

ISSN: 2617-9393



International Journal of 'Umrānic Studies
Jurnal Antarabangsa Pengajian 'Umrān
المجلة العالمية للدراسات العمرانية

Volume 1, Issue 1
January 2018

Faculty of Islamic Development Management
Universiti Islam Sultan Sharif Ali
Brunei Darussalam

International Journal of `Umrānic Studies

Jurnal Antarabangsa Pengajian `Umrān

المجلة العالمية للدراسات العمرانية

Vol.1, Issue 1, January 2018

Editorial Office

Universiti Islam Sultan Sharif Ali

Simpang 347, Jalan Pasar Baharu

Gadong BE 1310

Negara Brunei Darussalam

E-mail: journal.ijus@unissa.edu.bn

Website: <http://www.unissa.edu.bn/ijus>.

UNISSA Press

Universiti Islam Sultan Sharif Ali

Negara Brunei Darussalam

© Faculty of Islamic Development Management, Universiti Islam Sultan Sharif Ali

The Editorial Board and the Publisher do not bear any responsibility for the views expressed in the papers by the contributors.

EDITORIAL BOARD

Advisor

Dr Haji Norarfan bin Haji Zainal, Rector UNISSA

Chief Editor

Prof. Dr Mahayudin Hj Yahaya

Managing Editor

Dr Ahamad Faosiy Ogunbado

Editors

Dr Shahrul Nizam Salahudin

Dr Abdol Rauh Yaacob

Dr Khatijah Othman

Dr Shereeza Mohamed Saniff

Ustaz Muhammad Sahrin Hj Masri

Dr Haji Mohammad Abul Fadle bin Haji Maidin/Haji Mohiddin

International Advisory Board

Prof. Dr Osman Bakar (Malaysia/Brunei)

Prof. Dr Wan Kamal Mujani (Malaysia)

Prof. Dr Muhd Shukri Salleh (Malaysia)

Assoc. Prof. Dr Mulyadi Kartanegara

(Indonesia/Brunei)

Prof. Dr Abdul Afis A. Oladosu (Nigeria)

Prof. Dr Abdul Kabir Hussain Solihu (Nigeria)

Prof. Dr Ibrahim Mohamed Zein (Sudan/Qatar)

Dr Rashid Raashed (Australia)

EDITOR MESSAGE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله رب العالمين والصلاة والسلام على رسول الله وعلى آله وصحبه أجمعين وبعد

The Editor in chief, on behalf of the editorial board, has great pleasure presenting January 2018 Issue of International Journal of `Umrānic Studies to the research committee and the world at large. The journal aims at facilitating the researchers, scholars, resource person and practitioners to come on a platform and share their findings of the research with the rest of the world so that decision can be taken to improve Education and Human Development as a whole.

In this journal we endeavour to introduce a new theory with sufficient means to address the problems faced by Muslims today, especially in the field of management and development to ensure the future of Muslims in this day and the days to come. This theory is defined as the theory of `Umran created by Ibn Khaldun, a Muslim scholar who was very famous in the 14th century to this day. The theory of `Umran was edited for current needs and subsequently used as a generator, vessel and philosophy of education at the Faculty of Islamic Development Management, Universiti Islam Sultan Sharif Ali, Brunei Darussalam

The quick review process of strong editorial Board, and quality publications might make this journal unique. The journal focuses on double-blind review process. It is published in both print and online forms.

The chief Editor is very grateful and would like to express his gratitude especially to the members of the editorial board for their kind response towards the establishment of such type of attempt. The contribution of the international editors cannot be described in words in the case of developing the journal.

We seek the blessing of Allah and support of all towards the journey of the journal.

Prof. Dr Mahayudin Hj Yahaya
Chief Editor
International Journal of `Umrānic Studies
January, 30 2018

International Journal of `Umrānic Studies

Jurnal Antarabangsa Pengajian `Umrān

المجلة العالمية للدراسات العمرانية

Volume 1, Issue 1 | January 2018

1. The Concept of Integration of Knowledge According to Ibn Khaldūn Thoughts and Its Implementation in The Islamic Educational System. 1 - 13
Dr Shohibuddin Haji Laming
2. Development and its Actors: The Milieu of Islamic-based Development. 15 - 27
Shereeza binti Mohamed Saniff
3. The Obligation of Establishment of Governance and Civilian- Non Theocratic Nature of Government in Islam. 29 - 38
Dr Lateef Kayode ADEYEMO and Sirajudeen Femi BAKRIN.
4. Orientalists Attack Against Prophetic Traditions: Awarenesses and Wake up Call. 39 - 48
Ahamad Faosiy Ogunbado, Ph.D. and Ishaq El-Mubarak, A.M.O.
5. Penerapan Nilai-Nilai Islam dan Hubungannya dengan Perubahan Sosiobudaya Masyarakat Islam di Brunei Darussalam. 49 - 57
Dr Dyg Hajah Ummi Fa'izah Bt Hj.Abdul Rahman
6. Falsafah Melayu Islam Beraja (MIB) Beracuankan Islam Melalui Teori 'Umran. 59 - 71
Muhd. Abdul Afiq bin Muhd.Sahari

73 - 90 .7. علم العمران، أصوله وفروعه ومصادره وعلاقته بالدين الإسلامي .
محمي الدين بن الحاج يحيي

91 - 105 .8. المسائل التي خالف فيها قانون الأسرة القطري مذهب الإمام أحمد بن حنبل في المواد
القانونية المتعلقة بالطلاق البدعي أمموجا -
علي مبارك السفيران المري و د. حبيب الله زكريا

The Concept of Integration of Knowledge According to Ibn Khaldūn Thoughts and Its Implementation in The Islamic Educational System

Dr Shohibuddin Haji Laming

Centre for Promotion of Knowledge and Languages.

Universiti Islam Sultan Sharif Ali (UNISSA)

sohibudin.laming@unissa.edu.bn

Vol.1, Issue 1 | January 2018

KEYWORDS

Ibn Khaldūn, Integration of knowledge, Education, Islamic Educational System, Religion and Science, Teaching Methods

ABSTRACT

Ibn Khaldūn has achieved an eternal place among the great historical philosophers and is considered to be the best of all as he was the first one to treat history as a science and not merely as a narrative. Ibn Khaldūn was a famous historian, a great philosopher, and also an incredible educationist. His views on education and the deep psychological insight in the educational process and development of human mind and body tagged him as a great educator too. His contribution in education is considered to be worthwhile and valuable across the world in the field of education because he emphasized on the social efficiency as an aim of education and also promoted professional and vocational subjects along with academic subjects in education. This article is focusing the following discussions in the light of Ibn Khaldun's view, namely are; Ibn Khaldun's view of Education, methods of teaching, contribution in education, concept of integration of knowledge, integration between religion and science, theoretical dimensions and practical contributions and establishing the educational system with integrated approach.

Early Life of Ibn Khaldūn

It was the mid of the fourteenth century when Muslims in Spain were facing persecution. Muslims were either expelled from the country, or were forced to relinquish the religion of their ancestors by sword. Owing to the persecution in the hands of the new rulers, Muslim families left Spain and headed towards Africa. Ibn Khaldūn belonged to one of those noble Andalusian families who had migrated from Seville to Tunis.¹ He was born on 1st Ramadhān, 732 A.H. (27th May' 1332 A.C.) in Tunis, Africa. Ibn Khaldūn was an intelligent man. He was brought up to be a man of great knowledge and wisdom; an

expert at the subjects of history and politics. He is the very first scientist who has left a permanent mark on the sciences of historiography and sociology.² Ibn Khaldūn attributes his origin to the Yemenite Arabs of Hadramaut, and describes him as a scion of one of the oldest Arab Yemenite tribes.³ Ibn Khaldūn belonged to a prominent and learned Arab family, and he inherited both material and spiritual heritage of his forefathers.

Ibn Khaldūn's first teacher was his own father. From him he learnt the Holy al-Qur'ān al-Karīm by heart, studied different modes of recitation and

¹Inān, Muhammad 'Abdallāh, (1965). *Ibn Khaldūn, ḥayātu wa-turāthū al-fikrī*. Cairo: Maktbat Lajnat al-Tal'if wa-al-Tarjama wa-al-Nashr. Translated as Ibn Khaldūn: His Life and Works. Lahore: Sh. Muhammad Ashraf, 1946, p:213

² Schmidt, Nathaniel, (1930). *Ibn Khaldūn, Historian, Sociologist, and Philosopher*. New York: Columbia University Press, p: 231

³ Lacoste, Yves, (1984). *Ibn Khaldūn: The Birth of History and the Past of the Third World*. Translated by David Macy. London: Verso, p:126

interpretation, as well as Hadīth and jurisprudence. He also learned Arabic grammar, language and rhetoric from the most famous and well-known teachers of Tunis. Tunis at the time was a center of learning in Africa, and Ibn Khaldūn took full advantage of the scholastic opportunities available there. Ibn Khaldūn himself was an eminent orator.⁴ His writings proved his brilliance to a certain extent in Hadīth and Maliki Jurisprudence, philosophy and poetry.⁵ Ibn Khaldūn was a promising young man and an assiduous learner. It was due to his great qualities that the ruler of Tunis Abū Ishāq II offered him a position in his court when he was only twenty years old. Ibn Khaldūn had an adventurous soul! He migrated to various places, and served different masters. When North Africa split into different principalities, he moved to the principality of Morocco named Fez. There he was appointed the Secretary of the state by Sultan Abu Inan of Fez. He then moved to the Straits of Gibraltar and became the Fief – holder of the Sultan of Granada and later headed a political mission to Pedro, the cruel King of Castile. Granada did not seem to be exciting of Ibn Khaldūn because of his conflict with one of the *wazirs*. He moved on to the court of Prince of Jejaya, near Constantine and left Spain. He went back to Granada in 1374 but again got expelled back to Africa where he got retired and compiled his famous Prolegomena – *Muqaddimah* in a fort of *Qilah-Ibn-Salamah*. The Prolegomena is said to be his finest thesis and study in the subject of history. It presents his contributions to political and social philosophy. He went to Cairo and spent rest of his there. During his stay at Cairo he also went to perform Hajj at Makkah. In Cairo he held the post of Chief Justice and also lectured huge audiences with ease and success. He compiled his history of the Universe mainly of Arabs and Berbers in 1382. Ibn Khaldūn left the world in 1406 and died in peace.⁶

View of Education:

Ibn Khaldūn conveys that the education consists of the moral as well as the intellectual training and teaching of humans which brings out the potential within a man that helps develop the character and builds up the personality.⁷ According to Ibn Khaldūn, the knowledge can be divided into two parts of streams, one of the subjects pertaining to philosophy depending upon one's mental potentialities and thinking faculties, the other dealing with the religious subject. In the view of Ibn Khaldūn both types of knowledge are crucial for mankind as both

play a role in the development and progress of any nation.⁸ According to Ibn Khaldūn, the educational system of any Society should be formulated in accordance with the ideology of the society. E.g. it is important for every Muslim man and woman to gain the knowledge the Holy al-Qur'ān al-Karīm and Sunnah and follow the guidance of Allāh Subhānahū wata'ālā taught by the Holy Prophet (peace be upon him). Ibn Khaldūn provides the following advantages of education to man:

- Education should develop social and economic efficiency in man to be usefully absorbed in the society.
- Education should be a means to bring happiness in life of people.
- Important aim of education is to develop the power of thinking and reasoning. To him travelling is also a mean to gain knowledge and in receiving education.⁹

Methods of Teaching:

Ibn Khaldūn discouraged the method of teaching which did not provide any opportunity to the students to interpret lessons and solve problems on their own. Also consequently reducing their inventiveness, originality and power to create, invent and develop. He said that the traditional method of teaching was just emphasizing on the memorization of notes and interpretations which were made by others. This led to less opportunity to struggle and did not develop the habit of putting effort to think and interpret which was highly required for the learning and teaching of Islam.¹⁰ In his opinion the students had become just the passive listeners and that the methods of teaching did not motivate their learning and discouraged their participation in discussions. As a result the students stayed silent in the class and focused on rote learning killing their power and ability of thinking and reasoning.¹¹ Ibn Khaldūn was very sad about the teachers who ignored the methods of teaching and did not focus on the actual method of teaching the students. They started the lesson from complex to simple and mixed up the advance knowledge with elementary. Ibn Khaldūn complained that the students were being targeted to hate the subject they were taught as it was made so difficult for them to understand. He also said "Let the teachers proceed from simple to

⁴ 'Inān, Muḥammad 'Abdallāh, (1965). *Ibn Khaldūn, ḥayātu wa-turāthu al-fikrī*. Cairo: Maktbat Lajnat al-Tal'if wa-al-Tarjama wa-al-Nashr. Translated as *Ibn Khaldūn: His Life and Works*. Lahore: Sh. Muhammad Ashraf, 1946, p:170

⁵ Wolfson, H. A., (1959). "Ibn Khaldūn on attributes and predestination." *Speculum* 34, no. 4, p: 585–597.

⁶ Walzer, R. (1995). "Aspects of Islamic Political Thought: al-Fārābī and Ibn Khaldūn." *Oriens* 15 (1963), p: 40–60.

⁷ Al-Jawaydī, Darwish, (1995). *Rd. Muqaddimat Ibn Khaldūn*. Sidon and Beirut: al-Maktaba al-'Aṣriyya, p:225

⁸ Schmidt, Nathaniel, (1930). *Ibn Khaldūn, Historian, Sociologist, and Philosopher*. New York: Columbia University Press, p: 178

⁹ Rosenthal, Franz, (1958). Trans. *The Muqaddimah, an Introduction to History*. Princeton: Princeton University Press, p: 256

¹⁰ Issawi, Charles, and Oliver Leaman, (1998). "Ibn Khaldūn, 'Abd al-Rahmān (1332–1406)," in *Routledge Encyclopedia of Philosophy*. Vol. 4, 623–627. London: Routledge, p:198–199

¹¹ Ibid

complex, from known to the unknown and from concrete to abstract.”¹²

Ibn Khaldūn opined that the best and easiest way of gaining the ability to effective learning is to participate in discussions over problems and also finding their solution. He degraded the lecture methods of teaching and favoured the discussions and debating methods which will provide an opportunity for the students to bring out their views and interpretations.¹³ He also said that the subject should be taught according to the level of students' ability and capacity. This way they will learn rapidly and understands properly and easily. Ibn Khaldūn criticized the teaching methods of his time and brought his own suggestions in this regard. In his opinion the process of teaching should comprise of the following three stages:

- **Stage 1 (Introduction).** A brief introduction of the topic should be given to the students followed by explanations and concrete examples to support the teaching topic.
- **Stage 2 (Development).** The topic should now be explained in great detail for the better understanding of the students. The points briefly discussed in the first stage should now be discussed thoroughly and critically.
- **Stage 3 (Recap).** In the end of the lesson the topic must be revised again in order to know if the students have really understood the topic and has their learning enhanced.

Ibn Khaldūn says that the relationship of a teacher and student should be based upon love and understanding. The teacher should act as a parent towards the student and avoid harsh and cruel punishment. In his opinion, torture, whether by parents or teachers injure the mental faculties of the child which leads to the destruction of child's personality development.

Ibn Khaldūn criticized the books of that time which were referred to as the text-books and reference-books. The students had to study these books and their explanations and commentaries in order to attain the graduation diploma. In the view of Ibn Khaldūn, too much explanation is very harmful and difficult for the students as every scholar has their own view and perception of presenting. Ibn Khaldūn says that there is nothing new expect for the repetition of contents with some variations of words and phrases, then why should students be compelled to memorize and learn books.¹⁴ Regarding the

content of education Ibn Khaldūn says that religion instruction should be the corner stone of the curriculum as it helps in formation of the good character and habits. According to him logic is very important for students as it enables one to think and also analyze critically. Ibn Khaldūn emphasizes on the learning of language as it helps to study different subjects and also mathematics as it sharpens the mental power and increases the power of reasoning. He felt a need of professional and vocational subjects along with academic subjects.

Contribution in the field of History:

Ibn Khaldūn has achieved an eternal place among the great historical philosophers and is considered to be the best of all as he was the first one to treat history as a science and not merely as a narrative. Before him the history was just a record of events in a disorganized manner. Ibn Khaldūn gave a new approach to history by providing new methods of explaining and reasoning also developing it as a social philosophy. Being the originator of sociology, philosophical history and political economy, his works possess originality and the truth. His book *Kitāb-al-'Ibar* including the *Al-Ta'ārīf* (autobiography) is his everlasting work in history which contains Prolegomena and biography. The book deals with the society, its origin, sovereignty, sciences. The best part of the book is which describes the creativeness, reviewing the diverse subjects like political economy, sociology and history with striking originality and intensity.¹⁵

Contribution in Education:

Ibn Khaldūn was a famous historian, a great philosopher, and also an incredible educationist. His views on education and the deep psychological insight in the educational process and development of human mind and body tagged him as a great educator too. His contribution in education is considered to be worthwhile and valuable across the world in the field of education because he emphasized on the social efficiency as an aim of education and also promoted professional and vocational subjects along with academic subjects in education. The modern education literally advocates the methods provided by Ibn Khaldūn in teaching. The mastermind of Ibn Khaldūn was assorted and adaptable: he was an accomplished philosopher, a seasoned politician, a reputed historian, and a learned geographer. He was the founder of philosophy of History, an originator of the "Philosophy of Sociology" and a pioneer of Demography. Ibn Khaldūn had great command over imaginative and creative teaching potentials. He was not only a teacher but an educator who could lay hands on any subject and lecture over it with reference to his academic skills. He is the original

¹² Mahdī, Muhsin, (1957). *Ibn Khaldūn's Philosophy of History: A Study in the Philosophic Foundation of the Science of Culture*. London: George Allen & Unwin, p:129

¹³ Lawrence, David, (1984). Ed. *Ibn Khaldūn and Islamic Ideology*. Leiden: E. J. Brill, p:157-159

¹⁴ Lawrence, David, (1984). Ed. *Ibn Khaldūn and Islamic Ideology*. Leiden: E. J. Brill, p:57-58

¹⁵ Lawrence, David, (1984). Ed. *Ibn Khaldūn and Islamic Ideology*. Leiden: E. J. Brill, p:67-68

thinker and philosopher whose range and depth of wisdom in the field of education is just exclusive.¹⁶

Concept of Integration of Knowledge

The process of Integration of knowledge in Islam with regard to develop and generate human knowledge by proper educational system in harmony is not new phenomena. Among the prominence Muslim scholars, Ibn Khaldūn said:

Relating the verses of the al-Qur'ān al-Karīm to the situation with regard to the occasions of revelation of the verses (asbāb al-nuzūl) was widely accepted, arising from the fact that the revelation of the al-Qur'ān al-Karīm to the Prophet Muhammad (peace be upon him) was spread over a period of time and was in many cases seen as a response to his situation.¹⁷

Verses were often linked to particular historical and situational events by reference to the Hadīth literature and the sayings, doings and approvals of the Prophet. In our own Age owing to the dominance of the western worldview, its aim is to critique, analyze and reformulate western academic disciplines in such a manner that revelation is reinstated in man's intellectual life and in fact becomes a basic source of knowledge. As for the discipline known as Islamic studies, the aim is to critically analyze the Islamic contributions to knowledge in their historical context and to make Islam relevant to the contemporary times. This endeavor is alternatively known as "contextualization" to differentiate it from the overall Integration process, which is specially related to modern sciences. Context was not discounted entirely, but it was only applied to cases where two issues appeared to contradict one another. In such a case, the contradicted issue from modern sciences will be integrated or Islamized based on the

¹⁶Lawrence, David, (1984).ed. *Ibn Khaldūn and Islamic Ideology*. Leiden: E. J. Brill, p:243

¹⁷ The main themes of the educational system of Islam according to Ibn Khaldūn are: *Falsafah, Tawhīd, Risālah, Khilāfah and Ākhirah*, Allah Subhānahū wata'ālā, man and universe and their relationship, man's position and the purpose of his creation on earth, freedom of religion, expression and fundamental human rights, enhancement of man's material and spiritual and moral aspects and criteria that guide him for achieving his happiness in this world and Hereafter, no hopelessness and despair, but the desire and enthusiasm to work continuously for the success of this world and Hereafter, education reforms and integration of knowledge between revealed knowledge and human knowledge, reformation of mind, body and society, and socio-cultural-political change and struggle for self-dependent. See, Schmidt, Nathaniel, (1930). *Ibn Khaldūn, Historian, Sociologist, and Philosopher*. New York: Columbia University Press, p: 129-132

supposition of Islamic principles and values. However, on the whole, context should only be utilized when there appeared to be a contradiction between religious sciences and modern sciences in order to resolve the crisis of the Muslim mind by addressing the problem of establishing a proper relationship between western knowledge and Muslim intellectual tradition. Therefore, the aim of integration of knowledge is to provide to the Muslim Ummah guidance as well as a methodology to confront the contemporary challenges and to restructure Islam's lost civilizational glory. This reflects an atomistic approach to the integration of knowledge, which was an important feature of classical Muslim scholars. The process of integration, later on was influenced by the customs of the conquered lands. Today, a number of scholars argue that the integration process should be implemented social and human sciences in line with the revealed knowledge in such a way that sheds light not only on the relevance to the present situation, but also in a way that defines universal principles. Those who participate in the movement for Integration of knowledge can be classified into two broad categories: the theoreticians usually provide the definition, the concept and principles of Integration of knowledge and describe the various steps required in that regard. The practitioners faced the challenging task for integrating their respective disciplines by following the concepts provided by the theoreticians. This approach was heralded by one of the original Islamic thinkers of the twentieth century, Ibn Khaldūn. He argues:

The barriers between religious and modern sciences must be broken down and way of a remedy modern science be taught in the ancient philosophy and religious science be taught fully in secular schools". He could be considered as one of those rare individuals who was active in both in postulating ideas that provide the theoretical bases for Integration of knowledge and for producing works that represent Integration in practice.¹⁸

Integration of Knowledge: rational approach

It was said that:

The early Muslims not only adopted the rational approach but set out with enthusiasm to explain their own beliefs in

¹⁸ Nassar, N, (1967). *Islam in the Modern National State*. Cambridge: Cambridge University Press, 1965. See the influence of Ibn Khaldūn on contemporary modernist Muslim thinkers, 16–27. Moose, M. See also, *Al-Kindi's Role in the Transmission of Greek Knowledge to the Arabs*, Journal of the Pakistan Historical Society 15 (1), p: 3–18. Also, Incorporated from the Magazine "Islam: A Global Civilization", prepared by Islamic Affairs Department, The Embassy of Saudi Arabia, Washington, D.C. 1999

rational terms. Questions related to the nature of man, his relationship to creation, his obligations and responsibilities, as well as the nature of Divine attributes were tackled.¹⁹

No Muslim scholar would embark on an intellectual effort unless his approach had a basis in the al-Qur'ān al-Karīm. The rationalists saw a justification for their approach in Qur'anic verses (eg: "Behold! In the creation of the heavens and the earth, there are indeed signs for a people who have wisdom", (al-Qur'ān al-Karīm: 2,164) and in the Sunnah of the Prophet. Indeed, the Qur'an invites human reason to witness the majesty of creation and reflect on its meaning and understand the transcendence that suffuses it. The philosophical sciences that evolved as a result of this effort are referred to as *kalām* (discourse, usually a religious discourse). Sometimes, *kalām* is vaguely translated as theology, but theology as a science never caught on in Islamic learning as it did in Christianity, because the Muslims strove and succeeded in preserving the transcendence of God. Christianity adopted the position that God is knowable in person and is hence accessible to human perception. The Muslims, despite the philosophical challenges of the Greeks, succeeded in maintaining the position that God is knowable by His names, attributes and through the majesty of His creation, whereas His transcendence is hidden by His light. Muslim scientists and technologists have for centuries pursued their scientific and technological activities within a spiritual and ethical framework. There was a profound reason for their insistence on such a framework. They believed in an epistemology in which unity of science and technology and spiritual knowledge is duly maintained. They defended this belief by appealing to both revelation (*wahy*) and reason (*'aql*) or to both religious (*naqliy*) and intellectual (*'aqliy*) arguments. By *naqliy* arguments we mean arguments that are drawn from al-Qur'ān al-Karīm, al-Hadīths and other transmitted sources. "For '*'aqliy* arguments on the other hand, we mean philosophical and scientific arguments that are assembled for the purpose at hand through the independent exercise of reason. In Islamic intellectual tradition, these two types of arguments are not considered as opposed to each other but rather complementary and collaborative"²⁰.

Traditional Muslim scientists and technologists generally embraced the essentially God-centric world-view dictated by the al-Qur'ān al-Karīm. "This world-view argues that reality is not limited to the world of sensory experience. Beyond the world

perceptible to our physical senses there is another reality encompassing it, which is what the al-Qur'ān al-Karīm calls the 'unseen world' (*al-ghayb*)"²¹. Subtle and spiritual creatures populate this world. This non-physical world is not unconnected to the physical world in which we human beings live. The existence of the physical world and its functioning in the cosmic system depend on it. There are many verses in the al-Qur'ān al-Karīm that tell us about the connection between the sensory world and the unseen world. But it would be wrong to assume that, just because Muslim scientists believe in the unseen world on the authority of the Qur'anic revelation, they, therefore, lack a scientific spirit and a scientific frame of mind as we understand it today. For them, the unseen world is not just an object of faith. It is also an object of knowledge. Many traditional Muslim men of learning maintain the position that it is possible to arrive at a rational understanding of the unseen world on the basis of our knowledge of the physical world. Obviously, the traditional Islamic position depicted above would be in sharp contrast to the mainstream epistemology of science and technology in the modern world. Many contemporary scientists do not believe that there is a knowable reality beyond the physical world. Even when they do as, for example, when they speak of the human mind they would argue that it has come into existence as a result of physical processes. There are contemporary scientists who believe in God, but then they look at the physical world as an autonomous reality that has no meaningful connection whatsoever with God. If the great majority of modern scientists have impoverished external reality through this kind of perceptions, it is because they have impoverished beforehand the inner reality of human cognitive powers by reducing trustworthy sources of knowledge to sensory experience and/or certain kinds of reasoning and thinking activities. It is this impoverished ontological and epistemological beliefs that have shaped the nature and characteristics of western science in the last few hundred years. It was said that:

This particular kind of impoverishment has profound consequences on contemporary science and technology, many of which are with negative implications, and, through these two 'idols' of modern man, have affected our contemporary human civilization.²²

The Integration between religion and science

It has been argued that:

²¹ Syed Muhammad Naquib Al-Attās, (1978). "*The Concept of Education in Islam*". (Kuala Lumpur): The International Institut of Islamic Thought and Civilization. *Aims and Objectives of Islamic Education in Islam and Secularism*, (Kuala Lumpur: Muslim Youth Movement Malaysia, p:124-126

²² Wolfson, H. A, (1959). "*Ibn Khaldūn on attributes and predestination*." *Speculum* 34, no. 4.p: 585-597.

¹⁹ Osman, Bakar. (2008). "*Tawhīd and Science Islamic Perspective on Religion and Science*", Second Edition. Arah Pendidikan, Shah Alam, Malaysia, p: 12-14

²⁰ Osman Bakar. *Tawhīd and Science*, (2002). P: 116. Also, Yahya, Ismāil." *Integration of Religion and Science*" (www.metanexus.net).

In Islam, the idea of harmony and unity of religion and science is very much cherished. As we have earlier emphasized, harmony between religion and science is a major characteristic of Islamic civilization.²³

In Islamic civilization, science was born in the cradle of religion. More precisely, it was born in the cradle of monotheism – belief in the one true God – or what Muslims traditionally love to call *al-tawhīd*, which literally means unity. Islamic science grew and developed to become the most creative and the most advanced in the world for centuries until the seventeenth century, thanks to its nourishment by the teachings of monotheism or *al-tawhīd*, which is at the heart of religion. In the finest moments of its history, Islamic science also owed its success to its nourishment and guide by the essential teachings of the Islamic Divine Law or the *Sharīʿah*. Monotheism and Divine Law or *Tawhīd* and *Sharīʿah* were the twin forces of scientific and technological progress, which the religion of Islam gave to the world. Insofar as *al-tawhīd* (unity) is a universal idea, we can easily find its believers outside the Islamic civilization. Sir Isaac Newton and Einstein in the West are good examples of scientists whose philosophical and scientific thinking and inquiries have been inspired by the idea of unity of reality. As for the *Sharīʿah*, given its negative image in the minds of many contemporary men and women, we could easily be laughed at for claiming that it has been a source of scientific and technological progress in Islam. But modern scholarship supports the claim. Studies by such noted historians of Islamic science as David King and George Saliba provide ample evidence to demonstrate the creative role of the *Sharīʿah* in spearheading practically-oriented scientific research, particularly in the field of astronomy. These studies also demonstrate the unity of religion and science at the level of law and ethics. More generally, it could be maintained that the revealed teachings of the *Sharīʿah* contributed to the origin, development and progress of science in Islam at least three main respects²⁴.

First, the religious sciences of the *Sharīʿah* helped to give birth to the scientific spirit in its most comprehensive sense as we know it today. It is important to be noted that the origin and development of the scientific spirit in Islam differs from that in the West. In Islam this spirit was first demonstrated in the religious sciences. In the

modern West it was conceived in rebellion against religion. Many modern scholars attributed the origin of Islam's scientific spirit to the foreign sciences it inherited especially from the Greeks. A study of the early Islamic religious sciences, however, would reveal that by the time Muslims became deeply interested in the Greek philosophical and scientific heritage in the ninth century CE/third century AH, they were already in possession of a scientific attitude and a scientific frame of mind, which they had inherited from the religious sciences.

Second, the Quranic idea of God as the Law- or *Sharīʿah* -Giver helps to create a scientific culture in which there is no cleavage between the "laws of nature" and the "laws of God" as to be found in the modern West. On the contrary, there is unity of laws of nature and the revealed Law of religion. This is because the "laws of nature" too are divine laws. God manifests His Will both in the cosmos and in human societies through laws. In the human domain God has prescribed a *Sharīʿah* for every people. The Islamic *Sharīʿah* is only the last to be revealed. Some Muslim scholars in the past have referred to the different Divine Laws revealed to different branches of mankind at different points of time in human history as *nawāmis al-anbiyā'* ("Laws of the Prophets"). As for the Divine Law governing the whole of creation they refer to it as *nāmūs al-khilqah* ("Law of Creation").

Third, there is the creative role of the specific injunctions of the *Sharīʿah* such as the canonical daily prayers, fasting in the month of Ramadan, payment of religious tax (*zakāt*), and the pilgrimage to Mecca in motivating scientific studies and research. The practical need of the new and fast expanding Muslim community to follow these injunctions of the *Sharīʿah* necessitated the determination of the times of daily prayers and fasting, and the *qiblah*, the direction of prayer toward Mecca, which vary from place to place. "It is an established historical fact that the early Muslim concern with the revealed law of inheritance and the *zakāt* institution helped to give birth to a new branch of mathematics, namely algebra. In Islam, the closely related disciplines of astronomy, mathematics and geography have been well nourished by the various injunctions of the *Sharīʿah*".²⁵

With guidance from a higher kind of knowledge made available by divine revelation and from a higher spiritual and moral authority – which religion in fact is – science would know that its real purpose in civilized society is to complement religion in the task of helping man to fulfill his intellectual, rational and material needs in his life on earth. It is also to help man overcome social problems – which arise as a consequence of both natural disasters and human

²³ Osman Bakar, *Tawhīd and Science*. p 132. See also, Yahya, Ismāil. "Integration of Religion and Science". P 2-4

²⁴ Three main respects are taken from, Osman, Bakar. *Op cit*, p: 189-192. See also, Osman Bakar, (1991). "The Unity of Science and Spiritual Knowledge: The Islamic Experience," in R. Ravindra (ed.), *Science and Spirit*, International Cultural Foundation, New York, p: 87-101. Issawi, Charles, (1950). *An Arab Philosophy of History: Selections from the Prolegomena of Ibn Khaldūn of Tunis* (1332-1406). London: John Murray, p:230

²⁵ Issawi, Charles, (1950). *An Arab Philosophy of History: Selections from the Prolegomena of Ibn Khaldūn of Tunis* (1332-1406). London: John Murray, p:139

moral choice – that are within its capability and power to solve. It is not for science to compete with religion, let alone to revolt against it and replace it as it was to happen in the modern West. On the other hand, what religion needs most from science is its well tested knowledge of the natural world, which could help the spiritual teachings of religion to be more enlightened and to become better understood. According to the Muslim scholars we have mentioned, science can even contribute to our better knowledge of God. The positive views of these scholars on the harmony and unity of religion and science have no doubt been inspired by the al-Qur’ān al-Karīm.

The key to a genuine understanding of the unity of religion and science in the Islamic perspective is the idea of tawhid. Islamic history was witness to the pervasive role of this idea in the promotion of progress in many branches of knowledge. It is most unfortunate that such an important idea is little understood by the majority of Muslim scientists today. Equally distressing to observe is the fact that many graduates in Islamic studies have little grasp of the intimate connection between tawhid and progress in knowledge, particularly science, in the history of Islamic civilization. This distressing situation among Muslims today needs to be corrected. A correct understanding of tawhid and its role in the progress of scientific ideas and other kinds of knowledge need to be presented in contemporary language to our students and younger generation of scientists. In particular, we Muslims today need to know how Muslim scholars and scientists in the past applied the principle of tawhid to their scientific thinking and research to the point of being able to create a healthy and balanced scientific culture. We need to learn lessons from our past history.

Understanding Islam’s core teachings on knowledge and their implications for science and technology, Islam is at once a religion (*dīn*), a community (*ummah*), and a civilization (*ḥaḍārah; tamaddun*). In all three senses, Islam is a source of unique perspectives on integrations between science, technology, spirituality, and ethics. As a religion, Islam upholds knowledge as the key to both individual and societal salvation. With the idea of unity of reality and knowledge as a guiding principle it refuses to entertain any distinction between the religious and the secular in the realm of knowledge. “*Science and technology are as relevant as the so-called religious sciences to the human pursuit of the divine*”²⁶

As a community founded on the idea of the Prophet Muhammad Shallalāhu ‘alaihi wasallam as the last in the long series of law-givers God has sent to humankind, Islam stresses on the Divine Law (*al-Sharī‘ah*) contained in the al-Qur’ān al-Karīm as the most important source of ethics to guide human actions in all sectors of personal and public life and as the most visible expression of Muslim cultural identity. This Law is generally viewed as not only all-embracing in the scope of its applications but also as dynamic enough to be adaptable to the changing needs of space and time. Science and technology are to be regulated by ethics embodied in this Law. As a civilization, Islam seeks to promote the interests of all humanity by standing up for the perspectives of universalism, the common good and inter-faith understanding. As so many of Islam’s thinkers have asserted over the centuries science and technology are the most powerful and the most enduring universal elements in human civilization and should be pursued for the sake of our common good and inter-faith peace. “Given Islam’s emphasis on universalism, the common good and inter-faith understanding, it is not surprising that it was in the Islamic civilization that we first find a multi-religious and multi-cultural collaborative research in science and technology”.²⁷

Muslim preoccupation with the knowledge culture took many different forms. One was classification of knowledge, which proved to be a good way of keeping track of the state of knowledge at any given time. Classification of knowledge divided the sciences into thematic groups of well-defined disciplines, and preserved their hierarchy. Traditional Muslim scholars dealt with several systems of classifications, the most popular of which were the classification of knowledge into the *naqliy* (transmitted) and *‘aqliy* (intellectual) categories and into the *farḍ ‘ayn* (obligatory to everyone) and *farḍ kifāyah* (obligatory to society as a whole) types. We will discuss later these two types of obligatory knowledge in connection with scientific and technological knowledge. Sunni theologians, philosophers, scientists, historians, and jurists were represented in this unique enterprise. Such classifications had been particularly useful to the organization of educational curricula. Interestingly, there appeared to be a correlation between the rate of production of classifications of knowledge and the intensity of knowledge expansion. The interest in classifications was at its height during the era when Muslims were the most productive in terms of adding new scientific disciplines to the existing body of human knowledge. After the sixteenth century when intellectual and scientific innovations began to

²⁶ Fischel, Walter J. (1967). *Ibn Khaldūn in Egypt: His Public Functions and his Historical Research (1382-1406)*, a Study in Islamic Historiography. Berkeley: University of California Press. P: 192

²⁷ ‘Inān, Muḥammad ‘Abdallāh, (1965). *Ibn Khaldūn, ḥayātihū wa-turāthuhū al-fikrī*. Cairo: Maktbat Lajnat al-Tal‘if wa-l-Tarjama wa-l-Nashr. Translated as *Ibn Khaldūn: His Life and Works*. Lahore: Sh. Muhammad Ashraf, 1946, p: 129

decline in most parts of the Islamic world, work on classifications dropped sharply. The fact that hardly any work has appeared on the subject since the eighteenth century testifies to the reduced importance of the role of knowledge among Muslims in the last one century²⁸.

A Muslim classification of knowledge of any period reveals a great deal about the knowledge culture of the period in question, including its characteristics and achievements. Among the things it reveals is whether or not new branches of knowledge have been added since the last classification was written. It is also clear from past classifications that Muslims were concerned with the need for a balanced approach to both theoretical and practical knowledge. In addition, Muslims accord relative importance to each science in the context of human knowledge as a whole. Scholars generally use three criteria to determine the epistemic position of each science in what is traditionally called the hierarchy of knowledge. The criteria are defined in terms of the relative excellence of the objects of study, methods of study, and benefits of study. Some sciences may be viewed as more laudable than others on the basis of one or more of these criteria. The greatest science in light of the three criteria is the science of God or theology in the true sense of the word.

Theoretical Dimensions and Practical Contributions of Ibn Khaldūn

Several Muslim reformers and intellectuals, in the past, especially during the nineteenth century, struggled to integrate knowledge between revealed knowledge and scientific knowledge such as Muhammad Abduh (1845-1905) and Sir Sayed Ahmad Khan (1817-1898). They believed that there should be a combination between revealed knowledge and scientific knowledge through adding western sciences to the existing curriculum of Islamic disciplines. They viewed that western sciences are necessary in developing the Muslim society and would not cause any harm to Islamic values. Two types of educational systems: religious stream and conventional stream of educational systems exist in the Muslim world, which produce dual citizens. This attempt hardly bore any fruit in the field of science and technology. The religious stream of education particularly was worse, which was desperately in the need of reformation, even though, Ulama claimed that they depend Islam and guide Muslims, but were failure to show it in a comprehensive manner, Islam as a complete way of life²⁹. Ibn Khaldūn as one of the

contemporary reformers felt that the whole system of education must be reoriented and integrated in accordance with the demand of time and necessity of the society. In his view, the madrasah syllabuses had become narrow and sterile with modern developments in science being rejected altogether. So that at the beginning of the twentieth century, the madrasah were producing *‘ulamā* who believed, together with the Europeans, that there was a clash and contradiction between certain ‘externals’ of Islam and certain matters of science, for instance, the Earth being round. This false idea had caused feelings of hopelessness and despair, and had shut the door of progress and civilization. He argued that *“Islam is the master and guide of the sciences, and the chief and father of all true knowledge.”*³⁰ For integration of knowledge, his view is that religious subjects are taught in the new secular schools (*makātib*) and that the positive sciences are taught in the religious schools (*madāris*). He argued that if the students are taught in this method, those in the secular schools will be more religious, while those in the religious schools will be saved from bigotry.³¹ The main purpose of learning of science is to understand the al-Qur’ān al-Karīm and to prove its truths. Understanding the al-Qur’ān al-Karīm should be the main aim and purpose of learning science and object of life. Thus the Quranic miraculousness should become the guide, teacher and master for the entire humanity.³² According to him, the process of integration means; “to critically analyze the modern sciences, to identify differences and to incorporate them into curriculum of the Muslim universities within the framework of Islam.”

³⁰ It is fact that Ibnu Khaldūn developed integrated approach to teach religious and modern sciences side by side and did not use the term ‘Integration of knowledge’, but the frame work and approaches mentioned by him can be considered as the process of the integration of knowledge between modern sciences and religious sciences. Lacoste, Yves (1984). *Ibn Khaldūn: The Birth of History and the Past of the Third World*. Translated by David Macy. London: Verso. P: 234-248.

