

BRUNEI 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution states that while the official religion is the Shafi'i School of Islam, all other religions may be practiced "in peace and harmony." A partially implemented Sharia Penal Code (SPC) has operated in parallel with the existing common law-based criminal justice system since 2014 and primarily involves offenses punished by fines or imprisonment, such as propagating religions other than Islam, eating in public during the fasting hours of Ramadan, cross-dressing, close proximity of unmarried persons of the opposite sex, and "indecent behavior," which is defined broadly. The SPC applies to both Muslims and non-Muslims, including foreigners, with non-Muslims exempted from certain sections. A government gazette dated December 29 contained an order from the sultan stating the final phases of the SPC, which include corporal and capital punishments, would go into effect on April 3, 2019. A separate government gazette announced that the Sharia Criminal Procedure Code (CPC), which is necessary to implement the SPC, would go into effect January 1, 2019. The government permitted Shafi'i Muslims and members of non-Muslim religious minorities to practice their faiths but continued to ban several religious groups it considers "deviant." The defendant in a long-running sedition case, accused of criticizing religious policy, fled before his verdict to seek refuge in Canada. In response, the prosecution obtained an arrest warrant and informed the court it intended to apply for judgment in absentia. The government continued to prohibit non-Muslims proselytizing among Muslims or persons with no religious affiliation but did not caution non-Muslims against publicly celebrating religious holidays as it did last in 2016. The government periodically warned the population about "outsiders" preaching non-Shafi'i versions of Islam. In a local press article, a government official said foreigners residing in the country must adopt the national philosophy, Malay Islamic Monarchy (MIB). Islamic authorities organized a range of proselytizing activities and incentives to explain and propagate Islam.

Non-Muslims and Muslims faced social pressure to conform to Islamic guidelines regarding behavior. In discussion of religion and religious freedom on social media, some Muslims and non-Muslims posted comments questioning the relevance of the MIB national philosophy, while others called for increased Islamification and increased restrictions on non-Muslims. Anecdotal reports indicated that some Muslims and Christians who wished to convert to another religion feared social retribution, such as ostracism by friends, family, and their community.

Throughout the year, the Ambassador, Charge d’Affaires, other embassy officers, and visiting U.S. government officials regularly engaged with the government regarding the content and implementation of the SPC, ratification of the UN Convention against Torture (UNCAT), and protection of religious minority rights. The same issues were raised in June during a bilateral consultation between the Acting Assistant Secretary of State for East Asian and Pacific Affairs and the Minister of Foreign Affairs II, Dato Erywan. In November Department of State officials met senior officials from the Attorney General’s Chambers (AGC) to discuss the SPC and preparations for implementation of SPC phases two and three. The Ambassador and the Charge d’Affaires met frequently with minority religious leaders and discussed their concerns over the implementation of the full SPC.

Section I. Religious Demography

The U.S. government estimates the total population at 451,000 (July 2018 estimate). According to the 2011 census, 78.8 percent of the population is Muslim, 8.7 percent Christian, and 7.8 percent Buddhist, while the remaining 4.7 percent consists of other religions, including indigenous beliefs.

There is significant variation in religious identification among ethnic groups. According to 2016 official statistics, ethnically Malay Bruneians comprise 66 percent of the population and are presumed to be Muslim as an inherited status. The Chinese population, which is approximately 10 percent of the total population and includes both citizens and permanent residents, is 65 percent Buddhist and 20 percent Christian. Indigenous tribes such as Dusun, Bisaya, and Murut make up approximately 4 percent of the population and are estimated to be 50 percent Muslim, 15 percent Christian, and the remainder followers of other religious groups, including adherents of traditional practices. The remaining fifth of the population includes foreign-born workers, primarily from Indonesia, Malaysia, the Philippines, and South Asia or are stateless residents. According to official statistics, approximately half of these temporary and permanent residents are Muslim, more than one-quarter Christian, and 15 percent Buddhist.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states the religion of the country shall be the Shafi'i school of Sunni Islam but allows all other religions to be practiced "in peace and harmony" by the persons professing them.

