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Editorial

A new board and a new look

The *International Journal of Islamic Thought* (IJIT) is a successor to the *Bangladesh Journal of Islamic Thought* (BJIT). I would like to express our gratitude to late Professor Dr. U.A.B. Razia Akter Banu for her dedication to the *Journal*. She worked diligently and directly with authors and reviewers to build a community that values high quality research. She deserves the credit for the *Journal's* success so far. The new Editorial Board would like to build on the successes achieved and lift the *Journal's* esteem to a new high.

The *International Journal of Islamic Thought* (IJIT) purports to function as a discussion forum for academics and practitioners from all over the world. It is this spirit which prompted us to request replacing the word “Bangladesh” with “International” in the title of the journal. This would also help remove any misconception about the journal being maintained by and meant for the Bangladesh scholarly community only. The journal is Islamic in orientation and would serve the humanity as a whole. The Prophet (SAW) was sent as a mercy for the whole of humankind. Changing the name of an academic journal with a history of 8 years since its first issue in 2005 was a delicate task. However, we succeeded in gaining the support of the Editor-in-Chief, M. Azizul Huq, and through him the support of the Executive Committee of the Bangladesh Institute Islamic Thought (BIIT). He remains as its Editor-in-Chief with the new Editorial Board. We believe that his expertise and leadership experience will bring the journal to a new era of recognition in knowledge and information systems.

This journal will contain articles mainly in the English language. Some high quality articles in the Bangla language will be published with abstracts in both Bangla and English. However, the ultimate emphasis of the journal will be on the English language so as to reach the wider Muslim community. Having the journal mainly in English is also the first step in developing it into a Science Citation Index (SCI) Journal. In this endeavour, a number of difficult tasks lay before the members of the editorial board: practical tasks such as maintaining an evaluation system suitable for an international journal, globalization of the website and design evaluation team, and finding a manuscript editor to copyedit the English language content. The editorial board members have to work together to maintain its excellence and quality service to the Muslim ummah.

The journal will be published regularly on a bi-annual basis as before. The ability to publish the issues on time is the first big challenge that has to be faced by the Editorial Board, which implies the establishment of a healthy backlog of the submitted manuscripts. This is also an essential criterion for the journal indexation by the Institute for Scientific Information (ISI). However, I strongly believe it is just a question of time until the *IJIT* can be indexed, mainly because this is a respectable peer-reviewed journal of international scope.

This journal is based on two pillars: one is based on the world of scholarship, the other on the world of practice. In the first dimension, this journal focuses on general developments in Islamic thought. Its main interest lays in general, theoretical issues in the realm of social, economic and political thought. Equally important, however, are the views of those engaged in realizing the socio-economic and political systems based upon shari'ah. The world of scholars and the world of practitioners largely function in separate settings. This Journal aims at bridging this separation or narrowing it down by creating a forum where the two can fruitfully interact and benefit the ummah.

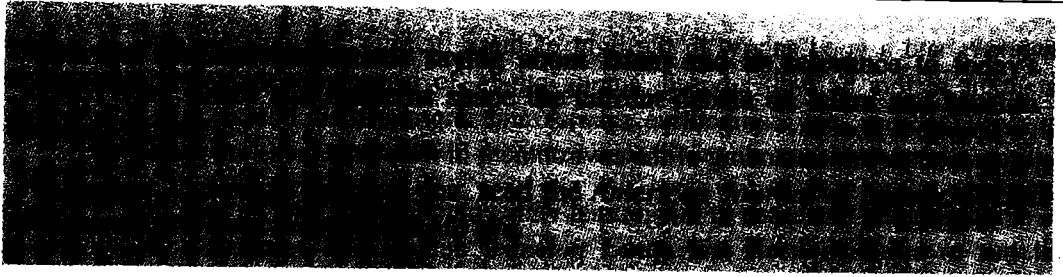
We are delighted to present an issue that brings articles on diverse ideas and authored by scholars from various countries. Maszlee Malik argues that, for long civil societies have been identified as promoters of good governance. But with the resurgence of religion, scholars have incorporated the culture, faith and tradition into the discourse of development and good governance. Taking *Pertubuhan Jamaah Islah Malaysia* (JIM) as a case, Maszlee Malik attempts to examine the role of religion in mobilizing civil society towards the achievement of good governance. In his opinion, JIM has successfully combined the role of a faith-based organization and civil society and has contributed positively to the development of good governance and a democratic culture in a plural society like Malaysia. Noor Mohammad Osmani analyzes the writings of Ghulam Ahmad Parvez from Pakistan on wide ranging topics particularly issues relating to women such as their testimony in courts, their role in politics, and wearing of *Hijab* or *Niqab* (face veil). He argues that Parvez rejected the authority of the *hadith* of the Prophet (SAW) and that his modernist views on women issues are not in conformity with the Qur'an and Sunnah. Osmani finds that Parvez's rejection of *hadith* led him to adopt opinion on issues which are contrary to the shari'ah based views of the majority Muslim scholars. Juwairiyya Badamasuiy and Usman Muhammad Shu'aib in their article provide a critique, from a shari'ah perspective, of the provisions of Convention on Elimination of All Forms of Discrimination against Women (CEDAW). Using doctrinal and comparative methods of analysis, they argue that gender equity as provided by the *Shari'ah* serves the interest of women better than "gender equality" as encapsulated by the CEDAW. They also conclude that the provisions of *Shari'ah* on gender issues help achieve equity among men and women.

Md. ~~Nazrul~~ explores the concept of "good governance" which is considered by many scholars as a prerequisite for socio-economic and political development. The West links good governance with the democratization of the polity and quite often considers Islam as inimical to democracy. ~~Nazrul~~ argues that Islam, with a complete code of life, is not incompatible with democracy. The Islamic polity based upon Qur'an and Sunnah incorporates many of the features considered democratic. It is characterized by rule of law and equality, accountability and responsibility, freedom and human rights, and equitability and justice and other features essential for good governance. Given these features, Islam can play a positive role in enhancing good governance in the Muslim World. In the short note section, Md. Noman Siddikee explores the perceptions of Bangladeshi teens on some issues considered essential in securing and retaining jobs in the hospitality industry. Based upon a survey, the study establishes that teens prefer to work for industries that offer flexible working hours, friendly

coworkers and a good salary. In the light of these findings, the entrepreneurs in hotel and restaurant sectors be well advised, among others, to better treat their employees, provide transport facilities, pay competitive salaries and improve their human relations sectors to facilitate a better understanding of the environment in which the teens are employed.

Preparing the first issue of this journal with a new feature is not an easy task. The journal still has to establish itself and attract potential authors and readership. We invite both academics and practitioners to submit contributions. We hope that this first issue will stimulate colleagues to prepare shorter notes or more extensive articles in order to share their ideas and experiences with a wider audience. I mainly would like to emphasize that the new editorial team is resolutely committed to making the best research available to our readers and looks forward to working synergically to further improve the *IJIT*'s quality and international reputation in the years to come. May Allah (SWT) guide us to whatever He wills! Ameen.

Abdul Rashid Moten



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Religion, civil society and good governance: The ‘pertubuhan jamaah Islah Malaysia’ (JIM) experience

Maszlee Malik*

Abstract : The ‘good governance’ agenda promoted by international institutions and other aid agencies as part of the globalisation phenomenon proposes, amongst others, the active role of civil society in the political process. Effective functioning of civil society is believed to be essential for “good” governance. Currently, the dynamism of global civil society movements has shifted to a new dimension to incorporate culture and faiths into the discourse on development, economy, politics and governance in a more progressive approach. In tandem, faith and religion, have been identified empirically as another motivators for civil society activism, hence its distinctive role in development and good governance. Such phenomenon has been addressed in the many circles of academia. This paper explores the role of faith in mobilizing civil society towards the achievement of what is known as “good governance” in Malaysia with Pertubuhan Jamaah Islah Malaysia (JIM) as a case study.

Keywords: Good Governance, Civil Society, Faith Based Organisation, Refomasi, Anwar Ibrahim, Pertubuhan Jamaah Islah Malaysia.

Introduction

Good governance is made up of complex relationships between both private and public sector along with civil society, with the equilibrium power amongst them to maintain the practise of sustainable democracy.¹ Civil society organisations have long been recognized worldwide as providers of relief and promoter of human rights. Likewise, they have also been widely recognized as essential “third” sector actors and widely seen as critical contributors to economic growth and the civic and social infrastructure essential for a minimum quality of life for the people.² Currently, civil society movements are acting as important agents for promoting good governance like transparency, effectiveness, openness, responsiveness and accountability.

In recent years, the contribution of domestic and global (international) civil society organizations, especially nongovernmental organizations (NGOs), towards the process of development has expanded rampantly as the result of globalisation and ICT revolution.³ With this growth come new and larger expectations for the contributions these organizations might

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make to governance. Such global development inspired the participants of the “Sixth Global Forum on Reinventing Government” to reach the consensus about the significant role of civil society in the new paradigm of governance.⁴

Conversely, due to the global resurgence of religion and its encroachment into the public sphere, a new trend of incorporating culture, faith and tradition into the discourse of development, economy, politics and governance in a more progressive dimension has become an emerging fad. As a result, religious devotion has become a fundamental motive for many social movements across the globe. Religious actors and institutions in such a situation act as agents of advocacy, funding, innovation, empowerment, social movements, and service delivery, which ultimately contributes to the development of socio-economic, as well the political life of a nation. This recent trend has inspired *Global Civil Society Report* to point out the essentials of incorporating transcendental dimension into any current analysis on social development.⁵

Based on such rationale, the experience of *Pertubuhan Jamaah Islam Malaysia* (JIM) as part of many other religion-based civil society organisations will be empirically studied in this article. As part of the product of the 1970s global Islamic revivalism phenomenon, JIM initially emerged as an Islamic movement in Malaysia with certain idealism. But it was later turned into a civil society movement responding to the local context and needs. All the way through nearly two decades since it was established, the organisation has been contributing to the process of what is known as “good governance” through its activities. Similarly, JIM’s dynamism has been subtly resulting in empowering citizens, building the third sector institutions, participating in the political process of accountability, and demanding for the rule of law. This paper will attempt to explain how religion could contribute to good governance through the framework of civil society. Furthermore, it will descriptively examine the role JIM as an Islamic civil society organisation and how it has been acting as a constructive element in nation building and in enhancing the goal of good governance.

Civil society and good governance

Civil society in its mundane definition can be understood as a sphere that is separate from the state and the market and formed by people who have common needs, interests and values.⁶ It can be defined too as a civic space that occupies the middle ground between government and private sectors. In essence, it is a vacuum where people engage neither in government activities nor in commerce. Lehning points that this ‘civic space’ lets people exist as public beings, hence “it shares with government a sense of the public sphere and a regard for the general good and the common wealth, but unlike government it makes no claims to exercise a monopoly on legitimate coercion. Rather, it is a voluntary realm devoted to public goods. It is constituted by freely associated individuals and groups and, unlike the private sector, it aims at finding a common ground and integrative and collaborative modes of action”.⁷

It is this civil domain to which traditional civic institutions such as foundations, schools, churches, public-interest organisations and other voluntary associations properly belong. UNDP identifies civil society realm as a space defined by the activities such as attending church, mosque or synagogue, doing community service, contributing to a charity, or being a

member of a sports club.⁸ Equally, it could be defined as a sphere of voluntary associations that serve as social spaces in which the members of the association reinforce their social webs and articulate their (moral) relationships. However, a renewed interest in civil society emerged during the 1990s, which pushed the civil society connotation as a new emerging trend towards democracy.⁹ This new phenomenon opens up a new space for civil society as a result of the need to fill in the increasing gaps in social services created by structural adjustment and other reforms in developing countries.¹⁰

In sum, civil society is a term that refers to the arena of un-coerced collective action around shared interests, purposes and values. In theory, its institutional forms are distinct from those of the state, family and market, though in practice, the boundaries between state, civil society, family and market are often complex, blurred and negotiated. Civil societies are mainly populated by organizations such as registered charities, development non-governmental organizations, community groups, women's organizations, faith-based organizations, professional associations, trade unions, self-help groups, social movements, business associations, coalitions and advocacy groups".¹¹

Within such notion and framework, civil society organisations are viewed as a potential factor to enhance the process of good governance by various methods. As pressure groups, they can play their role in policy analysis and advocacy; as watchdog groups, they can have a large role in monitoring state performance and the action and behaviour of public officials; as social change agents, they can have a large portion in moulding the society by building social capital and enabling citizens to identify and articulate their values, beliefs, civic norms and democratic practices; and as political agents they can bring changes to the political atmosphere through the mobilisation of particular constituencies, particularly the vulnerable and marginalized sections of masses, to participate more fully in politics and public affairs; and as third sector industries, they can participate in stimulating development effort by improving the wellbeing of community members.¹²

Accordingly, Edwards and Foley outline three major roles of civil society in the process of governance: providing services, holding the government and market accountable by representing or advocating for citizens, and building the capacity of citizens to participate in the realm of governance.¹³ Such idea clearly implies the need of minimal state, as being part of the philosophy of the 'Good Governance' agenda.¹⁴ On the other hand, the Accountability,¹⁵ a UK-based international non-profit organisation in their report *Development as Accountability* proposes four major action plans for the civil society organisations and networks in enhancing their active role in development and governance: To act as the advocates of accountability and transparency; to act as independent experts in analysing public-private partnerships for service provision and infrastructure; to act as partners in development projects; and finally to act as watchdogs undertaking assessment and benchmarking exercises on how different development actors, including government, business and international agencies, support or inhibit accountability.

Within the framework of the aforesaid role of civil society, religious societies as part of the larger picture of civil society should be perceived as an important element for the governance process. This nevertheless is not an easy task, since the public sphere has been

regarded as a no-go territory for religion due to the prevailing post-enlightenment secularist tendency and apathy towards religion. Such a premise should primarily be challenged to pave further discussion on the topic. In regard to such a position, Casanova presents a sociological approach in proposing the concept of *deprivatisation* of religion to understand the way in which religion can find its existence and function in the secular world.¹⁶ Casanova explains how secularisation (as one of the landmarks of modernity) still allows religion and faith to enter its public sphere realm as can be seen from the current global uprising of religions around the world.¹⁷ As there is no monolithic way of explaining the nature of relation between secularisation and religion, he insists that this new phenomenon is not a continuation of the declining of the established *caesaro-papist* church that been rejected and declined after the final blow it received from the modernity project.

In the same way, secularisation as a process of differentiation between various spheres (economy, social, political, religious, etc.) and the social and scientific sphere progressively emancipated themselves from the prism of religious institutions and norms. This differentiation process leads to the *deprivatisation* of religion, whereas religion refuses to be relegated in the private sphere. While in tandem, its claims to enter the public sphere left to it by the process of differentiation, which is civil society, to redefine the very boundaries of the differentiated spheres. Thus, civil society has been a field where the *deprivatisation* of religion finds its way to escape from mere private territories into the supposedly 'secular' realm. Through its new space, religious institutions and organisations pose its repudiation to the status-quo of positivism by bringing the interconnection of private and public morality, and by challenging the claims of moral spheres and renormativisation of the public economic and political spheres.¹⁸

From another sociological point of view, the *social norms* approach in the same token can also explain the consequence of religions as a set of values to social practices. The approach defines that values would be meaningless without shared social practices that will sustain them (i.e. solidarity, freedom, taxation, mutual co-operation, caring, etc.). Values as 'irreducibly social goods' inhere in numerous social relationships, such as family, trade unions, interest groups, religious communities, or by those bound by a common history or language. These social norms contribute a large degree of involvement to development through the ambit of civil society and social capital. This situation is supported by contemporary reality on how faith based or faith inspired organisations and movements vigorously utilise those milieus to articulate their ideals to facilitate good governance and development.

In the same manner, Talal Asad, an anthropologist, rejects the traditional anthropological perception of religion as mere symbols that resemble a system of meanings.¹⁹ Religion, as he maintains, needs coercion, through law and power, to make individual act according to religious precepts; and it also presents social embodiment and constitutive activities of the world which implies the need for a set of practices to express the beliefs, as well as discipline (by institutional structures) to enforce them and a community of believers in which this discipline is exercised and enjoy their allegiance and serve as a base of their identity. Due to the needs of social and public spaces to exercise religious beliefs, he concludes that religious

world and the social world are inseparable, but continue to be interdependent mutually. Akin to the previous argument, the recent global return of religion into the public sphere exemplifies such an anthropological thesis.

To conclude, this new paradigm of how religion and governance can work together in theory and practice paves a different way to look at the alternative means to good governance agenda. Akin to the aforementioned examples on the contribution, religion could give to good governance agenda as part of the new global *fad du jour* through faith-based organisations from all over the world, similar results could be traced also from the involvement of faith-based organisations in Malaysia. In what follows, I will attempt a critical and descriptive assessment of *Pertubuhan Jamaah Islah Malaysia* (JIM), as both an Islamic movement (faith-based organisation) and civil society frontier, and will evaluate its contribution towards the practice of good governance since the early days of its establishment. Besides its persuasion of attaining Islamic ideals to which its members adhere and which are the organisation's *raison d'être*, the means capitalised to achieve those goals contribute implicitly and explicitly to the crystallisation of good governance. This can be clearly seen from a brief explanation of the movement's discourse and activities in the subsequent sections of this essay.

***Pertubuhan Jamaah Islah Malaysia* (JIM) and good governance**

Established on 27 July 1990, *Pertubuhan Jamaah Islah Malaysia* (JIM) was the transformation of Muslim students *dakwah* (da'wah) movements mainly from the UK Malaysian Muslims' Islamic Representative Council (also known as IRC), USA Malaysian Islamic Study Group (also known as MISG) and also local universities *dakwah* activists.²⁰ As part of the 1970s global Islamic resurgence actors, the founders of the organisation were mainly receiving their tertiary education abroad and exposed to the ideology and vision of the two most influenced Islamic movements in the UK and the USA, the Egyptian based Muslim Brotherhood (*al-Ikhwan al-Muslimun* or also known as *Ikhwan*) and the South Asian based *Jamaat Islami*. It was from these two movements that JIM's founders were inspired to initially articulate their *dakwah* missions.²¹

The organisation's initial vision since its establishment was an extension of the Muslim Brotherhood ideal of establishing an Islamic State and implementing Islamic *Shari'ah* within the Malaysia context.²² It saw that reform and change could only happen in a gradual process through the bottom-up process. This ideal exemplifies the adherence of the organisation to the principle of *Islah* (reform) process, which is to be accomplished through a comprehensive *tarbiyyah* (educational) approach within society.²³ This *Islah* method could be obviously seen throughout its pro-active organisation of educational-based activities since the very first day of operation.²⁴ With the emphasis on developing 'reformist individuals' (*musleh*), then turn to 'virtuous families' which later evolve to 'communities of the pious', JIM believes that the flow will contribute a lot to the ultimatum change of the state system at further level.²⁵ At this stage, JIM adopts the *homeostasis* approach in uplifting Islam in Malaysia *via* maintaining and strengthening Islamic commitment among the Malay-Muslim leaders of the period.²⁶

Throughout the phase, JIM has rigorously concentrated on internal development of the organisation as well as on the missionary and educational programs in outreaching society

mostly amongst the middle class Muslim Malays. It was understood that at this period, Anwar Ibrahim who was then the Deputy Prime Minister of Malaysia had managed to convince JIM leaders to bring the organisation into the centre rather than isolating itself at peripheries.²⁷ The aforementioned diplomatic approach successfully created for JIM various rooms for the enhancement of their reform work amongst its members as well as the larger society. Nevertheless, at this level, the comprehensive human capital production within JIM's structure and activities, despite their missionary work, only operated in a semi-exclusive approach based on its motto "Community Building with Islam".²⁸

According to such discursive, the production of reformist individuals by JIM only works within the radius of its internal mechanism. Consequently, from the political economic perspective, JIM represents an Islamic experiment in accumulating (religious) social capital, which is recently acknowledged as an important actor in good governance agenda for political and market efficiency at the micro level. In tandem, the major discourse that dominates the organisation during the period implies a tactical and gradual transition of paradigm from the alliterated emulation of traditional *ikhwani* political opposition approach towards a more contextual and state-friendly attitude in JIM's orientation.

In the same token, JIM has remained apolitical during the early years of establishment and maintained the *dakwah* and *tarbiyyah* (missionary and educational) image in establishing its mission and vision. JIM contribution to nation building was seen through its relentless effort of education and promoting virtues amongst the people.²⁹ Nevertheless, it was the 'Reformasi' (reformation) wave in the year 1998 that had awakened the organisation to move forward for further engagement.³⁰ *Reformasi* as a spontaneous reaction towards the sack of Anwar Ibrahim from his deputy premiership post by the former Prime Minister Mahathir Muhammad has created a new phase for JIM *dakwah* horizon. The mass dissatisfaction amongst people for the mistreatment to Anwar has pushed JIM members to the street with other political parties and civil movements demanding justice for Anwar after he was detained without trial.³¹ Additionally, the *reformasi* groups also demanded more rights and freedom. During the *reformasi*, UMNO, the dominating component in the ruling party coalition (BN) was allegedly associated with corruption, nepotism and cronyism by the people. Mahathir himself, as accused by Anwar Ibrahim, was responsible implicitly and explicitly for such culture that later became the major *fad* of the party.³²

The *reformasi* phenomenon led to a strategic paradigm shift by JIM as a movement. The organisation metamorphosed from a non-partisan organisation dealing mostly with evangelical style activities to a pro-active civil society that is involved directly in politics.³³ This turning point or what is famously uttered by its then president, Saari Sungip as the 'leap' (*lonjakan*) led its members to be more inclusive by actively participating directly in politics, thus locating itself within the map of Malaysian political life (Saari Sungip, 1998). Apart from their demand for Mahathir, the then Prime Minister, to step down from his post, the *reformasi* groups also called for 'good governance' reform in the government, which was represented through their call for the real effort for the eradication of corruption in governance process, the abolishment of the detention without trial 'internal security act' (ISA) and the end of the cronyism, nepotism and patronage culture in the state administration.³⁴ At this stage, JIM believes that it must fully capitalise on the democratic structure and space in

the country to fully pursue its *islah* agenda in a prescriptive and preventive way along with its agenda for nation development.³⁵

Upon such discourse, JIM turned to wider engagement with the other parties with the same aspiration from the non-Islamists and non-Muslim organisations.³⁶ It started its official overture in political life with its affiliation with the coalition of civil society movements and opposition parties and demanded for a more democratic Malaysia, in a loose coalition called GERAK on 27 September 1998.³⁷ Since then, the organisation discourse has changed from mere focus on primordial issues relating to Islam to the political discourse of freedom, human rights, rule of law, accountability, good governance and civil society, which its leader believe to be rooted strongly in the foundation of justice propagated by Islam (Ibrahim, 2007). Accordingly, since the 1999 election to the latest 2008 election, several JIM members have actively participated in politics with the existing parties, namely PAS (Islamic Party) and PKR (National Justice Party).³⁸

In the mean time, JIM or its members are actively involved in MAFREL as a watchdog for all the general and bi-elections in Malaysia.³⁹ In the same vein, JIM continues to promote political awareness amongst the people through their activities, participation in political lobby and campaign, press statements and the continuous educational process. As a political pressure group, JIM is relentlessly involved in the Abolish Internal Security Act (ISA) movement (GMI), where its vice president, Syed Ibrahim al-Habshi has been the movement chairperson hitherto.⁴⁰ The movement managed to spread awareness amongst people of how the draconian act became a tool of the executive power to curb people's freedom and its implication to the people's right as a whole. This, however, does not prevent JIM from maintaining its initial identity as a dakwah organisation that lives on with the *islah* endeavour through its *dakwah* and *tarbiyyah* activities.⁴¹

However, in the year 2004, under its new president, Zaid Kamaruddin, JIM shifted into another new dimension of transformational activism. Based on its 'principle centeredness' standard, JIM presents its new vision, *Developing a Malaysian which is fully implementing (inclusive) Shari'ah by 2020*.⁴² Its *Islah* approach was then expanded and tailored towards achieving a specific focal target for a designated timeline. In achieving the avowed aim, JIM proposes its 'Big Picture' framework aimed to enable the realisation of the new vision through '*public opinion leadership*' (POL). Consequently, JIM presents its 'Four Year Strategic Plans' to accomplish the targets by strengthening its internal organisation through sharing, mobilisation and empowerment, and also by strategically projecting its reform method through the occupation of a distant final position in its set of priorities according to the 'Big Picture'.⁴³ JIM identified 15 strategic niches to be fully utilised to attain those goals (politics, youths, *ulama*, media, international relations, education, *dakwah* [Islamic propagation], women, human capital, administration, local governance empowerment, finance, economic capital, welfare and community counselling services).⁴⁴

At this phase, JIM works tremendously as a *civil society movement* in developing *good governance* culture to be prevailing in the state administration through their holistic political and social participation. Its members believe that only through participation of the organisation and its members in the political field the organisation's quest for good

governance as part of their *islah* passion could be crystallised, hence the 'Public Opinion Leadership'.⁴⁵ With all its existing institutions and reform mechanisms, JIM has managed to realign them to achieve its new vision, which indirectly or implicitly will contribute to the practice of good governance at the society and community level.

Ironically, in preparing its new pace to achieve the aforesaid vision, ideologically (but not practically) JIM is moving backwards at this new phase, by re-emphasizing its original mission towards the establishment of comprehensive *Shari'ah* doctrines (and without any substantial explanation on what the longed *Shari'ah* utopia would appear).⁴⁶ JIM President's 2006 speech audaciously declares JIM's rejection of the liberal democratic and capitalist ideologies.⁴⁷ Furthermore, the movement turning-back to over re-emphasizing internal *tarbiyyah* mechanisms thus reflects its epistemological break for this new chapter. Consequentially, JIM vehemently rejuvenates its internal (or traditional *ikhwani* oriented)⁴⁸ educational system for its members targeted to ensure the quality of its member at par with *soleh wa musleh* (pious and reformist).⁴⁹ Nevertheless, conceptually, with such an ideal, from a social capital point of view, JIM as an organisation of civil society is indirectly assisting the nation in developing social capital consisting of self-actualised functioning individuals.

Additionally, the self-actualised functioning members, who are being prepared to be the agents of change in crystallising the 'big picture', are being activated and collectively connected through JIM's district-based local branches empowerment policy (JIM *daerah*). The empowerment policy was initiated as part of its modus operandi in disseminating JIM's aspiration to the larger audience in the community through continuous *dakwah* (propagation) and *tarbiyyah* (education) programs. In ensuring the efficiency of the empowered local branches, JIM decides to adopt the KPI (Key Performance Indicators) and KRA (Key result Area) evaluation system. All the empowered branches will be evaluated and audited annually to ensure that they are coherent with the four-year plan of JIM in achieving the organisation's 'big picture'.⁵⁰ While at the formal educational level, as a third sector, JIM's chain of private schools networks all over the region have been a landmark for 'private' Islamic schools with integrated curriculum by emphasizing the excellence of their students in both academic and religious subjects.⁵¹ The schools have shown great performance despite their independence from the state fund.⁵²

As for the society welfare, JIM also plays an effective role in providing social welfare for society through its youth development programs (KRJ) and half way houses (*Raudatus Sakinah*⁵³ and Hidayah Centre)⁵⁴. Its youth development program has been a landmark and a compulsory niche for the empowered local branches to enhance JIM's contribution to society in the field of youth activism.⁵⁵ Through youth activities, JIM's branches manage to infiltrate the state funded schools to spread its ideal on building a better community through conscious individuals. Efficiently, such volunteer-oriented effort will lift some burden on the state's budget that normally spends on youth work and human capital building. Consequently, those activities are able to detach the people from intimately depending on the state, thus creating a larger space for bigger and independent society for good governance.

