the concept of criminal responsibility cannot be addressed without considering their moral blameworthiness, cognitive development, psychological maturity, and social vulnerability.⁵ In contemporary legal systems, there is a modern consensus that children are fundamentally different from adults in their capacity to appreciate the nature and consequences of their actions.⁶ As a result, many jurisdictions have raised their minimum age of criminal responsibility (MACR), established specialized juvenile systems, and focused on rehabilitation rather than punishment to accommodate these new scientific findings better.⁷

¹ Fikri Surya Pratama, Siti Rumaisa, and Annisa Putri Aliningsih, ‘The Application of Malay Islamic Beraja in the State Life of Brunei Darussalam (Historical-Political Review)’, *Journal of Islamic Civilization* 5, no. 1 (2023): 44–65.

² Dominik M. Muller, ‘Brunei’s Shari’ah Penal Code Order: Punitive Turn or the Art of Non-Punishment?’, *Journal of Islamic Law* 1 (2020): 167.

³ Muller.

⁴ Raymond Arthur, ‘Exploring Childhood, Criminal Responsibility and the Evolving Capacities of the Child: The Age of Criminal Responsibility in England and Wales’, *N. Ir. Legal Q.* 67 (2016): 269.

⁵ Arthur.

⁶ Jonathan Herring, ‘Vulnerability and Children’s Rights’, *International Journal for the Semiotics of Law-Revue Internationale de Sémiotique Juridique* 36, no. 4 (2023): 1509–1527.

⁷ Shohreh Mousavi and Rohaida Nordin, ‘The Minimum Age of Criminal Responsibility in ASEAN: Legal and Human Rights Perspectives’, *Proceeding International Conference on Harmonizing Legal Principles toward ASEAN Community*, 2012, 1–9.

The Penal Code (Cap. 22) is the primary governing body for the MACR in Brunei Darussalam, which adopts an age-based model that incorporates international principles of juvenile justice, such as welfare, rehabilitation, and the best interests of the child.⁸ In contrast, the Syariah Penal Code (Cap. 275) is based on classical Islamic jurisprudence, specifically *taklif*, which attributes legal accountability to puberty (*bulugh*) and mental capacity (*aql*) instead of age.⁹ This divergence raises concerns regarding legal certainty, fairness, and coherence between the two systems.

The introduction of the Syariah Penal Code in 2013 marked a major development in Brunei Darussalam's legal framework and attracted significant domestic and international attention¹⁰. Concerns were raised for the possible application of “harsh” and “inhumane” punishments and their impacts on offenders, including minors¹¹. Although the Syariah Penal Code (Cap. 275) modifies or excludes certain punishments for children, uncertainty remains regarding its interpretation, practical application, and interaction with the civil framework governing juvenile offenders¹².

These uncertainties are not merely theoretical. Comparative scholarship from neighboring and similarly plural legal settings shows that tensions between civil and Syariah approaches to juvenile responsibility often emerge at the implementation level, particularly when legal systems rely on different indicators of maturity and accountability. In the Malaysian context, for example, Nasimah Hussin¹³ notes that the treatment of young offenders across the civil and Syariah frameworks continues to raise concerns about how punishment, welfare, and rehabilitation are balanced in practice. Likewise, Dominik M. Müller's analysis of Brunei's Syariah Penal Code¹⁴ suggests that the operation of the Code cannot be understood solely through its formal text, because public debate has often focused on punitive symbolism while actual implementation has been more

⁸ Dariga Ospanova, Svetlana Moroz, and Anara Niyazova, ‘The Problem of Defining “Juvenile Justice” Concept and Its Principles in Legal Science’, *Journal of Infrastructure Policy and Development* 8, no. 13 (2024): 9250.

⁹ Sajid Mahmood, ‘The Legally Accountable Person: Conditions and Stages of Legal Capacity in Islamic Jurisprudence’, *Al Khabir Research Journal of Islamic Culture and Civilization* 6, no. 3 (2025): 15–25.

¹⁰ Tim Lindsey and Kerstin Steiner, ‘Islam, the Monarchy and Criminal Law in Brunei: The Syariah Penal Code Order, 2013’, *Griffith Law Review* 25, no. 4 (2017): 1–29, <https://doi.org/10.1080/10383441.2016.1273294>.

¹¹ Dominik M. Müller, ‘Brunei's Sharia Penal Code Order: Punitive Turn or the Art of Non-Punishment?’, *Journal of Islamic Law* 1, no. 1 (2020), <https://doi.org/10.53484/jil.v1.muller>.

¹² Müller.

¹³ Nasimah Hussin, ‘Juvenile Delinquency in Malaysia: Legal Framework and Prospects For Reforms’, *IJUM Law Journal* 15, no. 2 (2007), <https://doi.org/10.31436/iiumlj.v15i2.68>.

¹⁴ Müller, ‘Brunei's Shari'a Penal Code Order: Punitive Turn or the Art of Non-Punishment?’

selective and institutionally mediated. Read together, these studies support the argument that the central issue is not simply whether Syariah law recognises juvenile protection, but whether its standards of responsibility are sufficiently clear, consistent, and procedurally safeguarded when applied alongside a parallel civil regime.

Existing scholarship has generally examined Brunei Darussalam's Syariah Penal Code from either the broader perspective of legal pluralism and the politics of codification, or the doctrinal perspective of *taklif* and Islamic criminal responsibility in general.¹⁵ However, limited scholarly attention has been paid to the way classical doctrines of *abliyyah*—especially the distinction between *abliyyah al-wajib* and *abliyyah al-ada'*—are translated into the codified provisions of modern Islamic criminal law governing minors in Brunei Darussalam's dual legal system¹⁶. This article addresses that gap by moving beyond merely descriptive comparisons of the Syariah Penal Code (Cap. 275), the Penal Code (Cap. 22), and the UNCRC. It offers a normative reading of juvenile criminal responsibility through the intersecting lenses of legal certainty, proportionality, the best interests of the child, and *maqasid al-shari'ah*. In this respect, the article contributes not only to the study of Brunei Darussalam's dual legal system but also to the broader debate on how classical Islamic legal capacity is transformed in contemporary criminal law codifications.

