

CRITICAL REVIEWS THE DEVELOPMENT OF SHARIAH STUDIES CASE IN IAIN RADEN FATAH

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Abstract: *Demands of quality is one major aspect, even this is not only required a change in IAIN UIN will be fixed but IAIN as it should also improve the quality of teaching disciplines. The emphasis includes three things, namely (a) the target character building (b) academic coaching, and (c) professional development. Character development in the Act on National Education System mentioned faith, piety and ethics; IAIN should have the device ready than most other universities. Based on research findings obtained by the conclusion that, at the Faculty of Shariah IAIN ongoing teaching-learning process tends to focus on the teaching of the normative approach. Curriculum that is not fully able to follow the dynamic developments. This is for example, the dominance of rote approach in teaching-learning process than the method of analysis and problem-solving. In the same time, any material provided more mature form of living things to swallow without the need to dismantle the ethos of science. Low professionalism, because IAIN no / less build reciprocal communication with the world market, particularly those related to the type produced profession.*

ملخص: مطالب من نوعية واحدة جانباً رئيسياً، وحتى هذا ليس مطلوباً تغيير في إيان UIN سوف تكون ثابتة ولكن إيان كما يجب أيضاً على تحسين نوعية التعليم من التخصصات. التركيز يتضمن الأمور الثلاثة، وهما (أ) هدف بناء الشخصية (ب) التدريب الأكاديمي، و(ج) التطوير المهني. للتنمية الحرف في قانون نظام التربية الوطنية المذكورة الإيمان والتقوى والأخلاق، وإيان يجب أن يكون الجهاز جاهزاً من معظم الجامعات الأخرى. تستند إلى نتائج البحوث التي تم الحصول عليها عن طريق الاستنتاج بأنه، في كلية الشريعة إيان التعليم المستمر والتعلم عملية يميل إلى التركيز على تدريس النهج المعياري. المناهج الدراسية ليست قادرة تماماً علمتابعة التطورات الديناميكية. هذا هو على سبيل المثال، فإن هيمنة نهج التكرار في عملية التعليم والتعلم من طريقة التحليل، وعلى حل المشاكل. في الوقت نفسه، أي المواد التي قدمت أكثر نضجاً شكل من أشكال الكائنات الحية على ابتلاع دون الحاجة لتفكيك

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أخلاقيات العلم. تدنى الكفاءة المهنية، وذلك لأن أي ايان / أقل بناء الاتصال المتبادل مع السوق العالمية، ولا سيما تلك المتصلة نوع المهنة المنتجة.

Kata Kunci: *higher education, shariah, IAIN Raden Fatah.*

Presence of a study of Islamic religious education which later institutionalized in the form of IAIN never escapes the historical conditions that surrounded him. These case political factors, economic, social and cultural are always in touch with each other. This condition continued IAIN which are progressively lead to the democratization process. After the reforms now under way, it is estimated the community will be freer in the competition achievements. "Free market" became the main feature of a plural society, open and forward. In the midst of such a state of society would not be prosecuted impossible IAIN more than just a role that had been addressed to him. In the same time, competition will require IAIN free to contribute to the fulfillment of the demands and needs of the community. At least, in the future will emerge two major demands: first, the quality demands for discipline that is taught, and second, the demands to compete freely with other universities to prepare human resources capable of dealing with life's diverse (plural) (Idi, 2003, h. 24).

IAIN talk about goals, as stated in the general education goals and objectives of tertiary education as in Law No. 2 of 1989 on National Education System stated that the purpose of National Education is to "educate the nation's life and develop complete Indonesian man, the Man a faithful and devoted to God Almighty and noble character, have the knowledge and skills, physical and spiritual health, a solid personality and self-responsibility and a sense of community and nationhood". More specifically this is explained in the Government Regulation no. 1990 about 30 years of Higher Education explained the purpose of higher education to:

1. Preparing students to be members of the public who have academic ability and / or professionals who can implement, develop and / or creating science, technology and / or art.

2. Develop and disseminate scientific, technological and / or the arts and trying their use to improve people's lives and enrich the national culture.

In general, the national education goals in Law no. 2 of 1989 on the emphasis on intellectual factors, academic, professional, faith and piety, and ethics which includes personality and responsibility. Faith, piety, ethics, and intelligence of all of this is clear enough IAIN associated with the mission that is the case goal since first established. To achieve these goals, which also includes academic and professional, IAIN already has five faculty who have been considered rigid, ie Faculty of Adab, Faculty of Ushuluddin, Faculty of Shariah, Faculty of Da'wah and the Faculty of Tarbiyah. Many major IAIN has five faculty, while the other IAIN nothing new has four faculties, even some that have only three faculties. While the latest development, although a permanent faculty and no development, majors and courses have been developed that are not always the same. Some IAIN began to change more general with more general scientific penetrated such a course of Islamic economics, journalism, psychology of religion.

IAIN competition to become more visible because of UIN as very limited quota with certain criteria for IAIN that will transform itself into UIN. Demands of quality is one major aspect, even this is not only required a change in IAIN UIN will be fixed but IAIN as it should also improve the quality of teaching disciplines. The emphasis includes three things, namely (a) the target character building (b) academic coaching, and (c) professional development. Character development in the Act on National Education System mentioned faith, piety and ethics; IAIN should have the device ready than most other universities. Because the science of religion which offers one of the core is to improve the moral life, IAIN should be in the front row. But what happened was not so. Although the discipline is taught laden with moral message, often in practice it only appears as a science. Reviews to IAIN appear that Islam teaches only science, and poor practices and examples of good religious life in everyday life. Moreover IAIN not only from the

practice of diversity, these institutions are also not able to reach social ethics, both in conceptual and practical level in the middle of society. One of the results of research conducted Tholkhah Priest (2003) on the condition that the Islamic universities; first, the output of Islamic universities institutions less able to explore classical texts as a whole which in fact is an integral part of basic studies. Second, the tendency of college graduates was just thinking of normative Islam, or tend to think through religious rules (deductive), and lack of ability to understand the context and empirical substance of the religious issues facing the social and (inductive) (Tholkhah and Barizi, Edisi I Tahun 2003, h. 59-61).

IAIN academic coaching are still many shortcomings. This is primarily due to the dominance of rote approach in teaching-learning process than the method of analysis and problem-solving. In the same time, any material provided more mature form of living things to swallow without the need to dismantle the ethos of science. The other side of which is the fundamental weakness is the low professionalism, because IAIN no / less build reciprocal communication with the world market, particularly associated with these professions. That is why alumni IAIN, especially the Faculty of Shariah, which is rarely ready to become a lawyer in the field, but field work related to the religious court of lawyer very stretched. Plus a job as a consultant for matters relating to the problems of community life has not made the field work. In the meantime, it is no less important is the concentration of IAIN of academic targets on the one hand and professional goals on the other side. For example, if training is carried out aimed at the Faculty Tarbiyah professional interests or the other? Similarly, the training at the faculty of Da'wah, Ushuluddin and Shariah?

Although looks are not so fundamental, the name of the faculty at IAIN, especially if associated with the context of Indonesia, is also problematic. The names of faculty and departments are not grounded, because it still uses the Arabic term that is often not understood by the general society. It would be more harmful if the names are not understood by the institutions to look for prospective employees, as IAIN alumni

are automatically rejected. Names like Ahwal Syakhsiyah Department, the Department of Fiqh Jinayah Siyasah, and others are names familiar to most people outside the IAIN alumni. Even among Muslim students even if the names are not necessarily understood (Specifically read Suyitno, et.al., (eds), 2004).

On the basis of these considerations, the names of faculty and departments need to be reviewed. It is necessary to facilitate the marketing of alumni on one side, and to develop a specialized branch of science on the other side. Thus, it is possible that the name of the faculty at IAIN will change or develop, let alone a major. Example, the name of the Faculty of Shariah which has been identified with Islamic law. In the Law no. 7 in 1989 stated that one of the requirements to become a judge must "Shariah scholar or scholars who master the law of Islamic law" (Article 13 paragraph (1) g.). In the context of a judge, the term "Shariah scholars" clearly refers to the graduates of the Faculty of Shariah. This is also enhanced by several departments which is almost entirely related or oriented to the Islamic law (fiqh) (Martin, 1985, h. 1-18).

The description of the high demand closely related to market demands in the era of reform that will inevitably lead to a free market. Even on high demand also could not escape from the demands of the market, in addition to adjustments to the development of society. In other words, not only preparing IAIN alumni or human resources to academic and professional workers in the field of sciences of the Islamic, but also to participate in the preparation of competent human resources in other disciplines who have a strong Islamic foundation. Therefore this task is a challenge for the IAIN in developing the Islamic sciences that had been categorized in five faculties owned. From the ideological side of this step is meant to understand Islam as a comprehensive and detailed in line with Islamic promises to be a guide of life as a whole and not just for the life hereafter.

Development like this is possible when there is decentralization policy and autonomy of Universities in Indonesia, including the IAIN. Similarly, IAIN Raden Fatah

had a plan forward as a model university "reintegration of science" as a "center of excellence" and will form the scientific-religious community. Background description of the above researchers consider important to analyze how the scientific development in acceleration of IAIN Raden Fatah (the philosophical analysis of the development prospects for majors and courses) which it can be known in a comprehensive structure and development of science in IAIN Raden Fatah.

The problems posed in this study are as follows: first, the development of science of shariah. What has been done by IAIN Raden Fatah? Second, How shariah prospects for development of the science carried out by IAIN Raden Fatah based on the needs of the workforce and global developments?

