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CONTENTS

THE PROPOSED COOPERATIVE PARTICIPATION MODEL OF ISLAMIC INSURANCE: AN ALTERNATIVE TO <i>TAKAFUL</i> BUSINESS MODELS.....	1
MALAYSIAN ISLAMIC YOUTH FORCES (ABIM): INITIATIVES AND INVOLVEMENTS IN BOSNIAN MUSLIMS ETHNICAL ISSUES	18
CHALLENGES OF EMPLOYING MULTIPLE INTELLIGENCES IN THE DEVELOPMENT OF SCIENTIFIC COURSES	29
THE DIFFERENCES AND SIMILARITIES OF THE ELEMENTS OF SIMPLE SENTENCES IN NEWSPAPERS BETWEEN ARABIC AND CHINESE LANGUAGES: COMPARATIVE GRAMMATICAL STUDY.....	35
THE DIFFICULTIES IN PREPARING QUALIFIED ARABIC LANGUAGE TEACHERS IN NINGXIA, CHINA.	44
PERCEPTION OF STUDENTS ON THE IMPLEMENTATION OF I-CLASS IN THE CLASSROOM	49
RELATIONSHIP BETWEEN ATTITUDE AND INTENTION TO USE INFORMATION COMMUNICATION TECHNOLOGY IN SELF-DIRECTED PROFESSIONAL DEVELOPMENT	56
SHARIAH NON-COMPLIANCE RISKS IN SHARED AND OUTSOURCED SERVICES OF TAKAFUL OPERATORS.....	67
PROBLEMS OF LEARNING ARABIC AMONG STUDENTS AT UNIVERSITIES IN NINGXIA.- TAKE NINGXIA UNIVERSITY AS AN EXAMPLE.....	78
HEART OF LEARNING: PEDAGOGICAL PRACTICES AMONGST ISLAMIC EDUCATION NOVICE TEACHERS.....	84
THE OCCURANCE OF OVER-EDUCATION IN MALAYSIA	94
TAHAP PENGELUARAN TANAMAN PADI DALAM DASAR SEKURITI MAKANAN DI MALAYSIA	103
HUBUNGAN PERSONALITI GURU PENDIDIKAN ISLAM DENGAN AKHLAK PELAJAR : SATU TINJAUAN AWAL DI SEKOLAH MENENGAH DAERAH MARANG, TERENGGANU	113
PENDEKATAN AMAR MAKRUF DAN NAHI MUNGKAR DALAM KERANGKA HISBAH: AMALAN PENGUAT KUASA JENAYAH SYARIAH DI MALAYSIA	124



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PELAKSANAAN TANGGUNGJAWAB SOSIAL KORPORAT (CSR) OLEH INSTITUSI PERBANKAN ISLAM DAN KONVENSIONAL DI MALAYSIA	136
PRINSIP 'UBERRIMAE FIDEI' DARI PERSPEKTIF TAKAFUL DAN INSURANS	149
PEMBINAAN AKHLAK DAN ETIKA INDIVIDU MUSLIM MENURUT PERSPEKTIF TAMADUN ISLAM.....	157
PENDEKATAN MEDIASI DALAM PROSEDUR PENYELESAIAN KONFLIK HADANAH MELALUI MAJLIS SULH: KAJIAN DI MAHKAMAH TINGGI SYARIAH PULAU PINANG.....	165
PENGGUNAAN M-PEMBELAJARAN DALAM KALANGAN GURU NOVIS PENDIDIKAN ISLAM DI SABAH	174
AUGMENTED REALITY DALAM PENDIDIKAN: TEKNOLOGI SEMASA DAN POTENSI PENGAPLIKASIANNYA DALAM BIDANG PENDIDIKAN PADA ERA INDUSTRI 4.0	188
KALIMAH "AL-MAWT" DALAM AL-QURAN: SATU ANALISIS DARI SUDUT KOSA KATA....	199
ANALISA TREN KEMASUKAN PELAJAR: SATU KAJIAN KES DI KOLEJ	206



THE PROPOSED COOPERATIVE PARTICIPATION MODEL OF ISLAMIC INSURANCE: AN ALTERNATIVE TO TAKAFUL BUSINESS MODELS

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Abstract: *The Sharī'ah compliance of current practice in takaful has been questioned on a few key premises namely being a form of commutative contract and its resemblance to the commercial corporate structure of insurance companies. The Sharī'ah presents a mutual help concept and aims that the relationship between participants in takaful should be in the form of mutual commitment to mitigate the risk of losses of each other by donating a sum of money for mutual help and welfare. This study seeks to investigate how the takaful system can be translated as shared responsibility, and cooperative participation using risk and reward sharing vehicle. It suggests for changing the structure of takaful entities to make them mutual and alternative cooperative participation model based on shared responsibility which can serve better in achieving the objectives of Sharī'ah in general and takaful in particular.*

Keywords: *Takaful, Sharī'ah, cooperative participation, commutative contract, mutual help, shared responsibility*

KAUJIE Classification: I44

البحث عن بديل للتكافل: نموذج مقترح للمشاركة التعاونية

المستخلص

إن امتثال التطبيق الحالي في التأمين التكافلي بالشريعة تطرح عليها تساؤلات في الجهات الرئيسية وهي أنه يشبه عقد المعاوضة وله شبه بهيكل الشركة التجارية لشركات التأمين التقليدي. والشريعة الغراء وضعت مبدأ التعاون المتبادل وتهدف كذلك إلى تحقيق العلاقة التعاونية بين عملاء شركات التأمين التكافلي لتقليل المخاطر. وذلك عن طريق التبرع بمبلغ معين لغرض التعاون المتبادل والأعمال الخيرية. ولهذا يهدف هذا البحث إلى كيف يمكن تحويل شركة التأمين التكافلي إلى شركة مشاركة متعاونة ذات مسؤولية مشتركة. وهذا المنطلق يُعين على تحصيل مقاصد الشريعة بصفة عامة والمقاصد التكافلية بصفة خاصة.

Introduction

Takaful as an alternative to insurance is widely practiced in almost all jurisdictions as a fundamental concept of shared responsibility and mutual help for mitigating the impact of loss or damage. It can be traced back to the historical systems of *nahd* (partnership in the provisions on mutual cooperation basis), *aqilah* (kinsmen paying blood money to the heirs of the murdered), *qasāmah* (an oath that was taken from the kinsmen of the murdered (Al-Nisaburi, 1991), and *wala al-muwālāh* (a contract in which one party agreed to bequeath his property to the other on the



understanding that the benefactor would pay any blood money that may eventually be due by the former). These were the arrangements of mutual help and mitigating the impact of harms and losses to human being or the assets, and were customary in some tribes at the time of Prophet Muhammad -pbuh- (Khorshid, Aly, 2004).

Prophet Muhammad (pbuh) validated such practices which gradually evolved into a system of mutual help and financial assistance in the Muslim communities. It was the time when “caravans travelled over land through Central Asia to Baghdad en-route to North Africa and Mediterranean Ports as far distant as Spain. Ships of the Arab Empire plied distance waters carrying merchandise between Far Eastern lands—India, China, Ceylon and East Indies—Persian Gulf and Red Sea Ports.....” (Stewart, Desmond, 1967).

Takaful as a part of Islamic finance as at present developed over the past four decades. The first model of insurance in Islamic perspective was developed in Sudan in 1979. The resolution of Fiqh Councils of the World Muslim League (1398/1978), and that of the (then) Organization of the Islamic Conference (OIC)' (1405/1985) in Jeddah (the Organization of the Islamic Cooperation, since June 2011) determined that the conventional insurance was forbidden in the light of Islamic principles.” (Rabitat al-Alam al-Islami, 1978). It was agreed that “...cooperative insurance is permissible and fully consistent with the principles of Shari‘ah.” (Resolution No. 9/2, 22-28 December 1985).

As an alternative of insurance, *takaful* emerged from the fundamental Shari‘ah principles of communal fraternity, social solidarity and mutual cooperation (*ta`awun*) utilising some Shari‘ah compliant concepts such as *tabarru`* and *waqf*. While the *mudarabah* model of *takaful*, as the basis of contract between the *takaful* operators (TOs) and the participants, was developed in Malaysia in 1984; the *wakalah* model was adopted in the Gulf in 1984; the *waqf* model adopted in South Africa in 1996 whereas almost similar *wakalah - waqf* model was developed in Pakistan in 2005. Similarly, there is a hybrid of *wakalah* and *mudarabah* model, as contractual relationship between the TOs and the participants, adopted by some companies in Malaysia. *Tabarru`* with meaning of donation is the basic ingredient of all these models, but there is no standard contract used by TOs for taking the contributions and their distribution into various heads under these business models. Further, the management structure makes the difference. As against the corporate structure as at present in general, the “mutual” and “cooperative” structures owned by the policyholders themselves might operate in the best interest of their member policyholders, in addition to the promoters.

The main factor that distinguishes Islamic from conventional insurance is that in *takaful* service provider should be the manager only and not risk-taker in exchange for premiums/ contributions. As the participants mutually commit to indemnify each other, they own both underwriting shares (UWS) and underwriting losses (UWL), and level of implementation of this principle will determine the level of Shari‘ah compliance of various structures of *takaful* entities. Any *takaful* structure must not aim at deriving advantage at the cost of other individuals and possibly the best such system could encompass cooperative participation by the members. Almost all models being practiced currently by *takaful* companies make the system akin to the commercial corporate insurance structure because the same corporate practices, marketing strategies, allocation to reserves without proper disclosure, sharing of UWS by stocks companies and absorbing the UWS are in practice one way or the other. Keeping in view the features of various models in vogue, it can be said that while the companies working as mutuals could be considered as the highest in



ranking by dint of mutual sharing of risks and rewards by the participants/members, those working on *mudarabah* model (for management of the company) would be carrying the lowest rating with regard to Shari'ah compliance (Wahab, Abdul Rahim, 2007). As practice of some of *wakalah* based *takaful* companies, a part of the UWS is given to the company as incentive in the form of good management bonus – the feature which makes the structure objectionable from Shari'ah point of view, but this structure is obviously better than that of *mudarabah* model wherein sharing in UWS by the company makes the *takaful* contract essentially the same as conventional insurance in which the shareholders become the risk takers – they get UWS or absorb the UWL.

This study is divided into a number of sections and subsections. Following the introduction, section 1 outlines the objectives, significance, and analytical approach in order to provide the contextual background needed for this research.

Section 2 reviews the previous literature on the notion of *ta'awun* or mutual cooperation in the context of *takaful*.

Section 3 elucidates the concept of the proposed model as an alternative to present arrangement of *Takaful* as applied in operation.

Section 4 discusses the Islamic jurisprudential characterisation (*takyif fiqhi*) of the proposed model and its application in *takaful* business.

Section 5 underscores the benefits and the problems of applying the proposed model in *Takaful* operation.

Section 6 concludes the study with the summary and suggestions in line with its objectives and for further research.

Concepts Applied in *Takaful* Operation: A Critical Analysis

A majority of the contemporary Shari'ah scholars validate the operation of *takaful* as an alternative to insurance on the basis of the principles of *tabarru`* and *ta'awun* in general. Some have suggested more specific arrangements such as *hibah*, *hiba bi shart al-`iwad*, *nahd*, *waqf* and *sadaqah* to correspond to the above-mentioned common terms. This section critically analyses these contracts in order to determine the most suitable alternative that corresponds to the essence of the *takaful* system and seeks to investigate the existing concepts applied in *takaful* operation and to delineate the proposed cooperative participation model based on shared responsibility with a particular emphasis on its expediencies and applications.

The Concept of Tabarru`

In essence, the term '*tabarru`*' literally carries the meaning of donation, gift, charity or gratuitous contribution. Technically, it is a unilateral declaration of intent, which comes to an effect as a form of a virtuous undertaking aimed at giving favour to the beneficiary without any specific consideration in return. *Tabarru`* contains two significant elements: a) the nonexistence of counter-value, and b) the intention to carry out *tabarru`*. In absence of any of the two, it is no longer considered *tabarru`*. In order for making the structure of the *takaful* undertakings to be in conformity with the principles of Shari'ah any contract must not linked to the unlawful elements such as *gharar*, *riba* and *maysir* (gambling) the previously mentioned OIC Islamic Fiqh Academy's resolution (Resolution No. 9/2, 22-28 December 1985) proposed the contract of *tabarru`* and *ta'awun*, to govern the participants' relationship in the *takaful* undertaking.



Sharī'ah Rules For Validity of *Tabarru`*

Tabarru` has to be a unilateral gratuitous contribution to make *takaful* a non-commutative contract. In other words, the donor should not demand an equivalent counter-value or recompense (*`iwad*), in return, from the other party by way of this *tabarru`*. That is why jurists of some schools of thought (*madhahib*) [e.g., the Maliki school of thought] consider the gift with an expectation of a counter-value from the donation given or compensation or reward (*hibah bi shart al-`iwad* or *hibah al-thawab*) as a sale or exchange contract but not a donation. Another ingredient of *tabarru`* is that the donation maker cannot put any restrictions to its beneficiary in the way the donee utilises or disposes of the donation. This is because once the donation is made, its recipient gets its full ownership and as such it is he who has the right to utilise it or dispose it the way he may like (Ibn `Abidin, Muhammad, 1966).

Different juristic interpretations are mentioned in this regard including: i) commitment to donate (*iltizam bi al-tabarru`*) [it also is the view of the Bahrain based standard setting body, AAOIFI], ii) conditional gift (*hibah al-thawab*); and iii) a kind of endowment (*waqf*). *Hibah bi shart al-`iwad* or *hibah al-thawab* is considered by Hanafi jurists as equivalent to a sale contract because it includes something given in exchange. Some jurists such as Al-Sarakhsi view it as a gift at the beginning but a sale or exchange contract at the end, while Hanafi jurist Zufar say that it takes the ruling of a sale throughout, from the beginning to the end. Some contemporary Sharī'ah scholars like Sheikh Taqi Usmani mix *tabarru`* with endowment (*waqf*) meaning to donate for specific purposes necessarily of helping one another by a group members.

The concept of *iltizam bi al-tabarru`* implies that “the one who commits himself to doing good, is obliged to do so” (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.). This aspect has been accepted by eminent contemporary jurists, notably like Shaikh Siddiq al-Darir who argued that although it comprised two commitments, i.e., donation and indemnification, the latter is probable. It depends on the occurrence of specified hazards or perils, while in *hibah al-thawab*; the commitment to recompense is definite. For instance, if A gives \$ 200 to B in *hibah al-thawab*, B should give something in return to A. It is not the case of contribution in the form of *iltizam bi al-tabarru`* when some people commit to donate for any agreed common cause.

The above mentioned key Sharī'ah rules are considered as significant basis for reviewing the *takaful* models presently in operation, which are said to be based on the concept of *tabarru`* to determine the relationship among the participants in *takaful*.

Critical Analysis of the Practice of *Tabarru`* on Contractual Relationship

According to the Bank Negara Malaysia (BNM), *tabarru`* is a “contract of gratuity or charity, i.e. to relinquish a portion from the contribution as a donation for fulfilling obligation of mutual help, used to pay claims submitted by eligible claimants” (BNM, 2010). However, as currently adopted in Islamic finance, the term *tabarru`* is mentioned in a general manner without identifying its specific connotation. Normally, it refers to commitment for contribution as required by any policies which may require donating a certain amount to cover expected claims with regard to defined losses. As such, it is not a definite donation contract, otherwise no money should be refunded back in case of policy cancellation and no operations surplus, if any, should be distributed to the participants, which is not the practice (Htay, Sheila Nu Nu, 2013). Practically, *tabarru`* is an estimated amount each participant of a *takaful* scheme is required to pay to the risk pool, all decisions about which are currently made by the operators. There are some issues that need to be



resolved with regard to treatment of *tabarru`* in order to make the *takaful* system based on mutual interests of the participants in real terms. The issues are pertaining to all models being currently used but more serious in case of *mudarabah* model of *takaful*. Distribution of surplus among the participants is considered like a conditional *hibah* (*hibah bi shart al-`iwad* or *hibah al-thawab*) which is objectionable. The requirement to provide *qard hasan* in *mudarabah* based contract of *Takaful* is, by definition, against the concept of *mudarabah* and *wakalah* because both the *mudharib* as also *wakil* cannot be guarantor (Wahab, Abdul Rahim et al, 2007). With regards to *Takaful*, the BNM in its Islamic Financial Services Act 2013 (IFSA) advised not to use *qard* to top-up investment deficiencies in case where the underlying contract of the participants investment fund (PIF) is *mudarabah* (BNM, 2013), but no such instruction has been given with regard to participants risk fund (PRF) that is the main stance of the *takaful* system (Ayub, Muhammad, 2013).

Generally, following are the issues:

- 1) *Absence of any valid contract*: There is not any specific valid contract on the basis of which *tabarru`* be taken. It creates ambiguity in the contractual relationship between the parties;
- 2) *Conflict of interests*: All decisions about the amount of contributions, a part of the same going to the marketing team as well as their distribution between protection and investment parts, etc. are made solely by the BoD of the (stock) company. It causes the issue of conflict of interests between operators and the participants. Further, marketing methods used are similar to that of the conventional insurance companies leading to exploitation of the policy holders;
- 3) *Inherent excessive gharar*: In the absence of any specific contract and lack of proper disclosure with regard to the parts of the donations and treatment in case of possible early termination, UWL/UWS and resultant loans to the *Takaful* fund or allocation to contingency or other reserves, there is inherent *gharar* that may render the arrangement non-Sharī`ah compliant as it affects the rights and the liabilities of the parties;
- 4) Presence of the elements of *mu`awadah*: Mostly, the contributions and the possible benefits are planned in such a way that the arrangement takes the form of an exchange contract; particularly the requirement of providing loan in case of UWL, bonus to the company in case of UWS, and top-up policies in family *Takaful* arrangement strengthen the impression that the higher you pay, the more you will get, akin to a commercial contract;
- 5) *Absence of real concept of tabarru`*: All above issues tend to imply that the real concept of *tabarru`* is missing in the arrangement; the amounts are taken in the name of *tabarru`* without any proper disclosure and the ultimate beneficiaries are the marketing teams and the operators as in the case of insurance companies.

The Concept of Waqf Tabarru` And Its Analysis

Another concept which provides support to the idea of mutual help is that of *waqf* (trust or endowment) in the context of *tabarru`*. *Waqf* refers to retention of a property for the benefit of a charitable or humanitarian objective, or for a specified group of people such as members of the donor's family. There is a huge potential to develop *takaful* under the *waqf* which could be of three kinds: religious *waqf*, philanthropic *waqf* and the family *waqf* (Wahab, Abdul Rahim, 2007). *Waqf* becomes a separate entity with ability to accepting or transferring the ownership. The ownership of the *waqf* property is transferred from the person creating *waqf* forever (permanently). *Waqf* property cannot be sold; only the usufruct is assigned to the beneficiaries. According to the



underlying principles of *waqf*, a member (donor) can also benefit from the *waqf*. The beneficiaries of the *waqf* in *takaful* arrangement are the creator of the *waqf* and the group whose members contribute for the purpose of mutual help and covering the losses to any of them. Originally, shareholders create a *waqf* fund, after which the shareholders lose their ownership rights on the *waqf* fund. However, they may have the right to administer and develop rules and regulations of the fund and may benefit according to the terms of the *waqf* created.

The main feature of the *waqf* is that it becomes a separate legal entity. *Waqf* model is generally adopted along with the *wakalah* model for management of the company and the *waqf* fund and various pools and the relationship of the participants and of the operator is directly with the *waqf* fund. In the *waqf* based *wakalah* model, some Shari'ah concerns are addressed by creating a separate *waqf* entity in between the participants and the *takaful* company.

An issue is raised that reciprocal *iltizam* from both the participants and the TO and the requirement for providing *qard* render it a commutative contract. It is, however, said that in *waqf* model *qard* is given to the *waqf* entity and not to the individual participants as in the case of typical *mudarabah* or *wakalah* models (Al-Qaradaghi, A., 2005).

A question arises about the treatment of *tabarru`* in case of *waqf* even. Some people consider it synonymous with *sadaqah* or charity that once given, neither can be taken back, nor can any benefit be derived from it.[16] However, every donation is not necessarily a *sadaqah*. Donations to *waqf* are used for the beneficiaries in favour of whom the *waqf* has been created. Like *sadaqah*, here also the person who contributes to the *waqf* relinquishes his/her right of individual ownership; but against *sadaqah*, he/she can benefit from the fund as one of the beneficiaries. On this ground, scholars like M. Taqi Usmani prefer the model involving the concept of *waqf* as introduced in the *Takaful* business in recent years over the models that operate without *waqf*. Contributors would have no claim on the donation part that would be used for payment of claims by the participants. With a typical *wakalah* contract, the *tabarru`* or *hibah* is not complete, as it is conditional on being used to pay claims, and there is an element of surplus that may come back to the participants. From the Shari'ah perspective, proportionate ownership therefore remains with the participants to the extent of the funds not utilised for claims (Khorshid, Aly, 2004).

However, some jurists are not inclined to accept the institution of *waqf* as an alternative to *tabarru`*, the most eminent of such scholars are Sheikh Abdul Sattar Abu Ghuddah (2008) and Shaikh Siddiq al Darir (1993). Shaikh al-Darir and Al-Ayashi (2014) are also of the view that the concept of *iltizam bi al-tabarru`* provides sufficient ground for developing the *takaful* system on the basis of mutual help by members of a group. A major objection on this concept is that a *waqf* should not be of cash – it has to be any real asset or property (Husni, A, 1987). However, majority of the contemporary scholars approve a cash *waqf* on the basis of 'urf and recommend that the original donation of the *waqf* fund by the company needs to be invested in a very safe Shari'ah compliant investment (Pasha, Ahmad, and Hussain Mher, 2013).

The Proposed Cooperative Participation (*Musharakah Ta`Awuniyyah*) Model of Islamic Insurance

Concept of Musharakah in Takaful

Musharakah referring to sharing arrangement among members of a group could be a commercial/commutative partnership to undertake any joint business for the purpose of earning



profit, or the non-commutative arrangement just to relieve hardship of one another in a group, or to jointly own an asset and getting benefit of that asset by jointly using it, sharing in its appreciation/depreciation, or for common cause of risk mitigation or community welfare. In the latter sense, it is basically cooperative participation based on the responsibility shared with each other. A number of instructions/instances are available in Qur'an and the *Sunnah* of the Prophet (pbuh) in this regard as mentioned earlier. Believers are ordained to cooperate with each other in all good/noble deeds.

As per a custom, in early time of the Prophet's (pbuh) life, everybody in a tribe used to contribute something in case of any natural calamity until the disaster was relieved with joint efforts/contributions. We may briefly discuss such important institutions of early Islamic period that involved communal partnership: *`aqilah* referred to pooling/sharing of resources by the kin for payment of blood money collectively to the victim's relatives/heir to relieve their loss and grief and to avoid tribal wars that could go for centuries. Similar notion of interdependence and mutual help also reflected in *nahd* under which members of a community or a travel group used to collect their provisions or travel sustenance in cases of shortfall, to be distributed among all members and used or spent collectively on their needs during the journey. It is interesting to note that Imam Bukhari, in his *Sahih*, reported the custom of *nahad* as '*tarjamat al-bab*', under the Book of Partnership, and chapter entitled: Partnership in the Food, Group Contribution, Exhibition, and the Distribution Method of what is Measured and Weighed Randomly or by Possession; since in the case of resources pooled for the common good, Muslims did not see anything wrong to eat all by sharing whatever they have, and likewise sharing the risk of gold, silver, and conjunction in the dates (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.). Ibn Hajar elaborated this in the following words:

"*Nahd* [which has been derived from *munahadah*] means: collecting the expenses of travel by the people as much as the number of the fellows, it is said: *tanahadu* or *nahada ba`adhum ba`adhan*, i.e., they share each other, and mostly the sharing is in goods, food including the *rabawi* items (in respect of which *riba al fadl* is applicable), but they are exempt in *nahd* due to having evidence on its permissibility

(Ibn Hajar, A., 1998).

In another *hadith*, Jabir bin `Abdullah narrated:

"Allah's Apostle sent an army towards the East coast and appointed Abu 'Ubaida bin Al Jarrah as their chief. The army consisted of three-hundred men, including myself. We marched on till we reached a place where our food was about to finish. Abu 'Ubaidah ordered us to collect all the journey food, and it was collected. My (and our) journey food was dates. Abu 'Ubaidah kept on giving us our daily ration in small amounts from it till it was exhausted. Each person's share was one date per day only." Jabir was asked, "How can one date suffice you?" He replied, "We came to know its value when even that was finished" Jabir added".

Islam approved this system as is evident from *hadith of 'ash`ariyyin* according to which the Prophet (pbuh) paid tribute to his '*Ash`ari* companions who put forward a mutual help concept and practiced it in their life as explained by al-Nawawi. The Prophet is reported to have said:

"When the *asharies* run short of provisions in the campaigns or run short of food for their children in Medina they collect whatever is with them in a cloth and then partake equally from the vessel. They are from me and I am from them, (narrated by Bukhri and Muslim).



Commenting on this, Imam Nawawi said: this *hadith* demonstrated the merit of *asharies*, virtue of sacrifice and sympathy and mixing the provisions in travel, as well as merit of collecting that is at homes during deficiency and then distribution for benefit of all in the tribe. This distribution does not entail what is known in *fiqh* on its own terms, prohibition in the usury items, and stipulating thereof the sympathy and so on; rather it means the permission and sympathy of each other to what is available and accessible

(Al-Nawawi, Sharfuddin, 1992).

Some other similar practices were in vogue in Arab society before the advent of Prophet Muhammad (pbuh) like *qasāmah* (an oath that was taken from the kinsmen of the murdered; in one such case the Prophet paid blood money of one hundred camels of *sadaqah*) and *wala al-muwālāh* (a contract in which one party agreed to bequeath his property to the other on the understanding that the benefactor would pay any blood money that may eventually be due by the former). Islam accepted this principle of reciprocal compensation and joint responsibility (Muslehuddin, M., 1982).

It transpires from the above discussion that the main characteristic of Islamic social system and *takaful* is sharing the possible risks and losses through cooperative partnership. As ordained by the Qur'an (5:2), Muslims have to help one another in all matters of common benefit. *Takaful* as an alternative to insurance uses this concepts for cooperative participation, mutual protection and shared responsibility as was seen in the practice of *nahd* or payment of *diyyah* (paying blood money) under the Arab tribal custom al *al-`aqilah*. It therefore has many similarities to cooperative or mutual insurance (Archer, S., et al. 2009). The traditions referred to above indicate the level of liking and acceptance of the system of mutual help and shared responsibility. A group of people has been praised to the highest extent simply because they jointly pooled, at any time of scarcity, the food as available with all of them, definitely unequal in amount, in one place and then equally distributed it among them with the ultimate objective to avoid possible loss to human beings and to help and assist each other.

Hence, *musharakah ta`awuniyyah* or cooperative participation refers to a contract of mutual help and cooperation based on the agreement and consent of the participants to combine the two elements of safeguarding interests of all and mutual cooperation. It differs from the commercial partnerships or companies in the corporate sector as it is collective and cooperative in nature – neither one-to-one contracts between individuals nor a commercial partnership for profit. Its objective is to ensure that the indemnification is provided upon necessity and to eliminate the intention of gaining profit among contractual parties. Moving forward, such institution of mutual help was established in the early second century of the Islamic era when the Muslim Arabs expanding trade into Asia mutually agreed to contribute to a 'Pool' to help anyone in the group that incurred mishaps or robberies along the sea voyages.

The Concept of Ta`Awun

The literary meaning of the Arabic word *ta`awun* is mutual cooperation, shared assistance or helping each other. The historical evidences tend to imply that the entities providing *takaful* services need to be restructured on mutual help or on the basis of *ta`awun* so as to include organisations whose structure and values reflect the mutual/cooperative form instead of the customary stocks companies. In the context of *takaful*, *ta`awun* meaning mutual help allows



participants to make donations by a group members with the intention of helping one another within the *takaful* group. The elements underpinning the *ta`awun* concept as applied in *takaful*, can be broken down into the following: i) Mutual responsibility; ii) Mutual cooperation; and iii) Mutual protection. All these principles are approved in the Shari`ah.

a) Mutual Responsibility

The feeling of responsibility towards one another is the basis of solidarity of Islamic community. The poor feel safe being sheltered by the rich and the sick do not feel much hurt because they know the healthy will provide help. This principle of mutual /social responsibility is established both through the Qur'an and the Prophetic Traditions (*Sunnah*), the significant of them are as follows:

- 1) *And the believers, men and women, are protecting friends one of another; they command beneficence and forbid malfesance ... (9:71)*
- 2) "The example of the person abiding by Allah's order and restrictions in comparison to those who violate them is like the example of those persons who drew lots for their seats in a boat. Some of them got seats in the upper part, and the others in the lower. When the latter needed water, they had to go up to bring water (and that troubled the others), so they said, Let us make a hole in our share of the ship (and get water) saving those who are above us from troubling them. So, if the people in the upper part left the others do what they had suggested, all the people of the ship would be destroyed, but if they prevented them, both parties would be safe." (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.)
- 3) "The example of the believers in their affection, mercy, and compassion for each other is that of a body. When any limb aches, the whole body reacts with sleeplessness and fever." (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.)
- 4) "The believer for another believer (in a community) is like that of a well-compacted building where one part of the building strengthens the other". [Sahih Al-Bukhari]
- 5) No one of you becomes a true believer until he likes for his brother what he likes for himself" (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.)
- 6) "If someone shows no compassion (to people; similarly) he will not be shown any compassion (by Allah)." (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.)

b) Mutual Co-Operation

The principle of cooperation is also established both through the Qur'an and the *Sunnah*. Some of the Quranic commands are as follows:

- 1) "but rather help one another in furthering virtue and consciousness [of Allah], and do not help one another in furthering evil and enmity" (5:2).
- 2) It is not benignancy that you turn your faces around in the direction of East and West; but benignancy is (in him) who believes in Allah, ... and brings wealth in spite of his love for it (Or: offers out of love for Him) to near kinsmen, and the orphans, and the indigent, and the wayfarer, and the beggars, and (to ransom) necks, (i.e. captives "slaves") and keeps up the prayer, and bring the *zakah*, (i.e. pay the poor-dues) ...those are (they) who act sincerely, and those are they who are the pious. (2:177).

The *Sunnah* of the Messenger of Allah has also established the principles of mutual co-operation as has been envisaged in his following important traditions:



- 1) "A Muslim is a brother of another Muslim. So he should not oppress him nor should ruin him. Whoever fulfills the needs of his brother, Allah will fulfill his needs; whoever removes the troubles of his brother, Allah will remove one of his troubles on the Day of Resurrection; and whoever covers up the fault of a Muslim, Allah will cover up his fault on the Day of Resurrection". (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.)
- 2) "Allah (always) helps he who helps his brothers". (Hanbal, Ahmad Ibn, 1993)
- 3) "Help your brother, whether he is an oppressor or he is oppressed." One of the Companions of asked: "O Messenger of Allah! It is right to help him if he is oppressed, but how should we help him if he is an oppressor?" He replied: "Restrain him or prevent him from oppressing others and that is the way of helping him". (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.)

c) *Mutual protection*

The principle of mutual protection is also established both through the Qur'an and the *Sunnah*. Holy Quran indicates with regard to protection: "(He) who provides them with food against hunger, and with security against fear (of danger). [106:4]. A few Prophetic traditions that discussed the significance of mutual protection in the life of believers are as follows:

- 1) "A Muslim (surrendered to Allah) is one from (the transgressions of) whose tongue and hands all other Muslims are safe; and a *mu'min* (believer) is one from whom (other fellow) human beings' bloods (lives) and wealth are secured; and a *mujāhid* (striver in the way of Allah) is one, who subdues his inner self (and forces it) into Allah's obedience; and a *muhājir* (immigrant from one land to another) is one, who abandons everything that Allah has prevented from. By the One in whose hand is his soul, one shall not enter Paradise whose neighbour was not safe from his transgressions." (Hanbal, Ahmad Ibn, 1993).
- 2) "(Angel) Gabriel continued to impress upon me the kind treatment towards neighbours so much so I thought that he would soon confer upon them the right of inheritance." (Al-Bukhāri, Ismail, Muhammad Ibn, n.d.)
- 3) "He is not a believer whose stomach is filled while the neighbour to his side goes hungry". (Al Nisaburi, Hakim, and Abdullah Al-Hākim, 1990).

The concept of mutual help is equally grounded in *mu`amalat*, in terms of the rules of Sharī'ah. Muslim jurists acknowledge that the basis of cooperative participation in the system of *'aqila* (payment of blood money by the kin) laid the foundation of mutual indemnification. Finally, the Islamic legal maxim "*al-dhararu yuzal*" (damage/harm/calamity should be removed/eliminated) entails that in case any damage is caused or occurred, efforts must be made to remove it. Based on the above, mutual relationship among the participants in *takaful* arrangement is that of partners for a good common cause who pool resources for mutual indemnification of defined losses to any of them, as in case of *nahd*. Every member is allowed to get benefit from the pooled resources and there is no issue of ownership from Sharī'ah perspective. The members/partners will be transferring the ownership to the common pool as they will contribute, while at the time of getting any help they would be taking ownership, and both activities would be different – one is not in direct exchange of the other.

Despite having the same objective of providing protection and coverage to the policy holders, conventional insurance suffers from fundamental problems in its *modus operandi*, mainly due to



the occurrence of the Sharī'ah non-compliant elements of *gharar* (uncertainty, deceit, risk, hazard), *riba* (interest, usury) and *maysir* (gambling).

Takaful, in order to be distinguished from the commutative contract of insurance, has to be a cooperative arrangement, where people contribute a certain amount of money to a common pool to uphold the principle of 'bear ye one another's burden' and not for the purpose of profit. Any such system should be based on principles of mutuality and cooperation to encompass the elements of cooperative sharing, joint security, common interest and shared aims (Hameed, Salwa A., and Batool K. Asiri, 2014). In other words, each participant has to show sincere intention to donate for the benefit of other participants faced with difficulties. Practically, this can be described through contributing sufficient amounts into a fund that is used to support one another and to cover expected claims. The International Cooperative and Mutual Insurance Federation (ICMIF) have identified the following ingredients of such a system: (Patel, Sabbir, 2004).

- 1) Policyholders cooperate among themselves for their common good.
- 2) Every policyholder pays his subscription to help those that need assistance.
- 3) Losses are divided and liabilities spread according to the community pooling system.
- 4) Uncertainty is eliminated in respect of subscription and compensation.
- 5) It is not to derive advantage at the cost of others.

The participants in the proposed system will be the small equity holders joining together with the objective of helping one another in any hazardous situation. The methods/formulae of calculating the contributions could be different, net price of a mutual policy may not be known until ex-post dividends are paid. In current scenario, the mutuals structure can be considered as the best possible alternative to the stock *takaful* companies. While stock companies are owners of the profits and losses of the risk fund, in mutuals like model, profit or loss to the *takaful* fund would be for the contributing partners/policy holders. Besides, there would be differences with regard to permissibility or otherwise of the investment avenues and the type of risks that the both might tend to write. *Takaful* companies working in the structure of mutuals may thrive in the areas where risks and claims are more predictable as in case of family *takaful* products and will be avoiding *riba*, *gharar* and speculation based risk portfolios.

The Jurisprudential Characterisation of Cooperative Participation and Its Application in *Takaful* Business

We have attempted in previous sections to detect some pitfalls and controversies in the existing *takaful* models. One may term them as unresolved Sharī'ah issues or 'research problems' from academic point of view. Some of the issues render the whole arrangement *`aqd mu`awadah* or commutative contract which may invalidate *takaful* business due to involvement of excessive *gharar* in the same way it invalidates conventional insurance and other commercial contracts. What may make the existing models that use *tabarru`* and other concepts as mentioned above Sharī'ah non-compliant is the very intention of *takaful* participants being far from paying their contributions as donations. Therefore, in order for any structure such as that of proposed cooperative participation model, to be valid from the perspectives of Sharī'ah, it must contain the following two key elements:

- 1) It should not be of a commutative in nature in order to make sure that the inherent *gharar* in risk mitigation will not invalidate its contracts; and



- 2) It must be along the lines of the genuine intention and objectives of the participants in Takaful system to help and cooperate with each other in various situations.

Having accomplished above as per proposed cooperative participation model, it is expected that no Shari'ah legal problem will remain unresolved, *gharar* will not nullify its contracts, and the Takaful participants will hold the ownership of the risk fund.

Our attempt also tends to ascertain the following two key points in order for the cooperative participation contract to be sound and acceptable:

- 1) Whether cooperative participation is analogous to *tabarru`* to qualify deactivating the causes of *gharar* on contracts like an ordinary donation carries it out;
- 2) Whether the mutual commitments of *takaful* participants to put forward their contributions on the basis of cooperative participation cause to invalidate the array of a *mu`awadah* (commercial) character and as a result the intrinsic *gharar*.

In order for addressing the first issue we may refer to the practice of *munahadah* or pooling resources for the common good based on mutual cooperation as was explained by Ibn Hajar Al-`Asqalani in his explanatory treaties Fath al-Bari on Sahih Al-Bukhari. His statement proves that notwithstanding the fact that *nahd* contains some degree of *gharar* emanating from the uneven contribution and disproportionate consumption of food; it was excused taking into consideration the underlying purpose of mutual cooperation behind it and that it was not a business or commercial venture. In another explanatory remarks on this Shaikh Badruddin Al-`Aini mentioned in his treaties *Umdat al-Qari fi Sharh Sahih al-Bukhari*: "[Nothing is wrong with it, because] the *nahd* is based on permissibility, despite unequal consumption of food occurred."

Al-`Ayni also supported the same concept when explaining the hadith of *ash`ariyyin* and what is meant for mutual cooperation by commenting:

"Nothing was meant by this [i.e., the *Ash`aris'* virtue of sacrifice and sympathy and mixing the provisions in travel, as well as merit of collecting the provisions in residence during deficiency and then distribution of that while necessary] but showing mutual sympathy and cooperation, and the permissibility..."

(Al-Ayni, Badr al-Din, n.d.)

With regards to the second issue, it can be argued that the essence of mutuality and group sharing which has been recognised in *nahd* as mentioned by Al-Bukhari, Ibn Hajar and Al-`Ayni is an unambiguous proof that the reciprocal commitment of participants do not make the underpinning virtuous Takaful contract for mutual indemnification a *mu`awadah* based contract. This argument is valid in respect of the Takaful structures in vogue, but the commercial nature of the Takaful companies creates problem as the end products are practically the same as in case of insurance.

The Structure and the Contractual Relationship among the *Takaful* Participants in Proposed Model: Shari'ah Parameter

The Shari'ah parameter of contractual relationships among the participants in *takaful* fund in the proposed cooperative participation model can be based on the OIC Fiqh Academy's resolution [No. 200 (21/6), 2013]. The cooperation among the participants is based on mutual help, sympathy, forgiveness and the legalization of each other's rights, but neither is based on



commercial exchange, nor on demand for rights, and the intention of making profit as is the case of commercial structure of Takaful companies as of now. There are some evidences from the sources of Sharī'ah to support this proposition, which include:

First: the divine order to help in righteousness and piety, as Almighty says: "help you one another in righteousness and piety".

Second: the Hadith of the Holy Prophet (pbuh) about the *Ash`aries* as reported above and tribute to them by saying, "...they are from me and I am from them" (Bukhari and Muslim). Commenting on this Hadith, Imam Nawawi said: this Hadith demonstrated the merit of *Asharies*, virtue of sacrifice and sympathy and mixing the provisions in travel, as well as merit of collecting that in residence during deficiency and then distribution of that among members. However, this distribution does not mean what is known in *fiqh* on its own terms, prohibition of that in the usury items, and stipulating thereof the sympathy and so on; rather it means the permission and sympathy of each other to what is available and accessible (Al-Nawawi, Sharfuddin, 1992).

Third: *Munnhadah*, i.e., pooling resources for the common good: Imam Al-Bukhari gave the title on this: (the Book of Partnership, chapter: corporation in the food, group contribution, for the common good as mentioned earlier), which means participation of a group of travellers in all travel expenses and then distributing that among all.

Potential Benefits and Weaknesses of Proposed Model

The major strength of the proposed system is that it will not be a commercial partnership and would provide mutual benefit to the participants. The commitments of the participants to offer their contributions to cooperative participation on the basis of shared responsibility would not render the arrangement a *mu`awadah* contract. Any system to be termed cooperative in real sense should not aim at deriving benefits at the cost of others as is the case of commercial entities operating insurance or even Takaful as at present. As was in case of *nahd*, the partners/contributors could validly expect to get help as would be agreed in the contribution format/agreement. The relationship between the participants is that of a cooperation of a group of people among themselves to pay specific amounts to compensate the loss that may inflict upon any of them or bring the benefit. This cooperation is based on mutual help and sympathy and the formal acceptance of each other's rights, but neither based on mutual exchange, nor on demand for rights, and the intention of making profit (Gonulal, S.O., 2012). In such a way the excessive ambiguity can be avoided and this will not tantamount to *riba* and or *gharar*.

Hence, *takaful* in the proposed structure could become an institution for social and financial inclusion of those who either abstain from the conventional insurance system due to Sharī'ah prohibitions, or are not in a position to approach these institutions due to some deficiencies. Above all, it has capacity to become a unique community development institution for broad-based development in a way that the companies based on capitalistic structure will not be exploiting the masses, and community members will be helping each other in all time of sorrow and happiness. It will also provide opportunity to plan for future needs and invest their savings in the light of the Sharī'ah principles.

In the proposed model of *takaful*, the participants as partners will agree beforehand that they would have both risk and reward of the cooperative activity for mitigation of the losses. Also, they may mutually agree beforehand that they would pay extra contribution in case the claims are more than the net revenues during an accounting period. Reserves can be built not only to cover the possible



losses in future but also to build-up capacity to sustain any voluminous losses in future. The UWS or UWL is not the only head of account here as the participants are the joint owner of the entity. However, it is advisable that as they are responsible in case the joint fund incurs a loss, due to their mutual commitment, the partnership document/deed may contain the provision that the UWS at the end of the year would be taken to the contingency reserves that would be used to make up the UWL, if any. It means that there might be no distinction between investment part and the protection part. A ceiling of contingency reserves could be indicated with mutual consent, e.g. 30% of the capital of the joint company, and for the amount in excess of that limit, there could be provision of either to pay to the participants/partners or to expand the activity level of the cooperative company. Consequently, if at the end of a financial year, the Takaful business generates profits, this could be distributed among by the partners. Investment part could be managed separately as well. In that case return would be given to all partners pro-rata their share in the investment pool(s). This helps in real terms to eliminate issues of risk and uncertainty, making Takaful structures valid under the principles of Sharī'ah.

The proper implementation of the proposed system will, however, require such regulatory support from the State institutions like Registrar of Companies, Securities and Exchange Commissions, Ombudsman's office and monetary and finance authorities. Cooperative non-profit institutions can work properly only in smaller scale – at local levels in various areas/markets or at the national levels. Global support would be needed from the infrastructure institutions working at multinational levels to prepare the standard agreements and the products, provide Re-Takaful facilities on the same basis, and to coordinate the institutions working at the national levels. Firm resolve of the political leadership in various jurisdictions and their patronage is a key factor in establishing such cooperative entities for mutual help and indemnification and for their successful functioning. Hence, a major challenge for implementing the suggested cooperative Takaful is to frame a special regulatory framework for their successful functioning so that unscrupulous elements may not exploit the members of such cooperative institutions. It refers to the need for further research for preparation of the desired framework and for resolutions of the possible issues in introducing and implementing the cooperative. In addition to an effective regulatory framework for working of the proposed system, the other possible areas for research may be making the system a vehicle for socio-economic and community development, the provision of various reserves and guidelines for sharing of surplus and losses; reducing the possibilities of conflict of interests and the issues of governance in cooperative structure.

Summary, Concluding Remarks and Suggestions

Takaful is one of the best means of helping one another in mitigating the losses and for sustainable development in societies. Risk mitigation and adopting Sharī'ah compliant strategies are allowed in the light of the tenets of the Sharī'ah/sayings of the Prophet as discussed in the main text of the paper.

The study suggests that the cooperative participation model can best serve the objectives of *takaful* that operates on the principle of *ta'awun* or mutual cooperation. With the goal of community well-being, the *takaful* entities need to be 'mutuals' or cooperative entities, as the spirit of *takaful* really requires. The members would pay donations/contributions to a common pool managed by any of themselves as a TO through some hired managers/directors. In this structure, such entities might be earning (valid) profits as allowed in Islam that will go to the participating community as per the



principles of Islamic law of contracts. Mutual relationship among the participants in *takaful* arrangement is that of partners for a good common cause who pool resources for mutual indemnification of defined losses to any of them, as in case of *nahd*, a pre-Islamic institution approved by Islam. Every member will be getting benefit from the pooled resources in the form of claims money or the profits. The members/partners will be contributing for the common cause, getting help/benefit in case of perils as per agreed terms, and both these activities would be different – one is not in direct exchange of the other. It reflects a sense of brotherhood and solidarity among members of a group who mutually undertake by way of a non-commutative undertaking to help and assist one another in times of difficulty and need. A provision can also be made that in case of any real and established difficulty or problem with a participant who is unable to pay the agreed contribution; the due amount could be deferred or even forgone in specific cases.

The model could also be feasible for corporate world in big-ticket developments for infrastructure projects that are being undertaken almost in all Islamic countries' economies. "It is a part of Islamic social philosophy according to which members cooperate and help each other in times of sadness as well as happiness". (Patel, Sabbir, 2004).

It may also become a savings vehicle by way of family *takaful* in case of demise of a bread-earner or for future planning and need fulfilment through entrepreneurial activities for entity's fund management using the commutative contracts like *wakalah*, *mudarabah* or *musharakah*. It is good to note that interaction has already developed between cooperative TOs and the 'mutuals'. There is an "International Federation of Takaful and Islamic Insurance companies" (IFTI) working in close contact with federation of mutuals.

Converting the *takaful* entities into cooperative structure is possible as is presently the case of 'mutuals' even in the Western financial markets - in four of the five largest insurance markets, mutual insurance accounted for over a third of the market. In this regard, McKinsey's Global Managing Director, Dominic Barton observed in a summit in Québec in October 2012, "The time has come for the [cooperative] model to be put forward and celebrated." He called for a shift in the business world from a focus on shareholder values to stakeholder values (Patel, Sabbir, 2004). The main requirement is that the system should work on non-commercial partnership basis. Relatively, smaller level mutual companies can do community service by way of such institutions more efficiently. Their regulation is equally important, however, to ensure that the system is not spoiled by unscrupulous factors in the society. It also requires further theoretical and empirical research so that the mutuals model could be applied in true spirit of the Shari'ah. State level support, particularly in markets like Malaysia, Saudi Arabia, Iran, Pakistan, Indonesia, Turkey, Bangladesh, and others could make it easier to effectively adopt the suggested system. As required in the BNM's IFSA 2013, separation of licences for life and general *takaful* may make it easier to implement cooperatives model of mutual indemnification for community welfare. This separation could be useful for cooperative *takaful* worldwide due to different nature of risks involved.

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MALAYSIAN ISLAMIC YOUTH FORCES (ABIM): INITIATIVES AND INVOLVEMENTS IN BOSNIAN MUSLIMS ETHNICAL ISSUES

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Abstract: *This study discourses the suffering suffered by ethnic cleansing victims in Bosnia-Herzegovina due to the atrocities of Serbian terrorists against Bosnian Muslims in 1991 to 1995. Hence, the various forms of ABIM involvement in Malaysia and abroad as well as joint ventures with organizations in order to uphold various rehabilitation programs in aiding Bosnian Muslims to survive. The involvement of ABIM in assisting Bosnian Muslims is in various forms of assistance such as financial, the establishment of a humanitarian center and various rehabilitation programs for victims.*

Keywords: *Malaysian Islamic Youth Forces, Bosnian Muslims, Ethnical Issues, Rehabilitation Programs*

Introduction

Conflicts that caused by Serb's ethnic cleansing to the Bosnian Muslim community was an unpredictable war crimes for it involves the killing of tens of thousands of Bosnian Muslims. In order to express sympathy and raise the awareness of Muslims in Malaysia, ABIM has taken responsibility as an Islamic organization to awaken, support and assist the oppressed Muslims from continuing to suffer. The author discusses the various forms of ABIM's involvement in Malaysia as well as overseas as well as joint ventures with other organizations for the successful completion of various rehabilitation programs to help Bosnian Muslims continue to survive.

Literature Review

A study on ABIM and international involvement has been carried out by previous scholars on the establishment of the Malaysian Islamic Youth Movement (ABIM) and its role and contribution in the issues of international Muslims community. Previous writings only focus on the establishment and engagement of ABIM in helping the Muslims in a war conflict only like the Bosnian war in the 1990s and were not focus in depth and specific to the issues of other international Muslims. Among the researchers is Norsiah Bt Ahmad (2000) to get a clearer picture of the involvement of the Malaysian Islamic Youth Forces (ABIM) in the Bosnian tragedy in the 1990s. Although the war in Bosnia-Herzegovina has ended, ABIM is still involved in Bosnia and still donating assistance to the Bosnian society despite the absence of donors for the ABIM Bosnian Fund.



Nevertheless, this work has its cluster that it focuses only on the study of ABIM's involvement in helping Muslims in Bosnia solely without including ABIM's involvement in other international Muslim issues.

While the supportive writing Fatini Yaacob (1992) explains in detail the history of the existence of Bosnia-Herzegovina and the history the ruthless slaughter against Bosnian Muslims over the last few decades. Most of the facts in this book are very difficult to obtain because it is hidden or destroyed by the Communist government in Yugoslavia and it can be dismantled after the collapse of communist rule in Western Europe including in Yugoslavia. In this paper, in addition to the history of oppression against Muslims in Bosnia, there is a section in the chapter that examines the role and actions of ABIM in addressing the issue of Bosnia-Herzegovina. However, the criticisms on ABIM's role and actions have only been slashed with just only a few pictures and some newspaper clippings without explaining ABIM's involvement in the issue of Muslims in Bosnia. The discussion in this book can act as a guide to analysts to study how ABIM supports the fundamental principles of Islamic missionary movement to actively participate in various programs in other countries.

In addition, a study by Azlizan's Binti Mat Enh (2009) discusses the humanitarian crisis in Bosnia-Herzegovina when Malaysia has criticized the role of the United Nations who failed to address the Bosnia-Herzegovina issue effectively and efficiently. Researchers have discussed factors in determining Malaysia's policy and stand on the issue of Muslim ethnic cleansing in Bosnia-Herzegovina. In addition, this paper analyzes Malaysia's role and international contribution on this issue. This writing gives some ideas and information about the research conducted by the researchers as one of the mediums to support Malaysia's stand on Bosnia-Herzegovina's violence through non-governmental organizations such as ABIM.

In the nutshell, studies on the role and contribution of ABIM still need to be made especially in the issues of Bosnian Muslim ethnic cleansing as it is necessary to provide international awareness.

Research Methodology

The Malaysian Islamic Youth Forces (ABIM): The Efforts and Engagements In The Issues Of International Muslims (1971-2000) use a few research methods. The research methodology used in this study is qualitative and uses historical discipline as the basis of writing. In this study, the information will be collected based on primary sources, secondary sources and oral sources. Primary sources are obtained from the ABIM Secretariat Archive Center, the National Archives of Malaysia, as well as the use of official statements of parliament and several official statements. Among the primary sources of material obtained are government records either published or otherwise such as texts of speech, official statements of parliament, newspapers, letters and so on. Secondary resources are obtained from the ABIM Central Secretariat Archive, Tun Seri Lanang Library, Resource Center for History, Politics and Strategy, National Archives of Malaysia Library, Dewan Bahasa dan Pustaka and others. The second source used to obtain relevant information is in the form of theses, magazines, journals, articles, books and also sources of authenticity from the internet site.

In addition, this study also used interview methods to obtain important information from individuals directly involved in the ABIM of the ABIM and to look into ABIM's efforts and engagement on issues of Muslim internationally. This is because the author obtains information which is not available or written in unpublished printed books or documents



Bosnia-Herzegovina Conflict History

The suffering of Bosnian Muslims has begun since the beginning of the 19th century when 20,000 Bosnians, excluding soldiers living in Pashadom Belgrade were attacked by Serbian rebels where civilians were killed in Islamic settlements in a cruel way. They rob, burn and destroy the entire towns and villages. After the Austrian-Hungary conquest of Bosnia- and Herzegovina, the fate of Bosnian Muslims did not change and worsened when the Balkan War broke out (1912-1914). The war brought new suffering to Bosnian Muslims primarily from Sanjak, Novi and Pazar. The fate of the Muslims in Plav and Gusinje was more terrible when they were robbed, their homes were burned, and women were raped and killed. After the killing of hundreds of men, women and children, the Montenegro rebels began to force Muslims to convert to Christianity. About 13 000 people were forced to apostate but then all returned to Islam. While in the eastern region of Herzegovina, about 3,000 Muslims have been killed without any reason or talk. These criminals are led by Majo Vujovic and Peter Rogan.

Similarly during the Second World War when 100,000 Muslims were killed and slaughtered. The killer does not directly distinguish between men, women, children and parents. The murders were committed in the victims' houses preceded by raping. Houses and barns in the fields were burned down together with the owner once. There are many cases where the victims were skinned and beheaded as a symbol of the custom of the Muslims covering their faces and heads as well as the skin of the hand painted as a symbol of taking ablution, being killed on the Drina River bridge as if to tell the Bosnian Muslims that they had no bridges connecting them with the future. In addition, many of the victims were thrown into wells and the helpless young children headed their heads to the rocks. After being slaughtered and killed, the bodies were thrown into the river without burial for months. On the banks of the Drina River in Foca is now a prison, where it was once became the site of slaughter of thousands of Muslims in 1941 and 1942. Indirectly this signifies that the memory of this nation has been imprisoned for ever.

Years after 1945, Bosnian scholars were still being arrested and brought to court. For centuries the Muslims' mosque were demolished and the cemetery was restored. The sites of the Bosnian Muslim archipelago and municipalities were destroyed and the Islamic names on the streets were changed. These are all attempts to abolish or assimilate Bosnian Muslims on the grounds of the true politics and culture of Yugoslavia to uphold the Great Serbs.

After World War II, the position of the Muslim population in Yugoslavia was recognized as a separate ethnic group. Nevertheless, Serb ethnicity became the leader of all ethnic groups. After Tito took over the leadership of Yugoslavia, he practiced the 'united and fraternal' slogan in administration policies on minorities and the spirit of nationalism among Yugoslavians. The spirit of nationalism grew stronger especially after Tito's death in 1980 especially in Serbia and Croatia. Serbian leader Slobodan Milosevic has succeeded in raising the spirit of the Serbs and allowing Serbia to control the entire Yugoslav Federation. The position of the minority in the federation began to suffer when the ethnic cleansing campaign began to spread in the Serbian region and Bosnian Muslims had fallen prey to its target.

After Tito's death, ethnic conflicts began to fail and eventually the Yugoslavia collapsed in 1991. In 1991, Croatia had acted drastically by declaring its independence and this action was opposed by Serbia which then dominated Yugoslavia. In June of the same year, Croatia and Slovenia were officially out of Yugoslavia and formed an independent state. Since then there has been a poll to



determine the future of Bosnia-Herzegovina. The highlight of this dispute is that when a vote made in Sarajevo by Bosnian Muslims who support the separation of Bosnia-Herzegovina has been invaded by Bosnian Serb tribesmen. On the other hand, the Bosnian Serbs in Bosnia-Herzegovina held their own polls on November 10, 1991 and results obtained showed that Bosnian Serb residents wanted to remain in Yugoslavia.

Until June 1992, an estimated 2.5 million children, women and parents left Bosnia-Herzegovina and 700 000 are homeless. Most of them were expelled by Serbian soldiers. The Muslim population in Bosnia was murdered by professing different religions from their killers. In the early stages, Bosnian Muslim societies targeted by the Serbian army were the academicians, professionals and intellectuals of Bosnia. The Serbs also shut down all schools in Bosnia-Herzegovina. When these schools were reopened, the Serbs had posted a notice saying 'Muslims are not allowed' to prevent Muslims from entering school. All Muslim teachers are also fired.

ABIM Actions in Bosnia-Herzegovina Conflict

Upon the basic principles of Malaysia's foreign policy that upholds Islamic as foundation, Malaysia has indirectly been involved in the issue of Muslim conflicts in Bosnia-Herzegovina. According to a speech by the Prime Minister, YAB Dato 'Seri Dr. Mahathir bin Mohamad during the International Conference of Members of Parliament on Bosnia-Herzegovina on 22 January 1994, he stated Malaysia's firmness on the issue of Bosnia-Herzegovina sovereignty struggle. Through the channeling medium created by ABIM, efforts to show signs of support and concern for Malaysians on the suffering of Muslims in Bosnia-Herzegovina are evident. Among the programs organized by ABIM is through a financial aid fund, the establishment of Malaysian Relief Center-ABIM (MRC-ABIM) and various rehabilitation programs for victims.

Bosnia Funding Programs

On 9 June 1992 the ABIM Bosnian Fund was officially launched. The proceeds from the ABIM Bosnia Fund are more than two million Malaysian Ringgit. Since the launch of the fund, it has received a positive and encouraging response from various parties who are aware of the responsibility of helping and defending the fate of the Bosnian Muslim community. It is well received not only from individual celebrities but also from various government and non-government corporate bodies. The Kelantan government for example donated RM 25 000 to this fund. The launch of the fund led to the ABIM Bosnian Office never been in a position of corporate or individual visits to deliver assistance in cash. Clothing is also contributed by the community to be sent to Bosnia refugees. Among the delivered aids are winter clothes, blankets and medicines. Swan Stabulo Marketing Sdn. Bhd has donated RM 60,000 in pen, pencil and color pencil to ABIM Bosnia Fund to cover the education needs of children in Bosnia-Herzegovina. Swan Stabulo Marketing Sdn Bhd's effort to fund this fund continued with the cooperation of Pekartun Sdn Bhd and Ministry of Education Malaysia to organize coloring contest. The competition received 300,000 entries from all over the country. Datuk Lat and Zunar from the Selangor Cartoonist and Federal Territories Association were invited as judges in this competition without charging any fees for their services.

Awareness to help and extend aid on the suffering of the Bosnian Muslim community has caught attention from one of Malaysia's shopping malls, Parkson Corporation. The company has contributed RM55,000 in food to Bosnian children. Donations in the form of food are basic to their



lives such as flour, sardines, milk powder, biscuits, roasted beans, instant noodles and condensed milk. The program known as 'Gift for Bosnia' is divided into two parts, the first part of which is the contribution of Parkson Corporation to the victims of the war and the second part is a contribution that requires the participation of the public. Public participation is through the purchase of selected goods at 29 Parkson supermarket branches throughout the country except Malacca. Part of this percentage of purchases will be used to buy food to the people of Bosnia-Herzegovina.

The necessities for the ABIM Bosnian Fund were donated by Johnson & Johnson Sdn Bhd through a 2.1 tonne of toiletries and medicines such as Family Shampoo, Band-Aid Surgical Dressing, Dermilite Tapes and Surgipads, J-Press / J-Grip First Aid Kit Boxes and Baby Soap. In addition, Pelaris Company also sent 656.5 kg Disposable Syringes with Needles, Disposable Syringes without Needles and Disposable Needles for the use of the Bosnian war victims.

Malaysia Palm Oil Promotion Council (MPOPC) is also not left behind to contribute to the ABIM Bosnian Fund. Delivery of 7 cargoes was made with every load weighing 3 tons. This supply is a supply of margarine for their food purpose. This margarine contribution was sent from Johor and waiting for the turn to be flown to Bosnia-Herzegovina via MAS flights, all transport and cold warehouse was sponsored by Moslin Movers Sdn Bhd.

The garment contribution was also received from the James Dean Collection of RM50,000; 20 wheelchairs from Percon and Viking Askim Sdn Bhd and a subsidiary of Golden Hope Group from Penang, contributing 2,500 pairs of winter boots. While Solsis (M) Sdn Bhd has donated a HP Vectra computer for the use and convenience of the ABIM Bosnian Tube Company. MAS through its Islamic Welfare Committee has offered free flights to all freight delivered to Bosnia-Herzegovina. Each shipment, weighing 3 tons and over 100 tons was delivered there. The ABIM Bosnian tube also receives donations from the Ministry of Culture, Youth and Sports, Brunei Darussalam in the form of canvas, clothing, flour, sugar, instant noodles, milk powder, biscuit, condensed milk and milo for the Bosnian-Herzegovina people. In conclusion, the ABIM Bosnia Fund has received remarkable response from Malaysians who are aware of their civic responsibilities and this shows the nature of the generous and charitable Malaysians.

Malaysian Relief Center

Muslims are required to perform the duty of *jihad*. According to historical perspective, *jihad* for justice, the sanctity of religion and state sovereignty is *fardh kifayah* or a collective obligation. In keeping with these principles, *jihad*'s responsibility has encouraged ABIM to establish a Malaysian Relief Center-ABIM (MRC-ABIM) registered under local humanitarian aid organizations and United Nation High Commissioner for Refugees (UNHCR). ABIM has carried out its responsibility to uphold justice, to defend, protect and protect the Muslims who are abused in wars that last for more than 43 months.

MRC-ABIM was established on 12th of February 1993 and officially registered in the Republic of Croatia as a non-profit voluntary body. Initially, the address of the MRC-ABIM office was registered at Miramasrska BA 110, 41000 Zagreb, but had moved to Svetoivaska 27, 41000 Zagreb, Republic of Croatia. The use of the Malaysian name in the registration of this organization is to show the seriousness of the government and Malaysians in general, for the sake of universal humanity in assisting refugees in Bosnia-Herzegovina who lost their homes, property, and homeland as a result of Serbia's greed.



As a recognized body, the aim of the MRC-ABIM engagement in Bosnia-Herzegovina to channel humanitarian aid from the rest of the Malaysian community has been a bit revitalized by the spirit of the Bosnian society within the clutches of the Serbs. After the Dayton Peace Agreement was sealed in late 1995, ABIM's pure efforts to help the Bosnian Muslim community have been challenging and faced various obstacles. According to Khairil Annuar Khalid, MRC-ABIM project director in Bosnia-Herzegovina, MRC-ABIM is not just an organization that offers medical aid and food solely, but it is more than that. Among the efforts of ABIM is restoring the spirit of the Bosnian community, not to give up and reinforce Islam on the Balkan earth besides extending other aid such as basic necessities. After the war ended in late 1995, the MRC-ABIM continued to be the most active non-governmental organization of the people of Bosnia-Herzegovina and now has its own office in Sarajevo.

ABIM's involvement in Bosnia-Herzegovina began after three Bosnia-Herzegovina refugees in Australia led by Ms Bisera Turkovic, came to Malaysia and explained to ABIM about the situation in Bosnia-Herzegovina. At that time, the war was a hit in Croatia. The refugees also appealed for drug assistance to the Bosnian-Herzegovina community. ABIM with the Malaysian Islamic Medical Association (PPIM) and the Malaysian Social Research Institute (MSRI), Yayasan Salam and Yayasan Pembangunan Ummah (YPU) have been able to get medicines worth RM30,000. The aid of these drugs was delivered in collaboration with the Malaysian Civil Aviation System Welfare Committee to Istanbul and through Adriatic flights, the drugs were sent to Sarajevo. This aid was ABIM's first aid to Bosnia-Herzegovina.

In July 1992, three ABIM female volunteers arrived in Croatia to facilitate relief work there for a month. They bring together medicines, blankets and food for refugees in refugee camps. ABIM sponsors clothing and food expenses at several refugee camps in Zaqreb. ABIM through PPIM also pays allowances to doctors who work in refugee camps and hospitals in Bosnia-Herzegovina as the foundation of their lives. In this refugee camp, Bosnia refugees are temporarily placed before being enrolled in any international humanitarian or state-of-the-art humanitarian agency. ABIM also holds English classes for these refugees in preparation for confronting and adapting to the habitable country. Religious classes are also held to all Bosnian Muslims to strengthen the faith and the spirit of *Jihad*.

ABIM Volunteers also provided gifts, cakes and other food for Catholics during a visit to Zagreb's hospital near Christmas Day in 1992. This was to show them that the aid provided by the Malaysian community not only came from Muslims merely even from non-Muslims as well. This aid is also not only for Bosnian Muslims but also for non-Muslims in Bosnia-Herzegovina. According to Khairil Annuar Khalid, MRC-ABIM project director Bosnia-Herzegovina in his report in December 1996 stated that ABIM has provided various specialized programs to help and defend the fate of the Bosnian war. Among the programs created specifically for them are kindergarten programs for orphans and ABIM is the only non-Western organization that controls such programs.

Collaboration on the success of various programs created by ABIM to support the Bosnian community is accepted from various parties from the local Bosnian organization and the individuals involved. Even the demand for ABIM programs such as health, education and rehabilitation of rape victims in districts and other areas is extremely high. NGOs from Western countries, especially Christian NGOs are very active in Bosnia-Herzegovina especially in youth and child programs. ABIM as an Islamic NGO has responded to the calls and suggestions of the



Malaysian government in applying the values of Islam and humanity especially to those who desperately need such a Bosnian-Herzegovina society. The programs undertaken by the MRC-ABIM in its humanitarian program in Bosnia-Herzegovina focus more on health programs, children's and youth education and women's programs.

ABIM Rehabilitation Program

There are several rehabilitation programs joined by ABIM to help restore the situation of victims of Serbian military atrocities. Among them are programs, health, education, employment and rehabilitation programs for rape victims.

1) Health Program

ABIM as a humanitarian body has a clear objective in the success of the MRC-ABIM health program in Bosnia-Herzegovina which is to provide and maintain medical assistance to various medical institutions in Bosnia-Herzegovina where required. In addition, ABIM also provides technical assistance to prosthetic limb projects in Sarajevo and Bosnia-Herzegovina as well as collect financial assistance to purchase the raw materials needed to make false members and medicines. As one of the efforts to channel aid to the Bosnian-Herzegovina community, ABIM strives to upgrade the existing medical systems in Sarajevo and Bosnia-Herzegovina to a more effective and productive system.

There is an urgent need for injured warlords during the war and also mines scattered throughout Bosnia. Almost every day there are accidents and injuries caused by exploded mines unknowingly, especially among children playing in the area of the mine. This prompted MRC-ABIM to focus on the rehabilitation of disabled persons by creating or removing prosthetic limb. There are about 10,000 to 12,000 disabled people who need prosthetic limb. Before the war, Neretva, the only institution in Bosnia-Herzegovina who issued prosthetic limb, was only able to issue 400 prosthetic limbs a year. With the lack of equipment, staff and materials when the war broke out and the deficiency persisted even after the 'Dayton Agreement' even if it might have produced prosthetic leg less than it should have been if there was no support and assistance from various parties. The increase in the number of defective war victims due to the mine explosion has increased. MRC-ABIM in collaboration with several medical and technical organizations and private organizations in Malaysia conducted training for two prosthetic limb technicians from Neretva in Malaysia using the thermoplastic method. Through this method, it will be able to increase production rates and quantities of counterfeit members. The Malaysian Islamic Medical Association under the Bosnian War Victim Rehabilitation Program in collaboration with the MAS Islamic Welfare Committee (Malaysian Airlines) and Berita Harian. The equipment or machinery for the issuance of this prosthetic limb has been continuously maintained from time to time sponsored by the sponsoring organization. This also reduces the waiting time to get prosthetic limb by victims who have limb disabilities. In this sponsoring program, the MRC-ABIM focuses more on formerly injured and child soldiers, but other victims are also taken into account in receiving this aid.

Apart from the help of prosthetic limb, MRC-ABIM co-operates with several organizations from Malaysia and Malaysian donors to channel drug supplies to Bosnia-Herzegovina war victims. As a result of this war, many hospitals and facilities were destroyed. Therefore, MRC-ABIM has taken the initiative by working with Bosnia-Herzegovina government institutions to build and rebuild the destroyed infrastructure. The programs undertaken by the MRC-ABIM with Sarajevo State



Hospital are the repair and expansion of the Department of Physiotherapy, the ongoing recovery of water resources, contributing to the supply of medicines and equipment for the Department of Physiotherapy in Sarajevo State Hospital. With the improvement and expansion of the department will be able to reduce the waiting list for medical consultation and treatment. This is because many patients who were injured during the war had to wait long due to lack of treatment space.