A more critical perspective is also required when assessing the relationship between the Syariah approach and international child rights standards. Article 40 of the Convention on the Rights of the Child¹⁷ does not merely require formal recognition of children as a distinct category of offenders; it also demands that child justice systems uphold dignity, promote reintegration, and rely on procedures appropriate to the child's age and developmental condition. In that regard, a framework that depends primarily on discernment, puberty, and judicial assessment may be defended as morally individualized. Yet it also raises a significant rights-based concern: without a clearly articulated minimum threshold and transparent procedural safeguards, children may be exposed to uncertainty that is difficult to reconcile with contemporary child justice standards. The tension, therefore, is not simply between "Islamic" and "international" norms, but between two different conceptions of how legal systems should identify responsibility while protecting children from arbitrary or disproportionate penal intervention.

¹⁵ Muller.

¹⁶ M. H. Kamali, *Principles of Islamic Jurisprudence (Part 2)* (The Islamic Texts Society, 2003).

¹⁷ Committee on the Rights of the Child, 'General Comment No. 24 (2019) on Children's Rights in the Child Justice System', OHCHR, 2019, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-24-2019-childrens-rights-child>.

In line with these research questions, the objectives of this article are fourfold. It seeks to examine the statutory provisions of the Syariah Penal Code (Cap. 275) governing criminal responsibility and their application to minors. It also aims to analyse the Islamic legal foundations that shape criminal responsibility under Syariah law. Furthermore, the article compares Brunei Darussalam's Syariah framework with its civil law regime for juvenile justice to identify areas of similarity and difference. Additionally, it evaluates the compatibility of Brunei Darussalam's Syariah-based approach to criminal responsibility with international child rights standards. Ultimately, the article identifies potential areas for legal reform and harmonisation and offers recommendations to strengthen the protection of minors in Brunei Darussalam.

Method

The research methodology employed in this article is doctrinal legal research, which focuses on the systematic analysis of legal norms, principles, and concepts within Brunei Darussalam's dual legal system, comprising both civil and Syariah law. This approach is particularly appropriate, as it enables a structured examination of the construction of criminal responsibility for minors based on authoritative legal sources, particularly given the limited availability of reported Syariah court decisions involving juveniles. Data collection is conducted through library research by examining primary legal materials, including the Syariah Penal Code (Cap. 275), the Penal Code (Cap. 22), and the Child and Young Persons Act. These are complemented by secondary sources, including classical Islamic jurisprudential texts on *taklif*, *tamyiz*, *bulugh*, and mental capacity, as well as contemporary scholarly works on Islamic criminal law, juvenile justice, and child rights. International legal instruments, particularly the United Nations Convention on the Rights of the Child (UNCRC), are also employed as a normative benchmark for evaluation.

The data analysis is carried out qualitatively using both textual and purposive interpretative methods. Textual interpretation examines the structure and wording of statutory provisions, while purposive interpretation seeks to understand the underlying objectives of child protection within both criminal law and Islamic legal principles. The analysis is further developed through a comparative and evaluative framework that contrasts the Syariah and civil legal approaches and assesses their compatibility with international standards. To ensure the validity of the findings, this study applies source triangulation by cross-referencing primary legal materials, academic literature, and international instruments. In addition, validity is reinforced through rigorous legal reasoning and normative coherence, ensuring that the analysis remains academically robust despite the absence of empirical data.

Results and Discussion

Criminal Responsibility Under Brunei Darussalam's Civil Framework

Under Brunei Darussalam's civil legal system, criminal responsibility is primarily governed by the Penal Code (Cap. 22) and supplemented by the Child and Young Persons Act (Cap. 173) (CYPA).¹⁸— which together established an age-based approach of when a minor can be held accountable, as well as the manner in which such a minor offender is to be treated within the juvenile justice system. The Penal Code (Cap. 22) incorporates traditional common law principles of childhood and criminal responsibility. According to Section 82 of the Penal Code, “*nothing is an offence which is done by a child under 7 years of age*”. This provision establishes the lowest age of criminal responsibility and is based on the premise that children under this age cannot form criminal intent.¹⁹ On the other hand, Section 83 provides, “*nothing is an offence which is done by a child above the age of 7 years and under the age of 12 years, who has not attained sufficient maturity of understanding to judge the nature and consequences of his conduct on that occasion*”. This provision provides that a child within this age bracket (7-12) is incapable of committing a criminal act unless it is proven that the said child has attained sufficient understanding and maturity that enable him to understand the nature and consequences of his/her actions.²⁰

The CYPA, on the other hand, is a specialized framework that provides a way to deal with children and young persons who come into conflict with the law. One of the key aspects of the CYPA is the acknowledgment of the mental and emotional immaturity of children, which necessitates the need for protective and rehabilitative measures. Section 40 of the CYPA disallows the placement of child offenders with adult offenders²¹, as children are prone to being easily influenced and can be psychologically affected in such settings. Section 44 emphasizes rehabilitative measures to be adopted, by restricting the use of imprisonment as a form of punishment and allowing detention only in exceptional circumstances where the juvenile offender is deemed uncontrollable.²² Nonetheless, Section 45, however, does not ignore the possibility of children committing serious offences and endangering public safety, thus permitting indefinite detention at the will of the Sultan and Yang Di-Pertuan.²³ In general, Sections 40, 44, and 45 demonstrate that the juvenile justice system in Brunei Darussalam is focused on protection, rehabilitation, and welfare

¹⁸ Children and Young Person Act 1993 (2020).

¹⁹ Claire McDiarmid, ‘After the Age of Criminal Responsibility: A Defence for Children Who Offend’, *Northern Ireland Legal Quarterly* 67, no. 3 (2016): 327–328.

²⁰ Hussin, ‘Juvenile Delinquency In Malaysia: Legal Framework And Prospects For Reforms’.

²¹ Children and Young Person Act 1993, 40.

²² Children and Young Person Act 1993, 44.

