“Fighting is ordained upon you and it is disliked by you; it may well be that you dislike a thing even though it is good for you, and it may well be that you like a thing even though it is bad for you. Allah knows and you do not know.”

Al-Quran, 2:216
Islamic Epistemology and Heritage

- God has the perfect knowledge while human knowledge is limited.
- To find the truth, it is rational for human to submit his intellect to God.
- Since the knowledge of God is revealed to Muhammad ibn Abdullah, peace be upon him, the only way to obtain this knowledge must be through him.
- This knowledge has been recorded and developed by many great scholars since the dawn of Islam until today.
- Therefore, heritage is part and parcel of all branches of knowledge in Islam, including economics.
Islamic Economics Development Stages

Source: Mohamed Aslam Haneef (1997) with modification
Islamic Heritage - *Al-Turath Al-Islami*

- **Primary**
  - Al-Quran
  - Al-Sunnah
- **Secondary**
  - Interpretations of the Primary Sources

*Al-Turath Al-Islamiy*
Islamic Heritage - *Al-Turath Al-Islami*

Primary Sources
- Al-Quran
- Al-Sunnah

Usul Al-Fiqh

Scholar

*Ijtihad*
- Inductive tools
- Deductive tools

*Taklifi*
- Decisions
- Actions

Fiqh

Wad’i
- Empirical Circumstances
Islamic Heritage – Secondary Sources

- **Human Product**
- Requires human effort

- **Scholastic factors**

- **Geographic factors**

- **Time factors**

- **Human reasoning**
  - Open for analysis, comparison, criticism
  - Variation within the boundaries

- **Arabic language**

- **Tools of reasoning**

- **Methodology**
  - Differences
Arabic Language

- Two disciplines required to perform *ijtihad*: Arabic language and *Usul Al-Fiqh* tools (Al-Shatibi)

- Mastery of Arabic language: access *al-turath al-Islami*

<table>
<thead>
<tr>
<th>Program</th>
<th>Arabic Levels Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>KENMS</td>
<td>2</td>
</tr>
<tr>
<td>Human Sciences</td>
<td>5</td>
</tr>
<tr>
<td>Islamic Studies</td>
<td>6</td>
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</tbody>
</table>
## Turath-Related Courses Based on Status

<table>
<thead>
<tr>
<th>University Required Courses</th>
<th>Department Required Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethics and Fiqh for Contemporary Issues</td>
<td>Islamic Banking &amp; Finance</td>
</tr>
<tr>
<td>The Islamic Worldview, Knowledge and Civilization</td>
<td>Usul Fiqh I</td>
</tr>
<tr>
<td></td>
<td>Usul Fiqh II</td>
</tr>
</tbody>
</table>

**Kulliyyah Required Courses**

<table>
<thead>
<tr>
<th>Kulliyyah Required Courses</th>
<th>Department Elective Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foundation of Islamic Finance</td>
<td></td>
</tr>
<tr>
<td>Foundation of Islamic Economics</td>
<td>Fiqh for Economist I</td>
</tr>
<tr>
<td></td>
<td>Fiqh for Economist II</td>
</tr>
<tr>
<td></td>
<td>Fiqh for Economist III</td>
</tr>
<tr>
<td></td>
<td>Issues in Islamic Economics</td>
</tr>
<tr>
<td></td>
<td>Objectives of Shariah</td>
</tr>
<tr>
<td></td>
<td>Economics in the Quran and Sunnah</td>
</tr>
<tr>
<td></td>
<td>Economics of Zakat</td>
</tr>
</tbody>
</table>
There are two broad categories of approach in the application of turath in the teaching of Islamic economics:

1. A direct study on the primary sources of knowledge: Al-Quran and Al-Sunnah
2. An indirect study by focusing on the interpretation within the legal framework of Islamic Law

Based on the subject matter of the courses, turath-related courses could be classified into four broad categories:

1. Courses with minimal application of turath
2. Fiqh-related courses
3. Usul Al-Fiqh-related courses
4. Islamic economics courses
Courses with Minimal Application of Turath

- Refers to conventional economics courses with comparative elements that discusses Islamic viewpoints on a few or many topics, as well as Islamic courses that quote *turath* occasionally in some topics.

