



FOCUS: Return to Simplicity in the Teaching and Practice of Islam

By Mohammad Hashim Kamali

There is a concern that teachers and *imams* in *madrassas* and Islamic centres of learning have departed from the Prophet's normative simplicity and example and it is time therefore for a return to his precedent. Our *fiqh* books became burdened with lengthy details as time went by and continued to swell further and further the rituals of worship with pillars and conditions, *fard* and *wajib* therein, recommendable and sunna, reprehensible and nullifier and their sub-categories until the talk only of cleanliness (*taharah*) which is one of the preliminaries of prayer (*salat*) filled hundreds of pages, often forgetting that the common worshippers are in no need of the bulky details that were not required. (contd. p. 3)

Shariah Governance in Indonesia: Practices and Issues

By Mohammad Mahbubi Ali

The Shariah Supervisory Board (SSB) is the central organ for shariah governance structures in Islamic financial institutions (IFIs). Different countries and jurisdictions have adopted different governance structures, and can be broadly classified into three major models. (contd. p. 6)

The Republic of Maldives Leads in the Pandemic Era Islamic Well-Being Index 3.0 for 2022

By Daud AbdulFattah Batchelor

Two Muslim countries facing existential threats have done very well in the new Islamic Well-Being rankings for Muslim countries (IWI 3.0-2022). As the Maldives is the 2022 leader in Islamic Well-Being, one may expect it to be a virtual paradise on Earth. However, the sea that provides its allure, also causes great unease as sustained sea-level rise from global warming threatens to overwhelm the island nation within 60 years. The faith of Maldives' Muslims however, is high, may God Almighty protect their future. The Maldives was newly included, together with Libya, among 33 Muslim majority countries for which data on religiosity (*Din*) is available from World Values Surveys to allow the full Index to be calculated. (contd. p. 9)



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اللَّهُمَّ أَنْتَ السَّلَامُ وَمِنْكَ السَّلَامُ وَإِلَيْكَ يَعُودُ السَّلَامُ فَجِئْنَا رَبَّنَا بِالسَّلَامِ
وَأَدْخَلْنَا الْجَنَّةَ دَارَ السَّلَامِ تَبَارَكْتَ رَبَّنَا وَتَعَالَيْتَ يَا ذَا الْجَلَالِ وَالْإِكْرَامِ

O ALLAH, YOU are Peace, YOU are the source of Peace, Peace belongs to YOU. So O LORD! Help us live in peace, and admit us into Paradise the Abode of Peace. Blessed and Exalted are YOU our LORD, Possessor of Majesty and Honour.

(Bidayah al-Hidayah, Imam Al-Ghazali)

EDITORIAL



Professor Dato' Dr
Mohammad Hashim Kamali

Warm greetings and welcome to the 68th issue of the IAIS Bulletin for May and June 2022. As the global community transitions into the endemic phases of COVID-19, attention now shifts towards post-pandemic recovery and resilience in the economy, public health, and environment, among others. This bulletin issue also carries several topical essays related to this path of recovery, as well as other subjects of interest related to Islam.

The first entry is my focus article, in which I advocate for a return to simplicity in Islamic teachings, particularly when it comes to ritual worship. While specialists are trained to delve into the intricate and lengthy discussions of *fiqh*, lay Muslims should not be burdened with what should have been simple and straightforward. This is consistent with the basic Islamic principle of “bringing ease and avoiding hardship” to the people.

Next, IAIS Associate Fellow (AF) Mahbubi Ali’s article compares three different structures for shariah governance in Indonesian Islamic Finance Institutions (IFIs), and IAIS Research Fellow (RF) Shahino Mah Abdullah proposes several sustainable strategies for mitigating flashfloods in Malaysia that will provide long-term benefits and further enhance environmental resilience. Fourth, IAIS Analyst Muhamad Sayuti Mansor distinguishes between Islamic and Western logic concerning the public and private spheres, arguing that the former prioritises morality above all else. Fifth, IAIS Research Fellow, Nurul Ain Norman addresses the perennial issue of reason versus revelation, arguing against the widely held belief that the two are incompatible. Next, IAIS Multimedia Executive Ahlis Fatoni discusses industrial agriculture, a type of intensive production that unreservedly uses harmful antibiotics in livestock, genetically engineered crops, extensive use of pesticides, and environmental pollution, and thus contradicts the natural unadulterated Islamic concept of *al-filaha*. Finally, IAIS Adjunct Fellow Dr Daud Batchelor’s article analyses the 2013 Islamic Well-Being Index of Muslim Majority Countries. Based on Imam Abu Hamid al-Ghazali’s conception of *maqasid al-shariah*, this index offers insights and practical advice for developing nations.

We also present two Event Reports. IAIS Analyst Muhamad Sayuti Mansor reports on “Death Penalty in Malaysia” (3 June) and IAIS AF Mohammad Mahbubi Ali on the annual “IAIS Research Camp for Academic and Policy Research” (29-30 June). Both events were organised by the Institute.

This Bulletin also carries a selection of Humour without Malice, Quotable Quotes, and Hikmah—all contributed by myself. It remains for me to thank warmly all our contributors and my colleagues who helped with the production of this Bulletin.

