

## The Implementation of "Harraba" Laws of Islamic Sharia in The Modern Era in Pakistani Society

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### **Abstract:**

*The concept of Harabah within the framework of Islamic law, specifically focusing on activities aimed at spreading anarchy and undermining the Islamic State, both internally and externally. The study highlighted that while Pakistani law did not traditionally classify crimes such as corruption, money laundering, child kidnapping, hijacking, forced adultery, destruction of petroleum infrastructure, qatal-e-gheela, and the murder of the head of state as Harabah, these offenses were analyzed in the context of national security. The analysis revealed that these crimes significantly endangered the country's security and contributed to the spread of anarchy and the breakdown of law and order. The study employed a qualitative research method, analyzing legal texts and national security data to explore the implications of these crimes. The data collection involved reviewing legal cases, national security reports, and scholarly interpretations of Harabah. The framework utilized in the study integrated Islamic legal principles with contemporary security concerns. The hypothesis tested was whether expanding the application of Harabah to include these crimes could enhance national security and deter criminal behavior. The findings indicated that applying Harabah to these serious crimes could play a crucial role in maintaining law and order, as the fear of strict legal repercussions was identified as a key deterrent to criminal activities. The study concluded that the expansion of Harabah under Pakistani law was necessary to address the growing threats to national security.*

### **Key words:**

Harraba, Qisas, Corruption, kidnapping, Murder, Theft, Robbery, Rap,

### **Introduction:**

Islam is an eternal and universal religion that prescribes a comprehensive code of crime and punishment. There are three distinct types of punishments within this system. The first is known as Kaffarat, which applies to violations such as intentionally breaking the fast in the month of Ramadan. These are specific punishments ordained for certain infractions. The second type includes punishments that are not explicitly defined in the Quran or Sunnah but are deemed necessary for wrongful acts that are considered crimes. The responsibility to determine these punishments is entrusted to the ruler or governing authority, who may decide based on the situation and necessity. Examples of such crimes include bribery, betrayal, embezzlement, and corruption. This category of punishment is referred to as Tazeer. The third type of punishment is prescribed explicitly by the Quran and the Sunnah of the Prophet Muhammad (peace and blessings be upon him) and includes penalties such as flogging for the consumption of alcohol. These punishments are known as Haddood. Among these Hudud is Had Harabah, a punishment that addresses the crime of Harabah. A study of the opinions of commentators and jurists reveals that Harabah is not merely limited to the act of highway robbery (Rahzani) but encompasses a broader range of offenses in modern times. These include killing a person to steal wealth, taking up arms without legitimate cause, attacking

Muslims, violating someone's honor, stealing property while intoxicated, or breaking into a home at night with the intent to steal. Harabah also includes taking hostages to prevent them from calling for help. In all such instances, the punishment of Hadd Harabah is applicable. This punishment is not only enforced on those who rob but also on those who commit heinous acts such as forced adultery, kidnapping for immoral purposes, unjust killings, and anyone who engages in criminal conspiracies.

### 1. The Meaning and Concept of Hadd Harabah:

Before the advent of Islam, the Arabs commonly practiced robbery alongside killing and looting, treating it as a profession. In addition to herding camels and sheep, brigandage and theft were widespread. This profession often involved long journeys to distant areas, where not only was wealth snatched, but acts of violence and exploitation were also prevalent. This continued unchecked until the arrival of Islam. The severe harm inflicted by these criminals on the lives and properties of others necessitated a correspondingly harsh punishment to deter such acts. To address the crime of robbery, Allah Almighty revealed the verse of Muharibeh, prescribing severe punishment for these offenders. This punishment is known as "Hadd Harabah."

#### 1.2 The Meaning and Concept of Hadd According to Jurists:

The four Imams: Imam Abu Hanifah, Imam Malik, Imam Shafi'i, and Imam Ahmad bin Hanbal have provided definitions of "Hadd" in their jurisprudential works.

