

Explanation on differences between public law law constitutional administrative e...

[Law](#)



FACULTY OF BUSINESS AND MANAGEMENT BDAU 2103 ELEMENTS OF

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law. 2-53 Discussion on constitutional law. 6-124 Evaluation on roles of

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not easy to give a simple one sentence definition of law-however; legal

theorists have tried to provide such a definition. John Austin, writing in the

early nineteenth century, defined law as being command issued from a

superior (the State) to an inferior (the individual) and enforced by sanctions.

This definition, however, does not truly apply to regulatory law such as that

setting out how a will should be made: or does it cover the concept of judicial

review, where individuals may challenge the „command“ made by a

Minister of State. Austin was writing at a time when the law was much less

developed than it is today, so it not surprising that his definition does not

cover all types of law today. Sir John Salmond defined law as being „the

body of principles recognized and applied by the state in the administration

of justice“. This is a much broader definition than Austin“s and is probably the

nearest that one can get a workable „one sentence“ definition. Law could

also be described as a formal mechanism of social control. It is formal

because the rules set down in the law can be enforced through the courts and

legal system, while in a broad sense all law could be said to be involved in

some area of social control. Private law regulates relationships between

people, organizations, and companies. Examples include contract, tort, land,

company, and employment law. Public law, on the otherhand, regulates the relationships between individuals (and organizations) with the state and itsorgans. Examples include criminal and immigration law and human rights-related matters. Broadly speaking, private law is an umbrella term for all areas of law that are essentiallyhorizontal in nature, whereas public law is the term that covers all areas of law that bring us intocontact with state power and its application. Sample of good assignmentQuestion 2Within national law, there is usually a clear distinction between public and private law. Publiclaw involves the State or government in some way, while private law is concerned with disputesbetween private individuals or businesses. Both public and private law can be sub-divided into different categories.

Public lawThere are three main types of law in this category. These are: 1. Constitutional lawThis controls the method of government and any disputes which arise over such mattersas who is entitled to vote in an election, or who is allowed to become a Member ofParliament, or whether an election was carried out by the correct procedure. 2. Administrative lawThis controls how Ministers of State or other public bodies such local councils shouldoperate. An important part of this is the right to judicial review of certain decisions. Judicial review allows judges to consider whether a decision (or a refusal to make adecision) is reasonable. If it is not, then the decision is re-considered. 3. Criminal lawThis sets out the types of behavior which are forbidden at risk of punishment. A personwho commits a crime is said to have offended against the State, and so the State has the right to prosecute them. This is so even though there is often an individual victim of a crime as well. For example, if a defendant commits the crime of burglary by breakinginto a

house and stealing, the State prosecutes the defendant for that burglary, although it is possible for the victim to bring a private prosecution if the State does not take proceedings. However, if there is a private prosecution, the State still has the right to intervene and take over the matter. At the end of the case, if the defendant is found guilty, the court will punish the defendant for the offence, because he or she has broken the criminal law set down by the State. The victims will not necessarily be given any compensation, since the case is not viewed as a dispute between the burglar and the householder. However, the criminal courts have the power to order that the offender pay the victim compensation and can make such an order, as well as punishing the offender. Private law This is usually called civil law and has many different branches. The main ones are contract, tort, family law, law of succession, company law and employment law. A family complains that their package holiday did not match what was promised by the tour operator and that they were put into a lower grade hotel than the one they had paid for. A woman has bought a new car and discovers the engine is faulty. A man who bought a new car on hire purchase has failed to pay the installments due to the hire purchase company. All these situations come under the law of contract. There are, of course, many other situations in which contracts can be involved. Now look at the next list of situations; they are also civil matters, but of a different type. A child passenger in a car is injured in a collision (the tort of negligence). A family complains that their health is being affected by the noise and dust from a factory which has just been built near their house (the tort of nuisance). A woman is injured by faulty machinery at work (the tort of negligence, but

my also involve occupiers' liability and/or employer's duty under health and safety regulations) A man has complained that a newspaper has written an untrue article about him, which has affected his reputation (the tort of defamation) All these cases come under the law of tort. A tort occurs where the civil law holds that, even though there is no contract between them, one person owes a legal responsibility of some kind to another person, and there has been breach of that responsibility. There are many different types of tort, and the above example demonstrates only some of them. Many cases arise from road traffic crashes, since drivers owe a duty of care to anyone who might be injured by their negligent driving. Other divisions of private (civil) law concentrate on particular topics. Family law covers such matters as whether a marriage is valid, what the rules are for divorce and who should have the day to day of any children of the family. The law of succession is concerned both with regulating who inherits property when a person dies without making a will, and also what the rules are for making a valid will. Company law is very important in the business world: it regulates how a company should be formed, sets out formal rules for running companies, and deals with the rights and duties of shareholders and directors. Employment law covers all aspects of employment, from the original formation of a contract of employment to situations of redundancy or unfair dismissal. As well as these areas of private law, there are also laws relating to land, to copyright and patents, to marine law and many other topics, so it can be seen that civil law covers a wide variety of situations.

