

# **REFORMING THE SYARIAH STUDIES IN MALAYSIAN HIGHER LEARNING INSTITUTION**

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## **Abstract**

With the coming of modern time signified by the globalization, the present Malaysian Higher Education Ministry had initiated various reforms to provide the Malay-Muslim society with the competent and modern educational system. In this article we will demonstrate such reformation program by focusing upon the Syariah studies in the University of Malaya. This paper is designed to be divided into several sections. First, is about Islamic resurgence in Malaysia and its impact upon the present government educational policies. Second, the Malaysian's government policies towards reforming the higher learning institution. Third, the concept of Syariah studies in Islam followed by the introduction of Academy of Islamic Studies in University of Malaya and its reform program, which will emphasize on the use of new curriculum as well as pedagogical approaches. Among such approaches are the introduction of the contemporary concept of Islamic law, adopting the Problem Based Learning (PBL) method, E-Learning technologies and implementation of the THE (Times Higher Education) standard of ranking in assessing the quality of Syariah studies in University of Malaya. Fourth, the conclusion followed by several suggestions for the betterment of Syariah studies in Malaysia.

**Keywords:** Syariah Studies, Malaysian Higher Education, Academy of Islamic Studies, Reform Education.

## **1 INTRODUCTION**

The effort of mutual learning of experiences of Islamic Public Higher Education Institution (IPTA) of two countries, Malaysia- Indonesia is preceded with a proud history. In the beginning, the Malay World merely had an intellectual network with the Middle East (Mecca and Egypt), that was later expanded to all Muslims societies in the Malay Archipelago. An intellectual network that was based on the approach of give and take and mutual learning of strengths of these two nations had become the main agenda which eventually gave birth to the concept of regional research (Malaysia – Indonesia), which also involved wide fields of Islamic researches.

With the coming of the globalization era, we can observe how the map of Islamic knowledge learning centres are divided into three main types; the western world that is founded on orientalism method; the Middle East Islam world that is more focused on the framework of traditionalism studies and the Malay world (Malaysia and Indonesia) that is said to simultaneously mix between traditionalism with reformism frameworks. Although the Malay World is said to be the centre of Islamic studies with a peripheral style, it is apparent that the approach of the Malay World (Malaysia and Indonesia) receives a good response and momentum, and it is said that the Islamic teachings in the Malay Archipelago are gentle, tolerant and open to current modern development. It can be considered as the main breakthrough, and can especially be referred to the sudden increase on foreign students from Muslim nations, who continue their post graduate studies in IPTA of Islamic stream in Malaysia.

Starting from this background, in order to increase the superiority of the Malay World education framework, the parties responsible for Islamic IPTA in both nations have to practice an open attitude in order to learn elements of strengths and weaknesses of their own IPTA education paradigm. For that purpose, this article will touch on the element of change for Syariah education paradigm currently carried out by the Academy of Islamic Studies, an integral part University of Malaya (APIUM).

## **2 PHENOMENA AND FACTORS THAT BROUGHT NEW PARADIGM TRANSFORMATION IN SYARIAH EDUCATION IN MALAYSIA**

Roughly, there are two major factors that became the catalysts of proactive tajdid effort of Syariah education in Malaysia;

Firstly, influence of Islamic movement in 1970s – 1990s, which resulted in the idea of tajdid for Islamic education. Dakwah bodies and thinkers of local Islamic movements have criticized the weaknesses of the development agenda left by British colonizers in Malaysia. This movement led to the call for re-thinking process and reformation program towards Islamic agencies, including higher Islamic education institute. What is even more impressive was that the demand of the Islamic movement was positively accepted by the government since it did not threaten their status quo and all the demands have their benefits, as well as increasing the values of Islamic IPTAs. This momentum became more rapid when Education Act 1996 was passed, which allows the establishment of Islamic IPTS as addition for the government funded IPTAs. The establishment of IPTSs received an extraordinary response from graduates of Islamic high school as the main centers to further their studies in the next level. This can be proven with the current study, that a majority of modern Malay families still have high hopes in the Islamic studies field, by choosing to send their children to religious schools and are willing to spend money in order to send their children to IPTA/IPTS of Islamic stream.