The legal system is divided between civil law and sharia, which have parallel systems of both criminal and civil/family law and operate separate courts under a single judiciary department. The civil courts are based on common law. The sharia courts follow the Shafi'i school of Islamic jurisprudence, in which there is no law of precedence and judges are not bound by the decisions of a higher court. Sharia courts have jurisdiction over both criminal law and civil/family matters involving Muslims and hear cases brought under long-standing sharia legislation as well as under the SPC. In some cases, non-Muslims are subject to sharia courts, such as in the case of *khalwat* (close proximity between the sexes) if the other accused party is Muslim.

In 2014, the government announced it would introduce the SPC in three phases, and the first phase came into force that year. The SPC exists in parallel with the common law-based criminal law system and primarily involves offenses punishable by fines or imprisonment. It includes long-standing domestic sharia laws such as on drinking alcohol, propagating religions other than Islam, eating in public during the fasting hours of Ramadan, cross-dressing, and close proximity between unmarried persons of the opposite sex. It prohibits "indecent behavior," including pregnancies out of wedlock, and criminalizes any act that "tends to tarnish the image of Islam, deprave a person, bring bad influence, or cause anger to the person who is likely to have seen the act." The SPC applies to both Muslims and non-Muslims, including foreigners, as well as to offenses committed outside the country by citizens or permanent residents. Non-Muslims are exempt from certain sections, such as requirements for men to join Friday prayers or payments of *zakat* (obligatory annual alms giving). It states that Muslims will be identified for purposes of the law by "general reputation."

Government gazettes dated December 29 contained orders from the sultan that the CPC – a necessary step to implement the SPC – would enter into force on January 1, 2019, and both the SPC second and third phases, with provisions for both corporal and capital punishments, would take effect on April 3, 2019. The CPC outlines the procedures that law enforcement agencies and the sharia court need to follow when investigating and prosecuting sharia-related offenses.

When fully implemented, the SPC will introduce corporal punishments, including amputation for crimes such as theft, and capital punishments such as stoning to

death for rape, fornication, adultery, or sodomy, and execution for apostasy, contempt of the Prophet Muhammad, or insult of the Quran. The punishments included under the SPC have different standards of proof from the common law-based penal code, such as requiring four pious men to witness personally an act of fornication to support a sentence of stoning. Stoning sentences, however, could be supported by a confession in lieu of evidence at the discretion of a sharia judge.

The government describes its official national philosophy as *Melayu Islam Beraja* (MIB), or Malay Islamic Monarchy, which the government defines as “a system that encompasses strong Malay cultural influences, stressing the importance of Islam in daily life and governance, and respect for the monarchy as represented by His Majesty the Sultan.” The government has said this system is essential to the country’s way of life and its main defense against extremism. A government body, the MIB Supreme Council, seeks to spread and strengthen the MIB philosophy and ensure MIB is enshrined in the nation’s laws and policies. MIB is a compulsory subject for students in both public and private schools, including at the university level.

The Religious Enforcement Division under the Ministry of Religious Affairs (MORA) is the lead agency in many investigations related to religious practices, but other agencies also play a role. The Religious Enforcement Division leads investigations on crimes that exist only in the SPC and other sharia legislation, such as male Muslims failing to pray on Fridays. Cases involving crimes that are not covered by sharia legislation, such as human trafficking, are investigated by the Royal Brunei Police Force (RBPF). Cases involving crimes covered by both sharia and the civil code are also investigated by the RBPF and referred to the AGC. In these cases, a committee of AGC and MORA officials determines in each case if a specific crime should be prosecuted and whether it should be filed in the sharia or civil court. No official guidelines for the committee’s determination process have been published.

The government has permitted Shafi’i Muslims and members of non-Muslim religious minorities to practice their faiths but has continued to ban several religious groups it considers “deviant,” including the Ahmadiyya Muslim Community, Al-Arqam, Abdul Razak Mohammad, Al-Ma’unah, Saihoni Tasipan, Tariqat Mufarridiyyah, Silat Lintau, Qadiyaniah, the Baha’i Faith, and Jehovah’s Witnesses. The list is based on fatwas proclaimed by the state mufti or the Islamic Religious Council – a government body and the sultan’s highest authority on matters on Islam – and is publicly available on MORA’s website. The SPC also bans any practice or display of “black magic.”

The SPC includes a list of words and expressions, including the word “Allah,” reserved for use by only Muslims or in relation to Islam. In 2016, the government clarified that the use of certain words, such as “Allah” by non-Muslims, did not constitute an SPC offense when used in a nonreligious context or social activity.