Sample of good assignment Law Public

law Constitutional Administrative Criminal Private

lawContractTortFamilyCompanyand othersNational lawInternationallaw

Sample of good assignmentQuestion 3HistoryThe basis of the Federal

Constitution of Malaysia is the Constitution of the Federation ofMalaya.

Following the Alliance"s landslide victory in the first Federal Election in 1955,

TunkuAbdul Rahman Putra was appointed Chief Minister. The drafting of the

Constitution of theFederation of Malaya was the first step toward the

formation of a new government after Britainagreed to concede

independence to Malaya in 1956. For the task of drafting the Constitution,

theBritish Government formed a Working Committee comprising

representatives from their side, advisors from the Conference of Rulers and

Malayan political leaders . In January 1956 theTunku headed a delegation to

London to discuss the Federal Constitution and negotiate the datefor

independence of Malaya. In March 1956 a Commission chaired by Lord Reid

was set up toformulate a draft and refine the Constitution of the Federation

of Malaya. The Commission sought the views of political parties, non-political

organisations andindividuals on the form of government and racial structure

appropriate for this country. In theconsultation process, a memorandum

from the Alliance had gained precedence. Thememorandum, an inter-

communal conciliation aimed at mutual interests and strengthening

thenation's democratic system of government, took into account five main

factors namely theposition of the Malay Rulers, Islam as the official religion

of the Federation, position of theMalay language, the special rights of the

Malays and equal citizenship. The draft drawn up bythe Reid Commission

was authorised by the Working Committee as the Constitution of

theFederation of Malaya commencing on the date of the nation"s

independence on August 31, 1957. When Sabah and Sarawak joined Malaya in 1963, several provisions in the Constitution were amended and the country's name was changed to Malaysia. Main features: Key elements of the Malaysian Constitution

Sample of good assignment Article 4(1) states that the constitution is the supreme law of the federation and any law passed after Merdeka Day which is inconsistent with this constitution shall, to the maximum extent of inconsistency, be void. The Constitution is divided into 14 parts and 13 Schedules. Each part and schedule contains relevant articles. There are 181 articles in the 14 parts, including those which have been repealed.

Parts

- Part I - The States, Religion and Law of the Federation
- Part II - Fundamental Liberties
- Part III - Citizenship
- Part IV - The Federation
- Part V - The States
- Part VI - Relations between the Federation and the States
- Part VII - Financial Provisions
- Part VIII - Elections
- Part IX - The Judiciary
- Part X - Public Services

The Constitution is the Supreme Law of Malaysia. Malaysia is a Constitutional Monarchy. There are 3 branches of Government: Legislation, Executive and Judiciary.

Sample of good assignment

- Part XI - Special Powers against Subversion, Organised Violence, and Acts and Crimes Prejudicial to the Public and Emergency Powers
- Part XII - General and Miscellaneous
- Part XIII - Additional Protections for States of Sabah and Sarawak
- Part XIV - Temporary and Transitional Provisions
- Part XV - Saving for Rulers' Sovereignty, Etc.

Schedules

- First Schedule - Oath of Applications for Registration of Naturalisation
- Second Schedule - Citizenship of persons born before, on and after Malaysia Day
- Third Schedule - Election and removal of the Yang Di Pertuan Agong and his deputy
- Fourth Schedule - Oaths of Office of Yang di-Pertuan Agong and his deputy
- Fifth Schedule - The Conference of

