

Manchester Journal of Transnational Islamic Law & Practice

Author Guidelines (2024)

Author should prepare their articles before submission according to the following guidelines. No paper will be accepted for publication unless these guidelines are followed.

Note: Please ensure British English spellings. In addition to the general compliance with the British English spellings, this also means that in many relevant words the letter z is required to be replaced with the letter s.

NON-ENGLISH WORDS

Spellings of non-English words: For non-English words, use the spellings which are most commonly used in the literature and use the same spellings throughout your article.

Italicisation and translation: All non-English words (unless they are proper nouns) must be italicised and their English translation must be provided in parentheses when they are used for the first time in the article. No translation is required afterwards. For non-English words, the normal rules for capitalisation apply as applicable in English for proper and common nouns. For example, the Qur'an and Sunnah are proper names and their first letter should be written capital and must not be italicised. However, words like *fard*, *mubah*, *mekruh* and *ijma* etc are just Arabic terms but not proper nouns, so their first letters should be written with small letters and they must also be italicised. Also, do not use English style of plural for Arabic words by adding s after them. For example, *ulemas* should not be used for plural of *ulema*.

Provide English translation of all non-English common nouns when they appear for the first time in your article. Do not provide translation afterwards. Follow this example:

Example:

Al-Ghazali (1056-1111) and Ibn Taymiyya (1263-1328) came up with a notion of *ahl al shawka* (locus of power and authority) to water down many of traditionally accredited requirements and qualifications for caliphs, kings and their counsellors.

Transliteration: We do not require transliteration for the non-English words. If you have transliterated them, do consistently using the same method of transliteration throughout the article.

FORMATTING

Spelling of popular proper nouns: Spell the following words as follows: Qur'an, Sunnah, Shari'ah, Shafii, Hanafi, Maliki, Mohammad (when referring to Prophet Mohammad).

Religious Remarks: Where the author wishes to add a remark due to religious requirement, they should always use English. For example, with the name of Prophet Mohammad, instead of using (ﷺ), add a footnote saying: On every occasion in this article where reference to Prophet/Messenger Mohammad appears, words "Peace Be Upon Him" shall be assumed.

Title and Author Information: Add title of your article on top of the document and then add author name/s along with brief author bio and email in bracket, as in the following example:

Example:

Is the Right to Compounding of Ta‘zīr Inheritable? Analysing the Provisions of Statutory Law, Case Law and Islamic Law in Pakistan

Muhammad Munir (Professor of Law, International Islamic University, Islamabad, Pakistan. Email: muhammadmunir@iiu.edu.pk)

Abstract: Add a brief abstract, which is not more than 250 words, in accordance with the following example:

Example:

Abstract: This article critically evaluates the ruling of the Honourable Supreme Court of Pakistan in *Muhammad Yousaf v The State* where the apex Court observed that: 1) the concept of *ta‘zīr* is secular in origin; 2) it is derived from Anglo-Saxon traditions; 3) *ta‘zīr* (discretionary punishment) is committed against the state and the society; and 4) the right to compounding of an offence punishable with *ta‘zīr* does not devolve to the heirs of the heirs of a deceased victim. The article presents a fair assessment and evaluation of these observations by the apex Court from the perspective of Islamic law. It concludes that the concept of *ta‘zīr*, by its nature or origin, is neither a secular law nor it has been derived from the Anglo-Saxon traditions. Instead, *ta‘zīr* has always been a part and parcel of the Islamic criminal justice system. Furthermore, the right to compounding of *ta‘zīr* offence depends on the nature of offence itself, that is, whether the offence is against the State or society at large, or against (an) individual(s). Most importantly, the article finds that in cases where the offence is against an individual, the right to compounding of a *ta‘zīr* offence is inheritable by the heirs of heirs of a deceased victim just as any other inheritable property.

