



*Call for Papers*  
*for a Special Section on*  
*“Recent Developments in Malaysia”*



The complexity of the Malaysian legal system arises from its diverse array of sources, notably drawing from case law, legislation, and Islamic law. Beyond the multitude of legal sources, Malaysia features distinct court systems that operate within their designated domains. This intricate landscape raises questions, particularly concerning the unique role of Islamic law and whether it serves as a constraint on the Malaysian legislature and national courts. The broader issues of Islamic law in Malaysia involve the interpretation and implementation of the Federal Constitution, the role of the Shari’ah courts, and the rights and freedoms of the religious minorities. The challenges and prospects of Islamic law in Malaysia include, for example:

- The harmonisation of Islamic law and common law, which requires a clear demarcation of jurisdiction and authority between the civil and Shari’ah courts, as well as a consistent and coherent application of legal principles and procedures.
- The development of a comprehensive and inclusive framework of Islamic law that reflects the diversity and pluralism of the Malaysian society, and that respects the constitutional guarantees of fundamental liberties, equality, and justice for all citizens.
- The application of Islamic law in matters of personal and family law, such as marriage, divorce, inheritance, and apostasy.
- The developments in Islamic banking and finance including standardisation of Islamic banking products and services, consumer





protection, dispute resolution mechanisms, and the impact of emerging technologies, such as FinTech and blockchain, on the regulation and innovation of Islamic banking, which may pose new opportunities and risks for the industry.

- The promotion of a progressive understanding of Islam compatible with the principles of democracy, human rights, and national unity, which counters the influence of extremist and intolerant views that threaten the social harmony and stability of the country.

The Manchester Journal of Transnational Islamic Law & Practice (MJTILP) will dedicate a special section in a forthcoming regular issue in 2024 to recent legal developments in Malaysia. Contributors are invited to submit **short papers** that offer insights, scholarship, and critical analysis of the current or most recent legal reforms and new laws in Malaysia having transnational implications for Islamic law or Muslims generally. Contributors are expected to provide background information about the legal issue or law being examined. They should explain the previous state of the law and the underlying policy for changing it. Additionally, they should identify legal developments in the light of thinking of traditional Islamic schools of jurisprudence and current international sources, and discuss the possible impact on the law and society. Contributors may also delve into the intricacies of Islamic law and its relationship with contemporary economic and social developments, and how societal norms and values and their intersections with international sources are reflected in the development of legal frameworks.

## *Guidelines:*

1. The length of the submitted paper should be **2000 words (excluding abstract and footnotes), but not exceeding 2500 in any event.** Manuscripts should be in Microsoft Word format, and they should be double-spaced.
2. Submitted papers must examine specific legal, social, cultural, economic, religious, and political developments in Malaysia which are





relatively recent, clarifying the change and linking it with principles of Islamic law. Papers may also outline comparisons between the new developments with other legal and political systems and international sources. Merely descriptive papers presenting the content of recent developments will not be accepted.

3. An abstract of no more than 200 words should be included with all submissions along with 3 to 5 keywords.
4. Contributions must be original and not previously published elsewhere.
5. Submissions must comply with the standards and rules of MJTILP, including research ethics, style, and citation.
6. The MJTILP follows the OSCOLA 4<sup>th</sup> edn referencing style mainly, as adopted with slight modifications suited to the specific citation requirements of the MJTILP. Please see the MJTILP Author Guidelines for further information on formatting the referencing style.
7. Contributions must be written in a scholarly style and academic English. Proofreading may be required by the Journal's editors if a paper is otherwise acceptable.

## *Structure of Submissions:*

All papers must be uniformly structured using the following headings:

### **I. BACKGROUND INFORMATION**

This section should cover the explanation of the previous position [of the legal, social, cultural, family, economic, religious, and political development or issue examined] addressing its strengths and weaknesses or impacts on society.

### **II. CHANGE AND UNDERLYING REASONS**

This section should explain the changes or development in question, discuss the rationale/ underlying reasons for the change or development, and examine if and how Islam, Islamic law and practice, principles or values have influenced that change.