The joint venture program between the Malaysian Institute of Medicine and Sarajevo State Hospital has also been planned to focus on bilateral cooperation especially in the exchange of medical specialists, teaching and training programs. The program will not only help the Bosnian-Herzegovina war victims who need treatment but can benefit both collaborators. This is a collaboration for the reconstruction of Rehabilitation and Therapeutic Centers of The Disabled at the Neretva Prosthetic Center which suffered severe damage during the war. From time to time, the MRC-ABIM will try to equip the center with the necessary rationale and upgrade it. Rehabilitation and therapy sessions are conducted by professional staff and the result is that the center has been completely refurbished until the patient can get treatment.

2) Education and Employment Programs

The objective of the education program for children and youth in Bosnia is to provide basic education and care to children as well as provide better care to orphans and newborn children from rape victims. In addition, ABIM also strives to defend and provide opportunities for underprivileged children in their education to higher education by building good and strong character among Bosnian youths as they are the cornerstone of Bosnia's future.

There are also children born from the rape committed by the Serbs on Bosnian Muslim women whose lives have no purpose. Therefore, in 1995 and 1996, the MRC-ABIM with a joint venture SUMEJJA, a non-governmental organization (NGO) founded in Sarajevo and comprised of professional women, has run a child-rearing program by setting up a kindergarten in Sarajevo. The kindergartens have been recognized by the Bosnia Education Ministry in an effort to educate children towards a better and educated future. With this kindergarten, it becomes a child care center between the ages of three and six years and the priority is given to orphans and poor families. Kindergarten is equipped with furniture and children are given uniforms. This kindergarten is led by a principal and assisted by four teachers, two nurses and two cooks. The subjects taught here are mathematics, English, nature, health, painting, conversation (socialization to enhance self esteem), religious knowledge and music. The MRC-ABIM intends to develop this kindergarten by opening several branches and enabling at least 200 children to study at this kindergarten. There are three such kindergartens in Bosnia in Sarajevo, Vogosca and Dobrije.

MRC-ABIM also focuses on youth education as well as education and care for children. The war situation in Bosnia-Herzegovina actually gives more impression of the 'cultural war' that the target of the victim is the youth. The cultural war was used by the Serbs as one of the weapons to weaken the Bosnian Muslim community by altering and destroying Bosnian identity especially in the eyes of the younger generation. Many programs are organized by the MRC-ABIM in collaboration with Bosnia youth associations such as Mladi Musliman and Matica Muslimanka. Not forgetting the youths who need to build their own self-confidence spirit after the war which needs attention from various parties. Among the programs carried out were computer classes, multi-media centers and education. Established information centers such as talks and arrangements and a multimedia center that serves Bosnia-Herzegovina youths. They can get information and assistance so they can



connect with people locally or abroad. The lectures were also conducted using multimedia tools and video footage aimed at giving the impression that Muslim societies can also develop like other societies. ABIM's efforts are more focused on the younger generation as most of them are educated and more open-minded in meeting various post-war issues.

MRC-ABIM also cooperates with a non-governmental organization established in Sarajevo, FATMA. FATMA only consists of women only. The program with FATMA is more focused on orphan children by providing scholarships or monthly spending. An orphan is estimated to cost around \$ 40 to \$ 100 per month and is all sponsored by the ABIM. In addition, the MRC-ABIM also helps to coordinate with Malaysian higher education institutions in the intake of students to study in Malaysia. There are also some of the best students selected to participate in the program. The MRC-ABIM is also in partnership with donors from Malaysia continuously providing educational materials to schools and students around Sarajevo as well as throughout Bosnia-Herzegovina. Among the materials supplied for the education and education of Bosnian children are pen, pencil, teaching materials and books. Despite the lack of education aid, however, it has little to alleviate the burden of Bosnian society in spending on providing these learning materials. The MRC-ABIM at Zegreb also serves to help, coordinate and bring home Bosnia-Herzegovina refugees to Malaysia under the 'asylum program'. To assist the victims of the war, ABIM has provided temporary settlement centers to those brought into Malaysia. This is because Malaysia has agreed to be one of the countries that provide temporary protection.

As a result, ABIM has taken the opportunity to offer shelter to 300 refugees who arrived in Malaysia in November 1992. A hundred of them are operated by ABIM Training Center located at Sungai Ramal, Kajang Selangor. One hundred people are placed under the Malaysian Islamic Welfare Organization (PERKIM) and one hundred people under the Sarawak Orphanage Association (PERYATIM). Meanwhile, refugees under PERKIM were deployed in Serdang, Selangor, which included refugees who had been detained in Serb or Croatia prison camps. Most of them suffer from torture due to torture at the camp.

In the meantime, refugee victims, mostly children will be given education and education as Malaysian children get education. This is in line with the aim of establishing ABIM as an active institution in the field of education, economics, social work, publication and dissemination of information in order to help meet the needs of Muslims in the face of the world's uprising in Islam. Therefore, emphasis will be given to the teaching of Islam. This religious class is self-controlled by the Bosnian Imam. However, other subjects are taught as well as language, culture, history and geography of Bosnia-Herzegovina based on the co-curriculum of the Bosnia-Herzegovina Ministry of Education so that these children will not forget their origins. As some of them were brought to Malaysia experienced as educators, they were instructed to give proper education to these Bosnian children. For children who have attained school age will be sent to Bandar Baru Bangi National Primary School and Bandar Baru Bangi National Secondary School.

In 1994 and 1995, many Bosnia refugees were housed in private companies and government bodies such as Telekom Malaysia, North-South Expressway (PLUS) and Tenaga Nasional Berhad. ABIM has also collaborated with the Selangor Poverty Basis Foundation to assist Bosnia-Herzegovina students in Malaysia such as sponsoring Bosnia-Herzegovina student flight tickets to Malaysia, buying books and stationery and finding companies that want to contribute to accommodate the needs of these students. So it was a great help and support given by ABIM to help them in public knowing that Malaysians had no blood relationship with them, but on the basis of the Islamic



brotherhood that moves ABIM to be called upon to equally improve their standard of living and education.

3) Rape Recovery Program

Not only women in the age of 80 years old were raped, but even 4-year-olds are victims of the greedy Serbian army. This is one of the weapons used by the Serbs to pursue ethnic cleansing on the Bosnian Muslim community. Through this cruel agenda, they are not only aimed at torturing Bosnian women and children, but the goal is to breed the Serbian generation and eliminate the direct Muslim Bosnian generation. From the UN resolution, Security Council (No. 931, it is estimated that 20,000 women, girls, Bosnian girls are raped. In the previous International Criminal Court detention warrants, 54 people have been charged but no one has been charged for rape in Bosnian Muslim women. Until August 1992 alone, there were 30,000 women and girls raped in more than 16 concentration camps within Bosnia-Herzegovina's Serb domination area. However, the actual number of rape victims is more than 100,000 women and girls. Most of them were raped when the Serb army arrested them in 16 concentration camps within Serbia. This rape persisted until the victims were found pregnant and after their pregnancy span of four to six months they were released.

Following the suffering agonized by these rape victims, the MRC-ABIM felt convinced to help and defend the fate of these victims. The objective of the rehabilitation program is to assist these rape victims by managing their encounters with therapists, providing educational assistance to raped girls and providing special courses or training skills to them. The stress of their feelings is to be managed as best they can to guide them towards a normal life and to help the victims find income for their families. There are victims who need to be placed in the hospital's psychiatric ward due to the trauma and pressure experienced from being repeatedly raped. Therefore, the MRC-ABIM has worked with SUMEJJA in maintaining programs for victims of rape and children they produce.

Summary

This chapter as a whole touches on the conflict of Muslims in Bosnia-Herzegovina which has received various repression and brutality committed by the Serbs who want to abolish the existence of Bosnian Muslims in their homeland. Their misery to survive in their own homeland as a result of the ethnic cleansing made by the Serbs caught the world's attention but has not been able to alleviate the burden of their suffering. This is because; there are still many programs that need to be formulated to restore the spirit of these cruel victims. Nevertheless, it has spark a cause for Malaysians to cooperate with the aid of sympathy. It is no exception that the ABIM association has also extended various forms of donations to help ease the burden of Bosnian Muslims through the collection of donations and financial aid funds, the setting up of the Malaysian Relief Center-ABIM (MRC-ABIM) and various rehabilitation programs for the victims of the persecution.

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CHALLENGES OF EMPLOYING MULTIPLE INTELLIGENCES IN THE DEVELOPMENT OF SCIENTIFIC COURSES

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Abstract: *The development of the educational process has become the basis for the comprehensive development in all fields. That is, the development of the teaching process reflected positively on the development of the outputs of the educational process, which in turn reflected on life in general in terms of increasing the understanding of all scientific classes, and this in turn produced societies that have a wider range of culture, knowledge and experience. It seems that multiple intelligences are one of the most important means of contemporary education that contribute to raising the scientific competence of the learner. Hence, the employment of the multiple intelligences in the educational process contributes to the scientific courses and the provision of learning tools that support the clarity of the information and the stability of knowledge and facilitate the employment of knowledge in the future in different areas of life. Therefore, this paper is based on the real impact of the multiple intelligences in the foundations of Islamic education, as well as the educational process and their impact on the improvement of the educational process and the content of the educational materials. Hence, the present study aims at clarifying the most important challenges faced in the use of multiple intelligences in the course development process.*

Keywords: *Multiple Intelligences, Educational Process, Development of Educational Courses.*

Introduction

The educational process faces challenges represented by the negative impact on the learner and the teacher. One of the most important challenges faced by the educational process is the ability of the teacher to deliver knowledge and the learner's ability to receive and understand this knowledge correctly (Straume, 2015; Ball, 2017). However, delivering the vast amount of information to the learner by means of the traditional methods is an obstacle for the learning process (Armstrong, 2016; Nisbet & Shucksmith, 2017). Therefore, the most prominent means used in the present era to address these challenges and problems is through employing the multiple intelligences, whereby using multiple educational patterns could probably contribute to the development of the education process (Hanafin, 2014). Despite the obvious impact of multiple intelligences on the development process, several challenges occur in the integration of the means of education through multi-media instruction intelligences process, specifically in the process of developing various educational courses. Therefore, the studying these challenges has become a



necessity to overcome the barriers and develop appropriate solutions to increase the use of multiple intelligences in the development of different educational course (Illeris, 2018).

The present study includes the following parts. The first section contains the introduction and the second section includes the definition of the concept of multiple intelligences and types. The third section includes the origin of the relationship between intelligences and the methodology of Islamic education. As for the fourth section, it includes the obstacles and the challenges faced in the employment of multiple intelligences in the educational process and the development of educational courses. The final section presents the discussion.

Multiple Intelligences and Their Evolution

Historically, Gardner has been one of the founders of the science of multiple intelligences, who defined it as the ability to deal and solve problems. The ability to solve problems has been based on the biological factor that makes the human mind the basis for problem solving and the cognitive creativity that contributes to development. These capacities include:

- 1) Ability to address current problems.
- 2) Ability to solve serious problems.
- 3) Creativity.

Gardner challenged the notion that intelligence is a unitary general ability that cuts across all domains of competence, and he brought to life a theory that proposes that there are multiple intelligences. Specifically, Gardner redefined the construct of intelligence to encompass the ability to solve problems or to create products that are valued within one or more cultural settings, highlighting that intelligence cannot

be considered apart from the uses to which it is put and the values of the cultural contexts (Lazear, 1999; Stanford, 2003; Temur, 2007; Gunathilaka et al., 2017; Baş & Beyhab, 2017; Gardner, 2018). In this regard, Gardner identified seven types of multiple intelligences, including:

- 1) *Linguistic Intelligence*: This intelligence is the ability to employ strong and sound language in the expression and the delivery of knowledge and ideas and the communication with the surrounding environment in an appropriate and effective means through the ability to select the sentences and vocal tone according to the need and the nature of the situation.
- 2) *The Intelligence of The Mathematical Logic*: refers to the ability to represent things arithmetically within the quantitative and representative logic through the development of different relationships and patterns.
- 3) *Visual Intelligence*: represents the ability of the individual to know the surrounding and the perception of the things within the high sensitivity of all things that can be seen by the human and linking the elements to their surroundings.
- 4) *Auditory Intelligence*: is the ability to recognize, identify and distinguish sounds, and the ability to interact with these sounds and employ this knowledge in the construction and development of knowledge.
- 5) *Social Intelligence*: is the ability of the individual to identify the social situation surrounding it, and the ability to understand this situation and deal with it. This type of intelligence is associated clearly with the ability to live within the social environment effectively and the ability to make decisions and influence.



- 6) *Physical Intelligence*: is the employment of the individual's physical characteristics in the expression, production and creativity. In other words, the individual has the physical skills that help him/her express and carry out various activities in life.
- 7) *Personal Intelligence*: This type of intelligence is the ability of the individual to recognize himself/herself and his/her personal abilities, thus contributing to achieve the goals and the ability to express his/her feelings towards others.

Since the publication of the theory of multiple intelligences in 1983, many educators and researchers have attempted to synthesize and develop the theory in terms of curriculum development.

Multiple Intelligences and the Islamic Educational System

The definitions and patterns of multiple intelligences and the birth of the modern educational theories indicate their active role in the development of the educational process. These definitions and patterns of the multiple intelligences are behavioral ones that are clearly linked to the Islamic educational system since ancient times. The Holy Quran and the Sunnah advocate the consolidation of every intellectual and behavioral pattern, as demonstrated in the following explanations.

Multiple Intelligences in the Holy Quran

1) Linguistic Intelligence

The linguistic intelligences are evident in the story of the Prophet Moses (peace and blessings of ALLAH be upon him) (verse 27 of Surah Taha), whereby the verse indicates the need for a clear linguistic expression in the delivery of knowledge and communication among people. In addition, the strength of the linguistic argument of the Prophet Ibrahim (peace and blessings of ALLAH be upon him) is clear in his dialogue with Nimrod King of Babylon.

2) Mathematical Intelligence

Mathematical intelligence is shown in (verses 3-6 of Surat Yunus). The verses indicate the necessity of knowledge of computational processes and the visualization of things through numerical values and make this kind of reflection the basis of our knowledge and maximization of the ability of ALLAH. (Verse 39 of Surat Yassin) refers to the ability to meditate on things and devise time through the temporal estimation of size and shapes and reverse these perceptions through numerical values.

3) Visual intelligence

The Holy Qura'an (Verses 27 of Surat Al-Sajdah) indicates the need to activate visual abilities in absorbing the things surrounding us. The holy verses in Surat Al-A'raf (179, 198) refer to the role of visual capacity entrusted with logical thinking to know the facts surrounding us and employ this knowledge to maximize ALLAH. For example, the holy (Verse 96 in Surah Taha) refers to the story of the "Sameree" and how he used visual intelligence to know what others did not know and used this knowledge in the shading.

4) Audio intelligence

The holy (Verses 30 of Surah Al-Ahqaf) and Verse 1 and verse 13 of the Jinn) refer to the role of auditory intelligence in knowing the facts and distinguishing between right and wrong, In this story, the fairy followed the audio intelligence to find the truth that indicates the sincerity



of the Lord's message that is revealed to our Prophet Muhammad (peace and blessings of ALLAH be upon him).

5) Social Intelligence

The holy (Verse 59 of Surah Taha) refers to the role of the social intelligence in our lives, The Prophet Moses (peace and blessings of ALLAH be upon him) chose the day of Eid to show people the weakness of the pharaoh and the truthfulness of his message. This is a clear indication of the social intelligence and its role in our lives and our dealing with attitudes.

6) Physical intelligence:

The holy (Verse 247 of Surat al-Baqarah) refers to Talut's possession of knowledge and physical ability that made him a divine choice to be a king over the children of Israel. This confirms that the physical intelligence is very important in human life.

7) Personal Intelligence

The Holy (Verses 78-77 of Surah An'am) refer to the personal intelligence of the Prophet Ibrahim (peace and blessings of ALLAH be upon him) and his ability to employ this personal intelligence in denying slavery to the moon and the sun. In addition, the personal intelligence refers to his ability to employ this intelligence in the statement of the invalidity of slavery to stone idols. The Holy (Verses 62-67 of Surat Alanbia) refer to the role of the personal intelligence in the persuasion and the establishment of a clear argument that contains evidence of the oneness of ALLAH.

8) Prophetic Sunnah and Multiple Intelligences

The Prophetic Sunnah is rich in cases which refer that the multiple intelligences are means for the development of the human being which proves the fact of making Mankind by Allah His follower on the earth. The Prophet Mohammad grew up in the desert for several reasons, including mastering the Arabic language and the physical well-being. In addition, many Prophetic Hadiths referred to the necessity of obtaining knowledge, taking care of the body, and employing the good things given by Allah in reforming and development, thus contributing to the development of the communities. Many Prophetic Hadiths involved aspects of the multiple intelligences and this is clear in the Hadiths narrated by Bukhari and Muslim which motivate people to obtain knowledge and get involved in science. Several examples evidenced the use of the multiple intelligences by the Prophet Mohammad (Peace and Blessings of Allah be upon him), among which is the story mentioned in his Hadith (No: 5305 in Sahih Bukhari- Divorce Book). In addition, the role of convincing is achieved through the social intelligence in dealing with issues. Examples of this are mentioned in Hadith (No: 22211 in Musnad Ahmad). There is also a reference to the type of the creative thinking as demonstrated in Hadith (No: 5444 in Sahih Bukhari- Food Book) and the intelligibility intelligence mentioned in Hadith (No: 6417 in Sahih Bukhari-Ruqaq Book)

Applications Aspects of the Multiple Intelligences in the Educational Field

Several previous studies are based in determining the effectiveness of employing the multiple intelligences in the educational field and measuring the different percentages. These studies refer to the following applications aspects:

Employing the most recent programs to increase the effectiveness of the education, particularly in cases related to learning difficulties.



Employing the multiple intelligences in creating modern educational tools that contribute to easily communicating knowledge to the students.

Considering the multiple intelligences as supporting to the effect of the educational process which is based on various activities.

Developing the abilities and the skills of the teachers in communicating knowledge.

It has been noted that the multiple intelligences are often used to support the educational process and this reflects their limitations in developing the educational courses due to several reasons.

- 1) The difficulty in determining the most suitable educational tools which can be used in demonstrating the educational content of the courses.
- 2) The difficulty in analysing the content of the educational course under the multiple intelligences due to the various factors affecting the content of the educational course.
- 3) The extra thinking efforts needed to determine the multiple intelligences that correlate with the content of the courses.
- 4) The doubled cost in the production process and preparing educational courses under the guide of the multiple intelligences.
- 5) The need for qualified staff who are able to employ the intelligences when they exist in the educational courses.
- 6) Providing the educational environment that guarantees the creative thinking and self-motivating factors among students.
- 7) Lack of training activities to demonstrate the multiple intelligences and their role in enhancing the individual abilities.
- 8) Lack of the suitable educational tools to activate the procedure of employing the multiple intelligences in teaching.

In the multiple-intelligences perspective, any curriculum model can be scrutinized to see if it includes the full range of human capacities. Educators therefore should write curriculum guides in ways that value the development of the full range of intellectual capabilities. In restructuring lesson planning, for example, teachers might reflect on a concept they want to teach and identify the intelligences that seem most appropriate for communicating the specific content area. Teachers might also seek inputs from students about ways they most like to learn. Lesson planning through multiple intelligences allows teachers to infuse or integrate as much as possible the various intelligences into the design of curriculum units so that students have ample opportunities to use these intelligences to gain knowledge, process information, and deepen their understanding. Similar planning and use in homework might help challenge all students to address their weaknesses and to enjoy working through their strengths. On the other hand, teachers may expand the physical education and fine arts in the curriculum (including music, art, dance, drama, poetry, storytelling, and creative writing) and incorporate them into the traditional academic areas to help all students develop the full spectrum of their intelligences.

Discussion

The present study demonstrates clearly the association between the multiple intelligences and the Islamic teaching and education, whereby these intelligences are essentials of the normal Islamic patterns. The challenges in employing the multiple intelligences in developing the educational courses were also illustrated. Hence, these challenges need more efforts to integrate the multiple



intelligences with the educational courses in different fields, thus applying these courses effectively.

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THE DIFFERENCES AND SIMILARITIES OF THE ELEMENTS OF SIMPLE SENTENCES IN NEWSPAPERS BETWEEN ARABIC AND CHINESE LANGUAGES: COMPARATIVE GRAMMATICAL STUDY.

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Abstract: *This study compares the differences and similarities of the elements of simple sentences in newspapers between Arabic and Chinese languages. This study introduces the basic knowledge of Arabic and Chinese languages, as well as the purpose and significance of this study. This study introduces the basic knowledge of classification of sentences in Arabic and Chinese and the definition of simple sentence. In addition, it also introduces the elements of simple sentences of Arabic and Chinese languages. On the basis of doing comparative study and the study of previous theses and reading the Arabic and Chinese grammar books, the author found three similarities and three differences of the elements of simple sentences between Arabic and Chinese languages. It analyzes the detailed explanations the problems of confusing knowledge points, and also the typical example sentences from newspapers. By the way, not all the example sentences from newspapers, because the newspaper article has its special style, not all the author's example sentences can be found in the newspaper, especially grammatical phenomena that are rarely used. So some examples are from grammar books and the remaining examples are written by the author herself. The study finds similarity of the elements of simple sentences between Arabic and Chinese languages that the most of the simple sentence elements in Arabic and Chinese can be omitted. The second similarity is that only one verb can constitute a complete and meaningful sentence. The third similarity is that both Arabic and Chinese sentences can begin with a noun or verb. On the other hand, the first difference of the elements of simple sentences between Arabic and Chinese languages is that the difference between an Arabic verb which is a element of a simple sentence and a Chinese verb which is exists as a word. The second difference is that the Arabic transitive verbs can have one or two or three objects in the same sentence, however the Chinese transitive verbs can only have one or two objects in the same sentence, that means there can be up to three objects simultaneously in a complete and meaningful Arabic sentence, but there can be up to two objects simultaneously in a complete and meaningful Chinese sentence. The third difference is that a transitive verb can take object and without the object in Chinese Language, on the contrary, a transitive verb must have object and it can not done without the object in Arabic Language.*

Keywords: *differences and similarities, elements of simple sentences, Arabic and Chinese languages*



Introduction

The Arabic language is the mother tongue of the Arab nation, mainly used in West Asia and North Africa. Arabic is the official language of nineteen Arab countries and four international organizations. It is also one of the six official languages of the United States and at the same time, Arabic is the religious language of Muslims throughout the world.

The Chinese language is the language of the Chinese Han nationality, which comprises over 90% of the total population of China, as well as being the common social language of all nationalities of China. It is also, with its long history, one of the most developed and wide-spread languages in the world.

The Arabic and Chinese language belong to two different major languages—Semitic language and Sino-Tibetan language respectively. There is a great deal of grammatical differences between the two languages. Whether for Arabic-speaking students who learning Chinese or Chinese-speaking students who learning Arabic, comparing the similarities and the differences of the Arabic and Chinese grammar can promote students' understanding of grammar and better grasp of the Arabic or Chinese languages.

The study is based on the comparison between Egypt's Pyramid newspaper and China's People's Daily newspaper. The sports news dated on December 2017 from the respective two newspapers was selected and the excerpts was used as the sample sentences for analysis. Through comparative analysis of the sentences, the similarities and differences of the elements of simple sentences between Arabic and Chinese languages were elaborated.

Elements of simple sentences in Arabic and Chinese languages

Definition of simple sentences

The definition of simple sentence in this paper refers to a complete meaningful sentence consisting of only the basic sentence elements and no other non-basic sentence elements. For example, in Arabic, the basic sentence consisted of subject and predicate.

Elements of Simple Sentences in Arabic

Arabic sentences are divided into two types: nominal sentences and verbal sentences. The sentence elements of the nominal sentence consisted only the subject and predicate. The basic sentence elements of verbal sentences are made of verbs and subjects. There is another sentence element—object, which is classified into sentence element of the simple sentence in this study. There are two reasons: First, the object is frequently used and it is a very common sentence element; second, the basic sentence elements in Chinese also include objects. Therefore, it is possible to compare the grammar of Arabic and Chinese objects.

Elements of the nominal sentences:

- 1) The subject: It is the nominative noun placed at the beginning of the sentence.
- 2) The predicate: It is what completes the meaning of the subject.

Elements of the verbal sentences:

- 1) The verb: words that indicates a specific action at a given time.
- 2) The subject: It is the nominative nouns after the verb indicates who did the action.



3) The object: It is the objective nouns that received the action.

Elements of Simple Sentences in Chinese

The classification of Chinese sentences is more complicated than the classification of Arabic sentences, but usually we divide it into two kinds of sentences: the subject-predicate (S-P) sentences and the non-subject-predicate (Non-S-P) sentences. No matter how the Chinese sentence is classified, its basic sentence elements consisted of only six elements - subject, predicate, object, attributive, adverbial adjuncts, and complements.

The Six Elements of the Chinese simple sentences

- 1) The subject: most Chinese sentences are composed of two sections—the subject section and the predicate section. The main word in the subject section is named the subject . The subject is the theme of a statement or a description or illustration. It can also be a topic.
- 2) The predicate: the predicate serves to state, describe or illustrate the subject, telling who or what the subject is, and what it does or how is it.
- 3) The object: the object is a sentence element following the predicate verb indicating the target or result of an action the place where the action reaches, or the instrument with which the action is done.
- 4) The attributive: A word or phrase which modifies or restricts the subject or object is called an attributive and the word modified by the attributive is called the head word. In other words, the attributive is the pre-modifier showing the property, quality, category, place, time or scope of what is denoted by the head word.
- 5) The adverbial adjuncts: a word or phrase modifying or restricting the predicate is called an adverbial adjunct and the word it modifies is the head word. In other words, the adverbial adjunct is the pre-modifying element denoting the time, place, degree, scope, aspect, affirmation or negation, repetition, activeness or passiveness, target, reason, etc. of the head word.
- 6) The complements: a word or phrase attached to a verb or adjective predicate to complete the meaning is called a complement. Complements are modifying elements to show the duration, quantity, result, degree, direction or possibility of an action; or to illustrate the state, number, degree of a thing.

The Similarities of the Elements of Simple Sentences in Arabic and Chinese Languages

Most of the Elements in the Arabic and Chinese Simple Sentence Can Be Omitted.

The basic elements in the Arabic noun sentence can be omitted and there are three types of omission that can be done in the subject. The first omission is the subject from titles such as titles of books, stories, newspapers, etc. The subject can be omitted if the predicate is a source of his verb to do. The third omission is the subject if evidenced by another evidence.

For example:

"على المكتب".

("On the desk.")

(«ملخص قواعد اللغة العربية» ، د.فؤاد نعمة، ١٩٧٣م، ص٢٩)

This sentence omits the subject "الكتاب"(The book) because the subject evidenced by evidence, it is to answer the question asked by others:



"أين الكتاب؟" ("Where is the book?"). The original sentence is "الكتاب على المكتب." ("The book is on the desk".)

There are three types of omission of the predicate:

The first is to omit the predicate if the subject after "لولا" (without). Second omission can be done if the subject ingenuous. The third predicate omission is if the subject and the letter "واو" link together to indicate a companionship.

For example:

"لولا الطبيب ما شفي المريض".

(Without a doctor, the patient will not be cured.)

(《ملخص قواعد اللغة العربية》 ، د.فؤاد نعمة، ١٩٧٣م، ص٤٣)

This sentence omits the predicate "موجود" (existing existent) because the subject after "لولا" (without). The original sentence is "لولا الطبيب موجود ما شفي المريض." ("If there is no doctor, the patient will not be cured".)

The basic elements in the Arabic verb sentence can be omitted. There is a situation that you can omit verbs and subjects with only objects if the context of the speech is clear.

For example:

"عليا". (لمن يسأل: "من قابلت؟")

(Someone asked: "Who did you meet with?" The answer: "Ali.")

(《ملخص قواعد اللغة العربية》 ، د.فؤاد نعمة، ١٩٧٣م، ص٦٨)

This sentence omits the verb and subject "قابلت" (I met) because the context of the speech is clear. The original sentence is "قابلت عليا." ("I met with Ali".)

The basic elements in the Chinese simple sentence can also be omitted if the context of the speech is clear.

For example:

“支持学校通过创建青少年体育俱乐部，打造学校特色体育项目”。

(Supports schools to build youth sports clubs in order to develop school-specific sports programs.)

(《加强竞技体育人才后备培养》，人民日报，2017-12-08)

The sentence omits the subject “《指导意见》” (《The instructions》) because the context of the speech is clear. The original sentence is

“《指导意见》支持学校通过创建青少年条件俱乐部，打造学校特色体育项目”。 (《The instructions》 supports schools to build youth sports clubs in order to develop school-specific sports programs.)

Only One Verb Can Constitute a Complete and Meaningful Sentence in Arabic and Chinese Languages.

In Arabic, the use of one verb is able to form a complete and meaningful sentence, provided that the sentence formed by this verb must be an imperative sentence and the imperative sentence only expresses the command. At the same time, only use the exclamation mark at the end of the sentence.

For example:



"اذهب!"
(go!)

This sentence is a complete and meaningful sentence consisting of only one imperative verb "اذهب"(go).

Similarly in Chinese, if you want a verb to be able to form a complete and meaningful sentence, the sentence formed by this verb must be an imperative sentence and the imperative sentence can express imperative, commands, requests, advice, etc. A period or exclamation mark at the end of the sentence.

For example:

“走”!

(go!)

This sentence is a complete and meaning sentence consisting of only one verb “走”(go).

Both Arabic and Chinese Sentences can Begin with a Noun or Verb.

The Arabic sentences begin with a noun or verb:

For example:

"واصل فريق الأهلي انتصاراته ببطولة الدوري الممتاز لكرة القدم".

(The team Ahly continued their victories in the Premier League football championship.)

(«الأهلي يحقق الهدف بالفوز على الاسيوطي والتقدم للمركز الثاني شوط سلبي أهلاوي لعبا ونتيجة استعادة منه المنافس...والسعيد يفض الاشتباك» ، جريدة الأهرام، ٢٠١٧-١٢-٠٧)

This sentence begin with the verb "واصل"(continue).

"عبد العزيز يناقش استعدادات حفل تكريم قدامى اللاعبين".

(Abdul Aziz discusses preparations for a party for retired athletes.)

(«عبد العزيز يناقش استعدادات حفل تكريم قدامى اللاعبين» ، جريدة الأهرام، ٢٠١٧-١٢-٢٧)

This sentence begins with the noun "عبد العزيز"(Abdul Aziz).

The Chinese sentences begin with a noun or verb:

For example:

“需要我们的运动员付出很大的努力”。

(Need our athletes to work hard.)

(《虽有差距，不失信心》，人民日报，2017-12-27)

This sentence begins with the verb “需要”(Need).

“中国联通成为北京冬奥会和冬残奥会官方合作伙伴”。

(The China Unicom Becomes Official Partner of Beijing Winter Olympics and Winter Paralympics.)

(《中国联通成为北京冬奥会和冬残奥会官方合作伙伴》，人民日报，2017-12-27)

This sentence begins with the noun "中国联通"(The China Unicom).

The Differences of the Elements of Simple Sentences in Arabic and Chinese Languages.

The Differences between the Arabic Verbs and the Chinese Verbs

The biggest difference between Arabic verbs and Chinese verbs is that in Chinese languages there is no strict morphological and the form of a verb remains unchanged under all circumstance. Differences in person, gender, number or time do not require changes in the form of a verb; while the morphological changes of Arabic verbs are common, its form is affected by grammatical persons, tenses, numbers, and genders.

Taking the Arabic verb "كتب" (write) as an example, the following are the various forms after its morphological change:

The Past Tense

	The first person	The second person		The third person	
		Female	Male	Female	Male
Singular	كُتِبْتُ	كُتِبْتِ	كُتِبْتَ	كُتِبَتْ	كُتِبَ
Double	كُتِبْنَا	كُتِبْتُمَا	كُتِبْتُمَا	كُتِبْتُمَا	كُتِبْتُمَا
Plural		كُتِبْتُمْ	كُتِبْتُمْ	كُتِبْتُمْ	كُتِبُوا

The present tense

	The first person	The second person		The third person	
		Female	Male	Female	Male
Singular	أَكْتُبُ	تَكْتُبِينَ	تَكْتُبُ	تَكْتُبُ	يَكْتُبُ
Double	تَكْتُبُ	تَكْتُبَانِ	تَكْتُبَانِ	تَكْتُبَانِ	يَكْتُبَانِ
Plural		تَكْتُبْنَ	تَكْتُبُونَ	تَكْتُبْنَ	يَكْتُبُونَ

The imperative tense

	The second person for female	The second person for male
Singular	اَكْتُبِي	اَكْتُبْ
Double	اَكْتُبَا	اَكْتُبَا
Plural	اَكْتُبْنَ	اَكْتُبُوا

The Chinese verb "写"(write) does not have any morphological changes and is not affected by any other factors.

For example:

"أصبح طاقم الحكام الذي يدير المبارات مكونات من ستة أفراد".

(The judging panel that judged the match was made up of six judges.)

(«حكام الكرة يستغيثون: السماعات خارج نطاق الخدمة» جريدة الأهرام، ٢٠١٧-١٢-١١)

The verb in this sentence is "أصبح"(became), it is a past-tense verb and a third-person for male verb.

"سوف تصبح هذه اللاعبة مدربة بعد التقاعد".

(This female athlete will become a coach after retirement.)

The verb in this sentence is "تصبح"(becoming), it is a present-tense verb and a second-person for female verb.

“有人预估最终成绩很可能会大跌眼镜”。

“Some people predict that the final score is likely to be disappointing.”



(奥运备战重在实事求是 (体育观澜), 人民日报, 2017-12-11)

The verb in this sentence is“预估” (predict), although the subject is “有人” (some people), the morphological of the verb remains unchanged.

“我和她预估最终成绩很可能会打破记录”。

(She and I predict that the final score is likely to break the record.)

The verb in this sentence is“预估” (predict), although the subject is “我和她”(She and I), the morphological of the verb remains unchanged.

Differences of Transitive Verbs between Arabic and Chinese Language.

The Arabic transitive verbs can have one or two or three objects in the same sentence, however the Chinese transitive verbs can only have one or two objects in the same sentence. That means there can be up to three objects simultaneously in a complete and meaningful Arabic sentence, but there can be up to two objects simultaneously in a complete and meaningful Chinese sentence.

For example:

"أنبأت كريما أخاه ناجحا".

(I told Krimar that his brother was a successful person.)

The transitive verb in this sentence is "أنبأت" (told) and it has three objects. The first object is "كريما" (Krimar), the second object is "أخاه" (his brother), and the third object is "ناجحا" (successful person).

“中国老师教我们汉语”。

(The Chinese teacher teaches us Chinese language.)

(《外国人实用汉语语法》，李德津 程美珍，2008年，251页)

The transitive verb in this sentence is ”教“ (teaches) and it has two objects. The first object is ”我们“ (us), the second object is ”汉语“ (Chinese language). Some transitive verbs take two objects, which are called double objects. The first one, mostly a personal noun or pronoun, is called an indirect object. And the second one, mostly a noun or phrase of non-personal reference, is named the direct object. In this sentence ”我们“ (us) is the indirect object and ”汉语“ (Chinese language) is the direct object.

Differences in Transitive Verb in Relation to the Object in the Sentence in Arabic and Chinese Language.

A transitive verb can take object and without the object in Chinese language, on the contrary, a transitive verb must have object and it can't done without the object in Arabic language.

For example:

"طلب النادي الأهلي بشكل رسمي حضور ٦٠ ألف متفرج لمباراة الفريق الأول للكرة أمام أتلتيكو مدريد الإسباني التي ستقام ٣٠ ديسمبر الحالي ضمن مبادرة «السلام ضد الإرهاب» بدعم من المستشار تركي الشيخ".

(The Aihaili Club officially requested 60 thousands audiences to watch the first football match will be held in Atletico Madrid Spain on December 30th this year. This match advocated "peace against terrorism" with the support of counselor Turki.)

(«الأهلي يطلب ٦٠ ألف مشجع لمواجهة أتلتيكو مدريد بإستاد برج العرب» ، جريدة الأهرام ، ٢٠١٧-١٢-١٣)



The transitive verb in this sentence is "طلب" (requested) and the object is "حضور"
"٦٠ ألف متفرج" (60 thousands audiences). If the sentence has only transitive verb "طلب"(requested)
but no object "حضور ٦٠ ألف متفرج"(60 thousands audiences), the sentence is wrong and it is
meaningless.

“上千场次的大众冰雪活动将在全国十余个省市自治区举行”。
(Thousands of People's ice and snow activities will be held in more than a dozen provinces, cities
and autonomous regions across the country.)
(《走，到冰天雪地撒欢儿去》，人民日报，2017-12-15)

In this sentence the transitive verb “举行”(held) has no object, but the sentence is still meaningful
and complete.

“根据协议内容，建成后的基地，除了保证国家和重庆市运动队专业训练，还将定期举办
国际和国内全项目轮滑锦标赛及相关群众赛事”。
(According to the contents of the agreement, after the base is completed, in addition to gua
ranteeing professional training for the national and Chongqing province's sports teams, will also
hold regular international and domestic all-round roller skating championships and the people's c
ompetition.)

(《全国首个国家级全项目轮滑赛训基地落户重庆》，人民日报，2017-12-15)
In this sentence the transitive verb “举办”(hold) has its object “轮滑锦标赛及相关群众赛
事”(roller skating championships and the people's competition.). The most important thing is that
the transitive verb “举办”and the transitive verb "举行"(hold) (the transitive verb in the previous
example sentence) are synonymous, but the former has no object and the latter has its object.

Conclusion

The conclusion of this study is there are differences and similarities of the elements of simple
sentences in newspapers between Arabic and Chinese languages. There are: Most of the elements
in the Arabic and Chinese simple sentences can be omitted; only one verb can constitute a complete
and meaningful sentence in Arabic and Chinese languages; both Arabic and Chinese sentences can
begin with a noun or verb; the Arabic verbs and the Chinese verbs are quite different; the Arabic
transitive verbs are different from the Chinese transitive verbs; the Arabic sentence can has three
objects in one sentence but the Chinese sentences can't.

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THE DIFFICULTIES IN PREPARING QUALIFIED ARABIC LANGUAGE TEACHERS IN NINGXIA, CHINA.

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Ma Yana¹**

¹Universiti Pendidikan Sultan Idris

Abstract: *This study is to investigate the difficulties in preparing qualified Arabic teachers in Ningxia, China. This study will cover only Ningxia autonomous region because China is very big to be cover. Also, Ningxia region is dominated by Muslim group and where many Islamic schools can be found. Thus, this study will not cover other regions that operated china schools.*

Operational Definitions

Arabic teacher: this study conceptualizing Arabic teachers as people who had gone to training institutions to acquire knowledge and skills of Arabic language. The study used teachers as unit of analysis.

Ningxia: in this study, Ningxia refers to autonomous region where Islam is fully practice. This region is dominated by Muslims where Muslims schools can be found and is the location of this study.

Qualified teacher: qualified teacher in this study is the teacher that had acquired requisite skills and knowledge of the subject, attending professional development and able to utilize instructions aids to teacher students in a classroom situation.

Professional development: this is the process of improving and increasing the knowledge, skills and capabilities of teachers through access to education and training opportunities in the school environment, through outside organization. This is helps to build and maintain morale of teachers and to produce qualified teachers.

Keywords: *Operational Definitions*

Introduction

Arabic language is widely spoken by more than 300 million people in the North Africa and Middle East and it was oldest language. Arabic has been used for religious language by all Muslims in the world (Chejne; 1969; Al-Janabi, 1995; Saliba, 1995; Versteegh, 2006; Wahba, 2014). The language itself so rich, expressive and takes its beauty from the Quran language. Muslims from Pakistan, Malaysia, china, Senegal etc leaned various levels of proficiency as liturgical language. The countries where Arabic language are spoken Algeria, Yemen, Saudi Arabia, Libya, western Sahara, Eritrea, Jordan, Lebanon, Somalia, Tunisia, Morocco, Kuwait, Bahrain, Iraq, Syria, Comoros, Djibouti, Oman, Israel, Lebanon, Chad, Qatar, Mauritania, Palestine UAE, and Sudan. There are regional dialects in Arabic language, Levantine Arabic (Lebanon, Syria, Jordan and Palestine/Palestinians in Israel), and Iraqi/Gulf Arabic and Arabic of the Maghreb (North Africa), Egyptian Arabic (Egypt and the Sudan).



Next, around seven century, the Arabic tends to spread to various countries through business transaction. Also, Arab spread the tentacle of Islamic religion outside Arabian Peninsula to North Africa, Middle East as well as China. Over time, intermarriages were occurred between native speaker, Middle East and North Africa (Al-Janabi, 1995, Dejun & Liangyue, 2013). Therefore, Arabic language started to be increased and religion of Islam was embraced in these regions. The some of the language spoke in Iraq and Syria was Kurdish, morocco and Algeria (Berber), Yemen (Mahri), Oman (Jebali) have gradually disappear. Before the conquest of Egypt, Egypt still speaks Coptic as native language. Because of this contribution of Arabic as language, numerous languages in the world have been borrowed some usable worlds from Arabic language. Take for instance, Turkish people, indo-European, Spanish and Portuguese had borrowed words from Arabic language.

Moreover, in spite the influence of the Arabic in the Middle East and North Africa, Islam has been considered as new world religion that come to republic of China. The Islam came to China after Christianity and Buddhism had been existence (Dejun & Liangyue, 2013; Huff, 2017). The Arab Muslims who engage in trading began to arrive in China during the Tang Dynasty (618 - 907), and in fact two hundred of thousands of Muslims came into the Yuan Empire (1271 - 1368) by the Mongols. Interestingly, numerous Mongol leaders converted and the religion spread quickly in Central Asia by Muslim conquest of the nomadic tribes and empires between Arabia and China (Dejun & Liangyue 2013). In 1910, Muslims in republic of China were estimated about 1 or 2 percent of population approximately 7 million people.

In addition, as found in historical record of republic of china, Zhang Xiang was the first person who brought Islam into china during the period of Han Dynasty. Zhang Xiang was given assignment on diplomatic mission to the western regions then. When Islam was brought, people of China began to use Arabic language and learn it (Dejun & Liangyue, 2013, Israel, 2002). Arabic in China is not only restricted to religious purpose such as mosques but Chinese still able to learn and read it. After some decade, Chinese scholars tends tend to grow in Arabic knowledge and many books on Arabic language were printed in area of rhetoric, grammar and morphology which pave way for strong Arabic language in china.

Thus, when the republic of china was fully established, the use of Arabic language started to improve due to the policy of Chinese government on the mutual that people of China can transact business with Arab (Leslie, 2003; Benite, 2005; Dejun & Liangyue, 2013). After development, Arabic was later used in the mosques for sermon, Arabic as a course was being studied in the college, higher institutions and language training institute in china. In fact, some universities were offered Diploma in Arabic, Master in Arabic as well as PhD in Arabic language. It is because of this laudable development, Arabic teaching in china today had attained enormous achievement and drawn the attention worldwide.

Statement of the Problem

Arabic is considered as oldest language mostly speaks by Arab the globe with over more 300 million people. Muslims have classified Arabic language as divine language and through it messages was sent to Prophet Mohammed. Arabic language has been studied in China for liturgical as well for academic purpose. More so, there are 10 Muslims ethnic groups in republic of china. Ningxia was autonomous region with a great number of Muslims and Chinese is the official



language. The Hui people from Ningxia propagate the religion of Islam to other regions in the country. Ningxia Muslims is the representative of Muslims Chinese in connecting China with Islamic world as well as entire Europe.

Despite the roles play by Ningxia Muslims in the propagation of Islam. The schools built for teaching and learning was not functioning in a real sense. It has been observed that teachers employed to teach Arabic language in secondary schools in Ningxia are lacking in the knowledge of the Arabic. The curriculum and methods of teaching were out of date. Some teachers find it very difficult to interpret from Arabic words to China language. There were used of colloquialism and vernacular Arabic with does not meet the development taking place in area language curriculum (ISESCO, 2017). The learners failed the Arabic examination due to incompetency teachers that were employed by the government. Likewise, the parents of the learners and Hulama in Ningxia pointed accusing finger on teachers for impacting accurate knowledge on their children. As a matter of fact, Teaching Arabic in non-native schools requires teachers who have the knowledge and skills which is required

Although, impromptu efforts had been taken by stakeholders in Arabic education but such efforts have not translated to meaningful result. If this is continuing like this, the Arabic language in Ningxia is in danger and other religions in the country may find the means of misleading theses students. In view of this, there is need to make enquiry on causes of not producing a qualified teachers of Arabic in Ningxia, China. This serve as gap to be fill and this type of this study has never be investigated in Ningxia but it might be examined in non-Arabic countries.

Research Objectives

The key purpose of this study is to examine explore examine the difficulties in preparing qualified Arabic language teachers in Ningxia, China. This study is fundamental because it will provide fast solution to the factors that militate against quality teachers. This study offers these following objectives:

- 1) To determine the difficulties in the providing quality Arabic teachers in Ningxia.
- 2) To suggest a suitable solutions on how the problem can be overcome.
- 3) To suggest qualities the teacher must possess to teach Arabic language.
- 4) To investigate how Ningxia Region deal with arisen difficulties towards providing qualified teachers.

Research Questions

This study has highlighted the core objectives which will guide to problems solving. The research questions for the study are as follow:

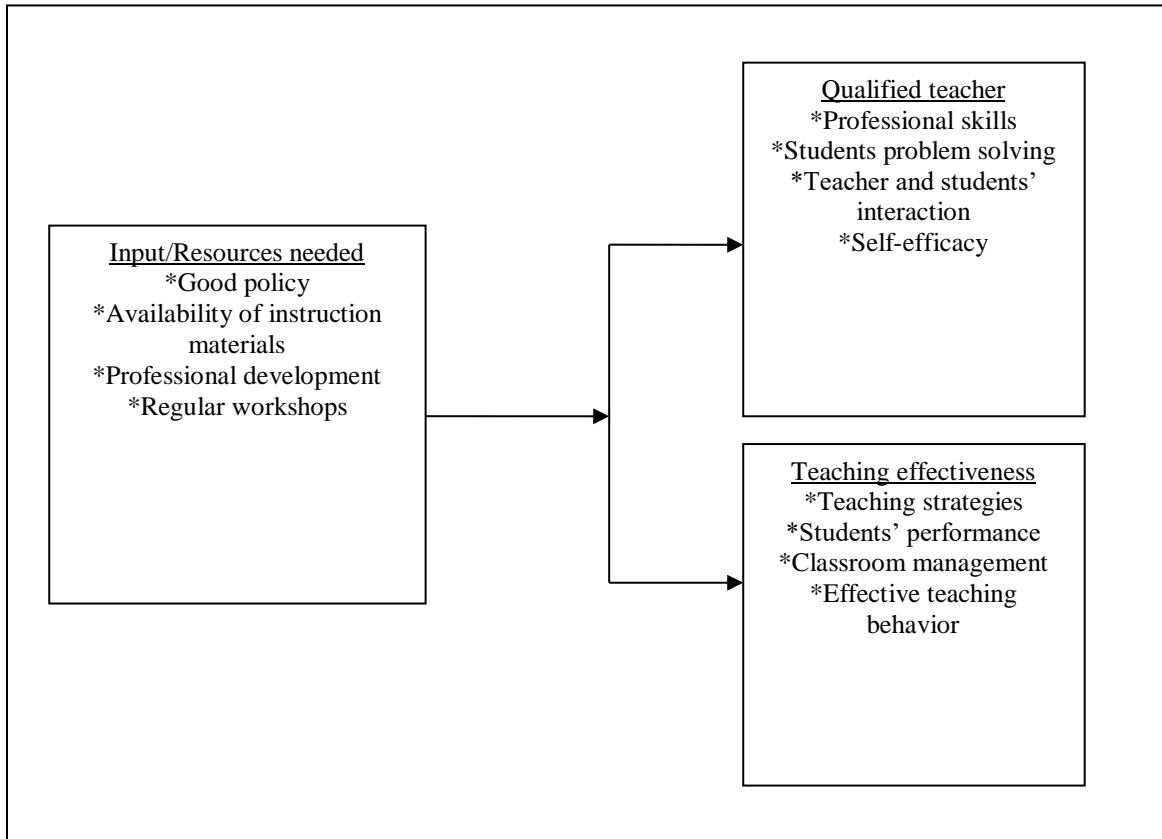
- 1) What are the difficulties in providing qualified Arabic languages teacher in Ningxia, China?
- 2) What are the suitable solutions on how the problem will be solve?
- 3) What are the qualities the teachers of Arabic must possess?
- 4) What are the roles of Ningxia region in solving the difficulties of producing qualified teachers?

Conceptual Framework

Conceptual framework for this current study comes from literature that was synthesized. This framework tries to describe how the difficulties of not producing qualified teacher in Ningxia can

ameliorate. It is believed that teachers that are adequately equipped with necessary skills and knowledge will definitely be productive. Therefore, this model will give an explanation on how skills and knowledge will be acquired by the teachers.

Figure 1.1 Conceptual Framework



Significance of the Study

This present study will serve as benefits for Ningxia region to design a mechanism to reduce the difficulties that hinder the production of qualified Arabic teachers. This will make them to understand that instructional resources that will improve the quality of teachers are paramount. Again, this study will draw the attention of republic of china to come need of teachers of Arabic by providing instructions aids that will transform the teacher to produce quality students. The availability of instructional aids determines the quality of teachers to be produce in the country. In the same manner, the outcome of this study will inform both ningxia region and republic of china to provide professional development for teachers of Arabic. This professional development will keep teachers of Arabic abreast of latest information needed for the teaching and learning. Likewise, this present study would definitely add to existing literature by widen the stock of knowledge on the problems faced by teachers of Arabic language. Besides, it would be a source of material for prospective researchers who intends to carry out research on teachers of Arabic problems in Ningxia.



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Lastly, it would inform the scholar and researchers in higher institutions to discover that there is need to put more efforts in producing qualified Arabic teachers to teach Arabic language in Ningxia region secondary schools as well as other regions that have Islamic schools.

This study has given the introduction on difficulties in preparing qualified Arabic language teachers in ningxia, china. Next, other areas highlighted in this study are as follow: problem statement, research objectives, and research questions. The study also explained conceptual framework, and operational definitions which are shown in Figure 1.2. The next chapter which literature review will be discussing related variables to the study.



PERCEPTION OF STUDENTS ON THE IMPLEMENTATION OF I-CLASS IN THE CLASSROOM

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Abstract: *The aim of the study is to find out the perceptions of students in both primary and secondary schools in Malaysia on the i-Class system practised in some parts of the country, in order to meet one of the practices in 21st Century Learning Concept which is the application of technology in the Teaching and Learning Process. The 21st Century Learning concept has recently been introduced in Malaysia Education System. 100 respondents from Primary and Secondary Schools in Terengganu have been selected due to their active use of the i-Class system in the Teaching and Learning Process. A set of questionnaire is distributed to all respondents after an actual classroom observation to witness the procedural implementation of i-Class. The results have concretely shown that the respondents favour the use of i-Class due to the accessible internet connection and better comprehension of the lesson. This has resulted in frequent practice of i-Class both in class and at home that has successfully met the requirement of the tasks assigned. With the easy online system, the learning is made easy as respondents are able to google for the information in the internet.*

Keywords: *e-learning, i-Class, 21st century learning*

Introduction

The use of textbook as a supplementary material in schools is considered important to help students in their learning. In most schools in Malaysia, textbooks have been a great companion and a source of reference to teachers and students. Looking at its essential use and to cope with the advancement of technology, the government of Malaysia has introduced the use of E-Books since 2009 and upgraded to i-Class system which is still pioneered in Terengganu state in 2015. About 17 primary schools in all districts of Terengganu were chosen to pioneer the system and it will later expand to 400 schools all over (Bernama, 2015). Basically, the purpose of implementing i-Class is to give a big positive impact of the using new technologies to the students especially at rural schools. Besides, it may enhance the new skills in technology and it is hoped to be able to assist teachers to revise and update their teaching methods in order to create a better learning environment and maximize the use of i-Class in their classes, as well as to help improve students' mastery of the language.

Literature Review

According to Embong (et.al) (2012), it was discovered that a majority of the teachers had good perceptions on the use of e-books. However, they had little problems using the devices. It can be overcome with some strategies and a suggested framework.



Ali Biranvand and Ali Akbar Khasseh (2014) state that the results indicated that the use of electronic resources causes a meaningful difference to be created in several contexts such as academic progress, variety of learning resources, flexibility while learning, and learning effectiveness between the students of virtual and conventional programs.

According to Noorhidawati and Gibb (2008), students use e-Book for four main purposes; fact-finding, finding relevant content, selective reading and extended reading. Their findings show that most popular reason for using e-Book is “finding relevant content” which is in line with Gunter (2005) who stated that early e-Book usage was primarily for reference work and not reading for leisure and entertainment. The second most popular reason was for “selective reading”. This would show that e-Books are not read in their entirety but instead are searched for or used for reference purposes. This observation is supported by Letchumanan and Tarmizi (2011) in their study that students prefer to use E-Books for their research work than as course textbook, as e-Books are easier to find and easy to manage for their research work. (as cited from Abu Ziden & Khaled).

A study by Baharudin (et.al) (2012) has examined on the adult learners’ preferences and satisfactions toward using i-Class system provided by UiTM; and the results revealed that the majority of the respondents indicated a moderate level of satisfaction towards using i-Class system. However, they were looking forward to use i-Class system due to the availability of the computer. In addition, they prefer to access i-Class so that they could able to communicate with their friends and also to search for materials. These adult learners also preferred to access i-Class system at home and using their own laptop. They less preferred to access i-Class at UiTM or local library or even at the cyber café.

Looking at the English language learning through online, the findings from AbuSa’aleek (n.d) revealed that the EFL students believe that FB (Facebook) as an online learning environment facilitates, supports, and encourages their English language learning. In addition, the findings indicate that students’ motivation and confidence towards English language learning improved via FB.

Methodology

A set of questionnaire had been distributed to 100 respondents (N=100) to collect data on the perception of students on the use of i-Class in classroom. The respondents were students from two (2) primary schools and one (1) secondary school in the district of Terengganu. The chosen schools were quite rural and among the pioneer that using i-Class in their teaching and learning sessions. Basically, the session of classes that using i-Class will be held in 21st century room which has been designed to equip the system and process of teaching and learning.

Findings and Discussion

The findings are looking at the six (6) perceptions of the students in the implementation of i-Class in their classroom. It is prominent that almost all the respondents are having general knowledge to access the system at their capacity.

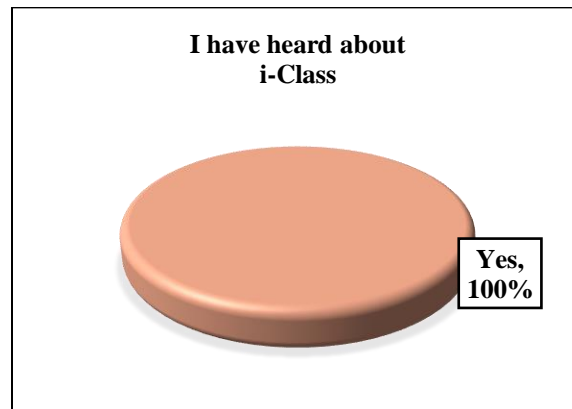


Figure 1: Percentage on the Background Knowledge about I-Class

Figure 1 presents the percentage on the background knowledge of respondents about i-Class. It shows that all respondents (N=100) are having background knowledge about i-Class which they use it regularly during class sessions at particular time. Most of the respondents besides all the students at the respective schools are being introduced with the system since it had been unleashed and implemented.

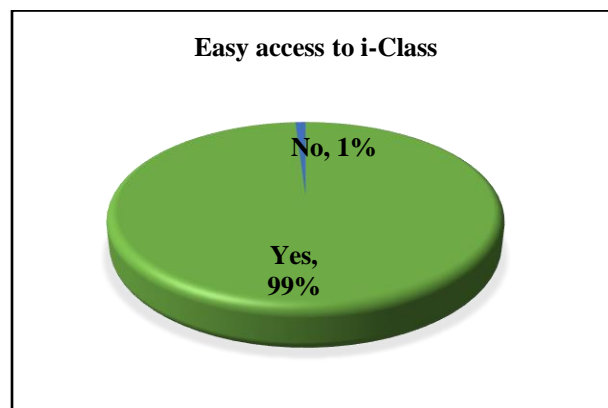


Figure 2: Percentage on the accessing of i-Class

Figure 2 shows the percentage on the accessing of i-Class. About 1% (N=1) of respondent is having difficulty of accessing to i-Class, while the rest of 99% (N=99) respondents are easily accessed the system without any doubt.

To access the system, the students need to log-in by keying the access code such as username and password. Basically, the given username and password are quite complicated with alphanumeric code that requires the students to memorize. But, the code book is always ready and provided for the students to make a reference whenever they forget. While accessing in the system, normally the students have no doubt to gaze up the content as they have been briefed by their respective teachers.

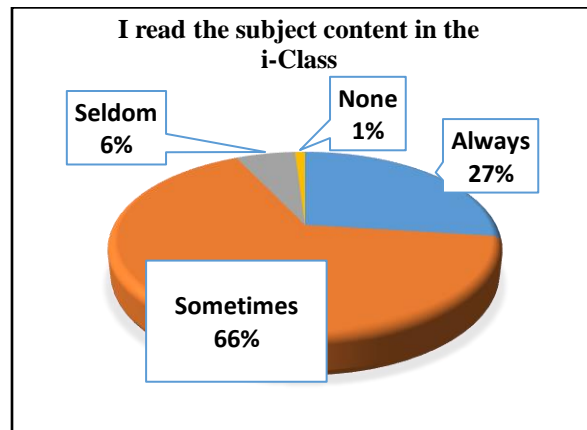


Figure 3: Percentage on the Reading of Subject Content in I-Class

The percentage on the reading of subject content in i-Class is given in Figure 3. There are 27 (27%) of respondents who always reading the given content through i-Class during the class session or outside of the classroom. The access given for i-Class can be used both internally and externally which the students also can allow themselves to access i-Class at home or not during teaching and learning session. Only one (1%) respondent does not read the content for the respective subjects. Most of respondents (66%) are sometimes doing the activity and probably they are restricting themselves to other activities.

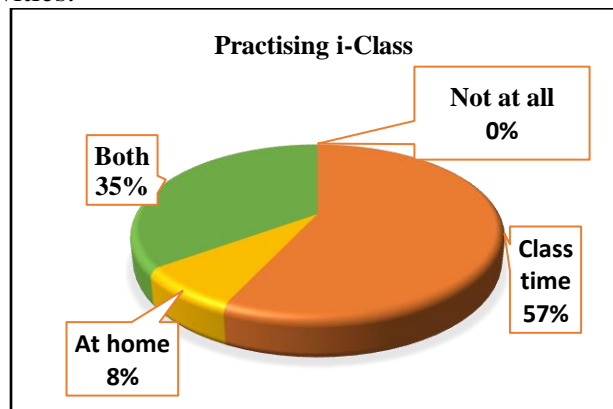


Figure 4: Percentage on the Frequency of Practising I-Class

Figure 4 determines the percentage on the frequency of respondents in practising i-Class. It shows that most of the respondents (57%) are willingly to practice their i-Class system during the class time as they are easily accessed the system that well equipped by school. There are 8% (N=8) of respondents who comfortably practiced the i-Class system at home due to cosy space and atmosphere. While, 35% (N=35) of them prefer practising both at home and during class time as a continuity learning.

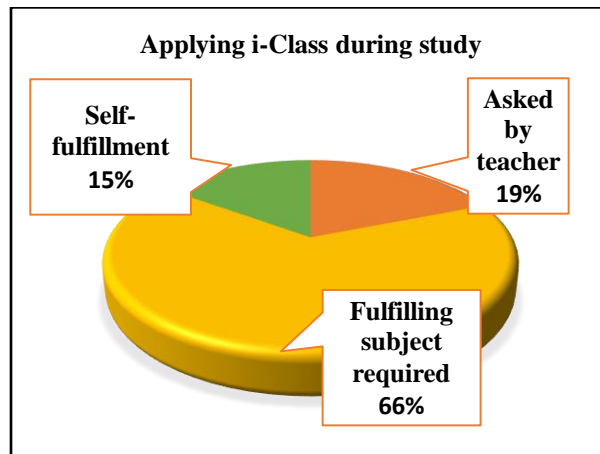


Figure 5: Percentage on the Applying I-Class during Study

Since the most respondents are practising and accessing i-Class during class time and at home, Figure 5 explains the percentage of the respondents who favour in applying i-Class during their study throughout the year of studies. It shows that most of the respondents (66%) are having their reason of why they are applying i-Class. This is due to fulfilling the subject required which it is compulsory for the respondents to access the i-Class for at least once a week during the lesson period. There are 19 (19%) respondents who apply the i-Class when only they are asked by their respective teacher. However, 15% (N=15) of respondents perceive that the reason of applying i-Class is only for their self-fulfillment as to meet the requirement of the school and their teachers' needs.

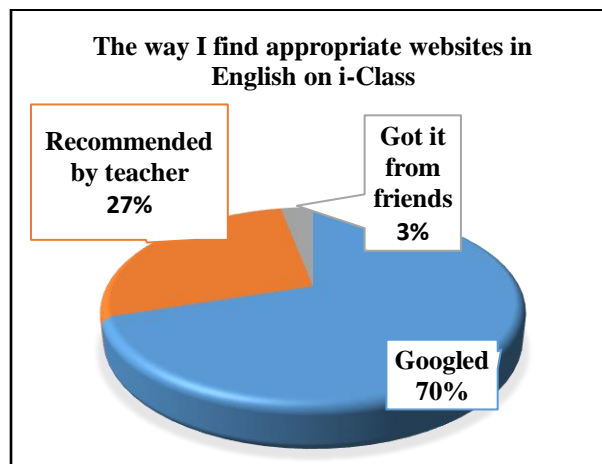


Figure 6: Percentage on the Appropriate Websites in English Searched On I-Class

Figure 6 indicates the percentage on the appropriate websites in English that searched by respondents on i-Class. Basically, the content of the respective subject especially English language can be varied and it is not specifically focused on the given syllabus and chapters in the textbook. Most of the respondents (70%) are comfortably searching the contents in the websites by using Google search engine that the link is provided in the i-Class system. There are 27 (27%) of them are normally recommended by their respective teacher to look at the appropriate websites that they



can relate the content with the syllabus and activities that given. While, only 3% (N=3) of them are asking friends to get help or just a matter of following whatever their friends found at first.

Conclusion

What is i-Class? The Interactive Classroom Response System (i-Class) supports most popular mobile devices, such as Android Phone, iPhone, iPad, iPod touch and embedded buttons (in this case is Chromebook or notebook) in a classroom, to provide a convenient, secure, user-friendly and effective way to enable interactivity in a class. This system enables the enhancement of assessment, IT in the curriculum and learning experience in the new curriculum.

The i-Class represents an important, growing trend in the application of technology to facilitate student learning—especially in schools where programs and curricula must evolve to meet the changing needs of a competitive global economy (Richardson, 2003). The study presented here focuses on students' perceptions of implementation of i-Class in classroom. The findings provide important insight about users' perceptions of i-Class and raise practical considerations for its implementation. It shows that most all of the students are positive with the use of i-Class in their learning sessions. The sessions also intrigue the students to learn more in interactive way and it may expand the knowledge substantially rather than using the conventional textbook. The exposure of new technology especially to primary schools students who live in rural might be complicated for them to apply. But, with the support and consecutively training throughout the years, the usage of i-Class has accustomed the students to apply successfully. The limitation and the drawbacks may cause the system to hold such as the system must be consistently upgraded and failing to update will lead to malfunction and the process of learning through i-Class cannot be made. It leads the schools to apply the conventional method of teaching and learning through textbook again.

The existence of i-Class among the school children requires school administrations, teachers, parents, and system developers to think how to adapt themselves in using i-Class. The i-Class is alternative authentic materials that will not replace print books in the near future but, it will definitely be used to complement print books. In classrooms, teachers and students will start to value the convenience and accessibility of i-Class. Teachers can expand i-Class usage among a large number of school children through creating awareness of i-Class usability. Parents, too, will be exposed to the latest development in education technology.

Therefore, this study provides clues in how i-Class components and strategies might be implemented to enhance teaching and learning in the 21st century learning, specifically as we work to engage students actively in learning, to provide real-world contexts for learning, and to promote critical thinking and deep learning.

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RELATIONSHIP BETWEEN ATTITUDE AND INTENTION TO USE INFORMATION COMMUNICATION TECHNOLOGY IN SELF-DIRECTED PROFESSIONAL DEVELOPMENT

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Abstract: *The Malaysian government is very concerned about the Teachers Professional Development (TPD). Since Self-Directed Teacher Professional Development (SdTPD) is more appropriate for teachers personally to create their own professional development goals and take the necessary steps to achieve that goal (Gaible & Burns, 2005; Villegas-Reimers, 2003) so teachers are encouraged to use this model for their professional development. Today, the use of technology is very helpful in many areas including for SdTPD. However, its use is not very broad, there is a need to understand the attitude of the teacher regarding the use of Information Communication Technology (ICT) as SdTPD tools from the perspective of the Technology Acceptance Model. The purpose of this study is to further understand the attitude of teachers in using ICT as SdTPD tools. The model is based on the Technology Acceptance Model. The study aims to analyze the relationship between teacher's intention to use (ITU) ICT as SdTPD tools with two popular antecedents (perceived ease of use (PEOU) and perceived usefulness (PU)) and attitude (ATT). Through the survey method, a total of 524 teachers were selected to answer the questionnaire provided. Random sampling was used to make the selection of participants. All participants involved have given their consent during a briefing so that no ethical issues arise. The results show that teachers' attitude is an important predictor of teacher intentions to use ICT as SdTPD tools. Contributing to the intention to use ICT as SdTPD tools is the attitude of the teacher itself. The results of this study are expected to provide input to improve and guide the efforts to increase the use of ICT as SdTPD tools. Hopefully it will provide benefits according to the needs of teachers.*

Keywords: *Attitude; Intention to use; self-directed teacher professional development; Technology Acceptance Model*

Introduction

Nowadays, the use of Information Communication Technology (ICT) is very thriving in various fields. The government has provided many infrastructures for the use of ICT especially for education. Therefore professional development (PD) for teacher also involved in using ICT. For the implementation of self-directed teacher professional development (SdTPD), teachers need only to use the provided infrastructure. Hopefully the use of technology in teaching and learning is the



most appropriate and wise decision made by the teacher to implement PD (Lawless and Pellegrino, 2007; Blanchard, LePrevost, Tolin and Gutierrez, 2016). Transition in TPD is necessary to give teachers the impression and choice for self-development. SdTPD is very suitable for use now because there are various ways and networks that teachers can use during the information age. With the help of technology, supervision by the superior is easier to do. Discussions with colleagues are not as complicated as ever. Transmitting information or whatever material is just a click away. Therefore, the integration of technology in the education and perceptions of teachers, attitudes and intentions to use ICT in TPD has become very important to be judged (Ozdamli & Uzunboylu, 2014). To fill in the research gap, this study will explore the intention of the teacher to use ICT as SdTPD tools related to attitude based on the Technology Acceptance Model.

