



International Islamic University, Islamabad, Pakistan
in collaboration with
Imam Muhammad bin Saud Islamic University, Riyadh
Kingdom of Saudi Arabia



The Conference Brochure

*The Current Issues in Muslim Personal Laws
between Shari'ah & States' Legislations*



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1st Fiqhi Conference on
The Current Issues in Muslim Personal Laws
between Shari'ah & States' Legislations
13 - 15 May, 2014/14 - 16 Rajab, 1435



The Conference Brochure

Jointly organized by:

International Islamic University Islamabad, Pakistan

&

Imam Muhammad Bin Saud Islamic University, Riyadh

Kingdom of Saudi Arabia

In the name of Allah,
the Beneficent, the Merciful

Introduction of International Islamic University Islamabad

- International Islamic University Islamabad (IIUI) was established in 1980/1400 A.H.
- In 1985 the IIUI got the formal status of an International University and since then it is functioning as an independent administrative body under the Constitution of Pakistan.
- The President of Pakistan is the Chancellor of IIUI; Dr. Sulaman Abdullah Aba Al-khail is the Pro Chancellor and Dr. Ahmad Yousuf Al Daraiweesh is currently the President of International Islamic University Islamabad.
- The Board of Trustees of IIU is comprised of 44 prominent dignitaries of the Muslim World.
- Currently the University has 9 Faculties, 39 Academic Departments and 6 Academies. Around thirty thousand male and female students hailing from 50 different countries are enrolled in 131 academic and degree programs of IIU.
- The Government of Pakistan has allotted 1000 acre land for the construction of IIUI campus and the first phase of construction is now complete.
- International Islamic University Islamabad is a successful educational and civilizational project and it is one of the most prominent academic institutions in Pakistan due to its unique legal and constitutional position. IIUI is now planning to expand its operations to introduce new departments and specializations. The objective is to develop the requisite human resource which can help in uplifting the overall condition of Muslim Ummah through bridging gaps between theory and practice.

Introduction of the Conference

The 1st Fiqhi Conference on the current issues in Muslim personal laws between Shariah and state legislations is intended as a three-day international gathering of academicians, practitioners, scholars, medical, and legal experts, to discuss and share the knowledge, expertise and experience on family-related issues in Muslim and non-Muslim societies. This international conference will explore the key issues and the problems of family life and family laws in the light of Shariah, as well as various States Legislations. It is intended that the participants of the conference will discuss and analyze rulings of Shariah regarding the contemporary family institution, its dimensions, jurisdiction and its interaction with the existing legal systems in Muslim as well as non-Muslim societies. We believe this conference will be an excellent platform to study this area that is gaining increased attention among the scholars of law, Shariah, social sciences, and medicine, particularly from the perspective of alternate dispute resolution, as well as legal pluralism. It is hoped that this conference will provide an effective platform for networking, exchange of experiences, as well as ideas and outlooks about the current issues of the family institution.

Background & Importance

It is universally accepted that the Muslim *Ummah* at present requires decisive re-evaluation, and debate on a number of contemporary issues. It is one of Islam's commonly recognized strengths that it is universal, comprehensive, flexible, and compliant with all the ages and circumstances. These strengths enable it to provide successful solutions for all situations and circumstances. This was understood by our forbearers, who observed this in their judgments, *fatawa* and opinions. Now it is our responsibility to review their *Ijtihad*, opinions and narrations and study all of this with diligence, accuracy and depth in order to update and renew these, and to carry forward from their work. This responsibility is addressed through organizing *Fiqhi* conferences and seminars for the said purpose; to encourage the scholars, students, judges, intellectuals, and researchers, and to lay down regulations to ensure stability and appropriateness of *Ijtihad* and the rules, so that the endeavors resonate with contemporary circumstances, place and time.

Family is the basic unit and backbone of society. It is the foundation on which the institution of the society stands. A society with a solid foundation, in the form of a strong family institution undoubtedly results in a positive outlook for the whole society. A family that is based on ethical values, morality and co-operation is considered to be a pillar of the society and only this family institution can result in a strong, solid and co-operative society, which is able to cope with, and complement human progress and the development.

Family plays an important role in the progress, security, stability and development of society because it provides the natural habitat required for positive upbringing of a human being. There is no doubt that responsibility of a state rest upon everyone who is a part of that state, as ultimately they are the beneficiaries of peace and comfort in a society. Thus, the primary responsibility rests on

the family institutions. Families ought to realize their role towards the society at large, and must fulfill their duties of positive upbringing of children, and to instill in them an awareness of their duties towards the society and state through proper upbringing, protection, supervision, co-operation and awareness. Allah almighty has endowed the family institution with love, compassion and affection, and has stated in the Holy Quran that: *“And among His signs is this, that He created for you mates from among yourselves, that you may dwell in tranquility with them, and He has put love and mercy between your (hearts): verily, in that are signs for those who reflect”* (Al-Quran 30/21).

