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TITLE:

**A COMPARISON BETWEEN FATWA IN MALAYSIA AND INDONESIA IN
MUMALAT**

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STUDENT DECLARATION

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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2.0 INTRODUCTION

Muamalat in general is a relationship between humans and humans, especially muamalat related to property such as the concept of property, ownership theory, contracts, buying and selling, companies, waqf, investments and mortgages. However, it is not widely written and studied in Malaysia because the rapid development only happened after Islamic banking was offered in 1983. However, writing in the form of fiqh has been approved by writers and researchers since long ago. This paper is a content analysis study (content analysis) involves previous writing and research, especially related to fatwa muamalat in Malaysia. The trend of writing and research related to muamalat and fatwa can be divided into two eras, namely before and after Islamic banking was established, which is in 1983.

The writing of fatwa muamalat before and after independence revolved around buying and selling, riba and zakat explained in the form of questions and answers. While the subsequent writing up to 1983 focused on issues and recommendations for more comprehensive improvements about the institution of fatwas and related issues that were analyzed based on fatwas. Writing and research after 1983 until now was carried out in line with the development of muamalat itself which not only touches on contracts. Usually like al-mudarabah, al-murabahah, qard hasan, wadi'ah and al-wakalah which is applied in Islamic banking and takaful and even expanded to newer products such as qirad, currency system, copyright, currency trading, caveat emptor, sukuk, capital market, takaful, taxation, zakat institutions and social security.

Observing the form and method of writing fatwa muamalat found that there is a focus on certain themes and aspects such as history, legislation and administration. In addition, there are different approaches to data analysis methods such as legal analysis, community acceptance, implementation problems, application in law and practice industry in neighboring countries. On the whole, the writing of muamalat fatwas is very less compared to writing about muamalat. However, for the purpose of further explanation of the intended literature, the following highlights the writing and research related to fatwa muamalat in Malaysia.

3.0 RESEARCH OBJECTIVES

The main objectives of this research are as follows:

1. Compare significant fatwa resolutions issued in Malaysia and Indonesia regarding muamalat matters, such as banking, insurance, investments, and halal certifications.
2. Analyze the primary sources of jurisprudence (Quran, Hadith, ijma, qiyas, etc.) used in deriving fatwas in Malaysia and Indonesia, and identify any differences in their interpretations
3. Evaluate the practical impact of fatwa pronouncements on muamalat practices in Malaysia and Indonesia, considering the influence on business, finance, consumer behavior, and the overall Islamic economy

4.0 RESEARCH METHODOLOGY

This section discusses the methodology used to conduct this study. Several methods have been used to obtain information in this study. Information for this study was collected from several sources source. This secondary source consists of materials or documents that are studied through reading written material and recorded information. Among the references are:

- i.) Article: This study also uses several articles as the main reference and other sources of knowledge.
- ii.) ii.) Internet: The method used in this study is through the Internet. To help complete this paper, this study done by searching the internet. The process of completing this research can be strengthened and accelerated by browsing websites linked to the chosen topic