³¹ M. Kamal Hassan, “International Islamic University at Kuala Lumpur”, in the Oxford Encyclopedia of the Modern Islamic World, ed. John L. Esposito (New York: Oxford University Press, 1995), p: 211. See also Abdul Rashid Moten, *Islamization of Knowledge in Theory and Practice*. (Islamabad Journal: vol. 43, number: 2, 2004), p: 263-278.

³² Like al-Azhar University is a universal madrasa in Africa, however much larger Asia is than Africa, Asia should have a place of learning, an Islamic university which is that much bigger, so that negative racialism should not corrupt the Muslim peoples, for example, the nations of Arabia, India, Caucasia, Iran, Turkistan, and Kurdistan. And so that it may be the means to a total unfolding of Islamic nationhood, which is true, positive, and sacred nationhood, and of the fundamental rule of the Qur’an: Indeed the believers are brothers.”(Emirdag Lahikasi, ii, 195. Trans. By Professor Dr. Adem Tatli).

²⁸ Lacoste, Yves, (1984). *Ibn Khaldūn: The Birth of History and the Past of the Third World*. Translated by David Macy. London: Verso, p: 120-123

²⁹ Yahya, Ismail (2005). *Integration of Religion and Science*. The paper was prepared for “Science and Religion: global Perspectives” June 4-8, 2005, in Philadelphia, PA, USA, a program of the Metanexus Institute (www.metanexus).

Emphasizing on religion and science, Ibn Khaldūn urged critical evaluation and assessment of both the religious and science education. He also argued that after studying critically the historical background of the whole system, if the traditional Muslim scholarship is found inadequate from the vantage point of the al-Qur'ān al-Karīm and Sunnah and their relevance to the problems of the present age, it should be duly modified. For strengthening his argument, he explained that *"The religious sciences are the light of the conscience and modern sciences are the light of the reason"*.³³ His emphasis was to make one stream of educational system that leads to the real progress of the nation and community. It is noticeable that for Integration of knowledge, Ibn Khaldūn emphasized on assessment of religious sciences as well as modern sciences. The purpose of such review is to ingrate the modern sciences into the corpus of the Islamic legacy by amending, modifying, reinterpreting and adapting its components on the basis of the Islamic worldview and its characteristics. Wholesale rejection of modern science or wholesale glorification of traditional Islamic scholarship both are wrong perception because rationally educated scholars consider traditionally trained-scholars as an ignorant and unreliable and unable to discover and demonstrate the relevance of this heritage to the current problem. The traditionally trained-scholars accused the farmer weakness in beliefs and incapability to understand the classical literatures. His reformation aims to facilitate the restructuring of life and institutions of the provinces, which serve to strengthen the unity of Empire as well as the unity of the ummah. It also saves Islam from the bigotry, racism, prejudice, superstitions, and false beliefs, which have encrusted part of them over the centuries? It would also be a means towards understanding the relationship and purpose between science and religion. He assumed that this integration would "open the door to spreading the beneficial aspects of constitutionalism."³⁴

On a wider scale, the *Educational system* would unite the three traditions in the educational system by representing "the most superior maktabah by the reason, the very best madrasah by the heart, and the most sacred philosopher/sūfī by the conscience". As a result of its unique value for the Islamic world, it would in time gain financial independence by reason of the donations and pious bequests, it would receive by religion. Both will produce high qualitative

intellectuals. During his time, there were three main branches of educational institutions, namely, the madrasas (Islamic schools) or traditional religious schools, the *makātib* or new secular schools, and the ways (*tarāiq*) or Sufi disciplines, existed in the society. The heart of Ibn Khaldūn's proposals lay in reconciling the three main branches into one. The embodiment of this rapprochement was the *Educational system*. Ibn Khaldūn attached the greatest importance to establishing this university where the religious sciences and modern sciences would be taught side by side and "combined", and pursued it till the end of his days. While the role the *Educational system* was to play was seen by Ibn Khaldūn to be vital for securing the future of Arabic and unity of the Empire as well as acting as an important Centre for the eastern Islamic world. The general principles of it represented were applicable to all *madāris*. Several of the conditions, Ibn Khaldūn considered to be essential, were mentioned in the petition: the Educational system. In another work, Munāzarāt, Ibn Khaldūn wished for Islam to function like a consultative council, that is to say, through the mutual consultation (*munādhharah*) of "the three divisions of the army of Islamic education", those of the *madāris/ma'āhid*, the *makātib* and the philosopher, so that "each would complete the deficiencies of the other". His aim was for the Educational system to be an embodiment of this. Another proposal was given by him is to restructure completely *madāris* education in line with the demand of times and necessity of the society. These consisted of what might be described as the democratization of the *madāris* system, and its diversification so that "the rule of the division of labor" could be applied.

For preventing a blind imitation and exchanging public ideas and opinions, Ibn Khaldūn observed that there were Muslims who had a blind imitation towards the previous scholars and teachings of Islam without knowing the relevantness of the issues, while another groups accepted and followed blindly the Western values and ideologies such as secularism and materialism without verification. In order to overcome from this turmoil situation, Ibn Khaldūn proposed to have a discussion between students and 'Ulamā and exchange their ideas and opinions in accordance with the needs of the society. He believed that there was "scholastic despotism", and "an offspring of political despotism", which has opened the way to blind imitation (*taqlid*), and barred the way to searching for the truth. In order to solve the problems of the modern age, he proposed two scientific and practical methods; one is "constitutionalism among the 'ulamā" should be established "in the 'ulamā state." The second is the prevalent ideas should be emerged through the debate and exchange of ideas between students of varying disciplines and Masters. Ibn Khaldūn predicted that this would provide a strong

³³Lakhasi, Abderrahmane, (1996). "Ibn Khaldūn." In History of Islamic Philosophy, edited by S. H. Nasr and O. Leaman, p: 350-364. London: Routledge. Also, Lawrence, David, (1984). Ed. *Ibn Khaldūn and Islamic Ideology*. Leiden: E. J. Brill, p: 129-131

³⁴ *Integration of Knowledge in Theory and Practice: The Contribution of Bediuzzamān Saīd Nursī*. Journal, Department of General Studies, Faculty of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, p: 148-159

stimulation and incentive for progress and development. Thus, "Just as public opinion predominates in the state, so too should the prevailing opinions of the 'ulamā be mufti, and the prevailing opinions of the students be master and teacher."³⁵

The aim of this body was to find solutions for problems confronting the Islamic world, to answer in a scholarly manner the attacks made by oppositions on it, to combat those who attempted to discredit the religion of Islam and it had the power to refer the open flouting of Islamic morality to the relevant authorities. Hence, it was to answering questions, informing those concerning internal and external dangers, and generally meeting their religious needs with various publications. Most of the members of the body were prominent 'ulamā, and were divided into three major areas such as jurisprudence (*fiqh*), ethics (*akhlāq*), and theology (*kalām*).³⁶

Establishing the Educational system with integrated approach

Ibn Khaldūn was aware about the problem of education during his lifetime. He therefore, strongly felt that without identifying shortcomings and revamping the existing educational system, it is impossible to change the mindsets of the Ummah and develop the nation. He realized that the entire system of education must be reformed. For reformation, he proposed to educational reforms at all levels-elementary, secondary and university. His emphasis was to establishing *Educational system* in the form of the University for Integration of knowledge where the religious sciences and modern sciences would be taught side by side because the intellectual directions for social change are guided by the universities. His emphasis was also to restructure completely madrasah education with modern approach. This consists of what might be described as the democratization of the madrasah system. He observed that there was a contradiction and clash between certain externals of Islam and certain matters of science. This false idea, to him, had caused feelings of hopelessness and despair and shut the door of Ijtihad as well progress and civilizational development. This state of affairs must be done away with. The existing dualism in education, its

divergence into religious and secular education must be abolished, which produces dual citizen with hatred and distrust between Ulamā and scientists because Ulamā believed that there are basic differences between two systems. He exemplified that the sciences of religion are the light of the conscience, and the modern sciences are the light of the mind. The truth is manifested and reflected through the combination of the two. "The students' endeavor will take flight on those two wings". When they are separated, it leads to bigotry in the one, and doubts and skepticism in the other.

To him, the ignorance is the root cause of sicknesses afflicting the Islamic world like backwardness, poverty, and conflict. The future sovereignty of nation would not lie in the sword, but in science. His emphasis was on the courage of belief, reason, and science as the Europeans are victorious through this courage. He commented³⁷:

"You must forge your swords out of the substance of science, industry, and the solidarity of Qur'anic wisdom." His observation was that the existing educational system is the failure of achieving of the goal. He therefore, viewed that the existing syllabus of madrasah and university do not meet the needs of students in Iraq for professional knowledge that would enable them to achieve the personal advancement and material gains. He also opined that the structures of the syllabus and curriculum of the madrasah and university must be rebuilt in consonance with the requirements of Islam and make it in a way that would must be adjusted with the requirements of modern age. The aim of his proposal was to produce a kind of leadership, who would be able to lead the nation and society in every aspect of life according to the teachings of Islam. Islam as a complete way of life promotes Muslims to be united and living together with the peace of mind and body. For establishing the *educational system* in the university, Ibn Khaldūn suggested the following³⁸:

1. Educational system would unite the three traditions in the educational system by representing the most superior maktab by the reason, the best religious madrasah by heart and

³⁵ Issawi, Charles, (1950). *An Arab Philosophy of History: Selections from the Prolegomena of Ibn Khaldūn of Tunis*. London: John Murray, p: 176. See also, *Integration of Knowledge in Theory and Practice: The Contribution of Bediuzzamān Said Nursi*. Journal, Department of General Studies, Faculty of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, p: 148-159

³⁶ Fischel, Walter J, (1967). *Ibn Khaldūn in Egypt: His Public Functions and his Historical Research (1382-1406)*, a Study in Islamic Historiography. Berkeley: University of California Press. See also, "*Ibn Khaldūn's use of historical sources.*" (1961). *Studia Islamica*. p: 128-145

³⁷"Ibn Khaldūn's use of historical sources." (1961). *Studia Islamica* 14. See also, Fischel, Walter J, (1967). *Ibn Khaldūn in Egypt: His Public Functions and his Historical Research (1382-1406)*, A Study in Islamic Historiography. Berkeley: University of California Press.p:219

³⁸ Fischel, Walter J, (1967). *Ibn Khaldūn in Egypt: His Public Functions and his Historical Research (1382-1406)*, A Study in Islamic Historiography. Berkeley: University of California Press, p: 129-131. See also, Klein-France, F. (1996) 'Al-Kindī', in S. H. Nasr and O. Lealman (eds) *History of Islamic Philosophy*, London: Routledge, chi 11, 165-177. Also, Moose, M. (1967) '*Al-Kindī's Role in the Transmission of Greek Knowledge to the Arabs*', *Journal of the Pakistan Historical Society* 15 (1): p: 10-28.

- the most sacred *zāwiyah* by the conscience. As a result of its unique value for the Islamic world, it would in time gain financial independence by reason, high moral quality by the revelation and spiritual enhancement by the self-criticism and self-awareness.
2. Religious subjects should be taught in the new secular schools (*makātib*) and that the positive sciences are taught in the religious schools (*madāris*). As a result, students who study in secular schools will be saved from being without religion, while those in the religious schools will be saved from bigotry³⁹.
 3. The purpose of this integration is to understand science from the Qur'anic perspective in order to prove its truths and reality. Understanding the al-Qur'ān al-Karīm should be the main aim and purpose of learning science and object of life. Thus the Qur'anic miraculousness should become the guide, teacher and master for entire humanity.
 4. According to his observation, in contemporary universities where the natural, physical, mathematical, technological, social and human sciences are taught, but the religious and spiritual aspects are ignored and produced dual citizen in the society. As a result, they become either anarchists, or intellectuals who hold personal interests above everything and secure them in the shortest way.
 5. Educational system with the *Madāris educational system* would transform from being "single faculty institutions" into being "multi-faculty" institutions and to put it into practice, "the role of division of labor" was in accordance with wisdom and the laws of creation. The failure of its practice, to his opinion, in previous centuries, had led to despotism and the exploitation of learning in the *madāris*, which had headed them towards destruction.
 6. He stresses the need for specialization of the subject for which students have an aptitude and studying further subjects in so far as they would complement the main subject in order to gain a sufficient depth and penetrate the subject as required.
 7. Arabic as the language of the al-Qur'ān al-Karīm should be introduced as a compulsory subject for understanding the teachings of the al-Qur'ān al-Karīm and Sunnah of the prophet Muhammad (peace be upon him). In the multi-racial society,
- his proposal was to use three languages, Arabic, Turkish, and Kurdish, with Arabic compulsory, Turkish necessary, and Kurdish optional.
8. The instrumental sciences should only not be emphasized, but the sacred sciences or religious sciences should also be too such as Tafsīr, Hadīth, 'Ilm al-Kalām and like should be incorporated as the part of the syllabus.
 9. In educational institutions, teachers should be experts in their respective languages and fields as well as role models and practicing Muslims with a sound understanding in the al-Qur'ān al-Karīm and Sunnah. It is fact that the success of this university depend on the effective role of teachers and their contributions with their full commitments and sincerity to Islam.
 10. All graduated students from *Madāris* and other state universities should have equal rights and opportunities regardless languages, tribes, and nationalities in the fields of employments.
 11. The teacher training schools should be established and trained teachers who taught in *Madāris* and other educational institutions for a certain period. So that the order and progress of the one should pass to the other, and the virtue and religion of the other pass to the first⁴⁰.
 12. He advised his nation to incorporate 'the *Educational system* collection' into the syllabus in all educational establishments of middle and higher level and to propagate its benefits through the electronic media such as the radio and television. Such a move would also be a means of uniting the nation of Muslims particularly and the Islamic world in general.

Conclusion

What does Ibn Khaldun's approach tells us about the *educational system* and the *Integration of knowledge between religion and modern sciences*, in order to yield one stream of educational system in the Modern era? There is no doubt that integration of knowledge project is an important tool in reconciling the gap between scientists and religious scholars and breaking down their mystification approaches. For many Muslims, it is so important because the inevitability and indispensability of knowledge cannot be denied. However, the struggle for Integration of knowledge is the outcome of the

³⁹ *Integration of Knowledge in Theory and Practice: The Contribution of Bediuzzamān Said Nursi*. Journal, Department of General Studies, Faculty of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, p: 148-159

⁴⁰ Al-Azmeh, Azīz, (1981). Ibn Khaldūn in Modern Scholarship: A Study in Orientalism. London: Third World Centre, 1981. See also, Badawī, (1962). A. Mu'allafāt Ibn Khaldūn. Cairo, p: 231. See also, Integration of Knowledge in Theory and Practice: The Contribution of Bediuzzamān Said Nursi. Journal, Department of General Studies, Faculty of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia, p: 148-159.

realization of Ibn Khaldūn and other concerned Muslim scholars that the existing dual educational system is not beneficial and fruitful for Muslim nations, but a dangerous malaise and tool for disuniting the ummah. It is fact that thousands of university and college graduates in Muslim society are not aware of religious and ethical values, Islamic heritage (*turāth*) and culture. The existing trend among Muslim intellectuals is that they consider the West as Centre for knowledge and unaware that the body of this secular knowledge reflects the Western values, culture and historical experience, which only emphasize on material and worldly gains and success, but also unaware about the total denial of revelation as a source of guidance and knowledge for entire humanity. It is undeniable that the current educational system in the Muslim world is based on Western secular worldview, which makes difficult for Muslim intellectuals to get out from the crisis of mind. Ibn Khaldūn was one of the most talented and versatile person and thinker the world ever saw. Besides being the top Muslim philosopher, he was also a practicing politician and expert historian. In a nut shell he was a person gifted with a great intelligence. His philosophical approach towards the understanding of history gave him a place among the pioneers of philosophy of history. In my conclusion that, Ibn Khaldun, no doubt, was successful in harmonizing between Islamic knowledge and general knowledge in the *Islamic educational system* via his view in the perception on integration of knowledge and the *Islamic educational system* in the Modern era.

References

- Abdul Rashid Moten. (2004). Islamization of Knowledge in Theory and Practice. *Islamabad Journal*, vol. 43: 2.
- Al-Azmeh, Azīz, (1981). *Ibn Khaldūn in Modern Scholarship: A Study in Orientalism*. Third World Centre. London, United Kingdom.
- Al-Jawaydī, Darwīsh, (1995). Ed. *Muqaddimat Ibn Khaldūn*. Sidon and Beirut: al-Maktaba al 'Aṣriyyah.
- Badawī, A, (1962). *Mu'allafāt Ibn Khaldūn*. Beirut: Dār Iḥyā' al-Turāth al-'Arabī.
- Fischel, Walter J, (1967). *Ibn Khaldūn in Egypt: His Public Functions and his Historical Research* (1382–1406), a Study in Islamic Historiography. Berkeley: University of California Press.
- Fischel, Walter, (1961). "Ibn Khaldūn's use of historical sources." *Studia Islamica* 14.
- 'Inān, Muḥammad 'Abdallāh, (1946). *Ibn Khaldūn, ḥayātuhū wa-turāthuhū al-fikrī*. Cairo: Maktabat Lajnat al-Tal'if wa-l-Tarjama wa-l-Nashr. Translated as *Ibn Khaldūn: His Life and Works*. Lahore: Sh. Muhammad Ashraf.
- 'Inān, Muḥammad 'Abdallāh, (2004). *Integration of Knowledge in Theory and Practice: The Contribution of Bediuzzamān Said Nursī* Journal, Department of General Studies, Faculty of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia.
- 'Inān, Muḥammad 'Abdallāh, (1999). "*Islam: A Global Civilization*". Incorporated from the Magazine. Prepared by Islamic Affairs Department, The Embassy of Saudi Arabia, Washington, D.C.
- Issawi, Charles, (1950). *An Arab Philosophy of History: Selections from the Prolegomena of Ibn Khaldūn of Tunis (1332–1406)*. London: John Murray.
- Klein-France, F. (1996) '*Al-Kindī*', in S. H. Nasr and O. Leaman (eds) *History of Islamic Philosophy*, London: Routledge.
- Lacoste, Yves, (1984). *Ibn Khaldūn: The Birth of History and the Past of the Third World*. Translated by David Macy. London: Verso.
- Lakhassi, Abderrahmane, (1996). "*Ibn Khaldūn*." In *History of Islamic Philosophy*, edited by S. H. Nasr and O. Leaman, 350–364. London: Routledge.
- Lawrence, David, (1984). Ed. *Ibn Khaldūn and Islamic Ideology*. Leiden: E. J. Brill.
- Mahdī, Muhsin, (1957). *Ibn Khaldūn's Philosophy of History: A Study in the Philosophic Foundation of the Science of Culture*. London: George Allen & Unwin.
- M. Kamal Hassan. (1995). "International Islamic University at Kuala Lumpur", in the *Oxford Encyclopedia of the Modern Islamic World*, ed. John L. Esposito. Oxford University Press. New York.
- Moose, M. (1967) 'Al-Kindī's Role in the Transmission of Greek Knowledge to the Arabs', *Journal of the Pakistan Historical Society*.
- Nassar, N, (1967). *Islam in the Modern National State*. Cambridge: Cambridge University Press.
- Oliver Leaman, (1998). "*Ibn Khaldūn, 'Abd al-Rahmān (1332–1406)*," in *Routledge Encyclopedia of Philosophy*. Vol. 4, 623–627. London: Routledge.
- Osman Bakar, (2008). *Tawhīd and Science*, Arah Pendidikan, Shah Alam, Malaysia.
- Osman Bakar, (1991). "*The Unity of Science and Spiritual Knowledge: The Islamic Experience*," in R. Ravindra (ed.), *Science and Spirit*, International Cultural Foundation, New York.
- Rosenthal, Franz, (1958). Trans "*The Muqaddimah, an Introduction to History*". Princeton: Princeton University Press.

- Schmidt, Nathaniel, (1930). *Ibn Khaldūn, Historian, Sociologist, and Philosopher*. Columbia University Press. New York.
- Syed Muhammad Naquib Al-Attās, (1978). "The Concept of Education in Islam". The International Institute of Islamic Thought and Civilization. *Aims and Objectives of Islamic Education in Islam and Secularism*. Kuala Lumpur, Malaysia.
- Walzer, R, (1995). "Aspects of Islamic Political Thought: al-Fārābī and Ibn Khaldūn." Oriens.
- Wolfson, H. A, (1959). "Ibn Khaldūn on attributes and predestination." *Speculum*.
- Yahya, Ismail (2005). Integration of Religion and Science. The paper was prepared for "Science and Religion: global Perspectives". United States.

Website References:

http://www.4islamicschools.org/admin_curr.htm

<http://www.iberr.org/research.htm>

http://www.khilafah.com/khalifah_magazine.lographics.index.php

Development and its Actors: The Milieu of Islamic-based Development

Shereeza binti Mohamed Saniff

Faculty of Islamic Development Management,

Universiti Islam Sultan Sharif Ali (UNISSA)

shereeza.saniff@unissa.edu.bn

Vol.1, Issue 1 | January 2018

KEYWORDS

Islamic-based development, development actors, Islamic-based development actors, development paradigms, ultimate goals.

ABSTRACT

This article looks at the evolution of Islamic-based development as a field of study and then examines the concept of Islamic-based development actor (or IbD Actor). The emphasis of this article is on the importance of humans as the actors of development. It is the humans, as the central figure that defines which development paradigm is to transpire as development occurs at the hands of humans. However the differing development paradigms between the Islamic-based to that of conventional strike at the very core – the philosophical underpinnings. The conventional development paradigm influences even the Muslim countries. The dominance of conventional development has even overshadowed the concept of Islamic economics, one facet of Islamic development. With such antagonism natural conflict arises. This results in the achievement of the ultimate goals of the development paradigms to differ completely. Hence the dilemma to man as the actor of any development process who need to decide which development goal that is needed to be achieved foremost. In seeking out the required answers for this article, library research is mainly used to obtain the various concepts and assessment applied in this article with textual analysis carried out. The article suggests that for man as actor of development to be detangled from the dilemma, only a truly Islamic-based development paradigm can be seen as the saviour. However for a truly Islamic-based development to transpire requires foremost man to be the IbD Actor.

Introduction

The emergence of the Islamic-based development (of IbD) discipline is viewed as the alternative to the dominant paradigm of most of the world today which is that of Western Europe and America. These Western Europe and America paradigms¹ were

¹ The term paradigm is referred to in holistic context to include aspects of culture, development, religions and jurisprudence. For the purpose of this study, in relating to paradigms, only the development paradigm will be focused. Although the terms Western, Occident and Eurocentric have been referred to in some literatures such as by Abu Ameenah Philips Bilal (2007), Mohd Kamal Hasan (2013) and Muhammad Syukri Salleh (2012c) respectively, the term conventional is referred to throughout this article which encompass all these terms that alludes to the Western, Occident and Eurocentric. As such the term

exported to the remainder of the world during the period of European Colonization and continued during the neo-colonial era by way of indirect rule. The dominant prevailing philosophy across the globe today for past decades have been the neo-classical philosophy - that becomes the main construct of the secular capitalistic development system which is held as the ideal for all societies to follow. They view that their societies and systems are the most

dominant conventional development paradigm refers to the paradigms that are rooted on the neo-classical philosophy which in turn produces development theories on growth and growth-with-distribution theories or the radical philosophy that produces development theories on structuralism and dependency theories.

advanced and appropriate for modern human society (Philips, 2007 and Salleh, 2012).

However this concept of secular capitalistic development is in direct conflict with the foundations of IbD paradigms. The conventional paradigm now dominantly influence the paradigms in most countries both Muslim and non-Muslim worlds. The main banner of this conventional development paradigm is that of secularism. With this clash of paradigms natural conflict arises (Philips, 2007).

With such antagonism natural conflict arises. The conventional development paradigm influences even the Muslim countries. This results in the achievement of the ultimate goals of the development paradigm to differ completely. This may pose a problem to man as the actor of any development process since he may be at the crossroad in the need to decide which development goal that is needed to be achieved foremost. Hence the purpose of this article. This article sets to examine the apparent antagonism between the two paradigms and presents the important role that is pertinently important for the Islamic-based development actor to fulfil. It is the premise of this paper that humans are the central figure that defines which development paradigm is to transpire. Development occurs at the hands of humans. However the different philosophical underpinnings between the IbD paradigm to that of conventional development paradigm strike at the very core made worse by the dominance of conventional development overshadowing the concept of IbD itself.

This article is divided into four main sections encompassing this present section as the Introduction, followed by a short treatise on the concept of human as the actor of development before examining the evolution of Islamic-based development as a field of study. It then proceeds to present the importance IbD and its actors, IbD Actor, before concluding it.

Humans as Actors of Development

Development is a multi-dimensional concept encompassing all aspects of human life. Islam and Islamic values stand for development, both morally and materially (Sadeq, 2006). IbD is a specialised area of study emerged in the 1970s. It is characterised by the inclusion and integration of various fields and disciplines which are holistically approached and studied (Salleh, 2008b). IbD as a field of study gained momentum from the rising interests on issues pertaining to development following the precepts and frameworks of Islam.

According to Salleh (2002), one of the contributing factors towards the emergence of IbD discipline was on the implementation aspects. These implementation aspects refer to the setting up of various IbD institutions especially in the 1980s which hold fast to the philosophy and principles of Islamic framework. These institutions are thus known as IbD institutions (Ahmad, 2013).

Yet the prime movers behind any development paradigms, Islamic-based or western ethno-centric, are humans. Humans are the central figure, the main element that determines the development paradigm that is inevitably to transpire. Any development, whether Islamic-based or western ethno-centric, occurs at the hands of humans. The effort and processes in development occur at the hands of humans. It is thus evident that any form of development will be near to impossible to be effected without the existence of development actors. This holds true notwithstanding the philosophical development is from the Islamic perspective on development or from western ethno-centric view on development. Both share the same development actors. The actors are humans.

The Concept of Man

Any development paradigm requires humans to assume the role of development actors. Without these development actors, development cannot transpire. However the concept of humans used by the western dominated theories on development to that of Islamic-based development has a differential basis at the core.

The concept of man according to the western ethno-centric paradigm is naturally from an Islamic-exogenous paradigm². In conventional terms "man" has been regarded as an investment whose economic values is based on the employee's skill set (Schultz, 1961). This shows that assumption is made based on the conventional economics that views the place of man in society as a tool whose ultimate goal is consumption. The Renaissance and the reformation gave birth to the idea of the "masterless man" and through the works of Max Weber in *The Protestant Ethic and The Spirit of Capitalism (1904/1905)*. Protestantism considered "acquisition as a virtue centric or rather than a sin" (Toutouchian, 2009). According to Toutouchian (2009), the works of Adam Smith in *The Theory of Moral Sentiments (1759)* converted individual from the emphasis on self-interest to a "machine of happiness" which derives happiness solely from consumption.

²According to Muhammad Syukri Salleh (2012), the exogenous paradigm is characterised by a Eurocentric or western ethno-centric thinking.

This led to man's desires becoming the new master (Toutouchian, 2009). If based on the conventional development paradigm, the primary duty of man in development is associated with economic progress. Thus man's primary function is seen as his ability to attain maximum profits materially within the minimum input as has been invested in him through, mainly education and training as the measurement of success is equated, quantified and exchanged into productivity and loss³.

Man in Development

In terms of the western ethno-centric development actor, man is seen from the physical aspects and appraised according to his skills and talent. Thus for development actors involved in development projects, the development success is measured through its development projects milestone (Mustakangas, 2010) while from the economic development aspects the actors will be viewed as mere labours or entrepreneurs. In both these development spheres, reference is made to human's physical strength, ability, productivity and his intelligence, referring to the tangible aspects that can be discerned and measured. The spiritual aspects are ignored (Salleh, 2003). Even if the spiritual aspects are taken into account nonetheless the examinations and discussions are still kept within the paradigm of ensuring maximum productivity and mass consumption. The measurement of one's spiritual being is still confined towards his ability to participate in production (Salleh, 2012a). The notion of development actor is confined within such parameters of the development projects assigned (Mustakangas, 2010) or in understanding culture and development (Radcliffe, 2006) or in an urbanizing world (Baud, 2002). These development actors are still confined within the paradigm and sphere of conventional development that views these actors as one of the factors to production. This is where there is a marked difference in the concept of man in Islam with that of conventional development.

The "concept of man" in Islam views man as having a dual dimension role. His first role is seen in the context of his relationship with Allah SWT, the Creator (*habl min Allah*)⁴. In this role he is a servant of Allah SWT. His second role lies in the social context of his relationship with other man and with the natural resources (*habl min al-nas*)⁵. In this role

³ This idea became prominent by Adam Smith (1776) in his book "Wealth of Nation" who is known as the father of modern economics which led to the Industrial Revolution.

⁴ The terminology "habl min Allah" is also referred to as "vertical relationship". The term "vertical relationship" shall hereafter be used throughout this article.

⁵ The terminology "habl min al-nas" is also referred to as "horizontal relationship". The term "horizontal

he is regarded as *khalifat* of Allah SWT. As such, man as a servant and *khalifat* of Allah SWT, is not merely bound by economics aspects whose ultimate aim is consumption. In contrast, man adhering to the *tauhidic* concept⁶ constantly foster their vertical relationship with Allah SWT and simultaneously as a *khalifat* of Allah SWT foster their horizontal relationship with one another and the natural resources (Salleh, 2003).

This holds true for the IbD Actor that takes into cognizance the existence not only of the physical reality but also the spiritual reality. It is this spiritual reality such as *iman* and *taqwa* of Allah SWT that holds an IbD Actor to be accountable. His ultimate aim is to achieve *mardat* Allah SWT (Allah's pleasures). As such an IbD Actor is conscious at all times of his *tasawwur*⁷. Development is not the ultimate aim in itself. Development is regarded only as a tool towards achieving man's ultimate aim (Salleh: 2002 & 2003; Ahmad: 2010a and Hanapi: 2013) in proving his subservience to Allah SWT and fulfilling his role as a *khalifat* of Allah SWT. Man is not merely a factor of production but the manager especially of IbD (Salleh, 2012c).

Man as The Actors in Development

The problem about development is that development is defined according to the advocates' of development ideological inclinations. Under the conventional development paradigm, there are four main thrusts in development namely economics, political, social, and science and technology (Thomas, 2001) in which development is mostly viewed from a strictly economic perspective. In the meantime from the IbD paradigm, development is all-encompassing, beginning from moral and spiritual development of

relationship" shall hereafter be used throughout this article.

⁶ Tauhidic concept refers to the concept of Tauhid (monotheism) which entails Muslims to obey Allah SWT, and acknowledge that Allah SWT is the only one worthy of worship. It also entails Muslims to obey Allah SWT out of fear and love and hence work hard to avoid displeasing Allah SWT. It is the centre from which the rest of Islam radiates.

⁷ Tasawwur or the Islamic worldview is built from Islamic epistemology rooted in four main sources, that is, the Qur'an, Hadith, consensus ('ijma) and analogy (qiyas) These four sources form an Islamic worldview which are poles apart from the conventional worldview. In fact Islamic worldview is the basis for developing a theory of knowledge on IbD (Muhammad Syukri Salleh, 2003a:21; Sidek Baba, 2006:186-187 & 191-192). In other words, the theory of knowledge on IbD is formed from the combination of 'aqli evidence based on Islamic epistemology and worldview with naqli evidences from al-Qur'an and the Hadith (Muhammad Syukri Salleh, 2003b: 15).

man and manifested eventually into his physical environment (Ghazali, 1990).

The term development actor primarily arose from the philosophy, concept, premise, epistemology and framework within the development paradigm itself. For the development based on Islamic epistemology and *tasawwur*, the actors are IbD Actor. The IbD Actor as the carrier of IbD needs to know and be aware of the development paradigm he is in to enable him to carry out effectively the goals set by the development paradigm. Yet the dominant development paradigm today is the western ethno-centric development paradigm.

However the moulds that become the basis for an IbD and the dominant development are poles apart and at times antagonistic to each other. An example of the antagonistic aspect is pertaining to the concept of religion *vis-à-vis* development. The dominant development paradigm uses religion as a tool of development but an IbD paradigm uses development as a tool to religion. Such a distinction, "*religion as a tool of development*" or "*development as a tool of religion*", can only be discerned by those whose Islamic worldview resides in the minds without confusing the worldview with alien elements (Al-Attas, 1995).

Another aspect of direct conflict between IbD and conventional development rests on the difference in understanding the purpose of human existence. In IbD humans are viewed as creatures created by Allah SWT to live righteous lives during limited stay on earth in order to enjoy a blissful eternal life in the Hereafter. However in conventional development, humans are viewed as products of the evolutionary processes having no more purpose than the other animals around them to eat, drink and be merry before death seeks tomorrow.

The crux of these differences lies in the differing worldview seen by each development paradigm. It represents the first principle out of the seven principles in IbD formulated by Salleh (2003). In IbD the Islamic worldview (or *tasawwur*) is the mould to IbD while the dominant development paradigm is moulded from within the conventional worldview hence termed as dominant conventional development. The conventional development is premised on the conventional worldview built from a conventional epistemology which is rooted from the thoughts (*aql*) of the West. Conventional or Western epistemology does not make religion as the mould or track. Instead, it is based on rationalism, idealism, empiricism, positivism, pragmatism, scientism, existentialism, materialism, humanism, liberalism and Western modernism. Thus was born the secular thinking that is only based solely on facts, data, experiments, and observations using the mind and the senses alone. Values, ethics and the aesthetics are

seen as relative and normative (variable) on its usage (Fuad Ihsan, 2010 and Baba, 2006).

On the other hand, the term "Islamic" to IbD actually brings forth a concept that is to be backed by Islamic epistemology and *tasawwur* (Hanapi, 2012) and not merely the borrowing of terms and philosophical underpinnings from Islamically-exogenous paradigms. According to Salleh (2012b) it is wrong to adopt the Islamically-exogenous paradigms based on at least two reasons. First is the difference in the unit of analysis in which the models and components of dominant conventional development are elements of the operational mechanisms while faith and *shari'ah* are elements of philosophical underpinnings. Second is when the operational mechanisms alone is taken into consideration it is still contrary to the Islamic faith and *shari'ah* as the roots are still thrusted in the unIslamic philosophical underpinning⁸.

The basis of the IbD requires that even in conceptualizing, implementing and the end results encompass all aspects of human lives by using Islamic framework and principles holistically. According to Salleh (2012b), this necessitates a three step process. Firstly it starts from ensuring that the conception aspects to the second process of implementation aspects and lastly the end results of any IbD processes are attuned to Islam. This means in ensuring that all these three step processes are truly attuned to Islamic framework depends on the humans that carry these steps out. It is the premise of this study that for a successful conception, implementation and end results to be holistically congruent to Islamic basis and doctrine is only achievable by an IbD Actor. The IbD Actor as conceptualized by this study has the ability to move the IbD agenda forward notwithstanding the dominant conventional development the IbD Actor is surrounded in.

The dominant conventional development paradigm is deeply rooted within a capitalistic system (Fullcher, 2004) that is characterised by its economic system measured in terms of trade, industry, methods of production which are owned by private owners with the goal of making profits in a market economy (Jenks, 1998). It is this fervour with the economic system that provided the stimulus to measure development using a one-dimensional development measurement. This coupled with the advancement in development especially post Second World War II among politicians and economists

⁸ Such sentiment is shared by El-Gamal (2006:2) who is of the opinion that the inclusion of the term "Islamic" to products and services originated from within the dominant conventional development paradigm has actually rendered the Shar'iah compliant products and services a distinction of form without substance.

globally had attracted many scholars and development organizations to evaluate and measure the levels of development in countries throughout the globe (Wan Hasan, 2013). Thus this capitalistic system has successfully classified countries in the world generally into two; developed and developing countries (UN, 2014)¹². However criticisms arose on the use of the term developing countries which led to further division of the developing countries to less developed countries and least developed countries (Wan Hasan, 2013).

The classifications used are based on per capita income, industrialization, literacy rate, living standards and socio economic standard as well as the Human Development Index (or HDI). According to the United Nations (2014), countries with high gross domestic product (or GDP) per capita would be described as developed countries while countries that exhibit the lowest indicators of socio economic development with the lowest HDI is described as the least developed.

With such classification, one of the prominent indicators of a developed country is its flourishing economy, whereas for a developing country it has only begun to taste the growth of economy. According to Rostow (1962), developing countries are in transition from traditional lifestyles towards the modern lifestyle which began in the Industrial Revolution sometime in the 18th and 19th centuries. There is the assumption that there is the desire to develop along the traditional Western model of economic development. The yardstick in measurement of the degree of development⁹ of any country lies within its economic parameters. These economic parameters on the other hand are rooted within a capitalist development philosophy premised on neoliberal economics which gave rise to the Growth Theory and the Distribution-with- Growth Theory (Salleh, 2003). The Growth Theory and the Distribution-with-Growth Theory view economic development as the superstructure relegating any other aspects such as religious or culture to be subservient or a sub-structure of economic development. Such measurements indicate that capitalism has gone global at the expense of eliminating alternative systems (Fullcher, 2004).

Man as the Islamic-based Development Actor

One such alternative system that has seen its slow elimination is IbD. One of the major factors that contributed towards the elimination of IbD was

⁹ There are other categories given such as advanced country, industrialised country or most developed country for developed countries, less developed, underdeveloped for the developing countries and undeveloped, less developed, lesser developed or Third World countries have been used.

during the interregnum period¹⁰. During this period Islamic principles and precepts were marginalized as Islam's social and economic institutions were displaced by Western models. An example of IbD to highlight the displacement by Western models is through the Islamic banking and financial industry which is in the forefront of IbD. This is the view expressed by Ahmad (2013) who in her research showed that amongst all the spheres of IbD encompassing Islamic economics, Islamic politics, Islamic education, Islamic social aspects, and the sciences and technology, Islamic banking and finance, a component that falls under Islamic economics is the most advanced and forward looking¹¹ as compared to other spheres. As such the ensuing discussion uses Islamic finance as a template to bring the focus of the discussion on the threat posed when a sphere of IbD operates within today's dominant conventional development without tackling the conflicting philosophical underpinnings between IbD and conventional development.

Interest-based Western finance had advanced considerably during this period while Islamic jurisprudence remained marginalised and static. One such outcome is that the Islamic legal institutions of the Muslim world are now unprepared to deal with development of Islamic finance in modern times. This is one of the results of the importation of the Western's legal system into the Muslim world (DeLorenzo & McMillen, 2007)¹². Another outcome of the interregnum period is the effect on the political aspects of IbD due to the existence of the industrial revolution in Western Europe under the umbrella of secularism. The ideology of secularism supported by a capitalistic system progressively

¹⁰ The interregnum period refers to a period in which the Islamic countries such as Malaysia, Bahrain and United Arab Emirate were either colonised or ceded by the Occident generally during the period of 17th century to the mid 20th century. During this period the administrative system of the countries followed the Occident's system and Islam was relegated to mere religious duties of personal status (DeLorenzo & McMillen, 2007). Such a separation still exists till today.

¹¹The numbers of literatures, research and regulations on Islamic banking and finance far exceed those of other spheres in IbD primarily due to the internationalisation and global acceptance of the industry. This viewpoint is supported by the presence and growth of the Islamic banking and finance industry across the globe today whose growth is too surmountable to be ignored (Valentine, 2007).

