

**Fiqh and Usul al-Fiqh
Postgraduate & Academic Colloquium 2020**

ندوة طلبة الدراسات العليا والأكاديميين

بقسم الفقه وأصول الفقه 2020

PROGRAMME BOOK

**Colloquium Date:
23 & 24 November 2020**

**Venue:
Microsoft Teams**

**Department of Fiqh & Usul al-Fiqh
Kulliyah of Islamic Revealed Knowledge & Human Sciences
International Islamic University Malaysia**

**Fiqh and Usul al-Fiqh
Postgraduate & Academic
Colloquium 2020**

**ندوة طلبة الدراسات العليا
والأكاديميين
بقسم الفقه وأصول الفقه 2020**

**Colloquium Date:
23 & 24 November 2020**


PROGRAMME BOOK

ORGANIZER

**DEPARTMENT OF FIQH AND USUL AL-FIQH
KULLIYAH OF ISLAMIC REVEALED KNOWLEDGE & HUMAN SCIENCES
INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA**







INFORMATION OF DEPARTMENT OF FIQH & USUL AL-FIQH KULLIYAH OF ISLAMIC REVEALED KNOWLEDGE

The Department of Fiqh and Usul al-Fiqh was established in 1998 as an independent academic unit within the Kulliyah of Islamic Revealed Knowledge and Human Sciences. The programmes offered by the Department fulfills the ultimate goal of the Kulliyah to become a leading centre for integration of revealed values with human knowledge. They introduce students to the study of Islamic jurisprudence and Islamic legal theory. The wide range of courses offered by the Department not only involves mere textual reading and memorization of the juristic legacy but also an analysis of various views and arguments, an evaluation of proof-values underlining each juristic pronouncement, an appreciation of divergent positions, and most importantly contextualization of juristic discourses with the view of providing solutions to juristic needs of Muslims and global world. These skills equip the students with juridical acumen to serve effectively as competent graduates of Islamic jurisprudence and enable them to be life-long learners and thoughtful citizens of increasingly globalized world. It materializes the above via its Bachelor and Post-graduate Programmes.

The department offers two areas of concentration:

- **Fiqh** is concerned with the various branches of Shari'ah laws, differences among the different schools of law, the bases and consequences of these differences, and the issues related to the implementation of Shari'ah laws to new situations.
- **Usul Al-Fiqh** deals with the source and the principles of Shari'ah laws, critical evaluation of classical literature in Islamic Jurisprudence and its implications for modern times.

The Department of Fiqh & Usul al-Fiqh has about 400 students enrolled each semester. They are served by outstanding research and teaching staff who create a challenging academic environment.

The Department provides an integrated perspective of knowledge, and understanding of diverse fiqh & usul al-fiqh contexts.

Undergraduate Programs

The Department's Undergraduate Program offers Bachelor of Islamic Revealed Knowledge and Heritage degrees in Islamic Jurisprudence.

Graduate Programs

The Graduate Program in the Department provides students the opportunity to obtain both Masters of Islamic Revealed Knowledge and Heritage in Islamic Jurisprudence and Doctor of Philosophy of Islamic Revealed Knowledge and Heritage in Islamic Jurisprudence.

Reference: <http://www.iium.edu.my/irkhs/rkfq/>

EVENT OVERVIEW

1.0 INTRODUCTION

The Department of Fiqh and Usul al-Fiqh, Kuliyyah of Islamic Revealed Knowledge and Human Sciences, IIUM will organize a Postgraduate Colloquium which is scheduled to held on 23rd and 24th November 2020. The aim of this colloquium is to provide an opportunity for postgraduate students to present their work-in-progress in a supportive and non-confrontational environment to a group of academics and peers.

The colloquium is one of the department's efforts to fulfill some of the activities and academic discussion involving postgraduate students. It is to help the students in writing up their theses and turning it into any possible academic publications. The overall objective is to promote excellence in higher degree students research throughout the university.

