

## Strengthening International Collaboration in Higher Education Through Centre of Excellence in Fatwa Area: IFFAH Experience with IIFA<sup>6</sup>

\*<sup>1</sup>Irwan Mohd Subri, <sup>2</sup>Muhamad Firdaus Ab Rahman

<sup>1</sup> Director, Institute of Fatwa and Halal (IFFAH); Professor, Faculty of Syariah and Law, Universiti Sains Islam Malaysia (USIM); Secretary General, Islamic Fiqh Academy of Malaysia (AFHAM).

<sup>2</sup> Coordinator of Training and Consultation, Institute of Fatwa and Halal (IFFAH); Senior Lecturer, Faculty of Syariah and Law, Universiti Sains Islam Malaysia (USIM), Bandar Baru Nilai, 71800 Nilai, Negeri Sembilan, Malaysia

\*E-mail: irwan@usim.edu.my

### ABSTRACT

This article describes the experience gained by the Institute of Fatwa and Halal (IFFAH), Universiti Sains Islam Malaysia (USIM), from the International Islamic Fiqh Academy (IIFA). This study employs a descriptive approach. Implementing the *istiktab* method is one way to strengthen IFFAH, as evidenced by the findings. Besides, it could support the fatwa institution in Malaysia and create a holistic niche of expertise geared toward the welfare of the global community and ummah.

**Keywords:** *Istiktab, Fatwa, IFFAH, IIFA, USIM.*

### 1. INTRODUCTION

Institute of Fatwa and Halal (IFFAH) is one of the centres of excellence (COE) in Universiti Sains Islam Malaysia (USIM). IFFAH was approved on 9th January 2019, and it combines two centres of excellence, the World Fatwa Management and Research Institute (INFAD), which began its operations on 26th May 2003 and the Institute of Halal Research and Management (IHRAM), which started its operations on 1st January 2010.

By maintaining the existing functions of INFAD and IHRAM, IFFAH aims to create a niche holistic expertise globally that benefits the public regarding fatwa and halal. IFFAH is committed to USIM's aspiration toward the Barakah campus through integrating Naqli and Aqli knowledge in both areas (IFFAH, 2022). The objectives of IFFAH are:

- i. Provide professional services related to fatwa and halal scholarly studies.
- ii. Develop and lead in fatwa and halal scholarly talent in research, innovation and consultancy.

---

<sup>6</sup> This paper has been presented in "Seminar on The Internationalization Of Higher Education 2022", held in Universiti Sains Islam Malaysia (USIM) on 29<sup>th</sup> September 2022.

- iii. Foster innovative partnerships in the development of products and services for income generation.
- iv. Educate the community through fatwa and halal scholarly.

The vision of IFFAH is to be a fatwa and halal scholarly centre for the well-being of *ummah* and the universal. At the same time, the mission of IFFAH is driving excellence and sustainability synergies of fatwa and halal scholarly worldwide. IFFAH (2022) offers seven services in two areas; fatwa and halal, as follow:

- i. Research.
- ii. Consultation.
- iii. Training.
- iv. Laboratory.
- v. Publication.
- vi. Innovation.
- vii. Syariah Compliance.

To strengthen international collaboration in higher education through the centre of excellence in the fatwa area, IFFAH partnered with an international institution, International Islamic Fiqh Academy (IIFA).

## **2. INTERNATIONAL ISLAMIC FIQH ACADEMY (IIFA)**

The International Islamic Fiqh Academy (IIFA) is a universal scholarly organisation. It is a subsidiary organ of the Organization of Islamic Cooperation (OIC). It was established following a resolution at the Third Islamic Summit of the Organization on 19th-22th Rabi al-Awal 1401H, corresponding to January 25th-28th, 1981. Its headquarter is in Jeddah, Kingdom of Saudi Arabia. The Academy is endowed with a legal personality. Its members are eminent Muslim jurists, scholars, researchers, and intellectuals who specialise in jurisprudential, cultural, educational, scientific, economic, and social knowledge from different parts of the Muslim world.

The Academy is entrusted with elucidating the rulings and provisions of Shariah on issues of concern to Muslims around the world, in full independence and based on the Holy Quran and the Noble Sunnah of the Prophet (PBUH). It also studies contemporary life issues,

performing an authentic and effective Ijtihad, aiming at providing solutions stemming from Islamic heritage and being open to the developments of Islamic thought (IIFA, 2022).

