

CHAPTER 7

Malay Women's Empowerment and its Influence in Metastasising *Shariah* Law in Malaysia: A Qualitative Analysis

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7.1 Introduction

Islam comes with the idea to emancipate women from idolatry practices and uncivilised manners. Since its emergence, one of the most important values taught by Islam has been to acknowledge women's ability and their significant roles in society. The idea of upholding women's empowerment was supported by Prophet Muhammad, as he demonstrated the post-Islamic way of treating women with honesty and kindness. Under the light of Prophetic reign, women were given the opportunity not only to fulfil their motherhood roles but also to cover the domestic side. They were also focused on assisting the Muslim community in building strength in the economy and politics. As a result, Muslim women during the Prophetic reign joined the war on the battlefield, apart from being co-workers of their husbands.

Islam, with its primary goal of empowering women, encourages its followers to actively pursue knowledge and treats them equally, providing them with the opportunity to attend classes led by the Prophet. On top of that, the Prophet himself was honoured to organise one personal class with

them. As a result, the number of scholars from *ṣaḥābīyah* is infinite. They narrated the prophetic speeches to the next generation coming after them and issued *fatwas* for the related issues. Interestingly, no arguments were found to challenge women for being leading scholars who have the authority to codify Islamic rulings upon society regardless of their gender.

Meanwhile, Malaysia acknowledges the contribution of women to the country's development, complementing that of men. As men deserve to be involved in leadership and appointed for critical positions such as managerial or advisory sectors, women play their part in such sectors as well. Therefore, when it comes to the codification of Islamic *Shariah* law in Malaysia, the participation of women is regarded as a modern means of enforcing Islamic *Shariah* law and is lauded as a progressive step towards the modernisation of Islamic rulings, particularly in Malaysia.

7.2 Muslim Woman as Reference of the *Ummah*

In this part, the researchers discuss several Muslim women who have been acknowledged in Islamic history as leading scholars who have led thousands of *tābi'īn* dealing with jurisprudential discussion as well as Prophetic narrations. This is due to the provision of the Prophet to enable them to attend classes and learn from the best teacher of the *ummah*. Since then, they have become the reference of the *ummah* and take part as a narrator of the prophetic speeches to transmit them to their disciples.

The mother of the believers, 'Ā'ishah bint Abū Bakr, for instance, has thousands of disciples who came to her to ask her *fatwa* for certain jurisprudential issues. Al-Dhahabī (2014) has named more than 260 *tābi'īn* that have learned from 'Ā'ishah such as Ibrāhīm ibn Yazīd al-Nakha'ī, Ibrāhīm ibn Yazīd al-Taimī, 'Āmir ibn Sharāḥīl al-Sha'bī, 'Urwah ibn Zubayr, Zayd ibn Aslam, al-Qāsim and even some of the prominent Muslim exegeses, including Mujāhid ibn Jabr and Masrūq.

The permission that Muslim women have granted to lead their own class is recognised by Prophet Muhammad himself, as he agreed to let his wife Hafṣah bint ‘Umar conduct her own class and teach other Muslim women based on her expertise. Abū Daud (2001) reported that the Prophet said to her, “Why do you not teach this one the spell for skin eruptions as you taught her writing.” Other than that, there are numerous scholars from *ṣahabah*, and *tābi‘īn* who came to her and learned from her Islamic teachings. On top of that, his own biological brother, ‘Abdullah, also learned from her and became the narrator of *Ḥadīth* from his own sister’s chain (Al-Dhahabī, 2014, p. 136).

Madkūr (n.d) scrutinises the incidence of *ṭalāq bā‘in* during the reign of ‘Umar ibn al-Khaṭṭāb as vicegerency has brought the companions into disputation. According to Ḥanafī (2014), ‘Umar, who was in charge at that time to answer inquiries from his people, proclaims that those who are divorced by three pronouncements have rights to be maintained by the husbands as long as they are in the period of *‘iddah*. When the fatwā reached Fāṭimah bint Qays, the *ṣahabiah* who had been divorced with three pronouncements, she and she got no provision for lodging and maintenance allowance (Muslim, 2009, vol. 2, p. 1118), she argued with ‘Umar’s thought as it seemed to not be in line with the authentic *Ḥadīth*. Among the greatest scholars from the era of *tābi‘īn*, there are al-Sha‘bī, Abū Salamah ibn ‘Abd al-Raḥmān and Abū Bakar ibn ‘Abd al-Raḥmān ibn al-Hārith (Al-Dhahabī, 2014, p. 319).

7.3 Woman and Education: A Malaysian Perspective

It is interesting to note that according to Khattab and El-Daeif (2015), education is the most crucial factor in advancing women's empowerment and movement. It has long been regarded as having a significant role in forming society and enhancing its cultural legacy. According to al-Qardḥāwī (2013), Islam makes it abundantly evident that its adherents are free to pursue knowledge as long as it is advantageous.

Following in the footsteps of al-Qardzāwī Faisal Haji Othman (2015), Islam does not distinguish between scholarly labor done by men and women when it comes to knowledge.

Women are entitled to pursue their education and freely voice their thoughts as long as it is guided by the divine revelation. In actuality, the early Islamic era produced a large number of Muslim women scholars in a variety of academic subjects, including Qur'anic sciences, legal studies, linguistics, and literature, which in fact qualified them to give legal opinions. This was due to the equal opportunity for education for women given during the glorious period of Islamic civilisation.