Development of Curriculum in PTAI

Higher new paradigm emerged one of the world excluded from the "World Declaration on Higher Education for the Twenty-First Century: Vision and Action" by UNESCO, which then continues to influence the development of higher education world today. Important document which is also the main source of additional new paradigm for the concept of Higher Education in Indonesia this also includes the basics from the mission and function of Higher Education; ethical role, autonomy, responsibility and anticipatory functions of Higher Education; formulating a new vision of Higher Education; strengthening participation and role of women in Higher Education; development of science in Higher Education through research in the field of social sciences, humanities, and science and technology, and dissemination of the results; the development of long-term orientation based on the relevance of Higher Education; strengthening cooperation with universities world of work, and analysis of and anticipation of the needs of the community; diversification of equal education opportunities; new approach in an innovative education; empowerment of students as the main actor Higher Education; the development of a qualitative evaluation of academic and administrative performance; anticipation to the challenges of technology; strengthening financial management and University high;

increasing cooperation and alliances between universities with various parties (stakeholders) such other scientific institutions, industry, communities, and so on (Azra, [http.ditperta.jurnal.html](http://ditperta.jurnal.html)).

To clarify the vision and action Higher Education in the 21st century such as UNESCO formulated a clear, highly relevant to the new paradigm of Indonesian Universities in more important parts of the UNESCO Declaration may be disclosed: First, about the mission and function of Higher Education, the Declaration affirms that the mission and principal value of universities is to contribute to sustainable development (sustainable development) and development of society as a whole. In that context, the mission and functions of universities and more specifically is: to educate students and citizens to meet the needs of all sectors of human activity, by offering qualifications that are relevant, including education and professional training that combines science and high-level skills through courses, subject that continues designed, evaluated in a consistent, and continue to be developed to address the various needs of society today and the future. Second, given the opportunity for enthusiast to obtain higher education throughout the ages. Universities have a mission and functions given to the prosecutors the science of optimal choice and flexibility to enter into and exit from the existing educational system. Universities must also provide opportunities for individual development and social mobility for citizenship education (citizenship) and for active participation in society. That way, students will have a global vision, and at the same time have the capacity to build a indigenous. Third, promote, create and disseminate knowledge through research and provide expertise (expertise) relevant to assist the public in the development of cultural, social and economic development in the field of science research and technology, social sciences, humanities and creative arts. Fourth, it helps to understand, interpret, preserve, strengthen, develop, and disseminate historical cultures of national, regional and international in pluralism and cultural diversity. Fifth, helping to protect and strengthen social values to inculcate the younger generation the

values that form the basis of democratic citizenship (democratic citizenship). Sixth, contribute to the development and improvement of education at all stages, including the training of teachers. From the expression of vision and action on higher education it is clear that the IAIN as part of the institution contribute educators to participate. One of them is addressing the development needs of the labor market. In short, today's conditions flourishing banks that use the label of Shariah or Islamic labeled rude. Experienced major developments in the Indonesian Shariah banking does not mean that the constraints and obstacles faced by these developments are not there. Broadly speaking there is four obstacles faced Shariah banking in Indonesia, namely: fiqh constraints, legal constraints, the constraints of Shariah banking socialization, and operational constraints. From the analysis of these constraints on the fact that the constraints that could hinder the development is considered Shariah banking can be converted into a motivation to self-correct and encourage banks to achieve progress Shariah is greater than that achieved during this.

Shariah banks today have wide impact on economic improvement and awareness of new people to adopt and expansion of Islamic financial institutions, the Indonesian government with the approval of parliament, has been replaced Banking Act No. 14 in 1967 with the Banking Act No. 7 in 1992, which mentions the permissibility of banking operations for the system with a system other than flowers. Based on the Banking Act No. 7 years in 1992's first Shariah Bank in Indonesia that was established on October 3, 1991 under the name of PT Bank Muamalah Indonesia and began operations on May 1, 1992 with capital of Rp 84 billion. Stagnant condition of the Bank's Shariah emerged for several reasons, namely:

1. Low level of knowledge and public misunderstanding about Shariah banking.
2. Conditions of banking operations, monetary instruments and financial markets are not yet available syar'iah.
3. Limitations of Shariah bank office network, and lack of human resources (Bulletin of Bank Indonesia, November-December 2000).

In response to this it is clear that IAIN have a moral responsibility to develop the concept of Islamic economy that is consistent vision and mission that carried, besides preparing for employment Shariah bank manager or other forms of Islamic economics. Faced with the need to put this curriculum really able to answer the question at hand. There are fundamental differences between the paradigm of Islamic economics and conventional economics. Conventional economic view of science as something that becomes free secular values while the Islamic economy is built on religious principles. In this paradigm level, Muslim economists do not deal with the problem which means a difference of opinion. But when they were asked to explain what and how the concept of Islamic economy, the differences began to emerge (Karim, 2001, h. 33).

In modern literature, economics term is generally understood as a scientific study that examined how those individuals or community groups make choices. Human choice must be made at the time they will meet the needs of everyday life. This is because every human being has a limited (scarcity) in terms of resources it has, so he might not be able to meet all the needs and desires of his life without making a choice to allocate resources owned. Option is selected in the activities related to production, consumption and distribution activities of goods and services in the community. But the bottom line economics discussion aimed to understand how people allocate limited (scarce) resources they have.

More specifically, Samuelson and Nordhaus (1992), stated that economics is a study of social behavior in the use of limited resources (rare) in order to produce various commodities, to then distribute (distribute) these commodities to various individuals and groups who have in a society. So discuss economics-related activities with the allocation of scarce resources for production activities to produce goods and services; economy also discusses activities related to the ways goods and services; also discuss activities associated with consumption activities, namely the use of goods and activities services to meet the needs of life; and discusses the activities associated with distribution activities, namely how to distribute

goods and services in the community. All the economic activities ranging from production, consumption and distribution of goods and services are all discussed in economics that is often discussed in the literature capitalist economy. The capitalist economic system on which to put all economic activities ranging from production, consumption, and distribution in different economics discussion with the view of Islamic economic system. This difference can be identified with the understanding of views by referring to the sources of Islamic law in the form of the Qur'an and Sunnah. Islamic economic system has fundamental differences with any economic system including the capitalist or socialist. The difference was not only includes economic philosophy, but also on basic concepts and the practical level. Although there are fundamental differences between the Islamic economic system with other economic systems, but does not deny that at the level of practical details found some similarities. But essentially there is a difference between the Islamic economic systems with other economic systems due to different economic systems basis.

Economy Islam or Shariah in the Indonesian economy a new phenomenon and certainly has weaknesses and strengths during the relatively short age and have the constraints that hamper its existence. In this paper, at least for the constraints of Shariah banking in Indonesia, which include four constraints?

First, constraints fiqh; the controversial interest banking products and services deemed Shariah-smelling flowers. Second, the Problem of Law; not a law that gives a description of how operations of Shariah banking in Indonesia between 1992 - 1998, and the existence of several problems associated with Shariah banking system liquidity associated with Bank Indonesia's Law No. 23 of 1999 and there is no clear body for settling disputes between the bank's Shariah with customers. Third, low Shariah Banking Socialization; Shariah banking socialization activities are necessary in order to disseminate information and raise public awareness about Shariah banking. Fourth, Operational Constraints; There are several operational

constraints facing the Shariah banking are: The lack of human resources and expertise, the limitations of Shariah bank office network, liquidity problems, and the asymmetry of information. Talking more about Islamic economics, Islamic economics seems just able to touch the outer side of what is required by a dynamic interdisciplinary approach suggested by Ibn Khaldun. Greater emphasis has so far only the explanation of what the Islamic economic system is ideal, how it differs from the system of socialism and capitalism, how the market operation in which the framework of Islamic perspectives can help to minimize the glaring inequalities of the market system and help raise positive influence in terms of realization of the welfare of the whole society without extreme dependence on the state. Part of the discussion that occurred was at the level of epistemology range. The results are quite impressive is the growth of Islamic banking system. The term Islamic Bank or Bank of Shariah is a new phenomenon in the modern economic world, they appear as intense efforts made by Islamic scholars in support of the Islamic economy is believed to be able to change and improve the conventional economic system based on interest. That's why applying the system of Shariah Bank interest-free system (interest free) in operations, and therefore the most common formula for defining the Bank's Shariah is a bank that operates in accordance with the principles of Islamic law, with reference to the Al-Quran and As Sunnah as the basis for the legal and operational basis (Perwataatmadja and Antonio, 1992, h. 1-2).