Literature Review

TPD Common Models

There is an excessive quantity of TPD models. After doing the research, the models can be arranged according to some of the main key characteristics. There are three general models of widespread TPD known as standardized TPD programs, school-centered TPD, and individual or self-directed TPD (Gable and Burns, 2005; Hooker, 2008). All the models mentioned have its own beneficial quality and limitations. Due to the unique elements inherent in each model, it is important to choose the type of TPD that suits the needs of the target group. In particular, Irshad (2010)'s review of Page and Getz (1997)

Standardized TPD Programs

Most TPD programs run for teachers are included in the STDP model group (Gaible and Burns, 2005). It usually involves speakers or facilitators delivering new knowledge or specific teaching strategies to a large group of educators in the context of training sessions workshops, or conferences. With the proper implementation of this model it can give a good impression. The impact of STDP can be divided into three parts: 1) to introduce the latest concepts and procedures to teachers as well as to provide opportunities for teachers to collaborate with friends, 2) to distribute strategies and skills to teachers in designated areas, and 3) To clearly state a particular new or old policy. Often this approach is delivered by giving training to a group of educators selected. This group after completion of the training will return to their school and perform the same training. This exercise is carried out to achieve the target group. This approach is known as cascade model (Hayes, 2000; Gaible & Burns, 2005). Using this method, it has the potential to target large groups in a short time. In addition, it can utilize existing staff as trainees as well as reduce the use of financial resources (Gilpin, 1997). This is widely implemented by organizations that seek to implement massive changes. STPD has been criticized for not affecting the teaching strategy, but it is more than just the latest style. Among the criticisms include: 1) Workshops are conducted for one-time events only and have no effect on long-term (Ball & Cohen, 1999; Grossman, Wineburg, & Woolworth, 2001); 2) the program does not provide follow-up programs and implementation is weak (Gaible & Burns, 2005); 3) Expertise is only available at the initial stage of TPD. The more it moves downhill and the likelihood that the expertise is lost (Gilpin, 1997; Hayes, 2000); and (4) standardized training is not suitable for some schools as there are schools with their own needs (Gaible & Burns, 2005). For successful STPD programs, especially



those using the cascade model, the following conditions need to be met: 1) non-passive training and must be reflective and experiential; 2) the training must be contextualized so it is necessary to be flexible; 3) expert knowledge must be spread across all existing levels; 4) when developing materials for training, assessment of stakeholders must be made; and 5) division of tasks must be equal in the cascade levels (Hayes, 2000).

School-Centered TPD Programs (ScTPD)

Promote communities of practice is the main focus of school-centered TPD (Lave & Wenger, 1991). ScTPD aims to use new teaching strategies or solve specific problems for this situation. ScTPD is usually a long-term solution, where its emphasis lies in mastery learning maintained by Bloom (1968). Some of the benefits of its use: 1) it brings together a group of people to address local issues for a certain period of time; 2) it promotes individual inventiveness and solves problems together; 3) it produces more continuous, concentrated and accommodative training than other models; and 4) it creates a consistent chance for professional development in smaller educator groups (Gaible & Burns, 2005). Although ScTPD has many advantages, there are some things that are not good about it. The idea of ScTPD is derived from an industrial model based on the classic work of Coch and French (1948). factory worker satisfaction has increased as their job roles change. However, productivity is not the same when compared to job satisfaction (Conway and Calzi, 1996). In addition, factory workers are different from teachers in terms of their responsibilities and working environment. So even if the model predicts when educators gather and talk about an issue will produce a good effect, the reality is that this does not happen. It just might just be a starting point (Holloway, 2000; Guskey, 2011). The most important limitation in this model is time. Since ScTPD feels at certain times but requires a lot of energy for its supply then it is said to be worthless (Gaible & Burns, 2005). There are some schools in the area far from trained facilitators, so schools only use facilitators who have less expertise as needed. But if the school can provide ScTPD, it will certainly produce a new innovation in terms of strategy and practice of school administrators. ScTPD is said to be unique because it can be used as an extension or accountability measure to the STPD program (Gaible & Burns, page 22). For example if a new teaching strategy has been introduced to a group of teachers, SCTPD can be used to create follow-up programs such as the complexity of the issues, the support of the facilitator in addressing local issues and the implementation of innovation.

Self-Directed TPD Programs (SdTPD)

SdTPD involves teachers personally to create their own professional development goals and take whatever steps are necessary to achieve that goal (Gaible & Burns, 2005; Villegas-Reimers, 2003). Due to the nature of individualized nature in SdTPD, teachers can choose their own way of learning, either taking university courses, attending workshops, or simply watching video samples. For some teachers, they are more comfortable with the advice of friends who have expertise in subject or self-directed classes taught by their expert peers (Gaible & Burns, 2005). The role of the administrator here is to guide, support, and provide feedback to get the planned objectives (Gaible & Burns, 2005; Villegas-Reimers, 2003). If we look at this model in terms of the features available on the effective TPD then it clearly shows no relationship between the teacher and other colleagues or TPD providers. However, these shortcomings can be overcome by "tuning protocols". This strategy was created by David Allen and Joseph McDonald. Through this strategy



the teacher will present the SdTPD idea and ask for constructive feedback from other colleagues (Easton, 1999). Due to the SdTPD 's assumption that teachers should be self-motivated to pursue their own development as educators, new teachers will face some problems. This is because most new teachers have basic teaching skills and have not mastered the content (Gaible & Burns, 2005). SdTPD is more suitable for senior teachers who are intrinsically motivated to sharpen and advance their skills. SdTPD is also offered in addition to the form of STPD and ScTPD and not as a single source (Gaible & Burns, 2005).

ICT Impact on Professional Development

Professional environments have the potential to change to more effectively with the technology (Gaible and Burns, 2005). Teachers can collaborate with colleagues and make planning and research using computer and others technology devices (Nussbaum et al., 2009). In this way the teacher is able to improve the SdTPD. Impacts by technology not only in the teaching and learning process in the classroom (Hew and Brush, 2007). But also in the opportunities and ways the educators learn and improve themselves (Baylor and Ritchie, 2002). Technology affects two important aspects of professional education development. First, how to train potential teachers (pre-service) and the second is how to plan continuing professional development for existing teachers (in-service) (Russell, Bebell, O'Dwyer and O'Connor, 2003; Teo, 2015). Teacher training institutions produce new teachers at primary level. While the university produce new teachers at secondary level and provide masters or postgraduate training and has an active role in teacher professional development. Most members of the learning community are teachers. Teachers usually learn from colleagues. They exchange views and opinions in solving problems or other things that are necessary. This is the way indirectly the teacher learns. However, job constraints cause regular sharing among teachers to be difficult (Day, 2002). Fortunately, the problem of maintaining cooperation between teachers can be reduced by the availability of technology (Mumtaz, 2000). Various exercises for using technology have been provided. Some even learn in cyberspace.

Technology Acceptance Model

Theory Reason Action (TRA) is the basis of classical TAM. This model uses the system as a behavior and was proposed by Davis in 1985. The Technology Acceptance Model (TAM) proposed by Davis (1986) is well-known as one of the models relating to the adoption and acceptance of technology. The Subjective Norms (SN) as factor in TRA, has been neglected while Attitude (ATT) has been the main factor. Then two factors namely Perceived Usefulness (PU) and Perceived Ease of Use (PEOU) are added as another main factors. Furthermore, the intention to use this technology is regarded as a function of attitudes and perceived usefulness towards the use of technology in TAM (Davis 1989,1993; Davis et. al., 1989). The diagram figure 1 below shown the Technology Acceptance Model (TAM).

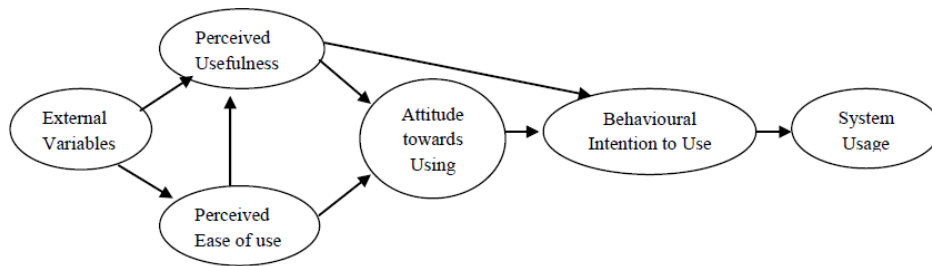


Figure 1: Technology Acceptance Model (Davis et al., 1989)

Extensive use of TAM by researchers to predict BI in using software such as tools for software development, business application and office automation (Legris et al., 2003). In addition to the use of technology in the organization, TAM is also applicable in the context of general use of technology (Davis et al., 1989). Additionally, TAM has been used in a variety of technologies such as email, voice mail, software and the World Wide Web (Venkatesh et al., 2003; Taylor & Todd, 1995a; Mathieson, 1991; Lederer et al., 2000; Adams et al., 1992; Davis et al., 1989). It is easier to predicting the intention with this model. (Agarwal & Prasad, 1999). In addition, TAM is relatively stable and robust and can be used for various technologies (Venkatesh & Davis, 2000). Empirical support was given in the last study. Similarly, substantial attention and support to the use of TAM models in various technologies and environments.

Behavioural Intention to Use (ITU)

The closest predictor of the behaviour adalah intention (Ajzen, 2005). Intention to use has been the focus of many previous studies as well as many researchers linking intent to use with the context of the study they have studied. Fishbein and Ajzen (1975) generally define intention to use as “the strength of one's intention to perform a specified behaviour”. In theory reasoned action (TRA), Fishbein and Ajzen (1975) have begun to highlight ideas regarding behavioral intention to use. TRA describes how behavioral intentions can be attributed to motivational factors that influence attitudes and how much effort a person will do for that behavior. The TRA model assigns behavioral intention as an antecedent to individual's performance and is a behavior that becomes the probability of generating more specific behavior. (Ajzen, 1985; Ajzen & Fishbein, 1980).

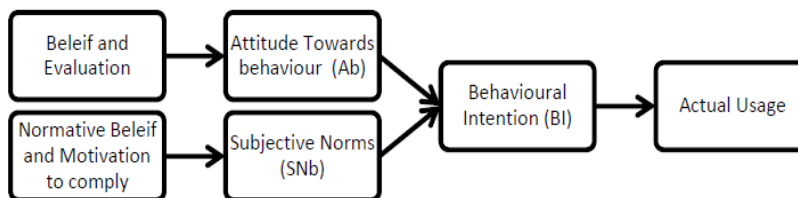


Figure 1: The Theory of Reasoned Action (TRA)

Theory Planned Behavior (TPB) is one of the examples based on intention-based model. This model views behavioural intention predicted by subjective norm, attitude and perceived behavioral control determines the intention of a individual's behavior. This model also suggests that immediate antecedent of behavior is intentions (Ajzen, 2002). In various domains, intention is said

to be a predictor of behavior. This has been widely proven psychologically (Ajzen, 1991; Ajzen & Madden, 1986). Intention is also said to be a predictor in the study which involves information systems, in particular to the use of technology. (e.g. Davis, Bagozzi, & Warshaw, 1989; Taylor & Todd, 1995; Venkatesh & Davis, 2000). Behavioral intention is the most suitable predictor to determine the actual use. This can be seen through the TAM and TRA models (Ajzen & Fishbein, 1980; Davis et al., 1989) which have also been recognized in many previous studies on this subject (e.g. Davis et al., 1989; Pedersen, 2005; Lu, Zhou, & Wang, 2009; Sek et al., 2010; Shih & Fang, 2004; Kim, Shin & Lee, 2009).

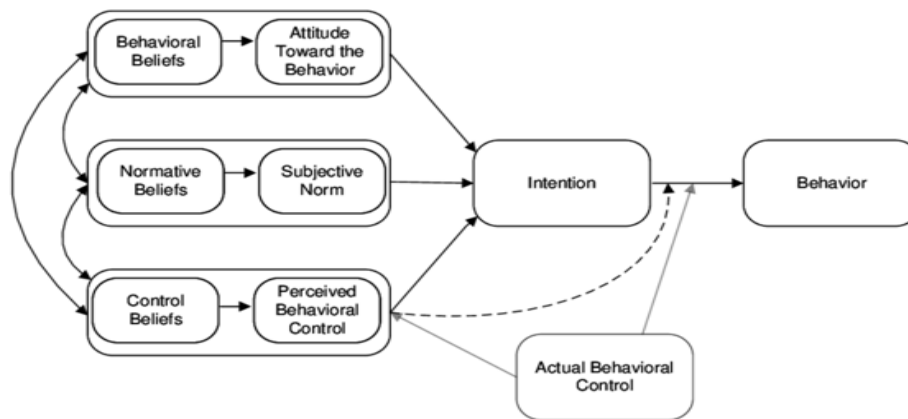


Figure 1: Theory Planned Behavior (TPB)

Attitude towards using ICT Tools

Experts in the field of psychology recognize that social structure is important in maintaining the various components of society. But in their view, attitude must be changed first if you want to change behavior. (Dollard, 1949; Krech & Crutchfield, 1948; Kutner, Wilkins, & Yarrow, 1970; Lewin, 1999; Anable, Lane & Kelay, 2006; Clayton et al., 2015) In general, the attitude is referred to as an individual's evaluation of a particular behavior regardless of whether a positive evaluation or a negative evaluation. In technology, attitude refers to individual positive or negative evaluation of the use of technology. (Davis 1989; Davis et al., 1989). An individuals who have a positive attitude towards behavior will be easier to have the intention to do that behavior (Ajzen, 1991). In a study conducted in Malaysia on the use of technology using TAM (Ahmed et al, 2011; Malathi and Rohani, 2011) found positive attitude and TAM constructs (PU and PEOU) had a significant effect on intention to use and attitude toward technology. However, most studies only focus on the students of higher education. Only a few studies involve the attitude of teachers for the use of their professional development.

Methodology

This quantitative study uses a random sampling method on 524 teachers in Peninsular Malaysia. The survey was conducted using a questionnaire instrument to collect data. TAM constructs are used as references to generate questionnaire. This includes respondent's profile and perceptions on ICT as SdTPD tools such as ease of use, attitude, usefulness and intention to use ICT as SdTPD tools by using seven-point Likert scale measurement. Respondents were briefed before responding to the questionnaire. The briefing is intended to provide the basic information necessary only. The

consent of the participants was also taken to ensure that this study did not violate the ethics that should be followed during the study period. The time given to answer the questionnaire is 15 minutes only. Data analysis is carried out using SPSS 22.0 including frequency, correlation and regression.

Findings

Based on respondents profiles in Table 1, frequency analysis was run. This is done to get the distribution of the respondents. In terms of gender, 66% of the respondents were female. This is more than half of respondents. In general, female teachers are more than male teachers. This is the reason why the percentage of female teachers is higher. Majority of the respondents were in the age group of 41-50 years (39.1%), followed by age group of 31-40 years (35.9%), age group of 51 years and above (14.9%) and the least was the age group of Less than 31 years (10.1%). Since the respondents are teachers in primary school, their current education was in diploma or degree level which accounts 69.1% for degree level and 21.8% for diploma level respectively. For Master Degree level is 8% and PhD level is 0.2%. In terms of their teaching experience, more than 20 years experience (26.9%), 16 – 20 years experience (20.4%), 11 – 15 years experience (20.2%), 5 – 10 years experience (22.5%) and less than 5 years (9.9%) .

Table 1: The Respondents Profile

Demographic Variables		Frequency	Percent
Gender	male	178	34.0
	female	346	66.0
Age Group	Less than 31 years	53	10.1
	31-40 years	188	35.9
	41-50 years	205	39.1
	51 years and above	78	14.9
Qualification	Cert	5	1.0
	Diploma	114	21.8
	Bachelor Degree	362	69.1
	Master Degree	42	8.0
	PhD	1	.2
Teaching Experience	Less than 5 years	52	9.9
	5 – 10 years	118	22.5
	11 – 15 years	106	20.2
	16 – 20 years	107	20.4
	More than 20 years	141	26.9

Table 2: Pearson Correlations

Correlations		PEOU	PU	ATT
	Pearson Correlation	.507**	.292**	.650**
ITU	Sig. (2-tailed)	.000	.000	.000
	N	524	524	524

** . Correlation is significant at the 0.01 level (2-tailed).

The results show that every pairs of the variables are significantly correlated at the 0.01 level of significant.

Table 3: Regression Analysis

Coefficients^a

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.	
	B	Std. Error	Beta			
1	(Constant)	1.319	.197		6.677	.000
	PEOU	.199	.025	.299	7.922	.000
	PU	-.022	.022	-.036	-.996	.320
	ATT	.604	.039	.537	15.320	.000

a. Dependent Variable: ITU

Let's focus on the three predictors, whether they are statistically significant and, if so, the direction of the relationship. The average perceived ease of use (PEOU, $\beta=.199$) is significant ($p=0.000$). Next, the effect of perceived usefulness ($\beta=-0.022$, $p=.320$) seems to be unrelated to academic performance. This would seem to indicate that the percentage of ICT usefulness is not an important factor in predicting Intention to use -- this result was somewhat unexpected. Finally, the percentage of attitude (ATT, $\beta=0.604$, $p=.000$) is significant and its coefficient is indicating that the greater the proportion teachers attitude, the greater the Intention to use. Please note that value of $\beta =.604$. The results indicate that they have a positive relationship with each other.

Discussion

The findings of this study demonstrate that attitude plays a significant role in persuading the teachers' intention to use ICT as SdTPD tools. Many previous studies on attitude and intention to use ICT support this decision. Most of the studies agree that attitude is an important component of determining intention to use technology (Legris, Ingham and Collette, 2003; Teo, 2011; Pynoo et al., 2012). It is found that positive attitudes are important to encourage one to learn anything (Gardner and Miller, 1999). Unpredictable result in this study is that when perceived usefulness were not significant predictors in influencing the intention to use ICT as SdTPD tools. This situation may be because teachers feel they are familiar and have knowledge of the ICT as SdTPD tools. Teachers feel that technology is not new for them even though they lack or do not use ICT as SdTPD tools.

Conclusion

In conclusion, attitude become the most significant one followed by perception of ease of use, and the perception of usefulness not so important. By understanding the strong predictors of teachers' intention to use ICT as SdTPD tools it can help teachers to provide the appropriate program for the successful use of ICT as SdTPD tools. It is important for teachers to ensure ICT as SdTPD tools are beneficial and successful.

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SHARIAH NON-COMPLIANCE RISKS IN SHARED AND OUTSOURCED SERVICES OF TAKAFUL OPERATORS

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Abstract: *Shared and outsourced services have been generally allowed by the regulator (Bank Negara Malaysia, BNM) for commercial expediency and enhanced competitiveness of takaful companies in Malaysia. While these objectives are acceptable, the requirement for takaful operators to be Shariah-compliant end to end is paramount. This study therefore aims to look at the processes involved to see whether there are any forms of Shariah non-compliance that needs to be mitigated. It uses qualitative approach through content analysis and interviews. In general, most of the processes are found to converge towards Shariah compliance. Findings from the study show that there are some Shariah non-compliance risks that could arise out of the shared or outsourced services. Firstly, there is a risk of non-compliance in the sharing of key persons who need to oversee both entities (takaful and insurance). Secondly, there could also be risks in the structure of promoting products through the same office or branches which could also lead to reputational risks. Several parameters are suggested to assist risk identification and mitigation processes in the shared or outsourced functions.*

Keywords: *Shared/outsourced services, Maqasid al-Shariah, takaful*

Introduction

Takaful in essence brings a group of people together in helping each other to face the occurrence of unexpected or unwanted events. Such will rarely happen to everyone in the group. Therefore, the fund having been pooled together will serve as a cushion for the minority who face any odd circumstances. Unlike conventional insurance, *takaful* is not a mere contract between the policyholder and the insurance company. In conventional insurance, policyholders will only pay premiums individually while not affecting other policyholders. *Takaful*, however, is somewhat a consensus of among policyholders to help one another when facing unwanted events such as accidents or injuries. This is much upheld by the *Shariah* and is among the reasons why *takaful* is not prohibited (*haram*).

In a clearer sense, the difference between *takaful* and conventional insurance lies in the existence of the elements of *al-riba*, *al-maysir*, and *al-gharar* (Syed Othman & Shaikh Hamzah, 2009). *Riba* is present in the form of returns from investments made by the insurance companies. *Maysir* or

gambling occurs when a policyholder takes a chance in protecting himself and pays a premium depending on whether or not a risk materializes. If it does, the amount he pays may be much less than the compensation he receives. This is clearly prohibited by *Shariah*. The third element, which is *al-gharar* or ambiguity, also occurs with games of chance as it creates no certainty in the outcome of a contract and may cause injustice to either party. Since these elements make a contract void from the perspective of *Shariah*, *takaful* operators have to conduct their business by avoiding them.

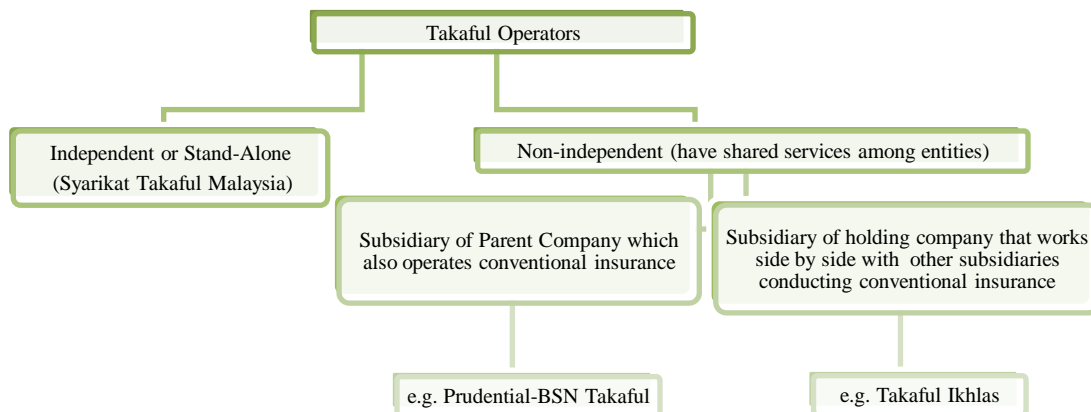
For these reasons, *takaful* has come up with the principle of *ta'awun* and *tabarru'*. From the Quranic injunction of Surah al-Maidah verse 5, *ta'awun*, which is to help one another in righteousness and piety, enables policyholders to come together as a group. Each of them contributes in the form of donation or *tabarru'* to the fund as a compensation to anyone from the group who faces an unfortunate event. Ultimately, these two important concepts have opened the way to *takaful* operators to avoid the prohibited elements and avoid the act of 'selling' the policy.

Organizational Structure of Takaful Companies

Malaysia, being an influential Islamic financial hub, was the first to implement a regulation specific to *Takaful* (*Takaful Act 1984*) and has since, required that a *takaful* company to operate as a dedicated subsidiary. Although BNM has a fairly strict approach in not allowing window operations for *takaful* (Frenz & Soualhi, 2010), operations of shared services are given less attention and are still allowed to cater for the competition the industry faces with its conventional counterpart. This needs further scrutinization in order to make sure that each activity of the operator is *Shariah* compliant but will need the application of *Maqasid al-Shariah* to be able to balance out the benefits and the risks.

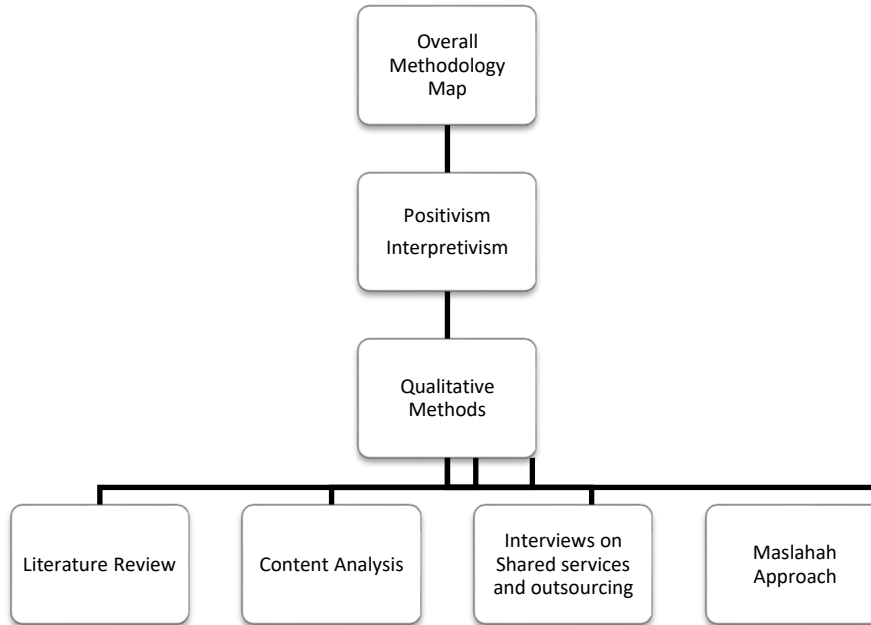
Currently, eleven (11) *takaful* companies are in operation in Malaysia, of which only one (1) company, i.e. Syarikat Takaful Malaysia, is not part of any other company or parent company that operates under the conventional system. All the other ten companies either operate as (i) subsidiaries of a parent company which functions as a conventional entity; or (ii) side by side with a subsidiary that operates as a conventional insurance company. This is portrayed in Figure 2 below:

Figure 2: Classification of Takaful Operators



Conceptual Framework and Methodology

Figure 3: Conceptual Framework for Methodology



Referring to Figure 3 above, the current study adopts an analysis through a qualitative method. The qualitative approach is important in achieving the answers to part of the study which is attained from several interviews and content analysis of existing literature.

Sample

The sampling strategy adopted the judgment or purposive sampling. According to Saunders et al. (2009), purposive sampling allows researchers to use their judgment in selecting cases that best meet their research objectives. This is most applied in small samples such as case study research and where particularly informative and rich facts are required. Additionally, Marshal indicates that this method “actively selects the interviewees that could provide the most comprehensive or productive answers to the interview questions” (as quoted in Seng Kiong, 2014). Furthermore, the literature on Islamic financial industry specific on this area is considered very specialized in nature, leading to the need for beneficial information from experts in the field. It is generally viewed that such strategy does not allow for generalizations or is said to be not representative of the population; however, the overall objective of the research is not intended to do so. The sample for the study in general includes a total of eight (8) *takaful* operators.

Interviews

The interview questions are semi-structured and open-ended to allow room for a broader discussion on shared services and outsourcing, since there are a very limited number of studies in this topic. The interviewees consist of nine professionals either holding a CEO, *Shariah*, or other executive positions who have worked or currently working with *takaful* or insurance companies.



The interviews lasted from 30 minutes to 60 minutes and were structured through a set of themes following Strauss and Corbin (1990) and also include ideas from secondary data.

Maslahah Approach

The study also adopts the *maqasid* approach in arriving at the framework for decision-making. The specific method has been adapted from Hasan & Asutay (2010) where *maslahah* is used in stakeholder management for IFIs. The process from this approach involves the identification of *maslahah* (benefits) and *mafsadah* (risks). In general, the formula in applying such method is identified below:

Where M = *maslahah* and F = *mafsadah*.

Maslahah is considered the core element of *Maqasid al-Shariah* and is defined as the utmost righteousness and goodness; Its antonym, *mafsadah*, literally means something harmful or destructive (Shaharuddin, 2010).

Discussion of Findings

Shared/Outsourced Services in Takaful Operators

Based on the literature review, content analysis and interviews, information on *takaful* operators' organizational structures are summarized in table 4.1a

Table 4.1a: *Takaful* Operators Involved in Current Study

Company / <i>Takaful</i> Operator	Ownership (Malaysian or Foreign)	With Interview
A	Malaysian (shared services)	Yes
B	Foreign (shared services)	Yes
C	Foreign (more to outsource)	Yes
D	Malaysian (shared services)	Yes
E	Malaysian (more to outsource)	Yes
F	Malaysian (shared services)	No
G	Malaysian (more to outsource)	Yes
H	Malaysian	No

From the general information obtained from the research only one company is considered as providing a truly full-fledged Islamic insurance service. The other ten operators are a form of subsidiary of a parent company offering conventional services including conventional reinsurance. Some of the responses from the interviews highlighted below also provide insights into the areas which are shared or outsourced among the two entities (*takaful* and insurance):

“Most of them are still shared; ...human resources, training, new business, underwriting...”

“We still depend on the conventional for underwriting and actuarial functions”



“Yes, the IT functions too”

“We are not generally using shared services, we outsource most of the functions to the conventional side; for example risk management and compliance”

“General policies are still centralized therefore HR rules and regulations follow the parent or HQ policies”

Table 4.1b summarizes the general functions of different departments in presenting the findings. They are basically divided into five categories and further expanded to the processes involved.

Table 4.1b: *Takaful* Operators’ Shared or Outsourced Functions and Processes

Services/Dimensions	Subcategories
Finance	<ul style="list-style-type: none"> • Contribution Payment • Claims Settlement • Fund Management / Investments
Operations	<ul style="list-style-type: none"> • Product Development • New business and Underwriting • Agency Management • Customer Services • Policy Maintenance and Collections • Audit, Compliance and Risk Management • <i>Retakaful</i> and Reinsurance
Marketing	<ul style="list-style-type: none"> • Corporate Business and Communication • Business Development • <i>Bancatakaful</i> • Branding and Advertising
Human Resources	<ul style="list-style-type: none"> • Key Management Positions • Recruitment Process • Training of Employees • Payroll
Information Technology	<ul style="list-style-type: none"> • Collecting and Storing of information • Website and Online Information • Creating appropriate network for organizing mailing advertisements • Producing policies and other related documents

The list is a general perspective of the services shared or outsourced by one or more operators. Basically the functions are shared or outsourced at two levels, which are (1) Group level and (2) Entity level.

At the group level, there are various functions carried out for the benefit of the whole group including subsidiaries. This is divided into certain categories like the Chief Executive Officer’s (CEO) office, corporate planning, risk and compliance and the shared services and outsourcing (SSO) function heads. The study finds that with regards to the CEOs, all operators have their own CEO to oversee the *takaful* side of activities. However, in terms of corporate planning, risk and compliance and the SSO function heads, there is a particular sharing of resources among the group.



For example, the risk and compliance function involve risk management and governance activities which are held by the same persons under the Board of Directors (BoD) and committee. The BoD's and the committee's scope of functions covers both conventional and *takaful* activities.

Shariah Non-Compliance in Shared/Outsourced Services

It is necessary to mention that the current research does not intend to put a definite rule or *hukm* on such processes involved in *takaful* operators. Nevertheless, it tries to promote thorough *Shariah* compliance through all processes including core and supporting functions to be in line with the recent requirements by IFSA 2013. From the findings in the previous section, the researcher uses the *Maqasid al-Shariah* approach in order to reach a conclusion on the ruling of such processes based on the understanding and experience in such shared or outsourced functions.

The findings have indicated that the SSO functions are seen at two levels; the group and entity levels. In either category, functions discussed are not free from potential *Shariah* non-compliance risks. In the corporate planning function, since officers have to work together in implementing projects and future developments, they are not able to avoid in discussing matters related to the conventional counterpart. The potential risk is that they are hired by the *takaful* operator but may be assigned to perform specific conventional activities. This is similar to the SSO function heads as they become responsible towards both employees and undertakings of the two entities (*takaful* and insurance). The more prevalent *Shariah* non-compliance risk is potentially seen from the risk and compliance function. Possible poor communication between management and *Shariah* committee (SC) on issues arising may lead to non-compliance risks. The risk and compliance function discussed may only be general and refer to mitigation measures but it may fail to include issues related to *Shariah* on the group level. In addition, other potential risks include possibility of irregular *Shariah* review function and absence of *Shariah* research function to have an in depth analysis before submitting any issues to the SC. Furthermore, the lack of management on SC's interest and remuneration will possibly distant the management and *Shariah* function which finally may miss out on specific issues that fail to be addressed.

At the entity level, the various functions involved may also pose *Shariah* risks to the *takaful* operator. Risks at both entity levels are summarized in table 4.2.



Table 4.2: SSO functions and areas of *Shariah* non-compliance risks at two levels

<u>Group Level</u>		
Shared / Outsourced Arrangements		Identified sources of <i>Shariah</i> Non-Compliance Risks
Corporate Planning		<ul style="list-style-type: none"> The officer hired by <i>takaful</i> operator may perform conventional insurance activities
Risk & Compliance		<ul style="list-style-type: none"> Poor communication between management and <i>Shariah</i> committee may lead to <i>Shariah</i> non-compliance risks Failure to escalate <i>Shariah</i> non-compliance issues to <i>Shariah</i> committee Irregular <i>Shariah</i> review functions of operations Absence of <i>Shariah</i> research functions to conduct in depth <i>Shariah</i> research before submission to the <i>Shariah</i> committee Lack of management of the <i>Shariah</i> committee's interest and welfare, including remuneration
Shared/Outsourced Service Function Heads (Key Management Person)		<ul style="list-style-type: none"> The officer hired by <i>takaful</i> operator may perform conventional insurance activities May raise public confusion and negative perception on <i>takaful</i> operator Lack of management of <i>Shariah</i> Committees' interest and welfare including remuneration which in turn may cause problems in attracting <i>Shariah</i> scholars
<u>Entity Level</u>		
Shared / Outsourced Arrangements	Processes	Identified sources of <i>Shariah</i> Non-Compliance Risks
Finance	Fund management / Investment	<ul style="list-style-type: none"> Poor controls may result in <i>Shariah</i> non-compliant investment funds Poor controls may result in commingling of <i>Shariah</i> and conventional income Investment staff failure to monitor investment subsequently identified as non-compliant
Operations	Agency Management Actuarial / Underwriting	<ul style="list-style-type: none"> Agents under the <i>takaful</i> operator payroll system may be involved in conventional activities Failure to address specific underwriting measures to <i>Shariah</i> committee New product approval guidelines not approved by <i>Shariah</i> committee Failure to ensure pricing of product is in accordance with <i>Shariah</i>



Marketing	Branding/ Advertising Bancatakaful	<ul style="list-style-type: none"> • Bundling of conventional and Islamic products • Improper or wrong usage of terminology and definition • Failure to address <i>Shariah</i> non-compliant marketing issues to <i>Shariah</i> committee • <i>Shariah</i> non-compliant marketing material may result in wrong perception to the public • Same brand promoting both conventional and insurance may result in poor perception of public and raise confusion • Bundling of conventional products with Islamic products • Corporate image or public confusion with regards to availability of products through conventional branches
Human Resources	Recruitment/ Training	<ul style="list-style-type: none"> • Payroll under <i>takaful</i> operator may be positioned under conventional activities • Training provided under <i>takaful</i> operator expenses may end up providing conventional services • Training events may include non-permissible entertainment
Information Technology (IT)		<ul style="list-style-type: none"> • Inability of system to cater for specific <i>Shariah</i> features

In relation to the repercussions that may result from non-compliance risks, it is essential for the *takaful* industry to prepare for events that may occur at any time. When it suddenly hits and the operator does not have any measures to mitigate the risk to convince their customers, it could turn to be a more serious issue to be addressed. The shared and outsourced services can be either done through the following framework, with decreasing degree of *Shariah* non-compliance risk occurring.

- 1) Outsourced to conventional entity outside the group (Potential high risk)
- 2) Outsourced to conventional entity within group (Potential moderate risk)
- 3) Outsourced to *Shariah*-compliant entity outside group (Potential less risk)
- 4) Outsourced to *Shariah*-compliant entity within group (Potential minimum risk)

In terms of the risks, table 4.3a shows the level of risks with respect to their weights.

Table 4.3a: Types of Outsourcing Level of Risk and Weightage

	Type of Outsourcing	Level of risk	Weightage of risk (out of 4)
1.	Outsourced to conventional entity outside the group	Potential high risk	4
2.	Outsourced to conventional entity within the group	Potential moderate risk	3
3.	Outsourced to <i>Shariah</i> -compliant entity outside the group	Potential less risk	2
4.	Outsourced to <i>Shariah</i> -compliant entity within the group	Potential minimum risk	1

Options 1 and 2 above are considered high and moderate risks, which not only increase potential *Shariah* non-compliant risks but also increase other risks of outsourcing in general. Since there are *takaful* operators with no general *takaful* products, option 3 is available for these companies. For companies that do have both family and general products, option 4 is much suitable.

Despite the above recommendation for option 3 and 4, the *takaful* operator should determine the best option in designing their respective outsourcing strategies depending on several factors which contribute to the selection of such options. These factors includes but not limited to:

- 1) Talent, skills and expertise
- 2) Governance, accountability and control of outcomes
- 3) Productivity and efficiency
- 4) Impact on *takaful* employed staff
- 5) Transition and adoption of the new structure

The decision can be made through applying the *maslahah* approach from Hasan & Asutay (2010), in table 4.3b.

Table 4.3b: Application of Maslahah Approach on SSO

Formula	Illustration	Explanation
M> vs F> = F>	The management of the operator has four options to arrange the shared or outsourced functions	In this case the management shall make its decision on either option 3 or 4. The first two options, following the legal maxim “Severe harm is removed by a lesser harm” would be more detrimental as these options are more vulnerable to <i>Shariah</i> non-compliance risks and other sets of risks of outsourcing.



M< vs F<
= F>

In choosing between options 3 and 4, the management has to look at the structure of the operator as option 4 may be better for companies with both family and general *takaful*, while option 3 is possibly better for companies without both products.

Maslahah in this exercise is that it may reduce the *Shariah* non-compliance risks for the company while at the same time it may cause *mafsadah* through higher costs. *Mafsadah* may then prevail over *maslahah*. In this case, the use of conventional services may be accepted if the restructuring will cause detrimental harm in not being able to service the participants of the operator. e.g. not being able to pay for claims and indemnification. This is based on the legal maxim “private harm is tolerated in order to ward off public harm”. Nevertheless, if this kind of *mafsadah* can be mitigated by having proper mechanism and restructuring done in stages, then the *maslahah* may prevail. This follows the legal maxim “Repelling an evil is preferable to securing benefit”.

Conclusion

The study has revealed that various processes being shared or outsourced among *takaful* and insurance companies are linked with *Shariah* non-compliance risks. Although not involved in all detailed aspects of the functions, the *Shariah* non-compliance risks may still arise with imprudent measures. It is therefore suggested that companies have their own risk management measures specific to entail the aspects of *Shariah* non-compliance in the areas of shared and outsourced services as recommended in the study.

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PROBLEMS OF LEARNING ARABIC AMONG STUDENTS AT UNIVERSITIES IN NINGXIA.-TAKE NINGXIA UNIVERSITY AS AN EXAMPLE

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Abstract: *Ningxia University is the backbone of Arabic teaching in Ningxia, It delivers many excellent Arabic language talents to the society. At the same time, the Arabic language department of Ningxia University also faces some challenges. This paper takes the Arabic language department of Ningxia University as an example to conduct a case study. This paper gives an overview of the overall learning situation of Arabic language students at Ningxia University. The researchers conducted a questionnaire survey of students in Arabic Department of Ningxia University. After done the research works, the researcher found some problems in the process of students in learning Arabic and then analyzed these issues. The researcher also rethought the teaching of Arabic language in Ningxia University on this basis. Finally, Based on the actual situation of the students in this department, the researcher made some suggestions and countermeasures. The researcher thinks that the department should start from many aspects to overcome these problems. Such as cultivate students' awareness of self-learning, inspire students' motivation for learning. And improve teaching quality of the Arabic language department of Ningxia University by solving these problems.*

Keywords: *Arabic, Problems, Education*

Introduction

Chinese Arabic teaching has a long history. It has experienced a long history of more than 400 years from the religious education in Ming and Qing Dynasties. Until the second half of the 20th century, Arabic began to enter universities gradually. Ningxia is a region where Muslims live in compact communities. In recent years, there have been close contacts with Arab countries in economy, trade, and culture. With the successful holding of the annual “China-Arab States EXPO” in Ningxia, the Arabic language talents in Ningxia are increasingly in short supply, and the government is paying more and more attention to the cultivation of Arabic language talents in universities. Therefore, under the current good situation, as the only university in Ningxia that focuses on national “211 Project” construction, it has many opportunities for Arabic teaching. At the same time, the Arabic language department of Ningxia University also faces some challenges. Arabic is a language that is harder to learn. Students have problems in learning. The researcher selected some students from the Arabic Language Department of Ningxia to conduct a survey and



summarized the problems they encountered in their studies. And then analyzed these issues and came up with strategies to better develop the teaching of the Arabic Language Department of Ningxia University.

Current Status Of Teaching In Arabic Language At Ningxia University

Strong Faculty and Many Opportunities to Study Abroad

Judging from the learning environment, students of the Arab Academy of Ningxia University have a very superior learning environment and opportunities. The Arab College of Ningxia University was established on September 21, 2011. And it is the only university in Ningxia that has an undergraduate and master degree education in Arabic. At the same time, it is also an international teaching and research institute integrating talent cultivation, scientific research, social services, and decision-making consultation. At present, the college has 349 undergraduates and 15 masters. There are currently 15 full-time teachers, 4 foreign Arabic-speaking teachers, 5 associate professors, 5 doctors, and 10 masters, 95% of whom have overseas study experience.

The college has signed substantive cooperation agreements with eight foreign universities and implemented the “3+1” and “2+1” training programs for undergraduates. Since 2013, the university has sent 374 students to Egypt for the entire year. Suez Canal University, Alexandria University, Yemen University of Science and Technology, and Hassan I University in Morocco.

Thanks to the strong support of the government, the Arabic Language Academy of Ningxia University provides students with an excellent teaching environment. The excellent teaching staff has enabled students to instill good learning methods and ideas in the initial stages of learning Arabic. Secondly, many opportunities for studying abroad also make it possible for many students to go to cultural exchanges in Arab countries. It's very helpful for students to improve their language skills.

The Overall Learning Atmosphere is Good, and the Independent Learning Ability Needs to Be Cultivated.

According to the researcher's survey of students in Arabic College of Ningxia University, most students believe that their learning atmosphere is good. Almost all students can attend class on time and finish assignments done by the teacher. However, the researchers found that after completing the tasks assigned by the teachers, only a part of the students will use their spare time to study Arabic independently. Due to the diversity of curriculum arrangements in Chinese universities, there are less Arabic language lessons every week. Students have a lot of free time to make their own arrangements. Therefore, students' self-learning ability after school hours needs to be strengthened.

The Problems in the Study of Students in Arabic College of Ningxia University

Students are weak in listening

The researchers conducted a questionnaire survey of the students of the Arabic College of Ningxia University, and asked the students to put forward the weakest link in their study. In a survey of researchers, 77% of students believe that they are not good at listening. This accounts for a very large proportion of the headcount. And the researchers found that only 38% of students would



listen to Arabic radio or watch Arabic TV programs during their spare time. This proves that students' initiative in practice listening is not high. Because Arabic has its unique pronunciation features and rhythm, this performance is difficult to improve without adequate listening practice. The researchers found that only a few of these students would listen to Arabic radio and watch Arabic-language television programs. In addition, there were fewer special courses on listening in the usual courses, which led to insufficient training for students listening.

Students Lack the Initiative to Talk With Foreign Teachers and Their Oral Skills Are Not Fully Exercised

Researchers found that only 42% of students determined that they often talked with foreign teachers. 44% said they were unsure and the remaining 14% did not talk to foreign teachers at all. Because there are no environment for students to practice oral communication in China, talking with foreign teachers is the only way for students to improve their oral communication competence. However, most students lack the initiative to talk with foreign teachers, which makes most of the students' oral skills not fully exercised. Secondly, because there are fewer tests of spoken language in tests of university, it leads students to pay less attention to spoken language. If things go on like this, the students' oral communication ability will become weaker and weaker.

Lower Grade Students Lack The Initiative In The Lessons.

In the process of teaching foreign languages, class interaction is a very important part, and interaction with the teacher will make the language fully practiced. However, the investigators found that most of the students in the in Arab College of Ningxia University were relatively introverted and were not willing to answer questions actively in class, and not willing to ask questions in class. Through the survey, the researchers found that the senior students are more active in the class than the lower grade students in answering the questions raised by teachers. The senior students are more active in answering questions. This results in the lack of communication between teachers and students in the teaching. The teacher cannot accurately grasp the knowledge of the student. The long-term accumulation of problems encountered by the student in learning will affect the mastery of the knowledge in the future time.

Suggestions on the Development of Arabic Teaching in Ningxia University

According to the problems existing in the learning process of the students of the Arab College of Ningxia University discovered during the survey, the researcher proposed the following countermeasures.

Teachers Strengthen Dictation Training in Teaching Process

Dictation is both a test method and an effective teaching method. It is a project that can be used frequently in a foreign language teaching class. Dictation can test students' vocabulary, syntax, listening, comprehension and other aspects and skills. Dictation is a comprehensive language test. Students with strong dictation skills have strong communicative competence in normal language communication. Therefore, teachers should arrange appropriate time for dictation in each lesson. From simple paragraphs to complex chapters, students' vocabulary sensitivity and responsiveness are gradually exercised. Students should collect some Arabic recordings during their spare time and use their leisure time to exercise their sense of language. At the same time, they should find



some Arabic language speech materials to listen to words and sentences, and strengthen the listening part through a lot of exercises and summaries.

Exercise the Textual Cohesion

The textual cohesion is very important in reading. Cultivating, developing and intensifying Arabic textual cohesion on the part of students in teaching writing is indispensable to successful writing. Need to develop students' ability to analyze, understand, summarize, and judge article information After students have mastered enough vocabulary. When students' Arabic knowledge and skills were expanded and grammar awareness was cultivated to a certain degree. In teaching process, teachers should take the chapter as the leading factor. On the one hand, they can strengthen the understanding of the vocabulary and syntactic features of the Arabic language by means of the study of the chapters, deepen the students' understanding of the vocabulary and syntactic features of the Arabic language, further improve the grammar awareness, and achieve the integration of knowledge. On the other hand, students are also trained to grasp language materials as a whole, improve their ability to understand, analyze, summarize, and logically infer, and enhance their ability to discriminate between Arabic and Chinese. Teachers in the initial stage of teaching should imperceptibly instill chapter awareness in students and help improve student' logical thinking skills.

Gradually Cultivate Students' Grammatical Consciousness

The grammar of Arabic is rich in content and the rules are complex. It is both rigorous and flexible. Teachers should explain and analyze complex grammar in the most succinct and clear language in the teaching process, and interpret it with normative, vivid and example sentences which are easy to understand. Teachers should intensify the training for students, broaden the amount of information of the knowledge point, changing training methods frequently, focus on interaction between teacher and students, accelerate training in class, improve the proficiency of students in applying grammar rules to enable students to master grammar in repeated training.

Strengthen Basic Vocabulary Learning and Exercise

In the basic stage of studying Arabic, it is very important for students to accumulate vocabulary. At present, due to the limitations of university textbooks, some usages of some words or vocabulary are not involved in textbooks. This requires teachers to prepare lessons seriously and prepare for words that are not involved in the teaching materials, and explain these words into the teaching process, improve students' ability to use basic vocabulary through repeated training.

Strengthen Learning of National Conditions

The ultimate goal of foreign language teaching is to develop communication skills of students. It is also for students to communicate in Arabic appropriately. Therefore, students must learn and understand the knowledge of the culture and national conditions of the Arab countries, and learn to use the words and expressions correctly with the characteristic of Arab Islamic culture. Teachers should impart knowledge of Arab culture and national conditions to students in the teaching process so that students can better use Arabic to communicate based on their understanding of national conditions and culture.



Students Should Improve Their Learning Initiative

Through the survey, the researcher found that the learning initiative of students at the Arab Academy of Ningxia University should be improved. In foreign language classes, interaction with teachers is a particularly important aspect. In the course of teaching, teachers should try to mobilize the enthusiasm of the students as much as possible, and designing corresponding teaching activities according to the characteristics of students. Teachers can implement appropriate incentives and penalties to motivate students to participate and encourage students to ask questions in the class or after class, and regularly test students' knowledge about the situation of knowledge acquisition, identify weak areas in students' learning process, and strengthen training. Students should communicate with their teachers more actively. If they do not understand any knowledge point, they should ask the teacher promptly.

Students Should Develop Autonomous Learning Ability Of Themselves.

As we all know, the university's curriculum is diverse and decentralized, and students have a lot of spare time. If they want to learn Arabic well, simply using the school's schedule of courses is not enough. This requires students to have a strong self-control, make full use of spare time to improve their own learning weaknesses. For example, listen to Arabic language radio, watch Arabic language videos, read Arabic language extracurricular books, and actively communicate with foreign teachers to improve their ability of speaking.

Conclusion

After the survey, researchers found that the overall status of Arabic teaching in Ningxia University is optimistic. The teachers are excellent, the hardware facilities are perfect, and the chance of studying abroad is a great advantage compared to other schools. But at the same time, problems of the students in learning Arabic should not be ignored. Therefore, Ningxia University needs to focus on developing a more complete teaching system in terms of Arabic language teaching, output more Arabic talents for the society. And students should also be more active in their efforts to improve their own level, check leakage fill a vacancy, in order to truly become a comprehensive talent.

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HEART OF LEARNING: PEDAGOGICAL PRACTICES AMONGST ISLAMIC EDUCATION NOVICE TEACHERS

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Abstract: *Teacher training programmes in higher institutions provide a good foundation to prepare student-teacher to be competent in teaching and learning field. Hence, not all novice teachers are able to play their roles and responsibilities efficaciously as a new educator. Literature revealed that some of the novice teachers were struggling to translate their pedagogical theory-based knowledge into real classroom teaching practise. In light of emphasising 21st century education, new teachers were expected to be equipped and conducted the learning and facilitating process by using student-centred teaching approaches. Therefore, this study will address Islamic Education novice teachers' experiences in interpreting their pedagogical-based knowledge during learning and facilitating process. Ten Islamic Education novice teachers from four different states in Malaysia were selected by using purposive sampling. As a source of evidence, qualitative semi-structured individual interviews were employed. The results indicated on the challenges and issues that they were facing by adjusting to the reality of applying student-centred learning in the classroom.*

Keywords: *Islamic Education Novice Teachers; Pedagogical Practices; 21st Century Education; Teacher Training*

Introduction

The beginning years of teaching experiences have been dubbed as the impotent period for novice teachers. They are facing a variety of difficulties and unfamiliar condition during this period, as they undergo the transition of being student-teachers into in-service teachers. Novice teachers' first year experience is imperative, on account of obtaining skills that can help them to teach effectively (Çakmak, 2013). Organisation for Economic Co-Operation and Development (OECD) (2014) pointed out that no matter how high quality of education given by their respective teacher training programs, novice teachers cannot be prepared for all the challenges they will face during their first few years of working. This notion is supported by Farrell (2008), as he claimed that new teachers will not only learn on how to teach with their initial experiences, however, it is influenced with a number of factors, such as their socialisation process during their first year, previous schooling encounter and teacher training programme.

There is a volume of published studies that distinguishing years of teaching that a new teacher should experience in order to be considered as a novice or beginning teacher. Caspersen and Raaen (2014) identified a professional development period for new teachers is during their first three years. In addition, OECD (2017) recruited new teachers with a maximum three years of working



experiences for their Teaching and Learning Survey (TALIS). In contrast, some scholars reported that a teacher who has teaching experiences in less than five years can be called a novice teacher (Fantilli & McDougall, 2009; Ibrahim, 2012).

Literature Review

Theoretically, all novice teachers have been well trained by their respective institutions to meet the demands of the Education industry (Devarajoo, Tengku Idris, & Mohd Sapuan, 2016). However, the transition process from student-teachers to in-service teachers is challenging, due to the fact that they have to deal with the reality of their role and responsibilities that they have never experienced while in teacher training programme. Consequently, some of the novice teachers tend to leave the profession within five years of their teaching, as they were still attached with their preferred way to teach and not suitable to be applied in current education settings and refuse to work under a new curriculum change (Ibrahim, 2012). In which, this can be seen as one of the issues due to novice teachers were unable to translate what they have learned back in their respective programmes and practising it in school settings. However, it can be curbed down by acknowledging two types of knowledge, which is knowing-what and knowing-how (Long, Hall, Conway, & Murphy, 2012).

For those who stayed in the profession, a large and growing body of literature has investigated on the issues evolve around novice teachers. Amongst the issues that are often debated is concerned with their implementation of teaching and learning in and outside the classroom, building their social relationships with colleagues or administrators, as well as administrative work to be done besides teaching. Regardless of any government efforts to curb down the issues on novice teachers, it cannot completely solve the problems faced by them (Senom, Zakaria, & Ahmad Shah, 2013; Zakaria, Saidin, & Mohamad, 2016).

Hence, by putting pedagogical practices into focal of the study, it revolves around the advent of the 21st century education, the dynamic of technology-friendly has embodied in education framework, which comes along with various methods, techniques, strategies, and tools to meet the latest needs. It is also emphasising student as the heart of the learning to be able in independently constructing their knowledge with their current experiences under the guidance of their teachers. This idea is embedded in constructivist theory where “learning takes place when new information is actively constructed into and added onto an individual’s current structure of knowledge, understanding, and skills” (Pritchard, 2014, p. 18). It is interesting to note that novice teachers are more proficient in teaching with the use of modern technology, yet they are lacking in a certain area that dominated by the experienced teacher (Okas, van der Schaaf, & Krull, 2014).

Thus, Çakmak (2013) on his analysis, mentioned that novice teachers were grappled with: (1) lack of experiences and confidences, and unable to manage their classroom; (2) facing difficulty on knowing the best way to teach and suit with their students; and (3) theoretically know how to evaluate students, but incapable to practise it in reality. On the other hand, in Finland, the obstacles affecting novice teachers’ sense of professional agency, the findings showed that novice teachers discerned many limitations in developing the pedagogical practices such as lack of facilities and time consuming during preparation and planning (Eteläpelto, Vähäsantanen, & Hökkä, 2015).

Meanwhile, in Malaysia, the uses of pedagogical content knowledge (PCK) amongst novice teachers are moderate and need extra attention to enhance their skills (Syarifuddin & Halim, 2017). Previous research on two novice teachers who were the products of a twinning programme



conducted by *Bahagian Pendidikan Guru (BPG)* has indicated that both teachers were unaware of the importance of teaching strategies in their career. They assumed that teaching strategies only act as a tool to teach and is not embodied in effective lesson procedure (A. Malik, Zakaria, Mohamed, & Sulaiman, 2015). Novice teachers in Malaysia were also reported on encountering problems related to classroom and behavior management as well understanding their students. Even though they are able to establish an appropriate for controlling classes, but learning environment plays a key factor to ascertain the needed strategies and approaches (Goh & Wong, 2014).

All novice teachers, including Islamic Education novice teachers in Malaysia are expected to be well trained by their respective institutions and meet the demands of Education industry. Their roles were not restricted to teaching and learning, but on nurturing students to prosper a balanced life as well, which coincides with the expectations of the Ministry of Education who wanted for a holistic education. However, there are limited articles focusing on Malaysian Islamic Education novice teachers. As a new knowledge, this study can contribute to enhancing the quality of teacher training programme, particularly in improving the Islamic education teacher training curriculum design.

Research Objectives

Hence, the objectives of this research are;

- 1) To identify the application of student-centred learning in Islamic Education novice teachers' classroom.
- 2) To investigate issues and challenges in Islamic Education novice teachers pedagogical practices that they encounter during their early years of teaching.

Methodology

Researchers opted for qualitative research design resulting from researchers' interest in knowing Islamic education novice teachers' experiences during their teacher training programme as well as during their services as teachers in secondary schools. Qualitative research is a study on laying the purpose of interpreting an occurrence or phenomenon pertaining to the meanings researchers about to uncover (Denzin & Lincoln, 2005). Furthermore, Merriam and Tisdell also emphasise it as "understanding the meaning people have constructed" (Merriam & Tisdell, 2016, p. 15).

Semi-structured individual interviews were employed to ten Islamic Education novice teachers as a method for data collection. By doing so, researchers have the opportunity on hearing informants' perspectives on their challenges of practicing pedagogical theories during their years of teaching, together with discovering unique findings from it (Creswell, 2007). Flick (2014) claims that semi-structured interviews were a form of open-ended questions that were built as a framework to guide the interviewer on asking in-depth questions. This stand was also supported by Merriam and Tisdell (2016), which suggest that by providing interview protocols can be an easier alternative to gather feedbacks from informants. Due to this viewpoint, researchers have developed interview protocols and it was validated by the panel of experts. Besides that, the interviews took around 45 to 60 minutes, to ensure the data gathered are rich and in-depth.

Research sample recruited in this research chosen by using purposive sampling, in which it is used to determine the important criteria for selecting the research sample (Merriam & Tisdell, 2016). Therefore, the criteria for this study consisted of novice teachers who served less than five years



of teaching Islamic Education in Malaysian secondary schools and they were selected from one state from four different zones (north, south, east coast and East Malaysia). In order to maintain informants' personal confidentiality, each teacher Islamic education novice teachers will be introduced as ISNT1 to ISNT10.

Findings and Discussions

Facing Students' Undesired Behaviours

The most unpleasant obstacle while developing novice teachers' teaching practices is to handle difficult students. No single factor that can determine on the causes of students behaviour undesirably in class, as such, it can be caused by boredom, students' socio-emotional problems or other contributing factors (Eteläpelto et al., 2015; Macklem, 2015). During the data collection, a few of the novice teachers expressed their difficulties in handling their students.

"Their attitudes in learning is really hard. They do not even want to cooperate. It is quite difficult to make grouping activities." [ISNT5]

"As for my students, they wanted the teacher him/herself to show them the way even though we already had prepared the materials for them. – If I give them a reference book to refer to, they will ask 'which page was it? Can you show it? We are lazy'." [ISNT7]

"During my first year, that is when I know the real students' behaviour. So we can foresee how the 'journey' will going to be, I mean, the students' background etc." [ISNT3]

Yet, past researchers reported that novice teachers often solve problems related with instructional, classroom or any pedagogical problems individually without any support from any experienced teachers or experts (Tang, Chan, & Chanya, 2014). Perhaps, novice teachers are often associated to see classroom management in terms of rules and disciplines, which they assess from their students' attention span and exhibit acceptable behaviours in the classroom (Wolff, Jarodzka, & Boshuizen, 2017). In contrast to the experienced teacher, they do not emphasise on the issue of classroom control. However, they are more concern on the root of the problems, how far the students' focus during teaching and learning, and how to improve the quality of their attention (Wolff et al., 2017). With the view differences, in order to fend off the notion of novice teachers trying new practices as a daunting task, they can seek an experienced teacher and work in tandem (Curran & Wetherbee, 2014).

The essential skill to curb students' uncontrollable behaviours is to be aware of students' differences and recognise the students. This coincides with student-centred learning, to form a meaningful conversation with students, so teachers can listen to their thoughts, ideas and questions (Curran & Wetherbee, 2014). These skills help in establishing a good relationship between teachers and students in the classroom, as well as facilitating the students' understanding because teachers have been using the method of teaching appropriate to adjust the student's diversity (Hussin, Che Noh, & Tamuri, 2014). It can be implemented through courses in teacher training programme such as pedagogy and teaching methods, Educational Psychology, and Micro Teaching.

"Actually, we can manage to overcome difficult students. We cannot compare each one of them in class. We cannot cuss them because of their behaviours. So what I do, (I) just treat them equally with different approaches." [ISNT9]



Ultimately, one of the effective ways to manage students in class is to divide them into small and manageable groups, and also attend them with materials that matched with students' learning style (Faryadi, 2012). Teachers should give their students an autonomy in their learning; therefore, students can direct their individual needs, skills as well as their interests (Curran & Wetherbee, 2014).

Succouring Students with Higher Order Thinking Skills (HOTS)

After the introduction of Malaysia Education Blueprint (2013-2025), one of the Ministry's desired students' aspiration is students are being able to possess a thinking skill (MoE Malaysia, 2013). The bringing of Higher Order Thinking Skills (HOTS) in the curriculum is to cater the young minds in preparing themselves with endless possibilities in the future, as well to fill in jobs that are not yet created (Curran & Wetherbee, 2014). Therefore, teachers who are the person in charge are needed to accommodate students with ways to think in higher order (MoE Malaysia, 2014a).

“There should be an exposure for us on the techniques to teach the student how to think critically. Because there are also techniques on how the students answer the HOTS.” – [ISNT2]

“In order to implement HOTS, it depends on the teacher 100 percent.” – [ISNT3]

“Back in my previous school, HOTS has been implemented, but I do not know how to use it during my teaching. For instance, when I teach students to learn by using HOTS, I feel myself as my own student too. Because I have no idea on how to teach with HOTS. After I got transferred, then I was exposed to tips and techniques.” – [ISNT1]

Teachers' understanding in planning the implementation of HOTS is important, as teachers need to master in ensuring the smoothness and effectiveness of the implementation of HOTS during their teaching and learning. Novice teachers' need to plan a suitable teaching planning as a strategy for implementing HOTS. The study on the implementation of HOTS in Islamic Education at secondary schools in Putrajaya has found out that the level of Islamic Education teachers' understanding on using HOTS in their teaching and learning is at a moderate level (Hj Nor et al., 2015).

Unlike ISNT4, she contended that HOTS are only applicable to students in top classes as they have an extensive knowledge, contrasting with the students that vice versa from them.

“In terms of applying HOTS, I will always ask my students who are in the top classes on HOTS questions. But for the back classes, I will apply the lowest level of thinking according to Bloom's taxonomy. Because of the little knowledge that they have.” – [ISNT4]

Whilst Othman and Kassim's (2016) stand is opposite with ISNT4, due to the fact that the process of teaching and learning should be developed not merely based on abstract knowledge, but a practical knowledge that can be related with the current situation. This congruent with Al-Ghazali (1978), who asserted the role of the mind is to operate and grow by constant use and practise on how to think actively. A greater focus on helping students to practise HOTS rather than focusing on their lack of knowledge could provide more ability on applying domains that are highlighted by the Ministry, which is knowledge, skills, and values (MoE Malaysia, 2014b). In this case, ISNT10 was found to apply drilling technique in order to enhance her students thinking skills.

“There a few students that less proficient on how to construct sentences for higher order thinking skills questions, HOTS. That is why I always train them by using drilling



technique. Always giving them questions so they can practise and apply it in their learning.” – ISNT10.

Deputy Minister of Education in Malaysia, Datuk P. Kamalanathan pointed out that teachers’ weakness is the cause of 60 percent of 282 primary and secondary schools that were assessed by the Ministry are having problems in implementing HOTS (Hasnan, 2017). This confirms there are several factors that need to be emphasised in training teachers so that they can produce students who can master thinking skills. Another finding in Islamic Education teachers application of HOTS, they were not ready to apply it due to lack of exposure back in their teaching training programmes (Che Noh, Omar, & Hussin, 2014).

The Reality of Applying Student-Centred Learning

In order to accommodate world’s education trend that appreciating students active participation in learning, the Ministry of Education has introduced Standard Secondary School Curriculum (SSSC) in 2016, a continuation of Standard Primary School Curriculum (SPSC) that was implemented in 2011 (MoE Malaysia, 2016). This new curriculum encourages teachers to use student-centred, integrated, fun teaching and learning strategies and emphasise the development of thinking skills as well as soft skills (MoE Malaysia, 2016). Hence, teachers in Malaysia were expected to execute the 21st century education, which contains selected teaching methodologies, techniques, strategies, and tools to be used in learning and facilitating process (Institut Aminuddin Baki, 2017). Based on the findings, both informants agreed on the advantages of applying 21st century education in their classroom in order to empower student-centred learning. As quoted from ISNT1 and ISNT9;

“21st century education is efficient. It does not need us as a teacher to 100 percent teach in class, or learn by referring to books only.” – [ISNT1]

“21st century education.. it is fun for my students. They did not fall asleep in class as they are having fun. That is the specialty of 21st century education.” – [ISNT9]

By all means, the concept of student-centred learning highlights student to be more responsible for their learning, construct their own knowledge and teachers should serve as facilitators in the process of teaching and learning. This stand was underpinned by Tengku Kasim, Abdurajak, Md Yusoff, and Baharuddin (2017) with their findings, in which the students were found to be working independently together with their peers in order to discuss a topic, under the guidance from their Islamic Education teacher. In student-centred environment, “teacher help students to develop a sense of congruence between their classroom behaviour and their inner motivational resources such as psychological needs, interest, goals, values etc.” (Reeve & Jang, 2006, p. 210). This shall be a good guidance in order to form appropriate practices to achieve the desired outcome on students and help to extract their latent skills.

However, some of Islamic Education novice teachers have different views of using 21st century education during their teaching and learning.

“This 21st century education, teachers’ job is only to monitor their students. These new techniques, a lot of it requires students to do the activities by themselves. But for my students, they did not want to cooperate. They want me to show them one by one, even though I already had prepared the activities for them.” – [ISNT7]

“For ‘back classes’, I definitely did not apply 21st century education.” – [ISNT7]

“I rarely use 21st century education in my lesson. Like using ‘gallery walk’ etcs, I did not use it especially for ‘back classes’.” – [ISNT4]



“The concept of practicing 21st century learning is student-centred, right? Therefore, if we try to ask them to come out with a new information is quite hard.” – [ISNT2]

“Maybe the 21st century education is suitable for top classes. If we implement it for back classes, it is so challenging.” – [ISNT5]

“If we implement 21st century education, we have to conduct activities to make it fun and active. But the reality is, the time is not enough. It is quite impossible to finish a topic if we keep on doing activities with 2 periods. I might unable to finish up the syllabus.” – [ISNT9]

Consequently, the findings above are significant with preliminary findings on the implication of the using of student-centred approaches in Malaysian and Brunei Darussalam’s schools, which stated both novice and experienced teachers involved in the study still need a constant attention of applying student-centred learning in Islamic education (Tengku Kasim et al., 2017). Shifting pedagogy in classroom practices by adopting a new approach was often seen as problematic and there will be challenges that come to hinder the utilisation of student-centred learning approach (Aliusta & Özer, 2017). Pritchard (2014) claimed that there were lots of example on problems of relating students’ abilities to function effectively in class. In order to solve this, novice teachers should address multiple intelligence (Howard Gardner’s theory) in their lesson planning and teaching, therefore it can give a range of opportunities to students’ different intelligence strength (Pritchard, 2014).

Conclusion

Due to the evolution of education paradigm that brings many advantages to accommodate young minds in preparing themselves to fill jobs that do not exist at this point, the need to produce an effective curriculum design that provides flexibility for our generation is very important. In Malaysia, lack of attention on the efforts to enhance teacher training programmes is incongruent with Malaysia Education Blueprint who wanted for a quality teacher standard. The curriculum design should be revamped by not only adding new teaching experiences but to include new courses and formulate a brand new alternative to help student-teachers teach and more competent in the latest pedagogical knowledge and ability to translate it to their practise.

The results from this study clearly highlighted few elements that are in the need for a room of improvements, especially in the field of Islamic Education. Pedagogical competencies amongst Islamic Education novice teachers should be emphasised by adding more exposure on the application of student-centred learning during the teacher training programme. Teacher personality, knowledge, pedagogy content knowledge, diversity of skills and the motivation in teaching and learning are the fundamental components that should be underlined as well in the Islamic Education teacher training programme (Tamuri, Ismail, & Jasmi, 2012). The exposure that can shape the generic skills should be integrated with either existing or separate courses. Moreover, scholars reported that generic skills need to be nurtured since the beginning of their academic year (Md Shah, Mukhtar, Abdullah, Abdul Malek, & Mohd Shukur, 2017). These generic skills amongst student-teachers can be strengthened by placing them at school-based practise or activity. Therefore, courses such as teaching practicum, microteaching and school orientation programme are crucial for them to gain additional knowledge through experiences.



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9147-3

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THE OCCURANCE OF OVER-EDUCATION IN MALAYSIA

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Abstract: *This article provides a brief overview of the occurrence of over-education in Malaysia. Then, this article also discussed the correlation between over-education and economic growth in Malaysia. Most of researchers show that has a negative impacts on individual and firm productivity. Therefore, in order to show the occurrence of over-education in Malaysia, this article have used job analysis method of collecting the data on employment with tertiary education and occupation with tertiary education. Based on finding, almost 2.2 percent of workers in Malaysia were over-educated. The contributions are providing empirical evidence in the existing literature on the occurrence of over-education in Malaysia.*

Keywords: Over-education

Introduction

Demand for higher education in Malaysia has tremendously surged among young cohort in the last four decades – from only roughly 43,000 in 1985 to over 600,000 in 2015 (National Higher Education Statistic, 2016). This scenario has led to an increase in the number of graduates produced by higher educational institutions (HIEs) from 22,848 in 1985 to almost 300,000 in 2015. Consequently, the total number of highly educated workforce has also significantly rocketed up from only 6 percent to over 27 percent between 1982 and 2015. This evolution has been partly explained by firstly, the expansion of compulsory schooling and secondly, by increasing in the number of higher educational institutions and another part of the training diversification offer by the HEIs. Unfortunately, job vacancies in this particular group do not meet the demand for it and result in mismatched or over-education incidence where highly educated workers have been placed in jobs for which not correspond to their actual educational background.