Keywords: Add 3 to 7 keywords in accordance with the following example (note the capitalisation of first letters and separated by semicolon):

Keywords: Ta‘zīr; Ḥadd; Qiṣās; Compounding; Pakistan Penal Code

HEADINGS AND SUB-HEADINGS

You must divide your article into parts with the use of headings. Any part may be further divided with the use sub-headings. Use heading and sub-headings in accordance with the following example:

I. FIRST HEADING (Uppercase, bold, and align to left)

A. First Sub-Heading (Capitalise each word, bold, and align to left)

1. Second Sub-Heading (Capitalise each word, bold, italicise and align to left)

a. Third Sub-Heading (Capitalise each word and align to left)

Note: Please use the **headings numbering** for different steps of headings as shown in the above example.

CASES AND STATUTES IN THE TEXT OF THE ARTICLE

Case names in the text of your article must be italicised.

Example of case in the main body of the text:

The Honourable Supreme Court of Pakistan in *Muhammad Yousaf v The State* where the apex Court observed that the concept of *ta'zīr* is secular in origin.

Note: Use only italicised *v* without any punctuation mark to divide between the parties. Do not use *vs* or *versus*.

Note: You may want to **shorten the name of the case** in the text if you are citing full party names in the footnote.

Example:

The Honourable Supreme Court of Pakistan in *Muhammad Yousaf* case where the apex Court observed that the concept of *ta'zīr* is secular in origin.

Statutes in the text without italics followed by the year of enactment in brackets. :

Example:

Maldives Family Act (2000)

CITATIONS STYLE

All footnote numbers in the main text of the article must be inserted after full stop (and not before it) when they appear at the end of a sentence. Footnotes can be added anywhere in the middle of sentence, if required, but preferably should appear after a punctuation mark (such as a comma or a semicolon).

Authors must follow the citations style exactly the way explained here paying attention to the punctuation marks, italicisation, and capitalisation in different types of sources. Your submission will not be accepted for publication unless all of your footnotes comply with the following citation style, which is based on OSCOLA 4th edition with slight modification introduced to meet the objectives of our journal.

Verses of the Holy Qur'an: Cite Qur'an as follows:

Method:

Qur'an, Name of the Surah (English Translation of the Name of Surah) Surah Number:Verse Number

Example:

Qur'an, Surat Al-'Anbyā' (The Prophets) 21:73.

Note: If you are citing to a translated verse of the Qur'an that you have quoted in the text of the article, you will need cite as follows:

Method:

Qur'an, Name of the Surah (English Translation of the Name of Surah) Surah Number:Verse Number [Name of the Translator (tr), 'Name of the Translation' (Place of Publication: Publisher Name followed by year of publication)].

Example:

Qur'an, Surat Al-'Anbyā' (The Prophets) 21:73 [Ali Muhammad Fazil Chinoy (tr), 'The Glorious Koran: Translated with Commentary of Divine Lights' (Red Hills, Hyderabad, Decca: The Hyderabad Bulletin Press 1954)].

Note: tr stands for translation.

Books of Hadīth

Method:

Name of the Author, *Name of the Book* (in and Name of the Language) [*English Translation of the Title of the Book*] (Place of Publication: Name of the Publisher followed by year of publication) vol number, hadīth number, pinpoint page number of the book.

Example 1:

Abū Bakr Aḥmad b. al-Ḥusayn al-Bayhaqī, *Shu'ub al-Īmān* (in Arabic) [*People of Faith*] (Bayrūt: Dār al-Kutub al-'Ilmiyah 2008) vol 7, hadīth no 4896, 217.

Example 2 (Where one of the book of hadith is published by an editor):

Muḥammad ibn Ismā'īl Bukhārī, *Al-Jāmi' al-Ṣaḥīḥ* (in Arabic) [*The Authentic Collection*] (Aḥmad 'Alī Sahāranpūrī (edn), Dihlī: np 1848) hadīth no 5977, 564.

Note: np means no publisher, and must be added when publisher name is not known. Likewise, add nd if the date of publication is not known.

Translated Books

Method:

Name of the Author, *Name of the Book* (in and Name of the Language) [*English Translation of the Title of the Book*] (Place of Publication: Name of the Publisher followed by year of publication) page number of the book.

