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A COMPARATIVE STUDY BETWEEN SHAFII LAW AND THE  
ADMINISTRATION OF MUSLIM LAW ENACTMENT 1952  
(REPEALED AND RE ENACTED BY THE ISLAMIC  
FAMILY LAW ENACTMENT, 1984) IN SELANGOR  
REGARDING MARRIAGE AND DIVORCE

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## PREFACE

The primary purpose of this study is to understand the basic requirements of Marriage and Divorce provided under the Shafii Law and under The Administration of Muslim Law Enactment 1952 (Repealed and Re Enacted by the Islamic Family Law Enactment, 1984).

In corresponding to this purpose, comparison is made between the differences and similarities of marriage and divorce requirements provided under both laws. The procedures surrounding marriage and divorce are also looked into.

To assist the discussion the writer supports the theoretical principles of law, with decided cases. Research has been done from various books, journals, statutes and articles from various magazine. The writer has also interviewed the Deputy Chief Kadi of Selangor with regard to this study.

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## CHAPTER I

### SHAFII LAW AND THE ADMINISTRATION OF MUSLIM LAW

#### ENACTMENT

##### 1.1 INTRODUCTION

Islam is and should be professed and practised as adin or complete way of life. The aqidah (the belief), the law, the administration, the policies, the economy, education, culture and the whole set of social life must conform to Islamic values and teachings as ordained by Allah.

Islamic law is a transcendental law that has a validity of its own quite distinct from that of any human legislature or judiciary because it challenges the obedience of ruler and subject, judge and litigant, councillor and citizen alike. It is regarded as a divine law, firmly founded on revelation of eternal divinity and so in theory is virtually immutable in its provisions. Islamic law also covers every aspect of life and every field of human behaviour with no distinction whatever in theory between the religious and the secular, between church and state.