Such incidence leads to productivity, decrease in the individual and firm level and this might have an impact on economic growth as the country could not utilize their skills in the labour market. Therefore, this thesis tries to explore to some extent the incidence of over-education has an impact on macro-economic level i.e. – economic growth. There have plenty of researches been documented in the relationship between education and growth (Hanushek, 2010) and what we do not know yet, would happen to growth once over-education incidence is considered.

Between 1982 and 2000, Malaysian economy experienced of shortage of skilled workers, especially among the tertiary education workers the number of jobs provided which were required tertiary education exceeded the number of available workers who had such qualification. Though, the incidence continuously decreased every year.

For example, in 1982, the numbers of skills shortage worker were around 160 000 and the figures continuously declined to 73 600 in 2000. Skill shortage incidence led to firms had to hire unqualified workers who had a diploma or workers with post-secondary education to fill the



vacancies (World Bank, 2008).¹ Second, after 2000, job vacancies available in the economy seem have not enough to observe all the highly educated workers produced by HEIs. This has led to what so-called ‘over-education’ incidence in the labour market.

This phenomenon well explained, where in 2001 the numbers of employed person with tertiary education were 1,441.7 thousand compared to numbers of occupation with tertiary education only 1,152.2 thousand. This resulted in a situation where 289.5 thousand employed people were forced to choose an occupation with secondary or primary education and the number of an occupation that did not correspond to their actual qualification level. Unfortunately, such incidence has been increased since then and reached 1,194.5 thousand in 2010 and 1,672.7 thousand in 2015.

Literature Reviews

The mind of university graduates being over-educated was brought to attention by Freeman (1976), who contended that during the 1970s the supply of graduates passed the need for university-trained workers, pushing many into traditionally non-graduate jobs at relatively lower salary. Since then, a broad international literature has emerged concerning over-education. Table 1 shows the summary in incidence of over-education in selected countries.

Table 1: Studies on the incidence of over-education in selected countries

No.	Study	Country	Year Data	Sources of Data	Method of defining over-education	Incidence of over-education
1.	Groot and Maassen van den Brink (2000)	Netherlands	1994	Sixth wave of the Dutch OSA labor market survey	1) Objective 2) Subjective 3) Empirical (mean value)	15.9% 11.2% 11.9%
2.	Beneito, Ferri, Molto and Uriel (2000)	Spain	1985 and 1990	Survey of class structure (ECBC)	1) Subjective 2) Empirical (mean value)	1985: 27.9% 1990: 25.6% 15.2%
3.	Dolton and Vignoles (2000)	UK	1980 and 1986	National survey of graduates diplomates	Subjective	1980: 38% 1986: 30%
4.	Green, McIntosh and Vignoles (2002)	UK	1986, 1992 and 1997	SCELI, Employment in Britain (EB) and the Skills surveys (SS)	Subjective	1986: 30% (SCELI) 1992: 31.2% (EB) 1997: 32% (SS)
No.	Study	Country	Year Data	Sources of Data	Method of defining over-education	Incidence of over-education

¹ The survey (World Bank, 2009) reported that firms in the manufacturing sectors take about four to six weeks to fill a vacancy for a professional or a skilled production worker which seems a quite long.



5.	Dekker, de Grip and Heijke (2002)	Netherlands	1992	Labour force surveys	Subjective	30.6%
6.	Buchel and Pollmann-Schult (2004)	West-Germany	1998	German life history study (GLHS)	Subjective	9.2 %
7.	Frenette (2004)	Canada	1982,1986,1990	National Graduates Surveys (NGS),	Subjective	30.4-36.4 %
8.	Verhaest and Omeey (2004)	Flanders (Belgium)	1999	SONAR	1)Objective 2)Subjective 3) Empirical (modal value)	54.2% 26.5%–44.0% 10.5%
9.	Karakaya et. Al (2007)	Belgium	1995	Structure of Earnings Survey	1) Objective 2) Mode	24.1 % 21.9 %
10.	McGuinnessand Bennett (2007)	UK	1999	cohort of Northern Ireland graduates	Subjective	32.3 % (first employment)
11.	Hung (2008)	Taiwan, China	1997 & 2002	Taiwan Social Change Survey	1)Subjective 2)means	45.83% 17.31%
12.	Marco Pecoraro (2012)	Switzerland	1999 & 2004	cross-sectional data	1)Mode 2)Alternative	0.197 (0.007) 0.121 (0.010)
13.	David Carroll (2013)	Australia	2007 and 2010	Australian bachelor degree graduates	Objective	24 % to 37 %

The Occurance of Over-Education in Malaysia

As mentioned before, the total number of students pursuing studies at tertiary level has been in growing trend due to undoubtedly firstly (i) increasing in the number of enrolment in university at tertiary level and (ii) secondly by increasing the government spending in education. Thus, there has been unsurprisingly increases in the number of graduates produced by both public and private higher education institutions (HEIs) and also the numbers of graduate in the labour force. By such increments, it allows the country to increase the supply of educated and skilled workers in the labour market, hence improve the quality of the employed person in terms of educational attainment.

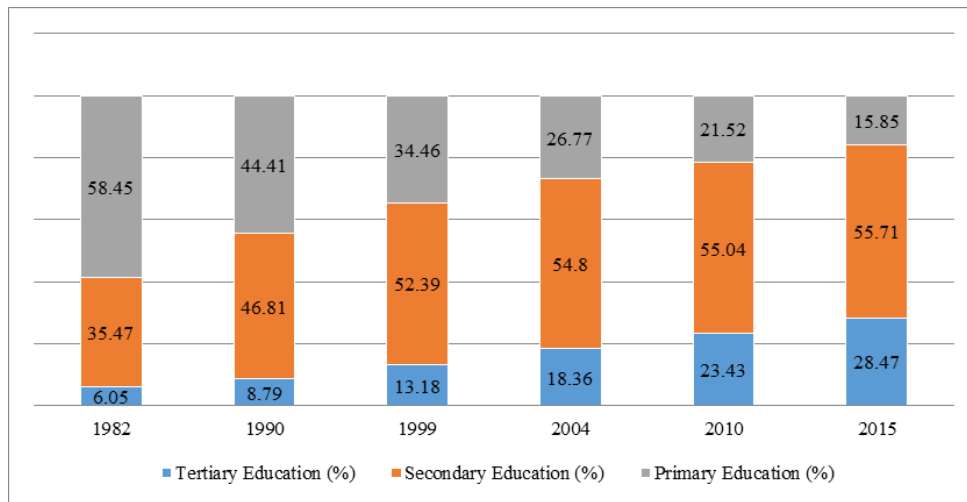


Figure 2: The Percentages of Employed Person by Educational Level from 1982 to 2015.

Figure 2 exhibits as a whole that the number of workers with tertiary and secondary education have increased between 1982 and 2015 whereas the total number of workers with primary education has been in decreasing trend over the same period. The increasing in percentages of employed person by educational level only happens in secondary and tertiary education.

In particular, in 1982, the percentages of employed person with tertiary education increased from 6.06 percent to 8.79 percent in 1990 and continuously increased by 28.47 percent in 2015—an increase by 3.23 times. Similar trend has also been reported for secondary education, from just 35% to 56% in the period of 1982 – 2015. Meanwhile, the percentages of employed person with primary education has shown a decreasing trend from 58.5% percent in 1982 to 16% in 2015.

In terms of human capital development, the increasing percentages employed person with a tertiary education is a positive indicator as it increase the accumulation of human capital in the country. Despite these good progress and significant resources have been devoted to enhance the quality of labour force in the last decade, there are however a number of outstanding challenges facing in the labour market.

Apart from an increasing in the number of graduates unemployment,² there is some evidence of increasing in the number of highly educated workers do not match with the number of job opportunities for this group resulted in skills shortage and over-education. Skills shortage can be described as there not being enough workers with a particular skill to meet demand (Zakariya, 2017). In other words, the quality and type of education possessed by workforces do not match that demanded by industry.

Meanwhile, over-education is defined as a worker who has higher educational/qualification level than what the job required the qualifications held by workers more than required in a job (Zakariya, 2014). Both incidence can be in Table 2 where the table shows the number of employed persons by educational level (left side of the table) and occupational category by educational level (right side of the table) between 1982 and 2015.³

² Though the general unemployment rate has stayed at around 3.5% between 2000 and 2015, graduate unemployment has increased from 15.2% to 34% over the same period (Department of Statistics, 2016).

³ Using the Malaysia Standard Classification of Occupations (MASCO), occupational are categorised by educational level where workers in the Managerial, Professional and Associate Professional required tertiary education; workers in the Clerical Support Workers, Service and Sales

Table 2: The Numbers of an Employed Person with Education Level and an Occupation with Education Level From Year 1982 to 2015 (Multiple Years).

Year	Employed with level of education ('000)			Occupation with level of education ('000)		
	Primary	Secondary	Tertiary	Primary	Secondary	Tertiary
1982	3068.2	1861.9	318.2	3184.7	1577.1	487.2
1986	2991.9	2340.1	428.1	3300.8	1870.0	589.4
1990	2968.6	3129.2	587.3	3843.5	2176.9	664.6
1994	2850.5	3862.3	801.2	4106.0	2476.0	932.0
1998	2963.3	4505.3	1131.0	4448.0	2892.3	1259.3
2000	2858.7	5071.7	1338.7	4610.2	3246.6	1412.3
2001	2775.5	5135.3	1441.7	6188.1	7,209.9	1152.2
2002	2789.2	5163.3	1588.4	6187.8	7,194.5	1269.8
2006	2524.7	5774.3	1975.2	6604.2	7,771.6	1395.5
2010	2561.2	6549.6	2788.6	7426.4	8,951.7	1594.1
2015	2195.8	7587.0	3853.3	9239.1	9,941.2	2180.6

Sources: Extracted from Department of Statistics, Malaysia (multiple year).

Between 1982 and 2000, Malaysian economy experienced of shortage of skilled workers, especially among the tertiary education workers the number of jobs provided which were required tertiary education exceeded the number of available workers who had such qualification. Though, the incidence continuously decreased every year. For example, in 1982, the numbers of skills shortage worker were around 160 000 and the figures continuously declined to 73 600 in 2000. Skill shortage incidence led to firms had to hire unqualified workers who had a diploma or workers with post-secondary education to fill the vacancies (World Bank, 2008).⁴ Second, after 2000, job vacancies available in the economy seem have not enough to observe all the highly educated workers produced by HEIs. This has led to what so-called 'over-education' incidence in the labour market.

This phenomenon is well explained in Table 2, where for example, in 2001 the numbers of employed person with tertiary education were 1,441.7 thousand compared to numbers of occupation with tertiary education only 1,152.2 thousand. This resulted in a situation where 289.5 thousand employed person were forced to choose an occupation with secondary or primary education and the number of an occupation that did not correspond to their actual qualification level. Unfortunately, such incidence has been increased since then and reached 1,194.5 thousand in 2010 and 1,672.7 thousand in 2015.

Workers, Skilled Agricultural, Forestry and Fishery Workers and Craft and Related Trades Workers required secondary or post-secondary education; and lastly workers in Plant and Machine-operators, and Assemblers First Primary education require primary education.

⁴ The survey (World Bank, 2009) reported that firms in the manufacturing sectors take about four to six weeks to fill a vacancy for a professional or a skilled production worker which seems a quite long.

Figure 2: The Growth Rate of Employment at Tertiary Level and Growth Rate Occupation at Tertiary Level from Year 1982 to 2015.



Sources: Extracted from Department of Statistics, Malaysia.

Nevertheless, Figure 2 shows patterns of growth rate of occupation (straight line) and employment (datch line) at tertiary level between 1982 and 2015. There are at least two patterns can be seen from the figure. First, in general there is similar trend between occupation and employment rate where both have increased from 1983 to 2015 - from 5.4 to 6.9 for the former and from 3.1 to 7.9 for the latter. Secondly, the growth rate of occupation outnumbered the growth rate of employment for the period of 1983 to 2000. Again, this resulted in skill shortage in the labour market. By contrast, between 2001 and 2015, the growth rate of the former was smaller than the growth rate of the letter. This has led to over-education incidence among highly educated workers. Due to the growth rate of occupation at tertiary level cannot accommodate the growth rate of employment at tertiary level, and it makes the worker need to choose an occupation that not accordingly to the educational level.

Descriptive Analysis

Table 3: The Descriptive Analysis for Variables.

Variable	Mean	Standard Deviation	Minimum Values	Maximum Values
Gross domestic Product (GDP)	372056.1	323382.1	50430	1062800
Capital (K)	97.66265	76.08144	14.6	274
Employment with Primary Education (LPE)	2223.344	106.3526	1922.2	2391.4



Employment with Secondary Education (LSE)	4621.653	1745.319	1861.9	7654.2
Employment with Secondary Education (LTE)	1479.074	1040.694	318.2	3853.3
Total Employment (TL)	8904.026	2597.595	5249	14067.7
Education Expenditure (EXP)	22382.59	18535.13	3071	56000
Over-education (OE)	317.7573	580.775	-185.7	1672.7
Percentage of over-education (%OE)	0.0222656	0.0506259	-0.0340297	0.1189036
Dummy of over-education (DOE)	0.4411765	0.5039947	-	-

Based on Table 3, in general the Gross Domestic Product (GDP) in Malaysia as the average was 300,000 billion. While the logGDP show that the value of standard deviation (0.995) is less than the value of the mean (12.39). The centralization of the distribution of GDP data can be estimated through the minimum value (10.83) and the maximum value (13.87).

Following the result suggest that as average the capital (K) was 97,000 billion and the logK show the standard deviation (0.89) is less than mean (4.25). The centralization of the distribution of capital data can be estimated the minimum value (2.68) and the maximum value (5.61). The next variable is a total employment with an average 9000 billion and the LogTL show that the value of standard deviation and mean respectively with 0.2939953 and 9.052698. The centralization of the distribution of total employment data can be estimated through the minimum value (8.566) and the maximum value (9.55).

As an average the education expenditure was 22000 billion, with the value standard deviation (0.972) of logEXP also show less than mean (9.609). The centralization of the distribution of education expenditure data can be estimated through the minimum value (8.030) and the maximum value (10.933). The last variable is over-education, whereas an average shows that most of workers almost 300,000 billion was over-educated. The values of over-education (dummy) of standard deviation is 0.504 and the mean is 0.441 with percentages of over-education is 2.2 percent. The outcomes show that the incidence of over-education exists in Malaysia.

Conclusion

Based on literature reviews, almost of the country facing with the phenomenon of over-education. As far the researchers found that the over-education has the negative impacts on individual and firm perspective. Therefore, this article is concerned to investigate the incidence of over-education in Malaysia. As a conclusion, the phenomenon of over-education has existed in Malaysia since 2001 to 2015. This is because the number of workers with tertiary education more than the occupation with tertiary worker. The result from a descriptive analysis found that almost 2.2 percent workers in Malaysia was over-educated.

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TAHAP PENGELUARAN TANAMAN PADI DALAM DASAR SEKURITI MAKANAN DI MALAYSIA

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Abstrak: *Dasar Sekuriti Makanan telah dilaksanakan di Malaysia sejak tahun 1984 bermula dengan Dasar Pertanian Negara Pertama (DPN1) seterusnya Dasar Pertanian Negara Kedua (DPN2), Dasar Pertanian Negara Ketiga (DPN3), Dasar Jaminan Bekalan Makanan Negara (DJBM) dan sehingga kini 2018, Dasar Agromakanan Negara (DAN). Perlaksanaan dasar tersebut menunjukkan keprihatinan kerajaan terhadap jaminan kecukupan makanan negara terutamanya pengeluaran padi/beras. Ketidacukupan makanan asasi ini akan menyebabkan kekurangan makanan dalam negara sehingga memerlukan negara mengimport beras dari negara luar. Kajian ini menumpukan kepada pengeluaran padi dalam tempoh dasar-dasar tersebut dijalankan iaitu 1984-2015. Kajian kualitatif ini dilaksanakan menggunakan pendekatan kajian perpustakaan untuk mengumpul data. Beberapa bahan perpustakaan telah digunakan sebagai rujukan termasuk Rancangan Malaysia Kelima hingga kesebelas, DPN1-3 dan Laporan Ekonomi. Kaedah analisis kandungan telah digunakan untuk menganalisis data. Hasil kajian mendapati tahap pengeluaran padi menunjukkan peningkatan yang memberangsangkan.*

Kata Kunci: Sekuriti Makanan, padi, pengeluaran, ketidacukupan.

Pendahuluan

Malaysia telah memberi tumpuan terhadap pembangunan sektor pertanian sejak dari dulu hingga kini untuk menjamin sekuriti makanan terutamanya tanaman padi sebagai tanaman makanan utama. Kesedaran kepada jaminan sekuriti makanan ini berpunca daripada beberapa faktor. Faktor utama ialah kos pengeluaran yang semakin meningkat, harga import makanan yang tinggi dan faktor paling ketara ialah masalah kekurangan makanan yang menular seluruh dunia. Seterusnya, kenaikan harga minyak, pertambahan penduduk dan perubahan cuaca yang berlaku dengan ketara yang mengakibatkan harga makanan ruji sedunia meningkat tinggi (Majlis Pembangunan PKS Kebangsaan, 2007). Di samping itu, masalah penyakit tumbuhan dan serangan serangga serta krisis alam sekitar juga mengganggu pengeluaran makanan di kebanyakan negara di dunia (Nur Badriyah Kamarulzaman et. al., 2013)

Kebimbangan terhadap kestabilan bekalan makanan memerlukan Malaysia memperkukuhkan keupayaannya dalam pengeluaran makanan utama. Kesemua cabaran ini memerlukan pendekatan dan dasar strategik baru untuk meningkatkan pertumbuhan sektor pertanian dan sumbangannya



kepada ekonomi negara (Majlis Pembangunan PKS Kebangsaan, 2007). Penekanan terhadap sekuriti makanan ini telah menjadi asas yang kuat dalam penggubalan dasar pertanian dan makanan di Malaysia (Muhyiddin Yasin, 2005). Kajian ini akan menumpukan kepada tanaman makanan utama iaitu padi yang merupakan makanan ruji masyarakat Malaysia.

Perkembangan Dasar Sekuriti Makanan di Malaysia

Dasar Sekuriti Makanan di Malaysia bukan dianggap perkara baru kerana telah dilaksanakan Dasar Padi dan Beras pada sebelum merdeka lagi oleh kolonial Inggeris yang menjajah Malaysia. Dasar tersebut dilaksanakan atas kesedaran dari Perang Dunia Kedua yang menyebabkan berlaku krisis peperangan dan darurat yang telah mengajar Malaysia mengenai kepentingan sekuriti makanan. Menurut Ahmad Mahdzan Ayob (1997), krisis yang berlaku telah menyebabkan rakyat terpaksa makan apa sahaja yang boleh dimakan seperti ubi kayu dan pucuk-pucuk hutan kerana berlaku ketidakcukupan beras. Walau bagaimanapun, dasar tersebut tidak menggariskan sekuriti makanan secara nyata tetapi menyerapkannya dalam istilah sara diri dan ia lebih merujuk kepada padi dan beras.

Kemudian, selepas negara mencapai kemerdekaan kerajaan telah melaksanakan rancangan pertanian yang berkaitan dengan sekuriti makanan melalui Rancangan Malaya sehingga kepada Rancangan Malaysia dan sehingga kini Malaysia sudah memasuki Rancangan Malaysia Kesebelas (RMK11). Dalam setiap rancangan lima tahun ini, sektor pertanian mendapat peruntukan tertentu dari peruntukan pembangunan negara. Dalam Rancangan Malaya Pertama, sara diri masih lagi menjadi tema utama dasar sekuriti makanan negara yang diserapkan secara tidak langsung dalam pembangunan sektor pertanian. Strategi utama yang telah diambil oleh kerajaan adalah melalui campur tangan dalam sektor pengeluaran dan pemasaran komoditi. Pada tempoh tersebut juga, beberapa perubahan ketara dalam pasaran padi dapat ditampikan. Pertamanya, pada tahun 1971, kerajaan telah menubuhkan Lembaga Padi dan Beras Negara (LPN) atau kini dikenali sebagai BERNAS sebagai satu institusi yang diamanatkan untuk berfungsi bagi memastikan pencapaian objektif berikut, iaitu pertama, menjamin harga padi yang tinggi kepada petani; dan kedua, menjamin harga dan kualiti beras yang berpatutan kepada pengguna (Ahmad Mahdzan Ayob, 1997).

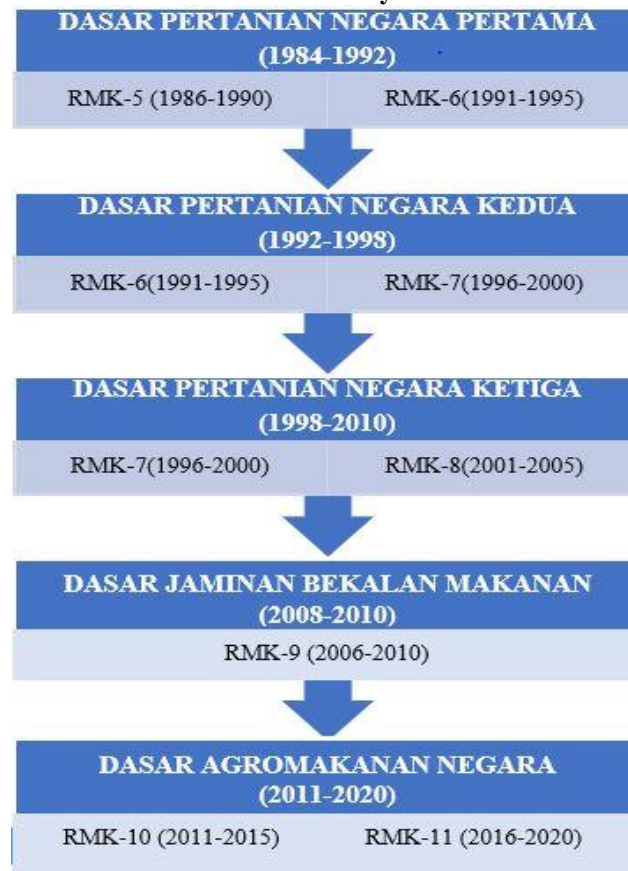
Seterusnya kerajaan telah melancarkan dasar sekuriti makanan yang khusus mengenai sektor pertanian, iaitu Dasar Pertanian Negara Pertama (DPN1) pada tahun 1984. Antara objektif khusus DPN1 adalah untuk memastikan sekuriti bahan makanan yang terdiri daripada ternakan, ikan, tenusu dan sayur-sayuran (Kementerian Pertanian Malaysia dan Industri Asas Tani, 1985). Bagaimanapun, dalam tahun 1992, kerajaan telah melancarkan Dasar sekuriti makanan yang seterusnya iaitu Dasar Pertanian Negara Kedua (DPN2) untuk tempoh lima tahun iaitu hingga tahun 2010. Dasar ini juga dianggap sebagai Dasar Sekuriti Makanan yang turut menggabungkan falsafah dan haluan pembangunan baru seperti yang terkandung dalam Rangka Rancangan Jangka Panjang Kedua dan Wawasan 2020 (Kementerian Pertanian Malaysia dan Industri Asas Tani, 1993).

Kemudian, dalam tahun 1998 pula, kerajaan melancarkan Dasar Pertanian Negara Ketiga (DPN3) untuk tempoh 1998 hingga 2010. Ia digubal untuk mengatasi masalah yang melanda sekuriti makanan dalam negara iaitu dengan bekalan makanan yang kurang mencukupi, kurang selamat, kurang berkhasiat serta kurang bermutu tinggi dan untuk menjamin keperluan makanan dapat

diperoleh dengan harga yang berpatutan (Kementerian Pertanian Malaysia dan Industri Asas Tani, 2009).

Kesedaran mengenai sekuriti makanan semakin ditekankan akibat dari krisis makanan dunia maka, Dasar Jaminan Bekalan Makanan Negara (DJBM) pula telah digubal. Dasar ini telah diluluskan oleh kerajaan pada 2 Mei 2008 bagi menunjukkan reaksi terhadap kebimbangan kerajaan mengenai masa depan sektor pertanian yang menjadi jaminan sekuriti makanan kepada penduduk (Kementerian Pertanian Malaysia dan Industri Asas Tani, 2009). Sehingga kini, Dasar Agromakanan Negara (DAN) untuk tempoh 2011-2020 telah dilaksanakan dalam Rancangan Malaysia Kesepuluh (RMK10) hingga Rancangan Malaysia Kesebelas (RMK11) (Unit Perancang Ekonomi, 2010). Dasar-dasar tersebut telah dilaksanakan melalui Rancangan Malaysia dan perkembangan dasar-dasar tersebut ditunjukkan di dalam Rajah 1 di bawah.

Rajah 1 : Dasar Sekuriti Makanan di Malaysia dari Tahun 1984 hingga 2020



Sumber : Kementerian Pertanian dan Industri Asas Tani

Dasar Komoditi Tanaman Makanan Utama Dalam Rancangan Malaysia Kelima Hingga Kesebelas

Dasar Komoditi Makanan adalah meliputi perancangan yang khusus kepada sektor makanan iaitu kepada komoditi tanaman makanan utama iaitu padi. Komoditi tersebut merupakan komoditi sekuriti makanan yang diberi tumpuan sebagai sumber makanan utama negara.

Rancangan Malaysia merupakan strategi pembangunan negara merangkumi perancangan Dasar Pertanian Negara (DPN). Ia digubal setiap lima tahun sekali bagi merealisasikan dan melaksanakan program yang telah digariskan dalam DPN. Program perancangan untuk komoditi makanan dalam DPN1 sehingga DAN telah bermula dari Rancangan Malaysia Kelima (RMK5) hingga Rancangan Malaysia Kesebelas (RMK11) (Unit Perancang Ekonomi, 1986; 1991; 1996; 2001; 2006; 2010; 2015).

Padi/Beras

Pengeluaran beras merupakan perkara utama dalam dasar sekuriti makanan kerana ia merupakan makanan asasi penduduk di Malaysia. Penentuan peratus pengeluaran beras di dalam negara dipengaruhi oleh keperluan makanan negara tersebut. Kos pengeluaran beras yang tinggi di negara ini adalah tidak ekonomik jika negara mengeluarkan 100% daripada keperluannya kerana negara merupakan pengeluar beras kos tinggi.

Dalam Jadual 2, strategi utama yang dijalankan dari RMK5 hingga RMK11 adalah dengan menumpukan tanaman padi di kawasan jelapang padi utama iaitu di Lembaga Kemajuan Pertanian Muda (MADA), Kemubu, Besut, Barat Laut Selangor, Krian-Sungai Manik, Seberang Perak, Kemasin-Semerak dan Seberang Prai. Manakala, pengeluaran padi di luar kawasan jelapang padi akan dikurangkan secara berperingkat-peringkat dan diganti dengan tanaman-tanaman lain yang lebih menguntungkan (Unit Perancang Ekonomi, 1986; 1991; 1996; 2001; 2006; 2010; 2015). Dalam tempoh RMK10, strategi bagi memastikan bekalan beras yang cukup termasuk mengekalkan stok simpanan beras pada paras 292,000 tan metrik atau mampu menampung keperluan selama 45 hari dengan cara meningkatkan produktiviti di kawasan jelapang padi serta luar jelapang sedia ada melalui naik taraf infrastruktur. Kawasan baru tanaman padi tidak akan dibangunkan dan pengeluaran beras tempatan ditetapkan pada kadar 70% tahap sara diri (Unit Perancang Ekonomi, 2010).

Bagi meningkat pengeluaran beras, kerajaan turut menyediakan tanah-tanah baru dan meningkatkan kemudahan parit dan tali air di kawasan tanaman padi. Pembaikan amalan pengurusan ladang di kawasan yang sedia ada untuk penanaman dua kali setahun, penanaman secara berkelompok, penggunaan benih yang berhasil tinggi sebagai contoh, pada tahun 2013, satu varieti padi aerob (MRIA1) baharu telah dilancarkan. Varieti padi aerob ini akan meningkatkan pengeluaran padi dan pada masa yang sama mengadaptasi kepada perubahan iklim. Selain itu juga penggunaan amalan pertanian moden yang disokong oleh pengukuhan inovasi serta penyelidikan turut diberi penekanan dalam tempoh rancangan (Kementerian Pertanian dan Industri Asas Tani, 1985; 1993; 2010) (Unit Perancang Ekonomi, 1996; 2001; 2006; 2010; 2015)

Jadual 2: Strategi Utama Tanaman Padi dalam Rancangan Malaysia

Strategi	RMK5	RMK6	RMK7	RMK8	RMK9	RMK10	RMK11
Tumpuan tanaman di kawasan jelapang padi	✓	✓	✓	✓	✓	✓	✓
Tanaman di luar kawasan jelapang padi akan dikurangkan secara berperingkat-peringkat.	✓	✓	✓	✓	✓	✓	
Pembukaan tanah baru				✓			
Menyediakan kemudahan perparitan	✓		✓	✓		✓	✓

Pemberian subsidi input dan harga sokongan.		✓	✓				✓
Penggunaan benih berkualiti tinggi			✓	✓		✓	✓
Penanaman secara komersial			✓	✓			
Penggalakan perladangan berkelompok		✓	✓				✓
Penggunaan teknologi baru/amalan pertanian moden			✓	✓		✓	✓
Pesawah padi digalakkan melibatkan diri dalam aktiviti pemprosesan makanan dari keluaran beras					✓		

Sumber: Rancangan Malaysia Kelima hingga Rancangan Malaysia Kesebelas

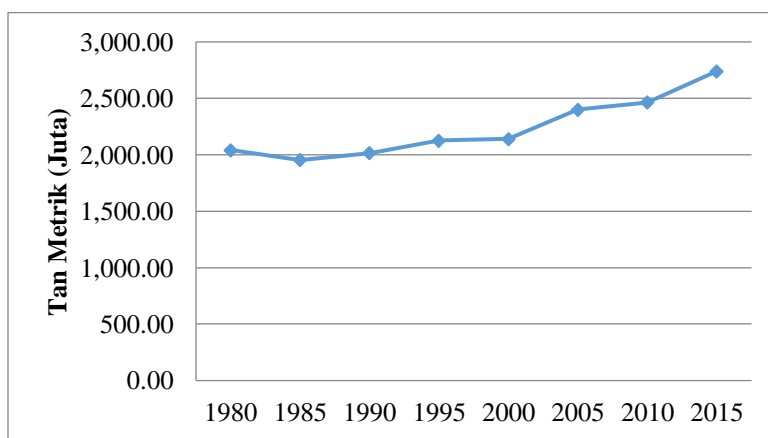
Pencapaian Pengeluaran Tanaman Padi Dalam Dasar Sekuriti Makanan

Merujuk pada Jadual 3, Carta 1 dan Jadual 4, tahap pengeluaran keseluruhan bagi tanaman padi mencatatkan peningkatan yang memberangsangkan sepanjang tempoh dasar.

Jadual 3: Pengeluaran Tanaman Padi di Malaysia (1980-2015)

	Tan Metrik (Juta)						
	1985	1990	1995	2000	2005	2010	2015
Padi	1,953	2,016.3	2,127	2,141	2,400	2,464	2741

Sumber: Rancangan Malaysia Keempat Hingga Kesembilan & Kementerian Pertanian dan Industri Asas Tani (MOA).



Carta 1 : Pengeluaran Padi di Malaysia (1980-2015)

Jadual 4: Prestasi Pengeluaran Padi dari DPN1 hingga DJBM

Padi	DPN1	DPN2	DPN3	DJBM	Catatan
	×	/	/	/	3/4

/ Meningkatkan

× Menurun



Tanaman padi merupakan tanaman makanan utama di Malaysia (Kementerian Pertanian dan Industri Asas Tani, 2008). Tahap pengeluaran bagi tanaman padi dari tempoh DPN1 hingga DJBM menunjukkan pengeluaran padi meningkat dari 2,040 tan pada tahun 1980 kepada 2741 tan pada 2015 walaupun mengalami sedikit penurunan sekitar tahun 1985. Kemerosotan ini sebahagian besarnya adalah disebabkan oleh keadaan cuaca buruk, serangga perosak dan wabak penyakit terutamanya Penyakit Merah Virus. Selain itu, tingkat hasil dan kepadatan tanaman yang tidak stabil termasuk di kawasan-kawasan jelapang padi utama, serta meningkatnya keluasan tanah sawah terbiar.

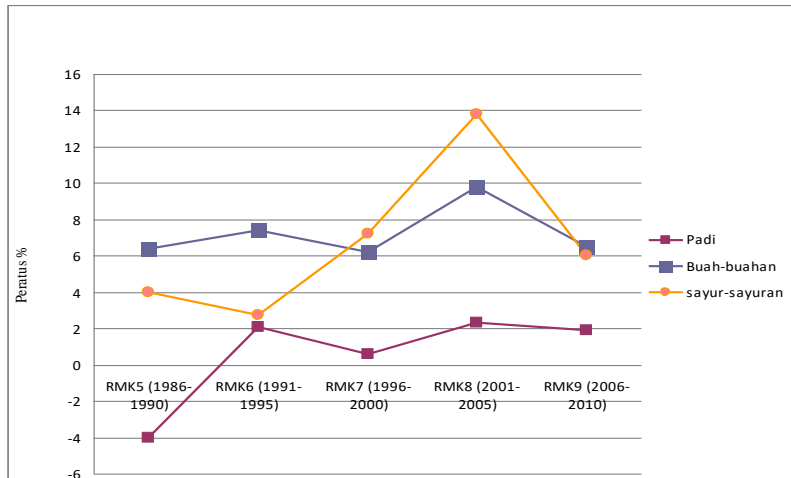
Antara langkah yang telah dilaksanakan oleh kerajaan adalah dengan memulihkan kumpulan petak-petak yang berdekatan di kawasan tanah terbiar melalui beberapa bentuk perladangan berkelompok dan estet padi di kawasan-kawasan pengairan di Kedah, Kelantan, Negeri Sembilan, Perak dan Pulau Pinang (Unit Perancang Ekonomi, 1986). Manakala tahun 2015 mencatatkan peningkatan yang memberangsangkan berbanding 2010 antaranya kesan daripada penggunaan benih padi yang berkualiti dan tahan penyakit serta amalan pertanian moden (Unit Perancang Ekonomi, 2015). Dalam tahun 2015, 681,559 hektar ditanam dengan padi, termasuk padi yang ditanam dua kali setahun (Jabatan Pertanian Semenanjung Malaysia, 2016).

Dalam tempoh 1995 hingga 2015, pengeluaran padi telah meningkat pada kadar purata 2.3% setahun disebabkan pada tempoh tersebut projek penyatuan sawah padi yang bersaiz kecil diteruskan melalui konsep pertanian secara berkelompok di lahan kawasan jelapang padi serta pelaksanaan Projek Sepuluh Tan Sehektar telah membolehkan penggunaan Amalan Pertanian Baik (GAP) yang lebih meluas dan pengurusan ladang yang lebih baik serta penggunaan jentera sepenuhnya (EPU, 2006). Jadual 5 dan Carta 2 menunjukkan kadar pertumbuhan purata tahunan hasil tanaman padi dari tempoh RMK5 hingga RMK10.

Jadual 5: Kadar Pertumbuhan Purata Tahunan Hasil Tanaman Padi (Peratus %)

	Matlamat	Pencapaian
Rancangan Malaysia Kelima (1986-1990)	-	-4.0
Rancangan Malaysia Keenam (1991-1995)	1.4	2.1
Rancangan Malaysia Ketujuh (1996-2000)	0.9	0.6
Rancangan Malaysia Kelapan (2001-2005)	2.7	2.3
Rancangan Malaysia Kesembilan (2006-2010)	5.9	1.9

Sumber : Rancangan Malaysia Kelima hingga Kesepuluh.

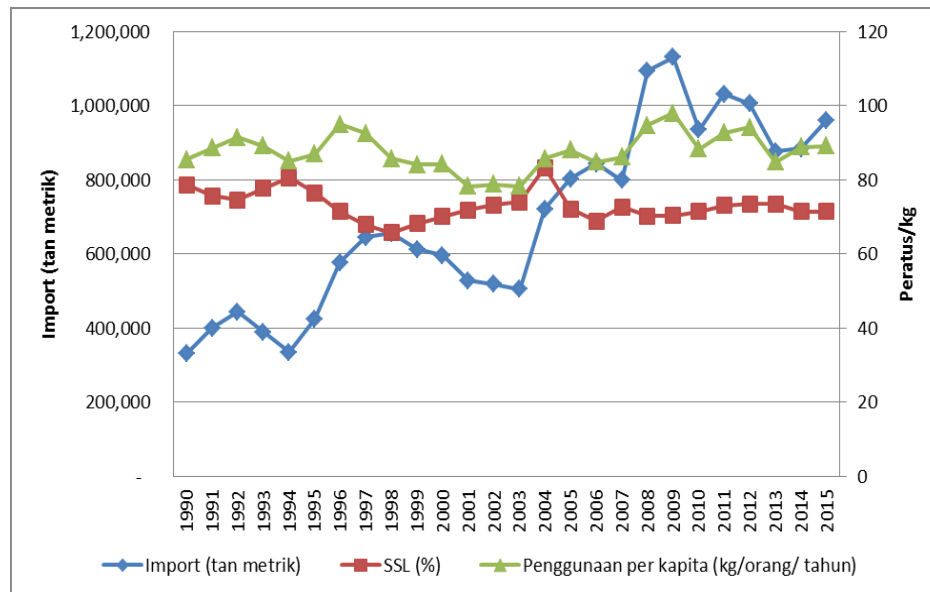


Carta 2: Kadar Pertumbuhan Tahunan Hasil Tanaman Padi (Peratus)

Jadual 6: Tahap Sara Diri Beras di Malaysia (1980-2015)

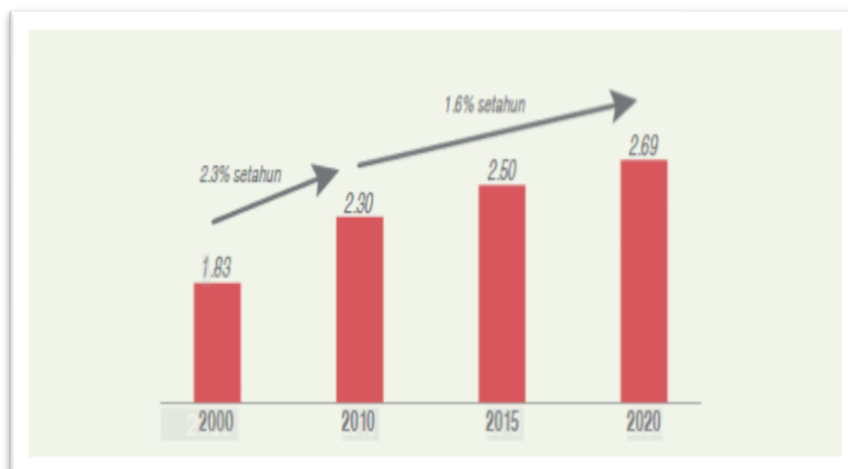
	1980	1985	1990	1995	2000	2005	2010	2015
Beras	98	85	80	76.3	71	72	71	71.5

Kecukupan bekalan makanan bergantung kepada pencapaian tahap sara diri (SSL). Tahap sara diri yang rendah kurang daripada 100 peratus menunjukkan pengeluaran dalam negara tidak dapat memenuhi keperluan penggunaan domestik. Jadual 6 dan Carta 3 menunjukkan tahap sara diri tanaman padi di Malaysia menunjukkan penurunan dari tahun 1980 sebanyak 98 peratus iaitu sebelum DPN1 dilaksanakan sehingga 2015 sebanyak 71.5 peratus. Jumlah bekalan yang tidak mencukupi terpaksa diimport dari luar untuk memenuhi keperluan dalam negara. Subsektor agromakanan akan diberikan tumpuan bagi memastikan sasaran tahap sara diri komoditi makanan dapat dicapai pada tahun 2020 iaitu sasaran tahap sara diri beras ditetapkan pada 100% dalam Dasar Agromakanan Negara (Unit Perancang Ekonomi, 2015).



Carta 3 : Import, SSL dan Penggunaan per kapita Beras

Carta 3 menunjukkan status industri padi di Malaysia yang merangkumi import, SSL dan penggunaan per kapita. Berlaku peningkatan pada kadar import beras dan penggunaan per kapita beras. Penggunaan beras dijangka meningkat daripada 2.30 juta tan metrik pada tahun 2010 kepada 2.69 juta tan metrik pada tahun 2020 iaitu pertumbuhan sebanyak 1.6% setahun disebabkan oleh pertambahan penduduk. Lihat Carta 4, unjuran penggunaan beras tahun 2010. Menjelang 2020, populasi negara dianggarkan 35 juta. Ini menunjukkan keperluan beras yang semakin meningkat pada masa akan datang. Perubahan diet juga mempengaruhi kadar penggunaan per kapita beras dalam tempoh kebelakangan ini (Tapsir, 2017).



Carta 4: Pencapaian dan Unjuran Penggunaan Beras, 2000 - 2020 (Juta Tan Metrik)



Kesimpulan

Secara kesimpulannya, sepanjang tempoh DPN1 sehingga DAN, prestasi pengeluaran tanaman padi menunjukkan peningkatan walaupun terdapat sedikit penurunan dalam tahun-tahun tertentu. Kadar penurunan yang ditunjukkan ini masih menunjukkan pengeluaran beras negara masih stabil. DPN yang telah dijalankan masih belum berkesan untuk memastikan jaminan sekuriti makanan bagi beras kerana beras merupakan sumber makanan utama di Malaysia. Untuk menampung sumber beras yang tidak mencukupi dalam negara, import terpaksa dilakukan dari negara luar. Namun, tidak dinafikan kerajaan telah melaksanakan berbagai-bagai langkah untuk mengatasi kos pengeluaran padi yang tinggi dengan memberikan subsidi seperti benih dan baja. Selain itu kerajaan sentiasa berusaha memperbaiki sistem pengairan dan saliran untuk tanaman padi, penggunaan jentera, penyatuan sawah-sawah kecil dan sebagainya. Sepertimana program yang dijalankan pada tempoh DPN1 sehingga DAN, penggunaan input buruh telah berkurang kerana penggunaan jentera sepenuhnya di hampir keseluruhan kerja di ladang dalam kawasan utama tanaman padi dan seterusnya ia dapat mengurangkan lagi kos pengeluaran. Namun jumlah kecukupan pengeluaran beras masih belum dapat dicapai.

Jika dilihat dari segi ekonomi, mengimport beras adalah lebih menguntungkan jika mengeluarkan beras sendiri dalam negara kerana Malaysia merupakan negara kos pengeluar yang tinggi dan dengan itu tidak mempunyai faedah berbanding dengan pengeluaran beras jika dibandingkan dengan negara Thailand. Tetapi, untuk mencapai matlamat jaminan makanan dalam negara, Malaysia perlu memenuhi matlamat pengeluaran beras serta matlamat penggunaan secukupnya. Kerajaan perlu menambahbaik amalan teknologi pengeluaran padi negara bagi meningkatkan produktiviti padi. Insentif dan subsidi kerajaan hendaklah dikekalkan bagi kelestarian pengeluaran padi. Di samping itu, terdapat cabaran yang perlu ditangani oleh kerajaan bagi meningkatkan pengeluaran beras seperti keluasan tanah sawah yang terhad, pertukaran tanah sawah kepada komoditi lain, pembangunan kawasan untuk tujuan komersil dan peningkatan kos pengeluaran.

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HUBUNGAN PERSONALITI GURU PENDIDIKAN ISLAM DENGAN AKHLAK PELAJAR : SATU TINJAUAN AWAL DI SEKOLAH MENENGAH DAERAH MARANG, TERENGGANU

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Abstrak: Dewasa ini timbul pelbagai isu berkaitan akhlak pelajar Islam yang mendatangkan impak negatif kepada profesion perguruan amnya, dan Guru Pendidikan Islam khususnya. Beberapa kajian lepas menunjukkan bahawa masalah keruntuhan akhlak pelajar mempunyai kaitan rapat dengan personaliti Guru Pendidikan Islam. Rentetan itu kertas kerja ini menganalisis personaliti Guru Pendidikan Islam yang menjadi 'role model' serta contoh keperibadian mulia dalam kalangan pelajar. Di samping itu, perbincangan turut melibatkan beberapa permasalahan dan cabaran yang timbul dalam merealisasikan peranan mereka untuk membina personaliti dan akhlak pelajar. Satu kajian secara kuantitatif dan kualitatif telah dijalankan untuk menyokong sorotan literatur berkaitan personaliti guru.

Kata kunci: Personaliti guru, akhlak pelajar, Guru Pendidikan Islam

Abstract: Of late, arise various issues related to Islamic student morals that have a negative impact on the teacher's profession generally and Islamic Education Teacher particularly. Several previous studies have shown that issues of students' moral decline are closely related to the personality of Islamic Education Teachers. From the situation, this paper analyzes the personality of Islamic Education Teacher who can be the role model and example of noble personality among students. In addition, discussions also involve some of the problems and challenges that arise in the realization of their role in building student personality and morals. A quantitative and qualitative study was conducted to support the literature's focus on teacher personality.

Keywords: Teacher personality, student morality, Islamic Education Teacher

Pendahuluan

Falsafah Pendidikan Kebangsaan (FPK) telah menetapkan hala tuju dan matlamat Pendidikan Islam ialah untuk membentuk akhlak individu Muslim yang mencakupi aspek rohani, jasmani, intelek dan emosi. Proses pendidikan secara berterusan ini turut digambarkan secara jelas melalui Falsafah Pendidikan Islam (FPI), Kementerian Pendidikan Malaysia (1990), *Falsafah Pendidikan Islam adalah satu usaha berterusan untuk menyampaikan ilmu, kemahiran dan penghayatan Islam berdasarkan al-Quran dan as-Sunnah bagi membentuk sikap, kemahiran dan keperibadian dan pandangan hidup sebagai hamba Allah yang mempunyai tanggungjawab untuk membangunkan diri masyarakat, alam sekitar dan Negara kearah mencapai kebaikan di dunia dan di akhirat*”.



Sehubungan dengan itu, sudah menjadi tanggungjawab setiap pihak khususnya mereka yang terlibat dengan dunia pendidikan untuk memastikan terbentuknya individu muslim yang mempunyai akhlak dan sahsiah seperti yang terkandung di dalam Falsafah Pendidikan Islam bagi melahirkan wajah manusia yang indah, berakhlak dan bersahsiah tinggi. Tajul Ariffin dan Noraini (1992) menyatakan, manusia perlu dibentuk menjadi insan yang baik dan mulia, rakyat yang amanah dan bertanggungjawab serta warganegara yang setia serta bersemangat tinggi. Insan pelajar yang baik ini akan membentuk keluarga yang baik dan seterusnya masyarakat serta bangsa yang baik. Idealisme inilah yang harus diperjuangkan oleh para guru dan pelajar sejajar dengan Falsafah Pendidikan Kebangsaan (FPK) dan Wawasan 2020.

Sorotan Literatur

Isu dan permasalahan dalam dunia pendidikan

Dunia hari ini telah dilakari oleh pelbagai trend dan paradigma kehidupan bentuk baru. Globalisasi telah memberi impak yang bukan sedikit dalam kehidupan berakhlak dan bersahsiah dalam sesebuah masyarakat. Pengaruh dan kesan yang dibawa oleh pelbagai pihak menerusi medium teknologi komunikasi maklumat turut memberi kesan yang besar terhadap sosial masyarakat terutama dalam kalangan remaja yang terdiri dari kalangan pelajar. Umumnya, pelajar amat berkait rapat dengan dunia persekolahan yang dikelilingi oleh pelbagai suasana yang boleh mempengaruhi perkembangan mereka seperti dan para guru yang mempunyai peranan untuk membentuk para pelajar menjadi modal insan yang berguna. Di samping itu, Guru Pendidikan Islam sering dikaitkan sebagai *role model* kepada para pelajar

Guru Pendidikan Islam bertindak melaksanakan Falsafah Pendidikan Islam dan menterjemahkan hasilnya ke dalam bidang pembinaan dan pembentukan kehidupan bermasyarakat. Hal ini kerana Pendidikan Islam mempunyai prinsip yang lebih unggul kerana ia menghubungkan setiap sesuatu prinsip-prinsip itu berkait rapat dengan ketuhanan, alam dan diri insan secara serentak tanpa terpisah antara satu sama lain.

Di samping itu, personaliti Guru Pendidikan Islam sepatutnya sejajar dengan tuntutan agama kerana mereka adalah orang yang bertanggungjawab untuk mengajar Pendidikan Islam. Oleh itu, kajian ini menjadikan Pendidikan Islam sebagai pengukur kepada personaliti Guru Pendidikan Islam dan pengamalan akhlak pelajar.

Mohd Anuar Mamat (2016), menegaskan pelbagai isu pendidikan turut dikaitkan dengan persoalan etika dan sahsiah guru pada pelbagai peringkat. Saban tahun kedengaran beberapa kes etika yang melibatkan guru seperti salah laku moral dan gangguan seksual (Berita Harian, 2012), guru penyebab pelajar ponteng sekolah (Berita Harian, 20 September 2013: Zahari, Low Suet Fin, 2014), guru warga Malaysia ditangkap menipu peniaga berlian di India (Utusan, 3 Januari 2013), guru ditangkap khalwat dalam semak (Sinar Harian 8 Mac 2013), MARA siasat dakwaan pelajar hampir buta dirotan guru (Malaysiakini, 21 Mei 2015), guru dipenjarakan dua tahun kerana memiliki filem lucah dan menyebarkan gambar lucah serta palsu terhadap pimpinan negara (harian Metro, 20 Julai 2016), guru agama dipenjarakan dua bulan akibat melakukan kelucahan melampau terhadap pelajar (30 Julai 2016), Skim cepat kaya: 5 guru ditahan (Utusan, 6 Ogos 2016) dan sebagainya. Selain itu, masalah etika guru dan suasana kerja guru juga menyumbang kepada beberapa masalah guru yang lain terutamanya guru mendakwa bebanan kerja mereka membawa tekanan perasaan dan mereka hampir tiada masa untuk bersama keluarga (Star 2010: 21 September 2010).



Dalam masa yang sama, Zulfan Nasution (2001) menegaskan, terdapat banyak pihak yang membicarakan tentang kerosakan sahsiah dan akhlak pelajar. Beberapa permasalahan dalam kalangan pelajar yang begitu membimbangkan serta meresahkan ibu bapa dan para guru di sekolah khususnya ialah perubahan terhadap sikap serta tingkah laku mereka yang semakin merosot. Selain itu, turut dikemukakan statistik yang dipetik daripada akhbar Harian Metro (11 Mac 2015) yang melaporkan masalah moral dan akhlak dalam kalangan remaja. Walaupun statistik ini menunjukkan kadar masalah moral dan personaliti dalam kalangan remaja, namun ia turut mewakili majoriti pelajar-pelajar sekolah menengah kerana purata usia mereka juga terdiri daripada golongan remaja.

Para pelajar sekolah yang beragama Islam juga tidak ketinggalan mengalami masalah penyimpangan sosial. Menurut Hasnan Kasan (2002) terdapat beraneka jenis penyimpangan sosial telah dan sedang berlaku dalam kalangan ahli masyarakat Islam umumnya dan para pelajar khususnya. Antaranya ialah penyalahgunaan dadah, arak, seks bebas, budaya lepak, vandalisme, jenayah pecah rumah, mencuri motosikal, merogol, menyamun, membunuh. Asmawati Suhid (2005) memaklumkan fenomena gejala keruntuhan akhlak dan sahsiah dalam kalangan remaja dan para pelajar, secara tidak langsung dikaitkan dengan kualiti Guru Pendidikan Islam. Di dalam penulisan Abdullah Sani Yahya (2005) menyatakan bahawa pengaruh Guru Pendidikan Islam merupakan salah satu faktor yang menyumbang kepada perlakuan kurang sopan dalam kalangan murid-murid.

Penulis menyimpulkan bahawa kesemua isu ini secara langsung atau tidak langsung adalah berkait rapat dengan etika dan akhlak serta keperibadian dan jati diri guru. Isu-Isu yang diutarakan di atas dan permasalahan tersebut dapat diatasi sekiranya jika guru amnya dan guru pendidikan Islam khususnya mengamalkan identiti dan akhlak Islam dengan komitmen yang penuh dan menjadikan Rasulullah S.A.W sebagai qudwah dan ikutan yang baik dalam kehidupan mereka di sekolah dan di luar sekolah.

Standard Guru Malaysia sebagai panduan guru yang berpersonaliti unggul

Mohd Anuar Mamat (2016) menjelaskan, Pihak Kementerian Pendidikan Malaysia sedang menggiatkan usaha untuk melakukan transformasi terhadap bidang pendidikan termasuklah perihal etika dan nilai dalam sistem pendidikan. Sebagai contoh, pihak Kementerian Pendidikan Malaysia telah memperkenalkan Standard Guru Malaysia sebagai dokumen yang menjelaskan kualiti para guru. Antara kriteria penting guru yang digariskan dalam Standard Guru Malaysia termasuklah guru yang mempunyai tahap amalan nilai profesionalisme keguruan, pengetahuan dan kefahaman serta kemahiran pengajaran dan pembelajaran yang tinggi bagi membolehkan mereka menjadi guru yang professional yang berkesan dalam mendidik para pelajar selaras dengan Falsafah Pendidikan Kebangsaan dan Falsafah Pendidikan Guru. Tambahan pula dalam Pelan Pembangunan Pendidikan Malaysia 2013-2025 yang menjadi dasar kepada proses transformasi Pendidikan, aspek nilai dan etika perguruan ini juga diberi penekanan. (Kementerian Pelajaran Malaysia: 2013)

Berdasarkan penjelasan Bahagian Pendidikan Guru (2009), antara aspek standard yang terkandung dalam Standard Guru Malaysia ialah Amalan Nilai Profesional Keguruan yang mengandungi tiga domain utama iaitu domain diri, domain profession dan domain sosial. Ketiga-tiga domain tersebut saling berkait antara satu sama lain untuk melahirkan guru yang mempunyai nilai profesional dalam bidang ini. Domain diri merujuk kepada pegangan nilai diri yang sedia ada dan



seharusnya dikembangkan supaya guru boleh memberi sumbangan yang lebih berkesan untuk mencapai matlamat sistem pendidikan Negara. Antara nilai- nilai yang difokuskan dalam domain ini ialah kasih sayang, sabar, amanah, aktif, kemahiran interpersonal dan intrapersonal. Seterusnya, domain profesion yang merujuk kepada nilai yang patut diamalkan secara telus oleh guru dalam menjalankan tugasnya sebagai seorang guru yang profesional. Nilai yang ditekankan ialah kecintaan terhadap profesion, berketerampilan, intergriti, teladan, kreatif dan inovatif. Domain ketiga iaitu domain sosial yang merujuk kepada peranan guru sebagai agen sosialisasi dan penjana modal insan dalam masyarakat. Nilai- nilai utama yang patut diamalkan antaranya keharmonian dan kemahiran sosial.

Kesimpulannya, Standard Guru Malaysia ini jelas menunjukkan keselariannya dengan Falsafah Pendidikan kebangsaan yang telah ditetapkan untuk melahirkan individu yang seimbang dari aspek jasmani, emosi, rohani dan intelek agar dapat memberi sumbangan kepada semua pihak. Berdasarkan kepada tiga domain ini, penulis telah menetapkan empat aspek utama yang mewakili personaliti unggul bagi melihat dan mengkaji dengan lebih mendalam berkaitan fokus kajian ini. Empat aspek utama yang dimaksudkan ialah penampilan, komunikasi, tingkah laku serta emosi. Aspek yang sama turut digunakan bagi melihat hubungan personaliti Guru Pendidikan Islam dengan akhlak pelajar kerana keempat- empat aspek ini turut terkandung di dalam Falsafah Pendidikan Kebangsaan.

Metodologi kajian

Hasil daripada perbincangan sebelum ini, telah timbul persoalan tentang sejauh mana para pelajar melihat personaliti Guru Pendidikan Islam serta adakah ia mempunyai hubungan dengan pengamalan akhlak pelajar. ketika Justeru itu, penyelidik telah menjalankan kajian untuk melihat hubungan di antara personaliti Guru Pendidikan Islam dan Pembentukan Akhlak Pelajar pada masa kini.

Berikut merupakan objektif kajian:

- 1) Mengenalpasti ciri-ciri personaliti Guru Pendidikan Islam di sekolah-sekolah Menengah Kebangsaan Daerah Marang.
- 2) Mengenal pasti pengamalan akhlak di kalangan pelajar di Sekolah Menengah Kebangsaan Daerah Marang
- 3) Mengkaji hubungan di antara personaliti Guru Pendidikan Islam dan akhlak pelajar.

Reka bentuk kajian

Idris Awang (2009) menerangkan, penyelidikan kuantitatif adalah data yang diperolehi dalam bentuk angka seperti jumlah, bilangan, peratus atau nilai- nilai tertentu. Pengumpulan data kuantitatif ini akan melibatkan proses perhitungan. Dalam kajian ini, pengkaji telah menggunakan instrumen soal selidik untuk mendapatkan data daripada responden agar hasil yang didapati terkumpul daripada pandangan ramai pelajar. Selain itu, pengkaji turut membina soalan temubual semi struktur bagi temubual bersama Guru Pendidikan Islam untuk mendapatkan penjelasan dengan lebih mendalam mengenai personaliti Guru Pendidikan Islam. Pengkaji juga memilih penyelidikan kualitatif sebagai kaedah kedua setelah penyelidikan kuantitatif dijalankan. Ini bertujuan untuk mendapatkan penjelasan daripada pihak Guru Pendidikan Islam berdasarkan kepada persoalan yang timbul hasil daripada data yang dikumpul daripada pelajar



Sampel kajian

Seramai 350 orang pelajar Tingkatan 4 yang bersekolah di Sekolah Menengah Kebangsaan Daerah Marang, Kuala Terengganu telah terlibat dalam kajian ini. Pemilihan seramai 350 orang pelajar ini adalah berdasarkan kepada jadual penentuan saiz sampel oleh *Robert V. Krejcie dan Daryle W. Morgan* (1970).

Pengkaji telah memilih untuk menjadikan pelajar Tingkatan 4 Sekolah Menengah Kebangsaan di Daerah Marang yang telah mengikut pelajaran Pendidikan Islam sebagai sampel. Mereka dipilih kerana pelajar Tingkatan 4 merupakan pelajar yang telah lama menjalani pelajaran Pendidikan Islam bersama dengan Guru Pendidikan Islam dan ia merupakan faktor- faktor pemilihan yang kuat. Mereka telah lama bersama dengan Guru Pendidikan Islam dan mengenali personaliti mereka memandangkan mereka sudah empat tahun mengikuti kurikulum Pendidikan Islam.

Selain itu, seramai lima orang Guru Pendidikan Islam telah dipilih untuk menjalankan sesi temubual. Guru Pendidikan Islam yang dipilih mewakili tujuh buah sekolah yang dikaji.

Instrumen kajian

Bagi mencapai objektif yang telah ditetapkan, pengkaji telah membina borang soal selidik yang dibahagikan kepada tiga bahagian. Pengkaji telah menyenarai pendek konstruk personaliti yang ingin dikaji kepada empat konstruk utama personaliti iaitu penampilan, tingkah laku, komunikasi dan emosi.

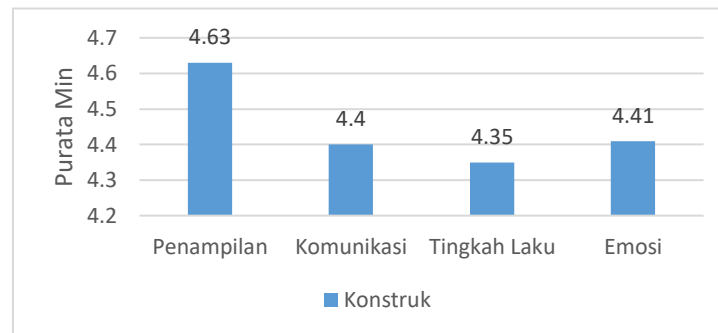
Tujuan pengkaji memilih keempat- empat konstruk ini sebagai konstruk penting yang ingin dikaji ataupun dikenali sebagai pemboleh ubah kerana ia telah meliputi secara langsung dan tidak langsung aspek jasmani, emosi, rohani, intelek dan sosial yang perlu ada pada pendidik untuk melahirkan manusia yang seimbang sejajar dengan Falsafah Pendidikan Kebangsaan dan sejajar dengan Standard Guru Malaysia dalam usaha untuk melahirkan guru yang mempunyai standard yang tinggi.

Di samping itu, pengkaji telah membina soalan temu bual semi struktur yang telah dibina setelah data bagi dianalisis bagi memastikan persoalan yang timbul setelah hasil soal selidik dianalisis. Ini bertujuan untuk mendapatkan penjelasan daripada pihak Guru Pendidikan Islam dengan lebih mendalam

Perbincangan awal hasil dapatan kajian

Berdasarkan kepada soal selidik yang telah diedarkan, pengkaji telah mengenal pasti ciri- ciri personaliti guru Pendidikan Islam dan ciri- ciri akhlak pelajar berserta hubungan di antara personaliti guru Pendidikan Islam dan akhlak pelajar. Berikut ialah hasil bagi kajian kuantitatif dan kualitatif :

Personaliti Guru Pendidikan Islam di Daerah Marang



Gambar Rajah 1 : Nilai min personaliti Guru Pendidikan Islam

Jadual di atas menunjukkan nilai min bagi konstruk penampilan, komunikasi, tingkah laku dan emosi. Konstruk penampilan menunjukkan nilai min paling tinggi iaitu 4.63 manakala konstruk tingkah laku menunjukkan nilai min terendah iaitu 4.35.

Soalan- soalan di dalam konstruk penampilan adalah sebanyak 9 item. Nilai min terendah ialah item 13, iaitu memperlihatkan keyakinan dan kepercayaan diri ketika mengajar dengan nilai min 4.45 dan min tertinggi ialah didapati pada item 5 dengan nilai 4.80 iaitu penutupan aurat dengan sempurna. Sementara min-min item yang lain di bawah konstruk penampilan guru masih tinggi iaitu antara 4.45 hingga min 4.80. Secara keseluruhannya, ini menunjukkan majoriti guru Pendidikan Islam di sekolah- sekolah terpilih mempunyai ciri- ciri yang selari dengan personaliti unggul yang sepatutnya ada pada seorang guru.

Para pelajar sentiasa melihat fesyen guru-guru di sekolah. Sebagai contoh, tudung ni, pelajar sering bertanya tudung-tudung yang saya dan ustazah-ustazah lain pakai. Mereka berkenan dengan tudung ni lagipun tudungnya menutup aurat. Ada yang bertanya di mana untuk mendapatkannya. Ini menunjukkan para pelajar sebenarnya terkesan dengan penampilan guru. ⁵(GPI5)

Sebanyak 9 item juga yang disoal dalam konstruk komunikasi. Didapati nilai min terendah ialah bagi item 'guru tidak mengaibkan imej pelajar di hadapan pelajar yang lain' dengan nilai 4.27. Manakala min yang tertinggi terdapat pada item no 11 dengan nilai 4.50 iaitu guru beramal dengan nilai-nilai murni. Sementara min-min pada item yang lain masih berada pada tahap tinggi iaitu melebihi nilai min 4.01.

Kadang- kadang ada pelajar yang suka bertanya benda yang sama, tapi kita cuba untuk faham situasi pelajar. Mungkin dia betul-betul tak faham. Bila dia bercerita atau bertanyakan soalan, kita cuba letakkan diri kita dekat situasi pelajar. Lagi satu kalau kita nak beri nasihat dekat mereka, cuba dengan cara yang santai sebab mereka lagi seronok. Lagi satu bila kita rapat dengan mereka, sedikit sebanyak dapat memberikan kesan dan pengaruh kita kepada pelajar. (GPI5)

Bagi konstruk tingkah laku, sebanyak 9 item juga yang telah disenaraikan di dalam borang soal selidik. Nilai min yang tertinggi ialah item No 3 iaitu pernyataan guru bersungguh- sungguh dan berdedikasi melaksanakan tugas mereka. Nilai min yang dicatat ialah 4.49. Manakala item



‘memasuki kelas tepat pada waktunya’ menunjukkan nilai min terendah iaitu 4.11. Sementara nilai min item yang lain berada pada tahap tinggi iaitu melebihi 4.01 dengan purata min secara keseluruhannya ialah 4.35 dan merupakan nilai min terendah berbanding konstruk lain.

Kalau saya, saya memang tak pernah rotan pelajar. Saya kalau nak menghukum lebih kepada berleter atau orang kata beri nasihat je lah. Memang pelajar tak pernah tengok saya rotan atau pukul pelajar. Tapi kadang-kadang adalah tercubit sikit. (GPI5)

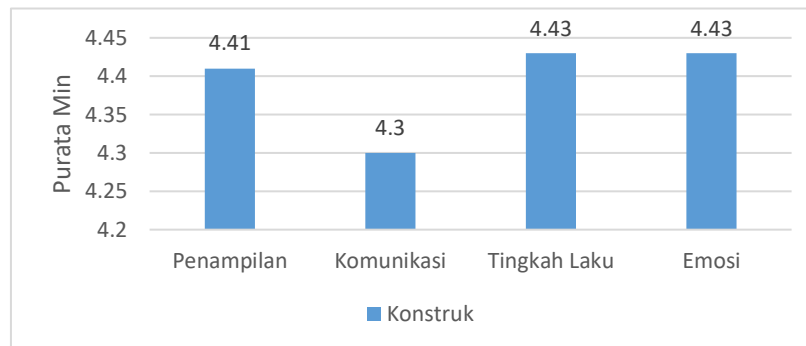
Sebenarnya macam ni, ada pelajar yang kadang-kadang cikgu pukul. Cikgu bagi nasihat dia tak dengar. Dalam Islam pun bagi nasihat dulu. Kalau tak dengar tu kita menghukum dan seterusnya. Kadang-kadang budak-budak ni mencabar kita dari segi percakapan. Sebab tu ada guru- guru yang tak tahan akan pukul. Tapi tak pukul sapa teruk. Sekadar tarik telinga ke cubit ke. Tapi sekarang budak-budak manja. Kalau zaman dulu mak ayah yang suruh cikgu denda. Sekarang pukul sikit pun mak ayah datang sekolah. (GPI3)

Skor min bagi item-item yang merujuk kepada ciri- ciri personaliti dalam aspek emosi guru ialah 4.41. Sebanyak 10 item yang telah disenaraikan untuk mengenal pasti ciri- ciri personaliti guru Pendidikan Islam dalam konteks emosi. Didapati min yang terendah bagi konstruk emosi ialah item no 37 iaitu ‘guru tidak cepat marah apabila pelajar tidak memberikan kerjasama dengan baik.’ Manakala didapati min yang tertinggi ialah 4.53 item no 12 ‘guru menunjukkan keikhlasan dalam menyampaikan pelajaran’. Sementara min-min item yang lain berada pada tahap tinggi iaitu melebihi nilai 4.01.

Kita kena tahu latar belakang pelajar untuk faham emosi pelajar. Kadang-kadang kita pun beremosi. Bila pelajar tanya saya, saya bagi tahu saya tengah serabut dan jangan tanya saya masa ni sebab saya tengah banyak kerja ni. Esok, lusa dia tanya sebab apa saya nak marah-marah. Saya jawablah yang saya ni manusia juga ada masa awak tanya tak kena dengan masa dalam masa yang sama saya minta maaf denga dia. Saya dengan pelajar ni jadi seperti kawan. Bila berbual pun saya suka secara santai supaya pelajar selesa dengan saya dan saya boleh memahami pelajar. (GPI1)

Kesimpulannya, hasil awal kajian yang dilihat berdasarkan Jadual Interpretasi Skor Min (Nunnally, 1994), kesemua konstruk menunjukkan guru Pendidikan Islam di Daerah Marang, Terengganu mempunyai nilai interpretasi yang tinggi dan secara lansung menggambarkan guru-guru tersebut mempunyai personaliti yang selari dengan tuntutan Bahagian Pendidikan Guru serta Kementerian Pelajaran Malaysia. Hal ini penting kerana, berdasarkan dapatan oleh Jawati Juhari, kajiannya mendapati 42% orang murid sentiasa memerhatikan personaliti dan identiti guru seperti cara guru berjalan, makan dan bercakap. Oleh itu, guru perlulah sentiasa menunjukkan sahsiah dan penampilan yang baik kerana mereka sentiasa diperhatikan oleh pelajar dan mereka turut menjadi role model kepada para pelajar dalam menjalani kehidupan seharian.