²³ Children and Young Person Act 1993, 45.

rather than punishment, and that detention is considered imperative for public safety rather than retribution.

Criminal Responsibility under the Syariah Penal Code (Cap. 275)

Unlike the civil law model, the Syariah Penal Code (Cap. 275) relies on a capacity-based model of criminal responsibility grounded in classical Islamic jurisprudence. No minimum age of criminal responsibility is provided in the Syariah Penal Code (Cap. 275). Rather, criminal responsibility is based on the principle of *taklif*, or legal responsibility under Syariah law.²⁴ This is explicitly enshrined in Section 12 of the Syariah Penal Code (Cap. 275), which provides that an act committed by a child who is not *mumayyiz* is not an offense. This category of children is known as *ghairu mumayyiz*, referring to those who cannot mentally distinguish right from wrong or form criminal intent. Under Syariah law, such children are completely free from criminal responsibility.²⁵ In this regard, Islamic law holds that legal accountability requires the individual to possess sufficient moral and intellectual capacity.

This is further explained in Section 13 of the Syariah Penal Code (Cap. 275), which stipulates that a child who is *mumayyiz* but not *baligh* cannot be imposed with *hadd* or *qisas* punishment. In other words, a child who is already *mumayyiz* can be made accountable for their actions and may be punished with punishments other than *hadd* or *qisas*. Interestingly, neither section specifies a particular age at which criminal responsibility arises. Rather, such provisions compel Syariah courts to determine whether the accused had already become *mumayyiz* or *baligh* at the material time.

This is indicative of the Syariah's emphasis on individual capacity and moral consciousness rather than chronological age. Not only that, but this paradigm also shows that criminal responsibility, as laid down in the Syariah Penal Code (Cap. 275), depends on a qualitative evaluation of the child's maturity and mental capacity. While this allows for individualized justice, it also imposes a heavy burden on Syariah courts to assess capacity on a case-by-case basis.

Classical Islamic Legal Principles Governing Criminal Responsibility

In the classical Islamic criminal law, criminal responsibility is based on intent (*mens rea*) and legal capacity (*abliyyah*). The external commission of a prohibited act (*actus reus*) is not enough to constitute liability, but rather liability is through

²⁴ Fuad Masykur, Ahmad Bahrul Hikam, and Muhammad Amin, 'Taklif and the Fulfillment of the Rights of Persons with Mental and Intellectual Disabilities: An Islamic Legal Perspective', *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan* 12, no. 2 (2025): 311–18.

²⁵ Haji Zuneidy Jumat, 'Juveniles from Perspective of Brunei Darussalam Legal System: An Analysis', *International Journal of Law, Government and Communication* 4, no. 14 (2019): 50–65.

an interplay of the *actus reus*, *mens rea*, understanding, and volition within a legally competent person.

Mens Rea and Moral Culpability

Mens rea is one of the main elements of criminal responsibility in Islamic criminal law. It means the offender's inner psychological state at the time of committing the offense, and it will be evaluated according to the legal maxim *al-umur bi-maqasidiba* - things are judged by their intentions. This maxim holds that actions should be evaluated by the actor's intention, not solely by their outward appearance. This is based on the Qur'anic text in Surah An-Najm, where Allah SWT explicitly stated: "And that there is nothing for a man except for what he strives for,"²⁶ and the Prophetic hadith: "Actions are to be judged according to the intentions."²⁷

Criminal responsibility, therefore, implies knowing what one is doing and the consequences of such actions.²⁸ In the absence of intention or legally disregarded, such as in the case of children, the insane, and persons acting under compulsion, criminal responsibility is proportionately extinguished and removed.²⁹

Legal Capacity (*Ahliyyah*) and the Requirement of *Bulūgh* and '*Aql*

Islamic criminal law acknowledges that full criminal responsibility can only occur when one has full legal capacity (*ahliyyatu al-ada a-kamilah*), a condition that presupposes not only physical maturity (*baligh*) but also sound mind (*aql*).³⁰ In usul al-fiqh, legal capacity is not treated as a single undifferentiated concept; rather, it is classically divided into *ahliyyat al-wujub* (capacity for rights and obligations) and *ahliyyat al-ada'* (capacity for execution or performance)³¹. Classical Islamic jurists distinguish between *ahliyyah al-wujub* (the capacity to receive/hold rights and obligations) and *ahliyyah al-ada'* (the capacity to exercise

²⁶ QS An-Najm [53]: 39 (n.d.).

²⁷ Nosheen Qayyum, 'Criminal Responsibility of Hierarchic Superiors in Islamic Law and International Criminal Law (ICL)', *International Journal of Social Sciences and Entrepreneurship (IJSSE)* 3, no. 1 (January 2023): 2790–7724.

²⁸ Hadi Purnomo, Widhi Handoko, and Murad Altwaiqat, 'Reframing Medical Malpractice Resolution: Restorative Justice between Indonesian Criminal Law and Iṣlāḥ in Contemporary Islamic Law', *MIL.Rev: Metro Islamic Law Review* 5, no. 1 (March 2026): 299–327, <https://doi.org/10.32332/milrev.v5i1.13100>.

²⁹ Humairaharahap et al., 'Implementation of the Concept of Islamic Criminal Responsibility in Indonesian Positive Law', *ISNU Nine-Star Multidisciplinary Journal* 1, no. 3 (2024): 324–31.

³⁰ Siti Aisyah Samudin, Hanira Hanafi, and Siti Hajar Mohd Afendi, 'The Interpretation of Age of Criminal Responsibility for Juvenile Offenders from the Perspectives of Islamic Jurisprudence (Fiqh) and Malaysian Law', *Journal of Propulsion Technology* 44, no. 4 (2023).