Professor Dato' Dr Mohammad Hashim Kamali
Chief Editor

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Return to Simplicity in the Teaching and Practice of Islam

By Mohammad Hashim Kamali

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It may be okay for a learned specialist to study the *‘ibadat* in fuller details for himself but a mistake to teach them so to others and expect them to practice. God says in the Qur’an “The Messenger of God is indeed endowed in beautiful conduct and example for the believers” (al-Ahzab, 33:21). It is reported that Bedouins would come to the Prophet and ask him for guidance how to pray to which the Prophet would simply reply “Pray the way you see me praying.” This manner of simplicity in the teaching of *‘ibadat* was also followed by the Companions. When they read, for instance, the Qur’anic instruction about the *wudu’* to “wash your faces” (al-Ma’idah 5:6) they did not engage in a lecture on the definition of washing and the differences between washing and wiping, nor in defining the area of the face, for everyone knew what was washing and what was face.

How can a Muslim’s heart and mind be attracted to the *fiqh* books the mosque imams are using that the *salat* has eighteen pillars (*arkan*) beginning with the *niyyah*, and then *takbir* that also has fifteen conditions that if anyone is missed out or mistaken the prayer is vitiated! The Prophet and his Companions favoured simplicity and ease. This was in line with the Qur’anic guidance to the Prophet to tell the people that “I am not a hardship seeker-*mutakallif*.” (Saad, 38:86). The Companion Anas b. Malik reported that “I heard [the caliph] Umar, may God be pleased with him, saying that “we are prohibited from imposing complexity and hardship-*takalluf*.” (quoted in al-Qaradawi, *al-‘Ibadah fi’l-Islam*, 322)

In his *Kitab al-Muwafaqat*, Ibrahim al-Shatibi (d. 790/1388) has stated that one who teaches people the religion and shariah must speak in their language and avoid engaging in complex philosophical details. God says in the Qur’an that “religion is not meant to inflict hardship.” (al-Hajj, 22:78) This was, al-Shatibi added, how the Companions and leading imams of *fiqh* communicated with the people. Hence it is more than a mere option but strongly recommended. Al-Qaradawi comments that this is a leading verse that outlaws all hardship (*haraj*). Hence every genuine *haraj*

we encounter is not a part of Islam but of the making of misguided interpreters who opt for complexity and hardship.

When the Prophet, pbuh, was sending two of his prominent Companions, Abu Musa al-Ash’ari and Mu’adh b. Jabl as judges to the Yemen, he advised them to “Bring ease (*yassiraa*) and avoid hardship; give good news and do not repel; and seek harmony not disagreement.” Al-Qaradawi quotes this and adds that *tayseer* (bringing ease) here applies to the teaching, speech, action and performance, indeed to all aspects of Islam. We now live at an age that people lead busy lives and have no time for lengthy engagements, just as rampant materialism and secularity have created all kinds of temptations for the people, especially the youth, against religion. It is imperative therefore for Muslim teachers and thought leaders to take *tayseer* seriously and communicate with people in easy ways and in tune with their living conditions.

Hardship is also a psychological and often self-inflicted inclination of some well-meaning teachers and men of religion due to unwarranted worry and hesitation (*al-waswasah*) to the extent that it becomes a self-inflicted disease. The leading imams were averse to hardship in religion. Ibn Qudamah al-Hanbali (d. 620/1223) thus authored a treatise “*On Renunciation of Worrymongers and Devilish Insinuation – Fi Dhamm al-Musawwisin wa’t-Tabdhir min al-Waswasah*” where he wrote that “the (extremist) group of devilish worrymongers are obeying the satan so much so that they declare themselves as the ‘advocates of doubt’. They have moved further away from the sunnah of the Prophet in the casting and practice of doubt. They deny existential reality and facts established by the five senses, and run into philosophical disputation over them (probably referring to *Shakkakiyyun* – the proponents of doubt saying that our senses only perceive what is no more than doubtful reflections of reality, and that everything must start with doubt). These devilish insinulators, Ibn Qudamah added, doubt even their own intention and *niyyah* that they know as facts. This is the way of the satan and has nothing to do with Islam. These

devilish netpickers would typically make difficult what the shariah made easy. The Prophet would denounce and isolate such persons when he knew them. Caliph Umar would punish them and so would the Companions who would dislike and isolate them.

Imam Malik (d. 179/795) went on record to say that anyone may take or abandon his word unless it reiterates the clear terms of hadith. Imam Shafi'i (d. 205/820) has similarly said: "My view may be right or it may be mistaken. Someone else's view may also be correct and preferable to mine or it may be not. He also said: when a hadith is known to be authentic, throw it to the wall if I have said something different. Imam Abu Hanifah (d. 150/767) has reportedly said: when there is a hadith from the Prophet or from his Companions over a matter, "I will wholeheartedly follow, but when it comes to the Successors, they were men and so are we." Imam Ibn Hanbal (d. 255/869) has also said: I surmise at people who have known the correct chain of transmission (*isnad*) of a hadith to be credible, yet they would go to Abu Sufyan (who was one of the *mughfilin* that often neglected hadith of the Prophet.) Having quoted this, al-Qaradawi then asks: why do we then ask the people to do what God has not asked them and tell them that they must follow a particular *madhhab* and *imam* in all religious matters, and that it is impermissible for them to follow anyone else. This is precisely the kind of hardship and *haraj* that God has not made a part of Islam. It is therefore imperative on the *ulama* to make things easy for the people and not otherwise.

