AKTA PERHIMPUNAN AMAN 2012 DARI
PERSPEKTIF MAQĀŠID AL-SYARĪ‘AH

Peaceful Assembly Act 2012 from the Perspective of
Maqāṣid al-Sharī‘ah

Ridzwan Ahmad¹
Mohammad Nidzam Abdul Kadir²

ABSTRACT

The Peaceful Assembly Act 2012 was enacted by the Parliament of Malaysia in 2012. There are various opinions concerning this Act. Those who object to this Act believe that it is an attempt to prevent any form of assembly from taking place. However, there are those who, in contrast, believe that this Act is to control untoward incidents like riots and clashes. This article is meant to evaluate whether each jurisdiction of the Act is to prevent any form of assembly or to control it. If this Act is to prevent assemblies totally then, it should be modified and improvised since assemblies are approved and acknowledged by the Federal Constitution and in accordance with maqasid al-shar‘iah. However, if this Act strive to control assemblies, then it is in accordance with maqasid al-

¹ Senior Lecturer, Department of Fiqh and Usul, Academy of Islamic Studies, Universiti of Malaya, ridzwan@um.edu.my.
² Ph.D Candidate, Department of Fiqh and Usul, Academy of Islamic Studies, Universiti of Malaya.