In the same breath, due to the organisation's ideal vision of the importance of family institution as an important element in building a viable pious society, JIM also emphasizes the

preservation of family values. Its internal marital 'match-making' mechanism has managed to assist the members to establish the family units consisting of internal marriages between its members.⁵⁶

JIM's children development programs through the organisational chains of nurseries and kindergartens owned and administrated by either its women's wing (i.e. *rangkaian tadika Amal*)⁵⁷ or the empowered local branches continue to provide an early education for the members' children, as well for the community.⁵⁸ At the same weight, through its women's wing, JIM also is involved in dynamically campaigning for issues concerning women, children and family at the national level. It is not only engaged in issues as a pressure group but also directly in educating, empowering and mobilising women and families.⁵⁹

With regard the women issue in specific, *Wanita JIM*, as the organisation's women's autonomous wing vow their continuous commitment to producing a workforce of Muslim women activists (which they coin as *du'at* – callers) in society who are responsible and caring citizens through welfare work and social services.⁶⁰ In achieving such missions, the women's wing is consistently engaged in society from all levels through their activities and the media. Furthermore, JIM aims to place its women's wing in a prominent position with a vibrant role at both national and international levels through networking, media engagement and social involvements. Likewise, JIM also aims to build a corps of women specialists in various fields such as health, law, *Shari'ah*, education and entrepreneurship.⁶¹

While in the field of humanitarian services, JIM does not confine their discourse of human rights to local issues. JIM actively deals with international issues since the eruption of the racial tense in Ambon, Indonesia in the years 1999-2000. Since the date, JIM has established the international wing (JIM International), which focuses on the humanitarian international issues concerning Muslims.⁶² JIM is also known for its pro-active efforts in the issue of Palestine through their national and international lobbies, and humanitarian work in the Palestine refugee camps in Beirut, West Bank and Gaza.⁶³ The organisation's Palestine Centre of Excellence (PACE) has been their voice to the public through their statements, memorandums, publications and researches.⁶⁴ While in the South East Asian region, JIM has relentlessly contributed to the development of Muslims in the region through its contribution to the development of education, religious, welfare and social sectors of those mostly underdeveloped Muslim communities.

In sum, JIM as a pro-active faith-based civil society organisation proves that religion could be a useful tool to assist the process of governance, hence development. It has also managed to prove that the common stereotyping of Islamic movements by a monolithic picture of traditionalism and merely another power hunger element in the community is far from the truth. Through their activities, which reflect its independence from the state, JIM has succeeded in developing 'functioning' individuals (which is amongst important elements for good governance) amongst its members and its targeted audience, thus has created a productive social capital for nation development. These will indirectly reduce the rent-seeking culture amongst the people and will lift the unnecessary burdens and ineffective economic activities from the state.

A thorough and deep contemplation on the impact of JIM's activities on enhancing the good governance agenda, it is obvious that those activities have articulated mostly all the roles that civil society could effectively play within the new governance framework. Additionally, JIM's activism indirectly enables society to be empowered and to reduce the size of the state, which is essential in the new governance discourse as mentioned earlier. Governance wise, JIM contributes proportionately to enhancing the good governance practice in the country as well developing various means of development through the cultivation of the culture of accountability, empowering the civil society, ensuring the rule of law and the calling for the protection and promotion of human rights.

Conclusion

Much has been written akin to this paper in describing the constructive relation between religion and faith within the comprehensive framework of the current notion of governance. Religious people and institutions as other actors of governance, as discussed earlier would successfully play the role of agents of advocacy, funding, innovation, empowerment, social movements, and service delivery, hence contributing to the development of socio-economic, as well the political life of a nation.⁶⁵ In regard to such argument, Armstrong asserts that neglecting faith influence, which she coins as *mitos* in the modern human galaxy is indeed a great loss for their life.⁶⁶ The failure of incorporating the *mitos* in the reality life will lead the community to astray and calamity. In such a way, religion as part of culture is worth being considered in the studies of governance as another facet of globalisation.

Equally, the engagement of current global religious movements in the civil society realm enhances the participation of people in development.⁶⁷ Such involvements will proportionately benefit the state and the market as well the people in ensuring their well-being. As per the relation between religious movements and their contribution to democratic governance hence development across the globe, Islamic movements too have made their own contribution. As faith-based organisations, the non-violence Islamic movements have been contributing to the check and balance process of the countries in which they operate, especially through the accountability mechanism and their constant fight against bad governance practice by the regimes. The full participation of the movements in the democratic life of their countries has contributed towards the effort to move towards good governance. As for the economy, Islamic movements as social capital bring more opportunity cost for the state, decrease the rent-seeking cost and cultivate the third sector to minimise the size of the state for efficiency.

The aforementioned JIM dynamic role in the governance sphere could be a successful example of how an Islamically-oriented civil society movement can contribute to the development of good governance and democratic culture in a multi-racial, multi-religious and multi-cultural society. Its encompassing involvement in political, social, education and economic life enables the members of society, or at least within its circle of influence, to be the active actors of governance in ensuring the well being of the citizens. This result, in a way, proves that faith in the age of globalisation, and within the framework of civil society, can still continue to be relevant to the public sphere by having its a significant role in the process of governance.

Endnotes

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- ² See Clara Ikekeonwu, Shirley Randell & Anne Touwen, "Civil Society Partnerships and Development Policies: Emerging Trends", (UNESCO: 2007); Francis Fukuyama, "Social Capital, Civil Society and Development", *Third World Quarterly*, 22(1), (2001), 7-20; OECD, "The DAC Guidelines: Poverty Reduction", (Paris: OECD Publications Services, 1995).
- ³ See Helmut K. Anheier, Marlies Glasius & Mary Kaldor, "Introducing Global Civil Society", in *Global Civil Society* edited by Helmut K. Anheier, Marlies Glasius & Mary Kaldor, (Oxford: Oxford University Press, 2001); Helmut K. Anheier, & Hyo-Je Cho, "International NGOs as an Element of Global Civil Society: Scale, Expressions, and Governance", Background paper prepared for the Sixth Global Forum on Reinventing Government, Seoul, South Korea, (May 24–27, 2005); Aisha Ghaus-Pasha, "Role of Civil Society in Governance", Paper prepared for the Sixth Global Forum on Reinventing Government, Seoul, South Korea, (May 24–27, 2005).
- ⁴ Eigen, "Capacity and Responsibility of Civil Society", Paper presented at the Sixth Global Forum on Reinventing Government, Seoul, South Korea, (May 24–27, 2005).
- ⁵ *Global Civil Society Report 2004/5*, 2005, 45.
- ⁶ Ghaus-Pasha, *Role of civil...*,
- ⁷ Percy B. Lehning, "Towards a Multi-cultural Civil Society: The Role of Social Capital and Democratic Citizenship", in *Civil Society and International Development*, edited by Henry Helmich Percy B Amanda Bernard, Percy B. Lehning (France: OECD, North-South Centre of the Council of Europe, 1998), 28.
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- ¹⁰ Ghaus-Pasha, *Role of civil...*,
- ¹¹ See: http://www.lse.ac.uk/collections/CCS/what_is_civil_society.htm.
- ¹² Ghaus-Pasha, *Role of civil...*,
- ¹³ Bob Edwards & Micheal W. Foley, "Civil Society and Social Capital: A Primer", in *Beyond Tocqueville: civil society and the social capital debate in comparative perspective: Civil society, Civil history: historical and contemporary perspectives*, edited by Bob Edwards, Micheal W. Foley & Mario Diani, (Hanover & London: University Press of New England, 2001).

- ¹⁴ R. A. W. Rhodes, *Understanding Governance: Policy Networks, Governance, Reflexivity and Accountability*, (Milton Keynes: Open University Press, 2003), 15.
- ¹⁵ AccountAbility, *Development as Accountability: Accountability Innovators in Action*, (UK: AccountAbility, 2007), 9.
- ¹⁶ Jose Casanova, *Public Religions in the Modern World*, (Chicago: University of Chicago Press, 1994).
- ¹⁷ Peter Berger coins such situation as the ‘*desecularisation*’ of the world. See Peter Ludwig Berger, *The Sacred Canopy*, (New York: Doubleday, 1967).
- ¹⁸ Casanova, *Public religions...*, 5-6.
- ¹⁹ Here, Asad was replying to the traditional anthropological definition established by Clifford Geertz that view that a religion is (1) a system of symbols which acts to (2) establish powerful, pervasive, and long-lasting moods and motivations in men by (3) formulating conceptions of a general order of existence and (4) clothing these conceptions with such an aura of factuality that (5) the moods and motivations seem uniquely realistic.
- ²⁰ See Zainah Anwar, *Islamic Revivalism in Malaysia: Dakwah Among the Students*, (Kuala Lumpur: Pelanduk Publications, 1987), 29-43.
- ²¹ Fauzi A. Hamid, “Transnational Islam in Malaysia”, National Bureau of Asian Research, NBR Project Report, April 2009, 148.
- ²² See Anne Sofie Roald, *Tarbiya: Education and Politic in Islamic Movements in Jordan and Malaysia*, (Lund: Lund Studies in Religions, 1994), 279; Fauzi, A. Hamid, “Islamist Realignments and the Rebranding of the Muslim Youth Movement of Malaysia”, *Contemporary Southeast Asia: A Journal of International and Strategic Affairs*, 30(2), (2008), 215-40, 217.
- ²³ Roald, *Tarbiya...*, 279.
- ²⁴ Saari Sungip, *Membina Teras-Teras Kekuatan (Ucapan Dasar Perhimpunan Perwakilan Nasional 1996)*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia [JIM], 1996).
- ²⁵ See Sungip, *Membina...*; Sungip, *Menempatkan Misi Pengislahan Dalam Transformasi Arus Perdana (Ucapan Dasar Perhimpunan Perwakilan Nasional 1997)*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia [JIM], 1997).1997).
- ²⁶ Sungip, *Menempatkan...*; Sungip, *Melonjakkan Aktivisme JIM Dalam Agenda Pengislahan Masyarakat (Ucapan Dasar Perhimpunan Perwakilan Nasional 1998)*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia [JIM], 1998).
- ²⁷ However, Saari Sungip the then president of JIM asserts that the organisation’s friendly engagement with the centre was due to the commitment of the major component of the ruling party, UMNO towards Islamic agenda for the country. It was known widely that during those years, the Islamic agenda within UMNO was driven by Anwar Ibrahim’s factor. See Sungip, *Bersama Menggarap Erti Perjuangan (Ucapan Dasar Perhimpunan Perwakilan Nasional 1999 (1))*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia [JIM], 1999a); Jomo Kwame Sundram & Ahmeed Shabery Cheek, “The Politics of Malaysia’s Islamic Resurgence”, *Third world Quarterly*

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- 28 Literally translated from Bahasa Melayu: *Bersama Islam Membina Masyarakat*.
- 29 Sungip, *Membina...*,
- 30 See Saliha Hassan, "Islamic Non-Governmental Organisations" in *Social Movements in Malaysia: From Moral Communities to NGOs*, edited by Meredith Weiss & Saliha Hassan, (London & New York: Routledge, 2002), 104; Yoshihi Kaneko, "Dual Structure in the State-NGO Relationship", in *the State & NGOs Perspective from Asia* edited by Shinichi Shigetomi, (Singapore: Institute of Southeast Asian Studies, 2002), 196.
- 31 Sungip insisted that JIM's involvement with Reformasi and its support for Anwar derived from the organisation's principle-centricity stance rather than a personal, individual, or political issue. See Sungip, *Melorjakkan...*,
- 32 Meredith Weiss, *Protest & Possibilities: Civil Society and Coalitions for Political Change*, (Stanford: Stanford University Press, 2006).
- 33 Or what they coined as the citizen politics. See Aliran Monthly interview with Mohd. Rashid Hasnon (Head of JIM, Penang) and Isahak Ismail (Secretary of JIM, Penang): <http://www.aliran.com/oldsite/monthly/2002/9h.html>). See also Kaneko, *Dual structure...*, 196; A. Fauzi, *Islamist realignments...*, 219-20.
- 34 Hassan, *Islamic...*, 104; Weiss, *Protest...*, 162-91).
- 35 Sungip, *Menempatkan...*,
- 36 Sungip, *Bersama Mencipta Masa Depan Gemilang (Ucapan Dasar Perhimpunan Perwakilan Nasional 1999 (2))*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia [JIM], 1999b).
- 37 Sungip, *Menempatkan...*,
- 38 Its then president, Saari Sungip contested in the 1999 election under the banner of the then Parti KeADILan Nasional (KEADILAN) (later turned to Parti Keadilan Rakyat (PKR)), along with the leader of its women wing, Fuziah Salleh (<http://www.jim.org.my/v1/index.php/kenali-jim/profail-jim?start=3>). See also A. Fauzi, *Islamist Realignments...*,
- 39 For more details, see <http://mafrel.wordpress.com/about-2/>
- 40 Gerakan Mansuhkan ISA (GMI) coalition of 33 NGOs against the detention without trial through the Internal security Act (ISA) formed on the 30th April 2001 to fight for abolishment of Internal Security Act (ISA) and release of all ISA detainees from Kamunting detention camp. More information could be retrieved from: <http://www.suaram.net/taxonomy/term/8>.
- 41 Mohamed Hatta Shaharom, Ahmad Sodikin Kasimin and Mohd. Radzi Shaari, (eds.), *Risalah Pemimpin: Penulisan Jawatankuasa Pusat JIM*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia, 2000), 5.
- 42 Zaid Kamaruddin, *Menggembleng Ummah Memperjuangkan Syariah (Ucapan Dasar Presiden Perhimpunan Perwakilan Nasional ke-16 2006, Pertubuhan Jamaah Islah Malaysia (JIM))*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia, 2006).

- ⁴³ Kamaruddin, *Bersatu Menegak Syariah Menjamin Kesejahteraan Ummah (Ucapan Dasar Presiden Perhimpunan Perwakilan Nasional ke-17 2007 Pertubuhan Jamaah Islah Malaysia (JIM))*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia, 2007).
- ⁴⁴ See: <http://www.jim.org.my/v1/index.php/kenali-jim/profail-jim?start=4>.
- ⁴⁵ Kamaruddin, *Bersatu...*, 17-18.
- ⁴⁶ Such inability to expound intellectually and scientifically the *Shari'ah* 'realm' that the organisation aiming and working to established is supposedly derive from its lack of socio-politico and political economic discourse due to the lack of expertise and scholars from those fields within the organisation cadres and leaders. Akin to other non-violence *Ikhwani*-oriented Islamic movements, JIM's cadres and leaders comprise mainly of hard-sciences background professionals and engineers along with the traditional moderate religious scholars as its spiritual guiders. Unlike its main rivals, the Islamic Youth Movement (ABIM) and Islamic Party of Malaysia (PAS), less people with social sciences and art background attracted to JIM.
- ⁴⁷ Kamaruddin, *Menggembelng...*,
- ⁴⁸ Traditional *Ikhwani*-oriented educational (or indoctrination) system for individual development with certain 'Islamic' qualities consists of the regular circles (*usrah*), *tamren* (trainings), *mukhayyamat* (campings), *daurat* (colloquiums), *katibah* (overnight trainings), *rehlah* (travelling together) are amongst the means adopted by many *Ikhwani*-inspired movements for their members' spiritual and intellectual personal development. It is through all these collectively conducted programs along with Shura (mutual consultation) mechanism and the obliged voluntarily loyalty (*ta'at*), the members affiliation to the movement and their level of trust (*thiqah*) amongst each others are constantly developed. As a social capital, trust is an important element to bring the members together for a socio-economic purpose that is most useful for development through social networking and individuals' ties. In JIM's case, the educational system exemplifies the cement that brings the blocks together and strengthens the organisation. Jum'ah Amin, *Manhaj al-Imam al-Banna, al-Thawabit wa al-Mutaghayirat*, (Cairo: dar al-Nashr wa al-Tawzi', 1999).
- ⁴⁹ Jawatankuasa T-PSM JIM, *Panduan Pembangunan Insan dan Organisasi JIM*, edisi kedua 2006, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia, 2006).
- ⁵⁰ Kamaruddin, *Bersatu...*, 15.
- ⁵¹ Thus far, there are about 30 private schools established by JIM and managed by Musleh venture Bhd., see: <http://www.jim.org.my/v1/index.php/relung/institusi/176-sekolah>.
- ⁵² See Jahidin Nor Zalmiah, *Dinamika Kurikulum SRI-SMI: Antara Ideal dan Realiti*, (Unpublished paperwork presented at Pusat Pendidikan Al Amin, 2001); Nor Zalmiah, "Ulum Naqliah: The Expeirence of Al-Amin Islamic Schools", in *Dakwah Kontemporari Menjana Permuafakatan Organisasi, Risalah Pemimpin jilid 8*, edited by Sepihie Ahmad Jamali, et. al., (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia [JIM], 2007).
- ⁵³ *Raudatus Sakinah* is a shelter cum rehabilitation house for problematic teens mostly with the unexpected early pregnancy cases. See: <http://www.jim.org.my/v1/index.php/relung/institusi/150-raudatus-sakinah>.

- ⁵⁴ A shelter house for new Muslims that been abandoned by their families due to the conversion. See: <http://www.jim.org.my/v1/index.php/relung/institusi/161-hc>.
- ⁵⁵ See: <http://krj.jim.org.my/v1/?module=main>.
- ⁵⁶ See: <http://www.bm2u.net/>
- ⁵⁷ See: <http://www.jim.org.my/v1/index.php/relung/institusi/177-tadika>.
- ⁵⁸ See: <http://www.jim.org.my/kenal/wanita.php>
- ⁵⁹ Harlina Halizah Siraj, *Memperkasakan Jaringan Kekeluargaan Bagi Mendepani Cabaran Ummah (Ucapan Dasar Ketua Wanita, Perhimpunan Perwakilan Wanita Nasional 2005, Pertubuhan Jamaah Islah Malaysia (JIM))*, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia [JIM], 2005).
- ⁶⁰ Harlina Halizah Siraj, "Penguatan Kepemimpinan Wanita JIM: Mengorak Langkah ke Arah Menerajui Dakwah dan Ummah", in *Risalah Pemimpin: Penulisan Jawatankuasa Pusat* edited by Mohamed Hatta Shaharom, Ahmad Sodikin Kasimin & Mohd. Radzi Shaari, (Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia, 2000), 105.
- ⁶¹ Maznah Mohamad, "Women's engagement with Political Islam in Malaysia", *Global Change, Peace & Security*, 16(2), (2004), 142.
- ⁶² Maszlee Malik, "Aktivisme JIM International sepanjang tahun 2000-2004" in *Pemusatan Dakwah Pengislahan Dinamika Ummah*, edited by W. M. Zukri, C. M. Zin, et. al., (Kuala Lumpur: JIMedia, 2005).
- ⁶³ Malik, Aktivisme...; Malik, *Kembara Beirut: Menjejaki Pelarian Palestin di Lubnan*, (Kuala Lumpur: JIMedia, 2006).
- ⁶⁴ See: www.pacemalaysia.net
- ⁶⁵ Jeffrey Haynes *Religion and Development*, (London: Palgrave Macmillan, 2007).
- ⁶⁶ Karen Armstrong, *The Battle for God: Fundamentalism in Judaism, Christianity and Islam*, (New York: Ballantine, 2000).
- ⁶⁷ Haynes, *Religion...*,

Gender equality or gender equity? A critique of CEDAW from Shari'ah perspective

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Abstract : Women activism and the feminist movement generally emerged as a reaction to the unfair and unjust treatment of womenfolk in the medieval era. This feminist movement, being a challenge to the *status quo ante*, left no stone unturned in its effort to actualizing equality between the two sexes. The feminists have succeeded, among others, in bringing about a legally binding international treaty as Convention on Elimination of all forms of Discrimination against Women (CEDAW). This paper examines the provisions of CEDAW vis-a-vis the position of Shari'ah and argues that gender equality in its raw sense as encapsulated by the CEDAW is another form of injustice against the womenfolk. It argues that since the biological make up, physiological construct and psychological needs of the two sexes differ, the role each sex plays should be different albeit complimentary to that of the other, if cohesion and stability is to be attained in society. Using doctrinal and comparative methods of analysis, this study arrives at the conclusion that gender equity as provided by Shari'ah rather than gender equality as encapsulated by the CEDAW best serves the interests of womenfolk. It is equally the finding of this study that the provisions of Shari'ah on gender issues stand tall among all other legal systems as they aim at achieving the most needed equity among the two sexes.

Keywords: Feminist movement, Gender equality, CEDAW, Shari'ah, Gender equity.

Introduction

Gender issues, as they affect women, were subjected to variety of negative perceptions throughout the history of humanity. This ranges from the absurd debates of whether women have spirit or not to the culture that holds women as object of abomination; hence the practice of burying girl-child alive (وَأَدِّبُنَّات) which the Qur'an abhors.¹ Women in the Greek civilization were perceived and portrayed in the images of Pandora that symbolizes bad luck, hence the proverbial phrase: "Pandora's box". Status of women in the Roman civilization did not fare any better. The story is virtually the same in the ancient Jewish settlement and the basic doctrines of Christian Europe. Women were considered as mothers of sins, root causes of all evils, distress and anxiety.² Some cultures even went to the extent of considering women as devils personified, this was vividly captured by an Arabian Poet, as he states :

Women are nothing but devils created for us (males)

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We seek God's refuge from the evils of the devils.

However, gender, according to Islamic conception, is one of the signs of the wonderful creations of the Almighty Allah. The Qur'an is categorical in this respect:

And of His signs is that He created for you from yourselves mates that you find tranquility in them; and He placed between you affection and mercy. Indeed in that are signs for a people who give thought.³

Islam, therefore, came with the prime objective of liberating the womenfolk from the bondage of servitude to men as was the case with the cultures preceding the advent of Islam.

However, in contemporary times, the Muslim nations and societies have adopted cultural practices that treat women in an unfair and unjust manner. An added problem is the fact that an average Muslim in the contemporary Muslim Communities can hardly distinguish between the real dictates of Islam and those apocryphal, unwarranted and, at times, harmful cultural practices against women. This is due to the fact that these practices are firmly and deeply entrenched and embedded within the local tradition to the extent that they have been accepted as norms. This singular fact pushed some Muslim women, particularly those without thorough grounding in the Islamic teachings, to the assumption that western arrangement for women is the best. Some of the Muslim women elites are even calling for the adoption of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in its totality in the Muslim nations without any reservation. They even go to the extent of calling for re-interpretation of Shari'ah in the light of this Convention and other human rights' instruments if the Law is to have any relevance in the twenty-first century. They, further, contend that the present Shari'ah provisions are not completely divine as the bulk of it remains mere juristic speculations and formulations which were made for the periods, places and circumstances of their makers; hence the juristic manuals are full of divergent opinions that are largely patriarchal in nature. The Muslim family laws, according to the proponents of this view, have been influenced considerably by the interpretations of the Muslim Jurists – who are mainly men – hence the need for reform that will meet the yearnings, aspirations and situations of the Muslim women of the twenty-first century.⁴ This and other similar problems pose serious threat to Islam as they challenge application of Shari'ah in the current era of globalization and information explosion.

This article, therefore, sets out to assess the provisions of the CEDAW against the Shari'ah principles and doctrines with a view to examining its compatibility with Shari'ah principles and provisions. This study also aims to argue that Shari'ah, the Islamic Law, being a quality controller of all the preceding scriptural laws⁵ shall be the yardstick of judging other systems and under no circumstances it should be judged by any other man-made contraptions. This study is divided into five separate but inter-related parts. After a brief introduction, the study examines the concept of gender equality in Islam and the brief history and general overview of the CEDAW. Part four is devoted to the critical examination of the provisions of CEDAW in the light of Shari'ah provisions and then it concludes with some observations.

Gender equality in Islam

Equality is defined as the act of being equal while equity is a situation in which everyone is treated equally.⁶ In Islam, man and woman are considered equal in their status but their roles, duties and rights differ due to their primordial, physiological differences. Thus man and

woman are not, in the eyes of Shari'ah, duplicate of, but rather complement, each other. The incontrovertible biological differences between male and female necessitate natural separation and division of duties and occupations. Thus, equality from the Shari'ah perspective does not mean absolute or unrestricted identicalness. Equality does not substantiate a claim for equivalence or perfect sameness.⁷ Shari'ah, therefore, does not grant the same rights to men and women in everything in the same way it has not impose the same duties on both of them at all times. However, the sum total of all rights granted to women is not less in value than the rights granted to men.⁸ It is clear that in terms of spirituality and humanness, both gender stand on equal footing before Allah (SWT). It is also clear that nowhere in the primary sources of Islam (i.e. the Quran and Sunnah) one finds any basis for superiority of one gender over the other. The only criterion of superiority in Islam is piety and fear of God (*taqwa*).⁹ Thus, equality should not be confused with role differentiation in the spirit of cooperation and complementarities.¹⁰ It is apposite to point out, here, that Islam is not against the equality of men and women but it does not accept the concept of identicalness of their rights and duties.¹¹

Shari'ah emphasizes the complementary nature of the roles of males and females but each is assigned a distinct and unique role commensurate with their nature and abilities. Consequently, each one has been endowed with physical and psychological gifts suitable for fulfilling their respective roles in society. It is against this backdrop that Islam rejects the western concept of women's liberation because it upsets the natural balance laid down by Allah (SWT).¹² The existence of differences in Allah's creation of man's and woman's structures and biology is an indication of differences not limited to childbirth alone. The much advocated sameness cannot be achieved. On the contrary, it will lead to enslavement of women as their vulnerability tends to be ignored in the process. Women are generally vulnerable and, therefore, susceptible to various forms of victimization including sexual harassment at work places which men rarely suffer.¹³ It is, therefore, unnatural and impossible to achieve sameness. On this point, Rukayyah Hill, an American Muslim woman, rightly observes that regardless of how many legislation may be passed to treat women the same as men, one fact will remain eternally unchanged: the female gender was created with different needs and capabilities from that of the male. Not less, not substandard, not lacking – just different.¹⁴

Appreciating the Islamic conception of gender from the above perspective enhances our understanding of many Islamic rulings on gender issues. The *tawhidi* paradigm emphasizes that the wisdom behind gender differentiation is to provide comfort, tranquility, peace of mind as well as preservation of human race.¹⁵ Resultantly, Allah (SWT) legalizes marriage and outlawed any other forms of intermingling, association or cohabitation of the two sexes outside the confines of matrimony.¹⁶

A number of traditions of the Prophet (SAAW) also lent credence to the above position, thus:

Once Asma' 'bint Yazid ibn As-Sakan came to the noble Prophet and said, "O Messenger of Allah: I stand for a group of women who are of my opinion. To proceed, Allah the Almighty has sent you to both men and women. Then we believed and followed you. We women are confined to homes, target to men's lusts, and bearers to their children. Yet, men have the privilege to attend Friday prayers,

funerals and fight in the cause of Allah. On the other hand, in case of fighting, we keep their property and rear their children. Would we share with them in Allah's reward? Then, the Prophet looked at his companions and asked, "Have you ever heard a good question from a woman about religion like that? They replied, "You are right, Messenger of Allah". He said. "Go back Asma' and tell all women you stand for that treating one's husband kindly, seeking his consent and obeying him, are equal to all what you have mentioned concerning men."¹⁷

Shari'ah, however, imposes stringent conditions whenever there is necessity of interactions between the two sexes. In this regard, the Qur'an enjoins:

And tell the believing men to reduce (some) of their vision and guard their private parts. That is purer for them. Indeed, Allah is acquainted with what they do. And tell the believing women to reduce (some) of their vision and guard their private parts and not expose their adornment except that which (necessarily) appears thereof and to wrap (a portion of) their head covers over their shirts and not expose their adornment (i.e. beauty) except to their husbands, their fathers, their husband's fathers, their sons, their husband's sons, their brothers, their brothers' sons, their sisters, their sisters' sons, their women, that which their right hands possess (i.e. slaves,) or those male attendants having no physical desire, or children who are not yet aware of the private aspects of women. And let them not stamp their feet to make known what they conceal of their adornment. And turn to Allah in repentance, all of you, O believers that you might succeed.¹⁸

All these provisions are made for a purpose, *to wit*: Blocking the means that will lead to the spread of any form of immoralities and vices (فواحش) among the believers. It is, therefore, apt to hold that Islamic law is for gender equity rather than gender equality and sameness of roles and duties between men and women as envisaged by the CEDAW.

