

TABLE OF CONTENTS

<i>Editors</i>	<i>vii</i>
<i>List of Contributors</i>	<i>viii</i>
<i>Forewords</i>	<i>xiii</i>
<i>Preface</i>	<i>xix</i>
<i>Abbreviations</i>	<i>xxii</i>
<i>List of Cases</i>	<i>xxix</i>
<i>List of Statutes</i>	<i>xxxv</i>
<i>List of International Instruments</i>	<i>xl</i>

PART I

MAQASID AL-SHARI'AH AS A GUIDING TOOL FOR HARMONISATION

Chapter 1

DECRIMINALISING ATTEMPTED SUICIDE: AN INSIGHT INTO MAQASID AL-SHARI'AH PERSPECTIVE

Sahida Safuan & Siti Farhana Abu Hasan.....2

Chapter 2

THE FRAMEWORK OF MAQASID AL-SHARI'AH AND ITS IMPACT ON WAQF LAW AND ECONOMY

Mohd Owais & Mohammed R.M. Elshobake.....17

PART II

HARMONISATION OF FAMILY LAW

Chapter 3

CHILDREN'S RIGHTS TO MAINTENANCE UNDER ISLAMIC AND CIVIL LAW IN MALAYSIA: TOWARDS HARMONISATION OF LAWS

*Badruddin Hj Ibrahim, Azizah Mohd, Nadhilah A. Kadir & Normi
Abd Malek*.....46

Chapter 4
**HARMONISATION OF *SHARI'AH* AND ALGERIAN
FAMILY LAW/ CHILDREN'S MAINTENANCE**

Asma Akli Soualhi & Chouaib Abderachid Ihaddaden.....77

Chapter 5
**HARMONISING MALAYSIA'S LOCAL LAWS WITH THE
CONVENTION ON THE RIGHTS OF THE CHILD TO
COMBAT CHILD MARRIAGE**

Mohd Al-Ghazalli Abdol Malek & Muhammad Al Adib Samuri...88

Chapter 6
**"FOR THE SAKE OF CHILD": ESTABLISHING
HARMONISED STANDARD REGULATION FOR
MALAYSIANS IN ADDRESSING ISSUES RELATING TO
THE INTERNATIONAL PARENTAL CHILD ABDUCTION**

Roslina Che Soh @ Yusoff & Norliah Ibrahim.....103

PART III
HARMONISATION OF *SHARI'AH* AND CIVIL LAW

Chapter 7
**INTERGENERATIONAL TRANSFER OF DIGITAL
ASSETS: A COMPARATIVE STUDY OF ENGLISH
COMMON LAW AND THE *SHARI'AH***

Aishat Abdul-Qadir Zubair.....124

Chapter 8
**HARMONISATION OF LAWS ON INHERITANCE
BETWEEN MUSLIM AND NON-MUSLIM SUBJECTS**

*Muhammad Amrullah Drs Nasrul, Nurin Athirah Mohd Alam Shah,
Zati Ilham Abdul Manaf & Najhan Muhamad Ibrahim.....142*

Chapter 9
CHALLENGES AND PROSPECTS IN LEGISLATING ASSISTED REPRODUCTIVE TECHNOLOGIES (ART) IN MALAYSIA AND PAKISTAN THROUGH A HARMONISED APPROACH
Majdah Zawawi & Bilal Hussain.....166

Chapter 10
ETHNOGRAPHIC APPROACH TO HARMONISATION OF ISLAMIC AND CUSTOMARY LAW IN THE INDONESIAN LEGAL SYSTEM
Benny Sultan.....195

PART IV
HARMONISATION OF CRIMINAL LAW AND TORT

Chapter 11
HARMONISING OF SECTION 113 OF THE EVIDENCE ACT 1950, THAT IT IS A CONCLUSIVE PRESUMPTION A BOY UNDER 13 YEARS IS INCAPABLE OF COMMITTING RAPE
Mohamad Ismail Yunus & Shamshina Mohamad Hanifa208

PART V
HARMONISATION OF *SHARI'AH* AND INTERNATIONAL LAW/ CONVENTIONS

Chapter 12
HARMONISATION OF *SHARI'AH* AND INTERNATIONAL TREATY
Chouaib Abderachid Ihaddaden & Asma Akli Soualhi.....236

Chapter 13
HARMONISATION OF *SHARI'AH* AND INTERNATIONAL LAW CONCERNING REFUGEE PROTECTION
Hoda Ahmad Albarak & Chouaib Abderachid Ihaddaden.....254

Chapter 14
HARMONISATION OF *SHARI'AH* AND INTERNATIONAL HUMANITARIAN LAW RULES FOR THE PROTECTION OF PALESTINIAN JOURNALISTS IN ARMED CONFLICTS
Yousef Y.K. Alhamadin & Mohammed R. M. Elshobake.....268

Chapter 15
HARMONISATION OF *SHARI'AH* AND THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)
Mohammed R. M. Elshobake & Mohammed Harara.....286

Chapter 16
HARMONISATION OF THE RIGHTS OF ORPHANS UNDER ISLAMIC LAW AND THE INTERNATIONAL LAW
Munazza Razzaq, Azizah Mohd & Noraini Md Hashim.....311

PART VI
HARMONISATION OF LAW OF CONTRACT AND OTHER AREAS OF LAW

Chapter 17
REVISITING THE POSITION OF UNFAIR CONTRACT TERMS IN MALAYSIA
Suzi Fadhilah Ismail, Juhana Ayob & Syazalia Che Suhaimi.....356

PART VII
CODIFICATION OF ISLAMIC LAW IN CIVIL COURT AND HARMONISATION OF ONE AREA OF LAW TO ANOTHER

Chapter 18
CODIFICATION OF ISLAMIC LAW: *SIYASAH SHAR'IYYAH* A NORMATIVE STANDARD AND LEGISLATIVE INSTITUTIONALISATION
Sidra Zulfiqar.....380

**PART VIII
HARMONISATION IN ISLAMIC FINANCE**

Chapter 19

**FEASIBILITY FOR HARMONISATION OF *SHARI'AH* AND
COMMON LAW APPROACH IN THE RESOLUTION OF
ISLAMIC FINANCE DISPUTES IN NIGERIA**

Kudirat Magaji W. Owolabi.....400

Chapter 20

**THE POSSIBILITY OF SHARIAH ADVISORY COUNCIL OF
SECURITY COMMISSION MALAYSIA (SAC SC)'S
RESOLUTION AS EXPERT EVIDENCE IN SYARIAH
COURTS: IN THE CASE OF INHERITANCE OF CRYPTO
ASSETS**

*Nur Syaedah Kamis, Norazlina Abd Wahab, Mohammad Azam
Hussain*427