### **Objective, Mission and Vision**

The objectives of IIFA are to:

- i. Achieve intellectual harmony and integration between jurists from recognised schools of Islamic jurisprudence and experts in the field of human, social, natural, and applied sciences to elucidate the positions of Shariah towards contemporary life issues.
- ii. Promote collective Ijtihad (*Ijtihad jama'e*) on contemporary life questions and issues, elaborate Shariah-based solutions, and clarify valid preferences among several legal opinions on the same problem. Following the interests of Muslims - individuals, communities, or States- and in full harmony with Shariah's legal arguments and ultimate purposes.
- iii. Coordinate between authorities of Ifta and institutions of jurisprudence inside and outside the Muslim world to avoid contradictions and hostilities between opinions on the same issue, especially in general matters that may cause conflicts.
- iv. Reject denominational intolerance, religious fanaticism, and communication of Islamic doctrines and their followers through spreading the spirit of moderation, openness, and tolerance among the followers of different schools of law and sects.
- v. Refute baseless fatwas that negate Islamic principles, established rules of Ijtihad, and scholarly Islamic schools of law without giving any recognized evidence.
- vi. Provide Shariah rulings on subjects from the lived reality to facilitate the development of legislations, laws, and regulations in line and harmony with the provisions of Shariah.
- vii. Express Shariah opinions directly when requested and translate them into the lived reality revolving around the challenges facing the Islamic *Ummah*, and on the documents issued by the OIC, international Islamic and non-Islamic organisations.
- viii. Issue fatwas to Muslim communities and organisations outside the Muslim world in a way that would preserve the values of Islam, its culture and traditions, which also aims at protecting their Islamic identity, with due respect to the essentials of citizenship and residence in non-Muslim societies.
- ix. Promote cooperation and complementarity between scholars of different schools of law regarding the fundamental principles of religion, reinforce commonalities, and respect for differences. This act could uphold the ethics of divergent jurisprudence while giving the opinions of the various schools of law due consideration when the Academy issues fatwas and resolutions.

- x. Renew the science of Islamic jurisprudence by developing it from within and through Shariah's legal deduction rules, rules, and objectives.
- xi. To facilitate cooperative interreligious and intercultural dialogue for the benefit of humanity in coordination with the OIC General Secretariat (IIFA, 2022).

The vision of IIFA is becoming a leading global jurisprudential reference to which turn the countries of the Muslim world and the Muslim communities for clarification of the positions of Shariah on issues of concern to Muslims. Besides, it aims to provide appropriate solutions to contemporary life problems derived from the Holy Qur'an, the Noble Prophetic Sunnah and the rich Islamic heritage.

While the mission of IIFA is to present Shariah reasonably, emphasising its merits and its full capacity to deal with the problems and issues of life and its ability to help humankind achieve happiness, stability, peace, security, and safety in this life and beyond. This mission is based on a comprehensive and integrated understanding of the Islamic religion, its foundations, sources, objectives, principles, and provisions (IIFA, 2022).

### **3. MEMORANDUM OF UNDERSTANDING BETWEEN IFFAH AND IIFA**

Within the framework of the International Islamic Fiqh Academy, IIFA strives to achieve intellectual convergence and knowledge integration between the leading scientific institutions in the member states of the Organization of Islamic Cooperation (OIC) and a desire to benefit from the great expertise and experiences of prestigious universities and scientific institutes within and beyond the Muslim world. Prof. Koutoub Moustapha Sano, Secretary General of the Academy, and Prof. Dr. Ts. Sharifuddin Shaarani, Vice Chancellor of the Universiti Sains Islam Malaysia, signed a memorandum of cooperation between the two institutions at the Sama-Sama Hotel, KLIA, on 17<sup>th</sup> August 2022.

This new agreement aims to build a strategic partnership in mutual benefit from the two institutions' scientific and research capabilities and abilities and a joint study of recent calamities and issues to direct and rationalise them. The agreement also aims to organise conferences and symposia jointly, hold workshops and training, exchange publications, and represent the two sides in discussions with the knowledge of each in the field of common interest (IIFA, 2022).

## Invitation To Write a Paper

Prof. Dr Irwan bin Mohd Subri, Director of IFFAH, USIM, has been invited by IIFA to represent Malaysia in 2019 and 2022. He was asked to write a paper for presentation at the IIFA conference, and the paper's findings were incorporated into an IIFA resolution to reference Muslim nations and the Muslim community as a whole.

Prof. Dr Irwan was tasked with writing a paper titled “Smart Contracts: Activation and Reversal Methods (Study of Smart Contracts and Their Relationship to Cryptocurrency)” in 2019. The 24<sup>th</sup> IIFA conference was held in Dubai, United Arab Emirates. In 2022, he was tasked with writing a paper titled “The Effects Of Modern Mental Illness On Muslim Eligibility Under Islamic Law”. At the end of 2022, the 25<sup>th</sup> IIFA conference will be held in Jeddah, Saudi Arabia.

## Resolution on Smart Contracts

*Resolution No. 230 (1/24) Smart Contracts: Activation and Reversal Methods (Study of Smart Contracts and the Extent of their Relation to Cryptocurrency)*

On 4-6th November 2019, the Council of the International Islamic Fiqh Academy of the Organization of Islamic Cooperation held its 24th session in Dubai, United Arab Emirates. Reviewing the research papers submitted to the Academy on Smart Contracts: Activation and Reversal Methods (Study of Smart Contracts and the Extent of their Relation to Cryptocurrency). The discussion's resolution is as follows:

First: confirmation of resolution 52 (3/6) of the sixth session of the International Islamic Fiqh Academy, held in Jeddah in 1990, with all of its paragraphs, regarding contracting using modern communication devices. This resolution applies to electronic contracts regardless of whether they are smart contracts.