¹² It is not only the importation of the Western legal system but includes as well the Western culture that is of Western Europe and America into the remainder of the world. This occurred during the period of European colonization and continued during the neo-colonial era by way of indirect rule. The wide-spread massive scale of proliferation of the Western culture was effectively made possible by the far-reaching effects of the media (Philips, 2007).

permeated the thoughts of the leaders and crippled the Muslim community confidence in the significance of the Islamic concept of development. According to Muhammad Tahir (2013), this is a result of the development of Muslim countries to be inclined and based on the secular system as opposed to the system based on IbD which is viewed as having more success and vigour in effecting development. However development in the Islamic sense has a different meaning to that of the dominant conventional development paradigm. According to Al-Attas, (1995) the so-called 'development' in the religious traditions of mankind cannot be applied to Islam because the developmental process in Islam is only a process of interpretation and elaboration which refer back to the unchanging source. Thus from the IbD perspective, it is acknowledged that Islam is not derived from cultural and philosophical elements aided by science. Instead its original source is Revelation. The *tasawwur* in IbD acknowledges Islam as being a truly revealed religion, perfected from the very beginning. Hence the religion of Islam was conscious of its own identity from the time of its revelation and need no process of 'growing up' to maturity (Al-Attas, 1995). This is why in IbD development is seen as the tool to religion and not *vice versa*.

Yet more and more Islamic countries are adopting the conventional system premised on the capitalistic development philosophies. It is found that many Muslim countries practice a secularist system as a consequence of colonization by the West in the Muslim world (Muhammad Tahir, 2013). According to Rafsanjani (2001), although the Muslim countries are no longer colonised, they have yet to attain true independence. The colonization of the West on the Muslim world is not done in the form of territorial occupation but mostly through the colonisation of economy, mindset and ideology. In the true spirit of the dominant conventional development paradigm, the race towards achieving physical through material development precede any other aspects of development¹³.

It indicates a lack of understanding and realisation as to the need for IbD paradigm in the systemic approach of development in Islamic countries. Spiritual development becomes peripheral to economic development infused with the indoctrinated idea of a modern and progressive state dictating how people are to live their lives. Thus humans are trapped within the consumption-distribution-production cycle. Being the dominant

conventional development paradigm that accentuates modernization and progress (Ali, 1994), and the widespread use of western ethno-centric concepts especially evident in Islamic economics (Salleh, 2013), an IbD Actor can easily be sidetracked from effecting a truly IbD.

The Impasse of the Actors in Development

From the IbD perspective, the widespread use of western ethno-centric concepts calls for a comprehensive-evolutionary stance rather than the accommodative-modification approach with its eclecticism-methodological characteristics that is currently practiced (Salleh, 2011) and Hanapi, (2012). The comprehensive-evolutionary approach refers to the method of developing a truly independent Islamic structure from outside the conventional neo-classical philosophy. It calls for the emergence from within Islamic philosophical and epistemological underpinnings thus proposing a different form of Islamic economics that is really deeply rooted in *tasawwur*, embedded and emerged as an original independent Islamic discipline (Salleh, 2011) which takes cognizance of the world of the unseen as well as this tangible temporal world i.e. the *'alam ruh* (realm of the spirits), *dunya* (this world) and the *akhirat* (the Hereafter). In the meantime, this accommodative-modification approach refers to the method of readily accepting and improving the non-Islamic economics thinking to make it as Islamic economics while the eclecticism-methodological characteristics on the other hand refers to the flexible, selection based on what is deemed good from the various sources approach and thereafter used it collectively in the Islamic economy. This has led to the *fiqh*-based neo-classical approach as being acceptable, which in turn is responsible to the build-up on the current mainstream of Islamic economics which according to Salleh (2011):

"...represents a "patchwork" approach that does not represent genuine Islamic frameworks."

This thought is echoed by some Muslim scholars on specific area of Islamic economics, such as in Islamic finance who are of the view that there is a need to differentiate between the major characteristics of the dominant conventional economy with one which is based on the primary sources of Islam (Askari, Iqbal & Mirakhor, 2014), Islamic finance mirrors the tendencies of the conventional finance (Farooq, 2012), Islamic finance industry provides specific replication techniques merely as ploys and ruses (Hassan & Mahlke, 2011), there should be both form as well as substance of the contracts in Islamic finance (Abozaid, 2010), interest rates have been unwittingly admitted through the back door (Mohamed Ariff, 2007), allowed earnestly as a result of the use of *hilah* or legal contrivances (Chapra, 2007), or legal stratagem (Abdullah, 2013) to approve a number of pseudo-*Shari'ah* compliant

¹³ This is due to the fervour to measure's a nations standing and ranking in the various development indexes that exist today which is predominantly measured based on the material and physical aspects of development (Wan Hasan, 2013).

contracts (Ahmad Habib, 2011) due to the impulse of duplicating conventional financial products which are deemed as natural (Siddiqi, 2006a).

However the structure and assumptions of Islamic economics as well as its basic characteristics from concept, objective, operational mechanisms, research methodology and advocates and actors are still intricately attached to conventional economics (Salleh, 2011). Yet these researches showed that these studies on Islamic banking and financing represented only a portion of the holistic and integrated IbD discipline. As the business of Islamic banking grows and expands works and researches on Islamic economics took a back seat, focus was now more on risk management, regulation and corporate governance (Askari et.al., 2009). This supports the use of the *fiqh*-based neoclassical approach while the unresolved structure and assumptions of Islamic economics remains pervasive (Salleh, 2011). As such products and services offered are inevitably required to fulfil the needs of the industry through innovation and financial re-engineering.

One of the main reasons advocated for the innovation of the products and services of IbD offered in Islamic finance is due to viability and competitive alternative that the Islamic banking and finance industry offers globally (Khan & Bhatti, 2008). Islamic finance has moved from a period of "revival and recovery" to a period of "transformation and adaptation". DeLorenzo & McMillen (2007), identified two characteristics of this transformation and adaptation period. First, the participation of the *Shari'ah*-compliant and conventional asset managers in Islamic Finance. Second, the acceptance and implementation of nominate contracts that may be creatively constituted and constructed for the achievement of all manner of objectives and finally a transactional base that requires conformity with both the *Shari'ah* and the common law. In referring to a mixed legal system¹⁴, currently the three high profile financial hubs namely Malaysia in Southeast Asia, Bahrain in the Middle East and the United Arab Emirates (Valentine, 2007) has been occupied or colonized by the British.

In the meantime Khan & Bhatti (2008) ascribed the industry's continued growth due to the innovation and diversity of products offered, clientele and markets. Islamic finance is rapidly growing to be part of the global financial sector which is not restricted to Islamic countries (Iqbal, 1997). Significant interest has emerged in the world's leading

¹⁴ A mixed legal system refers to sources of law and the judiciary set up of the countries. Malaysia, Bahrain and the UAE draw their law from English law, codified system and Islamic law. The judiciary is separated between secular (or civil) and shari'ah (Amin, 1985).

conventional centres (Zamir Iqbal, Abbas Mirakhor, Bao, Sheng, Singh, Erbas et.al., 2013). Yet scholars such as Askari, Zamir & Mirakhor (2009), El-Gamal (2006) and Timur Kuran (2007) state that these innovative products and services offered by Islamic finance commonly starts with an existing conventional product for which no alternative is available thereby necessitating the engagement of financial reengineering for the creation of the product (El-Gamal, 2006). This process of financial re-engineering, from the perspective of IbD, is designed to fulfill man's horizontal relationship regulated and defined usually by contractual documents.

Notwithstanding the close nexus of Islamic finance to its conventional counterpart, the involvement of the Islamic banking and financial services as Islamic-based an institution of IbD has been recognised to be at the forefront (Ahmad, 2013). It is the IbD Actor within these institutions that have the ability to manage the development of Islamic banking and financial products and services according to Islamic epistemology and *tasawwur*. The same stand is applicable to an IbD Actor in IbD within a dominant conventional development backdrop. The onus to carry out IbD within Islamic epistemology and *tasawwur* is daunting and an uphill task for an IbD Actor.

With the IbD paradigm and dominant conventional development paradigm being poles apart and having antagonistic characteristics, how can IbD Actor discern the differences? But more fundamental to this question is who can be an IbD Actor within the backdrop of a dominant conventional development? In seeking answers to these questions one of the faculties of discernment - the mind - is of importance. In referring to the faculties of the mind in discerning difference, it is the premise of this study that there are prominent terms referring to believing men in *al-Qur'an* that can be used to conceptualise the IbD Actor within the dominant conventional development paradigm.

A Call to Identify the Islamic-based Actor

Islamic worldview (or *tasawwur*) or any other world view is shaped by humans. This also holds true of development, whether based on western centric paradigm or Islamic-based paradigms. In facing the divergent development paradigms of IbD to that of conventional development where the latter dominates the former, it poses a real challenge to bring the IbD to the forefront. IbD can only be in its rightful position when the IbD Actor is in place.

First is the issue of Islamic finance being a necessary component and a means towards economic development instead of achieving the ultimate aim of IbD which is *ma'ad* Allah SWT. In referring to the

functions of the Islamic banking and financing industry, most literatures concentrate solely on the *Qurānic* prohibitions of *riba* (interest) and on the concept of equitable distribution of income and wealth. Most scholars acknowledge that the aim of Islamic finance is to create a socially just society (Toutouchian, 2009) which uses interest-free financing instruments and is based on both cost and profit sharing (Choudhury & Hussain, 2005). However, the financial system has decidedly played an active role in the accelerated development of the world economy, particularly after the Second World War (Chapra, 2008). Financial institutions, whether Islamic or otherwise, also wish to maximize their profits in a materialist cultural environment where maximization of income and wealth is the highest measure of human achievement. The more credit is extended, the higher will be the profit. In other words development of the economy became the main focus relegating the need to creating a socially just society as a peripheral aim.

The dominance of conventional development has even overshadowed the concept of Islamic economics itself. The stance of IbD is that material development must be developed within the context of spiritual development. With the accelerations of *iman* and *nafs* material development will not bring about side effects as experienced by the conventional development. In fact, spiritual development as the foundation could culminate in concrete and progressive material development (Salleh, 2007). For Islamic finance to truly realise its goal of achieving social just, there needs to be a conscious need to place the foundations and principles of IbD as the bedrock to any development whether political, economy, social, education, technology and others. This calls for a need to re-orientate Islamic finance back to its aim that is unanimously inscribed by scholars on Islamic finance. The reorientation here refers to the responsibility in ensuring that IbD remains the core to all other IbD processes. This responsibility rests with the IbD Actor. This makes it pertinent to identify the IbD Actor.

Conclusion

It is thus imperative that man as the carrier to the development paradigm especially in Islamic countries is called back to lay claims in being carriers of IbD. As such the period in 1970s which saw the revival of Islamic movements and the birth of the IbD discipline (Salleh, 2003) need to be further developed and formulated so that man can carry out the development processes within the epistemological basis and worldview of Islam. With such a stance Islamic countries will be able to fulfil the objectives of IbD as opposed to unwittingly fulfilling the objectives of secularism in the guise of a capitalistic development philosophy.

Since man is the carrier of the development process, it is the stance of this study that only an IbD Actor can carry out IbD notwithstanding the dominant conventional development setting. Thus it is elemental to conceptualize the IbD Actor. As mentioned above endeavour to identify the IbD Actor is through the epistemological basis of Islam, the ultimate and absolute primary source of reference in Islam, *al-Qur'an*.

References

- Ab. Majid (2007). Keperluan Pembangunan dalam Islam in Muhammad Hisyam Mohamad (ed.) *Pembangunan dari perspektif Islam*. Kuala Lumpur: MPH Group Publishing Sdn. Bhd. and Institut Kefahaman Islam Malaysia (IKIM).
- Abdul Aziz, R. (1989). *Pengantar sosiologi pembangunan*. Kuala Lumpur: Dewan Bahasa dan Pustaka.
- Abdul Aziz. (1993). Firm Level Decisions and Human Resource Development in an Islamic Economy in Ehsan Ahmed (ed.) *Economic growth and human resource development in an Islamic perspective*. Virginia: The Associations of Muslim Social Scientists and the International Institute of Islamic Thought.
- Abdulazeem Abozaid (2010). Contemporary Islamic financing modes between contract technicalities and shari'ah objectives. *Islamic Economics Studies*, 17 (2), 55-75.
- Abdullah, M. (2013). *To what extent Shariah allows modification of contracts in the design of Islamic financial engineering?*. Retrieved on 5 December, 2013 from Rochester: doi:<http://dx.doi.org/10.2139/ssrn.2217897>.
- Abozaid, A. (2010). Contemporary Islamic financing modes between contract technicalities and shari'ah objectives. *Islamic Economics Studies*, 17 (2), 55-75.
- Ahmad Habib (2011). *Products development in Islamic banks*. Edinburgh: Edinburgh University Press Ltd.
- Ahmad Saman, M. (1996). Islam and Development: The Region Within in Kadir H. Din (ed.) *Development and the Muslims: the Third International Islamic Geographical Conference*, 28 August- 2 September, 1988 Institut Aminudin Baki, Genting Highlands, Malaysia. Bangi: Penerbit Universiti Kebangsaan Malaysia.
- Ahmad, A. (1993). *Contemporary practices of Islamic financing techniques*. Jeddah: Islamic Research and Training Institute (IRTI), Islamic Development Bank (IDB).

- Ahmad, F.A. (2013). *Konsep Pengurusan Institusi Pembangunan Berteraskan Islam*. Pulau Pinang: ISDEV dan Kuala Lumpur: DBP.
- Ahmad, K. (1979). Economic Development in Islamic Framework in Khurshid Ahmad & Zafar Ishaq Ansari (eds.) *Islamic perspectives: Studies in Honour of Mawlana Sayyid Abdul ala Maududi*, Leicester: The Islamic Foundation.
- Al-Attas, S.M.N. (1995). *Prolegomena to the metaphysics of Islam: An exposition of the fundamental elements of the worldview of Islam*. Kuala Lumpur: International Institute of Islamic Thought and Civilization (ISTAC).
- Al-Buraey, M. (1985). Administrative development: an Islamic perspective. London: KPI Ltd.
- Alhabshi, S.O. (2007). Mengurus Pembangunan dari Perspektif Islam in Muhammad Hisyam Mohamad (ed.) *Pembangunan dari perspektif Islam*. Kuala Lumpur: MPH Group Publishing Sdn. Bhd. and Institut Kefahaman Islam Malaysia (IKIM).
- Ali, M.M. (1994). *Development, change, progress and civilization: western and Islamic perspectives*. Working Paper presented at the International Conference on Comprehensive Development of Muslim Countries from an Islamic Perspective organized by International Islamic University Malaysia on 1 - 3 August at Subang Jaya.
- Al-Jazayari, A. (2000). *Al-Fiqh Ala Mazahibil Arba'a*, (Third volume). Istanbul: Hakikat Kitabvi.
- Aljifri, K., & Khandelwal, S. K. (2013). Financial Contracts in Conventional and Islamic Financial Institutions: An Agency Theory Perspective. *Review of Business & Finance Studies*, 4(2), 79-88. Retrieved on 5 December, 2013 from <http://search.proquest.com/docview/1444588338?accountid=14645>.
- Al-Jundi, A. (2001). *Kejatuhan ideologi materialisma dan pengisian Islam*, trnsl. Rosli Alias. Kuala Lumpur: Yayasan Dakwah Islamiah Malaysia.
- Al-Salem, F.H. (2009) "Islamic financial product innovation", *International Journal of Islamic and Middle Eastern Finance and Management*, 2(3), 187 - 200. Retrieved on 6 December, 2013 from <http://ezproxy.usm.my:2107/journals.htm?issn=1753-8394&volume=2&issue3&articleid=1806326&show=html#sthash.1ERB01LO.dpuf>
- Askari, H., Iqbal, Z. & Mirakhor, A. (2009). *New issues in Islamic finance and economics: Progress and challenges*. Singapore: John Wiley & Sons.
- Askari, H., Iqbal, Z. & Mirakhor, A. (2014). *Introduction to Islamic economics: Theory and application*. . Singapore: John Wiley & Sons.
- Awang, R. (2003). *Falsafah sains & pembangunan ke arah dimensi baru*. Skudai, Johor: Penerbit Universiti Teknologi Malaysia.
- Baalbaki. (2010). *Al-Mawrid AlQuareeb*. Lebanon: Dar El-Ilm Lil-Malayan.
- Baba, S. (2006). *Pendidikan rabbani*. Selangor: Karya Bestari Sdn. Bhd.
- Baud, I.S.A (2002). Foreword in Baud I.S.A & Post, J. (eds.) *Realigning actors in an urbanizing world: governance and institutions from a development perspective*. England: Ashgate Publishing Limited.
- Borhan, J.T. & Sa'ari, C.Z. (2007). Modal insan dan kependudukan dalam pembangunan negara menurut Ibn Khaldun. Paper presented at the *Seminar Pemikiran Ibn Khaldun Ke-4 "Pembangunan Modal Insan"*. Retrieved 2 March, 2009 from <http://www.jais.serawak.gov.my/KertasKerja/KK%20Seminar%20Khalidun%204.htm>
- Chapra, M.U. (2007). *Islam and economic development: A strategy for development with justice and stability*. New Delhi: Adam Publishers.
- Chapra, M.U. (2008). *The Islamic vision of development in the light of the Maqasid al-Shariah*. Jeddah, Kingdom of Saudi Arabia: Islamic Research and Training Institute, Islamic Development Bank.
- Che Mat, C.B., Md Ali, A.S., Leman, W. K, Kamaluddin, N., Omar, S.A., Hussin, S., et. al. (2007). *Pembangunan dari perspektif Islam*. Shah Alam: Pusat Penerbitan Universiti (UPENA), UiTM.
- Choudhury, M.A. and Hussain, M.M. (2005). A paradigm of Islamic money and banking. *International Journal of Social Economics*, 32(3), 203 - 217.
- DeLorenzo, Y.T and McMillen, M.J.T. (2007). Law and Islamic finance: An Interactive Analysis in Archer, S. and Rifaat Ahmed Abdul Karim (eds.) *Islamic finance: the regulatory challenge*. Singapore: John Wiley & Sons (Pte) Ltd.
- El-Gamal, Mahmoud A. (2006). *Islamic finance: Law, economics, and practice*. Cambridge University Press: New York.
- El-Ghazali, A. H. (1994). *Man is the basis of the Islamic strategy for economic development*. Jeddah: Islamic Research and Training Institute (IRTI), Islamic Development Bank (IDB).
- Farooq, M.O. (2012). *Exploitation, profit and the riba-interest reductionism*. International Journal of Islamic and Middle.
- Fuad Ihsan, H. A. (2010). *Filsafat Ilmu*. Jakarta: PT Rineka Cipta.

- Fulcher, J. (2004). *Capitalism: A Very Short Introduction*. London: Oxford University Press.
- Ghazali, A. (1990). *Development: an Islamic perspective*. Selangor: Pelanduk Publications.
- Goulet, D. (1971). *The cruel choice*. New York: Atheneum.
- Hanapi, M.S. (2012). *From ignorant to Islamic worldview: In a search of an Islamic educational philosophy*. Working paper presented at the 2nd International Conference of Sultan Omar 'Ali Saifuddin Centre for Islamic Studies (SOASCIS), organized by SOASCIS, Universiti Brunei Darussalam (UBD) at UBD on 5 - 7 November.
- Hanapi, M.S. (2013). *Tasawur Islam dan pembangunan*. Kuala Lumpur: Dewan Bahasa dan Pustaka (DBP).
- Hasan, S.K. (1993). *Ekonomi Islam: dasar dan amalan*. Kuala Lumpur: Dewan Bahasa & Pustaka.
- Hasan, Z. (1994). *Islam and development: some reflections*. Working Paper presented at the International Conference on Comprehensive Development of Muslim Countries from an Islamic Perspective organized by International Islamic University Malaysia on 1 - 3 August at Subang Jaya.
- Hassan, K. & Mahlkecht, M. (2011). *Islamic capital markets: products and strategy*. Chichester, West Sussex: Wiley.
- Hassan, M.K. (1988). *Pendidikan dan pembangunan: satu perspektif bersepadu*. Kuala Lumpur: Nurin Enterprise.
- Hassan, M.K. (2011). The Path Towards a truly Holistic and Comprehensive Development of the Individual, the Society and the Nation in this Age of Turbulence. Working paper presented at the *World Congress on Islamic Systems 2011 (World-ISLAM2011)* organized by the National Scholars Association (ILMUAN), Malaysia and Eduxplore Sdn. Bhd. at Holiday Villa Hotel, Subang on November 28.
- Hassan, Z. (2006). Economic Development from the Islamic Perspective: Concept, Objectives and Some Issues in Abdulhasan M. Sadeq (ed.) *Development issues in Islam*. Kuala Lumpur: International Islamic University Malaysia.
- Hebinck, P.G.M., Verschoor, G. & Long, N. (2001). *Resonances and dissonances in development: actors, networks and cultural repertoires [i.e. repertoires]*. Assen, Netherlands: Royal Van Gorcum.
- Homoud, S. H. (1985). Islamic banking: The adaptation of banking practice to conform with Islamic law. London: Arabian Information Ltd.
- Horri, S. (2002). Reconsiderations of Legal Devices (hiyal) in Islamic Jurisprudence: The Hanafis and their Exits (makharij). *Islamic Law and Society*. 9 (3), 312-57.
- JAKIM (Jabatan Kemajuan Islam Malaysia) (2009). *10 prinsip pendekatan Islam Hadhari*. Putrajaya: Jabatan Kemajuan Islam Malaysia.
- Jenks, C. (1998). *Core Sociological Dichotomies*. London: Thousand Oaks,
- Kamali, M.H. (2000). *Islamic commercial law: an introduction*. Oxford: Oneworld Publications.
- Kausar, Z. (2000). Political Development in Islam: Meaning, Goals and Phases in Zeenath Kausar (ed.) *Political development: an Islamic perspective*. Kuala Lumpur: The Other Press and The Research Centre, International Islamic University Malaysia.
- Khan, M.M & Bhatti, M.I. (2008). Islamic banking and finance: on its way to globalization. *Managerial Finance* 34(10), 708-725.
- Kharofa, A. E. (1997). *Transactions in Islamic law*. Kuala Lumpur: A.S. hilNoordeen.
- Kharofa, A. E. (2007). *Kontrak hutang dalam syariat Islam dan undang-undang sivil* (Ariza Abdullah, Transl.). Kuala Lumpur: Dewan Bahasa & Pustaka.
- Long, N. (2001). *Development sociology: actor perspectives*. London/New York: Routledge.
- Mahmasani, S. (1955). *Transactions in the Shariah*, in Majid Khadduri and Herbert J. Liebesny (eds) *Law in the Middle East. Vol. 1: Origin and development of Islamic law*. Washington, D: Middle East Institute.
- Manan, M. A. (1994). *Islamic concept of comprehensive development and its contemporary implications*. Working Paper presented at the International Conference on Comprehensive Development of Muslim Countries from an Islamic perspective organized by International Islamic University Malaysia on 1 - 3 August at Subang Jaya.
- Manzoor (1996). Ideology of Development: An Islamic Critique in Kadir H. Din (ed.) *Development and the Muslims: the Third International Islamic Geographical Conference*, 28 August- 2 September, 1988 Institut Aminudin Baki, Genting Highlands, Malaysia. Bangi: Penerbit Universiti Kebangsaan Malaysia.
- Markom, R., Pitchay, S. A., Zainol, Z. A., Rahim, A. A., Merican, R. M., & Abdul Rahim (2013). Adjudication of Islamic Banking and Finance Cases in the Civil Courts of Malaysia. *European Journal of Law and Economics*, 36(1), 1-34. Retrieved on 5 December, 2013 from

- doi:<http://dx.doi.org/10.1007/s10657-011-9249-4>.
- Mat Akhir, N.S. (2008). *Al-Ghazali and his theory of the soul: A comparative study*. Pulau Pinang: Penerbit Universiti Sains Malaysia.
- Mat Akhir, N.S. and Mohamed Saniff, S. (2009). Intellect and Human Being in Islamic Intellectual Tradition. Paper presented at the 14th International Conference on Thinking, Kuala Lumpur Convention Centre organized by Universiti Putra Malaysia, 22-26 June, 2009.
- Mohamed Ariff (2007). *Economic openness, volatility & resilience: Malaysian perspectives*. Kuala Lumpur.
- Mohammad, K. 'A. (2002). Islam, Politik dan Pembangunan in Abdul Munir Yaacob & Suzalie Mohamad (eds.), *Etika dan budaya berpolitik dari perspektif Islam*. Kuala Lumpur: Institut Kefahaman Islam Malaysia (IKIM).
- Muhammad Tahir (2011). *Tazkiyah al-Nafs di Pondok Persentren Bandung*. PhD Thesis submitted to the School of Social Sciences. Not published.
- Muhammad Tahir. (2013). Tidak Islamiknya Pembangunan di Negara Islam. *Global Journal Al-Thaqafah*. Vol 3 (1) 75-95.
- Mustakangas, E. (2010). *The municipality as an intermediating actor in projects: Empirical evidence from on-farm business diversification in Eastern Finland*. Retrieved from file:///C:/Users/user/Downloads/CEEOL%20Article.PDF on 4 March, 2015.
- Nik Hassan, N.M. Sadeq, A.H.M. & Pramanik, A.H. (1991). *Development and Finance in Islam*. Kuala Lumpur: International Islamic University Press.
- Philips, A.A.B. (2007). *The clash of civilisations: an Islamic view*. Birmingham: Al-Hidaayah Publishing and Distributions Ltd.
- Pramanik, A. H. (1993). *Development and distribution in Islam*. Selangor: Pelanduk Publications.
- Pramanik, A. H. (September 2002). Islam and Development Revisited with Evidences from Malaysia. *Islamic Economic Studies*, 10(1), 39-74.
- Radcliffe, S.A. (2006). Culture in Development Thinking: Geographies, Actors and Paradigms in Radcliffe, S.A. (ed.) *Culture and development in a globalizing world: geographies, actors and paradigms*. London: Routledge.
- Rafsanjani, (2001). Keadilan sosial: Pandangan Islam tentang HAM, hegemoni Barat dan solusi dunia modern. Anna Farida (Transl.). Bandung: Penerbit Nuansa.
- Rostow, W.W. (1962). *The stages of economic growth*. London: Cambridge University Press.
- Sabri, H. and Siran, F.H. @ H. (2007). Usahawan Muslim Penjana Pembangunan Tamadun in Hussain Othman (ed.) *Prosiding Islam dan Pembangunan Masyarakat*. Batu Pahat: Penerbit UTHM.
- Sadeq, A. M. (2006). The Meaning of Economic Development in Islam in Abulhasan M. Sadeq (ed.), *Development issues in Islam*. Kuala Lumpur: International Islamic University.
- Saleh Nabil, A. (1992). Unlawful gain and legitimate gain in Islamic law: riba, gharar and Islamic banking. London: Graham & Trotman.
- Salleh, M.S. (2002). *Pembangunan berteraskan Islam*. Kuala Lumpur: Utusan Publications & Distributors Sdn. Bhd.
- Salleh, M.S. (2003). *7 prinsip pembangunan berteraskan Islam*. Kuala Lumpur: Zebra Editions Sdn. Bhd. dan Pulau Pinang: Projek Pengurusan Pembangunan Islam, Pusat Pengajian Sains Kemasyarakatan, Universiti Sains Malaysia.
- Salleh, M.S. (2004). Masjid dan Pembangunan Berteraskan Islam in Asmadi Mohamed Naim and Mohd Yusnaidi Md Sabri (eds.) *Prosiding seminar kebangsaan pengurusan masjid 2004*. Sintok, Kedah: Pusat Islam, Universiti Utara Malaysia.
- Salleh, M.S. (2007a). *ISDEV Paper Series - Pengurusan pembangunan berteraskan Islam: konsep dan perkaedahan*. Pulau Pinang: Pusat Kajian Pengurusan Pembangunan Islam (ISDEV), Universiti Sains Malaysia.
- Salleh, M.S. (2007b). *ISDEV Paper Series - Islamic development management: three fundamental questions*. Pulau Pinang: Pusat Kajian Pengurusan Pembangunan Islam (ISDEV), Universiti Sains Malaysia. Republished from Al-Hikmah, 1999 No.6.
- Salleh, M.S. (2008a). *ISDEV Paper Series - Pengurusan pembangunan berteraskan Islam: konsep dan perkaedahan*. Pulau Pinang: Pusat Kajian Pengurusan Pembangunan Islam (ISDEV), Universiti Sains Malaysia.
- Salleh, M.S. (2008b). *ISDEV Paper Series - Islamic development management: Three fundamental questions*. Pulau Pinang: Pusat Kajian Pengurusan Pembangunan Islam (ISDEV), Universiti Sains Malaysia.
- Salleh, M.S. (2008c). *ISDEV Paper Series - Ke arah pengurusan pembangunan Islam*. Pulau Pinang: Pusat Kajian Pengurusan Pembangunan Islam (ISDEV), Universiti Sains Malaysia.
- Salleh, M.S. (2010). *ISDEV Paper Series - Rethinking wealth management: An Islamic preliminary view*. Pulau Pinang: Pusat Kajian Pengurusan Pembangunan Islam (ISDEV), Universiti Sains Malaysia.

- Salleh, M.S. (2011). *Islamic Economics Revisited* working paper presented at the Eighth International Conference on Islamic Economics and Finance: Sustainable Growth and Inclusive Economic Development from an Islamic Perspective, organised by Qatar Foundation, Islamic Research and Training Institute of the Islamic Development Bank and International Association of Islamic Economics, in Doha, Qatar, 25-27 December.
- Salleh, M.S. (2012a). *Conceptualizing Islamic management of human development*. Paper presented at the 6th ISDEV International Islamic Development Management Conference: Islamic Management of Human Development, Universiti Sains Malaysia organized by the Centre for Islamic Development Management Studies (ISDEV), School of Social Sciences, Universiti Sains Malaysia, 29-30 August.
- Salleh, M.S. (2012b). Rethinking Wealth Management: An Islamic Preliminary View. *International Journal of Business and Social Science*, Volume 3(13), 232-236. Retrieved from http://www.ijbssnet.com/journals/Vol_3_No_13_July_2012/28.pdf on 18 July, 2012.
- Salleh, M.S. (2012c). *ISDEV Paper Series – Philosophical foundations of Islamic development: Khurshid Ahmad's Conception Revisited*. Pulau Pinang: Pusat Kajian Pengurusan Pembangunan Islam (ISDEV), Universiti Sains Malaysia.
- Salleh, M.S. (2012d). *ISDEV Paper Series – Thrusting Islam in ECER development*. Pulau Pinang: Pusat Kajian Pengurusan Pembangunan Islam (ISDEV), Universiti Sains Malaysia.
- Salleh, M.S. (2012e). *Pembangunan dan Dilemma Ummah di Malaysia in Muhammad Syukri Salleh (ed.) Dilemma ummah di Malaysia*. Bangi: Penerbit Universiti Kebangsaan Malaysia.
- Salleh, M.S. (July, 2013). *Philosophical Foundations of Islamic Development: Khurshid Ahmad's Conception Revisited*. *The International Journal of Education and Research*, 1(7).
- Schultz, T. W. (1961). Economic Policy Research for Agriculture. *Canadian Journal of Agricultural Economics/Revue canadienne d'agroéconomie*, 9, 97–106. doi:10.1111/j.1744-7976.1961.tb04007.x
- Siddiqi, M.N. (2006a). Islamic banking and finance in theory and Practice: a survey of state of the art. *Islamic Economic Studies*, Vol. 13, No. 2.
- Siddiqi, M.N. (2006b). Shariah, Economics and the Progress of Islamic Finance: The Role of Shariah Experts. Concept paper presented at the *Pre-Forum Workshop on Select Ethical and Methodological Issues in Shari'a - Compliant Finance* at the Seventh Harvard Forum on Islamic Finance held at Cambridge, Massachusetts, USA, 21 April. Retrieved on 13 November, 2013 from http://www.siddiqi.com/mns/Role_of_Shariah_Experts.htm.
- Stapa, Z. (2004). *Tasawuf dan Pembangunan Hakiki Ummah in Wan Suhaimi Wan Abdullah & Che Zarrina Sa'ari (eds.), Tasawuf dan Ummah*. Kuala Lumpur: Akademi Pengajian Islam, Universiti Malaya.
- Thomas, A. (2001). The future of development management. Paper presented at the *Development Management Stream of the Development Studies Association 2001 Annual Conference*, Manchester. 10-12 September, 2001.
- Timur Kuran (2007). *Economic underdevelopment in the Middle East: The historical role of culture, institutions, and religion*. Retrieved from http://www.afd.fr/webdav/site/afd/shared/PORTAILS/PUBLICATIONS/EUDN/EUDN2007/kura_n.pdf. on 5 March, 2014.
- Toutouchian, I. (2009). *Islamic money and banking: Integrating money in capital theory*. John Wiley & Sons: Singapore.
- Trakic, A. (2013). The Adjudication of Shariah Issues in Islamic Financial Contracts: Is Malaysian Islamic Finance Litigation a Solution? *Humanomics*, 29(4), 260-275.
- United Nations (2014). *United Nations Statistics Division - Standard Country and Area Codes Classifications (M49)*. Retrieved on 27 March, 2014 from <http://unstats.un.org/unsd/methods/m49/m49regin.htm#developed>.
- Valentine, D. (2007). *Shariah Governed Asset Management in Hedge Fund Monthly*. Retrieved from http://www.eurekahedge.com/news/07_no_v_IFN_shariah_governed_asset_management.asp on 24 February, 2011.
- Wan Daud, (2005). *Pembangunan di Malaysia: ke arah satu kefahaman yang baru yang lebih sempurna*. Kuala Lumpur: Institut Antarabangsa Pemikiran dan Tamadun Islam (ISTAC).
- Wan Daud, W.M.N. (2001). *Pembangunan di Malaysia: ke arah satu kefahaman yang baru yang lebih sempurna*. Kuala Lumpur: Jabatan Akidah dan Pemikiran Islam, Akademi Pengajian Islam, Universiti Malaya.
- Wan Hasan, W. N. (2013). *Ukuran pembangunan: pendekatan kapitalis dan Islami*. Kuala Lumpur: Dewan Bahasa dan Pustaka.
- Willis, K. (2005). *Theories and practices of development*. London: Routledge.
- Yakan, F. (2002). *Api kebangkitan Islam dan cabaran abad ke-21*, trnsl. Ibnu Ghazali. Kuala Lumpur: Jasmine Enterprise.

Zamir Iqbal (1997). *Islamic financial systems*.
Retrieved from
<http://www.kantakji.com/media/8643/islamic-finance-system.pdf> on 4 December,
2015.

The Obligation of Establishment of Governance and Civilian-Non Theocratic Nature of Government in Islam

Dr Lateef Kayode ADEYEMO
Department of Religions, Faculty of Arts,
University of Benin, Benin City, Nigeria

Sirajudeen Femi BAKRIN
Fountain University, Osogbo, Nigeria

Vol.1, Issue 1 | January 2018

KEYWORDS

Governance, Government,
Islam, Theo
communocentric,
Theocracy.

ABSTRACT

Governance is a religious obligation in Islam in order to maintain law and order, cater for the welfare of people, ensure justice and fair play and facilitate observance of religious duties, as religion could only be practised and practised well in an atmosphere of peace. By religious duties, we should not be mistaken for prayer, Islamic tax (charity), fasting, and pilgrimage alone as worship or devotional duties in Islam ramifies every aspect of a Muslim life. It includes and covers everything a Muslim could do to please his Lord-including good governance which is the hallmark of Islamic governance or political system. However, as important and as obligatory governance is to Islam, government is civilian - and not a theocratic- institution. Although, the Religion of Islam as well as the Holy Scripture, the Qur'an, which encapsulates or embodies its teachings, is Divine, yet their interpretations and implementations are human. This interpretation and implementation which forms the explanation/understanding (fiqh/fahm) of the law (shari'ah) are meant to guide Muslims in the proper understanding of their rights and duties not only to Allah but from and to their fellow human beings. Hence Islamic governance system is theo-communocentric rather than being just theocentric. Although, the basics remain unchanged, these interpretations are affected by the prevailing circumstances of a given time and clime, popularly referred to by scholars as fiqh waq'in. Thus, individuals are responsible for whatever interpretation and implementation they make of the law. Suffice to say therefore, that one of the reasons why governance is obligatory in Islam is, to maintain unity and universality of Islam and to ensure peaceful co-existence, albeit peaceful society where the practice of religion is encouraged and facilitated. This paper therefore, tries to examine why the establishment of governance is obligatory and why government is civilian and therefore theo-communocentric rather than being theocratic in Islam.

Introduction

There cannot be Islam without a community of believers (*Muslim Ummah*) as there cannot be a community (*Jama'ah*) without leadership (*Imarah*) and there cannot be leadership without the subjects or followers being ready to listening and obeying the

leadership¹. Leadership is so important in and to Islam, so much so that the Apostle of Allah, - Muhammad (SAW) instructed that when two or more Muslims are travelling they should elect one of them as leader (*amir safar*). He instructed further

¹Muslim, Abulhussayn bin Al-hajjaj (nd), *Sahih Muslim*, Beirut: Dar al Jedid Vol. 4, No. 145

that Muslims should at all times elect a leader amongst themselves lest Satan assumes the mantle of leadership². This, no doubt, is a significant pointer to the divine nature and or sacredness of governance in Islam. A society without a leader is like a flock of sheep or herd of cattle without a shepherd. It is a recondite fact of mute reality, that such society will lack sense of direction, focus, solidarity and collective ambition (will). In such society, therefore, survival of the fittest, anarchy and chaos, internecine warfare, raiding and plundering, dissoluteness and wanton conviviality shall be the order of the day. No religion worth the name, at least in Islamic parlance, will allow or be able to thrive in such situation. It, thus, becomes clear that such unwholesome situation can never ever be compatible with Islam which primary objective is to establish and perfect peaceful society based on universal brotherhood of Mankind, equality, justice, equity and most importantly righteousness (*al-ihsan*) borne out of God-consciousness (*taqwallahij*). To Islam and the Muslims, the whole of human race is a single brotherhood either of humanity or faith.

It is by dint of the above virtues that man can sustain the natural equilibrium with which the universe is made so that by and large, he strengthens thereby the social fabrics of the society. Although, the political thought or system of Islam derives its basic principles from the Qur'an and Sunnah, yet, it is not theocratic as some people would have thought since it bears religious logo and has Divine colourations. This shall be considered extensively in the forthcoming paragraphs. The roles or rather the responsibilities of leaders in Islamic state are clearly stated thus in the Qur'an:

Those (Muslim rulers) who, if We give them power in the land, (they) enjoy observance of prayer, the payment of Zakat and command what is good and forbid what is evil. And with Allah rest the end of all affairs³.

It is, thus, clear based on the quotation above, the responsibilities the leadership owe the society over which they are responsible not only to their Lord but also to their subjects. It also explains the obligatory nature of governance in Islam. Every aspect of a Muslim life is considered to be service (*'ibadah*) either to Allah-his Lord-or to those of his fellowmen as long as they are lawful and munificent to others and borne out sincere altruistic motives. Allah says:

Say: verily! My prayer, my (devotional) sacrifice, my living and my dying are all for Allah, the Lord of the Worlds. This is what I

am commanded and I am foremost of those who surrendered themselves to the will of Allah⁴.

Conceptual Background

For the proper understanding of the subject matter of this paper, it is deemed prudent to define certain terms and concepts used in the paper. Thus, literary and technical or rather working definitions are given to the following terms: Islam, governance, religious obligation, civilian and theocracy (theocratic). Attempt is equally made to look at Islamic worldview no matter how brief, in order to realise why government is civilian and *theo- communocentric* rather than being theocratic in Islam.

To start with, Islam is a derivative of an Arabic verbal noun (*Aslama*) meaning to surrender, to concur, to submit, to obey etc. It is equally a derivative of one of the attributes of Allah- *As-Salaam* meaning, the Lord of Peace. Islam is therefore, defined as a religion of peace and total submission to the will of Allah. It is an ideology and a comprehensive way of life which covers the whole gamut of human life in all its ramifications as it does not divide life into watertight compartments of spiritual and temporal or, in other words, religion and secular⁵. According to Muddathir Abdul Rahim, "Islam is an Arabic word that literally, if basically, means submission or surrender (i.e. of oneself to God, Allah), but being derived from the root "s l m," it is also closely related to cognate terms that signifies peace, integrity, and wholesomeness, all of which are of central importance in the teachings of the Qur'an and Prophet Muhammad⁶". Hence, an adherent of Islam is called Muslim, that is, one who surrenders or submits himself wholeheartedly as well as whatever he purportedly has to the will of Allah, without leaving anything behind to be given to Caesar. For Caesar and whatever he had, according to the teachings of Islam, belong to Allah to Whom he had eventually returned⁷. This same term, observed Hammudah Abdalati means peaceful. By this meaning, a Muslim is not only peaceful to and with himself but equally with and to his Lord and his

⁴ Qur'an 6:162-4

⁵ Adeyemo Lateef Kayode (2006), "Islam: Its meaning and message" in Adeleke Fakoya et al (ed.), *An encyclopaedia of the arts* vol. 7(1): 24-31, Lagos, Lagos State University Press. Also, Ogunbado, Ahamad . Faosiy & Al-Otaibi, Asia. M. (2012). "Religions Quest for Peace: A comparison between Islam and Christianity." *International Journal of Sustainable Development* Vol. 4, No. 8, pp. 19-28.