International Islamic University Islamabad (“IIUI”) is a premiere institution of higher learning in Pakistan, and as a organization, it has a keen sense of its responsibilities towards the society. It intends to contribute in addressing societal issues through suggestions regarding the solutions to societal problems, particularly in matters related to family. Additionally, IIUI endeavors to provide Shariah based solutions for different family related problems and issues. For these reasons, IIU has decided to hold the 1st *Fiqhi* Conference on the theme of **“The Current Issues in Muslim Family Law, between Shariah & Law”** in spring, 2014, in collaboration with Imam Muhammad Bin Saud Islamic University, Riyadh.

Muslim scholars, thinkers, jurists, lawyers, judges, doctors, and researchers in different disciplines such as Islamic sciences, pure sciences, social sciences, psychology, law, and Shariah, are invited to participate in the conference to discuss important contemporary issues in Muslim family law. It is expected that this conference will contribute in contemporary *Fiqhi* and legal studies related to family issues. This event will benefit Pakistani, and other Muslim societies through the assimilation of expert opinions of jurists, doctors, researches, social scientists and other specialists in these fields.

Conference Objectives

This International Conference will have the following aims and objectives:

1. Highlight objectives of Shariah in Muslim Family Law and to explore their comprehensive and supportive nature for pursuance of interests of the people and the countries, in this world and the hereafter.
2. Enrich research in contemporary issues in the field of Muslim Family Law.
3. Apply the rulings of Shariah on contemporary situations, issues and incidents related to Muslim Family Law, in accordance with evidences and objectives of Shariah.
4. Create linkages between the jurists and researches in various disciplines related to the family institution, such as medicine, social science and psychology
5. Strengthen the contribution of IIUI towards continuing dialogue amongst scholars in all specializations inside Pakistan and abroad.
6. Elaborate the impact of the family institution on individual, society and the country.
7. Asses the important role of the family institution in intellectual security and in strengthening good citizenry.
8. Assert the need to have family care from all aspects, be it jurisprudential, legal, social, medical, psychological, intellectual...etc.
9. Encourage jurists, lawyers and researchers in different specializations, such as scientific, psychological, social, medical...etc. to exert greater efforts on study and research related to family's contemporary issues.

Conference Themes

The Conference intends to focus on six key areas:

First Theme: Medical Issues in Muslim Family Law:

1. Medical Examination before marriage.
2. Contemporary diseases and its effects on separation.
3. Circumcision of females in Shariah and medicine.
4. Embryo banks.
5. Artificial insemination.
6. Surrogacy.
7. Abortion.
8. Sperm banks.
9. Paternity through modern medical means.
10. Kinship confirmation by contemporary medical means
11. Medical errors.
12. Milk banks.
13. Duration of pregnancy in Shariah and medicine.
14. Medical developments in blood transfusion.
15. Abortion in Shariah and medicine.
16. Contraceptives.
17. Reproductive cloning.
18. Gene Therapy.
19. Genetic Engineering.
20. Genetic Map.

Second Theme: Issues pertaining to Muslim Family in non-Islamic countries:

1. Civil marriage and separation.
2. Form marriage and separation.
3. Marriage that is run by Islamic centers and separation.
4. Marriage with *kitabiyah*: rules and regulations.
5. Maintenance and incubation.
6. Conversion of a woman to Islam before her husband and its effects.
7. Appending illegitimate child.

Third Theme: Intellectual protection for the family:

1. Rules of affiliation with different groups and its effects on the family.
2. Deviant thought; its kinds and effects on family.
3. Impact of family strengthening national harmony.
4. The impact of dialogue in strengthening the intellectual peace and security for the family.
5. Impact of social networks like Facebook, twitter, YouTube...etc. on family.

Fourth Theme: Contemporary Social Phenomena related to Muslim Family Law:

1. Judicial *Khul'*: its reality and rule.
2. Domestic Violence: its reality and rule.
3. Honor killing of women.
4. Marriage with minor girls.

5. *Misiyar* Marriage; its reality and rule.
6. Customary Marriage; its reality and rule.
7. Marriage with intention of divorce; its reality and rule.
8. Civil marriage; its reality and rule.
9. Other kinds of modern marriages like friend marriage, *masyaf* marriage and temporary marriage...etc.
10. Current issues related to woman work (judiciary, legal opinion, ombudsman, leading prayer).
11. Nikah through modern means of communication.
12. Preparation of bride and expenses of the marriage.
13. Reasons for Spinsterhood.
14. *Ikhtilat* (mixing of men and women); its impacts and rules.
15. *Al-Khalwah* (close proximity); its impacts and rules.
16. Concept of stewardship and its rules.
17. Waiting period for wife of the missing husband.
18. Maintenance of the working wife.
19. Expensive dowries
20. Rules of polygamy in Fiqh and Law.