In terms of macro economy has been the subject of much discussion, though not much in the theoretical models that can show how the values and Islamic institutions, and various economic sectors, communities, and government policy can interact to help realize the vision of Islam. Results which have experienced little progress is in the micro sector of the economy, the success of this will help building the Islamic macroeconomic theory. Islamic economy has so far failed to escape from the influence of Western economic thinking, and in many cases trapped in a web of systematic intellectual who actually want to replace. There is no way out other than what is done by Ibn Khaldun to the community by using a multidisciplinary

approach to find the cause of various problems and provide input to the analysis of a comprehensive, integrated and practical improvement programs. Islamic Economics is required to collect reliable data and reliable on a number of economic variables is vital for scientific analysis. If it can be found, then the journey of Islamic economics will provide great hope. But it all takes a long time. This field will have matured after passing through a long evolutionary process. If the definition and system economics are able to cover the possibility of unnecessary science called economics, but has the same meaning, then the Muslims have their own science and systems, including economic. While not need much to not admit that the influence of the Greek philosophers thought ancient signed in to development of economic thinking among Muslims, such as: Ibn Sina's thought in a short article about the administration of Islamic households ('Ilm al-Tadbir al-Manzili), which is examples of direct influence of his mind Aristotle's Politics. Islam itself provides the basic concept of the system, economics. Included therein are: philosophy of life, methodology and rationality is a central issue in discussing the science. Islam, through the heirs of Prophet, organizing general methodology, then classify them into several categories including science of fiqh in that category shari'ah sciences, in which there are branches. Today, if Muslims want to redefine the Islamic economics, it can redefine the two alternatives, namely: First, referring to the science of contemporary (secular) and then performed the Islamic process; second, departing from muamalah fiqh which we did for the science of Islamic compound with secular economy. Choice of two alternatives are equally consequences or problems. The first alternative can lead to the Islamic justification for the existence of secular economics. The second alternative to face difficulties in teoritisasi ratings. But in the long run the latter seems more likely to be used (Bulletin of Bank Indonesia, October 2001: 6).

In the theoretical aspect of what's Shariah banking, the central issue that we often hear is that the community's understanding of the system, the principle of banking products and services based on Islamic Shariah most were not quite

right. It is thus not only the common people, but also happens to Ulama, Kyai and the other community leaders. Although the Islamic economic system has clear and easily understood, namely doubling the money ban is not productive and the concentration of wealth on the one hand and unfairly. But in a practical form of products and services, the basic principles of relations between banks by customers, and ways to try a kosher in Shariah banks still common and have not properly understood.

Evaluative Reviews of Shariah Departement

Within the framework of established scientific basis and establish philosophical vision and mission of the Islamic legal studies, further discussion will explore these issues and is followed by a description of the opportunities and challenges within Indonesia. The next chapter will discuss Islamic law in national legal systems. The core of this paper, the view of Islamic legal studies at IAIN, would be the object of the next review.

When established in Yogyakarta in 1950, based on the PP (Government Regulation) No.. 34/1950, Islamic University Affairs (PTAIN) has two faculties, one of them is the Faculty of Shariah. When turned PTAIN IAIN by combining Academy Bureaus (AACB) in Jakarta in 1960 and subsequently developed into 14 IAIN in the mid-1970s in various parts of the country, the existence of the Faculty of Shariah will be retained and developed. The existence of Shari'ah studies also continue to grow by 32 faculty inaugurated branch into the College of Islamic Affairs (STAIN) in 1996. Significance was also seen Shariah studies from many faculty / study programs in Islamic Universities Private (PTAIS), even as part of the Faculty of Law at the State Universities / Private (PTN / PTS). Although not a separate course, Islamic law is a compulsory subject in all Faculty of Law in the country. Therefore probably not an exaggeration to state that this faculty became one of the core faculties that seems to be there at every IAIN. Before STAIN formed, that derived from IAIN branches were recorded in 90 faculties in all 14 IAIN Indonesia, 23 of them (25.5%) was the

Faculty of Shariah (Lubis, 22 Juli 1996). Therefore, the faculty of Shariah is a field of study is very close to the boarding school tradition, which is more a continuation of the traditional education institutions. Islamic Studies education in Indonesia concluded that in terms of topic and content provided at IAIN, Faculty of Shariah is the most similar to the traditional boarding school, although sometimes the methods and conclusions may be different (*faculty of Islamic law shares the closest similarities to the topics and content of the boarding school education, while the methods and sometimes the conclusions may show considerable differences*).

Before discussing more about the history of the development of Shari'ah studies at this institution, first explored why the word 'Shariah', instead of 'jurisprudence' or 'Islamic law' is used. This is even more interesting considering in parallel in other educational institutions have been there and active "faculty of law" as a continuation 'Rechshogoeschool' (Law School) Dutch colonial heritage (Steenbrink, 1996, h. 160).

In scientific discourse, the word Shariah does have meaning and significance that is important, because it is stated in the Qur'an and hadith of Prophet Muhammad SAW., Two sources of Islamic teachings. The word 'Shariah' and the pieces listed five times in the Qur'an. In the form of the verb (*syara' and syara'u*) are respectively in sub 42:21, 5: 48 and 45:18. Last paragraph is the most important and often makes become one of key concepts in Islam, the Shari'ah.

Shariah, which originally meant the road, particularly road to water sources, used among Muslims to mean the guidelines of God (*khithab Allah*) to mankind for their happiness in this world and salvation in the hereafter. This guide is derived directly in the form of revelation, namely the Koran and there is through His messenger model, namely the Sunnah. Although God gave the shariah which may be different on his emissaries, soon after the period is complete treatise, especially with the completion of the minutes of the Prophet Muhammad as the Seal of the Prophets (*khatam al-nabiyyin*), this becomes a permanent Shariah. It is noteworthy that the word Shariah is usually ascribed to one messenger, such as

Abraham shari'ah, the shari'ah Moses and Muhammad shari'ah. Shari'ah previously (*shar 'man qablana*) This is one source of complement to the formulation of Islamic law. While the word fiqh, which means a deep understanding (*daqiq Fahm*), which is more frequency of usage in the Qur'an, is a Part of God's command to mankind. These words are listed in paragraph 20, but a close relevance to the scientific activities of Muslims is verse 9:122 is reminded that not all Muslims go to war; should have a group of people (*nafar*) from each community (*firqoh*) who studied and understood (*li yatafaqahu*) religious teachings. Whereas the object of jurisprudence that covers the things that is very wide, from the words (Q. 11:91; 20:28), events (Q. 9; 81), beads (Q. 17:44), the verses of God (Q. 6:65, 98), the torment of hell (Q. 9:81), changes in the liver (Q, 9:127), hypocrisy (Q. 23:7) up to the problem of religion (Q 9:122). Indeed in the early development of Islamic civilization Shariah term covering all processes and products of human understanding for all things pertaining to religion (*'ulum al-din*), and even customs issues are also included. Abu Hanifa (80-150 H/699-767 M), the oldest of the four main Sunni Madzhab, defining jurisprudence as '*ma'rifa al-nafs wa ma ma laha 'alaiha*' (knowledge of right and compulsory).

The following adjectives used to sort objects that science studies are increasingly important and this widespread. Jurisprudence relating to what to believe and what is denied of jurisprudence (*fiqh al-akbar*), while related to what to do and be called a deed of Jurisprudence (*fiqh al-'amali*). The second is what eventually became the most important part, and later became the sole subject of the science of jurisprudence. This understanding was outlined by al-Jurjani (471/1078), author of famous book al-Ta'rifat, and by al-Ghazali (505/1111) in his book al-Mustashfa (Mathlub, 1991, h. 7-9 and al-Ghazali, juz 1, h. 4).

The word 'law' is widely used in Indonesia comes from the Arabic which is also commonly found in many verses of the Koran. The word "*hukm*", plural *ahkam*, in *lughawi* means setting and deny a case based on something other matters. The Qur'an confirms the importance of upholding God's law derived

(*anzal ma bi yahkum Allah*), and classify those who do not do that includes unbelievers (Q, 5:44) and pious (Q, 5:45) and the wicked (Q, 5:47). The Qur'an also reminded that Muslims should never imitate the pagan law (Q 5:50). Allah SWT. also confirmed that one of the functions of the Koran is to uphold the law of God in the midst of the human race (Q, 4: 105). In the tradition of Muslim scholarship, this word is usually defined as the determination and the provisions relating to the subject of legal action (*mukallaḥ*) derived from or based on the guidelines (*khithab Ilahī*). Deeds *mukallaḥ*, in Islamic legal discourse, divided into five categories: the mandatory, circumcision, *mubah* and unlawful. This classification is called *al-taklifi ahkam*. In addition, other known categories, namely *al-wadh'i ahkam* more related to external conditions, but still related to legal acts, the causes, conditions and prevention (*mani*).

The discussion above shows how important the study of Islamic law in the history of Islamic education. This also explains that there are significant differences between the Shari'ah, Jurisprudence and law in Muslim scholarly discourse, though admittedly has also occurred a shift in meaning from one period to another period. The discussion above also shows that the scale in terms of closeness to the Divine and sacred, Shariah is the highest and is considered permanent and in fact ascribed to the Prophet, followed by a jurisprudence which is a human attempt to understand the religion (*din*) and to formulate guidelines of behavior, finally elaborated in the legal form for certain cases.

Description of a particular case can be embodied in several forms. The first fatwa is an opinion or a legal opinion '*alim* of a matter in question to him which is called mufti issues of fatwa. The second is the decision making up court judge (*Qadi*) of a dispute over something that confronted him. If the provisions of behavior is formulated by the authorities and is intended to support the establishment of Shariah more, then it is called *Siyasah Syar'iyah*. Finally there is an effort to formulate and modify the provisions detention-behavior in the form of laws that apply to the public. This is called *qonun*. Besides that,

certainly the most widespread is the result of an idealistic description and hypothesis scholars treasures scattered in the literature is rich jurisprudence.