⁶ Muddathir 'Abd Al- Rahim (2005), *The human rights tradition in Islam*, West port: Praeger Publishers p. xv

⁷ Adeyemo Lateef Kayode (2006), "Islam: An introductory study" in Oyelade E.O. (ed.) *Readings in philosophy and religions*, Benin City: Tiredia publishing company for Department of Philosophy and Religions, Faculty of Arts, University of Benin, p. 36

² *Ibid*, Vol. 7, No. 87. Also, Ogunbado, Ahamad Faosiy (2012). *The Concept of leadership in Islam: A special reference to Ibn Khaldun's muqaddimah*. Unpublished Ph.D research, at International Institute of Islamic Thought and Civilization, International Islamic University, Malaysia.

³ Qur'an 22:41

fellowmen⁸ if only they could reciprocate his gesture. We shall, for the purpose of this work, define governance as the authority to rule and direct the affairs of a people in accordance with a given law. In Islam, this authority rests with Allah alone and the law by which it is to be dispensed or administered is the Shari'ah-the pathway ordained by Him for those whose faith in Him is assured. He (Allah) however, gives it to whomsoever He pleases among His servants who hold it in trust for Him. This is a significant pointer to the civilian non-theocratic nature of Islamic governance system and also a cogent proof of its *theo- communocentricism*. Allah says:

Say: O Allah! Lord of Power (and Rule), You give Power to whom You pleases, and You stripes off Power from whom You pleases: You endues with honour whom You pleases, and You brings low whom You pleases: In Your hand is all Good. Verily, over all things You have power⁹.

One can see from the above definition and the quotation that follows it, why governance is considered as Divine in Islam. Government on the other hand, is the group of people who govern a nation or state or the form or method of governing a state, the act or process of governing a state or a nation. From the above definition, one can also understand why government is not theocratic in Islam as it involves men. It is this sociological nature and the divine ordinance for government that makes governance in Islamic to be *theo-communocentric*. The Qur'an states:

O ye who believe! Obey Allah and obey the Messenger, and those charged with authority **amongst you**...¹⁰

A critical look at the clause, *and those charged with authority amongst you*, in the above quotation indicates vividly and expresses unequivocally the civilian, *theo- communocentric* nature of the Islamic government or political system. It is crystal clear that leaders are not to be imposed or foisted on Muslims by whatever means or system whatsoever- be it theocracy, monarchy, military junta, dynasty, imperialism, autocracy, etc. Much shall be said on this later.

By religious obligation, we mean something that has to be done according to certain rules, dictates, doctrines, teachings and injunctions of a given religion, in this case, Islam. Hence, in an Islamic state both the leader and the led are subject (*Mukallaf*) to the law (*shari'ah*) and are also equal under the same. Civilian herein refers to a citizen, a member of the

populace who is not of the armed forces. To use the modern political parlance, one who could vote and be voted for, sue and be sued to court.

Theocracy is a situation or system of government whereby a group or body of persons are considered as having a special privilege (Divine mandate) to rule over and direct the affairs of others without any contribution from them (that is, the subjects). This is in sharp contrast to the system taught and established by Islam. Etymologically, this term evolved under the Roman Empire where some people were considered to have been given Divine mandate to rule over others (i.e. Divine rights of kings). In Islam, both the leaders and their subjects are equal before Allah and indeed before the law¹¹ He handed down to them. Allah is, therefore, the real owner of the hegemony for Whom the leaders are holding it in trust and are responsible both to Him and their subjects. This is where lies the crux of the matter as they do not, unlike in a secular system, enact or promulgate laws but rather follow, interpret and implement the law - Shari'ah- the way of life ordained by Allah for man in order to realise the purpose of his creation or existence. This is another characteristic of the Islamic system that makes it to be *theo- communocentric*.

Islamic Worldview vis a vis Islamic Political System

Before we proceed further, we need to look at the fundamental principles of Islamic worldview owing to its impacts on all aspects of Muslim lives, individually and collectively. Islamic worldview is based on four fundamental principles, these include: *at- tawhid/al-ikhlas*, *ar-risalah/an-nubuawah*, *al-khilafah/ubudiyah* and *al- ihsan*.

By **Tawhid** we mean Islamic concept of God. It is a monotheistic concept par excellence which admits no duality in essence (*dhat*), works (*af'al*), and attributes (*sifat*) of the Supreme being-Allah. Allah, Islam teaches, is the first without beginning and the last without end; as everything or rather anything that has beginning will definitely has an end. Hence, the existence as well as the unity of Allah is neither controvertible nor compromisable. Khalifah Abdul Hakeem asserts: "the Qur'an says that God is the cause of all causes, and the ultimate cause of all existence. He is the Being as the foundation of all becoming; He is the stable reality which creates and supports all changes; He is the beginning and He is the end; He is the outer appearance and He is the inner reality (Q57:3)¹²".

⁸Hammudah Abdalati(nd), *Islam in focus*, Riyadh: World Assembly of Muslim Youth pp. 141-152

⁹Qur'an 3:26 & 7

¹⁰ Qur'an 4:59

¹¹Qur'an 49:13

¹²Khalifah Abdul Hakim (1980), *Islamic ideology*, Lahore: The Institute of Islamic Culture, p. 21

Since there cannot be a design without a designer, the Heaven and the earth with their perfect harmony could not have evolved by themselves nor by a big bang as we are made to understand. Islam therefore, establishes that Allah is its architect, creator and cherisher. He created them as a manifestation of His Power and Majesty and they, no doubt, constitute a significant pointer to His existence, essence and unity¹³. Although, man was the last of all to be created, yet every other thing is made subservient to him so as to make it easy and facilitate for him, the service of his Lord. Thus, since no one petitions God to be created nor even have a fore knowledge of his creation, it goes, therefore, that Allah should send him Guidance (*al- hidayah*) over his mission on the surface of the earth as it would not augur well for him to be left alone to go (grope) in darkness, hence, the scriptures that were sent for his proper guidance as "Manual of Life"¹⁴. It is necessary to state here, that obedience of a Muslim is due to Allah and His Apostle and those charged with authority among them so long as they do not command disobedience to Allah, for obedience in Islam is not due to a leader who commands disobedience to Allah. The Qur'an speaks:

We have given to you a law (a way of life) so follow it and do not follow the fancies of those who know not¹⁵.

Commenting on the above verse of the Qur'an, Sayyid Qutb posits that:

They are equipped with nothing but fancies and ignorance when they undertake the task which is no concern of theirs and does not properly belong to them, their claim to one of the properties of Divinity is a great sin and a great evil¹⁶.

The inaugural speeches made by both Abubakr and 'Umar when they ascended to the leadership of the Muslim *Ummah* are apposite in this respect. The following was the inaugural speech given by Abu Bakr after being elected as Caliph:

You have elected me your *Khalifah* (Caliph) although I am not better than you. I need all your advice and all your help. If I do right, help me. If I do wrong, correct me. In my sight the powerful and the weak are equal and to both I wish to render justice. You should obey me as long as I obey the Lord and His Prophet. If I disobey them, you should forsake me.¹⁷

The above speech is an eternal monument of good governance, to use modern parlance, constitutional and democratic government. It shows as observed Fazlur- Rahman that:

(Allah) is the transcendent anchoring point of attributes such as life, creativity, mercy, and justice (including retribution) and of moral values to which a human society must be subjected if it is to survive and prosper- a ceaseless struggle for the cause of good. This constant struggle is the keynote of man's normative existence and constitutes the service (*'ibadah*) to God with which the Qur'an squarely and inexorably charges him. But the substantive or the constitutive teaching of the prophet and the Qur'an is undoubtedly for action in this world, since it provides guidance for man concerning his behaviour on earth in relation to other men. God exists in the mind of the believer to regulate his behaviour if he is religiously experienced, but that which is to be regulated is the essence of the matter¹⁸.

Ar-Risalah/An-Nubuwah

In order for man to grasp the correct understanding of his mission on earth, Allah had continued to be sending down guidance to him even from the very beginning of his life. This guidance (*al- hidayah*) becomes necessary in view of the observation we have made earlier such that he needed to be intimated of his purpose on earth as well as the right or proper way to achieve it. The scriptures thus sent via the Messengers, could therefore be likened to manual (users' guide) bought along with items in the market particularly electronics and related goods. Thus, failure to read, digest, comprehend and apply its contents will rob the buyer of the valuable service or utility of such item. In the same vein, it behoves man to equally read, digest, comprehend and imbibe the contents of the scripture sent by God for his proper guidance. For just as man stands in need of food and water for his physical development and growth, he equally stands in need of *al- hidayah* (the Divine guidance of Allah) for his spiritual development and growth as well. No wonder, this is referred to as "Spiritual Diet". This is borne out of the fact that, man is composed of Spirit and Matter. So the two components are to be nurtured together without given undue preference to one above the other. However, if one or both of them are neglected, it is going to be pernicious for man as society or even life becomes unworthy of living¹⁹. This is why neither materialism (secularism) nor unbridled asceticism (celibacy or monasticism) is acceptable to Islam. To

¹³Adeyemo, "Islam: an introductory study", pp. 38-40

¹⁴Adeyemo, "Islam: an introductory study", pp. 38-42

¹⁵Qur'an 45:18

¹⁶ . Qutb Sayyid (1980), *This Religion (of Islam)*, Riyadh: World Assembly of the Muslim Youth p. 28

¹⁷Rahim, A. (1981), *Islamic History*, Lagos, Kano, Ilorin, Bauchi: Islamic Publication Bureau, p. 55

¹⁸Fazlur Rahman(1982), *Islam and Modernity- Transformation of an Intellectual Traditional*, London: Oxford University Press, pp. 14&15 also by Islamic Foundation

¹⁹ Adeyemo, "Islam: an introductory studies", pp. 40-43

Muslims, therefore, based on the foregoing, the Qur'an and the Sunnah (or the traditions of the Prophet) are primary source of the Shar'iah –the Islamic law, or even laws in themselves.

It becomes necessary therefore, that man should, in taking care of the sum total of his affairs, follow the prescription of Allah (his Lord and Master) as contained in the Scripture sent to him. This follows from the fact that, although, man is endowed with intellect, which of course gives him an edge or a degree over and above every other creature of God, yet his knowledge and indeed himself is limited to time and space. Hence, there is a need for him to depend on and follow the injunctions of his Merciful Lord. Man has, thus, been assigned a special position of the vicegerent of Allah on earth (*Khalifatu Allāhi fil ard²⁰*), a responsibility that could only be carried out by following His (Allah's) Guidance.

Khilafah/'Ubudiyyah

Khilafah refers to the position of honour given to man by Allah among the comity of His creatures. *Khilafah* literally means representation, vicegerence or viceroy-ship. Man, according to this principle is a representative of Allah on earth where he is to live for a short while and exercise his right of vicegerency. By this, he is subordinate to God and thus expected to carry out His will. However, God does not make man to be a robot as he is given freedom of will to do or not do the will of his Lord. It is, therefore clear, that man is at liberty to make or mar his life. He succeeds and makes his life as he would live a comfortable non-aptiful life and secure eternal bliss, if he lives his life according to the dictates of God as contained in the Scriptures sent by Him²¹. He mars his life, if on the other hand, he turns out to be disobedient and ungrateful to Him and follows the footsteps of Satan so that by and large, life becomes unworthy of living and eternal damnation²² becomes his lots²³. These are the major principles of Islamic worldview which, upon practice, give rise to the fourth one.

Al-Ihsan

Since Islam teaches that our living is all about service: service to Allah and humanity through Him and that whatever purpose we serve is what determines our final abode, that is make or mar our lives; it also establishes that it is not enough to serve this or that purpose but the motive behind them is what matters most. Hence, *al- ihsan* signifies serving Allah and humanity via Him as though we are seeing Him for even if we cannot see Him, He sees us. Thus,

all services are considered to be *Ibadah* as long as they fall within what are commanded, desired, allowed or permitted by Islam and are borne out of genuine intention rather than inordinate ambitions and capricious motives. It should be borne in mind that Allah does not look at our appearances and statures, rather; He looks into our hearts and at our actions.

Islam teaches that man, should in a bid to proffer solution to his avalanche and multifaceted problems avoid unnecessary compartmentalization of life into spiritual and secular spheres. All the problems are to be taken into consideration as a compact whole without giving undue preference to any one over and above the others as such segregation is bound to have problems. Thus, his psychological, spiritual, sociological, political as well as moral and spiritual problems should be taken into consideration simultaneously. This is why religion could not be separated from the state. It also accounts for why governance is but sacred in Islam and not secular, that is, the reason why Islamic system of governance is *theo-communocentric*. Man is never an ordinary economic animal so that all he needs are food, shelter, cloth and sexual gratification as the materialists want us to believe. No doubt, he needs all these basic necessities of life and cannot neglect them. He possesses physical body, yet all his problems could not be solved through physical sciences alone. He is equally psychological as he has emotions; desires, likes and dislikes, yet psychology alone could not provide solution to his multi-dimensional problems. Man is also social as he lives together with others and cannot afford to do otherwise. Yet it will be misleading to think that solution can be proffered to his avalanche of problems a la sociology alone. In fact, the result would be pernicious than the problem it is aimed at solving, for this is indeed a case of wrong diagnosis that will result into wrong medication²⁴.

Alexis Carrel puts it in a rather subtle way:

Economists would realise that human beings think, feel and suffer, that they should be given other things than work, food and leisure; that they have spiritual as well physiological needs. And also that [,] the causes of economic and financial crises may be moral and intellectual. We should no longer be obliged to accept the barbarous condition of life in great cities, the tyranny of factory and office, the sacrifice of moral dignity to economic interest, of mind to money, as benefactions conferred upon us

²⁰Qur'an 2:30

²¹Qur'an 87:14 cf. Q91:9

²²Qur'an 20:123-126

²³ Adeyemo, "Islam: an introductory studies", pp. 40-43

²⁴Adeyemo, "Islam: its meaning and message", pp. 27-31

by modern civilisation. We should reject mechanical inventions that hinder human development. Economic would no longer appear as the ultimate reason for everything. It is obvious that the liberation of man from the materialistic creed would transform most of the aspect of existence. Therefore, modern society will oppose with all its might, this progress in our conception.²⁵

Let us now turn to the basic characteristics of Islamic system of government or political system.

Civilian Non-Theocratic Nature of Islamic System of Governance and *Maqasid as-Shari'ah*

It is because all members of the 'Ummah are responsible for choosing their leader and since Allah could not be held responsible for their actions and inactions, that is, their choice or failure to make any, that Government is considered as civilian rather than being theocratic. It is equally due to the fact that Islam upholds the concept of *Civil Disobedience* especially when the leader commands disobedience to God. So, as we have observed in the foregoing paragraphs, leaders are not to be imposed or foisted on Muslims since leaders are to be elected and or selected from among them. The above reasons resonate well with the higher objectives of Shari'ah-the law by which the leaders are to administer society.

According to Abu Hamid Al-Ghazali:

The very objective of the Shari'ah is to promote the welfare of people, which lies in safeguarding their faith (*hifz al-din*), their life (*hifz al-nafs*), their intellect (*hifz al-haql*), their posterity (*hifz al-nasl*) and their wealth (*hifz al-mal*)²⁶. Whatever ensures the safeguarding of these five serves public interest and it is desirable and whatever obstructs their realization is evil and its removal is commendable and desirable.

Imam As-Shatibi on the other hand observes that "the primary goal of Shari'ah is to free man from the grip of his own whims, caprices and fancies, so that he may be true servant of Allah by choice, just as he is one without it"²⁷.

Tahir Ibn Ashur gives a comprehensive definition of *Maqasid Al-Shari'ah* thus:

The all-purpose principle (*Maqasid 'Amm*) of Islamic legislation is to preserve the social order or the community and insure its healthy progress by promoting the well-being and righteousness (*salah*) of... the human specie. The well-being and virtue of human beings consists of the soundness of their intellects and the righteousness of their deeds, as well as goodness of the things of the world where they live that are put at their disposal²⁸.

To Ibn Al-Qayyim, Shari'ah is based on wisdom and achieving people's welfare in this life and afterlife. Shari'ah is all about justice, mercy, wisdom, and good. Thus, any ruling that replaces justice with injustice, mercy with its opposite, common good with mischief, or wisdom with nonsense, is a ruling that does not belong to Shari'ah even if it is claimed to be so according to some interpretations²⁹.

It is clear from definitions given above that the higher objectives of *Shari'ah* otherwise called *Maqasid Al-Shari'ah* is all about ensuring the welfare or well-being of man collectively and individually, which, in modern political cum economic parlance is referred to as stakeholders approach to corporate governance. It is also obvious from the explications given by scholars above, that although, the law to be used for administering the state is Divine, yet its interpretation and application is human just like the process or procedure of electing leaders is civil rather than being theocratic hence *theo-communocentric* nature of Islamic governance system. As could be seen from the quotations, *Maqasid Shari'ah* is a brief explication of the duties leaders or government officials owe their state.

Theo-Communocentricism and Characteristics of Islamic State

There are certain basic characteristics of an Islamic state which makes it to be distinct from others. Hammudah Abdalati asserts:

Like social and economic life, the political life of Islam is based on sound spiritual and moral foundations, and is guided by the Divine instructions. The political system of Islam is unique in its structure, its function, and its purpose. It is not pragmatic or instrumentalistic. It is not theocracy whereby a certain class of people assumes divine rights, hereditary or otherwise, and poses, above other citizens, beyond

²⁵Tawney, R.H. (1937), *Religion and the rise of capitalism*, London: George Unwin Limited, p. 225

²⁶Abu Hamid, Imam Ghazali (1937), *Al-Mustasfaa*, vol.1 pp139-140 cf As-Shatibi (d 790/1388) nd, vol. 1 p. 38 & vol. 3 pp. 46 & 47

²⁷ Imam As-Shatibi (1988), *Muwafiqaat* (The Approvals), Vol. 1, Cairo: Al-Maktab Al-Islamiyyah p. 43

²⁸Ibn Ashur Tahir (2006), *Ibn Ashur Treatise on Maqasid al-Shari'ah*, trans from Arabic and annotated by Muhammad El-Tahir Al-Misawi, London: p. 67

²⁹Ibn Al-Qayyim Al-Jauziyyah (2004), *Aalam Al-Muwaqin*, Beirut: Dar Al-Kutub Al-Ilmiyyah 1st edn. p. 828

accountability. Nor is it a proletariat whereby some revengeful labourers capture power. It is not even democracy in its popular sense. It is something different from all that. To appreciate the political outlook of Islam one has to know that it is based on certain principles³⁰.

Every action of a Muslim or a group of Muslims must be inspired and guided by the law of Allah, that is, the Qur'an, which is the constitution chosen by God for His sincere servants. Allah says: "And if any do fail to judge (or rule) according to what God has revealed, they are the unbelievers... they are the wrong doers... they are the rebels"³¹. "Verily, this Qur'an does guides to that which is most right and best"³².

The sovereignty in the Islamic state, as earlier observed, belongs neither to the ruler nor even to the people. It belongs to Allah, so that the people as a whole exercise it by trust for Him to enforce His law and enact His will. The ruler is only an acting executive chosen by the people to serve them according to the law of Allah. Hence, the leaders are just the chief servants of the state. This is the foundation of the Islamic state and is only consistent with the general outlook of Islam on the universe of which God is the Creator and in which He is the sole sovereign. Thus, the Qur'an, has often repeated clauses like: authority, power and sovereignty belong to none but God, or Bless be He in Whose hands is dominion, and He over all things has power³³.

Also verily, God does command you to render back your trusts to whom they are due; and when you judge (or rule) between people that you judge with justice. Verily, how excellent is the teaching which He gives you³⁴!

The aim of Islamic state so to speak, is to administer justice and provide security and protection for all citizens, regardless of colour or race or even creed, in conformity with the stipulations of Allah in His constitution, the Qur'an. The question of religious or racial minorities does not arise as long as they are law abiding and peaceful citizens. The Qur'an speaks:

O ye who believe! Stand out firmly for justice, 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 most close to piety, and be

mindful of God, for God is well acquainted with all that you do³⁵.

Thus argues Hammudah:

Formed for the aforementioned purposes and established to enforce the law of Allah, the Islamic state cannot be controlled by any political party of a non- Islamic platform or subjected to foreign yoke. It has to be independent to exercise its authority over its jurisdiction on behalf of God and His cause. This is based on the fact that a Muslim is one who submits to God alone and pledges loyalty to no other law other than His, offering utmost cooperation and support to those who administer the law and observe its stipulations.

This is why the colonial masters in the northern Nigeria could not but adopt the policy of indirect rule³⁶. It is not Islamic or lawful for a Muslim nation to pledge support to any political party which lacks Islamic identity and or orientation or to yield to a non- Islamic government of alien origin and intents. Allah says: And never will Allah grant to the unbelievers a way (to triumph or rule) over the believers³⁷.

Hammudah argues further:

The leader is not a sovereign over the people. He is a representative employee chosen by the people and he derives his authority from his obedience to the law of God, which binds the ruler and the ruled alike by a solemn contract over which God is the overseer. The political contract of Islam is not concluded between the administration and the public alone. It is between these combined on one side and God on the other, and it is morally valid and binding only as long as the human sides fulfil their obligations to the Divine. The rulers who are chosen by their people to administer the words of God are entitled to support and cooperation from the members of the public as long as they observe their duties to Allah.

Should the public or any member thereof fail to render support to and cooperate with the administrators, their act would be considered as tantamount to insubordination not just to the leaders alone but equally to Allah Himself. In the same vein, if the administrators or the leaders derail from the way of God or fail to keep the law, it is not only

³⁰Hammudah Abdalati, p. 130

³¹Qur'an 5:44, 47.

³²Qur'an 17:9

³³Qur'an 4:141 cf. Qur'an 24:51, 55, see also Qur'an 58:21-22

³⁴Qur'an 4::58

³⁵Qur'an 5:8.

³⁶Adeyemo, Lateef Kayode. "Islam in Nigeria between the North and the South" in Ahmad F. Yousif (ed., 2012), *Muslim Revivalism in Contemporary Society*, New York, Toronto and Ottawa: LEGAS, pp. 225-250

³⁷Qur'an 5:9 cf. Qur'an 4:135, 22:38-41

committing a similar offence but have forfeited their right to public loyalty and support. Allah says: O ye who believe, obey Allah and obey His Messenger and those charged with authority among you. If you differ in anything among yourselves, refer it to Allah and His Messenger, if you do believe in God and the Last Day. That is best, and most suitable for final determination³⁸.

Obedience to those charged with authority among Muslims is premised upon their obedience to Allah and conscious observance of the traditions of His Messenger. The Prophet was reported to have said: There is no obedience or loyalty to any human being, ruler or otherwise, who is not himself obedient to God and bound by His law³⁹. The ruler must be elected, chosen or selected from among the best suitably qualified citizens on the basis of their own merit, fitness and competence regardless of their race, colour, social status etc. The process may be through a general election or an electoral college⁴⁰.

Kamil Siddiqui observes that:

Men do not find leadership roles but leadership roles discover men. The Islamic movement usually seeks out the most humble among the faithful for its most critical areas of performance. In the Islamic state or the Islamic movement men who perform leadership roles do not have a constituency of traders, feudal lords, labourers, or intellectuals; they do not owe their "rise" to a group that then demands reward and patronage. These are the common everyday concerns of the political process in the western political system of the neo-jahiliyyah⁴¹.

Caution, must however, be exercised to ensure that nobody gets the mandate except the best candidate. This is because the life and the hereafter would be entrusted to whoever emerges as the leader. The Apostle of Allah- Muhammad (SAW) was reported to have said: "whoever entrust a man to a public office where in his society there is a man better than this trustee, he has betrayed the trust of God and His Messenger and the Muslims"⁴². No Muslim should be indifferent to this all important civic duty.

After the election has been completed and a leader has been chosen, every citizen is enjoined to constitute a watch dog, within his capacity, over the conduct of the administration and question its handling of the public affairs in a constructive

manner. There are so many instances in Islamic history whereby the Prophet, despite his sincerity and infallibility was questioned by certain companions let alone those of his successors⁴³. One of the companions questioned the Prophet regarding the way he shared the booty gotten from a battle and so did a woman question the authority of 'Umar-the Commander of the Faithful to decide what Allah and his Apostle had left open⁴⁴. Although, the leader is chosen or appointed by the people, yet his first responsibility is to Allah, meaning that, should the interest of his people clash with that of God, God forbids, he should ensure that he makes them understand the right position to be taken in accordance with the injunctions of God. Even though, the Qur'an and the Sunnah of the Prophet constitute the constitution of the state, a leader is to consult with his people on matters of public interest⁴⁵. This is a religious obligation-an injunction of Allah-that even the Prophet did not play with let alone an ordinary person.

Under Islamic state, every citizen is entitled to enjoy freedom of belief and conscience as well as freedom of thought and expression. He is at liberty to develop his potentials and improve his lots, to work and earn a living, own property and compete with others in the society on an equal footing, to approve and disapprove of things objectively based on his conscience and sincere judgments. However, his freedom is not and cannot be absolute; else it leads to chaos and anarchy. He is bound by the law just like every other subject. This is because where his own rights ends those of others begins which warrants certain duties or responsibilities from him. After all, his rights are the duties of others too.

Islamic state as could be seen from the foregoing discussion is a unifying and liberating state as observed by Eltigani Abdelgadir Hamid, that "since justice implies the unification of allegiance to God, this will lead to the liberation of the people"⁴⁶.

Unlike the situation in the West as observed by Weeramantry:

The concept of human rights in Islam rests upon a foundation theoretically different from traditional western one in at least two fundamental ways. In the West, human rights were fought for and extracted from those in authority through a bitter series of tussles by man against man...These were hard-won secular rights and are naturally

³⁸Qur'an 4:59

³⁹Muslim, Vol. 13, No. 165

⁴⁰Hammudah, p. 130

⁴¹Kalim Siddiqui (ed.,1981), *Issues in the Islamic Movement 1980-1981 (1400- 1401)*, London: The Open Press Limited, p. 45

⁴²Muslim, Vol. 12, No. 168

⁴³Rahim, p. 33

⁴⁴Rahim, p. 45

⁴⁵Qur'an 42: 26

⁴⁶Eltigani Abdelgadir Hamid(1425/2004), *The Qur'an and the politics*, trans. Abdul-Wahid Lu'lu'a, Herndon: International Institute of Islamic Thought, pp. 78-82 48.

greatly prized. They represent a remarkable advance upon the pre-existing situation where even such fundamental rights as the right to life were denied⁴⁷.

In Islam however, he posit further,

One does not view the problem against such a secular setting. The problem is not how man asserts his rights against man but how man discharges his duties towards God. It is not pre-occupied with the horizontal relationship of man with his fellow man but with the vertical relationship that subsists between each man and his Master. If vertical relationship is properly tended, all human rights problems fall automatically into place⁴⁸.

According to Abdul Rashid Morten, the essence of the *Sunni* view of government is that political power derives from two sources, the shari'ah and the 'Ummah, i.e. the divine law and the community of believers⁴⁹. This is the essence and the quintessence of Islamic political system that makes it civil and not theocratic but rather *theo-communocentric* since as it were, law of Allah is to be implemented on His behalf by the elected or selected public officers.

Conclusion

We have, in the foregoing paragraphs examined the obligation of governance as well as civil non-theocratic nature of government in Islam. It was argued that although, Shari'ah, by which the state is to be governed or administered is Divine, however, since the interpretation and application of the law is human, and since the leaders are to be elected and or selected by members of the society, Islamic government is therefore civil and not theocratic, it is rather indeed, *theo-communocentric* owing to the reason advanced earlier. This is further premised upon the argument that God cannot be held responsible for the failure of people to elect good leader or the failure of the leaders to carry out the responsibilities for which they have been elected. It was also argued that governance is obligatory in order to maintain law and order, ensure justice and fair play and slam door at anarchy such that, a conducive atmosphere or environment is created for individuals and the society as a whole to thrive and prosper.

⁴⁷ Weeramantry, C.G. (1988), *Islamic Jurisprudence- an international perspective*, London: Macmillan & Kuala Lumpur: The Other Press, p. 117&123

⁴⁸As in 47 above

⁴⁹Abdul Rashid Morten (1996), *Political Science: An Islamic Perspective*, London: Macmillan Press Ltd, p. 120

Bibliography

- 'Abdullah Yusuf 'Ali. (1989). *The Holy Qur'an: Text, Translation and Commentary*, Maryland: Amana Corporation.
- 'Abd Al- Rahim, Muddathir. (2005). *The Human Rights Tradition in Islam*, West port: Praeger Publishers.
- Abdul Rashid Morten. (1996). *Political Science: An Islamic Perspective*, London: Macmillan Press Ltd.
- Abu Hamid, Imam Ghazali (1937), *Al-Mustasfaa*, vol.1 pp139-140 cf As-Shatibi (d 790/1388) nd, vol. 1 p. 38 & vol. 3.
- Adeyemo, Lateef Kayode. "Islam in Nigeria between the North and the South" in Ahmad F. Yousif (ed., 2012), *Muslim Revivalism in Contemporary Society*, New York, Toronto and Ottawa: LEGAS
- Adeyemo, Lateef Kayode.(2006). "Islam: An introductory study" in Oyelade E.O. (ed.) *Readings in Philosophy and Religions*, Benin City: Tiredia Publishing Company for Department of Philosophy and Religions, Faculty of Arts, University of Benin.
- Adeyemo, Lateef Kayode. (2006). "Islam: Its meaning and message" in Adeleke Fakoya et al (ed.), *An Encyclopaedia of the Arts* vol. 7(1): 24-31, Lagos, Lagos State University Press.
- Eltigani Abdelgadir Hamid. (1425/2004). *The Qur'an and the Politics*, trans. Abdul- Wahid Lu'lu'a, Herndon: International Institute of Islamic Thought.
- Fazlur Rahman. (1982). *Islam and Modernity- Transformation of an Intellectual Traditional*. London: Oxford University Press also by Islamic Foundation.
- Hammudah Abdalati (nd). *Islam in Focus*. Riyadh: World Assembly of Muslim Youth.
- Ibn Ashur Tahir (2006). *Ibn Ashur Treatise on Maqasid al-Shari'ah*. trans from Arabic and annotated by Muhammad El-Tahir Al-Misawi, London: Macmillan Press Ltd.
- Ibn Al-Qayyim Al-Jauziyyah. (2004). *Aalam Al-Muwaqin*. Beirut: Dar Al-Kutub Al- Ilmiyyah 1st edn.
- Imam As-Shatibi. (1988). *Muwafaqat*. (The Approvals), Vol. 1, Cairo: Al-Maktab Al- Islamiyyah.
- Kalim Siddiqui. (ed.,1981), *Issues in the Islamic Movement 1980-1981 (1400- 1401)*. London: The Open Press Limited.
- Khalifah Abdul Hakim. (1980). *Islamic Ideology*, Lahore: The Institute of Islamic Culture.
- Muslim, Abulhussayn bin Al-hajjaj (nd), *Sahih Muslim*, Beirut: Dar al Jedid
- Ogunbado, A. F. (2012). *The Concept of Leadership in Islam: A Special Reference to Ibn Khaldun's Muqaddimah*. Unpublished Ph.D. research,

at International Institute of Islamic Thought and Civilization. International Islamic University, Malaysia.

- Ogunbado, A. F. & Al-Otaibi, A. M. (2012). "Religions quest for peace: A comparison between Islam and Christianity." *International Journal of Sustainable Development Vol. 4, No. 8, pp. 19-28*
- Qutb Sayyid. (1980). *This Religion (of Islam)*, Riyadh: World Assembly of the Muslim Youth.
- Rahim, A. (1981). *Islamic History*. Lagos, Kano, Ilorin, Bauchi: Islamic Publication Bureau.
- Tawney, R.H. (1937), *Religion and the Rise of Capitalism*, London: George Unwin Limited
- Weeramantry, C.G. (1988), *Islamic Jurisprudence- an International Perspective*, London: Macmillan & Kuala Lumpur: The Other Press

Orientalists Attack Against Prophetic Traditions: Awareness and Wake up Call

Ahamad Faosiy Ogunbado, Ph.D.
Assistant Professor/Head of Postgraduate Program,
Faculty of Islamic Development Management,
Universiti Sultan Sharif Ali (UNISSA).
Brunei Darussalam.
tunbado@hotmail.com.

Ishaaq El-Mubarak, A.M.O.
Faculty of Law and International Relations
University Sultan Zainal Abidin (UNISZA)
Terengganu Darul Iman.
Malaysia.
abdulmuqadasopeyemi4sure@gmail.com

Vol.1, Issue 1 | January 2018

KEYWORDS

Agendas, Deceiving facts, Orientalists, Source of Islamic law, Hadith or Sunnah and Wrong perceptions.

ABSTRACT

Orientalists had been working seriously towards the demolition of the second primary source of Islamic law where most Islamic proofs are derived. Given the strong links between the unnecessary allegations against some Prophetic traditions and irrelevant arguments about the compilation of Sunnah clearly proves their sceptics around the entire words of the Holy Prophet Muhammad (Peace be upon him). With this regard, there is a pressing need to replace some assumptions and misconceptions regarding these standpoints through academic approaches, so that Muslims will not be discouraged and misguided away from the real sources of Islamic law. For this sake, this study seeks to establish a number of facts which can eliminate the doubtful mind Muslims might have assumed from the wrong perceptions this group had created around the compilation and validity of Sunnah. In addition to that, this article aspires to reveal Orientalist deceiving facts in swapping false theories into realities in Islam. It also tends to evaluate the group's plan and see whether they really wish to support Islam with these agendas or demolish it. Moreover, do they have any sincere intention and objections in probing the authenticity of Sunnah? In achieving these goals, descriptive method is used to pinpoint techniques and features of this set of group. While analytical approach is adopted with the aim of acknowledging their strategies. Apparently, findings assert that Orientalists doesn't have any reasonable justification in challenging the validity of the Prophetic tradition. Asides that, results show that this set of people are merely using this ideology to divert Muslims' attention from the faithful belief they have for the Prophet and his traditions.

Introduction

The activities, deeds, sayings and efforts of Prophet Muhammad (Peace be upon him) during his lifetime and his propagation towards Islam are later known as Sunnah or Hadith. It is the second primary source of Islamic law after the Holy Qur'an. It sheds more

lights on the information, news, stories, lessons, rules, commandments and forbidden tones, promises and so on contained in the first primary source known as Al-Qur'an. In other words, the details of some messages in the Qur'an cannot be fully understood except through Hadith. The application

and implementation of a specific legal ruling in Islam is a matter of possessing wide range understanding about the roots of every substantial proof contained in various Islamic sources, most especially, the basic principles of Hadith¹. Someone who opt to depend excessively on the holy book (Qur'an) but chose not to create any faith in Sunnah is not acting in accordance with the word of Allah which says: "O you who believe, Obey Allah and obey the messenger and those of you who are in authority"². More so, there is Hadith buttressing this fact when the Prophet says:

Whoever obeys me has obeyed Allah and whoever disobeyed me has disobeyed Allah, and whoever obeys my ruler has obeyed me, and he who disobeyed my ruler has disobeyed me³.

Hence, it is clear that the option of choices between believing in Allah and believing in his Prophet will not be possible and suitable for a real Muslim under the tenet of Islam.

The relationship that exist between Qur'an and Sunnah is almost similar to that connection that can be found between a husband and wife whereby it is hopeless for them to produce a new being without exchanging assistance from one another. That is such the inseparable and cordial relationship that can be seen between Qur'an and Sunnah. The kinship is so tight to the extent that it is hardly for you to see one of both deciding a situation solely and pronouncing a judgement without the aid of the other. For this reason, some scholars are of the view that Sunnah texts and interpretations is much wider than Quranic provision. Their fact is based on the reason that Sunnah entails ample rulings that are not visibly stated in the Qur'an, or declared but not explained. In other words, the interpretation of some texts in the holy Qur'an might not be sufficient and adequate for understanding a particular issue. This is traced to the fact that Muslim majority scholars have the trust that it is only Sunnah texts that can give somebody detail and comprehensive interpretation about most of the Islamic practices, but if illiterates or distractors are given the chance to amend the connections for Hadith, it will definitely losses its relevancy.

The fundamental study of Sunnah principles is the real feature that can differentiate a believer from non-believer, it elucidates those who are honestly utilizing the traditions of the Prophet and people who are deceiving themselves with the name of

Sunnah, it also distinguishes Muslim who doesn't need any additional announcement to describe his/her level of adherence to the deeds of the Prophet and one who still needs to be more educated about the religion because of the amount of contradictions with Sunnah he/she possess in his/her activities⁴. For these reasons, having deep understanding about all related studies around the tradition of the Prophet will not only benefit the achiever of that knowledge, but all the members of the environment in which he/she comes from will also be safeguarded upon misleading concepts.

The term "Orientalists" is a general name given to a particular group whose aim and target is to partake tremendously to the study of Islam. However, the nature of objectives which they are operating on in the course of this contribution will then describe the category they belong to among the Orientalists. This is because research had described them as three different factions. The first sect investigates about Islamic disciplines so as to convince people and condemn Islamic texts. They criticize everything they know Muslim scholars do not have any divergence of opinion about it again. The second set learn about Islam just because they want to make comparison between two dogmas. In other words, their specific focus is to confirm the truth from the false belief. While the last category concentrates most on academic field and performances. They strive on how to enlarge the importance of education and to ensure that radicalism doesn't have the chance of overthrowing all Islamic issues. Thus, this paper is not endeavour to entertain all these factions, but rather direct its discussion on the party which falls under the first group who are planning to gain people's attention by injecting various misconceptions in the study of Islam in general but Prophetic Hadith/Sunnah in particular.

Reasons behind Classical Orientalists' Research on the Science of Hadith

Evidence shows that religious propagators are the one who instigated and sponsored this classical Orientalists to take over Hadith research. That is to say, it is because of the mission some religion leaders wanted to achieve that prompts them to the extent of employing classical Orientalists to help them discharge their tasks. Generally speaking, the Orientalist thoughts that the only way of gaining people's attention in the religion of Islam is by attacking the holistic quality the religion possessed, for this reason, they aim to degrade this holism with five dissimilar categories such as: religious, colonial, political, commercial and academic factor.

¹Ahamad Faosiy Ogunbado, (2014). "The Significance of the Qur'anic Messages to Humanity: A Revisit. *IOSR Journal of Humanities and Social Science (IOSR-JHSS)* Volume 19, Issue 9, Ver. IV (Sep. 2014), Pp. 20-28.

² Al-Qur'an, Surah Nisa (4): 59.

³ Bukhari, M. I. (1938). *Sahih Bukhari*: Kitaabul Ahkaam. Lahore: Dar al-Andalus. No 7137.

⁴ Al-'akbary, 'Ubaidullah bin Muhammad bin Hamdaan. (2008). *sharhu wal ibaanat 'alaa Usuli Sunnat Wadiyaanat Wamujaanabatil Mukhallafin Wamubaayanatil Ahlih Ahwahil Mooriqeen*. Riyadh: Daaru-rayah Linnoshir Wattawzihin. Pg. 118.