- The inclusion of *turath* in these courses is simple and limited to quoting few texts from the primary sources and opinions of scholars.
Fiqh-Related Courses

• Expose students to the theoretical foundations of transactions in Islam

• Focus on the legal aspects of contracts, ownership and property rights

• The teaching follows the traditional method - various rulings in *muamalat* are mentioned and students are simply required to understand them

• The discussion on these rulings include the original texts from the primary sources - however, it lacks the explanation of legal tools used to derive the rulings from the sources
An Introduction to the Theoretical Foundations of Islamic Transactions

Muhammad Yusuf Saleem
## Fiqh-Related Courses

<table>
<thead>
<tr>
<th>Course Code and Title</th>
<th>Course Synopsis</th>
</tr>
</thead>
</table>
| ECON 3510 Fiqh for Economist I (Kulliyyah-required) | - Introductory course to Fiqh Al-Mu‘amalat: terms definition, sources of law, objectives of Shari‘ah and legal maxims  
- Detailed coverage on topics of property, rights, ownership, and contracts, *riba*, *gharar*, *maysir* and prohibited properties |
| ECON 3510 Fiqh for Economist II (Kulliyyah-required) | Trade, business and financial contracts: sale (*bay‘*) and its varieties, lease (*ijarah*), agency (*wakalah*), deposit (*wadi‘ah*) loan (*qardh*), partnership contracts (*musharakah* and *mudharabah*), and security contracts such as pledge (*rahn*) guarantee (*kafalah*), transfer of debt (*hawalah*), absolution (*ibra*) and debt clearance (*muqassah*). |
| ECON 3512 Fiqh for Economist III (Elective - Islamic Economics package) | - Estate planning issues: hibah, wasiyyah, and waqf  
- Law of inheritance (*faraidh*)  
- The institution of bait al-mal,  
- Collection and distribution of zakat |
| ECON 3430 Islamic Banking & Finance (Department-required) | Discusses commercial and financial transactions that are used in Islamic banking and finance, the operation of Islamic banks and financial institutions |
Fiqh-Related Courses

- There are two salient features of the teaching of fiqh-related courses in KENMS.

- Firstly, the teaching of fiqh follows a comparative approach and it is not limited to any particular school of thought (mazhab).

- Many opinions from scholars of different schools of thought are presented and evaluated in order to find the best answer for a particular economic issue. In this way students are exposed to the rulings from other schools of thought.

- This approach would broaden the thinking style of the students and motivate them to appreciate the diverse opinions of Muslim academic tradition.

- It is hoped that this approach would prevent the students from being fanatical to any particular school of thought and encourage them to explore other schools of thought and evaluate opinions solely based on the merit of the arguments and justifications.

- A fair evaluation of different opinions would lead to selection of the best ruling.
Fiqh-Related Courses

• Secondly, the teaching of fiqh is not confined to opinions of scholars.

• Instead, the discussion on fiqh rulings is supported with proper reference to the original texts from the primary sources.

• Verses from Al-Quran and texts of related hadiths are quoted as the original source of the rulings, while the explanation from scholars are used to interpret and justify the methodology used to obtain of the rulings.
Fiqh-Related Courses

• If the teaching of fiqh is limited to the legal rulings of affairs of individual mukallaf (hukum taklifi - wajib, mandub, mubah, makruh, and haram) as stated by the scholars, the students will end up memorizing the legal status of economic behavior and products without the ability to understand the reasons and justifications of such rulings.

• Furthermore, students will not be able to appreciate the close link between the sources of knowledge in Islam and the legal rulings that shape their behavior.

• A proper reference to the original sources of the rulings would cause the students to appreciate Al-Quran and Al-Sunnah as the primary sources of knowledge in Islam. They would be able to see clearly how texts of revelation are processed into legal rulings.

• The use of examples must be related / close to student’s economic activities.
Usul Al-Fiqh-Related Courses

• Usul Al-Fiqh courses refer to courses that discuss the methodology and sources of knowledge in Islam

• There are currently three Usul Al-Fiqh-Related courses at Department of Economics, KENMS:

1. ECON 3550 Usul Fiqh I
2. ECON 3551 Usul Fiqh II
3. ECON 4530 Objectives of Shariah
Principles of Islamic Jurisprudence
Mohammad Hashim Kamali

Principles of Islamic Law: The Methods of Interpretation of the Texts
Saim Kayadibi

