

Sources of Difficulty in Learning the Principles of Islamic Jurisprudence (Usul Fiqh) Among Islamic Banking Students of UiTM Machang

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Abstract. The research looks into the challenges of learning the Principles of Islamic Jurisprudence or *Usul fiqh* among UiTM Kelantan Islamic Banking students. Concerns have been voiced out by lecturers and students regarding the ability and performance to master the subject. Students faced a lot of difficulty in reading and explaining concepts in Islamic Jurisprudence and more than often their interpretations of the core concepts in Islamic Jurisprudence were erroneous. Previous semesters' results had also shown an average performance among the students and a trend of 20% to 30% failures among the students taking the subject. The study obtained insights into sources of difficulty in learning the subject through classroom observations and interviews. It was found that the sources of difficulty in learning the subject expels around the areas of language proficiency and lack of background knowledge among the students. Bridging the gap between language issues and background knowledge is viewed as critical to ensure a more efficient learning of the subject as well as to solidify students' understanding of the fundamental concepts in *Usul fiqh*.

INTRODUCTION

This study was conducted to explore sources of difficulty in learning the Principles of Islamic Jurisprudence or *Usul Al-Fiqh* among students taking Islamic Banking course in UiTM Machang. The Principles of Islamic Jurisprudence is a compulsory paper for the students of which they have to take during the third semester of their bachelor's degree programme. As a prerequisite for graduation, the students must obtain a pass for this paper and if they fail, they have to retake the paper in the following semester.

The course aims to enable students to explain the concept of *fiqh*, *usul fiqh* and shariah. It also expects that the students should be able to describe the terms, principles and issues of Islamic Jurisprudence as well as apply Islamic legislation in the conduct of modern transaction. The syllabus focuses on four main topics which are introduction to *Usul Al-Fiqh*, the law of *shariah* (*Ahkam Shar'i*), sources of *shariah* and methodology of law or deducing law from the text.

The classroom methodology prescribed is lectures and active learning procedure. As for assessment component, the students have to take two tests, an assignment and make a presentation on selected topics based on the syllabus. The classroom assessment component contributes 50% to the total score and the rest 50% comes from the final examination.

The cause of concern arises when previous semesters' results had indicated average and below performance among the students with approximately 20% to 30% of the students taking the subject failed to get a pass for the paper. Furthermore, concerns have been voiced out by students and the lecturer about the performance of the students in the classroom and during examinations.

It is crucial for students learning this subject to be able to master the discipline well because it is the basic for deducing Islamic rulings in Islam (Nabil Shehaby, 1982). Failure to understand the fundamental concepts of *Usul Al-Fiqh* can lead to inconsistent and faulty rulings.

LEARNING OF ISLAMIC JURISPRUDENCE

There are some studies in the past looking the problems faced by students learning Islamic Jurisprudence at tertiary level in Malaysia but the most prominent of which this study mainly refers to is a study conducted by Noor Naemah Abdul Rahman, Abdul Karim Ali, Rushdi Ramli, Muhammad Safiri Ismail . Their extensive study looked into the scenario of studying *Usul Al-Fiqh* at five selected universities in Malaysia namely University of Malaya (UM), National University of Malaysia (UKM), University of Islamic Sciences Malaysia (USIM), the International Islamic University Malaysia (IIUM) and University of Darul Iman Malaysia (UDM). The subjects of their study were students from various faculties that were related to Islamic Education such bachelor of *Shariah*, bachelor of Management of *Muamalat*, bachelor of *Fiqh Usul* and bachelor of *Shariah & Law*.

The study identified several factors that caused difficulties in learning among *Usul al fiqh* among the students which are lack of a standard module for students' reference, insufficient allocation of time to learn the subject in a semester and poor command or mastery of the Arabic language. Their extensive study looked into the scenario of studying *Usul Al-Fiqh* at five selected universities in Malaysia namely University of Malaya (UM), National University of Malaysia (UKM), University of Islamic Sciences Malaysia (USIM), the International Islamic University Malaysia (IIUM) and University of Darul Iman Malaysia (UDM). The subjects of their study were students from various faculties that were related to Islamic Education such bachelor of *Shariah*, bachelor of Management of *Muamalat*, bachelor of *Fiqh Usul* and bachelor of *Shariah & Law*.

In terms of a module that can be used as a common reference for the students learning *Usul Al-Fiqh*, Noor Naemah Abdul Rahman, Abdul Karim Ali, Rushdi Ramli, Muhammad Safiri Ismail (2008) found that there was no standard textbook or module used by the students and it was left to the lecturers to come up with their own method, style and approach to teach the subject. Mazraehno and Mazdayasna (2016) identified a similar problem in Iran where university students learning Islamic Jurisprudence in the country also lack of textbooks for the subject of which required the team to develop materials of their own for students' use. However, the materials that they developed were in English targeting English for Specific Academic Purposes (ESAP) where their addressed another concern which was to suit the language according to students' proficiency.