**Sarkhsi** defines Hadd in his book *Al-Mabsut*, as follows:

In Shari'ah, Hadd is the term for a punishment that is fixed and obligatory as a right of Allah Almighty. This is why it cannot be classified as Ta'zeer, which is an undefined punishment. Moreover, it is distinct from Qisas, as Qisas is the right of human beings.<sup>(i)</sup>

Similarly, in his book *\*Al-Bada'i wa Al-Sana'i\**, Kasani describes Hadd as "In Shari'ah, Hadd refers to a prescribed punishment that is obligatory as a right of Allah Almighty."<sup>(ii)</sup>

**According to another scholar** that: "Hadd in Shari'ah is established to prevent the offender from returning to similar acts and serves as a warning to others."<sup>(iii)</sup> "Similarly,

**Imam Nawawi**, in *Al-Majmu' Sharh al-Mahzab*, writes: "In Shari'ah, Hadd is a punishment that prevents the person from repeating the act and serves as a deterrent. "The purpose of Haddud is to prevent indecency and obscenity, which is why they are called Hudud, indicating boundaries set by Allah that cannot be transgressed."<sup>(iv)</sup>

**Husni**, in *Kafayat al-Akhyar fi hal ghayat al-akhtsar*, elaborates: "Haddud are named as such because they prevent obscenity, and Allah has determined them, making it impermissible to reduce or exceed them."<sup>(v)</sup>

**Najmuddin**, in *Kifayat al-Nabiyyah fi Sharh al-Tanbiyyah*, echoes this by stating: "Haddud act as prohibitions against committing indecency and indulging in taboos, set by Allah, making it impermissible for anyone to exceed or reduce them."<sup>(vi)</sup>

**Zarakshi**, in his commentary, further clarifies: "Hadd is a punishment that prevents the recurrence of the prohibited act."<sup>(vii)</sup>

**Sharafuddin**, in *Persuasion in Fiqh of Imam Ahmad Bin Hanbal*, emphasizes: "Haddud are obligatory punishments that must be established even if the person imposing the Hadd is involved in the same sin as the one being punished."<sup>(viii)</sup> "From these golden references it becomes clear that, according to Hanafi jurists, Hadd refers to a punishment that is fixed and determined by Allah, obligatory as His right. Once the matter reaches the judge, it is impermissible for anyone to intercede, and the punishment cannot be waived, reduced, or altered. This distinguishes Hadd from Ta'zeer, which is at the discretion of the state, and from Qisas, which is a right of the individual rather than Allah, and therefore not classified as Hadd.

#### 1.3 Perspectives of Jurists' on "Haraba"

**Islamic scholars** have thoroughly examined the concept of "haraba," particularly in the context of violence and theft. The use of weapons, such as a spear or bayonet, is often a critical factor in these

discussions, as it transforms ordinary crimes into acts of "haraba," which warrant severe punishment.

**Ibn Jazi's View:** Ibn Jazi defines a "warrior" as someone who brandishes weapons against others without just cause, such as in the case of retaliation. He provides a vivid example: a person who breaks into a house at night, forcibly takes money, and leaves the victim helpless is committing "haraba." The inability of the victim to seek assistance further exacerbates the crime.<sup>(ix)</sup>

**Al-Maliki's Interpretation:** In his work "*Minhaj al-Jalil*," Al-Maliki emphasizes that the intent to violate someone, particularly through sexual violence, is an egregious form of "haraba." He argues that assaulting women is even more reprehensible than theft, highlighting the deep psychological and emotional scars such crimes inflict on the victims.<sup>(x)</sup>

**Trabulsi's Perspective:** Trabulsi extends the concept of "haraba" to include those who exploit others through manipulation or deceit, such as robbing intoxicated individuals. He describes these perpetrators as "ultimate warriors," indicating that the exploitation of vulnerability is a particularly heinous crime.<sup>(xi)</sup>