Textbooks used for Usul Fiqh I and Usul Fiqh II
Usul Fiqh-Related Courses

<table>
<thead>
<tr>
<th>ECON 3550 Usul Fiqh I</th>
<th>ECON 3551 Usul Fiqh II</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Historical development of usul al-fiqh until the establishment of schools of thought (mazahib)</td>
<td>- Methods to interpret the texts of primary sources and deriving the rules (Kayadibi, 2017)</td>
</tr>
<tr>
<td>- Introduction to legal maxims (al-qawaid al-fiqhiyah) and objectives of Shariah (maqasid al-shariah)</td>
<td>- The course begins with a discussion on the formation of words in the texts and its classification based on four categories, and the effects on legal rulings produced from the texts</td>
</tr>
<tr>
<td>- Tools used to derive rulings: qiyas, istihsan, masalih mursalah, sadd al-zara’i, and urf</td>
<td>- Usul Fiqh II is very much advanced and detailed that it would equip students with the necessary tools required to derive fiqh rulings from the primary sources.</td>
</tr>
</tbody>
</table>
Objectives of Shariah

- Nurture critical thinking. Don’t just stop at the literal understanding of the text. Try to identify the underlying reasons and wisdoms by applying various usul al-fiqh tools.

- This course is designed to analyze the theory and application of the rules and guidelines of the Sharī‘ah based on the objectives of the Sharī‘ah (Maqāṣid Al-Shari‘ah).

- The topics cover discussion on the idea of Maqāṣid among the early Muslim jurist consult (Uṣūliyyūn) before Al-Shatibi and after him with a view to evaluate contemporary economic problems in the light of the objectives of Sharī‘ah.
Objectives of Shariah

- The course is designed to address some of the main problems affecting the integration process of turath to economics that are not solved properly in other earlier turath-related courses taken by the students.

- Firstly, the teaching of fiqh-related courses has been confined to legal aspects of transactions, contracts, and ownership.

- Secondly, the application of usul al-fiqh instruments is limited to matters related to deriving rulings or ahkam only (Mohammed, 2013). Too much emphasize on the legal aspects of specific issues over the inherent objectives intended by the LawGiver leads to spread of prioritizing form over substance culture.

- To avoid this problem, a holistic approach to teaching of turath is needed where the overall framework of Islamic law is underlying reasons
Imam Al-Shatibi’s Theory of the Higher Objectives and Intents of Islamic Law

Ahmad Al-Raysuni
Islamic Economics Courses

• Refers to courses with strong and deep roots in *turath* that are taught or approached through a ‘modern’ economics structure of topics

• Relevantization - “A combination of Islamic reform, renewal, contextualization and balancing between the imperatives for change and the need to preserve the fundamentals and the constants in religious orthodoxy and practice.” (Mohd Kamal Hassan, 2013)
Islamic Economics Courses - “Relevantization”

- ECON 1710 Foundation of Islamic Economics
  - Islamic Worldview, Methodology and Epistemology, Comparative Economic System, Market Institution, Consumption, Production, Distribution, Islamic Finance
  - Indirect approach to *turath*: students refer mainly to opinions of Muslim economists, not the primary sources directly

- ECON 4010 History of Islamic Economic Thought

- ECON 4510 Issues in Islamic Economics

- ECON 4540 Economics in Al-Quran and Al-Sunnah
  - A thematic approach to primary sources based on economic concepts
  - Ideally, the direct approach to *turath* could be used in this course

- ECON 4550 Economics of Zakat
Challenges

• Inadequate Arabic language skills

• Lack of references in English

• Dualism between Islamic heritage and modern economics

• Improve the ability and skills of scholars to integrate *turath* to economics

• Lack of skills on the methodology to approach Al-Quran and Al-Sunnah: exegesis methods (tafsir), authentication of *hadith* methods

• Motivate the students to adopt a holistic approach in applying *turath* to develop Islamic economics
Islamization Efforts at KENMS

<table>
<thead>
<tr>
<th>DEPT</th>
<th>BACC</th>
<th>BBA</th>
<th>BECS</th>
<th>BISF</th>
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<tr>
<td>Conventional</td>
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<td>36</td>
<td>13</td>
<td>10</td>
<td>77</td>
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<tr>
<td>Islamization</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>8</td>
<td>14</td>
</tr>
<tr>
<td>Relevantization</td>
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<td>1</td>
<td>8</td>
<td>2</td>
<td>12</td>
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<tr>
<td>Total</td>
<td>21</td>
<td>38</td>
<td>24</td>
<td>20</td>
<td>103</td>
</tr>
</tbody>
</table>

PERCENTAGE

- Relevantization of RK: 13%
- Islamization of HS: 12%
- Conventional: 75%

DEPT:
- BACC: 20%
- BBA: 20%
- BECS: 37%
- BISF: 23%
“Prudence alone does not guarantee restraint and moderation, it requires the aid of revelation.”

Al-Imam Al-Ghazali