2.0 OBJECTIVES

- a) Organizing academic discussions among post graduate students either at master or doctoral level.
- b) Monitoring the writing progress of postgraduate students in their respective fields.
- c) Helping the postgraduate students in producing journal articles or any form of academic articles.
- d) Providing the postgraduate students with the opportunities to discuss and defend their research findings and also discuss current issues in the areas of Shariah and Islamic Law.

3.0 WORKING PAPER

More than 25 working papers are expected to be presented in this colloquium. It covers various aspects of research areas which relates to Shariah and Islamic Law. Any postgraduate student should present their work to date and will receive feedback which will be useful in writing up thesis. The papers should be written with their respective supervisors.

4.0 SUBMISSION GUIDELINES

- i) All presenters must first submit the abstract of not more than 250 words
- ii) The working papers should be prepared in the following format:
 - o Using footnote .
 - o Using Microsoft Word.
 - o Using Times New Roman with 12 font size and 1.5 spacing.
 - o Short biographies of authors need to be attached
- iii) Submission should be done both in hardcopy and softcopy

5.0 IMPORTANT DATES:

- Abstract Submission : 10 September 2020
- Notification of Abstract Acceptance: 15 September 2020
- Full Paper Submission: 25 October 2020
- Registration: 23-24 November 2020

6.0 PARTICIPANT FEES:

MYR: 50.00 (Fifty Ringgit Malaysia Only)

7.0 SUBMITTED TO:

Dr. Muntaha artalim zaim (muntaha@iium.edu.my)
Dr. Ahmad bin Muhammad Husni (ahmedking@iium.edu.my)

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FORWARD FROM THE HEAD OF DEPARTMENT

Fiqh and Usul al-Foqh Postgraduate & Academic Colloquium 2020
Department of Fiqh & Usul al-Fiqh - KIRKH - IIUM



Assalam alaykum Warahmatullah Wabarakatuhu.



I am delighted to have the opportunity to witness this favourable academic event, PG Colloquium 2020 held by the Department of Fiqh and Usul al-Fiqh. In the continual efforts of the Department of Fiqh and Usul al-Fiqh towards assisting and supporting the PG Students' in their academic journey, the department manage to organize again this colloquium after it was successfully conducted last year.

Greetings to all participants and presenters. I take this pleasure to warmly welcome you to the PG Colloquium 2020 and I would like to congratulate Fiqh and Usul al-Fiqh Department for having the initiative to continue this event. Also, I would like to express my special thanks to all members and the program committee for the dedication, thoroughness and great effort in spite of their other pressing responsibilities in organising this colloquium during this current MCO time.

The colloquium aims to provide a platform for all the PG students at Fiqh and Usul al-Fiqh Department to interact by sharing their research, discussing the current or future trends in their research areas and exchanging ideas with academic members of the department. This colloquium also is one of the platform to promote excellence in PG candidates' research by having academic discussion through which their writing progress can be monitored and research findings can be shared for feedbacks and improvement.

The PG Colloquium 2020 covers various topics in Fiqh and Usul al-Fiqh including its contemporary issues and solutions. I hope everyone will take the ideas arising from this colloquium and use them in enhancing their writings and researches for the best result and achievement, so that we may contribute to making the world a peaceful and harmonious place not just for the Ummah but for all mankind.

I hope this colloquium will be the most enjoyable, productive, informative academic event that participants have ever experienced in 2020. *Inshaa Allah.*

Shukran. Thank you.

Wassalaam alaykum Warahmatullah Wabarakatuhu

ASSOC. PROF. DR. MISZAIRI SITIRIS
Head, Department of Fiqh and Usul al-Fiqh

A MESSAGE FROM THE COLLOQUIUM CHAIRPERSON

Fiqh and Usul al-Foqh Postgraduate & Academic Colloquium 2020
Department of Fiqh & Usul al-Fiqh - KIRKH - IIUM



Assalam alaykum Warahmatullah Wabarakatuhu.



I am very happy to see all of you today. Thank you for joining us and I bid you a very warm welcome to this PG Colloquium 2020. It has always been the Department's inspiration that this colloquium would be beneficial to encourage PG students to excel further in Master and PhD. Knowing that Master and PhD is a long journey, the Department will not leave the postgraduate students by themselves, but conducting this colloquium to meet and review the students' progress.