Instances of *tayseer* in the works of some leading *madhhabs*:

- Water is clean unless impurity changes its colour and taste. A slight impurity does not make water dirty. This is the view of the majority, the *Ahl al-Hadith* and that of the people of Medina, Imam Malik, Ibn Hanbal, the Zahiri school, Sa'eed ibn al-Musayyib, al-Awza'i, Sufyan al-Thawri, Ibn Taymiyyah, Ibn al-Qayyim and many others.
- Imam Ahmad b. Hanbal reported from Abi Sa'id al-Khudari to have asked the Prophet: O Messenger of God: can we use for *wudu'* the water well of *Bida'ah*, wherein dog's flesh, menstrual blood and other dirt has fallen, and he replied: "Water is clean and nothing makes it dirty." Imam Ahmad b. Hanbal and al-Tirmidhi have said that it is a sound (*hasan*) hadith. Ibn Majah has reported from Abi Umamah that it is an elevated (*marfu'*) hadith. Hence water does not become dirty unless its colour, smell, and

taste have changed. Even though this addition is not supported by the chain of transmission of this hadith the majority has agreed on it.

Imam Abu Hamid al-Ghazali (d. 505/1111) has commented that water, even if a small amount, is not made dirty without a change of colour and taste mainly because the people will otherwise be put in hardship.

- The urine and excrement of a halal animal is also clean. This is the view of Imam Malik but Imam Shafi'i has regarded them unclean. Yet Imam Malik's position is preferable and responsive to people's needs. Imam Ahmad b Hanbal, and Ibn Qayyim al-Jawziyyah (d. 751/1350) held that there is no evidence to require washing of clothes nor of human body contaminated by even the dirt of donkey, mule and predatory animals.
- Imam Shafi'i has held that touching a woman, even one's wife, breaks one's ablution (*wudu'*) based on the verse "or when you touch the women - '*aw lamastum al-nisa'*" (al-Ma'idah, 5:6), but since this causes hardship, the Hanafi position and that of Ibn 'Abbas is preferred to the effect that touching here only refers to sexual intercourse.
- Prayer in unclean clothes due to forgetfulness: An example of *tayseer* that some strictly pious felt less than comfortable about but which is widely accepted by numerous figures among the Companions and Successors is that one who prays in unclean clothes or body one knew about but forgets, his prayer is valid and need not be repeated.
- Enema does not vitiate the fast, as is also the case with the use of lotions, eye and ear drops, gargle and washing ones nose even if water reaches the throat or putting antimony in one's eyes, perfume or hena at night or daytime - for these are not included in eating and drinking. Even Ibn Hazm al-Zahiri accepted these to be within the meaning of the verse "God intends for you ease and does not intend hardship (al-Baqarah, 2:185). Muslims are only prohibited from eating, drinking and sex during Ramadan.

Ibn Taymiyyah has also said that medication for head or bodily injury that reaches the stomach does not break one's fast as there is no instruction in the hadith whatsoever on them and therefore remain forgiven. He added that one who eats at *subur* time by mistake even after the daybreak, his fast is valid.



By Mohammad Mahbubi Ali

Shariah Governance in Indonesia: Practices and Issues

The first model is the decentralised shariah governance structure in which no central shariah council is established at the national level. This structure only requires the formation of an SSB or shariah committee at the respective IFIs. Countries like Singapore, the United Kingdom and Turkey have all adopted this model.

The second model is a centralised shariah governance structure, which only requires the establishment of a central shariah authority for Islamic financial products and services without a dedicated SSB at the institutional level. The Kingdom of Morocco, for example, regards the Higher Council of Ulama as the sole entity with full authority to issue fatwas on various shariah issues. A specialised committee comprising nine members and one coordinator is formed under the country's Higher Council of Ulama to deal with Islamic finance issues.

The two-tier shariah governance structure is the third model, which necessitates a central shariah council at the national level and a shariah committee at the institutional level. Malaysia, Brunei, Pakistan, UAE and Bahrain are among the countries that have adopted this structure.

Different legal frameworks, varying levels of shariah expertise, and the unique needs of the respective countries frequently cause differences in shariah governance structures between countries and jurisdictions.

Indonesia adopts the two-tiered shariah governance structure. At the national level, the National Shariah Board (Dewan Syariah Nasional (DSN)), appointed by the Indonesian Ulama Council (Majelis Ulama Indonesia), serves as the highest shariah authority for any matters related to shariah compliance for IFIs in the country. The board is charged with issuing *fatwas* on Islamic financial products and services, as well as supervising the SSB's implementation of *fatwas* at their respective IFIs. It also has the authority to recommend the appointment and termination of SSB members in IFIs.

At the institutional level, each IFI establishes an SSB with at least two members to ensure full compliance with shariah principles and *fatwas* issued by Indonesia's national shariah board. They must also conduct regular reviews and provide shariah opinions and reports concerning shariah compliance and its supervision.

A member of the SSB is appointed by the shareholders of the respective IFIs at the Annual General Meeting (AGM), with the approval from Indonesia's Financial

Services Authority (FSA) and a recommendation from the national shariah council. An appointed member of a shariah supervisory board in one IFI may also serve on the boards of four other IFIs.