#### 1.4 The Broader Definition of Harabah:

The term "Harabah" in classical Arabic refers to actions such as taking property, killing, fighting, disobeying Allah, and spreading unrest. **Bahuti**, in *Al-Rowd Al-Murba Sharha Zad-Al-Mustaqna*, describes the "warriors" as: "Those who confront people with weapons in the desert, cities, or at sea, looting openly and not secretly."<sup>(xii)</sup> "The scope of Harabah extends to any individual or group whose activities aim to spread anarchy and weaken the Islamic state, whether internally or externally. This view is supported by scholars such as *Abdullah bin Abbas*, *Imam Ahmad bin Hanbal*, *Mufassir Mujahid*, *Amin Ahsan Islahi*, *Allama Shabir Ahmad Usmani*, *Abdullah Ibn Jazi*, *Ziauddin Maliki*, *Abdul-Rahman al-Tarbalsi*, and *Muhammad Alish*. According to these scholars, Hadd Harabah or Ayat Muharebah is not limited to highway robbery; its scope is much broader.

## 2. The Importance of Haraba in Islamic Jurisprudence:

### A Comprehensive Exploration:

Islamic jurisprudence takes a profound and nuanced approach to addressing crimes that disrupt societal harmony, particularly those involving violence, theft, and sexual transgression. The concept of "haraba" (waging war against Allah and His Messenger) is a central theme in these discussions, encompassing severe acts that threaten the security and well-being of the community.

#### 2.1 The Intersection of Force, Theft, and Adultery

Jurists draw a compelling analogy between offering money under duress and committing adultery by force. Both acts involve coercion and are viewed as grave violations of personal rights and dignity. The forced taking of someone's money is equated with sexual violence, underscoring the severity of these crimes in Islamic law.

#### 2.2 The Role of Weapons in Defining Severity

Across these interpretations, the use of weapons plays a pivotal role in elevating the severity of a crime. Jurists argue that the presence of a weapon, whether for theft or violence, significantly intensifies the crime's nature, justifying the harshest penalties under Islamic law.

#### 2.3 Offering Money and Adultery by Force:

The analogy between offering money and committing adultery by force. The idea is that both acts involve force or coercion, and they are considered severe crimes in Islamic law. The act of taking someone's money by force is likened to committing adultery or sexual violence, as both involve violating the rights and dignity of another person.

**2.4 Corruption:** In legal terms, corruption involves illicit actions such as bribery and misconduct. It is defined as the act of soliciting or accepting bribes, manipulating official functions, or engaging in any form of deceitful behavior for personal gain. According to Pakistani law, public servants who accept or attempt to obtain any form of gratification outside of their legal remuneration are subject to imprisonment for up to three years, a fine, or both.

**2.5 Money Laundering:** This crime involves the acquisition, conversion, possession, use, or transfer of property known or believed to be the proceeds of crime. Money laundering also includes concealing or disguising the nature, origin, location, or ownership of such property. Under Pakistani law, it is classified as a serious offense with significant legal consequences

money laundering is designed to uphold justice and maintain societal order. The comprehensive definitions and penalties outlined in the Criminal Major Acts 2018 highlight the seriousness with which these offenses are treated, ensuring as below

“A person shall be guilty of money laundering, if the person

(a) acquires, converts, possesses, uses or transfers property, knowing or having reason to believe that such property is proceeds of crime.

(b) Conceals or disguises the true nature, original, location, disposition, movement or ownership of property, knowing or having reason to believe that such property is proceeds of crime.<sup>(xiii)</sup>

“(c) holds or possesses on behalf of any other person any property knowing or having reason to believe that such property of crime or

(d) participates in associates conspires to commit, attempts to commit aids abets, facilitates, or counsels the commission of the acts specified in clauses(a),(b) and (c) <sup>(xiv)</sup>

In the labyrinth of human morality and law, there exists a realm where the delicate fabric of innocence, trust, and societal order is often torn asunder by those who prey on the vulnerable. The laws of Pakistan, steeped in the pursuit of justice and protection, cast a stern gaze upon such transgressions, weaving a legal tapestry that both condemns and seeks to rectify these breaches.