The department did not conduct this colloquium so that we (the staff) can benefit, but this program is organized for the benefit of PG candidates as intellectual interactions among fellow candidates, interactions with external parties other than with their respective supervisors, would improve, motivate, encourage and push them to a better level. You would find that this event will make you realize your current position whether it is good or not, and knowing such position would eventually encourage you to improve further. Surely you will also realize whether you are progressing or not. Where you were at the last colloquium and where you are today.

Dear PG student, for your information,

The first PG Colloquium 2020 was organized last year, following the success of that colloquium it was agreed that we should organize again at second colloquium preferably more candidates and participants joining. This colloquium is one of the platform to promote excellence in PG candidates' research by having academic discussion through which their writing progress can be monitored and research findings can be shared for feedbacks for improvement. Also, this colloquium helping the students to produce and publish journal articles which are among the requirements to graduate.

In this colloquium, students who are well advanced in their research will present their initial findings and receive feedback which will be useful to them in writing up their thesis and in turning this research into possible publications. As mentioned earlier, this colloquium is not only for students who are well advanced in their research but students who have completed their initial research proposal and literature review and the students who are in the preliminary stages of their research, for whom listening to the discussion, and the researchers outcomes of other students will be of great benefit in developing their research proposals.

Dear Students,

Although the colloquium will run for two days hopefully it will be a precious experience for you to have a discussion with your audience here. I sincerely hope that you will get benefit a lot from this colloquium from which you can put more effort and expedite in writing and of course with quality to graduate on time. Please try your best to finish the journey on time otherwise it may cost you a lot.

Finally, on behalf of the department, I would like to express my appreciation and thanks to all the participants and students for taking time out of your busy duties to participate in this colloquium. I would like to end my speech and officially announce the beginning of the colloquium today 23rd of November which will end tomorrow, 24th of November, 2020, with **بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ** May Allah Assist and Ease your endeavour. Ameen

I wish everyone a fruitful colloquium

Thank you.

DR. AHMAD BIN MUHAMMAD HUSNI

Chairman of PG Colloquium 2020

Fiqh and Usul al-Fiqh Department.



COLLOQUIUM'S PROGRAMME

برنامج الندوة



**Fiqh and Usul al-Fiqh
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**ندوة طلبة الدراسات العليا
والأكاديميين
بقسم الفقه وأصول الفقه 2020**

**Colloquium Date:
23 & 24 November 2020**

DAY ONE

Tuesday, 23rd November 2020

Time: 09:00 am –5:00 pm

OFFICIATING CEREMONY

الحفلة الافتتاحية

- | | |
|-------------------------|--|
| 09.00 a.m. - 09.10 a.m. | Registration of Participants to Microsoft Team |
| 09.10 a.m. - 09.15 a.m. | Welcoming Remarks |
| 09.15 a.m. - 09.30 a.m. | Recitation of Verses from the Holy Qur`an Al-Ustadh Bello Sani Yahuza |
| 09.30 a.m. - 09.40 a.m. | Speech by Chairman of the Conference Assist. Prof. Dr. Ahmad Bin Muhammad Husni |
| 09.40 a.m. - 09.50 a.m. | Officiating Speech by the Head Department of Fiqh & Usul al-Fiqh Assoc. Prof. Dr. Miszairi Sitoris |
| 09.50 a.m. - 10.00 a.m. | Briefing |
| 10.00 a.m. - 01.00 p.m. | Parallel Sessions 1 |
| 01.00 p.m. - 02.00 p.m. | Zuhr Prayer |
| 02.30 p.m. - 04.45 p.m. | Parallel Sessions 2 |
| 04.45 p.m. - 04.45 p.m. | End of programme for day one |