Despite sharing a similar structure with some jurisdictions, Indonesia's shariah governance practices differ from the majority of jurisdictions in the following ways:

- First, the National Shariah Board (Dewan Syariah Nasional (DSN)) is appointed by the Indonesian Ulama Council (Majelis Ulama Indonesia (MUI)), which is an independent non-government authority. In contrast to other countries, the central shariah board is usually appointed by a sovereign authority or a central bank.
- Second, a member of the National Sharia Board may also serve on an SSB. Other countries, such as Malaysia and Brunei, restrict such practice.
- Third, the Indonesian SSB should have at least two members. International best practices such as the Accounting and Auditing Organisation for Islamic Financial Institutions (AAOIFI) and Islamic Financial Services Board (IFSB), on the other hand, require at least three members for the SSB, whereas Malaysia requires at least five members in an IFI.
- Fourth, an SSB member could not serve in more than five IFIs. Malaysia, on the other hand, restricts to a maximum of three SSB memberships in any given period. Multiple memberships are not restricted in some countries.
- Fifth, the SSB is required to conduct shariah reviews on a regular basis. Thus, the shariah review and shariah audit functions in Indonesia, to some extent, are entrusted and performed by the SSB.

Based on the foregoing, the shariah governance practices in Indonesian IFIs have raised some concerns, particularly on the issue of multiple memberships of SSBs due to a lack of a shariah scholar pool with the necessary shariah and finance qualifications. Furthermore, the SSB's role in IFIs is not supported by proper and adequate shariah-compliant functions. Finally, the country lacks a dedicated shariah governance framework. While the republic has issued a number of regulations outlining various aspects of shariah governance, they are dispersed across various legislations, acts, guidelines, and circulars.



By Shahino Mah Abdullah

Sustainable Development in Addressing Flood Disaster in Malaysia During Post-pandemic Recovery

While we are still fighting COVID-19 in its transition to the endemic phase, Malaysia was once again hit by flash floods, especially in major cities such as Kuala Lumpur and Shah Alam. This was very shocking to many because such an incident of this scale has not occurred since decades ago. The rain only took a few hours before flood waters rose rapidly. Due to a lack of preparation, many residents were trapped by the flood and had to bear huge losses.

The flood disaster has made post-pandemic economic recovery increasingly challenging. The government had previously channelled a series of financial assistance to people affected by the pandemic in order to ease their burden and ensure their survival. Focus was also given to sustainable recovery that takes into account the preservation of the environment in the long term. However, recurring floods in urban areas cause additional complications for both the people and the government.

The probability of flash floods happening again is high because Malaysia is among the countries that receive the highest rainfall every year. The risk of floods affects the country's post-pandemic recovery process, especially measures that include environmentally friendly economic improvements. While meeting the housing demands of Malaysians is a necessity, development should not neglect the preservation of the environment and threaten the safety of the people. The careless and selfish attitude in making a profit from unsustainable development should be avoided to prevent future floods.

Islam, for example, teaches Muslims not to harm the environment because it will negatively affect not only nature but also human beings. And thus, humans need to immediately make things right. As mentioned in the Qur'an (Surah ar-Rum, 30:41), "Corruption has appeared throughout the land and sea by [reason of] what the hands of people have earned so He [i.e., Allah] may let them taste part of [the consequence of] what they have done that perhaps they will return [to righteousness]".

With the series of floods occurring over the years, we should already know what needs to be done to fix existing weaknesses. For example, floods can be expected to occur in some areas and preparations can be made to save important belongings and move to safer places. With data and information from the department in charge, necessary aids such as food supplies, clothing, and transportation can be deployed directly to affected areas for a faster aid response.

The next step is to overhaul the old flood control system and provide regular supervisory routines. Additional power generation systems need to be provided at the sluice gate to ensure it can operate when required. If the gate cannot be operated manually due to a power outage, other alternatives need to be considered so that flood water can be released and prevented from overflowing into populated areas. In addition, the construction of a new groundwater reservoir, apart from the SMART tunnel, may need to be considered. This is because existing reservoir ponds and water pumps are no longer able to withstand heavy rainwater.

Next, the federal and state governments need to outline a more sustainable development framework for the future. Consensus and transparency of all parties in this regard will ensure the well-being of the people. Rapid development in certain areas, despite its strategic location for economic activities, needs to be reviewed. Without proper planning, concrete constructions and paved roads prevent the natural absorption of water into the soil and its flow into drains and rivers. Developmental projects that take into account good drainage systems and provide more green space are strongly encouraged.

Not to be missed is the problem of clogging every time a flood disaster hits urban areas. Recently, in Jalan Kuchai Lama and Jalan Maarof, Kuala Lumpur, we have witnessed piles of rubbish accumulated during and after the floods. This may be due to individuals and groups of people who take the cleanliness of the urban area where they live lightly. This irresponsible attitude has not only brought bad consequences to the perpetrators, but also to the innocent public. This is contrary to the teachings of Islam which require every human being to be responsible for their every action. This is emphasised in the Qur'an (Surah al-Baqarah, 2: 286), which reads, "Allah does not obligate anyone beyond his capacity. For him is what he has earned, and on him what he has incurred."

Therefore, in our efforts to face and deal with any problems and calamities, we should start by carrying out our own responsibilities even if it seems very small. Small mistakes can cause big problems, just as small good deeds can benefit oneself and others. Sustainable development that takes into account human well-being and the environment should be a priority from the very beginning. It is not too late to implement sustainable development initiatives now because they not only solve flood disasters but also help us in the sustainable recovery process in the endemic phase.