There was a time during the pre-colonisation period where women and education have not been anachronised in Malay, where Malay women, were lack of the infrastructure which is necessary for them to pursue formal education in schools. The real issue facing the nation at the time was a restriction on students' access to education, despite some researchers' claims that Malay culture has discouraged women from pursuing formal education and the idea that a secular school is a place of Christian military (Mahani Musa, 2010, p. 2). According to the results, there were only twelve schools available for female pupils, including two in Selangor and ten in Perak (Stevenson, 1975, cited in Mahani Musa, 2010, p. 2).

The movement of education which fought for Malay women, was resurrected by the group of reformists (*tajdīd*) in the 19th century as they started to bring the discourse of women's status and their significant roles in society. For instance, Hasnah Husiin (2017) maintains, through *Hikayat Abdullah*, Abdullah Munshi committedly discussed the status of Malay women and their roles, which at that time were free from the influence of gender stereotyping. Essentially, the movement tried to revive the spirit of Islam, encouraging its followers to be knowledgeable people, standing on facts and wisdom as Abū Shuqqah (1999) spoke up about the idea of women's right to education.

In Islam, it guarantees men are competent enough to be rewarded if they teach, whether their wives, daughters, or

even slaves, and it benefits them. Al-Bukhārī (1999) reported Abū Burdah from his father. The Prophet said to him: “Any man who has a slave girl whom he educates properly, teaches good manners, manumits, and marries her, he will get a double reward.” Thus, *Al-Imam*, a well-known magazine, often talked about women’s education in the early 1900s. It claimed justice for women in terms of the opportunity to pursue knowledge (Hasnah Husiin, 2017, p. 2). The equality to be given to women to pursue education is to help the country consistently develop, according to Syed Sheikh al-Hadi (Hasnah Husiin, 2017: 3). Ibn Khaldūn (2018) finds a correlation between knowledge and civilisation as he affirms that intellectuals will bloom as the country has reached civilisation.

However, in this recent day, women in Malaysia now have equal chances to further their studies in almost every field (Mek Wok Mahmud et al., 2009, p. 22). From their participation in the educational system, women have been given such a significant role to contribute to social development. As women become the pillar of social development, they also initiate equally important communal and social functions (Mek Wok Mahmud et al., 2009). In the Eleventh Malaysian Plan (RMK-11), the Malaysian government affirmed that the education sector will always be prioritised in human capital development (Eleventh Malaysia Plan, 2015). In the mission to accomplish the target, the strategy assures women’s role as a key player in helping to generate scholars and knowledgeable generation in all fields of knowledge (Press Reader, 2017).

The reports also indicate that there are imbalances in statistics regarding the percentage of female students and male students during university enrolment, with women leading in all ways of pursuing academic qualifications. A report from Berita Harian published on 18 August 2020 said the Ministry of Higher Education received 58,668 applications from Sijil Pelajaran Tinggi Malaysia (STPM) graduates and the equivalent to further students at the bachelor’s degree level for the 2020/2021 academic session at 20 public universities. Of that number, a total of 40,559 women (69%) and 18,109

men (31%) were offered to enter the universities (Berita Harian, 2020). On top of that, female students are among those who are dominant in the nomination of excellent students awards (Astro Awani, 2017).

On the contrary, women's dominance in achieving the highest education today has caused unrest among experts. Dollah (2015) finds that female students are often placed in the best classes. Female students also show more comprehensive and consistent outstanding achievement in most public examinations in our country. In fact, it is very worrying when the number of male students who excel in their studies is relatively low, resulting in a lack of male candidates eligible for full-boarding schools as well as universities. The inconsistency of this statistic shows how the imbalanced educational system in this country needs improvement from its roots. Nevertheless, the issues that recently ignited in the educational system in this country will not be covered officially through this study, as it needs a proper study on that issue.

7.4 The Influential Malay Women in *Shariah Law* in Malaysia

Despite the excellent progress of Malay women in their academic achievement, the researchers find it hard to evaluate the influential Malay women who are involved in the *Shariah* law sector, as the participation of women in the career and profession in Malaysia is still low compared to the abovementioned statistic that shows the dominance of women in the highest education. From the report, *Sinar Harian* (2019) affirms that women's excellence does not continue after graduation as men are more dominant in the labour market and hold strategic positions after entering the world of work. However, the discussion regarding the involvement of women in the career and profession will not be covered in this study as it needs a proper discussion on it.

Despite the fact that the number of women's involvement in the workforce may not achieve the benchmark yet, the

researchers find that there are several Malay women who have achieved recognition in Malaysia or internationally due to their many contributions to enhance the movement of *da'wah* as well as demonstrate the *Shariah* law in every field of their profession. Therefore, in completing this study, the researchers include the following figures who have been involved for so long in their related fields apart from being one of the most influential Malay women in Malaysia.