Akhlak pelajar- pelajar Tingkatan 4 di Daerah Marang



Gambar Rajah 2 : Nilai Min Bagi Akhlak Pelajar

Jadual di atas menunjukkan nilai min bagi konstruk penampilan, komunikasi, tingkah laku dan emosi di bawah ciri- ciri pengamalan akhlak pelajar. Konstruk tingkah laku dan emosi menunjukkan nilai min paling tinggi dengan nilainya yang sama iaitu 4.43 manakala konstruk komunikasi menunjukkan nilai min terendah iaitu 4.30.

8 item telah disenaraikan dibawah konteks penampilan pelajar untuk menilai ciri- ciri pengamalan akhlak pelajar. Hasil data didapati min terendah adalah 4.13 iaitu item No 9 iaitu memastikan diri pelajar sentiasa yakin ketika berhadapan dengan orang ramai. Manakala nilai min tertinggi ialah pada item no 1 iaitu berpakaian kemas ketika menghadiri sekolah dan item no 17 iaitu memastikan pakaian sentiasa wangi dan tidak berbau dengan catatan nilai min 4.59. Item-item lain menunjukkan para pelajar di sekolah- sekolah Daerah Marang mempunyai akhlak yang baik dari konteks penampilan.

Sebanyak 8 soalan telah dikemukakan dibawah konteks komunikasi untuk mengenal pasti ciri- ciri pengamalan akhlak pelajar. Merujuk kepada item-item dibawah konteks komunikasi, didapati skor min terendah ialah item no 10 dengan catatan nilai min 4.18 iaitu pelajar tidak berbohong apabila bercakap dengan guru dan rakan. Manakala min tertinggi ialah bagi item No 30 dengan nilai min 4.47 iaitu pelajar menghargai usaha rakan-rakan dan tidak mengadu domba. Sementara min-min yang lain di bawah konstruk komunikasi masih tinggi ialah melebihi 4.01.

Hasil dapatan kajian menunjukkan nilai min terendah bagi konstruk tingkah laku ialah 4.36, iaitu pada item no 3, 'pelajar menjaga adab dan batas pergaulan di sekolah'. Sementara min tertinggi ialah 4.62 item No 32 menghargai pertolongan daripada orang lain.

Nilai min purata bagi konstruk terakhir iaitu emosi adalah sebanyak 4.43. Didapati nilai min yang tertinggi ialah item No 12 iaitu 'pelajar bersyukur kepada Allah apabila berjaya dalam peperiksaan berusaha serta bertawakkal kepada Allah apabila mencapai keputusan yang tidak di harapkan' dengan catatan nilai min 4.74. Manakala min yang terendah ialah 4.22 iaitu pada item no 4 dengan pernyataan 'mengamalkan sifat sabar dalam menjalankan tugas harian'. Sementara min-min yang lain berada pada tahap tinggi iaitu melebihi nilai 4.01.

Kesimpulannya, hasil awal kajian yang dilihat, didapati kesemua konstruk menunjukkan para responden pelajar di Daerah Marang, Terengganu mempunyai nilai interpersasi yang tinggi dan secara langsung menunjukkan para pelajar tersebut mempunyai pengamalan akhlak yang baik. Jika dilihat secara keseluruhannya, ia mencapai matlamat Falsafah Pendidikan Kebangsaan untuk melahirkan individu yang seimbang dari pelbagai aspek.

Hubungan di antara personaliti Guru Pendidikan Islam dan akhlak pelajar di Daerah Marang
Bagi melihat hubungan di antara personaliti Guru Pendidikan Islam dan akhlak pelajar, pengkaji telah menjadikan jadual korelasi Pearson sebagai penanda aras untuk menentukan kekuatan hubungan di antara kedua-duanya.

Jadual 1: Nilai Korelasi Bagi Hubungan Di Antara Personaliti Guru Pendidikan Islam Dan Akhlak Pelajar

Konstruk	Signifikan	Nilai korelasi
Penampilan GPI dan penampilan pelajar	Signifikan	0.409
Komunikasi GPI dan komunikasi pelajar	Signifikan	0.414
Tingkah laku GPI dan tingkah laku pelajar	Signifikan	0.366
Emosi GPI dan emosi pelajar	Signifikan	0.383

Jadual di atas menunjukkan nilai korelasi bagi setiap konstruk serta nilai korelasi keseluruhan bagi personaliti guru Pendidikan Islam dan akhlak pelajar. Hasil dapatan menunjukkan nilai korelasi bagi penampilan guru dan penampilan pelajar ialah 0.409. Berdasarkan jadual korelasi Pearson, hubungan di antara personaliti guru Pendidikan Islam dan akhlak pelajar dalam konteks penampilan adalah sederhana kuat. Hubungan di antara personaliti Guru Pendidikan Islam dan akhlak pelajar dalam konteks komunikasi juga turut memaparkan nilai korelasi yang sederhana kuat iaitu pada nilai 0.414.

Bagi konteks tingkah laku dan emosi, kedua-duanya mencatat nilai korelasi yang menunjukkan hubungan yang lemah iaitu masing-masing pada nilai 0.366 dan 0.383. Ini menunjukkan wujud hubungan di antara personaliti guru Pendidikan Islam dan akhlak pelajar dari konteks tingkah laku dan emosi namun, hubungannya lemah dan tidak menjadi sandaran yang kuat untuk mengaitkan personaliti guru Pendidikan Islam memberi kesan kepada akhlak pelajar.

Dapatan awal kajian ini menunjukkan wujud hubungan di antara personaliti guru Pendidikan Islam dan akhlak pelajar. Namun hubungannya berada di tahap sederhana kuat dan lemah bergantung kepada konstruk-konstruk tertentu. Kajian khusus yang melibatkan hubungan di antara personaliti guru Pendidikan Islam dan akhlak pelajar berdasarkan kepada empat konteks yang dikaji masih belum mendapat perhatian dalam kalangan pengkaji sebelum ini. Dapatan ini juga menunjukkan bahawa personaliti Guru Pendidikan sering diperhatikan oleh para pelajar dan mempunyai hubungan dengan perkembangan serta pengamalan akhlak para pelajar di sekolah dan luar sekolah. Oleh itu, para guru seharusnya memainkan peranan mereka dengan lebih baik serta sentiasa memperbaiki diri dengan menghadiri kursus-kursus yang berkaitan di memperbaiki kemahiran sedia ada bagi memastikan peranan mereka berjalan dengan baik.

Kesimpulan

Sejak akhir-akhir ini khususnya pada abad alaf baru ini, terdapat pelbagai isu mengenai sahsiah pelajar di sekolah yang menggambarkan bahawa pelajar-pelajar di sekolah terjebak dengan keruntuhan akhlak dan sekaligus mereka terpesorok jauh kepada kerosakan akhlak dan moral yang



cukup parah pada hari ini. Islam sangat mengambil berat tentang pendidikan kerana dengan pendidikan ilmu-ilmu dalam Islam dapat disebarkan secara meluas untuk membangunkan kehidupan dunia dan akhirat. Guru adalah pendidik dan seorang pendidik bukan hanya bertanggungjawab menyampaikan ilmunya kepada murid akan tetapi membentuk keperibadian, sahsiah, pelajar-pelajar di bawah tanggungjawabnya. Justeru itu sebagai seorang guru selaku pendidik, mereka perlu menonjolkan personaliti yang mampu menjadi ikutan dan contoh teladan kepada murid dan dapat mempengaruhi serta membentuk sahsiah dan personaliti murid dalam menjalani kehidupan dalam erti kata kehidupan bersahsiah dan berpersonaliti yang membanggakan.

Tidak dapat dinafikan bahawa Guru Pendidikan Islam cukup signifikan dalam usaha membentuk sahsiah pelajar di sekolah. Malah kombinasi Guru Pendidikan Islam dan pelajar membawa kepada implikasi positif kepada pembentukan sahsiah pelajar dan sahsiah yang cemerlang, sahsiah unggul. Namun sejauh mana kekuatan hubungan di antara personaliti guru Pendidikan Islam dan akhlak pelajar pada masa kini seharusnya dikenal pasti. Hasil awal kajian yang dilakukan ini menunjukkan bahawa hubungan ini berada pada kedudukan yang sederhana kuat dan lemah. Ini menunjukkan guru Pendidikan Islam bukanlah punca utama atau faktor yang dominan dalam membina akhlak pelajar sebagaimana yang digembar gemburkan bahawa guru Pendidikan Islam punca kepada pelajar mengalami kemerosotan sama ada dalam akademik ataupun akhlak. Walau bagaimanapun peranan seorang guru untuk menunjukkan personaliti unggul tidak harus diketepikan kerana mereka sering diperhatikan oleh para pelajar dan dalam masa yang sama menjadi contoh kepada mereka. Dalam masa yang sama pelbagai pihak khususnya warga guru perlu berganding bahu untuk meningkatkan kemahiran mereka dalam memaparkan personaliti yang unggul kepada para pelajar.

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PENDEKATAN AMAR MAKRUF DAN NAHI MUNGKAR DALAM KERANGKA HISBAH: AMALAN PENGUAT KUASA JENAYAH SYARIAH DI MALAYSIA

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Abstrak : Artikel ini membincangkan pendekatan amar makruf dan nahi mungkar dalam kerangka Hisbah yang mengkhususkan kepada amalan penguat kuasa jenayah syariah di Malaysia. Kuasa ini diberikan kepada pegawai-pegawai penguat kuasa jenayah syariah di Jabatan Agama Islam negeri-negeri. Bidangkuasa penguatkuasaan jenayah Syariah adalah tertakluk kepada bahagian penguatkuasa, jabatan agama Islam negeri-negeri. Penganalisaan data menggunakan kaedah analisis kandungan (*content analysis*) dan kaedah analisis hukum yang biasanya diguna pakai oleh kalangan fuqaha Islam di dalam membuat penilaian terhadap sesuatu konsep hukum yang dikeluarkan oleh seseorang fuqaha yang lain turut dijalankan. Usaha meneliti secara terperinci terhadap alasan, kaedah pemetikan hukum dan sumber rujukan yang digunakan dalam sesuatu karya yang dipilih. Dalam konteks kajian ini, penelitian khusus diberikan terhadap konsep dan pentaafsiran hisbah dan muhtasib, amar makruf nahi mungkar dan peranan penguatkuasa jenayah syariah di Malaysia. Analisis perbandingan turut diaplikasi bertujuan untuk mencari persamaan dan perbezaan antara konsep dan realisasi hisbah oleh pihak penguatkuasa jenayah syariah sebagai Muhtasib. Secara umumnya, bidangkuasa ini merupakan tanggungjawab hisbah secara umum. Prosedur dan modus operandi pihak berkuasa dalam mencegah jenayah syariah memenuhi kriteria amar makruf nahi mungkar dalam kerangka hisbah.

Kata kunci: Hisbah, Penguat kuasa, Amar Makruf Nahi Mungkar, Muhtasib, Jenayah Syariah

Pendahuluan

Hisbah bermaksud pelaksanaan *al-Amr bi al-Ma'ruf* (menyuruh kepada kebaikan) apabila jelas ia ditinggalkan, dan *al-Nahy 'An al-Munkar* (pencegahan kemungkaran) apabila jelas ia dilakukan. Prosedur pencegahan maksiat yang menimbulkan polemik ialah "tajassus" atau mengintip. Prinsip asas larangan dalam Islam ialah tidak mendedahkan keaiban orang lain selagi keburukan itu tidak dilakukan secara terang-terang. Hakikatnya, Islam memang mengharamkan zina dan maksiat seks. Namun, Islam turut mengharamkan perbuatan mendedahkan aib orang lain yang bersifat peribadi dan tidak mengancam keselamatan awam serta pelaku telah berusaha melindungi perlakuannya.

Hisbah perlu diinstitusikan secara realistik dan sistematik sebagai sebuah badan yang menjalankan tanggungjawab yang selari dengan konsep Hisbah sebenar. Secara umum, Negara kita telah melaksanakan konsep Hisbah dalam bentuk yang tersendiri tanpa penjenamaan sesebuah institusi secara khusus sebagai "institusi Hisbah". Peranan dan fungsi Hisbah diberikan kepada jabatan penguatkuasaan sebagai contoh, Bahagian Penguatkuasaan Syariah, Jabatan Agama Islam di



negeri-negeri. Isu penguatkuasaan dan pencegahan merupakan masalah utama dalam usaha menjayakan konsep *Hisbah* yang sebenar.

Metodologi Kajian

Kajian ini berbentuk sosio-perundangan iaitu satu kaedah penulisan yang menyatukan dua bidang utama dalam penulisan iaitu sains sosial dan undang-undang. Oleh kerana undang-undang dibentuk sebagai mekanisme untuk mengurus hal ehwal dan konflik yang timbul dalam masyarakat sosial, undang-undang mempunyai hubungan yang rapat dan sukar dipisahkan dengan masyarakat (Rohani Abdul Rahim, 2002). Kajian ini akan turut melibatkan penulisan secara sistematik ke atas isu-isu perundangan yang baru dan terkini dengan menggunakan keaslian dan kreativiti yang tinggi melalui kaedah perundangan tradisional atau konvensional yakni melibatkan proses menyatakan (*stating*), menginterpretasi (*interpreting*) dan menerangkan undang-undang sedia ada (*clarifying the existing law*) di dalam sesuatu bidang perundangan (Mahdi Zahraa, 1998). Kajian seumpama ini melibatkan perancangan yang sistematik, penyiasatan, pemerhatian, analisis dan teknik yang kritikal. Secara khususnya, kaedah perundangan tradisional ini boleh dibahagikan kepada empat kaedah pula iaitu kaedah falsafah, sejarah, analitis dan kritis serta metod perbandingan (Walker, 1969).

Selain itu, teknik pentafsiran undang-undang yang terdiri daripada *literal rule*, *golden rule*, *mischief rule* dan *purposive approach* akan diguna pakai mengikut kesesuaian khususnya bagi mencapai objektif pertama dan ketiga. Ringkasnya, *literal rule* digunapakai apabila sesuatu perkataan dalam statut adalah jelas dan nyata dan sepatutnya dibaca dan diaplikasikan mengikut makna yang biasa. *Mischief rule* pula digunapakai apabila makna sesuatu peruntukan adalah kabur dan tidak dapat dipastikan objektifnya. Kaedah ini akan melihat niat di sebalik perundangan berkenaan. Seterusnya *golden rule* digunakan apabila perkataan-perkataan di dalam sesuatu statut adalah biasa tetapi apabila diaplikasikan akan menghasilkan sesuatu yang tidak masuk akal ataupun mendatangkan ketidakadilan, manakala *purposive rule* pula mentafsirkan statut dengan merujuk kepada tujuan sesuatu statut itu digubal. Kaedah ini memberikan penekanan dengan memberi kesan kepada tujuan badan perundangan menggubal sesuatu statut. Ini bermakna peruntukan-peruntukan statut ditafsirkan dengan memberi kesan kepada niat penggubal undang-undang (Anwarul Yaqin, 2007).

Jenis Data

Kajian menggunakan data primer dan data sekunder. Data primer yang merupakan data daripada sumber terus, berautoriti dan tidak dipengaruhi oleh mana-mana pandangan atau pendapat seseorang (Chatterjee, 2000) bagi tujuan kajian ini ialah statut dan peraturan berkaitan dengan kesalahan jenayah syariah. Manakala data sekunder diperoleh daripada sumber seperti buku, jurnal dan artikel termasuk bahan-bahan percetakan yang diterbitkan dan yang belum diterbitkan seperti tesis-tesis penulisan yang mempunyai kepentingan dengan tema kajian ini. Data kualitatif dalam bentuk maklumat, penilaian, tafsiran dan pendapat turut menjadi sumber otoriti dalam kajian ini.

Kaedah Pengumpulan Data

Di sini penulis menggariskan metodologi kajian yang diaplikasikan bagi memperoleh maklumat dan data yang dapat menjamin kredibiliti kajian yang akan dijalankan. Metodologi kajian yang dijalankan adalah berkait rapat dengan peringkat dan aras kajian seperti berikut:

- 1) Peringkat asas membabitkan konsep *Hisbah* dan dakwah dalam Islam. Kajian menggunakan pelbagai kaedah tertentu seperti:
 - i. Kaedah analisis kandungan yang meneliti kerangka epistemologi *Hisbah* dan dakwah (persoalan sumber, sifat sesuatu ilmu dan neraca penilaian) yang digunakan seseorang sarjana/penulis Syariah;
 - ii. Kaedah penjarahan dan perbandingan yang meneliti asal usul *Hisbah* dan dakwah berteraskan hukum serta perkaitannya;
 - iii. Kaedah penelitian sosiologi yang meneliti latar belakang masyarakat seperti aspek sosio-politik, struktur, ekonomi dan institusi tertentu (seperti institusi penguatkuasaan jenayah syariah) yang mempengaruhi penghasilan peraturan dan garis panduan *Hisbah* dalam kerangka amar makruf nahi mungkar.
 - iv. Kaedah penelitian pendidikan yang meneliti secara mendalam tentang peranan, sifat dan kaedah institusi yang bertanggungjawab menjalankan penguatkuasaan jenayah syariah berdasarkan prinsip-prinsip *Hisbah* diintegrasikan dengan dakwah sebenar.
- 2) Seterusnya kajian ini menggabungkan beberapa dimensi disiplin yang terkandung dalam perundangan Islam seperti *Usul al-Fiqh* dan *Maqasid Syariah* serta elemen-elemen *fiqh* dakwah.
 - i. Analisis Data
Penganalisaan data menggunakan kaedah analisis kandungan (*content analysis*) dan kaedah analisis hukum yang biasanya diguna pakai oleh kalangan fuqaha Islam di dalam membuat penilaian terhadap sesuatu fatwa yang dikeluarkan oleh seseorang fuqaha yang lain akan dijalankan. Ia akan meneliti secara terperinci terhadap alasan, kaedah pemetikan hukum dan sumber rujukan yang digunakan dalam sesuatu karya yang dipilih. Dalam konteks kajian ini, penelitian khusus akan diberikan kepada konsep *Hisbah* dalam perundangan Islam dan peruntukan kesalahan khalwat terkandung dalam perundangan jenayah syariah di Malaysia. Di samping itu, tiga metod penganalisaan iaitu induktif, deduktif dan komparatif telah digunakan.
Pendekatan ini penting bagi melihat dan mengenali bentuk-bentuk yang terkandung di dalam taburan data-data khususnya konsep dan prinsip *Hisbah* yang terkandung di dalam *fiqh* dakwah dan aplikasi konsep amar makruf nahi mungkar. Data-data ini akhirnya dirumus dan dibuat kesimpulan.

Konsep Amar Makruf Nahi Mungkar

Maksud amar makruf ialah mengajak manusia melakukan perkara kebaikan, manakala nahi mungkar pula ialah mencegah manusia dari melakukan perkara yang tidak baik. Oleh itu, perkataan dakwah dan amar makruf dan nahi mungkar selalu digunakan untuk merujuk kepada maksud yang sama, iaitu mengajak manusia ke arah kebaikan dan meninggalkan kemungkaran. Dalam al-Qur'an, perkataan amar makruf dan nahi mungkar digunakan sekurang-kurangnya lapan kali (lihat al-Qur'an, surah Ali-'Imran 3:104, 110, 114; al-A'raf 7:157; al-Taubah 9:71, 112; al-Hajj 22:41; Luqman 31:17), semua merujuk kepada tanggungjawab kolektif setiap Muslim dalam melaksanakan kewajipan di atas. Maksud firman Allah s.w.t.:

“Hendaklah terdapat antara kamu segolongan yang menyeru dengan kebaikan dan mencegah dari kemungkaran. Itulah golongan yang berjaya” (Ali-'Imran (3) :104, 114).



Kewajiban Muslim melaksanakan amar makruf dan nahi mungkar sebagai tugas dakwah juga disebut dalam sebuah hadith bermaksud:

“Siapa yang melihat kemungkaran hendaklah dia mengubahnya (*taghyir*) dengan tangan, jika dia tidak mampu hendaklah mengubahnya dengan lidah, jika dia tidak mampu hendaklah dia mengubahnya dengan hati, dan yang demikian itu adalah selemah-lemah iman” (*Sahih Muslim*, ‘Kitab al-iman’, 380).

Dalam hadith di atas, Rasulullah SAW menggunakan istilah *taghyir* yang bermaksud kewajiban untuk mengubah perkara yang tidak baik kepada yang lebih baik dan mencegah sesuatu kemungkaran dari berlaku. Juga, hadith itu menunjukkan bahawa setiap Muslim harus melaksanakan amar makruf dan nahi mungkar secara berperingkat: pertama ialah dengan tindakan; kedua ialah dengan perkataan; ketiga ialah dengan hati. Berdasarkan hujah ini, perkataan dakwah mencakupi perbuatan amar makruf dan nahi mungkar kerana amar makruf ialah ajakan untuk melakukan amalan yang baik, manakala nahi mungkar ialah ajakan untuk menjauhi perbuatan tidak baik.

Berdasarkan ayat al-Qur’an di atas (Q3:104), kewajiban melaksanakan amar makruf dan nahi mungkar menjadi kewajiban ke atas sebahagian sahaja dari kalangan umat Islam. Dalam erti kata yang lain, ia bermaksud tugas amar makruf dan nahi mungkar adalah fardu kifayah. Namun, ia juga boleh bertukar menjadi fardu ‘ain berdasarkan kes seperti berikut: apabila seorang individu sahaja yang tahu bahawa perkara yang sedang berlaku itu adalah salah dan dia sahaja yang mempunyai kemampuan untuk menanganinya (al-Nawawi, 1994).

Ayat al-Qur’an yang kedua (Q3:114) dan juga hadith di atas menunjukkan bahawa kewajiban amar makruf dan nahi mungkar itu wajib ke atas setiap individu Muslim. Selain itu, Muhammad b. Jarir al-Tabari (2001)(m. 313/925) menegaskan bahawa umat Islam tidak dibenarkan membiarkan sahaja kemungkaran berlaku supaya dapat mengelakkan dari mendapat bencana Allah SWT (al-Tabari, 1997). Al-Nawawi (1994) berpandangan bahawa perkataan *taghyir* itu memberi maksud arahan yang wajib dilaksanakan. Ibn Taymiyyah (1976) pula menambah, tugas mencegah kemungkaran yang disebut dalam hadith itu adalah fardu kifayah berdasarkan kepada kemampuan yang ada pada setiap individu. Ketiga-tiga pandangan ini memberikan konklusi yang jelas bahawa amar makruf dan nahi mungkar adalah wajib ke atas setiap Muslim.

Oleh itu, dengan mengambil kira pandangan beberapa fuqaha’ di atas, wujud beberapa kriteria . Kriteria yang pertama ialah tugas amar makruf dan nahi mungkar itu hukumnya fardu kifayah. Kriteria yang kedua ialah fungsi amar makruf dan nahi mungkar adalah tonggak kepada keunggulan umat Islam sejagat (umat terbaik yang pernah dilahirkan di kalangan manusia). Kriteria yang ketiga ialah tugas amar makruf dan nahi mungkar berkait rapat dengan proses ta’dib (mendidik).

Konsep Hisbah

Manusia sebagai hamba dan khalifah Allah dipertanggungjawabkan untuk menegakkan yang ma’ruf dan mencegah yang mungkar. Namun manusia mempunyai kecenderungan untuk lalai dan lupa. Di dalam tradisi Islam, *Hisbah* ialah instrumen khusus untuk memainkan peranan membetulkan kepincangan bagi memastikan ma’ruf ditegakkan dan mungkar dicegah. Tujuan asas



Hisbah untuk mengawasi masyarakat daripada melanggar syariat. Peranan ini adalah merupakan tugas manusia di muka bumi. Firman Allah s.w.t yang bermaksud:

“Dan hendaklah ada di antara kamu kelompok yang menyeru manusia kepada kebajikan dan yang menyuruh manusia berbuat segala perkara baik dan melarang manusia daripada segala perkara buruk. Dan manusia yang bersifat demikian ialah orang yang berjaya.”
(Ali Imran: 104)

Setiap individu memikul tanggungjawab untuk pengawasan peringkat pertama terhadap dirinya sendiri. Namun masyarakat memikul tanggungjawab bersama untuk saling ingat mengingatkan satu sama lain apabila berlaku pelanggaran syariat dan hukum. Malah al-Quran menyatakan ciri ini ialah sifat asasi bagi memenuhi kriteria umat terbaik.

Keperluan untuk tegur menegur dan melarang perbuatan mungkar ini adalah amat kritikal dan diberikan perhatian yang berat di dalam Islam. Malah manusia diingatkan bahawa kegagalan melaksanakannya akan mendatangkan natijah yang sangat buruk. Firman Allah s.w.t yang bermaksud:

“Orang-orang kafir Yahudi telah dilaknat melalui lidah Nabi Daud dan Nabi Isa ibni Maryam. Hal ini berlaku kerana mereka menderhaka dan selalu menceroboh serta tidak saling larang melarang perbuatan (buruk) yang dilakukan oleh mereka. Sesungguhnya amat buruk perbuatan yang telah dilakukan mereka.” (al-Maidah: 78-79)

Al-Imam al-Ghazali,(1990)(meninggal 505H) dalam kitabnya *Ihya ‘Ulum al-Din* telah menggariskan rukun-rukun pelaksanaan *Hisbah*. Rukun ketiga aplikasi konsep *Hisbah* ialah:

“Hendaklah kemungkaran tersebut zahir (jelas) kepada ahli Hisbah tanpa perlu melakukan intipan. Sesiapa yang menutup sesuatu kemaksiatan di dalam rumahnya, dan mengunci pintunya maka tidak harus untuk kita mengintipnya. Allah Ta‘ala telah melarang hal ini”.

Prof. Dr Yusof al-Qaradhawi (1984) telah merekodkan Kisah ‘Umar dan ‘Abd al-Rahman bin ‘Auf sebagai panduan umum dalam menjelaskan konsep *Hisbah*. Kisahnya seperti berikut;

“Begitu juga apa yang diriwayatkan bahawa ‘Umar r.a. telah memanjat rumah seorang lelaki dan mendapatinya dalam keadaan yang tidak wajar. Lelaki tersebut telah membantah ‘Umar dan berkata: “Jika aku menderhakai Allah pada satu perkara, sesungguhnya engkau telah menderhakai-Nya pada tiga perkara. ‘Umar bertanya: “Apa dia?”. Dia berkata: Allah Taala telah berfirman (maksudnya: Jangan kamu mengintip mencari kesalahan orang lain). Sesungguhnya engkau telah melakukannya. Allah berfirman: (Maksudnya: Masukilah rumah melalui pintu-pintunya). Sesungguhnya engkau telah memanjat dari bumbung. Allah berfirman: (maksudnya: janganlah kamu masuk ke dalam manamana rumah yang bukan rumah kamu, sehingga kamu lebih dahulu meminta izin serta memberi salam kepada penduduknya). Sesungguhnya engkau tidak memberi salam. Maka ‘Umar pun meninggalkannya. Maka ketahuilah bahawa sesiapa yang mengunci pintu rumahnya dan bersembunyi di sebalik dindingnya, maka tidak harus seseorang memasuki tanpa izin daripadanya hanya kerana ingin mengetahui perbuatan maksiat. Kecuali jika ia nyata sehingga diketahui oleh sesiapa yang berada di luar rumah tersebut..”



Pelaksanaan *Hisbah* dewasa ini cenderung memberi fokus kepada pengawasan individu dan pencegahan daripada melakukan maksiat. Konsep *Hisbah* jelas menunjukkan bahawa setiap individu mempunyai hak untuk tidak dihebahkan maksiat yang dilakukan. Bahkan pelaku maksiat diberikan ruang dan peluang oleh Allah untuk bertaubat atas dosa dan maksiat yang telah dilakukan.

Peranan Institusi *Hisbah*

Peranan institusi *Hisbah* dalam perkembangannya dan kejayaannya menstruktur suasana dan keadaan ekonomi di negara Islam agar berjalan di atas landasan yang mantap dan dibenarkan syarak. Peranannya bukan sahaja membanteras perkara-perkara mungkar yang bersifat luaran tetapi menjangkau soal-soal spiritual, akhlak dan moral individu yang berurusan dalam sistem ekonomi Islam tersebut. Prinsip amar ma'ruf dan nahi munkar yang menjadi asas utama kepada institusi ini ialah prinsip yang universal dan sesuai dilaksanakan pada semua peringkat kehidupan dan zaman. Tambahan pula ia termasuk dalam kategori siyasah syar'iyah yang boleh diubahsuai pelaksanaannya mengikut peredaran masa dan tempat.

Institusi *Hisbah* merupakan sebuah institusi yang pernah memainkan peranan penting dalam negara Islam sedikit masa dahulu. Ia ialah institusi yang menjaga dan mengawasi kemaslahatan umum masyarakat Islam termasuk kegiatan politik, sosial dan ekonomi. Sehubungan itu, ada di kalangan ahli ilmu Islam mendefinisikan institusi *Hisbah* sebagai satu badan pengawasan yang ditubuhkan oleh kerajaan untuk mengawasi kegiatan individu dalam perkara yang berkaitan dengan akhlak, agama dan ekonomi (kehidupan sosial secara umumnya) dengan tujuan mengekalkan keadilan dan kemuliaan sebagaimana yang dianjurkan oleh syariat Islam dan bersesuaian pula dengan suasana persekitaran dan masa.

Sejarah menunjukkan bahawa kewujudan institusi *Hisbah* berjalan seiring dengan perkembangan agama Islam itu sendiri. Ini kerana Islam ialah satu agama yang menganjurkan manusia supaya melakukan amal ma'ruf dan mencegah daripada melakukan kemungkaran yang boleh merosakkan masyarakat. Amalan *Hisbah* telah dibuktikan dengan jelas pada zaman Nabi SAW di mana terdapat hadis-hadis yang menunjukkan perlakuan *Hisbah*. Antaranya hadis yang diriwayatkan daripada Abu Hurairah r.a (Al-Tirmizi, 1980):

“Bahawa Rasulullah SAW pada suatu ketika telah berjalan melalui satu longgokan makanan (di pasar), lalu baginda Rasulullah SAW telah memasukkan tangannya ke dalam longgokan tersebut, jari Baginda SAW tersentuh sesuatu yang basah lantas Rasulullah SAW bertanya kepada penjual itu: “Apakah semua ini?” Jawab penjual tersebut: Makanan ini terkena hujan. Nabi Muhammad SAW bersabda: “Kenapa engkau tidak meletakkannya di atas supaya dapat dilihat oleh orang ramai, baginda SAW menyambung lagi: Sesiapa yang menipu maka dia bukan dari kalangan kami.”

Selepas kewafatan Nabi SAW tugas *Hisbah* diteruskan lagi oleh para Khulafa al-Rasyidin. Kebanyakan daripada mereka melakukan sendiri tugas *Hisbah* ini, di samping melantik beberapa orang pembantu untuk melancarkan lagi perjalanan tugas mereka. Diriwayatkan bahawa Saidina Umar r.a. telah melantik al-Sa'ib bin Yazid bersama-sama Abdullah bin Utbah sebagai penguasa pasar Madinah dan beliau juga telah melantik wanita sebagai pembantunya di mana Sayyidah al-



Syifa dan Sayyidah Samra' binti Nuhaik telah ditugaskan mengawasi pasar Madinah (Muhammad Abd. Al-Qadir, 1986)

Pengasingan institusi ini daripada institusi-institusi lain dalam kerajaan Islam dikatakan berlaku pada masa pemerintahan kerajaan Abbasiyyah tahun 157 Hijrah, di mana khalifah Abu Ja' far al-Mansur telah memberi ruang kepada penguasa *Hisbah* (muhtasib) untuk mentadbir institusi ini secara penuh sambil dibantu oleh pembantu yang dikenali sebagai "arif" dan "amin". Khalifah Abu Ja' far telah melantik Abu Zakariyyah Yahya bin Abdullah sebagai ketua para muhtasib pada ketika itu. Apabila penjajahan kuasa-kuasa barat berlaku di kebanyakan negara Islam maka institusi *Hisbah* telah mengalami perubahan dan mula kehilangan identiti asalnya. Pada masa tersebut, institusi *Hisbah* ada yang diserapkan ke institusi lain dan ada juga terus dikekalkan tetapi tidak lagi berfungsi sebagaimana biasa.

Fungsi asal institusi *Hisbah* amat luas seluas pengertian ma'ruf dan mungkar itu sendiri. Mohd Parid Sheikh Ahmad & Mohd Azmi Omar (1991) pula menjelaskan bahawa bidang tugas institusi ini amat luas di mana terkandung di dalamnya hak-hak berkaitan Allah SWT, hak-hak manusia dan hak-hak bersama. Imam al-Mawardi (1989) ketika mengulas berkaitan hak-hak yang berkaitan dengan institusi *Hisbah* telah mengemukakan contoh-contoh seperti berikut:

1) Perkara yang berkaitan dengan hak-hak Allah SWT

Perkara berkaitan dengan hak-hak Allah dalam soal ma'ruf meliputi semua jenis ibadat seperti sembahyang, puasa, zakat, haji dan ibadat-ibadat lain. Muhtasib dalam hal ini bertanggungjawab memastikan hak-hak Allah ini ditunaikan oleh orang Islam yang berada di bawah jagaannya. Manakala dalam soal mencegah mungkar pula perkara yang bersangkutan dengan hak-hak Allah ini terbahagi kepada tiga iaitu perkara yang berkaitan dengan ibadat, tegahan (mahzurat) serta muamalat dan munakahat (al-Mawardi: Ibid.)

Dalam soal ibadat contohnya muhtasib berhak mencegah orang yang tidak berpuasa dengan sengaja, orang yang tidak membayar zakat, orang yang tidak menunaikan sembahyang atau ibadat lainnya. Dalam soal mahzurat pula muhtasib diberi kuasa untuk mencegah perbuatan yang boleh menimbulkan syak seperti melarang lelaki dan perempuan daripada berbual di tempat-tempat yang sunyi dan melarang daripada mempamerkan arak dan alat hiburan yang diharamkan. Seterusnya dalam perkara muamalah, muhtasib berhak mencegah perbuatan zina, nikah yang diharamkan Islam, riba dan penipuan dalam urusan jual beli.

2) Perkara yang berkaitan dengan hak-hak manusia

Menegakkan ma'ruf dalam perkara yang berkaitan dengan hak-hak manusia ini terbahagi kepada dua iaitu hak umum dan hak khusus. Hak umum melibatkan perkara yang berkaitan dengan kepentingan awam, sebagai contohnya kerosakan benteng di sempadan, masalah bekalan air dan musafir. Muhtasib dalam soal ini perlu menangani setiap masalah awam yang berbangkit itu dengan sebaiknya sama ada mendapatkan bantuan kerajaan atau bantuan lain. Hak khusus pula membabitkan masalah individu seperti masalah hutang yang gagal dijelaskan pada masanya, dalam hal ini muhtasib boleh bertindak mendesak orang yang berhutang membayarnya. (al-Mawardi, 1966.)

Perkara kemungkaran yang berhubung dengan hak-hak manusia pula meliputi semua jenis urusan yang berlaku antara manusia dengan manusia. Perbuatan yang menimbulkan kesulitan dan memudaratkan manusia lain ketika berurusan adalah dilarang dan boleh dicegah oleh muhtasib.



Contohnya, perbuatan menyakiti hati jiran dengan cara mencero bohi hak miliknya, sikap sambil lewa ketika bertugas, tidak amanah, tidak cekap dan tidak menjaga mutu barangan.

3) Perkara berkaitan dengan hak-hak bersama

Bidang ma'ruf dalam perkara yang berkaitan dengan akhlak bersama ini antaranya adalah dengan menyuruh para wali mengahwinkan anak perempuannya dengan lelaki yang sekufu dengannya, memastikan perempuan yang beridrah mematuhi tempoh idahnya dan memastikan pemilik haiwan memberi makanan yang secukupnya kepada haiwan ternakannya (Mohd Parid Sheikh Ahmad & Mohd Azmi Omar (1991).

Bidang mungkar dalam hak-hak bersama pula termasuklah kewajipan mencegah manusia daripada mencari keaiban orang lain. Contohnya, menegah imam daripada memanjangkan sembahyang sehingga menyusahkan makmum yang uzur dan berkepentingan. Termasuk juga melarang pemilik haiwan membebani haiwannya dengan muatan yang berat dan berlebihan.

Peranan umum yang dimaksudkan ialah peranan institusi *Hisbah* dalam menegakkan ma'ruf dan mencegah mungkar yang bersifat umum iaitu pelaksanaannya menyeluruh dan tidak terbatas kepada tempat-tempat tertentu sahaja. Biasanya ia melibatkan perkara-perkara yang bersangkutan dengan nilai-nilai keagamaan dan kepentingan awam.

Pendekatan Amar Makruf Nahi Mungkar Dalam Kerangka *Hisbah*

Secara umumnya *Hisbah* bermaksud pelaksanaan *al-Amr bi ma'ruf* (menyuruh kepada kebaikan) apabila jelas ia ditinggalkan dan *al-Nahyu 'an al-Munkar* (pencegahan kemungkaran) apabila jelas ia dilakukan (al-Ghazali, 1980). Prinsip *al-amr bil makruf wa nahyu anil munkar* merupakan asas kepada pelaksanaan *As Siyasa As Syariyyah* dan menepati kehendak *Maqasid As Syariah*. Pelaksanaan prinsip ini tidak hanya tertumpu kepada institusi *Hisbah* tetapi melibatkan seluruh institusi Islam samada ketenteraan, polis, kehakiman, kewangan dan institusi *Hisbah* sendiri (Ibn Taymiyyah, 1982). Imam Ghazali (1980) telah menyatakan bahawa terdapat empat elemen (rukun) di dalam institusi *Hisbah* iaitu *Muhtasib* (pegawai penguatkuasa), *muhtasab alaih* (pihak yang melakukan kemungkaran), *muhtasab fih* (bidang kuasa pegawai penguatkuasa) dan *ihtisab* (tindakan atau penalti yang dikenakan terhadap orang melakukan kemungkaran).

Hal yang sama turut ditegaskan di dalam *Al Ahkam Al Sultaniyyah Wa Al Wilayah Ad Diniyyah* bahawa wujudnya rukun-rukun tersebut walaupun tidak tersusun sepenuhnya seperti penulisan Imam al Ghazali (Al Mawardi, 1966). Ibn al Farra' juga bersetuju dengan kewujudan rukun *Hisbah* seperti yang dinyatakan di dalam *Ihya Ulumuddin* (Ibn Al Faraa', 1938). Malahan Yahya Ibn Umar (1956) yang banyak menceritakan salah satu rukun *Hisbah* iaitu *Muhtasib* turut memuatkan elemen yang sama namun elemen tersebut bercampur aduk dan tidak tersusun. Keempat-empat rukun ini amat penting bagi memastikan institusi *Hisbah* berjalan menurut syariat Islam.

Pensyariatan *Hisbah* dapat dilihat melalui prinsip utama *Hisbah* iaitu *al-amr bil makruf wa nahy anil munkar*. Prinsip utama ini yang mengangkat konsep mengajak kepada kebaikan dan melarang daripada melakukan kejahatan perlu dilakukan oleh setiap strata masyarakat di Malaysia mahupun mana-mana negara Islam. Justeru, setiap ayat yang berkaitan dengan prinsip *al-amr bil makruf wa nahy anil munkar* serta konsep keadilan dan kebenaran adalah dianggap sebagai dalil-dalil yang mensyariatkan *Hisbah* (Abd. Allah Muhammad `Abd Allah, 1996).



Nas-nas yang berkaitan prinsip utama *Hisbah* ini merupakan pensyariatian yang perlu dilaksanakan dalam sesebuah negara Islam (Abd al-Karim Zaydan, 1998). Ini dapat dijelaskan melalui firman Allah swt yang bermaksud:

“dan hendaklah ada di antara kamu satu puak Yang menyeru (berdakwah) kepada kebajikan (mengembangkan Islam), dan menyuruh berbuat Segala perkara Yang baik, serta melarang daripada Segala Yang salah (buruk dan keji). dan mereka Yang bersifat demikian ialah orang-orang Yang berjaya”.(Surah Al Imran :104)

Mengikut *Tafsir Al-Jalalain*, perkataan ‘segolongan’ membawa maksud suatu kelompok yang bertanggungjawab dalam melaksanakan prinsip tersebut dan hukumnya *fardhu kifayah* (As Suyuti, 2003). Manakala *Tafsir Al Quran Al Adzim* menyatakan bahawa ayat tersebut merupakan tuntutan Allah SWT terhadap segolongan umat Islam yang bertugas untuk mengembangkan urusan *al-amr bil makruf wa nahyu anil munkar*, sekalipun urusan tersebut memang diwajibkan ke atas setiap individu di kalangan umat hari ini (Ibn Kathir, 1999).

Peranan Pegawai Penguat kuasa Jenayah Syariah Sebagai Muhtasib

Berdasarkan penulisan klasik, Abd al-Rahman Ibn Khaldun (1405M) mendefinisikan *Muhtasib* sebagai satu jawatan agama yang meliputi pengawasan terhadap pelbagai kegiatan mungkar. Fungsi *Muhtasib* merangkumi aspek sosial, politik dan ekonomi. Imam Taqiyuddin Abu Abbas Ahmad Ibn Taimiyyah (1982) tidak memberikan definisi secara spesifik apa yang dimaksudkan *Muhtasib*. Beliau sekadar menjelaskan peranan dan fungsi *Muhtasib* yang secara tidak langsung membentuk definisi dan deskripsi *Muhtasib* itu sendiri. Ulama’-ulama tersohor seperti Abd Rahman Ibn Nasr Al Shayzari (1946), Abu Hasan Ali Al Basri Al Mawardi (1966) Abu Hamid Muhammad Al Ghazali (1980) turut memberikan penekanan terhadap bidang tugas dan peranan *Muhtasib* dalam institusi *Hisbah* tanpa menghurai panjang definisi *Muhtasib*.

Penulisan terkini telah menyimpulkan definisi *Muhtasib* berdasarkan kepada bidang tugas, peranan dan fungsi seperti yang dinyatakan di dalam penulisan klasik. Menurut Mohd. Parid Sheikh Ahmad & Mohd. Azmi Omar (1991) *Muhtasib* merupakan pegawai penguat kuasa yang dilantik oleh pemerintah untuk menjalankan tugas *al-amr bil makruf wa nahyu anil munkar*. Mardzelah Makhsin (2010) mendefinisikan *Muhtasib* sebagai orang yang menjalankan tugas-tugas *Hisbah*, sama ada terdiri daripada pemimpin sendiri seperti yang dilaksanakan di zaman pemerintahan Khulafa' al Rasyidin atau dilantik secara rasmi daripada kalangan orang tertentu sebagaimana yang dilakukan oleh Rasulullah SAW yang telah melantik Said bin al `As sebagai *Muhtasib* di Makkah.

Berdasarkan kepada seluruh definisi dan penjelasan yang diberikan, dapatlah disimpulkan bahawa *Muhtasib* merupakan pegawai penguatkuasa yang bukan hanya berperanan dalam hal-hal ritual tetapi turut bertanggungjawab dalam hal-hal pentadbiran dan sosial yang menjalankan tugas tugas *al-amr bil makruf wa nahyu anil munkar*.

Menurut Abd Karim Zaidan (1998), syarat-syarat perlantikan *Muhtasib* adalah seperti syarat-syarat perlantikan kadi kerana kedua-duanya merupakan institusi yang mengurus pentadbiran undang-undang dan kehakiman Islam. Hasil penulisan beliau, Mardzelah Makhsin (2010) telah merumuskan bahawa terdapat lima kriteria utama bagi perlantikan seseorang *Muhtasib* iaitu Islam, merdeka, berakal, baligh dan adil serta ditambah lagi kriteria iaitu berpengetahuan tentang hukum syariah dan pencegahan kemungkaran, berkelayakan dan mendapat tauliah pemerintah.



Manakala bidang tugas *Muhtasib* dapat dibahagikan kepada dua kategori utama iaitu *al-Amr bi ma'ruf* (menyuruh kepada kebaikan) dan *al-Nahyu 'an al-Munkar* (pencegahan kemungkaran) (Al Ghazali, 1980). Menurut Al Mawardi (1966), Ibn Al Farra (1938), Al Ghazali (1980) dan Ibn Al Ukhuwwah (1976) menyatakan bahawa terdapat tiga komponen di dalam kategori-kategori tersebut iaitu perkara-perkara yang melibatkan hak Allah, yang melibatkan hak manusia dan melibatkan kedua-dua hak iaitu Allah dan manusia.

Menurut Mardzelah Makhsin (2010) tugas *Muhtasib* berdasarkan penulisan klasik dan moden secara teori dan praktikal menyebut terdapat empat bidang tugas utama di bawah kategori dan komponen yang disebutkan di atas iaitu mengawal selia aktiviti perekonomian, menjaga ibadah dan perilaku yang menyalahi hukum agama, mengawal kesihatan dan mengawasi industri ubat-ubatan dan mengurus hal ehwal perbandaran dan menjaga ketenteraman bandar.

Secara umumnya, tugas *Muhtasib* melibatkan tiga perkara di bawah bidang tugas berkaitan menjaga ibadah dan perilaku yang menyalahi hukum agama iaitu mengawasi perkara-perkara berkaitan ibadah khusus, mengawasi perbuatan yang tidak bermoral dan mengawasi perbuatan memiliki perkara yang dilarang (Ahmad Che Yaacob, 1999).

Perbuatan yang ditegah oleh syarak iaitu perbuatan yang jika dilakukan akan mendapat dosa dan jika ditinggalkan akan mendapat pahala merupakan perbuatan yang tidak bermoral. Tujuan pengawasan moral ini lebih tertumpu bagi memastikan masyarakat mematuhi akhlak Islam (Mardzelah Makhsin, 2010). Al Sunami (1978) juga menegaskan bahawa antara perbuatan tidak bermoral yang ditegah dalam Islam ialah meminta sedekah bagi mereka yang berkemampuan, perbuatan mewarnakan rambut, tenung nasib dan sihir, serta sebagainya. Sebagai ilustrasi, perbuatan menghampiri zina juga termasuk dalam kategori haram. Sekiranya berlaku, pemisahan di antara kaum lelaki dan perempuan di tempat tertentu seperti di laluan yang sunyi haruslah dilakukan oleh *Muhtasib*. Walau bagaimanapun, bagi laluan yang luas yang dipenuhi dengan orang ramai larangan ini tidak terpakai (Ibn al Farra', 1938).

Penutup

Kewujudan Bahagian Penguatkuasaan di bawah JAIN seluruh Malaysia bertanggungjawab dalam melaksanakan bidang tugas menyeru umat Islam kepada kebaikan dan mencegah daripada kemungkaran adalah selaras dengan kewujudan bidang tugas yang dipertanggungjawabkan terhadap institusi *Hisbah*. Namun begitu, bidang tugas yang dilaksanakan oleh JAIN hanyalah terhad terhadap aspek ritual dan moral sahaja. Sebaliknya, institusi *Hisbah* secara teorinya mempunyai bidang kuasa yang luas merangkumi aspek sosial, ekonomi dan pentadbiran.

Selain itu, peranan dan fungsi yang dimainkan oleh PPA di bawah JAIN adalah sama dengan fungsi yang dimainkan oleh *Muhtasib* di bawah institusi *Hisbah*. Prinsip *al-amr bil makruf wa nahyu anil munkar* yang dilaksanakan oleh *Muhtasib* turut menjadi prinsip yang dijunjung dan dimartabatkan oleh PPA. Beberapa kriteria tentang perlaksanaan tugas *Muhtasib* bagi menepati kehendak hukum syarak yang ditetapkan oleh ulama' terdahulu turut diimplementasikan oleh PPA.

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PELAKSANAAN TANGGUNGJAWAB SOSIAL KORPORAT (CSR) OLEH INSTITUSI PERBANKAN ISLAM DAN KONVENSIONAL DI MALAYSIA

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Abstrak: *Institusi perbankan sebagai sebuah entiti dalam sektor perniagaan memainkan peranan penting dalam pembangunan sesebuah masyarakat dan negara. Namun, krisis kewangan dan ekonomi yang berlaku sejak beberapa tahun kebelakangan ini telah memberi kesan yang besar terhadap tahap keyakinan masyarakat mengenai fungsi perbankan. Menyedari hakikat ini, institusi perbankan telah mengambil langkah melibatkan diri secara aktif dalam melaksanakan program-program CSR bagi mengembalikan imej serta keyakinan masyarakat kepada mereka. Kertas kerja konsep ini akan membincangkan mengenai bentuk-bentuk program CSR yang telah dilakukan oleh institusi perbankan di Malaysia serta kaedah pelaksanaan CSR yang memberikan impak maksimum terhadap pembangunan masyarakat secara holistik. Kajian ini menggunakan kaedah analisis kandungan dari sumber primer dan sekunder seperti laporan tahunan dan laman web rasmi perbankan Islam dan konvensional terpilih serta artikel-artikel dan kajian terdahulu bagi mendapatkan maklumat-maklumat berkaitan. Data yang diperolehi dianalisis mengikut dua tema iaitu (i) pelaksanaan CSR mengikut piramid tanggungjawab CSR dan (ii) pihak berkepentingan (stakeholders) institusi perbankan. Dapatan awal kajian menunjukkan bahawa pelaksanaan CSR oleh institusi perbankan di Malaysia lebih tertumpu kepada program-program yang memberi manfaat kepada para stakeholders seperti pekerja, para eksekutif, pemegang saham, pelanggan dan masyarakat. Kajian ini juga merumuskan bahawa pelaksanaan program CSR bertitik tolak dari keperluan untuk memenuhi tanggungjawab ekonomi, kepatuhan kepada perundangan, tuntutan etika serta filantropi. Melalui pelaksanaan CSR, institusi perbankan di Malaysia telah memainkan peranan masing-masing dalam memenuhi keperluan sosial masyarakat secara tidak langsung.*

Kata kunci: *CSR, stakeholders, piramid CSR, bank.*

Pendahuluan

Perbankan Islam (IB) di Malaysia telah berkembang pesat sejak penubuhan Bank Islam Malaysia Berhad (BIMB) pada tahun 1983. Penubuhan BIMB menjadi titik permulaan industri perbankan



Islam dan dirancarkan lagi dengan penawaran kaunter Islam (*Islamic windows*) dalam operasi perniagaan bank konvensional. Selepas itu, satu skim perbankan tanpa faedah (SPTF) telah dirangka pada tahun 1993 bagi membenarkan institusi kewangan konvensional menawarkan khidmat perbankan Islam (Joni Tamkin Borhan, 2001). Perkembangan yang pesat dalam industri perbankan Islam telah berjaya menarik minat bank-bank konvensional untuk menawarkan produk perbankan Islam dalam operasi perniagaan mereka.

Masyarakat Islam semakin positif dalam menerima alternatif perbankan konvensional ini. Perkembangan ini diterjemahkan melalui peningkatan sebanyak 1406 buah cawangan institusi kewangan daripada tiga buah bank perdagangan yang besar iaitu Malayan Banking Berhad, Bank Bumiputera Malaysia Berhad dan United Malayan Banking Corporation Berhad telah menawarkan kemudahan perbankan Islam pada akhir tahun 1995 (Ab. Mumin Ab. Ghani, 1999). Permintaan yang semakin tinggi dari masyarakat Islam mendorong kepada peningkatan ini. SPTF ini kemudiannya diubah menjadi Skim Perbankan Islam (SPI) pada 1994 (Ab. Mumin Ab. Ghani, 1999) berdasarkan kepada kesedaran untuk menyediakan kemudahan kewangan kepada umat Islam supaya ianya selaras dengan kehendak Syariah. Sehingga kini terdapat 16 (Bank Negara Malaysia, 2018) buah bank Islam yang beroperasi sepenuhnya mengikut hukum Islam.

Sehubungan dengan itu, perkembangan dan pertumbuhan bank-bank Islam yang pesat di Malaysia diharapkan dapat melaksanakan peranan sosialnya dalam meningkatkan nilai etika, moral, kerjasama dan ukhuwah dalam masyarakat. Selaras dengan Dasar Sosial Negara (Dasar Sosial Negara, 2003) yang telah diluluskan oleh kabinet pada 19 Februari 2003, IB yang tergolong dalam sektor korporat juga tidak terkecuali dalam melaksanakan program CSR. Secara umumnya CSR berkait rapat dengan bagaimana syarikat-syarikat mengatur perniagaan melalui cara yang beretika, dengan mengambil kira kesan-kesannya terhadap ekonomi, sosial, alam sekitar dan juga hak asasi manusia.

Dalam konteks perbankan, bank boleh melaksanakan tanggungjawab sosialnya dalam aspek berikut 1. Ekonomi, perundangan, etika dan filantropi 2. Pihak berkepentingan (*stakeholders*). Sebagai contoh, IB boleh memainkan peranan dalam menyediakan peruntukan biasiswa kepada pelajar-pelajar cemerlang, membina kemudahan infrastruktur kepada komuniti, menganjurkan program-program motivasi dan intelek, menyediakan peluang pekerjaan serta menyediakan produk-produk dan perkhidmatan perbankan yang progresif dan kompetitif. Dalam masa yang sama IB juga harus memastikan bahawa operasi perniagaan mereka tidak mencemarkan alam sekitar dan memberi kesan yang buruk terhadap persekitaran.

Kajian Lepas

Definisi Dan Konsep Tanggungjawab Sosial Korporat (CSR)

Tanggungjawab sosial korporat (CSR) bermula dengan idea bahawa perniagaan adalah satu bentuk perkhidmatan kepada masyarakat. Konsep ini menjadi isu yang diperdebatkan lebih awal dari penulisan Mandeville (1705) dan Adam Smith (1776) (Jawed Akhtar Mohammed, 2007). Pada awalnya konsep ini tidak dianggap sebagai permasalahan yang signifikan dalam perniagaan bahkan pada tahun 1917, masyarakat menolak idea perniagaan adalah perkhidmatan yang dikemukakan oleh Henry Ford (Min Dong Paul Lee, 2008). Walaupun keputusan mahkamah ketika itu tidak memihak kepada beliau, namun idea tersebut menjadi pemangkin kepada perbincangan CSR dalam dekad-dekad seterusnya.



CSR juga tidak menjadi tumpuan perbincangan sarjana, masyarakat dan syarikat sehingga berlakunya Great Depression pada tahun 1930 di Amerika Syarikat. The Great Depression ini telah memberi kesan yang besar kepada syarikat dan juga masyarakat di Amerika Syarikat dan Eropah. Berlakunya pengangguran secara besar-besaran, syarikat-syarikat kecil dan besar mengalami kerugian (Carroll, 2009) dan keruntuhan institusi perbankan mega (Asyraf Wajdi Dusuki, 2007) membawa kepada krisis kestabilan ekonomi global. Secara tidak langsung, peristiwa tersebut juga menjadi pencetus kepada perbincangan CSR. Semenjak itu, perbincangan dan perdebatan mengenai CSR semakin berkembang pesat sehingga ke abad 21 ini.

Para sarjana memberikan definisi yang pelbagai berkaitan CSR. Pendefinisian ini berbeza mengikut negara dan organisasi berdasarkan penilaian mereka terhadap aktiviti-aktiviti firma yang berkaitan dengan isu-isu sosial yang dipengaruhi oleh nilai agama dan budaya masyarakat (Muhammad Adnan Khurshid, Abdulrahman Al-Aali, Ahmed Ali Soliman, & Salmiah Mohamad Amin, 2014). Secara umumnya, tiada pendefinisian yang benar-benar jelas dan konkrit berkaitan CSR ini. Setiap organisasi dan firma juga mempunyai kefahaman mereka yang tersendiri mengenai CSR ini. Oleh sebab itu, pelaksanaan CSR dalam setiap syarikat perniagaan berbeza-beza mengikut bagaimana konsep CSR ini ditakrif dan diterjemahkan.

Pendefinisian CSR yang berbagai memberi kesan kepada bentuk pelaksanaannya oleh syarikat korporat yang pelbagai. Dahlsrud dalam kajiannya telah membahagikan pendefinisian CSR ini kepada lima dimensi iaitu alam sekitar, sosial, ekonomi, pihak berkepentingan (*stakeholders*) dan kesukarelawan (Alexander Dahlsrud, 2008). Definisi-definisi CSR yang diberikan oleh kebanyakan sarjana berkait dengan lima dimensi ini berdasarkan kajian beliau terhadap 37 definisi dari 27 orang penulis dari tahun 1980 hingga 2003. Contohnya, Bowen yang dianggap sebagai Bapa CSR (Archie B. Carroll, 1999) telah mendefinisikan CSR ini sebagai kewajipan yang perlu dilaksanakan oleh ahli perniagaan untuk mencapai keputusan, polisi dan tindakan yang dikehendaki seiring dengan objektif dan nilai sosial (Bowen, 1953). Manakala Fitch mengatakan bahawa CSR merupakan satu usaha yang bersungguh-sungguh dalam menyelesaikan masalah sosial yang disebabkan oleh perniagaan sama ada secara keseluruhan atau sebahagian (Fitch, 1976). Dimensi sosial ini melihat kepada definisi CSR dalam bentuk hubungan antara perniagaan dan masyarakat.

Definisi yang diberikan oleh Carroll meliputi dimensi ekonomi dan sosial. Beliau mendefinisikan CSR sebagai tanggungjawab sosial bagi sesebuah perniagaan termasuk tanggungjawab ekonomi, perundangan, etika dan jangkauan budi bicara yang diharapkan oleh masyarakat kepada syarikat perniagaan dalam suatu masa tertentu (Carroll, 1979). Davis turut mentakrifkan CSR dalam ruang lingkup dimensi ekonomi iaitu CSR merupakan keputusan dan tindakan yang dilakukan oleh ahli-ahli perniagaan ke atas sebahagian perkara di luar kepentingan langsung ekonomi dan teknikal firma (Davis, 1960). Dimensi ini memberi penekanan kepada aspek kewangan, operasi perniagaan dan juga sosio ekonomi dalam pendefinisian CSR.

Selain itu, antara definisi yang dianggap lebih kontemporari dan menyeluruh ialah takrifan daripada European Commission dalam tahun 2001. CSR ditakrifkan sebagai satu konsep di mana syarikat mengintegrasikan keprihatinan terhadap sosial dan alam sekitar ke dalam operasi perniagaan mereka serta interaksi syarikat dengan pihak berkepentingan mereka secara sukarela (Commission of the European Communities, 2001). Asyraf dan Farah menyatakan bahawa CSR dilakukan untuk menunjukkan aktiviti-aktiviti syarikat korporat yang menjangkau pembuatan keuntungan seperti pemeliharaan alam sekitar, menjaga kebajikan para pekerja, beretika dalam



berurus niaga dan terlibat dengan kerja-kerja kemasyarakatan (Asyraf Wajdi Dusuki & Tengku Farrah Maimunah Tengku Mohd Yusuf, 2008). Berdasarkan definisi-definisi ini, secara umumnya CSR merupakan satu tanggungjawab yang perlu dilakukan oleh sesebuah syarikat kepada pihak berkepentingan mereka sama ada dalam aspek ekonomi, sosial, perundangan, etika dan alam sekitar yang menjangkau proses pembuatan keuntungan.

Selain itu, perbincangan mengenai CSR juga menerima reaksi yang berbagai daripada setiap lapisan masyarakat. CSR tidak hanya dibincangkan dalam kalangan sarjana bahkan turut menjadi topik perbincangan kalangan ahli industri, pemegang saham, media dan masyarakat secara keseluruhannya. Antara sarjana yang menolak pelaksanaan CSR oleh perniagaan ialah Milton Friedman. Beliau mengatakan bahawa matlamat utama sesebuah perniagaan adalah pemaksimuman keuntungan (Friedman, 1970). Pada pandangan beliau, sekiranya sesebuah syarikat perniagaan perlu bertanggungjawab secara filantropi kepada masyarakat, syarikat dan pemegang saham akan berdepan dengan risiko kerugian (Min Dong Paul Lee, 2008). Namun begitu, Friedman tidak menolak CSR secara keseluruhan kerana beliau masih boleh menerima beberapa aspek tanggungjawab yang perlu dilaksanakan oleh syarikat.

Pandangan Friedman secara tidak langsung berkait rapat dengan keputusan mahkamah Dodge vs Syarikat Ford Motor yang memihak kepada pemegang saham. Keputusan ini memberi gambaran bahawa matlamat dan peranan utama syarikat adalah untuk meningkatkan kekayaan pemegang saham dan bukan untuk diagihkan semula (Zachary Cheers, 2011). Matlamat ini dipegang oleh syarikat dan masyarakat sehingga pertengahan kurun ke 20 (Asyraf Wajdi Dusuki, 2005). Secara dasarnya, Friedman tidak menolak tanggungjawab ekonomi, perundangan dan etika yang perlu dilaksanakan oleh syarikat perniagaan, namun beliau menolak elemen filantropi dalam tanggungjawab sosial korporat tersebut. Wallich dan McGowan dalam (William J. Baumol, Rensis Likert, Wallich, & McGowan, 1970) menambah, CSR akan terus menjadi sebuah konsep yang kontroversi sekiranya pelaksanaan CSR tersebut tidak selari dengan kepentingan dan kehendak pemegang saham.

Walaupun terdapat pihak yang menolak pelaksanaan CSR dalam perniagaan, terdapat juga sarjana dan ahli industri yang menyokong konsep ini. Freeman (1994) mengatakan bahawa pengurus sesebuah syarikat korporat tidak hanya bertanggungjawab terhadap pemegang saham sahaja bahkan kepada seluruh *stakeholders* (Edward R. Freeman, 2010; Min Dong Paul Lee, 2008) Freeman juga berpendapat, kejayaan sesebuah perniagaan bergantung kepada kebolehan perniagaan tersebut menjaga hubungannya dengan seluruh pihak berkepentingan termasuklah masyarakat (Min Dong Paul Lee, 2008). Oleh itu, menurut pandangan sarjana yang menyokong konsep ini, pelaksanaan CSR secara tidak langsung akan mendatangkan manfaat yang besar bukan sahaja kepada masyarakat bahkan juga kepada masyarakat.

Teori Berkaitan CSR

Teori yang pertama ialah teori pihak berkepentingan (*stakeholders theory*). Teori ini dibangunkan oleh sarjana-sarjana bidang pengurusan yang kecewa dengan model teori terdahulu yang mengetepikan aspek praktikal sekitar tahun 1960-an. *Stakeholder theory* telah diperkemas dan diperbaharui dengan idea yang pelbagai dan bersistematik oleh Freeman pada tahun 1984 (Carroll, 2009; Chamhuri Siwar & Md Tareq Hossain, 2009; Jawed Akhtar Mohammed, 2007). Teori ini menjadi satu paradigma bagi memahami hubungan antara syarikat dengan masyarakat serta strategi pengurusan syarikat yang menekankan tentang kepentingan CSR.



Teori *Stakeholder* menegaskan bahawa sesebuah syarikat korporat itu terdiri daripada sebilangan pihak berkepentingan yang terdiri daripada individu atau sekumpulan individu yang mempunyai pemilikan atau tuntutan pemilikan, hak atau kepentingan dalam syarikat dan aktiviti yang dijalankannya pada masa lalu, masa sekarang ataupun masa hadapan masyarakat (Kazi Masuma Khatun & Hala Alautiyat, 2012). Oleh itu, teori ini memperakui bahawa sesuatu aktiviti atau tindakan yang dilakukan oleh syarikat korporat akan memberi kesan kepada kumpulan-kumpulan. Selain itu, isu berkaitan matlamat ekonomi dan sosial dalam syarikat korporat tidak lagi menjadi titik perbincangan utama sebaliknya isu kemandirian sesebuah syarikat diberikan perhatian sepenuhnya. Kelangsungan syarikat tidak hanya bergantung dan memberi kesan kepada pemegang saham, tetapi juga semua pihak berkepentingan yang lain seperti eksekutif, pekerja, pelanggan dan juga masyarakat secara umumnya.

Pembentukan teori pihak berkepentingan ini secara langsung memberikan implikasi kepada pelaksanaan CSR. Melalui pembentukan teori, masalah-masalah berkaitan pengukuran dan penilaian pelaksanaan CSR oleh syarikat korporat dapat diselesaikan. Asyraf (2005) menambah, melalui teori ini, pengurus atau pegawai eksekutif syarikat melaksanakan tanggungjawab mereka terhadap para pekerja, pelanggan dan kerajaan yang dilihat lebih munasabah untuk diurus dan dilaksanakan.

Merujuk kepada teori ini, *stakeholders* bagi sesebuah syarikat dapat dibahagikan kepada dua. Freeman membahagikan *stakeholder* kepada dua bahagian iaitu *primary stakeholder* dan *secondary stakeholder* (Asyraf Wajdi Dusuki, 2005; Edward R. Freeman, 2010). Pembahagiannya adalah seperti berikut:

- 1) *Primary stakeholder* merujuk kepada pihak yang bertanggungjawab secara langsung dalam meneruskan kelangsungan sesebuah syarikat seperti pemilik perniagaan, pihak pengurusan syarikat, komuniti dan masyarakat setempat, pelanggan, pekerja dan pembekal.
- 2) *Secondary stakeholder* merujuk kepada pihak yang bertanggungjawab secara tidak langsung terhadap kemandirian syarikat korporat seperti kerajaan, komuniti yang menyediakan infrastruktur dan pasaran, kesatuan sekerja serta pencinta alam

Berdasarkan teori ini dapat difahami bahawa, konsep CSR secara dasarnya merujuk kepada jangkaan yang ditetapkan oleh masyarakat kepada syarikat untuk tidak mendatangkan mudarat ketika menjalankan operasi perniagaan dalam masa yang sama memberi manfaat kepada masyarakat secara keseluruhannya.

Teori kedua ialah teori kontrak sosial (*social contract theory*). Teori kontrak sosial merupakan salah satu asas falsafah yang membentuk doktrin CSR. Gagasan utama teori ini ialah bagaimana menghubungkan dua entiti dalam masyarakat iaitu syarikat perniagaan dan masyarakat secara keseluruhan. Secara umumnya syarikat perniagaan mempunyai kewajiban sosial yang mengikat mereka dengan masyarakat secara tidak langsung sekali gus membentuk satu kontrak yang bersifat sosial. Shocker & Sethi (1973) dalam (Asyraf Wajdi Dusuki, 2005) memberikan gambaran keseluruhan berkaitan konsep kontrak sosial ini seperti berikut

“Setiap institusi termasuk syarikat perniagaan beroperasi di dalam masyarakat melalui kontrak sosial, sama ada secara nyata (tersurat) atau tersirat, di mana pertumbuhan dan survival institusi tersebut berdasarkan kepada (1) penyediaan output sosial yang diperlukan oleh masyarakat secara umum dan (2) agihan manfaat ekonomi, sosial atau politik kepada kumpulan-kumpulan yang diperoleh kuasa daripadanya”



Berdasarkan pernyataan ini, syarikat korporat dan masyarakat adalah rakan kongsi yang berkongsi hak-hak dan tanggungjawab yang sama. Syarikat dan masyarakat saling memerlukan antara satu sama lain dalam memenuhi matlamat mereka. Perkaitan ini membentuk satu kontrak sosial yang mengikat kedua-dua entiti ini. Teori ini juga menyatakan bahawa sesebuah syarikat perniagaan itu mesti bertanggungjawab dalam setiap tindakan yang dilakukan. Tanggungjawab ini perlu dilaksanakan bukan semata-mata untuk kepentingan perniagaan tetapi lebih kepada memenuhi jangkaan masyarakat terhadap syarikat

Teori ketiga berkaitan CSR ialah piramid tanggungjawab CSR. Teori ini diperkenalkan oleh Carroll (Min Dong Paul Lee, 2008) yang telah membahagikan peringkat tanggungjawab CSR kepada empat iaitu ekonomi, undang-undang, etika dan filantropi. Secara umumnya, organisasi perniagaan ditubuhkan dan diwujudkan sebagai satu entiti ekonomi yang bertujuan untuk menyediakan barang dan perkhidmatan kepada ahli masyarakat (Carroll, 1991). Motif keuntungan menjadi insentif utama bagi pengusaha dalam menjalankan aktiviti perniagaan mereka. Namun begitu, sebagai salah satu unit asas ekonomi, firma atau syarikat bertanggung jawab menyediakan barang dan perkhidmatan yang diperlukan oleh pengguna.