By Muhamad Sayuti Mansor

Rethinking Public and Private Spheres in Islamic Law

The demarcation between what is public and private, and what is legal and moral have always triggered heated polemics, especially in Islamic law. At the heart of this issue is the problematics of determining the exact relationships between state, individuals and Islamic law in both the public and private spheres. Thus, issues such as the role of the Islamic state in enforcing the morality of its citizens become thorny issues to modern Western minds. As a result, Islamic law is criticized that it does not respect the public-private sphere distinction and gives leeway to state authoritarianism at the expense of the protection of the private sphere and the individual freedom of its citizens.

But to say so does not do justice to Islamic law, as it does not take into account the latter's own logic in delineating the public and private spheres. The usual arguments put forward in renouncing the role of an Islamic state in upholding the Muslim morality rely mainly on the Western logic of the law, especially the individual freedom and the 'harm principle' in which the only legitimate cause for the state to intrude into private life is to 'prevent harm to other'. Consequently, the perimeter of the private sphere in the West is widened as there exists a variety of inherently private act of concern to the individual and it not the business of the state to interfere with, even if they are morally wrong and took place in the public space.

However, this is not the case in Islamic law. First and foremost, the underlying logic and spirit of Islamic law is the primacy of morality. Islamic law tends to intervene in matters of concern to private and public life both, just as it also regulates morality. Hence, all individual acts, whether done publicly or privately cannot totally escape the shariah categorisation of values under *al-hukm al-shar'i*. The language of Islamic law also focus on the communal obligations with regard to the freedom and individuality of persons. The state authority, empowered by the shariah-oriented public policy (*siyasa shar'iyyah*) follows this same logic, in which the state is expected to safeguard these religious rulings, albeit not the sole authority to do so.

For that reason, the notion that religion belongs only to the private sphere that came to dominate the West could not be applied to its Muslim counterpart. Islam is ever-present in the public sphere as in the private. Thus, the equivalent term to the public rights in Islam, "*huquq Allah*" (the rights of God) includes pure religious matters, such as prayer, fasting and the hajj as well as law-proper. One of the most important objectives (*maqasid*) of the shariah is the

preservation of religion (*hifz al-din*). Evidence is abundant in classical treatises on *siyasa shar'iyyah* showing that purely religious duties such as upholding public prayers and the punishment of the moral offences were among the main responsibilities of the government, alongside other public duties such as taxation and keeping peace and security.

While in the private sphere, the sanctity of private space particularly at home is dominant in Islamic law. Many Quranic verses and prophetic traditions testify to this principle especially with regard to the prohibition on spying (*tajassus*), exposing others' privacy (*tatabbu' al-awrat*) and acting merely on suspicion (*zann*). Thus, any moral wrongdoings that took place inside the private space of the individuals are not the concern of the state as long as it does not transgress the public or harm others. In this case, the public was encouraged to conceal (*al-satr*) these wrongdoings and rebuke them privately instead of raising the matters to the public authorities.

Despite that, the moralistic force of Islamic law still reigns supreme. The private sphere is not the absolute right and privilege of the individual to do as he pleases. In fact, he himself is confined to moral obligations. Thus, it is forbidden for the wrongdoers to openly display their private wrongdoings (*mujaharah*). Failure to do so, or if a private wrong is openly committed in the public, the sanctity of individual privacy will be void and the authorities are required to intrude, stopping the wrongdoing and punishing the offender accordingly. Therefore, to say that there is no such thing as inherently private acts let alone private wrongdoing in the public sphere in the Islamic law is only to state the obvious.

To conclude, Islamic law has its own logic in governing both the public and the private spheres, and it is only within this framework that one can fully grasp its mechanism. It is a mistake for anyone to judge it solely from the modern secular perspective and make hasty conclusions on that basis. Yet all these being said, we still can not ignore modern concepts such as public, private, legal or moral as part of the reality of contemporary life; as long as we do not assume that the way in which these notions were constructed in the West constitutes an evaluative yardstick for other societies, particularly the Muslims.



The Need for Reconciling Reason and Revelation in the Contemporary World

By Nurul Ain Norman

Lengthy debates on authoritative creedal approaches have led people to believe in the contradiction between revealed sources (*naqliyah*) and sound ratiocination (*'aqliyah*). The past generations of Muslims were reluctant to reconcile both approaches because a significant part of society viewed the latter as an act of blasphemy. In addition, the practices of the people of Madinah were prioritised over those who lived further away since they were the first people responsible for transmitting any reliable information from the Prophet. However, the contemporary Islamic world calls for a more harmonious method that unites the Muslims and enables the integration between religion and science.

The Western civilisation has buried religion to wake the scientific intellect while several groups in the Muslim society have suspended human reason to enhance the role of revelation in religion. To some, these acts might well be considered appropriate for a particular time frame and context. However, they may not address problems that arise in the contemporary world. The current Islamic civilisation differs from the past due to the way thoughts are organised. The reduced sense of bigotry in modern society now embraces a broader understanding of knowledge, allowing both Islamic and scientific knowledge to sit at the same table. The period between the eighth and the tenth century saw the production of the world's great scientists in various fields and has evoked the reconciliation of the revealed source (*naqliyah*) approach and the sound ratiocination (*'aqliyah*) method, therefore creating a more balanced society.