7.4.1 Professor Dr Harlina Halizah Siraj

It is worth highlighting in this study one of the pioneers in the medical field speaking about the correlation between biological science and Islam publicly. Harlina Halizah Siraj was born on 1st June 1966 in Sungai Besar, Selangor. She gained her first education formally from Sekolah Kebangsaan Sri Utama, Sungai Besar. Later, she continued her studies by entering Sekolah Seri Puteri, Kuala Lumpur (1979-1983). Her journey of becoming an expert in the medical field began when she was registered in the Faculty of Medicine, Universiti Kebangsaan Malaysia (1985-1991) and pursued her study at a master's degree level at the same university from 1993 until 1997. She completed her Graduate Certificate of Clinical Teaching (GCCT) (2014), Graduate Diploma of Clinical Education (2015), and Master of Clinical Education (2017) from the University of Melbourne, Australia. Currently, Harlina Halizah Siraj is a Professor of Obstetrics and Gynaecology (O&G) and Medical Education (Clinical Teaching) from the Faculty of Medicine, Universiti Kebangsaan Malaysia (UKM).

Not only involved in academic service, but Harlina Halizah Siraj also gained trust to take a bigger role in the administrative section as she has been appointed as the Director of the Centre for Liberal Studies (Pusat Citra Universiti UKM). Apart from that, after completing her Specialty Degree of O&G in UKM (1997), she was appointed as an Honorary Fellow at the Antenatal Diagnostic Centre, National University Hospital (NUH) Singapore, and an

International Federation of Obstetrics & Gynaecology (FIGO) Fellow at the Department of OB-GYN & Women's Health, School of Medicine, University of Minnesota, USA.

Harlina Halizah Siraj is an example proving that women can also achieve their ultimate goal without abandoning the responsibilities of being a mother and wife at the same time. Blessed with four children, she still managed to handle her workload as she was appointed as a Clinical Associate Professor and the Head of the Personal & Professional Development (PPD) Unit (2007-2012) in the Department of Medical Education, Faculty of Medicine UKM, as well as serving as an O&G Consultant in the Department of O&G UKM. Later, she continued to serve UKM as Head of Department of Medical Education UKM from August 2012 to July 2015.

As her area of interest includes family planning and contraception and adolescent sexual and reproductive health (ASRH), Harlina Halizah Siraj often brings up the topic of how Islam emphasises the practicality of family planning in society. Speaking about the reality of how many couples assume that their children become a burden on them, especially for those who have a financial crisis in the family institution. As reported in *Harian Metro* (published on December 17, 2018), Harlina Halizah Siraj expressed the importance of planning the pregnancy in order to prevent women from being burdened by it. She also addressed that the unplanned pregnancy would cause failure for women to manage themselves, which consequently affects the relationship in the family. Thus, Harlina Halizah Siraj always addressed that every pregnancy should be planned, intended, and wanted (Keluarga. my).

The idea of family planning is not alien to *Shariah*. Jabir ibn 'Abdullah narrated, "We used to practice *'azl* (coitus interrupt us) while the Qur'an was being revealed" (Al-Bukhari, 2009, no. 5208). Al-Qardāwī insists on the need for family planning in this modern era. There are several ways for Muslims to practice family planning, including using safety or menstruation calculations.

Listed are several pivotal positions held by Harlina Halizah Siraj in this regard;

1. Chairperson of Raudhatus Sakinah Centre for Adolescent Girls from 1998 until 2012.
2. Past President of Malaysian Associate for Maternal and Neonatal Health (MAMANEH) 2011-2012.
3. Past President of Malaysian Associate for Maternal and Neonatal Health (MAMANEH) (2009-2011).
4. Ahli Majlis Panel Dakwah Majlis Perundangan Islam JAKIM (2008-2012).
5. Ahli Jemaah Pemikir Majlis Perunding Wanita Islam (MAPWIM) YADIM (2004-2009).
6. Exco Persatuan Perubatan Islam Malaysia (1999-2001).
7. Columnist and author of Health Today, My HEALTH, SOLUSI, Harmoni and Gen-Q.

She proposed that the Doula community to constitute a legitimate organisation to get establishment from the authority in Malaysia. She also spread the awareness towards family planning in society on account of the everlasting family institution (planned, intended, wanted).

Harlina Halizah Siraj has received several awards that put her as one of the most influential personae due to her mass contributions in society as well as *da'wah*. Throughout her career, she has received the following awards:

1. UKM Quality Award for Community Service (2004, 2007 and 2010)
2. two-time recipient of UKM Excellent Award (2009 and 2010)
3. Saidatina Khadijah Award from the State Government of Selangor.
4. Calon Anugerah Great Women of Our Times—*Malaysian Women's Weekly*
5. Anugerah Melayu Cemerlang UMNO 2008 (NGO category)
6. Woman of the Year by American Biographical Institute (2005)

7.4.2 Professor Dr Engku Rabiah Adawiah Engku Ali

In the Islamic finance world, Engku Rabiah Adawiah Engku Ali is a well-known figure who has been contributing a lot to this industry. She participated in both academic and industrial fields to facilitate the development of Islamic finance worldwide. Her learning journey of becoming an expert in Islamic finance began as she obtained a Bachelor Degree of Law (LLB) in 1990 and an LLB (*Shariah*) in 1991. Later, she pursued her Master's Degree in Comparative Laws (MCL) from the IIUM and finished her studies in 1993. In 1998, she received a Doctor of Philosophy in Securities Regulations from the University of Aberdeen, United Kingdom.

Currently, Engku Rabiah Adawiah serves as a Professor of the Institute of Islamic Banking and Finance, International Islamic University Malaysia (IIUM). She plays such a significant role as she put her focus on discussing the development of Islamisation in financial institutions, as can be seen from her research interests, including Islamic capital markets, Islamic banking and finance, Islamic insurance, or *takaful*, and Islamic law of transaction.