Secondly, negative pressure from the outside world; globalization and THES. In the recent development, the negative trend belittling graduates of Islamic Studies can be seen from the declining status of University of Malaya (UM), based on the survey by THES – among the reasons are;

- Negative attitude shown by outside working sector (public and private) towards graduates of UM from Social Sciences stream. This refers to the weakness of UM graduates to communicate well in English.
- A low intake of foreign students by UM.
- A low intake of academic staff from outside, especially the West.

If we are to look at this in a much more holistic angle, we can challenge the validity of standardization by THES, based on a number of matters:

1. It was carried out based on viewpoint of Western academic world of the globalised era that is more inclined towards utilitarian educational philosophy in the economic rational style (economism). The Globalization agenda decreased government's control on universities that led to most IPTAs turning themselves into factories to produce so called competent graduates that fulfill the needs of current market. The change of mission from "as a source of civilization development, strengthening humanistic element through the shaping of personality and intellect that are capable of seeing, understanding and adjusting with the changes and turbulence of the current society" to a philosophy of utilitarian education in the style or economic rational (economism) based on the model of world trade corporate has degrade the role of university as a social institution which cultivate intellectual culture and new, free and critical thoughts. As a result, graduates of universities of such philosophy will only produce careerists, who merely focus on career aspect while ignoring the issue of using their intellectual ability for the good of the society.
2. It is against the result of recent scholarly studies carried out by local academicians that obviously showed how science social graduates including graduates of Islamic studies are still relevant and valued by outside working sector. Moreover, these graduates have the Malay-Muslim high self-esteem spirit that should be empowered by all kinds of modern knowledge.
3. It is not constructive since the issue of unemployment is always related to the weaknesses of IPTA/IPTS learning system. According to Mohd Zaini Ujang, we should propose to the society, especially the private sectors, to be more open, sympathetic and to take a leaf out of Japan's private sectors. Private sectors in Japan understand that the period of education in IPTA/IPTS is short (4 years) and incapable of producing the ideal skilled workers. IPTA/IPTS merely educate their students to be universal and to act as honest citizen and worker. As a result, the private sectors played the role of training graduates of IPTA/IPTS with all the skills needed by the current private sectors. This approach, if practiced by Malaysian private sector will certainly solve the problem of graduates' unemployment, which is rather serious these days. Moreover, based on the current achievement, if compared with graduates of non-Islamic studies who are reported to suffer from attitude degradation and low academic achievement, we can be proud of the excellent product of Islamic IPTA/IPTS – graduates with high academic achievement and high social skills.

4. The approach that glorified the English Language and regard it as the main efficiency standard needed in the modern world context can be considered as a dangerous process of culture colonization. This action will effect the importance of local languages, such as the Malay Language, as detailed by Hashim Musa;
  - The increase of English Language economic value and eventually pushes aside the status of Malay language as the national language and formal language, and no longer respected by the citizens.
  - The process of Malay language intellectualization will be delayed since it will no longer be used as the medium language of higher knowledge and will not develop along with modern knowledge.
  - The role of Malay Language as the language of unity in Malaysia will be affected.
  - The use of proficient English Language is limited to a small number of elites living in big towns, while the majority of citizens living in the rural areas who are still weak in English usage will remain the same, which will widen the existing gap more than ever.

### **3 PRESENTATION OF NEW PARADIGM OF APIUM'S SYARIAH EDUCATION**

Based on the progressive spirit of reform, APIUM understands the need of the global world and tries to formulate a more thorough reformation (*tajdid*) towards the current Islamic knowledge system. Roughly, there are a number of pedagogical steps taken by APIUM and can be divided into two main aspects; **pedagogy of learning** and **content of subjects offered**. In the aspect of transformation in the learning pedagogy, there are three main methods, which include:

**Firstly**, application of two new pedagogy methods which are PBL (Problem Based Learning) and communication and thinking skill (Arabic and English Language) which can generate critical ability as well as current problem solving skill in students. Based on the current report of IPTA's students' weaknesses in general and Islamic IPTA specifically, they are said to be weak in the correct communication and thinking, eventually leading the graduates of IPTA failing to comply to the job market. Therefore University of Malaya has taken the initiative to introduce the PBL method. This method is usually used for students of medicine, which is said to be capable of training students to analyze any problem as well as providing the best solution for that problem.