Curriculum Reviews in Shariah Departement

The question is whether the learned and taught in the Faculty of Shariah IAIN? Is match between the entity names given name? The results of the alignment of the curriculum for the Faculty of Shariah, it can be concluded that the study is that Shariah is not only focused on jurisprudence, let alone limited to purely legal. Therefore, from this side, naming this faculty with the Faculty has the right Shari'ah and therefore should be maintained. However, in accordance with previous descriptions above, the Shari'ah is a field of study is vast, and finally results in a very heavy curriculum, or lead to learners' ability to loses. Students learn many things, but no one of them professionally controlled. This course requires a scientific more emphasis visible and more praxis. Decree naming has also legally-recognized and accepted in formal professional practice. Although not listed in the 1945 Constitution, but historically, the word 'Shari'ah' embodied in the Charter of Jakarta. Next Law No. 7 year 1989 about Religious Court explicitly include the term 'Shariahh scholar' in the various articles and judicial institutions penjelasannya.⁶ among Muslims outside Java, before the enactment of Law No. 7 / 1989, also known as the Shariahh court. Among the legal praxis, this word has been widely used and accepted. Supreme Court, as the highest judicial institution in the Republic of Indonesia, example in the Supreme Court Circular No. MA/Kumdil/1589/IX/1998 dated 2 September 1998, mentions that one of the requirements to participate in the Technical Examination for Lawyers Practice Law is a "Bachelor Degree of Law or Shariah". The fact that all graduates IAIN later given the title Scholar of Religion (S.Ag.) obscures the Shariah Faculty alumni competence and penalizes them when they want to work in the profession. This deserves the attention of all parties involved to clarify these issues and maintain the term 'Shariah scholar' as the best alternative. But changed back with a Master's degree in Islamic Law (SHI).

In accordance with the provisions contained in Law No. 23 of 2003 on National Education System (USPN) and Government Regulation (PP) of Higher Education, the goal of state institutions of higher education specializing in Islamic studies was formulated by the RIP (Master Plan Development) IAIN as follows: IAIN aims to help construct Islamic scholars, who have the ability Academic and/or professional who is faithful and devoted to God Almighty, noble character, be rational and dynamic, philosophical thinking, broad-minded and able to cooperate in the framework of the development of science and technology and the arts in the national interest, that the object and scope of the study in IAIN is Islam. What is Islam here? Islamic studies include at least three key areas. The first is a teaching of Islam, which manifested in the form of divine revelation which accumulates in the Qur'an and the Sunnah of the Prophet Muhammad's guidance. for his people who assembled in the hadith. In this case study based on a study of Islamic revelation in the form of a source subject al-Qur'an and al-Hadith as well with the device sciences of the Qur'an (*'ulum al-Qur'an*) and hadith sciences (*'ulum al-Hadith*). These science, since some time ago to be majoring in Tafsir, Hadith and the Faculty of Ushuluddin special courses post graduates level.

Furthermore Islam also studied as part of the thinking, as part of fiqh in the broad sense, as commanded by Allah SWT. in the Qur'an. In the history of Islamic thought (Islamic thought) seen there are five areas of Islamic thought that prominent, namely: faith-theology (*'ilm al-kalam*), the law in a broad sense (Shariah), philosophy (wisdom *'irfan*/philosophy), character-Sufism (*tasawuf*). Science and technology (Science) and art-culture is still very poor Muslims studied in Islamic universities, including the IAIN, which actually covers a wide field, beginning arithmetic (*'ilm al-reckoning*) and mathematics to architecture (*'ilm al-handasah*) and astronomy (*'ilm al-celestial sphere*). Islam at the next level is an experience and its application in life. Basic on the Qur'an and Sunnah that later elaborated in a variety of thought, and then obliged to Islamic teachings and applied by Muslims to establish Islamic

civilization which for centuries have illuminated the world. Islam as an outstanding experience reviewed and developed during this IAIN is an aspect of education (*tarbiyah*), missionary and of course the law, while other aspects seem still neglected. From the above description, it is clear seen that the religious sciences of Islam and / or Islamic science (Islamic knowledge) covering the various disciplines that spanned not only within the scope of science theology religion as such, but the social sciences, science - natural sciences and humanities. In line with the development of science, Islamic studies are also applying inter and multidisciplinary approach that spawned many new sciences. Is something that is not only unwise, but also not realistic, dominate in the circle of Islamic studies focus on traditional Islamic studies, especially when linked with the conditions of Muslims who had stagnated during the decline of Islamic civilization since the 13th century until the 19th. Resurrection (back) that proclaimed Muslims with the entry of the 15th century of Hijra would not exist without a growth-based development of science and technology among Islamic Muslims.

From the other side, in fact every scientific discipline has a theoretical aspect and applied aspects, although many are sorting themselves in a different science. In addition to the above, in the tradition of Muslim scholarship, known also many other sciences have developed, such as *ilm al-'umran* (the science of wealth), *'ilm tazkiyat al-nafs* (psychiatry), *'ilm al-iqtisad* (economics), *'ulum al-mujtama'* (social sciences) and many others. In terms of content, methodology and values, the sciences, beyond the many similarities, there are differences that developed from the disciplines of astronomy, sociology, economics and psychology that developed in the university-conventional university, which is generally imported from the Western scientific tradition. Matching both traditions may become an important task IAIN. From this aspect, the idea to develop IAIN a university, or with the authority to expand the scope of study (with wider mandate) is a strategic step that should be followed up. Within this framework also the development of Shari'ah studies at IAIN can be traced. Based

on the above rationale, the study of Islamic law, or Shariah rather study, covering three areas, namely revelation study as the main source of Islamic law, the study breaks down thinking about the legal developments in thinking among Muslims and applied studies that examine experience and the implementation and development of the rules of interaction behavior with the empirical condition of the Muslim community. This conversation is closely related to the debate among students of contemporary Islamic law of Shariah whether it 'substantive rules' or methodology. More in-depth assessment shows that the Shariah actually does contain two elements, although the shift has often occurred either to the rules of substantive law and more to the theory and methodology of law. However, several observations should be noted that the Shari'ah experts as a methodology and legal theory has brought Muslims into the golden age, and that when Shariah is more highlighted as a rule of substantive law, Muslims are filled with air stagnation and even decline. This discussion draws attention to the question of whether the teaching-learning process at the Faculty of Shariah is more focused on academic or professional education. From the previous description it can be concluded that the study of Shariah in Higher levels of education encompasses both academic and professional education. Therefore, each department must determine the choice, and not closed, even better, to develop both. But it must be divided between the academic programs of a professional. Academic program primarily intended for students who continue to higher levels, strata two and three. Corollary is that the curriculum offered to them is also a different emphasis and methods. It is wrong to impose a solid curriculum with academic maturation for those who are more focused on professional preparation. This is evident from the very imposition of any student who must write a thesis that is sometimes far from the world of work relevance that will be faced in the future, whereas a program of field work or internship may be more useful.

Review to Vision and Mission of Shariah Department

No clear vision of the Faculty of Shariah whether it academic or professional programs are also visible from the very ideal targets for graduates launched, so that graduates of undergraduate (religious scholars) is expected to be a drafter, *mujaddid*, and so on. Minimum competency of a graduate undergraduate is a professional executive, while developing the application of science and technology capabilities in the role of improvisation and innovation processes are two undergraduate graduate competences, which then increased the ability to develop and create technology for graduates of three strata.

This is the tendency for planners and managers courses Shariah think too 'ideal' to fill the curriculum (overburden the curriculum) with a variety of courses, Part is 'orders' and the other 'legacy', which looked ideal but less relevant to the efforts preparing students to face the world in the profession. This is not closely related to the clarity of program objectives and the formulation of graduates who figure to be achieved. Description lessons given unit, for example, better prepare students as scholars 'history' of the law struggling with a legal mind-ideal past, but not prepare them as a struggling lawyer positive legal problems facing today. One of the important missions of universities is to prepare experts needed by the community. The community needs is certainly diverse. Almost impossible with formal study programs at universities to produce graduates who mastered everything about Islamic law. Therefore it must be clarified and sorted specialized field of study. Expansions of specialization, therefore the elimination of departments, are commonplace in the world of Higher Education, so no need to hold that the department/study program should be permanent. Therefore, one way of inspection, which must be done is to see how the figure of graduates who have and want the program generated by this study. This is certainly related to the condition and employment projections and a growing there.

IAIN Shariah Faculty aims to prepare students to be scholars who have academic and professional capabilities that control, implementing, and/or creating scientific, technological

and/or art and trying to use to enhance public welfare and stage to enrich culture in shariah. The alumni of the Faculty of Shariah are prepared to assume the profession of knowledge and skills in the disciplines of shariah a basic requirement. From its inception, the Faculty of Shariah is intended primarily to provide expertise in the field of governmental bureaucracy that controls the Islamic law which is being urgently needed, especially to fill positions in the ranks of judges of religious courts and other offices within the Department of Religion. Judicial religion has passed a long gestation period and winding in the history of the judiciary in Indonesia. Begins with the acceptance of Islamic law and the judiciary in 1884 as an institution for dispute settlement cases to between Islamic Religious Court inaugurated as an integral part of the national justice system with the adoption of Law No. 7/1989 on Religious Courts. Until the mid-1970s, managed by the Religious Court judges that the majority of secondary education only, and many are just absorbing the traditional religious education. They are basically local clergy leaders who work part-time (part time) as judge honorariums. In the early 1960s, the government established PHIN (Islamic Justice Education Affairs) in Yogyakarta that educate the bond department candidate's religious judges. Similarly, his colleague, Teacher Education Religious Affairs (PGAN), PHIN only secondary school level (secondary schools), while the general court has long applied for the scholarship requirements the judge. This raises problems in justice quality and rank of their employment.

