The Attitude of Malaysia Toward the Islamic Law:
A Comparative Studyacross the Society

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Abstract

This paper reports a study on the perception of Malaysian on the implementation of the Islamic law in the country. Altogether 2287 respondents from all over Malaysia, obtained randomly participated in the study. The respondents from the age 20 to55 years old, male and female from different religion and race were given booklets of questionnaire, with statements about the Islamic law. They were asked to response to the statement "The Islamic law is relevant to be implemented in this country". Each statement was provided with responses in the form of Likert type scale ranging from 1. Strongly agree, 2. Agree, 3. Not sure, 4. Disagree, and 5. Strongly disagree. The booklets were collected after 30 minutes and the data was analysed using the Statistical Package for the Social Sciences (SPSS) to obtain the means and percentages. The differences of means were also tested using the t-test and one-way ANOVA. The finding of the study shows that 74.1% of the all respondents accepted the statement, 4.7% rejected and 20.7% not sure. In addition, analysis of the percentages of responses based on the religion shows that for the Muslim respondents 90.1% accepted the statement, 9.5% not sure and 1.3% rejected the statement, the Buddhist respondents 37.3% accepted the statement, 50.8% not sure and 11.9% rejected the statements, for the Hindu, 46.5% accepted the statement, 47.6% not sure and 7.9% rejected, and for the Christian, 32.1% accepted the statement, 50% not sure and 17.9% rejected the statement.

Keywords: Attitude, Islamic, Law, Malaysia, Society.

1. Introduction

The issue of the implementation of the Islamic law has been in the centre stage of politic in Malaysia for decades. The Islamic law has been promoted by the Pan Islamic Party (PAS) and also by the non-partisan organisations such as the Muslim Youth Movement of Malaysia (ABIM). Since the issue of the Islamic law is used by the political parties for political manoeuvring by different political parties, it is being discussed widely in the mass media, either by those who were for the Islamic law or against it including television, consequently people are well aware of the existence of the Islamic law. Since Islam is a comprehensive religion, encompassing all aspect of human life, the implementation of the Islamic law is considered to be obligatory by the Muslim (Blankenhorn, *et.al.*, 2005).

Therefore, in every Muslim majority countries, there are Muslim organisations which aspire the implementation of the Islamic Law, such as in the Malaysia context, the Pan Islamic Party or PAS. In Pakistan there is the Jamaat Islami, in the Middle East there is the Muslim Brotherhood. In turkey there was Refah Party, which is succeeded by the Saadat Party. The governing party of Turkey at the present time is the offshoot of the Refah Party (Black, *et.al.*, 2013). The study is thus an important tool to gauge the effectiveness of the effort taken by various groups to disseminate the awareness about the Islamic law in the country.

2. The Implementation of Islamic Law: Malaysia Experience

The Islamic law has been in the spot light in Malaysia since Islam was introduced into the country more that 500 years ago. The states in the Malay peninsular have implemented the Islam law long before the colonization of Malaya by the various European countries such as the British, the Portuguese and the Dutch. The British common law was introduced into the Malay Peninsular when the British colonised the country to replace the Islamic law which has been used in some of the states in the Malay Peninsula. The Malacca maritime law known as *Kanun Malaka* incorporated the Islamic law was implemented and practiced in the Malacca state before the Portuguese invasion (Moore, 1998). The other states in the Malay Peninsula have also implemented the Islamic law well before the British Common law was introduced into Malaysia. The Johore state law before the British was influenced by the Ottoman, which was Islamic (Kayadibi, 2011).

The Islamic law is being portrayed in the in the negative light by many writers, highlighting amputation of limbs for thieves, stoning to death for adulterers, in the newspaper without proper understanding of the law itself. However according to Muslim jurists, the capital punishment in Islam such as the amputation of the limb of thieves, the flogging of unmarried couples for fornication and stoning to death for couples who commit adultery are only deterrent. The issues of the Islamic law has been discussed in the negative light by many of the non-Muslim writers. Less they forgot that the Islamic law was the only law implemented in the land where Muslim lived hundreds of years before the British common law even existed. In the words of Blankenhorn, *et.al.* (2005), the Islamic world possessed a great legacy of revealed texts and explanatory legal codes which carefully defined universally moral truth and provided detailed governing human interaction six centuries before the formulation of what the English called 'Magna Carta". What is more interesting here that according to the same author, the Napoleonic code, which was formulated in 1804 had in fact emulated the Islamic law. Islam has in fact detailed the procedure for the implementation of the Islamic law. For example for the capital punishments stipulated by the Qur'an, also known as the *hudud law.* The *hudud law* is the most well-known law compared to other Islamic laws, since the *hudud law* has been highlighted by the political parties, whether the parties which are for the implementation of the law or those which are against.