Muslims are legally permitted to renounce their religion until authorities implement the complete SPC, but individuals wishing to renounce their faith must inform the Islamic Religious Council in writing. A person must be at least 14 years and seven months old to convert to a different religion. If parents convert to Islam, their children automatically become Muslim.

The law requires all organizations, including religious groups, to register and provide the names of their members. Applicants are subject to background checks for leaders and board members, and proposed organizations are subject to naming requirements. Registered organizations must furnish information on leadership, election of officers, members, assets, activities, and any other information requested by the registrar. Benefits of registration include the ability to operate, reserve space in public buildings, and apply for permission to raise funds. The registrar of societies oversees the application process, exercises discretion over applications, and is authorized to refuse approval for any reason. Organizations are prohibited from affiliation with any organization outside the country without written approval by the registrar. Unregistered organizations may face charges of unlawful assembly and may be subject to fines. Individuals who participate in or influence others to join unregistered organizations may be fined, arrested, and imprisoned. The general penalty for violating laws on the registration and activity of organizations is a fine of up to 10,000 Brunei dollars (BND) (\$7,300), imprisonment for up to three years, or both.

The law states that any public assembly of five or more persons requires official approval in advance. Under long-standing emergency powers, this applies to all forms of public assembly, including religious assembly. In practice, however, places of worship are viewed as private.

The law forbids the teaching or promotion of any religion other than Islam to Muslims or to persons of no faith. Under the first phase of the SPC, the penalty for propagating religions other than Islam is up to five years in prison, a fine of up to 20,000 BND (\$14,700), or both. The SPC includes a provision that makes it illegal to criticize Islam, including the SPC itself.

Laws and regulations limit access to religious literature. The law states it is an offense for a person to import any publication deemed objectionable, which is defined in part as describing, depicting, or expressing matters of race or religion in a manner likely to cause “feelings of enmity, hatred, ill-will, or hostility between different racial or religious groups.” The law also bans distributing materials relating to religions other than Islam to Muslims or persons of no faith.

The law establishes two sets of schools: those offering the national or international curriculum and administered by the Ministry of Education (MOE), and those offering supplemental religious education (*ugama*) that are administered by MORA.

MOE schools are required to teach a course on Islamic religious knowledge, which is required for all Muslim children ages seven to 15 who reside in the country and who have at least one parent who is a citizen or permanent resident. Non-Muslims are exempted from all religious study requirements and receive teaching on moral behavior. Muslim students must also attend separate, MORA-run religious schools (often in the afternoon after MOE schools have adjourned), which provide additional *ugama* instruction.

Ugama instruction in MORA schools is a seven-to-eight-year course that teaches the day-to-day practice of Sunni Islam according to the Shafi’i school and is mandatory for Muslim students ages seven to 14 who hold citizenship or permanent residency.

Alternatively, MORA also administers a set of schools taught in Arabic that offer the national curriculum combined with *ugama* religious education.

A 2012 government order mandates that every Muslim child between the ages of seven and 15 attend a MORA religious school. Parents may be fined up to 5,000 BND (\$3,700), imprisoned for a term not exceeding one year, or both for failure to comply with the order. The law does not make accommodations for Muslims who have non-Shafi’i beliefs.

In July the sultan directed that Islamic history be made a compulsory subject in all educational institutions, including private schools.

Public and private schools, including private schools run by churches, are prohibited from providing religious instruction in beliefs other than the Shafi’i school of Islam during school hours. Schools may be fined or school officials

imprisoned for teaching non-Islamic religious subjects. The SPC criminalizes exposing Muslim children or the children of parents who have no religious affiliation to the beliefs and practices of any religion other than Islam. The law also requires practitioners to obtain official permission before teaching any matter relating to Islam. Churches and religious schools are permitted to offer non-Shafi'i Islamic education in private settings, such as private homes.

All parental rights are awarded to the Muslim parent if a child is born to parents who are not both Muslim. The non-Muslim parent is not recognized in any official document, including the child's birth certificate, unless that parent has converted to Islam. The law bans any Muslim from surrendering custody of a minor or dependent in his or her guardianship to a non-Muslim.