a. **Kidnapping of Children:**

The Sanctuary of Innocence Violated There is no act more grievous than the abduction of a child a being in whom society places its trust and its future. Pakistani law, with its deep-seated respect for the sanctity of guardianship, makes it unequivocally clear: the act of taking or enticing any minor be it a male under the age of fourteen or a female under sixteen or a person of unsound mind, away from their lawful guardian without consent, is an act of kidnapping. This crime, rooted in the malicious severing of bonds between the guardian and the guarded, is not just a violation of law, but a violation of the very essence of safety that every child deserves. The law seeks to shelter the innocence of youth, to preserve the sanctity of familial bonds, and to punish those who dare to disrupt this natural order.<sup>(xv)</sup>

**2.7 Seduction:** The coercion of the vulnerable seduction, within the framework of Pakistani law, is not a mere dalliance of hearts, but rather a dark manipulation—a coercive act that preys upon the weak, the young, and the unsuspecting. It is the sinister dance of persuasion, where the goal is to corrupt, to defile, and to lead astray those who are not of age or not of sound mind. The law is explicit in its condemnation: to seduce is to commit an act of moral and legal treachery. It is a crime rooted in deceit, often masquerading as affection, but with the intent to exploit. Here, the law stands as a bulwark against those who would manipulate innocence for their own gain, ensuring that such predators are brought to justice.

**2.8 Petroleum Transmission:** The Poisoning of Progress in a world driven by energy and fueled by industry, the transmission of petroleum is both a necessity and a risk. Yet, when this vital lifeblood of modern civilization is turned into a weapon when its transmission causes harm, ruins livelihoods, or destroys property the act transcends mere negligence. It becomes a calculated assault on the fabric of society, an attack on the progress that petroleum represents. Pakistani law views such acts not as accidents, but as deliberate crimes against the public good. The perpetrators of such deeds are held accountable, not just for the physical damage inflicted, but for the breach of trust in the systems that sustain modern life

**2.9 Hijacking:** The Terror of the Skies. The act of hijacking is perhaps one of the most fearsome crimes of the modern era—a brazen seizure of control, a stark reminder of the fragility of safety in the air. Pakistani law treats this crime with the utmost severity. To hijack an aircraft is not merely to



commandeer a machine, but to take hostage the lives, dreams, and futures of those on board. It is an act of terror that disrupts the very essence of freedom and mobility. The law, therefore, stands as a guardian of the skies, ensuring that those who commit such acts are met with the full force of justice.<sup>(xvi)</sup>

**2.10 Rape:** The Violation of dignity, rape is a crime that shatters the very core of human dignity a forceful imposition that leaves scars both visible and invisible. It is an act of utter violence, where one person seeks to dominate another in the most intimate and personal way. Pakistani law recognizes the profound impact of this crime, addressing it not just as a physical assault, but as an attack on the soul. The law is clear: any sexual act performed without consent, under coercion, or through manipulation is rape. It is a crime that demands severe punishment, reflecting society's commitment to protecting the dignity and autonomy of every individual.

**2.11 Murder and Retaliation:** The Balance of Life and Death The taking of a life is a crime that stands apart from all others a final, irreversible act that leaves no room for restitution. Pakistani law approaches murder with the gravity it deserves, particularly when it is premeditated or carried out with deliberate intent. Whether motivated by anger, revenge, or some misguided sense of justice, murder is a crime that disrupts the natural order, extinguishing a life and leaving a void that cannot be filled. The law distinguishes between different forms of killing, but it is unwavering in its condemnation of those who take life unlawfully. In cases of premeditated murder, the law seeks not only to punish but to deter, to ensure that the sanctity of life is upheld above all else

**2.12 Premeditated Murder:** The Shadow of Intent To plan and execute the taking of another's life is a crime steeped in malice and forethought a dark shadow cast by intent. Premeditated murder is recognized by Pakistani law as one of the gravest offenses, one that merits the highest level of scrutiny and the most severe consequences. The law does not just consider the act, but the intent behind it, the deliberate decision to end a life. It is this cold calculation that sets premeditated murder apart, marking it as a crime that threatens the very fabric of societal peace..

