

# ISLAMIC LAW IN MALAYSIA

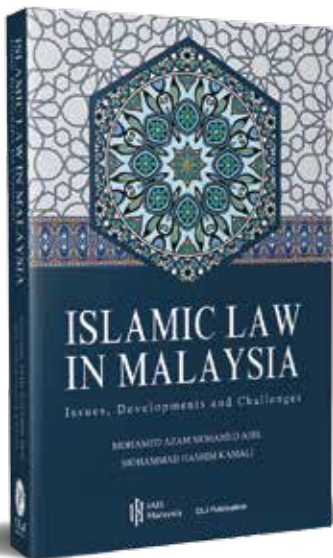
## Issues, Developments and Challenges

Author: **Mohamed Azam Mohamed Adil  
& Mohammad Hashim Kamali**



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### About the book

This book deals with aspects of Islamic law and practices that concern Muslims and non-Muslims alike within the multi-religious setting of Malaysia and the civil and Islamic legal systems that it professes. The discussions and deliberations, undertaken by scholars of great minds and repute, are succinct and illustrative and at times intellectually provocative and challenging. The dissertations indeed represent the authors' profoundest thoughts on the chosen subjects, and it stands to reason, therefore, that the same be disseminated and made available to the readers at large.

A subject that features rather prominently in this book is the matter of jurisdictional conflict between the two legal systems. The conflict, which straddles across many fronts but which has especially impacted the issue of custody of minor children in civil marriages where one parent has converted to Islam, continues to be litigated in the two courts, and remains, until today, relatively unresolved. It is thus apt and warranted that this issue is objectively revisited in this book. In the same vein, the issue of the constitutionality of hudud law, and the legality of introducing Islamic criminal justice system into the country is examined and analysed, albeit from differing lenses and standpoints. Not least, topics of common interest such as apostasy and hibah, and the import and purport of the Islamic Financial Services Act 2013, are being intensely studied and debated.

"Islamic Law in Malaysia: Issues, Developments and Challenges" is a literary composition that seeks to leverage on knowledge and on that score should appeal to academicians and professionals from the legal, corporate and governmental sectors. The book should also be embraced by students and practitioners of Islamic law and Islamic banking, for they will find it solicitous and instructive in terms of enhancing their competency and proficiency. Even the laymen may read the book with profit, as it releases them from ignorance and prejudices.

The Institute of Advanced Islamic Studies Malaysia and the Malaysian Current Law Journal take great pride in publishing this book. The work deserves a high place in the annals of global Islamic law literature and readers can rest assured that a rendezvous with it will be pleasant and rewarding.

### About the Authors

#### Associate Professor Dr. Mohamed Azam Mohamed Adil



Professor Dr. Mohamed Azam currently serves as Deputy CEO of the International Institute of Advanced Islamic Studies (IAIS) Malaysia. He began his career as a lecturer at Universiti Teknologi MARA (UiTM), Shah Alam, Selangor, Malaysia since 1990 and held several administration posts there from 1994 until 2013 before joining IAIS on secondment. He was appointed as Independent Director of CIMB Islamic Bank Berhad on 5 November 2014 - 4 November 2016 and was the Chairman of the Group Syariah Committee from 1 November 2014 - 31 October 2017. He is also a Director of IAIS. He sits on various advisory and editorial board of journals and has been a regular reviewer for reputable international journals. He is a member of various committees, among others, the Harmonisation of Laws Cluster, JAKIM; Research Committee, PISWI, JAKIM; Secretary, Panel Cendekiawan Ulung; MDN, YADIM and others. His writings have been published in reputable journals locally and internationally. He has also authored and edited four books, two monographs, two policy issue papers and three research briefs. He is a regular guest speaker on legal issues concerning Islamic law in Malaysia. He obtained his Bachelor degree in Syariah from the University of Malaya, and his Master of Laws (LLM) and PhD degrees from the School of Oriental and African Studies (SOAS), University of London.

#### Professor Dr. Mohammad Hashim Kamali



Professor Kamali, the Founding CEO of IAIS Malaysia, graduated from Kabul University, before obtaining a PhD in Islamic and Middle Eastern Law at the University of London in 1976. He served as Professor of Islamic Law and Jurisprudence at the International Islamic University Malaysia from 1985-2004, then as Dean of the International Institute of Islamic Thought and Civilisation (ISTAC), from 2004-2006. He was Asst. Professor at McGill University's Institute of Islamic Studies; Visiting Professor at Capital University, Ohio; and the Wissenschaftskolleg, Berlin. He was a member of the Constitution Review Commission of Afghanistan (2003), and a UN Syariah expert on the Constitutions of Iraq, the Maldives and Somalia from 2004-2005. He has published over 200 academic articles and 35 books. His works have been translated into 14 languages. He received the Isma'il al-Faruqi Award for Academic Excellence twice, in 1995 and 1997. He is listed in a number of leading Who's Who in the world. He features in the book *The 500 Most Influential Muslims in the World* (2009, 2010, 2016). He is a recipient of the King Abdullah II International Award 2010 in recognition of his intellectual contributions towards serving Islam and Muslims, and International Book Award in Islamic Studies in Tehran, Iran, 2017.

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