Affi and Affi (2014) highlighted the issue of proofs and witness in the case of theft. In the case of theft, they have detailed the issue of witness and proofs, but what is to be highlighted here is that according to Muslim jurists, the amputation of hand, which are always being raised by the certain quarters, especially the political parties who are against the *hudud law*, is exemplary punishment which was implemented in very rare case which warrant punishment. The issue of theft is however being used for political gain, not from the legal aspect of argument therefore what is perceived by people about the Islam Law tend to be perceived negatively. The State of Kelantan which had enacted the Islamic law in 1992 through the State Legislative Assembly, alarmed the Chinese, the Indian and other minorities prompting them to rally behind the National Front, especially the United Malay National Organisation (UMNO) (Wan Napi, 2007). In response to mounting criticism, the chief minister of the state declared that the Islamic law was meant only for the Muslim while the non-Muslim were bound by the civil law (Wan Napi, 2007). Under intense wrangling and bickering between different political parties, the Islamic law turned to be a tool for the political parties to win supports either from the people who support the implementation of the Islamic law or from those who opposed it. Therefore, Islamic law became a political football among the political players.

3. The Attitude of Malaysia Towards Islamic Law: An Analytical And Methodological Measurement

The study was conducted to 2247 respondents, male and female from the age of 20 to 55. The respondents were obtained randomly from all over the Malaysia. The respondents were given booklets of questionnaire containing statement about the issue of the implementation of the Islamic law. Each statement was provided with responses in the form of Likert type scale, ranging from 1 (strongly disagree), 2 (disagree), 3 (not sure), 4 (agree), and 5 (strongly agree). Likert scale was used in this study because it measures attitude of the respondents.

Kothari (2011) listed five reasons why Likert scale is good instrument of test. The five reasons are: First, it is relatively easy to construct. Second, it is more reliable instrument because under it, respondents answer each statement included in the instrument. Third, each statement included in the Likert scale is given an empirical test for discriminating ability. Fourth, Likert scale can easily be used. Fifth, it is take less time to construct.

In this study the respondents were give 30 minutes to respond to the questionnaire, and the booklet were collected to be analysed using the Statistical Package for the Social Sciences (SPSS) to obtain the mean responses, the percentages of the responses. The mean difference were also tested using the t-test for the independent samples and also using one-way ANOVA. The means, the percentages and also the t-test result as well as the one-way ANOVA test are presented in the form of tables and diagrams. The results of the analysis were interpreted and discussed at the last part of this paper.

The raw data which was obtained through the questionnaire was analysed using the Statistical Package for the Social Sciences (SPSS) according to the following sequences. First, the mean response of all the respondents. Second, the percentages of the response. Third, the mean responses of the respondents based on religion. Fourth, the percentages of the responses based on the religion of the respondents. The responses to the statement "Islamic law is relevant to be implemented in the country" was analysed. The result of the analysis is shown in table 1.

Table 1. The mean response for all the respondents

N	Minimum	Maximum	Mean	Std. Deviation
2368	1.00	5.00	1.9016	.96977
2368				

Table 1 shows that the mean response for the statement "The Islamic law is relevant to be implemented in the country" is 1.9016. The mean response is closed to 2 which mean the respondents agree to the statement. The next analysis is to obtain the percentage of each response for all the respondents. The result of the analysis is shown in table 2.

