

Implementation of Hisbah in the Management of Islamic Affairs (PHEI) in Malaysia

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Abstract

Malaysia, as a country that designates Islam as its official religion, has established various measures to effectively administer Islamic affairs across the nation. However, despite these efforts, the management of Islamic affairs (PHEI) in Malaysia faces numerous challenges due to the country's federal structure, where each state possesses the autonomy to manage its religious affairs, particularly those with Sultans or Kings as constitutional rulers. One of the core elements of PHEI is the practice of *hisbah*, a concept rooted in the principle of *amar makruf nahi munkar* (enjoining good and forbidding evil), which encompasses the social, economic, and moral aspects of society. This paper aims to explore the implementation of *hisbah* within the framework of PHEI in Malaysia and analyze its role in the governance of Islamic affairs at the state level. The study shows that although the administrative systems for managing Islamic affairs differ across states in Malaysia, the implementation of *hisbah* shares significant similarities. These include the establishment of specialized Enforcement Management Divisions and the appointment of Religious Enforcement Officers (PEAs) to ensure compliance with Islamic laws, particularly those related to morality, religious practices, and social welfare. Despite the varying *enakmen* (laws) and administrative procedures, these efforts contribute to maintaining Islamic governance in line with both the federal and state constitutions. The role of the Department of Islamic Development Malaysia (JAKIM) is pivotal in coordinating and strengthening the overall framework of PHEI, providing guidance and support to the states. The findings of this study highlight the importance of continuous research and refinement of *hisbah* practices in order to enhance the administration of Islamic affairs and uphold the sanctity of Islam in Malaysia. The article concludes that improving the coordination of *hisbah* within the PHEI framework will help

ensure the protection of Islamic values, social justice, and the well-being of the Muslim community in the country.

Keywords: Management of Islamic Affairs (PHEI), Hisbah, States, Malaysia.

Introduction

The Management of Islamic Affairs (PHEI) in Malaysia has its unique historical context and continues to develop under the governance of both state and federal authorities. Each state has its own administration or specific institution responsible for managing Islamic affairs, which falls under the jurisdiction of the Sultan or King of the respective state. Interestingly, in states without a Sultan or King, the Yang di-Pertuan Agong (YDPA) acts as the Head of Islamic Affairs.

The position of Islam is explicitly recognized and holds a special status in Malaysia, as it is one of the four traditional elements enshrined and explicitly mentioned in the Federal Constitution, alongside the monarchy, the Malay language, and the special rights of the Bumiputera.

The administration of Islamic affairs at the state level is generally managed by two main entities: the State Islamic Religious Council (*Majlis Agama Islam Negeri* or MAIN) and the State Islamic Religious Department (*Jabatan Agama Islam Negeri* or JAIN). Among their duties, MAIN and JAIN oversee, regulate, and safeguard the sanctity of Islam and the welfare of the Muslim community in the respective states.

One particular function of interest is the implementation of *hisbah* within the PHEI framework, carried out by these religious bodies. This practice aligns with fulfilling Allah's command to enjoin good (*amar makruf*) and forbid evil (*nahi mungkar*), which serves as the fundamental basis for the implementation of *hisbah*.

Methodology

This study employs a qualitative research approach using content analysis as its design framework. Information was gathered from materials such as key documents, journal articles, conference proceedings, books, and edited works, and analyzed descriptively. Both digital and non-digital sources were reviewed to obtain the desired data or information in order to meet the objectives of the research.

The library research method was also utilized by collecting and compiling information through the examination of materials related to the study. The data for this research were obtained from sources such as theses, dissertations, books, working papers, magazines, journals, documents, websites, and any materials relevant to the research topic. Document analysis plays a crucial role in gaining an in-depth understanding of the subject, organizing and identifying issues being studied, enhancing analytical sensitivity, fostering more critical analysis, and broadening academic experience.

The accurate application of research methods and the use of reliable data are critical to understanding the actual implementation of *hisbah* within the Management of Islamic Affairs (PHEI) in Malaysia on a general level. Continuous in-depth studies on the implementation of *hisbah* at both federal and state levels are necessary to uphold the

principle of enjoining good (*amar ma'ruf*) and forbidding evil (*nahi munkar*), in alignment with Islamic teachings, which form the foundational basis of Islamic administration.