Brief history of the CEDAW

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is an international human rights document that promotes the principles of non-discrimination and complete equality between men and women. The Convention was adopted by the General Assembly (GA) of the United Nations (UN) on 18 December 1979 and came into force on the 3 September 1981. The text of the convention was prepared by working groups within the Commission on the Status of Women (CSW).

The Commission (CSW) which originally was established in 1946 as a sub commission of the commission on human rights was quickly granted the status of full commission as a result of the pressure exerted by women activists. It is saddled with the mandate to prepare the recommendations relating to urgent problems requiring immediate attention in the field of women's right with the object of implementing principles that men and women should have equal rights, and the developments of proposals to give effect to such recommendation. This is mainly due to the realization that considering women's vulnerability, the existing International Bills of Rights are insufficient to guarantee to women's enjoyment of their internationally guaranteed rights.

Consequently, in 1974, the Commission (CSW) decided to prepare a single, comprehensive and internationally binding instrument to eliminate discrimination against women. This effort results in the text of the Convention on the Elimination of All Forms of

Discrimination against Women. The convention is a culmination of more than thirty years of work.¹⁹

An overview of the CEDAW provisions

The Convention (CEDAW) consists of 30 Articles and established both the international bill of rights for women and an agenda for action for countries to guarantee the enjoyment of the rights. Articles 1-16 define and prohibit discrimination against women and specify agendas for equality between men and women. Articles 17-30 deal with the implementation of convention and monitoring mechanism. The implementation of the Convention is monitored by the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW). The Committee is composed of twenty three (23) experts nominated by their governments and elected by the state parties as individuals of high moral standing and competence in the field specified by the Convention. The Committee's mandate and the administration of the treaty are defined in Articles 17 – 30.

Article 1 defines discrimination as any distinction, exclusion or restriction made on the basis of sex in political, economic, social, cultural, civil or any other field. Article 2 provides for the policy measures to be undertaken by the state parties for the elimination of discrimination by the governments, organizations, enterprises and individuals against women. Article 3 enjoins the state parties to take all appropriate measures in all fields to ensure full development and advancement of women for the purpose of guaranteeing them the enjoyment of human rights and fundamental freedom on the basis of equality with men. Article 4, on the other hand, allows temporal special measures to be adopted by the state parties to accelerate practical equality between men and women, and such measures aimed at protecting maternity will not be considered as discriminatory. This is a “positive discrimination” clause of the CEDAW.

Article 5 obliges the states parties to work towards modification of social and cultural patterns of conduct of individual men and women to eliminate prejudices, customary and all other practices which are based on the idea of inferiority or superiority of either of sexes, or the stereotyped roles for men and women and to recognized the common responsibility of men and women in the upbringing and development of their children, considering the fact that the interest of children is a primordial consideration in all cases. Article 6 enjoins the state parties to suppress all forms of traffic in women and exploitation of their prostitution.

Articles 7, 8 & 9 specify measures which the state parties need to take to ensure equal opportunity and eliminate discrimination against women in political and public life of the nations, representing the government at the international level, and to participate in the work of international organizations, as well as the equal right with men to acquire, change or retain their nationalities regardless of marital status or the nationality of their husbands and equal right to the nationality of their children. In the same vein, Articles 10, 11, 12 & 13 affirm the right of women to non-discrimination in education, employment, health care, economic and social activities. Article 14 gives an especial emphasis to the situation of women in the rural areas and specifies measures the state parties shall take to ensure application of the provisions and benefits of the Convention to them.

The state parties are required, as in Article 15, to accord to women full equality with men in civil, business and procedural legal matters and law relating to the movement of person and freedom to choose their residence and domicile. The convention in this article demands that all instruments directed at restricting women's legal capacity shall be deemed null and void. In Article 16, the Convention asserts the equality of men and women on the issues relating to marriage and family relations and gives broad attention to legal status with regard to choice of spouse, rights and responsibilities during marriage and its dissolution, parenthood, family planning, personal rights and control over property. Articles 17-30, as pointed out earlier, deal with the monitoring of the implementation of the Convention by the Committee on the Elimination of All Forms of Discrimination. In these Articles the mandate and the administration of the treaty are explained.

Examining CEDAW from Islamic perspective

While Shari'ah may be in agreement with the spirit behind the objective of some of the CEDAW provisions, as Islamic civilization pioneered women's emancipation, Islam is, however, not in agreement with the approach adopted by CEDAW in achieving its objectives. Islam raises the status of women from servitude to complete humanity and as co-partners of men. The Shari'ah, nonetheless, is at variance with CEDAW on issues of complete equality of men and women, the changes in role of men and women in society and the legal status, rights and responsibilities of the spouses during marriage and its dissolution, among other issues. It is on these issues this article examines and critiques the CEDAW.

To begin with, the word "equality" is used more than twenty times in the CEDAW demanding from the state parties to take measures to eradicate any form of discrimination between men and women. Discrimination according to CEDAW includes any distinction, exclusion and restriction based on sex.²⁰ However, Islam, as a balanced religion, does not turn a blind eye to the natural differences between men and women and hence it apportions and assigns different roles to each sex suitable to its nature in addition to the general and common roles which both sexes perform equally.²¹ This is the first point of divergence between the provisions of the CEDAW that require absolute equality and sameness of men and women²² on one hand; and the Shari'ah focuses on gender-specific provisions that are more in line with nature of men and women, on the other.

Islamic teachings, as is the case with most traditional societies, assign gender-based social roles as a form of efficient means of division of Labour in society. Drawing inspiration from the animal kingdom, it is obvious that the termites are created differently with different functions. The soldier termites are created with mandibles to be able to protect and secure their kingdom while the workers are created to be able to source food and build shelter for the members. Their functions complement one another. Thus, acceptance of gender roles as a norm have been predominant for millennia until it was disputed by modern European secular culture. However, this culture has a lot of inconsistencies in its ideas about gender and equality.²³

Be that as it may, insistence on exactly the same roles for men and women is biologically and socially illogical. This is because there are clear natural and biological differences between the two sexes. To illustrate this point, it is incontestable that in terms of physical

strength men and women are not the same. Similarly, there are some exclusive natural functions assigned to a specific gender which cannot be changed at all, such as carrying pregnancy and suckling the baby by the woman. Hence, roles of men and women cannot be exactly the same because males and females are different in nature. Treating dissimilar persons in the same way sustains, rather than alleviates, inequality. It is based on this that Shari'ah apportions different social roles for men and women to suit their nature. Men are saddled with the responsibility of maintaining the family which requires them to go out of the home to source for the fund for the maintenance of the family;²⁴ while women are primarily responsible for homestead. Hence the Qur'anic statement: "And abide in your houses and do not display yourselves as [was] the display of the former times of ignorance".²⁵ The gender-specific roles are, further, clearly delineated in the hadith narrated by Abdullahi Ibn Umar (RA) that the Prophet (SAW) said:

All of you are guardians and are responsible for your wards. The ruler is a guardian and the man is a guardian of his family; the lady is a guardian and is responsible for husband's house and his offspring; and so all of you are guardians and are responsible for your wards.²⁶

In addition to the above textual authorities, there are number of verses of the Qur'an, Hadiths of the prophet (SAW) and the consensus of the jurists which clearly indicate these obligatory responsibilities of the man.

The practice of the women companions of the prophet (SAW) is very clear on the role of women. The beloved daughter of the Prophet (SAW), Fatimah, is a typical example in this regard as she used to carry out her domestic chores to the extent that her husband encouraged her to go and seek assistance from the Prophet (SAW) who instead placed them on daily *Dhikr* of prayers. The wives of the Prophet (SAW) were also reported to have been doing their domestic work at home in the process of which they had cause to compete and conflict with one another. In some cases, though, the Prophet (SAW) participated in domestic work.

Shari'ah may permit the changes in the performances but not redefining the role of women. There is no basis in Islam for changing the role which Allah (SWT) has stipulated because of the 21st century societal changes. The 21st century's conception of human rights will come and pass but Islamic law will continue forever. It should be pointed out that at the time of Prophet Muhammad (SAW), women worked to earn money and in some cases they were even richer than their husbands. Nana Khadija (RA) and the Prophet (SAW) is a case in point. Similarly, Nana Asma' Bint Abibakar used to go out and work on farm as she narrated thus:

When Az-zubair married me, he had no real property or any slave or anything else except a camel which drew water from the well, and his horse. I used to feed his horse with fodder and drew water and sew the bucket for drawing it, and prepare the dough, but I did not know how to bake bread. So our Ansari neighbors used to bake bread for me, and they were honorable ladies. I used to carry the date stones on my head from Zubair's land given to him by Allah's Apostle and this land was two-third Farsakh (about two miles) from my house. One day, while I was coming with date stones on my

head, I met Allah's Apostle along with some Ansari people. He called me and then, (directing his camel to kneel down) said, "Ikh!Ikh!" so as to make me ride behind him (on his camel). I felt shy to travel with men and remembered Az-Zubair and his sense of *Ghira* [jealousy], as he was one of those people who had great sense of *Ghira*. Allah's Apostle noticed that I felt shy, so he proceeded. I came to Az-Zubair and said, "I met Allah's Apostle while I was carrying a load of date stones on my head, and has some companions with him. He made his camel kneel down so that I might ride, but I felt shy in his presence and remembered your sense of *Ghira*. On that Az-Zubair said, "By Allah, your carrying the date stones (and you being seen by the Prophet in such a state) is more shameful to me than your riding with him." (I continued serving in this way) till Abu Bakr sent me a servant to look after the horse, whereupon I felt as if he had set me free.²⁷

This, however, has not changed their role of keeping the home front. This clearly evidences that there were ample examples of women who were working to earn money at the time of the prophet (SAAW), yet they did not abandon their role of home management. The women that work outside the home to earn a living are faced with the double responsibilities of working at home as well as outside. This poses the challenge of balancing home and work which drew the attention of the modern Muslim scholars who engaged in a series of discussions on the issue.²⁸ Thus, the call for change of roles between males and females in this century due to the women's new economic status is unnecessary. What is relevant is seeking the appropriate solutions within the principles of shari'ah to tackle emerging challenges of the dual role of today's Muslim woman.²⁹

It should be pointed out that the role of child bearing and upbringing or home management in general is not in any way inferior to engagement in public life. The financial attachment to public life as opposed to private life rightly or wrongly does not make private life inferior. Women's role in development of the family is very vital to society as family is the bedrock of society. Islam holds transcendental values that are beyond worldly or material benefit, as life does not depend solely on material satisfaction but on psychological, emotional and more importantly spiritual satisfaction. Thus, a woman traditionally feels fulfilled in her matrimonial home with successful family. This fact has bearings upon the legal status of women in Islamic Law of evidence where the testimonies of two female witnesses are equated with that of a male witness in contractual dealings.³⁰

On the family front the rights and obligations of the spouses differ. There are rights which are given to wife but not given to the husband, and vice-versa. There are rights and obligations of spouses under the Shari'ah that are restrictive, exclusive and distinctive which may be tantamount to discrimination under the CEDAW (Article 1). They include guardianship in marriage, leadership/headship of husband, and custody of children after dissolution of marriage, different shares of inheritance, etc. Notwithstanding the above, some Muslim feminists still maintain that complete equality as envisaged by CEDAW is possible under the Shari'ah especially with the re-interpretation of the sources of Islamic Law to reflect the realities of 21st century.³¹

On the headship of family, it is true that a man as a husband and father is the head or leader of the family under the Islamic Law. This is because the man is, naturally, endowed with certain qualities to carry out the responsibility of protecting his family members and providing for them an atmosphere of security, love and harmony. It is well known and incontestable that men are generally stronger in physique than the womenfolk. Hence the need to struggle to be able to give physical and emotional protection to the wife, children and other members of his household and equally work hard to provide them with maintenance and other financial needs. This gives the man the guardianship position in the family under the Islamic law as opposed to the leadership of the woman.³² The guardianship of man in the family does not make him superior to the woman as this is in line with the general principle in Islam whereby the Prophet Muhammad (SAAW) enjoins the Muslims to always have a leader for a group (even of three people) when on journey. As men are enjoined to honour their wives and treat them as partners, the women are required to respect and obey their husbands. The Prophet (SAAW), has described a pious wife as the one who obeys the husband when he gives her command, he is pleased when he sees her and she guards her modesty in his absence. This is the picture of an ideal Muslim home in Islam as against equality or sameness envisaged by CEDAW.

However, upon the separation of the couple and termination of the marriage union, the woman as a mother was given preference with regard to the custody of the children till they reach certain stage in life when they can take care of themselves. This right is given to the woman because of the nature Allah (SWT) has endowed her with, of being tender hearted, loving and caring to children. Women do not share these rights equally or in common with men as against the absolute equality required by the CEDAW.³³

In the case of inheritance, for instance, heirs of a deceased person whether male or female have their fixed entitlements in the estate left behind by the deceased as prescribed by Allah (SWT).³⁴ The entitlement of female child is clearly half of the share of a male child which is completely contrary to the provisions of CEDAW.³⁵ It is clear also that polygamy which is permissible under Islamic law,³⁶ conditionally or otherwise, does not have a place under the provisions of CEDAW as it is considered "discriminatory" against women.

On the claim of patriarchy in Islamic Jurisprudence, it is not accidental that almost all world leaders in every civilization are men, all Prophets of Allah mentioned in the Qur'an are men, and that women are not leaders. Thus, it is only natural for men to interpret and develop the law and this will not necessarily make such interpretation patriarchal as some feminists are claiming. This also does not mean that women are inferior or that their various levels of participation and contribution to the development of their societies are disproportional with those of men. This is so, especially when one considers the role they play in the life of men and humanity generally as mothers, wives and daughters, as well as the status accorded to them under the Islamic Law. Ironically, the Muslims feminists clearly indicate that they are viewing Islam and interpreting the sources of Islamic law from the feminist perspective. The tendency is that their interpretation of the text is matriarchal which will not represent the true position of Islam.³⁷ The more disturbing aspect of their interpretation is their working along with the secularists and using them and their works as their yardstick for formulations and derivations of rules from Shari'ah sources. In their call for prohibition of polygamy in the

Muslim countries, for instance, the feminists relied heavily on the United Nation documents and data as their yardstick and point of references.³⁸

The feminists claim that the Shari'ah as expounded by the Prophet (SAAW) was at its embryonic stage during his life time hence the needs for its continuous development to suit the social context of the modern times. The development in this context goes beyond the normal *ijtihad* as the feminists can go beyond and at times even contrary to the texts to make rules as long as that is what is in vogue in society and neglect the application of the rules of interpretation of Shari'ah sources. This is contrary to the Qur'anic dictates where Allah (SWT) says: "Today, I have perfected your religion for you, completed my favors upon you and have chosen Islam for you as religion".³⁹ While commenting on this verse Ibn Katheer narrated that Abdullahi Bn Abbas said: "In this holy statement Allah Almighty told the Prophet (SAW) and the believers that they will never be in need of anymore and since Allah Almighty perfected it, He will never reduce it and since Almighty Allah has become pleased with it will never be displeased with it."⁴⁰ Allah has also instructed the Muslims in no uncertain terms not to make unlawful that which He has made lawful.⁴¹

It should be pointed out at this juncture that derivation of rules from the sources of Shari'ah is a field of its own and only experts in that field can competently delve into it. This is not peculiar to Shari'ah as every field has its own intricacies that are best handled by their experts. This could further be illustrated by the fact that reading a lot of newspaper or watching too much of television programs would not make one an expert in journalism capable of indulging into it. Likewise an experience in medical care alone cannot qualify a person to practice medicine. Thus, although a Muslim may have the right to ponder over the provisions of the primary sources of Shari'ah and may even draw a conclusion as to what is correct and what is wrong, he or she is, however, not in any way permitted to delve into derivation of rules or giving rulings (*fatwa*) in Shari'ah except he or she is a qualified jurist and an expert in the field. Another illustration in support of this point is the fact that although everyone is governed by the laws of his/her society which s/he has to learn and abide by, the only eligible persons that could authoritatively interpret the laws are the lawyers and judges who are experts in the field of law and not every member of the society governed by the law.

Religion is a fundamental right of the individual which is private, involvement and interference of international law on private and religious life of individuals is a violation of the fundamental human right. There is no justification for Muslims to adopt women's human rights from the CEDAW provisions and from so-called international standards. For the Muslims, the law of Allah is supreme.⁴² There is, thus, a clash between the Western civilization through which international human rights emerge and Islamic civilization. It is a clash between spiritualism and materialism. Presently, United State of American is yet to sign and ratify CEDAW. It asserted that USA do not need CEDAW as the women in USA are already treated the same way as men.⁴³ The question for the Muslims, now, is: Is the American society in treatment of their women a model society for the Muslims? If America can be excused from ratifying CEDAW, the Muslim countries are more entitled to such excuse.

Islam is a balanced religion which stands out for justice for all creations including men and women. A situation where one goes to the extreme in redressing a wrong may result into

another wrong (positive discrimination as provided in and permitted by the CEDAW).⁴⁴ Human beings are interdependent, and what affects the man affects the woman and vice versa, as woman is the mother, wife, sister, and daughter of man.

Insisting on complete equality between men and women and changing women's traditional roles by imposing upon them performance of additional roles in the public sector and participation in the maintenance of the family put a woman to a greater disadvantage and unfair position making her vulnerable and susceptible to humiliation, abasement and harassment and a violation of her human rights. Consequently, this leads to serious injustice to the womenfolk.⁴⁵ This is because the current position of a modern woman, in addition to the trouble it puts her through, violated women religious rights and freedom that have taken care of their natural needs. The natural role of child-bearing and up-bringing assigned to the women cannot be taken away from them, why then should additional role which is not supposed to be theirs be added to modern women? It is a well known fact that woman unlike man, by virtue of her nature is susceptible to sexual abuses, harassment and physical, psychological and even emotional torture in the public sector.⁴⁶ CEDAW insistence on the international standard is, thus, another violation which is not sensitive to differences in the other people's values. Some communities are secular while others are highly religious and these differences need to be respected.

Concluding remarks

The conclusions that can be arrived at from the foregoing analyses could be summarized as follows:

- Whereas Shari'ah assigned different roles for male and female each in accordance and commensurate with his/her nature, CEDAW laid undue emphasis on absolute equality and sameness of the two sexes.
- Whereas, in keeping with the natural disposition of each gender, Shari'ah laid emphasis on gender equity, CEDAW, on the other hand, accentuates gender equality regardless of the fact that such unbridled equality may do more harm to the womenfolk and therefore heightened their vulnerability.
- In spite of Shari'ah emphasis on gender equity, injustice is being meted out to womenfolk in Muslim societies. This needs to be addressed by the Muslim scholars, so as not leave room for mischief makers to exploit the situation.
- The women engaged in feminist movements, particularly the Muslim sisters among them, need to be cautious; otherwise they may be heading towards self destruction.
- Since Shari'ah, being a divinely ordained legal system revealed to humanity through the Prophet Muhammad, is superior to any other previously divinely ordained scriptural laws, it cannot be subjected to any hermeneutic tools devised or invented by man.
- Considering the above points, only trained and qualified experts are entitled to interpret the Shari'ah sources and apply them to contemporary emerging issues.

From the above, it can be concluded that what will best serve the interest of womenfolk generally and Muslim women in particular is the gender equity prescribed by Shari'ah and not the mirage of absolute equality encapsulated by CEDAW and being advocated by feminist movements globally. The Muslim women should rather insist on full implementation of the rights granted to them by the Shari'ah.

Endnotes

- 1 Holy Qur'an, 81: 8 – 9.
- 2 Juwayriya Badamasuiy, *Status and Role of Women under the Shari'ah*, (Kaduna: Zakara Publishing Company, 1998), 2–5.
- 3 Holy Qur'an, 30 : 21.
- 4 See Musawah, "Musawah Framework of Action", (Malaysia Musawah: An initiative of Sisters in Islam [Sis Forum] 2009).
- 5 In Suratul Ma'idah, Allah (SWT) Says: "And We have revealed to you, [O Muhammad], the Book [i.e., the Qur'an] in truth, confirming that which preceded it of the scripture and is a criterion over it. So judge between them by what Allah has revealed and do not follow their inclinations away from what has come to you of the truth. To each of you We prescribed a law and a method...." Holy Qur'an, 5:48; See also Holy Qur'an, 2:41, 91-97; 3:3; 4:47; 5:15; 6:92; 10:37; 12:111; 46:12 & 30 for similar provisions.
- 6 Oxford Advanced Learner Dictionary, 7th Edition, 492- 493
- 7 A. F. Abdullahi, *Ihtiyaadat hatta la yanharifal abnaa' Suwarun min asaleebin Nabiyyi (SAW) fit – Tarbiyyah*, (Alexandaria – Egypt: Darul Iymaan, 2004), 43 – 53; See also Muhammad Tawfiq Ladan, "Women's Right, Access to and Administration of Justice under Shariah in Nigeria" in *Shariah Implementation in Nigeria*, Joy Ngozi Ezeilo et al (Abuja & Lagos: WARCOL, WARDC, 2003), 33.
- 8 Ibrahim A. Aliyu, "Gender Equality and the Rights of Women under the Shariah", Paper Presented in a Seminar by International Institute of Islamic Thought, Nigeria office, Kano, Nigeria, March 7th, 2010.
- 9 Holy Qur'an, 49:13.
- 10 Jamal Badawi, *Gender Equity in Islam*, 3rd print., (USA: Sellon Publication Co. IMC, 2004), 13-14.
- 11 M. Mutahhari, *The Rights of Women in Islam*, 1st ed., (Tehran, Iran: World Organisation of Islamic Services, 1981), 116.
- 12 Bilal Phillips, *Tafseer Soorat Al-Hujrat; A Commentary of 49th Surah of Quran*, (Riyadh: Tawheed Publications, 1988), 109-111.
- 13 S. A. R. Abdul-Khaliq, *The wisdom behind Islamic Law Regarding Women*, trans., A. Al – Timimi, (Ann Arbor, USA: Islamic Assembly of North America, 1995), p. 35. Instances of this could be seen in: Kamala Chandrakirana, "Women Place and Displacement in the Muslim Family: Realities from the 21st Century" in *Wanted – Equality and Justice in the Muslim Family*, edited by Zainah Anwar, (Kuala Lumpur, Malaysia: Musawa/Sister in Islam's Publication, 2009), 247-8.
- 14 Rukayyah Hill Abdulsalam, *Women's Ideal Liberation: Islamic Versus Western Understanding*, (Jeddah-Saudi Arabia: Abul Qasim Publishing House, 1998), 10.

- 15 Holy Qur'an, 30:21.
- 16 Holy Qur'an, 17:32.
- 17 Khalid M. Khalid, & Abdel-Hamid Eliwa, *Women and Men around the Messenger*, (El-Mansura, Egypt: Dar-Al-Manarah, 2003), 622- 623.
- 18 Holy Qur'an, 24: 30 – 31.
- 19 Division for the Advancement of Women, Short History of CEDAW Convention, United Nation Department of Public Information www.un.org/womenwatch/dev/cedaw/history (accessed on 27/02/2012).
- 20 Article 1, Convention of Elimination All Form of Discrimination against Women.
- 21 Badamasiuy, Status and role..., 2.
- 22 Save of course in few situations where positive discrimination in favor of women, as in Article 4 of the CEDAW is allowed.
- 23 There are other numerous literatures on the controversies between the Biological Determinists and Standard Social Scientists. The theory of biological determinism, also called genetic determinism, is in essence the exact opposite of the Standard Social Science Model described in *Evolution and Human Nature*. Whereas the Standard Social Science Model assumes that no part of human nature is inherited and all human attributes are fixed by cultural forces, Biological Determinism assumes that all or virtually all human behavior is innate and cannot be changed or altered. Both these two contradictory theories emanate from the same Modern European Secular Culture. See R. C. Lewontin, "Biological Determinism" The Tanner Lectures on Human Values Delivered at The University of Utah March 31 and April 1, 1982, www.stormwind.com/common/genetic.htm (accessed on 5th, October, 2012); Claude S Fischer *et al.*, *Inequality by Design: Cracking Bell Curve Myth*: www.amazon.com/exec/obidos/Asin/0691028982 (accessed on 5th, October, 2012).
- 24 Holy Qur'an, 4:34.
- 25 Holy Qur'an, 33:33.
- 26 Muhammad Muhsin Khan, *The Translation of the Meanings of Sahih Al-Bukhari*. (Lebanon: Dar Al-Arabia Publishers), vol. 7, no. 128, 88.
- 27 *Ibid.*, vol. 7, no. 151, 93.
- 28 Seminars have been organized by the International Institute of Islamic Thought, Nigeria Office in 2008 and 2009 to discuss the plight of working Muslim women in their effort to balance the home and work. Papers including *Women, Work & Home Management: The Dilemma of a Muslim Working Class Woman*, *Balancing Home and Work : Tales of Working Women*, *Balancing Home and Work : Problem, Priorities and Policy*, *Balancing Home and Work and Stress Management* were presented.
- 29 The detail discussion of this calls for a separate paper and cannot be accommodated in this article.
- 30 See Holy Qur'an, 2:282.
- 31 Zainah Anwar, "Introduction: Why Equality and Justice", in *Wanted: Equality and Justice in the Muslim Family*, edited by Zainah Anwar, (Kuala Lumpur – Malaysia : Musawa/Sister in Islam's Publication, 2009), 1-9.

