



HARMONISATION OF THE SHARĪ'AH AND CIVIL LAWS

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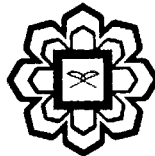


**HARMONISATION OF THE
SHARĪ'AH AND CIVIL LAWS
(PERSPECTIVE AND PRACTICE)**

EDITORS

ABDUL HASEEB ANSARI

SYED KHALID RASHID



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**Nuarrual Hilal Md. Dahlan
Sharifah Zubaidah Syed Abdul Kader**

1. Introduction

Islamic banking aroused special interest in the 1960s and 1970s following the resurgence of Islam in the early twentieth century with the momentum being spearheaded particularly by Egyptian Muslim scholars¹ such as Muhammad Abduh, Rashid Rida, Hassan al-Banna and Jamaluddin al-Afghani. Islamic banking eventually gained foothold in Malaysia with the establishment of Bank Islam Malaysia Berhad in 1983.² Islamic banking facilities has since then expanded to meet and serve the customers' insatiable demand for user-friendly banking facilities and products. These Islamic banking products include *Mudarabah* - a general and special investment deposit in the nature of profit sharing between the depositors/customers and the bank, acting as the entrepreneur; *Wadiah* - where the bank simply acts as the safe-keeper of the deposits of the depositors/customers but it may provide returns to the depositors as a gift (*al-Hibah*); *Murabahah* (partnership and equity financing); *Ijarah* (leasing); *Musharakah* (partnership) and *Bay' Bithaman al-Ajil* (BBA) (ie sale by deferred payment). Due to increasing demand for these Islamic banking products, Islamic windows (Islamic banking products) are likewise introduced by the conventional banks.³

1.1 Objectives of the Chapter