The results of the surveys showed that the Faculty of Shariah was to develop careers in many fields of work. Traditionally, a faqih (jurist), in addition to the judge (Qadi) as a main profession, also a career as a mufti (legal-consul), teacher-lecturers (ustadz) and supervisor-religious worship community (priest, chaplain, missionary). Many alumni, who played well Shariah as a teacher, though not explore the science of formal tarbiyah, or become successful preachers-preacher, who should be more prepared for graduate Faculty of Da'wah. Alumni Excellence Shariah is their mastery of Shariah-fiqh and science skills in a variety of tools. However,

the number of alumni who wrestle profession of Shariah law, outside the religious court, is still very minimal. This is mainly still many structural obstacles. During this limited positions available only to become a lawyer within the scope of judicial practice of religion, only recently opened to discharge the Supreme Court Circular, which has previously. All this is closely related to the condition of the legal political developments in Indonesia.

Development of national law based on three perspectives, namely Insights Nationality, Archipelagos and insight *Bhinneka Tunggal Ika*. These three insights are referring to the development objectives of national law, namely the establishment of the National Legal System. With this insight, the development of national law encompasses three main components, namely the law, legal order and legal culture.

From the aspect of legal devices, the development was focused on the development of principles, rules and norms of national law, including the drafting of legislation and case law development. From the aspect of legal order, the development of national laws includes the development of organizational, institutional and legal mechanisms structure, guidance personnel and increased network systems documentation and legal information. Whereas the cultural aspect of law, aimed to foster development and develop a philosophy, awareness, professionalism and national education. Each step in the development of every aspect of development above the law, Islamic law has and will provide a significant contribution. Page of history shows that in the archipelago has evolved at least three legal systems, namely systems of customary law, Islamic legal system and Western legal systems. Own customary law before the coming two other legal systems have accepted the influence of Hindu law and of some other outside civilization. Law derived from the West, despite resting on concordance law of law in the Netherlands, also received influences from other legal systems, especially France and England. Interactions among different legal systems is developed and applied during the pre-independence era, but the

rule is very prominent colonial interests. Function and status of Islamic law itself in the constellation of positive law in Indonesia, therefore, fluctuated. Islamic law has recognized as the applicable law, whether formal or actual, in the kingdom and the empire in the Archipelago region. During the first phase of colonial rule, colonial take of non-interference policy and the theory *receptie in complexu*, stated that Islamic law applies fully and completely to every citizen of the Muslim natives. Later, this theory is shifted by reception theory, which concluded that the Archipelago natives had embraced Islam, although not necessarily practice of Islamic law, but just follow the rules of Islamic law if it has been accepted as part of their customary laws.

After Indonesian independence was proclaimed on August 17, 1945 and the 1945 Constitution declared valid, then the existence of Islamic law into conversation material back in line with the spirit of independence in the legal field. In general, academics and legal practitioners are divided into two groups. One argues that based on the 1945 transition rules, the existing regulations in the Dutch East Indies government still has not held true for the new regulations in accordance with the Constitution of 1945. This means the entire set of rules and colonial policies - including the theory-for reception newly created yet is still valid.

The second group holds that the 1945 Constitution contains dictum, dictum of the Pancasila state basis, the first principle is the Belief in God Almighty, and of the position of religion in article 29, all contrary to the provisions, including reception theory, no longer valid. This was reinforced by Presidential Edict No. 2 / 1945 dated October 10, 1945, which provides that the legal restrictions applicable law is not contrary to the 1945. Under the 1945 Constitution, Islamic law have an independent status that is no longer resting on the validity of customary law. Supporters of this understanding that even the new customary law applies if not contrary to Islamic law, this theory is called '*receptio a contrario*' (Thalib, 1985, and 1987).

This theory is also supported by the results of research conducted mainly by BPHN (Badan Pembinaan Hukum Nasional) and the Faculty of Law University of Indonesia. The study showed a strong tendency that the Muslims want Islamic law and treat his life, including in the field of marriage and inheritance laws. Further legal position is no longer determined by the politics of colonial law, but policies are aligned with national law, particularly as outlined in the Guidelines (Lines of State Policy). The policy seems to have accepted is that in the context of coaching the national law, Islamic law became one of the materials and resources, other than customary law and Western law. In the last piece of the New Order period, when the demands of justice majority of the Indonesian Muslim can not be ignored any longer, the position of Islamic law more protruding. Turning point might have represented the wisdom of the turmoil that preceded the birth of Law No. 1/1974 on Marriage, followed by the Constitution No. 7/1989 on Religious Courts. Wave of reform that students fought, finally getting confirmed the rule of law and legislation and strengthening the position of religious values in the state and nation. The discussion above shows how complex reality background legal developments in Indonesia, until talk vision of Islamic law by all parties to be very diverse. Results of browsed of past developments show how Islamic law has played an important role and provide many positive contributions to the realization of national legal systems in the country is the largest Muslim country in the world today. Empirical study of various factors and projected future development strengthened occupation of Islamic law in Indonesia.

All of this suggests that the future offers many opportunities for the development of Indonesian Islamic law, but also displays a lot of challenges which if not addressed carefully and wisely to minimize and, it is not impossible, to eliminate the existence of Islamic law in this nation life. Islamic legal studies in higher education rankings (higher learning) must have the vision and mission that are relevant and purposeful, of course, differ from primary and secondary ratings. In general, what can be reconciled with the formula set

forth in KPJP-PT 1996-2005 as 'Insight 2018' which is an idealized vision of the future that must be fought for by the College, became a leading element in the intellectual life of the nation, the scientific community to develop, maintain, develop and disseminate a culture based on science, technology and the arts; and build a complete Indonesian man who taqwa to God Almighty, high ethic, cultured Indonesia, scientific excitement, which mastering of science and technology with extensive knowledge of policies and progress humans, society, and culture. Therefore, the most fundamental vision is probably the clarity of the view that the Faculty of Shariah and the Islamic State in particular is essentially a general higher education institutions (higher learning institution), he argued that scientific institutions should be managed and developed in accordance with scientific and academic principles. Looking at this institution more as a propaganda agency, in a narrow sense, especially as a rigid bureaucratic institution, will only complicate the development of the institution itself, especially in today's global era. By comparing the legal educational purposes in general, the Islamic legal studies program at IAIN should be directed to prepare students to be scholars who (1) recognize Islamic law as a whole and control the Islamic law which is the concentration area of study, (2) recognize the positive law in Indonesia in general and master of positive law into areas of Indonesia is concentrated, (3) mastering the scientific basis and the basis for developing job skills and legal knowledge of law, (4) recognize and be sensitive to issues of social justice and, (5) have the ability to analyze legal issues and the community, and (6) has the ability to use law as a means to solve social problems (law as social engineering) with a fair and wise and based on Shariah principles.

Law as social engineering is increasingly recognized recently by thinkers and practitioners to encourage law exponent of Islamic law recognize an important and strategic role that can be played by Islamic law. Shari'ah principles and ideas and historical heritage so rich application can offer alternatives and solutions to problems and dilemmas of modern society today and to guide future development. The experience

of Western legal systems secularity, even anti-religious, and the release of the moral values of the legal system can get input from the idealism and experience of the Islamic legal system.

In addition to the various opportunities (opportunities) that can be used as well as many challenges (challenges) that must be faced in the development of Islamic legal studies, perhaps more important to establish clear vision and mission planners, managers and participants of the study of Islamic law itself. Was found among managers and teaching staff who dogmatically tied to the level of jurisprudence sacred disproportionate. This resulted in what is taught is not the methodology of jurists thinking 'the past is so diligent and intelligent, but simply transfer the final product earlier thought. Rigidity is further exacerbated by the inability to understand the development of modern law which is therefore difficult to put Islamic law in the development of a comprehensive law. In general, Indonesia's national education today are trapped in a rigid system and centralized, plagued by the practice of corruption, collusion and nepotism (KKN) and orientation rather than the empowerment of the people. Islamic education, which is a sub-system of the national education system, not apart from the grip of this pandemic. The diversity of the internal conditions that are owned by their respective regions and examine broad and diverse environment that enveloped the situation, absolutely necessary and diversification autonomy the study of Islamic law, is more relevant to the objective conditions of the present and future projections of each. Which may need to be developed is a network (network) between the various study centers and similar institutions, related and other support. With interest the above description, it can be increasingly aware that the Islamic legal study at IAIN has played an important role and has contributed to the development positive people and nation. However, all too aware of all parties that are absolutely necessary to preserve the benefits of development and meet the challenges of today and directing future development. All this requires the existence of a directed planning and concrete efforts are more comprehensive and sustainable to improve the

structure and improve the culture. In terms of structure should be a review of the organization that can offer a more visible to order concentration of program, courses, curriculum and the process variables and other supporting devices. Status of the Faculty and alumni status of Shariah in the constellation of higher education institutions in the country's laws should be improved. Selection and promotion of teaching staff should be more based on meritocracy and the profession. Library should be a priority to complete. Any improvement in terms of the structure will not work a lot, could actually backfire, if not driven by changes in culture. Guidance of solid scientific attitude and good academic culture among academics became absolutely necessary. The view that the duty of a lecturer only when face to face in class, without regard to and direct the activities of structured academic and independent scientific activity, as was common during this practicing, should be immediately changed. A combination of structural and cultural improvements this will bring the study of Islamic law in particular and IAIN Universities generally, the future is brighter and a more active role, constructive not only for the benefit of the Muslims but for the welfare of the entire Indonesian nation, even for progress humanity. Didn't The Prophet Muhammad sent by God to bring Islamic law for the sake of the universe (*rahmah li al-'alamin*)?