- 32 Holy Qur'an, 4:34. See also Encyclopedia Britannica, vol. 7, (1984), pp. 163-180: Muhammad Ali note 7.
- 33 Article 16 of the CEDAW.
- 34 Holy Qur'an, 4-7.
- 35 Article 1 and 16 of the CEDAW.
- 36 Holy Qur'an, 4:3-4. The Qur'an, in these verses, clearly permits a man conditionally or otherwise to marry more wives than one. The practice of the Prophet (SAW) illustrates the practical implementation of the Qur'anic provisions on polygamy. Polygamy was also practiced by the Prophet's companions (may Allah be pleased with them). The woman under the Shari'ah has not been given the same authority as man. This may be due to differences in the biological construct of each of the gender. CEDAW idea of sameness goes contrary to this provision of the primary sources of Shari'ah. See also A. A. B. Phillips, *The Rationale and Law behind Polygamy in Islam*, (Riyadh, Saudi Arabia: International Islamic Publishing House, 1985), 33-35.
- 37 *Women Living Under Muslim Laws, For Ourselves Women Reading the Qur'an*, (1997), 17 – 32.
- 38 For instance, one of such writers argued thus: "According to the UNDP Arab Human Development Report, 2005, many Muslims no longer see polygamy as acceptable. A public opinion survey for this report conducted in 4 Arab countries: Egypt, Jordan, Lebanon & Morocco showed that at least half of the men and nearly all the women disagree with the practice of polygamy. And among those who agreed with the practice link their approval to the agreement of the wife concerned". UNDP Development Report, 2005, 136; Chandrakirana, *Women place...*, 249 – 250, cited and relied on the above data from UNDP report to arrive at such conclusion.
- 39 Holy Qur'an, 5:4.
- 40 Ibn Katheer, *The Exegesis of the Grand Holy Qur'an*; trans. M. M. Al – Sharif, (Beirut – Lebanon: Dar Al – Kotob Al – Ilmiyyah, 2006), vol. 2, 237.
- 41 Holy Qur'an, 16;116.
- 42 Holy Qur'an, Q5:50.
- 43 See Holy Qur'an, 16: 116.
- 44 See Article 4, CEDAW.
- 45 S. A. R. Abdul-Khaliq, *The Wisdom behind Islamic Law Relating to Women*, trans. A. Al-Tunami, (Ann Arbor, USA: Islamic Assembly of North America, 1995), 17, 18 & 35.
- 46 For instance, Chandrakirana quoting Human Rights Watch, painted the dilemma of a Filipina domestic worker from the Muslim community of Mindanao who explained the slavery-like conditions of her employment, thus: "They took me to an agency [in Saudi Arabia] where they trick people. I stayed in the agency for one week. I had to work in five houses in one week. One day the agent told me he was taking me to his sibling's house. He was the only one there. He started holding me, kissing me ... I was crying, "Don't do this to me, I am a Muslim." When we went back to the agency, my true employer ... brought me to the house. He said, "Be good so I don't send you back [to the agency]." ... After a while, [my] employer started showing some affection for me. He called me into his bedroom. He said, "I want to tell you how I got you from the agency." He said, "I bought you for 10,000 riyals." That is when I found out I had been sold ...", "As if I am not Human", Human Rights Watch, 42, cited in Chandrakirana, *Women place...*, 248. This happened because that Filipina was a woman.

Ghulam Ahmad Parvez on issues concerning women: A critical analysis

Noor Mohammad Osmani*

Abstract: Ghulam Ahmad Parvez (1903-1985) provides a modern interpretation of Islam which in many cases contradicts the tenets and teachings of Islam. He rejects the authority of the *hadith* (sayings) of the Prophet (SAW). His modernist approach covers a wide range of issues including women. His views on women largely contradict the Islamic texts from the Qur'an and Sunnah. Relying primarily upon his writings in various magazines and also in his magnum opus *Tafsir Matalib al-Furqan*, this paper analyzes his views from an objective critical perspective based upon the Qur'an, the Sunnah and the writings of the prominent scholars. It has been observed that by way of rejecting Sunnah as the authority in *Shari'ah*, Parvez rejects many issues of *Shari'ah* which are accepted by majority of Muslim scholars.

Keywords : Ghulam Ahmad Parvez, Women's rights, Rejection of hadith, Women's leadership, Hijab, Niqab.

Ghulam Ahmad Parvez (1903-1985) rejects the authority of the *hadith* (sayings) of the Prophet (SAW) as an essential source of the *Shari'ah*. He wrote extensively on many issues including women and provided a modern interpretation of Islam. His views on women are not in conformity with the dictates of the Qur'an and Sunnah. This paper examines his views on such issues as woman's workplace, her testimony in courts, her role in politics, her inheritance and finally *Hijab* or *Niqab* (face veil). Relying primarily upon his writings in various periodicals and also in his magnum opus *tafsir Matalib al-Furqan*, this paper analyzes his views from an objective critical perspective based upon the Qur'an, the Sunnah and the writings of the prominent scholars. This is preceded by a brief introduction to the life and works of Ghulam Parvez.

Parvez: life and work

Born in a religious family in Gurudaspur, East Punjab, India on 9 July 1903, Ghulam Ahmad Parvez was raised and trained by his grandfather Moulvi Chowdhury Rahim Bakhsh, who was, as Parvez says, a great scholar of Hanafi School of law.¹ He was introduced to the art of debate at young age. He says, "As it was very much likely that a coastal child could easily learn how to swim, I also learnt the art of debating; for my locality was a breeding ground for many religious sects and groups."² He loved music and often listened to Mehedi Hassan, Nazir Faruqi and Rowshan Ara. Music, for him, was a source of relaxation, happiness and food for soul. He states, "If one does not appreciate music and declares it *Haram* (forbidden),

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he has no soul".³ He claimed to have passed through three stages in his life: *Taqlid* (blind imitation), *Tanqid* (critical approach) and *Tajdid* (renewal). It was only in the last stage of *Tajdid* that "I came to know the truthfulness of the Qur'an and refreshed my *Iman* anew".⁴ Parvez was greatly impressed by one *Aslam Joyrajpuri* whom he first met in 1929/1930. It may be said that Aslam led Parvez first to doubting the veracity and gradually to rejecting *ahadith* (sayings) of the Prophet (SAW). Consequently, some Muslim scholars considered Parvez a heretic for denying the authority and authenticity of the *ahadith*. Parvez used to read Aslam's writings and felt as if these writings beautifully expressed his ideas. He lived with Aslam in 1935 for about six months apparently to learn the Arabic language, but he says, "Most of our time passed in discussions of the secrets and treasures of the Qur'an."⁵

Parvez had come in close contact with Allama Muhammad Iqbal and was very much impressed by him. In April 1938, Parvez took over the magazine *Tulu' Islam* "to translate Iqbal's thoughts and propagate the message of the Qur'an".⁶ The magazine initially was published by Nazir Niyazi, it had discontinued before Parvez revived it. Parvez had close ties with majority of rulers in Pakistan including Muhammad Ali Jinnah, Field Marshal Ayub Khan and Zulfikar Ali Bhutto. The rulers loved his ideas as they promoted a modern secular interpretation of Islam. Ayub even expressed his desire for wider circulation of *Tulu' Islam Magazine* to "reform" and "modernize" 'outdated' Muslims' minds in Pakistan.⁷ Though Parvez was always supportive of all the rulers (majority of whom were secular leaders), he did not like the rule of President Ziaul Haq who wanted to implement Islam and Islamic *Shari'ah* in Pakistan, and criticized many of his steps towards implementation of *Shari'ah*.⁸

Parvez and radical change

Ghulam Ahmad Parvez was not consistent in his opinions. He would change his opinion radically leading to replacing one strategy with another. Thus, Parvez was full of praise for Sayyid Abul A'la Mawdudi in his early age and regarded him as a prominent scholar of Islam. He even published articles in the *Tarjuman al-Qur'an* of Sayyid Mawdudi (before rejecting the authority of the Hadith of the Prophet) and also welcomed Mawdudi's articles in his own magazine *Tulu' Islam*. In one of his articles, Parvez praises Sayyid Mawdudi in the following terms:

Allah has granted him exceptional abilities to serve Islam and reform it in the light of the Qur'an and *Sunnah*. He has gifted talent; deep understanding of Islam and the modern culture that he may beautifully analyze Western culture, identify its problems and present convincing solutions from Qur'anic perspective.⁹

He published Mawdudi's article on 'Nationalism' in *Tulu' Islam*, and commented that "the opinion of Mawlana Mawdudi on this issue is exactly the same as mentioned in the Qur'an and *Sunnah*, and *Tulu' Islam* had the privilege of publishing his views on its pages".¹⁰

But the same Parvez stood against Mawdudi and became his fierce opponent a few years later declaring Sayyid Mawdudi to be of no consequence. He wrote: "It is a reality that we do not regard Mawdudi as a religious scholar, nor an intellectual."¹¹ He also said: "Mawdudi could not present any new ideas; for he does not have creative thought or intellectual skills. He only had the old information that is being brought to us for centuries".¹²

Parvez did not reject the *Sunnah* of the Prophet (SAW) in his early writings. He wrote articles to establish the authenticity of *Sunnah* and published one article titled "Religious status of the *Sunnah* of the Prophet" in Sayyid Sulayman Nadwi's Journal *Ma`arif* in March 1935.¹³ He went through a brief period of confusion over the issue of *Hadith* and wrote to Mawdudi's *Tarjuman* for clarification. Mawdudi dispelled all confusions rationally. But Parvez already set his mind to reject the *hadith* of the Prophet (SAW), and hence Mawdudi's responses were of no avail.¹⁴ Mawdudi also published a special edition of his *Tarjumanul-Qur'an* on the *Constitutional status of the Sunnah of the Prophet*, and later it was published in book form entitled *Sunnat ki Aayini Haythiyat* (Legal Status of the *Sunnah*). Mawdudi quoted this confusion in detail, and then responded rationally which would easily convince a rational mind and objective reader, but perhaps not the *anti-hadith* group, who decided to blatantly reject the authority of the *Hadith* of the Prophet.

Parvez persisted in his opinion and used to deliver *Dars-i Qur'an* (Qur'anic lessons) in Karachi and Lahore continuously until the last days of his life. He covered the entire Qur'an twice in his Qur'anic lessons. He began to deliver the Qur'anic lessons for the third time, but his ill-health failed him. His last *dars* was on 15 October 1984,¹⁵ and died on at 6 p.m. 24 February 1985.¹⁶

Parvez on women issues

Parvez wrote extensively on issues related to women in different magazines and books including his famous *Tafsir*. He remained close to traditional values in his earlier writings, and then gradually shifted to modernist approach leading to rejection of the *Sunnah* of the Prophet. He was full of praise for the West for its approach towards women. According to him, the West granted "equal" or even "better" rights to women than to men.¹⁷ He dealt at length with, among others, the following issues:

- A. Women's workplace
- B. Testimony in court
- C. Leadership role of women
- D. Law of Inheritance
- E. *Hijab* or *Niqab*.

Women's workplace

Parvez initially advocated for women to live at home, educate children and perform household chores. He criticized Western culture for bringing women out of their homes and getting them engaged in jobs that are primarily meant for men. But gradually he became 'modern' and advocated for the equal rights of women and said that they should also contribute to all jobs besides men. For example, he says in his early writings:

From Qur'anic perspective, duties and responsibilities are divided between men and women. Man is charged with earning livelihood, and the woman with the most important duty of educating and training children. Therefore, it is evident that to perform such responsibilities, a man has to work outside his home, and a woman should remain inside. It is a real fact that home plays a significant role in the life of a human being. Home does not

refer to a mere building of bricks and stones; it is a place of peace and tranquility for both man and woman – training center for their gifted skills – a house of education and sound training. The women are charged to run this important training institution.¹⁸

Parvez made it clear that God does not distinguish between the status of man and that of woman except in their responsibilities. To him, “it is due to their biological differences in their creation that she is not able to perform regular activities during certain period of every month.”¹⁹ He also laid emphasis on the institution of family. He argued that a society that did not lay importance to this foundation destroyed future generations. He wrote: “The woman has to play a prime role in making home a safe haven and raising a quality generation. If she deserts this responsibility and takes the charges of men and their duties, it is an injustice to humanity itself.”²⁰ Parvez was highly critical of the Western perspective on women. He did not subscribe to the notion of ultra freedom for women and equal status of genders. He categorically declared:

Europe has realized its folly stand in bringing woman out of her natural limits; and now it wants to call her back home. But they do not perhaps realize that if woman advances a step forward, it goes beyond the ability of the Nature itself to bring her backward.²¹

Gradually Parvez changed and adopted a ‘liberal’ approach in his later life and desired that women also participate in all activities besides men. He wrote:

It is essential for a woman that she performs her prime responsibilities first, and then she participates in other activities like men.²² There is no difference between a man and a woman in any aspect of life.²³ Biologically, there is difference in the creation of man and woman. The difference is basically to perform their natural jobs as assigned by God. Apart from that, on the aspect of humanity, there is no difference between a man and a woman. Their workplace is same, and same is their job and the results it produces.²⁴

Parvez’s stand is at variance with the Islamic way of life. Islam adopts a moderate, balanced stance towards women’s right to work. It does not let her get engaged in jobs that are primarily meant for men; nor does it allow woman to get involved in *haram* jobs, such as working in a bar, serving *haram* foods, working as a stewardess in a ship or airplane which requires her to stay overnights in foreign lands without a *Mahrim*. There is no Qur’anic *ayah* (verse) that prevents women from working for livelihood. Rather, there are instances recorded in the Qur’an which show that women were involved in running the states (e.g. Queen of Sheba, see Surah Al-Naml 27: 22-25) and tending the flocks of the cattle, (e.g. daughters of the Prophet Shu’ayb A.S. see Al-Qasas 28: 23-25). Asma’ bt. Abi Bakr (R.A.), the wife of Zubayr ibnul 'Awwam (R.A.) helped her husband Zubayr in daily chores.²⁵

Sometimes, society is in need of women’s work like nursing, gynecology, educating children, guiding girls, etc. These jobs are meant for woman. She might also live as a single parent, or her parents might need her help due to old age. The prime job of women is to train future generations with quality education. Mothers can give the best education to her children than any others can. Hafiz Ibrahim, the poet of Nile in Egypt, therefore, insisted on giving proper training to the mothers in order for them to raise a nation with the sound mind, intellect and pure lineage.²⁶ The permission for women’s work is subjected to the following conditions:

1. **Valid act:** Like man, woman should not engage herself in *haram* acts like working in a bar, in a pub, in a dance club, or to serve liquor, etc.
2. **Follow the limits of Shari`ah:** If she comes out of her home, she should wear proper *Hijab* and maintain modesty and decency.
3. **Observe religious observances:** Women's work should not be at the expense of important religious obligations like prayers, fasting, responsibilities towards husband, children and family, etc.²⁷

Testimony in court

The scholars of Islam generally agree that women's testimony will be accepted in matters related to them or to both men and women. There are issues where women's testimony alone, and not that of the men, will be considered, such as major or minor impurity, delivery of a child, breastfeeding, 'iddah or waiting period, issues concerning girl's swimming pool, etc. In the case of *Hudud* and *Qisas* (*shari`ah* prescribed punishments), since woman is not usually directly involved or can become extremely terrified, her witness will not be entertained.²⁸ Parvez and his followers disagreed with the above stance. The Qur'an, according to them, does not distinguish or "discriminate" based on genders in the question of testimony. Parvez declares:

The Qur'an, in no place, discriminates between males and females in giving testimony. The Qur'an simply mentions "Witness", regardless of being male or female. The Qur'an did not specify gender of the witness, nor declared it as a prerequisite. In a single place of the Qur'an, it talks about a male and two females in witness. If we understand this properly, it will not leave any confusion in the matter...²⁹

Parvez and his followers criticize this "discrimination" against women and claim that such a "law" was made by "men", who wanted to preserve their superior position over women. He says:

These laws have been enacted at a time when the women were purchased openly in the markets.³⁰ Our laws of jurisprudence were enacted by males, and they kept the males at the superior position, and the rights of women shattered.... Since such laws were made in an environment where injustice was prevalent over justice, and the women were treated as inferior to men; women were subjected to discrimination, injustice, humiliation and disgrace.³¹

Parvez would not hesitate to reinterpret the Qur'anic verses to suit his opinion. Thus, the Qur'anic verse 2:282, in translation, reads:

And get two witnesses, out of your own men, and if there are not two men (available), then a man and two women, such as you choose, for witnesses, so that if one of them errs, the other can remind her.

This verse categorically declares about two women to replace one man. Parvez provides strange interpretation of the verse. He declares:

The Qur'an did not command for the testimonies of two women, one after the other, making it equal to one man. The Qur'an merely said: if one of the women gets confused due to fear or anxiety, then the other woman could remind her. This clearly proves that if

one does not face any confusion or forgetfulness, the other does not need to remind her, and her testimony alone will be sufficient.³²

This, in my opinion, is a clear distortion of the Qur'anic *ayah* as he tries to put the female testimony in an equal position as that of a man. The Qur'an does not want two female witnesses if the males were not present. If woman were to be equal of man, then two women would be sufficient instead of two men. Also, why she needs to be reminded only by a female friend, and not by her male counterpart as a compulsory witness? The fact is, if she alone testifies, and the other friend is present and remains silent, it would be considered from both. A closer analysis of the Qur'anic verse 2:282 makes the following facts clear:

1. The Qur'an's command to get two witnesses from men indicates that it is primarily the responsibility of men, and not of women.
2. The Qur'an clearly states that "If there are not two men", meaning that the second option could only be accepted when the first option is impossible or not available. But in the presence of the first option, the second becomes irrelevant.
3. The Qur'an does not stipulate two women as witnesses if two men are not present. Rather, it requires one man and two women. If she were to be equal to man, two women would be sufficient.
4. The Qur'an does not allow us to have witnesses only from women. For, this matter relates basically to man, and the man's testimony must be present.
5. The Qur'an asks for two women besides a man, so that the two women complement each other. If one errs, other may remind her. For, financial matters are basically men-related issues, and women may not have enough exposure to it.³³

Abdul Majid Daryabadi quotes some Western scholars who have confirmed above statements. Women, they argue, are usually led more by emotions than minds. Bauer says: We are again and again forced to admit that a woman is not in a position to judge objectively, without being influenced by her emotions.

Leadership role

Islamic scholars generally do not approve of the women to be the leaders of a country. Woman's primary job is to raise healthy and sound families through proper education and training the children. She has profound roles to play in jobs that are meant for women, or for both genders. Leadership of a country is a huge responsibility, which does not match with the nature of women. The above observation is based upon a *hadith* of the Prophet (SAW) which says that "A nation would never prosper if it assigns leadership role to their women."³⁴

Parvez and some "modern" scholars believe that women also can hold the post of leadership. Parvez presents the *ayah* of *Surah Tawbah* as a proof, in which Allah says: "The Believers, men and women, are protectors one of another: they enjoin what is just and forbid what is evil: they observe regular prayers, practise regular charity".³⁵ He interprets the *ayah* by claiming that Allah has assigned this noble task of *Amr bi'l Ma'ruf and Nahi 'ani'l Munkar* to both men and women; and this task could only be performed by the leaders of a state. This

proves that women can also be the leaders. Allah also says "You are the best of Peoples, evolved for mankind, enjoining what is right, forbidding what is wrong, and believing in Allah".³⁶ Parvez comments the following:

It is evident from this *ayah* that this noble job of inviting people towards nobility and forbidding evils is not the sole responsibility of men alone; women are also equal partners in this task. This *ayah* provides the answer to the basic question that whether or not women may participate in the leadership role of the country. It was also said that *Amr bi'l Ma'ruf and Nahi 'ani'l Munkar* is the responsibility of Islamic state (Al Qur'an 22:41), and according to the *ayah* of *Tawbah* (9:71), women may also participate in carrying out this responsibility. Therefore, they may take part in the leadership role of the country.³⁷

He also raises the same issue in his Journal *Tulu` Islam* and says:

It has been widely circulated that in Islam women are not allowed to take part in the leadership role of the state. This notion is contradictory to the teachings of the Qur'an. The *ayah* confirms that it is the responsibility of the state to command for nobility and forbid evils. In other places, it is clearly stated that the men and women both are charged with this responsibility, and not men alone.³⁸

Parvez's statement on the above *ayah* is not based upon a firm ground. It has never been a prerequisite to have "authoritative power" to command for virtue and forbid evil. The *ayah* of *Surah al-Hajj* (22: 41) simply confirms that one of the prime responsibilities of the men in power is *Amr bi'l Ma'ruf and Nahi 'ani'l Munkar*. It is an established fact that much of the crimes and evils of society can be reduced by a simple legislative rule enacted by the legislative assembly, which may not be achieved through years of preaching by the greatest preachers of the world. *Amr* is not used for power or authority alone; it is used in many other meanings, such as "encouragement", "advice", "persuasion", "temptation," etc. For clarification, it is necessary to look at the following two verses:

They said: "O Shu'ayb! does your (religion or) prayer command you that we leave off the worship which our fathers practiced, or that we leave off doing what we like with our property? (Hud 11: 87). For he commands you what is evil and shameful, and that ye should say of Allah that of which ye have no knowledge."³⁹

The above two verses confirm the fact that the word *Amr* is not used for command with authority of power. What was the authority of power that Satan possessed over mankind to distract them from the Path of Allah and the Prophets! Or, did the prayers of Prophet Shu'ayb also possess some ruling authority to prevent his nation from following the religion of their ancestors?

The Prophet Muhammad (SAAS) did not enjoy any ruling authority while delivering the Divine Message in Makkah. He became the leader of the state only after migrating to Madinah. The *ayah* of *Surah al-A'raf*, which is unanimously a Makkan *surah*,⁴⁰ establishes that the Prophet performed the mission of *Amr bi'l Ma'ruf and Nahi 'Ani'l Munkar* in Makkah as well. The following Qur'anic verse is worth noting:

Those who follow the Messenger, the unlettered Prophet, whom they find mentioned in their own (Scriptures) – in the Law and the Gospel – for he commands them what is just and forbids them what is evil.

This shows that commanding what is just and forbidding what is evil was among the prime responsibilities of the Prophet (SAW) in Makkah, which he delivered efficiently even though he did not hold any political power there. Finally, Sayyid Mawdudi highlights that in Egypt women were placed at the key posts of the country. It made the sensitive information of the country leaked out to Israel and other countries. He also added that the women could not perform jobs as efficiently and promptly as men especially in jobs requiring physical strengths and skills.⁴¹

In my opinion, Islam does not allow woman to be the leader of a country or state. In Islam, she is asked to employ the best of her efforts in raising sound generation of the *Ummah* through education and training of her children. The job of leadership at the state level is so hectic and tough that a woman can hardly handle. There may be some iron ladies stronger than men. But they are exceptions, and the rules of *Shari`ah* cannot be based on rare examples.⁴²

The scholars have different opinions about the validity of the post of Judges for women. Majority scholars including Maliki, Shafi`i and Hanbali do not allow this, as the earlier *hadith* includes the position of Judge as well. But Imam Abu Hanifah allows women to be the Judge in the matters other than *Hudud* and *Qisas*. That means, if she is allowed to give testimony, she is also allowed to be the Judge. Imam Tabari, the writer of *Tafsir Tabari*, mentions that she can hold the post of Chief Justice without any condition. For, she is allowed to be a *Mufti*; then she must have the privilege of being a *Qadi* as well. The same is held by Ibn Hazm.⁴³ Apart from that, the women are allowed to hold the post of Rector, Dean, Chair person of a foundation or institution, member of a parliament and so on.⁴⁴

Women and inheritance

The Qur'an has declared in the verse of *Mirath* in *Surah Nisa'* (4:11) that the man will get twice as that of woman in inheritance. This is due to his shouldering financial expenses in running the family and various other responsibilities. Woman, on the other hand, is relieved from such obligations. A man marries and spends dowers and pays for gifts, etc. But a woman receives dower and also the gifts, making her equal or even more than a man in wealth. That is why a woman usually gets richer than her husband. A survey of all the rich people in any Muslim country would show that the wives are usually richer than their husbands. For, he is charged with all expenses, and she is not, regardless of her financial status. The Qur'anic (4:11) guiding principle for inheritance is: "Allah (thus) directs you as regards your children's (inheritance): to the male, a portion equal to that of two females."

Parvez does not seem to agree with the clear statement in the above *ayah*. He denies the difference of inheritance as a Qur'anic principle and praises the West for granting women better opportunities and greater shares in inheritance. He states that it is false to say that the Qur'an made it a guiding principle that the women will get half the men in inheritance.⁴⁵ Europe is proud to grant women more rights than men. It made women participate daringly in

the jobs that are assigned primarily to men.⁴⁶ Parvez is full of praise for the Western culture and tries to interpret the *ayat* of the Qur'an to make it "closer" to the Western civilization. He seems to be ashamed to say that it is the Qur'anic principle to grant men inheritance twice as that of women.

Throughout Islamic history, no one doubted the *Shari'ah* ruling on inheritance that males will inherit double that of females. It is in accordance with the Qur'anic *verse* 4:11. This is not to discriminate women from men; but to ensure a fair and just distribution of the wealth among the heirs of the deceased. For, in the struggles of life, the men have to carry burdens which women don't usually have to. Sayyid Mawdudi mentions:

This is the guiding principle of Islam in the issue of inheritance that the male's portion is double the females. It was due to the fact that Islamic *Shari'ah* made men responsible for family expenses, and not the women. Therefore, it was the demand of natural justice that the ladies should get less than the gents in the shares of inheritance.⁴⁷

Abul Kalam Azad says, "The basic principle in this issue is that the boys should get double the girls."⁴⁸ Abdul Majid Daryabadi says:

This is a general principle that the boy should get double shares and the girl should get single shares, no matter what their number is, one or more. Many world religions and cultures do not give any shares to the females at all. Even in *Jahily* Arabia, women were totally deprived from any shares in inheritance. It was the males, and only the able-bodied males, who could take part in battles, will inherit. It was an unjust and unnatural law practiced by those people.... Moreover, a married woman gets inheritance from both her own parents and also from husband. So she does not get less in the real facts.⁴⁹

Yousuf Qaradawi explains it through an example. If a person dies leaving behind one son and one daughter, and an amount of 150 thousand dollars, naturally the son will inherit 100 and the daughter 50 thousand dollars. The son got married and paid dowers and expenses amounting approximately 25 thousand dollars; and the daughter got married and earned a dower and gifts of approximately 25 thousand dollars, making both equal. Moreover, the son has to spend continuously, which the daughter is exempted from.⁵⁰ This shows the equitable and just distribution of Islam in inheritance.