The Position of Islam in Malaysia

Malaysia recognizes Islam as the official religion of the Federation, as stipulated in the Federal Constitution (Said, 1984). However, other religions are allowed to be practiced freely to foster a culture of tolerance and. This is based on Article 3 of the Federal Constitution, which states, "*Islam is the religion of the Federation; but other religions may be practiced in peace and harmony in any part of the Federation.*"

The position of Islam in Malaysia's Federal Constitution is one of the traditional elements enshrined in the nation's framework, alongside the status of the Malay Rulers, the Malay language as the national language, and the special rights of the Malays. According to Majid (1997), when the Federation of Malaya was established in 1948, the fundamental features of the state governments were preserved, and the Federal Constitution was crafted to include provisions regarding the position of Islam in the Federation.

Aun (1982), further explains that under the Federal Constitution, the authority to govern Islamic laws (including the administration of Islamic religious laws) falls under the jurisdiction of the states within the Federation. However, the Constitution does not mandate that each state must designate Islam as the official religion of the state (Markom, 2003). Nevertheless, states with Sultans or Kings have established through their respective state constitutions that Islam is the official religion of the state. This contrasts with states without monarchs, such as Penang, Melaka, Sabah, and Sarawak, where Islam is not designated as the official state religion.

Although Islam is acknowledged as the religion of the Federation by the Federal Constitution, this recognition does not extend to making Islamic law the basis of the nation's legal system. As Othman M.S.A explains, while Islam is the official religion of the Federation, this does not mean that Islamic law serves as the foundation for national legislation. This is because the Federal Constitution is the supreme law of the Federation, and all laws enacted must align with and not contradict the Constitution.

In line with these provisions and the authority of the Malay Rulers over Islamic matters in their respective states, the Malaysian Constitution stipulates that Islamic law falls under state jurisdiction. According to the Ninth Schedule, List II—State List (Majid, 1997):

"Except for the Federal Territories of Kuala Lumpur and Labuan, Islamic law and personal and family law for persons professing the religion of Islam, including matters related to inheritance (testate and intestate), engagement, marriage, divorce, dowry, maintenance, adoption, legitimacy, guardianship, gifts, division of property, and Islamic charitable trusts (wakaf) and their definitions, as well as the regulation of religious endowments and charities, the appointment of trustees, and the establishment of bodies for the management of Islamic donations and charities; Malay customs; zakat, fitrah, and Baitulmal or similar Islamic revenue; mosques or any public places of worship for Muslims; creation and punishment of offenses by persons professing Islam against Islamic precepts, except in matters within federal jurisdiction; membership, organization, and procedures for Syariah courts, which shall have

jurisdiction only over persons professing Islam and only on matters included in this paragraph but not in criminal offenses unless provided for by federal law; control of the propagation of doctrines and beliefs among persons professing Islam; determination of Islamic law and doctrine and Malay customs.” (Federal Constitution of Malaysia 2010).

Islamic Administration Post-Independence

With Malaya's independence and later the formation of Malaysia, the management of Islamic affairs began to receive greater attention. Several constitutional provisions, such as Article 12(2) and List II of the Ninth Schedule, have strengthened the administration of Islamic affairs specifically and Islamic development generally.

The clear division of powers between the Federal Government and State Governments regarding Islamic matters has made both parties aware of their respective responsibilities in advancing Islam in the country. Efforts to improve and enhance Islamic administration have been ongoing across various fields (Abdullah, 2007).

The administrative authority over Islamic affairs falls under the jurisdiction of the rulers of the respective states. Consequently, legislative powers concerning Islamic laws rest with the State Legislative Assemblies. This includes enacting specific laws pertaining to Islamic affairs, provided these laws do not conflict with provisions in the Federal Constitution (Alwi, 2009).

However, the comprehensive implementation of laws related to Islam cannot be fully realized due to limitations imposed by the Malaysian Federal Constitution. These constraints affect the scope and enforcement of Islamic legislation, highlighting the challenges in balancing federal and state authority within the constitutional framework.