Religious Incentive

The religious aspect is counted as the most basic factor that stimulates Orientalist in exploring more knowledge about Hadith. Their target regarding this specific factor is that they want to eliminate the uniqueness of the holy characteristic in it, and also subject it into a lower position so that its genuine recognition will not be praised above the Jewish or Christianity book of references⁵. As a matter of fact, it is undeniable that the so called Orientalists emerged from the Christian clergies with no stop instructions from the church ministries. This group are mainly trained for the sake of refuting any ideology that emanates from Muslims' scholarship, to insult their Prophets and to design mystify perception about the religion of Islam. They are doing this just because they don't want people to embrace Islam, and to show the Europeans that Islam entails the system of radicalism, terrorism, nationalism, tribalism and all such negative "...isms". Noticeably, until the commencement of 20th century, they continuously introduce several methods in a form of book publications so as to weaken the dominion power Islam controls throughout the world and attain their goals against Islamic civilization⁶.

Colonial Incentive

Before most Muslim countries gain their independence, Westerners who happens to be the colonial masters of those countries have gotten the privilege and seized the opportunity to explore and make inquiries of what they will later use against the Muslim world at large. It was during this moment that the Westerners were able to study the strengths and weaknesses that are in those environments. They have the chance to know the center point that can easily ruin the entire religion, and it was since then they had started creating skepticisms about the understanding of Islamic beliefs⁷.

Political Incentive

Western countries tend to influence these countries with their political point of views and ways of thinking. It was because of this reason why during the period of colonialism, they appointed delegates into these Islamic nationalities so as to learn about their languages, cultures, and ahead of it oriental studies. Subsequently, after acquiring these knowledges, they gained a very cordial relationship with the politicians, thinkers and journalists of these visiting countries. Systematically, they make a

comparison between the two methods, and finally imposed the European ways of governing states upon these Easterners⁸.

Economic Incentive

This form of motive had also added to the reason why Orientalists tends to seek for Hadith knowledge. It can be said that the industrial revolution in Europe might have inspired them to go for this study. This is due to the fact it was during that learning process that they will be able to advertise what they produces to the visiting countries on one side, and exploit the natural resources in which the Islamic countries are also nurturing. In fact, they desires to cheat and overthrow the Islamic countries on their resources by purchasing it in a very cheap prices and they will ensure that these countries buy it back from them in an expensive rates. Above all, these Eastern countries will now become consumerist profitable market of Westerners.

Academic Incentive

It is worthy to note that the population under this kind of motive are rarely found among the Westerners. This is a set of people whose primary ambition behind the seeking for Islamic study is to acquire all the information therein. They are totally different from the previous incentives in the sense that their findings are normally based upon good intentions, except that they are not supported from the Western countries and don't have any connection with those who are sort of challenging the validity of unanimous concept in Islam. For this reason, this sect of group are likely to be threatened for the contradicting agendas they have with the Westerners. With this regard, it is apposite to mention some few members of this people who falls under this category. For instance, the writer of a book called "Al-Islam 'ala Muftariq Turuq" who is popularly known as Muhammad Asad is a faithful member of this party. Thomas Arnold the author of "Ad-da'awatu ilal Islaam" and a French Orientalist who converted into Islam and changed his name to Naasirudeen Diniyyah can also be found under this sect of group⁹. Hence, it is apt to uphold the view that this final incentive's agenda is absolutely different from the aforementioned ones, therefore, without any shadow of doubt, this faction needs to be excluded from the forenamed ones for the sake of their sincere ambition towards the study of Hadith. Definitely, it is certain that Orientalists has a vision in seeking for the knowledge of Hadith. The objectives they tends to accomplish is what stimulates them to go deeply about the Prophetic tradition studies. They opts for this study in order to destabilize the

⁵ Muhammad, Faalih. (2010). *Al-Istishraaq wa Mawqifuhu mina Sunnatul-Nabawiyah*. Makkah: Majma'al-Molki Fahadi Litobaa'atil Moshaf Shereef bil-modeenat. Pp.1-20.

⁶Husain, Ahmad. Bahaudheen, Muhammad. (2003). *Haqeeqatul isthishraq wamouqifuhu minal islam mundhu luhoorihi ila nihaythil alfiyathi Saniya*. Malaysia: International Islamic University Press. Pp. 73-74.

⁷ *Ibid*. Pg.74.

⁸ *Ibid*. Pp. 75-76.

⁹Hassan, Abdul-rahman. (1994). *Ajnihatul Mokri thalaatha wa-khawaafiha: At-tabsheer-Al-istishraaq-Al-isti'imoor: Dirasatun Watahleelun Watawjeehun*. Damascus: Darul Qalam. Ed. 7. Pg. 20.

standardization of Islam, dominates the targeted Islamic countries, have a say in their administration and be in control of their respective natural resources. In the light of this, any country who is in the process of curbing this misleading facts from spreading in their environment, such a country to propose a preventive measurement in the above areas in such a way that their religion, economic and political posts should not be engaged by any European citizens, most especially, Orientalist representatives.

Features and Schemes of Orientalists

Orientalist characteristics are among the easiest features someone can identify without having to conduct any deep research. A good example to picture this reality is to see a person or a group of people drafting a plan on how to dismantle people's faith on a particular concept. This set of group initiates their ideologies from challenging the period when the Sunnah was compiled. They are of the view that the anthology of Prophetic tradition started after ninety years in which the Prophet had gone. By the way, their reliance on this information is because they were thinking that *Muwatta of Malik bin Anas* is the first book on Hadith, and that the earliest book on Prophetic biography is *Kitaabul Mogazyi Li ibn Ishaq*. Although, they both lived in the same era whereby the former passed away in 179 AH, while the latter died in the year 151 AH. Besides that, they speculate that the first agreement that was made in the second century happens to be the commencement of collating biographies and histories. However, this is not the real fact about the matter, the primitive collation began before that, it was reported that 'Umar bin Abdul Azeez who died in 101 AH had already appointed Abu-bakr bin Muhamad bin Amri bin Hazmi who possessed the knowledge of Hadith and biography then to stand up immediately with the compilation of Prophetic Sunnah and its commentaries so as to sanctify its uniqueness. Noticeably, this information had been inserted into the commentaries of Sahih al- Bukhary, Muwatta of Maalik and Musnad for Daarimi. Apparently, Abu-bakr quickly reacted upon the recommendation of Umar bin Abdul Azeez and drafted various Hadiths of the Prophet and its commentaries on some sheets of paper and subsequently sent it to the home of Caliphates in Damascus of which was later transcribed into books and distributed to most of the Islamic countries that was existing then. Verily, the rationale behind this suggestion and designation from 'Umar bin Abdul Azeez is that he firmly knew that when we talk of most reliable and credible source about the authentic science of Hadith during that era, there is no one to refer to other than the judge of Madinah (Abu-bakar bin Hazm), and more so, his maternal aunt 'Umrāt happens to be among the eldest students of 'Aisha binti Abu-Bakar. For that sake, Abu-Bakar was assigned with the task of gathering the first

compilation of Prophetic traditions¹⁰. In the light of this, it is extremely important for anyone who is calling themselves Muslim to explore details on any discoveries pertaining to the religion of Islam, most especially, the basic and fundamental principles of Prophetic Sunnah.

The Orientalists had outlined some strategies to demolish Islam gradually and systematically. They had also set up a time limit and different methods to achieve these goals. A typical example to illustrate this initiative is to vividly look at how they are questioning some irrelevant and trivial matters in Islamic practices. For instance, what is the correlation between the collation of Hadith and the difficulties Muslims are facing in Syria, Yemen, Libya and the likes? Is there any connection with the sound status of Hadith and how giant positions are being hijacked in each governmental posts by non-believers in several parts of the world? In addition to that method, they often use false evidence and inaccurate analysis to convince people. In other expression, they will block all rigid proofs and good things about Islam for non-Muslims and warned them not to conduct any further research on these substantial stands. This is one of the tactic they used to employ, so that the people they are preaching to will always have full concentration on any tactic proposed by them, and so as for them to also adhere to all the ideologies presented by them. In fact, this propagation will be directed mostly to the Muslims in order to swap their faith into their taste¹¹. Thence, it is better for the entire Muslims throughout the globe to come together and fight for what is necessary, practicable and meaningful rather than expanding what is trivial and meaningless, that cannot assure the religion of Islam long-term existence.

Despite the fact that this people cannot be ascribed to any faith nor school of jurisprudence, they still extend their ignorance to the chains of Hadith whereby one of their scholars called Fuad Sazkiin gave a similar thought as that of Al-'Umariyy that the chain of Prophetic tradition had lost its integrity ever since al-Bukhary¹² composed his book known as Sahih al-Bukhary. Both Al-Umariyy and Fuad Sazkiin maintained the position that this discovery was detected after a critical reading of the commentaries, paragraphs, languages and histories contained in it, they found that there is no more authentic Prophetic Sunnah after the arrival of Sahih al-Bukhary¹³. In fact

¹⁰ Al-husayni, As-seyyid Sulaiman An-nodawy. 1423 AH. *Ar-risaalatul Muhammadiyah*. Damascus: Daarul Ibtidaiyyah. Ed. 1. Vol. 1. Pp. 67-69.

¹¹ Al-morsofy, Saad. N.d. *Al-mustashriqun Wa-Sunnah*. Lubnan: Mokatbatul Mannaaril Islamiyyah Wamuassasati Royyaan. Bayruut. Vol. 1. Pg. 6.

¹²Bukhari, M. I. (1938). *Sahih Bukhari*: Kitaabul Ahkaam. Lahore: Dar al-Andalus. No 7137.

¹³ 'Al-umary, Akram Diyaahu. (1415). *Buhuth fi Taarikh As-Sunnatil Musharafa*. Saudi: Medina: Mokatbatul 'Uluum Wal-hikam. Vol. 1. Pg. 56.

Fuad Sizkiin posted an allegation against nowadays excessive reliance of people on Sahih al-Bukhary¹⁴. He went further in his discussion challenging the compiler of Sahih al-Bukhary. Fuad is of the view that it is impossible for people to promote the classifier of that book to a complete level. In other term, personifying al-Bukhary as the most perfect being is an overstatement. This is because the chains of the collectors of the Hadith is approximately missing four sections, and for that reason it cannot be regarded as the most immaculate book after the Holy Quran. Even though, Al-Bukhary himself is proclaiming that there is no one among the scientific scholars of Hadith who was able to surpass his authentic chain of collectors¹⁵. Hence, Muslim scholars in every part of the world are urged to react instantly about this suspicious attempt people are trying to paste around Sahih al-Bukhary and the compiler through the means of composing books, conducting conferences and holding seminars so that all the heresies surrounding this theory can be totally eliminated.

Apart from the above techniques and characteristics of the Orientalists, there are some other approaches that can also give somebody the true picture about this enemy of Islam. This can be visualize through their understanding about all Islamic concepts and the form of assumptions they normally prepare against Islam. Also, they knew that after condemning, defaming and disgracing Muslims' noble scholars, the remaining period that will left for them to execute their mission will be very short, thus, they aimed to target the high respected experts among the Muslims by humiliating their personalities and criticizing their efforts. More so, another method implemented in discharging their duties is by attacking and justifying Islamic religion externally. The unique way they can use to perfect this means is judging Islam base on what is happening in their respective society about Muslims. For instance, if there is a particular environment occupied by Muslims, but their mentality and practices are contradicting the teaching of Islam, this antagonist group can use that as an evidence and start to generalize the non-compliance habit of these people with other Muslims. Indeed, their main focus is to frequently organize a critical study and prejudices about most Islamic texts¹⁶. Therefore, it is clear that this enemy of progress had projected several ways of apprehending Muslims, for this reason, it is highly recommended for everyone to get themselves

familiar with all these tactics, prepare ahead it academically, verify someone religion leaders' ideology and scrutinize the kind of lectures one will be attending so as not to be captured with these traps.

Generally speaking, the success of the aforementioned goals by this antagonist group can be driven and controlled by the Muslim members in the society. In other word, the kind of seriousness people attached to this disaster will eventually tell us the result people should be expecting from such approaches. Evidently, this group are not only publicizing their objectives verbally, but they are also propagating it in a written form. They made an attempt in compiling "Usul Shariah Muhammadiyah" which was written by Schacht. In this book, they listed all sort of challenges they want to file against the Prophetic Hadith and all other sources of Islamic law. Unfortunately, both University of London and Cambridge University decided not to entertain or discuss any critique relating to that book. Similarly, a female lecturer was also dismissed in Oxford University solely because she came up with a write-up in order to reply Schacht on the misconception he had about Islamic Jurisprudence. This is to say that they don't want to make any review or research about what had been unanimously agreed upon among Muslim scholars, most especially, anything related with faith¹⁷. In the light of this, it is obvious that elimination of this doctrine is in the possession of Muslim community residing in a specific area.

Orientalists Efforts on Hadith Literature from 1890 to 1950

Several scholarly works emerged during this period so as to contribute in one way or the other to the existing works in the field of Hadith, unfortunately, only two major works were solely recognized in that era¹⁸. The first work was produced by Ignaz Goldziher titled "Muhammedanische Studien" (Muslim Studies). Then followed by the work of Joseph Schacht titled "The Origins of Muhammadan Jurisprudence." Notably, the former writer published his book in the year 1889 and 1890, and was eventually accredited as masterwork and considered as "...nineteenth-century Europe's great breakthrough in Islamic Studies"¹⁹. It is worthy to

¹⁴ Hamad, 'Abdul Muhsin. (1390). *Al-jaamihi As-sahih*. Saudi: Al-jaamihat-l-Islamiyyah Bil-Modeenatil Munawwarah. Vol. 1.

¹⁵ Sizkiin, Fuad. (1991). *Taarikh Turath Al-'arabiy*. Saudi: Jaamihat Imam Muhammad bin Suhuud al-Islamiyyah-Jamihat-l-Malku Suhuud. Vol. 1. Pg. 249.

¹⁶ Al-morsofy, Saad. N.d. *Al-mustashriqun Wa-Sunnah*. Lubnan: Moktabatul Mannaaril Islamiyyah Wamuassasati Royyaan. Bayruut. Vol. 1.

¹⁷ Az-zaidy, Mosna. (2011) *Nazratul Mustashriqeen Lisunnati An-nobawiyatil Mutohharah (Shubhaat wa Ruduud)*. Vol. 1. Pg. 1. <http://www.alukah.net/sharia/0/30210/>

¹⁸ Gregor, Schoeler. (2006). *The Oral and the Written in Early Islam*. Oxon: Routledge. First edition.

¹⁹ This is according to Noldeke's student Friedrich Zacharias Schwally in his introduction of the second edition of *Geschichte des Qorans (History of the Qur'an)* second volume. Schwally was entrusted to enlarge the book for a second edition under the request of Noldeke. See, Theodor Noldeke. (2004). *Tārîkh al-Qur'ân (Geschichte des Qorans)*.

note that at the preliminary stage, Goldziher²⁰ inserted some information which calls for a very critical thought in the content of the book. He stated that there is no scientific evidence that can prove it clearly to the audience that all the Prophetic traditions stated in the Classical books of Hadith are the original expression of the Prophet. By the way, his thinking diverted to that direction due to the fact that he thought that religion and social advancement had also influenced the compilation of these Prophetic words. Moreover, he surprisingly discovered that the number of Hadith that was recently combined is much higher than the ones that was collated and documented in the early days. Thus, it is because of these reasons why he later came up with a conclusion that the Prophetic traditions contained in the six Classical books are not hundred per cent words of the Prophet, but rather the combination of his words and his Companions' expression. For this sake, he opined that these Prophetic traditions might have contaminated viruses during the compilation process. In other words, people might have patch and reconstruct these expressions in order to fit their respective taste. As a matter of this criticism, he was then known as the first Westerners who challenged the validity of the whole contents of Hadith. Though, he came up with the fact that not all the entire Hadith are placed on myth, but the excessive dogma Muslims attached to its divine principles and pure Prophetic communication is not accurate as acclaimed. In contrast, Nabia Abbot in a similar view with that of Johann Fueck also responded to Goldziher's understanding about the origin and formulation of Hadith. She is of the view that the Prophetic traditions that was transmitted during the early days can solely be justified by the large amount of literates among the then scholarship, and for that sake, the sound Hadith in that era must have superseded the skeptical ones.

Significantly, the overall outcome of Goldziher's findings on Prophetic traditions about the matured stages of its development had been the most influential element that paved the way for most Westerners scholarship to think that the authenticity

translated into Arabic and published by Georges Tamer (Berlin: Konrad-Adenauer-Stiftung). Pp. 409-411.

²⁰ Hungarian Orientalist; born in Stuhlweissenburg, Hungary, June 22, 1850; attended the gymnasium in his native town, continued his studies at the universities of Budapest, Berlin, Leipsic (Ph.D., 1870), and Leyden. In 1872 he became privat-docent at the University of Budapest. In 1873, commissioned by the Hungarian government, he undertook a scientific and thoughtful journey through Syria, Palestine, and Egypt, spending several months at the Azhar mosque in Cairo, where he attended lectures from learned Sheiks on Mohammedan theology and the science of law At the Oriental Congress in Stockholm (1889) where he received the large gold medal. He holds the office of secretary of the Jewish community at Budapest, and became a religious philosophy lecturer at the Budapest Rabbinical Seminary in 1900.

of Hadith requires some critical attention and further examination²¹. It was this determination that gave Joseph Schacht a courage of coming up with his own study entitled "The Origins of Muhammadan Jurisprudence" which entails four major contents such as: the development of legal theory in early Islam, the expansion of legal Hadith, the transmission of legal doctrine in the Umayyad time and disputes within the dissimilar legal schools, and lastly is the progress of technical legal thought²². The work was favorably and vastly accepted and acknowledged at the same time. This recognition is traced to the unusual and strange features it possessed. During that time, people are so much curious about the origin of Islamic law. This book was directive in nature to the extent that it encompasses almost all the issues that are related to Islamic legislation, and tracks the progression of various schools of jurisprudence in Islam²³. In the study, Schacht stated that all the Hadith related to legal matters that was ascertained in the six canonical collections ensued 100 years after the Prophet passed away, and during this period, legislative rulings was taken from the available source of law at that time which is the combination of Umayyad directorial rules and the prevailing customs and practices. These practices were mainly base on *ra'y* (personal reasoning) of which was eventually incorporated by the jurist as the traditions from the Companions and Successors so as to guide them with their own existing tradition, and allow it to predominate laws during controversy. Although, the substance of these were the views and legal edicts of the Companions and the Successors²⁴. Thus, it is a clear fact from the above argument of Joseph Schacht that the traditions that emanates from the Companions and Successors preceded that of the Prophetic Sunnah. Consequently, some traditionalists who are not in support of *ra'y* (personal reasoning) started spreading Prophetic traditions. This decision from the so called traditionalists were not accepted by the ancient schools of jurisprudence at the initial stage, but was systematically approved by the modern theory of al-Shafi'i who backed up the initiative of the four main sources of Islamic jurisprudence. The maximum support al-Shafi'i gave to the Prophetic tradition made it possible for Sunnah to always overcome *ra'y* in all circumstances. Hence, it is evident that most of the Hadith dealing with legal issues were initiated during and after the existence of al-Shafi'i, and which was later inserted into the six canonical collections.

²¹ Simon, Robert. (1986). *Ignac Goldziher: His Life and Scholarship as Reflected in his Works and Correspondence*. Leiden: Brill. Pp. 101-102.

²² Al-azami, Muhammad M. (1996). *On Schacht's 'Origins of Muhammadan Jurisprudence'*. Cambridge: Islamic Texts Society.

²³ Gibb, Robert. (1998). *Review of the Origins*. W.W. Norton & Company. Pg. 114.

²⁴ Schacht, Joseph. (1965). *Introduction to Islamic theology and law*. Clarendon press oxford. pg.34.

Apparently, it was after this session that majority schools of jurisprudence instantly decided to corroborate their thoughts with Hadith so as to make those evidence credible. In order for them to achieve this, they review all the Successor's materials, related them to Companions, and then connected them to the Prophet. Thence, this is the summary picture of how *isnad* (chain of collectors) was first integrated into any Hadith narration system. Verily, the enlargement of legal Hadith in its standard form known as *isnad* and *matn* is the views and thoughts of the Successors.

A range of particular points and conclusions in both Goldziher and Schacht's thesis is that they jointly advocated the theory that the largest amount of Hadith that was fabricated in the subsequent period is much higher than the antecedent ones. They were of the view that the Prophetic Hadith which serve as a directive guide for Muslims and a further interpretation of the Qur'an was unfolded 90 years after the demise of the Prophet. They opined that it was collated from the ancient practices as the main reference to Islamic issues, and not in accordance with the proven Hadith of al-Shafi'i, and for that reason, the summary of Companions and Successors' opinion is the preceding source before Hadith came into existence²⁵.

One of the major critic in which Schacht emphasized most is the fact that there is no genuine collections which contains the real words of the Prophet and his Companions in the first century. But unfavorably for him, several numbers of erudite disaffirm his notion. People like David Powers, Noel Coulson, Fuat Sezgin and Nabia Abbott asserted that his resistant to separate between the forms and contents of a Hadith will surely give him the wrong comprehension about the authenticity of the Prophetic traditions found in the classical books of Hadith²⁶.

In modern times, a certain group has also stood up to continue the mission of Goldziher and Schacht. The group named "al-Qur'aniyy/Quranists" aims to complement the criticism against the Sunnah of the Prophet on the ground of disproving the whole Prophetic traditions and relying solely on the Qur'an as the main source²⁷. Thus, it is obvious that the purpose of the formation of Quranists group who are working under the auspices of Orientalists and with the agenda of Goldziher, Schacht and the likes Western scholars are mainly to conduct an examination on the validity of Hadith collection and

to mislead people from depending on the classical collections other than the Qur'an.

Ultimately, this systematic attack and confrontation against Sunnah that had been fabricated by the Orientalists also fled into the Arab world. Beginning in the early 19th century, some modernist scholars were detected advocating the position of Goldziher in Egypt. In other words, some Egyptian literates have been found promoting the ideas of some Western Orientalists like Goldziher and the likes. A good example to illustrate how Arab Muslims were influenced by this ideology is the publication issued by a Christian missionary through an English translation. This publication was made purposely because of the expansion of Goldziher's thoughts. Subsequently, a missionary journal in Egypt called "*al-Shraq wa al-Gharb*" publicized the Arabic version of his opinions²⁸. More so, it is worthy to note that Westerners critical studies did not give its permission to Egypt just with the publication of the ideology books, but also through the means of students who were sent to Europe for study. Notable in this trend was Ahmad Amin the author of "*Fajr al-Islam*". In this book, he paraphrased some issues associated with how the Prophetic tradition has been conveyed and attested. In the course of corroborating his claims, Ahmad included Goldziher's views on the historical evolution of Hadith. In fact, he mostly utilizes Goldziher's ideologies without referring to the original owner of the stand²⁹.

Surprisingly, evidence later shows that some Muslims' scholars who cherishes this Orientalist ideologies eventually incorporates this practice into their belief. The passion they have for this Orientalists' teaching was so strong to the extent that they publicly questioned Muslims about the positions and the intervals between the sayings of the Prophet and its collation. Among them was 'Ali 'Abd al-Qadir who obtained his doctorate degree from Germany, and was chosen as an Islamic legislation and history lecturer in al-Azhar University in 1939. This man presented his Orientalist mentality with his students in the lecture room. He proclaimed that after a period of 14 years study he had in al-Azhar, he never get to know anything about Islam, but only acquired the knowledge during his trip to Germany³⁰. For this

²⁵ Harald, Motzki. (2002). *The Origins of Islamic Jurisprudence: Meccan Fiqh before the Classical Schools*. Leiden: Brill.

²⁶ Noel J. Coulson. (1964). *A History of Islamic Law*. Edinburgh: Edinburgh University Press. pp. 42-43.

²⁷ Kassim, Ahmad. (1986). *Hadith: A Reevaluation*. Kuala Lumpur: Media Indah. Pp. 8-9. This book was banned by the Malaysian Home Ministry on 8 July 1986.

²⁸ Al-Siddiq, Bashir Na-r. (2008). *Al-Ta'liqāt al-Naqdiyyah'alā Kitāb Dirasāt Muḥammadīyah*. London: Markaz al'alam al-Islāmī li-Dirasāt al-Istishrāq. Pp. 72-74.

²⁹ According to Mahmu d Shākīr, it was a common practice of Arab modernists during that era such as Tāhā Husayn, Ahmad Amīn, to plagiarise the Orientalists' opinions such as, those of Goldziher and Margoliouth, on many occasions without giving any credit to them. See, Mahmud, Muhammad Shākīr. (1978). *Al-Mutanabbī*. Cairo: Matba'at al-Madanī. Pp. 156-167.

³⁰ One of his students was the renowned scholar of Musthafā al-Sibā'ī. See his account on this point in his

reason, all his citations and proofs is frequently quoted from the magazine and he normally demonstrate all these information with Goldziher's thoughts³¹. Similarly, an influential thinker who also exist in that century called Mahmud Abu Rayyah directed his focus on how to create fictitious assumptions on the major contents of Sunnah compilations. So, in order for him to accomplish this mission, he wrote a monograph entitled "*Adwa' 'ala al-Sunnah al-Muhammadiyah*"³². Generally, his arguments is not slightly different from the Orientalist scholars that had preceded him to the extent that his ways of thinking corresponds with that of Aloys Sprenger, Von Kremer and Goldziher's reasoning.

Noteworthiness, it is argued that it is not that all the Arab Modernists tend to condemn Sunnah literature totally, it is just that they have a certain format and standard in which they have to apply in the course of evaluating the sound of any Hadith they tend to consider. Their criteria in accepting Hadith includes: the Hadith that is categorize under *mutawatir* classification, or the ones which is not inconsistent with the Quran, or the ones that can be justify logically. But if otherwise, they believes that such Hadith is framed by a particular group of people³³ for the sake of its inconsistency with their prescribed format.

Sources of Orientalists in Studying (Connecting of Hadith Study) *Sanad*

Generally, the only method that can be adopted in any research field, and which will definitely yield a positive result is to apply the specific pattern which specialist requires. It can be understood that method of approaching issues in the science of Hadith will be totally different from other field of interest. Apparently, Orientalists do create passion in studying *sanad* of Jurisprudence texts such as; *Muwatta* of Malik bin Anas and the rest. More so, it is crucial to note that they don't just probe all the entire Hadith just like that, but rather have a particular layout in the course of conducting their investigation. The process of their findings goes thus: questioning some parts of the *sanad*, or dropping it and reporting the *matn* only. They tends to eliminate all the chain of collectors and retain the prominent scholar in the *sanad* solely of which is also in line with the approach of Abu-Yusuf in reporting Hadith. Most especially, they often merge Sunnah texts with

that of Prophetic biography's (Sirah) text³⁴. Hence, it is apt to infer that this kind of people did not aim to enhance Islam but rather mislead people and display their level of ignorance about real Islam. For this reason, educating and preparing the upcoming generations about the complete knowledge on how Prophetic tradition is being cited and implemented should be prioritized in the academic curriculum so that the future of Islamic sources will be so bright and relevant.

Regrettably for them, as a result of their biased thinking, insincere approaches and misleading concepts in which they are trying to plot into Muslims' mind, they mistakenly chose History, (*Sirah*) and Jurisprudence books for their inquiries of which they will not be able to get the accurate result of the study of Hadith literature.

Orientalists and Hadith Expression (Matn)

Hadith expression which happens to be the original expression of where the chains of a Prophetic Sunnah stops is also investigated by the Orientalists. This is because Orientalist seems to have problems about the approaches that had been applied by the Hadith Scholars (Muhaddithun) whereby these scholars mainly depends on *sanad* that is the Hadith connection study than the *matn* which is the Hadith expression. For that reason, Caetani opined in his book "Annali dell Islam" that the most doubtful part in the validity of Hadith literature is that the *Muhaddithun* tends to be so focused on *sanad* than the *matn*³⁵. Similarly, Goldziher also attached his own perception about *matn*. In his book "Introduction to Islamic theology and law", he gripped the view that Hadith had been twisted by some Companions and Successors into their respective goals³⁶. More so, Joseph Schacht hold the stands that Hadith scholars (Muhaddithun) are protecting the critics around Hadith expression *matn* and exposing the loopholes in Hadith connection study *sanad*³⁷. This is due to the fact that the contextual misunderstandings make it tougher for them to verify the authenticity of Hadiths drafted in the jurisprudence texts³⁸. In addition, Horowitz added his thought about Hadith expression *matn* that reports of Prophetic Sunnah was documented in a verbal format, and for that sake, skepticism presumption may be placed on it on the ground that it is possible to include any unuttered statement in the course of documentation³⁹. Hence, according to

book, Al-sibaa'i, Mustopha. (1979). *Al-Istishrāq wa-al-Mustashriq n: Mā la-hum wa-mā 'Alayhim*. Beirut: al-Maktab al-Islāmi. Pp. 8-13.

³¹ *Ibid*. pg. 10.

³² Mahmud Abu Rayyah. (1967). *Adwā' 'alā al-Sunnah al-Muhammadiyah*. Cairo: Dār al-Ma'ārif. 3rd ed.

³³ Aziz Ahmad. (1967). *Islamic Modernism in India and Pakistan*. London: Oxford University Press. Pp. 48-49.

³⁴ Bahaahudeen, Muhammad. (1999). *Al-mustasriqoon wal Hadithu nabawi*. United Arab Emirates: Dar al-Fajr. Pg. 109.

³⁵ *Ibid*. pg.129.

³⁶ *Ibid*. pg.146.

³⁷ *Ibid*. pg.166.

³⁸ Schacht, Josph. (1965). *Introduction to Islamic theology and law*. Clarendon press oxford. pg.34.

³⁹ Al-khatiiib, Muhammad 'Ujaaj. (1980). *Assunathu qabla tadwin*. Lubnan: Darul Fikir Litobaahati Wannoshri Watawzihin, Bayruut. pg. 255.

the above thoughts under their efforts on Sunnah, it is a clear fact that their lack of understanding, limited exposure, surface findings and unsuitable reference had been the main factor of this blind insight about the Prophetic traditions. In the light of this, we just have to use less time on these people misconceptions so that the most important issues at hand will be argued extensively.

Standard of Muslim Scholars in Knowing Fabricated *Matn*

Muslim erudites had outlined some preventive measurement that can be used to estimate the authentic Hadith expression (*matn*) from the other. Their aim is to safeguard the Hadith expression (*matn*) from any novelties. One of the major standard which they proposed is that any Prophetic tradition shouldn't contradict any Hadith that had been unanimously agreed upon. Moreover, it shouldn't disagree with the Quranic texts, a *Mutawatir* Hadith, the overall consensus of the community (*ijma qat'i*), and the generally approved principles of Islam.

In addition, the tradition shouldn't differ with what a faculty of reasoning can consider, it must be natural laws and familiar experience that had been tested by some members in the community. In fact, a tradition placing high rewards on trivial and irrelevant actions must be declined. Besides that, traditions containing false information about the Prophet, or which statement can never be uttered by the Prophet should be refuted. Finally, the grammatical structure of such Hadith expression (*matn*) shouldn't violate the basic principles of Arabic language⁴⁰. Hence, it is apparent that with the aid of all these guidelines, genuineness of any Prophetic tradition could be detected. In the light of this, Muslims are expected to be cognizance with these tips so that they will not be hijacked by the Orientalists due to their little understanding about the science of Hadith literature.

Conclusion

Prophetic tradition which is known as the second source of Islamic law needs to be safeguarded from the enemies of Islam so that the holiness spirit in its documentation will not disappear. This objective has to be prioritized in any Islamic environment in order not to misplace the substantial proof regulating the religion of Islam. Research shows that there are three different kind of Orientalists, but this paper is only focus on a faction of them whose objective is to distract people's perception about Prophetic Sunnah. Evidently, there is no doubt in it that the main reason which drew their attention to the study of Hadith literature encompasses religion, colonial, commercial

and political issues. Thus, they outlined their plans towards these goals.

Orientalists often criticize most proofs that have any cordial relationship with the religion of Islam. Their attempts to question the validity of a particular text or theories is not recently discovered. It is just that they recently focus more on the authenticity of Sunnah literature in the modern era. The provocation of this agenda radiates from Ignaz Goldziher's effort in the research field. Subsequently, Joseph Schacht manufactured some obscurities and falsehood within the range of verifying the validity of Hadith. He opined that there is no genuine traditions in Hadith literature and jurisprudential study.

Prophetic traditions has been preserved in the heart of the early converters (al-sabikuna al-awaluna) and subsequently in the books. Apparently, the history of Islam and chronological order of Hadith history is a very good example to illustrate these realities.

In a nutshell, it is worthy to note that all these suspicions against Hadith are tricks and tactics of Orientalists and Secularists whose aim is to eliminate the belief people have in the Prophetic Sunnah and to cause havoc, chaos and confusion in Islam. The only religion which is only accepted by the Creator.

Suggestions

- It is the obligation of the Muslim scholars especially the experts of Hadith, Islamic Universities, Faculties of Islamic Studies to stand firmly, investigate all the tactics of the enemy of Islam expose it to the world and provide the authentic alternative (sound counter-argument) to the world
- Muslim scholars are urged to purify biography, exegesis, doctrine, jurisprudence, history and literature books from all these invented ideologies of the Orientalist and their likes.
- Research, talks, seminars and conference must be held by several Muslim organizations, scholars and preachers, so that they will be able to expose all these untrue stories about Sunnah literature.
- Awareness should be made in all sort of social media we have nowadays, so as to unmask all their strategies of condemning Prophetic traditions.

References.

- 'Al-Umary, Akram Diyaahu. (1415). *Buhuth fi Taarikh As-Sunnatil Musharafah*. Saudi: Medina: Moktabatul 'Uloom Wal-hikam.
- Abdul munem ali salieh ali izz. (1981). *Diffa' An abee huriara*. Beirut: Dar al-Qolam Publication.
- Al-'Akbar, 'Ubaidullah bin Muhammad bin Hamdaan. (2008). *sharhu wal ibaanat 'alaa Usuuli Sunnat Wadiyaanat Wamujaanabatil Mukhallafin Wamubaayanatil Ahliil Ahwahil*

⁴⁰ Siddiqi, Muhammad Zubair. (1993). *Hadith Literature: Its Origins, Development and Special Features*. Rev. ed. Cambridge, UK: Islamic Texts Society. Pg. 115.

- Mooriqeen. Riyadh: Daarur-rayah Linnoshir Wattawzihin.
- Al-Azami, Muhammad M. (1996). *On Schacht's 'Origins of Muhammadan Jurisprudence'*. Cambridge: Islamic Texts Society.
- Al-Bukhari, Muhammad bin Ismail. (1977). *Tarikh al-Saghir*. Cairo: Darul Wa'ay, Moktabat Dar turath- Halib. First ed.
- Al-Husayni, As-seyyid Sulaiman An-nodawy. (1423 AH). *Ar-risaalatul Muhammadiyyah*. Damascus: Daarul Ibni kesiir. Ed. 1. Vol. 1.
- Al-Khatib, Muhammad 'Ujaaj. (1980). *Assunathu qabla tadwin*. Lubnan: Darul Fikir Litobaahati Wannoshri Watawzihin, Bayruut..
- Al-Morsofy, Saad. (n.d). *Al-mustashriqun Wa-Sunnah*. Lubnan: Moktabatul Mannaaril Islamiyyah Wamuassasati Royyaan. Bayruut. Vol. 1
- Al-Sibaa'i, Mustopha. (1979). *Al-Istishraq wa-al-Mustashriq n: Mâ la-hum wa-mâ 'Alayhim*. Beirut: al-Maktab al-Islâmi.
- Al-Siddiqi, Bashîr Na-r. (2008). *Al-Ta'liqât al-Naqdiyyah'alâ Kitâb Dirasât Muhammadiyyah*. London: Markaz al'alam al-Islâmi li-Dirâsat al-Istishraq.
- Al-Zirkashi, Badruddin. (1970). *Al-ijaabat li-iiraadi Mastadraktahu 'Aisha 'ala Sohaabat*. Cairo: Al-moktabul Islaamy.
- Aziz Ahmad. (1967). *Islamic Modernism in India and Pakistan*. London: Oxford University Press.
- Az-zaidy, Mosna. (2011) *Nazratul Mustashriqeen Lisunnati An-nobawiyatil Mutohharah (Shub haat wa Ruduud)*. <http://www.alukah.net/sharia/0/30210/>
- Bahaahudeen, Muhammad. (1999). *Al-mustashriqoon wal Hadithu nabawi*. United Arab Emirates: Dar al-Fajr.
- Bukhari, M. I. (1938). *Sahih Bukhari*: Kitaabul Ahkaam. Lahore: Dar al-Andalus. No 7137.
- Gibb, Robert. (1998). *Review of the Origins*. W.W. Norton & Company.
- Gregor, Schoeler. (2006). *The Oral and the Written in Early Islam*. Oxon: Routledge. First edition.
- Hamad, 'Abdul Muhsin. (1390). *Al-jaamihi As-sahih*. Saudi: Al-jaamihat-l-Islamiyyah Bil-Modeenatil Munawwarah. Vol. 1.
- Harald, Motzki. (2002). *The Origins of Islamic Jurisprudence: Meccan Fiqh before the Classical Schools*. Leiden: Brill.
- Hassan, Abdul-rahman. (1994). *Ajnihatul Mokri thalaatha wa-khawaafiha: At-tabsheer-Al-istishraq-Al-isti'imoor: Diraasatun Watahleelun Watawjeehun*. Damascus: Darul Qalam. Ed. 7. http://www.allaahuakbar.net/shiites/in_de_fense_of_abu_huraira.htm.
- Husain, Ahmad. Bahaudheen, Muhammad. (2003). *Haqeeqathul istishraq wamouqifuhu minal islam mundhu luhoorihi ila nihaythil alfiyathi Saniya*. Kuala Lumpur: International Islamic University Press.
- Kassim, Ahmad. (1986). *Hadith: A Reevaluation*. Kuala Lumpur: Media Indah. This book was banned by the Malaysian Home Ministry on 8 July 1986.
- Mahmud Abu Rayyah. (1967). *Adwâ' 'alâ al-Sunnah al-Muhammadiyah*. Cairo: Dâr al-Ma'ârif. 3rd ed.
- Mahmud, Muhammad Shâkir. (1978). *Al-Mutanabbî*. Cairo: Matba'at al-Madani.
- Muhammad, Faalih. (2010). *Al-Istishraq wa Mawqifuhu mina Sunnatul-Nabawiyah*. Makkah: Majma'al-Molki Fahadi Litobaa'atil Moshaf Shereef bil-modeenat. pp.1-20.
- Noel J. Coulson. (1964). *A History of Islamic Law*. Edinburgh: Edinburgh University Press.
- Ogunbado, A. F. (2014). The Significance of the Qur'anic Messages to Humanity: A Revisit. *IOSR Journal of Humanities and Social Science (IOSR-JHSS)* Volume 19, Issue 9, Ver. IV (Sep. 2014), Pp. 20-28
- Schacht, Joseph. (1965). *Introduction to Islamic theology and law*. Clarendon Press Oxford
- Siddiqi, Muhammad Zubair. (1993). *Hadith Literature: Its Origins, Development and Special Features*. Rev. ed. Cambridge, UK: Islamic Texts Society.
- Simon, Robert. (1986). *Ignac Goldziher: His Life and Scholarship as Reflected in his Works and Correspondence*. Leiden: Brill..
- Sizkiin, Fuad. (1991). *Taarikh Turath Al-'arobiy*. Saudi: Jaamihat Imam Muhammad bin Suhuud al-Islamiyyah-Jamihat-l-Malku Suhuud. Vol. 1..
- Theodor Noldeke. (2004). *Târîkh al-Qur'ân (Geschichte des Qorans)*. translated into Arabic and published by Georges Tamer (Berlin: Konrad-Adenauer-Stiftung)..
- Vesey-Fitzgerald, S. G. (1955). *Nature and Resources of the Shar'ah in Majid Khadduri and Herbert J. Lienbesny*. eds, *Law in the Middle East: Origin and Development*. Washington, DC: Middle East Institute.