Fifth Theme: Regulations and objectives of Shariah related to Current issues in Muslim Family

Law:

1. Regulations for fatwa about current *Fiqhi* issues in Muslim Family Law.
2. Regulations for study of current *Fiqhi* issues in Muslim Family Law.

3. Regulations of Shariah pertaining to implementation of the rules on Current issues in Muslim Family Law.
4. Objectives of Shariah in contemporary and current issues in Muslim Family Law.

Sixth Theme: Codification of Muslim Family Law:

1. Reality and rules for codification of Muslim Family Law.
2. Regulations of Shariah in codification of Muslim Family Law.
3. Suggested codification for rules of the family.

Participants

1. Judges /Advocates
2. Muftis
3. Faculty members of Universities and Religious Institutions
4. Academicians/Research Scholars
5. Students of PhD/LLM/MS and M.Phil
6. Lawyers/Legal Consultants
7. Social Scientists
8. Medical Doctors and Specialists
9. Psychiatrists

Guidelines for Submitting Research Papers

1. The paper should be in one of the above mentioned areas of the conference.
2. The researcher should abide by all the rules of research such as methodology and documenting references and sources.
3. The researcher should pay due care to the language and method of the research.
4. The research should not have been published in any periodical, journal or presented in any conference or event before or taken from any previous article or research.
5. The research should be a maximum of 30 pages, A4 size, including the bibliography.
6. The research should accompany summary of maximum two pages.
7. The foreign terms and names must be written first in Arabic then in English within brackets.
8. The annexure, bibliography and the indexes should be at end of the research.
9. The margin notes and comments should be on the same page not at end of the research.
10. The research should be computer typed in word format and three copies along with CD be submitted to the academic committee.
11. The first page should specify title of the research, name of the researcher and his title and working place.
12. The research should be submitted to the academic committee of the conference on the following address:

Room No. 5, Faculty of Shariah & Law, Imam Abu Hanifah Block
International Islamic University, H-10 Islamabad, P.O. Box: 1243, Pakistan.
Tel: 92-51-9258039, 9019601, Email: family.lawconference@iiu.edu.pk

General Rules and Specifications

1. The research papers submitted for the conference are subject to review and evaluation by the academic committee of the conference.
2. If the committee finds need to amend the research, it will return it to the researcher for proper amendments before its being put in final list.
3. It would be permissible for the academic committee to reformulate the research content of researches received by it with the condition that it will not disrupt the research.
4. The participated researches will not be returned to their authors whether approved for publication or not and the academic committee will not be under obligation to provide any justification for non-approval.
5. Languages of the Conference: Arabic, English, French and Urdu.

Important Dates

End date of Submission of Abstracts:	1 st January, 2014/29 th Safar, 1435 A.H.
Date of Submission of Full Papers:	28 th February, 2014/28 th Rabi-ul-Sani, 1435 A.H.
Dates of the Conference:	13-15 May, 2014/14-16 Rajab, 1435 A.H.

Venue of the Conference

Quid-e-Azam Auditorium Complex, Faisal Mosque Campus, International Islamic University, Islamabad

Accommodation

IRD Guest House, Faisal Mosque Campus, International Islamic University, Islamabad

Submission of Abstracts

Conference Coordinators:

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Registration and participation

Visit website of the conference: www.iiu.edu.pk

Mailing Address

All the communication should be addressed to “Chairman, Academic Committee of the Conference” on the following address:

Conference Secretariat:

Room: 5, Imam Abu Hanifah Block, Faculty of Shariah & Law
International Islamic University, H-10, Islamabad, P.O Box: 1243, Pakistan

Telephone: (92 51) 9257979, 9019549, 9019684, Fax: (92 51) 9258021

Email: family.lawconference@iiu.edu.pk

Participation Form

Please fill the following form and send to International Islamic University:

Name of the Participant:	
Designation:	
Nationality:	
Department:	
Date of Birth:	
Passport No.:	
Topic of the Research Paper:	
Theme (Select one of the them):	
Postal address:	
Telephone Number (Residence) with country & city code	
Telephone Number (Office) with country & city code	
Mobile Number	
Fax No.	
Email Address	
Website (If available)	
Academic contribution	

Note:

- 1) Please attach your one page biographical note.
- 2) The International Islamic University shall not be responsible for your travel cost, accommodation and other expenditures.

Mailing Address of Conference:

Room: 5, Imam Abu Hanifah Block, Faculty of Shariah & Law, International Islamic University,
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