RulersSixth Schedule - Forms of Oaths and AffirmationsSeventh Schedule - Election and Retirement of SenatorsEighth Schedule - Provisions to be inserted in State ConstitutionNinth Schedule - Legislative Lists (The responsibilities and rights of theFederal and Stategovernment)Tenth Schedule - Grants and Source of Revenue Assigned to StatesEleventh Schedule - Provisions of the Interpretation and General Clauses Ordinance, 1948(Malayan Union Ordinance no. 7 of 1948), Applied for Interpretation of the ConstitutionTwelfth Schedule - (Repealed)Thirteenth Schedule - Provisions Relating to Delimitation of ConstituenciesArticle 5Article 5 by clause (1) provides that no person may be deprived of his life or personal libertysave in accordance with law. Thus you cannot kill or imprison a man unless authorised by law. Clause 3 is in two parts. First, it provides that if a person is arrested, he must be informed as soonas possible of the grounds of his arrest. Second, it provides that he must be allowed to consultand be defended by a legal practitioner of his choice. There is an exception to Clause 3 and that Sample of good assignmentis the Internal Security Act which allows detention without trial at the pleasure of the PrimeMinister or the minister-in-charge in the name of national security. Article 11Though Islam is the religion of the Federation, Article 11 provides that every person has theright to profess and practice his own religion. Every person has the right to propagate hisreligion, but state law and, in respect of the Federal Territory, federal law may control or restricthe propagation of any religion, doctrine or belief among persons professing the Muslim religion. There is, however, freedom to carry on missionary work among non-Muslims. Article 13Article 13 provides that no person may be deprived of property save in

accordance with law. No law may provide for the compulsory acquisition or use of property without adequate compensation. Article 121 In 2006 a judge ruled that Article 121 limited the federal courts from ruling on matters ruled on by the Syariah court (Islamic court). Article 150 This article permits the Yang Di Pertuan Agong to issue a Proclamation of Emergency and to govern by issuing ordinances that are not subject to judicial review if the Yang di-Pertuan Agong is satisfied that a grave emergency exists whereby the security, or the economic life, or public order in the Federation or any part thereof is threatened. Article 152 Article 152 states that the national language is the Malay language. However, the Constitution guarantees the freedom of learning and using of other languages, except on official purposes. Official purposes here means any purpose of the Government, whether Federal or State, and includes any purpose of a public authority. To this effect, all court proceedings and parliamentary documents and meetings are conducted in Malay. The official script for the Malay language is also stated in Article 152 as rumi or the Latin script. However, use of Jawi is not prohibited. Article 153 Article 153 grants the Yang Di Pertuan Agong or King of Malaysia, responsibility for safeguarding the rights and privileges of the Malay and other indigenous peoples of Malaysia, collectively referred to as Bumiputera. The article specifies how the federal government may protect the interest of these groups by establishing quotas for entry into the civil service, public scholarships and public education. It is often considered to be part of the social contract. According to constitutional scholar Prof. Shad Saleem Faruqi, the Constitution has been amended 42 times over the 48 years since independence as of 2005. However, as

several amendments were made each time, he estimates the true number of individual amendments is around 650. He has stated that "there is no doubt" that "the spirit of the original document has been diluted". In July 2007, the Court of Appeal held that the doctrine of separation of powers was an integral part of the Constitution; under the Westminster System Malaysia inherited from the British, separation of powers was originally only loosely provided for. Article 181 Article 181 guarantees the sovereignty, rights, powers and jurisdictions of each Malay Ruler within their respective states. They also cannot be charged in a court of law in their official capacities as a Ruler. The Malay Rulers can be charged on any personal wrong doing, outside of their role and duties as a Ruler. However, the charges cannot be carried out in a normal court of law, but in a Special Tribunal under the purview of the Council of Rulers. Article 74 Article 74 of Federal Constitution states that parliament may make law with referring to matters provided in the federal list and state legislatures may make law with referring to matters provided in the state list. Concurrent list is in the scope of enactment by both parliament and state legislatures. State list, federal list and the concurrent list are contained in the Ninth Schedule of Federal Constitution. If there are any contradictions between federal and state laws, the federal law shall prevail and state law is void to the scope of inconsistency. This was provided by Article 75 of Federal Constitution. Legislations are the laws that are established by the Parliaments at federal level and by the State Legislative Assemblies at the state level. In Malaysia, the legislative gets its authority from the Federal Constitution. It mentions the scope of the Parliament and the State Assembly. If the Parliament (or any