**3. Legal Punishments Against Crimes:** The Pillars of Justice, In a society governed by law, justice must be served with both fairness and firmness. The punishments prescribed by Pakistani law for these crimes are not merely retributive but are intended to restore balance and to protect the greater good. The legal system, with its roots in both religious and secular traditions, seeks to address each crime within its specific context, providing penalties that reflect the severity of the offense while also offering a path to redemption where possible. The goal is not just to punish, but to uphold the principles of justice, security, and moral order that form the foundation of society Addressing various crimes and legal definitions in the context of Islamic law and contemporary legal systems, crimes such as adultery, theft, slander, and bribery are treated with specific penalties. The principle of divine justice, as illustrated by the metaphorical use of a spear, underscores the severity of these offenses. The legal framework is designed to address these issues comprehensively. Islamic Perspectives on Criminal Acts Islamic law provides detailed guidelines for various criminal offenses: Adultery and Theft: Severe punishments are prescribed for these crimes due to their damaging impact on personal and societal integrity. Slander and Bribery: These offenses are also subject to stringent penalties, reflecting their potential to undermine trust and justice.

### 3.1 Quranic guidance regarding the Punishment

(Surah Al-Ma'idah 5:33)

إِنَّمَا جَزَاؤُا الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا أَنْ يُقَتَّلُوا أَوْ يُصَلَّبُوا أَوْ تُقَطَّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِنْ خِلَافٍ أَوْ يُنْفَوْا مِنَ الْأَرْضِ ذَلِكَ لَهُمْ جِزَاؤٌ فِي الدُّنْيَا وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ يُنْفَوْا مِنْ

Indeed, those who wage war against Allah and His Messenger (blessings and peace be upon him) and remain engaged in creating mischief in the land (i.e., perpetrate bloodshed, terrorism, robbery, burglary and massacre amongst Muslims), their punishment is that they should be slain, or hanged to death, or their hands and their feet on opposite sides should be cut off, or they should be exiled

far from (i.e., deprived of moving about in) the homeland (i.e., either by banishment or by imprisonment). That is the humiliation for them in this world, and for them there is a terrible torment in the Hereafter (as well), <sup>(xvii)</sup>

### 3.2 Quranic Interpretation of Haraba (Surah Al-Ma'idah 5:33)

The verse (Surah Al-Ma'idah 5:33) is often interpreted to address the punishment for those who commit serious crimes that affect the security and well-being of society, such as waging war, murder, theft, and spreading corruption. "Haraba" is traditionally interpreted as armed rebellion, banditry, or violent crimes against the community.

### 3.3 Specific Interpretations of the Verse by Scholars:

**Mujahid Ibn Jabr:** His interpretation seems to include adultery, theft, and murder as part of the crimes that the verse addresses. He might have expanded the definition of "waging war" to include these severe moral and legal crimes. <sup>(xviii)</sup>  
**Uthmani Tafsir:** It seems to indicate that the verse is generally understood to be about "warriors" who cause harm or corruption, including the broader implications of these actions, such as insecurity and disruption. <sup>(xix)</sup>

Contemplating the Qur'an: This interpretation might focus on the application of the verse in a broader context, possibly highlighting the severity of crimes like adultery when done forcefully (rape), and other acts that harm individuals and society.

### 3.4 Different Perspectives of the Verse

There are differences in how scholars and interpretations understand the scope of the verse. Some may restrict it to specific actions like armed rebellion, while others expand it to include other severe crimes like adultery or murder, especially when these acts cause widespread harm or corruption.

### 3.5 Application and Context of the verse

The application of this verse historically included harsh punishments for those who caused significant disruption in society, whether through violence, theft, or other means of spreading fear and instability.

### 3.6 Modern Implications of the Verse

Interpretations may vary, and contemporary scholars often discuss these verses in the context of modern legal systems and the principles of justice, considering both the severity of the crimes and the context in which they are committed.