### III. IMPLICATIONS AND INSIGHTS

This section should incorporate discussion of the implications of the change or development for the society and identify gaps in the existing research and areas for further investigation. How the change or development is viewed from a comparative (religious and secular) lens and what transnational impacts it may produce for the contemporary understanding of Islam.

### IV. CONCLUDING REMARKS

## *Submission and Deadline:*

All contributions corresponding to the **Call for Papers for a Special Section on “Recent Legal Developments in Malaysia”** should be submitted to the Guest Editor for this special section **Associate Professor Dr Wan Mohd Zulhafiz bin Wan Zahari**, Deputy Dean (Academic & Internationalisation), Ahmad Ibrahim Kulliyah of Laws, International Islamic University Malaysia, Kuala Lumpur. Email: [wzulhafiz@iium.edu.my](mailto:wzulhafiz@iium.edu.my).

Final review of all contributions will be conducted by the Recent Legal Developments Editor **Dr Mohamad Janaby**, who can be contact for general enquiries on our Recent Legal Developments section via email: [mjjanaby@gmail.com](mailto:mjjanaby@gmail.com)

The Special Section on “Recent Legal Developments in Malaysia” will be published in our July 2024 Issue. All contribution should be submitted to **Dr Wan Mohd Zulhafiz bin Wan Zahari** latest by **30 April 2024**

*Journal Website:* [Manchester Journal of Transnational Islamic Law & Practice](http://www.mjtlp.com) ISSN 2633-6626 | [ElectronicPublications](http://www.mjtlp.com)





## Manchester Journal of Transnational Islamic Law & Practice

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### About the Journal

*The MJTILP is independent of any state, school of fiqh, or institutional affiliation and has a diverse and global editorial board. It is indexed on Scopus and publish four times a year.*



### Aims of the Journal

The principal objectives of the Manchester Journal of Transnational Islamic Law & Practice (MJTILP) are to provide a vehicle for the consideration of transnational forms of Islamic law and practice. Transnationalism in Islamic law is taken broadly as communications and interactions linking Islamic thoughts, ideas, people, practices and institutions across nation-States and around the globe. In recent times, research in Islamic law has shaped narratives based on nation-States, demographics, diasporic communities, and ethnic origins instead of developing around a central core. Contemporary issues of Islamic law are increasingly linked to geographical locations and ethnic or parochial forms of religious beliefs and practices. Expressions like American, European, British, Asian and Arab Islam have widely gained acceptance.

Despite the growing importance of dialogue to develop shared understandings of issues facing Islamic law and proposing coordinated solutions, contemporary research and scholarship have not developed harmoniously and remain piecemeal and sporadic. Researchers and practitioners of Islamic law are drawn from a wide variety of subjects and come from various regions of the world but have insufficient institutional support for sharing information and comparing experiences. Innovation in various strands and paradigms of Islamic law and practice is stifled because there are limited spaces where evolutionary, collaborative and interdisciplinary discourses can take place. This, in turn, hampers the ability to build on past research and record best practices, negatively impacting a consistent and orderly development of the field. There is a need to constitute a world community of Islamic law scholars based on interactions and aspirations moving across linguistic, ethnic, geographical and political borders.

The MJTILP is inspired by the need to fill these gaps. It provides a platform to legal and interdisciplinary scholars and researchers for critical and constructive commentaries, engagements and interactions on Islamic law and practice that are built upon configurations in contemporary contexts. It welcomes contributions that look comparatively at Islamic law and practice that apprise and inspire knowledge across national boundaries, whether enforced by a State or voluntarily practised by worldwide Muslim communities. We are equally interested in scholarships on encapsulated cultural worlds, diaspora, identity and citizenship that are embedded and circumscribed by religious ties. As it has been the practice of the Journal since its establishment in 2005, it also has a specific interest in issues relating to the practice of Muslim States in international law, international law issues that may concern Muslim countries, and all aspects of law and practice affecting Muslims globally.