Hijab or Niqab

Hijab or *Niqab* has been a matter of serious concern among Muslim scholars. Some scholars do not allow woman to reveal her face outside her home. They discourage woman to come out of homes except in emergencies, in which case the women would cover herself completely in a '*Burqa*'. Sayyid Mawdudi believes that in the Islamic society of Madinah, *Hijab* included covering both the face and hands.⁵¹ Muhammad Qasimi argues that the Qur'anic command for lowering gaze is also applicable to her relatives at home.⁵² He differentiates between '*Satr*' and '*Hijab*'. According to him, the face and hands are not parts of *Satr* (coverable parts), and they can be uncovered in front of *Muhrim* males like father, brothers, uncles, etc. But '*Satr*' (the parts of the human body which must be hidden from every one) should not be exposed even before parents. It could be exposed before husbands only.⁵³

Some scholars support the face veil. In their defense, they present the incident of 'Ayishah (R.A.) when she was mistakenly left alone behind the army of the Prophet (SAAS) in the campaign of Bani Mustalaq, as a proof. It is reported that she slept till the morning when Safwan bin Mu'attal (R.A.) passed by and identified her. On seeing Safwan, 'Ayishah immediately covered her face with the scarf.⁵⁴ This is considered to be a proof that face is included in *Hijab*. Also in another incident Umm Salamah (R.A.) and Maimunah (R.A.) were together with the Prophet (SAW) when Abdullah bin Umami Maktum came for a visit. Thereupon the Prophet (SAW) asked his wives to observe *Hijab*. The wives exclaimed: "Is he not a blind man who cannot see us?" The Prophet (SAW) said: "Are you also blind that you cannot see him?" Umm Salamah clarified that this incident was after the revelation of *Hijab*.⁵⁵

There is another group of Muslim scholars who adopted a slightly different opinion on this issue. They base their argument on the Qur'anic verses (24: 30-31) which advise Muslim men and women to lower their gaze and guard their modesty and not to disclose their inherent beauty but what appears by itself, "*Illa Ma Zahara minha*" (24:31). These verses are interpreted as an injunction to cover the whole body except "face" and "hands". This exception is to save the ladies from extreme hardships. This is in accordance with the Qur'anic verse: "He has chosen you and has imposed no difficulties on you in religion." (22:78). However, these scholars insist that the Shari'ah does not allow a woman to expose her body in public to attract the attention of 'men'. In a perverted society where crimes occur frequently, a woman may be asked to cover her face as well. For, if she keeps it open, she may face the dangers from people of evil character.

In sum, most of the scholars and the schools of jurisprudence agree that face is not an '*awrah*' and hence can be exposed. The four schools of Islamic jurisprudence i.e. Hanafi, Maliki, Hanbali, and Shafi'i (in the famous report) all agree that face is not '*awrah*', which does not need to be covered.⁵⁶ Imam Abu Hanifah is reported to have exempted the foot of women from coverable '*awrah*' as she needs to keep it open for free movement, without which she faces hardship.⁵⁷ Ibn Hazm Zahiri, who is well-known for his literal interpretation of the Qur'anic verses, said: The Qur'anic verse (24: 31) "That they should draw their veils over their bosoms" indicates that the "face" is not an "*awrah*", and needs not be covered.⁵⁸ It is reported in Bukhari and Muslim that Fadl bin 'Abbas was with the Prophet (SAAW) in his last Hajj when a girl approached the Prophet (SAAW) to ask a question. Seeing that Fadl was staring at the girl, the Prophet (SAAW), instead of asking the girl to cover her face, turned the face of Fadl to the other direction.⁵⁹ This implies that face can be kept open. The ladies during the time of the Prophet (SAAW) used to perform prayers keeping their faces and hands open.

Parvez and his followers, contradicting their appreciation of Western culture, apparently agree with the moderate stand of Muslim scholars and advocate that the face and hands are not parts of *Hijab* for women. They can remain unveiled. *Shari'ah* does not require women to cover her face and hands. He criticizes the stand of the traditional scholars who propagate for *Niqab* or face veil:

It has been claimed by our scholars that the woman should remain imprisoned behind four walls of her home. Even if she needs to go out for serious necessities or any dangers, she should cover herself totally so that she looks like a 'Walking Tent'. This practice is simply

imposed on them by their religious scholars who pose themselves like the *Ahbar* and *Ruhban* of Jews and Christians.⁶⁰

Umar Ahmad 'Uthmani, an associate of Ghulam Ahmad Parvez, says:

In [the] Indo-Pak subcontinent, the common notion about *Hijab* is that the women should never go out of their homes. If they need to go out for journey or other reasons, they should veil themselves totally under *Burqa* and cover her face, so that the people should not and could not see through their faces. The command to lower their gaze was simply given to men, so that they should not look at other women. But if the woman come out covering her whole body parts including face and hands, so why a man is then asked to lower his gaze? What is the need for it? Even though he looks up-down or to the front, what could he see from her?⁶¹

Parvez regards the verses of Surah al-Ahzab (33:32-33) for all Muslim females, whereas his disciple Umar Uthmani limits the rulings of the verses for the wives of the Prophet (SAAW). The verses read as follows:

O Consorts of the Prophet! Ye are not like any of the (other) women: if ye do fear (Allah), be not too complaisant of speech, lest one in whose heart is a disease should be moved with desire: but speak ye a speech (that is) just. And stay quietly in your houses, and make not a dazzling display, like that of the former Times of Ignorance.

Umar Uthmani comments on the above verses thus:

The address in these *ayat* was made to the chaste wives of the Prophet (SAAS). From the beginning it was mentioned that the wives of the Prophet were not like ordinary and common ladies. This means the rulings mentioned in the *ayat* were special rulings for the wives of the Prophet alone, and not for others. But if the general Muslims and their wives treat themselves in the place of the Prophet and his dignified wives, they could follow this ruling; but we cannot regard this ruling as the general ruling for all Muslim ladies.⁶²

Regarding the verse 53 of Surah Al-Ahzab, in which Allah commands Muslims to maintain *Hijab* from the wives of the Prophet while asking them for any necessities; Umar Uthmani says:

Allah has commanded special guidelines in this regard for the wives of the Prophet: Do not enter the house of the Prophet for food without permission; do not go so early to wait for its preparation; do not wait for friendly chats after enjoying foods; and most importantly, don't ever desire to marry the wives of the Prophet after his demise are some of the rulings that are not related to the common Muslim women; but for the wives of the Prophet.⁶³

Conclusion

Ghulam Ahmad Parvez does not merely reject the authority of the *hadith* (sayings) as an essential source of the Shari'ah but also tries to present Islam from a modern perspective and to bridge the gap between Islamic and Western civilization. He overwhelmingly uses reason and rejects or manipulates the Qur'anic interpretation to befit his reasoning and the modern culture. On women's issues, he is much closer to the Western culture than to Islam. He encourages women's free mixing with the opposite gender in the struggle of life, rejects Qur'anic principle of inheritance, opposes the unanimous opinions of Islamic scholars

regarding woman's testimony in the court, and also regarding her leadership role in an Islamic state. In doing so, he tries to be modern and up-to-date perhaps to become widely read and accepted in the East and the West. The Western people undoubtedly regard him as an asset for them. He may be an asset for them, but not for Islam. He crosses all limits while declaring the Hadith of the Prophet irrelevant in today's socio-political context. He tries to follow the Qur'an, but his methodology is erroneous. The Qur'an cannot and must not be understood without the help of the *Sunnah* of the Prophet (SAAS).

Endnotes

- ¹ *Tulu` Islam Magazine*, (Lahore, May-June 1960), 31.
- ² Ghulam Ahmad Parvez, *Shahkar-i Risalat*, (Lahore: Idarah Tulu` Islam, 1987), 29.
- ³ *Tulu` Islam Magazine*, March-April, 1969, 116.
- ⁴ *Ibid.*, November 1973, 20.
- ⁵ *Ibid.*, March, 1955.
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- ⁷ *Ibid.*, January, 1984, 47.
- ⁸ Muhammad din Qasemy, *Tafsir Matalibul-Furqan ka 'Ilmiy awr Tahqiqi Ja'izah*, (Ph.D. thesis, unpublished, Punjab University: Lahore), 2006, p. 33.
- ⁹ *Tulu` Islam*, July, 1938, 73.
- ¹⁰ *Ibid.*, June, 1948, 84.
- ¹¹ *Ibid.*, June, 1953, 6.
- ¹² *Ibid.*, March 1954, 52.
- ¹³ Qasemy, *Tafsir*..., 45.
- ¹⁴ *Qur'an ki Ma`nawi Tahrif*, (Lahore: Idarah Tarjumanul-Qur'an, 1992), 82.
- ¹⁵ Qasemy, *Tafsir*..., 134.
- ¹⁶ *Tulu` Islam*, April, 1985.
- ¹⁷ *Ibid.*, June, 1941, 53.
- ¹⁸ Parvez, *Tahirah ke Nam*, (Lahore: Idarah Tulu` Islam), 1972, 200.
- ¹⁹ *Ibid.*, 229.
- ²⁰ *Ibid.*, 232.
- ²¹ *Tulu` Islam*, June, 1941, 50.
- ²² *Tahirah ke Nam*, 232.
- ²³ *Tulu` Islam*, February 1973, 39.
- ²⁴ *Ibid.*, June, 1977, 17.

- ²⁵ Al- Bukhari, *Kitab al-Khumus*, No. 2982.
- ²⁶ See Yousuf Qaradawi, *Malamih al-Mujtama` al-Muslim*, (Cairo: Maktabat Wahbah, 1993), 385-393.
- ²⁷ Ibid.,
- ²⁸ Abdur Rahman Al-Jaza'iri, *Al-Fiqh 'ala al-Madhahib al-Arba`ah*, (Beirut: Dar al-Kutub al-'Ilmiyyah, 2003), 4/135, 212.
- ²⁹ *Tulu` Islam*, March, 1983, 54.
- ³⁰ Ibid., 47.
- ³¹ *Tahirah ke Nam...*, 21-22.
- ³² *Tahirah ke Nam...*, 67.
- ³³ See Abdul Majid DaryaBadi, *Tafsir Majidi*, vol. 1, (Lahore: Taj Company Ltd. n.d.), 196-197.
- ³⁴ Al-Bukhari, *Kitab al-Maghazi*, No. 4163 & 6686.
- ³⁵ Holy Qur'an, 9:71.
- ³⁶ Holy Qur'an, 3:110.
- ³⁷ Qasemy, *Tafsir Matalibul-Furqan...*, 4/190.
- ³⁸ *Tulu` Islam*, January, 1980, 30; December, 1983, 54.
- ³⁹ Holy Qur'an, 2: 169.
- ⁴⁰ *Tafsir al-Qurtubi*, "Al-A`raf", 7/144; Mawdudi, *Tafhimul-Qur'an*, vol. 2, (Lahore: Tarjumanul-Qur'an, 1990), vol. 2, 5.
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- ⁴² Qaradawi, *Fatawa Mu`asirah...*, 2/372-389.
- ⁴³ For details see, *Al-Mawsu`ah al-Fiqhiyyah*, on "Al-Qada". <http://feqh.al-islam.com/bookhier.asp?DocID=100&Mode=0>
- ⁴⁴ See Qaradawi, *Fatawa Mu`asirah*, (Kuwait: Dar al-Qalam, 1990), 2/372-389.
- ⁴⁵ *Matalib...*, 2/321.
- ⁴⁶ *Tulu` Islam*, June, 1941, 53.
- ⁴⁷ *Tafhimul-Qur'an...*, 1/326.
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- ⁴⁹ *Tafsir Majidi...*, 180-181.
- ⁵⁰ Qaradawi, *Malamih al-Mujtama` al-Islamiy*, (Cairo: Maktabat Wahbah, 1998), 385-393.
- ⁵¹ Mawdudi, *Tafhim...*, 53, 4/121.
- ⁵² Qasimi, *Tafsir...*, 757
- ⁵³ Ibid., 758.

- ⁵⁴ Al-Bukhari, *Kitab al-Maghazi*, No. 2494; Muslim, No. 2770.
- ⁵⁵ Tirmidhi, *Kitab al-Adab*, No. 2778; Abu Da'wud, *Kitab al-Libas*, No. 4112.
- ⁵⁶ See Abdullah bin Muhammad al-Hanafi, *Al-Ikhtiyar li Ta'lil al-Mukhtar*, (Beirut: Dar al-Kutub al-'Ilmiyyah, 2005), 4/156; Nawawi, *Al-Majmu'*, (Beirut: Dar al-Fikr, 2003), 3/167-168; Al-Shawkani, *Nayl al-Awtar*, 2/55.
- ⁵⁷ *Al-Ikhtiyar...*, 4/156.
- ⁵⁸ Ibn Hazm, *Al-Muhalla*, (Beirut: Dar al-Aafaq al-Jadidah, n.d.), 3/279.
- ⁵⁹ Al-Bukhari, *Kitab al-Hajj*, No. 1442.
- ⁶⁰ *Tulu' Islam*, May-June, 1982, 89.
- ⁶¹ *Fiqhul-Qur'an...*, 3/305-318.
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Understanding good governance in Islam : A conceptual analysis

Md. Nazrul Islam *

Abstract : The term “governance” occupies a central stage in the development discourse and is considered as the crucial element to be incorporated in the development strategy. However, the development experts in recent years have emphasized “good governance” as a prerequisite for development. Scholars and experts have also paid attention to the way of achieving good governance. Scholars tend to link good governance with a democratic polity. It is argued that Islam promotes good governance. Islam is not merely a religion, rather a complete code of life. It provides guidance in all walks of life. Despite differences in various fields, there is much in democracy which is compatible with Islam. Among all religions, Islam provides for a political framework to administer the affairs of mankind. Islamic provisions, if properly followed, would lead to good governance.

Keywords : Islam, Good Governance, Democracy, *Hakimiyyah*, Rule of law.

Introduction

Democracy and good governance, indeed, enjoy close affinity with each other. Good governance evolved under the cloak of the democratization process. It is a much debated issue among the scholars and experts whether democracy is compatible with Islam. Fundamental disagreements remain even among Muslim scholars over divine versus popular sovereignty. Abul A’la Mawdudi argues that if democracy is conceived as a limited form of popular sovereignty, restricted and directed by God’s law, there is no incompatibility with Islam. Mawdudi, however, concludes that Islam is the very antithesis of secular western democracy based solely on sovereignty of the people.¹ Likewise, Sayyid Qutb objects to the idea of popular sovereignty. Qutb believes that “the Islamic state must be based on the Qur’anic principle of consultation or *shura* and that the Islamic law or *Shari’ah* is so complete a legal and moral system that no further legislation is possible or necessary”.²

Some Islamic activists use the term *hakimiyyah* – a term with a range of meanings. When invoked without qualifications, the terms “democracy” and *hakimiyya* remain vague and Muslims ascribe different meanings to them. Hasan al Turabi tries to solve the problem by assigning the term *hakimiyyah* to God and political authority to the people.³ Nevertheless, Muslim scholars find Islam to be much more compatible with democracy than any other form of political order. Some scholars try to bridge Islam and democracy by developing a new concept: “Islamic Democracy”.⁴ This paper proceeds from the assumption of compatibility between democracy and Islam and outlines how Islam can play a role in evolving good

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governance in society particularly in the Muslim countries. As a backdrop to this discussion, it is necessary to briefly examine these three major concepts: governance, good governance and Islam.

Governance

The concept of governance is not new. It is as old as human civilization. Simply put, governance means the process of decision-making and the process by which decisions are implemented (or not implemented).⁵ It has been used in various fields such as corporate governance, international governance, national governance and local governance. Scholars have defined the term governance from different angles. There is still no clear-cut unanimity as to its meaning among them. Governance, according to Landell-Mills and Serageldin, is “how people are ruled, how the affairs of the state are administered and regulated as well as a nation’s system of politics and how this functions in relation to public administration and law”.⁶ The World Bank sees governance in two related yet slightly different ways. Primarily the emphasis is on “how political power is exercised to manage a nation’s affairs”.⁷ In the second instance, World Bank defines the term in a broader sense. It sees governance as the “use of power in the management of a country’s economic and social resources for development”.⁸ Halfani et. al., define governance as the “system of government concentrating on effective and accountable institutions, democratic principles and electoral process, representation and responsible structures of government, in order to ensure an open and legitimate relationship between the civil society and the state”.⁹

Good governance

Good governance is a multi-faceted phenomenon. It includes a number of issues such as participation, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive administration and rule of law. It assures that corruption is minimized, the views of minorities are taken into account, and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society.¹⁰ The Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECD) has highlighted the following characteristics of good governance.¹¹

1. Promotion of democracy and open pluralistic societies
2. Strengthening transparent, accountable, efficient and effective national government
3. Reinforcement of the rule of law, including fair and accessible legal and judicial system
4. Promotion of an independent media and dissemination of information
5. Anti-corruption initiatives and efforts to reduce excessive military expenditure.

For good governance, the presence of five variables is mandatory. These are: political freedom, constitutional and judicial protection of individual rights, a stable currency, provision of education and health care for all, and the executive’s accountability to a freely-elected legislature.¹² According to V. K. Chopra, good governance is “a system of governance that is able to unambiguously identify the basic values of the society where values are

economic, political and socio-cultural issues including human rights, and pursue these values through an accountable and honest administration".¹³ Good governance simply means that various levels or agencies of government exercise their power in a manner that is effective, honest, equitable, and transparent and accountable.¹⁴ The opposite of good governance is bad or poor governance. For better understanding of good governance, scholars have showed keen interest to identify the symptoms of bad governance. The symptoms of bad governance are as follows:

1. Failure to make a clear separation between what is public and what is private, hence a tendency to direct public resources for private gain
2. Failure to establish a predictable framework of law and government behavior conducive to development or arbitrariness in the application of rules and laws
3. Excessive rules, regulations, licensing requirements, and so forth which impede the functioning of markets and encourage rent-seeking
4. Priorities, inconsistent with development, resulting in a misallocation of resources
5. Excessively narrowly based or non-transparent decision making.¹⁵

It is clear from the above discussion that good governance is a multi-dimensional term. Good governance requires an efficient executive, a functioning legislature, an independent judiciary and the effective separation and balance of powers, all constituent elements of a democratic regime. Consequently, good governance is not sustainable without effective democratic institutions.¹⁶

Islam

Islam is commonly known as the religion of the Muslims. It is, rather, a religion for humankind and Muslims consider its message universal and eternal. Islam is not a religion consisting of some dogmas, rituals and customs only. In fact, it is a complete way of life. It guides man according to the dictates of Allah (SWT) revealed to humankind through Prophet Muhammad (SAW). It is an all-embracing system and code of life that does not leave out any field of human existence to be ruled roughshod by *Satanic* forces. The concept of '*ibadah*' (worship) in Islam thus refers to doing all actions and activities in all aspects of life in accordance with the guidance of Allah, the Most Exalted. I. H. Qureshi puts it beautifully, as he states: "To us religion is not like a Sunday suit which can be put on when we enter a place of worship and put off when we are dealing with day-to-day life".¹⁷

The Arabic word 'Islam' derives from the root word *silm* and *salam* which means submission or surrender and peace respectively. Thus Islam means acquiring peace by submitting and surrendering one's will to the will of Almighty Allah. A Muslim is one who surrenders and submits their total will only to the will of Allah, the Divine Will. Unlike Christianity, Buddhism, and Confucianism, the religions named either after the name of its founder or after the community and nation in which that religion was established, Islam enjoys the unique distinction of having no such association with any particular person or place. It is a universal religion and its objective is to create and cultivate in human the quality and attitude of *silm* i.e. submission to Divine Will.¹⁸

Islam is not a new religion. It is the religion of all prophets – from Adam (AS) to Prophet Muhammad (SAAW), and thus the basic doctrine of Islam has remained the same throughout history. Prophet Muhammad (SAAW) was the last Prophet sent to mankind. The *Qur'an* and *Hadith* contain much evidence that the message of the Prophet Muhammad (SAAW) is linked with the message of all previous Prophets. The Prophet (SAAW) said, “The example of me in relation to other Prophets is like a person who has built a house which has been constructed well, with an excellent finishing, leaving only a gap of a brick. When people enter the house, they are greatly impressed by the beauty of the house and wonder about the gap left by the (missing) brick (the leftover brick is the person of the Prophet and the house is the house of Islam)”.¹⁹ The Prophet of Islam also said the prophets are stepbrothers of each other. Their mothers are different but their religion is one”.²⁰ Islam is the only true religion professed by all prophets from Adam (AS) to Muhammad (SAAW), the last in the chain of prophethood. A Muslim must, therefore, believe in all the prophets and make no distinction between one and the other.

The source from which all principles and injunctions of Islam are drawn is the Holy Book called the *Qur'an*. This book was revealed to Prophet Muhammad (SAAW) piecemeal over a period of twenty three years. The *Sunnah* is the second source from which the teachings of Islam are drawn. *Sunnah* literally means a way or rule or manner of acting, or mode of life. In its original sense, therefore, *Sunnah* indicates the doings and sayings of the Holy Prophet. In the terminology of Islamic law, however, *Sunnah* and *Hadith* are used interchangeably and signify saying of the Holy Prophet, or any action or practice of his or his silent approval of an action or practice of another person. The third source from which the law of Islam is drawn is *Ijtihad* or exercise of judgment in accordance with the spirit and the general scheme of the *Qur'an* and the *Sunnah* in respect of matters which have not been decided upon therein. The word itself is derived from the Arabic root *jahd* which means exerting oneself to the utmost or to the best of one's ability, and *Ijtihad*, which literally conveys the same significance, is technically applicable to a jurist's exerting the faculties of his mind to the utmost for the purpose of forming an opinion in the light of the Islamic principles in a case of law where the *Shari'ah* is silent. The fourth source from which the law of Islam is drawn is *Ijma* (consensus of opinion of pious and the learned). The *Qur'an* does recognize revelation as a source of knowledge which is higher than reason, but at the same time admits that the truth of the principles established by revelation is confirmed by reason. Hence it repeatedly appeals to reason and denounces those who do not use their reasoning faculty.

Good governance in Islam

Qur'an declares that people are the representatives of Allah (SWT) on earth.²¹ Every man, the ruler and the ruled, will be held accountable and answerable to Almighty Allah on the Day of Judgment for their deeds on earth.²² Administrators' sense of accountability in *Akhirah* (the Hereafter), which does not exist in any other system of governance placed Islamic governance in a unique position. Nevertheless, from the Islamic viewpoint, a ruler with the sense of accountability in *Akhirah* also has to be directly accountable and responsible to the ruled. What Abu Bakr said while assuming charges as Caliph clearly demonstrates this sense of responsibility. He is reported to have said:

O people! Behold me charged with the cares of government, I am not the best among you; I need all your advice and all your help. If I do well support me; if I mistake, counsel me. To tell the truth to a person commissioned to rule is faithful allegiance; to conceal it, is treason. In my sight, the powerful and the weak are alike; and to both I wish to render justice. As I obey God and his Prophet obey me; if I neglect the laws of God and the Prophet, I have no more right to your obedience.²³

In this short speech, Abubakar summarizes the Islamic philosophy of governance. Government is the most vital actor of good governance. Indeed, good governance, from an Islamic point of view largely depends on personal character and qualities of the individuals involved in the governing process i.e. the ruling elite. Islam emphasizes the moral uprightness and other qualities of the administrators. The following advice to the Governor Malik Al-Ashtar contained in a letter of Hazrat Ali, the fourth Caliph, gives in a nutshell the qualities of an administrator.

He should be an ideal for his staff and fellow citizens and choose the most qualified yet pious, honest, truthful and God-fearing men for his administrative structure. He should be impartial and dispense justice with equity and should be very careful about the back biters, sycophants, corrupt and scandal mongers. He should constantly remain in contact with his staff, consult them and should not issue authoritative and arbitrary orders. He should strike against corruption, injustice and evil usages of authority against citizens and take responsibility for any defect in his subordinates and staff. He should not reserve for himself or his relatives any common property in which others have share and stake.²⁴

In the light of the above discussion, it would be advisable to analyze the state of good governance in Islam by referring to the state and administration of Prophet Muhammad (SAW) and his rightly guided Caliphs (Khulafa-e-rashidun).

Rule of law and equality

Rule of law and equality are two significant values of Islamic administration. In Islam, all persons are equal and are entitled to equal treatment irrespective of race or language. Even Prophet Muhammad (SAW) himself was considered to be an ordinary man before the law in the state of Medina. He was the president and the chief justice of the Madinan state but never misused his power to favour even his closest relatives. When someone came with recommendation not to punish a thief, who was from blue blood, the Prophet (SAW) became very angry and said even if his daughter Fatima had committed theft, he would not have spared her. During the Caliphate of Umar, an allegation of drinking alcohol was brought against the son of Caliph himself, Abu Shama by name. When the allegation proved right, Umar enforced the punishment with his own hands on his son. Islam rejects all distinctions of birth, class, race, color and language. It announces that all men in the world have sprung from the same parents (Adam and Eve), and therefore are brothers and sisters, and are equal in their status as human beings.²⁵ Al Qur'an declares:

O humankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that you may know each other (not that you may despise each other). Verily the most honored of you in the sight of Allah is (s/he who is) the most righteous of you.²⁶

The Prophet (SAW) said, "Listen and obey even if an ill-shaped Negro slave whose head is like a dried grape, is appointed as authority over you".²⁷ In the address of his Fare-well Hajj Prophet (SAAW) eliminated all sorts of human distinctions by declaring: "No Arab has any superiority over non-Arab, nor does a non-Arab have superiority over a Blackman or the Blackman any superiority over a Whiteman. You all are the children of Adam and Adam was created from clay. Only *Taqwa* (piety) is the basis of greatness".²⁸

Accountability and responsibility

Accountability is a key requirement of good governance. In three ways the accountability mechanism operates in an Islamic administration. 1. Accountability to higher authority (about assigned duties and responsibilities) on the basis of administrative hierarchy; 2. Accountability directly to the people. Administrators' door remains open for people. Without fear and intimidation, they can file complaints against maladministration or malpractices done by officials of any stature. Moreover, the leaders of administration are required to keep the masses informed of their conditions. People can avail themselves of the opportunity of directly asking questions to them; 3. Through cherishing the spirit of accountability (for deeds on earth) to Allah hereafter.²⁹ The holy Prophet (SAAW) said:

Every one of you is a protector and guardian (of his immediate charge and is responsible for the action of those persons who are committed to his charge). A ruler is also a steward (and is accountable for those who are put under his charge); a man is steward in respect of his family members of his house; a woman is a steward in respect of her husband's house and children. In short every one of you is a steward and is accountable for those who are placed under his care.³⁰

The level of accountability of the ruler in Islamic administration can be seen from the following instances. Once while Caliph Umar was addressing the congregation during Friday prayer, a man stood up and asked him how he had got two pieces of clothe worn by him while the rest had got only one each granted from *Bait-al-Maal* (the state treasury). Before the Caliph moved on to say something, his son Abdullah Ibn Umar stood up and replied that he had given his portion to his father and thus the Caliph had got two pieces. Another day while visiting the masses Umar, said, "Even if a dog dies uncared on the bank of the river Euphrates, for God's sake! Umar will have to answer (to Allah) on the Day of Judgment."

