Satu Penilaian Semula Konsep al-Darurah Dalam Kewangan Islam Semasa

Sumayyah Abdul Aziz, Rizwan Ahmad

Abstract

The concept of al-darurah is a subject that has to be empowered and to be explored by students and scholars of Islamic studies. Al-darurah in Islamic finance is a concept that extend the theory of darurah from fisih perspective and covered it from the perspective of darurah wadiah as well. In Islamic finance, they applied the darurah concept such as in Tawarruq Murabahah based products. Tawarruq Murabahah has been ruled as not permissible by The International Council of Fiqh Academy of OIC in 2009 however it has been applied in Islamic banking in Malaysia based on the essential requirement in the current practice through Islamic products. Hence, a comprehensive and dynamic assessment towards that application need to be applied to ensure that the application of darurah in Islamic finance not only align with the real concept of al-darurah but also meet the methodology of Islamic jurisprudence according to Masaccal al-Shariah. This article aimed to explain the concept of darurah in Islam in addition to describe the application of methodology of jurisprudence in Islamic finance to ensure the product of Islamic banking is attain the micro economies perspective. The method that has been applied is inductive, deductive and comparative. The finding of this article affirm that the concept of darurah has not yet been explored widely and be applied in the context of methodology of Islamic finance according to Masaccal al-Kulliyah in order to attain the substance meaning of syariah.

Keywords: Darurah, Islamic Finance, Mikro, Masaccal, Methodology