State Assembly) makes a law which is not in its scope of authority or contradicts with the constitution, the courts can declare that as null and void. Article 160 of the Constitution of Malaysia defines various terms used in the Constitution. It has an important impact on Islam in Malaysia and the Malay people due to its definition of a Malay person under clause 2. The article defines Malay as a Malaysian citizen born to a Malaysian citizen who professes to be a Muslim, habitually speaks the Malay language, adheres to Malay customs, and is domiciled in Malaysia or Singapore. As a result, Malay citizens who convert out of Islam are no longer considered Malay under the law. Parliament may pass the power to legislate any subsidiary legislation during emergency, even if there are any contradictions with the Federal Constitution involved, due to some exception in Article 150 of Federal Constitution. The related case is *Eng Keock Cheng v. Public Prosecutor*. In this case, Eng Keock Cheng who was convicted committed 2 offences during emergency period and was ordered to put to death. He appealed on the ground that there were neither a preliminary enquiry nor a jury adopted by High Court which were required under Criminal Procedure Act and claimed that the procedures set out in Emergency (Criminal Trial) Regulations 1964 was invalid as it contradicts with Article 8 of Federal Constitution. It was held that Parliament may pass the power to legislate any subsidiary legislation during emergency, even if there are any contradictions with the Federal Constitution involved, due to some exception in Article 150 of Federal Constitution. The appeal was dismissed. In the case *Karpal Singh v. Public Prosecutor*, it was held that the criminal offences in Malaysia were provided by Criminal Procedure Code of

Malaysia and therefore, there is no allowance for English law to apply. Islamic law, which is only applicable to Muslims, is enacted under the Federal Constitution. The state legislatures have the power and are permitted to make Islamic laws pertaining to persons professing the Islam religion. Such laws are administered by separate court system, Syariah Courts. State legislature also has the jurisdiction over the constitution, organization and procedures of Syariah Courts. Now, Islamic laws are increasingly applied in banking and land laws other than applied to family matters and estate matters. The YDPA is the head of Islam in his home state, Penang, Malacca, Sabah, Sarawak and Federal Territories. The head of Islam of other States is Sultan. Sample of good assignment Question 4" The Federal Constitution of Malaysia is the highest constitution and law in comparison with other constitutions and laws in Malaysia. Other constitutions and laws in Malaysia refer to the state constitutions and laws since Malaysia is a Federation of 13 states and 3 Federal Territories", after the establishment of the Federal Territories of Kuala Lumpur, Labuan and Putrajaya consecutively . (Ibrahim 2003a: 21). Chronologically, the Federal Territory of Kuala Lumpur was the first created and then followed by Federal Territory of Labuan in Sabah, and then the Federal Territory of Putrajaya in 2001 during the premiership of Dr. Mahathir Mohamad. The Putrajaya has become the federal administrative capital of Malaysia. The three federal territories have neither a Malay ruler nor a Yang Di Pertuan Negeri as their Malay religious and Malay custom heads. In other states in Malaysia, they have either a Malay ruler or sultan or a Malay leader called Yang Di Pertua Negeri. The states headed by Yang Di Pertua Negeri in each state are Penang, Malacca, Sabah and

Sarawak. The states headed by the Malay ruler in each state are Perlis, Kedah, Perak, Negeri Sembilan, Johor, Selangor, Pahang, Terengganu and Kelantan. The Malay ruler or sultan is also the Islamic religious head in his state. Meanwhile the states of Penang, Malacca, Sabah, Sarawak and the three federal territories, their Islamic religious head is called Yang Di Pertuan Agong or the King of Malaysia. He is selected among the Malay rulers for a period of five years in his leadership as the King of Malaysia. The Federal Constitution of Malaysia has granted the power and jurisdiction onto the Malay rulers and Yang Di Pertuan Agong and their respective states for Islamic religious affairs or matters. Muslim or Islamic courts are under the state jurisdiction and power to bring Muslim offenders to justice in the Islamic religious matters. Muslim courts are for Muslims only. Non-Muslims are not subject to Muslim courts according to the Federal Constitution of Malaysia and the states constitutions in Malaysia. The Federal Constitution of Malaysia clearly states the status of Islam and the rights of other religions to be practiced in peace and harmony in any part of Malaysia. The Sample of good assignment Article 3 (1) in that constitution states, "Islam is the religion of the Federal; but other religions may be practiced in peace and harmony in any part of the Federation." (Ibrahim2003a: 22). Based on this constitutional article, all religions and their adherents are able to practice their religious teachings and practices in harmony and peace in any locality in Malaysia. In Malaysia, religion is not a basis or criterion for employment except the employment connected to or related with the affairs of any religion or any religious institution or body managed by a particular religious group. For example, a Muslim is required to be c