Intellect and reason (*'aql*) are religion's most significant and crucial elements. Allah SWT dignifies human beings by granting them intellect (Q17:70) that no other creatures possess. The most common theme in the Qur'an revolves around reason and intellect; for instance, the word *'aql* is mentioned forty-four times and similar words like *qalb*, *fu'ad*, *lubb*, *nuha*, etc. (see: Q67:10; Q7:179; Q2:171; Q3:190-191) repeatedly appear in the revealed text. Additionally, scholars of *maqasid* have indicated that the preservation of the intellect is among the highest objectives of religion. Thus, it is impossible to conclude that intellect and revelation are incompatible with each other.

Nonetheless, intellect and reason do have limitations that humans cannot exceed—for example, concerning the realm of the *ghayb* or unseen. As stated in verse 20 of Sura Yusuf, the belief in the unseen is considered an essential part of the Muslim faith. Matters related to the *ghayb* do not rely on

human senses and tangible evidence. On the other hand, the intellect plays the role of verifying pieces of evidence from the Qur'an on essential issues regarding faith and religion. This denotes the fact that the Qur'an emphasises the importance of clear, sound, and logical proofs, which significantly affects the depth of one's faith in God, the Prophet, the Holy Book, the angels, and the afterlife.

Even though the intellect is highly signified in matters of religion and human life, the Qur'an remains supreme. This is because the Holy Book is directly revealed from Allah SWT and contains unchanged and inimitable words and speeches. On the contrary, intellect and reason have the quality of evolving interpretations and information through time and suitability. Therefore, the faculty of reason possesses limited realms and potentialities and can only work within its own pace and space. Thus, integrating reason with revelation enables one to reach higher phases of knowledge and faith by using the latter to elevate the iman.

In agreement with this, Ibn Taymiyyah affirmed that there is nothing from the legal text that contradicts sound reason. In elaborating this, he introduced the Universal Law of Fakhruddin Razi which states that precedence should be given to reason (over revelation)—that is, either to make a metaphorical interpretation so that the revelation can match reason or to negate the apparent meaning of revelation but refrain from assigning any definite meaning to it. Further differences of opinions between sects revolve around the role of reason in shari'ah. In this regard, Ibn Taymiyyah asserted that these factional debates often result from their insistence on delving into matters that transcend reason (Yusuf Dalhat, 2015; Siddiq, Sabrina, 2019).

There is a need to ponder upon verse Q62:2 which mentions that "It is He who has raised among the illiterate, a Messenger from themselves, to recite His verses, purify them, and teach them the Book and the Wisdom, though before that they were in clear error". In this verse, Allah SWT mentions that He sent the prophets with the mission to guide humanity; the word "to recite" refers to the act of reasoning; "to teach" refers to the book of revelation; and the word "to purify" refers to the soul or *nafs* of man. The Holy Qur'an can never contradict the intellect, yet it can astound the intellect with the knowledge it contained. However, even if the two can integrate harmoniously, faith will remain incomplete without the purification of the soul.



By Ahlis Fatoni

The Industrial Agriculture and Its Environmental Cost

Industrial agriculture involves large-scale and intense production of crops and animals which frequently includes chemical fertilisers on crops and the routine use of damaging antibiotics in livestock (as a way to prevent natural degradation in crops). It also include genetically engineered crops, extensive use of pesticides, and other activities that deplete the environment, abuse animals, and cause pollution.

The main objective of industrial agriculture is to gain maximum profit, which relates to the ideology of capitalism. Industrial agriculture began in 1960 to achieve a significant increase in the production of food grains.

For instance, the Monsanto company tried to distribute seeds that could only grow with chemical fertilisers and pesticides. Of course, the first harvest resulted in an excellent yield because the soil, insects and water around the field were still fertile and healthy. However, it was just a pseudo result, and the yield quantity became enormous because of the monoculture system. However, this pseudo result comes with a massive cost. Industrial agriculture will eventually result in tremendous environmental damage, resulting in the death of soil, water and massive air pollution.

The report by the Intergovernmental Panel on Climate Change (IPCC) on AR5 Climate Change 2014: Mitigation of Climate Change mentioned that agriculture, forestry, and other land use contributed 24% of global greenhouse gas emissions in 2010. This sector's greenhouse gas emissions come mainly from agriculture (cultivation of crops and livestock) and deforestation.

Furthermore, nitrogen-based fertiliser has been a significant driver for the industrialisation of agriculture in the last century, allowing for high yields even on overburdened land. On the other hand, fertilisers cause substantial damage to our water supply and environment. Excess nitrogen can form nitrous oxide, a potent greenhouse gas, or nitrogen oxide, which contributes to ground-level smog when it enters the atmosphere (as it frequently does when fertiliser is applied in large quantities).

Weaning ourselves off synthetic fertilisers is essential enough for climate reasons alone, but these chemicals have another big environmental drawback: nutrient runoff. When nutrient-rich material such as fertiliser or manure, which are high in nitrogen and phosphorus, finds its way into adjacent rivers, oceans, and lakes, it causes havoc on our freshwater and marine ecosystems. Pollution from runoff (also known as agricultural nonpoint source pollution) is the most

common cause of poor water quality in surveyed rivers and streams, the third most common in lakes, and the second most common in wetlands.

Pesticides—herbicides, insecticides, rodenticides, and fungicides—are commonly used by farmers to keep weeds, insects, rodents, and fungi at bay. Pesticides are harmful to humans, but they are also detrimental to pollinators. In recent decades, insect populations have plunged due partly to these widespread toxins, including the iconic monarch butterfly and local bees like the rusty patched bumblebee. However, governments are generally hesitant to prohibit or even restrict the use of pesticides because of pressure from pesticide manufacturers and industry lobbyists. Instead, they shift the risk to consumers, farmers, and rural communities.