³¹ Joseph Schacht, *An Introduction to Islamic Law* (Clarendon Press, 1954).

rights and perform legally effective acts)³². This distinction is important for the present study because a minor may possess *ahliyyah al-wujub* from the moment legal personality is recognized, yet still lack complete *ahliyyah al-ada'* required for full criminal accountability. Read in this way, the Syariah Penal Code's differentiation between a *ghairu mumayyiz* child and a *mumayyiz* but non-baligh child reflects not the absence of legal personhood, but a graded model of legal performance and responsibility³³. The doctrinal significance of this distinction is that criminal liability in Islamic law is tied not merely to biological growth, but to the maturation of legally relevant agency. In a modern codified setting such as Brunei Darussalam's Syariah Penal Code, this classical structure is not reproduced verbatim; rather, it is transformed into statutory categories that preserve the logic of graduated responsibility while leaving significant room for judicial determination.

This conceptual distinction also helps explain why the Syariah approach should not be reduced to a simple opposition between "religious capacity" and "modern child rights". Properly understood, the issue is whether the Code provides sufficiently clear legal criteria for translating classical capacity doctrines into contemporary adjudication. The analytical problem, therefore, is not only doctrinal authenticity, but also whether codified reliance on capacity can satisfy modern demands of foreseeability, consistency, and child-sensitive justice.

The Prophet ﷺ clearly absolved certain groups of individuals from legal responsibility, saying:

*"The pen is lifted from three: from the sleeping person until he wakes, from the insane until he regains sanity, and from the child until he reaches maturity."*³⁴

Bulugh is mainly used to refer to physical maturity, which does not necessarily imply full psychological or intellectual maturity. This is usually determined by physiological indications, which include the release of semen (*ibtilam*) in males, or menstruation and pregnancy in females.³⁵ Where such signs do not exist, jurists have relied on age, and there is significant juristic disagreement on that point.

Most jurists, specifically in the Shafi'i, Hanbali, and some sections of the Hanafi schools, believe the *bulugh* is conclusively established at the age of fifteen in both males and females.³⁶ This stand is justified by the famous report of Ibn

³² Kamali, *Principles of Islamic Jurisprudence (Part 2)*.

³³ Syariah Penal Code (Chapter 275), Pub. L. No. Chapter 275 (2024).

³⁴ *Sunan An-Nasa'i* 3462, 4, no. 27 (n.d.): 3462.

³⁵ Mohammad Saiful Islam, 'Criminal Accountability and Juvenile Offenders: A Study under Islamic Principles, International Law and the Children Act, 2013', *International Journal of Ethics in Social Sciences* 3, no. 2 (2015): 54.

³⁶ H.R. Bukhari, *Kitab Al-Shahadat, Bab Bulugh Al-Sibyan*, n.d., 2664.

'Umar, who was refused to take part in war at the age of fourteen, but was allowed at the age of fifteen, which the companions understood to have signalled the beginning of his manhood.³⁷ On this ground, certain jurists believed that legal obligations and penal liability were fixed at fifteen. Imam Abu Hanifah, on the contrary, established a higher age limit when there is no physical indication, and believed that *bulugh* is assumed at the age of eighteen in men and seventeen in women.³⁸ The Malik school has several opinions, with a range of 15 to 18 years, yet a preponderant opinion falls within the higher age limit.³⁹

Children, Discernment (*Tamyīz*), and Graduated Responsibility

Islamic jurists further developed the concept of treating minors by differentiating their stages of childhood depending on discernment (*tamyīz*). There are two broad categories of children:

1. Pre-*mumayyiz* (non-discerning), from birth until approximately seven years of age. At this age, children have no comprehension (*idrak*) and the capacity to make choices on their own (*ikhtiyar*). They are not liable to criminal or civil responsibility, and no punishment can be administered on them.⁴⁰
2. Post-*mumayyiz* (discerning), typically from around seven years until *bulugh*. At this age, children have partial knowledge of what is right and wrong but are still considered legally incompetent. Although their deeds are arguably wrong, they do not face the *hudud* or *qisas* penalty. Rather, the corrective actions take the form of ta'dib and focus on education, moral guidance, and mild disciplinary measures.⁴¹

This is depicted through classical precedents. It is said that, when a boy, who was not yet of puberty, fell into false accusation, 'Umar b. Al-Khattab refused to impose the *hadd* penalty for false accusation on him.⁴² Not only that, Uthman b. Affan also avoided punishing a boy who was accused of stealing when he

³⁷ H.R. Bukhari, *Kitab Al-Shahadat, Bab Bulugh Al-Sibyan*.

³⁸ Saleem Raza et al., 'A Comparative Study of the Age of Criminal Liability for Children in Islamic and Pakistani Law', *Al-Qanṭara* 8, no. 1 (2022): 193–209.

³⁹ Heni Hendrawati, Nurwati Nurwati, and Budiharto Budiharto, 'Children's Criminal Responsibilities: Comparative Study in Islamic and Criminal Law', *Varia Justicia* 14, no. 2 (2018): 101–108.

⁴⁰ Samudin, Hanafi, and Afendi, 'The Interpretation of Age of Criminal Responsibility for Juvenile Offenders from the Perspectives of Islamic Jurisprudence (Fiqh) and Malaysian Law', 3941.

⁴¹ Samudin, Hanafi, and Afendi, 3941.

⁴² Islam, 'Criminal Accountability and Juvenile Offenders: A Study under Islamic Principles, International Law and the Children Act, 2013'.

determined that the boy had not reached *baligh*. These cases illustrate that juvenile or child offenders lack full criminal intent and their actions are legally classified in most cases as a mistake rather than as a crime.⁴³ In turn, in situations where a juvenile inflicts injury (e.g., homicide), the financial responsibility (e.g., *diyab*) may be imposed on the family, but not on the child.⁴⁴

Responsibility, Free Will, and Knowledge of Consequences

According to the classical Islamic jurist, criminal responsibility is a liability that arises from a voluntarily committed act, in which the individual is aware of the consequences of the act and willing to commit it. The liability would only arise when the offender does this of their own free will, knows what the act entails, and does it willingly. If any of them is also missing, no responsibility will arise. On this ground, the minors, the insane, and those who acted under threats are relieved of criminal penalties.⁴⁵

Application of Punishments to Minor under the Syariah Penal Code (Cap. 275)