Parallel Sessions | الجلسات المتزامنة

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Academic Colloquium 2020

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DAY ONE – 23 NOVEMBER 2020

| Session | Author & title Moderator: Dr. Fatimah Karim | Reviewer |
|--|--|----------------------------------|
| SESSION 1 10.00 a.m. to 01.00 p.m. | 1 استحقاق المفلس للزكاة في ماليزيا (هشام بن زملي ود. محمد أفندي أوانج) | Dr. Akhtarzaite Abd Aziz |
| | 2 منتجات التأمين الإسلامي في نوافذ شركة التأمين أليانز في إندونيسيا (دراسة تحليلية مقاصدية ميدانية). (عارف أحمد سويكي، د. سيدة الأكمة بنت محمد يونس). | Assoc. Prof. Dr. Mek Wok Mahmud |
| | 3 توزيع الزكاة من صنف "المؤلفة قلوبهم" لغير المسلم في ضوء مقاصد الشريعة: ماليزيا أمودجا. (محمد إسحاق بن أوانج) | Dr. Nan Noorhidayu Megat Laksana |
| | 4 التعصب المذهبي ودوره في وقوع الفتن بين المذاهب دراسة واقعية في تاريخ الفقه الإسلامي (محمد سوتريسنو، د. محمد أفندي أوانج) | Assoc Prof. Dr. Bouhedda Ghalia |
| | 5 صور الزواج السري بين القبائل الصومالية في كينيا: دراسة مقاصدية ميدانية. (حليمة حمدي قوري، أ. م. د. غالية بوهدة، أ. م. د. حسام الدين إبراهيم الصيفي). | Dr.Saidatolakma Mohd Yunus |

| | 6 دور الوقف في مواجهة ظاهري الفقر والبطالة: جنوب غرب نيجيريا أمودجا. (أ.م. د. ميك ووك بنت محمود، خديجة محب الدين). | Dr. Fatimah Karim |
|---|--|--|
| Session | Author & title Moderator: Dr. Muntaha Artalim Zaim | Reviewer |
| SESSION 2 02.00 p.m. to 04.45 p.m. | 1. قضايا "أضحية" الأقليات المسلمة في المجتمعات الهندوسية: دراسة تحليلية مقاصدية. (أدم فولي محمد عباس، أ.م. د. بوهده غالية) | Prof. Dr. Arif Ali Arif |
| | 2. الاعتبار المقاصدي لانفرادات المتقدمين من المجتهدين في الاجتهاد الجماعي المعاصر. محمد محمد عبد الفتاح عبد الشافي، بوهده غالية، حسام الدين الصيفي. | Prof. Dr. Mohamed El- Tahir El-Mesawi |
| | 3. منع التنمر بين الطلاب في ضوء مقاصد الشريعة. (د. سعيد عبد الله بوضيري، نجم أديولي شرف). | Prof. Dr. Muhamamd Amanullah |
| | 4. واقع الإفشاء في الجزائر خلال العهد العثماني. (قديري فريدة) | Prof. Dr. Sayed Sikandar Shah |
| | 5. التوسط في المفاوضات الدولية وتحكيمها. (ناصر عبد اللطيف رشيد دبوس، د. عبد الحميد محمد علي زرؤم). | Assoc. Prof. Dr. Hossam El Din Elsefy |
| | 6. مفهوم الوقف في القانون الإندونيسي: دراسة فقهية تقويمية. (أحمد بن محمد حسني، أريديكا وحيو كونتجورو). | Assoc. Prof. Dr. Abd Bari Awang |
| | 7. التحديات التي تواجه صناعة التأمين الإسلامي في المالديف. (علي زاهر بن سعيد قاسم، أ. د. عارف علي عارف) | Dr. Mohammed Farid Ali |

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**Colloquium Date:
23 & 24 November 2020**

DAY TWO

Tuesday, 24th November 2020

Time: 10:00 am –04:45 pm

Parallel Sessions | الجلسات المتزامنة

- 10.00 a.m. - 01.00 p.m. Parallel Sessions 1
 01.00 p.m. - 02.00 p.m. Zuhr Prayer
 02.30 p.m. - 04.45 p.m. Parallel Sessions 2
 04.45 p.m. - 04.45 p.m. End of programme for day one