Unfortunately, industrial agriculture has shifted its focus away from food production and toward the production of animal feed, biofuels, and industrial ingredients for processed foods. Meanwhile, while fewer individuals are undernourished around the globe, many more are malnourished.

Finally, industrial agriculture is not in accordance with Islam because agriculture in Islam is called *al-filāha*, which means success, prosperity, and happiness. This term has a profound meaning; farmers (*fallāh*) do not plant just to earn income, but as a form of worship to Allah. Their commitment is to sustain human life, protect nature and the ecosystem by producing halal and *tayyib* foods.

Hikmah

Don't sit with someone who is gossiping about others because the moment you leave your seat, you will become their next topic of conversation.
– Al-Razi

Happiness is attained by three things; being patient when tested, being thankful when receiving a blessing, and being repentant upon sinning. – Ibn Qayyim al-Jawziyyah

You say that you are just a body, but inside of you is something greater than the Universe.
– Imam al-Shafi'e



The Republic of Maldives Leads in the Pandemic Era Islamic Well-Being Index 3.0 for 2022

By Daud AbdulFattah Batchelor

Former leaders, Indonesia and Malaysia, share second place this year, although the difference from Maldives' score is hardly statistically significant. That this group of three demonstrate exemplary well-being reflects the resilience of their populations in the face of the pandemic's travails over the past three years. They are also societies where women play large roles in contributing to societal well-being.

Sadly, two leading Muslim countries, Turkey (-15) and Pakistan (-10), displayed the greatest fall in rankings since 2021, due to gathering economic and political problems they both face, exacerbated by the COVID-19 pandemic. Tunisia dropped from second place last year, coinciding with the appearance of authoritarian rule as its President suspended parliament and began ruling by decree on 25 July 2021.

A stellar performer for Islamic well-being is the European country of Kosovo, newly independent in 2008, although officially recognised by just half of the UN member states. It shows the sharpest rise in well-being having moved up 18 places in a year. Its citizens are seemingly displaying gratitude to the Almighty for their independence from Serbia. This rise is all the more significant since Kosovans are ethnically Albanians, while Albania itself stands last in IWI 3.0 rankings with the lowest *deen* value for any Muslim country. Kosovo itself was placed last in the Islamic Well-Being Indexes of 2013 and 2021.

The 2022 Index follows the approach detailed in this author's 2021 article "An Enhanced Islamic Well-Being Index (IWI 2.0-2021) for Muslim Countries," based on the Higher objectives of Islamic Law (*Maqasid al-Shari'ah*) published in Volume 12(2) of *Islam and Civilisational Renewal*, the flagship journal of the International Institute of Advanced Islamic Studies (IAIS) Malaysia. This is a much-enhanced version of "A New Islamic Rating Index of Well-Being for Muslim Countries," published in 2013.

The benefits of the IWI are that it offers a scorecard that highlights leader and laggard countries and provides practical insights for countries that aspire to move to a higher state. The IWI indicators provide a way to spot problems, set targets, track trends, understand outcomes, and identify best policy practices, especially for government officials to facilitate communications with key stakeholders.

Fifty majority Muslim countries could be assessed for the four *Maqasid* fields of Life, Intellect, Family and Wealth. Based on the composite average value for these *Non-Deen Maqasid* (Table 2), mainly former communist countries did best with the following rankings: Kazakhstan (1), Tunisia

(2), Kosovo (3), Kyrgyzstan (4) and Albania (5). Main improvements were shown by Kosovo (+27) and Maldives (+11). Morocco (-16), Oman and Saudi Arabia (both -7) declined the most.

Leaders in the Protection of Life Objective are UAE (1), Albania (2) and Jordan (3). Those that improved most were Kosovo (+13), Maldives (+12), Kazakhstan (+10) and Afghanistan (+9), while Morocco, Algeria, Pakistan, Oman and Indonesia showed the greatest decline.

Leaders in the Protection of the Intellect Objective are Kyrgyzstan (1), Albania (2), and Bosnia and Herzegovina (3). Those that improved most were Kazakhstan and Djibouti (both +9) while Palestine (-15), Turkmenistan (-14) and Kuwait (-12) declined the most.

Leaders in the Protection of the Family Objective are Tunisia (1), Iran (2), Kazakhstan and Syria (both 3), while Morocco (-19), Jordan (-15) and Turkmenistan (-13) fell dramatically. Divorce rates increased worldwide, but especially in Morocco and Oman (doubled) in 2019-2020, greatly exacerbated by strained relations from lockdown restrictions during the pandemic, but especially in Morocco following the 2004 revision of the Moudawana family code, which allowed both men and women to request a marriage dissolution. Between 2019 and 2020, the number of marriages in Morocco also dropped by 30%.

Leaders in the Protection of Wealth Objective are Palestine (1), Burkina Faso (2), Malaysia and UAE (both 3). Palestine's position may not be significant since it reflects more of a paucity of data. If unemployment data were available for Palestine, its position would most likely fall. Those that improved most are Kosovo (+39) and Syria (+19), while Saudi Arabia (-22), Bangladesh (-19) and Kyrgyzstan (-13) declined significantly.