It delves into the Islamic jurisprudential discussions surrounding the concept of "haraba" (waging war) and the associated punishments for various crimes, particularly focusing on theft, violence, and adultery. Here's a summary and interpretation of the key points

### 3.7 Categories of Punishments under the Law of Shariah

Islam, criminal laws are categorized into three distinct forms of punishment: Hudud (limits), Qisas (retribution), and Ta'zir (discretionary punishments). Unlike worldly laws where all punishments are generally referred to as penalties, Islamic jurisprudence draws a clear distinction between these terms.

### 3.8 Definition of Haddud:

Hudud refers to the fixed punishments prescribed by Allah Almighty for certain offenses. These punishments are immutable and cannot be altered, reduced, or pardoned by any ruler or authority because they are considered the rights of Allah Himself. The divine nature of these laws means that no human being holds the power to modify them.

### 3.9 Definition of Qisas:

Qisas pertains to the law of retribution, where the punishment corresponds directly to the offense, particularly in cases involving bodily harm or murder. These punishments are seen as a right of the individual or family who has been wronged, and the aggrieved party has the option to either enforce the punishment, forgive the offender, or accept compensation in its place.

### 3.10 Definition of Ta'zir:

Ta'zir involves punishments that are left to the discretion of the ruling authority. The ruler has the authority to either pardon the offender or impose a punishment that serves as a deterrent and a lesson to others. These punishments are not fixed by Islamic law but are instead determined based on the circumstances of each case.

### **3.11 Deserving of Punishment:**

In an Islamic state, the following acts, when committed by individuals or groups, warrant the imposition of Haddud:

- i-Looting or robbery
- ii-Highway robbery
- iii-Obstructing travelers
- iv-Assault on personal dignity
- v-Murder and shedding of innocent blood.
- vi-Rebellion against the government and state.

### **3.12 Punishments Under Haddud:**

The Holy Qur'an outlines four specific punishments for the crime of Harabah (armed robbery or rebellion):

- (a)-Execution
- (b)-Crucifixion
- (c)-Amputation of hands and feet on opposite sides
- (d)-Exile or imprisonment

It is narrated from Hazrat Ibn Abbas (may Allah be pleased with him) that the Prophet Muhammad (peace and blessings be upon him) made a peace treaty with Abu Burada al-slami. However, after breaking his promise, Abu Burda and his accomplices robbed and killed some individuals who were traveling to Madinah after embracing Islam. In response, the angel Jibreel (Gabriel) descended with Allah's command; <sup>(xx)</sup>

- i-Those who killed and looted were to be crucified.
- ii-Those who killed without looting were to be executed.
- iii-Those who looted without killing were to have their hands and feet amputated on opposite sides.
- iv-Those who terrorized people and disturbed public peace were to be exiled or imprisoned.

## **4. Implication of Haraba: The Law of Shariah in the modern Era in Pakistani Society**

The Imperative of Severe Punishments in Safeguarding National Security In examining the intricate interplay between crime and national security within the framework of Pakistani law, it becomes evident that certain crimes, though not traditionally classified under the severe category of Harabah which refers to crimes like armed robbery or highway banditry pose significant threats to the fabric of the nation. Crimes such as corruption, money laundering, kidnapping of children, airplane hijacking, rape, the destruction of critical infrastructure like petroleum transmission, and the assassination of state authorities may not strictly fall under the definition of Harabah as per classical Islamic jurisprudence. However, when considered through the lens of national security, these offenses reveal their profound potential to destabilize the nation, sowing the seeds of anarchy and severely undermining the rule of law. The article emphasizes that these crimes have a unique capability to spread chaos, disrupt public order, and erode the foundational structures that support societal harmony. Given the profound implications of these acts, there is a compelling argument for the imposition of stringent punishments, akin to those prescribed for Harabah, to deter their occurrence. The rationale is clear: the fear of law and the consequences it brings is one of the most effective deterrents against crime. When individuals transcend the natural boundaries of morality, societal expectations, and the influence of education, they often enter a realm where they are no longer restrained by conventional deterrents. It is at this juncture that severe punishments become not just appropriate but necessary. This approach to criminal justice is not without precedent.