The lecturers in Noor Naemah Abdul Rahman, Abdul Karim Ali, Rushdi Ramli, Muhammad Safiri Ismail (2008) study also claimed that time allocation for the study of *Usul Al-Fiqh* was limited and did not allow students to explore deeper into the subject. *Usul Al-Fiqh* is a combined discipline involving various components which must be taught and studied as a whole in order to fully grasp understanding of the subject matter.

Noor Naemah Abdul Rahman, Abdul Karim Ali, Rushdi Ramli, Muhammad Safiri Ismail (2008) also identified that students were weak in the Arabic language and all the lecturers involved in the study mainly depended of on literatures in Arabic and used them as their main textbook. As such, they viewed that the mastery of the Arabic language is a prerequisite in learning *Usul Al-Fiqh*. Translating Arabic into another language requires a certain degree of mastery in the source and target language. Omar Osman Jabak, Syed Nurulakla Syed Abdullah and Nik Farhan Mustapha (2016) in their study of the difficulty of translating collocations from Arabic into English among Arab students found that literal translations and the use of bilingual dictionaries were not successful methods in translating Arabic texts into other languages. Hence, this indicates that proficiency in the language used to learn texts originally in Arabic and the language of which the subject is taught and learnt is also crucial in enhancing understanding of content of the subject matter. Simply resorting to direct translations may not work to understanding the original text in Arabic.

METHODOLOGY

Classroom observations were conducted in order to obtain data of the process of teaching and learning the Principles of Islamic Jurisprudence. Classroom observations allow data to be collected in the actual setting as it occurred. Field notes were taken to record observations in the lectures. The observations were conducted two hours every week for 8 weeks. The duration of one semester comprises of 14 weeks with a few weeks reserved for classroom assessments such as tests or quizzes. The weeks without observations were because of the students had to sit for their assessments or due to administrative matters.

Apart from classroom observations, face to face interviews and group interviews were conducted to obtain insights of students' perceptions on the difficulties of learning the Principles of Islamic Jurisprudence. A set of questions were prepared prior the interview sessions but other inputs given by the respondents were recorded as well to provide rich data on their views of learning the subject. The data obtained from the interview sessions were later transcribed for thematic analysis and summary of sources of difficulty in learning the Principles of Islamic Jurisprudence.

FINDINGS

a) Classroom Observations. Teaching and learning the Principles of Islamic Jurisprudence is laden with terminologies and concepts. The learning of terminologies and understanding of their accurate definitions is fundamental in applying them to practical problems with Islamic *fiqh*.

Classroom observations identified that the teaching of terminologies and concepts pertaining to *Usul Al-Fiqh* was stressed throughout the lessons. Classes normally began with the lecturer reviewing students' recall of the content of the previous lectures and checking on their understanding of what had been taught previously. The lecturer then proceeded to delivering the lesson and as mentioned earlier, it was observed that the teaching and learning of the terminologies and concepts of Islamic Jurisprudence or *Usul Al-Fiqh* was the core of the lessons.

In teaching the terminologies and concepts of Islamic Jurisprudence, it was observed that the lecturer would introduced the terms or concepts in the source language which is Arabic or the language of instruction which is English before translating them to Bahasa Melayu. The process of teaching a terminology in Islamic Jurisprudence can be observed in the excerpt below:

Lecturer: What is 'abominable'?
 Students: (Silent)
 Lecturer: 'Abominable' is *makruh*. What is the meaning of *Al-Makruh*?
 Students: (Silent)
 Lecturer: *Al-Makruh* is a demand of the Lawgiver, which requires the *mukallaf* to avoid something, but strictly in prohibitory terms.

It can be observed in the excerpt above, that three languages were at play; English, Bahasa Melayu (*makruh*) and Arabic (*Al-Makruh*). Classroom observations yield consistent data of such exchanges occurred during the lecture sessions. It was observed that Bahasa Melayu was constantly used to amalgamate students understanding of content of the lessons.

b) Interview Data. Two types of interviews were conducted to obtain information from the students about learning the Principles of Islamic Jurisprudence; face to face interview and group interview. The interviews were conducted in the students' native language to ensure that language was not a barrier for them to express their point of views clearly and accurately.

i) Face to Face Interview

Face to face interviews were conducted on students who failed the subject in the previous semester to obtain their perceptions in learning the Principles of Islamic Jurisprudence. For the purpose of this interview, two students were selected. The students viewed that the in general, they did not feel that the subject was a tough subject but according to them, "*subjek tu tak susah, yang jadi susah bila tak tahu maksud perkataan Inggeris tu*" (the subject is not difficult, but what makes it difficult is when I do not know the meaning of the words in English). Problem with language proficiency does not expel around the English language also but extends to proficiency in the Arabic language as well:

Student A: *...lepas tu, jadi susah juga pada saya bila saya tak ingat setiap firman yang ada dalam setiap jenis. Saya jadi tertukar sebabnya saya hafal yang major firman untuk setiap jenis. Contoh, saya hanya banyak ingat contoh dari surah Baqarah daripada surah lain. Jadi bila exam keluar potongan ayat daripada surah lain, saya boleh faham sikit-sikit potongan ayat Arab tu cuma saya tak mampu nak explain dia lebih-lebih sebab saya tak faham sepenuhnya. That's why saya boleh fail subject ni masa tu.* (Then, it became difficult for me because I couldn't remember each of the words of Allah for each of the topic. I got confused because I only memorised the major words of Allah for each topic. For example, I memorised more of surah Al-Baqarah than other surah. So, during the exam, I can only understand a bit of the verses in Arabic but I can explain more because I didn't understand much of it. That's why I failed the subject at that time).