Equitability and justice

Justice is most fundamental to good governance. Justice is valued as central in Islam. Qur'an declares, "O ye who believe! Stand out firmly for Allah as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is nearer to piety: and fear Allah".³¹ Qur'an also announces, "Allah does command you to render back your Trusts to those to whom they are due; and when you judge between people that you judge with justice: verily how excellent is the teaching which He gives you!"³² Again, Qur'an proclaims, "O you who believe! Stand out firmly for justice as witnesses to Allah, even if against yourselves, or your parents, or your kin, and whether it be (against) rich or poor: for Allah can best protect both. Follow not the lusts (of your hearts); lest you swerve, and if you distort (justice) or decline to do justice, verily Allah is well-acquainted with all that

you do”.³³ In another verse, Qur’an declares, “Allah commands justice, the doing of good and giving to kith and kin, and He forbids all indecent deeds, and evil and rebellion: He instructs you, that you may receive admonition”.³⁴ In other place, Qur’an says, “We sent aforetime Our messengers with Clear Signs and send down with them the Book and the Balance (of Right and Wrong), that men may stand forth in justice”.³⁵ Furthermore Qur’an declares, Say: “My Lord has commanded justice”;³⁶ and “And O my people! Give just measure and weight, nor withhold from the people the things that are their due”.³⁷

Therefore, Islam values justice as most important for establishing a just society in which people from all walks of life, from different faiths can live in peace and harmony with no discrimination. One of Allah’s names is *Adil* (just). The opposite of justice in the Qur’an is *zulm* (wrong doing, oppression). Injustice leads to darkness of oppression and exploitation in society. To promote justice, Prophet Muhammad (SAW) never gave in to any form of *zulm* in his entire life. He appointed the best persons in terms of piety and efficiency as the administrators and judges to run the state affairs for the promotion of justice. About appointing people to public administration, the Qur’an instructs, “Truly the best of people for you to employ is the one who is strong and trusty”.³⁸ It would be interesting to quote here from the letter Umar wrote to the governor of Kufa, Abu Musa Ash’ari, on the principle of justice. He wrote:

[A]dministration of justice is a necessary duty. Treat people equally be it in private audience or public sitting in matters of justice so that the weak should not despair of your justice and the strong should not hope for favor. It is for the plaintiff to produce proof and it is for the defendant to deny on oath. Compromise is permissible provided it does not violate what has been permitted or prohibited (by *shari’ah*). If you have passed any judgment yesterday there would be nothing wrong in reversing it today on second thought in the interest of justice. If it is not there in the Qur’an or *hadith* contemplate over it deeply taking into account examples, similar cases and drawing analogies. Fix a time limit for the plaintiff to produce proof. Justice be done to him if he produces proof or else, his case be dismissed.³⁹

Participation in the decision making process

One of the fundamentals of democracy and good governance is that decisions should be taken through consultation. People’s participation in the decision making process can be available only in a democratic not in an authoritative regime. Al Qur’an declares in this regard, “And consults them (i.e. those around you) in (important) affairs. Then when you have taken a decision, put your trust in Allah”.⁴⁰ Taha Husain concludes from this verse that Muhammad (SAW) did not established a theocratic state as the prophet has been commanded to consult people around him in important matters. He writes that nothing can be more misleading than the concept that the state founded by prophet was a theocratic state.⁴¹ The glorious Qur’an also declares, “Those who respond to their Lord, and establish regular prayer; who (conduct) their affairs by mutual consultation; who spend out of what We bestow on them for Sustenance”.⁴²

The ruler of an Islamic state can never be a dictator as per Qur’anic instruction. Obviously the political system of the state of Madinah was fully democratic. Prophet

Muhammad (SAAW) himself would consult his companions in important matters albeit he was the supreme leader of the Muslim *Ummah* (community). For example, during the expedition of Badr, the Prophet (SAW) initially instructed the Muslim soldiers to set the tent on a particular corner of the oasis. To finalize the earlier decision while he was consulting his companions, someone suggested an alternative to the Prophet's view that they should set their tents in a place adjacent to water so that the enemies could not have access to water. The opinion was sound so the Prophet (SAAW) accepted and acted accordingly. Similarly, during the battle of Uhud, the Prophet of God took the decision for fighting the enemies outside of Madinah honoring most of his companions' views though he was of a different opinion. Thus, people's participation in the Islamic administration had been acknowledged. Even there is precedence of consulting the non-Muslims in significant political and military affairs.⁴³

Freedom of conscience and tolerance

Good governance requires complete freedom of conscience and tolerance so that citizens find no obstacles to criticize the government fearlessly. Complete freedom of conscience and thought is encouraged in Islam. In fact, it is a duty of a believer to enjoin the truth and to prevent the falsehood in Islam. In many verses of the Qur'an, Allah (SWT) commands the believers for enjoining what is right and forbidding what is wrong.⁴⁴ The Holy Prophet of Islam says, "Anybody amongst you notices something evil, should correct it with his own hands, and if he is unable to do so, he should prohibit the same with his tongue; if he is unable even to do this, he should at least consider it as bad in his heart; this is the lowest degree of faith".⁴⁵ The Prophet (SAW) further says, "The best *jihad* (struggle in the cause of Allah) is to speak justly before a tyrannical ruler".⁴⁶ Therefore, Islam recognizes and encourages fearless criticism of the ruler. Abubakar, the first caliph, says that to tell the truth to a person commissioned to rule is faithful allegiance; to conceal it is treason as mentioned earlier. Tolerance is one of the cardinal elements of democracy which is also emphasized by Islam. Al Qur'an declares, "Let there be no compulsion in religion".⁴⁷ Once the Holy Prophet (SAW) said to a man, "You have two qualities which Allah, the Most Exalted, likes and loves: One is mildness and the other is toleration".⁴⁸

Anti-corruption stance

Needless to say, corruption creates a grave obstacle in the way of good governance. Islam always stands against all sorts of corruption. Moreover, Islam regards *Bait-al-Maal* (state treasury) as *Amanah* (Divine Trust). Prophet Muhammad (SAW) and the Caliphs were very strict with public finance and management. Once, the Prophet appointed a man collector of *Zakah* (poor due) and on the completion of his mission when he returned (to Medina) he said to the Prophet: so much is yours which I have collected as *Zakah*, and so much is given to me by way of gifts. On hearing this the Holy Prophet (SAW) said, "If he is telling the truth then why does he not stay in the house of his father or mother, till somebody comes to him and presents him gifts. By Allah, if any one of you takes anything without any rights, he will have to face Allah on the Day of Judgment, with the burden of such things".⁴⁹ The Prophet also said, "When I nominate a person from amongst you on some job, and if that person hides even a needle or anything lesser than that from me, then this act will amount to

misappropriation; and he will have to produce such thing on the Day of Judgment".⁵⁰ The Messenger of Allah further said, "Many people misappropriate Allah's property, (such as *Bait-ul-Maal* or public treasury). Such people are destined for the fire of Hell on the Day of Judgment".⁵¹ About the consequences of bribery the Prophet (SAW) said, "Both bribe taker and giver will be in the Hell fire".⁵²

Islam encourages man not to run after luxury but to lead a simple life. Ibn Umar, the son of Caliph Umar and a great scholar of Islam, states that once the Holy Prophet (SAW) caught hold of his shoulders and said, "Live in this world as if you are a stranger or a traveler".⁵³ During the glorious Caliphate, the administrators used to lead their lives so simple that it is unprecedented in the history of humankind. It is interesting to note here that whenever Umar appointed any governor he strictly warned him not to ride (expensive) Turkish horse, not to eat delicious food, not to wear fine clothes and not to close his doors over the complainants and if he did not conform to these instructions, he had to face severe punishments.⁵⁴

Individual rights and judicial independence

Good governance necessarily demands and requires an independent judiciary and constitutional and judicial protection of individual rights. In the Islamic system of governance, individual rights are beautifully guaranteed and safeguarded by the constitution. Imam Malik describes that in Islam no one may be arrested or imprisoned without justice. Only two kinds of detention are permissible in Islam – under the orders of the court and for the purpose of investigation.⁵⁵ In Islam, the judiciary is not placed under the control of the executive. It derives its authority directly from the *Shari'ah* and is answerable to God. The judges will obviously be appointed by the Government but, once appointed, will have to administer justice impartially according to the law of God. All the organs and functionaries of the Government should come within their jurisdiction: even the highest executive authority of the government will be liable to be called upon to appear in a court of law as a plaintiff or defendant. The ruler and the ruled are subject to the same law and there can be no discrimination on the basis of position, power or privilege. Islam stands for equality and scrupulously adheres to this principle in the social, economic and political realms.⁵⁶ On administering justice, Allah commands, "Judge between them by what Allah has revealed, and follow not their vain desires".⁵⁷ Al Qur'an also says, "And when you judge between people you judge with justice".⁵⁸ The Lord of the Universe in another verse says, "O David! We did indeed make you a vicegerent on earth: so judge you between men in truth (and justice): do not follow the lust (of your heart), for it will mislead you from the path of Allah: for those who wander astray from the path of Allah, is a Chastisement Grievous, for that they forget the Day of Account".⁵⁹

How Islam administers justice with no discrimination on the basis of religious faith can be understood from a fact which needs to be noted. Once during the time of Prophet Muhammad (SAAW), there was a conflict between a Muslim and a Jew. After this, both the persons went to the Prophet (SAAW) to get their conflict settled. After hearing the two sides, the Prophet (SAAW) gave his verdict in favor of the Jew. But the Muslim became dissatisfied with the judgment and argued to place the matter before Umar. The Jew knew Umar also as a just man. So he did not object to the Muslim. Umar, later the Caliph of Islam, heard

everything – including the rejection of the Prophet’s judgment by the Muslim – from the Jew. Umar asked the Muslim if the statement given by the Jew was true and he (the Muslim) replied in the positive. The son of Khattab, Umar, got very angry and killed the hypocrite Muslim at once and said, “This is the best reward for a man who dares to reject the judgment of Allah’s Messenger (SAW)”.

Respect for human rights

Respect for Human Rights is considered one of the major ingredients of good governance. Islam pays due attention to the rights and status of humankind. Islam, indeed, regards human beings as *ashraful makhluqat* (the best of all creations). Moreover, in Islam, human beings are awarded utmost honor and status on earth. Qur’an declares in this regard, “We have honored the sons of Adam; provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favors, above a great part of Our Creation”.⁶⁰ It is pertinent to say that the Rights stated in the Universal Declaration of Human Rights (UDHR) adopted and proclaimed by the United Nations Organization were proclaimed and acknowledged by Islam more than fourteen hundred years ago. Article 1 of the UDHR says, “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood”.⁶¹ Al Qur’an declares: “O humankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that you may know each other (not that you may despise each other). Verily the most honored of you in the sight of Allah is (he who is) the most righteous of you”.⁶² In fact, this verse has laid down the foundation of the social system of Islam in which the sense of equality and fraternity and the scale of dignity among people are clearly defined.

On Right to Life, the Qur’an observes, “Do not take life which Allah has made sacred except for a just cause”.⁶³ It further says, “If any one slew a person unless it be a murder or for spreading mischief in the land, it would be as if he slew the whole people; and if any one saved a life, it would be as if he saved the life of the whole people”.⁶⁴ About the Right to Property, the Holy Qur’an says, “And do not eat up your property among yourselves for vanities”.⁶⁵ On Freedom of Religion, the Book of Allah says, “Let there be no compulsion in religion”.⁶⁶ It again says, “To you be your Way and to me mine”.⁶⁷ On the Freedom of Conscience and Conviction, the Qur’an says, “If it had been your Lord’s Will, they would all have believed, all who are on earth! Will you then compel humankind, against their will, to believe”.⁶⁸ On Freedom of Peaceful Assembly and Association, the Lord of the Universe proclaims, “Let there arise out of you a band of people inviting to all that is good, enjoining what is right, and forbidding what is wrong: they are the ones to attain felicity. Be not like those who are divided amongst themselves and fall into disputations after receiving Clear Signs: for them is a dreadful Chastisement”.⁶⁹ On Right to Privacy or Security of Private Life, Qur’an has laid down the following injunctions: “Enter not houses other than your own, until you have asked permission and saluted those in them”.⁷⁰ Again it says, “And spy not on each other”.⁷¹

Concerning the Right to Freedom of Movement, Qur’an declares, “It is He Who has made the earth manageable for you, so traverse you through its tracts and enjoy of the

Sustenance which He furnishes: but unto Him is the Resurrection".⁷² Traveling is encouraged also in a number of verses.⁷³ About the Right to Residence, Qur'an warns, "After this it is you, the same people, who slay among yourselves, and banish a party of you from their homes; assist (their enemies) against them, in guilt and transgression; and if they come to you as captives, you ransom them, though it was not lawful for you to banish them".⁷⁴ Islam also recognizes the right to seek and to enjoy in other countries asylum from persecution. It is widely known that the Prophet's companions had migrated several times from the persecution of Mecca. The Prophet (pbuh) himself migrated to Madina when his life was at stake in Makkah. Islam approves the right to nationality or to change it. The Holy Qur'an says, "And We have made you nations and tribes so that you may recognize each other".⁷⁵ About the Right to Marriage and Family, Qur'an declares, "...marry women of your choice, two or three or four; but if ye fear that ye shall not be able to deal justly (with them), then only one".⁷⁶ Islam recognizes equal rights to men and women as to marriage, during marriage and at its dissolution.⁷⁷

Islam has put great emphasis on seeking knowledge and wisdom. Allah says, "Say (Unto them, O Muhammad): Are those who know equal with those who know not?"⁷⁸ Qur'an also declares, "Allah will exalt those who believe among you, and those who have knowledge, to high ranks".⁷⁹ There is a saying of the Prophet (SAW) that seeking knowledge is obligatory for every Muslim – male or female. The Messenger of Allah also says, "A person who goes (out of his house) in search of knowledge, he is on Allah's way and he remains so till he returns".⁸⁰

Concluding remarks

From the above discussion it is clear that good governance is amply reflected in the political philosophy of Islam. With the greatest art of living like Islam, the Prophet (SAAW) and later his Caliphs were successful in erecting an equitable and egalitarian society, better to say a civilization in the oasis of the Arabian Peninsula. The religious values of Islam can still have benevolent effect on matters of governance. In a report on the reorganization and reconstruction of administrative management in Egypt, Luther Gulick and James Pollock, two eminent American experts in Public Administration, aptly remark that Islamic culture is one of the best bases for a strong and successful government and a strong and efficient bureaucracy in modern times.⁸¹ In the same report the two scholars also comment that the *Shari'ah* offers the Egyptians the basic principles and elements upon which they can erect their new democracy and use their leadership qualities, citizen's involvement in the political life of the country and participation in the administrative machinery, and private and public wealth in the best interest of the nation as a whole. In fact, this comment is relevant not only to Egypt, but it also has paramount significance and implications for other Muslim countries.

The Muslim countries, however, continue to suffer from enormous challenges resulting from Islam's encounter with modernity. It is worth mentioning that the lack of modernity of the Muslim countries is not because of religion, rather the Muslim countries stay away from the path of modernization due to the absence of genuine adaptation and incorporation of Islamic values in state apparatus and huge leadership crisis which increasingly and extensively affect them. Most of the Muslim countries still adhere to authoritarian orders,

which are contradictory to Islam, with the stereotype and age-old colonial political and administrative set up.

It should be noted that Islam may have incompatibility with westernization, not modernization. Modernization does not necessarily require resorting to western secularism. So, the Muslim countries can travel on the highway of modernization harmonizing western democracy with Islamic ideology not at the expense of the fundamentals of Islam. Modernization, in Muslim societies, can take place through the Islamization process. For this, the policy makers of these countries should take into cognizance what William Montgomery Watt observes: "The basic legal ideas of Islam are sound, but they need to be adapted to the changed circumstances of today".⁸² Thus, Islam can and must play significant role in evolving good governance in the Muslim world.

Endnotes

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Teen perception of employment: a study of the hospitality industry in Bangladesh

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Abstract: This study investigates perceptions of teens pertaining to some key employment issues that are important in job selection. A total of 152 teens working in the hospitality industry at Cox's Bazar identified a number of key issues that they considered important for selecting and retaining jobs. The findings reveal that teens prefer to work for firms that offered flexible working hours with friendly coworkers and good salary. At the end, some recommendations are made for the employers in the hospitality industry in order to facilitate a better understanding of the perception of their teenage employees regarding employment.

Keywords : Teenage employees; Coworkers; Employment; Hospitality; Human resources.

Introduction

The hospitality industry historically has depended on teens for unskilled labor in the areas of lodging, restaurant, food services management, and recreations. The entrepreneurs in the hospitality industry face challenges while recruiting, selecting, training, and motivating the teen employees. Research on teenage employment is extensive and diverse. A number of studies investigated the impact of employment on high school-going teens. These studies found that long working hours had a negative impact on teens' academic performance.¹

A study by Steinberg and Dornbusch shows that school-going teens who worked longer hours have less interest in school activities.² The study also unveils that these school-going working teens suffer from psychological distress, drug abuse, and less reliance on parental guidance. O'Regan and Quigley establish relationships between teen employment prospects on one hand, and the demographic variables and social class on the other.³ Their empirical study reveals that teens with white complexion received more and better employment than those with black complexion; and teens from poor social background receive less jobs than those coming from the upscale class of society.

Divine and Bartlett investigate the perceptions of college students working in hospitality and non-hospitality businesses while attending high school.⁴ Contrary to the studies

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conducted by Greenberger, Steinberg, and Vaux,⁵ Greenberger, Steinberg, and Ruggiero,⁶ and Greenberger and Steinberg,⁷ their findings conclude that high school employment is perceived to be positive in terms of generating potential for financial success and job satisfaction. However, the data used in the study undertaken by Divine and Bartlett is more than two decades old and the data was collected from college students only.⁸

Many teenage employment studies conducted during the last thirty years (1981 to 2009) have traced the effect of employment on educational performance. Yet, no major research has been conducted pertaining to the perception of teens as employees and the reasons for teens' leaving or continuing jobs. This picture is particularly true in Bangladesh. Though the tourism and hospitality industry in the country employs a good number of teens on permanent and temporary bases, the rate of teen-employee turnover in this industry is very high. With this relatively high turnover rate, companies in the hospitality industry are faced with the challenges of hiring employees and retaining them for long. The entrepreneurs in this industry should better know why a teen-employee leaves job so fast and how these teen-employees can be kept in better. In other words, they should develop the understanding of the needs and perceptions of teens regarding employment. This may be helpful not only to the hospitality entrepreneurs in their strategy development regarding teen employment, but also to career guidance counselors who deal with teens. This study aims at filling the gap in the literature through attempting:

- To identify the teen perception of key employment issues in the hospitality industry; and
- To examine the relationship between teen job perception and teen job satisfaction.

Methodology

For the purpose of this study, a teen is defined as a person between 13 to 19 years of age registered in an educational institution. The sampling frame consists of school-going teenagers who were at jobs for more than 6 months. Data from the respondents (school-going teen workers) were collected from 32 residential hotels and 21 road-side restaurants at Cox's Bazar. A total of 437 school-going teen-employees were found in the randomly selected hotels and restaurants. However, 106 teen-workers were found to have started their jobs in less than 6 months time and as such they were not included, which makes the sample size 331. Of the total sample, only 152 teens agreed to participate in the survey resulting in only 45.9% response rate. Among the 152 teens, 80 came from selected hotels and 72 from restaurants.

A self-administered 3-section questionnaire was given to the respondents for data collection. The first section comprised of demographic and employment profiles of the respondent teens. The second section contained eight 5-point Likert-type attitudinal statements with a view to capturing the teen perception of key employment variables, and the third section with 1-item question rated the level of teen satisfaction with their current jobs. For analysis of data, descriptive statistics such as frequencies, percentages, averages, and standard deviations were used. For the inferential analysis independent sample *t*-test and bivariate correlation were used. Analyses were done using SPSS, version 13.0.

Findings

As stated above, the questionnaire contained 3 sections. The first section contained questions designed to elicit demographic and employment profiles of respondents.

The demographic profile

The demographic profile of the sampled respondents (teen workers attending schools) comprised of their gender, age, and educational level. The majority of the teen workers in the different studied hotels and restaurants were male (98.7%). Most of the teens (77.6%) were within the age range of 15 to 19 years. The study also found that 15.8% of the sampled teen-workers obtained their Secondary School Certificate (SSC), whereas 56.6% completed up to class VIII and the rest 27.6% had no formal education. The demographic profile of the teens is shown in Table 1.

Table 1: Demographic Profile of the Teen Workers

(N=152)

Variables	Number and Percentage
Gender	
Male	150 (98.7%)
Female	2 (1.3%)
Age	
Below 15 years	34 (22.4%)
16 to 19 years	118 (77.6%)
Education	
No formal education	42 (27.6%)
Up to class VIII	86 (56.6%)
Up to SSC	24 (15.8%)

Employment profile

The employment profile of the respondents comprised of their number of jobs including the current job and the length of weekly working-hours in the current job. As shown in Table 2, about three-fourth of the samples (72.4%) reported that the current jobs were their first jobs; whereas the remaining 27.6% claimed that the present jobs were their second jobs. Regarding the length of weekly working-hours, majority of the teens (82.9%) reported to be working 20 to 29 hours a week; while the remaining (17.1%) were working for about 30 to 36 hours a week. Table 2 shows the employment profile of the sampled respondents.

Table 2: Employment Profiles of the Teen Workers

(N=152)

Variables	Number and Percentage
Number of jobs	
Current employment is 1st job	110 (72.4%)
Current employment is 2nd job	42 (27.6%)
Length of working hours per week	
20 to 29 hours	126 (82.9%)
30 to 36 hours	26 (17.1%)

Table 2 shows the number of jobs they held since they started working. The study found 42 respondents working for the second employer. It means that these 42 teens had left their 1st job for a number of reasons. In order to identify the reasons, these teens were asked to indicate the most important reason for leaving their previous jobs. The respondents were asked to select only one reason from the 5 reasons specified. The 5 reasons include: low pay, misbehavior of the supervisors/owners, long distance of workplaces from home, long working hours, and other reasons.

Table 3: Reasons for Leaving Job

(N=42)

Reasons	Number and Percentage
Poor pay	25 (59.5%)
Misbehavior of supervisor/owner	6 (14.2%)
Long working hours	7 (16.7%)
Long distance of workplaces from home	3 (7.14%)
Others	1 (2.46%)

As Table 3 shows, more than half of the 42 respondents left their previous job due to “poor pay” (59.5%). However, “long working hours” and “misbehavior of the supervisors” were identified by 16.7% and 14.2% respondents respectively as the most important reasons for leaving their previous job. “Long distance of workplaces from home” was considered important by 7.14% of the respondents as against only 2.46 percent who ticked “others” as the reason for leaving previous job.

Teen perception of key employment issues

The sample teens were asked to express their agreement or disagreement to 8 statements regarding their current jobs. The perceptions of the respondents were evaluated on a 5-point Likert Scale with scale 1 indicating 'strongly disagree' to scale 5 indicating 'strongly agree'. The respondents were divided into two groups: teens employed in the hotel sector and those employed in the restaurant sector.

Table 4 : Teens' Perceptions of Current Employment Issues

Statement	Level of Agreement					
	All Respondents		Hotel Working Teens		Restaurant Working Teens	
	M	SD	M	SD	M	SD
My employer pays me what I deserve	3.41	0.67	3.60	0.57	3.22	0.79
I do the job to support my personal causes	3.97	1.08	3.82	1.32	4.12	0.84
I do the job to help my family	3.81	1.06	3.83	1.02	3.80	1.12
Doing a job enhances my reputation in society	2.99	0.39	3.10	0.45	2.87	0.33
My co-workers help me a lot in my work	3.46	1.43	3.48	1.41	3.43	1.44
Working schedule is flexible in my current job	2.73	1.24	2.78	1.31	2.67	1.09
My supervisor/owner behaves well with me	2.34	1.34	2.29	1.30	2.38	1.38
My supervisor/owner fairly evaluates my job performance	3.45	0.72	3.73	0.34	3.17	1.08
Overall Total	3.27	0.99	3.32	0.97	3.21	1.01

N = 152

It was observed that the teens' overall perception of their current employment issues was not high ($M= 3.27$). Categorically, the perception of 'hotel sector' was slightly better ($M= 3.32$) than that of the 'restaurant sector' ($M= 3.21$). It was important to know whether or not the mean perceptions between the two groups of teens truly varied. Thus, the following hypothesis was developed:

$$H_0^1: \mu_1 = \mu_2$$

$$H_1^1: \mu_1 \neq \mu_2$$

Since the sample sizes between the two groups were different (82 for the hotel sector and 70 for the restaurant sector), Levine's *F*-test was conducted to know the equality of the variances of the sample groups. Equal variances were assumed between the sample groups ($F = 15.23, p < .05$). Afterwards, an independent sample *t*-test was run to test the null hypothesis that 'there is no difference in the mean perception between the teens employed in hotels and the teens employed in restaurants'. Result of the *t*-test found no difference between the two groups as the null hypothesis was accepted ($t = 1.211, p > .10$). Thus, it can be confirmed that there was no difference in the means of the two sample groups regarding the overall perception of employment issues.

Teen job satisfaction

The respondent teens were also asked to evaluate their level of job satisfaction with the current places of employment. The 1-item question was scaled on a 1 (highly disagree) to 5 (highly agree) points. The following table shows the level of teen satisfaction with their current jobs:

Table 5 : Teen Satisfaction with Current Employment

Statement	Level of Satisfaction					
	All Respondents		Hotel Working Teens		Restaurant Working Teens	
	M	SD	M	SD	M	SD
Overall, I am satisfied with my current job	3.49	0.93	3.82	0.89	3.16	0.79

N = 152

Table 5 shows that the teens' overall satisfaction with their jobs was moderate ($M= 3.49$). In a comparative scenario, the level of satisfaction in the hotel sector was little better ($M= 3.82$) than that of the restaurant sector ($M= 3.16$). To see if the level of mean satisfaction truly varied between the groups compared, an independent sample *t*-test was run to test the following null hypothesis that 'there is no difference in the mean satisfaction between the teens employed in hotels and the teens employed in restaurants':

$$H_0^2: \mu_1 = \mu_2$$

$$H_1^2: \mu_1 \neq \mu_2$$

Due to the differences in the sample sizes between the two groups (82 for the hotel sector and 70 for the restaurant sector), Levine's *F*-test was conducted to know the homogeneity of the variances of the groups studied. Equal variances were not assumed between the sample groups ($F = 21.56, p < .01$). Afterwards, the result of the *t*-test found differences between the two groups as the null hypothesis was rejected ($t = 18.61, p < .01$). Thus, it can be confirmed that there was a significant difference in the perceptions of the two sample groups regarding satisfaction with current job. In other words, the teens employed in the hotel sector were more satisfied ($M = 3.82$) than the teens employed in the restaurant sector ($M = 3.16$). However, the overall satisfaction was not high, rather moderate ($M = 3.49$). It was necessary to know whether the overall perception of employment of both the groups had any relationship with overall satisfaction with their job.

Relationship between overall job perception and overall job satisfaction

Pearson's correlation was run between the independent variable (overall mean perception of employment) and the dependent variable (overall mean satisfaction) to test any association between them. The study found a positive relationship between the two variables ($r = .347, p < .01$).

Conclusion and implications

Exploratory in nature, this study has attempted to study the perceptions of teens regarding key employment factors. Although no significant perceptual differences were found between the 'hotel-employed teens' and 'restaurant-employed teens', entrepreneurs in the hotel and restaurant sectors in the hospitality industry of Bangladesh might look at some key employment-related factors considered important by the teen workers and focus on these factors in the marketing campaigns of recruitment of workers.

The study results opt for a number of recommendations. The findings have revealed that teens left their previous jobs due to low pay, misbehavior of the supervisors, and long working hours. Considering this, pay can be increased, albeit with caution. Rather, the other extrinsic incentives such as flexible and small-shift-working hours could be used first by the hoteliers and restaurateurs since the teens are not completely ready to take full work-load like an adult employee.