Being a woman does not confine her to giving more to society as well as becoming one of the policymakers in the industry. The industry itself has recognised her as its advisor who could manage its operation. Her commitment to reforming the financial services of Malaysia as an Islamic country could be perceived in the following lists as Engku Rabiah Adawiah has been appointed for being a part of the advisory council in several financial institutions:

1. *Shariah* Advisory Council (SAC) of Bank Negara Malaysia.
2. *Shariah* Advisory of the Securities Commission of Malaysia.
3. *Shariah* Supervisory Council of the Labuan Financial Services Authority.
4. *Shariah* Advisory Council of the Employee's Provident Fund.

5. *Shariah* Board of Amanah Ikhtiar Malaysia.
6. *Shariah* Board of Labuan Reinsurance (L) Ltd (Labuan Re).
7. *Shariah* Board of Khazanah in relation to three of its exchangeable sukuk that had been issued by Rafflesia Capital Ltd, Cherating Ltd and Bagan Capital Ltd.
8. Chairman, *Shariah* Committee of Yayasan Pembangunan Ekonomi Islam (YaPEIM).
9. Member, Majlis Agama Islam Wilayah Persekutuan (MAIWP).
10. Board Member of AWQAF Holdings.
11. Board Member of Khadijah International Waqf Foundation.
12. Member of Investigation Tribunal for Malaysian Bar Council.
13. Member of Investigation Tribunal for Malaysian Bar Council.

Throughout her involvement in both the academic and industry fields, Engku Rabiah Adawiah has been nominated to be the one who deserves to receive awards from local and international levels due to her extraordinary contributions.

1. Most Outstanding Individual Contribution to Islamic Finance, Kuala Lumpur Islamic Finance Forum (KLIFF 2014).
2. Top 10 Women in Islamic Finance (2014 and 2017)
3. Top 20 Women in Islamic Finance, Islamic Finance Review (ISFIRE) Report 2017.
4. Top 50 Influential Women in Business and Finance, ISFIRE Report 2017.

4.3 Dr Shamsiah Mohamad

When it comes to Islamic finance, it is incomplete if this study does not mention Dr Shamsiah Mohamad. Shamsiah Mohamad is a former senior researcher at the International Research Academy in Islamic Finance (ISRA) and a former

associate professor in the Department of Fiqh and Usul, Academy of Islamic Studies, University of Malaya. Even though Shamsiah Mohamad could be considered one of the latest and contemporary Muslim women scholars in the Islamic finance industry, it is hard to find any writing about her contributions to the industry.

The journey of becoming an expert in Islamic finance began as Shamsiah Mohamad pursued her study in *Shariah* and received her first bachelor's degree in *Shariah* from Universiti Malaya. Her predilection for *Shariah* made her continue the learning journey by pursuing a master's degree programme at Universiti Malaya and completing her master's degree in *Shariah* there. As such, the journey of being an academician to be completed, Shamsiah Mohamad completed her Doctor of Philosophy (PhD) Degree in *Shariah* from the University of Jordan.

Shamsiah Mohamad joined Universiti Malaya as academic staff from 1999 until 2013. Her next destination is the International Research Academy in Islamic Finance (ISRA), as she joined the institution as a senior researcher, which could give her more focus on researching the newest issues that happen in the Islamic finance industry. However, the area of specialisation mastered by Shamsiah Mohamad is not limited to Islamic finance, *fatwa*, and *Shariah* law. She also plays such an important role in educating Muslims, females, in particular, preaching about one of the most complicated subjects in *Fiqh Ibadah* related to menstruation. She often gives her preaching classes about this issue via online platforms, including Facebook.

As a Muslim scholar, Shamsiah Mohamad firmly urges the Muslim community to practice transactions that are in accordance with *Shariah* standards. For example, she wrote in Sinar Harian published on 21 January 2021, expressing her message to every Muslim for not abandoning the principle of *Shariah* while they are investing. Other than that, as a Muslim practitioner, Shamsiah Mohamad insisted that it is compulsory that they adhere to the *mu'amalah* rules in *Shariah*, including avoiding uncertainty, usury, and

implementing willingness during the transaction (Sinar Harian, 2021, January 14).

Throughout her excellent career path, Shamsiah Mohamad has drawn the spotlights from government organisations and financial industries, as she has been serving them as an advisor or member of committees in these organisations. Despite becoming a minority, that does not affect her influence in opening ideas that could develop the institutions she serves.

Her qualification of being an expert in several fields of *Shariah* studies drove the institutions out there to appoint her as their advisor or member of the committee. These are several institutions that appointed Shamsiah Mohamad as part of the advisory board:

1. Member of the *Shariah* Advisory Council (SAC) of the Securities Commission Malaysia (SC).
2. *Shariah* Advisory Committee of the Association of Islamic Banking Institutions Malaysia (AIBIM).
3. Committee Member of Hajj Advisory Committee (TH-Jakim).
4. *Shariah* Committee for SME Bank.
5. *Shariah* Panel Review of the Department of Islamic Development Malaysia (JAKIM).
6. Member of the *Shariah* Committee of Bursa Malaysia.
7. Acted as a member of the *Shariah* Advisory Council of Bank Negara Malaysia (BNM).