For example, the method and approach of PBL has been used in the subject of Islamic law, which requires four main steps;

- 1) Students are exposed to the concept framework and an authoritative list of references for the subject that is being taught.
- 2) Exposure to the scenario of a real Islamic problem which is to be solved by students in their groups, such as fatwa issued by Malaysian National Fatwa Committee (JFKM).
- 3) Students need to carry out a holistic research on a given problem, which will certainly involve other disciplines of modern knowledge. In this aspect for example, students must look at the background of how the problem existed as well as analyzing critically the content of fatwa issued by the JFKM, whether it is suitable with the principle of Maqasid al-Shariah and Malaysian reality.
- 4) The result of students' research will be presented in class and evaluated by other students and the lecturer.

The PBL method aligns with the demand of educational agenda for the current global world that requires lecturer and students to interact in a more open and critical context. In the history of Islamic law education, it is apparent that the PBL Method had been given different names, but in reality it had once been the main method in the early syariah education. This is evident from the methods of Mantik, Jadali, Istiqra'l and tarjih in past syariah learning tradition.

More importantly, the PBL method is also compatible with the model of philosophical approach that is scholarly, inclusive and open. The benefit of this approach in the Syariah study field can be referred to three main matters;

- Finding and conclusion of fundamental ideas in all kinds of issues.

- Introduction and deeper study of fundamental questions and issues will shape critical thinking.
- This process will shape the mentality and thinking method that give priority to intellectual freedom, simultaneously showing tolerance towards all kinds of different views and beliefs as well as being free from fanaticism.

In the context of modern world, this philosophical approach is fully utilized in Islamic knowledge studies system in the West and stimulated all kinds of dynamism related to the latest technological development, as well as resulting in more open researches being carried out. It is not wrong for Muslims to selectively copy what has been carried out in the Western orientalism world.

**Secondly**, application of teaching paradigm tajdid style that is much more interactive. APIUM still uses the lecture approach (one way) and tutorial approach (two ways). The new form of teaching pedagogy philosophy (Islah – not rejecting all traditional elements) was constructed by making adjustments to the traditional education paradigm, such as:

- Student-oriented approach replacing the teacher-oriented (banking concept) approach. Both sides -teacher and students- should interact in a more open and critical context. In this aspect, teaching approach in form of banking concept and teacher-oriented lessons should be avoided. The approach of banking concept is usually found in the taqlid paradigm, which denies a student's creativity in undertaking an issue. Meanwhile the paradigm of teacher-oriented refers to an approach that is too dependent on the teacher to the point that the role that should have been played by the student is forgotten. More accurately, a student should be more proactive in his study and regard the teacher as a guide and facilitator only.
- The approach that encourages lecturer-student to use modern ICT skills (Virtual studies) such as information search through websites and tutorial presentation with ICT tools. In short, a teacher's duty is getting challenging with the tide of virtual studies. APIUM attempts as best as it could to avoid the negative impact of the virtual studies approach, such as lessening a student's respect for the teacher and lowering a teacher's role in cultivating moral education (spiritual touch) in students. The attitude of glorifying too much of E-learning (too dependent on computers in all kinds of modern knowledge) will defect the humanity role that should have been played by an educator. Apparently, no matter how advanced a computer is, it is impossible for it to give spiritual touch and shape a student's characteristics.

Third, in order to empower the quality of APIUM's alumni for it to face the reality of working environment, all kinds of activities such as industrial training program or smart partnership were carried out, involving all kinds of agencies, bodies and careers sectors that are related to Islamic legal service. Among the agencies are offices of Muftis, Syariah Court, Councils and Offices of Islam in every state in Malaysia, YADIM (Malaysia Islamic Dakwah Foundation), banks that offer Islamic financial products and more. The industrial training/ smart partnership programs are divided into a few types;

- A program that requires a student to serve either as a volunteer worker or helper at an agency during APIUM's semester break. Through this, he will be exposed to the modus operandi as well as the elements of strengths and weaknesses and of that agency. There were certain cases of a number of agencies in the industrial training hiring students who worked with them after they graduated.
- A program/workshop in form of house training – experts from the public and private sectors, who are involved in the Islamic legal service, will be invited to present information on the programs carried out by their agencies.
- Syariah court moot program (court of training for students of Syariah and Law) that compels its students to act as Legal Representative and Prosecutor in a discussion of a case. Usually, this program will be attended and judged by syar'i law experts from outside – which will expose students to how a trial at the Syariah court is handled in an organized and mature manner.