The Dynamics of Islamic Administration in Malaysia

The administration of Islamic affairs in Malaysia has evolved over time, influenced by the *siyāsah syari‘yyah* (Islamic governance) powers vested in the Malay Rulers or Sultans. These changes have been shaped by shifts in governance and political influence. The most significant transformation occurred during British colonial rule, when the administration of Islam was bureaucratized. Post-independence, the Islamic administration system was further strengthened, particularly in enhancing the authority of the Syariah Courts and expanding the activities of Islamic Religious Councils.

In some states, such as Kelantan and Pahang, Islamic Religious Councils were established before World War II. However, in most Malay states, these councils only emerged after 1945. For example, the Perak Islamic Religious and Malay Customs Council was officially established in 1949 (Baderun, 2014).

Constitutional Framework for Islamic Administration

Under the existing constitutional provisions, the government is responsible for advancing and strengthening the position of Islam in Malaysia. However, the authority to manage and implement Islamic matters lies with the individual states. This division of responsibilities between the Federal and State Governments ensures that states retain their

autonomy in administering and legislating Islamic affairs, as long as such laws are consistent with the Federal Constitution (Majid, 1997).

Article 4(1) of the Federal Constitution states:

“This Constitution is the supreme law of the Federation, and any law passed after Merdeka Day which is inconsistent with this Constitution shall, to the extent of the inconsistency, be void.”

Alwi (2009) notes that Islam is the official religion of every state in Malaysia, except in Penang, Melaka, Sabah, and Sarawak. These states, lacking Sultans or Kings, are represented by a Yang Dipertua Negeri (Governor). Nevertheless, both the Malay Rulers and the Yang Dipertua Negeri are subject to the provisions of the Federal and State Constitutions.

These constitutional provisions delineate the jurisdictional boundaries for states in managing Islamic affairs and laws. In states with Malay Rulers, the Sultan or King serves as the Head of Islam and the ultimate executive authority in Islamic matters (Alwi, 2009).

The Role of the Yang Di-Pertuan Agong (YDPA)

In states without Sultans or Kings—Melaka, Penang, Sabah, and Sarawak—the Yang Di-Pertuan Agong (YDPA), elected by the Conference of Rulers, assumes the role of Head of Islam (Nor & Yahaya, 2004). Additionally, the YDPA remains the Head of Islam in their own home state while serving as the YDPA for the Federation.

As Malaysia's Head of State, the YDPA is also entrusted with safeguarding the rights and privileges of Malays and Bumiputeras and serves as the Supreme Commander of the Armed Forces, as outlined in Article 41 of the Federal Constitution. These multifaceted roles underscore the YDPA's significance in maintaining the balance between constitutional mandates and the administration of Islamic affairs.

The Unique Governance System of Malaysia

Malaysia is a unique nation with a governance system that combines Parliamentary Democracy and Constitutional Monarchy. This system implements the principle of separation of powers to ensure a distinct and organized administrative framework. As a result, three primary branches of authority or jurisdictions exist:

1. Legislative Authority – Responsible for drafting and enacting laws.
2. Judicial Authority – Empowered to interpret laws and carry out judicial duties.
3. Executive Authority – Tasked with managing administration and enforcing enacted laws.

Each of these branches has distinct roles and scopes of duties but remains interrelated to strengthen the effectiveness of the government's administration (Taha, 2003).

Doctrine of Separation of Powers (DPK)

According to Kusrin and Khalid (2002), the Doctrine of Separation of Powers (DPK) is a concept introduced by Western scholars and later adopted in Malaysia's governance system. The DPK posits that the three key government branches—Executive, Legislative, and Judiciary—must remain separate and be administered by distinct bodies to ensure fairness and justice in governance.

This practice aligns with Malaysia's commitment to upholding the principles of good governance, ensuring checks and balances among the branches, and preventing the concentration of power in any one body. The synergy between these three branches fosters a well-coordinated and robust administrative system.

Management of Islamic Affairs (PHEI)

To ensure a more organized management of Islamic affairs in the country, the government has established several key departments tasked with coordinating and implementing the Management of Islamic Affairs (PHEI) at the federal level. These include the Department of Islamic Development Malaysia (JAKIM), the Malaysian Syariah Judiciary Department (JKSM), and the Department of Awqaf, Zakat, and Hajj (JAWHAR). Additionally, the formation of the National Council for Islamic Religious Affairs (MKI) by the Conference of Rulers on October 17, 1968, was a significant step toward standardizing the administration of Islamic affairs across Malaysia (Borhan, 2002).