| DAY TWO – 24 NOVEMBER 2020 | | |
|---|--|---|
| Session | Author & title Moderator: Dr. Saheed Busari | Reviewer |
| SESSION 1 10.00 a.m. to 01.00 p.m. | 1 مقاصد الشريعة في الأذان. (زين العابدين محمد باقر، أ. د. عارف عل عارف، د. منتهى أرتاليم زعيم). | Dr. Mohd. Afandi Awang Hamat |
| | 2 بيع ما ليس عندك والحكمة منه. (عبدالله بن أحمد بن سعيد السليمي) | Dr. Mohd. Fuad Md. Sawari |
| | 3 الصكوك الخضراء في نظر المقاصد وتطبيقاته في نيجيريا: دراسة وصفية تقويمية (بيلو ساني يهوذا ود. أختري زيتي عبد العزيز وأ. د. محمد أمان الله) | Assoc. Prof. Dr. Miszairi Sitiris |
| | 4 صلاة الجمعة ومقصد حفظ الأمة: دراسة تحليلية أصولية. (زين العابدين محمد باقر، أ. د. عارف عل عارف، د. منتهى أرتاليم زعيم). | Dr. Saheed Busari. |
| | 5 دعوى التجديد الحدائي في الفقه الإسلامي نظرات تحليلية في فكر محمد شحور. (أحمد وحيد أحمد) | Dr. Mustafa Mat Jubri @ Shamsuddin |
| | 6 The application of Shariah in Muslim minority communities from Maqsid al-Shariah viewpoint. (Mohammad Shihan, Dr. Abdulhamid Mohamed Ali Zaroum) | Dr. Saheed Busari. |

| Session | Author & title Moderator: Dr. Ahmad Bin Muhammad | Reviewer |
|---|---|------------------------------------|
| SESSION 2 02.00 p.m. to 04.45 p.m. | 1 تأثير قاعدة الأمور بمقاصدها على بعض المعاملات المالية. (أمين بن علي بن أحمد الصبحي). | Dr. Mohamad Sabri Zakaria |
| | 2 نظام جنابة الأحداث في ضوء مقاصد الشريعة: التجربة السعودية أمثوجًا. (عبد الله بن خالد الحماد). | Dr. Abdulhamid Mohamed Ali Zaroum |
| | 3 العدل في المنظور العالمي والأديان السماوية. (جاسم محمد العازمي، أ. م. د. حسام الصيفي). | Dr. Hassan Sulaimen |
| | 4 قرار الجهاد الوطني في إندونيسيا؛ دراسة تحليلية مقاصدية في ضوء رؤية حضرة الشيخ محمد هاشم أشعري السياسية. (محمد توفيق عبد الحميد). | Dr. Ahmad Bin Muhammad Husni |
| | 5 براءة الاختراع وحمايتها في القانون الإندونيسي (دراسة تقويمية فقهية) (حُسن الحق) | Dr. Muntaha Artalim Zaim |
| | 6 أثر المقاصد الشرعية على الأحكام المستجدة في العبادة في ظل كورونا (الصلاة نموذجًا). (أحمد محمد علي الرميثة، أ. د. عارف علي عارف). | Dr. Muntaha Artalim Zaim |
| | 7 مفاهيم أساسية حول التمويل والاستثمار وعلاقتها بالمشاركة المتناقضة (ميسون قوادي، أ. د. عارف علي عارف، د. منتهى أرتاليم زعيم). | Dr. Mustafa Mat Jubri @ Shamsuddin |
| | 8 الخروج من الخلاف مفهومه و طرق الخروج منه أشرف إلهام | Dr. Muntaha Artalim Zaim |

CLOSING REMARKS

Head of Department Fiqh and Usul al-Fiqh



All PG students, I believe that all of you have well done through the two day colloquium. It is my great pleasure that you had fruitful colloquium though I think two days is not enough. In this year's colloquium, I expected that every participant to make a presentation on their research and share with others regardless the status of their writings whether in the proposal level, in the middle of writing or result of findings.

I wanted you to understand the difference and promote mutual understanding among the participants through the colloquium. I observed your excellent presentations and active discussions, so I can conclude that the purpose of the colloquium has been completely accomplished. In addition, your positive manners revealed that you have made careful preparations and great efforts for your participation.