Table 2. The percentages of the response for all the respondents

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly agree	1014	42.8	42.8	42.8
agree	742	31.3	31.3	74.2
Not sure	491	20.7	20.7	94.9
disagree	83	3.5	3.5	98.4
Strongly disagree	28	1.2	1.2	99.6

Table 2 shows the percentages of the responses. The percentage of response 1 (strongly agree) is 42.8%, response 2 (agree) is 31.3%, response 3 (not sure) is 20.7%, response 4 (disagree) 3.5% and response 5 (strongly disagree) is 1.2%. Therefore, the percentage of the respondents who accepted the statement (combination of response 1 and 2) is 74.1%, those who rejected it (combination of response 4 and 5) is 4.7%, and the percentage who was neutral is 20.7%. The percentage are plotted to form the line graph as shown in diagram 1.
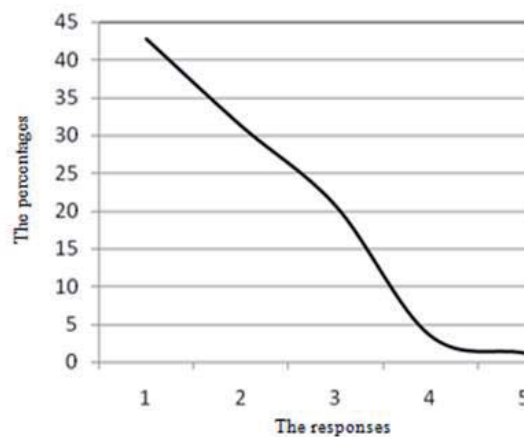

Diagram 1. The line graph for the percentages of the responses for all respondents

Diagram 1 shows that the percentages of the responses gradually decrease from acceptance to rejection of the statement. Response 1 (strongly agree), response 2 (agree), response 3 (not sure), response 4 (disagree) and response 5 (strongly disagree).The response 4 and response 5 were close to each other and the percentages were small. Therefore the line graph between these two responses levelled off.

The next analysis was to obtain the percentages of the responses based on the religion of the respondents. The result of the analysis is shown in table 3.

Table 3. The percentages of the responses based on the religion of the respondents

	Islam		Buddhism		Hinduism		Christianity	
Strongly agree	978	58.2	22	5.6	7	13.2	6	3.2
Agree	536	31.9	125	31.7	21	33.3	55	28.9
Not sure	159	9.5	200	50.8	30	47.6	95	50
Disagree	17	1.0	35	8.9	4	6.3	24	12.6
Strongly disagree	5	0.3	12	3.0	1	1.6	10	5.3
	1680	100	394	100	63	100	190	100

Table 3 shows that the percentages of the responses of the Muslim respondents who strongly agree was 58.2%, agree was 31.9 %, and not sure was 9.5%, disagree 1.0% and strongly disagree was 0.3%. Therefore the percentage of the Muslim respondents who accepted the statement (combination of response 1 and 2) was 90.1%. The percentages of the responses of the Buddhists respondents strongly agree was 5.6%, agree was 31.7%, not sure was 50.8%, disagree was 8.9% and strongly disagree is 3.0%. The percentages of the responses for the Hindu strongly agree was 13.2%, agree 33.3%, not sure was 47.6%, disagree was 6.3% and strongly disagree was 1.6%. The percentages of the responses of the Christian respondents were strongly agree was 3.2%, agree was 28.9%, not sure was 50%, disagree was12.5% and strongly disagree was 5.3%. The percentages of the responses were plotted to form line graph as shown in diagram 2.
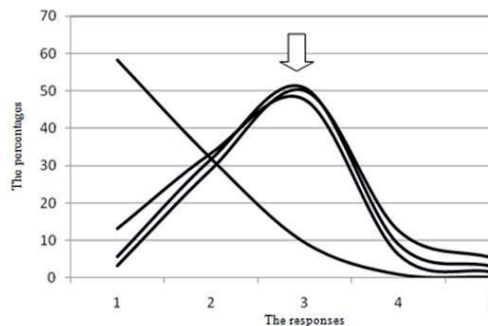

Diagram 2. The percentages line graph based on the religion of the respondents

Diagram 2 shows the line graph. The line graph indicating the percentages of the Muslim respondents is shown to be in the form of negative exponential, and more or less similar to the percentage line graph of all the respondents (see diagram 1), however the percentages of the responses of the non-Muslim respondents are in the form of normal line graph. The majority of non-Muslim respondents seems to choose the response 3 which show neutrality. The next analysis was to obtain the mean responses based on the religion of the respondents. The result of the analysis is shown table 4.