From the overall description of the above ideas can be concluded that Islamic law has played an important and beneficial for the existence and continuation of Muslims and for the development of the Indonesian nation. Islamic law has been tested in the reality of history as a dynamic legal system and directed, creative but integrative. Islamic law has proved a positive role for the development of the Indonesian nation, so the Audience dichotomy between Islamic law in the nation-state, or common law system or the national legal system is something that ill-directed. Active participation and positive contributions of Islamic law in Indonesia should be based on Islamic legal studies program that is conducive and relevant to direct and develop the national legal system. Islamic legal studies at IAIN, although it has managed to carve out his

reputation in the treasury of ideas and development of the national legal system in this country, absolutely must improve and develop themselves to answer the demands of present and future challenges, to not get caught up in memories of the past. If not, the Faculty of Shariah could actually turn into a fortress just to maintain the old traditions that have been worn and not as a pioneer in developing and steering the development of national legal systems.

Higher new paradigm emerged one of the world excluded from the "World Declaration on Higher Education for the Twenty-Firts Century: Vision and Action" by UNESCO (1998), then continue to affect the development of higher education world today. Important document which is also the main source of additional new paradigm for the concept of Higher Education in Indonesia this also includes the basics from the mission and function of Higher Education; ethical role, autonomy, responsibility and anticipatory functions of Higher Education; formulating a new vision of Higher Education; strengthening participation and role of women in Higher Education; development of science in Higher Education through research in the field of social sciences, humanities, and science and technology, and dissemination of the results; the development of long-term orientation based on the relevance of Higher Education; strengthening cooperation with universities world of work, and analysis of and anticipation of the needs of the community; diversification of equal education opportunities; new approach in an innovative education; empowerment of students as the main actor Higher Education; the development of a qualitative evaluation of academic and administrative performance; anticipation to the challenges of technology; strengthening financial management and University high; increasing cooperation and alliances between universities with various parties (stakeholders) such other scientific institutions, industry, communities, and so on (Azra, "IAIN di Tengah Paradigma Baru Perguruan Tinggi", <http://ditperta.jurnal.html>).

The following is a table illustrating the people of shariah Faculty of IAIN Raden Fatah aspects of competency graduates:

1	Higher Education	IAIN Raden Fatah Palembang
2	Faculty	Shari'ah
3	Competency of graduates	<ul style="list-style-type: none"> a. Judge and Clerk of the Court of Religion and Public b. Administrators at the Office of Religious Affairs (KUA). c. Mufti (expert legal opinions for all the affairs of Shariah). d. Consultant in financial institutions Shariah (Especially Banks of Shari'ah and Shari'ah Insurance). e. Muslim politicians f. Banks and Insurance Expert Shariah
4	Alternative Professions Graduates	<ul style="list-style-type: none"> a. Administrators at the institution of Shariah and Law. b. Consultant Shariah problems (ex.: National Shariah Council (DSN). c. Lawyer / Advocate at the PA and PN. d. Islamic State Administration. e. Muslim politicians f. Experts and consultants in the Banking and Financial Institutions Insurance or Shariah
5	Indicator of Competency	<p>Have expertise in the field:</p> <ul style="list-style-type: none"> a. Islamic Law b. Administration and management offices and institutions Shari'ah c. The theory of Islamic Banking and Insurance
6	Reject Measure Competency	<p>Able to understand:</p> <ul style="list-style-type: none"> a. Islamic Law and Positive Law b. Political issues of Islam and the general. c. Problems of administration and office

		management. d.Problems of Islamic Banking and insurance.
7	Main Competency Courses	Various sciences in the filed of Islamic law and positive law, political theory of Islam and the general, the theories of Islamic Banking and insurance as well as conventional.

To clarify the vision and action Higher Education in the 21st century such as UNESCO formulated a clear, highly relevant to the new paradigm of Indonesian Universities in more important parts of the UNESCO Declaration may be disclosed:

First, about the mission and function of Higher Education, the Declaration affirms that the mission and principal value of universities is to contribute to sustainable development (sustainable development) and development of society as a whole. In that context, the mission and functions of universities and more specifically is: to educate students and citizens to meet the needs of all sectors of human activity, by offering qualifications that are relevant, including education and professional training that combines science and high-level skills through courses, subject that continues designed, evaluated in a consistent, and continue to be developed to address the various needs of society today and the future.

Second, given the opportunity for enthusiasts to obtain higher education throughout the ages. Universities have a mission and functions given to the prosecutors the science of optimal choice and flexibility to enter into and exit from the existing educational system. Universities must also provide opportunities for individual development and social mobility for citizenship education (citizenship) and for active participation in society. That way, students will have a global vision, and at the same time have the capacity to build an indigenus.

Third, promote, create and disseminate knowledge through research and provide expertise (expertise) relevant to assist the public in the development of cultural, social and economic

development in the field of science research and technology, social sciences, humanities and creative arts.

Fourth, it helps to understand, interpret, preserve, strengthen, develop, and disseminate historical cultures of national, regional and international in pluralism and cultural diversity.

Fifth, helping to protect and strengthen social values to inculcate the younger generation the values that form the basis of democratic citizenship (democratic citizenship).

Sixth, contribute to the development and improvement of education at all stages, including the training of teachers.

Given the curriculum is a program that offers educational services or 'sold' to the community, the curriculum should be viewed as self-concerned college. College curriculum should reflect the institution's identity as a college of quality (to education, development of the science/research, and community services). In addition, he must reflect the mission and vision of university as an institution. The curriculum must also provide a clear picture of the graduates who wish to produce and how the institution will achieve the expected graduates through various programs of study (majors) in universities. He also must show special university when compared to similar universities.

Considering this is the actual curriculum 'bought' or the public interest, then the curriculum should be packed in such a way that can convince people that they have nothing to lose if the study at the institution, besides of appearance language in the curriculum that should attract and convince the reader. The reader must be convinced that the education programs at universities have been carefully designed and carefully so as not to waste time, effort, and funds students studying in that place. This curriculum should be clear, especially for higher education academic community itself (the leadership, faculty, clerk, and students). This is necessary in order to place common perception about the direction that must be addressed by the education process at the institution and how do I go to that direction. Failure in perceptions about this curriculum will lead to difficulty achieving the goals set curriculum. The curriculum

is well organized and clearly, it should be disseminated to the entire academic community. Quality graduates who are not as expected is an indicator of things that need improvement in teaching and learning in higher education concerned. Should immediately be examined whether the problem is in the curriculum is less clear and focused, in socialization, the lecturer's ability to realize the curriculum, lack of servants, or in its evaluation.

A college curriculum should include clear information about the following:

1. University's mission. Mission can be considered as a reason why or for what the university is held. For example, for PTAI, the mission might be to meet the needs of the community will be able to religious scholars who translated the teachings of religion in modern life. This mission must also reflect the typical college is tri dharma: education, research (knowledge development), and community services (the practice of science).
2. Vision for the future college. This vision is a picture of a desired future happen at universities in anticipation of the changing times in the future. For example, there are colleges that have a vision (goal) to be a college international. This vision is useful as a morale booster academics to improve their quality so that they become like all aspire.
3. Curricular objectives. This section covers only one aspect of the mission of universities, namely education. Given the educational curriculum is planned to be given to students to produce graduates (bachelor) in accordance with the desired, then this curricular goal should be to explicitly mention what kind of graduates is expected to be generated by the college. Of course there are basic characteristics the same for every college graduate is in addition to the special characteristics that are typical majors or particular courses.
4. Profile of graduates. Because the curricular goals are general in nature, it can take a picture or profile of graduates of more concrete and measurable. This profile should describe the knowledge, attitudes, and what skills

will be owned or carried out by graduates after they join the program at the college of education is. For example, graduates will have the capacity to operate a computer, speak English fluently, understand the contents of the book in Arabic, has a noble morality, able to mention the differences and similarities of the commentators in interpreting the Qur'an, and so on.

5. The approach taken in the education process. This is the educational philosophy espoused by the universities concerned. For example, there are colleges that use a Socratic approach (teacher asking questions to stimulate students to think), some are using library-based approach to teaching or education-based, or based on the library, etc.
6. Aspects of personality development of students. Example aspects of cognitive, affective, and psychomotor and how to develop. The more detailed explanation of this will be increasingly clear to all parties involved and the easier the university to realize our goal of education (to produce quality graduates and useful to society).
7. Developed courses in these universities. This course is taken by every student. In this case should be given a brief description of each of the existing courses. For each program of study should be given curricular goals and graduate profiles. Curricular goals and graduate profiles departments/study programs must be aligned with curricular objectives and profile of college graduates are concerned that you have set in advance.
8. List of courses students must take to achieve such a profile graduates. In the list of these courses have shown the function of each course in the effort to realize a graduate profile that appeared in relation to one courses with other course. Keep in mind that the subject matter which is being developed tool is the knowledge, attitudes, values, and skills that students can graduate as a figure who coveted the profile of graduates. The success of a subject measured by the success of students develops the knowledge, attitudes, values, and skills developed through courses intended it to themselves.

9. Descriptions of courses that will be given. This description is needed to help students know what they do and what goals they would achieve if the course is followed. This description will also help teachers who will teach these courses.
10. Evaluation system applied in these universities explaining how they will measure student success in achieving goals and objectives curricular courses.
11. Systems course are applied in the university. For example if the adopted system of credits or not, whether the student is allowed to take similar courses across majors or not, whether there are remedial programs for students in need, whether there is value improvement program for students who want it, and so on.