I would like to pay my deep respect to all the participants for your positive participation in the colloquium. I hope that what you have learned through the colloquium will help you a lot in writing your Master and PhD thesis or dissertation and lead to the success of your overall writing. As you know, after finish writing you will go through viva voce which is quite similar to this colloquium except that during the day there are examiners to test your understanding and your work's originality. I hope that through this colloquium you will have a better understanding of your research and good preparation for the day which will determine your successes later on.

Dear PG students, this two day colloquium will also further strengthen your confidence, knowledge, skills and also if possible the friendly ties among all of you. I really hope that although this colloquium is conducted online, you will get to know each other and improve your writing through the comments from the reviewers. This is your great opportunity to have this colloquium which is one of the department's alternatives for the betterment of its PG students, you must take benefit from this colloquium, it is a chance to have a ceremony with your fellow candidates, your respective supervisors and reviewers to improve, motivate and encourage you to a better level. The department did not conduct this colloquium for the staff to benefit, but this program is organized for the benefit of PG candidates to have intellectual interactions among other people.

Although the colloquium lasts two days, I sincerely hope that you get benefit a lot from this colloquium. Finally, on behalf of the department, I would like to express my appreciation to all the students, lecturers and supervisors for sending excellent students to the colloquium. I would like to close my remarks and officially announce the end of the colloquium, wishing the future prosperity of all the participating students..

Thank you for your attention.

Head of Fiqh and Usul al-Fiqh Department, KIRKHS, IIUM

ORGANIZING COMMITTEE

| BIL | ORGANIZING COMMITTEES | NAME |
|-----|--------------------------------|--|
| 1. | Advisor I | Assoc. Prof. Dr. Miszairi Bin Sitiris |
| 2. | Advisor II | Prof. Dr. Muhammad Amanullah |
| 3. | Chairman | Dr. Ahmad Bin Muhammad Husni |
| 4. | Secretary | Dr. Saidatolakma Binti Mohd Yunus |
| 5. | Treasurer | Dr. Nan Noorhidayu Bt Megat Laksana |
| 6. | Publicity | Dr. Muntaha Bin Artalim Zaim |
| 7. | Programme Coordinator | Dr Akhtarzaite Abdul Aziz |
| 8. | Preparation and Technical / IT | Dr. Mohd Fuad Md Sawari |
| 9. | Special Task | Dr. Fatimah Karim Dr. Saheed Abdullahi Busari |
| 10. | Registration | Dr. Mustafa Mat Jubri@Shamsuddin |



ندوة طلبة الدراسات العليا والأكاديميين
بقسم الفقه وأصول الفقه ٢٠٢٠م

Fiqh and Usul al-Fiqh
Postgraduate & Academic
Colloquium 2020

C-FIQH2020

Monday 23 Nov 2020

09.00AM - 10.00AM (Opening)

10.00AM - 05.00PM (Session 1 & 2)

Tuesday 24 Nov 2020

10.00AM - 05.00PM (Session 3 & 4)



bit.do/webinar_c-fiqh2020



Microsoft Teams

rebrand.ly/webinar_c-fiqh2020

<https://www.iiu.edu.my/irkhs/rkfq/c-fiqh2020/>

Department of Fiqh and Usul al-Fiqh
Kulliyah of IRKHS
International Islamic University Malaysia



ACADEMIC STAFF
DEPARTMENT OF FIQH & USUL AL-FIQH
KULLIYAH OF ISLAMIC REVEALED KNOWLEDGE & HUMAN SCIENCE
INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA

Department of
FIQH & USUL AL FIQH (23)
 Professor: 4, Assoc. Prof: 4, Asst. Prof: 15

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**Fiqh and Usul al-Fiqh
Postgraduate & Academic Colloquium 2020**

ندوة طلبة الدراسات العليا والأكاديميين

بقسم الفقه وأصول الفقه 2020

PROGRAMME BOOK

**Colloquium Date:
23 & 24 November 2020**

**Venue:
Microsoft Teams**

**Department of Fiqh & Usul al-Fiqh
Kulliyah of Islamic Revealed Knowledge & Human Sciences
International Islamic University Malaysia**