Job perception of the respondents was not high. It was greatly due to the poor impression of the teens about their supervisors' misbehavior with them. In this respect, the entrepreneurs in both hotel and restaurant sectors need thoughtful revision. Moreover, the teens believed that their supervisors did not evaluate them properly. Teen employees should be treated equally with all other employees regarding benefits, pay increases, and promotions.

The provision for transport facility to and from workplace might be a good stimulator to motivate teens to work for large hotels and restaurants. Group transportation could be used in

this case to carry the employees to and from some common spots. It will also save some system losses derived from differential arrival time of employees at workplaces as their transportation is personally arranged. Moreover, parents of the teen workers would also welcome this initiative since combined company transport would ensure more safety and security of their children.

Now-a-days, a good number of teens are attracted to relatively new job opportunities in information technology, telecommunications, media and the like; and are gaining experiences while on the job.⁹ To attract these teens, hospitality employers; especially in the hotel and restaurant sectors, should develop partnerships with junior and high schools and offer internship programs. HR managers in the hospitality and tourism industry of Bangladesh should carefully consider the findings of this study and apply them for better recruitment planning, employee selection, training, and development of the teen workers – simply not for the sake of their businesses, but also as part of their responsibility and commitment to society.

Endnotes

- ¹ See E. Greenberger, L. D. Steinberg, & A. Vaux, “Adolescents who Work: Health and Behavioral Consequences of Job Stress”, *Developmental Psychology*, 17, (1981), 691-703; Greenberger, Steinberg, and M. Ruggiero, “A Job is a Job... or is it? Behavioral Observations in the Adolescent Workplace”, *Work and Occupations*, 9, (1982), 79-96; Greenberger and Steinberg, *When Teenagers Work: The Psychological and Social Cost of Adolescent Employment*, (New York: Basic Books, 1986).
- ² Stinberg & S. M. Dornbusch, “Negative Correlates of Part-time Employment during Adolescence: Replication and Elaboration”, *Developmental Psychology*, 27, (1991), 304-320.
- ³ K. M. O’Regan & J. M. Quigley, “Teenage Employment and Spatial Isolation of Minority and Poverty Households”, *Journal of Human Resources*, 31(3), (1996), 692.
- ⁴ H. A Divine & A. L. Bartlett, “Teenage Employment in Hospitality: Attitudes, Outcomes and Analysis”, *Hospitality Education and Research Journal*, 12(2), (1988), 431-441.
- ⁵ Greenberger, Steinberg, & Vaux, *Adolescents who work...*,
- ⁶ Greenberger, Steinberg, & Ruggiero, *A job is a job...*,
- ⁷ Greenberger & Steinberg, *When teenagers work...*,
- ⁸ Divine & Bartlett, *Teenage employment...*,
- ⁹ J. Dodge, “Teenagers save the Day”, *The Boston Globe*, p. C4.

Book Reviews

Educational administration: An Islamic perspective. By Ali Mohammad Jubran Saleh, Publisher: A. S. Noordeen, Published: 1423 AH/ 2002CE, Kuala Lumpur, 1st Edition: 2002, ISBN: 983-065-146-0, Pages: 156.

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It is recognized all over the world that education is the most important tool for the development of society and the state. The importance of education has been highlighted in many declarations and conventions of the local, regional and international organizations. Realizing that education is a tool to facilitate communication and bring cooperation among communities and societies, Islam greatly emphasizes education. The first verse of the Qur'an revealed to Prophet Muhammad (SAW) started with the word "*Iqr'a*" indicating the importance of education. Verse 20:114 teaches the believers to ask "My Lord! Increase me in knowledge." Therefore, a Muslim should constantly be seeking knowledge (*ilm*) because Allah (SWT) asks: "Are those equal, those who know and those who do not know? It is those who are endowed with understanding that receive admonition." (Al-Qur'an, 39:9).

Muslims, it has been pointed out time and again, will prosper if they benefit from Islamic education. This requires that Muslims must give importance to administer education from an Islamic perspective. The book, *Educational Administration: An Islamic Perspective*, attempts to identify and give concise guidance on the philosophy and major principles of educational administration from an Islamic perspective. Islamic educational administration is comprehensive and incorporates the universal moral and spiritual dimensions. This book is a perfect gift for educational administrators interested in creating Islamic educational institutions.

The author of the book under review, Ali Mohammad Jubran Saleh, obtained his M. A. in Educational Administration from the International Islamic university, Malaysia and PhD in Educational Leadership from the University of Malaya, Malaysia. The book indeed has benefited from his studies at the Master's and Doctoral levels. The book begins by emphasizing the importance of educational administration and a brief discussion on different terms related to Educational Administration like Administration, Management and Leadership. These terms are treated from both the traditional and Islamic Perspectives. As is normal with all Ph.D. dissertations, this introductory chapter contains reviews of some books on Administration from Islamic Perspective. Second chapter presents the development of Western Administrative theories as well as its influence on education. It concludes by mentioning some shortcomings of Western theory which also provides justifications for thinking of Educational Administration from Islamic perspective.

The third chapter is on the “Philosophy of Islamic Educational Administration.” For this purpose the writer explains the concept of Education, Man, Knowledge and administration in Islam. Another reference may be cited for these concepts is “Teachers’ Training from Islamic Perspective” by Dr. Mohammad Jafar Iqbal.

The fourth chapter with the heading Principles of Islamic Educational Administration, the author discusses four important values: Personal Trustworthiness; Interpersonal Relations; Managerial; and finally Organizational leadership. The values under Personal trustworthiness are *ta’ah* (obedience to Allah, SWT), *ubudiyah* (sense of servant hood to Allah, SWT), *tawakkul* (trust in Allah, SWT), *muraqabah* (supervision), *muhasabah* (accountability), *akhlaq* (moral and ethical behavior), job competency, *amanh* (responsibility) and ‘*adl* (justice) The basic of Islamic Administration is that the administrator or principal should consider his responsibility as an *amana* entrusted by Allah (SWT).

Under the Interpersonal Relations, the writer discussed Brotherhood and Human Relations, Equality, and Commanding Good and Forbidding Bad. By giving different illustrations and citing Qur’anic verses, the writer establishes that human relations which are based on the Islamic principles helps to create a healthy administrative environment. The greatness of Islam lies in the principles of equality. Here writer emphasizes that an educational administrator is just like a *da’iyah* (missionary). He is bound to order to do what is good and forbid evil.

Empowerment, Motivation and Encouragement and Autonomy are the principles which are discussed under Managerial level. Importance of empowerment and how to manage and control it are presented here. Reward from Allah (SWT) is the highest motivation for a *muttaqi* (God-fearing person). At organizational level, the author discusses ten principles. These are: clarity and unity of objectives, decision making, *shura* (consultation), method of choosing advisors, selection of employees, authority, loyalty, division of labor, distribution of jobs, centralization and decentralization, enhancement of potential and remuneration. The fifth Chapter discusses the implications of these principles for Islamic Educational Administration.

The main aim of this book is to draw some major principles of Educational Administration from the Holy Qur’an, the Sunnah of the Prophet (SAW), and the Islamic heritage. The writer has succeeded in realizing the aim for which the book was written. However, the book is still in the nature of a Primer that may be of some benefit to the Educational Administrators and administrators. It advocates Islam as a solution to current problems. However, it fails to provide feasible and creative solutions to the problems besetting education in the Muslim world. What is expected of the author is to provide the professionals a comprehensive book on Educational Administration and Leadership.

Readers interested in deepening their knowledge on Islamic aspects of administration can benefit from two related books: 1. *Management: Islamic Perspective* edited by Prof. Dr. Md. Loqman (Dhaka: Bangladesh Institute of Islamic Thought and International Islamic University Chittagong) and 2. *Leadership: Western and Islamic* by Dr. Anisuzzaman & Prof. Zainul Abedin Majumder.

The Arab awakening: Islam and the new Middle East. By Tariq Ramadan.
 Publisher: London : Penguin Group, Published: 2012, pp. 272. ISBN 978-1-846-14560-3.

Reviewer: Nadhera Mohammad Qassem, Post-graduate Student, Department of Political Science, International Islamic University Malaysia. Email: nadhera17@gmail.com

Tariq Ramadan is a prominent scholar and a grandson of the late Hassan al-Banna who founded Muslim Brotherhood. He holds a PhD from the University of Geneva for his thesis “Nietzsche as a Historian of Philosophy” and has written more than a dozen of books and enjoys speaking for Islam in general and European Islam in particular. The book under review is a refinement of the collection of his articles relating to uprising in the Arab world especially North Africa. It contains four chapters together with appendixes of his previous articles on the same issue.

Ramadan begins by narrating the incident of self-immolation by MohammadBouazizi which awakened the spirit of disenchanting Tunisians and led to the overthrow of Zine El Abidine Ben Ali of Tunisia. Domino effect theory is confirmed when uprisings in other parts of the Middle East resulted in the ouster of Hosni Mubarak. Of the plethora of theories, the conspiracy theory has gained wide publicity which identifies the external factor as the driving force of Arab uprising. People point fingers at the West especially the US as being behind these shockwaves. Others, however, attribute the Arab uprisings to the misuse and abuse of power by the dictatorial regimes in the Middle East.

Without casting aside the external and internal factors, Tariq Ramadan provides a balanced analysis of the events. Firstly, he uses “Arab uprisings” to describe the common character of mass movements that have shaken Arab countries. The main purpose Ramadan’s book, it appears, is to situate Islam as a religious and ideological reference. It is vital to rethink the role of religion in the democratisation process in the Arab world. By referring to Islam, one cannot discard the role of Islamism or political Islam. This phase of history does not mark the end of Islamism. Rather, it faces new conjuncture and to undergo a profound shift. The author advocates civil state by which Islam will be a point of religious and cultural reference in ethical dimension but it should not be taken as a sole reference because this will result in state oppression. He points out that Islam as a religious and cultural reference is not a closed system and it should not be presented as such. It has to define rules and objectives that guide ethical considerations but the shape and substance of these considerations must be developed and evolved over time. Islamic state and civil state were defined by him. The conventional notion of an Islamic state by which religious authority would impose its authority upon the state is not only dangerous but is contrary to Islam. Civil state, on the other hand, is understood where religion remains an ethical orientation that sets out a framework and objectives but intervention in the regulation that defines state authority is avoided. Given the notion of civil state, ethical system is laid out where it makes it possible to avoid divorce between the administration of political power and awareness of its limits, the rules of transparency and service, and its goals. This ethical orientation of Islam renders no ambiguity because it provides for principles that applies to all humans, women and men, rich and poor,

black and white, Muslim or not. These constitute as primary, fundamental principle of social justice that rest on two prerequisite: equal rights and equal opportunities.

The author demonstrates that genuine democratisation and liberation of Middle Eastern and north African society will depend on the mobilization of civil society. There is a need for broad-based social movement to mobilize civil society as well as public and private institutions. It is here where Islamic reference assumes an immediate, imperative and constructive meaning in Muslim-majority societies. Further, the concept of *Shari'ah* and *Jihad* are clearly defined. The implementation of *Shari'ah* is not to enforce prohibitions and imposing a strict, timeless penal code. *Shari'a* is not a rigid, sanctified legal structure. Rather, it corresponds with spiritual, social, political and economic dynamic that reaches towards higher goals associated with a certain idea of humankind. Muslim-majority society is freed from shackles and demons if the *Shari'ah* is to be pervaded by and founded upon vision of the higher goals of dignity, justice, freedom and religious, political and cultural pluralism and if *Jihad* is seen as the effort of resisting racism, corruption and dictatorship, allied with a commitment to the reform of the individual's being and of society in the light of these finalities. The author also uses the term intellectual *Jihad* (intellectual resistance) referring to the notions of liberation and identity with qualitatively different substance and a new density of meaning.

In international realm, the author favours the multipolar world that could bring an opportunity to promote more ethical approach. New economic forces provide an avenue for Arabs to bring in an alternative to neo-liberal economic order which now faces crisis. The presence of new political and economic forces makes renewal inevitable. Relationship with the West must change in the medium or long term. China, India, Russia, Brazil, South Africa or Turkey are emerging as powerful players. These realities will have major consequences on relations with the West. This promises a new paradigm originating from within but also an outcome of the eastward shift in the economic and social centre of gravity. Facts on the ground have changed. The assertive presence of China, India, Russia, Brazil, South Africa and Turkey will be determining factor in facing the question of Israeli-Palestinian conflict.

The author pushes a new direction for the understanding of Islam. He situates Islam to the conditional reality of Muslims. He falls under the category of scholars who while loving Islam entertains the idea of secularism. He goes on to declare that Islam is secular. He advocates for a civil state where Islam is situated only in framing ethical orientation of the constitution but is not made the main reference for the administration of state for, according to Tariq Ramadan, this will result in state oppression.

This book offers a new direction for Muslims and Arabs. It addresses the dilemma this society has been plunged in that offers no productive solution for future of Middle East and Muslim-Majority countries at large. Its critical stance regarding Islamists, Secularists, West and other potential players signal for rethinking new approach or paradigm. For about two hundred seventy two-page book, it gives us broad understanding of what is taking place on the ground given its complexity and diversity. It is no doubt that guidelines are provided in this book but they are too general and not well-defined. He touches on the crisis and problems comprehensively but he only provided a piece of the pie of the solutions. Overall, this book opens rooms for debates on the role of Islam in state affairs and for intellectual discourse on Islam and secularism. The West may admire the work.

সুবহে সাদিক : আত্মিক ও আধ্যাত্মিক উন্নয়নের নির্দেশনা। লেখক : খুররম জাহ্ মুরাদ, অনুবাদ: ডা. আবু খলদুন আল মাহমুদ ও ড. শারমিন ইসলাম মাহমুদ, প্রকাশক: বাংলাদেশ ইনস্টিটিউট অব ইসলামিক থ্যাট (বিআইআইটি), প্রকাশ : ২০১১, আইএসবিএন: ৯৮৪-৭০১০৩-০০১৮-৪, মূল্য: ১২০.০০ টাকা।

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খুররম জাহ্ মুরাদ উপমহাদেশের ইসলামি আন্দোলনের এক প্রবাদ পুরুষ। পেশায় ইঞ্জিনিয়ার এই মনীষী ১৯৭০ সালে ইঞ্জিনিয়ার্স ইনস্টিটিউশন ঢাকা কেন্দ্রের সচিব ছিলেন। তাঁর সাহচর্যে উপমহাদেশের অনেক ব্যক্তি ইসলামি আন্দোলনের সঠিক ধারণা লাভ করতে সক্ষম হয়েছেন এবং তারা আজ এই অঞ্চল তথা বিশ্বের বিভিন্ন স্থানে ইসলামি জাগরণে ভূমিকা রাখছেন। তাঁর প্রকাশিত বেশ কয়েকটি বই যথা ‘ইসলামি আন্দোলনের কর্মীদের পারস্পরিক সম্পর্ক’, ‘কুরআন অধ্যয়ন সহায়িকা’ ইতোপূর্বে বাংলায় অনূদিত হয়েছে এবং ব্যাপক জনপ্রিয়তা লাভ করেছে।

বস্তুত রাতের শেষভাগ হচ্ছে আত্মগঠন এবং আত্মউন্নয়নের সবচাইতে গুরুত্বপূর্ণ সময়। এই সময় মানুষের হৃদয় সবচাইতে নরম ও দুনিয়াবী চিন্তা থেকে মুক্ত থাকে। পবিত্র কুরআনে বর্ণিত হয়েছে, ‘প্রকৃতপক্ষে রাত্রিকালে শয্যাভ্যাগ করে উঠা আত্ম-সংযমের জন্য খুব বেশী কার্যকর এবং কুরআন যথাযথভাবে হৃদয়ঙ্গম করবার জন্য অনুকূল’ (আল- কুরআন)।

এ বইটি হচ্ছে আত্মগঠন এবং আধ্যাত্মিক উন্নয়নের উপর মুরাদের কিছু হেদায়েতী বক্তব্যের সংকলন। এখানে তিনি মুমিনদের জীবনের একমাত্র লক্ষ্য হিসেবে চিহ্নিত করেছেন আল্লাহর সন্তুষ্টি অর্জন করার মাধ্যমে জান্নাত লাভকে। অতঃপর তিনি এ লক্ষ্য অর্জনে কর্মপন্থা ও করণীয় সম্পর্কে নির্দেশনা দিয়েছেন।

খুররম জাহ্ মুরাদ এ হেদায়েতী বক্তব্যগুলো রেখেছিলেন ১৯৯৩ সালের গ্রীষ্মে যুক্তরাজ্যে আয়োজিত এক আত্মগঠনমূলক প্রশিক্ষণ ক্যাম্পে। সেখানে প্রতিটি ভাষণ তিনি দিয়েছিলেন ঠিক ফজর নামাজের পর। কোর্সটির নাম দিয়েছিলেন ইসলামের কর্মীদের আত্মউন্নয়ন এবং এর আয়োজক ছিলেন ‘ইসলামি ফাউন্ডেশন’, ইউ. কে। খুররম জাহ্ মুরাদ ইসলামের তরুণ কর্মীদের জন্য এমন অনেক কোর্সের আয়োজন করতেন। তিনি বলতেন নতুন প্রজন্মের অগ্রহ, উৎসাহ উদ্দীপনা ও যোগ্যতার উপরই মুসলিম উম্মাহর ভবিষ্যত নিহিত। গ্রন্থটি সংকলন করেছেন রিযা মুহাম্মাদ।

বইটি সাতটি অধ্যায়ে বিভক্ত। প্রথম অধ্যায়ে আত্মউন্নয়ন প্রক্রিয়ার ভূমিকা প্রসঙ্গে মানব জীবনের লক্ষ্য, মুমিন জীবনের মিশন, তাযকিয়ার পূর্বশর্ত ইত্যাদি আলোচিত হয়েছে।

একজন মুসলমানের জন্য জীবনের মূল লক্ষ্য হচ্ছে বেহেশত অর্জন। এ লক্ষ্য অর্জনে দৃঢ় ইচ্ছাই এ কাজের উপায় বাংলাে দেয় এবং লক্ষ্য অর্জনে গতি যোগায়। আত্মউন্নয়নের লক্ষ্যে আপনার আদর্শ হচ্ছে একমাত্র রসুল মুহাম্মদ সা.। আর এ লক্ষ্যে এগুতে হলে আপনার দায়িত্বশীল আপনাকেই হতে হবে। আপনার মাঝে প্রচণ্ড ইচ্ছা শক্তি জাগ্রত করতে হবে। আপনার দায়িত্ব পূরণে আত্মরিক এবং প্রয়োজনীয় চেষ্টা নিয়োজিত করতে হবে। আপনার জীবনের প্রতিটি মুহূর্তের সর্বোত্তম ব্যবহার নিশ্চিত করে জীবনের সব কাজে ভারসাম্য বজায় রাখতে হবে। আরও মনে রাখতে হবে যে, আল্লাহর সন্তোষ অর্জনের লক্ষ্যে নিবেদিত প্রতিটি বৈধ কাজই তাযকিয়া অর্জনের মাধ্যম। আল্লাহ তাঁর ক্ষমার গুণে আমাদের ছোট-ছোট ভুলগুলোকে মাফ করে দিতে পারেন এবং আল্লাহর এ দয়া বা ক্ষমা লাভ আমাদের বেহেশত গমনের পূর্বশর্ত। ‘আর যে লোক নিজের খোদার সম্মুখে দাঁড়ানোর ভয় করেছিল এবং প্রবৃত্তিকে খারাপ কামনা বাসনা হতে বিরত রেখেছিল, জান্নাতই হবে তার ঠিকানা’ (আল-কুরআন ৭৯ : ৪০-৪১)। আল্লাহ আমাদের সফল এবং পরিশুদ্ধ বান্দাদের মাঝে शामिल করুন।

‘প্রকৃত পবিত্রতা ও পরিশুদ্ধি তো আল্লাহ যাকে চান তাকেই দান করবেন (যারা এই পবিত্রতা ও শুদ্ধি পায়না) তাদের প্রতি এক বিন্দু পরিমাণ যুলুম করা হয় না’ (আল-কুরআন ৪ : ৪৯)। ‘আল্লাহর অনুগ্রহ এবং তাঁর দয়া যদি তোমাদের উপর না থাকতো তাহলে তোমাদের মধ্যে কেউই পাক পবিত্র হতে পারতো না। বরং আল্লাহই যাকে চান পরিশুদ্ধ করে দেন। আর আল্লাহ সর্বাধিক শুভেন ও জানেন’ (আল-কুরআন ২৪ : ২১)।

দ্বিতীয় অধ্যায়ে যিকির শব্দের অর্থ, তাৎপর্য ও যিকিরের পছাবলী আলোচিত হয়েছে।

আপনার চূড়ান্ত সাফল্য ও মুক্তি নির্ভর করছে আপনার আত্মার পরিশুদ্ধির উপর। আত্মার পরিশুদ্ধির চাবিকাঠি হচ্ছে আল্লাহর যিকির তথা সার্বক্ষণিক আল্লাহর স্মরণ। আপনি একদিকে সার্বক্ষণিক এবং অব্যাহতভাবে অন্তরে আল্লাহ সচেতনতা জাগ্রত করে প্রতিদিনের সকল কথা এবং কাজকে নিয়ন্ত্রিত করুন। অন্তরে এ চেতনা বদ্ধমূল করুন যে, আল্লাহ সব সময় আমাদের দেখছেন, সকল কথা কাজ এবং চিন্তার খবর রাখছেন। আমাদের সকল সম্পদ আসলে তাঁরই মালিকানাভুক্ত, তিনি এর সবকিছু নিয়ন্ত্রণ করতে পারেন এবং সর্বোপরি আপনাকে তাঁর কাছেই ফিরে যেতে হবে জবাবদিহির জন্য। অপরদিকে আপনি ব্যক্তিগত ও সামষ্টিক পর্যায়ে কিছু সুনির্দিষ্ট পছা অবলম্বন করুন। এই পছাগুলোর নিয়মিত, সুসংগঠিত এবং আন্তরিক চর্চা ইনশাআল্লাহ আপনাকে সার্বক্ষণিক আল্লাহর স্মরণসম্পন্ন এক জীবন উপহার দেবে।

তৃতীয় অধ্যায়ে আল্লাহর সাথে সম্পর্ক স্থাপন এবং এ সম্পর্ক উন্নয়নের উপায়সমূহ এবং আল্লাহর সাথে সম্পর্ক উন্নয়নের বাঁধাসমূহ আলোচিত হয়েছে।

সহজ সরল পথে (সিরাতুল মুস্তাকীম) চলার জন্য কুরআন কিছু দিক নির্দেশনা দিয়েছে। এর মধ্যে প্রথম হচ্ছে- দৃঢ়ভাবে আল্লাহর রজ্জুকে ধারণ করা। আল্লাহর রজ্জুকে দৃঢ়ভাবে ধারণ করার মানে হচ্ছে আপনি আপনার সকল অর্জনের জন্য শুধুমাত্র তাঁরই হামদ শুকর করবেন। শুধুমাত্র তাঁরই ইবাদত করবেন। পৃথিবীর সবকিছুর চাইতে আল্লাহকে বেশী ভালবাসবেন। শুধুমাত্র তাঁর জন্য সংগ্রাম করবেন এবং ‘হানিফ’ হতে চেষ্টা করবেন।

একই সাথে আল্লাহর রজ্জু ধারণের বাঁধা গুলোর কথা খেয়াল রাখবেন। এগুলো হচ্ছে গর্ব, শঠতা, হতাশা, অনিয়ন্ত্রিত রাগ, জিহ্বার (কথা) অসংযত ব্যবহার এবং অননুমোদিত যৌন লালসা।

চতুর্থ অধ্যায়ে রসূল সা. এর সাথে সম্পর্ক প্রতিষ্ঠা, সুন্নাতের প্রকৃত অর্থ এবং বর্তমান সময়ে সুন্নাতের গুরুত্ব সম্পর্কে বলা হয়েছে।

আমাদের জীবনে অনুকরণীয় মডেল হিসেবে রসূল সা. - কে সবার আগে এবং সবার উপরে স্থান দিতে হবে। আমাদের সকল ভালবাসা সবার উপরে আল্লাহ এবং তাঁর (রসূল সা. - এর) জন্য নির্দিষ্ট রাখতে হবে। মানুষের সামনে আল্লাহর খলিফা হিসেবে তাঁর শেষ নবি সা. - এর বাণী পৌঁছে দেয়া আমাদের সবচেয়ে বড় দায়িত্ব। আমাদের কথা, কাজ, কর্তব্যনিষ্ঠা, দয়া এবং ভালবাসার গুণের মাধ্যমে আমাদের সকল সহকর্মী ও প্রতিবেশীকে বুঝাতে হবে ইসলাম কি এবং রসূল সা. - এর মিশন কি?