Penerapan Nilai-Nilai Islam dan Hubungannya dengan Perubahan Sosiobudaya Masyarakat Islam di Brunei Darussalam

Dr Dyg Hajah Ummi Fa'izah Bt Hj.Abdul

Rahman

Centre for Promotion of Knowledge and

Languages.

Universiti Islam Sultan Sharif Ali (UNISSA)

faizah.rahman@unissa.edu.bn

Vol.1, Issue 1 | January 2018

KATA KUNCI

Nilai-nilai Islam,
Sosiobudaya, MIB,
Masyarakat Brunei

ABSTRAK

Borneo yang kaya dengan bahan mentah dan pelabuhan perdagangan yang strategik di Alam Melayu telah menarik minat orang-orang Eropah termasuk British dan Belanda untuk melebarkan kuasa jajahan mereka. British telah menakluki bahagian utara Borneo iaitu Brunei bermula pada awal tahun 1774, apabila wakil dari English East India Company (EEIC), John Jesse datang ke Brunei untuk membuka rundingan berkenaan dengan lada hitam. Bermula detik perkenalan itu, hubungan Brunei dengan British berterusan di abad 19 sehingga Brunei mencapai kemerdekaannya pada tahun 1984, iaitu 210 tahun kemudiannya. Walaupun, kedatangan British ke Borneo tujuan utamanya ialah politik dan perniagaan, tetapi secara langsung turut menyekat perkembangan Islam disana. Namun, bermula tarikh kemerdekaan Brunei pada 1 Januari 1984, masyarakat Brunei mula melakukan perubahan sosiobudayanya apabila Sultan Brunei mengisytiharkan Brunei sebagai Negara Melayu Islam Beraja yang Merdeka, Berdaulat dan Demokratik bersendikan Ajaran Agama Islam. Ini bermakna, Islam itu bukan hanya sebagai cara hidup yang lengkap tetapi menjadikannya sebagai kemudi, dasar dan falsafah Negara Brunei Darussalam. Penerapan nilai-nilai Islam mula dilaksanakan melalui Kementerian Hal Ehwal Ugama Brunei. Dengan penerapan nilai-nilai Islam tersebut berlaku beberapa perubahan sosiobudaya dalam masyarakat Islam di Brunei seperti dalam kepercayaan dan aqidah, adat, politik, ekonomi, sosial dan pendidikan. Secara keseluruhannya dapat disimpulkan bahawa dengan dasar penerapan nilai-nilai Islam, masyarakat Brunei mengalami perubahan sosiobudaya.

Pendahuluan

Menurut Ibn Khaldun, suasana persekitaran, iklim, udara, dan yang seumpamanya mempunyai pengaruh yang besar terhadap watak dan tabiat manusia. Bukan hanya pada pembentukan watak dan tabiat, bahkan juga pada kepercayaan dan pandangan hidup (*world-view*), keadaan sekeliling memang berpengaruh besar terhadap pembentukannya (Ibn Khaldun 1983:151).

Sebagaimana yang terjadi di Nusantara amnya dan Negara Brunei Darussalam khususnya, kedatangan Islam telah banyak merubah cara hidup masyarakat Brunei. Dari kegelapan kepada cahaya, seperti itulah Islam telah mengenalkan sistem hidup yang selengkapnya kepada umat manusia. Seperti juga negara yang lain, Brunei Darussalam telah mengalami banyak perubahan terutama sekali dari sudut akidah, kepercayaan dan pegangan hidup.

Mempunyai akidah yang betul dan sebenar-benarnya iaitu Islam, itulah yang kemudiannya mencorak sosiobudaya masyarakat Brunei. Penerapan nilai-nilai Islam yang diterapkan secara beperingkat-peringkat, dari mula Sultan pertama Brunei memeluk Islam, sehinggalah Brunei mengalami sistem residen dari pihak British, kemudiannya, Perlembagaan Bertulis 1959 dan seterusnya kemerdekaan pada tahun 1984, sehinggalah kini 2017, banyak perkembangan Islam yang telah dilalui oleh Brunei serta perubahan sosiobudayanya.

Artikel ini akan membahaskan mengenai penerapan nilai-nilai Islam dan hubungannya dengan perubahan sosio-budaya masyarakat Islam. Banyak perubahan yang telah dialami masyarakat Islam di Brunei Darussalam dari sejak terlepasnya dari sistem residen British hinggalah sekarang. Dalam tempoh 33 tahun kemerdekaan ini, perkembangan nilai-nilai Islam di Brunei Darussalam menyerap dengan perlahan-lahan.

Latar Belakang Sosiobudaya masyarakat Brunei Sebelum Islam

Kehidupan manusia seringkali dipengaruhi oleh keadaan persekitarannya seperti iklim, udara, pekerjaan dan sebagainya. Faktor persekitaran banyak mempengaruhi watak, tabiat dan kepercayaan mereka. Masyarakat Brunei Darussalam di zaman pra Islamnya sudah mempunyai kebudayaan dan peradaban walaupun tahap keduanya ini masih rendah jika dibandingkan dengan pencapaian manusia di zaman sekarang sesuai dengan perkembangan zaman dan pertumbuhan masyarakat itu sendiri.

Setiap bangsa yang tua dalam sejarahnya akan berbangga dengan warisan kebudayaan dan peradaban yang diterima daripada nenek moyang mereka di zaman dahulu kala. Demikianlah juga masyarakat Brunei Darussalam sehingga sebahagian daripada warisan kebudayaan itu dipelihara dengan baik untuk diwariskan pula kepada generasi berikutnya.

Kebanyakan negara di Asia Tenggara ini menerima pengaruh Hindu sebelum kedatangan Islam. Walau bagaimanapun adalah agak sukar untuk menilai kesan daripada proses itu dalam konteks Brunei kerana tidak ada disebutkan tentang kemasukan pengaruh Hindu yang besar di Brunei dan juga Pulau Borneo. Akan tetapi tidaklah dinafikan bahawa berbagai bentuk pengaruh Hindu masih ada di Brunei hingga ke hari ini walaupun cara pengamalannya telah banyak berubah dan disesuaikan dengan ajaran Islam (Coedes 1958:2).

Sebagai sebuah Negara yang dalam jangka masa yang begitu lama berada di bawah kekuasaan Seri Wijaya dan Majapahit, sudah tentu kebudayaan Hindu yang dibawa oleh kedua-kedua empayar ini mendalam

kesannya di Brunei Darussalam, malah juga di lain-lain Negara di Asia Tenggara (P.Ongkili 1972). Cuma pengaruh tersebut bukan merupakan kesan-kesan tinggalan seumpama barang material seperti rumah, berhala, patung dan candi seperti yang terdapat di Jawa, kerana di Brunei Darussalam kesan-kesan seperti ini sukar dijumpai, sebaliknya ia terjelma dalam bentuk sesuatu upacara (Harrison, 1949) pemakaian adat istiadat oleh raja-raja dan rakyat, penggunaan bahasa Sanskrit, adat perkahwinan dan lain-lain lagi (Ahmad Ibrahim, 1973). Kepercayaan dan agama Hindu telah bertapak berabad-abad lamanya di Brunei khususnya dan di Nusantara umumnya, namun cara penghayatannya dalam masyarakat Melayu adalah berbeza dengan cara penghayatan dalam kalangan masyarakat Hindu sendiri. Bagi orang Melayu, kepercayaan Hindu lebih merupakan gambaran imaginasi untuk mengagungkan tokoh sedangkan bagi orang-orang Hindu sendiri, mereka cuba menghayati ajaran dan mempraktikkan falsafahnya (Al-Attas, 12).

Antara anutan Melayu ialah animisme yang merupakan kepercayaan kepada makhluk-makhluk halus dan roh. Kepercayaan ini berkait rapat dengan suasana kehidupan masyarakat yang bergantung kepada alam sekitar, muka bumi dan sebagainya untuk menggerakkan aktiviti pertanian yang menjadi sumber ekonomi mereka. Ianya telah melahirkan satu bentuk kepercayaan bahawa setiap yang ada di sekeliling mereka juga hidup dan mempunyai roh, semangat dan keperibadian yang tersendiri (Abdul Rahman, 1983). Sebagai orang yang hidup di zaman animisme, mereka percaya kepada kuasa-kuasa ghaib yang boleh mendatangkan mudarat dan manfaat kepada seseorang, baik di darat mahupun di laut. Mereka percaya laut mempunyai penunggu, sebagaimana kayu ara, bukit, gunung dan hutan belukar juga mempunyai penunggu, kerana itu mereka harus pandai memujuk dan melayani penunggu tersebut. Salah satu cara yang menjadikan mereka berani menghadapi segala bahaya yang mungkin ditimpakan oleh penunggu itu ialah dengan menggunakan jampi mantera, dengan jampi mantera mereka menghalau penunggu, dan jampi mantera juga merupakan satu cara perubatan tradisional yang masyhur di zaman silam (Pengiran Haji Mohammad, 1992).

Boleh dikatakan yang semangat animisme cukup tebal pengaruhnya dalam kehidupan masyarakat dan merupakan sesuatu yang dipatuhi dari satu generasi ke generasi yang lain hingga menyebabkan ia sangat sukar dihapuskan.

Antara kepercayaan orang Brunei suatu ketika dahulu juga adalah kepercayaan hinduisme, yang mana ianya merupakan satu bentuk kepercayaan yang datang dari pengaruh India di rantau ini. Pemerintah beragama Buddha dan anak Raja Hindu kerap kali mengenal diri mereka sebagai wakil atau penjelmaan semula Indra, Dewa Tufan zaman kuno

yang mewakili kekuasaan dan kekuatan seorang Raja (Cady, 1964).

Hasil dari kepercayaan Hindu juga, sesetengah orang percaya bahawa Awang Alak Betatar berasal dari alam dewa-dewa. Kononnya dia berasal dari sebiji telur dari kayangan yang diturunkan di hulu Sungai Limbang dekat Brunei (Brown, 1970). Setelah beberapa lama telur tersebut kemudiannya terbelah kepada empat bahagian, lalu keluarlah seorang pemuda bernama Sadak, juga bergelar Sultan Dewa Emas Kayangan. Dia berkahwin dengan seorang perempuan dari puak Murut di Ulu Limbang yang kemudiannya melahirkan empat belas orang anak di antaranya ialah Awang Alak Betatar. Kesemua anak Sadak ini telah dibawahnya pergi ke kayangan, tetapi hanya Sadak yang tinggal di kayangan, sementara anak-anaknya balik ke dunia dan Awang Alak Betatar menjadi Raja Brunei (Brown, 1970). Perkara ini adalah sesuatu yang tidak dapat diterima secara rasional, tetapi bagi orang dahulu yang tiada pegangan agama, ianya merupakan perkara lazim yang mereka percaya.

Antara adat kebiasaan yang diamalkan masyarakat Brunei suatu ketika dahulu juga adalah, tradisi 'mandi safar'. Mandi safar ialah mandi-mandi di sungai atau di tepi pantai pada hari Rabu yang akhir dalam bulan Safar untuk memperingati hari yang banyak sekali diturunkan bala ke dunia ini. Amalan ini dipercayai bid'ah, kerana amalan ini telah meningkat ke tahap pesta-pestaan yang bertentangan dengan Islam (Mohammad, 1994).

Contoh yang paling menonjol juga ialah penggunaan bahasa Sankrit dalam "ciri" ketika Raja Brunei hendak mengurniakan sesuatu gelaran kepada pembesar-pembesar atau orang yang berjasa di Brunei. Sebenarnya penggunaan ciri itu bukan sahaja digunakan di Brunei bahkan di negeri-negeri Semenanjung Tanah Melayu yang pernah dipengaruhi oleh Hindu, dan nama-nama gelaran yang dikurnikan kepada pembesar-pembesar Negara Brunei hingga sekarang ini ada yang masih dalam bahasa Sanskrit seperti Maharaja Lela, Paduka Tuan, Perdana Wangsa, Udana Laila dan lain-lain lagi (Mohammad Zain, 1992). Demikian juga dalam acara menjalankan adat istiadat menggelar dengan menggunakan tepak sirih pinang yang diangkat ke atas bahu kiri dan kanan kemudian ke atas kepala yang hendak digelar dan juga adat makan sirih di kalangan orang-orang Brunei (Yahya 1969).

Dari sumber yang diambil dari China pula, yang pernah mengembangkan kekuasaannya di alam Melayu, daripada segi pegangan hidup, orang Brunei menganut agama Buddha, tetapi mereka tidak mengadakan patung-patung untuk disembah. Rumah tempat beribadat bagi penganut Buddha ini bertingkat-tingkat tetapi beratap dan bentuknya seakan-akan bentuk menara, sebagaimana yang dicatatkan oleh Chau Ju-Kua,

'kepercayaan orang Buddha mengenai tuhan mereka tidak melambangkan bentuk manusia, tempat kediamannya merupakan sebuah bangunan yang bertingkat-tingkat ditutupi oleh mensiang, berbentuk seperti pagoda; dibawahnya terdapat sebuah peti suci tempat menyimpan dua biji mutiara, ini dipanggil Budhha Suci' (Hirth 1966:157).

Apabila seseorang itu mati, mereka akan dimasukkan ke dalam keranda yang diperbuat daripada buluh. Selepas itu mayat akan dibuang jauh ke dalam hutan untuk menjadi makanan binatang buas. Dua bulan kemudiannya, barulah mereka melawat keranda itu dan memulakan kerja-kerja bercucuk tanam di situ (Pengiran Haji Mohammad, 1992).

Dalam upacara perkahwinan pula, sungguhpun primitif tetapi ada juga tradisinya sendiri. Pihak lelaki akan meminang pihak perempuan, proses ini dimulakan dengan menghantarkan arak kepada pihak perempuan, kemudian barulah menghantar pinang, setelah tu menghantar cincin. Akhirnya, barulah menghantar pakaian, kain-kain dan emas perak (Pengiran Haji Mohammad, 1992). Demikian juga, adat melangsungkan upacara perkahwinan yang di antaranya majlis berbedak, berinai, memasang dian di pelaminan, bersanding dan banyak lagi juga adalah antara pengaruh dari Hindu (Yahya, 1969).

Keadaan Raja Brunei juga digambarkan oleh riwayat Cina tersebut. Menurutny, pakaian yang biasa dipakai oleh Raja Brunei seakan-akan sama dengan pakaian yang dipakai oleh kebanyakan orang Cina, baginda tidak berkasut, tetapi memakai gelang emas di tangan dan di punggung berbalut dengan kain samping (Pengiran Haji Mohammad, 1992). Kaum perempuan pula, memakai baju blaus pendek yang menutup bahagian depan dan belakang sahaja serta menguraikan rambut mereka (Graham Saunders, 2002).

Daripada gambaran-gambaran ini sedikit sebanyak dapat membayangkan keadaan hidup di Brunei Darussalam pada masa dahulu. Penggunaan arak sebagai minuman, memakai emas bagi orang laki-laki dan cara pengurusan mayat adalah sebagai contoh yang jelas memperlihatkan masyarakat Brunei Darussalam belum menganut Islam masa itu, atau kalaupun Islam sudah datang, tetapi ajarannya belum tersebar luas.

Latar Belakang Sosiobudaya masyarakat Brunei setelah Islam

Islam telah menjadi agama rasmi selepas Sultan Muhammad Shah menjadi Sultan Pertama bagi Brunei Darussalam dan Kerajaan pertama yang mengamalkan hukum Islam (peringkat awal hukum-

hukum asas, sembahyang dan puasa) seperti dalam Silsilah Raja-Raja Brunei.

Yang pertama-pertama Kerajaan di Negeri Brunei membawa hukum Islam mengikut syariat Nabi kita Muhammad Sallahualaihi Wassalam di Negeri Brunei iaitu Paduka Sultan Muhammad (Muhammad Jamil, 1971:8).

The first held the sovereignty in the city of Brunei and who introduced the Mohameden religion and observed the institutions of Prophet Muhammad on whom be be peace, was the Paduka Seri Sultan Mohamed (Low, 1880:1-2).

Brunei sebagai Kesultanan Melayu Islam telah diiktiraf oleh Kerajaan Melaka pada tahun 1406M iaitu sempena lawatan Sultan Muhamamd Shah ke Melaka. Keterlewatan pengisytiharan pengislaman baginda dan kewujudan Kesultanan Melayu Islam Brunei adalah disebabkan Brunei sebelum tahun 1371M masih dalam kekuasaan Majapahit yang beragama Hindu-Buddha. Brunei hanya muncul sebagai Kesultanan Melayu Islam setelah kemunculan Melaka sebagai Kesultanan Melayu Islam yang disegani di rantau ini pada awal abad ke 15M dan runtuhnya kekuasaan Majapahit di Jawa. Peluang tersebut Brunei gunakan untuk menjalin persahabatan dengan kerajaan Melaka, Pasai dan Cina.

Sultan Sharif Ali memerintah tahun 1425-1432M (Md Jamil 1992:XXV, Abd Aziz 1992:XXXI). Baginda adalah Sultan Brunei yang bertanggungjawab mengukuhkan pelaksanaan syariat Islam. Pada zaman pemerintahannya, Baginda membina masjid dan memperkuat pertahanan Brunei dengan pembinaan Kota Batu (Sweeney 1969:1). Baginda juga telah mengatur sistem pentadbiran masjid. Dakwah Islamiah di Brunei telah berkembang pesat dengan kehadiran Sultan Sharif Ali. Beliau seorang pendakwah yang memiliki ciri-ciri kepimpinan unggul sehingga berjaya mengislamkan Awang Alak Betatar menjadi Sultan Muhammad Shah. Sultan Sharif Ali telah mendapat kepercayaan rakyat Brunei sehingga ditabalkan menjadi Sultan Brunei serta dikasihi lagi dihormati dengan panggilan "Sultan Berkat". Zaman pemerintahan baginda telah memberikan asas yang kukuh untuk menjadikan Brunei sebagai pusat perkembangan Islam menggantikan Melaka setelah kejatuhannya pada 1511M.

Pada umumnya, Kesultanan Brunei Darussalam berjaya memberikan sumbangan yang besar ke arah menguatkan kedudukan Islam di Brunei Darussalam, adalah atas sokongan beberapa faktor. Antaranya, adanya sultan-sultan dan rakyat Brunei yang berpegang teguh kepada ajaran Islam. Kedua, wujudnya kemantapan pentadbiran dalam negeri oleh sultan-sultan Brunei Darussalam yang berasaskan kepada keadilan sehingga rakyat merasa cukup bahagia dan senang memberikan taat setia

yang ikhlas lagi tiada berbelah bahagi. Ketiga, kesedaran sultan-sultan Brunei Darussalam tentang perlunya membina angkatan perang dan pertahanan yang kuat. Keempat, adanya layanan dan diplomasi yang halus oleh sultan-sultan Brunei Darussalam terhadap pedagang-pedagang dan pelawat-pelawat dari luar negeri yang menunjukkan sikap toleransi, sama ada mereka itu penganut Islam atau bukan.

Penyebaran Islam di Brunei yang telah dilaksanakan oleh Kesultanan Melayu Islam dari awal lagi, yang telah mencorak hidup masyarakat Islam di Brunei kini. Semangat kepahlawanan dan kekuatan lahiriah dan ruhiyyah dalam mereka mempertahankan aqidah Islam adalah sungguh mengharukan. Walaupun kemudahan teknologi yang terbatas jika dibandingkan dengan zaman sekarang, mereka masih juga bersemangat dan tidak berputus asa dalam usaha penyebaran dakwah. Banyak ujian dan rintangan yang telah dilalui, dan berjayanya mereka melepasi segala ujian itu lah yang menguatkan lagi semangat dan azam Sultan-Sultan seterusnya sehinggalah sekarang iaitu zaman pemerintah Sultan Haji Hassanal Bolkiah.

Dasar Penerapan Nilai-nilai Islam

Kebawah Duli Yang Maha Mula Paduka Seri Baginda Sultan Haji Hassanal Bolkiah menaiki takhta Kerajaan pada Hari Khams 1 Rejab 1387 (5 Oktober 1967) (Pg Hj Mohammad 2003:395). Baginda telah berikrar akan melaksanakan tugas-tugas Baginda sebagai seorang Sultan dan Yang Di-Pertuan Negara Brunei Darussalam, juga akan melaksanakan dasar-dasar Paduka Ayahanda Baginda dalam usaha memelihara keamanan, keselamatan dan kemakmuran Negara Brunei Darussalam. Baginda juga berikrar untuk menjunjung dan melindungi Agama Islam serta Adat Istiadat di Negara ini (Abdul Aziz 1992:LX).

Akhirnya, setelah hampir 3 dekad di bawah jajahan British, pada 1 Januari 1984, KDYMM Sultan Hj Hassanal Bolkiah memasyhurkan dan mengisytiharkan kemerdekaan Negara Brunei Darussalam, Baginda dengan tegas telah menyatakan hasrat Baginda untuk menjadikan Islam itu bukan hanya sebagai cara hidup yang lengkap tetapi menjadikannya sebagai kemudi, dasar dan falsafah Negara. Antara lain titah Baginda :

Dengan ini memasyhurkan dan mengisytiharkan dengan nama Beta dan bagi pihak diri Beta dan bagi pihak pengganti-pengganti dan bagi pihak rakyat Negara Brunei Darussalam bahawa mulai dari 1 Januari Tahun Masihi 1984 bersamaan dengan tahun yang ketujuh belas Beta di atas Takhta Kerajaan Negara Brunei Darussalam adalah dan dengan izin serta limpah kurnia Allah *Subhanahu Wataala* akan untuk selama-lamanya kekal menjadi sebuah Negara Melayu Islam Beraja yang Merdeka, Berdaulat dan Demokratik bersendikan kepada ajaran-ajaran Agama Islam menurut Ahlis Sunnah Wal-Jema'ah dan

berasaskan keadilan dan keamanan dan kebebasan dan dengan petunjuk serta keredhaan Allah Subhanahu Wataala jua akan sentasa berusaha pada memperoleh ketenteraman dan keselamatan, kebajikan serta kebahagiaan bagi rakyat Beta dan demikian juga pemeliharaan perhubungan persahabatan di kalangan antarabangsa atas dasar saling menghormati terhadap kemerdekaan, kedaulatan, persamaan dan keutuhan wilayah bagi semua Negara yang bebas daripada campurtangan dari luar negeri. (Perlembagaan Negara Brunei Darussalam 1959,Ms:32)

Dasar yang tersebut diatas (MIB) pernah dibincangkan juga oleh Kebawah Duli Yang Maha Mulia Paduka Seri Baginda Sultan Haji Omar Ali Saifuddin Sa'adul Khairi Waddien dengan pihak *Colonial Office*, pada 30 September 1957 dengan pendirian Kerajaan HM the Queen adalah seperti berikut :

.....Kerajaan Baginda Queen ingin menentukan bahawa tiada sebarang cadangan yang harus dibuat yang boleh menggugat status Brunei sebagai Kerajaan Melayu Islam Beraja. Walau bagaimanapun, tidaklah sukar untuk menunjukkan bahawa hubungan erat dengan kedua buah jajahan yang lain akan menguatkan Kerajaan Islam Brunei (Muhammad Jamil 1992:50).

Penulis berpendapat bahawa, minat dan rasa tanggungjawab mendalam yang baginda Sultan miliki telah banyak mencorak perkembangan agama Islam di Brunei,yang mana ketika ini jelas kelihatan falsafah Negara , Melayu Islam Beraja (MIB) yang baginda hasratkan untuk menjadi cara hidup masyarakat Islam Brunei terlaksana sehinggalah sekarang. Falsafah MIB ini jelas kelihatan diamalkan di kalangan masyarakat Islam di Brunei.

Kementerian Hal Ehwal Ugama Brunei Darussalam

Di atas perkenan Kebawah Duli Yang Maha Mulia Paduk Seri Baginda Sultan Haji Hassanal Bolkih Mu'izzaddin Waddaulah, Sultan dan Yang Di-Pertuan Negara Brunei Darussalam, pada 16 Safar 1407 bersamaan dengan 21 Oktober 1986, Baginda telah memperkenankan Jabatan Hal Ehwal Ugama Brunei (JHEUB) yang telah ditubuhkan lebih 30 tahun dengan mengalami berbagai-bagai pertumbuhan dan perkembangan, sejak sebelum merdeka sampailah kepada kemerdekaan, untuk menjadi sebuah kementerian dalam Kerajaan Baginda. Ini bermakna JHEUB telah dinaikkan tarafnya menjadi Kementerian Hal Ehwal Ugama Brunei (KHEUB).

Susunan pentadbiran KHEU pada mulanya terdapat lima buah jabatan iaitu Jabatan Pentadbiran, Jabatan Hal Ehwal Syariah, Jabatan Pengajian Islam, Jabatan Urus Haji dan Perhubungan Muslimin dan Pusat Da'wah Islamiah (Abd Aziz 1992:73). Kini 2017, ada

23 jabatan yang ada dibawah Kementerian Hal Ehwal Ugama, iaitu Pejabat Menteri, Pejabat Timbalan Menteri, Pejabat Setiausaha Tetap, Pejabat Timbalan Setiausaha Tetap, Jabatan Pentadbiran, Jabatan Majlis Ugama Islam, Jabatan Hal Ehwal Syariah, Jabatan Urusan Haji. Jabatan Hal Ehwal Masjid, Jabatan Pengajian Islam, Unit Perundangan Islam, Pusat Da'wah Islamiah, Pejabat Hal Ehwal Ugama Daerah Belait, Pejabat Hal Ehwal Ugama Daerah Tutong, Pejabat Hal Ehwal Ugama Daerah Temburong, Bahagian Perhubungan Awam dan Antarabangsa, Bahagian Kemajuan Syiar Islam, Bahagian Dasar dan Inspektorat, Bahagian Teknologi Maklumat, Bahagian Bangunan dan Pemeliharaan, Bahagian Sumber Manusia, Institut Tahfiz Al Quran Sultan Haji Hassanal Bolkih dan Kolej Universiti Perguruan Ugama Seri Begawan.

Majlis Ugama Islam adalah sebuah pertubuhan yang tertinggi di Negara Brunei Darussalam. Majlis Ugama Islam adalah pembuat dasar untuk menentukan hala tuju pentadbiran Ugama Islam di Negara Brunei Darussalam. Kementerian Hal Ehwal Ugama adalah sebagai pelaksana dan pendokong terhadap dasar yang telah dibuat oleh Majlis Ugama Islam. Tugas dan peranan utama Majlis Ugama Islam ialah membantu dan menasihati Kebawah Duli Yang Maha Mulia Paduka Seri Baginda Sultan dan Yang Di-Pertuan Negara Brunei Darussalam dalam semua hal yang berkaitan dengan agama Islam.

Jabatan Hal Ehwal Syar'iah telah ditubuhkan pada 21hb. Oktober, 1986 iaitu, sejak Jabatan Hal Ehwal Ugama dinaikkan tarafnya menjadi sebuah kementerian yang sekarang dikenali sebagai Kementerian Hal Ehwal Ugama. Antara objektif jabatan ini adalah untuk mengawal masyarakat Islam di negara ini dari melakukan perkara yang bertentangan dengan akidah Islam dan hukum syara', mengawal dan memastikan kehalalan daging yang diedarkan di negara ini, membantu masyarakat dalam perkara yang berhubungkait dengan hal ehwal keluarga Islam, memastikan umat Islam di negara ini akan berpegang teguh kepada ajaran ugama Islam menurut aliran Ahli Sunnah Wal Jamaah dari segi akidahnya dan mazhab Syafie dari segi syariahnya, menyediakan hasil kajian dan penyelidikan yang berkualiti bagi tujuan perancangan, pelaksanaan dan penghayatan syariahnya dan juga memastikan setiap pegawai dan kakitangan berkhidmat dengan cekap, berkesan, penuh iltizam dan istiqamah.

Di antara program-program yang telah dilaksanakan oleh pihak Kementerian Hal Ehwal Ugama Brunei ialah Perkhidmatan Lembaga Mengeluarkan Permit Import Halal, Khidmat Nasihat Keluarga, Khidmat KHEU berkenaan dengan Haji dan Umrah, Perkhidmatan Pengurusan Muallaf, Perkhidmatan Penapisan, Perkhidmatan Pengurusan Jenazah, Perkhidmatan doa, Perkhidmatan berkaitan dengan Bantuan Majlis Ugama Islam, khidmat KHEU

berkenaan dengan wakaf, latihan dalaman atau luaran yang ditawarkan oleh KHEU.

Perubahan Sosio Budaya masyarakat Islam Brunei selepas penerapan Nilai-nilai Islam

Kedatangan Islam ke Brunei telah membawa banyak perubahan dan pembaharuan kepada penduduk tempatan bukan sahaja dalam aspek kebudayaan malah dalam aspek politik, ekonomi dan sosial. Islam telah membawa satu ajaran yang rasional, radikal dan progressif.

Datangnya Islam ke Alam Melayu termasuklah Brunei pada abad ke 12 dan ke 13 Masehi, telah melahirkan tamadun Islam di Alam Melayu yang bersumberkan Al-Qur'an, yang meliputi akidah, syariat dan akhlak, ketiga-tiganya menjadi penggerak dan mencetuskan kebudayaan dan tamadun Islam. Di samping itu, umat Islam sendiri yang terdiri dari berbagai-bagai bangsa dan puak mengkaji adat resam dan kebudayaan yang mereka warisi, pada amnya perkara-perkara yang tidak bertentangan dengan Islam akan terus dipakai, dan perkara-perkara yang berlawanan dengan Islam akan dibuang atau disesuaikan dengan ajaran-ajaran Islam (Mohd Zain, 1992:35).

Kedatangan Islam telah membawa perubahan dan pembaharuan dalam kepercayaan adat masyarakat Melayu Brunei. Namun begitu, ada beberapa adat yang masih tidak dapat dipisahkan dari kehidupan masyarakat Brunei dengan pengaruh Hindu yang sudah lama bertapak di Brunei, iaitu beberapa perkara dari segi adat perkahwinan. Walau bagaimanapun, sebahagian besar adat Hindu yang menjadi amalam masyarakat Brunei suatu ketika dahulu telah lenyap dengan kedatangan Islam. Peranan dari pelbagai pihak untuk menerapkan nilai-nilai Islam dari mula Islamnya Sultan yang pertama hinggalah sekarang, telah banyak mengubah cara hidup dan adat masyarakat Brunei kini. Beberapa adat yang masih bertahan sehingga kini terlebih dahulu adalah melihat kepada bertentangan dengan hukum syara' ataupun tidak. Jika ianya bertentangan, adat itu akan terhapus dari masyarakat Brunei, contohnya seperti adat 'mandi safar'.

Di Brunei juga, tidak ada perubahan tradisi yang lebih ketara dilihat selain daripada adat-adat perkahwinan. Banyak adat itu telah berubah disebabkan oleh pengaruh sosial dan agama Islam. Beberapa bentuk adat perkahwinan telah berubah kerana keinginan mengikut sunnah Nabi seperti tempat mengadakan Majlis Akad Nikah yang diadakan di masjid. Ada juga kumpulan yang tidak mahu sama sekali mengadakan majlis bersanding dengan alasan majlis seumpama itu mempunyai unsur kehinduan. Agak menarik juga bahawa adat untuk menentukan dara seseorang pengantin

perempuan jarang lagi diadakan. Dalam hal ini, arus kemodenan mengambil peranan, melebihi tradisi.

Satu lagi bentuk tradisi ciptaan dalam Majlis Perkahwinan ialah adat ziarah (jarah) yang dilakukan oleh ibu bapa atau wakil pengantin lelaki atau perempuan kepada para jemputan yang hadir. Amalan seperti ini memanglah bersesuaian dengan ajaran Islam yang menggalakkan umatnya menziarahi jiran atau sahabat dalam waktu senang apatah lagi waktu susah. Kedua ibu bapa atau wakil pengantin akan menziarahi jemputan sebagai mengucapkan ribuan terima kasih atas kehadiran mereka yang biasanya ditempatkan berasingan mengikut jantina. Bentuk hadiah juga berubah. Wang tunai adalah bentuk paling dominan kerana ia memberi kebebasan kepada pengantin dan keluarga mereka untuk mendapatkan keperluan yang mereka sendiri fikirkan bersesuaian (Abdul Latif, 1989:1).

Dari sudut politik, Islam memperkenalkan sistem pemerintahan beraja kepada Masyarakat Islam Brunei, sebelum kedatangan Islam, sistem beraja telah wujud dalam struktur pemerintahan di Nusantara dengan corak dan ciri yang tersendiri tanpa ada sebarang garis panduan. Wujudnya pemerintahan beraja yang mana Raja itu di dampingi oleh Mufti sebagai penasihat terhadap hal-hal yang berhubung dengan hukum-hukum Islam. (Mohd Zain, 1992).

Dalam bidang ekonomi diperkenalkan sistem urusan zakat yang menjadi salah satu rukun Islam, dan mereka menjauhkan diri daripada amalan memakan riba, khasnya dalam bidang sukatan dan timbangan. Penubuhan bank Islam pertama di Brunei iaitu Tabung Amanah Islam Beraja (TAIB) yang telah dirasmikan oleh Kebawah Duli Yang Maha Mulia Paduka Seri Baginda Sultan dan Yang Di-Pertuan Negara Brunei Darussalam pada 21 Rabiulawal 1412 bersamaan dengan 29 September 1991, juga adalah satu cara untuk mempraktikkan Islam sebagai cara hidup dan ia juga bertujuan memperkembangkan sosio-ekonomi umat Islam. TAIB memberi peluang kepada umat Islam di negara ini untuk melibatkan diri dalam bidang pelaburan dan pada masa yang sama menggalakkan sifat berjimat cermat. Bahkan TAIB juga terbua kepada orang bukan Islam (Abdul Aziz 1992:189). Dalam intisari titah perasmian baginda antara lain menekankan:

...kita adalah bersungguh-sungguh dalam mempraktikkan Islam sebagai cara hidup. Kita tingkatkan ibadat dan sambil itu kita juga membangun ,dan bahkan terus membangun dengan berlandaskan ajaran-ajaran Islam itu.

Di samping itu, wujudnya tulisan Jawi yang telah berjasa menghapuskan buta huruf, dan bertanggungjawab menyebarkan agama Islam,dan bahasa Melayu yang menggunakan tulisan jawi telah menjadi bahasa agama Islam, serta telah

bertanggungjawab mengasas dan menyebarkan sistem pendidikan yang terawal dan menyebarkan ilmu pengetahuan, sebelum lagi datangnya pengaruh Barat ke Alam Melayu (Mohd Zain, 1992:36).

Pendidikan pada khususnya mestilah jelas, bahawa keperluan umum tidak akan mengatasi keperluan agama. Dalam makna, pendidikan agama juga hendaklah sama-sama diutamakan. Di peringkat asas, pendidikan agama hendaklah sempurna, sementara di peringkat tinggi pula hendaklah mampu melahirkan ulama dan cendekiawan berwibawa. Jangan sama sekali ia kurang atau dikurangkan. Kerana berdasarkan fakta sejarah di mana-mana sahaja, jika pendidikan agama lemah, maka akan lemah pulalah bangsa (Himpunan Titah, 2006)

Antara perubahan yang ketara juga dalam sistem pendidikan di Brunei Darussalam selepas penerapan nilai-nilai Islam, mulai 1931, bolehlah dianggap sebagai titik permulaan pelajaran agama diajarkan mengikut sistem persekolahan iaitu dengan menyalurkannya ke sekolah-sekolah Melayu Brunei (Abdul Rahman, 1979:3).

Adapun perkembangan pelajaran agama di Brunei, berlaku secara berperingkat-peringkat, setelah tahun 1931, diikuti pula dengan pembukaan rasmi tujuh buah sekolah agama di sebelah petang pada bulan September 1956. Kemudian, pengetahuan agama Islam dijadikan sebagai satu mata pelajaran di Brunei pada tahun 1965. Seterusnya penubuhan Sekolah Menengah Arab, Maktab Perguruan Agama dan banyak lagi institusi-institusi Islam yang terdapat di Brunei dari dulu hinggalah sekarang. Terkini adalah penubuhan Universiti Islam Sultan Sharif Ali dan Maktab Perguruan Agama Seri Begawan di naikkan taraf menjadi Kolej Universiti Perguruan Agama Seri Begawan.

Dari sudut sosial, hidup masyarakat Brunei Islam kini didukung oleh musyawarah dan hidup bergotong royong, tolong menolong, hormat menghormati, berawar *galat*, bertegur sapa dan sebagainya. Nilai-nilai yang luhur ini adalah yang diajarkan oleh Islam. Mereka memperhatikan permakanan dan perminuman bukan hanya dari segi rasa dan khasiat, bahkan dilihat juga dari sudut halal haramnya, dan ditinjau salah tidaknya dari ajaran Islam, dan dalam hidup bernegara diasuh supaya sentiasa taat kepada raja.

Pengharaman terhadap 'arak' bagi Negara Brunei Darussalam juga berlaku secara berperingkat. Peringkat pertama, pengharaman daripada Syarikat Penerbangan Diraja Brunei Airlines (Royal Brunei Airlines, RBA) yang tidak lagi menghidangkan arak dalam sebarang penerbangannya, mulai berkuatkuasa pada 20 Rabiulakhir 1409 bersamaan dengan 30 November 1988. Peringkat kedua, pengharaman daripada kelab-kelab Angkatan

Bersenjata Diraja Brunei (ABDB) yang berkuatkuasa mulai 9 Muharram 1411 bersamaan dengan 31 Juli 1990. Peringkat terakhir, pengharaman secara total iaitu menegah kemasukan arak ke Brunei yang berkuatkuasa mulai 14 Jamadilawal 1411 bersamaan dengan 1 Disember 1991. Adapun semua permit untuk memasukkan segala jenis arak yang dikeluarkan sebelum tarikh tersebut adalah dibatalkan dengan serta merta. Sementara arak yang sudah dimasukkan atau dibuat dalam negara ini adalah dimansuhkan pada 15 Jamadilakhir 1411 bersamaan dengan 1 Januari 1991 (Abdul Aziz, 1992:168).

Langkah tegas ini juga diambil berikutan semakin ramainya umat Islam daripada berbagai peringkat termasuk kanak-kanak sekolah dan belia-belia terlibat meminum minuman keras, sekalipun selama ini Kerajaan telah menghadkan pengeluaran lesen menjual arak di kalangan orang bukan Islam yang sepatutnya hanya untuk orang bukan Islam dan sekalipun Kerajaan Kebawah Duli Yang Maha Mulia Paduka Seri Banginda Sultan dan Yang Di-Pertuan Negara Brunei Darussalam telah menguatkuasakan Undang-Undang MUIB dan "Akta Ugama dan Mahkamah-Mahkamah Kadhi 1955" yang boleh menghukum mana-mana orang Islam yang sabit bersalah meminum minuman keras di tempat awam, namun masih ada di antara umat Islam yang terlibat meminum minuman keras itu. Langkah tegas melarang kemasukan segala jenis minuman keras ke dalam Brunei ini juga mencerminkan kesungguhan Kerajaan dalam menegakkan konsep MIB yang selaras dengan hukum Islam (Pelita Brunei, 1991).

Dalam sejarah perkembangan Islam di Brunei juga, mulai akhir tahun 1964, pelbagai perayaan keagamaan telah diadakan. Ini juga satu metode dakwah yang menarik muda-mudi dan orang ramai menghidupkannya. Perayaan keagamaan ini bersempena dengan hari kebesaran dan dianggap bersejarah dalam Islam seperti memperingati Isra' dan Mikraj junjungan kita Nabi Muhammad s.a.w pada 27 Rejab, memperingati hari Nuzul Al-Qur'an pada 17 Ramadan, dan memperingati hari lahir junjungan kita Nabi Muhammad s.a.w pada 12 Rabiulawal.

Antara acara-acara yang mengisikan perayaan tersebut ialah berzanji marhaban, nasyid, deklamasi puisi, ucapan para pemimpin negara dan yang penting sekali pada kemuncak perayaan itu ialah syarahan agama dari alim ulama tempatan. Penserah yang berkebolehan selalunya akan menarik perhatian orang ramai yang hadir dan sedikit sebanyak memberikan kesedaran dan keinsafan di hati mereka. Bacaan Al-Qur'an dan doa selamat akan menjadi pembuka dan penutup di upacara perayaan tersebut.