On the other hand, in the aspect of subject content offered, APIUM applies a much more integrated approach between Islamic and secular knowledge. All kinds of steps have been taken in order to actualize this, such as;

**Firstly**, introducing subjects that illustrate the connection between Islam with issues and modern disciplines; including economy, management, law, public administration and others. These subjects will familiarize students with subjects of modern knowledge that are used in current life reality.

**Secondly**, encouraging students of APIUM to take up subjects offered by different faculties other than APIUM in UM. For APIUM students who are taking core subjects of Islamic studies, they are encouraged to choose external faculty courses at faculties of Science, Engineering, Sports Science and others. Based on current observation, some of the most popular subjects among APIUM students are (i) Science and Technology and Society, (ii) Environmental Issues, (iii) Philosophy of Science, (iv) History and Philosophy of Science and Technology in the Current Islamic World, (v) Science of Food Processing, (vi) Science of Flora and Fauna, (vii) Epistemology and Perspective of Knowledge and (viii) Philosophy of Comparative Science.

**Thirdly**, emphasizing Islamic subjects that are more inclined towards the reality of current Malaysia, instead of reality outside Malaysia (Middle East) during the past middle era. This can be seen from;

- Introduction of Fiqh Malaysia (Cotemporary Fiqh) subject in the Syariah curriculum of the first degree and post graduates levels. The idea of local Malaysian Fiqh is meant to prepare answers that Islamic solutions have for the current Malaysian society, instead of depending on past Fiqh heritage, which is considered as unsuitable with Malaysia's society current reality.
- Effort to generate intellectual discourse by making the concept of Malaysian Fiqh as the main foundation in order to solve Malaysian Muslim's society problems; this can be divided into a number of main themes, such as current Islamic law need, culture and the issue of consumerism. This intellectual discourse in carried out in a specific seminar that aim to enlighten the society and which will also generate its development by accepting the different views of scholars for the purpose of an established notion.

**Fourth**, application of S&T in the studies of Islamic knowledge. Realistically, APIUM is stimulated by the spirit of tajdid to plan and produce a group of Muslim fuqaha-scientist, as much as it can, by using a number of mechanisms, among them;

- Practicing the kind of attitude and approach that are more proactive and positive towards the importance of S&T subjects in all kinds of critical fields that involve new findings.
- Advocating weekly talks of latest S&T issues such as biotechnology science, ICT, human cloning and more, that are explained by experts from the science faculty. These talks, in appearance of in house training which were open to academic staff and students received most encouraging reactions.
- Publishing specific books that expose the contributions and thought paradigms of past Muslim scholar-scientist, which are expected to set examples for students.
- Publishing a number of scholarly articles in journals published by APIUM, that concentrate on the benefits that can be gained from the development of ICT and modern science towards the continuity of Islamic knowledge in general and Islamic law specifically.
- APIUM has introduced the program of Bachelor of Applied Science with Islamic Studies. For the purpose of the society's need as well as widening its graduate activities, APIUM found it necessary to offer another program at the degree level, which is different in its content and approach from the current programs. Eventually, a program at the level of Bachelor, based on the combination of Islamic studies subjects and Science knowledge was agreed upon, established, and given the name "Bachelor of Applied Science with Islamic Studies". Basically, the establishment of this program was with the objective of aiding the government and Malaysian in the effort of actualizing a society that is progressive in the field of science and technology and is based upon pure Islamic values. At the same time, it is hoped that the program will produce experts of science, who at the same time, possess core Islamic knowledge.