Tanggungjawab undang-undang (*legal responsibility*) merujuk kepada kepatuhan bank terhadap undang-undang dan peraturan yang telah ditetapkan oleh kerajaan. Bank perlu memastikan operasi perniagaan mereka mematuhi undang-undang sama ada ditetapkan oleh kerajaan persekutuan atau negeri (Carroll, 1991) sebagai memenuhi keperluan kontrak sosial antara perniagaan dan masyarakat.

Tanggungjawab etika pula merujuk kepada aktiviti-aktiviti dan amalan-amalan yang dilakukan atau dilarang oleh ahli masyarakat walaupun ianya tidak termaktub dalam undang-undang. Tanggungjawab etika ini mengandungi standard-standard, norma-norma ataupun jangkaan yang menggambarkan keprihatinan terhadap apa yang dianggap oleh pengguna, pekerja, pemegang saham, dan komuniti masyarakat sebagai adil ataupun perlindungan terhadap hak moral pihak berkepentingan (Min Dong Paul Lee, 2008). Tanggungjawab etika boleh dilihat sebagai nilai-nilai dan norma-norma yang baru muncul yang diharapkan oleh masyarakat terhadap institusi korporat, walaupun nilai-nilai tersebut mungkin menggambarkan standard prestasi yang lebih tinggi daripada yang ditetapkan oleh undang-undang.

Tanggungjawab filantropi merangkumi tindakan-tindakan sektor korporat yang bertindak balas terhadap jangkaan masyarakat iaitu perniagaan menjadi warganegara korporat yang baik (*good corporate citizenship*) (Utusan Online, 2015). Ini termasuklah terlibat dalam keputusan atau program-program yang berkaitan dengan kebajikan manusia. Contohnya ialah sumbangan sektor korporat terhadap sumber-sumber kewangan seperti sumbangan terhadap seni, pendidikan atau komuniti. Program-program seperti program keusahawanan atau kepimpinan merupakan contoh tanggungjawab filantropi bagi sektor korporat. Tanggungjawab filantropi lebih menjurus kepada budi bicara dan kesediaan secara sukarela institusi korporat walaupun selalunya terdapat jangkaan sosial bahawa sektor korporat itu menyediakannya.

Perbankan Islam di Malaysia

Fungsi asas penubuhan sesebuah bank ialah untuk memudahkan orang ramai menyimpan wang dan sebagai tempat bagi mereka mendapatkan kemudahan bantuan pinjaman kewangan. Kedua-dua bank iaitu bank Islam dan bank konvensional secara umumnya dilihat mempunyai fungsi yang sama, namun begitu terdapat beberapa perkara yang membezakan antara kedua jenis bank ini iaitu



1) Objektif penubuhan bank.

Bank konvensional bermatlamatkan untuk memaksimumkan keuntungan semata-mata tanpa mengambil kira faktor-faktor lain. Bagi perbankan Islam pula, objektifnya didasarkan kepada dua faktor utama iaitu faktor agama dan faktor keuntungan. Sebuah organisasi yang ditubuhkan berlandaskan faktor agama perlu menghayati ajaran-ajaran agama yang mempunyai hubung kait dengan penubuhan dan perjalanan organisasi tersebut. Oleh itu, sebuah bank Islam yang ditubuhkan berdasarkan faktor agama juga perlu mematuhi dan mengikut prinsip-prinsip Islam sebagaimana yang telah ditetapkan oleh Islam dalam menjalankan operasi perniagaan (AMMB Holdings Berhad, 2012, 2016). Ajaran agama Islam akan membentuk sesebuah organisasi Islam amnya dan perbankan Islam khususnya untuk lebih mementingkan unsur-unsur moral berbanding unsur-unsur material. Unsur-unsur moral ini wujud disebabkan oleh faktor keimanan dan prinsip-prinsip lain yang terdapat dalam ajaran Islam itu.

2) Faktor keuntungan.

Islam tidak menghalang aktiviti pengambilan untung dalam perniagaan bahkan menggalakkan sesebuah perniagaan untuk berusaha bersungguh-sungguh untuk mendapat keuntungan dalam landasan hukum syarak. Keuntungan yang diperolehi organisasi perniagaan membolehkannya untuk bertahan lama dan berdaya saing seiring dengan syarikat-syarikat konvensional. Oleh itu, setiap bank Islam perlukan gabungan antara dua faktor ini untuk mencari titik keseimbangan antara dua landasan iaitu landasan agama yang berteraskan tauhid dan moral serta landasan perniagaan yang mementingkan keuntungan dalam objektif penubuhannya (Utusan Online, 2015).

Oleh itu, sebagai sebuah organisasi perniagaan yang berteraskan Islam, perlu wujudnya keseimbangan antara dua faktor ini bagi memastikan kemaslahatan masyarakat Islam sentiasa terjamin dan terpelihara.

Sistem perbankan Islam (SPI) moden bermula dengan penubuhan Mitr Ghamr Local Saving Bank di Mesir pada tahun 1963 yang dianggap sebagai bank Islam pertama pada era itu. Sistem perbankan Islam semakin berkembang dengan tertubuhnya Bank Pembangunan Islam (IDB) (Joni Tamkin Borhan, 2001) sebagai bank perdagangan Islam pertama di Dubai pada tahun 1975.

Penubuhan IDB dilihat menjadi pendorong kepada penubuhan bank-bank Islam komersial yang lain seperti Dubai Islamic Bank (1975), Faisal Islamic Bank of Egypt (1977), Faisal Islamic Bank of Sudan (1977), Kuwait Finance House (1977)(Joni Tamkin Borhan, 2001), Bank of Jordan (1978), Islamic Bank of Bahrain (1979) dan The International Islamic Bank of Investment and Development, Luxembourg (1980)(Ab. Mumin Ab. Ghani, 1999). Dilaporkan terdapat lebih dari 50 buah bank Islam telah beroperasi dalam tempoh 1975 hingga akhir 1983 di seluruh dunia termasuk di negara bukan Islam (Joni Tamkin Borhan, 2001). Statistik dan kajian terdahulu (Bank Negara Malaysia, 2006, 2016; Humaida Banu Samsudin & Nur Amira Mohd Noh, 2017; Nur Afiyas Daud, 2013) juga menunjukkan prestasi yang sangat memberangsangkan bagi sistem perbankan Islam.

Perkembangan Sistem kewangan Islam di Malaysia bermula dengan penubuhan Lembaga Urusan dan Tabung Haji (LUTH) pada tahun 1969. LUTH merupakan institusi kewangan Islam pertama di Malaysia yang ditubuhkan untuk menerima deposit daripada umat Islam bagi tujuan memenuhi perbelanjaan menunaikan haji. Di samping itu, LUTH juga terlibat dalam bidang penanaman modal berlandaskan syariat Islam (Joni Tamkin Borhan, 2001). Keperluan terhadap sistem perbankan dan kewangan berteraskan Islam semakin meningkat. Peningkatan ini membawa



kepada penubuhan bank Islam pertama di Malaysia iaitu Bank Islam Malaysia Berhad (BIMB) pada tahun 1983.

Perbankan Islam (IB) di Malaysia telah berkembang dengan pesat dan sangat memberangsangkan. Perkembangan ini telah menarik minat bank-bank konvensional untuk menawarkan kaunter Islam (*Islamic windows*) dalam operasi perniagaan mereka. Skim perbankan tanpa faedah (SPTF) telah dirangka pada tahun 1993 melibatkan tiga buah bank perdagangan yang besar iaitu Malayan Banking Berhad, Bank Bumiputera Malaysia Berhad dan United Malayan Banking Corporation Berhad.

Skim ini diwujudkan bagi membenarkan institusi kewangan konvensional menawarkan khidmat perbankan Islam (Sudin Haron, 2007). Perkembangan SPTF ini amat memberangsangkan dan diterjemahkan melalui sejumlah 1406 buah cawangan institusi kewangan telah menawarkan kemudahan perbankan Islam pada akhir tahun 1995 Perkembangan pesat SPTF telah membawa kepada pembangunan Sistem Perbankan Islam (SPI) bagi memenuhi keperluan kewangan masyarakat yang semakin meningkat.

SPI dibangunkan berdasarkan kepada kesedaran untuk menyediakan kemudahan kewangan kepada umat Islam supaya ianya selaras dengan kehendak Syariah. Penubuhan BIMB sebagai bank Islam pertama Malaysia bukan sekadar untuk mendapatkan keuntungan semata-mata bahkan juga untuk mencapai matlamat kebajikan sosial, moral dan masyarakat menurut Islam (Sudin Haron, 2007). Dua prinsip asas mendasari matlamat penubuhan SPI iaitu untuk membantu dalam mencapai objektif sosioekonomi masyarakat Islam dan dilaksanakan berlandaskan Syariah Islam. IB yang ditubuhkan hendaklah dapat membantu mencapai objektif sosioekonomi masyarakat Islam namun tidak melanggar kehendak Syariah.

Metodologi kajian

Kertas kerja ini menggunakan kaedah dokumentasi sebagai metode pengumpulan data. Melalui kajian dokumentasi, maklumat berkaitan teori, konsep dan pelaksanaan CSR dalam industri diperoleh dari data primer yang terdiri daripada jurnal, artikel, tesis, penulisan-penulisan sarjana terdahulu, laporan tahunan dan laman-laman sesawang bank. Data yang diperoleh dianalisis mengikut dua tema iaitu (i) pelaksanaan CSR mengikut piramid tanggungjawab CSR dan (ii) pihak berkepentingan (*stakeholders*) institusi perbankan. Dapatan kajian ini dianalisis secara deskriptif menggunakan pendekatan deduktif. Melalui metode deduktif, data-data berkaitan pelaksanaan CSR yang lebih umum akan dianalisis bagi mendapatkan kesimpulan yang lebih khusus.

Dapatan kajian

Berdasarkan penelitian yang dilakukan terhadap data primer, pelaksanaan CSR oleh perbankan di Malaysia boleh diklasifikasikan mengikut tema berikut:

Ruang Lingkup Pelaksanaan CSR Berdasarkan Piramid Tanggungjawab CSR

Institusi perbankan di Malaysia melaksanakan tanggungjawab sosial mereka berdasarkan empat peringkat tanggungjawab CSR iaitu ekonomi, undang-undang, etika dan filantropi. Dua institusi perbankan yang dipilih mewakili Bank 1 (bank konvensional) dan Bank 2 (bank Islam) dilihat melaksanakan CSR mereka berdasarkan piramid tanggungjawab ini. Hasil penelitian terhadap laporan kewangan kedua bank ini dinyatakan dalam jadual 1 di bawah.

Jadual 1: Pelaksanaan CSR mengikut Piramid CSR

Peringkat tanggungjawab	Bank 1	Bank 2
Ekonomi	1. Menyediakan pelbagai produk yang lebih menyeluruh kepada pelanggan	1. Perintis Platform Akaun Pelaburan (“IAP”), 2. menyediakan produk pelaburan baru - Akaun Pelaburan Wafiyah (“Wafiyah”) - akaun pelaburan berjangka tidak terhad berdasarkan Wakalah 3. Penjenamaan bersama dengan jenama terkemuka- Persatuan Bola Sepak Kelantan (“KAFA”), Pahang (“PFA”), dan Kedah (“KFA”) 4. Melancarkan Kad Debit-i Bank Islam Visa ONEXOX.
Undang-undang	1. Anti-Money Laundering and Counter Financing of Terrorism (AML/CFT) 2. Perlindungan Data Peribadi-berseuaian dengan Akta Perlindungan Data peribadi 2010 (PDPA) 3. Polisi Anti Penipuan Kumpulan- Penandatanganan kepada Ikrar Integriti Korporat Suruhanjaya Pencegahan Rasuah Malaysia (SPRM)	1. Beroperasi di bawah Akta Bank Islam 1983 2. Kepatuhan terhadap Majlis Penasihat Syariah berkaitan operasi perbankan berteraskan syariah
Etika	1. Berpegang kepada nilai etika T.I.G.E.R. (<i>Teamwork, Integrity, Growth, Excellence & Efficiency, and Relationship</i>) 2. Setiap aktiviti melibatkan pekerja dan pihak ketiga perlu berpandukan nilai-nilai tersebut.	1. Mewujudkan suasana kerja yang mencerminkan profesionalisme, integriti, saling menghormati dan mengambil berat antara satu sama lain
Filantropi	1. Menyumbang 1% daripada keuntungan bersih bank untuk program-program kemasyarakatan.	1. Projek Dana Wakaf AL-MAAD (P) Yayasan Islam Perlis 2. Projek pembangunan tanah wakaf dengan pemaju hartanah-pembiayaan dua projek pembangunan tanah wakaf di Klang, Selangor

Sumber: (Bank Islam Malaysia Berhad, 2016; Maybank Foundation, 2015).

Berdasarkan jadual di atas, institusi perbankan di Malaysia melaksanakan operasi mereka bersesuaian dengan peringkat tanggungjawab CSR yang telah digariskan oleh Carroll (1979). Walaupun tanggungjawab utama perbankan adalah meningkatkan keuntungan, namun pelaksanaan CSR yang dilakukan memastikan bank bertanggungjawab secara holistik kepada masyarakat.

CSR dalam Industri Perbankan mengikut Perspektif Stakeholders

Berdasarkan analisis terhadap laporan kewangan Bank 1 dan Bank 2, kedua-dua bank ini peka dengan tanggungjawab sosial mereka. Aktiviti CSR yang dijalankan tertumpu kepada beberapa golongan sasaran atau *stakeholder*. Secara umumnya, *stakeholder* bagi sesebuah bank terdiri

daripada pemegang saham, para pekerja, para pelanggan (sedia ada, baru atau prospek) dan masyarakat secara keseluruhannya. Jadual 2 di bawah menunjukkan program-program berbentuk CSR yang dijalankan oleh Bank 1 dan Bank 2 terhadap pihak berkepentingan masing-masing.

Jadual 2: Pelaksanaan CSR oleh Bank-bank terpilih di Malaysia

Pihak berkepentingan	Bank 1	Bank 2
Pemegang saham	1. Menyediakan maklumat yang diperlukan untuk memenuhi keperluan pemegang saham dengan lebih baik	1. Menggalakkan budaya tadbir urus korporat yang kukuh bagi memaksimumkan nilai pemegang saham dan melindungi kepentingan mereka
Eksekutif dan staf	1. Mempelbagaikan medium komunikasi dengan para pekerja 2. Menyediakan program pendidikan dan latihan yang bersesuaian	1. Mewujudkan pelbagai inisiatif kepada para pekerja 2. Menyediakan persekitaran tempat kerja yang kondusif 3. Pembangunan kepimpinan, teknikal dan kemahiran insaniah
Pelanggan	1. Menjaga hubungan baik dengan pelanggan 2. Menyediakan kemudahan perbankan yang lebih baik – ke arah pendigitalan perbankan 3. Menyediakan produk-produk perbankan yang lebih baik.	1. Berterusan menyediakan produk-produk perbankan berlandaskan syariah 2. Menjalankan aktiviti-aktiviti bersama pelanggan (perseorangan atau korporat) 3. Menawarkan pelbagai jenis penyelesaian kewangan patuh Syariah 4. Memberikan perkhidmatan yang terbaik kepada pelanggan 5. Menawarkan produk-produk kewangan berasaskan Zakat & Wakaf
Masyarakat	1. Penekanan terhadap pendidikan-menyediakan program-program biasiswa 2. Memberi bantuan kepada komuniti yang ditimpa bencana alam. 3. Program pemerksaan ekonomi R.I.S.E. – untuk komuniti kurang bernasib baik menambahkan pendapatan mereka.	1. Menjalankan aktiviti meningkatkan kesedaran masyarakat berkaitan perbankan syariah 2. Memudahkan pemberian sumbangan melalui Terminal ‘e-Donation’ menggunakan Visa payWave. 3. Program tumpuan masyarakat - AMAL Ihtimam 4. Sumbangan wang ringgit untuk program melibatkan pelajar-pelajar asnaf UiTM 5. Projek Bantuan Rumah 6. Program Mempromosi Kebijaksanaan, Memupuk Bakat dan Pembinaan Sahsiah (PINTAR).
Alam sekitar	1. Pemeliharaan dan pemuliharaan alam sekitar di seluruh ASEAN terutamanya pemuliharaan harimau.	1. Program Hari Hijau sempena Hari Bumi 2. Bekerjasama dengan Universiti Malaysia Sarawak dan Pejabat Perikanan Daerah Sematan untuk menghasilkan dan menggunakan lima tukun tiruan kulit kerang di perairan pulau Talang-Talang berhampiran pantai Sematan, Sarawak

Sumber: (Bank Islam Malaysia Berhad, 2016; Maybank Foundation, 2015)



Berdasarkan jadual di atas, perbankan konvensional dan perbankan Islam dilihat komited dalam melaksanakan program CSR masing-masing. Aktiviti-aktiviti yang dijalankan tidak hanya tertumpu kepada satu kelompok *stakeholder* sahaja bahkan menyeluruh kepada semua *stakeholder*. Dapat disimpulkan bahawa institusi perbankan di Malaysia bertanggungjawab secara sosial dalam menjalankan operasi perniagaan mereka dengan menyumbang semula kepada masyarakat dan pihak berkepentingan yang lain.

Penutup

Berdasarkan perbincangan di atas, institusi perbankan sebagai salah sebuah entiti korporat di Malaysia sememangnya telah menjalankan program, aktiviti dan inisiatif CSR masing-masing. Pelaksanaan CSR ini selaras dengan Dasar Sosial Negara yang telah diwujudkan oleh kerajaan bagi menggalakkan syarikat korporat melaksanakan program CSR masing-masing. Pelbagai inisiatif, ganjaran dan anugerah diberikan kepada syarikat korporat termasuk institusi perbankan yang aktif dalam melaksanakan program CSR.

Program, aktiviti dan inisiatif CSR yang dijalankan oleh institusi perbankan akan melahirkan pekerja yang lebih beretika, mewujudkan syarikat yang lebih bertimbang rasa terhadap keperluan masyarakat dalam masa yang sama dapat mengurangkan pencemaran dan kerosakan alam sekitar. Selain itu, melalui program CSR, nasib golongan miskin akan lebih terbela melalui pelbagai bentuk bantuan yang diberikan oleh institusi perbankan sama ada berbentuk bantuan kewangan, material ataupun bantuan bukan material seperti kem-kem motivasi kepada pelajar dan sebagainya. Melalui bantuan-bantuan tersebut, secara tidak langsung kemiskinan dalam negara dapat dikurangkan dan ekonomi negara akan dapat dibangunkan. Pembangunan ekonomi yang memberangsangkan akan mewujudkan lebih banyak peluang pekerjaan. Dengan itu, masyarakat akan dapat menikmati kehidupan yang lebih baik di masa akan datang hasil daripada implikasi positif pelaksanaan CSR.

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PRINSIP '*UBERRIMAE FIDEI*' DARI PERSPEKTIF TAKAFUL DAN INSURANS

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Abstrak: '*Uberrimae fidei*' merupakan asas penting dalam membuat keputusan untuk memasuki sesuatu kontrak atau tidak bagi kontrak komersil. Pada tahap yang menyakinkan, sesuatu kontrak yang disifatkan sebagai '*Uberrimae fidei*' apabila setiap fakta dan keadaan yang didedahkan oleh pihak yang menawarkan mempengaruhi pihak yang lain untuk memutuskan sama ada untuk mengadakan sesuatu kontrak atau tidak. Secara ringkasnya '*Uberrimae fidei*' juga disebut sebagai niat baik dan penuh percaya mutlak antara pihak-pihak yang terlibat didalam sesuatu kontrak tersebut sama ada didalam kontrak takaful mahupun kontrak insurans untuk mendedahkan fakta material yang berkaitan dengan kontrak yang akan ditandatangani bagi mengelakkan berlakunya sebarang salah faham dan penipuan. Artikel ini ditulis bertujuan bagi melihat sama ada terdapat perbezaan aplikasi '*Uberrimae fidei*' ini didalam kontrak takaful dan insurans.

Kata Kunci: '*Uberrimae fidei*', niat baik, penuh percaya mutlak

Pendahuluan

'*Uberrimae fidei*' iaitu niat baik dan penuh percaya mutlak merupakan aspek yang sangat penting yang perlu ada pada pihak-pihak yang terlibat dalam proses menandatangani sesuatu kontrak. Kontrak disini termasuklah kontrak takaful dan juga insurans. Hal ini disebabkan dengan adanya '*uberrimae fidei*' atau niat baik dan penuh percaya mutlak ini dapat mengurangkan isu penipuan dan salah faham kesan daripada terdapatnya fakta material yang tidak didedahkan sepenuhnya oleh kedua-dua pihak yang mana ia boleh membuatkan sesuatu kontrak itu terbatal dan tidak sah. Sebagaimana firman Allah (swt):

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ
بِالْبَطْلِ إِلَّا أَنْ تَكُونَتْ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا
أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا ﴿٢٩﴾

*Wahai orang-orang yang beriman, janganlah kamu makan (gunakan) harta-harta kamu sesama kamu dengan jalan Yang salah (tipu, judi dan sebagainya), kecuali Dengan jalan perniagaan yang dilakukan secara suka sama suka di antara kamu, dan janganlah kamu berbunuh-bunuhan sesama sendiri. Sesungguhnya Allah sentiasa mengasihani kamu.*⁶

Tafsiran Terma Takaful dan Perniagaan Takaful

Akta Perkhidmatan Kewangan Islam (APKI) telah mengemukakan definisi yang lebih jelas bagi terma-terma berkaitan takaful. Takaful ditafsirkan sebagai “suatu perkiraan yang berasaskan pertolongan secara bersama yang di bawahnya peserta takaful bersetuju untuk menyumbang kepada suatu kumpulan wang yang sama yang menyediakan manfaat kewangan bersama yang kena dibayar kepada peserta takaful itu atau kepada benefisiarinya pada masa berlaku sesuatu kejadian yang telah dipersetujui terdahulu.”⁷

Perniagaan takaful pula ditafsirkan sebagai “perniagaan yang berhubung dengan pentadbiran, pengurusan dan operasi kumpulan wang takaful untuk peserta takafulnya yang mungkin melibatkan elemen pelaburan dan simpanan...” Definisi takaful yang baru ini lebih menyeluruh dan menepati konsep insuran Islam yang berasaskan konsep pertolongan secara bersama di kalangan para peserta takaful. APKI juga memberikan tafsiran yang jelas bagi perniagaan takaful dengan menyenaraikan aktiviti-aktiviti yang termasuk di bawah perniagaan tersebut.⁸

Aplikasi 'Uberrimae Fidei' dalam Takaful

Adalah sangat dituntut oleh Allah (swt) agar setiap pihak yang menjalankan sebarang kontrak dan transaksi komersil untuk melakukannya dengan adil dan jujur. Prof. S Misbahul Hassan mencadangkan bahawa elemen-elemen seperti *maisir* (judi), *al-gharar* (ketidakjelasan), *riba'*, memonopoli dan mengaut keuntungan dalam setiap kontrak komersil dihentikan kerana bertentangan dengan prinsip-prinsip Islam.⁹ Sebagaimana dalam firman Allah (swt):¹⁰

﴿إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَايَ ذِي الْقُرْبَىٰ
وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ
لَعَلَّكُمْ تَذَكَّرُونَ﴾

⁶ Al-Qur'an, Surah An-Nisa', 4:29

⁷ S. 2(1)

⁸ Ibid

⁹ S Misbahul Hassan, *Good Faith and Fairness in Commercial Transaction: The Common Law, Civil Law and the Islamic Perspective*, (u/p) presented at IIU Malaysia in April 1996. h. 28.

¹⁰ Al-Qur'an, Surah An-Nahl, 16:90



Sesungguhnya Allah menyuruh berlaku adil, dan berbuat kebaikan, serta memberi bantuan kepada kaum kerabat; dan melarang daripada melakukan perbuatan-perbuatan yang keji dan mungkar serta kezaliman. Ia mengajar kamu (dengan suruhan dan laranganNya ini), supaya kamu mengambil peringatan mematuhiNya.

Bagi mengelakkan manipulasi dan mencegah risiko moral juga, APKI juga meletakkan kewajipan penuh percaya mutlak ('*Uberrimae fidei*') kepada peserta dan pengendali takaful.¹¹ Para peserta takaful diwajibkan untuk melakukan pendedahan dan representasi prakontrak kepada pengendali takaful. Dalam hal ini, APKI membahagikan kontrak takaful kepada dua jenis iaitu kontrak takaful pengguna dan kontrak takaful selain kontrak takaful pengguna.¹² Bentuk pendedahan pra-kontrak bagi kedua-dua jenis kontrak takaful ini adalah berbeza. Pihak pencadang bagi kontrak takaful selain kontrak takaful pengguna dituntut agar mendedahkan maklumat yang diketahuinya ataupun dijangka dia

ketahui akan mempengaruhi keputusan pengendali takaful samaada untuk menerima atau tidak risiko yang dibawanya.¹³ Manakala bagi kontrak takaful pengguna pula, pengguna diwajibkan untuk menjawab soalan-soalan yang dikemukakan oleh pihak pengendali takaful.¹⁴ Di samping itu, pengguna juga wajib mengambil penjagaan munasabah agar tidak membuat pernyataan yang salah kepada pengendali takaful semasa menjawab soalan-soalan yang dikemukakan.¹⁵

Peruntukan berkaitan kewajipan pendedahan dan representasi oleh pihak peserta takaful ini mungkin dilihat lebih berat berbanding dengan kewajipan bercakap benar yang dianjurkan dalam Islam. Dari perspektif Shariah, kesilapan yang tidak disengajakan ketika memberikan maklumat tidak membatalkan kontrak. Namun demikian, bagi kontrak takaful, tahap kepercayaan yang diperlukan daripada peserta takaful adalah lebih tinggi daripada kontrak-kontrak lain kerana ianya melibatkan risiko yang akan dikongsi bersama oleh peserta-peserta yang lain. Oleh itu, peruntukan undang-undang berkaitan kewajipan pendedahan dan representasi yang diperkenalkan di dalam APK diharapkan dapat memelihara kepentingan bersama para peserta takaful apabila ianya dikuatkuasakan nanti.

Undang-Undang Takaful di bawah APKI 2013

Penguatkuasaan APKI telah membawa perubahan yang agak ketara kepada undang-undang takaful di Malaysia. Undang-undang takaful di bawah APKI boleh dikatakan lebih menyeluruh berbanding dengan AT. Selain daripada penambahbaikan peraturan kawalselia perniagaan takaful seperti perlesenan dan pematuhan Shariah, APKI juga telah menambahbaik undang-undang substantif takaful. Beberapa peruntukan baru telah ditambah dalam Akta baru ini; antaranya ialah penyelenggaraan kumpulan wang takaful dan kumpulan wang pemegang saham, kepentingan boleh lindung takaful, kewajipan pendedahan dan representasi prakontrak serta penamaan dan pembayaran manfaat takaful kepada benefisiari di bawah konsep hibah bersyarat.

11 Perenggan 5(9), Jadual 9

12 Perenggan 2, Jadual 9

13 Perenggan 4(1), Jadual 9

14 Perenggan 5(1), Jadual 9

15 Perenggan 5(2), Jadual 9

Prinsip 'Uberrimae Fidei' dalam Akad Takaful

Kesahihan sesuatu kontrak bagi polisi takaful bergantung kepada pendedahan maklumat yang benar dan tepat berkaitan dengan polisi kepada pihak yang lain sebelum memutuskan polisi tersebut. Pendedahan maklumat dilakukan berdasarkan konsep bikhlas dan adil dalam hukum syarak berasaskan dalil-dalil al-Quran dan al-Sunnah seperti berikut:

Maksudnya:¹⁶

وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا اللَّهَ مُخْلِصِينَ لَهُ الدِّينَ حُنَفَاءَ وَيُقِيمُوا الصَّلَاةَ وَيُؤْتُوا الزَّكَاةَ وَذَلِكَ دِينُ الْقَيِّمَةِ ﴿٥﴾

Pada hal mereka tidak diperintahkan melainkan supaya menyembah Allah dengan mengikhlaskan ibadat kepadaNya, lagi tetap teguh di atas tauhid; supaya mereka mendirikan sembahyang dan memberikan zakat. Dan yang demikian itulah agama yang benar.

Allah 'Azza Wa Jalla memerintahkan kita supaya bersikap adil dalam semua perkara; sebab itulah umat Islam disifatkan sebagai *ummatan wasata*, bermaksud umat yang terpilih lagi adil, juga bermaksud umat yang pertengahan, iaitu pertengahan atau sederhana dalam segala tindak tanduk, akhlak dan amalan.¹⁷ Adalah menjadi tanggungjawab utama pihak yang terlibat di dalam kontrak takaful untuk mengamalkan sikap adil dan ikhlas untuk memastikan kesahihannya disisi syarak serta dijauhkan dari unsur penipuan dan ketidakjujuran yang membawa kepada kezaliman. Rasulullah Salallahu 'alaihi wassalam bersabda:¹⁸

عن حكيم بن حزام رضي الله عنه: أن النبي صلى الله عليه وسلم قال: البيعان ما لم يتفرقا فإن صدقا وبينا بورك لهما ببيعهما وإن وكتما فعسى أن يربها ربها ويمحقا بركة ببيعها

Maksudnya: Diriwayatkan oleh Hakim Bin Hizam Radiallahu 'anhu, bahawasanya Rasulullah Salallahu 'alaihi wassalam bersabda maka sesungguhnya kejujuran dan kejelasan adalah diberkati bagi keduanya dengan penjualan yang disertai keduanya dan sekiranya mereka berbohong dan menyembunyikannya, maka yang terhasil mungkin keuntungan tetapi akan hilang keberkatan dari Allah.

Salah seorang sahabat Rasulullah Salallahu 'alaihi Wassalam, 'Uqbah bin Amir Radiallahu 'anhu menyatakan kesan dari melanggar konsep adil dan ikhlas ini seperti berikut:¹⁹

16 Al-Quran, Surah al-Bayyinah, 98:5

17 Muhammad Ma'sum Billah, *Principles of Contracts affecting takaful and Insurance: a comparative analysis*, h. 55-56.

18 Ahmad bin Ali bin Hajr al-Asqalani, *Fath al-Bahri Sharh Sahih al-Bukhari*, jil.4, kitab Buyu', bab al-bayyi'ani bil khiyar ma lam yatafarraqa, hadith 2110, 1999, h. 376.

19 Sahih al-Bukhari, *kitab buyu'*, terj Vol 3, edisi ke-6, Khan M, muslim Lahore. Kazi Publication. Hadith 291, h.165-166



وقال عقبة بن عامر رضي الله عنه: لا يحل لامرئٍ ببيع سلعة أن بها داء إلا أخبر به

Maksudnya: Berkata 'Uqbah bin Amir, tidak halal yakni haram bagi seseorang yang menjual sesuatu benda, padahal ia mengetahui ada celanya, melainkan ia wajib memberitahu mengenai kecacatan tersebut.

Di dalam polisi takaful, prinsip adil dan ikhlas ini sangat penting dalam menentukan kesahihan polisi tersebut di sisi syarak. Keenggaran mana-mana pihak dalam memberikan maklumat yang benar dan tepat akan mengakibatkan batalnya polisi tersebut kerana mereka terikat untuk saling bertanggungjawab terhadap peruntukan dan syarat akad dengan penuh adil dan ikhlas. Sekiranya setelah sesuatu polisi diputuskan, mana-mana pihak mendapati pihak yang lain memberikan maklumat yang mengelirukan, palsu, dusta atau fraud tentang sesuatu fakta matan yang mempengaruhi keputusan pihak terbabit terhadap polisi tersebut, jika sabit kesalahan boleh dikenakan denda tidak lebih RM 20, 000.00 atau penjara tidak melebihi setahun. Kesan undang-undang terhadap polisi adalah seperti berikut:

1) Polisi tersebut batal kerana kegagalan untuk memberi maklumat dengan benar dan tepat. Pihak yang melakukannya dianggap telah berlaku tidak adil dan pihak yang teraniaya tidak terikat untuk terus patuh dengan peruntukan dan syarat yang telah dipersetujui Rasulullah Salallahu 'alaihi Wassalam bersabda:²⁰

عن رافع بن خديع قال رسول الله صلى الله عليه وسلم: المسلمون على شروطهم فيما أحل. حديث ضعيف

Maksudnya: Dari Rafi' bin Khodi Rasulullah Salallahu 'alaihi Wassalam bersabda: Orang-orang Islam terikat kepada syarat-syarat mereka pada apa yang dihalalkan.

2) Sekiranya mana-mana pihak yang menyertai polisi takaful gagal memberi maklumat yang benar dalam tempoh masa yang ditetapkan, pihak yang lain mempunyai hak untuk membatalkan atau meneruskan polisi tersebut.

3) Sekiranya polisi dibatalkan, sumbangan yang telah dibayar mestilah dipulangkan kepada pemegang polisi beserta keuntungan dan bonus sepanjang tempoh penyertaannya, setelah ditolak kos-kos perkhidmatan dan pentadbiran. Tetapi, sekiranya syarikat takaful yang gagal memberikan maklumat yang benar, syarikat mestilah membayar kepada peserta keseluruhan sumbangan yang telah dibayar beserta keuntungan dan bonus juga gantirugi yang berhak diperolehi oleh peserta akibat engkar terhadap prinsip adil dan ikhlas ini.²¹

Prinsip 'Uberrimae Fidei' dalam Perjanjian Takaful

Prinsip 'Uberrimae fidei' atau dalam istilah Arab disebut dengan *mabda' husn an-niyah*. Dalam prinsip ini dinyatakan bahawa pencadang polisi wajib mendedahkan maklumat kepada

20 Suyuthi, *Al-Jami' Al-Saqhir fi al-hadith al-bashir al-nazir*, jil. 1, hadith 9215, h. 669.

21 Muhammad Ma'sum Billah, *Principles of Contracts affecting takaful and Insurance: a comparative analysis*. h. 59-61



penanggung mengenai suatu fakta dan hal sebenar yang diketahuinya, serta hal-hal yang berkaitan dengan risiko. Maklumat yang tidak benar boleh menyebabkan batalnya sesuatu perjanjian. Dalam hal ini, prinsip ini melibatkan kejujuran peserta dalam mendedahkan maklumat yang sebenar berkenaan apa yang berlaku.

Dalam perjanjian Islam, kejujuran dianggap sebagai perkara asas yang melibatkan redha diantara dua pihak. Kerelaan (*an-taradzin*) merupakan perkara yang paling penting dalam perjanjian Islam. Sebab dalam urusan muamalat Islam dinyatakan bahwa muamalat mesti dilakukan dengan penuh sepakat dan kerelaan sehingga jauh daripada dosa memakan harta pihak lain secara batil. Kejujuran adalah satu nilai etika yang mendalam dalam Islam. Islam adalah sinonim dengan kebenaran. Allah memerintahkan semua Muslim supaya berlaku jujur dalam segala urusan dan perkataan sebagaimana terdapat dalam firman Allah Ta'ala:²²

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا ﴿٧٠﴾

Maksudnya: "Hai orang-orang yang beriman, bertakwalah kamu kepada Allah dan Katakanlah perkataan yang benar."

Islam dengan tegas melarang pembohongan dan penipuan dalam bentuk apa pun. Nilai kebenaran ini memberikan pengaruh pada pihak-pihak yang melakukan perjanjian untuk tidak melakukan penipuan dan melakukan pemalsuan. Sekiranya tiada nilai ini maka ia dapat merosakkan sesuatu *akad* yang dilakukan.

Di dalam perniagaan Islam, setiap pihak diwajibkan memegang teguh dengan prinsip-prinsip yang telah diajarkan dalam al-Qur'an dan as-sunnah. Prinsip ini merupakan hasil *ijtihad* para fuqaha dan pakar ekonomi syariah. Di antara prinsip tersebut meliputi prinsip tauhid, kebolehan (*ibahah*), keadilan (*al-'adl*), kebebasan (*al-hurriyah*), tanggungjawab, kebenaran, kebajikan, kejujuran, kerelaan (*ar-ridla*), kemanfaatan, pengharaman riba.²³

Oleh itu, ia merupakan satu tanggungjawab yang penting oleh pemegang polisi dan Operator untuk berpegang dengan prinsip '*Ubberimae fidei*' sebagai asas dalam melaksanakan urusan insuran yang patuh syariah. Jika perkara ini dilaksanakan maka ia menunjukkan bahawa kedua-dua pihak telah memenuhi kehendak syarak yang meletakkan kejujuran sebagai asas yang paling tinggi.

Aplikasi '*Ubberimae Fidei*' dalam Insurans

Doktrin '*uberrimae fidei*' merupakan asas penting dalam membuat keputusan untuk memasuki sesuatu kontrak atau tidak bagi kontrak komersil. '*Uberrimae fidei*' bermaksud pada tahap yang menyakinkan. Sesuatu kontrak yang disifatkan sebagai '*uberrimae fidei*' apabila setiap fakta dan keadaan yang didedahkan oleh pihak yang menawarkan mempengaruhi pihak yang lain untuk memutuskan sama ada untuk mengadakan sesuatu kontrak atau tidak.²⁴

Semua jenis kontrak insurans adalah termasuk di dalam prinsip ini. Pemohon sesuatu polisi adalah berkewajipan memberi pendedahan sepenuhnya tentang fakta material yang dikehendaki oleh polisi dan berada di dalam pengetahuannya. Sekiranya penanggung insurans dapat membuktikan

22 Al-Qur'an, Surah al-Ahzab, ayat 70

23 Kwat Ismanto, Asurans Syariah: Tinjauan Asas-asas Hukum Islam (Yogyakarta: Pustaka Pelajar, 2009), h. 26.

24 Osborn's Concise Law Dictionary, edisi Ke 8, London: Sweet & Maxwell, 1993, h 334.



terdapatnya penipuan, polisi insurans akan dibatalkan kerana secara amnya ia akan membawa kepada spekulasi kerana hanya pemohon yang mengetahui sepenuhnya tentang risiko yang diinsuranskan dan berkemungkinan ia mengambil kesempatan dalam situasi ini.²⁵

Prinsip 'uberrimae fidei' di Malaysia adalah berdasarkan prinsip penipuan dan pembohongan (misrepresentation) seperti yang terdapat di dalam Akta Insurans 1996. Sebelum mengadakan sesuatu kontrak insurans, seseorang pencadang berkewajipan mendedahkan maklumat yang relevan dan penting bagi penanggung untuk memutuskan menerima atau tidak risiko, kadar dan terma yang dicadangkan.²⁶ Penanggung insurans atau ejen insurans, semasa menawar atau mendorong seseorang untuk memasuki kontrak, tidak boleh memberi kenyataan yang mengelirukan, palsu, sama ada secara penipuan atau selainnya.²⁷ Atau menyembunyikan fakta material secara penipuan,²⁸ atau menggunakan risalah atau unjuran jualan yang tidak dibenarkan oleh syarikat.²⁹ Jika sabit kesalahan di bawah subseksyen 4, seseorang itu juga boleh dibatalkan oleh pihak yang teraniaya.

Penanggung insurans boleh mempertikaikan kesahihan sesuatu polisi hayat selepas tamat tempoh dua tahun dari tarikh ianya berkuatkuasa sekiranya ia dapat membuktikan bahawa fakta material yang diberikan adalah palsu atau mengelirukan dan dilakukan secara penipuan oleh pemegang polisi.³⁰ Penipuan ditakrifkan sebagai satu perbuatan yang dilakukan dengan niat untuk menipu pihak lain.³¹ Manakala 'misrepresentation' ditakrifkan sebagai satu pembohongan.³²

Untuk mensabitkan kesalahan ingkar terhadap tanggungjawab untuk berniat baik dalam polisi insurans, elemen-elemen berikut perlu wujud:³³

- 1) Penyembunyian atau pembohongan oleh mana-mana pihak terhadap fakta atau perkara material.
- 2) Penyembunyian atau pembohongan yang disengajakan dan diketahui oleh orang yang melakukannya.
- 3) Perkara atau fakta material yang disembunyikan adalah berkait rapat dengan penetapan kadar risiko yang akan ditanggung.
- 4) Perkara atau fakta material tersebut mempengaruhi keputusan penanggung insurans sama ada untuk menerima dengan bersyarat atau tidak.

Ivamy pula menyatakan lima kategori yang dianggap sebagai fakta material dan boleh mempengaruhi sesuatu polisi sekiranya tidak didedahkan iaitu pertama, fakta yang menyebabkan

25 Mohd Muslehuddin, *Insurance and Islamic Law*, h. 34

26 Malaysia, 2013, *Akta Insurans 2013* (Akta 553), Seksyen 150 (1)(a).

Nota: Akta ini telah dimansuhkan kecuali seksyen 147(4), 147(5), 150, 151, 144 dan 224 yang akan terus berkuat kuasa sepenuhnya, sila lihat seksyen 275 FSA 2013 - Akta 758. Lihat: Seksyen 275 Akta perkhidmatan Kewangan 2013 (Akta 758)

27 *Ibid*, Seksyen 150 (4)(a).

28 *Ibid*, Seksyen 150 (4)(b).

29 *Ibid*, Seksyen 150 (4)(c).

30 *Ibid*, Seksyen 150 (5).

31 Akta Kontrak 1950, seksyen 17.

32 *Ibid*, seksyen 18.

33 Muhammad Ma'sum Billah, *Principles of Contracts affecting takaful and Insurance: a comparative analysis*. H. 63-64



sesuatu polisi berada dalam keadaan yang amat membahayakan. Kedua, pemegang polisi mempunyai motif selain dari yang dipersetujui di dalam polisi. Ketiga, fakta tersebut mengakibatkan penanggung insurans terpaksa menanggung risiko yang berlebihan dari yang sepatutnya. Keempat, fakta tersebut berkaitan dengan kerosakan akhlak dan kelima, fakta yang diketahui oleh pemegang polisi sebagai material.³⁴

Sebagai kesimpulan, prinsip '*uberrimae fidei*' merupakan asas dalam polisi takaful dan insurans. Tempoh pendedahan fakta material di dalam polisi pula ialah sehingga waktu pembayaran premium yang pertama. Sekiranya ingkar terhadap kewajipan ini akan mengakibatkan pembatalan polisi dan premium yang telah dibayar tidak akan dikembalikan.³⁵

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Ivamy, E.R, *General Principle of Insurance Law*.

Kuat Ismanto, (2009) *Asuransi Syariah: Tinjauan Asas-asas Hukum Islam* (Yogyakarta: Pustaka Pelajar).

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Sahih al-Bukhari, *kitab buyu'*, terj Vol 3, edisi ke-6, Khan M, Muslim Lahore. Kazi Publication. Hadith 291.

34 Ivamy, E.R, *General Principle of Insurance Law*, h. 123.

35 Muhammad Ma'sum Billah, *Principles of Contracts affecting takaful and Insurance: a comparative analysis*. h. 66.



PEMBINAAN AKHLAK DAN ETIKA INDIVIDU MUSLIM MENURUT PERSPEKTIF TAMADUN ISLAM

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Abstrak: *Akhlak dan etika sangat penting dan besar pengaruhnya dalam membina dan membentuk sahsiah individu. Tujuan risalah Islam itu sendiri adalah untuk menyempurnakan dan menyebarkan akhlak yang mulia. Al-Quran merupakan wahyu Allah S.W.T. yang mengandungi petunjuk, pembimbing dan perbezaan antara yang hak daripada yang batil dalam tiga bidang utama iaitu akidah, syariah dan akhlak. Ruang lingkup bidang akhlak dihuraikan secara terperinci, meluas dan mendalam dalam al-Quran. Ia bermatlamat untuk keselamatan agama, jiwa, jasmani, keturunan dan harta benda. Selain itu, ia bertujuan untuk menjadikan pencapaian maksimum kesejahteraan dan kebahagiaan hidup masyarakat dan tamadun ummah di samping memenuhi kehendak Allah S.W.T. yang melantik manusia sebagai khalifahNya di muka bumi. Justeru kertas kerja yang berasaskan konsep ini akan membincangkan definisi akhlak dan etika, konsep dan kedudukan serta pendekatan yang digunakan dalam pembinaan akhlak dan etika individu Muslim.*

Kata Kunci: *akhlak, etika, muslim, tamadun*

Pengenalalan

Akhlak yang mulia atau budi pekerti yang baik amat dititikberatkan dalam kehidupan individu, masyarakat dan negara. Pemantapan akhlak yang sempurna dalam kalangan kanak-kanak dapat melahirkan individu dan masyarakat yang boleh dijadikan sebagai alat pengukuran dan pencetus kesejahteraan insan serta kaitannya dengan perkembangan sesebuah tamadun.

Akhlak dan etika yang baik merupakan elemen penting dalam pembinaan insan yang menjadi tunggak peradaban dan tamadun manusia. Maju dan mundur sesebuah masyarakat adalah bergantung kepada peribadi dan tingkah laku individu dalam masyarakat tersebut. Pembinaan insan bukan sahaja melihat kepada individu yang tidak bersifat individualistik tetapi bersifat sebahagian daripada masyarakat yang memiliki budaya ilmu, berkeyakinan, memiliki nilai murni dan moral yang tinggi, beretika, berbudi pekerti, bersopan santun, berdisiplin dan sebagainya.

Pembinaan akhlak dan etika bagi setiap individu bukanlah suatu yang boleh dianggap remeh dan mudah. Pengabaian terhadap pendidikan akhlak dan etika merupakan penyebab kepada berleluasanya permasalahan sosial dalam kalangan masyarakat masa kini. Kesedaran membina individu untuk menjadi insan kamil seharusnya bermula dari peringkat awal lagi dan perlu melibatkan banyak pihak.

Justeru, dalam dunia perkembangan teknologi tanpa sempadan kini banyak membawa isu-isu positif dan negatif kepada persoalan budaya dan masyarakat. Gejala negatif mudah menular dalam masyarakat sekiranya perkara ini tidak diambil perhatian secara teliti. Hal ini menjadi isu dan cabaran kepada pembinaan akhlak dan etika khususnya individu Muslim. Ianya menuntut kepada semua lapisan masyarakat daripada pelbagai peringkat bagi memahami, meneliti dan mengambil peranan secara bersama untuk menelusuri dan mengambil pendekatan yang jitu bagi membentuk peribadi insan yang berakhlak dan beretika menurut syariat Islam.

Definisi Pembinaan Akhlak dan Etika

Menurut kitab terjemahan *Mu'jam al-Wasit*, akhlak ialah sifat yang tertanam dalam jiwa manusia, dan dengannya lahir pelbagai perbuatan baik atau buruk tanpa hajat kepada pertimbangan terlebih dahulu.³⁶ Akhlak turut didefinisikan sebagai adat kebiasaan, perangai, tabiat, maruah atau kehormatan dan juga agama. Ia juga merupakan suatu sifat atau perbuatan yang terbit dari jiwa dengan mudah tanpa memerlukan pandangan.³⁷

Selain itu, akhlak merupakan gambaran hati yang melahirkan gerak geri, tingkah laku dan tatatertib dalam pergaulan seseorang atau membawa erti tabiat atau perangai.³⁸ Sementara Miqdad Yaljan memberikan penjelasan mengenai akhlak iaitu menunjukkan sifat-sifat semulajadi pada fitrah kejadian manusia dalam keadaan bebas. Akhlak menunjukkan kepada sifat-sifat yang boleh diusahakan. Akhlak meliputi dua dimensi iaitu perlakuan dalaman atau jiwa dan luaran atau tindak tanduk yang dilahirkan seseorang. Miqdad menekankan pengertian akhlak dari segi perlakuan insan selari dengan sifat semulajadinya. Perlakuan ini dilakukan secara sedar dan dikategorikan kepada tindakan batiniah dan zahiriah.³⁹

Manakala definisi etika menurut K. Bertens dalam bukunya *Etika dan Moral untuk Pengajian Tinggi*, menjelaskan istilah ini berasal daripada bahasa Yunani kuno iaitu *ethos* yang mempunyai pelbagai pengertian, antaranya tempat tinggal biasa, padang rumput, kandang, kebiasaan, adat, akhlak, watak, perasaan, sikap dan cara berfikir. *Ethos* dalam bentuk jamak ialah *taetha* membawa maksud adat kebiasaan. Maksud ini menjadi latar belakang terbentuknya istilah etika oleh ahli falsafah Yunani besar Aristotles (384–322 SM) yang digunakan bagi menunjukkan falsafah moral.⁴⁰

Selain itu, *ethos* juga bermaksud satu peringkat nilai yang dapat berfungsi sebagai penentu (hakim) kepada perlakuan yang dianggap baik dan buruk.⁴¹ Etika turut dijelaskan sebagai sistem tingkah laku manusia yang bersumberkan selain daripada wahyu iaitu bersumberkan falsafah.⁴²

³⁶ Ibrahim Mustafa (t.t), *al-Mu'jam al-Wasit*. Turki: Maktabah al-Islamiyyah Istanbul, h.202.

³⁷ Jamil Saliba (1982), *Mu'jam al-Falsafi*. Juz.4. Beirut: Dar al-Kuttub, h.202.

³⁸ Ahmad Amin (1994), *Kitab al-Akhlaq*. Beirut: Dar al-Kutub al-Arabi, h.2.

³⁹ Miqdad Yaljan (1973), *al-Ittijah al-Akhlaqi Fi al-Islam*. Cet.1, Mesir: Maktabah al-Kanji, h.34.

⁴⁰ K. Bertens (2003), *Etika dan Moral untuk Pengajian Tinggi*. Kuala Lumpur: Penerbit Universiti Malaya, h.1-2.

⁴¹ Ghazali Basri (2007), "Penghayatan Nilai Moral dan Akhlak Dalam Konteks Pendidikan Umat Berbilang Agama Di Malaysia", dalam Ahmad Mohamad Said et al (eds.), *Pendidikan Sebagai Wahana Pentamadunan Ummah*. Kajang: Kolej Dar al-Hikmah, h.132.

⁴² Haron Din (2007), *Islam Rujukan Efektif Akhlak Mulia*. Kuala Lumpur: PTS, h.17.



Dari aspek etimologi, istilah etika menitikberatkan perlakuan individu iaitu apa yang dimaksudkan sebagai orang baik atau orang tidak baik. Kedua ia membawa maksud peraturan sosial iaitu peraturan-peraturan yang dikenakan oleh lingkungan sosial untuk mengawal tingkah laku manusia, memberikan takrif tentang apa yang dikatakan betul atau salah.⁴³

Etika sebagaimana menurut Abdullah Muhammad Zin (2004) ditakrifkan sebagai ilmu berkenaan dasar-dasar akhlak atau moral, dan etika juga boleh diertikan sebagai suatu sistem dasar-dasar akhlak atau tingkah laku bagi sesuatu seperti persatuan, pekerjaan dan lain-lain.⁴⁴ Takrifan ini adalah selari sebagaimana yang dikemukakan oleh K. Bertens yang mendapati terdapat tiga maksud etika yang dijelaskan dalam Kamus Besar Bahasa Indonesia⁴⁵, iaitu:

- 1) Ilmu mengenai baik dan buruk tentang sesuatu hak dan kewajiban moral (akhlak).
- 2) Kumpulan asas atau nilai mengenai akhlak.
- 3) Nilai benar atau salah yang menjadi anutan masyarakat.

Sebagaimana menurut Abdul Jalil Hassan (1979) etika atau akhlak ialah pemikiran falsafah yang menyentuh perkara-perkara kebajikan, kejahatan, perbuatan-perbuatan yang dikatakan baik dan buruk, hakikat sanubari, ukuran kebajikan dan kejahatan dan sebagainya.⁴⁶

Justeru akhlak dan etika lebih membawa pengertian sebagai perlakuan baik dan buruk yang telah ditetapkan oleh sesuatu sistem nilai yang dipersetujui oleh umum. Walaupun kadangkala sistem nilai yang dituruti umum ini buruk sifatnya, tetapi ia masih bertahan kerana masih ada yang mendukungnya.

Konsep Akhlak dan Etika

Konsep akhlak dapat ditemui dalam keistimewaan al-Quran yang banyak mementingkan kesejahteraan umat. Menurut firman Allah S.W.T. yang bermaksud: “Wahai Tuhan kami, berilah kami kebaikan di dunia dan kebaikan di akhirat dan peliharalah kami dari azab neraka”.⁴⁷ Kehidupan yang baik dan sejahtera seperti yang dipohon dalam maksud firman Allah S.W.T. tersebut dapat dinikmati dengan memenuhi dua kepentingan, iaitu kepentingan fizikal dan kepentingan spiritual.

Kepentingan fizikal atau tubuh badan perlu dijaga melalui pemakanan yang baik, menjaga kebersihan, menjaga kesihatan, tidak mendedahkan diri kepada kerosakan, kebinasaan dan lain-lain aspek negatif. Manakala kepentingan spiritual atau kerohanian yang dijaga dengan kawalan melalui kefahaman yang betul, penjagaan akal fikiran, peribadatan, keyakinan, kesedaran dan lain-lain aspek yang positif. Dalam konteks ini, dapatlah dibuat kesimpulan bahawa akhlak itu terangkum dalam kepentingan spiritual yang harus diberi perhatian oleh setiap individu Muslim bagi melahirkan kesejahteraan insan dan masyarakatnya.

Konsep akhlak terunggul diperlihatkan melalui model akhlak yang diutuskan oleh Allah S.W.T. iaitu Nabi Muhammad S.A.W. sebagai individu yang bersahsiah mulia dan pembina sahsiah paling unggul sewaktu umat Islam mengalami keruntuhan akhlak.⁴⁸ Ini dibuktikan melalui beberapa wahyu Allah S.W.T. dan sunnah Nabi mengenai ketinggian akhlak

⁴³ Sidek Baba (2008), *Pemikiran Hamka*. Kuala Lumpur: Dewan Bahasa dan Pustaka, h.68.

⁴⁴ Abdullah Muhammad Zin (2004), “Falsafah dan Etika Pengurusan Islam”, dalam Ali Yakub Matondang et al.(eds.), *Asas Kecemerlangan Ummah*. Kuala Lumpur: Fakulti Kepimpinan dan Pengurusan, Kolej Universiti Islam Malaysia (KUIM), h.20.

⁴⁵ K. Bertens (2003), *op.cit.*, h.2.

⁴⁶ Abdul Jalil Hassan (1979), *Falsafah dan Pengetahuan Islam*. Kuala Lumpur: Dewan Bahasa dan Pustaka, h.10.

⁴⁷ Surah al-Baqarah:201.

⁴⁸ Ahmad b.‘Abd. Al ‘Aziz b. Qasim, al Haddad Dr. (1999), *Akhlak al-Nabi fi Al-Quran Wa al-Sunnah*. Juz.1,Cet.2, Beirut: Dar al-Gharb al-Islami, h.43.



Rasulullah S.A.W. Umpamanya firman Allah S.W.T. yang bermaksud: Dan sesungguhnya kamu benar-benar berbudi pekerti yang agung.⁴⁹ Manakala firman Allah S.W.T. yang lain bermaksud: Sesungguhnya telah ada pada diri Rasulullah itu tauladan yang baik bagimu (iaitu) bagi orang yang mengharap (rahmat) Allah dan (kedatangan) hari kiamat dan banyak menyebut nama Allah.⁵⁰ Sementara sabda Nabi S.A.W. pula yang bermaksud: Sesungguhnya aku diutuskan untuk menyempurnakan akhlak yang mulia.⁵¹

Umum mengetahui bahawa Islam adalah sebuah agama yang mementingkan kesejahteraan umatnya. Apabila berlakunya kerosakan akhlak terhadap seseorang individu, keluarga atau masyarakatnya, maka ini akan menjejaskan kesejahteraan umat. Oleh itu, Islam amat menekankan peri pentingnya akhlak individu dengan mematuhi suruhan dan larangannya. Misalnya dengan mematuhi suruhan dalam mengerjakan ibadat seperti sembahyang, puasa, zakat dan haji. Ibadat sembahyang dapat mengelakkan keburukan, mengajak kepada kebaikan dan berdisiplin dalam kehidupan. Puasa pula dapat mengelakkan sifat tamak, keras hati, penyakit dan buruk akhlak. Zakat untuk membersihkan hati dari sifat tamak manakala haji dapat menyucikan hati, mengeratkan hubungan persaudaraan dan sebagainya.

Suruhan dan larangan ini menunjukkan bahawa Islam itu diasaskan di atas fitrah manusia. Dengan ini akan wujudlah keselarasan antara agama dan manusia. Sebagaimana firman Allah S.W.T. yang bermaksud: “Maka hadapkanlah wajahmu dengan lurus kepada agama Allah S.W.T. Tetaplah atas fitrah Allah S.W.T. yang telah menciptakan manusia menurut fitrah itu. Tidak ada perubahan pada fitrah Allah S.W.T. Itulah agama yang lurus. Tetapi kebanyakan manusia tidak mengetahui”⁵²

Sementara Saidina Umar al-Khattab membahagikan akhlak yang baik merangkumi empat bahagian utama iaitu kebijaksanaan, kebersihan jiwa, keadilan dan keberanian. Hal ini dijelaskan melalui kata-kata beliau bahawa keistimewaan akhlak mulia itu ada empat jenis, iaitu kebijaksanaan dalam pemikiran, kebersihan jiwa dalam melawan nafsu syahwat, kekuatan dalam mengawal kemarahan dan keadilan yang dapat mengimbangi kekuatan jiwa.⁵³

Sesungguhnya dalam menjelaskan konsep akhlak adalah terangkum bersamanya konsep etika kerana ia merupakan sebahagian daripada dasar-dasar akhlak. Umumnya istilah akhlak banyak digunakan dalam menjelaskan tentang syariat Islam khususnya berkaitan pembinaan insan. Manakala istilah etika lebih terkenal dalam kalangan penyelidik dan sarjana bukan Islam yang mengkaji bidang mengenai pembangunan peribadi individu.

Kedudukan Akhlak dalam Islam

Kepentingan akhlak Islam telah dijelaskan dalam al-Quran. Hal ini dijelaskan oleh Rasulullah S.A.W. yang bermaksud: Aku diutuskan hanyalah semata-mata untuk menyempurnakan akhlak. Kemuliaan akhlak dalam Islam ini mendorong kepada orang-orang Islam berakhlak mulia pada zahir dan batinnya untuk pembangunan individu dan masyarakat. Islam menganggap orang yang paling tinggi darjat keimanannya ialah mereka yang paling mulia akhlaknya.⁵⁴

Rasulullah S.A.W. ialah sebagai model yang sempurna untuk dijadikan teladan oleh sekalian manusia. Lantaran tingkah lakunya tidak lain dan tidak bukan semata-mata akhlak al-Quran. Pujian yang disandarkan kepada akhlak yang agung ini menunjukkan tingginya kedudukan

⁴⁹ Surah al-Qalam:4.

⁵⁰ Surah al-Ahzab:21.

⁵¹ Malik Ibn Nabi (1981), *Al-Muwata, Kitab Husnu al-Khuluq*. Juz 1-11, Istanbul: Dar al-Da'wah, h. 904.

⁵² Surah ar-Ruum:30.

⁵³ Muhammad Ri-al-Syahri (1985), *Mizan al-Hikmah*. Beirut: Dar al-Islamiyyah, h.45.

⁵⁴ Sayyid Abd Allah Sibar al (1395H), *Al-Akhlaq*. Maktabah Basirti Kum, h.12.



akhlak disisi Allah S.W.T. Banyak terdapat ayat-ayat al-Quran yang menyentuh persoalan akhlak, baik dengan cara memerintah supaya berakhlak mulia atau mencegah daripada akhlak yang tidak baik atau keji. Akhlak yang diperintah ini sahajalah yang dapat membangunkan rohani dalam diri individu dan masyarakat seterusnya.

Pendekatan dalam Pembinaan Akhlak dan Etika Individu Muslim

Kepentingan akhlak dan etika dalam kehidupan individu Muslim telah dinyatakan dengan jelas dalam al-Quran melalui pelbagai pendekatan. Pendekatan al-Quran dalam menerangkan konsep akhlak bukan sekadar dalam bentuk pendekatan teoritikal tetapi dalam bentuk konseptual dan penghayatan. Akhlak yang baik dan akhlak yang buruk digambarkan dalam perwatakan manusia dalam sejarah dan realiti kehidupan manusia sejak al-Quran diturunkan.⁵⁵ Persoalannya, bagaimanakah cara manusia boleh membentuk akhlak dan etika yang baik? Pembinaan dan pembentukan akhlak individu bukanlah satu tanggungjawab yang mudah dan senang. Perkara ini tidak semudah seperti yang dikatakan. Ia memerlukan kegigihan ilmiah melalui pelbagai pendekatan. Untuk menjadi individu yang berdisiplin atau berakhlak bukan boleh ditiru atau hanya mengikut perasaan hati semata-mata. Ilmu amat penting bagi membentuk akhlak dan etika individu bagi meneruskan kehidupan di dunia dan akhirat. Peribadi individu boleh terbentuk dengan mempunyai pengetahuan syariat, tasawuf dan pelbagai cabang ilmu daripada al-Quran.⁵⁶

Pembinaan sahsiah dan akhlak mulia haruslah dimulai dengan kemantapan ilmu pengetahuan mengenai pendekatan yang terbaik untuk digunakan dalam mendidik seseorang. Terdapat beberapa pendekatan yang diperlukan dalam membina peribadi individu seperti pendekatan melalui pendidikan, contoh tauladan, kebiasaan dan kelaziman, peringatan dan kata-kata nasihat, pemerhatian dan pengawasan, dan pendekatan melalui hukuman dan ganjaran. Berikut dijelaskan mengikut pendekatan-pendekatan tersebut, iaitu:

1) Pendekatan Melalui Pendidikan

Pendekatan melalui pendidikan selalunya melibatkan aspek kerohanian, pendidikan akhlak, pendidikan akal dan pendidikan antara jantina. Pendidikan aspek kerohanian biasanya memberi penekanan terhadap iman dan akidah seseorang seperti solat berjemaah, solat sunat, puasa, *qiyamullail*, zikir, membaca al-Quran dan sebagainya. Pendidikan akhlak pula adalah berasaskan pendidikan keimanan yang menjadi tanggungjawab setiap ibu bapa untuk menerapkan nilai unsur-unsur keimanan dalam diri anak-anak mereka. Sementara pendidikan akal bertujuan untuk membina akal manusia agar mampu berfikir dengan mengambil pengajaran serta membuat penilaian yang tepat. Ia juga melibatkan pembentukan pemikiran individu dengan ilmu-ilmu yang bermanfaat serta kesedaran pemikiran dan tamadun sehingga terbentuk pemikiran dan keilmuannya. Manakala pendidikan antara jantina adalah berkaitan dengan peranan lelaki dan wanita, adab-adab pergaulan dan keperluan antara mereka. Pendidikan ini hendaklah direncanakan dan ditunjuk ajar secara beransur-ansur oleh ibu bapa.

2) Pendekatan Contoh Tauladan

Pendekatan contoh tauladan merupakan pendekatan terbaik yang disebut dalam al-Quran dan Hadis. Allah S.W.T. telah memilih Rasulullah S.A.W. sebagai model akhlak yang mulia yang perlu diikuti dalam semua aspek kehidupan umat manusia. Allah S.W.T. meletakkan Rasulullah

⁵⁵ Umar Mohamed al-Tumi al Syaibani Muhammad (1975), *Falsafah al-Tarbiyah al-Islamiyyah*. Tarablus: Al-Syarikat al-‘Ammah li Nasr wa al-Tauzi’ wa al-‘Ailan, h.221.

⁵⁶ Abdul Raof Dalip (1990), *Kemurnian Jiwa Dalam Islam*. Kuala Lumpur: Pustaka Al-Mizan, h.17.



S.A.W. untuk menjadi ‘qudwah solehah’ atau tauladan yang baik kepada masyarakat Islam. Allah S.W.T. meletakkan sifat ini dalam peribadi Rasulullah S.A.W. sebagai melambangkan dasar Islam supaya generasi akan datang menjadikannya sebagai contoh tauladan.⁵⁷ Dalam hal ini, ibu bapa memainkan peranan penting sebagai model kepada anak-anak dengan mempamerkan tingkah laku, tata susila yang berasaskan nilai-agama.⁵⁸ Justeru, ibu bapa hendaklah membina hubungan dengan anak-anak berdasarkan kasih sayang, kelembutan hati dan pergaulan yang baik serta berbicara secara spiritual dan psikologis.

3) Pendekatan Kebiasaan Dan Kelaziman

Pendekatan kebiasaan dan kelaziman memberi kesedaran kepada individu tentang nilai-nilai murni yang biasa diamalkan dan selari dengan tuntutan agama. Bermula dari sinilah pengajaran lisan dan tunjuk ajar dalam mendidik individu berteraskan tauhid, peribadi mulia, sifat-sifat rohani yang baik serta adab-adab yang ditetapkan syariat Islam.⁵⁹ Islam telah menggariskan cara-cara yang bersesuaian dalam menerapkan asas-asas kebiasaan dalam membentuk akhlak individu Muslim. Ini termasuklah memberi kefahaman tentang akidah, penerangan tentang keburukan sesuatu perkara yang dilarang serta memberi pengajaran dalam bentuk amalan seharian. Justeru dalam hal ini, turut diberi penekanan adalah cara hidup bersederhana dan keadilan sama rata dari sudut kasih sayang, pemberian dan perlakuan mengelakkan timbulnya masalah sentiasa inginkan kemewahan, berhasad dengki, rasa rendah diri dan sebagainya.

4) Pendekatan Peringatan Dan Amalan Kata-Kata Nasihat

Melalui syariat Islam, al-Quran dijadikan sebagai panduan untuk membimbing manusia ke jalan yang benar dalam semua aspek kehidupan. Peringatan dan kata-kata nasihat banyak disentuh dalam al-Quran sebagai motivasi dalam mendidik jiwa yang suci. Nasihat dan kata-kata yang baik dapat membimbing dan meneguhkan pendirian manusia untuk terus berada di landasan yang benar. Pendidikan melalui peringatan dan nasihat merupakan kaedah yang terbaik dalam membentuk keimanan serta keperibadian mulia individu. Antara kaedah ini termasuklah teknik penceritaan kisah-kisah dalam al-Quran yang dapat memberi pengajaran baik dan kesan yang mendalam terhadap jiwa individu.⁶⁰

5) Pendekatan Pemerhatian Dan Pengawasan

Pendekatan pemerhatian dan pengawasan merupakan suatu kaedah mendampingi individu dalam usaha membentuk akhlak secara psikologi, teori dan amali dalam semua aspek jasmani, rohani, pergaulan dan pembelajaran. Pemerhatian dan pengawasan juga diperlukan dari sudut gerak geri, kata-kata dan setiap perbuatan yang dilakukan. Ia perlu diberi perhatian supaya individu tidak mudah dipengaruhi oleh unsur-unsur negatif dan cabaran-cabaran semasa globalisasi. Menurut Nasih al-Ulwan, pendidikan pemerhatian merupakan pendidikan yang memberi perhatian dalam pembentukan akidah dan akhlak individu, menjaga dan mendampingi dalam aspek rohani dan sosial, serta mengambil berat dalam pendidikan jasmani dan percambahan ilmu individu.⁶¹

⁵⁷Abdullah Nasih Ulwan (1988), *Pendidikan Anak-Anak Dalam Islam*. Syed Ahmad Semait (terj.), Singapura: Pustaka Nasional Pte Ltd., h.142.

⁵⁸ Mohd Sulaiman Hj Yasin (1992), *Akhlag dan Tasauf*. Kuala Lumpur: Mas’adah (M) Sdn. Bhd., h.85.

⁵⁹ Abdullah Nasih Ulwan (1988), *op.cit.*, h.181.

⁶⁰ *Ibid.*, h.205.

⁶¹ *Ibid.*, h.275.