College education as PTAI is a joint effort. Effort to educate student done by many people (teacher, leader, employee, etc). This is different from a fairly small courses served by a teacher. In this joint work, which determines the common perception about where education should be directed, how, and how to evaluate its success? Therefore, every college should have a handbook that explains the implementation of the curriculum in detail and clearly the things mentioned above. Without a book like that, it is feared the direction of education, how to educate, and how to measure the success of educational efforts in universities will be understood differently by the parties-parties who are involved in it. As a result, there is no common view among the teachers, leaders, students, and community. Each side will have its own interpretation of where the supposed college education should be directed and how it should be. Things like this can certainly lead to the process of education in universities is less effective and efficient. This guidebook should be prepared based on the consensus of the educators in higher education by involving other stakeholders. Here is the author mentioned several questions to be asked to create a guidebook on the implementation of curriculum PTAI. Of course, every PTAI own right to determine what questions should they ask to make them clear guidelines for the stakeholders.

To produce a curriculum guide PTAI implementation is obvious to any interested parties, and then there are some questions that need to be answered by the manual. The questions include:

1. What is PTAI mission?
2. How PTAI vision as an institution of higher education?
3. Based on the mission and vision, what goal to be achieved by the curriculum is currently PTAI?
4. How these curricular goals do outlined in the form of a graduate profile that PTAI operational and can be measured?
5. What approach will be pursued by PTAI in efforts to realize such graduates?
6. What are the different aspects of the individual students who wish to develop by PTAI? How do I develop these aspects?
7. Study Program or the Department of what is offered by PTAI?
8. What curricular goal of each of program?
9. What courses are provided to ensure graduates according to the institute curricular goals and program? What is the purpose and how the respective descriptions of courses that? How to link the course with each other in an effort to achieve curricular objectives?
10. How will student performance be evaluated? Based on standards what standards?

From the expression of vision and action on higher education it is clear that the IAIN as part of the institution contribute educators to participate. One of them is addressing the development needs of the labor market. In short, today's conditions flourishing banks that use the label of Shariah or Islamic labeled rude. Experienced major developments in the Indonesian Shariah banking does not mean that the constraints and obstacles faced by these developments are not there. Broadly speaking there are four obstacles faced Shariah banking in Indonesia, namely: fiqh constraints, legal constraints, the constraints of Shariah banking socialization, and operational constraints. From the analysis of these

constraints on the fact that the constraints that could hinder the development is considered Shariah banking can be converted into a motivation to self-correct and encourage banks to achieve progress Shariah is greater than that achieved during this.

Shariah banks today have wide impact on economic improvement and awareness of new people to adopt and expansion of Islamic financial institutions, the Indonesian government with the approval of parliament, has been replaced Banking Act No. 14 in 1967 with the Banking Act No. 7 in 1992, which mentions the permissibility of banking operations for the system with a system other than flowers. Based on the Banking Act No. 7 years in 1992's first Shariah Bank in Indonesia that was established on October 3, 1991 under the name of PT Bank Muamalah Indonesia and began operations on May 1, 1992 with capital of Rp 84 billion. Stagnant condition of the Bank's Shariah emerged for several reasons, namely:

1. Low level of knowledge and public misunderstanding about Shariah banking.
2. Conditions of banking operations, monetary instruments and financial markets are not yet available syar'iah.
3. Limitations of Shariah bank office network and lack of human resources.

In response to this it is clear that IAIN have a moral responsibility to develop the concept of Islamic economy that is consistent vision and mission that carried.

Besides preparing for employment Shariah bank manager or other forms of Islamic economics. Faced on the need to put this curriculum really able to answer the question at hand. There are fundamental differences between the paradigm of Islamic economics and conventional economics. Conventional economic views of science as something that becomes free secular values while the Islamic economy is built on religious principles. In this paradigm level, Muslim economists do not deal with the problem which means a difference of opinion. But when they were asked to explain what and how the concept of Islamic economy, the differences began to emerge.

In modern literature, economics term is generally understood as a scientific study that examined how those individuals or community groups make choices. Human choice must be made at the time they will meet the needs of everyday life. This is because every human being has a limited (scarcity) in terms of resources it has, so he might not be able to meet all the needs and desires of his life without making a choice to allocate resources owned. Option is selected in the activities related to production, consumption and distribution activities of goods and services in the community. But the bottom line economics discussion aimed to understand the limitations how society allocating (scarce) resources they have.

Spesifically, Samuelson dan Nordhaus (1992), stated that economics is a study of social behavior in the use of limited resources (rare) in order to produce various commodities then distribute these commodities to various individuals and groups within a society. Discussing economics-related activities with the allocation of scarce resources for production activities to produce goods and services; economy also discusses activities related to the ways goods and services; also discuss activities associated with consumption activities, namely the use of goods and activities services to meet the needs of life; and discusses the activities associated with distribution activities, namely how to distribute goods and services in the community. All the economic activities ranging from production, consumption and distribution of goods and services are all discussed in economics that is often discussed in the literature capitalist economy.

View of the capitalist economic system on which to put all economic activities ranging from production, consumption, and distribution in different economics discussion with the view of Islamic economic system. This difference can be identified with the understanding that views by referring to the sources of Islamic law in the form of the Qur'an and Sunnah. Islamic economic system has fundamental differences with any economic system including the capitalist or socialist. The difference was not only includes economic philosophy, but also on basic concepts and the practical level. Although there are fundamental differences between the Islamic economic system

with other economic systems, but does not deny that at the level of practical details found some similarities. But essentially there is a difference between the Islamic economic systems with other economic systems due to different economic systems basis.

In the theoretical aspect of what's Shariah banking, the central issue that we often hear is that the community's understanding of the system, the principle of banking products and services based on Islamic Shariah most were not quite right. It is thus not only the common people, but also happens to Ulama, Kyai and the other community leaders. Although the Islamic economic system has clear and easily understood, namely doubling the money ban is not productive and the concentration of wealth on the one hand and unfairly. But in a practical form of products and services, the basic principles of relations between banks by customers, and ways to try a kosher in Shariah banks still common and have not properly understood.

Curriculum Excerpts: Muamalah Studies

The curriculum is a set of educational materials and instruction provided to students. Other definition, "a plan drawn up to launch the process of teaching and learning under the guidance and responsibility of the school or educational institution and its faculty." Ralph Tayler in the Basic Principles of Curriculum and Instruction as quoted Nasution (2007) argues there are four key factors in planning the curriculum, the factors philosophical, sociological, and psychological and epistemologies. These factors, mainly sociological factors, experienced very dynamic growth, which requires evaluation for curriculum development and change periodically. However, because these sociological aspects are also different from one place to another place, then in addition to a nationally uniform curriculum and development is also necessary in accordance with local conditions and potential of each institution (Nasution, 2006, h. 5).

In the context of the State Institute of Islamic Studies (IAIN), who specialized in Islamic studies, philosophical factors

above can be seen from the objectives of education and teaching at the IAIN itself, namely as a means to transfer the values of Islam and the noble values of the Indonesian nation (transfer of values); the transfer of knowledge, especially the field of Islamic studies, and transfer of skills. Forms of knowledge transfer and the value was already well-established, but the transfer of skills that are related to employment, still seems to be in the search process. Only a few departments that already have a rather obvious form, such as Islamic education and religious courts although essentially no change in IAIN purpose. Original establishment IAIN (PTAIN) just a continuation of traditional Islamic education and in the context of employment only intended to prepare personnel who can fill jobs in the field of religion. Now the formula was developed that goal meant to IAIN/High School State Islamic Religious Affairs (STAIN) - in addition to developing the study of religious knowledge in line and even integrated with general science can also produce graduate who not only can get job-related tasks in the field of religion, but also get job in the fields of non-religious.

IAIN and STAIN also given freedom to formulate this goal. UIN Syarif Hidayatullah for example, defining its purpose: "(1) prepare students to be members of the community who have academic ability and / or professionals who can implement, develop and / or create the Islamic religious sciences, and (2) develop and disseminate Islamic knowledge and trying to use to improve people's lives and enrich the national culture" (*Buku Pedoman UIN Jakarta, 2007*).

Sociological factor is the dynamics of society, especially their willingness and propensity for increasingly advanced, although in some cases also accompanied by some unexpected excesses, both in the field of socio-economic and cultural. Among the most notable trend is the growing economic demands in line with the process of modernization and industrialization are increasing rapidly, so that education is often identified with the development of human resources who are ready to jump in the economic field. While psychological factor are students who became the object of teaching and learning process. In the context of IAIN/STAIN learners are

students who have entered the postscript adulthood, which is already experiencing emotional and intellectual maturity, so they not only need to be filled subject matter alone, but also given the opportunity to develop them. The epistemology factors related to the nature of science is taught that in this case is the field of scientific study of religion.

This phenomenon indicates that the current field of study general science and technology, which is based only on rationalism and empiricism, through the development or change quickly. On the other hand, though also experiencing growth (*al-tathawwur*), field of study that the basic science of religion is primarily a revelation in addition to rationalism and empiricism seem slow, because there are certain dimensions of religious knowledge is eternal or fixed (*al-tsubut*).