Comparing country average values for the chosen IWI indicators with World average values, shows, unfortunately, that Muslim countries often fare worse than the World averages, except in the following fields where they perform better: Religiosity (Attend place of worship weekly; Pray daily; Consider religion is 'Very important'), national homicide rates, Gini coefficient, ecological footprint, and infant mortality rates.

This year's Index has identified countries that have shown resilience in the face of the pandemic, but also those that have been impacted the most, as clearly displayed in the Family Objective results.

EVENT REPORTS

Islamic Law Talk Series (ILTS): Death Penalty in Malaysia: Current Issues & the Shariah Perspective (IAIS Malaysia Facebook Live, 3rd June 2022)

By Muhamad Sayuti Mansor

Recently, the trend toward the abolishment of the death penalty has become mainstream globally, with the same abolitionist trend gaining much traction in the Muslim world. Prompted by the latest execution of Nagaenthran Dharmalingam which has re-ignited the debates on the abolishment of the death penalty in Malaysia, IAIS Malaysia has organised the Islamic Law Talk Series (ILTS): “Death Penalty in Malaysia: Current Issues & The Shariah Perspective” to discuss this issue. The forum featured Prof. Dato’ Dr Mohammad Hashim Kamali, a prominent shariah scholar as well as the Founding CEO of IAIS Malaysia, and was moderated by Muhamad Sayuti Mansor from IAIS Malaysia.

Prof Kamali kickstarted the discussion by shedding light on the current global abolitionist trend. He concurred that this is indeed the current practice globally, including the Muslim countries. Even in Muslim countries that have retained the death penalty, the practice of issuing either a moratorium or minimising the number of actual executions has increasingly become the norm as currently being practised in Malaysia. Prof Kamali then proceeded to explain the position of the death penalty in Islamic criminal law (*fiqh al-jinayat*). Although the shariah does recognise this type of punishment, there is no such thing as the mandatory death penalty, due to the eminent role of Islamic principles of forgiveness (*’afw*), repentance (*tawbah*) and reform (*islah*) in criminal law. He, later on, concluded by considering the possibilities for the abolishment of the death penalty and exploring its more suitable and effective alternatives from the shariah perspective. The session ended with lively Q&A exchanges with the enthusiastic audience.

IAIS Malaysia Research Camp for Academic and Policy Research (IAIS Malaysia, 29-30 June 2022)

By Mohammad Mahbubi Ali

The research camp is an annual event conducted by IAIS Malaysia and is designed to provide its participants with a thorough understanding of how to write high-quality academic writings. The primary focus of its modules is the fundamental concepts and practises of academic and policy research, as well as helpful tips for researchers and lecturers in efficiently managing academic references.

The fourth research camp was organised into seven modules: (1) Decades of academic excellence and prolific writing: experiences as an Islamic scholar by Prof. Mohammad Hashim Kamali; (2) Developing and designing policy issue papers by Dr Ahmad Badri Abdullah; (3) The art of constructing quality academic papers: the Oxford style of writing by Dr Alexander Wain; (4) Tips and tricks for publications in Scopus journals by Dr. Mohammad Mahbubi Ali; and (5) Citing & referencing Islamic sources: avoiding common pitfalls by Mr Mohd Fariz Zainal Abdullah; (6) Academic housekeeping: Managing reference and database; and (7) Essential skills in writing newspaper articles by Muhamad Sayuti Mansor.

This year’s research camp gathered 23 participants from a variety of backgrounds, including researchers, lecturers, students, policymakers, and practitioners.

Quotable Quote

When you are right no one remembers; when you are wrong, no one forgets. – Irish Proverb

If you truly love nature, you will find beauty everywhere. – Van Gogh

Do not let the behaviour of others destroy your inner peace – Dalai Lama

Boredom is one of change's great motivators – Matthew Oleniuk



Islamic Law Talk Series (ILTS)
 Death Penalty in Malaysia: Current Issues & the
 Shariah Perspective



Prof Kamali, delivering his presentation in the
 Islamic Law Talk Series (ILTS): Death Penalty in
 Malaysia: Current Issues & the Shariah Perspective



Dr Mohamad Fauzan, Dr Khairur Rijal, and Dr
 Shahino (moderator), in the Islamic Science Talk
 Series (ISTS): Malaysia's Readiness in Adopting
 Artificial Intelligence: An Analysis from the Islamic
 Perspective



Islamic Science Talk Series (ISTS)
 Malaysia's Readiness in Adopting Artificial
 Intelligence: An Analysis from the Islamic
 Perspective



A group photo of the participants of the
 IAIS Research Camp for Academic and
 Policy Research 2022



Research Camp for Academic and
 Policy Research 2022

EVENTS AT IAIS MALAYSIA

DATE	EVENTS
3 rd June	Islamic Law Talk Series (ILTS) <i>Death Penalty in Malaysia: Current Issues & the Shariah Perspective</i>
23 rd June	Islamic Science Talk Series (ISTS) <i>Malaysia's Readiness in Adopting Artificial Intelligence: An Analysis from the Islamic Perspective</i>
29 th June	<i>Research Camp for Academic and Policy Research 2022</i>

Humour Without
 Malice

Yesterday, I booked a private taxi to airport.
 When I arrived at my destination, the driver gave me his business card for future bookings,
 Dr Ramanand Tripathi, PhD.
 Wow! I was surprised and quizzed him, "Why are you driving a taxi with such
 qualification?"
 He replied, "Dr is the short form of Driver."
 "Then what about your PhD?"
 "I am a privately-hired driver."