অতএব এই কাজে রসূল সা. - এর দয়ার গুণ অনুসরণে আমাদের সর্বোচ্চ অগ্রাধিকার দিতে হবে। তাঁর গুণ অর্জনের মাধ্যমে আমরা নতুন প্রজন্মকে প্রকৃত সুন্নাত শেখাতে সক্ষম হবো। আর তখনই সম্ভবত: আমাদের এ পৃথিবীর জীবন ও কল্যাণকর হয়ে দেখা দিবে।

পঞ্চম অধ্যায়ে আল্লাহর পথে ভয় ও এর তাৎপর্য আলোচনা করা হয়েছে। আপনি যাই খরচ করতে পারেন তা খরচ করুন আপনার পরিবারের ভরণপোষণে এবং দরিদ্রদের কল্যাণে। ইসলামের প্রয়োজনে দান করতে আরও উদার ও মুক্তহস্ত হোন। মনে রাখবেন, ইসলামের পথে খরচের এখনই সময়। আপনার হাতের সব ধরনের সম্পদের ব্যবহার করুন। আপনার সময়, মনোযোগ, হৃদয়, মন, বাচনভঙ্গী, লেখনি, যুক্তি, বুদ্ধি যা কিছু আল্লাহ আপনাকে দিয়েছেন তা তাঁরই দ্বীন প্রতিষ্ঠায় নিয়োজিত করুন। দুনিয়ার প্রেম যেন আপনাকে গ্রাস না করে। আল্লাহর দয়া ও

ভালবাসা পেতে চাইলে মানুষকে ক্ষমা করতে শিখুন। তাদের প্রতি দয়া লু হোন। আল্লাহ আমাদের এ দুনিয়া থেকে বিচ্ছিন্ন হতে নয় বরং দুনিয়া প্রীতি থেকে মুক্ত হতে সাহায্য করুন। তিনি আমাদের যে নেয়ামত ও সম্পদ দিয়েছেন তা তাঁর পথে ব্যয় করার তৌফিক দিন।

ষষ্ঠ অধ্যায়ে আলোচনা করা হয়েছে আল্লাহর সাথে তাঁর সৃষ্টির সম্পর্ক নিয়ে। সকল প্রাণী আল্লাহর পরিবারের অর্ন্তভুক্ত। আল্লাহ তাদের ভালবাসেন যারা তাঁর পরিবারের সদস্যদের দয়া ও সেবা করেন। অন্যের প্রতি আমাদের দায়িত্ব বিশেষভাবে গুরুত্বপূর্ণ এ জন্য যে, ব্যক্তির হক্ নষ্ট করার কোন ক্ষমা নেই। আপনার নিজের প্রয়োজন পূরণের পর আপনার প্রথম দায়িত্ব আপনার পরিবারের প্রতি। বস্তুত: আল্লাহর পর আপনার উপর সবচাইতে বড় দায়িত্ব আপনার পিতা-মাতার প্রতি। আপনার স্ত্রী/স্বামীর প্রতি আপনার দায়িত্ব পূরণ করণ এবং আবেগ ও ভালবাসা দিয়ে আপনার সন্তানদের যত্ন নিন। আপনার পার্শ্ববর্তী মুসলিম এর প্রতি দায়িত্ব পালনের ব্যাপারে মনে রাখবেন যে, ঈমানের সর্বোচ্চ বহিঃপ্রকাশ হচ্ছে কাউকে শুধুমাত্র আল্লাহর সন্তুষ্টি অর্জনের জন্য ভালবাসা। উদ্যোক্তা (মালিক) হিসেবে সব সময় মনে রাখবেন যে আপনার অধীনস্থ কর্মচারীর উপর আপনার গুরুত্বপূর্ণ দায়িত্ব রয়েছে। একইভাবে কর্মচারী (শ্রমিক) হিসেবেও আপনার দায়িত্ব হচ্ছে আপনার কাজ দক্ষতা ও নিষ্ঠার সাথে করা।

আখেরাতে আপনার ভাগ্য আরও নির্ধারিত হবে এটার ভিত্তিতে যে, মুসলিম-অমুসলিম নির্বিশেষে আপনার প্রতিবেশীর উপর দায়িত্ব আপনি কিভাবে পালন করেছেন। রসুল সা. অমুসলিমদের প্রয়োজনের দিকে সবসময় বিশেষ খেয়াল রাখতেন। এমনকি মুসলিম সমাজের দারিদ্রতা সত্ত্বেও। পশুপাখীদেরও অধিকার আছে। কারণ তারাও আল্লাহর পরিবারভুক্ত। আল্লাহকে ভয় করণ সেন্সব প্রাণীর স্বার্থের বিষয়ে যারা কথা বলতে পারে না। তাদের উপর আরোহণ করণ এবং তাদের গোশত খান যখন তারা সুস্থ্য। আল্লাহ আমাদের তাঁর পরিবারের প্রতি দায়িত্ব পালনে সক্ষম ও সচেতন করণ।

সপ্তম অধ্যায়ে আল্লাহর সাথে আখেরাতে চূড়ান্ত সাক্ষাৎ ও তার প্রস্তুতি সম্পর্কে বলা হয়েছে।

আমাদের জীবনের চূড়ান্ত উদ্দেশ্য হওয়া উচিত আল্লাহর সাথে সাক্ষাৎ এর জন্য নিজেদের তৈরি করা। এটা হচ্ছে এমন গুরুত্বপূর্ণ সিদ্ধান্ত যা আমাদের আজই এবং এখনই নিতে হবে। এ একটি সিদ্ধান্ত আমাদের গোটা জীবনের চলার দিক ও লক্ষ্যের নির্দেশনা দেবে। যে পথের কথা বলা হয়েছে আল-কুরআনে, যে পথে চলার উদাহরণ রেখে গেছেন আমাদের নবি মুহাম্মদ সা.।

আল্লাহ আমাদের যে জ্ঞান দিয়ে ধন্য করেছেন তাই হবে আমাদের এ পথে চলার সহায়ক। আমাদের মিশন যখন সফল হবে তখন আমরা দেখবো আমাদের দোয়ার জবাব আল্লাহ দিচ্ছেন। আমাদের প্রয়োজনে তাঁর সাহায্য ও মদদ পাচ্ছি ঠিক যেমনটি তিনি বলেছেন 'হে প্রশান্ত আত্মা তোমার প্রভুর দিকে প্রত্যাবর্তন করো। কৃতজ্ঞ হও। আমার অনুগত বান্দাদের মধ্যে शामिल হও। আমার বেহেশতে প্রবেশ করো' (আল-কুরআন ৮৯ : ২৭-৩০)।

সর্বশেষে আত্মতত্ত্ব বিষয়ে সহায়ক গ্রন্থের একটি তালিকা দেয়া হয়েছে। অনুবাদ এর ক্ষেত্রে শাব্দিক অনুবাদ না করে ভাবানুবাদ করা হয়েছে। শ্রুতি মাধুর্যের জন্য বইয়ের নাম 'In the early hours' এর অনুবাদ করা হয়েছে 'সুবহে সাদিক'। বইটি ব্যক্তিগত অধ্যয়ন ও গ্রুপ স্টাডি উভয় ধরনের জন্যই উপযোগী।

'আল্লাহ আমাদের হেদায়াতের পথে চালিত করুন। কারণ তিনি যাকেই চান তাকেই হেদায়াতের পথে চালিত করেন' (আল-কুরআন ১০ : ২৫)।

Management : Islamic Perspective. Edited by Professor Dr. Muhammad Loqman, Publisher: Bangladesh Institute of Islamic Thought (BIIT), Published: 2008, ISBN: 984-70103-000-4, Page: 235, Price: 200.00 BDT, 20.00\$

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The book under review, edited by Professor Dr. Muhammad Loqman, contains eleven chapters that deals mostly with management and its different components including Islamic model of entrepreneurship, the creed of modern management, organizational leadership from Islamic perspective, need for managerial ethics in business, quality management and application of zero-tolerance, liquidity and fund management, Islamic management and its present applications in Islamic organizations. The book begins with the chapter entitled "Towards an Islamic Model of Entrepreneurship" in which Prof. A J M Nuruddin Chowdhury identifies the flaws of contemporary entrepreneurship that subordinates basic Islamic values, morals and ethics. These entrepreneurs use immoral strategies and evil and dishonest actions to exploit the social resources. In order to be able to up-hold the basic Islamic values, morals and ethics, the author advocated Islamic Model of Entrepreneurship. However, the author basically adopted the existing input-process-output-feedback model and advocated, among others, using and mobilizing inputs and resources incorporating Islamic ideas and thoughts, moral values and ethics. Prof. Dr. Muhammad Loqman and Mr. Md. Shawkat Imran in "Islamic Management: The Creed of Modern Management" focuses on the ideas, thoughts, philosophies, principles and structure of Islam which would be relevant and appropriate to modern Islamic management in general. The authors used the secondary sources of information, discussed the concept and conceptual approaches of management and describes the evolution of management. They talked about the development of universal ethical values of Islam in the field of management to shape the behavior of the entrepreneurs, institution and organizations.

Prof Dr. Syed Mohammad Ataher and Prof Farid Ahammad Sobhani wrote on "Organizational Leadership from Islamic Perspective". The objective of the study is to find out leadership style in Islam including organizational leadership, operational principles of managerial leadership, managerial grid theory, leadership continuum, team building and team spirit, and qualities of organizational leader from the Islamic perspective. The authors point out that the Western leadership aims for mundane gains only where as Islamic leadership capitalizes both mundane and divine efforts to seek Allah's satisfaction. Prof Dr. M Ataur Rahman discusses the ethics and morals in business enterprise, and describes the history and development of business ethics that has become an important subject of study in the modern day business. Business ethics is concerned with truth, justice, relationship of business goals and techniques, and impacts on the business organizations, community and society as a whole. They found that the poor and evil governance, loose and weak administration, corruptions, non-transparent and black money are the important factors hampering ethics to

be practiced in business enterprises. However, the Muslims are obligated to practice ethics as articulated in Islamic Shariah. The author suggested some measures on ethical development including formation of separate anticorruption commission, enhancement of wages for the staff, formation of public private partnership, integration of civil society, redefining and taking active roles and responsibility for social, business and political leaders.

Prof Dr. A B M Mahbulul Islam explained the concept of zero defects policy and highlighted the teachings of Islam with zero defects strategic vision, mission, goal, objectives, functional strategies and actions. Islam doesn't accept and tolerate any imperfection in the daily life of Muslims and all other affairs of the social and business management enterprise. The people engaged in management and any other business enterprises should practice Islam to develop behavior and characters that would help them to practice the inner essences and teachings of Islam. The author at the end recommended that the Muslim countries should be transformed to Islamic countries to practice good morals, values, principles and ethics.

M. Fariduddin Ahmed discusses the major aspects of liquidity and fund management of Islamic Banks (IB) and Islamic Financial Institutions (IFI). The author identified major problem as liquidity surplus, investment of fund on a short term basis, and statutory liquidity reserve in acceptable securities. IB and IFI are ethically not allowed to operate transaction to conventional Money Markets and Capital Markets, which are operated on the basis of interest, speculation, and gambling. Prof Dr. Md. Golam Mohiuddin compares the conventional Islamic management system and their application particularly Islamic application in Islamic organizations. He found that Islamic Shariah would be the principal guiding codes in the application of Islamic management followed by the economical development and social wellbeing. Prof Dr. Rokhsana Mili analyzes the Islamic concept and procedure of administrative accountability and highlighted the importance of it in a Islamic society. She described and analyzed conceptual framework, system and answerability of Islamic accountability. Islamic administrative accountability primarily aims (i) to promote what is good and to prevent what is improper and bad under the law and ethics; (ii) to protect mass people from autocratic actions and behavior of the Administrators in Islamic administration; (iii) to form an active Council of Shura to advise the Head of State of Islam, and to form Executive Department and Judiciary to make control over the executives.

Prof Dr. Md. Nazrul Islam and Mohammad Mizanur Rahman compare the traditional and Islamic style of management using secondary data. They made a pertinent observation that the people involved in management in an organization are engaged in formulating vision, mission, goal and objectives, grand strategies, etc. but in most cases they do not pay adequate attention to build moral values and fundamental principles of Islam. They conclude that adapting Islamic style of management will eliminate all sorts of corruptions from the organizations. Md. Shariful Haque and Md. Moazzam Hossain Khan examine the Islamic view points of advertising. They talk about promotional mix that contains advertising, sales promotion, public relations, personnel selling and direct marketing. Md. Monirul Islam and Md. Golam Rabiul Alam defined e-commerce as the use of electronic transaction mediums to

engage in the exchange including buying and selling of products and services; and put a question whether e-commerce would be acceptable in Islamic Shariah. The authors identified number of components of e-commerce, rules to be applied by the advertisers, and e-payments. They pointed out that the present e-commerce system is contaminated with usury system which is forbidden in Islam.

The book covers a wide range of issues. But the book is silent about how Islamic Management of Organizations could be made operational under such Muslim countries where secular system is practiced. It also fails to deal with the question of how and to what extent an Islamic Management of Organization establish liaison with the non-Islamic Secular Management of Organizations? It also overlooks the fact that interdependence among the Islamic Management of Organizations is another key to success for the production of goods and services with quality without facing any bottleneck is also being overlooked.

There are some scholars who suggest establishing a forum called, "Board of Islamic Shariah for Management of Islamic Organizations" of which all the Islamic Management of Organizations should be the member of the Board. The Board should undertake all steps to improve the Islamic credentials of all those engaged in various enterprises. The Board should leave no stone unturned to convert all the staffs to real assets of the organization with high level of Islamic morals and ethics and motivation for the organization.

Conference Reports

Islam and Higher Education

Aiming at addressing various issues relating to contemporary and future needs in Muslim higher education and to arrive at some of the solutions to the problems and challenges now confronting the global Muslim ummah, International Institute of Advanced Islamic Studies (IAIS) organized the Third International conference on Islam and higher education (ICIHE) which was held on 1-2 October 2012. The theme chosen for the 3rd ICIHE was “The Role of Awqaf (“Endowments”) in the Development of Islamic Higher Education: The Past, the Present and Future Prospects.”

The objectives of the 3rd ICIHE were to create a better awareness and understanding among Muslims on the general importance of the Islamic institution of awqaf to the development and progress of the ummah in various areas of societal life; to better understand the various facets of institutional interactions between awqaf and education in Muslim societies, both in the past and the present; to derive useful lessons from past practices of awqaf in higher education in various Muslim communities; to harness the great potentials of the awqaf institution to serve as assets to Muslim higher education in the 15th century AH/21st century CE; to formulate an ummatic approach to the development of the awqaf institution in the service of Muslim higher education; and to help strengthen the identity of the Muslim ummah through the empowerment of the awqaf institution.

The Sub-Themes of the 3rd ICHIE were: The meaning and significance of awqaf as a religious and socio-economic institution in Islam; The historical development of awqaf in relation to education; Important lessons to be learnt from past practices of awqaf in Muslim societies; Case studies and aspiring models of educational institutions founded on awqaf; Awqaf and contemporary Muslim higher education: problems and challenges; Transforming major mosques into Muslim institutions of higher learning; and The future role of awqaf in the development of Muslim higher education.

Participants and speakers were invited from all institutions of higher learning, public and private, Ministries of Higher Education, government agencies, non-governmental organizations and civil society groups from all over the world and more than 300 veteran educationists took part in 3rd ICHIE. This series of ICIHEs owes its origin and development to the close and steady collaboration between IAIS Malaysia, the Pahang State Foundation, and IKIP International College, which have worked hard to make this series a reality. Undoubtedly, however, it is the personal interest and commitment of Dato’ Seri Diraja (Dr.) Adnan Yaakob, the Menteri Besar of Pahang, who is also the Chairman, Pahang State

Foundation to the development of Muslim higher education among the ummah, and the generosity of the Foundation that have made this series possible.

The Conference started on Monday the 1st October 2012 at 8.00 am with the registration followed by session-1 under the theme: Awqaf and Education: Philosophical, Religious, and Socio-Economic Perspectives. Welcoming speech was given by Emeritus Professor Dato' Dr. Osman Bakar Chairman, 3rd ICIHE organizing committee. In the first session, three papers were presented and Professor Dr. Karim Douglas Crow, Principal Research Fellow, IAIS Malaysia moderated the session. Emeritus Professor Dato' Dr. Osman Bakar, (Chair/Professor, Sultan Omar Ali Saifuddien Centre for Islamic Studies (SOASCIS), University Brunei Darussalam, delivered a paper on "The Place and Role of Awqaf in the Development of Islamic Knowledge Culture: An Overview". Professor Dr Mohammad Hashim Kamali, Founding Chairman/CEO, IAIS Malaysia spoke on "Waqf in Shari'ah and Its Contemporary Applications". Finally, Tan Sri Muhammad Ali Hashim, President, Malaysian Islamic Chamber of Commerce. He spoke on "Corporate Waqf and Its Relevance to Higher Education Institution in the 21st Century".

The opening ceremony of the Conference took place at 11.00 am where YAB Dato' Seri DiRaja (Dr.) Haji Adnan Bin Haji Yaakob, Menteri Besar (Chief Minister) of Pahang delivered the key note speech and declared the opening of the Conference officially. An MOU Signing Ceremony between Pahang State Foundation, IKIP International College and International Islamic University of Malaysia (IIUM) and Balkan's Students Scholarship Certificate Giving Ceremony were added in the opening ceremony.

The second session of the Conference began under the theme: Awqaf and Higher Education: The Historical Dimension and the Ottoman Legacy. Mr Abdul Karim Abdullah (Canada), Assistant Research Fellow, IAIS Malaysia moderated the session and three papers were presented respectively by Dr. Ahmad Nabil Amir on "The History of Waqf Institution in the Muslim World: A Case Study of Al-Azhar University, Cairo", Professor Dr. Muammer Koc on "Awqaf in the Universities in Turkey: Past, Present, and Future" and Professor Dr. Mesut Idriz spoke on "Ottoman Waqf Educational System in the Balkans in the Light of the Ijazahs".

The third session was moderated by Dr. Mohammed Farid Ali, and it was under the theme: Awqaf and Islamic Higher Education in the Arab World. The first speaker of the session was Professor Dr. Sultan T. Abu-Orabi ("Awqaf and Higher Education in the Arab World"), Dr. Sami Al-Salahat ("The Role of Awqaf in the Development of Islamic Higher Education: The United Arab Emirates (UAE) as Model"), and the final speaker, Professor Dr. Abdel Naser Mousa Abulel Basal ("Educational Endowment in Jordan").

The fourth and the last session of the day was moderated by Dr. Daud Batchelor of Australia, and it was under the theme: Awqaf and Education in the Indian Sub-Continent. Dr. Abdul-Qayum Mohmand presented on "The Influence of Waqf on the Higher Education of Afghanistan", Mr. M. Azizul Huq, President of BIIT presented a joint paper with Foyasal Khan, Research Associate, BIIT on "Awqaf and Development of Madrasa Education in

Bangladesh: Problems, Challenges, and Future Prospects” and the last speaker of the day Mr. Mohammed Basheer presented his paper on “Empowerment of Muslim Education: The Role of Waqf Properties, an Indian Perspective.”

On Tuesday, October 2, 2012, the fifth session began at 8.30 am and was moderated by Ms. Sheila Aion Yussof, Senior Analyst, IAIS Malaysia. It was themed: Awqaf and Education in Muslim Africa. There were three presenters in this session. Dr. Aliyu Dahiru Muhammad (“Revitalizing *Waqf* in Northern Nigeria: An Agenda for Poverty Reduction”), Moulana Ihsaan Hendriks with Shaykh Moegamat Ighsaan Taliip presented a paper titled “The Potential for Waqf Development Based on a Sound Legacy of Awqaf in Cape Town, South Africa” and Dr. Suleiman M. H. Boayo talked on “Endowment Funds for Education in Ghana: Problems and Challenges” as the last presenter of the session.

The longest session of the Conference comprising 6 presenters stated at 10.15 am under the theme: Waqf and Higher Education in the Malay-Muslim World. The session was moderated by Mr Airul Amri Amran. This session began with a paper on “Muhammadiyah and Its Socio-Religious-Educational Network”. This presentation was made by Dr Ahmad Syafii Maarif, Founding Chairman, Maarif Institute for Culture and Humanity, Indonesia. This was followed by a joint paper “Early Propagation of Waqf and Its Impact on Educational Development of Society” (by Abu Hanifah Haris and Professor Dato’ Dr. Muhammad Redzuan Othman). Dato’ Syed Mohd Ghazali Wafa bin Syed Adwam Wafa spoke on “Development of Waqfs in Institutions of Higher Learning”. Subsequently, Mr Azri Ahmad, CEO, Waqaf Foundation Malaysia talked about “Education Development through Waqf”. The last two speakers were Dr. Hajah Norhazlin Pg Haji Muhammad and Professor Dr. Mohamed Azam Mohamed Adil. The presented papers respectively on “Waqf and Education in Brunei Darussalam” and on “Transformation of Education for the Malays in Malaysia through the Instrument of Waqf: UiTM’s Perspective”.

The seventh session commenced at 1.30 pm and was moderated by Professor Dato’ Dr. Abdul Monir Hj Yaakob under the theme: The Future of Waqf: Problems, Challenges, and Prospects. Of the two papers, the first one was presented by Dato’ Seri Idris Jusoh, Chairman of MARA and former Menteri Besar of Trengganu, Malaysia on “Awqaf in the 21st Century: Beyond Education and Towards the Empowerment of Global Humanity”. The final paper was delivered by Dato’ (Dr.) Hamzah Mohd Kassim, President, Institute of Linggi, Malaysia on “Challenges on the Legal Issues of Waqf”.

In the closing session of the Conference, a paper and a report was presented. The paper on “Leadership Deficit and the Future of Executive Education and Leadership Development in the Muslim World” was read on behalf of Dr. Mohamed Moustafa Mahmoud (Dr. 3M), Advisor, Minister of Labor, Saudi Arabia and CEO, Medina Institute for Leadership and Entrepreneurship (MILE), Medina, Saudi Arabia. Emeritus Professor Dato’ Dr. Osman Bakar, Chairman, 3rd ICIHE Organizing Committee presented the Conference Report and officially closed the Conference. The members were informed that the 4th ICHIE will be held

in Medina, Saudi Arabia. The Conference ended with a guided tour of DRB-Hicom Automotive Complex and International College of Automotive (ICAM) in Pekan, Pahang.

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Designing Curriculum and Writing Text Books from Islamic Perspective

Bangladesh Institute of Islamic Thought (BIIT), International Institute of Islamic Thought (IIIT) East Asia, and Kulliyah of Economics and Management Sciences of International Islamic University Malaysia (KENMS, IIUM) jointly organized the 5-days workshop on Curriculum Design and Writing Textbooks from Islamic Perspective with special reference to Economics and Business Studies (WCDTB 2012) from Friday, 29th June to Tuesday, 3rd July 2012 at International Institute of Islamic Thought and Civilization (ISTAC) campus and Ibnu Taymiyyah Conference Room, KENMS, IIUM.

The organizers introduced the Bangladesh Institute of Islamic Thought (BIIT) as a think-tank which is engaged in research and in-depth studies for synthesizing education, culture & ethics. It was established in the year 1989 as a non-governmental research organization and it is one of the chapters of International Institute of Islamic Thought (IIIT) - an independent organization devoid of local politics, party orientations and ideological bias - which was established in 1981/1401 AH.

The BIIT has been conducting a project in collaboration with IIIT on 'Curriculum Design and Writing Textbooks from Islamic perspective' for the last 2 years. The project aims at publishing about 40 textbooks in various academic disciplines. This project has attracted a good number of academics from various disciplines and they have attended many workshops and training sessions. There have been extensive discussion among these scholars and a consensus emerged emphasizing the need to redesign existing curriculum in various educational institutions and writing textbooks from Islamic perspective. This requires training those who would undertake the difficult task of writing as well as the reference materials to bank upon. Since, IIUM has the required Islamic resource persons as well as reference materials, it was decided to organize the workshop at IIUM.

The workshop was attended by 23 academics comprising 8 professors, 3 associate professors, 7 assistant professors and 5 lecturers from 4 major public universities and 7 top ranking private universities in Bangladesh. They were received at the airport by IIIT East Asia and arranged local transportation to transport them to the International Institute of Islamic Thought and Civilization (ISTAC) which was the workshop venue for the first 2 days.

The participants came with their proposal for various books. The outlines/contents of 12 manuscripts were reviewed, commented upon, and upgraded by the experts under the five broad areas in the faculty of economics and business studies namely Accounting, Economics, Finance, Management, and Marketing. The titles of courses/books are: 1. Financial Accounting; 2. Auditing; 3. Principles and Practices of Income Tax; 4. Principles of Microeconomics; 5. Principles of Macroeconomics; 6. Comparative Financial System; 7. Fundamentals of Finance; 8. Financial Markets and Institutions; 9. Investment and Portfolio Management; 10. Total Quality Management; 11. Human Resource Management; and 12. Principles of Marketing.

Emeritus Prof. Datuk Dr. Osman Bakar, Director, IIIT East Asia, YBhg. Tan Sri Prof. Dr. Kamal Hassan, Distinguished Professor and Former Rector, IIUM, Shahrani Kasim and Shabrimi Sidek Coordinator of IIIT East Asia, Muhammad Abdul Aziz, Executive Director, BIIT, Prof Dr. Abdullah Al Ahsan, Deputy Dean (Academic Affairs) of ISTAC and Professor Dr. Mohamed Aslam Haneef, Director, Islamic Economics Policy Research Center (IEPRC), IIUM were present at the inaugural session of the workshop on 29 June 2012.

Professor Bakar praised BIIT for taking this bold step for speeding up the Islamization process and declared BIIT to be one of the most active chapters of IIIT. He wished its continuous success and announced the opening of the workshop. At the first session, Professor Dr. Kamal Hassan spoke on The Islamization of Human Knowledge (IOHK) agenda and its rationale which is to develop integrated reference materials. In the second session, Professor Dr. Rosnani Bt Hashim of the Institute of Education at IIUM delivered her talk on “Islamization of Knowledge and Challenges in Designing Curriculum”. At the third and the final session of day 1, Professor of Economics at IIUM Dr. Mohamed Aslam Haneef lectured on “Islamization of Knowledge and Curriculum Reform: The KENMS Experience”.

The session on the second day was devoted to specific areas that needed special attention. Thus, the Deputy Dean (Academic Affairs) of KENMS, IIUM Professor Dr. Fatima Abdul Hamid spoke on “Redesigning Course Outlines: An Overview of the KENMS Experience”. Professor Dr. Abdul Rashid Moten of Political Science, IIUM, delivered his lecture on “Writing Textbooks from Islamic Perspective: Approaches and Challenges”.

Day-3 was packed full with reviewing manuscripts of textbooks and area-wise discussion. The whole day was consumed on highlighting the selected Issues and their incorporation into the textbooks and challenges. Four broad areas, namely Finance, Economics, Accounting, and Business were led by Prof. Dr. Ahamed Kameel Mydin Meera,

Prof. Dr. Mohamed Aslam Haneef, Prof. Dr. Abdul Rahim Abdul Rahman, and Prof. Dr. Khaliq Ahmad respectively.

Day-4 was allotted totally for the more precise discussion on the 12 manuscripts of the books. At least one resource person was assigned for each books/ course. Assigned resource persons were: Prof. Emeritus Mohamed Sulaiman, Prof. Dr. Khaliq Ahmad, Prof. Dr. Abdul Rahim Abdul Rahman, Prof. Dr. Sayyid Tahir, Prof. Dr. Ruzita Mohd Amin, Prof. Dr. Rafikul Islam, Assoc. Prof. Dr. Dzuljastri Abdul Razak, Assoc. Prof. Dr. Siti Normala Binti Sheikh Obid, Assistant Prof. Dr. Mustafa Omar Mohammed, Assistant Professor Nor Azizan Binti Che Embi, and Academic Fellow Asrul Dahari.

Finally, the honorable Deputy Rector of IIUM Professor Dr. Abdul Aziz Berghout addressed on “Islamizing the Islamizers” at the concluding session and the certificate giving ceremony in the last day of the workshop where M Azizul Haq, president of BIIT was present as chair. The workshop ended with a dinner talk by Dr. Md. Mahmudul Hasan, Assistant Professor of IIUM.

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Books

Moten, A.R. *Political Science: An Islamic Perspective* (London: Macmillan Publishing Company, 1996), 72.

Al-Faruqi, I. R. & al-Faruqi, L. L. *The Cultural Atlas of Islam* (New York: Macmillan Publishing Company, 1986), 32-37.

Chapter in a Book

Alias, A. "Human Nature" in N. M. Noor (Ed.), *Psychology from an Islamic Perspective: A Guide to Teaching and Learning* (pp. 79-117) (Kuala Lumpur: IIUM Press, 2009), 72.

Iqbal, Justice Javid. "The Concept of State in Islam" in Mumtaz Ahmad (Ed), *State and Politics in Islam* (pp. 37-50), (Washington: American Trust Publication, 1986), p. 42.

Journal Article

Ahsan, Abdullah. "Pakistan since Independence: An Historical Analysis," *The Muslim World* 93, no. 3&4 (2003): 357.

Nancy M. Somerick, "A Strategy for Protecting the Integrity of an Internship Program," *Public Relations Quarterly* 46, no. 3 (2001) : 40-43.

First and subsequent notes for a source

For subsequent references to a source already cited, simply give the author's last name, a short form of the title, and the page or pages cited

Moten, *Political Science*, 27.

In case of two consecutive notes from the same source, use "Ibid" and the page number
Ibid., 147.

The Qur'ān

Qur'an 18:1-3.

Ḥadīth

Al-Bukhārī, Muhammad ibn Ismā'īl, *Ṣaḥīḥ al-Bukhārī* (Beirut: Dār al-Fikr, 1981).

The Bible

Matthew 12: 31-32

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