Criminal offenses and punishments are grouped into three main categories under the Syariah Penal Code: *hudud*, *qisas*, and *Ta'zir*. Each category has distinct implications for the treatment of minors, especially when read together with the provisions on mukallaf, baligh, and *mumayyiz*. *Hudud* offenses are crimes whose penalties are predetermined by Islamic law.⁴⁶ Section 52 describes *hadd* as punishments or penalties decreed in *Al – Qur'an* or *Sunnah* against crimes like *sariqah* (theft), *hirabah* (piracy), *zina* (unlawful sexual intercourse), *qazaf* (wrongful accusation against a woman for adultery), drinking intoxicating drinks, and *irtidad* (apostasy).⁴⁷ The Syariah Penal Code (Cap. 275) specifically restricts the imposition of *hudud* punishments upon minors. Section 13 provides that if a child who is *mumayyiz* but is yet to be *baligh* commits an offense punishable by *hudud* or *qisas*, the child is liable to punishments other than *hadd* or *qisas*.⁴⁸ This provision reflects the broader Islamic legal principle that criminal liability for *hudud* requires full legal accountability, including intention and understanding, thereby excluding minors who lack full capacity.

Despite the omission of *hudud* penalties, the Syariah Penal Code establishes a few offenses and punishments for *zina* committed by someone who is not

⁴³ Islam.

⁴⁴ Islam.

⁴⁵ Humairaharap et al., 'Implementation of the Concept of Islamic Criminal Responsibility in Indonesian Positive Law', 324.

⁴⁶ Etim E. Okon, 'Hudud Punishments in Islamic Criminal Law', *European Scientific Journal* 10, no. 14 (2014): 228.

⁴⁷ Syariah Penal Code (Cap.275) (2024), 52.

⁴⁸ Syariah Penal Code (Cap.275), 13.

mukallaf or has not reached the age of *baligh*. Indicatively, Section 70 states that in case such an individual has committed *zina* and the crime is supported by *ikrar* or *syahadah* of at least four qualified witnesses, the minor offender should face a penalty of whipping not more than 30 strokes and imprisonment in a rehabilitation centre to the extent of not more than three years.⁴⁹ Sections 72 and 74 further criminalise attempts to commit *zina* and abetment of *zina* by people who are not *mukallaf* or *baligh* and subject them to reduced whipping and rehabilitative sentences. These clauses can be used to explain how any action that would otherwise be subject to *hudud* punishment against an adult is dealt with by applying alternative non-*hudud* penalties to minors.

The same thing can be said about *zina bil-jabar*. Section 77 provides differentiated punishments for minors depending on the mode of proof, with whipping and detention in rehabilitation centres replacing the *hudud* framework. Sections 79 and 81 introduce the extension of liability to attempts and abetment of *zina bil-jabar*, and, once again, corrective and rehabilitative measures are stressed over definite divine punishments. Together, these provisions affirm the fact that although minors can be prosecuted for serious sexual offences, the Syariah Penal Code intentionally directs their sentencing away from *hudud* to discretionary penalties as appropriate with their developmental age.

Qisas offenses are those that occur in retaliation or as compensation for bodily harm or death.⁵⁰ Section 118 defines *qisas* as retaliation or a similar penalty for offences of *qatlul-'amd* (murder) or causing hurt, while Section 119 defines *diyat* as the specified amount payable to the heirs of the victim of *qatl*. Where the minor is concerned, Section 13 once again takes effect to preclude the execution of *qisas* punishment on those offenders who are *mumaiyiz* but not *baligh*. According to classical Islamic jurisprudence, the focus in such instances shifts to compensation (*diyat*) and reconciliation rather than physical retaliation, especially when the perpetrator is not fully legally responsible.⁵¹

The most versatile form of punishment is *Ta'zir*; it is the main means of dealing with offenses committed by minors under the Syariah Penal Code. *Ta'zir* penalties are discretionary and allow Syariah courts to impose corrective, rehabilitative, or educational punishments depending on the offender's age,

⁴⁹ Syariah Penal Code (Cap.275), 70.

⁵⁰ Ja'afar Agaji Abdullahi, Lawal Tambaya Ahmad, and Misbahuddeen Muhammad Bashir, 'Jurisprudential Analysis of Qisas: The Views of the Maliki School of Jurisprudence', *Middle East Research Journal of Humanities and Social Sciences* 4 (June 2024): 83, <https://doi.org/10.36348/merjhss.2024.v04i03.005>.

⁵¹ Muhammad Ishom, 'The Continuity and Change of Diyat as an Alternative to Islamic Criminal Sanctions in Undhang-Undhang Banten During the 17th–18th Centuries', *Jurnal Ilmiah Islam Futura* 23, no. 1 (2023): 51.

maturity, and the circumstances in which the offender was caught.⁵² The provisions relating to whipping as well as mandatory detention in rehabilitation centres for *non-mukallaf* or *non-baligh* offenders, particularly in *zina*-related offences, operate within this *Ta'zir* framework. This shows a clear legislative agenda of emphasizing reform, supervision, and moral education rather than punishment in addressing the problem of minor offenders under Syariah criminal law.

However, the existence of reduced penalties and rehabilitative detention does not automatically resolve the tension between punishment and rehabilitation. A more critical reading of the Syariah Penal Code shows that the legal form may still retain punitive characteristics even where the sanction is doctrinally classified outside *hudud* and *qisas*⁵³. Whipping and institutional detention, even when reduced for minors, remain coercive penal responses and therefore must be assessed not only by reference to Islamic classifications of punishment, but also by reference to their impact on the child's dignity, development, and reintegration. In this sense, the crucial question is not merely whether minors are exempted from the harshest punishments, but whether the remaining sanctions are structured and applied in a manner genuinely consistent with child-centered justice.

International child justice standards increasingly favour diversion, non-custodial measures, and detention only as a measure of last resort.⁵⁴ From that perspective, the Syariah Penal Code may be seen as partially rehabilitative because it excludes minors from full liability under *hudud* and *qisas*. Yet, it remains vulnerable to criticism for continuing to rely on corporal or custodial responses without sufficiently explicit statutory safeguards. Accordingly, the Code reflects a mitigated punitive approach rather than a purely rehabilitative one, and this ambivalence should be acknowledged as a central normative tension.