Table 4. The mean responses according to the religion of the respondents

Religion	Mean	N	Std. Deviation
Islam	1.5718	1705	.80252
Buddhism	2.7208	394	.82161
Hinduism	2.5397	63	.83907
Christianity	2.8789	190	.86133

Table 4 shows that the mean response of the Muslim respondents was 1.5718, for the Buddhists was 2.7208, the Hindus were 2.5397 and the Christians was 2.8789. the mean response of the Muslim respondents was the smallest, indicating a stronger acceptance compared to the rest of the respondents. If the mean of the Muslim respondents is brought closest to one decimal point, then the mean response of the Muslim became 2 which indicated acceptance. Similarly when the mean responses of the non-Muslim respondents were brought closest to one decimal point, the mean responses became 3, which indicated neutrality. The means responses of the respondents based on the religion of the respondents were tested using the one-way ANOVA. The result of the test is shown in table 5.

Table 5. The one-way ANOVA test based on the religion

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	671.803	6	111.967	170.082	.000
Within Groups	1554.271	2361	.658		
Total	2226.074	2367			

Table 5 shows that the p value was 0.000, and this was smaller than the critical value of 0.05. This meant that the difference of means between the mean response of the respondents base on the religion of the respondents were significant. The next analysis was obtain the mean responses based on the education of the respondents. The result of the analysis is shown in table 6.

Table 6. The mean of the responses for the respondents based on the education background

Background education	Mean	N	Std. Deviation
Religion education	1.6146	1030	.83181
Non-Religious	2.1450	1186	1.02585

Table 6 shows that the mean for the respondents whose background education was religious education was 1.6146 and the mean of the respondents whose background education was non-religious education was 2.1450. There was difference of mean responses between the two types of respondents, religious and non-religious background. Therefore, t-test was conducted to know if the difference of mean is significant or otherwise. The result of the test is shown in table 7.

Table 7. The t-test between the mean of the respondents based on the education background.

Levene's Test for Equality of Variances		t-test for Equality of Means		
F	Sig.	T	df	Sig. (2-tailed)
41.738	.000	-13.240	2214	.000
		-13.434	2203.819	.000

Table 7 shows that the p value was 0.000 and this value was smaller than the critical value of 0.05. Therefore the difference of mean between the respondents whose education background was religious background and the respondents whose education background was non-religious background was significant.

The next analysis was to obtain the mean response based on the gender of the respondents. The result of the analysis is shown in table 8.

Table 8. The mean responses based on the gender of the respondents.

Gender	Mean	N	Std. Deviation
Male	1.9574	610	1.05582
Female	1.8803	1754	.93754

Table 8 shows the mean response of the male respondents was 1.9574 and the mean response for the female respondents was 1.8803. There seemed to be difference of means between the male and female. To see if the difference of mean was significant or otherwise, a t-test was conducted between the two means and the result is shown in table 9.

Table 9. The t-test between the means of the respondents based on the gender

Levene's Test for Equality of Variances		t-test for Equality of Means			
F	Sig.	t	df	Sig. (2-tailed)	Mean Difference
17.081	.000	1.692	2362	.091	.07710
		1.598	963.620	.110	.07710

Table 9 shows that the p-value 0.07710 and the value was bigger than 0.05, and this showed that the difference of mean

was not significant, meaning there was no real difference between the male and female.

The next analysis was to obtain the mean of the responses of the respondents based on the region or states of domicile of the respondents. The result of the analysis is shown in table 10.

Table 10. The mean responses of the respondents based on the state/region

States of origin	Mean	N	Std. Deviation
Johor	1.9049	263	.95435
Kedah	1.8281	221	1.02129
Kelantan	1.5303	264	.71315
Melaka	2.2708	96	.99978
Negeri Sembilan	1.9687	96	.83921
Pahang	2.0497	181	1.12188
Pulau Pinang	1.9794	97	.95720
Perak	1.9787	235	1.05590
Perlis	1.6957	23	.70290
Selangor	1.8660	209	.90471
Terengganu	1.5424	177	.79748
Sabah	1.9720	107	.94627
Sarawak	2.3979	191	.92269
Federal Territory	1.8347	121	1.08280

Table 10 shows that the smallest means are the mean response of the respondents who came from the state Kelantan and the state Terengganu. The means of the responses was 1.5303 and the mean response for the respondents who came from the state of Terengganu was 1.5424. The rest of the respondents from different states did not came closer to 1.5 except for Perlis. A test using the one-way ANOVA was conducted to see if the mean responses were significant or otherwise. The result of the test is shown in table 11.

Table 11. The one-way ANOVA test for the means of the responses of the respondent based on state of domicile

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	131.982	17	7.764	8.712	.000
Within Groups	2094.092	2350	.891		
Total	2226.074	2367			

Table 11 shows that the p value was 0.000 and this value is smaller than critical value of 0.05, indicating that the mean differences between the respondents who came from different states were significant.