7.4.4 Professor Dr Najibah Mohd Zin

Fiqh al-Mu'āmalat consists of a discussion that relates to human affairs financially, economically, and socially. Another Muslim woman scholar who has made a lot of contributions in terms of providing solutions and suggestions applied to Malaysian law is Professor Dr Najibah Mohd Zin. When the controversial issue emerges, Najibah Mohd Zin is seemingly to be the frontline that would take part in solving the problems.

Professor Dr Najibah Mohd Zin is a well-known figure in Malaysia and currently serves as Professor and Coordinator of Ahmad Ibrahim Kulliyah of Laws (AIKOL). She developed her knowledge in law as she became the holder of a Bachelor of Law in 1988 and started her career as a lecturer in Ahmad Ibrahim Kulliyah of Laws soon after her graduation. Then, she obtained her Master of Comparative Law in 1990 and pursued her doctorate at Glasgow Caledonian University, the UK, in 1995.

Joining IIUM as an academic staff, she has been recognised for giving lectures on various subjects of civil and *Shariah* law, including the law of contract, law torts, land law, Islamic legal system, family law, and *Shariah* procedures. At present, Prof. Najibah specialises in family-related laws and women's rights teaches these courses at the postgraduate level and is the supervisor for research students in these related fields.

Not only did she draw spotlights from this country, but she also gained international recognition as an examiner of theses and was invited as a guest speaker on family law and various issues relating to gender and women's rights in Malaysia. She was a Visiting Fellow at the National University of Singapore and the Oxford Centre for Islamic Studies, the University of Oxford, in 2005 and 2010-2011, respectively.

In the academic field, Prof. Najibah has written articles and chapters in the book on various family law issues and *Shariah*-related laws published by various local and international refereed journals. She has edited a few books on family and procedural law. Being recognised for her efforts, she has been awarded a number of research grants to facilitate her research activities. She occasionally writes in local newspapers and has been given a column in the daily KOSMO on women and *Shariah*.

Najibah Mohd Zin proves that being a woman is not a symbol of weakness, as she also grasped the opportunity to widen her experience in leadership by being appointed as Deputy Dean (Academic) of Kulliyah of Laws, Deputy Dean for Postgraduate and Research and Head of Department. Apart from that, Najibah Mohd Zin has been appointed as a member of the Council of Professors of the University. She is

involved in social activities in organising legal literacy programmes for the local community under the AIKOL legal aid platform or NGOs. She is one of the advisors to AIKOL Legal Aid Clinic and Chairman of Raudhatul Sakinah Berhad, a guiding and training centre for adolescents.

Her point of view on any particular issue that matters to the law can be perceived either in her writings, speeches, or mass media. Having said that, when Malaysia faced some controversial issues that included the practice of some Muslim practitioners who wanted to change their religion, Najibah Mohd Zin was not excluded from giving her point of view. She stated that switching religions is not against the nature of the law. However, the provision from the Federal Constitution should be applied only to non-Muslims (Tasrip & Abdul Rahman, 2016, p. 95). This statement indicates the assertiveness of Najibah when it comes to religious matters, especially as a Muslim who is bound by *Shariah* provisions.

Another serious issue that Najibah Mohd Zin has talked about is the increasing number of divorces in Malaysia. The divorce rate in Malaysia is hypercritical, as more than 100 couples are seeking divorce per day (Berita Harian, published 12 October 2021). In this regard, to prevent the couple from seeking divorce due to silly reasons, Najibah Mohd Zin stressed the importance of attending the post-marital seminar for the spouses. The reason is that the module presented in the seminar would help the couple to understand their roles and manage their post-marriage life despite struggling with the commitment of being husband and wife.

The critical analysis of Najibah Mohd Zin could be perceived in the case of an apostate of either husband or wife when one of them decides to change their religion from being Muslim to non-Muslim. This issue emerges and causes a bit of confusion in terms of law practicality where there has been a clash between the jurisdiction of the civil court and *Shariah* court to have the case opened in either one of them. Seeing that the disputation of jurisdiction between two different court-bases in Malaysia has not found its solution yet, Najibah Mohd Zin again proposed to bring the case of disputation of Muslim and non-Muslim couples to the Civil Court in order to

ease both parties to refer to and avoid misunderstandings as the judgement would be examined by one court. The reason is that it could help the non-Muslims who could not seek justice from the *Shariah* court due to jurisdiction stated in the Federal Constitution (Malaysia Kini, published 16 April 2014).

Najibah Mohd Zin also got the opportunity to have a close relationship with the institutions. Her expertise and vocality in giving a point of view impressed the institution as she was appointed to serve as a member of the committee in several institutions, including:

1. Member of the *Shariah* committee in the Attorney General's Chamber.
2. Committee Member on Practice Direction *Shariah* Judiciary of Malaysia.
3. Member of Disciplinary Committee, Bar Council for several years.
4. Research Committee with IKIM on harmonisation of law, a panel of an expert on *Shariah* law and *Siyasah Shar'iyah* Dewan Bahasa dan Pustaka, IIUM Quad Team; Internal Audit Committee IIUM Holdings and Fellow in Centre for Women Science Studies, University Islam Malaysia.

7.4.5 Datin Prof Dr Raihanah Haji Abdullah

Raihanah Haji Abdullah is a professor at the Department of *Shariah* and Law, Academy of Islamic Studies, University Malaya. She received her bachelor's degree in *Shariah* from the University of Malaya. After completing her first degree, she moved abroad to continue her pursuit of knowledge, seizing the opportunity to pursue her master's degree at the School of Oriental and African Studies, University of London. She then pursued her master's degree in arts (*Islamic Societies and Cultures*). Then, she earned a PhD in law from the International Islamic University Malaysia.