**Fifth**, application of concept and approach of current Fiqh (Malaysia) in most Islamic law subjects. It includes a number of methods that try to resurrect the roles of fuqaha in the use of *usul al-fiqh* methods in some aspects, which are:

- 1) The process of evaluating the views of classical fuqaha so that they are suitable with current reality.
- 2) The process of evaluating, changing, and carrying out ijihad towards current problems in Malaysia which have no answers in the Quran and Tradition, and classical fiqh books. More

accurately, it is neither general nor rhetorical in nature; instead it provides a complete and detailed alternative.

- 3) The process of identifying and creating Malaysia's database especially in, firstly, a complete description of current Malaysia reality from the aspect of historical background, social structure, politics, economy and some current issues. Secondly, the need to extensively study modern knowledge, such as social science, culture, economy, medicine, politics and others. The Malaysian database can act as a guide in aiding fuqaha during the process of determining the Islamic law that is current in its nature.
- 4) The process of preparing methods and basic methodology in knowledge of *usul al-fiqh* that can help fuqaha to solve new problems in Malaysia. Among the related methodologies are methods of *'urf, ijihad jama'i, tarjih, talfiq, ijma'*, *Maqasid Al-Shari'ah, Maslahah, Siyasah Shar'iyyah* and others.
- 5) The process of encouraging the connection between principle of *Maqasid al-Shariah* with the concept of *Fiqh Awlawiyah*, which emphasis more on taking into account the reality of current Malaysia society. This combination should be more open and not limited to a specific mazhab only. More importantly, a fuqaha should acknowledge as well as respect views of other fuqaha who are involved in the process of obtaining information for Islamic law research, and then analyze the fact. This can be done with the approach of comparative fiqh model that include all the major mazhab in Islam, by accepting different sources, giving attention to all the arguments with an open mind and choosing the best view that is aligned with the Islamic law guidelines. In this approach, a fuqaha needs to liberate himself from being fanatic about any mazhab and give priority to Muslims' unity.

This combination will portray the comprehensive characteristics of the Islamic law as well as avoiding the principal of *Maqasid al-Shariah* being used irresponsibly. This is to ensure the concept and principal of Islamic law are not misused for the purpose of getting syarak justification in any actions that are against the basic principal of Islam. Among the main aspects are;

- a) Precedence of quality over quantity.
- b) Precedence of knowledge over action.
- c) Precedence of objective over physical aspect.
- d) Precedence of ijtihad over Taqlid.
- e) Precedence of providing ease over difficulty.
- f) Precedence of work for the benefits of the public over work for own benefits.
- g) Precedence of Fardu Ain over Fardu Kifayah.
- h) Precedence of society's rights over individual rights.

#### **4 PRESENTATION OF THE NEW PARADIGM OF APIUM SCHOLARLY RESEARCH**

The main index that can be used as benchmark in measuring the height of a civilization does not depend solely on the quantity and size of its material artifact, instead more importantly, the greatness of material elements should be accompanied by the existence of a number of scholars of quality from the aspects of personality, dignity, effectiveness of theory as well as application of knowledge. We can compare it to a scale used to evaluate higher educational institutions greatness (i) completeness of material and research, (ii) number of students who are brilliant and independent (iii) professors who produce all kinds of research of quality and can be applied effectively in the society and (iv) percentage of graduate students who continue their studies to post graduate level.

Based on this principle, APIUM is truly concerned with the production of scholarly research with high quality whether at first or post degree level. In regard of this, a number of matters had been decided, such as;

Firstly, fixation of strict condition on the academic qualification for students intake and the ability to produce scholarly research (for the levels of first and post degree) of quality. Based on Bloom's Taxonomy, APIUM divided the thinking ability in scholarly research into;

1. Knowledge – for First Degree
2. Comprehension – for First Degree
3. Application – For Graduate and PhD
4. Analysis - For Graduate and PhD
5. Synthesis - For Graduate and PhD

Secondly, emphasis on the use of accurate research methodology in a scholarly research. It is admitted that materials for resources that touch the issue of research methodology for Islamic studies in Malaysia are still few, compared to Indonesia. However, the effort to prepare research methodology framework has been stressed during the first degree and post graduate level. In a majority of scholarly forums, APIUM indirectly emphasize on importance of the correct research methodology, such as;