Beyond its role in appointing and dismissing the Yang di-Pertuan Agong (YDPA), the Conference of Rulers also plays a crucial role in coordinating Islamic practices, rituals, and ceremonies nationwide, including determining the dates for fasting and religious celebrations for Muslims in Malaysia (Kamal, 2007).

One of the key measures to strengthen and enhance the position of PHEI in Malaysia is the establishment of JAKIM. According to Yahya (2009), JAKIM plays a vital role in transforming the management of Islamic affairs in the country. As the secretariat for the National Council for Islamic Religious Affairs (MKI), JAKIM has three core functions:

1. Drafting and standardizing Syariah laws.
2. Coordinating the administration of Islamic affairs in Malaysia.
3. Developing Islamic education.
- 4.

To achieve these objectives, JAKIM collaborates closely with other religious bodies, such as the State Islamic Religious Councils (MAIN) and the State Islamic Religious Departments (JAIN). Hassan (2004) stated that MKI is responsible for overseeing the Fatwa Committee, the Conference of Heads of Islamic Religious Departments in Malaysia, ad hoc committees, and any other committees appointed by the council.

State-Level Administration

At the state level, the management and implementation of Islamic affairs are handled by four religious bodies in each state:

1. State Islamic Religious Council (MAIN)
2. State Islamic Religious Department (JAIN)
3. Mufti Department
4. State Syariah Judiciary Department (JKSN)

According to Endot I. et al (2010), Islamic affairs departments in Malaysia generally function as administrative entities assisting the State Religious Affairs Councils. An exception is in Terengganu, where the Department of Islamic Affairs operates independently of the Religious Council and falls under the jurisdiction of the State Commissioner of Islamic Affairs.

The Islamic religious departments at the state level perform essential roles, including managing family affairs, Islamic education, propagation (dakwah), legal prosecution and enforcement, mosque administration, halal certification, publishing, and research. To ensure effective service delivery to the community, district-level Islamic religious offices have been established. Furthermore, these departments contribute to community development by providing infrastructure such as mosques, religious schools, and Islamic burial grounds (Yahya, 2009).

Yaacob (2009), explains that there are three institutions involved in the implementation of Islamic law: the Islamic Religious Council, the Mufti, and the Syariah Court. Tahir H.M. and Yaacob (1984) further explain that the Islamic Religious Council is the highest body that functions to formulate policies or guidelines and provide advice to the Sultan (DYMM) on matters related to Islam. Typically, the council is supported by a secretariat, the Islamic Religious Department, which is responsible for implementing the policies, guidelines, and decisions made by the council.

Kawangit (2005), explains that the management of Islamic affairs is sometimes referred to as the management of Islamic affairs or the administration of Islamic affairs, which relates to the public administration system in Malaysia. This is because the legal status of the country places Islamic affairs under the jurisdiction of the states. Therefore, the existence of Islamic organizations indirectly leads to the creation of a management system known as the management of Islamic affairs.

Meanwhile, Yahya (2009) explains that the management of Islamic affairs refers to the methods or ways in which society in the country is organized to live its life, both individually, as a community, and as a nation, in accordance with the principles and foundations of Islam. Its purpose is to establish harmony and welfare for all, in accordance with Islamic teachings.

The Role of Islamic Affairs Management (PHEI) in Main and Jain

Through the power of Islamic Affairs Management (PHEI) vested in the Islamic Religious Councils (MAIN) and Islamic Religious Departments (JAIN), these religious bodies play a crucial role in safeguarding and preserving Islam and the interests of the Muslim community. One of the primary responsibilities of these religious bodies is to carry out the duties of *amar makruf* (enjoining what is right) and *nahi munkar* (forbidding what is wrong), which form the basis of the *hisbah* concept. The implementation of *hisbah* is subject to the jurisdiction provided by the different state enactments, which vary from state to state.

The provisions in the Islamic Administration Law Enactments in each state generally relate to public and personal law. These laws define the relationship between Islam and the state or nation, establish the legal framework of Islamic law for Muslims in Malaysia, and officially set out several principles of Islamic law and the jurisdiction of the Shariah Courts, the Islamic Religious Councils, and the Departments of Islamic Affairs in each state.