Under the SPC, non-Muslims may be arrested for *zina* (fornication or adultery) or *khalwat*, provided that the other accused party is Muslim. Foreigners are also subject to these laws.

A regulation requires businesses that produce, supply, and serve food and beverages to obtain a halal certificate or apply for an exemption if serving non-Muslims.

MORA has declared circumcision for Muslim girls (*sunat*) a religious rite obligatory under Islam and describes it as the removal of the hood of the clitoris (Type I per World Health Organization classification). The government has stated it does not consider this practice to be female genital mutilation/cutting (FGM/C) and has expressed support for the World Health Organization's call for the elimination of FGM/C. In his 2017 fatwas, the state mufti stated that both male and female circumcision are required and specified that female circumcision involves a "small cut above the vagina."

The country is not a party to the International Covenant on Civil and Political Rights.

Government Practices

Government-provided statistics indicated sharia courts prosecuted 123 cases resulting in 71 convictions between January and August. The majority of convictions were for *khalwat* and illicit sex. Additionally, two individuals were convicted for disrespecting the month of Ramadan.

The defendant in a long-running sedition case, accused of criticizing MORA's halal policy, fled the country before his verdict in order to seek refuge in Canada. In response, the prosecution obtained an arrest warrant and informed the court it intended to apply for judgment in absentia.

Public and private practitioners in the local legal community stated that the CPC does not fully address evidentiary standards for prosecution of corporal and capital punishment cases for phases two and three of the SPC.

MORA continued to provide texts for Friday sermons to all mosques, which were then required to deliver the approved texts, and the government required the sermons to be preached only by registered imams.

The Reporters Without Borders 2018 World Press Freedom Index for Brunei stated journalists in the country practiced self-censorship as a rule when reporting on religion.

There was no legal requirement for women to wear head coverings in public; however, religious authorities continued to reinforce social customs to encourage Muslim women to wear the *tudong* (a traditional Islamic head covering), and many women did so. When applying for passports, drivers' licenses, and national identity cards, Muslim females were required to wear a *tudong*. Muslim women employed by the government were expected to wear a *tudong* to work, although some chose not to with no reports of official repercussions. In government schools and institutions of higher learning, Muslim female students were required to wear a uniform that includes a head covering. Male students were expected to wear the *songkok* (a traditional hat), although this was not required in all schools. Women who were incarcerated, including non-Muslims, were required to wear a uniform that included a *tudong*.

Religious leaders and government officials did not officially warn citizens against publicly displaying symbols of religions other than Islam during Christmas and Chinese New Year, as they did last in 2016. Many businesses still chose not to display decorations; however, Christmas decorations were on display for sale in many shops in popular malls. As in past years, the government limited traditional Lunar New Year lion dance performances to a three-day period and restricted them to the Chinese temple, Chinese school halls, and private residences of Chinese Association members. Members of the royal family publicly attended Lunar New Year celebrations and lion dance performances during the allowed period, with front-page coverage in state-influenced media.

The government periodically warned the population about “outsiders” preaching non-Shafi’i versions of Islam, including both “liberal” practices and those associated with jihadism, Wahhabism, or Salafism. In November while addressing an audience that contained international Islamic scholars and several senior government officials, the head of the Religious Teachers’ University College stated the ideas of liberalism and individual freedom in religion were dangerous.

According to a local press article, in May the head of the Traditions and Customs Council, Pengiran Aziz, told members of the Brunei-China Friendship Association that foreigners residing in the country must adopt the national philosophy, MIB, and described it as a concept of life and the foundation of national unity.

The government continued to enforce strict customs controls on importing non-Islamic religious texts such as Bibles, as well as on Islamic religious teaching materials or scriptures intended for sale or distribution. Authorities generally continued to ban non-Islamic religious texts from import, and the censorship board continued to review Islamic texts to ensure they did not contain text that deviated from the Shafi’i school of Islam. Personal packages entering the country continued to be checked by customs to ensure they did not contain anything of a non-Shafi’i Islamic or perceived sexual nature, such as magazines showing women in swimsuits.