6) Pendekatan melalui hukuman dan ganjaran

Islam telah menggariskan panduan dalam melaksanakan hukuman dan ganjaran. Kaedah pendekatan ini haruslah bersesuaian dengan tindak tanduk atau apa yang dicapai oleh individu tersebut. Jika terdapat kesalahan, individu akan diberi nasihat dengan cara yang penuh diplomasi dan kasih sayang, memberi peluang dan membuat janji untuk berubah ke arah yang lebih baik. Ganjaran dalam apa jua bentuk seperti memberi hadiah yang dapat memotivasikan diri individu adalah digalakkan bagi mendorong ke arah peribadi mulia. Semua ini bergantung kepada sifat individu tersebut kesan daripada pendidikan yang diperolehi sebelum ini.

Pendekatan ini bertujuan memelihara ‘Lima Yang Darurat’ iaitu memelihara agama, jiwa, kehormatan, akal dan harta.⁶² Selain itu hukuman yang dikenakan juga bertujuan menjamin keamanan individu yang menjadi pencetus kesejahteraan ummah.⁶³

Kesimpulan

Pembinaan akhlak dan etika merupakan suatu tanggungjawab yang perlu dipikul oleh setiap individu Muslim. Ini kerana akhlak dan etika mempunyai pengaruh dan kesan besar kepada pembangunan individu dan tamadun ummah. Islam telah meletakkan nilai akhlak pada suatu kedudukan yang tinggi kerana ia merupakan roh atau jiwa yang meresapi seluruh penghidupan individu Muslim. Dalam erti kata lain, keimanan individu hendaklah dilaksanakan dalam pengamalan syariat dan berpaksikan akhlak yang mulia. Tidak ada nilai bagi iman yang tidak disertai oleh akhlak.

Pembinaan akhlak dan etika memainkan peranan penting dalam membentuk peribadi dan sahsiah individu. Ia merupakan pengukur utama dalam menilai kebaikan dan ketinggian iman individu Muslim. Ini akan menjadi asas kepada ciri-ciri kelebihan di antara manusia sebagai lambang kesempurnaan iman, ketinggian taqwa dan kealiman individu Muslim dalam merealisasikan tamadun ummah.

Namun semua ini akan dapat terlaksana melalui kefahaman, penghayatan terhadap beberapa pendekatan yang dijelaskan dalam al-Quran dan al-Sunnah. Pengajaran dari al-Quran dan usaha-usaha membentuk akhlak oleh Rasulullah S.A.W. adalah jalan terbaik dan sesuai bagi mencapai maksud pendidikan yang mahu diterapkan dan memastikan setiap individu dapat menerima tatacara realiti kehidupan Islamiah.

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PENDEKATAN MEDIASI DALAM PROSEDUR PENYELESAIAN KONFLIK HADANAH MELALUI MAJLIS SULH: KAJIAN DI MAHKAMAH TINGGI SYARIAH PULAU PINANG

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Abstract: *Majlis Sulh merupakan suatu forum penyelesaian pertikaian secara perbincangan yang dijalankan di Mahkamah Syariah bagi tuntutan hadanah (hak penjagaan anak), tuntutan harta sepencarian dan lain-lain tuntutan. Tatacara pengendalian Majlis Sulh ini telah mula diwujudkan sejak tahun 2001 sehingga kini dengan merujuk kepada Manual Kerja Sulh dan Kaedah Tatacara Sulh Negeri-Negeri. Keberkesanan Majlis Sulh ini telah berjaya dan telah dibuktikan dengan peratusan pencapaian penyelesaian kes secara perdamaian dan perbincangan. Walau bagaimanapun, aturan bagi Majlis Sulh ini tidak jelas dari aspek aplikasi dan tatacara yang mengawal selia sesi perbincangan tersebut. Objektif kajian ini adalah untuk meneliti tuntutan al-sulh atau perdamaian dan al-'adl atau keadilan, dalam suatu Majlis Sulh, iaitu suatu prinsip yang perlu digarap dalam penyelesaian sesuatu pertikaian. Kaedah bagi memenuhi prinsip al-sulh dan al-'adl tersebut boleh dilakukan dengan menerapkan aturan dalam kaedah amalan mediasi. Kaedah amalan mediasi dilihat bersesuaian dengan pengendalian Majlis Sulh terutama dalam penyelesaian konflik hadanah atau hak penjagaan anak selepas perceraian. Dengan pemahaman sebegini, pengamal undang-undang berusaha untuk melakukan penambahbaikan dalam Majlis Sulh dengan mencari kaedah terbaik untuk diikuti. Kajian ini menggunakan rekabentuk kualitatif dalam konteks kajian sosio-perundangan (socio-legal research). Berdasarkan kepada kajian kes tuntutan hadanah di Mahkamah Tinggi Syariah Pulau Pinang dan penelitian kaedah amalan mediasi yang dikendalikan oleh Mediator bertauliah, kajian ini akan dianalisa dengan cara deskriptif. Hasil kajian mendapati bahawa sesi Majlis Sulh yang menjadi sebahagian daripada tatacara penyelesaian kes di Mahkamah Syariah bertepatan dengan prinsip al-sulh dan al-'adl. Tetapi, dalam konteks amalan kaedah mediasi, beberapa penambahbaikan perlu dilakukan untuk memantapkan dan menjadikan Majlis Sulh sebagai alternatif terbaik bagi penyelesaian tuntutan hak penjagaan anak.*

Keywords: *Prosedur Mal, Hadanah, Mediasi, Majlis Sulh*

Pengenalan

Isu hak penjagaan anak selepas perceraian merupakan suatu isu yang didengar di peringkat Mahkamah Tinggi Syariah berdasarkan peruntukan undang-undang Enakmen Pentadbiran Undang-Undang Islam Negeri-Negeri. Seksyen 61 (3) (b) (iii) Enakmen Pentadbiran Agama Islam (Pulau Pinang) 2004 menyatakan bahawa *bidangkuasa Mahkamah Tinggi Syariah termasuk mendengar dan memutuskan tindakan prosiding yang melibatkan orang Islam yang*



berhubungan dengan nafkah orang-orang tanggungan, kesahatarafan, atau penjagaan atau jagaan (hadhanah) budak-budak. Pihak-pihak yang ingin memulakan prosidng hadanah, hendaklah merujuk Enakmen Tatacara Mal Negeri memandangkan tuntutan hadanah adalah suatu tuntutan mal (tuntutan sivil). Saman dan Pernyataan Tuntutan hendaklah difailkan sepertimana yang ditetapkan dalam Seksyen 7 dan 8 Enakmen Tatacara Mal (Negeri Pulau Pinang) 2004 Setelah Saman dan Pernyataan Tuntutan difailkan, Pendaftar Mahkamah akan mengklasifikasikan kes; dan bagi tuntutan hadanah, pihak bertikai akan dirujuk kepada Pegawai Sulh. Seksyen 66 Enakmen Tatacara Mal (Negeri Pulau Pinang) 2004 menyatakan *bahawa pihak-pihak dalam mana-mana peringkat prosiding boleh mengadakan sulh bagi menyelesaikan pertikaian mereka.* Bagi mengendalikan Majlis Sulh, Pegawai Sulh terikat kepada Enakmen khusus berkenaan Sulh, Manual Kerja Sulh Negeri dan Kod Etika Pegawai Sulh. Sebarang Arahan Amalan yang dikeluarkan oleh pihak Jabatan Kehakiman Syariah juga menjadi sebahagian prosedur yang wajib dipatuhi dalam penyelesaian tuntutan hadanah. Objektif kajian ini adalah untuk meneliti tuntutan *al-sulh* atau perdamaian dan *al-‘adl* atau keadilan, dalam suatu sesi Majlis Sulh, iaitu suatu prinsip yang perlu digarap dalam penyelesaian sesuatu pertikaian. Kajian ini juga meneliti kaedah bagi memenuhi prinsip *al-sulh* dan *al-‘adl* tersebut sama ada boleh dicapai melalui disiplin mediasi.

Methodologi Kajian

Kajian ini menggunakan rekabentuk kualitatif dalam konteks kajian sosio-perundangan (*socio-legal research*) kerana bidang undang-undang berkait rapat dengan sosio kehidupan bermasyarakat (Anwarul Yaqin, 2007). Kajian ini dijalankan dengan mengumpulkan data daripada semakan fail kes yang berkod 028 iaitu kod tuntutan hadanah di Mahkamah Tinggi Syariah Pulau Pinang dari tempoh 2011 sehingga 2016. Penyelidik memilih 32 sampel fail kes secara rawak dan tidak terhad sama ada status fail dibuang, ditarik balik atau selesai. Semakan fail dilakukan pada dokumen yang terkandung di dalam fail yang merangkumi notis, dokumen pliding dan catatan hakim. Semakan fail ini dilakukan bagi mendapat gambaran penuh perjalanan tuntutan hadanah di Mahkamah Syariah dari sudut prosedur. Metode pemerhatian (Samarudin Rejab & Nazri Abdullah, 1982) terhadap sesuatu juga diaplikasi dalam kajian ini untuk penelitian berkenaan prosedur dan kaedah amalan mediasi. Kajian ini juga dilakukan melalui kaedah observasi berpenyertaan penuh penyelidik dalam Kursus Asas Mediasi bagi mendapat input berkaitan kemahiran mengendalikan suatu sesi runding cara atau sesi mediasi bagi penyelesaian sesuatu tuntutan tanpa melalui perbincangan di Mahkamah. Di samping itu, Akta Mediasi 2012, Enakmen Pentadbiran Agama Islam (Pulau Pinang) 2004 (EPAIPP 2004), Enakmen Tatacara Mal (Negeri Pulau Pinang) 2004 (ETMPP 2004), Kaedah-Kaedah Tatacara Mal (Sulh) (Negeri Pulau Pinang) 2006 (KTMSPP 2006), Manual Kerja Sulh Pulau Pinang (MKSPP) dan Kos Etika Pegawai Sulh (KEPS) yang merupakan data primer bagi kajian ini akan dirujuk dan data akan dianalisa dengan cara deskriptif dengan membuat perbandingan kaedah amalan mediasi dan Majlis Sulh

Kajian Literatur

Definisi dan Konsep Majlis Sulh

Majlis Sulh merujuk kepada satu sesi perbincangan yang ditetapkan sebelum kes diteruskan dengan sebutan dan perbincangan penuh di Mahkamah Syariah (Norita, 2016). Ianya suatu kaedah mencapai penyelesaian pertikaian tanpa perbincangan (Raihanah, 2006). ‘Majlis Sulh’ adalah satu frasa yang dikhususkan, merujuk kepada medium yang ditetapkan oleh Mahkamah Syariah untuk kehadiran pihak bertikai bersama Pegawai Sulh bagi membincangkan isu-isu



yang tertentu dengan konsep yang telah ditetapkan dalam peruntukan undang-undang sedia ada.

Menurut Arahan Amalan Jabatan Kehakiman Islam Malaysia (No.1, Tahun 2010), isu yang perlu kepada sesi perbincangan dalam Majlis Sulh adalah tuntutan gantirugi pertunangan, mut'ah, harta sepencarian, nafkah isteri, nafkah kepada pihak tidak upaya, cagaran nafkah, nafkah idah, mengubah perintah nafkah, tunggakan nafkah, nafkah anak, mengubah perintah hak jagaan anak/ nafkah anak, mengubah perjanjian hak jagaan anak/ nafkah anak, hadhanah, gantirugi perkahwinan, hak tempat tinggal, perintah supaya suami tinggal bersama semula, tuntutan isteri kembali taat dan tuntutan mas kahwin. Isu pertunangan, isu yang timbul semasa perkahwinan dan selepas perceraian merupakan subjek yang boleh diselesaikan melalui perbincangan dalam Majlis Sulh (Asmidah, 2015).

Secara asasnya, konsep umum Majlis Sulh boleh dirujuk kepada peruntukan undang-undang di Mahkamah Syariah Negeri-Negeri. Pertama, kehadiran pihak bertikai adalah diwajibkan dengan tanpa diwakili mana-mana pihak sama ada ahli keluarga mahupun Peguam Syarie (KTMSPP 2006, Kaedah 5 (1). Kedua, sesi Majlis Sulh ini dijalankan dengan penuh kerahsiaan (Norita, 2016; KTMSPP 2006, Kaedah 5(2); MKSPP, Bab 10) iaitu sesi ini tidak terbuka kepada orang awam dan maklumat perbincangan tidak didedahkan kepada Mahkamah kelak. Ketiga, Pegawai Sulh memberi giliran yang sama kepada pihak-pihak untuk bercakap dan memberi pandangan. Pendekatan yang saksama dan adil ini menjadi teras dalam Majlis Sulh (KTMSPP 2006, Kaedah 5 (3), MKSPP, Bab 3 dan 4).

Tuntutan Hadanah di Mahkamah Syariah

Tuntutan hadanah (hak penjagaan anak) kerap kali menjadi isu yang dibangkitkan selepas sesuatu perceraian direkodkan di Mahkamah Syariah dan ianya mempunyai kaitan rapat dengan soal kebajikan anak. Hal ini demikian kerana anak kepada pasangan yang bercerai tidak lagi dapat menikmati kehidupan sepertimana anak yang mempunyai ibu dan bapa dalam konteks pelaksanaan tanggungjawab ibu dan bapa ke atas anak. Hak anak untuk mendapat kasih sayang dan perhatian daripada kedua ibu dan bapa perlu diurus dengan baik walaupun berlaku perceraian antara pasangan. Pendekatan yang diambil oleh Mahkamah Syariah bagi membantu pasangan menguruskan hak dan kebajikan anak adalah melalui Perintah-Perintah yang dikeluarkan. Perkara ini boleh diperhatikan apabila kebajikan anak tersebut dibela melalui Perintah Hak Penjagaan Anak bagi individu yang layak; Perintah Hak Akses, Lawatan dan Bermalam bagi individu yang tidak mendapat hak penjagaan anak tetapi mempunyai pertalian rapat dengan anak tersebut; dan Perintah Nafkah Anak; yang akan dikeluarkan oleh Mahkamah Syariah. Menurut kajian yang dilakukan oleh Rajonah (2010), Noor Aziah dan Jasri Jamal (2011), Ain Husna dan Roslina (2012), prosedur tuntutan hadanah yang melibatkan isu *best interest of child*, perlu melalui fasa penambahbaikan bagi menjamin kebajikan anak selepas perceraian terbela sama ada dari aspek agama, emosi, intelek, tumbesaran fizikal dan material.

Prinsip As Sulh dan Al Adl dalam Majlis Sulh

As-Sulh di dalam bahasa Arab bererti putus pertengkaran. *Al-sulh* bermaksud suatu *aqad* (perjanjian) yang akan menamatkan suatu pertikaian. (Norita, 2016; Raihanah, 2006). *Al-sulh* merupakan suatu keputusan yang hendak diraih oleh pihak bertikai dan melalui *al-sulh*, tiada sesi perbicaraan akan diteruskan dan komitmen terhadap pelaksanaan *aqad* tersebut merupakan suatu penyelesaian terhadap pertikaian. Perdamaian menjadi prinsip dan matlamat apabila wujud suatu pertengkaran antara dua pihak. Prinsip ini seharusnya dapat dilihat bukan sahaja pada pelaksanaan *aqad* dan pernyataan *aqad* tersebut, tetapi, prinsip *al-sulh* ini diperluas kepada proses untuk mencapai perdamaian tersebut. Menurut Raihanah (2006), elemen redha dan

kompromi merupakan elemen yang penting dalam menjana suatu perjanjian termeterai antara pihak bertikai. Maka boleh difahami bahawa dalam proses untuk perdamaian, sikap pihak-pihak memainkan peranan penting untuk memenuhi prinsip *al-sulh*. Redha, kompromi, berlapang dada, saling menghormati dan bekerjasama antara faktor yang dapat menjayakan prinsip *al-sulh*.

Al-'adl atau keadilan yang bermaksud meletakkan sesuatu pada tempatnya juga merupakan suatu prinsip yang dititikberatkan dalam Majlis Sulh. Oleh kerana subjek utama dalam tuntutan hadanah adalah anak-anak kepada pasangan, maka keutamaan hendaklah diberikan kepada anak dan bukan menurut keinginan dan kehendak pihak bertikai. Sekiranya keutamaan diberikan kepada pihak bertikai, maka, prinsip *al-'adl* ini tidak wujud dalam penyelesaian pertikaian ini. Pihak bertikai perlu berusaha untuk memperincikan penyelesaian terhadap setiap isu yang timbul dalam menoktahkan pertikaian berkaitan hak penjagaan anak. Antara perkara yang dibincangkan untuk persetujuan adalah sama ada hak penjagaan anak tersebut adalah hak penjagaan sementara atau hak penjagaan kekal atau hak penjagaan bersama. Sekiranya perebutan hak jagaan anak berlaku terhadap anak tak sah taraf, konflik ini tidak perlu diperdebatkan kerana syarak telah menyatakan bahawa anak tak sah taraf adalah di bawah tanggungan ibu yang melahirkan samada hak jagaan, perlindungan dan nafkah diri anak tersebut. Dalam pada masa yang sama, pihak bertikai yang tidak mendapat hak penjagaan anak perlu diberikan hak untuk akses, lawatan dan bermalam bersama anak. Pertimbangan wajar perlu dilakukan jika terdapat sekatan seperti anak masih menyusu, anak mempunyai masalah kesihatan atau pihak bapa/ibu menetap jauh dari anak. Pihak bertikai haruslah adil dalam memberi ruang lawatan dan akses kepada pihak satu lagi pada kekerapan yang bersesuaian agar silaturahim antara anak dan bapa/ibu tidak terputus. Begitu juga dengan isu pembahagian hari raya, hari cuti sekolah, lawatan bagi kematian dan sakit ahli keluarga.

Bagi menerapkan dua prinsip ini dalam Majlis Sulh, peranan yang digalas oleh Pegawai Sulh amat penting agar pengendalian Majlis Sulh ini tidak hanya berakhir dengan termaterinya Perjanjian Persefahaman di atas kertas tanpa ada kesedaran pihak bertikai untuk melaksanakan tanggungjawab dengan sepenuhnya untuk kebajikan anak yang memberi impak pada masa hadapannya.

Prosedur Majlis Sulh dan Kaedah Amalan Mediasi

Majlis Sulh adalah suatu sesi yang dikendalikan secara tidak formal atau tiada formaliti khusus pada awal pelaksanaannya. Hal ini demikian kerana sesi perbincangan ini menggalakkan perbualan dan komunikasi secara langsung oleh kedua-dua pihak dan membuka ruang memberi pendapat dan cadangan. Walau bagaimanapun, setelah melalui fasa penambahbaikan, beberapa disiplin dan aturan perbincangan diterapkan dalam sesi Majlis Sulh untuk memastikan keberkesanan Majlis Sulh tersebut dan implikasi jangka masa panjang pihak yang berkepentingan.

Majlis Sulh yang dikendalikan oleh Pegawai Sulh hendaklah mematuhi aturan dalam Manual Kerja Sulh Negeri. Manual ini memperincikan aturan yang digunakan dalam sesuatu sesi Majlis Sulh. Majlis Sulh di Mahkamah Syariah akan bermula dengan Notis Sulh yang dihantar kepada pihak bertikai selepas satu pihak memfailkan tuntutan di Mahkamah Syariah. Pihak-pihak yang hadir akan ditempatkan dalam satu Bilik Sulh, tanpa kehadiran pihak ketiga dan perbincangan akan dimulakan dengan bacaan doa oleh Pegawai Sulh. Sesi diteruskan dengan sesi Pertama, iaitu sesi Kenyataan Awal oleh Pegawai Sulh. Kedua, sesi Pembentangan Awal oleh pihak bertikai. Ketiga, sesi Perbincangan Bersama. Keempat, sesi Pertemuan Sebelah Pihak (jika perlu) dan kelima, sesi Perundingan Bersama untuk menghasilkan suatu Deraf Perjanjian Persefahaman. Etika perbincangan semasa Majlis Sulh telah dinyatakan secara jelas



oleh Pegawai Sulh semasa sesi Pertama, sesi Kenyataan Awal dan diberi peringatan berulang sekiranya pihak bertikai melanggar etika yang telah dinyatakan. Dalam sesi Pertama ini juga, kelebihan penyelesaian melalui Majlis Sulh berbanding melalui sesi perbicaraan dalam Mahkamah dimaklumkan kepada pihak bertikai. Sebarang keputusan hasil dari sesi Majlis Sulh perlu direkodkan dan sekiranya tiada penyelesaian, kes diserahkan untuk sebutan di Mahkamah dan sekiranya persefahaman dicapai, Perjanjian Persefahaman tersebut akan diendorse di hadapan Hakim sebagai Perintah Persetujuan Bersama (Hui & Mohamed, 2006).

Peruntukan prosedur yang terkandung dalam Manual Kerja Sulh Negeri sedikit sebanyak menepati kaedah amalan mediasi yang dipraktikkan bagi tuntutan komersial termasuk tuntutan kekeluargaan di peringkat antarabangsa; iaitu dari aspek prinsip, fungsi *Mediator* atau Perantara dan aturan (*flow*) proses mediasi tersebut.

Mediasi dikatakan kaedah yang sesuai bagi penyelesaian konflik kekeluargaan dan isu berkaitan anak kerana proses perbincangan melalui Mediasi ini menggalakkan penyelesaian masalah secara kolaboratif dan mengutamakan prinsip *best interest of child* (Nor Fadzlina, 2011). Prinsip utama Mediasi adalah mengutamakan komunikasi secara terus oleh pihak bertikai dalam mengenalpasti isu sebenar dan menggalakkan perbincangan yang berfokus dan objektif (Mahony, 1999). Oleh kerana pertikaian hadanah ini isu yang berkaitan dengan hak seorang anak, maka, keperluan dan kehendak anak perlu menjadi tajuk utama perbahasan pihak bertikai. Perihal anak tidak boleh menjadi pemilikan mutlak mana-mana pihak kerana ibu dan bapa mempunyai tanggungjawab masing-masing yang khusus sepertimana yang ditetapkan dalam syarak dan dari aspek kemanusiaan.

Menurut kaedah amalan Mediasi, prinsip kerahsiaan (*confidentiality*), tidak berpihak (*impartiality*) dan adil (*justice*) amat dititikberatkan (Akta Mediasi 2012, Seksyen 9(3) dan 15). Kaedah ini jelas bertepatan dengan konsep Majlis Sulh yang dinyatakan dalam Kaedah 5(2) KTMSPP 2004 yang hanya membataskan perbincangan dengan kehadiran pihak bertikai sahaja. Dan peruntukan dalam MKSPP, Bab 10 berkenaan etika kerahsiaan pada segala perkara yang dibangkitkan dalam Majlis Sulh dan tidak boleh mendedharkannya kepada mana-mana pihak termasuklah mahkamah selepas Majlis Sulh.

Perantara atau *Mediator* bertindak sebagai pemudahcara dan membantu pihak-pihak mencapai kata sepakat melalui perbincangan yang dilakukan oleh pihak bertikai tanpa ada cadangan atau pengaruh dari pihak *Mediator* (Hammad, 2014; Akta Mediasi 2012, Seksyen 9(2)). Peranan *Mediator* atau Perantara ini selari dengan peranan yang dimainkan oleh Pegawai Sulh sepertimana yang dinyatakan dalam Manual Kerja Sulh Mahkamah Syariah Pulau Pinang, Bab 1 (d) iaitu "Pegawai Sulh hendaklah menyatakan bahawa matlamat sulh adalah untuk mencapai penyelesaian pertikaian mereka secara sukarela berasaskan persetujuan mereka sendiri tanpa sebarang paksaan".

Aturan (*flow*) proses Mediasi secara umumnya dilakukan perbincangan bersama, sesi kaukus (jika perlu) dan perbincangan semula. Di dalam aturan ini, pihak *Mediator* mempunyai peranan untuk membantu pihak bertikai memberi fokus kepada manfaat perbincangan untuk masa hadapan anak termasuk kehendak dan keperluan anak. Kaedah Amalan Mediasi akan memandu pihak bertikai berkomunikasi secara langsung, mengupas penyelesaian kepada isu yang timbul dan tidak mempersoal hak masing-masing. Dalam perkara ini, MKSPP, telah memperincikan aturan proses perbincangan sepertimana yang diamalkan dalam kaedah amalan Mediasi dan diolah dengan budaya memulakan dan mengakhiri majlis dengan bacaan doa (Hammad, 2014).

Dapatan Kajian dan Perbincangan

Hasil semakan 32 fail tuntutan hadanah di Mahkamah Tinggi Syariah Pulau Pinang bagi tempoh dari tahun 2011 sehingga tahun 2016 mendapati bahawa Majlis Sulh yang dikendalikan di Mahkamah Syariah yang mengikut kaedah amalan Mediasi menjadi salah satu jalan penyelesaian tuntutan hadanah; hak akses, lawatan dan bermalam; dan juga nafkah anak.

Daripada jumlah tersebut, sebanyak 16 kes atau 50% selesai setelah melalui proses Majlis Sulh di Mahkamah Tinggi Syariah dan proses Mediasi (Rundingcara) di Jabatan Bantuan Guaman direkodkan dengan Perintah Persetujuan atau Perintah Persetujuan Bersama di hadapan Hakim. Terdapat 1 kes yang direkod oleh Majlis Sulh sebagai Berjaya tetapi pihak-pihak telah menarik balik tuntutan. Hanya 5 kes atau 15.6% kes yang perlu diselesaikan dengan melalui sesi Perbincaraan Penuh di hadapan Hakim Syarie.

Semakan fail menunjukkan 16 kes direkodkan Gagal Majlis Sulh. Penyelidik meneliti tindakan pihak-pihak setelah Gagal Majlis Sulh dan mengklasifikasi kepada 4 kategori iaitu pihak-pihak meneruskan kes dan Perintah Persetujuan (tanpa melalui Majlis Sulh) direkodkan; pihak-pihak meneruskan kes dengan Bicara Penuh dan Perintah Penghakiman direkodkan; pihak-pihak tidak meneruskan kes dan kes ditutup dan dibuang oleh Mahkamah; dan pihak-pihak memfailkan Notis Tarik Balik.

Fail kes yang dibuang dan diarah tutup sebanyak 2 kes adalah atas alasan kegagalan komitmen pihak-pihak menghadirkan diri pada tarikh yang telah ditetapkan oleh Mahkamah.

Jadual 1: Semakan Fail Tuntutan Hadanah di Mahkamah Tinggi Syariah Pulau Pinang dari Tahun 2011 hingga 2016

Tahun	Berjaya Majlis Sulh		Berjaya Mediasi di Jabatan Bantuan Guaman	Gagal Majlis Sulh				Jumlah Semakan Fail
	Perintah Persetujuan	Tarik Balik		Perintah Persetujuan (tanpa Majlis Sulh)	Perintah Penghakiman (Bicara Penuh)	Tutup/ Dibuang	Tarik Balik	
2011	1	0	0	0	3	0	3	7
2012	1	0	1	2	0	0	0	4
2013	3	0	0	0	0	1	1	5
2014	1	1	2	1	2	0	0	7
2015	3	0	0	1	0	0	0	4
2016	3	0	0	1	0	1	0	5
Jumlah	12	1	3	5	5	2	4	32

Berdasarkan kepada data yang diperolehi, terdapat beberapa cadangan bagi memastikan prinsip *al-sulh* dan *al-adl* diterapkan dengan menyeluruh dalam Majlis Sulh.

Pelantikan Pegawai Sulh

Pertikaian berkenaan hadanah diletakkan di bawah bidangkuasa Mahkamah Tinggi Syariah menjadi indikator bahawa pertikaian ini memerlukan penelitian yang rapi dan diselesaikan dengan teliti oleh Hakim, Pendaftar dan Pegawai Sulh. Penelitian yang rapi ini merujuk kepada kebajikan anak yang memberi impak dari hari Perintah diberikan sehingga umur dewasa kerana suatu Perintah yang direkodkan di Mahkamah akan memberi kesan selamanya kepada pihak bertikai dan anak pasangan (sekiranya tiada Permohonan Ubah Perintah dimasukkan). Kerumitan dalam pertikaian hadanah ini mendesak Hakim, Pendaftar dan Pegawai Sulh untuk memerhati segenap aspek yang berkait dengan anak sama ada dari aspek pendidikan, kerohanian dan tumbesaran diri dan juga kemampuan pelaksanaan tanggungjawab oleh ibu dan bapa kepada anak tersebut. Sekiranya kelayakan seorang Hakim di Mahkamah Tinggi Syariah



adalah seorang Hakim Mahkamah Rendah Syariah atau Kadhi atau Pendaftar atau Pendakwa Syarie atau Peguam Syarie yang mempunyai pengalaman bekerja selama tidak kurang daripada 10 tahun, maka, kelayakan seorang Pegawai Sulh juga boleh diselaraskan bagi memastikan bahawa Pegawai Sulh yang dilantik adalah seorang yang berpengalaman dan berkemahiran dalam mengendalikan sesi Majlis Sulh atau sebarang kaedah runding cara di samping menguasai ilmu syarak, pengetahuan berkaitan undang-undang kekeluargaan. Peruntukan berkaitan pelantikan Pegawai Sulh tidak dinyatakan samana ada dalam Enakmen Enakmen Pentadbiran Agama Islam (Negeri Pulau Pinang) 2004, Enakmen Tatacara Mal Mahkamah Syariah (Negeri Pulau Pinang) 2004, Kaedah-Kaedah Tatacara Mal (Sulh) Mahkamah Syariah Pulau Pinang 2006 mahupun Manual Kerja Sulh Mahkamah Syariah (Pulau Pinang) 2002. Peranan dan tanggungjawab yang digalas oleh Pegawai Sulh adalah satu amanah yang sama penting seperti Hakim dan Pendaftar kerana mampu membantu menamatkan suatu pertikaian. Dalam konteks mediasi, Perantara mestilah dilantik oleh pihak-pihak dan diperakui kemahiran dan keupayaan Perantara untuk membantu menyelesaikan konflik kekeluargaan khususnya berkaitan hak penjagaan anak (Akta Mediasi 2012, Seksyen 7(2)(a).

Penyampaian Notis Sulh dan Kehadiran Pihak-Pihak

Penyampaian Notis Sulh yang diamalkan di Mahkamah Tinggi Syariah adalah dengan penghantaran Notis Sulh tanpa dokumen Saman Kehadiran dan Pernyataan Tuntutan. Ketiadaan dokumen Saman Kehadiran dan Pernyataan Tuntutan ini akan menimbulkan prejudis kepada penerima Notis Sulh (iaitu pihak Defendan). Pihak yang menerima Notis Sulh tersebut perlu memahami dan bersedia berkenaan isu yang akan menjadi perbincangan dalam Majlis Sulh. Sekiranya pihak penerima Notis Sulh tidak mengetahui subjek perbincangan dan gagal membawa dokumen yang diperlukan, maka prinsip *al-sulh* dan *al-adl* dalam proses Majlis Sulh akan mengalami kelewatan akibat penangguhan dan kecacatan akibat ketidaksediaan pihak-pihak.

Penyampaian Notis Sulh juga tidak dibuktikan dengan dokumen Afidavit Penyampaian. Dan rentetan daripada alamat yang diperolehi daripada pihak yang memulakan kes, tidak semua alamat penyampaian Defenden adalah alamat yang tepat. Tiada rekod carian di Jabatan Pendaftaran Negara yang dimasukkan di dalam fail bagi membuat semakan alamat pihak bertikai. Oleh kerana kehadiran pihak-pihak pada tarikh pertama Majlis Sulh adalah sangat penting, maka usaha penyampaian Notis Sulh, Saman Kehadiran, Penyata Tuntutan pada alamat Defendan yang tepat perlu dibuktikan dengan Afidavit Penyampaian.

Dalam konteks mediasi, keberadaan pihak-pihak berada dalam satu sesi adalah sangat kritikal. Adalah menjadi etika Mediator untuk memastikan kedua-dua pihak melapangkan masa dan fokus sepenuhnya dalam sesi perbincangan tersebut. Sekiranya Mediator atau pihak-pihak memerlukan masa yang lebih panjang untuk berbincang, pihak Mediator bersedia untuk mengaturkan pertemuan seterusnya. Kerjasama untuk menghadiri perbincangan adalah diperlukan.

Majlis Sulh kali Kedua

Bagi menggalakkan pihak bertikai berbincang dan mempunyai keazaman untuk melaksanakan kewajipan ke atas anak-anak dengan baik, ruang perbincangan bagi mengadakan Majlis Sulh kali kedua boleh dianjurkan oleh Hakim. Merujuk kepada kes 07100-028-0213-2013, Hakim mengarahkan pihak bertikai untuk menghadiri Majlis Sulh yang kedua pada 16.1.2014 setelah Majlis Sulh yang pertama yang ditetapkan pada 1.8.2013, 5.9.2013 dan 1.10.2013 adalah gagal. Setelah diarahkan untuk menghadiri Majlis Sulh yang kedua oleh Yang Arif Hakim, pihak-pihak berjaya merekodkan Perjanjian Persetujuan.



Kelengkapan Bilik Sulh

Keselesaian semasa perbincangan juga memainkan peranan yang penting dalam menjayakan suatu proses perbincangan. Kesihatan pihak bertikai, keselesaan masa dan prasarana yang kondusif mencetuskan rasa tenang kepada pihak untuk berunding. Ruang yang sempit, suram, tiada fasiliti seperti papan tulis, tandas dan kudapan akan memberi kesan kepada perasaan pihak bertikai untuk bekerjasama untuk berbincang. Isu kekeluargaan adalah suatu isu sensitif yang melibatkan emosi, apatah lagi apabila melibatkan soal anak. Keadaan Bilik Sulh yang kondusif sedikit sebanyak memberi ketenangan dan semangat yang positif kepada pihak bertikai untuk menyatakan harapan dan membincangkan masalah yang dihadapi demi untuk memastikan anak yang menjadi subjek perbincangan dapat membesar sepertimana anak-anak yang berada dalam keluarga yang mempunyai ibu dan bapa.

Kesimpulan

Sebagai kesimpulan, penyelesaian konflik tuntutan hadanah melalui Majlis Sulh di Mahkamah Syariah adalah mengikut prinsip *al sulh* dan *al adl*; dan kaedah amalan Mediasi yang selari dengan kehendak syarak dan diasimilasi dengan nilai-nilai kemanusiaan. Dengan demikian, Mahkamah Syariah sebagai institusi keadilan telah menyediakan forum yang terbaik kepada pihak bertikai untuk mencapai perdamaian dalam konflik hadanah dengan mengutamakan kebajikan anak.

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PENGGUNAAN M-PEMBELAJARAN DALAM KALANGAN GURU NOVIS PENDIDIKAN ISLAM DI SABAH

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Abstrak: *Kajian tinjauan deskriptif ini dijalankan bagi mengetahui tahap persediaan pelaksanaan m-pembelajaran, niat penggunaan dan penggunaan sebenar pendekatan tersebut oleh Guru Novis Pendidikan Islam (GNPI) yang berkhidmat di Sabah. Kajian ini menggunakan pendekatan kuantitatif dan soal selidik sebagai instrumennya. Soal selidik diedarkan kepada populasi seramai 813 orang bagi mengatasi masalah saiz sampel dan komunikasi. Seramai 319 orang yang telah memberi respon terhadap kajian ini. Dapatan kajian mencatatkan bahawa mereka memiliki persediaan asas dari segi pemilikan alatan m-pembelajaran dan kemahiran asas pengendalian peranti untuk tujuan pengajaran dan pemudahcaraan. Selain itu, niat yang positif untuk mengaplikasikan m-pembelajaran dibuktikan dengan dapatan dengan nilai mod 4 bagi semua item penggunaan sebenar. Semua dapatan ini tidak dipengaruhi oleh faktor jantina ataupun kawasan mengajar (sama ada bandar, luar bandar ataupun pedalaman).*

Keywords: *m-pembelajaran, guru novis, Pendidikan Islam*

Pengenalan

Kemajuan dunia teknologi memberi impak kepada dunia hari ini dan mempengaruhi pelbagai bidang. Pelbagai inovasi dilakukan bagi memudahkan kehidupan seharian manusia. Antaranya seperti inovasi dalam penciptaan pelbagai peranti mudah alih tanpa wayar seperti telefon pintar dan tab. Inovasi yang dilakukan membuka ruang kepada penggunaan peranti tersebut dalam bidang pendidikan.

Pemberian telefon pintar YES 4G kepada para guru daripada Kementerian Pendidikan dengan kerjasama Syarikat YTL di bawah program Frog VLE (1BestariNet) selari dengan pengajaran abad ke-21 yang berorientasikan teknologi. Melalui usahasama ini menunjukkan bahawa kementerian optimis untuk melakukan transformasi dalam bidang pendidikan (Ministry of Education Malaysia, 2013). Penggunaan peranti ini membuka dimensi baru dalam dunia pendidikan iaitu m-pembelajaran.

Tinjauan Literatur

M-Pembelajaran (Mobile Learning)

M-pembelajaran boleh ditakrifkan sebagai pembelajaran menggunakan peranti atau teknologi yang bersifat mudah alih (Nik Mastura, Mohd Nor, & Posiah, 2011; Saedah Siraj & Muhammad



Helmi, 2012) seperti penggunaan komputer riba dan telefon bimbit sebagai medium pembelajaran (Issham, Rozhan, Azidah, & Munirah, 2010; Cochrane, 2010). Disifatkan sebagai mudah alih, spontan, dan juga sebagai revolusi daripada pembelajaran elektronik (*e-Learning*) dan pembelajaran teradun (*blended learning*) (Sølvberg & Rismark, 2012; Supyan, Mohd Radzi, Zaini, & Krish, 2012) dan merupakan seni dalam penggunaan teknologi untuk meningkatkan pengalaman pembelajaran (Issham, Rozhan, et al., 2010).

Berdasarkan definisi ini dapat disimpulkan bahawa m-pembelajaran diistilahkan sebagai ‘pembelajaran dari dalam poket’, iaitu penggunaan peranti tanpa wayar untuk tujuan pendidikan, sesuai dengan matlamatnya untuk memudahkan pembelajaran tanpa mengambil kira bentuk media isi pelajaran dan bagaimana ia disampaikan kepada pelajar (Caudill, 2007).

Dengan saiz RAM yang kecil, peranti mudah alih tanpa wayar memudahkan proses pembelajaran berlaku tanpa mengira tempat dan masa, berbanding ciri-ciri buku teks dan nota yang menjadi rujukan pada masa-masa tertentu sahaja (Aliff Nawawi et al., 2014). Kemajuan teknologi membuka peluang kepada bidang pendidikan untuk menggabungkan peranti mudah alih dengan persekitaran pembelajaran bagi meningkatkan kualiti pembelajaran (Heflin, Shewmaker, & Nguyen, 2017) serta memungkinkan pembelajaran berlaku ‘di luar kelas’, di mana guru berperanan sebagai pemudahcara (Sølvberg & Rismark, 2012) bagi mencapai isi pelajaran.

Sesuai dengan pembelajaran abad ke-21, guru berperanan sebagai pemudah cara (Kamarul, Mohd Faez, Ab. Halim, & Mohd Izham, 2011) dan sumber inspirasi kepada pelajar.

Sebagai pemudahcara pembelajaran, guru perlu memiliki pelbagai idea kreatif bagi menggalakkan pembelajaran berlangsung dengan menarik (Ilhavenil & Wan Hasmah, 2013), dapat meningkatkan motivasi dan pencapaian pelajar (Ghavifekr et al., 2014) dan menggalakkan pelajar untuk berfikir supaya pengajaran berlangsung dengan berpusatkan pelajar (Noornajihan & Ab. Halim, 2015). Seharusnya guru dapat menggalakkan pelajar untuk mengeluarkan idea dan pemikiran kritikal mereka bagi mewujudkan pengajaran aktif. Oleh itu, penggunaan peranti mudah alih dalam pengajaran dan pemudahcaraan dilihat sebagai alternatif kepada guru.

Fokus kepada pengajaran subjek Pendidikan Islam, guru Pendidikan Islam mengamalkan pengajaran yang bersifat tradisional dan bertumpu di dalam kelas telah menjadi amalan para guru di sekolah (Ahmad Yunus & Ab. Halim, 2010; Kamarul Azmi, 2013). Kaedah syarahan antara yang kerap digunakan untuk pengajaran Pendidikan Islam (Ab. Halim, Muhamad Faiz, & Kamarul Azmi, 2012) dan kaedah tersebut dianggap mundur kerana bersifat sehalu (Azhar & Nurul Huda, 2010).

Pengetahuan terhadap pedagogi kandungan merupakan perkara terpenting dalam pengajaran dan pembelajaran (Ab. Halim, 2017). Salah satu kaedah pengajaran yang membantu mereka adalah dengan menggunakan teknologi (Rafiza & Siti Zarina, 2013) seperti m-pembelajaran. M-pembelajaran merujuk kepada penggunaan peranti mudah alih sebagai alatan pengajaran dan pemudahcaraan (PdPc) guru. Guru yang menggunakan bantuan telefon mudah alih sebagai m-pembelajaran telah mengakui peranti tersebut sebagai alat sokongan kepada pengajaran yang menyeronokkan (Saedah Siraj & Muhammad Helmi, 2012). Oleh itu, m-pembelajaran dilihat sebagai alternatif kepada pengajaran Pendidikan Islam yang bersifat tradisional.

Secara kesimpulannya, pengamalan m-pembelajaran berbalik semula kepada guru dan pelajar untuk memilih ruang pembelajaran bebas atau terikat dengan kelas kerana kaedah tradisional dan teknologi saling memiliki kelebihan dan kekurangan (Sølvberg & Rismark, 2012). Inovasi teknologi yang pelbagai dapat memajukan kehidupan manusia, tetapi kejayaan penggunaannya



bergantung kepada manusia itu sendiri. Penggunaan peranti mudah alih untuk tujuan pengajaran dan pembelajaran masih kurang meluas sedangkan ia sangat kerap digunakan untuk menyokong pembelajaran (Song et al., 2013).

Alatan m-pembelajaran

Dua komponen utama m-pembelajaran ialah kemajuan peranti dan jaringan (*networking*). Menurut Caudill (2007), peranti yang digunakan sesuai dengan keperluan harian penggunaannya, boleh berfungsi tanpa disambung dengan punca kuasa dan dapat diakses dengan cepat kerana saiz yang kompak, konfigurasi serta tidak mengambil masa untuk ditutup atau dihidupkan. Berdasarkan ciri yang dinyatakan, komputer riba dan *notebook* bukan peranti mudah alih yang dikategorikan oleh beliau. Manakala jaringan yang dinyatakan adalah akses kepada internet tanpa menyambungkan peranti kepada wayar bumi dan sambungan *bluetooth*. Tetapi dalam perbincangan ini, komputer riba diterima sebagai alatan m-pembelajaran sesuai dengan takrifan mudah alih (Issham, Thenmolli, et al., 2010).

Antara alatan yang dikategorikan sebagai alatan m-pembelajaran adalah seperti berikut (Rossyahida & Hashim, 2011; Nik Mastura et al., 2011):

- i. *Personal Digital Assistant* (PDA)
- ii. *Notebook* (kecil dan ringan)
- iii. Telefon selular yang memiliki kemudahan SMS, MMS, WAP dan GPRS
- iv. Telefon pintar (gabungan telefon bimbit dan PDA)
- v. Tablet
- vi. Ipad
- vii. Ipod
- viii. *Palm talk*

Jika dilihat pada kriteria peranti mudah alih dan sorotan kajian lepas, peranti mudah alih yang kerap digunakan dalam m-pembelajaran ialah telefon bimbit (Aliff & Mohd Isa, 2013) dan komputer riba (Ghavifekr, Ahmad Zabidi, Muhammad Faizal, Ng Y.R, Yao M., & Zhang T., 2014). Hal ini kerana kedua-duanya merupakan satu keperluan kepada guru dan pelajar. Tambahan pula aplikasi jaringan mudah alih untuk telefon bimbit lebih ekonomi dari segi kosnya dan mudah untuk digunakan (Afendi, Mohamed Amin Embi, & Haslinda, 2013), mengatasi masalah kelemahan sambungan internet, gangguan kuasa elektrik dan kekurangan sokongan komputer di sekolah (Tan C.K et al., 2013).

Persekitaran Pembelajaran di Negeri Sabah

Negeri Sabah yang terletak di utara Kepulauan Borneo memiliki keluasan 72,500 kaki persegi. Kawasan-kawasan di Sabah dikelaskan kepada 5 bahagian, dan ditadbir dalam 25 daerah (Jabatan Tanah dan Ukur Sabah, t.t). 5 bahagian tersebut adalah seperti berikut :

- | | | |
|-----------------|---|---|
| i) Pantai Barat | - | Kota Belud, Kota Kinabalu, Papar, Penampang, Putatan, Ranau, Tuaran |
| ii) Pedalaman | - | Beaufort, Nabawan, Keningau, Kuala Penyu, Sipitang, Tambunan, Tenom |
| iii) Kudat | - | Kota Marudu, Kudat, Pitas |
| iv) Sandakan | - | Beluran, Kinabatangan, Sandakan, Tongod |
| v) Tawau | - | Kunak, Lahad Datu, Semporna, Tawau |

Manakala pembahagian sekolah mengikut status 'pedalaman' dikategorikan kepada 3, iaitu P1, P2 dan P3 seperti yang ditetapkan kepada sekolah di seluruh negara. Penentuan kelas pedalaman berdasarkan ciri-ciri yang telah ditetapkan oleh pihak kementerian (Kementerian Pendidikan



Malaysia, 2016) adalah seperti berikut: i) bilangan mod perjalanan (termasuk kos); ii) risiko perjalanan; iii) sumber air; iv) sumber elektrik; v) kediaman; vi) sanitasi; vii) telekomunikasi; viii) perkhidmatan kesihatan, dan ix) kemudahan-kemudahan lain seperti bank, pejabat pos dan tempat ibadat.

Objektif Kajian

Objektif kajian ini adalah untuk mengetahui: i) tahap kesediaan asas yang dimiliki GNPI dari aspek peralatan dan pengetahuan; ii) tahap niat penggunaan peranti mudah alih dalam pengajaran dan pemudahcaraan di dalam kelas; serta iii) tahap penggunaan sebenar peranti mudah alih dalam sesi pengajaran dan pemudahcaraan oleh GNPI.

Metodologi Kajian

Reka Bentuk Kajian

Kajian ini menggunakan pendekatan kuantitatif dan reka bentuk kajian tinjauan (survei). Kajian tinjauan bermatlamat untuk mengumpulkan maklumat dan mengukur pembolehubah yang berkait dengan sesuatu fenomena tanpa menyoal mengapa pembolehubah tersebut wujud (Mohd Majid, 2005). Kajian tinjauan yang dilakukan oleh penyelidik bermatlamat untuk mengetahui tahap kesediaan guru novis Pendidikan Islam terhadap penggunaan m-pembelajaran, mengenal pasti tahap kemahiran m-pembelajaran, iaitu menggunakan aplikasi dan kemudahan telefon bimbit dalam kalangan guru novis Pendidikan Islam dan untuk mengetahui tujuan penggunaan telefon bimbit dalam m-pembelajaran.

Reka bentuk kajian ini adalah seperti gambar rajah di bawah:

Jadual 1: Reka bentuk penyelidikan

Reka bentuk Kajian	Kaedah Pengumpulan	Responden / Sampel	Jenis Data
Kajian tinjauan – deskriptif (survei)	Soal selidik	Guru Novis Pendidikan Islam	Kuantitatif – soal selidik

Populasi dan Sampel Kajian

Dalam kajian ini pengkaji memilih populasi dalam kalangan guru novis kerana pengalaman dan tempoh mereka menceburkan diri dalam bidang pendidikan sebagai seorang guru masih dianggap baru. Sebagai guru novis, masalah utama yang dihadapi mereka adalah aspek kawalan dan pengurusan kelas. Berbantuan peranti mudah alih dalam pengajaran dan pemudahcaraan guru akan mempengaruhi minat dan motivasi pelajar disamping meningkatkan kerjasama dan mobiliti antara pelajar dan bahan pengajaran (Nik Mastura et al., 2011).

Pemilihan lokasi bagi kajian ini terhad kepada guru novis Pendidikan Islam yang berkhidmat di negeri Sabah. Zon di Sabah dibahagikan kepada lima bahagian, di mana setiap bahagian tersebut terdiri daripada beberapa daerah, kawasan bandar dan luar bandar. Populasi yang disasarkan perlu menggunakan multimedia berorientasikan m-pembelajaran ataupun m-latihan (*m-training*) seperti yang dilakukan dalam kajian (Afendi Hamat et al., 2013). Jadual berikut menunjukkan jumlah sampel mengikut daerah.



Jadual 2: Senarai Sampel Kajian

Daerah	Jumlah Sekolah	Jumlah GNPI
Beaufort	16	19
Keningau	35	35
Kinabatangan	32	42
Kota Belud	13	16
Kota Kinabalu	32	56
Kota Marudu	28	32
Kuala Penyu	16	17
Kudat	48	58
Lahad Datu	50	87
Papar	13	15
Penampang	20	29
Pitas	20	39
Ranau	28	35
Sandakan	69	93
Semporna	45	79
Sipitang	15	26
Tambunan	10	10
Tawau	60	124
Tenom	17	17
Tuaran	9	13
JUMLAH	576	842

Kajian Rintis

Penyelidik menggunakan program *Statistical Package for Social Science* (SPSS) versi 24. Soal selidik ini dijalankan ke atas 44 orang guru Pendidikan Islam yang berkhidmat di sekitar negeri Sabah. Data kemudiannya dianalisis menggunakan pekali *Alpha Cronbach* pada SPSS (versi 24) dan mencatat nilai bagi keseluruhan item adalah .849. Nilai-nilai tersebut boleh diterima untuk kajian lapangan tanpa menggugurkan item yang terdapat dalam soal selidik.

Dapatan Kajian

Analisis Taburan Demografik

Seramai 319 orang responden daripada pelbagai daerah seluruh Sabah telah mengambil bahagian dalam kajian ini. Mereka telah menjawab mengikut pilihan berdasarkan item demografik yang telah diedarkan dalam soal selidik. Berikut merupakan laporan berdasarkan respon bagi item demografik.

Jadual 3: Jumlah Responden mengikut Bahagian Zon

Zon	Jumlah Daerah	Jumlah Sekolah Terlibat	Jumlah GNPI
Pantai Barat (Utara)	3	43	51
Pantai Barat (Selatan)	6	75	78
Pedalaman	7	19	19
Pantai Timur (Utara)	4	30	35
Pantai Timur (Selatan)	4	122	136
Jumlah	24	289	319

Jadual 4: Taburan Demografik Responden Kajian

Item	Perincian	Kekerapan	Peratusan
Jantina	Lelaki	77	24.1
	Perempuan	242	75.9
Kelulusan	Sarjana Muda	319	100
	22-24 tahun	13	4.1
Umur	25-27 tahun	270	84.6
	28-30 tahun	36	11.3
	RM 3 – 30	48	15.0
Langganan Internet	RM 31 – 50	94	29.5
	RM 51 – 100	137	42.9
	RM 101 – 150	40	12.5
	Bandar	180	56.4
Kawasan Mengajar	Luar Bandar	132	41.4
	Pedalaman	7	2.2

Jadual 4.2 memaparkan demografi Guru Novis Pendidikan Islam di Sabah yang telah mengambil bahagian dalam kajian ini. Seramai 77 orang (24.1%) adalah lelaki dan 242 orang (75.9%) adalah perempuan dan kesemuanya berkelulusan Sarjana Muda sebagai pencapaian akademik tertinggi. Manakala seramai 306 orang guru novis mewakili 95.9% berumur 25 tahun ke atas. Dari segi langganan internet pula, seramai 177 orang mewakili 55.4% melanggan internet pada kadar RM 51 – 150.

Jadual juga memaparkan 180 orang mewakili 56.4% berkhidmat di sekolah bandar. Mengikut dapatan kajian yang dilakukan oleh Sølvsberg dan Rismark (2012) menyatakan bahawa teknologi seperti m-pembelajaran dapat menghubungkan kaitan antara pembelajaran pelajar, masa, tempat serta topik dan teknologi yang pelbagai. Ia membentuk satu geografi baru dalam persekitaran pembelajaran yang tidak terikat dengan sesuatu kawasan tertentu.

Berdasarkan Jadual 4.2 menunjukkan responden lelaki dan perempuan terdiri daripada umur 20-an dan mengajar antara kawasan bandar, luar bandar dan pedalaman. Taburan demografik ini sesuai dengan keperluan penyelidik untuk mendapatkan responden daripada tiga kawasan mengajar, bersesuaian dengan tahap status sekolah yang digariskan oleh pihak kementerian (Kementerian Pendidikan Malaysia, 2016).

Pemilikan peranti mudah alih merupakan syarat utama kepada m-pembelajaran. Responden dalam kajian ini memiliki pelbagai peranti mudah alih yang dikelaskan oleh penyelidik dalam borang soal selidik. Jadual 5 menunjukkan peratus dan jumlah pemilikan peranti tersebut.

Jadual 5: Peratus Pemilikan Peranti Mudah Alih

Jenis Peranti	Jumlah	Peratus
Telefon selular	58	18.2
Telefon pintar	319	100.0
Tablet	159	49.8
Komputer riba	312	97.8
Ipad	29	9.1
Ipod	13	4.1
PDA	0	0
<i>Palm talk</i>	0	0

Peratus pemilikan telefon pintar mencatatkan jumlah tertinggi iaitu 100%, menunjukkan bahawa semua responden memiliki telefon pintar. Diikuti dengan komputer riba iaitu 312 orang dengan peratus sebanyak 97.8%. Manakala pemilikan tablet seramai 159 orang dengan peratus 49.8%. Telefon selular pula mencatatkan 18.2%, iaitu hanya 58 orang yang masih memilikinya. Ipad dan Ipod masing-masing dimiliki oleh 29 orang (9.1%) dan 13 orang (4.1%) daripada responden. Manakala tiada responden yang memiliki *Palm Talk* ataupun PDA.

Kesemua responden memiliki peranti yang pelbagai, dan memiliki lebih daripada satu peranti mudah alih. Berdasarkan kadar langganan internet pula, semua melanggan pada kadar yang berbeza. Dapat dirumuskan bahawa mereka bersedia menerima m-pembelajaran dari aspek alatan dan mempunyai akses kepada teknologi yang diperlukan untuk pengajaran mudah alih (Mohd Paris Saleh, 2016), tetapi tidak bermakna mereka dapat menggunakannya secara efektif dalam m-pembelajaran, seperti dapatan kajian Supyan Hussin et al., (2012).

Analisis Deskriptif Item

Kemahiran Asas, Niat Penggunaan dan Penggunaan Sebenar

Bahagian B bagi soal selidik ini dianalisis berdasarkan skala likert 5 iaitu skala 1 (sangat tidak setuju), skala 2 (tidak setuju), skala 3 (tidak pasti), skala 4 (setuju), skala 5 (sangat setuju). Bahagian ini mengandungi 17 item bagi mengenalpasti kemahiran asas yang dimiliki responden terhadap m-pembelajaran, niat penggunaan peranti mudah alih dalam pengajaran dan pemudah caraan dan juga penggunaan sebenar peranti mudah alih dalam pengajaran dan pemudah caraan (aplikasi m-pembelajaran) responden. Analisis item bahagian ini adalah seperti Jadual 6.

Jadual 6 : Analisis Item Kemahiran Asas (ASAS)

Bil	ASAS	Item	Tidak Setuju (%)	Tidak Pasti (%)	Setuju (%)	Mod
1	ASAS 1	Saya pernah mengikuti kursus asas tentang pengaplikasian m-pembelajaran	114 (35.7)	77 (24.1)	128 (40.2)	4
2	ASAS 2	Saya mempunyai pengetahuan mengenai perisian <i>Word Processor</i> (contohnya seperti <i>Microsoft, Kingsoft Office</i>) dalam peranti mudah alih	30 (9.4)	25 (7.8)	264 (82.8)	4
3	ASAS 3	Saya boleh menyelenggara perkakasan peranti mudah alih sekiranya terdapat kerosakan yang kecil	61 (19.2)	147 (46.1)	111 (34.8)	3
4	ASAS 4	Saya mengetahui fungsi-fungsi yang terdapat pada peranti mudah alih.	31 (9.7)	116 (36.4)	172 (53.9)	4
5	ASAS 5	Saya mempunyai pengetahuan untuk mengendalikan peranti mudah alih semasa pengajaran dan pemudah caraan	17 (5.3)	87 (27.3)	215 (67.4)	4

Bagi sub konstruk item berkaitan ASAS 1, seramai 128 (40.2%) responden bersetuju pernah mengikuti kursus berkaitan asas m-pembelajaran. Item ASAS 2 pula mencatatkan majoriti responden iaitu seramai 264 (82.8%) mengetahui perisian *Word Processor* dalam peranti mudah alih. Diikuti dengan ASAS 3, hanya 111 (34.8) orang responden berkebolehan untuk menyelenggara perkakasan peranti mudah alih sekiranya terdapat kerosakan yang kecil dan 147 (46.1%) orang yang tidak pasti sekiranya mereka memiliki kebolehan tersebut. Bagi ASAS 4 pula, 172 (53.9%) orang responden mempunyai pengetahuan untuk mengendalikan peranti mudah alih semasa pengajaran dan pemudahcaraan. Item ASAS 5 mencatatkan seramai 215 (67.4%) orang mempunyai pengetahuan untuk mengendalikan peranti mudah alih semasa pengajaran dan pemudahcaraan dan hanya 17 (5.3%) sahaja yang tidak bersetuju dengan item ini.

Berdasarkan 5 item ini menunjukkan responden cenderung memiliki pengetahuan dan kemahiran asas terhadap penggunaan peranti mudah alih dan kemahiran tersebut boleh diaplikasi bagi tujuan pengajaran dan pemudahcaraan di dalam kelas. Data ini disokong oleh kajian Aliff Nawi dan Mohd Isa Hamzah (2013) dimana GPI biasa dengan penggunaan aplikasi dalam peranti yang dimiliki mereka. Pengalaman dan kemahiran sedia ada GNPI terhadap penggunaan peranti mudah alih yang dipadankan dengan kemajuan sesuatu program, aplikasi atau perisian (*software*) menjadikan pengajaran mereka lebih efektif untuk mencapai objektif pengajaran (Heflin et al., 2017).

Jadual 7: Analisis Item Niat untuk Menggunakan (IU)

Bil	Item	Tidak Setuju (%)	Tidak Pasti (%)	Setuju (%)	Mod
1	IU 1 Saya berminat untuk mendalami penggunaan m-pembelajaran	0	2 (0.6)	317 (99.4)	4
2	IU 2 Saya bersedia mengikuti kursus mengenai m-pembelajaran yang dianjurkan oleh pihak tertentu sama ada dikenakan bayaran ataupun tidak	0	13 (4.1)	306 (96)	4
3	IU 3 Saya bersedia untuk menghadapi cabaran m-pembelajaran	1 (0.3)	50 (15.7)	268 (84)	4
4	IU 4 Saya bersedia untuk menggunakan peranti mudah alih sebagai medium pengajaran dan pemudah caraan	1 (0.3)	25 (7.8)	293 (91.9)	4
5	IU 5 Saya ingin menggunakan kaedah pengajaran menerusi pendekatan m-pembelajaran	6 (1.9)	12 (3.8)	301 (94.4)	4
6	IU 6 Saya ingin mempelbagaikan aktiviti pembelajaran melalui peranti mudah alih	12 (3.8)	78 (24.5)	229 (71.8)	4
7	IU 7 Saya membantu guru lain untuk meningkatkan kemahiran tentang teknologi mudah alih dalam pengajaran dan pemudah caraan	12 (3.8)	78 (24.5)	229 (71.8)	4
8	IU 8 Saya kerap menggunakan teknologi mudah alih di dalam kelas walaupun tiada arahan pihak sekolah	32 (10)	42 (13.2)	245 (76.8)	4

Bagi sub konstruk item berkaitan niat penggunaan, seramai 317 (99.4%) responden minat untuk mendalami m-pembelajaran. Diikuti dengan item IU 2, 306 (96%) orang responden bersedia untuk mengikuti kursus mengenai m-pembelajaran yang dianjurkan oleh pihak tertentu sama ada dikenakan bayaran ataupun tidak. Dan selebihnya memberi respon tidak pasti, iaitu seramai 13 (4%) orang sahaja. Item IU 3 menunjukkan 268 (84%) orang responden bersedia untuk menghadapi cabaran m-pembelajaran, dan diikuti dengan item IU 4 seramai 293 (91.8%) orang bersedia untuk menggunakan peranti mudah alih sebagai medium pengajaran dan pemudah caraan.

Manakala item IU 5 mencatatkan 301 (94.4%) orang bersetuju menggunakan kaedah pengajaran menerusi pendekatan m-pembelajaran. Bagi item IU 6 dan 7 menunjukkan jumlah respon yang sama. Seramai 229 (71.8%) orang bersetuju untuk “mempelbagaikan aktiviti pembelajaran melalui peranti mudah alih” dan “membantu guru lain untuk meningkatkan kemahiran tentang teknologi mudah alih dalam pengajaran dan pemudah caraan”. Seramai 245 (76.8%) orang responden

bersetuju dengan item IU 8 iaitu, kerap menggunakan teknologi mudah alih di dalam kelas walaupun tiada arahan pihak sekolah.

Secara keseluruhan, bagi item niat penggunaan (IU), majoriti responden memberikan jawapan yang positif. Hal ini menunjukkan GNPI menerima baik penggunaan peranti mudah alih dalam pengajaran dan pemudahcaraan. Kecanggihan sesuatu peranti akan menyediakan kemudahan yang memenuhi keperluan penggunaanya. Semakin canggih sesuatu teknologi, semakin banyak kemudahan yang disediakan dan menjadikan penggunaanya lebih efektif (Nik Mastura Nik Mohammad et al., 2011).

Jadual 8: Analisis Item Penggunaan Sebenar (USE)

Bil	Item	Tidak Setuju (%)	Tidak Pasti (%)	Setuju (%)	Mod
1	USE 1 Saya menggunakan peranti mudah alih untuk memuat naik bahan untuk pelajar	17 (5.3)	40 (12.5)	262 (82.2)	4
2	USE 2 Saya menggunakan peranti mudah alih dalam pengajaran dan pemudah caraan (m-pembelajaran)	5 (1.6)	22 (6.9)	292 (91.5)	4
3	USE 3 Saya meluangkan masa setiap minggu mempelajari aplikasi peranti mudah alih untuk pengajaran	66 (20.7)	97 (30.4)	156 (48.9)	4
4	USE 4 Suka menggunakan pelbagai teknologi mudah alih (seperti komputer riba, telefon pintar) ketika pengajaran dan pemudah caraan berlangsung	12 (3.7)	79 (24.8)	228 (71.5)	4

Pada item USE 1, seramai 262 (82.2%) orang responden menggunakan peranti mudah alih untuk memuat naik bahan untuk pelajar. Manakala 292 (91.5%) orang responden menggunakan peranti mudah alih dalam pengajaran dan pemudahcaraan (m-pembelajaran) bagi item USE 2. Item USE 3 pula mencatatkan persetujuan sebanyak 156 (48.9%) orang responden meluangkan masa setiap minggu mempelajari aplikasi peranti mudah alih untuk pengajaran. Bagi item USE 4 menunjukkan seramai 228 (71.5%) orang menggunakan pelbagai teknologi mudah alih ketika pengajaran dan pemudahcaraan berlangsung.

Secara keseluruhan, item dalam USE mencatatkan peratus persetujuan yang rendah berbanding item ASAS dan IU. Begitu juga respon negatif turut menunjukkan jumlah mencecah ratusan. Perkara ini menunjukkan bahawa tidak semua GNPI pernah melaksanakan penggunaan peranti mudah alih dalam pengajaran dan pemudahcaraan di dalam kelas, seperti dapatan daripada kajian Kamarul Azmi Jasmi et al., (2011) terhadap Guru Cemerlang Pendidikan Islam (GCPI). Walaupun bergelar guru cemerlang, masih terdapat antara mereka yang tidak menggunakan teknologi mudah alih atas faktor-faktor tertentu.

Nilai Min dan Sisihan Piawai bagi Setiap Item Bahagian B

Hasil analisis data borang soal selidik bagi Bahagian B menunjukkan item yang mencatatkan peratus jawapan berskala 4 dan 5 tertinggi adalah pada item 6, iaitu sebanyak 99.4% daripada responden sangat berminat untuk mendalami m-pembelajaran. Seterusnya item 8 menunjukkan



bahawa 96% daripada responden bersedia untuk menghadapi cabaran m-pembelajaran. Daripada item niat penggunaan, respon positif diberikan responden menunjukkan bahawa mereka menerima dan berniat untuk melaksanakan m-pembelajaran dalam subjek Pendidikan Islam.

Secara keseluruhan, responden memberikan respon positif terhadap sikap terhadap m-pembelajaran, niat penggunaan peranti mudah alih dalam pengajaran dan pemudah caraan dan juga penggunaan sebenar peranti mudah alih dalam pengajaran dan pemudah caraan (aplikasi m-pembelajaran). Respon positif daripada setiap aspek yang dikaji berdasarkan TAM, sesuai dengan cadangan Mohd Paris Saleh (2016) yang mencadangkan pengajaran dengan pendekatan m-pembelajaran bagi mengatasi kekangan pengajaran konvensional.

Perbincangan dan Dapatan Kajian

Aspek Kesesuaian m-Pembelajaran dalam Pendidikan Islam

Kajian ini mendapati bahawa Guru Novis Pendidikan Islam di Sabah memiliki kemahiran asas bagi pelaksanaan m-pembelajaran. Peratus pemilikan peranti mudah alih dan langganan internet yang tinggi menunjukkan peralatan asas dimiliki oleh GNPI, begitu juga dari segi pengendalian peranti tersebut dalam proses pengajaran dan pemudahcaraan mereka. Hal ini menunjukkan bahawa wujud potensi yang positif bagi menggunakan aplikasi mudah alih dalam Pendidikan Islam.

Di samping itu, GNPI mempunyai niat untuk menggunakan peranti mudah alih yang dimiliki bagi penggunaan di dalam kelas sebagai alat menyokong pengajaran dan pembelajaran, (Song et al., 2013). Melalui niat penggunaan, mendorong GNPI untuk mengaplikasikan m-pembelajaran ketika kelas berlangsung. Dapatan bagi penggunaan sebenar peranti mudah alih untuk tujuan pengajaran dan pemudahcaraan GNPI selari dengan dapatan niat penggunaan.

Walaupun masih bergelar guru novis, tidak menghalang mereka untuk mengaplikasikan m-pembelajaran sebagai salah satu pendekatan. Tambahan pula peranti mudah alih merupakan satu alat komunikasi yang diperlukan. Penggunaannya digabungkan sesuai dengan keperluan guru dalam pelaksanaan tugas harian yang melibatkan penyampaian isi pelajaran kepada pelajar.

Rumusan

Beberapa rumusan kajian dapat disimpulkan seperti berikut:

- 1) Guru Novis Pendidikan Islam di Sabah bersedia untuk menggunakan pendekatan m-pembelajaran dari segi kesediaan peralatan, langganan internet dan kemahiran asas bagi penggunaan peranti mudah alih dalam pengajaran mereka. Seterusnya mempengaruhi niat mereka bagi mengaplikasikan m-pembelajaran.
- 2) Namun demikian, sub konstruk bagi “mombaiki peranti” hanya mencapai tahap sederhana.
- 3) Niat penggunaan dizahirkan dengan penggunaan sebenar pendekatan m-pembelajaran oleh GNPI apabila item “penggunaan sebenar” mencatatkan nilai mod 4.

Daripada rumusan kajian, adalah dicadangkan agar:

- 1) GNPI digalakkan untuk menerokai aplikasi yang sesuai dengan peranti mudah alih sebagai alat penyokong pengajaran dan pemudahcaraan di dalam kelas.



- 2) GNPI perlu memahami fungsi yang terdapat pada peranti mudah alih untuk digunakan sebagai m-pembelajaran bagi memaksimumkan penggunaan fungsi-fungsi tersebut, walaupun tidak memiliki kemahiran untuk membaikinya.
- 3) Kajian akan datang dicadangkan untuk mengkaji lebih dalam lagi berkenaan kemahiran GNPI berkaitan penggunaan pelbagai teknologi untuk tujuan pengajaran dan pemudahcaraan, sama ada melalui teknik temu bual ataupun soal selidik.
- 4) Kajian lanjutan juga dicadangkan untuk mengkaji faktor yang mempengaruhi penggunaan m-pembelajaran ataupun jenis peranti, atau aplikasi peranti mudah alih yang bersesuaian dengan keperluan guru.