Example 1:

Imam Ghazali, *Ihya Ulum-id-din* (in Arabic) [*The Revival of the Religious Sciences*] vol 3 (Maulana Fazlul Karim (tr), Delhi: Kitab Bhavan 2004) 53.

Example 2:

Abul A'la Maududi, *The Islamic Law and Constitution* (Khurshid Ahmad (tr & edn), Lahore: Islamic Publications n.d.) 74.

Books Where Latter Editions Are Published By Different Author

Method:

Name of the Author, *Name of the Book* (Name of the latest authors (edn), Place of Publication: Name of the Publisher followed by year of publication) page number of the book.

Example:

J. Austin, *The Province of Jurisprudence Determined* (H. L. A. Hart (edn), London: Weidenfeld & Nicolson 1954) 9.

Journal Articles

All article published in regular academic style journals must be cited as follows:

Method:

Full Name of the Author/s in Natural Order, 'Title of the Article' (Year of publication) Volume number (Issue number) Title of The Journal followed by the start part number of the article, pinpoint page number of the article cited.

Example:

Nisar Mohammad bin Ahmad, 'The Islamic and International Human Rights Law Perspectives of Headscarf: The Case of Europe' (2011) 2 (16) *International Journal of Business and Social Science* 161, 165.

Note: Where there are more than one authors, divide their names with a comma.

Books

All **monograph style books** published formally by a known publisher must be cited as follows:

Method:

Full Name of the Author/s in Natural Order, *Ful Title of the Book - Including Any Subtitles* (Place of Publication: Name of the Publisher and Year of Publication) pinpoint page number of the book cited.

Example:

Mohja Kahf, *From Royal Body the Robe was Removed: The Blessings of the Veil and the Trauma of Forced Unveiling in the Middle East* (California: University of California Press 2008) 27.

Note: Where there are more than one authors, divide their names with a comma.

Book Chapters

All book chapters published in the edited collections style books must be cited as follows:

Method:

Full Name of the Author/s in Natural Order, 'Title of the Chapter' in Full Name of the Editor (ed) *Full Title of the Book – Including Any Subtitles* (Place of Publication and Year of Publication) pinpoint page number of the chapter cited.

Note: If there are more than one editors, add (eds instead of ed) and divide their names with a comma.

Example:

Samira Idllalène, 'What is "Islamic Environmental Law"?' in Samira Idllalène (ed), *Rediscovery and Revival in Islamic Environmental Law* (Cambridge: Cambridge University Press 2021) 38.

Online Sources

All online sources including blogs, op-eds, newspaper reports etc must be cited as follows:

Method:

Full Name of the Author/s in Natural Order, 'Full Title of the Piece Cited' *Name of the Newspaper or Website* (Place of Publication: Date of Publication According to UK style) <copy and paste website from the browser here and make sure that it is click enabled> add the date when you accessed the website.

Example:

Ahmed Al-Dawoody and Sarah Gale, 'Protecting the Environment During Armed Conflict: IHL and Islamic Law' *International Committee of the Red Cross* (Geneva: 3 June 2021) <https://blogs.icrc.org/law-and-policy/2021/06/03/protecting-environment-armed-conflict-ihl-islamic-law/#_ftn1> accessed 23 November 2021.

Note: if you wanted to add specific page number of the online source, it must have been cited as follows:

Method:

Full Name of the Author/s in Natural Order, 'Full Title of the Piece Cited' *Name of the Newspaper or Website* (Place of Publication: Date of Publication According to UK style) page

number <copy and paste website from the browser here and make sure that it is click enabled>
add the date when you accessed the website.

Example:

Ahmed Al-Dawoody and Sarah Gale, ‘Protecting the Environment During Armed Conflict: IHL and Islamic Law’ *International Committee of the Red Cross* (Geneva: 3 June 2021) 2 <https://blogs.icrc.org/law-and-policy/2021/06/03/protecting-environment-armed-conflict-ihl-islamic-law/#_ftn1> accessed 23 November 2021.