Churches stated that a long-standing fatwa discouraging Muslims from assisting in perpetuating non-Muslim faiths continued to inhibit expansion, renovation, or construction of new facilities. Christian religious groups said, however, authorities generally permitted churches and associated schools to repair and renovate buildings on their sites if required for safety. This approval process remained lengthy and difficult, and there were continuing reports of the government stalling new construction projects for not meeting the complicated permit process requirements. With only six approved churches in the country, facilities were often too small to accommodate their congregations without significant overflow seating outdoors. Chinese Buddhist temples were also subject to the same fatwa, with only one official Chinese temple preserved as a cultural heritage site. Government data from 2015, the latest available, indicated there were 99 registered mosques. Christian worshippers continued to report difficulty accessing churches on many Sundays because of road closures by the government for official events, with some services being rescheduled to other times.

The minister of religious affairs reported there had been a significant increase in the number of students attending religious school since the implementation of the 2012 order on compulsory religious education. The government reported many non-Muslim children elected to take courses on Islam. Reportedly, those applying for government-funded scholarships believed having such courses could be advantageous. Most school textbooks were illustrated to portray Islam as the norm, and women and girls were shown wearing the *tudong*. There were no depictions of the practices of other religious groups in textbooks.

Authorities continued to prohibit non-Muslims and non-Shafi'i Muslims from receiving non-Shafi'i religious education in schools. The government tolerated non-Islamic religious education in private settings, such as at home or in approved churches. All church-associated schools were recognized by the MOE and remained open to students of any religion, although they were not permitted to offer religious instruction other than for Shafi'i Islam.

Throughout the year, the government enforced business hour restrictions requiring all businesses to close for the two hours of Friday prayers. Religious enforcement officers continued to enforce a ban on restaurants serving dine-in food during the fasting hours of Ramadan and issued verbal warnings to those found in breach of the ban. In May an article in *Borneo Bulletin*, citing the SPC, advised local eateries not to serve dine-in customers during daylight hours and cautioned the public not to eat, drink, or smoke in public places during daylight hours throughout Ramadan. During Ramadan, a picture of government officials entering a restaurant and reportedly issuing a verbal warning for serving dine-in food during fasting hours went viral on social media platforms WhatsApp and Reddit. In March the owner of a prominent restaurant was fined 825 BND (\$610) for violating halal regulations by having alcohol and nonhalal meat products on his premises. The government continued to enforce a ban on eating, drinking, or smoking in public during the fasting hours of Ramadan, which was applied to both Muslims and non-Muslims.

Authorities reportedly stepped up enforcement of anti-alcohol laws. Law enforcement agencies raided two hotels and several private parties for serving alcohol illegally. The government maintained a long-standing ban on the sale of alcoholic beverages and cigarettes, and a restriction against the import or consumption of alcoholic beverages by Muslims. In March border enforcement agencies began more rigorous enforcement and increased the frequency of border inspections, specifically seeking out those with alcohol or cigarettes. Religious authorities allowed nonhalal restaurants and nonhalal sections in supermarkets to

operate without interference but continued to hold public outreach sessions to encourage restaurants to become halal.

The government offered incentives to prospective converts to Islam and the Shafi'i school, especially those from indigenous communities in rural areas, including help with housing, welfare assistance, or help to perform the Hajj. During the year, Hajj participants received designer luggage from the government. The government gave presentations on the benefits of converting to Islam that received extensive press coverage in state-influenced media. According to government statistics, approximately 500 individuals converted to Islam during the year, similar to previous years. Converts included citizens and permanent residents, as well as foreigners. Official government policy supported Islam through the national MIB philosophy as well as through government pledges to make the country a *zikir* nation (a nation that remembers and obeys Allah).

Despite the absence of a legal prohibition of Muslims marrying non-Muslims, all Muslim weddings required approval from the sharia courts, and officiants, who were required to be imams approved by the government, required the non-Muslim party to convert prior to the marriage.

Most government meetings and ceremonies commenced with an Islamic prayer, which the government continued to state was not a legal requirement but a matter of custom.

The government required residents to carry identity cards that stated the bearer's ethnicity, which were used in part to determine whether he or she was Muslim; for example, all ethnic Malays, including those traveling in the country, were assumed to be Muslim. Malays were required to follow certain Islamic religious practices or potentially face fines, arrest, and imprisonment. Religious authorities reportedly checked identity cards for ethnicity when conducting raids against suspected violators of sharia. Visitors to the country were asked to identify their religion on their visa applications.