Age-Based Versus Capacity-Based Approaches to Criminal Responsibility

Among the main findings of the present study is that there is a conceptual difference between the civil and the Syariah approaches to criminal responsibility of minors in Brunei Darussalam. The civil system of criminal responsibility is based on chronological age, which is the primary determinant of criminal responsibility under the Penal Code (Cap. 22), Sections 82 and 83, and is further supported by the Children and Young Persons Act (CYPA). The age-based

⁵² Institut Kefahaman Islam Malaysia, 'Ta'zir in the Malaysian Legal System', Institut Kefahaman Islam Malaysia, 2024, <https://www.ikim.gov.my/tazir-in-the-malaysian-legal-system-2/>.

⁵³ Mohammad Hashim Kamali, *Crime and Punishment in Islamic Law: A Fresh Interpretation* (Oxford University Press, 2019).

⁵⁴ Ursula Kilkelly and Pat Bergin, 'An International Perspective', ch. 2 in *Advancing Children's Rights in Detention: A Model for International Reform* (Cambridge University Press, 2022).

model aligns with contemporary criminal law assumptions that age is related to cognitive development, moral consciousness, and restraint, thereby providing legal predictability, stability, and equal treatment under the law.⁵⁵

The Syariah Penal Code (Cap. 275), by contrast, follows a capacity-based approach grounded in classical Islamic jurisprudence. Criminal liability is associated with the principle of *taklif*, which assumes discernment (*tamyiz*), physical maturity (*bulugh*), and soundness of mind (*aqil*). This can be seen in Sections 12 and 13 of the Syariah Penal Code, which exempt *ghairu mumayyiz* children from liability and further restrict the harsher punishment of *mumayyiz* but *non-baligh* children to *non-budud* and *non-qisas* punishments. The model embodies a moral sense of responsibility that prioritizes actual capacity and knowledge over age restrictions, in line with the Islamic legal maxim of *al-umur bi-maqasidiba*.

Conceptually, this difference can be restated as a distinction between formal age-threshold governance and graded legal-capacity governance.⁵⁶ The former prioritizes legal certainty through codified chronological age thresholds, whereas the latter emphasizes moral and psychological responsibility through assessment of individual discernment and maturity.⁵⁷ The difficulty in a codified modern legal system is that a capacity-based model cannot operate solely as an ethical idea; it must also be translated into sufficiently determinate legal standards.⁵⁸ This is where the doctrine of *ahliyyah* becomes central. A child may be recognised as a legal subject in the sense of *ahliyyah al-wujub*, yet not possess full *ahliyyah al-ada'* necessary for complete penal liability.⁵⁹ The unresolved issue, therefore, is not whether Islamic law recognizes developmental gradation—it clearly does—but whether the Syariah Penal Code codifies that gradation with sufficient procedural precision to satisfy contemporary demands for foreseeability and equal protection.

⁵⁵ Arian Petoft, Mahmoud Abbasi, and Alireza Zali, 'Toward Children's Cognitive Development from the Perspective of Neurolaw: Implications of Roper v Simmons', *Psychiatry, Psychology and Law* 30, no. 2 (2023): 144–160.

⁵⁶ Wahyu Abdul Jafar, 'Analisis Asas Hukum Pidana Islam Dan Asas Hukum Pidana Di Indonesia', *Al-Istinbath: Jurnal Hukum Islam* 1, no. 1 June (December 2016): 25–44, <https://doi.org/10.29240/jhi.v1i1.55>.

⁵⁷ Laura S. Abrams, Sid P. Jordan, and Laura A. Montero, 'What Is a Juvenile? A Cross-National Comparison of Youth Justice Systems', *Youth Justice*, 2018, 1–20, <https://doi.org/10.1177/1473225418779850>.

⁵⁸ Muhtar Said et al., 'Between Revelation and Constitution: The Sovereignty Fiqh of Muhammad Yamin's Sociopolitical Ijtihād', *Journal of Islamic Law* 6, no. 2 (July 2025): 236–264, <https://doi.org/10.24260/jil.v6i2.4220>.

⁵⁹ Ruslan Abdul Gani et al., 'Justice at the Margins: Negotiating Criminal Liability within Legal Pluralism among the Suku Anak Dalam Indigenous Community in Indonesia', *JURIS (Jurnal Ilmiah Syariah)* 25, no. 1 (April 2026): 99–113, <https://doi.org/10.31958/juris.v25i1.15474>.

Though these two approaches seem to be conceptually different, they are not necessarily incompatible.⁶⁰ The capacity-based model permits individualised justice and eliminates arbitrariness of predetermined age limits, which might not be true indications of moral and intellectual maturity of a child, since it can be influenced by other factors - i.e., psychological distress.⁶¹ However, the absence of an age restriction in Syariah law raises issues of legal certainty and consistency⁶², particularly regarding *tamyiz* and *bulugh*, which are decided on a case-by-case basis.⁶³ This conflict underscores the need for clearer procedural guidelines to promote equality before the law without compromising the ethical underpinnings of Islamic criminal responsibility.⁶⁴

Therefore, the comparative lesson is not that Brunei Darussalam should abandon the Syariah conception of *taklif*, but that it should articulate clearer procedural standards for determining *tamyiz*, *bulugh*, and evidentiary sufficiency.⁶⁵ Such clarification would preserve the moral logic of Islamic criminal responsibility while reducing uncertainty and making the system more defensible in both domestic and international juvenile justice discourse.

This comparative concern is supported more directly by Malaysian juvenile justice scholarship. Hussin⁶⁶ notes that the position of young offenders in Malaysia must be examined across both the civil and shari'ah systems so that punishment remains not only deterrent, but also rehabilitative and protective of the welfare of young offenders. Likewise, Samudin et al.⁶⁷ observe that inconsistency in age thresholds between civil and Shariah legal systems may lead

⁶⁰ Oluwaseun Adeyemi Ogunleeye, 'Advancing Vocational Education and Skills Development to Meet Modern Workforce Demands Effectively', *Nusantara Education* 5, no. 1 (March 2026): 13–28, <https://doi.org/10.66325/nusantaraeducation.v5i1.255>.