Speaking about her credibility of scholarship, her interests revolve around Islamic Family Law, Islamic Law and Gender,

Islamic Law and Society, and the harmonisation of diversity. Raihanah Haji Abdullah is a well-known figure in Malaysia who often publicly speaks about peace and harmony in society when it comes to family and religion. She argued that moderation in religious practice is a crucial alternative, without which the goal of building a sustainable planet would remain an illusion (Hilal Wani et al., 2015, p. 644). According to Raihanah (2015), moderation is one of the cardinal messages of every religion, and the Qur'anic perspective is the best interpretation of civilisational dialogue and compatibility. Also, she truly affirms that the concept of humanity creates a sense of belonging in human beings, as the idea is not bound by the principles of 'my country' and 'your country' but rather by the common interest of human beings universally (Hilal Wani et al., 2015, p. 647).

Raihanah also urged women in society to play such an important role in family institutions. In the Women in Search of Excellence Seminar conducted on October 26, 2021, she maintains that both career women and unemployed ones should take the responsibility of building society wholeheartedly. If women choose to be housewives, they have to care about the eudaemonia of their family, children's education, etc. On top of that, she stated that even housewives should increase their knowledge and financial awareness, as well as become role models for their children. However, despite highlighting women's roles, Raihanah also includes the involvement of the husbands in facilitating their wives raising the children.

In addition to the previously mentioned contributions, Raihanah Haji Abdullah played a significant role in shaping her career. She proves the stigma that leadership must be filled by men is void as she is appointed to sit on the important position of leadership locally and internationally. Raihanah Abdullah is the current Dean of the Humanities Research Cluster and Professor of *Shariah* and Law at the University of Malaya. Previously, she became the Head Department of *Shariah* and Law from 2006-2007. In 2011, her effort towards harmonising the diversity of religion was recognised as

she was appointed as the Director of the Centre of Civilisational Dialogue until 2013.

Alongside her devotion to the university, Raihanah was once awarded a fellowship with the Freeman Foundation for the Salzburg Global Seminar in October 2008. Her strong-will to bring peace into diversity is heard by the world, as she has once again been recognised by international organisations. She was invited by the King Abdullah bin Abdulaziz International Centre for Inter-Religious and Inter-Cultural Dialogue in Vienna with 500 other religious leaders around the globe to participate in the Global Forum on the Image of the Other: Interreligious and Intercultural Education, held on 18 and 19 November 2013.

Raihanah, in addition to being a member of international organisations, also contributes to Malaysia's nation-building progress by helping family institutions strengthen. She has been appointed by several government agencies as one of the consultants in the Family Support Division under the Department of *Shariah* Judiciary Malaysia and is also an expert panel in dealing with Muslim women's issues (PISWI) under the Department of Islamic Development Malaysia (JAKIM).

7.4.6 Assoc. Prof. Dr Shamrahayu Ab Aziz

Shamrahayu Ab Aziz was born on 5 June 1968 in Kelantan. When she was 23 years old, she decided to move from Kelantan to Kuala Lumpur after receiving the opportunity to pursue her study in law at IIUM. She pursued her first degree in Bachelor of Laws from International Islamic University Malaysia in 1991, as well as her master's degree at the same university. Because of her unwavering determination to learn, Shamrahayu Ab Aziz continued her educational journey. In 2007, she completed her doctorate programme and became a PhD holder from the same university.

Her qualifications piqued IIUM's interest, resulting in her appointment as an academic staff member. Despite not having completed her PhD, Ahmad Ibrahim Kulliyah of Law appointed her as an academic staff member in 1995.

Shamrahayu Ab Aziz is currently an associate professor at AIKOL. As a Muslim woman, she excelled in every task and was so influential when it came to giving any opinion related to law. Thus, starting from 1st July 2014, she has been appointed Principal Fellow of the Institute of Islamic Understanding Malaysia (IKIM).

Shamrahayu is a well-known and prolific author who has contributed to many writings and articles. She published more than 40 articles and chapters in books and presented more than 100 papers. She was often invited to the columnist who writes on particular issues, and her point of view may be perceived and accessed in the newspaper, including *Berita Harian*, where her article is usually published on Tuesday. Her views are often quoted by local and international media when it comes to law and administration.

In addition to her commitment as an academician, she has been regularly invited as a guest speaker, involved in the intellectual discourse on any current issue related to law. On top of that, Shamrahayu Ab Aziz is exemplary to other women's communities in terms of leadership and contribution to national development. In fact, as a leader, she assumes several responsibilities that represent the voice of Muslim women, including the following:

1. Holder of Kursi Institusi Raja-Raja Melayu Universiti Teknologi Mara (UiTM) in 2021.
2. Committee member to ascertain textbook curriculum and Sejarah subject for secondary school (2011-2013).
3. Committee of Pemandu Pelan Tindakan Hak Asasi Manusia Nasional (Jabatan Perdana Menteri) (2013-present).
4. Exco Committee of Yayasan Pencegahan Penjenayah Malaysia (2013/2016).
5. Panel of Pemikir Panel Kepimpinan Muda, Islamic Dakwah Foundation Malaysia (2013-present).
6. Research Fellow of Institut Pengajian Wanita, Universiti Islam Malaysia (2013-present).
7. Committee of Teknikal Undang-Undang Syariah

- Nasional (Jabatan Perdana Menteri) (2014-present).
8. Member of Majlis Perundangan Islam (2014-present).
 9. Research Fellow of Foundation of Research for Transformation (2014-present).
 10. Member of Pakar Kajian Undang-Undang Murtag, Majlis Agama Islam Negeri Pahang (2014).
 11. Member of Think Tank for Mufti Office of Kuala Lumpur (2014-2016).