1. Emphasizing the importance of scholarly research in the process of thought development. This is done by cultivating awareness in a scholar's self of the importance of scholarly research in the effort of increasing the dignity of the ummah. Sadly, there are some people who believe that the struggle for Islam should be done in the political arena while belittling scholarly activities. This simplistic attitude leads to a Muslim who talks more about his fight without filling his mission with meaningful knowledge.
2. Explaining the aspect of Islamic law epistemology in the process of Fiqh Malaysia concept development.
3. Emphasizing the effort of synthesis process between usul-fiqh and modern social science disciplines.
4. Detailing the strength of classical Islamic law research methods founded by past fuqaha.
5. Detailing the method of instilling answers which are in the form of Islamic value questions that resulted from the first and second methods into the society.

Thirdly, fixing a specific mechanism in the process of supervising and examining a thesis. Among the mechanisms are;

- Get to know (taaruf) a student well, who is about to receive direct guidance from a teacher. This taaruf approach is practiced in usrah institution, which obliged a teacher and his student to be open, not to be too egoistic, to accept views based on the strength of arguments without looking at who is saying it and willing to change when reprimanded in the right way.
- Practice the approach of testing in order to test academic ability (the ability to elaborate and write critically) of a student. Usually, in the Western academic practice, a student will be assigned by his supervisor to read a work of certain Muslim ulamak and then explain it critically and in detail.
- Every meeting that involve discussions of turning in, correcting and editing a thesis should be written down together by both sides in a specific form, in order to ensure that a student has achieve a certain level or vice versa.
- A supervisor should give further explanations on the methods and know how of a research to be carried out, instead of only stressing on its academic content. Among the most important aspects that are usually measured by an evaluator (internal and external):
  - i. How a certain research design (questions of what, why and how) for a scholarly research should be carried out, which is usually included in the proposal of a research. It should be remembered with care that a research proposal is the soul and life of a research, and will usually be examined thoroughly by the examiner.
  - ii. The questions posed by the researcher will come under the headings of importance and objectives of research and should be answered in the conclusion of the thesis.
  - iii. The thesis abstract that is compressed with the matter to be studied, featured in the chapters division and chronologically arranged, must be clear and apparent as well as easy to understand by an examiner. More importantly, the abstract is the main border of the research. In fact, this part should have three basic subjects; what is being studied, how the study is carried out (research methods) and the findings of the study.
  - iv. Language style that is standardized and consistent use of Arabic transliteration to Romanization.
  - v. Presentation of detailed past research which is related to the research that is going to be carried out. A student should include in this section a list of past researches whether in a form of books, thesis, articles and reports that were done prior to his study. This is important since it is to convince the examiner of the contribution of his research in the chosen field, avoid plagiarism and show the extent of his readiness in readings.
  - vi. The employment of accurate and correct research method. Usually, an Islamic research is more inclined to two sources of data collection; library research and case study. The data will then be gathered and analyzed using a number of main methods, (i) history, (ii) content analysis based on themes, (iii) conclusion taken in an inductive or deductive way and (v) comparison between two different views.

- Both sides (supervisor and student) should interact in a more open and critical context. In this aspect, a learning approach in form of banking concept as well as teacher-oriented approach need to be avoided. In the banking concept that is usually used in the Taqlid paradigm and it denies a student's creativity in elucidating a question. Likewise the teacher-oriented approach refers to the approach that is too dependable on the teacher that it forgets the role that should be played by the student. More accurately, a student should be more proactive in his research and regard the supervisor as a guide and facilitator only.

Fourthly, practicing a selective attitude towards the Western orientalism genre. it is not surprising since a majority of APIUM academic staff received their post graduate training from Western universities. This group can be categorized as new Malay reformists who will bring proactive change to the development of intellectualism in Malaysia. Since the stand of orientalism works are mostly anti Islam, and endeavored by non Muslim scholars, it has lead to some parties to take a negative and passive (unconcerned) view by harshly opposing and denying the elements of goodness in a particular piece of writing. In fact, there are some who claimed that whoever studies from the orientalists are considered as enemies of the Muslim ummah, advocates of syaitan and the puppets of orientalists, and should be opposed by all Muslims. According to Wan Mohd. Nor Wan Daud, there is a majority of Islamic scholars who had been infected by westophobia; irrational fear and hatred towards the West. Basically, this is part of the mind disease, xenophobia that made a person fears external elements.