Apa yang menarik perhatian, perayaan keagamaan seperti ini bukan sahaja diadakan di ibu Negara

tetapi juga di tiap-tiap daerah Brunei dan Muara, Tutong, Belait dan Temburong. Inilah satu tradisi yang jarang ditemui di tempat-tempat lain (Pengiran Haji Mohammad, 2007). Hari kelepasan mingguan di Brunei ialah ditentukan hari Jumaat dan hari Ahad. Hari-hari kebesaran Islam pula adalah dijadikan hari kelepasan awam, sebagai misalnya bagi tahun 1989 ada 14 hari yang dijadikan hari kelepasan awam sepanjang tahun. 8 hari daripadanya ialah bagi memperingati hari-hari kebesaran Islam seperti Awal Tahun Hijrah, 12 Rabi'ul Awal (Maulud Nabi), 27 Rejab (Isra' Me'raj), Awal Ramadhan, 17 Ramadhan (Nuzul al-Qur'an), Hari Raya Puasa dan Hari Raya Haji (Mohd Zain, 1992).

Kesimpulan

Perubahan sosio budaya masyarakat Islam Brunei setelah mengenal Islam telah banyak mengubah corak hidup masyarakat Brunei. Perubahan yang berlaku sama ada dari segi kepercayaan dan pegangan hidup, dari jahiliyyah kemudian mengenal Islam, telah memberi impak yang sangat besar kepada cara pemerintahan di Negara Brunei Darussalam. Dari perjuangan, pengorbanan, kesusahan dan kepayahan yang diperjuangkan Kesultanan Melayu Islam, pembesar-pembesar Negara dan pahlawan-pahlawan serta tokoh-tokoh agama dari dahulu kala, hinggalah kini memperjuangkan agama Islam dan bangsa, telah banyak membentuk dasar Negara yang menjadi asas terpenting di Negara Brunei Darussalam.

Selain itu juga, menjadikan dasar Negara konsep Melayu Islam Beraja (MIB) sebagai yang teratas dan rujukan, kementerian-kementerian yang menjadi pentadbir di Brunei mempunyai dasar-dasar yang seiringan dengan dasar MIB itu telah banyak membentuk amalan nilai-nilai Islam di Brunei sebagai cara hidup. Untuk menerapkan nilai-nilai Islami ke dalam diri masyarakat Brunei yang mempunyai adat dan kepercayaan yang sangat kuat kepada Hindu dahulu kala, adalah tugas yang sangat mencabar, kerana bukanlah mudah untuk mengubah paradigma dan kepercayaan hidup seseorang. Akan tetapi, rahmat dan hidayah daripada Allah itulah yang telah menjadikan Brunei Darussalam sebagai Negara Islam. Banyak usaha-usaha yang telah dilakukan dan sedang dijalankan oleh pihak Kerajaan atau swasta di Brunei untuk penerapan nilai-nilai Islam yang sepenuhnya kepada masyarakat Islam di Brunei.

Kerasmian Agama Islam di dalam perlembagaan di Brunei Darussalam, jelas apabila KDYMM sendiri pernah bertitah :

Beta percaya rakyat Beta yang dikasihi sekalian sedia memahami bahawa perkembangan-perkembangan bahagian Ugama yang telah dlancarkan dengan baiknya itu adalah merupakan pada keseluruhannya

sebagai **Alat atau Sistem untuk terus mencapai satu matlamat yang menjadikan Islam itu sebagai satu cara hidup yang lengkap dan penuh dengan nikmat** bagi keseluruhan rakyat dan penduduk di Negeri Brunei Darussalam ini....

Jelas disini menunjukkan, KDYMM sendiri menyokong dan mengharap sepenuhnya untuk penerapan nilai-nilai Islam di Negara Brunei Darussalam.

Rujukan

- Abdul Aziz b.Juned. (1992) (Pehin Dato Imam Dato Paduka Seri Setia Ustaz Haji) *Islam Di Brunei, Zaman Pemerintahan KDYMM Paduka Seri Baginda Sultan Hj Hassanal Bolkiah Mu'izzaddin Waddaulah, Sultan Dan Yg Dipertuan Negara Brunei Darussalam*, jil:1, Brunei: Jawatankuasa Kerja Penerbitan Buku-Buku Islam.
- Abdul Rahman Hj Abdullah. (1983). *Pemikiran Islam Tradisional di Nusantara*, Tesis Sarjana Sastera (MA) Jabatan Sejarah, UKM.
- Abd Rahman b Khatib Abdullah. (1979). *Pelajaran Ugama di Brunei. Kertas Kerja Kursus Sivik Guru-Guru Sekolah Rendah Negeri Brunei Maktab Perguruan Agama Seri Begawan*. Brunei Darussalam.
- Ahmad Ibrahim. (1973) (Prof) *Unsur Budaya Tradisional dalam Pemupukan Keperibadian Kebangsaan Malaysia dalam Asas Kebudayaan Bangsa*. Kuala Lumpur.
- Brown, Donald. (1970). Brunei: The Structure and History of a Borneon Malay Sultanate'. *Monograph of the Brunei Museum Journal*. 3(2) 120-122.
- Coedes, G. (1968) *The Indianized States of Southeast Asia*. East West Centre Press, Honolulu.
- Graham Saunders. (2002) *History Of Brunei*. Kuala Lumpur : Oxford University Press.
- Ibn Khaldun. (1978) *Muqaddimah*, N.J Dawood London : Routledge & Kegan Paul.
- Mohammad bin Hj Abdul Latif. (1994) (Awang Haji) *Brunei di tengah-tengah Nusantara*. Kumpulan Kertas Kerja Seminar Sejarah Brunei.
- Md Jamil al-Sufri b Awang Hj Umar. (1971). (Pehin Orang Kaya Amar Diraja Dato(Dr.)Haji) *Catatan Sejarah Perwira-perwira dan Pembesar-pembesar Brunei*, Dewan Bahasa dan Pustaka.
- Md Jamil al-Sufri b Awang Hj Umar. (1992) *Liku-Liku Perjuangan Pencapaian Kemerdekaan Negara Brunei Darussalam*. Bandar Seri Begawan: Jabatan Sejarah.
- Mohd Rafee bin Haji Shahif. (2001) *Pentadbiran dan Pendidikan Islam di Brunei dalam Zaman Pemerintahan Sultan Hj Omar Ali Saifuddin*, Tesis Sarjana Pengajian Islam, UKM.

- Mohd Zain bin Hj Serudin. (1992) (Pehin Orang Kaya Ratna Diraja Dato Ustaz Haji) *Brunei Darussalam : Persepsi Sejarah & Masyarakatnya*. Brunei Darussalam: Dewan Bahasa dan Pustaka.
- Yahya bin Hj Ibrahim. (1996) (Pehin Siraja Khatib Dato Ustaz) *Kesan-kesan kemasyarakatan terhadap Pengajian Islam dalam Pendidikan Agama di Negara Brunei Darussalam*. Brunei: Jabatan Pengajian Islam Brunei.
- Yahya bin Hj Ibrahim. (1989) *Pehin-Pehin Menteri Agama Sebagai "Institusi" dan Peranan Mereka dalam Pentadbiran dan Pemerintahan Negara Di Brunei*. Kertas kerja dalam Seminar Antarabangsa Tamadun Islam di Alam Melayu Brunei.
- Yahya bin Hj Ibrahim. (1969) *Sejarah Ringkas Kemasukan Islam*. Bandar Seri Begawan: Jabatan Sejarah Brunei.
- Low, H. (1880). Selesilah (Book of the Descent) of the Rajas Of Brunei. *Journal of the Straits Branch of the Royal Asiatic Society*. 5, 1-35.
- Ongkili, J.P. (1972). Pre Western Brunei, Sarawak and Sabah. *The Sarawak Museum Journal*. 30, 1-20.
- Pelita Brunei, 1991, Ms:7
- Pengiran Hj Mohammad bin Pengiran Hj Abd Rahman. (1992) (Dato Seri Setia (Dr) Hj) *Islam di Brunei Darussalam*. Brunei Darussalam : Dewan Bahasa dan Pustaka.
- Pengiran Hj Mohammad bin Pengiran Hj Abd Rahman. (2003) *Islam di Brunei Darussalam Zaman British (1774-1984)*. Brunei Darussalam : Dewan Bahasa dan Pustaka.
- Sayid Muhammad Naguib Al-Attas. (1972) *Islam dalam Sejarah dan Kebudayaan Melayu*. Kuala Lumpur: Universiti Kebangsaan Malaysia.
- Sweeney, P.L.A. (1969) Silsilah Raja-Raja Berunai. *Journal of the Malayan Branch of the Royal Asiatic Society*. 42(2), 222-224.

Falsafah Melayu Islam Beraja (MIB) Beracuankan Islam Melalui Teori 'Umrān

Muhd. Abdul Afiq bin Muhd Sahari
Fakulti Pengurusan Pembangunan Islam
Universiti Islam Sultan Sharif Ali
aqibсахari@gmail.com

Vol.1, Issue 1 | January 2018

KATA KUNCI

Falsafah Melayu Islam
Beraja, Teori Umrān,
Acuan Islam

ABSTRAK

Falsafah Melayu Islam Beraja (MIB) diistiharkan dan dimasyhurkan sebagai konsep aspirasi nasional yang unik, dinamik, progresif dan bersepadu yang dengan jelas menunjukkan bahawa Melayu, Islam dan Beraja akan dijadikan oleh negara sebagai dasar negara di dalam berfikir, bertindak, menilai dan merancang keseluruhan hidup berbangsa, bernegara dan beragama. Melalui konsep dan dasar ini, kita dapat menentukan dan menitik-beratkan kesesuaian sesuatu pembangunan yang hendak dilaksanakan iaitu bersesuaian dengan calak kebruneian dan pemerintahan beraja serta yang paling penting tidak bercanggah dengan hukum dan peraturan Allah Subhanahu Wata'ala. Di samping itu, MIB juga merupakan asas untuk integrasi kebangsaan Brunei dan dijadikan sumber rujukan, panduan serta idea untuk membentuk calak identiti kebruneian. Konsep MIB juga menegaskan bahawa negara Brunei Darussalam adalah sebuah negara Melayu yang mengutamakan dan melaksanakan nilai-nilai Islam yang benar dengan mengekalkan sistem pemerintahan Melayu yang dipimpin oleh Sultan dan nilai-nilai luhur bangsa Melayu, bahasa, adat resam dan kebudayaan Melayu yang tidak bercanggah dengan nilai-nilai Islam. Falsafah MIB dilihat mempunyai persamaan dan dapat dikaitkan serta digabungkan dengan teori umran kerana kedua-duanya dilihat dapat saling membantu diantara satu sama lain iaitu falsafah MIB bertindak sebagai dasar negara manakala teori umran bertindak sebagai acuan pembangunan negara. Teori umran yang bertindak sebagai acuan pembangunan ini mampu menguatkan lagi dasar negara dan sama sekali tidak menggugat apa-apa jua yang telah diterapkan di dalam falsafah MIB. Kesepaduan yang diterapkan melalui konsep MIB yang bertindak sebagai dasar dan teori umran yang bertindak sebagai acuan semestinya akan membawa kepada kemakmuran berbangsa, bermasyarakat, beraja, beragama dan bernegara serta akan mampu mewujudkan kemakmuran alam sejagat.

Pendahuluan

Melayu dalam MIB: Pengertian Melayu membawa maksud bahawa Brunei Darussalam adalah sebuah Negara Melayu yang di dalamnya terdapat satu masyarakat yang bersatu-padu dan mengamalkan nilai-nilai luhur kebudayaan Melayu dan identiti kebruneian yang menjadikan Islam sebagai panduan

dan teras utama. Melayu dalam MIB juga memberi makna penzahiran dan pengukuhan nilai-nilai luhur, adat resam dan kebudayaan melayu. Unsur Melayu juga dilihat daripada pelbagai aspek termasuk sumbangan orang melayu melalui idea dan tenaga kerja terhadap pembangunan negara di dalam semua bidang sama ada yang berkaitan dengan bidang

politik, teknologi maklumat, perekonomian, perdagangan, pendidikan, perusahaan, kebudayaan, penguasaan sains dan teknologi yang dapat memperlihatkan dan menonjolkan bahawa orang-orang Melayu mampu dan berupaya untuk meningkatkan diri, berinovasi, kreatif, berani dan mampu bersaing dengan bangsa-bangsa lain. Ini menunjukkan bahawa Negara Brunei Darussalam menginginkan kesinambungan bersepadu yang mana unsur melayu yang dominan ini tidak boleh disalah tafsir dan bukan satu penyataan yang menjurus kepada anti bukan Melayu tetapi untuk menunjukkan kesebatian bangsa Melayu yang menjadi pribumi ini telah wujud sekian lama. Untuk mengukuhkan lagi hujah ini, bangsa Melayu sememangnya dilihat sentiasa menjalinkan hubungan muhibah atas dasar saling hormat-menghormati dengan bangsa lain dengan penuh harmoni.

Islam dalam MIB : Agama Islam sifatnya adalah sempurna dan peranan utamanya ialah mengatur sistem kehidupan dan penghidupan di dalam semua aspek sama ada sebagai individu ataupun masyarakat di dalam pelbagai hubungan antaranya hubungan manusia dengan Allah, manusia dengan manusia dan manusia dengan alam sekeliling. Ini menunjukkan bahawa segala aspek yang diterapkan di Brunei adalah sentiasa tertakluk kepada hukum dan etika Islam. Islam adalah teras utama di dalam falsafah Melayu Islam Beraja yang akan menonjolkan nilai-nilai dan unsur-unsur kebaikan, kebajikan dan bermanfaat bagi semua lapisan rakyat sama ada orang Islam atau bukan Islam yang terjalin di dalam suasana yang aman, sejahtera dan saling hormat-menghormati. Islam dalam MIB juga memberi maksud bahawa Islam adalah agama rasmi negara. Pengakuan Islam sebagai agama rasmi negara sememangnya menunjukkan dan menegaskan bahawa Islam adalah sistem yang memandu kehidupan dan hala tuju raja, rakyat dan pembangunan di negara ini. Salasilah Raja-Raja Brunei yang terdapat pada Batu Tarsilah di Makam Diraja, Bandar Seri Begawan yang ditulis oleh Khatib Haji Abdul Latif (1221H/1807M) menyatakan:

Maka adalah yang pertama kerajaan di negeri Brunei dan membawa agama Islam dan mengikut syariat Nabi kita Muhammad *Shallallahu 'alaihi Wasallam* di negeri Brunei iaitu Paduka Seri Sultan Muhammad.

Dengan wujudnya Islam sebagai teras utama, penegasan bahawa Raja adalah ketua negara, ulil amri dan payung Allah *Subhanahu Wata'ala* dimuka bumi Brunei yang menjalankan syariat Islam dan masyarakat melayu sebagai rakyat bertindak mendukung dan menyokong kewujudan raja dan kedaulatan baginda terutama dengan wujudnya nilai taat-setia kepada raja sebagai ulil-amri bagi rakyat dan penduduk yang bermastautin di negara ini.

Beraja dalam MIB: Pengertian beraja bermaksud sistem kerajaan atau pemerintahan beraja, sistem rakyat mempunyai raja dan rakyat perlu taat dan setia kepada raja yang mana titah raja mesti dijunjung dan dilaksanakan. Sistem beraja juga menunjukkan kerajaan bersultan dan beraja. Brunei Darussalam sebagai sebuah kesultanan Melayu Islam telah memilih corak pemerintahan negara beraja sejak mula ia mengenal Islam secara rasmi iaitu sejak pemerintahan Sultan Muhammad Shah. Raja atau Sultan adalah pemimpin, pentadbir dan penaung kepada kemaslahatan rakyat di Brunei. Salah satu faktor utama yang menyebabkan keutuhan sistem beraja di Brunei ialah dengan wujudnya kesepakatan, kesatuan dan perpaduan di hati rakyat Brunei itu sendiri. Raja dalam Islam adalah pemegang amanah besar yang mengendalikan dan menjalankan sistem kerajaan dan pemerintahan dengan cara yang adil dan saksama serta penuh ihsan menurut landasan-landasan hukum dan peraturan Allah *Subhanahu Wata'ala*. Ini kerana kuasa memerintah itu adalah kurnia dan amanah dari Allah *Subhanahu Wata'ala*. Pemerintahan beraja di dalam MIB ini juga adalah penegasan dan pengukuhan sistem pemerintahan melayu dengan kuasa pemerintahan yang tertinggi terletak di tangan Sultan yang berdaulat.

Rumusan Melayu Islam Beraja

Melayu Islam Beraja merupakan falsafah negara Brunei Darussalam yang membawa erti bahawa Negara Brunei Darussalam adalah sebuah negara Melayu yang berpandukan kepada ajaran-ajaran Islam yang mana sultan atau raja sebagai pemerintah tertinggi negara. Ini berdasarkan undang-undang perlembagaan Negeri Brunei 1959, Pemasyhuran Mengangkat Raja dan Melantik Pemangku Raja dan Undang-Undang Taraf Kebangsaan 1961. Majlis Tertinggi Kebangsaan Melayu Islam Beraja telah bermesyuarat mengenai rumusan takrif Melayu Islam Beraja dan berdasarkan pandangan yang di buat oleh Kementerian Undang-Undang, maka perbincangan tersebut telah merumuskan bahawa Melayu Islam Beraja mempunyai tiga unsur komponen penting atau integral yang memperakui:

Melayu: Hak bangsa Melayu yang terdiri daripada tujuh puak jati bangsa Melayu yang dinamik dan dominan menjadi sandaran kehidupan beraja, berkeluarga, bermasyarakat, berbangsa dan bernegara. Menurut Undang-Undang Taraf kebangsaan Brunei 1961, tujuh puak jati dari bangsa Melayu Brunei ialah Belait, Bisaya, Brunei, Dusun, Kedayan, Murut dan Tutong.

Islam: Agama rasmi negara menurut akidah Ahli Sunnah Waljamaah Mazhab Shafi'e yang dihayati menjadi cara hidup yang lengkap, sempurna dan unggul.

Beraja : Pemerintahan Beraja iaitu Sultan selaku pemimpin dan penangung kepada rakyat, baginda memegang amanah Allah bagi menjalankan kuasa tertinggi memerintah negara.

Konsep dan peranan falsafah MIB

Falsafah Melayu Islam Beraja (MIB) merupakan konsep nasional yang menjadi kebanggaan dan kemegahan negara kerana ia berjaya melahirkan sebuah kerajaan Islam tulen yang memerintah di negara ini sejak berabad-abad lamanya dari dahulu hingga sekarang yang bernaung di bawahnya pelbagai kaum, bangsa dan agama yang telah diberikan layanan yang adil lagi saksama. Negara Brunei Darussalam mengalami pelbagai zaman di dalam menegakkan dan memperkasakan MIB yang bermula daripada zaman pengasasan, zaman keemasan, zaman ujian dan ketahanan, zaman pemulihan dan akhirnya sampai ke zaman penegakan yang membawa kepada satu calak identiti kebruneian yang bersepadu. Konsep nasional MIB ini telah dimasyhurkan dan diisytiharkan oleh KDYMM Paduka Seri Baginda Sultan Haji Hassanal Bolkiah sendiri sempena hari yang bersejarah iaitu hari pemasyhuran kemerdekaan Brunei pada 1 Januari 1984, antaranya:

Negara Brunei Darussalam adalah dengan izin serta limpah kurnia Allah Subhanahu Wata'ala akan untuk selama-lamanya kekal menjadi sebuah Negara Melayu Islam Beraja yang merdeka, berdaulat dan demokratik bersendikan kepada ajaran-ajaran Ugama Islam menurut Ahli Sunnah Waljamaah dan dengan berasaskan kepada keadilan, ketenteraman dan keselamatan, kebajikan serta kebahagiaan bagi rakyat beta, dan demikian juga pemeliharaan perhubungan persahabatan di kalangan antarabangsa atau dasar saling hormat menghormati terhadap kemerdekaan, kedaulatan, persamaan dan keutuhan (kukuh) wilayah bagi semua negara yang bebas dan campur tangan dari luar negeri

Melalui titah ini menunjukkan kepentingan MIB dan peranannya di dalam menjadi penentu calak Brunei di dalam semua perkara termasuk pembangunan. MIB juga menjadi norma dalam kehidupan berbangsa dan bernegara, garis pandu dalam pembentukan peribadi, perwatakan identiti dan juga menjadi asas perumusan dasar negara. Konsep MIB ini sememangnya menfokuskan mengenai tiga perkara utama iaitu Islam bertindak sebagai teras dan pemangkin, masyarakat Melayu Brunei sebagai penergerak dan Raja sebagai peneraju melalui sistem pemerintahannya. Fokus MIB ini sangat unik kerana menjadikan Islam sebagai teras yang mana mampu

menjadikan kedudukan MIB lebih kukuh untuk menjamin kelangsungan dan ketahanannya serta mampu berfungsi bagi mendokong raja dan rakyat Brunei di dalam menghadapi pelbagai dugaan dan rintangan yang dilalui secara khasnya dan mempertahankan kelangsungan serta kedaulatan negara Brunei Darussalam secara amnya. Gabungan daripada tiga perkara ini mampu mewujudkan sebuah kerajaan Islam yang terbaik, terunggul dan adil untuk menjaga kemaslahatan semua lapisan masyarakat dan penduduk di negara ini sama ada mereka beragama Islam ataupun tidak serta dapat menjadikan Brunei sebuah negara yang aman lagi makmur.

Brunei Darussalam telah mengambil satu langkah yang bijak dengan menjadikan falsafah MIB sebagai dasar negara untuk dijadikan panduan dan rujukan. Ini menunjukkan bahawa pembangunan yang dilaksanakan di Brunei bukanlah pembangunan yang sifatnya kosong tetapi pembangunan yang menerapkan hukum dan peraturan Allah *Subhanahu Wata'ala* untuk menentukan hala tuju raja dan rakyatnya. Pengamalan dan pengamatan falsafah MIB ini telah menjadikan Brunei sebuah negara makmur dan berdaulat yang akhirnya akan membawa ke mercu kejayaan yang direndhai Allah baik untuk duniawi mahupun ukhrawi. Ini bersesuaian dengan titah KDYMM Paduka Seri Baginda dan Yang Di-Pertuan Negara Brunei Darussalam sempena Hari Raya Aidiladha 1417H/1997M pada 17 April 1997, antaranya:

Beta suka menegaskan bahawa ajaran-ajaran agama Islam akan tetap dihayati dan dipakai untuk memandu pembangunan ummah. Kerana kita adalah kurang yakin dengan kemajuan-kemajuan yang kosong dari agama, sekalipun ada orang lain yang tidak sependapat dengan kita

Konsep MIB ini dimasyhurkan adalah bertujuan untuk mengekalkan calak identiti kehidupan masyarakat di Brunei. MIB adalah sebahagian konsep dalam rangkaian aspirasi nasional yang menekankan konsep kenegaraan Brunei iaitu Brunei adalah negeri Melayu yang dibentuk dengan mendapat calaknya daripada unsur dan pengaruh Islam. Manakala rakyat berkerjasama dengan sistem pemerintahan beraja yang diperintah oleh sultan-sultan Melayu yang beragama Islam. Peranan utama MIB ialah mewujudkan sifat penyatuan dan perpaduan diantara raja dan rakyat ke arah melakukan kebaikan dan ketakwaan iaitu rakyat membantu raja dan raja membantu rakyat dengan Islam bertindak sebagai panduan iaitu penentu hala tuju di dalam pembangunan. Ini bersesuaian dengan firman Allah *Subhanahu wata'ala* dalam surah al-Maidah ayat dua :

(وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ)

Maksudnya: *Dan tolong-menolonglah kamu dalam kebaikan dan ketakwaan*

MIB bukanlah satu konsep yang terbatas atau terhad tetapi ia merupakan satu konsep yang terbuka. Maksud terbuka di sini ialah peranan MIB itu meluas dan perlu dimanfaatkan dengan sebaiknya di segenap ruang dan peluang bagi memastikan matlamat yang dituju terlaksana sama ada dari segi politik, ekonomi, sosial dan alam sekitar. Ini selari dengan hasrat dan titah KDYMM Paduka Seri Baginda Sultan Dan Yang Di-Pertuan Negara Brunei Darussalam sempena majlis pertandingan membaca al-Quran bahagian dewasa peringkat kebangsaan 1411H/1991M pada 12 Julai 1991, antaranya:

Kita masih sahaja terus terbuka, iaitu tidak menolak sebarang unsur atau nilai yang baik sama ada datang dari Asia ataupun dari Barat. Cuma ukuran kebaikan itu bagi kita ialah ukuran Brunei yang hanya menerima nilai-nilai sesuai dengan kita sahaja.

Apa yang dapat disimpulkan ialah konsep MIB tidak menolak idea, usaha dan strategi yang cuba diterapkan di Brunei tetapi semua itu mestilah mengambil kira nilai-nilai MIB yang kita pegang selama ini. Konsep MIB ini sangat bersesuaian dan selari dengan Islam kerana Islam membenarkan umatnya mencontohi atau mempraktikkan perkara-perkara yang baik dan bersesuaian demi menjaga kemaslahatan semua selagi mana perkara itu tidak bertentangan dengan hukum dan peraturan Allah *Subhanahu Wata'ala*. Ini membuktikan bahawa konsep MIB sebagai dasar pembangunan di Brunei sangat relevan dan peranan yang dimainkan melalui konsep MIB menjurus kepada keseimbangan dan kesepaduan yang natijahnya membawa kepada kemakmuran dan kesejahteraan hidup bermasyarakat dan bernegara.

Contoh: Teknologi, kemudahan ini sememangnya wujud dan ditimbulkan oleh para pakar diluar sana dan diterapkan serta digunakan di Brunei bagi memudahkan lagi pelaksanaan pembangunan di Brunei. Semakin lama semakin rancak kemudahan teknologi bertapak di Brunei dan penggunaannya telah hampir merangkumi semua aspek dan bidang untuk memudahkan lagi proses pembangunan itu dilaksanakan. Ini menunjukkan bahawa Brunei sememangnya terbuka kepada nilai dan unsur yang datang dari luar tetapi keterbukaan itu tetap ada batasnya iaitu masih saja menerapkan falsafah MIB sebagai panduan bagi mengawal apa jua unsur dan nilai yang tidak baik atau tidak bersesuaian untuk diketepikan terutama yang berkaitan dengan nilai-nilai Islam. Manakala nilai dan unsur yang baik diambil, dikaji, diterapkan dan dipraktikkan mengikut kesesuaian tetapi masih juga diberi perhatian yang sewajarnya supaya ia sentiasa berada dilandaskan yang lurus dan betul serta tidak bercanggah dengan falsafah MIB terutama perkara

yang berkaitan hukum dan peraturan Allah *Subhanahu Wata'ala*.

Falsafah MIB menjadi falsafah Negara adalah berasaskan kepada warisan sejarah kesultanan Brunei yang wujud sejak penubuhan kesultanan Melayu Brunei yang pertama pada pertengahan kedua abad ke-14 Masihi lagi. Pemasyhuran kemerdekaan dengan dasar dan falsafah MIB menunjukkan bahawa Brunei kembali kepada sejarah pengislaman Brunei yang memilih gelaran Sultan yang bertanggungjawab dalam urusan agama dan negara. Sejak daripada itu, raja-raja Brunei memerintah menurut ajaran dan hukum Islam. Manakala bangsa Melayu sebagai rakyat kekal beramal dengan ajaran Islam dengan beridentitikan keislaman dan kebruneian. Falsafah MIB juga menunjukkan Brunei Darussalam adalah sebuah kerajaan Melayu Islam yang bersultan dan beraja yang mampu mewujudkan sebuah kerajaan Islam yang adil bagi semua lapisan masyarakat. Ini ada dinyatakan oleh KDYMM Paduka Seri Baginda Sultan dan Yang Di-Pertuan Negara Brunei Darussalam, antaranya:

Konsep Melayu Islam Beraja ini sebenarnya bukan konsep baharu, tetapi sudah lahir semenjak beberapa abad lagi. Ianya tidak lebih daripada menunjukkan bentuk dan corak sesebuah kerajaan Brunei Darussalam yang tulen, kerajaan Melayu Islam yang bersultan dan beraja, dan sebagai sifatnya sebuah kerajaan Islam, maka ia adalah terbaik dan terunggul serta paling adil terhadap semua lapisan masyarakat dan penduduk di negeri sama ada mereka itu beragama Islam atau pun tidak.¹

Menurut pandangan Pengiran Dato Dr Haji Mohammad bin Pengiran Haji Abdul Rahman bahawa salah satu faktor yang menyebabkan keutuhan sistem kesultanan ini ialah kerana wujudnya persatuan dan perpaduan di hati rakyat jelata untuk bernaung di bawah satu bendera iaitu Kesultanan Melayu Islam. Penubuhan kesultanan Melayu Islam yang telah menjadikan Islam teras utama negara banyak memberi impak yang besar kepada raja dan rakyat di Brunei. Ini dapat dibuktikan dengan wujudnya konsep taat-setia yang tidak berbelah bahagi kepada Sultan, iaitu konsep "Sultan tidak boleh zalim dan rakyat tidak boleh derhaka kepada Sultan". Konsep Sultan tidak berlaku zalim dan rakyat pula tidak menderhaka yang diterapkan di dalam falsafah MIB sememangnya telah wujud sekian lamanya dan masih lagi berterusan digunakan sehingga sekarang. Dalam erti kata lain, raja adalah payung rakyat dan rakyat sangat mementingkan hubungan dengan raja. Ikatan yang kukuh dan erat di antara raja dan rakyat yang berpandukan kepada Islam telah menghasilkan

¹ *Pelita Brunei*, 8 Ogos 1990, Hlm. 2.

kesinambungan yang bersepadu. Ini bersesuaian dengan hadis yang diriwayatkan oleh Imam al-Baihaqi daripada Ibnu 'Umar :

((إن السلطان ظل الله في الأرض يأوي إليه كل مظلوم من عياده فإذا عدل كان له الأجر وعلى الرعية الشكر))²

Maksudnya: "Sultan itu (sebagai) naungan Allah di bumi. Setiap orang yang teraniaya dari hambaNYa (Allah) akan berlindung kepadanya (Sultan) maka jikalau raja itu adil adalah baginya ganjaran pahala dan rakyat hendaklah bersyukur".

Jika diamati dengan teliti, konsep taat-setia yang diterapkan di dalam falsafah MIB ini ada hubungkaitnya dengan Islam kerana konsep ini berasaskan Islam di mana raja mesti berlaku adil dan tidak menzalimi rakyat, sementara rakyat pula mestilah patuh kepada raja atau pemerintah selama mana perintahnya tidak menyuruh kepada melakukan maksiat dan kemungkaran. Bukti mengenainya ada tercatat di dalam sejarah iaitu melalui dasar negara yang terbentuk selepas pelantikan Abu Bakr radhiallahu 'anhu. Dasar tersebut ada menyebutkan mengenai ketaatan kepada pemerintah adalah satu tuntutan selagi pemerintah mentaati Allah dan apabila pemerintah mengingkari ketaatan kepada Allah maka tidak lagi menjadi kewajipan kepada rakyat mentaatinya. Semua ini adalah perintah yang ada dinyatakan di dalam al-Quran dan As-sunnah. Dalam Surah an-Nisa ayat 59 :

يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ
وَأَطِيعُوا أَسْرَارَ الْأَمْرِ مِنْكُمْ

Maksudnya: "Wahai orang-orang yang beriman taatilah Allah dan taatilah Rasul dan para pemimpin (ulil amri) daripada kalangan kamu".

Diriwayatkan oleh Abu Hurairah bahawa Nabi Shallallahu 'alaihi Wasallam bersabda :

من أطاعني فقد أطاع الله، ومن عصاني فقد عصى الله، ومن يعط الأمير فقد أطاعني، ومن يعص الأمير فقد عصاني.³

Maksudnya: "Sesiapa yang mentaatiku sesungguhnya dia mentaati Allah dan sesiapa mengingkariku maka sesungguhnya dia mengingkari Allah, dan sesiapa mentaati pemimpin sesungguhnya dia mentaatiku dan sesiapa yang mengingkari pemimpin sesungguhnya dia mengingkariku".

² Hadith riwayat al-Baihaqi. Ahmad bin al-Husain al-Baihaqi. (1424H). *Shu'ab al-Iman*. No. Hadith: 6984. Riyadh: Maktabah al-Rushd. J.9. Hlm. 475.

³ Al-Bukhari. Muhammad bin Ismail. *Sahih al-Bukhari*. No. Hadith: 7137. Jordan: Bait Afkar Ad-Dawliyyah. Hlm. 800.

Apa yang dapat difahami ialah MIB merupakan kesinambungan daripada Islam, rakyat dan raja. Ketiga-tiga ini memainkan peranan yang besar dan penting di dalam membina pembangunan bersepadu. Falsafah MIB sebagai dasar pembangunan negara adalah sangat relevan dan bersesuaian kerana peranan MIB mampu bertindak sebagai panduan dan rujukan raja dan rakyat di Brunei. Manakala konsep keterbukaan yang ada pada MIB menunjukkan bahawa Brunei tidak menolak perubahan yang berlaku kerana perubahan-perubahan tersebut ada kalanya sangat diperlukan oleh masyarakat dan negara tetapi apa yang penting dan dititik-beratkan ialah kesinambungan di dalam perubahan tersebut mestilah berasaskan hukum dan peraturan yang sudah ditentukan oleh Allah Subhanahu Wata'ala untuk manusia yang bertindak sebagai hambaNYa di muka bumi ini.

Hasil daripada kesinambungan yang diterapkan di dalam falsafah MIB secara tidak langsung telah berjaya membuktikan, mencerminkan dan menunjukkan imej Islam yang hakiki dan sebenar yang mana telah terbukti dengan adanya sebuah kerajaan Melayu Islam Beraja yang berdaulat sehingga ke hari ini. Diantara peranan utama yang berjaya diterapkan melalui konsep MIB di Brunei ialah nilai-nilai Islam diberi keutamaan dan dijadikan pasak atau teras negara, pengukuhan kedaulatan kesultanan Melayu Islam Beraja dan perpaduan masyarakat yang ada di Brunei tidak kira bangsa dan agama. Semua ini adalah berkat bagi Brunei yang menjadikan Islam sebagai teras utama di dalam falsafah MIB iaitu dalam erti kata lain Brunei tidak mengabaikan hubungannya dengan Allah Subhanahu Wata'ala. Dengan adanya jalinan hubungan dengan Allah Subhanahu Wata'ala, maka jaminan keamanan dan kedamaian pun akan terjalin.

Teori Umrân

Dari segi bahasa, 'umran terhasil dari kata akar 'a mara yang membawa maksud melimpah ruah dan kemakmuran disebabkan ramai penduduk dan banyak perusahaan perniagaan, perindustrian dan pertanian.⁴ Dari kata akar yang sama lahir pula perkataan 'amir dan ma'mur bererti kawasan yang 'umran mempunyai penduduk yang ramai, berkembang maju, berilmu, berbudaya tinggi kerana adanya kerjasama dan kemuafakatan masyarakat serta keadilan di pihak pemerintah. Secara umum, dari segi bahasa merujuk kepada keadaan dan suasana yang aman makmur, maju, berilmu, kaya-raya, mewah, ramai penduduk, mempunyai peluang pekerjaan dan tidak wujud pengangguran.⁵

⁴ Abd al-Sallam Harun. (1960-1961). *Al-Mu'jam al-Wasit*. Mesir: Majma' al-Lughah al-'Arabiyyah. Jilid 2. Hlm. 632-633.

⁵ *Ibid*. Hlm 632-633.

Manakala dari segi istilah, 'umran mempunyai makna yang pelbagai dan makna tersebut bermula dengan perkataan tarikh (sejarah) diikuti ijtima' insani (kerjasama dan tindak-tanduk masyarakat dan diakhiri dengan 'umran (kemakmuran) sepertimana menurut Ibn Khaldun bahawa sejarah terjadi hasil tindak-tanduk masyarakat yang mencetuskan kemakmuran alam semesta.

Asas umran dibina atas tiga prinsip iaitu sejarah (tarikh), kerjasama masyarakat (ijtima' insani) dan alam semesta (al-kawn). Daripada sejarah, kita dapat mengambil pengajaran, membuat kajian dan menilai untuk dijadikan panduan atau rujukan bagi memperbaiki kehidupan di masa akan datang. Kemudian insan adalah peneraju dan pengerak kepada pembaikan serta sikap kerjasama diantara mereka merupakan perkara utama di dalam menjayakannya. Pembaikan memerlukan kepada alam (al-kawn) kerana tanpa adanya alam semua perkara yang dilakukan tidak akan terhasil. Jika kita amati bersama tiga prinsip ini di dalam konteks pembangunan, kita akan dapati beberapa perkara utama yang perlu wujud untuk diambil perhatian iaitu:

Pertama : apa dasar, acuan dan rangka pembangunan? Melalui sejarah, kita dapat mengkaji terlebih dahulu apa dasar, acuan dan rangka pembangunan yang hendak dilaksanakan iaitu dengan mengambil ikhtibar dan pengajaran melalui pembangunan yang lalu dengan meneliti pembangunan yang telah dibina dan kesan daripadanya.

Kedua : Siapa peneraju dan pengerak kepada pembangunan dan apa sifat utama yang perlu dimiliki oleh mereka untuk menjayakannya? Peneraju dan pengerak bagi sesebuah pembangunan semestinya masyarakat, ini kerana manusia adalah khalifah di muka bumi ini dan dipertanggungjawabkan di dalam memakmurkan bumi. Manakala sifat utama bagi sebuah masyarakat yang membangun ialah berkerjasama antara satu dengan yang lain yang mana boleh menghasilkan suatu natijah yang besar lagi bermanfaat.

Ketiga : Apa yang hendak dibangunkan? Pembangunan semestinya memerlukan kepada alam semesta (al-kawn) kerana dengan wujudnya alam, maka wujudlah juga sistem bernegara, sistem ekonomi, penjagaan alam sekitar dan seumpamanya. Tanpa alam (al-kawn) semua ini tidak akan wujud dan pembangunan pasti tidak akan terhasil sama ada dari segi rohani mahupun jasmani.

Ini jelas menunjukkan bahawa ketiga-tiga elemen (sejarah, tindak-tanduk masyarakat dan alam) ini berinteraksi antara satu sama lain yang digerakkan oleh asabiah sehingga melahirkan dawah dan kemakmuran. Melalui kaedah inilah Ibn Khaldun

mendefinisikan 'umran sebagai "suatu fenomena sosial yang digerakkan oleh sekumpulan masyarakat yang bekerjasama/bermuafakat di kawasan kota atau desa dalam sebuah negara yang berdaulat dan berpengaruh bagi tujuan memenuhi keperluan hidup yang selesa dan makmur sama ada dari segi rohani dan jasmani berpandukan agama dan akhlak serta hukum dan peraturan kejadian alam dan manusia ciptaan Allah *Subhanahu Wata'ala*.

Al-Quran Al-Karim merupakan sumber utama teori umran dan dengan inilah konsep dan asas pembangunan Islam dibina. Al-Quran juga merupakan sumber segala ilmu termasuk ilmu pembangunan, ilmu sosiologi dan ilmu tarikh serta ilmu-ilmu lain yang berkaitan dengan kehidupan dan pembangunan. Aspek sejarah merupakan fokus utama al-Quran di mana tidak kurang 1/6% daripada ayat-ayat al-Quran mengenai kisah (sejarah) para nabi dan rasul serta umat-umatnya terdahulu. Melalui al-Quran juga lahir ilmu historiografi Islam yang membincangkan mengenai kepentingan sejarah dan kaitannya dengan pembangunan yang terhasil daripada kisah para nabi dan rasul bersama umatnya terdahulu. Melalui historiografi Islam, tercetuslah juga pemahaman baru mengenai sejarah terutama dari sudut konsep dan falsafahnya berdasarkan ajaran Al-Quran dan Al-Sunnah serta syariat Islam yang juga menghasilkan teori umran. Menurut teori sains sosial dan kemanusiaan, pembangunan merupakan sebahagian daripada proses perubahan sosioekonomi yang menyeluruh bagi tujuan pembangunan masyarakat dan negara. Pembangunan menyeluruh ialah pembangunan yang terancang dan dirancang yang melibatkan pembangunan rohani dan jasmani. Pembangunan yang terancang dan dirancang memerlukan akal sebagai idea perancangan dan menjadikan al-Quran serta al-Sunnah sebagai panduan kepada perancangan akan menghasilkan pembangunan bersepadu yang membawa kepada kemakmuran sejagat kerana sebaik-baik perancang ialah Allah *Subhanahu Wata'ala*.