According to several provisions in these enactments, the Islamic Religious Council in each state, in addition to being the policymaker for Islamic administration, is also given legislative power to make regulations concerning the administration of zakat (charitable giving) and zakat al-fitr (charity given at the end of Ramadan), appoint small Shariah

committees, and manage matters such as religious congregations (kariah) and the celebration of the Prophet's birthday (maulid nabi). The council also has the final authority to approve fatwas (religious rulings) that cannot be approved by the Shariah committee. Furthermore, the Islamic Religious Councils are granted authority to manage the assets of Baitulmal (Islamic treasury), waqf (endowments), and nazar (vows), as well as to administer religious schools and register converts.

Additionally, each Islamic Religious Council operates independently from others, as each state's religious affairs fall under the jurisdiction of the Sultan or Raja who rules that particular state (Azmi & Din, 1985). Consequently, the management of Islamic affairs in Malaysia has a wide scope, encompassing both the interests of the Muslim community and the state. It is essential that these affairs are managed professionally to achieve the goals of a successful PHEI, in line with the government's efforts to transform Islamic affairs management in Malaysia.

Therefore, it is the full responsibility of these religious bodies to manage Islamic affairs in their respective states. It is evident that almost all states in Malaysia have a similar PHEI structure. However, there are some differences in the implementation processes of PHEI and the Islamic administration enactments in different states. Each state's Islamic Religious Council (MAIN) operates independently, as the Sultan or Raja, as the head of Islam in the state, has created differences in the implementation of PHEI and the enactments governing Islamic administration in each state.

The Policy and Administration of Islamic Affairs by the Councils and Departments of Islamic Affairs in Malaysia

The policy and system of Islamic affairs administration by the Councils and Departments of Islamic Affairs in Malaysia have undergone significant changes from the colonial period to the post-independence era, especially after the formation of Malaysia in 1963. With the jurisdictional boundaries defined through the Federal Constitution and State Government Enactments, the administration and governance of Islamic affairs have evolved into a separation from the administration of the Shariah Courts. Consequently, the policy governing Islamic affairs continues to cover areas such as Islamic education, zakat (almsgiving), baitulmal (Islamic treasury), waqf (endowments), inheritance, and Islamic financial affairs.

It is clear that the administration of Islamic affairs at the state and territorial levels has been divided into three main branches for managing Islamic affairs: the Islamic Religious Council, the Mufti Department, and the Shariah Courts (Markom, 2003). This separation of administration is a step towards strengthening and empowering Islamic Affairs Management (PHEI), in line with current developments and efforts to improve the existing administration of Islamic affairs, whether at the state or territorial level.

In the case of PHEI in the state of Selangor Darul Ehsan, the Selangor Islamic Religious Council (MAIS) plays a significant role in ensuring the continuous development and safeguarding of Islam and the welfare of Muslims in the state, in line with current developments. The establishment of MAIS and the Selangor Islamic Religious Department (JAIS) has its own historical development, and both organizations collaborate to implement

the policies established by the policy-making bodies appointed by the Sultan of Selangor. The implementation of PHEI in Selangor refers to the *Enakmen Pentadbiran Agama Islam (Negeri Selangor) 2003* (Islamic Religious Administration Enactment 2003), which serves as the primary enactment for PHEI. To further strengthen PHEI in Selangor, several other enactments related to Islamic affairs have been introduced, such as the *Enakmen Ugama Bukan Islam 1988* (Non-Islamic Religion Enactment 1988), *Enakmen Jenayah Syariah (Negeri Selangor) 1995* (Shariah Criminal Enactment 1995), and the *Enakmen Wakaf (Negeri Selangor) 2015* (Waqf Enactment 2015).

Markom (2003), states that the objectives of the establishment of MAIS are:

1. To enhance the development of the Muslim character, faith, and piety.
2. To intensify efforts in *amar makruf* (enjoining what is right) and *nahi munkar* (forbidding what is wrong).
3. To enhance the teachings, purity, and practice of Islam.
4. To protect rights, property, justice, and trust.
5. To contribute services in the formulation of policies for the welfare of the public.

In fact, Selangor was the first state to draft and implement the *Enakmen Pentadbiran Hukum Syarak* (Syariah Law Administration Enactment) in 1952, now referred to as the *Enakmen Pentadbiran Agama Islam (Negeri Selangor)*, followed by other states in Malaysia (Nasohah, 2004; Arifin, 2007; Alwi, 2009).