Interestingly, due to her devotion and attentiveness to some recent issues in Malaysia, Shamrahayu is seemingly getting more attention from the media, and currently, she is known as 'Pakar Perlembagaan'. Her point of view often becomes a reference to those who are involved in either the political area or administration of Malaysia. For example, Shamrahayu drew the guidelines for the politicians as they wanted to make an appointment of Chairman for Suruhanjaya Pasukan Polis (SPP), where she expressed the importance of making an action for the current act as it provides the appointment of Chairman only for the minister. Meanwhile, at that time, there was a suggestion of appointing a chairman who is not related to the political domain (Astro Awani, 2021, May 2).

7.4.7 Assoc. Prof. Dr Nik Salida Suhaila Nik Saleh

Nik Salida Suhaila is currently a senior lecturer at the Faculty of *Shariah* and Law, the Islamic Science University of Malaysia, from 2003 until the present. She is a degree holder in law as well as a master's degree in comparative law from IIUM. In 2013, she graduated with her Doctor of Philosophy in Law at Keele University, United Kingdom. In addition to this, Nik Salida also completed her professional certificates of Certified Takaful Professional (London) and Certified Islamic Finance Expert (London) in 2012.

Apart from her involvement in the academic field, Nik Salida is also a television personality. She often got invitations from the media to speak about women's awareness and law.

Other than that, she is regularly invited to be the guest speaker for certain organisations, including government and private sectors.

She has written and edited a few books on *Shariah* and law issues, among others: *Diskusi Syariah dan Undang-Undang* (2005), *Prinsip Dan Pengurusan Fatwa di Negara-Negara Asean* (2006), *Issues in Laws and Syariah* (2007), *The Development of Economics and Muamalat Practices* (2007), *Sains Islam Merentasi Zaman* (2007), *Syariah Dan Undang-Undang: Isu Dan Amalan* (2007), *Biografi Mufti-Mufti Seluruh Malaysia* (2008), *Sains Islam Dan Pembinaan Modal Insan* (2008), *Contemporary Issues and General Studies* (2008), *Ilmu dan Islam* (2008), *Salah Faham Tentang Islam...Tapi Anda Malu Bertanya* (2008), *Language and Life* (2008), *Transformasi Pemikiran Sarwajagat* (2014), and *Fiqh Dental* (2015).

She has been awarded several research grants to facilitate her research activities. From 2008 until 2014, she had her own newspaper column in *Berita Harian*. She has occasionally written in other local newspapers and magazines since 2004 (*Suruhanjaya Hak Asasi Manusia*, 2021).

1. Director Permata Insan College, Islamic Science University of Malaysia (2015-2017).
2. Head of Cluster and Fellow Researcher, Institute of World Fatwa Research Management (2013-2014).
3. Coordinator of Publication, Institute of World Fatwa Research Management (2012-2014).
4. Deputy Dean Faculty *Shariah* and Law, Islamic Science University of Malaysia (March 2008-September 2008).
5. Coordinator of Tamhidi *Shariah* and Undang-Undang, Islamic Science University of Malaysia (2005-2007).
6. Guest Speaker for the live broadcast at Radio Televisyen Malaysia (RTM), TV3, TV9, TV Al-Hijrah, Astro and Institute of Islamic Understanding (IKIM) radio programme.
7. Has been invited as a speaker in various conferences, including Oxford University, Manchester University,

Keele University, Zayed University and Birmingham University.

8. Advisor and consultant for several organisations including Yayasan Pelajaran Mara, Department of Islamic Development Malaysia (JAKIM), Yayasan Nurul Yaqeen, Utusan Karya Sdn. Bhd.
9. Commissioner of Human Rights Commission of Malaysia (2016-present).
10. Fellow of Tungku Hajjah Azizah Centre for Women Studies, Islamic University of Malaysia (2016-present).
11. Fellow of Yayasan Dakwah Malaysia (2013-present).
12. Hukum Syarak Consultative Committee, Office of Wilayah Persekutuan's Mufti (2014-present).

7.5 Career Woman from Malaysian View

In view of the above, it can be said that women in Malaysia have drawn attention as proven by involving themselves, being appointed as one of the most important stakeholders, playing a massive part as decision-makers on certain occasions, or leading from the front in the context of national programmes or social development. According to the Federal Constitution, the National Women's Policy 2009, which is a continuation of the previous version from 1989, establishes a new policy aimed at achieving gender equality and sustainability in national development, with a multitude of objectives.

1. Developing potential and empowering women from all levels and sectors as agents to bring the changing movement into the community and as contributors to economic and social development.
2. Provide a conducive environment, including policy formulation and women-friendly legislation, to enhance dignity and well-being among women in all physical, economic, political, health, psychology, and spiritual aspects.