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AUGMENTED REALITY DALAM PENDIDIKAN: TEKNOLOGI SEMASA DAN POTENSI PENGAPLIKASIANNYA DALAM BIDANG PENDIDIKAN PADA ERA INDUSTRI 4.0

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Abstrak: Kemunculan teknologi-teknologi baru seperti internet saling terhubung (IoT), teknologi perkomputeran awan, peranti mudah alih dan realiti maya telah menjadi pemangkin dalam penghasilan inovasi-inovasi berkaitan teknologi pendidikan. Kehadiran Revolusi Industri 4.0 (Industri 4.0) yang telah memperkenalkan gabungan di antara teknologi dan realiti sebagai salah satu komponen utamanya turut mengubah cara penyampaian pendidikan pada era ini. Augmented Reality (AR) yang merupakan salah satu teknologi dalam realiti maya, berkebolehan dalam merapatkan jurang di antara dunia maya dan fizikal sekaligus akan membantu kita semua melihat, berimajinasi dan seterusnya akan membawa perubahan besar kepada bidang pendidikan dengan mana proses pembelajaran melalui pengalaman yang lebih menarik pada situasi dunia sebenar boleh disediakan kepada para pelajar. Selain pendidikan, teknologi AR juga turut diaplikasikan dalam bidang lain seperti pelancongan, perniagaan serta perubatan ditambahbaik dengan adanya sokongan daripada perkembangan teknologi dan peranti mudah alih pada masa kini. Kajian ini akan membincangkan mengenai pengenalan kepada teknologi AR, teknologi semasa berkaitan AR serta potensi-potensi pengaplikasian AR dalam bidang pendidikan pada era Industri 4.0.

Katakunci: (Industri 4.0, augmented reality, pendidikan)

Pengenalan

Kemajuan dalam teknologi internet hari ini memberi pengaruh yang sangat besar kepada perkembangan teknologi Augmented Realiti (AR). Bermula pada tahun 1990 di mana istilah AR mula diperkenalkan oleh Thomas P. Caudell (White Paper, 2011), iaitu seorang penyelidik daripada Boeing, teknologi AR terus berkembang malah diramal akan terus meletus pada era ini. Teknologi yang diperkenalkan oleh AR adalah selari dengan maksud perkataan “Augment” itu sendiri iaitu menambah atau mempertingkatkan sesuatu. Dalam konteks definisinya, AR telahpun menambah satu lapisan maklumat maya kepada dunia nyata kita dengan mewujudkan sebuah realiti campuran di antara maya dan dunia nyata yang telahpun dapat mempertingkatkan pengalaman terhadap apa yang kita dapat lihat, dengar mahupun rasa pada hari ini dalam pelbagai bidang pengaplikasiannya.

Selari dengan berkembangnya teknologi mudah alih dan telekomunikasi pada hari ini, kaedah pembelajaran melalui proses membaca dan mendengar sahaja sudah tidak begitu berkesan dalam meningkatkan kreativiti pelajar dalam kalangan generasi millenia hari ini. Fenomena ini

sudah perlu diubah. Para pendidik juga telah mulai menyedari akan kepentingan elemen kreativiti dan interaksi dalam proses pengajaran dan pembelajaran (PdP) yang seterusnya akan merangsang kepada keseronokkan belajar di kalangan para pelajar.

Kemunculan Revolusi Industri 4.0 yang menfokuskan kepada transformasi era digital, manusia dan fizikal, yang hangat diperkatakan oleh masyarakat secara global turut membawa kepada perubahan besar dalam proses PdP. Menteri Pendidikan Tinggi Datuk Seri Idris Jusoh, melalui kenyataan beliau di Majlis Amanat Tahun Baru 2018, telah menyatakan bahawa dalam mengadaptasi Revolusi Industri 4.0, perubahan-perubahan seperti pelaksanaan kelas tanpa syarahan dan pentaksiran tanpa peperiksaan perlu dilalui oleh setiap Institusi Pendidikan Tinggi (IPT) di Malaysia (Sinar Online, 2018).

Menurut Cerqueira & Kirner (2011), di antara kelebihan penggunaan kaedah visual dan interaktiviti yang ditawarkan oleh teknologi AR dalam meningkatkan pengalaman belajar, adalah seperti AR dapat memotivasikan pelajar untuk menggunakan teknologi dalam proses pembelajaran serta AR menyediakan kaedah pembelajaran yang berbeza berbanding kaedah konvensional. Pengaplikasian teknologi AR dalam bidang pendidikan juga dilihat dapat menggalakkan para pelajar untuk terlibat secara aktif dalam proses pembelajaran, menjadikan suasana pembelajaran lebih menarik selain dapat menyampaikan maklumat secara jelas. Kebebasan dari segi masa dan lokasi pelaksanaan proses pembelajaran untuk berlaku yang diperkenalkan dalam teknologi AR juga dilihat akan membawa perubahan kepada kaedah pembelajaran secara konvensional.

Kajian Literasi

Pengenalan Kepada Augmented Reality

Cybersecurity, Mobile Trumps TV, Trumps Technology serta Industri 4.0 adalah di antara teknologi yang diramal akan menguasai dunia pada tahun 2018 ini. Turut diramal oleh pelbagai industri untuk muncul sebagai salah sebuah teknologi yang bakal memberi pengaruh besar pada tahun 2018 ini ialah Augmented Reality (AR). Melihat kepada perkembangan teknologi AR kebelakangan ini, ianya bukan sahaja menjadi perhatian penganalisis industri ternama dunia dari segi potensi pasaran serta perkembangannya pada masa akan datang, malah turut menarik minat ahli-ahli akademik untuk mendalami teknologi ini daripada segenap aspek.

Menurut Agrawal, Kulkarni, Joshi, & Tiku (2015), AR adalah merupakan sebuah teknologi baru yang telah dapat mendekatkan jarak di antara objek sebenar yang dilihat oleh manusia dengan objek hasil janaan komputer ke dalam persekitaran dunia nyata. Melalui teknologi AR, penggunaan deria manusia dari segi penglihatan, bau dan rasa dipertingkatkan agar dapat mengubah bagaimana manusia melihat dunia di sekeliling mereka secara masa nyata. Konsep baharu ini pada asasnya adalah direalisasikan melalui proses penambahan satu lapisan grafik janaan komputer pada dunia realiti yang dipersembahkan pada masa nyata.

Terdapat juga pengkaji yang mengatakan bahawa teknologi AR yang telahpun bermula sejarahnya pada tahun 60an, adalah merupakan sebuah teknologi yang membenarkan perwakilan model 3 dimensi (3D) yang dijelmakan ke dalam dunia nyata dan boleh dilihat dengan menggunakan kamera web ataupun peralatan khas yang dipanggil *Head Mounted Display* (HMD) (Abhishekh et al, 2013). Invisible Toys (2018) dalam laporan syarikatnya pula, mendefinisikan AR sebagai sebuah teknologi yang dapat menempatkan input deria seperti bunyi, grafik, video ataupun data daripada *Graphical Positioning System* (GPS) yang dihasilkan secara digital pada tetapan dunia nyata. Teknologi AR juga mampu membawa manusia untuk merasai seolah-olah mereka berada dalam dunia gabungan di antara fizikal dan

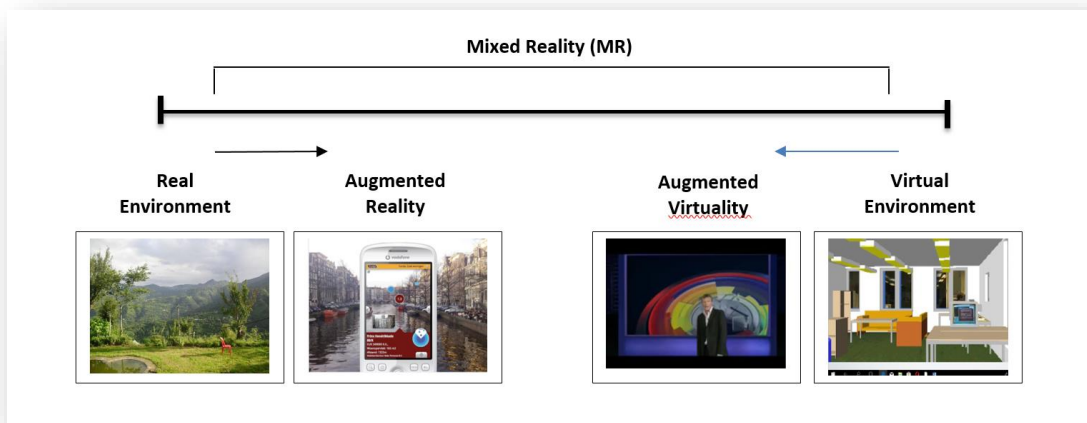
digital yang diperolehi melalui paparan alatan telekomunikasi seperti telefon pintar, tablet serta alat pendengaran digital yang dikendalikan bersama perisian tertentu.

Kesim & Ozarslan (2012) dalam kajian mereka menyatakan bahawa teknologi AR adalah sebuah teknologi yang dapat meningkatkan persepsi dan interaksi pengguna dengan dunia nyata melalui kaedah penyampaian maklumat serta janaan objek maya secara tidak langsung ke dalam persekitaran sebenar pengguna dalam masa nyata bagi memberi pengalaman yang maksimum kepada pengguna.

Salah seorang penyelidik pula iaitu Azuma (1997), yang mana hasil kajian beliau mengenai teknologi AR telah menjadi rujukan kebanyakan daripada pengkaji teknologi AR pada masa kini mendefinisikan AR melalui tiga ciri-ciri utama yang dimiliki oleh teknologi tersebut iaitu gabungan di antara realiti dan maya, interaksi pada masa nyata serta didaftarkan dalam bentuk 3 Dimensi (3D). Berdasarkan definisi yang telah diberikan oleh Azuma (1997) ini juga dapatlah dikatakan bahawa sebarang sistem yang memiliki ketiga-tiga ciri yang dinyatakan adalah dikategorikan sebagai sebuah sistem AR.

Seringkali apabila teknologi AR dibincangkan, persoalan yang timbul ialah dari segi perbandingan di antara AR dengan Virtual Reality (VR). Hakikatnya kedua-dua teknologi ini mempunyai perbezaan yang ketara dari segi penggunaan serta dari sudut kajian dan pembangunannya. Menurut Fernandez (2017), AR adalah merupakan teknologi yang menyampaikan maklumat berbentuk digital dengan menggabungkannya bersama persekitaran sebenar di mana manusia berada secara masa nyata. Sebaliknya VR pula adalah teknologi yang mengubah sepenuhnya dunia realiti dengan menyediakan sebuah persekitaran visual secara khas yang bertindak sebagai perantaraan di antara pengguna dengan alam maya (Sidiq et al., 2017).

Selari dengan perkembangan teknologi AR yang diramal akan terus meledak di Industri 4.0, pelbagai pengkaji telahpun menjalankan kajian mereka daripada segenap aspek terhadap teknologi AR. Mereka juga telah memberikan definisi dan pandangan masing-masing akan teknologi AR. Namun kami berpendapat bahawa visual yang telah dihasilkan oleh Milgram et al (1994) yang dikenali sebagai “*Milgram Reality-Virtuality Continuum*” seperti pada Rajah 1 : *Milgram Reality-Virtuality Continuum* amat membantu dalam memberikan gambaran definisi dan kefahaman yang lebih mudah dan ringkas terhadap teknologi AR sekalipun kepada yang masih baru mengenali teknologi ini.



Rajah 1: *Milgram Reality-Virtuality Continuum*



Skala pada Rajah 1: *Milgram Reality-Virtuality Continuum* dimulai dari kiri dengan persekitaran realiti, diikuti oleh AR kepada *Augmented Virtuality* (AV) dan seterusnya persekitaran maya ataupun *Virtual Environment* (VE). Melalui ini dapat dijelaskan bahawa persekitaran yang mempunyai gabungan samada di antara dunia realiti dengan sedikit objek janaan komputer iaitu AR, mahupun persekitaran dunia maya sepenuhnya yang digabungkan dengan sedikit objek realiti yang dipanggil AV dikategorikan sebagai sebagai realiti campuran (*mixed reality*, MR).

Setelah meneliti kepada pelbagai definisi yang diberikan oleh penyelidik-penyelidik akan teknologi AR definisi yang dapat kami berikan terhadap teknologi AR ialah AR adalah merupakan sebuah sistem yang berkebolehan untuk membawa objek maya janaan sistem komputer kepada dunia realiti yang seterusnya mencipta sebuah persekitaran lebih menarik melalui penggunaan peralatan serta perisian tertentu bagi pengaplikasiannya.

Perkembangan Teknologi Augmented Reality

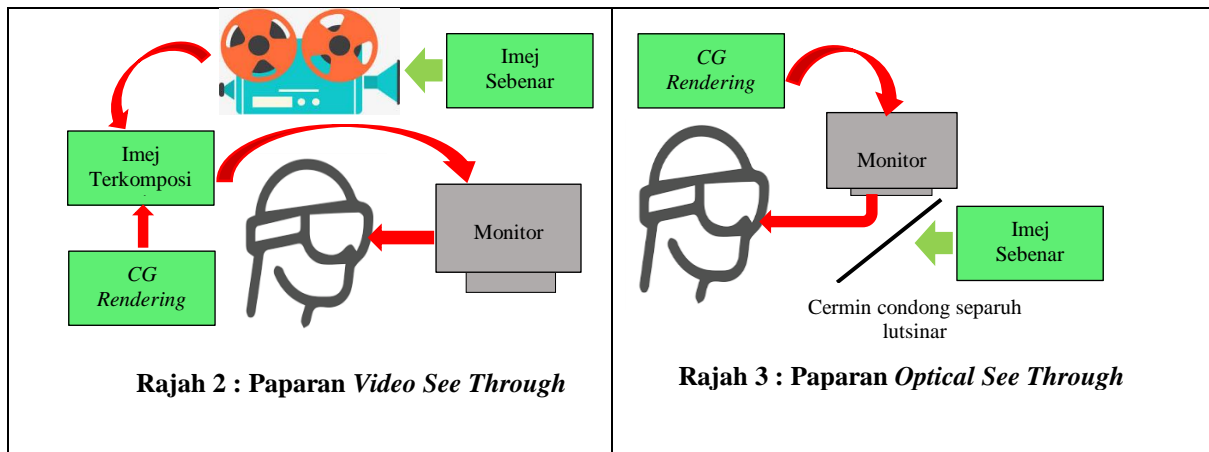
Teknologi AR yang menggabungkan di antara imej janaan dengan dunia nyata telah diaplikasikan dalam mempersembahkan paparan bagi pelbagai bidang seperti senibina, kejuruteraan rekabentuk, simulasi penerbangan bagi juruterbang jet pejuang hinggalah kepada proses memvisualisasikan data-data masa nyata yang kompleks dalam bidang perubatan (Fuchs & Ackerman, 1999). Bagi melaksanakan aplikasi AR, beberapa peranti utama yang diperlukan ialah peranti paparan, komputer, peranti input serta peranti penjejakan. Penggunaan sebuah peranti paparan yang baik amat diperlukan dalam teknologi

AR bagi memberi pengalaman seolah-olah objek maya benar-benar wujud dalam dunia nyata kepada para penggunanya (Kiyokawa, Kurata, & Ohno, 2015).

Bagi tujuan paparan, AR telah memperkenalkan dua(2) jenis sistem paparan utama yang digunakan dalam peranti-peranti paparannya iaitu sistem paparan *see through* dan sistem paparan berasaskan monitor (*monitor based*) (Kiyokawa et al., 2015). Sistem paparan *see through* pula dibahagikan kepada dua (2) jenis iaitu *video see-through* dan *optical see-through*. Menurut Azuma (1997), salah satu peranti paparan yang begitu sinonim dalam aplikasi AR ialah *Head Mounted Display* (HMD).

HMD adalah merupakan sebuah peranti paparan yang dipakai seperti topi keledar oleh pengguna dalam memastikan paparan aplikasi AR dapat dipaparkan melalui paparan optik di hadapan mata pengguna (Kesim & Ozarslan, 2012) sekalipun berlakunya pelbagai pergerakan kepala oleh pengguna dalam merasai pengalaman aplikasi AR (Technopedia, 2018). Sesebuah HMD yang akan digunakan dalam AR perlulah memiliki kebolehan dalam memaparkan keseiringan bersama di antara objek janaan komputer dan dunia nyata agar ianya tampak seperti realiti serta tidak menimbulkan kekeliruan kepada pengguna semasa mengendalikan aplikasi AR. Sistem paparan dalam HMD juga boleh dibahagikan dua jenis iaitu *video see-through* dan *optical see-through*.

Sistem paparan *video see through* seperti pada Rajah 2 : Paparan *Video See Through* adalah sesuai untuk digunakan apabila sesebuah aplikasi AR itu menggunakan sistem imej yang dipertingkatkan ataupun memerlukan pengguna perlu merasai sebuah pengalaman akan sesuatu yang jauh. Manakala bagi paparan *Optical See Through* pula seperti pada Rajah 3: Paparan *Optical See Through*, paparan imej sebenar akan diperolehi oleh pengguna tanpa sebarang penurunan kualiti terhadap imej tersebut. Hal ini berlaku melalui penggunaan cermin condong separuh lutsinar yang digunakan, yang mana teknologi ini membenarkan paparan dunia nyata melepasi cermin tersebut dan kemudiannya sistem akan melapiskan maklumat bergrafik kepadanya sebelum dipantulkan kembali kepada pandangan mata manusia.



Sumber : Kiyokawa, Kurata, & Ohno (2015)

Kemajuan dalam penghasilan perkakasan dan perisian teknologi telefon mudah alih pada hari ini telah membolehkan AR diaplikasikan secara meluas di platform mudah alih menggunakan peranti paparan yang akan dibincangkan selanjutnya iaitu peranti paparan boleh pegang (*handheld*). Menurut Lindegger (2006), bersesuaian dengan namanya, peranti boleh pegang adalah merupakan peranti yang boleh dipegang oleh pengguna dengan menggunakan tangan serta mempunyai ciri mudah alih yang membolehkan ianya dibawa ke mana sahaja.

Banyak kebaikan yang diperolehi oleh pengguna melalui pengaplikasian AR dengan menggunakan peranti boleh pegang. Namun demikian dua kebaikan utama penggunaan peranti ini ialah dari segi sifatnya yang mudah alih dan senang untuk dibawa ke mana sahaja oleh pengguna serta yang keduanya ialah dari segi pengaruh penggunaan secara meluas kamera telefon pada hari ini yang menyebabkan ianya sangat sesuai dan selesa untuk digunakan bagi pengaplikasian AR oleh pengguna.

Menyokong kenyataan ini, artikel yang ditulis oleh Liestman (2017) di laman web BoatingIndustry, telah mengatakan bahawa Apple juga turut memperkenalkan ciptaan baru dalam teknologi iPhones melalui ciri tambahan pengimbasan objek 3D manakala Samsung pula telah memperkenalkan Galaxy Note 8 yang menggunakan kamera dwi kanta pantas. Menurut Liestman (2017) lagi, perkembangan teknologi AR yang diaplikasikan pada peranti boleh pegang pada hari ini juga telah membolehkan pengguna yang ingin membuat pembelian perabot untuk hanya fokuskan kamera mereka kepada ruang tamu di rumah dan tempatkan perabot yang mereka ingini secara maya untuk melihat kesesuaiannya.

Di sebalik beberapa kebaikan penggunaan peranti-peranti boleh pegang seperti telefon pintar, *Personal Digital Assistant* (PDA), tablet serta *Global Positioning System* (GPS) ini bagi tujuan paparan, kelemahannya yang dikenalpasti ialah dari segi kekangan fizikal bila mana peranti ini sentiasa perlu dipegang oleh pengguna semasa mengendalikan aplikasi AR serta paparan terhad yang boleh diberikan oleh peranti boleh pegang ini kepada pengguna oleh kerana faktor kekangan saiz skrin berbanding keluasan pemandangan dunia sebenar melalui deria penglihatan manusia.

Spatial Augmented Reality (SAR) adalah merupakan sebuah teknologi AR yang membenarkan pengguna bukan sahaja untuk melihat maklumat digital malah turut memberikan peluang kepada pengguna bagi menyentuh fizikal objek tersebut. Melalui teknologi ini, aspek visual objek fizikal yang dipersembahkan dalam sistem dipertingkatkan bagi membolehkan pengguna lebih memahami kandungan maya yang dipersembahkan (Thomas et al., 2014). Tiada sebarang peranti yang perlu dipakai mahupun dibawa oleh pengguna bagi tujuan paparan dalam SAR.



Sebaliknya SAR menggunakan peralatan-peralatan seperti pemancar video, elemen optikal, holograms, penanda frekuensi radio ataupun teknologi penjejakan lain untuk memaparkan maklumat bergrafik secara terus kepada objek fizikal. Selain itu, paparan secara pancaran turut boleh digunakan dalam AR bagi menghasilkan paparan yang realistik terhadap maklumat hasil janaan komputer yang digabungkan bersama objek fizikal.

Salah satu pengalaman baru yang telahpun diperkenalkan dalam teknologi AR ialah kawalan simulasi 3 dimensi dengan menggunakan kaedah input kawalan yang diperolehi daripada pergerakan badan pengguna. Melalui kaedah ini, pergerakan badan pengguna memainkan peranan penting dalam memberikan kawalan dan interaksi kepada komputer yang seterusnya akan dijanakan pada masa nyata. Salah satu peranti input yang boleh digunakan bagi tujuan kawalan menggunakan pergerakan badan ini ialah sarung tangan mencubit (*pinch gloves*). Ianya boleh digunakan untuk mencapai objek dalam dunia maya serta memiliki sensor bagi setiap jari. Sensor ini boleh mengesan hubungan di antara jari pengguna yang kemudiannya akan ditafsirkan oleh komputer kepada tindakbalas masa nyata sistem.

Dalam sesebuah sistem AR, kamera digital, isyarat optikal, *accelerometers*, GPS, RFID serta isyarat tanpa wayar digunakan sebagai peranti penjejakan dalam menempatkan serta mengorientasikan kepala, tangan mahupun peranti input boleh pegang pengguna. Komputer kemudiannya akan menganalisa isyarat visual serta data lain sekiranya ada. Setelah itu barulah komputer akan mensintesis dan menempatkan imej yang telah dipertingkatkan yang seterusnya akan dihantar kepada peranti paparan pengguna.

Augmented Reality dalam Bidang Pendidikan

Saban hari kita menyelesaikan pelbagai masalah dalam dan berusaha untuk mencapai matlamat tertentu dalam kehidupan mahupun kerjaya. Tanpa kita sedari, teknologi ataupun lebih tepat lagi didefinisikan sebagai kemajuan kaedah ataupun alatan yang digunakan dalam menyelesaikan sesuatu masalah dan matlamat telah banyak mempermudah urusan kita. Pengaplikasian teknologi dalam PdP dengan menetapkan matlamat instruksional tertentu dilihat dapat memberi kebaikan kepada para pelajar dari segi peningkatan kefahaman. Walau bagaimanapun sesuatu yang perlu dititikberatkan oleh para pendidik ialah dari segi pemilihan teknologi terbaik yang akan diaplikasikan agar ianya tidak tersasar daripada matlamat sebenar sesebuah proses pembelajaran. Sehingga ke hari ini, perisian persembahan, tablet berteknologi tinggi serta kolaborasi dan persidangan atas talian adalah di antara beberapa contoh teknologi yang telahpun diaplikasikan dalam persekitaran pembelajaran.

Melihat kepada kemajuan teknologi terutamanya dalam bidang teknologi telekomunikasi yang telah dicapai oleh dunia pada masa kini, ianya sudah pasti memberi pengaruh yang sangat besar kepada generasi muda. Laporan oleh syarikat ThinkMobiles (2018), di laman webnya menyatakan bahawa majoriti 80% daripada generasi muda hari ini memiliki telefon pintar serta aktif menggunakannya bagi tujuan bermain permainan komputer serta bersosial di platform media sosial.

Situasi di mana generasi muda pada hari ini mempunyai pengetahuan yang baik dari segi menggunakan internet, pada hakikatnya telah menjadi sebuah cabaran yang besar dalam kalangan pendidik sepertimana mengulas kenyataan yang telah diberi oleh Ketua Pengarah Pendidikan Tinggi Datin Paduka Ir Dr Siti Hamisah Tapsir, proses pengajaran dan pembelajaran yang perlu diberikan oleh pendidik kepada anak-anak milenia daripada generasi digital ini seharusnya menggunakan kaedah yang berbeza oleh kerana generasi ini mempunyai kemudahan untuk mendapatkan maklumat daripada pelbagai saluran informasi. (MalaysianDigest.com, 2017).



Sebagai langkah menangani cabaran mendidik generasi digital hari ini, sudah semestinya perubahan yang besar perlu dilakukan oleh para pendidik dari segi kaedah penyampaian proses PdP. Salah satu cara yang dilihat boleh diaplikasikan oleh pendidik ialah mendekati generasi digital hari ini adalah dengan menggunakan teknologi yang sangat mempengaruhi kehidupan seharian mereka iaitu teknologi mudah alih yang digabungkan bersama teknologi AR dalam usaha memberi pengalaman pembelajaran yang melangkaui ruang kelas (Burton et al., 2011), berkeupayaan dalam memudahkan pemahaman pelajar terhadap sesuatu maklumat yang kompleks serta menyediakan persekitaran pembelajaran yang lebih menyeronokkan (EdTech, 2018).

AR dilihat sebagai sebuah teknologi yang sesuai diaplikasikan dengan baik dalam bidang pendidikan masa kini berdasarkan ciri fleksibiliti pengaplikasiannya di mana ianya boleh digunakan bersama komputer meja, peranti mudah alih mahupun telefon pintar. Ianya juga mudah untuk dibangunkan sekali pun oleh pendidik yang baru ingin mencuba. Cara pengaplikasiannya juga adalah yang sangat mudah dengan hanya pelajar perlu fokuskan telefon pintar mereka kepada target yang telah ditetapkan dan paparan kandungan maklumat berkaitan akan dipaparkan pada skrin telefon pintar ataupun peranti paparan lain yang digunakan. Malah kajian yang telah dijalankan oleh Antonioli, Blake, & Sparks (2014), mengatakan bahawa melalui pengaplikasian teknologi AR dalam bidang pendidikan, peluang pelajar untuk menjelajah ke dunia pembelajaran secara interaktif terbuka luas.

VirtualiTech (2017), melalui laman webnya telah menyenaraikan beberapa alasan yang menjelaskan mengapa teknologi AR dikatakan sesuai diaplikasikan dalam bidang pendidikan. Di antara alasan-alasannya ialah seperti AR memiliki kuasa untuk menyampaikan sesuatu yang mustahil dalam dunia nyata. AR membolehkan pelajar menyaksikan sesuatu perkara yang mustahil untuk berlaku dibawa ke kelas pada dunia nyata. Sebagai contohnya, aplikasi 4D+ daripada Octagon Studios telah dapat membawa pelajar mengenali haiwan-haiwan dinosaur daripada zaman prasejarah yang sangat mustahil untuk dijumpai pada dunia nyata melalui gabungan objek maya.

AR turut menyediakan kemudahan kawalan perspektif dalam proses pembelajaran yang mana AR membenarkan kawalan terhadap objek 3D daripada pelbagai jarak, sudut dan saiz dilakukan oleh pelajar dalam proses pembelajaran yang secara langsung. Aplikasi Geometry ialah merupakan aplikasi yang mana bukan sahaja memberi kawalan terhadap objek 3D bentuk-bentuk, malah menyediakan maklumat tambahan mengenai formula-formula luas dan perimeter bagi setiap bentuk tersebut. Pembelajaran matematik yang dulunya sukar bagi sesetengah pelajar boleh berubah menjadi suatu yang menyeronokkan melalui kaedah ini.

Seterusnya pula ialah teknologi AR menyediakan kemudahan interaksi di mana melalui kemudahan ini, pendidik boleh melibatkan pelajar secara langsung dalam memberikan interaksi terhadap objek 3D yang dijadikan sebagai bahan pembelajaran. Pengalaman pembelajaran secara interaktif melalui penghasilan bahan pembelajaran yang diberi penghidupan dalam AR membolehkan pelajar perubatan sebagai contohnya melaksanakan interaksi terhadap anatomi dalam pembelajaran mereka melebihi kefahaman yang diperolehi melalui pembacaan, penerangan berdasarkan imej mahupun menonton video dengan tajuk yang sama. Aplikasi *New Human Anatomy Atlas* keluaran syarikat *Vision Body* telah menghasilkan sebuah perubahan terhadap kaedah pembelajaran secara tradisional dalam bidang perubatan dengan memanfaatkan teknologi AR.

Selain itu, AR juga dapat memberi peluang kepada para pelajar untuk meningkatkan penglibatan mereka dalam sesi pembelajaran. Secara tidak langsung kaedah ini dapat membantu meningkatkan keyakinan pelajar untuk belajar serta dalam masa yang sama akan memberikan mereka lebih kefahaman terhadap apa yang dipelajari. Selain itu, pelajar juga



dapat mengaitkan apa yang telah diterokai secara digital dengan situasi sebenar dalam dunia nyata. Sebagai contohnya, *NeoBear globe* adalah merupakan sebuah aplikasi AR untuk kanak-kanak bagi tujuan penerokaan dunia melalui penglibatan mereka secara lebih interaktif.

AR juga turut berkebolehan untuk menyediakan sebuah persekitaran pembelajaran yang dipertingkatkan sebagai contohnya melalui teknologi AR, paparan yang dipersembahkan dalam kelas dapat dipertingkatkan dengan menggunakan kandungan AR yang dipersembahkan secara nyata dalam persekitaran mereka. Contohnya seperti yang telah dilaksanakan oleh syarikat CASE daripada Kanada dengan menukarkan dinding gym di sebuah sekolah kepada janaan persekitaran permainan bola melalui penggunaan teknologi AR. Pelajar berinteraksi dengan sistem dengan cara membalik bola ke arah bentuk-bentuk yang terapung yang dijana pada dinding. Terbukti cara ini telah dapat mengubah proses pembelajaran latihan fizikal pelajar menjadi sesuatu yang lebih bermakna.

Proses pembelajaran melalui AR turut dapat membantu merangsang penglibatan pelbagai deria pancaindera pelajar seperti melalui deria bunyi dan juga kawalan sentuhan yang sudah pasti akan dapat mempertingkatkan suatu pengalaman pembelajaran yang lebih berkesan kepada para pelajar. Aplikasi *ZooKazam* yang menyediakan bahan pembelajaran kepada kanak-kanak dalam mengenali kehidupan haiwan secara interaktif telahpun menggunakan kaedah pelbagai interaksi ini di dalam pengendaliannya.

Keunikan lain yang ditawarkan dalam teknologi AR kepada bidang pendidikan ialah AR dapat memberikan pengalaman seolah-olah pelajar melihat kesan sinar X yang membolehkan mereka melihat dalaman objek serta mengetahui daripada apakah ianya terhasil. Ciri unik AR ini telahpun dimanfaatkan oleh sebuah aplikasi iaitu *VirtualiTee* daripada Curiscope yang mana aplikasi ini memerlukan pengguna untuk memakai baju-T khas berbentuk kerangka manusia yang kemudiannya apabila diimbis dengan menggunakan telefon pintar akan memaparkan organ dalaman manusia yang sudah semestinya menyediakan sebuah proses pembelajaran yang belum pernah berlaku dalam kaedah konvensional pembelajaran dalam kelas.

Faktor kos yang menjimatkan juga telah menjadikan pembelajaran menggunakan teknologi AR sesuai diaplikasikan. Melalui teknologi AR, tiada halangan dari segi kos bagi membolehkan pelajar membuat capaian kepada bahan pembelajaran yang menggunakan AR kerana kosnya adalah rendah. Ternyata melalui pengaplikasian teknologi AR, sebagai contohnya dalam bidang sejarah, artifak-artifak sejarah mahupun lawatan ke tapak tinggalan sejarah akan melibatkan kos yang tinggi kepada pelajar juga institusi tidak lagi merisaukan sepertimana yang diperkenalkan dalam aplikasi *Museum of London Streetmuseum* yang membawa pengguna menjelajahi muzium di London di samping menyediakan informasi yang berkaitan sejarahnya.

Menurut Cerqueira & Kirner (2011), terdapat banyak kelebihan pengaplikasian AR dalam bidang pendidikan yang di antaranya adalah seperti AR dapat meningkatkan motivasi pelajar, menawarkan pelbagai cara untuk pelajar memahami sesuatu subjek, menjadikan pelajar lebih aktif oleh kerana kaedah pembelajaran AR adalah secara kolaboratif selain dapat meningkatkan kreativiti dan pengalaman pelajar. Secara keseluruhannya, dapatlah dikatakan bahawa pengaplikasian teknologi AR dalam proses pembelajaran adalah merupakan kaedah baru bagi pertemuan bersua muka di antara guru dan pelajar (Billinghurst & Dunser, 2012). Proses pembelajaran secara konvensional telah berubah di mana pelajar boleh berkongsi pengalaman pembelajaran mereka bersama pendidik selaku fasilitator. Dapatlah dirumuskan bahawa melalui pengaplikasian teknologi AR dalam bidang pendidikan, peranan pendidik dan pelajar perlulah sama-sama dilibatkan bagi memastikan setiap aktiviti berasaskan teknologi AR dapat dimanfaatkan oleh kedua-dua pihak dan dalam masa yang sama matlamat proses pembelajaran juga turut tercapai.



Potensi Pengaplikasian Augmented Reality Dalam Bidang Pendidikan Pada Era Industri 4.0

Adalah menjadi ramalan kebanyakan industri, bahawa teknologi AR akan terus mengalami perkembangan yang amat baik di era Industri 4.0 malah AR dan teknologi yang mempunyai persamaan dengannya iaitu simulasi menggunakan VR, telahpun tersenarai sebagai sembilan tunjang yang akan membantu kepada transformasi automasi di Industri 4.0. Selain teknologi AR, simulasi, *big data*, *Internet of Things*, *Cloud Computing* dan *Cyber Security* turut berada dalam senarai yang sama.

Menurut Professor Fisk.P (2017), dalam ucapnama beliau yang bertajuk “*Changing the Game of Education*” telah mengupas mengenai hala tuju masa depan pendidikan daripada peringkat sekolah hinggalah kepada proses pembelajaran sepanjang hayat telah menyatakan dengan jelas beberapa perubahan-perubahan yang bakal dilalui dalam bidang pendidikan selari dengan Industri 4.0 kelak. Di antara kandungan penting daripada ucapnama tersebut, ialah pengaplikasian dunia maya ke alam realiti dan pengaplikasikan teknologi permainan maya secara kolaboratif. Jelaslah di sini bahawa AR dan VR akan terus menguasai dunia pendidikan di era ini melalui penghasilan aplikasi-aplikasi pembelajaran yang berbentuk permainan komputer maya dan dilaksanakan secara kolaboratif sebagai contohnya dalam menyediakan pengalaman bekerja di lapangan dalam bidang yang diminati dalam masa yang sama akan membolehkan pelajar mendapatkan kemahiran yang sewajarnya daripada dunia maya yang dibina dalam persekitaran permainan.

Peningkatan dalam penggunaan internet dan teknologi mudah alih juga telah dengan jelasnya menggambarkan bahawa aplikasi AR mudah alih akan mejadi pilihan bagi penyampaian bahan pembelajaran selari dengan masa depan bidang pendidikan di mana pembelajaran dibina berasaskan setiap individu pelajar, malah pelajar juga bebas untuk memilih di lokasi serta menentukan bagaimanakah cara mereka ingin belajar. Namun dalam masa yang sama prestasi pelajar ini masih boleh dipantau melalui pangkalan data secara terpusat. Ciri-ciri yang digambarkan oleh pendidikan di Industri 4.0 ini amat menepati kelebihan yang ada pada teknologi AR iaitu, AR mampu menawarkan pelbagai gaya pembelajaran serta lokasi pembelajaran yang fleksibel kepada para pelajar.

Bidang pendidikan di Industri 4.0 juga turut menjelaskan peranan guru akan berubah kepada fasilitator yang mana situasi ini mencirikan kepada pengaplikasian teknologi AR dalam proses pembelajaran di mana pelajar terlibat secara aktif dalam proses pembelajaran manakala pendidik hanya bertindak sebagai fasilitator bagi setiap aktiviti pembelajaran berasaskan teknologi AR.

Kesimpulan

Selari dengan definisi AR iaitu merapatkan jurang di antara dunia maya dan realiti, segalanya adalah tidak mustahil untuk kita sebagai pendidik merealisasikannya pada era Industri 4.0. Pengetahuan mengenai teknologi AR semasa, bidang pengaplikasiannya dalam dunia pendidikan serta halatujunya di Industri 4.0 telah menggambarkan perubahan dari segi pengetahuan, kemahiran serta kreativiti yang kita sebagai pendidik perlu hadapi dalam memastikan proses pembelajaran yang akan disampaikan memanfaatkan sepenuhnya potensi teknologi digital selari dengan hasrat Industri 4.0.

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KALIMAH “AL-MAWT” DALAM AL-QURAN: SATU ANALISIS DARI SUDUT KOSA KATA

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Abstrak: *Al-Quran adalah Kalamullah yang telah diturunkan ke atas rasul terakhir Nabi Muhammad S.A.W dengan memaparkan kalimah-kalimah yang sangat luar biasa dan tersendiri sehingga ia dapat menusuk dan meresap ke dalam sanubari. Di antara keunikan dan keistimewaannya dapat dikenal pasti dari konteks penggunaan kalimah-kalimahnya. Oleh itu, objektif artikel ini ialah untuk menyingkap keindahan dan keunggulan al-Quran melalui kalimah “al-mawt” dan kosa katanya sebagaimana yang telah diwahyukan bagi merungkai keajaiban dan kehebatan kalimah tersebut. Artikel ini merupakan sebuah kajian kualitatif sepenuhnya yang menggunakan metode pengumpulan data dan penganalisaan data. Artikel ini mengumpul dan menganalisa kalimah “al-mawt” serta kosa katanya yang terkandung dalam al-Quran. Hasil dapatan dari artikel ini dapat mengenal pasti kalimah “al-mawt” serta kosa katanya dan sekaligus dapat merungkap keunikan dan kehebatan susunan kalimah al-Quran yang penuh dengan keindahan dan mempersonakan serta mampu mendidik dan menggetarkan jiwa seseorang.*

Kata Kunci: *Al-Mawt, al-Quran, Analisis, Kosa Kata*

Pendahuluan

Dalam al-Quran terdapat banyak rahsia kemukjizatan dari segi bahasa. Keadaan ini dapat kita lihat dari sudut pemilihan kalimah dan penggunaannya yang sangat unik (Kusmana dan Samsuri, 2004). Antara rahsia tersebut dapat diketahui melalui kalimah “al-mawt”. “Al-Mawt” atau dalam Bahasa Melayu yang bermaksud mati adalah merupakan pendorong dan motivator terbaik bagi seseorang yang mencari jalan lurus bagi menggapai keredhaan Allah S.W.T. Hal ini kerana mati merupakan titik noktah terakhir bagi setiap manusia di alam dunia yang fana ini bagi mempersiapkan bekalan kehidupan di alam seterusnya iaitu alam akhirat. Menurut M. Quraish Shihab (1996), kematian mempunyai peranan yang sangat besar dalam memantapkan akidah serta menumbuhkembangkan semangat pengabdian. Tanpa kematian, manusia tidak akan berfikir tentang apa sesudah mati dan tidak akan mempersiapkan diri menghadapinya. Sehubungan dengan itu, Rasulullah S.A.W. menyeru umatnya supaya senantiasa mengingatkannya. Dalam sebuah hadis yang dihukumkan *hasan sahih* (al-Albani, 2000), Rasulullah S.A.W. telah bersabda (al-Tirmidhi, 1417H):



أَكْثِرُوا ذِكْرَ هَٰذِهِمِ اللَّذَاتِ يَعْنِي الْمَوْتِ.

Maksudnya: Perbanyakkanlah oleh kamu semua mengingati pemutus kelazatan iaitu kematian.

Pengertian “*al-Mawt*” Dari Sudut Bahasa

Kalimah “*al-mawt*” merupakan *masdar* iaitu kata terbitan kepada kata kerja “*mata*”. Menurut al-Fayruz Abadi (1997), jika ditafsirkan perkataan ini menurut Ilmu Morfologi Arab, maka terbentuklah pola-pola berikut:

- | | |
|--------------------------------------|-----------------------------|
| 1) Masdar | : مَوْتٌ |
| 2) Fi’l al-madi | : مَاتَ |
| 3) Fi’l al-mudari’ | : يَمُوتُ- يَمَاتُ- يَمِيتُ |
| 4) Fi’l al-amr | : مُتْ |
| 5) Sifat mushabbahah bi ism al-fa’il | : مَيِّتٌ- مَيِّتٌ- مَوْتَى |

Kalimah “*al-mawt*” seperti yang dinyatakan dalam kamus Bahasa Arab membawa pelbagai maksud:

1) Kalimah “*al-mawt*” dalam *Mu’jam Maqayis al-Lughah*:

Ibn Faris (1997) menerangkan bahawa kalimah “*al-mawt*” digunakan untuk makna-makna yang berikut:

- i. Hilang kekuatan atau kuasa dari sesuatu
- ii. Berlawanan dengan hidup
- iii. Tanah yang belum diusahakan, jika digunakan dengan kalimah “*al-mawt*”

2) Kalimah “*al-mawt*” dalam *Lisan al-‘Arab*:

Ibn Manzur (1990) menyatakan bahawa kalimah “*al-mawt*” bermaksud:

- i. Lawan kepada hidup
- ii. Tidak bergerak atau diam
- iii. Sedih atau takut
- iv. Keadaan yang sulit
- v. Tidur yang nyenyak
- vi. Kejahilan
- vii. Hilang akal, jika digunakan dengan kalimah “*al-mutah*”
- viii. Tidak pandai, jika digunakan dengan kalimah “*mawtan al-fuad*”
- ix. Sesuatu yang mati tanpa disembelih, jika digunakan dengan kalimah “*al-maytah*”
- x. Sesuatu yang tidak mempunyai roh, jika digunakan dengan kalimah “*al-mawt*”

Kesimpulannya, pengkaji mendapati bahawa kalimah “*al-mawt*” dari sudut bahasa boleh digunakan dalam beberapa maksud yang tertentu. Kalimah “*al-mawt*” digunakan untuk menunjukkan mati (lawan hidup), tidak bergerak, sedih, takut, tidur yang nyenyak, kejahilan, hilang kuasa atau kekuatan. Selain itu, kalimah ini juga digunakan untuk menunjukkan keadaan yang sulit. Kalimah “*al-maytah*” pula bermaksud sesuatu yang mati tanpa disembelih, manakala lafaz “*al-mawt*” bermaksud sesuatu yang tidak mempunyai roh dan tanah yang belum diusahakan. Adapun kalimah “*al-mutah*” pula bermaksud hilang akal dan sekiranya digabungkan kalimah “*mawtan*” dengan “*al-fuad*”, ia membawa maksud tidak pandai. Selain

itu, pengkaji juga mendapati bahawa kalimah “*al-mawt*” dari sudut bahasa boleh digunakan untuk benda yang bernyawa seperti manusia dan haiwan serta ia juga boleh digunakan untuk benda yang tidak bernyawa seperti tanah dan angin.

Penggunaan Kalimah “*Al-Mawt*” Dan Kosa Katanya Dalam Al-Quran

Menurut ‘Abd al-Baqi (1994), Allah S.W.T. telah menggunakan kalimah “*al-mawt*” dalam al-Quran secara berulang kali yang mana penggunaannya ialah sebanyak 165 kali. Terdapat dua bentuk penggunaan kalimah ini dalam al-Quran iaitu bentuk kata nama sebanyak 105 kali dan bentuk kata kerja sebanyak 60 kali.

Bentuk Penggunaan Kalimah	Jumlah Kalimah
Kata Nama	105
Kata Kerja	60
Jumlah	165

Penggunaannya dalam bentuk kata nama melibatkan pola *masdar* sebanyak 56 kali, iaitu 53 kali dengan kalimah-kalimah “*al-mawt*”, “*mawtan*”, “*mawtakum*”, “*mawtah*”, “*mawtaha*”, “*al-mawtah*” dan “*mawtatana*”, manakala tiga kali dengan kalimah “*al-mamat*”, “*mamatuhum*” dan “*mamati*”. Selain itu, penggunaannya dalam pola *sifat mushabbahah bi ism al-fa’il* sebanyak 49 kali, iaitu 23 kali dalam bentuk *mufrad* dengan kalimah-kalimah “*maytan*”, “*al-maytah*” dan “*al-mayyit*”, manakala 26 kali dalam bentuk *jama’* dengan menggunakan kalimah-kalimah “*al-mawta*”, “*amwat*”, “*amwatan*”, “*mayyitun*” dan “*mayyitin*”.

Bentuk Penggunaan Kalimah	Pola Kalimah	Kalimah	Jumlah Kalimah	
Kata Nama	<i>Masdar</i>	<i>Al-Mawt</i>	53	
		<i>Mawtan</i>		
		<i>Mawtakum</i>		
		<i>Mawtah</i>		
		<i>Mawtaha</i>		
		<i>Al-Mawtah</i>		
		<i>Mawtatana</i>		
		<i>Al-Mamat</i>		3
		<i>Mamatuhum</i>		
		<i>Mamati</i>		
	Jumlah			56
	<i>Sifat Mushabbahah bi Ism al-Fa’il</i>	<i>Mufrad</i>	<i>Maytan</i>	23
			<i>Al-Maytah</i>	
<i>Al-Mayyit</i>				
<i>Jama’</i>		<i>Al-Mawta</i>	26	
		<i>Amwat</i>		
		<i>Amwatan</i>		
		<i>Mayyitun</i>		
Jumlah			49	
Jumlah Keseluruhan			105	

Penggunaannya dalam bentuk kata kerja pula menggunakan pola *fi’l al-madi* sebanyak 24 kali melibatkan kalimah-kalimah “*mata*”, “*matu*”, “*mittu*”, “*mittum*”, “*muttum*”, “*mitna*”, “*amata*”, “*amattana*” dan “*amatahu*”. Manakala *fi’l al-mudari’* sebanyak 34 kali melibatkan kalimah-kalimah “*yamutu*”, “*amutu*”, “*tamut*”, “*namutu*”, “*tamutu*”, “*yamut*”, “*tamutunna*”

, “*tamutuna*”, “*yamutu*”, “*yamutuna*”, “*amitu*”, “*numitu*”, “*yumitu*”, “*yumitukum*” dan “*yumituni*”. Sementara *fi’l al-amr* pula sebanyak dua kali melibatkan kalimah “*mutu*”.

Bentuk Penggunaan Kalimah	Pola Kalimah	Kalimah	Jumlah Kalimah
Kata Kerja	<i>Fi’l al-Madi</i>	<i>Mata</i>	24
		<i>Matu</i>	
		<i>Mittu</i>	
		<i>Mittum</i>	
		<i>Muttum</i>	
		<i>Mitna</i>	
		<i>Amata</i>	
		<i>Amattana</i>	
		<i>Amatahu</i>	
	<i>Fi’l al-Mudari’</i>	<i>Yamutu</i>	34
		<i>Amutu</i>	
		<i>Tamut</i>	
		<i>Tamutu</i>	
		<i>Yamut</i>	
		<i>Tamutunna</i>	
		<i>Yamutu</i>	
		<i>Yamutuna</i>	
		<i>Amitu</i>	
		<i>Numitu</i>	
		<i>Yumitu</i>	
		<i>Yumitukum</i>	
		<i>Yumituni</i>	
		<i>Tamutuna</i>	
	<i>Namutu</i>		
<i>Fi’l al-Amr</i>	<i>Mutu</i>	2	
Jumlah Keseluruhan			60

Penggunaan dalam pola *fi’l al-madi* dan pola *fi’l al-mudari’* menggunakan dua bentuk iaitu *fi’l al-lazim* dan *fi’l al-muta’addi*. Menurut Mustafa al-Ghalayani (1986), *fi’l al-lazim* ialah kata kerja tidak transitif yang bermaksud mati dan *fi’l al-muta’addi* pula ialah kata kerja transitif yang bermaksud mematkan⁶⁴.

Keunikan Penggunaan Kalimah “*Al-Mawt*” Dalam Al-Quran

Penggunaan kalimah “*al-mawt*” dan kosa katanya menunjukkan keindahan bahasa al-Quran dan keistimewaannya dalam menyampaikan maksud ayat dan pengajarannya. Di antara keunikannya yang dapat dikenalpasti ialah:

- 1) Kalimah “*al-mawt*” sering digunakan untuk menggambarkan keperluan bagi sentiasa mengingatinya.

Penggunaan kalimah “*al-mawt*” dalam ketiga-tiga pola kata kerja oleh Allah S.W.T. dalam al-Quran:

⁶⁴ *fi’l al-lazim* adalah *fi’l* (subjek) yang cukup sempurna dengan *fa’il* (predikat) sahaja, sedangkan *fi’l al-muta’addi* adalah *fi’l* yang tidak cukup dengan *fa’il* sahaja tetapi ia masih memerlukan unsur penyempurna lain iaitu *maf’ulun bih* (pelengkap atau objek). (Fuad Nu’mah, Mulakhkhas Qawa’id al-Lughah al-‘Arabiyyah, t.th.)

i. *Fi'l al-madi*, firman Allah S.W.T.:

وَمَا مُحَمَّدٌ إِلَّا رَسُولٌ قَدْ خَلَتْ مِنْ قَبْلِهِ الرُّسُلُ أَفَإِنْ مَاتَ أَوْ
قُتِلَ أُنْقَلَبْتُمْ عَلَىٰ أَعْقَابِكُمْ وَمَنْ يَنْقَلِبْ عَلَىٰ عَقْبَيْهِ فَلَنْ يَضُرَّ
اللَّهَ شَيْئًا وَسَيَجْزِي اللَّهُ الشَّاكِرِينَ ﴿١٤٤﴾
(Ali 'Imran 3: 144)

ii. *Fi'l al-mudari*', firman Allah S.W.T.:

وَالسَّلَامُ عَلَيَّ يَوْمَ وُلِدْتُ وَيَوْمَ أَمُوتُ وَيَوْمَ أُبْعَثُ حَيًّا
﴿١٣﴾
(Maryam 19: 33)

iii. *Fi'l al-amr*, firman Allah S.W.T.:

﴿أَلَمْ تَرَ إِلَى الَّذِينَ خَرَجُوا مِنْ دِيَارِهِمْ وَهُمْ أُلُوفٌ حَذَرَ الْمَوْتِ
فَقَالَ لَهُمْ اللَّهُ مُوتُوا ثُمَّ أَحْيَاهُمْ إِنَّ اللَّهَ لَذُو فَضْلٍ عَلَى النَّاسِ وَلَٰكِنَّ
أَكْثَرَ النَّاسِ لَا يَشْكُرُونَ ﴿٢٤٣﴾﴾
(Al-Baqarah 2: 243)

Selain itu, terdapat penggunaan kalimah “*al-mawt*” dalam bentuk kata nama seperti firmanNya dalam al-Quran:

قُلْ إِنْ كَانَتْ لَكُمْ الدَّارُ الْآخِرَةُ عِنْدَ اللَّهِ خَالِصَةً مِّنْ دُونِ
النَّاسِ فَتَمَنَّوْا الْمَوْتَ إِنْ كُنْتُمْ صَادِقِينَ ﴿٩٤﴾
(Al-Baqarah 2: 94)

Penggunaan pola *fi'l al-amr* seolah-olah menunjukkan bahawa Allah S.W.T. menyuruh manusia supaya sentiasa mengingati mati. Penggunaan pola *fi'l al-madi* yang menunjukkan masa lalu dan pola *fi'l al-mudari*' yang menunjukkan masa sekarang dan akan datang seolah-olah menggambarkan bahawa mati perlu diingati dahulu, sekarang dan akan datang.

Manakala penggunaannya dalam bentuk kata nama pula seolah-olah menunjukkan bahawa mengingati mati itu perlu kekal dan sentiasa ada dalam sanubari manusia. Hal ini selaras dengan penggunaan kata nama dalam bahasa Arab yang menggambarkan sesuatu yang tetap dan berterusan.

1. Al-Quran menggunakan kalimah “*al-mawt*” bagi menerangkan bahawa mati merupakan suatu perkara yang ditakuti dan digeruni oleh manusia.

Penggunaan kalimah “*al-mawt*” jika digunakan dalam struktur *jumlah fi’liyyah*⁶⁵ menunjukkan bahawa ianya tidak mengikut struktur ayat yang normal iaitu mendahulukan objek “*maf’ulun bih*” daripada pelaku “*fa’il*”. Contohnya firman Allah S.W.T.:

أَمْ كُنْتُمْ شُهَدَاءَ إِذْ حَضَرَ يَعْقُوبَ الْمَوْتُ إِذْ قَالَ لِبَنِيهِ مَا
تَعْبُدُونَ مِن بَعْدِي قَالُوا نَعْبُدُ إِلَهَكَ وَاللَّهُ أَبَايَكَ ابْرَاهِيمَ
وَإِسْمَاعِيلَ وَإِسْحَاقَ إِلَهًا وَحِدًا وَنَحْنُ لَهُ مُسْلِمُونَ ﴿١٣٣﴾
(Al-Baqarah 2: 133)

Dalam ayat ini, kalimah “*al-mawt*” iaitu pelaku dikemudiankan daripada “*ya’qub*” iaitu objek. Struktur ini menunjukkan wujudnya *taqdim* dan *ta’khir* dalam ayat tersebut. Al-Khalidi (1998) dalam menghuraikan ayat ini menyatakan hikmah *ta’khir* kalimah “*al-mawt*” menunjukkan bahawa mati merupakan perkara yang paling ditakuti dan digeruni oleh manusia dan Allah S.W.T. mengambil kira perasaan manusia dalam menggambarkan tentang mati.

2. Al-Quran menunjukkan bahawa mati datang dalam dua keadaan.

Allah S.W.T. telah menyandarkan kalimah “*al-mawt*” kepada dua kata kerja iaitu “*hadara*” dan “*jaa*”. Kalimah “*hadara al-mawt*” telah digunakan dalam empat ayat. Contohnya firman Allah S.W.T.:

كُتِبَ عَلَيْكُمُ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ إِن تَرَكَ خَيْرًا الْوَصِيَّةَ
لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ ﴿١٨٠﴾
(Al-Baqarah 2: 180)

Manakala kalimah “*jaa al-mawt*” telah digunakan dalam dua ayat. Contohnya firman Allah S.W.T.:

حَتَّىٰ إِذَا جَاءَ أَحَدَهُمُ الْمَوْتُ قَالَ رَبِّ ارْجِعُونِ .
(Al-Mu’minun 23: 99)

Jika dilihat dari sudut bahasa, “*jaa al-mawt*” adalah sama makna dengan “*hadara al-mawt*” iaitu bermaksud mati telah tiba. Namun jika diteliti dari sudut penggunaan al-Quran, Allah S.W.T. telah membezakan antara kedua-dua penggunaannya. Apabila mati itu datang secara tiba-tiba tanpa sebarang tanda dan manusia pada masa itu sedang bergelumang dan tenggelam dalam tipudaya dunia, maka Allah S.W.T. menggunakan kalimah “*jaa al-mawt*”, manakala sekiranya mati itu tiba menghampiri manusia dan menunjukkan tanda-tandanya seperti sakit

⁶⁵ *Jumlah fi’liyyah* ialah ayat yang dimulai (diawali) dengan *fi’l* (predikat) dan tersusun dari *fi’l* dan *fa’il* (subjek). (Mahmud Kamil al-Naqah, 1985)



dan manusia pada ketika itu sempat bersedia bagi menghadapinya, maka Allah S.W.T. menggunakan kalimah “*hadara al-mawt*”.

Kesimpulannya, penggunaan kalimah “*al-mawt*” dan kosa katanya dalam al-Quran sememangnya istimewa dan unik. Ini kerana, kalimah ini menjelaskan tiga makna berikut:

- 1) Manusia seharusnya mengingati mati setiap masa dan ketika
- 2) Mati merupakan perkara yang paling digeruni oleh manusia
- 3) Mati berlaku dalam dua keadaan iaitu kematian secara mengejut dan kematian setelah muncul tanda-tandanya

Penutup

Kalimah “*al-mawt*” dan kosa katanya telah digunakan sebanyak 165 kali dalam al-Quran, iaitu 105 kali dalam bentuk kata nama dan 60 kali dalam bentuk kata kerja. Kalimah “*al-mawt*” mempunyai banyak maksud. Namun begitu, maksudnya yang masyhur dalam penggunaan al-Quran ialah pemisahan antara badan dan roh. Kalimah “*al-mawt*” boleh digunakan untuk benda yang bernyawa dan boleh juga digunakan untuk benda yang tidak bernyawa. Pengajaran dari keistimewaan dan keunikan penggunaan kalimah “*al-mawt*” dalam al-Quran ialah manusia perlu mengingati mati setiap masa dan ianya merupakan perkara yang paling ditakuti oleh manusia. Kematian boleh berlaku dalam dua keadaan iaitu kematian secara mengejut dan kematian setelah keluar tanda-tandanya.

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ANALISA TREN KEMASUKAN PELAJAR: SATU KAJIAN KES DI KOLEJ

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Abstrak: *Analisa tren kemasukan pelajar adalah satu kajian penting untuk mendapatkan fakta tentang statistik kemasukan pelajar ke kolej. Kajian ini dijalankan dengan meninjau kajian literatur dan juga data statistik kemasukan pelajar ke kolej dari tahun 2000 hingga 2017. Data yang diperolehi pada asasnya adalah untuk menilai kenaikan dan kemerosotan kemasukan pelajar. Walaubagaimanapun data ini menjurus kepada penganalisaan faktor-faktor pendorong kemasukan pelajar ke kolej dan untuk menambahbaik sebarang faktor penolak kepada kemasukan pelajar ke kolej. Penilaian boleh dibuat bagi melihat pola kenaikan dan penurunan berdasarkan tahun kemasukan. Punca kepada bentuk pola atau tren ini juga dinyatakan dalam kertas kajian ini. Kajian awal mendapati berlaku kenaikan semula pada tahun 2003 sehingga 2013, namun mengalami penurunan pada tahun 2014. Kupasan tren kemasukan dan faktor positif turut dibincangkan.*

Katakunci: *Tren kemasukan pelajar, kemerosotan, faktor penolak*

Pengenalan

Permintaan terhadap pendidikan pengajian tinggi di Malaysia memperlihatkan tren yang semakin meningkat. Line & Veronica (2007) menyatakan keunikan Malaysia sebagai sebuah negara yang menggunakan pelbagai bahasa dan kos sara hidup yang rendah serta pertambahan perkongsian dengan negara luar menjadikan Malaysia sebagai negara yang semakin berdaya saing terutamanya dalam pendidikan tinggi di dunia. Kualiti pendidikan di peringkat sekolah yang telah ditambah dengan pencapaian akademik pelajar yang semakin cemerlang telah melayakkan lebih ramai penuntut lepasan tingkatan lima dan enam serta matrikulasi melanjutkan pelajaran di Institusi Pengajian Tinggi (IPT) dalam dan luar negara.

Tarikan untuk menyertai pengajian tinggi menjadi lebih hebat apabila masyarakat menyedari bahawa pelaburan dalam pendidikan dapat menjamin masa depan seseorang individu (Liew Chei Siang & Lam Eileen 2008). Tren kemasukan pelajar ke sesebuah universiti penting bagi menilai tahap pencapaian universiti tersebut daripada aspek program yang ditawarkan, kebolehan dan tahap akademik universiti tersebut. Kolej juga merupakan salah sebuah institusi pengajian tinggi yang tidak terkecuali daripada dinilai oleh bakal pelajar yang ingin menyambung pengajian di peringkat asasi, diploma, ijazah sarjana muda, sarjana dan doktor falsafah. Penilaian ini bakal diterjemahkan melalui keputusan yang akan diambil oleh kelompok pelajar tersebut dalam pemilihan ke kolej atau institusi pengajian tinggi yang lain.

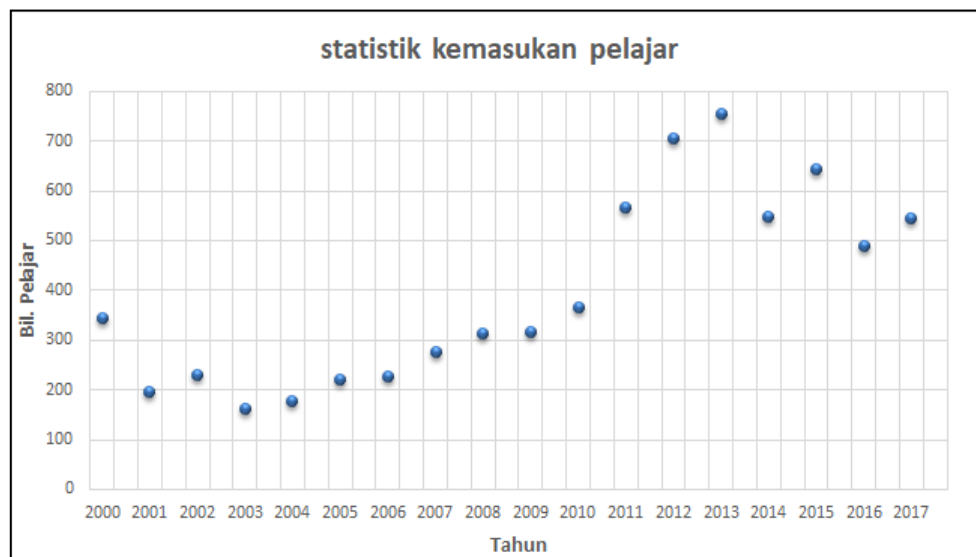
Liew Chei Siang & Lam Eileen (2008) menjelaskan bahawa pelajar Institusi Pengajian Tinggi Swasta (IPTS) lebih mengutamakan faktor-faktor yang berkaitan dengan dimensi kewangan dan dimensi institusi semasa memilih institusi pengajian berbanding dengan pelajar Institusi Pengajian Tinggi Awam (IPTA) yang lebih mementingkan faktor-faktor yang berhubung dengan dimensi institusi dan akademik.

Metodologi Kajian

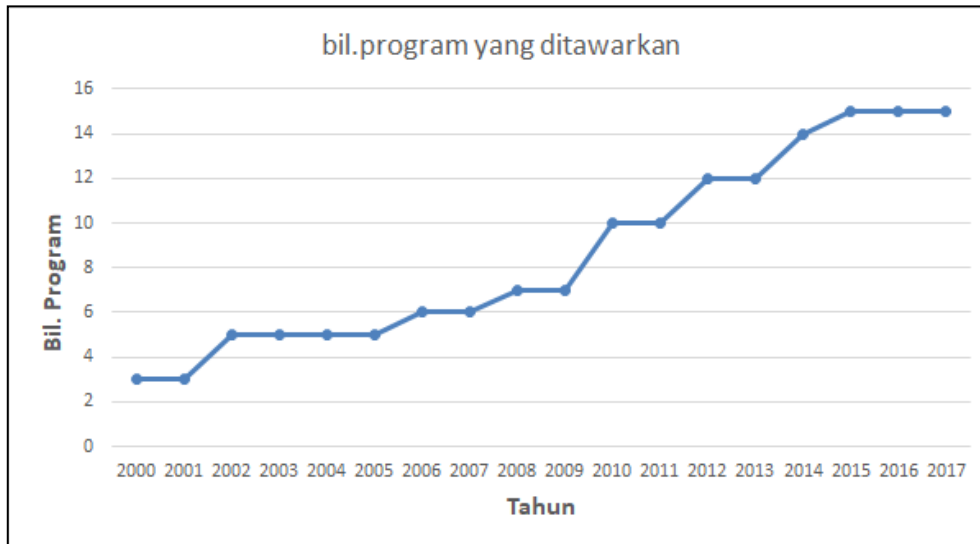
Kertas kerja ini membincangkan dapatan berdasarkan analisis daripada statistik data kemasukan pelajar bagi tujuh belas tahun ke belakang bermula tahun 2000 sehingga 2017. Data statistik ini diperoleh daripada Unit Rekod dan Kemasukan, yang bertanggungjawab bagi mengendalikan proses serta rekod kemasukan pelajar.

Analisis Kajian Dan Perbincangan

Kolej ini menyediakan 16 program berdaya saing pada peringkat sijil, diploma, dan ijazah sarjana muda yang ditawarkan oleh tujuh buah jabatan pengajian. Rajah 1.1 menunjukkan tren kemasukan pelajar ke kolej bagi tujuh belas tahun ke belakang dari tahun 2000 sehingga 2017: dan Rajah .1.2 menunjukkan tren bilangan bilangan program yang ditawarkan sepanjang tempoh itu.



Rajah 1.1: Tren Kemasukan Pelajar ke kolej berdasarkan jabatan



Rajah 1.2: Tren bilangan bilangan program yang ditawarkan sepanjang 2000 sehingga 2017

Statistik data kemasukan pelajar bagi lima tahun ke belakang (2003-2013) menunjukkan berlaku kenaikan. Merujuk Rajah 1.1, tren kemasukan pelajar ke kolej tersebut menunjukkan fasa penurunan yang ketara dari tahun 2013 ke tahun 2014. Berdasarkan kepada tren tersebut, maka dijangkakan bahawa akan berlaku lagi peningkatan jika semua pihak mengambil inisiatif untuk mempromosikan kolej tersebut. Tren kemasukan pelajar ini berlaku disebabkan oleh beberapa perkara seperti penawaran program yang diiktiraf oleh Agensi Kelayakan Malaysia (MQA), program yang menepati kehendak pasaran, kemudahan infrastruktur yang baik, kakitangan akademik yang berkualiti dan sebagainya.

Kolej juga yang memperkenalkan beberapa pendekatan baru bagi menarik minat bakal pelajar yang berminat menyambung pengajian di kolej tersebut dari peringkat diploma ke ijazah sarjan muda dengan memperkenalkan biasiswa penuh kepada pelajar cemerlang. Beberapa tenaga pengajar juga dilantik dalam mempromosikan kolej di peringkat antarabangsa bagi menarik pelajar antarabangsa. Tambahan pula, tenaga pengajar yang juga selebriti atau dikenali ramai dilantik dalam mempromosikan kolej seperti pensyarah yang popular sebagai johan tilawah Al-Quran peringkat antarabangsa dan penceramah dalam Kuliah Malam Jumaat di Astro Oasis.

Menurut Rusinah et.al (2002), kedudukan kewangan dalaman yang mantap adalah penting kepada sebuah institusi pengajian tinggi bagi memacu ke arah pembentukan universiti yang bermutu dan bertaraf dunia. Oleh itu bilangan pelajar menambahkan pendapatan dan menyumbang kepada jaminan kewangan yang kukuh. Tren kemasukan pelajar ini menyediakan input berguna bagi meramal tahap kewangan dan seterusnya kos yang terlibat. Jaringan industri juga dibuat bagi memantapkan struktur program pengajian bagi memastikan graduan memenuhi pasaran industri. Oleh itu kertas kerja ini dapat merumuskan bahawa beberapa faktor mampu menjadi pendorong kepada peningkatan kemasukan pelajar ke kolej iaitu

- i. Program yang memenuhi kehendak pasaran.
- ii. Yuran yang sangat berpatutan dan kompetitif berbanding institusi pengajian tinggi swasta yang lain.
- iii. Kemudahan infrastruktur yang mencukupi, selamat dan selesa.
- iv. Kakitangan akademik yang berkelayakan dan pentadbiran yang komited dengan tugas masing-masing.
- v. Promosi yang memberi impak berterusan



Kesimpulan

Semua pihak termasuk kakitangan pentadbiran dan akademik malah juga pelajar sedia ada tidak dapat dinafikan bersama-sama berganding bahu bagi memastikan peningkatan tren kemasukan pelajar ke kolej tersebut. Namun kualiti pendidikan yang ditawarkan harus diberi keutamaan bagi memastikan kolej mampu menjadi sebuah institusi pengajian tinggi yang melahirkan insan yang seimbang jasmani dan rohani.

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