Most of the Islamic administration enactments in other states of Malaysia have referred to or used the *Enakmen Pentadbiran Undang-Undang Islam Negeri Selangor (1952)* as a model for drafting their respective state enactments (Hassan, 2003). Each state implements its own Islamic affairs management based on its drafted Islamic administration enactments, and while there may be slight differences between the enactments of each state, the policies within these enactments are generally similar.

Therefore, the Selangor Islamic Religious Council (MAIS) plays a significant role in the management of Islamic affairs (PHEI) in Selangor, where the Sultan, as the Head of Islam in the state, has the authority to appoint members of the Islamic Religious Council to formulate policies for PHEI in Selangor. In addition to the Sultan's position as the highest authority on Islamic matters in the state of Selangor, MAIS serves as an advisory body to the Sultan on matters related to Islamic affairs and the Muslim community in Selangor.

Clearly, the role of the Selangor Islamic Religious Council (MAIS) becomes more evident as it is empowered to formulate and regulate the management policies of Islam in the state of Selangor. Subsequently, the Selangor Islamic Religious Department (JAIS) is tasked with assisting and implementing these policies based on the strategic plans that have been established. This is crucial in ensuring that the management of Islamic affairs within the Muslim community in Selangor remains safeguarded and does not get neglected.

The establishment of MAIS as a driving force in protecting the rights of the Muslim community and ensuring the continuity of Islam in Selangor aligns with the very purpose of the Islamic Shariah, which is to preserve religion, life, intellect, lineage, and property, ensuring these are protected from any harmful influences. MAIS and JAIS work towards safeguarding

these Shariah objectives (maqasid al-shariah) by adhering to the policies set forth, provided they do not contradict the *Enakmen Pentadbiran Agama Islam Negeri Selangor* (Selangor Islamic Religious Administration Enactment) and the Federal Constitution of Malaysia.

Hisbah in PHEI in Malaysia

Hisbah is a practice aimed at fulfilling the religious obligations of *amar ma'aruf* (encouraging good) and *nahi munkar* (preventing evil). The implementation of hisbah covers various aspects of social, political, and religious life, in accordance with Shariah (maqasid al-shariah), which seeks to preserve five fundamental aspects of human life: religion, life, wealth, lineage, and dignity.

The religious aspect is given significant emphasis in the implementation of hisbah, with faith and religion serving as the foundation for the development of noble character, which in turn leads to the formation of successful families and communities both in this world and the hereafter. Thus, the scope of hisbah also extends beyond the economic domain to include religious matters. If religious aspects are properly upheld and enforced, a strong Muslim society can be formed, capable of facing challenges and issues in line with contemporary developments.

Yusūf et al. (1988), as well as Ukhuwwah (2001), explain that the role of the *muhtasib* (the enforcer) in preserving religious affairs through the implementation of hisbah is clear. The responsibilities of the *muhtasib* include encouraging the community to obey and perform Islamic duties, such as observing the Friday prayer, prohibiting the consumption of alcohol and other intoxicating substances, which are clearly forbidden in Islam.

Zaydān (2010), further clarifies that the religious aspect of hisbah involves matters of faith and worship. The function of hisbah is to prevent deviations in faith and the practice of innovations that contradict Islamic teachings, such as spreading fabricated Hadiths or misinterpreting verses from the Qur'an, such as in the case of Batiniyya interpretations which oppose the understanding of the Salaf.

In terms of worship, hisbah ensures that religious obligations are adhered to, such as prohibiting the neglect of Friday prayers, ignoring the call to prayer (adhan), making innovations that contradict Shariah, breaking the fast during Ramadan without valid excuse, and ensuring the proper payment of zakat (charity) (Zaydan, 2010).

At the national level in Malaysia, for example, each state has a religious body that is responsible for safeguarding and managing the affairs of the Muslim community. One such body is the Majlis Agama Islam Selangor, which oversees the administration and management of Islamic affairs in the state of Selangor. The Majlis Agama Islam is the highest authority that formulates policies and provides advice to the Sultan regarding matters related to Islam. This council is typically supported by a secretariat, which is the Jabatan Agama Islam, tasked with implementing the policies, decisions, and regulations set by the Majlis.