4. Discussion

The results of the study show that the response of all the respondents to the statement "The Islamic law is relevant to be implemented in the country" 1.9056, and this value is close to response 2 which indicated that the respondent accepted the statement. Therefore in general, the respondents had a positive perception on the Islamic law (see table 1). The mean response could be interpreted that in general the Malaysian had a positive perception on the Islamic law. The value is close to 2 (agree). When the data was analysed to obtain the percentages of the responses, it was observed that the percentage of the responses shows 74.1% of the respondents accepted i.e. the(combination of response 1 and 2) the statement that " the Islamic law is relevant to be implemented in the country"(see table 2), the percentage of the respondents who rejected it was 4.7% and the percentage of the respondents who was not sure was 20.7%. The percentage of the respondents who accepted the statement was high, taking into account that the Muslim population of Malaysia is about 60%, it can be interpreted that even the non-Muslim accepted the implementation of the Islamic law in the country, although most of the non-Muslim chose to be neutral (see table 3 and diagram 2).

The reliability of the study was high because the respondents were randomised. Could this figure be supported by other study? A survey which was conducted in four states, involving 800 adult respondents in Pulau Pinang, Kelantan and Terengganu and the Federal Territory of Kuala Lumpur, 95% of the respondents indicated that they were for the implementation of the Islamic law in the country (Saravanamuttu, 2012). A survey which was conducted by the University of Malaya in 2006 showed a close figure where 77 % of the respondents indicated that they wanted a stricter Islamic law

to be implemented in Malaysia (Mahbubani, 2009).

In the case of the study which was conducted in Pulau Pinang, Kelantan, Terengganu and the Federal Territory of Kuala Lumpur, it has to be noted that Kuala Lumpur has an urban setting, where many of the population are educated, while the people of Kelantan and Terengganu where the Islamic law had been enacted by the states, were staunchly Islamic. When the data was analysed to obtain the percentages of the responses based on the religion of the respondents, it was discovered that the percentages of the Muslim respondents who accepted the statement that "Islamic law is relevant to be implemented in the country" was 90.1%, the figure was close to the finding of the previous study. Therefore it could be concluded that overwhelmingly, the Muslim in Malaysia wanted the Islamic law to be implemented. As for the non-Muslim respondents, most of the respondents opted to be neutral (see diagram 2), where the mode were concentrated at response 3 which was not sure or neutral. Analysis of mean response based on the education background of the respondents showed that the respondents who had religious education background was smaller than the mean response of the respondents whose education background was non-religious (see table 6 and 7). This meant that the respondents who receive the religious background showed more positive responses to the statement.

The Buddhists respondents who rejected the Islamic law, i.e. the combination of response 4 and 5 was 11.9%, the Hindu was 7.9% and the Christian 17.0%, while the Muslim respondents who rejected the statement was only 1.3%. The non-Muslim rejection of the Islamic law probably was caused by the negative image painted on the Islamic law made in the political arena where jockeying for supports among the parties who strongly opposed the Islamic law. The political parties which is seen to defend the right of the non-Muslim such as in the issue of the Islamic law, are thought to garner most votes from the voters (Gomez, 2004). However the people are matured enough to be influenced by such slur made against the Islamic law.

The analysis on the mean responses based on the gender of the respondents showed no significant difference between the means responses of the male and the female respondents. In the Malaysian context, male and female received equal education, and in certain cases, female are more dominant than the male. The claimed by King and Hill (1997), in which she said that women had the lowest literacy in Malaysia was not true. According to Joseph (2014) the percentage of women enrollment in the Malaysia Institutes of Higher Education, there are more female than male enrollment. However, the means response between the respondents based on the difference of the academic background, which was non-religious background and religious background was significant (see tables 4 and 5). It means that the respondents whose academic background showed more positive responses to the statement. Analysis of the means of the respondents based on their state of the origin showed that two states which had enacted the Islamic law through their state legislative assembly i.e. Kelantan and Terengganu, the means responses were the smallest, i.e. 1.5303 and 1.5424 respectively, meaning they were more positive than the respondents from the other states (see table 10). It can be concluded that the majority of Malaysia support the implementation of the Islamic law, and the non-Muslims seem to be neutral in this issue.

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