In the history of Islamic knowledge tradition, we can see how Muslim scholars have given positive response to non-Islamic works by studying their views and in an orderly manner have forwarded and answered the weaknesses of those views. Interestingly, this concerned attitude was not limited to the works of non-Muslim, but also extended to Muslim as well although it is a pity that it had been seeped with fanaticism and extreme believe in mazhab. This effort of early Islamic scholars was eventually carried on by their modern counterparts, who have explained the history, tactics and weaknesses of the orientalists' works.

There are a number of positive elements that can be learnt from the orientalism genre, such as;

1. The philosophical approach, fully used in the study system of Islamic knowledge in the West has sparked all kinds of dynamism related to the latest methodology and a much more open research findings. Apparently, without denying the negative aspects that already pre-exist in the study method of orientalism style, the Western Islamic study system is based on the philosophical philosophy – history that is naturally open and without being fanatic, even towards prominent orientalist figures. As a result, works of Muslim and orientalist (such as works of Ignaz Goldziher, Joseph Schacht, Patricia Crone, John Burton and others) scholars were encouraged to students; for them to analyze, criticize and produce new views for every issues in the discussion. This approach was supported and fully supervised by educators, who were mostly the orientalist scholars themselves. Consequently, students were trained and forced to be critical to the point where they were able to produce new theories which criticize and oppose the old theories by orientalists.
2. The approach that places importance on the latest methodology development in a research of Islam. According to the Western studying practice, a good research should always pursue the latest development of a new theory and the ever progressing scholarly research methodology. In the beginning, researches carried out by orientalists did not use the correct scholarly method like applying myths' sources that were anti Islam, but this started to change when the Western orientalists became influenced by scientific methods advocated with Renaissance Movement. Compared to the academic world of the Muslims centred in Middle East where they were trapped in the taqlid culture and neglecting scientific knowledge, the Western academic world in Europe of the same period had accepted the scientific methods, making them more progressive with all kinds of high scientific and technological achievements. Subsequently, Western orientalism studies focus on the societies of the East, which is a part of humanities study and had been infected by elements of scientific methodology.
3. The form of research that contains the method of social problems analysis that is quite good, such as the outstanding Islamic knowledge tradition's text analysis method encompassed in *usul al-fiqh*. Because of this social science method, some orientalists gave quite positive descriptions of Islam and recorded to the world academic society of the roles played by Rasulullah.

4. The form of research that is rich with elements of mechanical analysis data carried out on Islamic tradition works. As a continuation of the approaches of historicism and phenomenology, orientalists scholars made an effort to analyze the data of Muslims' classical works. Among the materials were Index Islamicus, Encyclopedia of Islam, Mu'jam al-Quran and Mu'jam al-Sunah, translations of tafsir Quran, Sirah Nabawi and translations of past fuqaha synthesis. This form of research has contributed in aiding research process carried out by a researcher, including Islamic researcher as well.
5. The form of scholarly research that portrays an honest and positive image of Islam. It is a pity that pro-Islam outlooks are covered by anti-Islam views that it has been taken for granted by Muslims scholars that all genres of orientalism are against Islam. Positive images found by orientalists were due to them diligently following the proper discipline of scholarly study, which has led them to discover the truths of Islam. Clearly, orientalists of this category are attracted by the personality of Rasulullah, compared to other world figures. Apart from that, the act of giving positive descriptions was due to the pressure they experienced from anti-religion attacks propelled by secularism against Christianity, of which, when compared to Islam, is much more tolerant towards Christianity. This situation urged them to be more sympathetic and acknowledging of the teachings of Islam.

