

ISSUES IN LAW AND SYARIAH

**IN CONJUNCTION WITH
THE RENAMING OF
KUIM TO USIM**



KUIM TO USIM

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UNIVERSITI SAINS ISLAM MALAYSIA

جامعة العلوم الإسلامية في ماليزيا
ISLAMIC SCIENCE UNIVERSITY OF MALAYSIA

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FOREWORD

Praise is due to Allah SWT, The Most Gracious and Most Merciful. Peace and Prayer be upon His Messenger Prophet Muhammad SAW

First and foremost, I would like to extend my gratefulness and appreciation to the editors and writers of “Issues in Law and Syariah” for their effort and contributions in making the publication of this book a success. The publication of the book in conjunction with the renaming of Kolej Universiti Islam Malaysia (KUIM) to Universiti Sains Islam Malaysia (USIM) is parallel to the university’s effort to augment the university publications with multiple areas of knowledge.

The topics of the articles discussed in this book are very attractive since they compromise important issues of laws and Syariah. Such issues are always being conversed and trashed out in many seminars, conferences and even in daily life. It is the anticipation of this book that the articles inside will be modest contribution and references as part of the solution of current issues. Apart from the contents, the presentation of the book is also enhanced as it considers readers with different language capabilities. The articles in the book are written in English and Malay language according to the writers and content appropriateness.

Finally, it is my greatest hope that the readers of this book will benefit fully from the content discussion. Sincerely, may all the worthy efforts and commitment demonstrated to ensure the publication of this book in conjunction with the renaming of Kolej Universiti Islam Malaysia (KUIM) to Universiti Sains Islam Malaysia (USIM) be a success that will be blessed by Allah SWT.

PROFESSOR DATO’ DR. MOHAMED ASIN BIN DOLLAH

Deputy Vice Chancellor (Students Affairs and Alumni)

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May 2007

PREFACE

This collection of essays is the consensus effort of a group of editors for the special publication in conjunction with the renaming of Kolej Universiti Islam Malaysia (KUIM) to Universiti Sains Islam Malaysia (USIM). Credit must be given to all editors, for the good work in getting the manuscript ready for publication. The editors have sought papers that are original, perceptive and address current issues directly. A healthy and mature society such as found in Malaysia is perfectly able to discuss any issue as long as it is done in a spirit of good neighbourliness and mutual respects.

The focus is on the issue of laws and Syariah. It is clear that in order to have good law and society, there needs to be a good understanding and knowledge among the different groups in a given society. This is even truer for Malaysia, which has significant non-Muslim minorities.

Hopefully the reader will find that these papers contribute to the noble cause of maintaining racial unity, social stability and peaceful co-existence in this diverse nation, which can also serve as a model for other nations to follow.

Editors
Islamic Science University of Malaysia
May 2007

This book is part of USIM's effort towards enriching studies on legal issues. The subject of Laws and Syariah and its comparative studies has grown in importance in recent years and the main emphasis of this book is both on the local and global atmosphere. This book is a good reference for those who like to know more about Malaysian legal issues as it consists of relevant sources, case laws and selected historical points pertaining to this study.

The English section in this book contains articles entitled Islam Across Legal Science, Law As An Instrument And Roles Of Women In Societal Change, Legal Protection Of Children's Rights Across The Age: An Overview In Malaysia, Legal Effect Of Conversion To Islam: An Experience From Malaysian Court, Islamic Perspective On The Competition Law And Policy and Towards Global Implementation Of The Islamic Letter Of Credit In International Trade.

The Malay section presents Kontrak Ar-Rahnu: Implementasinya Dalam Sistem Kewangan Di Malaysia, Harta Haram Dan Syubhat: Isu-Isu Muamalat Kontemporari and Nusyuz dan Talak: Pendekatan Islam Ke Arah Penyelesaiannya.

It is our hope that this book will help to further knowledge and better understanding in the studies on Laws and Syariah.

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