om e a n i m a m o r l e a d e r i n a m o s q u e, and a Christian in a church and a Buddhist in a Buddhist temple and a Hindu in a Hindu temple. The Federal Article 8 (2), states", Expect as expressly authorized by this Constitution, there is hall be no discrimination against citizen on the ground only of religion, race, descent or place of birth in any law or in the appointment to any office or employment under public authority. (Ibrahim 2003a": 23). The Federal Constitution of Malaysia differentiates between practicing and propagating a religion in Malaysia. Everyone is allowed to practice his or her own religion but not everyone is allowed to spread or propagate his or her religion to other persons. Some restrictions are imposed for spreading or propagating religious teaching members of other religions. These restrictions are made in the state constitution and law. For example, many states in Malaysia do not allow non-Muslims to spread or propagate their religions to Muslims in their respective states. Muslims themselves are required to apply for the permissions from their respective state religious authorities if they want to spread Islamic teachings to other Muslims outside their family members. The state religious authorities demand Muslims to apply for the permissions because they do want to see some Muslims spread misleading or deviating teachings on the name of Islam to other Muslims. The differentiation made by the Federal Constitution of Malaysia between practicing and propagating a religion is clear from the Article 11 (1) that states, " Every person has the right to profess and practice his religion and subject to Clause (4), to propagate it." (Ibrahim 2003a: 23).

Sample of good assignment The Federal Constitution of Malaysia also does

compel Malaysians to pay the religious taxes. The Article 11 (2) states, " No person shall be compelled to pay any tax the proceeds of which are specially allocated in whole or in part for the purposes of a religion other than his own." (Ibrahim 2003a: 23) The religious taxes for the religious purposes are imposed by the religious groups upon their religious members. For example, the Muslims in Malaysia can impose taxes upon Muslims only. They are not allowed to impose the religious taxes upon non-Muslims. The non-Muslims in Malaysia also cannot impose their religious taxes upon the Muslims. Hence, each religious community in Malaysia is permitted to impose any tax or fee upon its members only. The U. S. Department of State on Malaysia on International Religious Freedom Reports of 2002 and 2006 read by the Bureau of Democracy, Human Rights, and Labor, clearly acknowledge the important role played by the Federal Constitution of Malaysia on the question of religious freedom and rights. The 2002 Report states, " The Constitution provides for freedom of religion; however, the Government places some restrictions on this right. Islam is the official religion; however, the practice of Islam by other than Sunni Islam is restricted. There was no change in the status of respect for religious freedom during the report covered by this report." (U. S. Department of State 2002). The report 2006 states, " The constitution provides for freedom of religion; however, the Government places some restrictions on this right. Islam is recognized in the constitution as the religion of the Federation," but the practice of non-Sunni Islamic beliefs was

significantly restricted, and those deviating from accepted Sunni beliefs could be subjected to "rehabilitation". Non-Muslims were free to practice their religious beliefs with few restrictions. There was no material change in the status of respect for religious freedom during the period covered by this report." (U. S. Department of State 2006). Both reports from the Bureau of Democracy, Human Rights, and Labor of the U. S. Department of State admit the existence of religious freedom in Malaysia since her constitution has provided for the religious freedom. Both reports acknowledge that the tolerant or amicable relationship has existed among Malaysian religious groups. The 2002 Reports states, "The generally amicable relationship among believers in various religions in society contributed to religious freedom." Meanwhile the 2006 Reports states, "The generally tolerant relationship among religious groups in society contributed to religious freedom." As regard the population of Muslims and non-Muslims in Malaysia, the 2002 report states, "According to government census figures, in 2000 approximately 60.4 percent of the population were Muslims; 19.2 percent practiced Buddhism; 9.1 percent Christianity; 6.3 percent Hinduism; and 2.6 percent Confucianism, Taoism, and other traditional Chinese religions." The total Malaysian population in 2002 is said "just over 23 million" (U. S. Department of State 2002). The 2006 Reports states, "According to 2000 census figures, approximately 60 percent of the population practiced Islam; 19 percent Buddhism; 9 percent Christianity; 6 percent Hinduism; and 3 percent Confucianism, Taoism, and other traditional Chinese religions." The total population of Malaysia in 20

06 was "estimated at 25.6 million" (U.S. Department of State 2006).