Speaking at the closing of the Legislative Council session in March, the minister of religious affairs stated, "If asked by anyone where the democracy of Brunei's MIB is, answer assertively that our democracy is based on the teachings of Islam. We will not export Brunei's democracy, as it is a democracy that fits the land."

In June As-Syahadah Muallaf Youth, a government-associated youth group, hosted a first of its kind multifaith iftar and invited non-Muslims to the event at one of the

country's biggest mosques. Muhammad Yusri Hj Abdul Majid, one of the event organizers, stated the group hosted the iftar to foster understanding between Muslims and non-Muslim communities. Following the occasion, local press reported MORA intended to make the multifaith iftar an annual event.

Section III. Status of Societal Respect for Religious Freedom

Non-Muslims and Muslims faced social pressure to conform to Islamic guidelines regarding behavior. Male members of the Islamic community reportedly felt pressure from family and friends to attend Friday prayers despite not having strong religious beliefs. Members of the LGBTI community expressed fears about openly expressing their sexuality as they thought it would bring shame on their families who were religious.

In discussion of religion and religious freedom on social media outlets such as Facebook and Reddit, Muslims and non-Muslims posted comments questioning the relevance of the MIB national philosophy, and some commenters called for religion to play no part in government policy. Others called for increased Islamification and increased restrictions on non-Muslims. Residents who questioned the SPC or Islamic values on social media sometimes reported receiving online abuse and threats and official monitoring. Some vocal activists who challenged established norms reported family and friends would pressure them to keep quiet due to fear they would attract the attention of authorities or damage the family's reputation.

Some Muslims who wished to convert to another religion reportedly continued to fear social retribution, such as ostracism by friends, family, and their community. If parents converted to Islam, there was often family and official pressure for the children to do the same. Some non-Muslims said they felt pressured in the workplace or in social groups to convert to Islam.

In March an imitation grenade found in the parking lot of the Sharia Court building in the capital city prompted a security alert.

Section IV. U.S. Government Policy and Engagement

Throughout the year, the Ambassador, other embassy officers, and visiting U.S. government officials regularly engaged with the government regarding the content and implementation of the SPC, ratification of UNCAT, and protection of minority rights.

In June the Acting Assistant Secretary of State for East Asian and Pacific Affairs met with Dato Erywan, Minister of Foreign Affairs II, in Washington and encouraged Brunei to ratify UNCAT and avoid some of the more severe punishments proscribed under the SPC. During the meeting, the Acting Assistant Secretary discussed the implementation of sharia and encouraged the government to ensure implementation was in compliance with UNCAT. The meeting also included discussion of the controversy within the international community that further implementation of the SPC would cause.

In November Department of State officials reinforced these points in meetings with senior officials from the AGC and discussed the SPC, preparations for implementation of SPC phases two and three, and likely international reactions to SPC phases two and three.

In October the Charge d'Affaires, along with other members of the diplomatic community, met with Apostolic Delegate to Brunei Archbishop Joseph Marino, who discussed the SPC and its impact on religions other than Islam.

U.S. officials continued to coordinate with other governments, including Australia and the United Kingdom, regarding shared concerns about implementation of the SPC and continued to encourage the government to postpone implementation. U.S. embassy officials emphasized the seriousness with which the United States takes assurances from the government that the evidentiary and witness standards in the SPC would, as a matter of procedure and policy, be so exacting as to effectively guarantee that torture or other cruel, inhuman, or degrading treatment or punishment will not be carried out in practice. The Ambassador and other embassy officials also continued to raise concerns that a confession could be used in lieu of evidence, and that those accused could be coerced by social pressure to confess. Embassy officials urged religious enforcement officers and officials involved in implementation and enforcement of the SPC to comply with international human rights norms. Senior government officials continued to emphasize the uniqueness of the country's sharia and the near-impossibility of meeting SPC evidentiary standards required for the harshest punishments.

The Ambassador and the Charge d'Affaires frequently met during the year with government and religious leaders to discuss the concerns of religious minorities regarding the implications of the SPC for the non-Muslim community and the limitations placed on open practice of other religions.

Embassy officials visited places of worship, spoke with leaders of all principal religious groups, and facilitated discussions on the SPC and laws and policies affecting religious freedom in the country, including obstacles to practicing religions and beliefs other than Shafi'i Islam in addition to provisions of sharia.