⁶¹ Carolyn M. Fratto, 'Trauma-Informed Care for Youth in Foster Care', *Archives of Psychiatric Nursing* 30, no. 3 (2016): 439–446.

⁶² Artem Kysko et al., 'Foreign Legal Frameworks in Regulating the Maintenance of Public Safety and Public Order at the Regional Level', *Nusantara: Journal of Law Studies* 5, no. 1 (April 2026): 288–306, <https://doi.org/10.66325/nusantaralaw.v5i1.260>.

⁶³ Andri Winjaya Laksana et al., 'Fiqh Jinayah's Approach to Children Trapped in the Octopus of Narcotics Trafficking', *Jurnal Ilmiah Mizani* 12, no. 1 (2025): 309–321, <https://doi.org/10.29300/mzn.v12i1.4888>.

⁶⁴ Tuan Muhammad Faris Hamzi Tuan Ibrahim, Nasrul Hisyam Nor Muhamad, and Ahmad Syukran Baharuddin, 'Maqāsid Al-Shari'ah and Digital Forensics: Towards a Fiqh-Based Evidentiary Model in Shari'ah Criminal Justice', *Al-Adalah* 22, no. 2 (December 2025): 565–598, <https://doi.org/10.24042/adalah.v22i2.27886>.

⁶⁵ Souad Ezzrouali et al., 'Legal Protection for Children Without Family Care: A Comparative Study of Oman, UAE, and Morocco', *Justicia Islamica* 22, no. 1 (2025): 93–114, <https://doi.org/10.21154/justicia.v22i1.10750>.

⁶⁶ Hussin, 'Juvenile Delinquency In Malaysia: Legal Framework And Prospects For Reforms'.

⁶⁷ Samudin, Hanafi, and Afendi, 'The Interpretation of Age of Criminal Responsibility for Juvenile Offenders from the Perspectives of Islamic Jurisprudence (Fiqh) and Malaysian Law'.

to injustice when courts determine the appropriate punishment for child offenders. Read together, these comparative insights strengthen the argument that where dual legal systems employ different criteria for criminal responsibility, procedural clarification is essential to avoid unequal treatment and to preserve the welfare-oriented rationale of juvenile justice.

Compatibility with International Child Justice Standards

One of the key questions the findings raise is to what degree the Syariah-based approach in Brunei Darussalam complies with global standards of child justice, especially the UNCRC.⁶⁸ Article 40 of the UNCRC sets the obligation of State Parties to treat children who conflict with the law in a manner that does not impinge upon their dignity, worth, and developmental needs, and encourages the creation of a minimum age, below which a child is presumed unable to commit an offence against the penal law.⁶⁹

Brunei Darussalam's civil framework, especially under the CYPA, demonstrates substantial alignment with these principles through its emphasis on rehabilitation, child protection, and the restricted use of detention. The Syariah Penal Code (Cap 275), however, does not set a specific minimum age of criminal responsibility; it is based on an evaluation of maturity and capacity. Internationally, the lack of this can be considered a problem, as the Committee on the Rights of the Child has repeatedly recommended clear, sufficiently high minimum age limits.⁷⁰

The Syariah Penal Code (Cap. 275) contains several measures to limit potential conflicts with international standards, including no *budud* or *qisas* penalties for minor offenders, the use of *Ta'zir* penalties at the court's discretion, and a focus on rehabilitation rather than punishment. However, compatibility with international child justice standards cannot be assessed only by whether minors are exempted from *budud* and *qisas*. General Comment No. 24⁷¹ emphasizes a broader child justice framework that includes an appropriate minimum age of criminal responsibility, the scaling up of diversion, wider use of non-custodial measures, detention only as a measure of last resort, and the ending of corporal punishment. On that basis, the Syariah Penal Code may be regarded as partially aligned with international standards insofar as it limits the harshest punishments for minors. However, it remains only partially compliant, where

⁶⁸ OHCHR, 'Convention on the Rights of the Child (20 November 1989, Entered into Force 2 September 1990)', United Nations Human Rights.

⁶⁹ OHCHR, Art 40(3)a.

⁷⁰ UN Committee on the Rights of the Child (CRC), 'General Comment No. 10 (2007): Children's Rights in Juvenile Justice', Refworld Global Law & Policy Database, 2007, <https://www.refworld.org/legal/general/crc/2007/43085>.

⁷¹ Committee on the Rights of the Child, 'General Comment No. 24 (2019) on Children's Rights in the Child Justice System'.

alternative sanctions still rely on custodial or corporal responses without equally explicit statutory safeguards directing courts toward diversion and non-custodial treatment.

At this point, compatibility should be framed more precisely and critically. The relevant question is not whether the Syariah framework can be defended in abstract doctrinal terms, but whether its operative rules and procedures deliver protections that are substantively comparable to contemporary child justice standards. From that perspective, compatibility is only partial unless clear evidentiary standards accompany capacity-based determinations, reasoned judicial findings, procedural fairness, and a demonstrable preference for rehabilitative outcomes. In other words, the absence of *hudud* or *qisas* for minors is an important substantive safeguard, but it does not, by itself, resolve concerns about legal certainty, due process, or equal treatment. A more balanced position, therefore, is that the Syariah approach may be normatively reconcilable with international child-rights principles, but such reconciliation depends on how classical doctrines are translated into fair and child-sensitive procedures in practice. Properly articulated, *maqasid al-shari'ah* can function not as a defensive shield against international critique, but as an internal normative basis for protecting life, intellect, dignity, and the developmental interests of the child. When implemented regularly and openly, these features are well aligned with the rehabilitative and child-centered ethos of the CRC, though they might be formalized to ensure greater compliance.