Second: the concept of smart contracts, an automatically implemented contract between two parties based on the idea of a peer-to-peer system via a decentralised distribution network (blockchain), which operates by encoded (encrypted) currencies such as bitcoin and others.

Third, smart contracts are typically executed using cryptocurrencies on private, centralised or decentralised platforms.

Fourth: the Academy decided to delay adopting a resolution on the topic until a specialised symposium on smart contracts is held and, after adopting a resolution on cryptocurrencies, to study all facets of smart contracts, focusing on those mentioned in paragraph three (2). In addition, it would be prudent to invite technical experts in blockchain, cryptocurrencies, and related fields (IIFA, 2022).

### The Method of *Istiktab* By IIFA

One of the uniqueness of IIFA is the *istiktab* method. *Istiktab* means asking scholars to write a paper about an issue to be discussed. It is unique because ten to fifteen scholars write and analyse one issue, which makes the issue more thoroughly discussed. According to Shubayr (2008), the *istiktab* method that IIFA practices have certain conditions related to the author or the written paper. The requirements for paper authors are:

- i. He must be a Muslim.
- ii. He must be an adult (*baligh*).
- iii. He must be a sane person.
- iv. He must know the Syariah law whether it is *usul* or *furu* '. It means that he must know the Qur'an and its knowledge (*'Ulum al-Quran*), know the hadith and its ability (*'Ulum al-Hadith*) and know the method of *istinbat al-ahkam* (deriving hukum).
- v. He must be a just person and protected from the causes of immorality and things that defame dignity.
- vi. He has high fiqh skills.
- vii. He is an expert and knows his local situation (Shubayr, 2008).

While requirements for written papers are:

- i. It should be written in detail and in-depth by referring to the sources.
- ii. It explains the principles and methods that are authoritative.
- iii. It is in the form of comparative jurisprudence of sectarian jurisprudence and choosing a strong opinion.
- iv. Following the method of previous scholars in discussion style and research etiquette.
- v. Committed to trusting knowledge, attributing ideas to writers and taking sectarian views from definitive books.
- vi. Focus on the topic of the discussion and do not go out of scope.

- vii. Mention Quran, hadith, and book references. In addition to organising the final reference according to the proper writing style.
- viii. Give attention to punctuation marks (*'alamat al-tarqim*) so the writing is understandable.
- ix. Clear and correct written language.
- x. The conclusion contains the study's results and opinions chosen by the writer.
- xi. It contains proposed resolutions to be taken by IIFA (Shubayr, 2008).

#### 4. CONCLUSION

Due to IFFAH's focus on the fatwa niche, the cooperative relationship between IFFAH and IIFA provides valuable experience. Considering that IIFA is a recognised institution by the Organization of Islamic Cooperation (OIC), the implementation of the *istiktab* method is viewed as one of the ways to strengthen IFFAH to assist the institution of fatwa in Malaysia at the national or state level. This is because IFFAH is heavily involved in fatwa studies that help the Malaysian Islamic Development Department (JAKIM) and the State Mufti Department make fatwa decisions.

#### REFERENCES

- Institute of Fatwa and Halal (IFFAH). 2022. *Vision, Mission & Objective*. <https://iffah.usim.edu.my/vision-mission-objective-2/> (accessed on 9<sup>th</sup> September 2022).
- International Islamic Fiqh Academy (IIFA). 2022. *IIFA and the University of Islamic Sciences Malaysia Sign a Memorandum of Cooperation*. <https://iifa-aifi.org/en/39217.html> (accessed on 9<sup>th</sup> September 2022).
- International Islamic Fiqh Academy (IIFA). 2022. *Objectives*. <https://iifa-aifi.org/en/objectives> (accessed on 9<sup>th</sup> September 2022).
- International Islamic Fiqh Academy (IIFA). 2022. *Resolution No. 230 (1/24) on Smart Contracts: Activation and Termination Modi Operandi (Study of Smart Contracts and the Extent of its Relation to Cryptocurrency)*. <https://iifa-aifi.org/en/5964.html> (accessed on 9<sup>th</sup> September 2022).
- International Islamic Fiqh Academy (IIFA). 2022. *Vision & Mission*. <https://iifa-aifi.org/en/vision-mission> (accessed on 9<sup>th</sup> September 2022).

Shubayr, Muhammad Uthman. 2008. *Manhajiyat al-Fatwa Lada Majma' al-Fiqh al-Islamiyy al-Dawliyy*. In Abdul Samat Musa & Mohamed Shaif Bashir El Sharif. *Manhajiyat al-Ifta' Fi al-Fiqh al-Islamiyy*. Nilai: Universiti Sains Islam Malaysia.



**MoU Signing Ceremony Between IFFAH and IFFA at Sama-Sama Hotel, KLIA - 17<sup>th</sup> August 2022**



**Prof. Dr. Irwan bin Mohd Subri, Director of IFFAH, has been appointed as a rapporteur in 2019 for one session of the 24th IIFA Conference (4-6th November 2019)**



**Prof. Dr. Irwan bin Mohd Subri, Director of IFFAH, has been invited to represent Malaysia at the 2019 IIFA 24th Conference (4-6th November 2019).**