

Technical Review Report Paper TJC 2017: 097-083

Conference Name: Tuanku Jaafar Conference & Workshop 2017

Paper ID: TJC 2017: 097-083

Paper Title: islam, Pentadbiran Harta Pusaka dan Pemerkasaan Mahkamah Syariah

Section A: How do you rate this Manuscript according the listed items?

1. Relevant to the conference : 5/5
2. Originality of Work : 4/5
3. Suitability of Research Methodology : 5/5
4. Novelty of Findings : 5/5
5. Contribution to Research Advancement and Policy : 5/5

Total mark: 96%

Section B: Proposed for TJC 2017 proceeding

- Yes
- No

Section D: Comments (Overall Comments: will not be revealed to Author) ; (Comments to Author: will be revealed to Author)

Overall Comment.:

Pemerkasaan Mahkamah Syariah dalam Pentadbiran Harta Pusaka Orang Islam di Malaysia. I have had the pleasant opportunity to review the above-titled paper and finds that it is a very good piece of work, one which has been carefully prepared. The paper rests on 3 clear objectives which are, among others, to analyse syariah faraid principles, to identify problems on current application of faraid principles, and also to provide solutions and suggestions. The authors have correctly identified some problems surrounding faraid application in Malaysia namely statutory restrictions on syariah courts and inconsistencies in determination of waris. The authors conclude by coming up with some suggestions such as granting wider courts' jurisdictions, establishment of one-stop centres to cater for and manage faraid cases, improving on faraid administration as well as amending relevant syariah provisions. I feel that this paper meets the criterias of any international conference. In enhancing the findings and suggestions

however,I am making some small comments for improvements. The said small comments have been included in the following section reserved for authors.

Comment to Author:

Pemeriksaan Mahkamah Syariah dalam Pentadbiran Harta Pusaka Orang Islam di Malaysia. I am of the view that this is a very good paper which revolves around 3 clear objectives which are, among others, to analyse syariah faraid principles, to identify problems on current application of faraid principles, and also to provide solutions and suggestions. The authors have correctly identified some problems surrounding faraid application in Malaysia namely statutory restrictions on syariah courts and inconsistencies in determination of waris. The authors conclude by coming up with some suggestions such as granting wider courts' jurisdictions, establishment of one-stop centres to cater for and manage faraid cases, improving on faraid administration as well as amending relevant syariah provisions. However, I have some small comments for betterment and improvements. I feel that both of the problem statements and suggestions given could perhaps be more refined. For instance, instead of a mere mention of statutory restrictions, BRIEF explanation could perhaps be given on why and how the said particular provision have restricted syariah courts' jurisdictions, etc. On the other problem statement, ONE OR TWO examples could perhaps be added on to further explain on how inconsistencies occur in procedures on waris determination. Regarding the suggestions, regarding the establishment of one-stop centres, perhaps A SIMPLE explanation could be made on its operative functions, under which institution will it be established, some needs on strengthening of human resource through new personnel appointments, etc, etc. These are MINUTE improvements which I am suggesting for this paper. Good luck

Reviewer:

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