Practical and Institutional Challenges in Application

In addition to the normative alignment, the findings also show that serious practical and institutional complications are imminent when implementing the Syariah Penal Code (Cap. 275) in cases involving minors. The matter of defining *bulugh* and mental capacity is inherently difficult since these tests are likely to be based on subjective judgment that may be dependent on medical, psychological, and religious considerations. Unlike chronological age under the civil system, which is typically verified by documentation, capacity-based determinations may lack consistency and balanced outcomes unless supported by well-defined standards and expert testimony. The use of physical signs of puberty, especially when birth records are missing or challenged, can also cast some doubts on the accuracy, intrusiveness, and dignity of children. These difficulties highlight the significance of procedural protection, professional intervention, and child-sensitive evaluation systems.

In practical terms, the absence of a fixed minimum age means that the fairness of the Syariah process depends heavily on how judicial discretion is exercised. This creates at least three implementation risks. First, similarly situated minors may receive different assessments of discernment or maturity if there are no transparent criteria or standardised evidentiary practices. Second, reliance on

puberty-related indicators may invite intrusive forms of inquiry that are difficult to reconcile with the child's dignity and privacy. Third, where formal diversionary options and specialised child procedures are underdeveloped, a nominally protective framework may still expose minors to unnecessarily formal or punitive proceedings.

For this reason, procedural safeguards should be discussed as a substantive part of criminal responsibility rather than a secondary matter of court administration. At minimum, a child-sensitive Syariah process would require reasoned judicial findings on capacity, access to appropriate professional assessment when maturity is disputed, prioritization of non-custodial responses, and clear institutional coordination among Syariah authorities, prosecutors, and child welfare bodies. Framed this way, procedural safeguards do not dilute Syariah principles; instead, they function as the mechanism through which those principles can be applied consistently, proportionately, and in a manner compatible with contemporary standards of juvenile justice.

At the institutional level, the existence of civil and Syariah courts creates the possibility of overlaps in jurisdiction and decision-making. An efficient collaboration between the courts, the prosecutors, and the social welfare authorities is necessary to make sure that the minors are diverted to the right legal system and the protective principles that the CYP A provides are not compromised.

The empirical dimension of this issue remains constrained by the limited availability of publicly reported Syariah cases involving minors in Brunei Darussalam. This limitation should be stated explicitly because it affects the degree to which doctrinal conclusions can be verified against adjudicative practice. Nevertheless, available scholarship on the implementation of Brunei's Syariah Penal Code provides some contextual indications that the Code's operation in practice has been more selective and limited than public debate often assumes. In his study of Phase One implementation, Müller notes that from 2015 to 2016 there were 247 prosecutions under the new Code, all involving fines, and that the scale of enforcement was still far smaller than under the state criminal code.

Although these data do not specifically concern minors, they remain useful as limited contextual evidence of how the Syariah Penal Code has been operationalized in practice. They should therefore be read cautiously: not as proof of how juvenile provisions are applied, but as evidence that the Code has been implemented more selectively and less uniformly punitive than public debate sometimes suggests. At the same time, this limitation reinforces the need for future research and more transparent reporting on cases involving minors in the Syariah system. Thus, the present article should be understood as making a doctrinally grounded but empirically modest claim: the legal architecture of juvenile responsibility under Cap. 275 is identifiable, yet the

operational realities of its application to minors still require more transparent case reporting and further socio-legal study.

Conclusion

This study concludes that the application of the Syariah Penal Code (Cap. 275) in determining the criminal responsibility of minors in Brunei Darussalam reflects a distinctive capacity-based model rooted in classical Islamic legal concepts such as *taklif*, *tamyiz*, *bulugh*, and ‘aql. In contrast to the chronological age-based framework of civil criminal law, this model emphasizes an individual’s level of awareness, discernment, and intent. The findings demonstrate that minors are not treated as fully responsible legal subjects like adults; instead, the system adopts a graduated approach that distinguishes between non-discerning children, discerning but non-baligh minors, and fully accountable individuals. Furthermore, the exclusion of *hudud* and *qisas* punishments for minors, alongside the predominance of *Ta’zir* sanctions oriented toward rehabilitation, moral guidance, and correction, indicates that the system holds strong potential to align with child-sensitive justice principles. Nevertheless, the absence of a clearly defined minimum age of criminal responsibility, combined with the broad judicial discretion in assessing *tamyiz* and *bulugh*, raises significant concerns regarding legal certainty, consistency of rulings, and transparency in judicial practice.

Accordingly, this study recommends reform focused on establishing clearer, more measurable criteria for determining *tamyiz* and *bulugh*, as well as strengthening diversionary mechanisms and non-custodial measures that prioritize the best interests of the child. Harmonization between the Syariah legal system and the juvenile justice framework within the dual legal system is also essential to ensure coherence and legal legitimacy, particularly in light of international child protection standards. Future research is encouraged to undertake empirical, case-based studies involving minors within the Syariah justice system to assess how doctrinal principles are implemented in practice. In addition, more in-depth comparative analyses with jurisdictions such as Malaysia, alongside the integration of maqāṣid al-sharī‘ah perspectives and international children’s rights frameworks, would be valuable in developing a model of juvenile criminal responsibility that is not only normatively sound but also practical, adaptive, and just.

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Author Contributions Statement

Ahmad Masum contributed to the conceptualization, methodology, writing of the original draft, and supervision of the study. Yusuf Ibrahim Arowosaiye was responsible for formal analysis, investigation, and writing, as well as review and editing. Hjh Hanan Hj Awg Abd Aziz contributed to data curation, provision of resources, validation, writing, review, and editing. Rajali Aji contributed to supervision, project administration, validation, writing, review, and editing. All authors have read and agreed to the published version of the manuscript.

AI Usage Statement

Artificial intelligence (AI) tools were used in the preparation of this manuscript exclusively for language editing and improving readability. The authors confirm that all ideas, analyses, and conclusions presented in this article are entirely their own. The authors have thoroughly reviewed and verified all AI-assisted outputs and accept full responsibility for the content of this publication.

Conflict of Interest

The authors declare that there is no conflict of interest regarding the publication of this paper. This research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

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