Note: if the above cited online source did not have the author name, it must have been cited as follows:

‘Protecting the Environment During Armed Conflict: IHL and Islamic Law’ *International Committee of the Red Cross* (Geneva: 3 June 2021) <https://blogs.icrc.org/law-and-policy/2021/06/03/protecting-environment-armed-conflict-ihl-islamic-law/#_ftn1> accessed 23 November 2021.

NON-ENGLISH SOURCES

You can cite sources published in other languages than English, but will need to provide English translation of the title of the cited source.

Books in Non-English Language

Method:

Full Name of the Author/s in Natural Order, *Full Title of the Book – Including Any Subtitles* (in and Name of the Language) [*English Translation of the Title of the Book*] (Place of Publication: Publisher Name Year of Publication) pinpoint page number cited.

Example:

Esmat Abed Al Majeed Baker, *Nazariyyat Al-‘aqd fī al-Fiqh al-Islāmī, Dirāsah Muqārnah Ma‘a al-Fiqh al-Islāmī wa al-Qawānīn al-mu‘āṣirah* (in Arabic) [*The Theory of Contract under Islamic Law, a Comparative Study with Contemporary Laws*] (Beirut: Dār al-Kutub al-‘Ilmīyah 2009) 5-6.

Note: Where the book has more than one volume, cite as follows:

Ibn Qudamah Al-Maqdisi Al-Hanbali, *Al-Mughni* (in Arabic) [*The sufficient*], vol 9 (Cairo: Maktabat Al-Qahera 1968) 37.

Journal Articles in Non-English Language

Method:

Full Name of the Author/s in Natural Order, ‘Full Title of the Book – Including Any Subtitles’ (in and Name of the Language) [*English Translation of the Title of the Article*] (Year

of Publication) Volume number (Issue number) Full Name of the Journal followed by the start page number of the article, pinpoint page number cited.

Example:

Abed Alameer Kathem Zahed, ‘Nazariyat al-‘Aqd fi al-Fiqh al-Islāmī’ (in Arabic) [*The Doctrine of Contract under Islamic Law*] (2011) 4 (7) Forum Yearbook for Human Studies 56, 60.

Cases decided by Courts

All cases decided by courts must be cited as follows:

Method:

Name of Party One v Name of Party Two (Year of Decision) Official Citation in Accordance With the Style Followed in the Country (Name of the Country)

Example:

A Meredith Jones & Co v Usman Textile Mills Ltd (2002) CLD Karachi 1121 (Pakistan).

CROSS-CITATIONS WITHIN FOOTNOTES

When citing the same source again that you have already cited earlier in your footnotes, please use *ibid* (with small i) if the cross-cited source appears immediately above. If there are two or more sources cited in a footnote immediate above or the source appears at another footnote above, please cross-cite using the family name of author/s followed by (n and the footnote number where the source is cited above) and pinpoint page number of that source.

Example:

In your article, if you have once cited at footnote number 10 this source: Ahmed Al-Dawoody and Sarah Gale, ‘Protecting the Environment During Armed Conflict: IHL and Islamic Law’ *International Committee of the Red Cross* (Geneva: 3 June 2021) <https://blogs.icrc.org/law-and-policy/2021/06/03/protecting-environment-armed-conflict-ihl-islamic-law/#_ftn1> accessed 23 November 2021. Now you want to cite the same source again at footnote 12, you will cite it as follows: Al-Dawoody and Gale (n 10) 15.

Note: Number 15 at the end of the above example refers to the pinpoint page number of the cited sources. It is not the page number of your article.

QUOTING DIRECTLY FROM OTHER SOURCES

Avoid long quotations and paraphrase them. If a quotation is included, it should be withing double quotation marks and indented to the right. Do not italicise quoted text. All quotations must contain citations of the sources where the text has been taken from. Unacknowledged copy-pasting from other sources will be considered plagiarism.

We accept only up to 15% similarity report by Turnitin, so it is best to paraphrase instead of using long quotations and cite the relevant sources in footnotes.