Including factors that affect these conditions is the process of learning and teaching at the IAIN that still focuses on the teaching of the normative approach. This, of course, limited support for the formation of students with analytical skills and able to provide solutions to problems. Although the decade of the 90-IAIN development of academic activities have shown significant progress, - which sometimes can be seen from the increasing number of faculty, alumni and students of IAIN who write books and articles in the media -in general orientation IAIN as propaganda agencies still greater than the academic institution. As a result, the academic climate was not yet fully realized in accordance with the desired. On the other hand, the field of religious studies to be more or less specialization of IAIN limiting efforts to integrate the science of religion with science, as well as efforts to produce IAIN graduates with the knowledge and skills related to the demands of the economic world. Furthermore, this endeavor results in narrowness of alumni in entering the world of work, because in general they can only fill the labor market (formal) to the agencies associated with the religious field. Though this area is very limited, not all IAIN graduates are absorbed into employment related to the religious field.

Experienced major developments in the Indonesian Shariah banking does not mean that the constraints and

obstacles faced by these developments are not there. According to the authors, in general there are four obstacles faced Shariah banking in Indonesia, namely: fiqh constraints, legal constraints, the constraints of Shariah banking socialization, and operational constraints. The analysis of these constraints the author has come to a fact that the constraints that could hinder the development is considered Shariah banking can be converted into a motivation to self-correct and encourage banks to achieve progress Shariah greater than the been achieved so far.

Shariah banks today have wide impact on economic improvement and awareness of new people to adopt and expansion of Islamic financial institutions, the Indonesian government with the approval of parliament, has been replaced Banking Act No. 14 in 1967 with the Banking Act No. 7 in 1992, which mentions the permissibility of banking operations for the system in addition to the system of interest by Banking Act No. 7 years in 1992's first Shariah Bank in Indonesia that was established on October 3, 1991 under the name of PT Bank Muamalah Indonesia and began operations on May 1, 1992 with capital of Rp 84 billion (Arief, 1998, h. 295).

During the period 1992 to 1998 growth of Shariah banking in Indonesia does not show any progress that was encouraging. These stagnant conditions arise for several reasons, namely:

1. Low public knowledge and misunderstandings about Sharia banking.
2. Terms of banking operations, monetary instruments and financial markets are not yet available shariah.
3. Limitations of Shariah bank office network, and lack of human resources (Bulletin of Bank Indonesia, November-December 2000)

Banking crises that occurred since 1997 has shown that banks that operate with Shariah principles can survive amid the turmoil exchange rates and interest rates high. This situation is supported by the characteristics of Shariah banking businesses that prohibit conventional bank interest and profit-sharing ratio as his successor, and prohibit financial

transactions that are speculative (*al-garar*) and no effort is based on real events.

On the details above it seems that Islamic economics presents Islamic views in the context of human economic activity. Basically there in the sacred Islamic texts as Guiding for human economic behavior. Muslim scholars have been many discussions about economic issues in their respective time during the period of 14 centuries ago.

Direction of Development Studies Program

Academic coaching in IAIN also still much to be developed because of the fact that the existing curriculum is not fully able to follow the dynamic developments that occur. This is for example, the dominance of rote approach in teaching-learning process than the method of analysis and problem-solving. In the same time, any material provided more mature form of living things to swallow without the need to dismantle the ethos of science. The other side of which is the fundamental weakness is the low professionalism, because IAIN no/less build reciprocal communication with the world market, particularly associated with these professions. That is why alumni IAIN, especially the Faculty of Shariah, which is rarely ready to become a lawyer in the field, but field work related to the religious court law practicing very stretched. Plus a job as a consultant for matters relating to the problems of community life has not made the field work. In the meantime, it is no less important is the concentration of IAIN of academic targets on the one hand and professional goals on the other side. For example, if training is carried out aimed at the Faculty Tarbiyah professional interests or the other? Similarly, the training at the Faculty of Da'wah, Ushuluddin and Shariah?

Although looks are not so fundamental, the name of the faculty at IAIN, especially if associated with the context of Indonesia, is also problematic. The names of faculty and departments are not grounded, because it still uses the Arabic term that is often not understood by the general mesyarakat. It would be more harmful if the names are not understood by the institutions to look for prospective employees, as IAIN alumni

are automatically rejected. Names like Ahwal Syakhsiyah Department, the Department of Fiqh Jinayah Siyasah, and others are names familiar to most people outside the IAIN alumni. Even among Muslim students even if the names are not necessarily understood.

On the basis of these considerations, the names of faculty and departments need to be reviewed. It is necessary to facilitate the marketing of alumni on one side, and to develop a specialized branch of science on the other side. Thus, it is possible that the name of the faculty at IAIN will change or develop, let alone a major. Example the name of the faculty of Shariah which has been identified with Islamic law. One of the requirements to become a judge must "Shariah scholar who master the Islamic law". In the context of a judge, the term "Shariah scholars" clearly refers to the graduates of the Faculty of Shariah. This is also enhanced by several departments which is almost entirely related or oriented to Islamic law (fiqh) (Specifically read Suyitno, et.al, (Eds), 2004).

Here's an overview of curriculum structure Muamalah Program at the Faculty of Shariah IAIN Raden Fatah was designed with a load of 156 credit semester credit units (SCU) which is assumed to be taken within 8 semesters. The curriculum structure is divided into the Basic Competency Course Codes (MKD) consists of 28 credits, Courses Main Profession (MPU) consists of 104 credits, Profession of Subject Supplement (MPT) consists of 24 credits.

1. Basic of Subject Competence (MKD) aims to provide insights into citizenship and give students the basic skills in understanding the ability Islamic Sciences. MKKD in consists of 28 credits. Arabic and English were designed more than other courses. This is because both languages is the key to understand and explore in Islamic studies, particularly Muamalah/Economic Law of Islam. Moreover, today many references (primary resources) are written in both languages.
2. Courses Main Profession (MPU) is designed to equip students to have knowledge related to the study of Islamic Economic Law, in addition to reflecting the core

competencies that must be owned by a Bachelor of Shariah law by the concentration of Islamic Economics.

3. MKD Group consists of 104 credits. Structurally, the MPU is given after a student finished of MKD. This is because the understanding of this MKD necessary foreign language skills (Arabic-English) and also the ability to methodological core of the MPU (Methodology of Islamic Studies).
4. Additional Courses Profession (MPT) is given to provide the basic skills of Shariah scholar generally in developing and analyzing Islamic Sciences. Therefore, the orientation of the contents of this curriculum is more looking out world and tailored to the demands and needs of stakeholders. MKPT group consists of 24 credits. From this MPT structure given after a student finished MKD and MKU. Therefore, the purpose of MPT will be achieved well when students already have skills, general and basic skills are general. In other words, because MKPT scholarship aimed at the development both of a present or future, the students who took MKPT types should already have mastered the basic science and related to Islamic Studies. Without basic understanding, a student may not have the ability to develop them.

The description of the high demand closely related to market demands in the era of reform that will inevitably lead to a free market. Even on high demand also could not escape from the demands of the market, in addition to adjustments to the development of society. In other words, not only preparing IAIN alumni or human resources to academic and professional workers in the field of sciences of the Islamic, but also to participate in the preparation of competent human resources in other disciplines who have a strong Islamic foundation. Therefore this task is a challenge for the IAIN in developing the Islamic sciences that had been categorized in five faculties owned. From the ideological side of this step is meant to understand Islam as a comprehensive and detailed in line with Islamic promises to be a guide of life as a whole and not just for the life hereafter.

Development is possible when there is decentralization policy and autonomy of Universities in Indonesia, including the IAIN. Similarly, IAIN Raden Fatah had a plan forward as a model university "reintegration of science" as "a center of excellence" and will form the scientific-religious community. Background description of the above researchers consider important to analyze how the scientific development in acceleration of IAIN Raden Fatah (the philosophical analysis of the development prospects for majors and courses) which it can be known in a comprehensive structure and development of science in IAIN Raden Fatah.

As a religion of revelation, Islam aims to build a moral society, egalitarian and fair based on teachings of God. One goal is economic development. In this area, aspects which are considered urgent and significant to note is institution of higher education, which aimed at producing human resources that are reliable in the economic field. In Indonesia, the attention to economic issues have a clear basis, as seen in the 1945 Constitution article 33, Law No. 10 of 1998.

Conclusion

Based on the description on the face of conclusions can be formulated as follows. In the Faculty of Shariah IAIN Raden Fatah still ongoing teaching-learning process tends to focus on the teaching of the normative approach. Curriculum that is not fully able to follow the dynamic developments. This is for example, the dominance of rote approach in teaching-learning process than the method of analysis and problem-solving. In the same time, any material provided more mature form of living things to swallow without the need to dismantle the ethos of science. Low professionalism, because IAIN no/less build reciprocal communication with the world market, particularly those related to the type produced profession. The names of faculty and departments are not grounded, because it still uses the Arabic term that is often not understood by the general society. It would be more harmful if the names are not understood by the institutions to look for prospective employees, as IAIN alumni are automatically rejected. Names

like Ahwal Syakhsiyah Department, the Department of Fiqh Jinayah Siyasa, and others are names familiar to most people outside the IAIN alumni. Even among Muslim students even if the names are not necessarily understood. Demands of quality, is closely related to market demands in the era of reform that will inevitably lead to a free market. Even on high demand also could not escape from the demands of the market, in addition to adjustments to the development of society. Development Studies Program at the Faculty of Shariah (Read: do not close the gap as well as for other faculty) IAIN Raden Fatah was made possible by a policy based on decentralization of Universities in Indonesia. This is in line with the mission of IAIN Raden Fatah to become a model university "reintegration of science" as a "center of excellence" and will form the scientific-religious community (religious-scientific community). Based on these findings the researchers considered important stakeholders need to organize and develop the various aspects of the curriculum in accordance with the demands of the labor market and the global scientific development.

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