Further elaborating on the difficulty of learning the subject because of language, one of the respondents claimed that the sources of difficulty came from the class textbook that were used as their source of reference when both of she stated that:

Student B: *"dalam exam satu, dalam buku teks juga. Maksudnya saya faham maksud tu macam ni tapi sebaliknya maksud tu beza dengan apa yang saya maksudkan. Itu punca dari saya sebab kurang vocab"* (for the exam is one thing, in the textbook too. What I mean is that, I understood the meaning in one way but the actual meaning is different from what I understood. It is because of my lack of vocabulary skills).

Interviewer: Vocabulary *Arab atau Bahasa Inggeris?* (Arabic vocabulary or English?)

Student B: BI (English)...*Arab pun sama...*(Arabic also...)

It was recorded that most of the participants' complaints about the difficulty in learning the subject relate to language issues and concerns were expressed of their proficiency in the English and Arabic language.

ii) Group Interview

In order to explore further sources of difficulty among the students learning the Principles of Islamic Jurisprudence, a group interview was conducted to obtain their insights on factors they felt were obstacles to mastering the subject. A thematic analysis of their responses yields a univocal consensus that language is the main issue in mastering the subject. When asked on how the students cope with reading the textbook and not being able to understand the sentences in the discussions in the textbook, the students said that they resorted to Google translation for meaning. The group later demonstrated their use of Google translate on getting meaning for a sentence in the textbook where they were not able to grasp the meaning of the following sentence under the topic 'Feasibility of Ijma':

Original text:

To ascertain the consensus of the ulema on any matter which is not obvious is just as impossible as their unanimity at any given moment on what they utter and what they eat.

(Excerpt taken from The Principles of Islamic Jurisprudence:
Mohammad Hashim Kamali, p.182)

Google translation:

untuk memastikan konsensus ulama tentang apa-apa perkara yang tidak jelas sama sekali tidak mungkin kerana kesepakatan mereka di mana-mana masa yang diberikan mengenai apa yang mereka katakan dan apa yang mereka makan

The translation provided by Google translate is purely literal word for word translation which is very confusing and failed to achieved the intended meaning in the original text. In the students' mind, the translation by Google would sound like this:

To ascertain the consensus of the ulema on any matter which is not clear is truly impossible because their unanimity at any time given about what they say and what they eat.

Again, language becomes an issue for the students to understand what they read. When they did not understand the textbook, they resorted to Google translate for meaning but unfortunately, the translations were not only unsuccessful, they further served to confused the students.

CONCLUSIONS

Classroom observations and interview data concludes that language proficiency is paramount in learning the Principles of Islamic Jurisprudence. Lack of language proficiency is identified as the source of difficulty among the students. The use of Bahasa Melayu which is the students' native language reflects that the lecturer was concerned with the students' understanding of the lesson content and in order to ensure their understanding, the lecturer resorted to using Bahasa Melayu for translation purposes.

Interview data also yield similar findings where language proficiency was expressed as a vehicle for students to do well in examinations and to understand the subject better. The students claimed that they could do and understand better if they had better proficiency in the Arabic and English language.

The translation strategy employed by students where they mostly resorted to Google online translation was not a successful method to help them understand the textbook. Not only the translations were erroneous, they could also be misleading.

REFERENCES

Mazraehno, F.T. and Mazdayasna, G. (2016). Developing ESAP Materials: A Case of Graduate Students of Islamic Jurisprudence in *Electronic Journal of Foreign Language Teaching 2016*, v.13. No. 1, p. 82-111. National

University of Singapore.

Mohammad Hashim Kamali. (1991). *Principles of Islamic Jurisprudence (2nd Edition)*. Petaling Jaya: Ilmiah Publishers.

Nabil Shehaby. (1982). Illa and Qiyas in Early Islamic Legal Theory, in *Journal of the American Oriental Society*, v. 102, p.27

Noor Naemah Abdul Rahman, Abdul Karim Ali, Rushdi Ramli, Muhammad Safiri Ismail (2008) The Teaching and Learning of Usul al Fiqh in Public Universities in Malaysia: Reality and Challenges, in *Shariah Journal*, v. 16, Special Edition (2008) 523 - 536

Omar Osman Jabak, Syed Nurulakla Syed Abdullah, Nik Farhan Mustapah (2016). The Difficulty of Translating Collocations from Arabic into English Encountered by a Sample of Arab Students in *Journal KIAS*, v. 3 No 3 (June 2016), p.266-275