Fifthly, deciding on a research theme which is quite critical in its need among the current Muslim society. This can be detected from APIUM's attitude that encourages its postgraduate students to carry out researches on issues of the current society. Among the issues in the subject of fiqh consumerisms are the question of gender, sewage water treatment, Medical Science, Bio-medical, Pharmacy, Astronomy, F&N dairy products, the issue of social change, Fatwa of JFK and many more. Apart from that, much encouragement is given to the method of Islamic law observation (Islamic Law Sociology) in the society. This method is to ensure balance between idealism in the Islamic law (law in book) and the reality of its implications in the society (law in action), that applies the approach of Islamic law sociology research. Since this method is still green, the process of the method's advancement should be developed in a synthesis way by modern Islamic law scholars based on the sociology discipline of the West. Among the content that should be considered for Islamic law sociology method are;

- Research of Islamic law effectiveness carried out in the society, whether is had been able to solve the related problems or not.
- Research of the effects of Islamic law that had been carried out, by concentrating on the effects from the aspect of law application in long and short terms.
- Research on the structure and organization responsible in ruling and enforcing Islamic law in the society.
- Research on the theories that led to the successes and failures of Islamic law enforcement in the history of Islamic law.

## **5 THE EVALUATION PARADIGM OF SYARIAH EDUCATION IN APIUM**

The evaluation process of the effectiveness of study programs in APIUM is most emphasized upon, since it is the condition or main standard attached in MS ISO Certification Standard 9001: 2000. It involves seven types evaluation. Two of them involve evaluation of students' achievement while the other five are related to lecturers' accomplishment and the services offered by APIUM;

1. First Degree Level – evaluation is based on the ratio of final examination percentage 60% and tutorial projects 40% (attendance, active participation and paper work presentation).
2. Assessment of quality of a lecturer will be decided by every students of the first degree or post graduate, using a strict evaluation form.
3. Post graduate level – evaluation of a dissertation or thesis is carried out by three experts, who will observe carefully the aspects of research methodology, thesis presentation and analysis of the research as a whole.
4. Evaluation of study programs' effectiveness and the service of APIUM, which will be carried out by a number of auditors from other faculties. Among the main assessment scope is whether APIUM continuously practices the enhancement approach or not, after it receives the MS ISO Certification 9001: 2000.
5. Evaluation of APIUM's study programs' effectiveness as a whole, whether they are compatible with the context of current Malaysia's development need. It is carried out by a special committee consist of experts from all fields of discipline, especially Islamic Studies. For

example, for the Department of Fiqh and Usul, APIUM held a specific workshop which explained the importance of reviewing process for the teaching of usul al-fiqh, 16<sup>th</sup> of June 2005, at Balai Ilmu, APIUM.

6. Evaluation of competence quality owned by alumni of APIUM is seen from aspects of chosen work sector and the views of their employers.
7. Evaluation of a lecturer's position ascend to a higher degree – assessed from the aspects of his contributions in (i) participation in administration activities (ii) publication of books and scholarly articles (iii) consultation service with external parties (iv) the proportion of scholarly research and (v) participation in working paper presentation at intra and international levels.

As addition to the evaluation process, APIUM proactively has taken a number of necessary steps in order to raise awareness of the society outside the campus on the positive elements owned by APIUM, such as;

- The highest APIUM administration tries to clarify to outside parties of all of its educational reformation efforts, which include the issues of curriculum and pedagogy development, as has been carried out. All these information should be imparted through all kinds of specific forums, to suit the target audience.
- APIUM also proactively tries to answer all kind of negative views that the society always relate to Islamic educational institution. For example, the trend of students' politics which were said to lean more towards the opposition is always related to the indoctrination of the lecturers. Prof. Azyumardi Azra who was once a students' leader at an Indonesian Islamic higher education institute (Himpunan Mahasiswa Islam) stressed that university students as the young generation thirsty for change, are more exposed to development outside of the campus as well as political issues and not at all related with indoctrination by lecturers.

## 6 CONCLUSION

We can conclude that APIUM has done as much as it could in order to apply all kinds of new paradigms based on the concept of tajdid in the Syariah education. This is carried out for the purpose of producing graduates of APIUM who are competent in facing the challenges of globalization as well as fulfilling the need of current work market. It can be said that a majority of the reformation efforts had become models for other IPTA and IPTS of Islamic steam, due the status of APIUM as a superior institution of Syariah education in Malaysia. What is apparent, as elaborated in detail by this article, scholarly research and evaluation can be categorized as the most important substantial element, and it is hoped to be the main catalyst in actualizing a world class system of Syariah education.

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