3. To cultivate gender equality among societies from all sectors.
4. To ensure women's perspectives and voices are heard in the decision-making process at all levels.
5. To achieve equitable partnership between men and women in acquiring and controlling the resources and opportunities for involvement and enjoying the benefits of development.
6. To enhance and empower the fairness and equitable sharing between men and women in all aspects of life to strengthen family institutions as well as community development.

Ever since Malaysia attained its independence in 1957, the influence of traditional values in various aspects has been continuously practised by people, except for the participation of women in the nation. There has been no opposition to women participating in the nation's development (Rohaiza Rokis, 2011, p. 243). At present, women are engaged in paid employment in all the economic sectors or as employers, self-employed, and unpaid family workers (Mek Wok Mahmud et al., 2011, p. 22).

The finding also says that women in the labour force continue to be an important component of the labour supply in Malaysia, where there have been 3.17 million, or 33.1%, of the total labour force in 2000. Women's participation rate in the labour force for Peninsular Malaysia from 1957-2000 keeps showing an increasing rate from 30.8% to 46.7% (Ministry of Women, Family, and Community Development). The rate continuously increased to 54.3% in 2017 (Berita Harian, published 4 September 2017), 54.7% in 2018, 55.2% in 2019, and 55.6% in 2020 (Department of Statistics Malaysia).

Despite the increasing number of women in the labour force, there is still a gap between men and women in terms of their participation rate. According to the statistics released by the Department of Statistics Malaysia from 2017 until 2020, men have achieved more than 80% consistently in the Labour Force Participation Rate (LFPR) score. That is why some

groups in Malaysia are concerned over this trend in Malaysia where women seem dominant when it comes to academic achievement but never have enough opportunities to prove themselves when it comes to career progression (Sinar Harian, published 16 September 2019).

Table 7.1: Comparison Rate for Males and Females in Labour Force (%)

Year	Male	Female
2017	80.2	54.3
2018	80.1	54.7
2019	80.4	55.2
2020	Not Mentioned	55.6

Source: Department of Statistics Malaysia.

In view of the above, the gaps between both male and female employees seem too large compared to men, who consistently reached 80% for four consecutive years. The statistics have caused some groups to call it discrimination against women in the workforce in the context of Malaysia. (Berita Harian, 2017, December 17). For instance, the Women's Aid Organisation (WAO) found that 56% of women in Malaysia have been at least confronted with one type of discrimination in the context of the workforce, including marital status, family planning, and denied promotion (Women's Aid Organisation).

Despite the reports saying that Malaysian women have been offensively discriminated against in the workforce, employers seem always to prioritise men because women are low in terms of mobility, flexibility, and productivity, according to Darity and Mason (Noorazeela Zainol Abidin et al., 2016, p. 54). Besides, women seem to have a family-career conflict due to the responsibilities and burdens they hold as a mother and an employee (Fatimah Ali, 1996, p. 43). Thus, it does cost the employers to view women as they would be a liability to the organisations.

Not to mention, the statistics of women's involvement in politics in the context of Malaysia also indicates the same result, as women are too far from catching up with men's involvement in such areas. The following schedule records the women's percentage in parliamentary seats, which is lower as compared to men from 2017 until 2020.

Table 7.2: Comparison Rate for Males and Females in Parliamentary Seats (%)

Year	Male	Female
2017	89.2	10.8
2018	89	11
2019	85.6	14.4
2020	Not Mentioned	Not Mentioned

Source: Department of Statistics Malaysia.

The massive gap between men and women in the workforce continues as women do not get enough involvement in other professions. A record from the Department of Statistics Malaysia shows that 22.2% of women were involved in servicing as legislators, senior officers, and managers in 2018, and the number showed an increase to 24.7% in the following year. However, compared to men, they are still lesser, as men hit 77.8% in 2018 and 75.3% in 2019.

Professional and technical areas are the only career fields with an almost equal rate for both men and women. In 2018, it was recorded that women achieved 44.7% of involvement in such areas. In 2019, the statistic shows a slight decline as women achieved 44.3% of the involvement. Meanwhile, men were consistent in striking 55.3% in 2018 and 55.7% in 2019.

Despite the gap shown by the statistics above, it elucidates that women have an inclination towards professional and technical fields. Nonetheless, politics and leadership have accomplished the lowest percentage even though there have been many initiatives provided by the authority, including the enforcement of Dasar Wanita Negara, which provides a conducive environment in policy formulation and women-

friendly legislation to enhance women's involvement in the workforce (Dasar Wanita Negara).

7.6. Conclusion

Without a doubt, women play a vital role in order to keep the progress of society, which continues to move forward from time to time. The achievement they earn in education and career should place them in a better position. Undoubtedly, with their excellent achievement, as reported, women in Malaysia should be given more opportunities to hold higher positions in any related field. On top of that, the quality they have from the academic qualification could assist the country to grow and develop efficiently as the progress is led by the quality prospect. 'Beauty with a brain' is the right quote to demonstrate the quality of the abovementioned scholars. With sufficient knowledge and being a role model for every level of society, these scholars are such venerable leaders who could lead towards the empowerment of society. On this account, not only is society recognising them as leading scholars but they are also conferred with numerous awards locally and internationally to show how the world acknowledges them.

With respect to this study, the nomination of the scholars above would have been an inspiration for other women to climb the ladder of success not just to empower women's status quo but to lead the advancement of the country, which consists of a balanced society in terms of intellect and professional path.

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