The poignant comparison with China clearly shakes our minds that the implementation of harsh penalties has successfully curtailed similar crimes. For instance, China's imposition of the death penalty for money laundering serves as a stark reminder of how effective severe punishments can be in eliminating crimes that threaten national stability.

#### **4.1 The Social Fabric of Pakistan: A Grim Reality:**

In the year 2023, the province of Punjab witnessed a harrowing 30% surge in crime, a figure that casts a long shadow over the collective conscience of society. The statistics speak to a grim reality: 3,500 lives were extinguished in cold-blooded murder, 4,300 more were subjected to attempted murder, 116,000 motorcycles stolen, a symbol of the pervasive lawlessness.<sup>(xxi)</sup>

Robbery and extortion claimed 28,000 cases, violence and robbery another 85,000, and in the darkest corners, 35,000 souls endured the unspeakable horrors of rape and kidnapping. These figures coalesce into a staggering total of 1,033,000 crimes registered in a single year—each one a testament to a society in turmoil, an additional 162,000 cases, along with 181,000 miscellaneous crimes, were filed under the Local and Special Law in Punjab province.<sup>(xxii)</sup> This is not merely a statistical overview but a somber reflection of the human condition—one where despair seems to be the reigning sentiment.

**Hafiz Tariq Aziz**, in his column "*How to Get Rid of Money Laundering*," provides a historical account of how, 2,000 years ago, Chinese merchants engaged in money laundering by transferring profits and business assets, both legal and illegal, to other states to evade taxation. The Chinese government, recognizing the catastrophic impact this could have on the nation's economy, responded with strict measures, including the death penalty, to curtail this practice.<sup>(xxiii)</sup>

**4.2 The Consequence of Neglect in Implication the Law of Sharia:** The moral compass of Pakistani society has been severely compromised, leaving its people bereft of joy and hope. Rather than confronting the systemic rot, those in power choose to offer fleeting comforts, superficial remedies that do little more than pacify an anxious populace. They spend their time and resources on temporary relief measures, while the deeper malaise this erosion of societal values remains unaddressed. The negligence of institutions, their failure to uphold the rule of law, has allowed the tide of crime to rise unabated. Yet, within the teachings of Islam lies a path to restoration a path that demands the enforcement of divine justice. The state should surely embrace this path; the implementation of the Harraba Punishment (Laws of Islamic Sharia) the escalating crime rate could be curbed, not merely as a statistical victory but as a profound transformation of the social order. The enforcement of just punishments could shield the innocent, revive economic vigor, and reweave the torn fabric of society. The lives and properties of the people, once secure, would become the bedrock upon which a renewed, resilient community might stand. In the end, this is not merely about numbers on a page; it is about the soul of a nation, about reclaiming the humanity that binds us all. Only through decisive action, rooted in justice and compassion, can Pakistan hope to emerge from this shadowed valley into the light of peace, prosperity, and moral resurgence.

#### **Conclusion:**

The imposition of these severe punishments not only deterred the crime but also reestablished economic stability by ensuring that capital remained within the country. This historical precedent underscores a vital lesson: stringent punishments are sometimes the only effective means of addressing crimes that, while not fitting neatly into traditional categories like Harabah, nevertheless pose a severe threat to the nation. The imposition of such penalties in Pakistan could similarly rid the country of these destabilizing crimes, thereby reinforcing the rule of law and securing national stability. The punishments prescribed by Islam are designed not only to uphold justice but also to preserve the sanctity of human life and dignity. By enforcing these laws, peace and public safety are assured. Until humanity embraces the divine laws brought by the Merciful Prophet Muhammad (peace and blessings be upon him), the dream of establishing peace, love, and harmony on this earth will remain elusive.



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