Meanwhile, Ibrahim (2015), explains that, in religious matters, the responsibility of safeguarding moral conduct and managing affairs related to worship and other aspects of Muslim life generally falls under the jurisdiction of the Jabatan Agama Islam Negeri (JAIN). JAIN has its own enforcement unit, which functions to encourage good and prevent evil, particularly with issues related to faith, Shariah, and morality such as apostasy, immorality, marriage, maintenance rights, and others. This is reflected in the vision, mission, and objectives of most JAINs in Malaysia, such as the Jabatan Agama Islam Selangor, Jabatan Agama Islam Perak, Jabatan Agama Islam Johor, and several other JAINs across the country. Additionally, the Majlis Agama Islam Negeri (MAIN) in all states of Malaysia generally plays a role in ensuring the proper management and execution of Islamic affairs in their respective states, improving and strengthening the socio-economic welfare of Muslims, ensuring the preservation, growth, and development of Islamic assets in accordance with Shariah, encouraging and facilitating Muslims to pay zakat, and carrying out various other tasks. The roles of MAIN are clearly outlined in the vision, mission, and objectives of their respective institutions, such as the Majlis Agama Islam Wilayah Persekutuan (MAIWP), Majlis Agama Islam Johor (MAIJ), Majlis Agama Islam Melaka (MAIM), Majlis Agama Islam Negeri Sembilan (MAINS), and others. This means that the activities and roles performed by MAIN align with *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* (enjoining good and forbidding evil), much like the role of hisbah.

Furthermore, the implementation of hisbah within the framework of PHEI in Malaysia has become more evident with the appointment of Enforcement Officers (PPA) in each state to carry out the duties of a *muhtasib* (enforcer) based on the powers granted by the state's Islamic administration laws, state Shariah criminal laws, and any relevant legislation. The establishment of enforcement divisions or units and the appointment of PPAs has further emphasized the role of hisbah in executing the tasks of *amar maaruf nahi munkar* in the management of Islamic affairs in each state.

Conclusion

The management of Islamic Affairs (PHEI) in Malaysia plays an essential role in ensuring the sanctity of Islam and safeguarding the welfare of the Muslim community. The responsibility for overseeing these affairs is primarily entrusted to two key institutions in each state: the Majlis Agama Islam Negeri (MAIN) and the Jabatan Agama Islam Negeri (JAIN). These institutions are mandated to uphold Islamic values, with a significant focus on the principle of *amar ma'ruf nahi munkar* (enjoining good and forbidding evil), which is central to Islamic governance. Through their efforts, MAIN and JAIN are tasked with addressing various aspects of Islamic law and practice, particularly related to Shariah criminal law, social issues, and moral guidance, in accordance with state laws and enakmen (legislations).

Although the term *hisbah* may not be explicitly used in the context of PHEI, the principles of hisbah are clearly reflected in the structure and functioning of Islamic governance in Malaysia. Specialized divisions, such as the Enforcement Management Division and the appointment of Enforcement Officers (PPA), are instrumental in implementing hisbah by ensuring compliance with Islamic teachings and maintaining public order in religious matters. These divisions are responsible for addressing issues related to morality, religious obligations, and public conduct, in line with Islamic principles, and work towards preventing actions that may harm the community or violate religious norms.

Furthermore, the coordination between federal and state government bodies plays a pivotal role in strengthening the framework of PHEI. The Department of Islamic Development Malaysia (JAKIM) acts as a central body that guides and supports the states in managing Islamic affairs, promoting uniformity while respecting state autonomy. This collaborative approach ensures that the administration of Islamic affairs is efficient, and the implementation of *hisbah* is streamlined across different regions.

In conclusion, the role of *hisbah* in PHEI is vital for ensuring that Islamic values remain protected and that the Muslim community's interests are upheld. Through continuous improvement in coordination, enforcement, and the involvement of various stakeholders, the effectiveness of *hisbah* can be maximized. This will help to address emerging challenges in the governance of Islamic affairs and ensure that the practice of *amar ma'ruf nahi munkar* continues to serve its purpose of guiding society toward righteousness, justice, and harmony in accordance with Islamic teachings. Consequently, PHEI remains a cornerstone in the development of a harmonious society where the spiritual, moral, and social well-being of Muslims are prioritized.

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