Sample of good assignment Conclusion On the existing provisions of the Constitution, Malaysia is not a theocratic, Islamic state. If it is the intention of the Government to convert Malaysia into a full-fledged Islamic state, the following provisions of the Constitution need re-examination. Article 4(1): This Article declares the supremacy of the Constitution. It must be re-worded as follows: "The shariah shall be the supreme law of the Federation and any law passed after the coming into force of this amendment which is inconsistent with the shariah shall, to the extent of the inconsistency, be void". Alternatively, Article 4(1) could be amended to provide: "Except in relation to matters covered by Schedule 9, List II, Item 1, 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". Article 3(4): The provision that "Nothing in this Article derogates from any other provision of this Constitution" should be deleted. Article 160(2): In the Constitution's definitional clause, the term "law" should be re-defined to include the "shariah" as part of the definition of law. Article 11(1): This Article on freedom of religion should be amended as follows: "Except as to persons subject to the shariah, every person has the right to profess and practice his religion and, subject to Clause (4), to propagate it". Schedule 9, List II, Item 1: In this paragraph, Muslim apostasy should be mentioned explicitly as a criminal offence. Schedule 9, List II, Item I: Instead of specifying the topics on which the States can pass law, the States should be given general power to pass laws on "all matters covered by the shariah." The implications of the above changes will be that

legislation and administrative decisions inconsistent with the shariah will be open to judicial review. All issues involving Muslims - whether criminal, civil, constitutional or commercial - will be heard by the shariah courts. The federal executive and legislature will have no jurisdiction over Islamic matters. Islam will be the sole prerogative of the States. 54 Ordinary courts will handle cases involving non-Muslims only. There will be two legal systems - one for the Muslim majority based totally on the shariah and the other for the non-Muslim minority based on secular provisions. . How many Muslims support such a fundamental change is open to debate. No independent public opinion poll has been conducted. Needless to say that not all Muslims are in support of moving away from the moderate, eclectic and all-embracing policies of the past. On the issue of an Islamic versus a secular state, it can be stated categorically that the Malaysian legal system is neither fully secular nor fully theocratic. It is hybrid. It permits legal pluralism. It avoids the extremes of American style secularism or Saudi, Iranian and Taliban type of religion control over all aspects of life. It mirrors the rich diversity and pluralism of its population. It prefers pragmatism over ideological purity; moderation over extremism. It walks the middle path. It promotes piety but does not insist on ideological purity. Muslims are governed by divinely ordained laws in a number of chosen fields. In other fields their life is regulated by Malay adat (custom) and by non-ecclesiastical provisions enacted by democratically elected legislatures. Non-Muslims, in turn, are entirely regulated by secular laws. This milieu of increasing Islamisation arouses great antipathy among the non-Muslim communities. But many Muslim scholars see the resurgence of Islam as the

correction of an imbalance; as a counter to the hegemonic influence of the dominant. Western civilisation with its massively successful appeal to hedonism, consumerism and capitalism. It is not wrong to suggest that the rise of Islamic influences has added to and not subtracted from the pluralism of Malaysian society. For whatever it is worth, Islam offers an alternative world-view of economics, politics and culture. Sample of good assignment This world-view has to be tested in the fires of scrutiny. It has to compete with a whole range of powerful and deeply entrenched forces from the past and the present. At the world stage Islam has just emerged from the shadows of the last few centuries to claim a right to compete for a place in our hearts and minds. In Malaysia the future is likely to see action and reaction, pull and push and a symbiosis among the many factors and forces that have shaped and are shaping the political, social and moral landscape in Malaysia. Given the multi-racial, multi-cultural and multi-religious composition of Malaysian society, the imperatives of coalition politics, the demands of a federal polity, the power of the non-Malay electorate, the 54-year old political tradition of compromise and consensus, the increasing democratisation of life, the greater sensitivity to human rights, the emergence of many powerful NGOs including those espousing women's issues, the juggernaut of globalisation, the pulls of secularism and modernism, the glitter of a capitalistic, hedonistic and consumer-based economy, the power of the international media to shape our values, and the overwhelming control that Western institutions wield over our economic, cultural and educational life, it is unlikely that Islam will have a "walk-over" in Malaysia and will sweep away everything in its path. Malaysian society is, and

is likely to remain, a cultural mosaic. Islam in Malaysia will continue to co-exist with modernity, with Malay adat (custom) and with the dominant American and European culture that shapes our world-view, our thinking processes and our framework assumptions. Sample of good assignment