Teori 'umran merupakan teori pembangunan islamik yang telah wujud sejak abad ke-14 masihi yang dicetuskan oleh pemikir Islam Ibn khaldun bagi memupuk kesedaran umat Islam untuk mengembalikan kekuatan umat Islam mengenai isu pembangunan menerusi idea-idea baru yang selari dengan ajaran-ajaran Al-Quran dan As-Sunnah. Teori ini adalah gabungan daripada ilmu sejarah, ilmu sosiologi dan ilmu alam tabi'e yang telah dijelaskan oleh Ibn Khaldun sendiri melalui nukilannya iaitu sejarah terjadi hasil tindak-tanduk masyarakat yang mencetuskan kemakmuran alam semesta. Teori ini merupakan teori global kerana fokusnya ialah alam sejagat yang terangkum di dalamnya pelbagai disiplin ilmu pengetahuan bagi menangani isu-isu global khususnya perkara-perkara yang berkaitan dengan pembangunan. Teori ini mengambil kira tiga

aspek utama yang dijadikan asas iaitu sejarah, manusia dan alam seperti yang telah diterangkan sebelum ini.

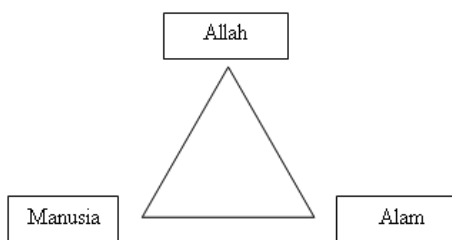
Manusia merupakan kejadian Allah Subhanahu Wata'ala yang hidup berkelompok-kelompok dan berpuak puak (bermasyarakat) dan telah melahirkan sejarah untuk dijadikan ikhtibar bagi membina masa hadapan masyarakat dan negara melalui sistem politik, ekonomi dan sosial serta alam fizikal dengan berpandukan kepada hukum agama dan akhlak. Kemakmuran berpunca daripada fitrah kejadian alam dan manusia yang berinteraksi antara satu dengan yang lain menerusi hukum dan peraturan ciptaan Allah Subhanahu Wata'ala supaya manusia boleh hidup serta melaksanakan tanggungjawabnya sebagai Khalifah Allah di muka bumi ini. Manusia dipertanggungjawabkan bagi mengurus kehidupan dan pembangunan masyarakat serta negara bagi tujuan untuk meraih atau mendapatkan keredhaan Allah Subhanahu Wata'ala. Alam semesta yang Allah ciptakan ini sentiasa bergerak dan beredar siang dan malam, hari demi hari, bulan demi bulan dan tahun demi tahun, dan peredaran ini berlaku mengikut ketentuan Allah melalui hukum dan peraturan ciptaanNya dan ia berlaku secara berterusan tanpa henti sehingga hari kiamat. Manusia adalah makhluk yang berinteraksi dengan alam tanpa henti menerusi hukum dan peraturan ciptaan Allah dan melalui ini terhasil teori umran untuk dijadikan acuan kepada metodologi pembangunan dan dapat diperkenalkan ke peringkat antarabangsa selari dengan perkembangan sains dan teknologi yang sedang berlaku pada hari ini.

Teori 'umran sangat relevan dan lestari di dalam konteks pembangunan Islam dalam era sains dan teknologi masa kini. Teori ini merupakan teori pembangunan bersepadu yang berlandaskan kepada Al-Quran dan As-Sunnah yang tidak dapat dinafikan kebenarannya. Al-Quran dan As-sunnah merupakan petunjuk-petunjuk yang holistik dan bersepadu di dalam memberikan kebahagiaan di dunia dan juga di akhirat. Al-Quran dan As-Sunnah adalah sebenar-benar panduan di dalam kehidupan manusia termasuk di dalam membina pembangunan bersepadu yang mana di dalamnya merangkumi aspek-aspek pengimbangan di antara pembangunan rohani dan jasmani. Ini menunjukkan bahawa pembangunan yang bersepadu mesti beracukan kepada panduan yang bersepadu iaitu al-Quran dan as-Sunnah, yang mana semakin hampir kita kepada keduanya maka semakin hampir kita kepada kejayaan, kesejahteraan dan kemakmuran serta semakin jauh kita daripada kesesatan dan kehancuran seperti yang telah dinyatakan oleh Rasulullah Shallallahu 'alaihi Wasallam dalam sebuah hadith riwayat al-Hakim daripada Abi Hurairah Radiallahu 'anh, Rasulullah Sallallahu 'alaihi wasallam bersabda :

إني قد تركت فيكم شيئين لن تضلوا بعدهما :
 كتاب الله وسنتي⁶

Mafhumnya: "Aku telah tinggalkan untuk kamu dua perkara yang kamu tidak akan sesat selepasnya: Kitab Allah dan Sunnahku".

Teori 'umran tidak menafikan kemudahan sains dan teknologi bagi membantu manusia di dalam aspek yang tertentu untuk membina pembangunan. Untuk membuktikan lagi keberkesanan teori 'umran, diwujudkan atau diperkenalkan konsep segi tiga sebagai satu konsep yang bersifat umum dan universal sama ada ia digunakan bagi pengkajian, penilaian atau penelitian terhadap idea, strategi dan usaha yang dilaksanakan bagi menghasilkan pembangunan yang bersepadu. Teori segi tiga 'umran ini adalah gabungan daripada asas ilmu 'umran yang terbahagi kepada tiga komponen iaitu tarikh, ijtimak Insan dan alam. Bentuk atau konsep segi tiga ini terhasil melalui tiga hubungan utama di dalam kehidupan manusia iaitu hubungan manusia dengan Allah, hubungan manusia dengan manusia dan hubungan manusia dengan 'alam. Dengan terjaganya atau tejalinnya tiga hubungan ini, maka secara automatik lima kemaslahatan manusia iaitu agama, diri, akal, nasab dan harta akan terjamin serta natijah yang akan terhasil daripadanya ialah kemakmuran, keamanan dan kesejahteraan sejagat.



Konsep segi tiga yang diterapkan di dalam teori umran bukan bentuk atau konsep yang dibuat-buat tetapi ia adalah konsep yang terbentuk daripada tiga hubungan utama di dalam kehidupan supaya pembangunan yang dilaksanakan mengambil kira tiga hubungan utama ini yang mana dapat menjaga kemaslahatan semua. Jika kita melihat kepada pembangunan masyarakat Barat, mereka melaksanakan pembangunan tanpa panduan Syariat Islam atau mengenyepikan Pencipta iaitu Allah Subhanahu Wata'ala. Ini jelas menunjukkan bahawa pembangunan mereka tidak akan mampu menjaga lima kemaslahatan di dalam kehidupan apalagi

⁶ Hadith riwayat al-Hakim. Muhammad bin 'Abd Allah. (1990). *Al-Mustadrak 'ala al-sahihain*. Beirut: Dar al-Kutub al-'ilmiah. Jilid 1. Hlm. 172.

untuk membina kemakmuran. Masyarakat Barat belum mengetahui dan belum dapat memahami atau tidak mahu memahami teori segi tiga 'umran ini disebabkan oleh perbezaan agama. Dengan sebab itu mereka tidak memperdulikan dan memisahkan diri mereka dari teori 'umran yang berpaksikan kepada ajaran agama Islam.

Jika dilakukan perbandingan diantara teori umran dengan teori-teori moden ciptaan Barat, kita dapat melihat bahawa teori umran menjurus kepada penyatuan yang berpandukan kepada syariat Islam tetapi teori-teori barat menjurus kepada perbezaan fahaman yang berpandukan kepada akal fikiran semata-mata. Persoalan yang dapat ditimbulkan disini ialah adakah teori-teori barat mampu membentuk metodologi pembangunan Islam atau mampukah mereka membentuk konsep segi tiga yang menghubungkan tiga hubungan utama di dalam kehidupan untuk dijadikan acuan kepada pembangunan? Manusia adalah makhluk sosial yang memiliki unsur-unsur fizikal, intelektual dan spiritual yang mampu membina diri dan masyarakat serta alam sekeliling bagi mencapai kemajuan dan pembangunan. Al-Quran adalah sumber utama pembangunan islam dan manusia adalah pengamal dan pelaksana sumber tersebut bagi tujuan pembangunan untuk menghasilkan kemakmuran. Teori umran telah menyediakan suatu tapak pembangunan yang kukuh bagi mewujudkan kemakmuran secara menyeluruh untuk dijadikan sebagai acuan pembangunan. Teori Umran menitikberatkan spiritual dan fizikal serta mengambil berat peranan dan sumbangan individu dan masyarakat dalam membangunkan masyarakat dan negara. Matlamat teori umran ialah mewujudkan umat yang bersatu-padu, maju, bermoral dan berakhlak serta patuh kepada hukum dan peraturan yang telah ditetapkan oleh Allah Subhanahu Wata'ala.

Hubungan Falsafah MIB dengan Teori Umran

Falsafah MIB merupakan dasar negara yang bersepadu iaitu mengambil kira kemaslahatan masyarakat bangsa melayu, sistem beraja dan Islam di dalam membina pembangunan sama ada pembangunan tersebut berbentuk rohani mahupun jasmani. MIB telah meletakkan Islam sebagai nyawa dan nadi utama yang telah membuka ruang dan peluang yang lebih luas dari segi skop dan ruanglingkupnya. Jika diamati dengan teliti, kaedah dan susunan di dalam MIB tidak mengikut urutan kronologi tetapi mengikut urutan keutamaan. Mengikut urutan kronologi, Islam seharusnya diletakkan di akhir sekali iaitu selepas B "beraja" (MBI) kerana masyarakat Melayu dan pemerintahan Beraja sudah wujud di Brunei sebelum ketibaan Islam tetapi disebabkan oleh keistimewaan Islam itu sendiri, maka Islam diletakkan atau ditempatkan di

tengah-tengah di antara Melayu dan Beraja (MIB) dan diberikan peranan untuk memperbaiki dan memperbetulkan unsur-unsur negatif yang terdapat dalam tradisi masyarakat Brunei dan sistem Beraja serta untuk menzahirkan kebesaran dan keutuhan Islam di Brunei.

Ini jelas menunjukkan bahawa Islam berfungsi dan berperanan mengawal dan memandu hala tuju MIB di dalam semua perkara termasuk di dalam aspek pembangunan. Apa yang dapat difahami ialah MIB secara tidak langsung mempunyai hubungan dengan teori umran kerana kedua-duanya sememangnya menjadikan Islam sebagai pengawal dan pemandu hala tuju supaya apa yang dilakukan tidak bercanggah dengan hukum dan peraturan Allah Subhanahu Wata'ala serta mampu mewujudkan kemakmuran dan kesejahteraan sejagat. Brunei sebagai sebuah negara Islam yang mengamalkan syariat Islam sewajarnya menggunakan teori umran sebagai acuan pembangunan bagi menangani isu-isu yang terjadi dan mengawal hala tuju pembangunan yang dilaksanakan demi menjaga kemaslahatan bermasyarakat dan bernegara. Pada hakikatnya, Al-Quran dapat mengawal pembangunan yang dilakukan supaya pembangunan tersebut tidak tertumpu kepada kebendaan sahaja dan dapat memberi manfaat bagi kita di dunia dan juga di akhirat. Apa yang penting ialah kita semua mesti percaya dan memahami hikmah daripada apa yang telah Allah syariatkan kepada kita di muka bumi ini iaitu percaya bahawa apa yang disyariatkan itu membawa kebaikan dan kemakmuran.

Di Brunei ada beberapa teori yang telah dikemukakan dan dilakarkan oleh para cendekiawan mengenai MIB dan fungsinya. Teori pertama melakarkan MIB di dalam bentuk bulatan yang diperkenalkan oleh Haji Duraman Bin Tuah (2011). Di dalam teori ini, beliau membahagikan MIB menjadi tiga lapisan. Lapisan pertama merupakan bahagian luar bersaiz terbesar iaitu Islam. Fungsinya ialah mengawal lapisan kedua yang bersaiz sederhana iaitu Beraja dan diikuti pula lapisan ketiga yang bersaiz paling kecil yang berada di bahagian dalam iaitu Melayu. Teori ini membei maksud bahawa segala aktiviti yang berkaitan dengan pengucapan, perancangan dan pelaksanaan mengenai kepentingan orang Melayu dari segi pemerintahan dan pentadbiran Negara Brunei Darussalam tertakluk kepada ajaran, prinsip dan nilai-nilai Islam. Manakala teori kedua pula melakarkan MIB di dalam bentuk sel hidup yang diperkenalkan oleh Pehin Haji Abdul Aziz Umar (1992). Di dalam teori ini, beliau menggambarkan MIB berada dalam tiga lapisan. Lapisan luar iaitu Beraja, lapisan tengah iaitu Melayu dan lapisan dalam iaitu Islam. Teori ini memberi maksud bahawa Beraja merupakan sel penting dalam MIB, Islam sebagai nucleus kerana tanpa nucleus MIB akan lumpuh dan tidak berfungsi. Manakala melayu bertindak sebagai protoplasm (pembekal dan

pengeluar makanan) bagi melaksanakan fungsi sistem Beraja dan Islam supaya ia mencapai objektif-objektif MIB.

Apa yang dapat kita lihat dan fahami ialah kedua-dua teori ini mengutamakan Islam dengan meletakkan Islam di posisi yang penting untuk mengawal dan memandu hala tuju masyarakat dan raja. Ini kerana mereka percaya bahawa MIB tidak akan mampu bergerak dan berfungsi secara bersepadu jika Islam diketepikan atau tidak diutamakan, apalagi untuk menjadi dasar di dalam membina pembangunan yang seimbang dan bersepadu. Keutamaan Islam di dalam MIB berkait rapat dengan teori umran yang juga mengutamakan Islam di dalam semua aspek sama ada dari segi politik, ekonomi, sosial dan alam sekeliling. Tanpa Islam, teori umran juga tidak akan mampu bergerak dan berfungsi secara bersepadu apalagi untuk menjadi acuan di dalam membina pembangunan yang bersepadu.

Apa yang kita dapat sepakati diantara MIB dan teori umran ialah persamaan di dalam mengutamakan Islam kerana persamaan inilah kita cuba menerapkan pembangunan Islam melalui teori umran sebagai acuan pembangunan di Brunei. Perbezaan semestinya ada tetapi carilah persamaan terlebih dahulu kerana persamaan akan membawa kepada perpaduan dan perbezaan yang berlebihan akan membawa kepada perpecahan. Mungkin ada perbezaan yang terjadi tetapi perbezaan itu akan dapat diatasi jika melihat kepada kemaslahatan yang bersepadu. Ini jelas menunjukkan bahawa Islam mengajak semua lapisan manusia di dunia ini untuk bersatu di dalam mewujudkan kemakmuran dan kesejahteraan alam sejagat.

Kita akan menerangkan secara berperingkat hubungan falsafah MIB dan teori Umran yang mana perkara ini terjadi tanpa kita sedari. Kita melihat semua ini mengikut urutan keutamaan dan bukannya daripada urutan kronologi.

Peringkat pertama: Pembentukan

Pembentukan rangka ini bermula daripada perkataan Melayu Islam Beraja itu sendiri secara automatik telah bertindak membentuk rajah atau rangka segi tiga. Semua ini terhasil apabila Islam diutamakan, diangkat martabatnya dan digunakan sebagai teras di dalam semua perkara untuk menjaga kemaslahatan bangsa, raja dan negara. Manakala masyarakat Melayu dan Raja diletakkan secara sejajar untuk menzahirkan dasar kerjasama dan perpaduan diantara keduanya kerana pada hakikatnya kita semua adalah hamba Allah Subhanahu Wata'ala yang diamanahkan untuk memakmurkan bumi ini tetapi apa yang membezakan hanyalah peranan di antara masyarakat melayu dan Raja iaitu Raja bertindak sebagai peneraju manakala masyarakat pula

bertindak sebagai pengerak. Ini dikaitkan dengan firman Allah Subhanahu Wata'ala dalam surah al-Baqarah ayat 138:

(صِبْغَةَ اللَّهِ وَمَنْ أَحْسَنُ مِنَ اللَّهِ صِبْغَةً وَنَحْنُ لَهُ عِبْدُونَ)

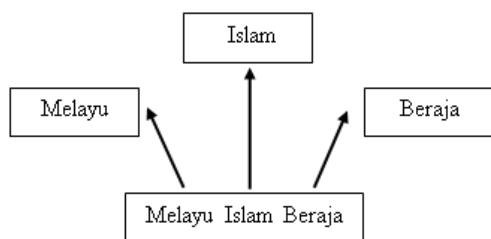
Maksudnya: "(Agama yang disampaikan kepada nabi-nabi) ialah celupan Allah (yang telah sebatu mencorakkan hidup kami). Dan siapakah yang lebih baik celupannya daripada Allah? Dan hanya kepadaNYA kami beribadat".

Apa yang dimaksudkan disini ialah Allah Subhanahu Wata'ala sudah menyediakan acuanNya yang tersendiri yang namanya di dalam al-Quran disebut celupan Allah (صِبْغَةَ اللَّهِ). Acuan ini semestinya Islam dan konsepnya umum dan terbuka serta boleh digunakan di dalam semua aspek dan bidang termasuk pembangunan kerana acuan ini sifatnya sempurna dan semestinya mampu menjaga kemaslahatan semua tidak kira agama, bangsa dan negara serta mampu mewujudkan kemakmuran sejagat yang dinamik selagi mana apa yang hendak dilakukan itu selari dengan hukum dan peraturan Allah. Inilah sebab utama raja dan masyarakat Brunei menjadikan Islam sebagai teras iaitu kepercayaan Raja dan masyarakat Brunei tentang acuan Allah yang disalurkan melalui Islam adalah sebaik-baik acuan dan akan mampu menjamin dan memelihara kemakmuran dan kesejahteraan sejagat.

Contoh: Pembangunan Nabi Muhammad SAW yang beracukan pembangunan Islam iaitu acuan yang disediakan oleh Allah Subhanahu Wata'ala. Bukti sejarah telah banyak menunjukkan bahawa pembangunan yang dilaksanakan oleh Nabi Muhammad SAW adalah bersepadu dan dasar utamanya ialah Islam. Ini kerana dengan wujudnya kemakmuran yang dapat dinikmati oleh semua lapisan masyarakat tidak kira agama, bangsa, suku kaum, warna kulit dan seumpamanya. Kemakmuran ini terhasil kerana Baginda Nabi Muhammad SAW mengutamakan Islam di dalam semua perkara dan Baginda juga meletakkan kedudukan diri baginda yang bertindak sebagai peneraju sejajar dengan kedudukan masyarakat pada masa itu yang bertindak sebagai pengerak untuk menzahirkan dasar bekerjasama dan bersatu-padu di dalam semua perkara.

Ini menunjukkan bahawa dasar negara iaitu falsafah MIB bukan falsafah kosong tetapi falsafah yang mengambil pendekatan dengan mencontohi dasar pembangunan Nabi Muhammad SAW iaitu mengutamakan nilai-nilai Islam dan falsafah ini dibentuk mengikut kesesuaian calak Brunei yang beridentitikan masyarakat Melayu Brunei dan Sistem Beraja tetapi tetap sahaja mengutamakan Islam untuk dijadikan panduan dan rujukan. Untuk lebih jelas lagi, dibawah ini dilakarkan bagaimana falsafah

MIB itu membentuk rangka konsep segi tiga mengikut urutan keutamaan dan bukannya urutan kronologi:



Peringkat kedua: Interaksi

Interaksi sangat diperlukan di dalam kehidupan bermasyarakat, beragama dan bernegara kerana tanpa interaksi pembangunan tidak akan mampu dibina apalagi dimajukan. Interaksi ini pelbagai sama ada melalui percakapan, perbuatan, idea dan seumpamanya. Secara tidak langsung, apabila ketiga-tiga ini (Melayu Islam Beraja) berinteraksi satu sama dengan yang lain maka terhasillah bentuk segi tiga seperti konsep yang digunapakai teori umran. Interaksi ini penting di dalam semua perkara termasuk juga falsafah kerana falsafah MIB ini menjadikan Islam sebagai nadi dan nyawanya untuk menggerakkan raja dan masyarakat Brunei. Tanpa nadi dan nyawa, MIB tidak akan mampu bergerak dan berfungsi dengan bersepadu apalagi untuk membina kemakmuran. Sebab utama keutuhan bagi kedaulatan sistem beraja di Brunei ialah apabila Sultan itu sendiri menjadikan Islam sebagai panduan dan rujukan di dalam mentadbir negara Brunei dan rakyatnya. Begitu juga dengan masyarakat di Brunei, perpaduan yang terjalin tanpa mengira agama dan bangsa ini adalah berpandukan Islam kerana melalui sistem akhlak Islam yang diterapkan telah mewujudkan kemakmuran dan kesejahteraan bermasyarakat.

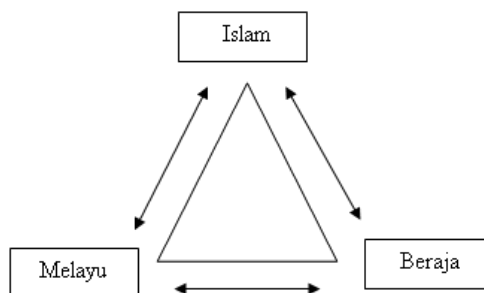
Melalui interaksi ini, maka wujudlah satu kaedah yang bersepadu yang mana konsep segi tiga ini juga dijadikan konsep bagi teori umran. Menurut Prof. Madya Dr. Hashim Bin Haji Abdul Hamid (2003) melalui Islam di Brunei Darussalam: Satu analisis Sosio-Budaya, beliau juga melihat MIB dalam rajah bersepadu iaitu segi tiga. Beliau berpendapat bahawa konsep Melayu Islam Beraja itu satu komponen bersepadu tetapi Islam mempunyai kedudukan utama dan seterusnya berposisi sebagai pengimbang kepada unsur kebangsaan dan kepimpinan. Kedudukan Islam dalam gambar rajah segi tiga yang beliau lakarkan menunjukkan bahawa Islam itu lambang dan motto dan dipraktikkan sebagai unsur pemutus dasar dan amalan dalam semua kegiatan. Melalui kaedah bersepadu inilah falsafah MIB mempunyai hubungannya dengan teori umran iaitu tidak mengabaikan hubungan manusia dengan Allah (Islam) dan hubungan manusia dengan manusia (masyarakat Melayu dan raja) serta

hubungan manusia dengan alam (Negara Brunei). Dengan terjalinnya tiga hubungan ini, maka kemaslahatan raja dan semua lapisan masyarakat tidak kira bangsa dan agama akan terjamin.

Dengan menjadikan teori umran sebagai acuan adalah dilihat bersesuaian kerana falsafah MIB dan teori umran sememangnya mengutamakan Islam di dalam semua perkara demi menjaga kemaslahatan semua. Falsafah MIB tidak dapat berfungsi tanpa Islam, begitu juga dengan teori umran kerana kedua-duanya menjadikan Islam sebagai nadi utama di dalam mengerakkannya. Penerapan teori umran yang bertindak sebagai acuan sama sekali tidak menggugat falsafah MIB itu sendiri malah menguatkan lagi falsafah MIB yang bertindak sebagai dasar negara. Di dalam konteks teori umran, konsep segi tiga yang digunakan untuk MIB ini bertindak sebagai kaedah yang menunjukkan bahawa Islam yang ada di dalam falsafah MIB itu diutamakan dan diletakkan diatas sekali yang bertindak sebagai pengawal, pemandu dan pelindung kepada raja dan rakyat Brunei secara khususnya dan negara Brunei secara amnya.

Contoh: Interaksi yang diterapkan oleh Nabi Muhammad SAW kepada masyarakat pada zaman Baginda sangat bersepadu. Ini kerana baginda Nabi Muhammad SAW berinteraksi dengan mengutamakan Islam di dalam setiap tindak-tanduknya yang akhirnya menghasilkan atau mewujudkan ketaatan dan kepatuhan kepada Allah, prinsip taat-setia kepada Nabi dan perpaduan di kalangan masyarakat pada ketika itu. Ini menunjukkan bahawa interaksi yang wujud di dalam falsafah MIB yang mengutamakan Islam sememangnya mampu mewujudkan ketaatan dan kecintaan kepada Allah Subhanahu Wata'ala dan Nabi utusanNya, keadilan raja kepada rakyatnya, taat-setia rakyat kepada raja, kerjasama dikalangan raja dengan rakyat serta kerjasama diantara rakyat dengan rakyat yang akhirnya mewujudkan kesepaduan diantara raja dan rakyat.

Untuk lebih jelas lagi, digambarkan rajah untuk melihat interaksi yang terjalin di dalam falsafah MIB yang membentuk konsep segi tiga yang mampu mewujudkan dasar negara yang bersepadu:



Peringkat ketiga: Jaminan

Jaminan yang dimaksudkan disini lebih menjurus kepada natijah daripada pelaksanaan falsafah MIB beracukan teori 'umran yang mengutamakan Islam di dalam semua perkara dan interaksi yang wujud diantara rakyat, raja dan Islam. Falsafah MIB merupakan falsafah yang saling lengkap melengkapi antara satu dengan yang lain yang perlu disadari dan dihayati oleh generasi muda dan generasi yang akan datang. Ini kerana generasi muda dan generasi yang akan datang merupakan penerus kepada pengukuhan falsafah MIB ini untuk digunakan di dalam semua aspek dan bidang. Tujuan utama falsafah MIB ini diwujudkan ialah untuk menjadi dasar yang bertindak sebagai penyelamat bangsa dan negara serta ugama iaitu dalam kata lain boleh diertikan sebagai tempat kembali atau berpaut jika tersesat.

Pendekatan falsafah MIB yang diterapkan melalui teori 'umran akan dapat menzahirkan dasar saling hormat-menghormati, memelihara perhubungan persahabatan dikalangan antarabangsa, kedaulatan dan keutuhan wilayah serta perpaduan sejagat yang akhirnya memberi jaminan ketenteraman dan keselamatan bernegara serta jaminan kebajikan dan kebahagiaan rakyat. Ini semua adalah jaminan atau natijah daripada falsafah MIB yang mengutamakan Islam iaitu rakyat dan raja berpegang teguh kepada Islam. Jaminan keamanan dan kesejahteraan yang wujud sehingga sekarang ini adalah hasil daripada kesatuan rakyat dan raja yang mendukung Islam di dalam semua tindak-tanduk mereka. Tanpa Islam, jaminan kesejahteraan dan keamanan ini tidak akan wujud kerana pemberi keamanan dan kesejahteraan ialah Allah Subhanahu Wata'ala. Bagaimana sesebuah negara itu boleh dikatakan aman, damai dan sejahtera jika mereka mengabaikan hubungan dengan Allah Subhanahu Wata'ala. Ini jelas menunjukkan bahawa sebuah negara yang membangun belum pasti di dalamnya wujud keamanan, kemakmuran dan kesejahteraan tetapi sebuah negara yang aman makmur pasti wujud di dalamnya sebuah negara yang membangun.

Contoh; Semua ini telah dibuktikan oleh Nabi kita Muhammad SAW sendiri iaitu melalui keamanan dan kesejahteraan bernegara, berbangsa dan beragama pada ketika itu. Ini semua terjadi kerana Baginda mengutamakan Islam dan menerapkan nilai-nilai Islam di dalam semua aspek iaitu menjaga dan memelihara hubungan manusia dengan Allah, hubungan manusia dengan manusia dan hubungan manusia dengan alam. Manakala hasil daripada itu, Allah Subhanahu Wata'ala telah memberi jaminan keamanan dan kesejahteraan yang mana keamanan dan kesejahteraan itu wujud sehingga sekarang ini. Kesejahteraan dan keamanan ini telah menunjukkan bahawa baginda sememangnya sudah mewujudkan sebuah negara yang membangun sama ada dari segi rohani mahupun jasmani.

Falsafah MIB yang mengutamakan Islam berperanan sebagai dasar negara telah diberi jaminan oleh Allah Subhanahu Wata'ala iaitu Islam bertindak sebagai pengawal, pemandu dan pelindung kepada raja dan rakyat di dalam semua aspek yang mana secara perlahan-lahan telah mewujudkan ketaatan dan kecintaan kepada Allah Subhanahu Wata'ala dan Nabi utusanNya, keadilan raja kepada rakyatnya, taat-setia rakyat kepada raja, perpaduan dikalangan rakyat yang akhirnya menghasilkan natijah yang besar seperti natijah yang dinyatakan di dalam teori 'umran iaitu kemakmuran dan kesejahteraan bernegara, berbangsa dan beragama bagi semua lapisan rakyat dan negara. Semua ini adalah berkat daripada falsafah MIB yang diterapkan melalui nilai-nilai Islam iaitu menjaga hubungan dengan Allah Subhanahu Wata'ala di dalam semua aspek dan bidang sama ada politik, ekonomi dan sosial. Ini bersesuaian dengan sebuah hadis yang diriwayatkan oleh Imam At-Tirmidzi di dalam bukunya sunan at-Tirmidzi:

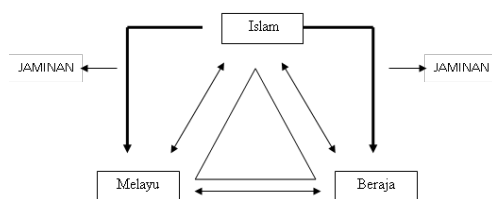
عبدالله بن عباس رضي الله عنهما قال : كنت خلف النبي صلى الله عليه وسلم يومان فقال : ((يا غلام، اني أعلمك كلمات، احفظ الله يحفظك، احفظ الله تجده تجاهك، إذا سألت فسال الله، وإذا استعنت فاستعن بالله، واعلم أن الأمة لو اجتمعت على أن ينفعوك بشيء لم ينفعوك إلا بشيء قد كتبه الله لك، وإن اجتمعوا على أن يضروك بشيء لم يضروك إلا بشيء قد كتبه الله عليك، رفعت الأقالم وجفت الصحف))⁷.

Maksudnya: "Dari Abul Abbas Abdullah bin Abbas Rhadiallahu 'anhuma ia berkata : Saya pernah di belakang Rasulullah Shallallahu 'alaihi wa Sallam pada suatu hari. Kemudian Baginda bersabda : Wahai anak! Saya ajarkan kepadamu beberapa ayat : Jagalah Allah niscaya Allah akan menjagamu, jagalah Allah niscaya engkau mendapatiNya di depanmu, ketika engkau memohon maka memohonlah kepada Allah, dan jika engkau meminta pertolongan maka memintalah pertolongan kepada Allah, dan ketahuilah bahawa seandainya umat bersatu untuk memberikan manfaat kepadamu dengan sesuatu, niscaya mereka tidak sanggup memberikan manfaat kepadamu kecuali dengan sesuatu yang telah ditentukan Allah kepadamu. Dan jika mereka bersatu untuk mencelakakanmu dengan sesuatu, niscaya mereka tidak sanggup mencelakanmu dengan sesuatu, niscaya mereka tidak sanggup mencelakakanmu kecuali dengan sesuatu

⁷ At-Tirmidzi. Isa Bin Saurah. (1423H/2002M). *Sunan At-Tirmidzi*. Beirut: Dar El-Marefah. No. Hadith: 2516. Hlm. 983. (Hasan Sahih).

yang telah ditentukan Allah kepadamu.
Telah diangkat pena dan tinta telah kering”.

Untuk lebih jelas lagi, dilakarkan rajah bagi natijah daripada pembentukan MIB beracukan Islam melalui teori 'umran yang mengutamakan nilai-nilai Islam dan interaksi raja dan masyarakat Brunei dengan Islam iaitu tidak mengabaikan hubungan dengan Allah Subhanahu Wata'ala, maka jaminan yang Allah berikan kepada bumi Brunei ialah keamanan, kesatuan, kesepaduan, ketaatan, kesejahteraan dan kemakmuran.



Kesimpulan

Kesinambungan yang terdapat di dalam falsafah Melayu Islam Beraja telah menjadikan MIB ini sifatnya universal, unik, dinamik dan bersepadu. Peranan falsafah MIB sebagai dasar negara sememangnya mampu mewujudkan pembangunan bersepadu yang bersesuaian dengan identiti calak kebruneian dan sistem pemerintahan beraja serta tidak bercanggah dengan hukum dan peraturan yang telah ditetapkan oleh Allah Subhanahu Wata'ala. Penerapan Islam yang begitu padu dan tinggi di dalam falsafah ini mampu menentukan hala tuju Brunei untuk menjadi sebuah negara zikir iaitu mengimbangi di antara duniawi dan ukhrawi serta mampu mewujudkan kesepakatan dan kesepaduan di antara raja dan rakyat. Penerapan falsafah MIB di dalam semua aspek dan bidang adalah satu langkah bijak yang dibuat oleh kerajaan Brunei untuk memastikan lagi pembangunan yang dilaksanakan itu seimbang dan tidak bercanggah dengan hukum dan peraturan Allah Subhanahu Wata'ala. Falsafah MIB yang bertindak sebagai dasar negara dan teori umran sebagai acuan pembangunan negara akan dapat mengukuhkan lagi peranan MIB itu sendiri dan dapat menzahirkan lagi nilai-nilai Islam yang sebenar, mengekalkan jati diri dan calak identiti kebruneian serta keutuhan sistem pemerintahan beraja. Pengukuhan MIB yang beracukan Islam melalui teori umran mestilah disemai dan ditanai bersama-sama oleh semua lapisan masyarakat terutama generasi yang akan datang bagi meraih keredhaan yang hakiki daripada Allah Subhanahu Wata'ala untuk di dunia mahupun di akhirat.

Bibliografi

- Mushaf Brunei Darussalam dan Terjemahannya* (1435/2014). Brunei: Pusat Da'wah Islamiah.
- Al-Bukhari. Muhammad bin Ismail. (2012). *Sahih al-Bukhari*. Jordan: Bait Afkar Al Dawliyyah.
- At-Tirmidzi. Isa Bin Saurah. (1423/2002). *Sunan At-Tirmidzi*. Beirut: Dar El-Marefah.
- Abd al-Sallam Harun. (1960-1961). *Al-Mu'jam al-Wasit*. Mesir: Majma' al-Lughah al'Arabiyah. Jilid 2.
- Ibn Khaldun. Abd Rahman. (1993). *Muqaddimah Ibn Khaldun*. Beirut: Dar al-Kutub al-Ilmiyyah.
- Ibn Katsir. Ismail bin Umar bin Kasir. (2004). *al-Bidayah wan-Nihayah*. Jordan: Bait Afkar al-Dawliyyah.
- Muhammad al-Ghazali. (1428/2008). *Fiqh Sirah*. Al-Iskandariah: Dar al-Da'wah.
- Muhammad al-Ghazali. (1428/2007). *Khulku al-Muslim*. Damsyik: Dar al-Kalam.
- Muhammad bin Abd Wahab. (1418). *Mukhtasar Sirah ar-Rasul*. Saudi Arabia: wizarah shu-uni al-Islamiyyah wa al-Awqaf wa al-Da'wah wa al-Irsyad.
- Al-Buthi. Muhammad Sa'id Ramadhan. (1435/2014). *Fiqh Sirah An-Nabawiyah*. Damsyik: Dar al-Fikr.
- Mahayudin bin Haji Yahaia. (2014). *Teori Umran Ibn Khaldun*. Brunei: Pusat Da'wah Islamiah.
- Mahayudin bin Haji Yahaia. (2013). *Umran Alam Wadah Pembangunan Ummah*. Brunei: Unissa Press.
- Mahayudin bin Haji Yahaia. Jilid 1 (2015) & Jilid 2 (2016). *Ensiklopedia Negara Zikir*. Brunei: Unissa Press.
- Mahayudin bin Haji Yahaia. (2016). *Teori Pembangunan Moden Dan 'Umran: Suatu Kajian Perbandingan Ke Arah Kemakmuran Negara*. Unissa: ICON IMAD.
- Pehin Jawatan Dalam Seri Maharaja Dato Seri Utama Dr. Mohd. Jamil Al-Sufri. (2001). *Tarsilah Brunei: Sejarah Awal dan Perkembangan Islam*. Brunei: Pusat Sejarah Brunei.
- Pehin Jawatan Luar Pekerma Raja Dato Seri Utama Dr. Ustaz Haji Mohd Zain bin Haji serudin. (2013). *Anugerah kefahaman Melayu Islam Beraja*. Brunei: Dewan Bahasa dan Pustaka.
- Hashim Bin Haji Abdul Hamid. (2003). *Islam di Brunei Darussalam: Satu analisis Sosio-Budaya*. Brunei: Jabatan kesusteraan Melayu UBD.
- Hajah Noor Hira binti Haji Noor Kaseh. (1437/2016). *Raja Berdaulat Negara Berkat*. Brunei: Pusat Da'wah Islamiah.
- Danial Zainal Abidin. (2009). *7 Formula Individu Cemerlang*. Kuala Lumpur: PTS Millenia Sdn. Bhd.

- Dasar dan Strategi Pembangunan Negara Zikir.*
(2015). Brunei: Unissa Press.
- Menghayati Pemahaman Melayu Islam Beraja.*
(2016). Brunei: Unissa Press.

علم العمران، أصوله وفروعه ومصادره وعلاقته بالدين الإسلامي

محي الدين بن الحاج يحيى

كلية إدارة التنمية الإسلامية

جامعة السلطان الشريف علي الإسلامية

Mahayuddin.yahaia@unissa.edu.bn

Vol.1, Issue 1 | January 2018

الكلمات المفتاحية

العمران، المجتمع، البيئة،
الحضارة، الإسلام

الخلاصة

العمران هو مفهوم العلم الذي صمّمه ابن خلدون لمعالجة مشاكل المجتمع والدولة لغرض التنمية بالمعنى الحقيقي. في نفس الوقت يحاول تحويل الرأي العام، وخاصة الفلاسفة والمؤرخين من أجل أن يرى ويعيد النظر في الأسباب الحقيقية للمشكلة فيما يتعلق بتأثير ونفوذ الثقافة والبيئة على حياة الناس اللتين تم تجاهلهما. تأثير الثقافة ونفوذها المستمر فهي متجذرة بعمق في المجتمع، فضلا عن تغير المناخ لإحداث ما يؤدي إلى تغيير الناس أيضا. ويستند كل تغيير في القوانين والأنظمة إلى هذا التغيير. هذا هو ما يسمى طبيعة العمران (قانون المجتمع) وطبيعة الكون (القوانين الطبيعية) التي لم تتم دراستها ولم تعرف إلى الآن. وهذا هو السبب الذي جعل الناس لا يزالون واقعين فريسة للحياة المادية المدنيّة والحضريّة التي جرفتنا شوطا طويلا دون إجراء أية تغييرات.

KEYWORDS

`umran, community,
environment, civilization,
Islam

ABSTRACT

`Umrān is a scientific term which was designed by Ibn Khaldun aiming at taking up problems faced by the community and nation. This study attempts to underscore the meaning of the term “Umrān” aiming to achieve the real sense of development of the nation. At the same time, to change the public opinions especially the philosophers and historians to reconsider the effect of cultural and environmental aspects in human life which has been ignored. The effect of culture and climate upon society has been predominantly rooted, and the law and culture of the community would be changed accordingly. This came to be known as “the law of society” and “the law of nature” which have not being studied and still unknown until presently. As a result, the society are victimized by materialistic minded posed by civilization and urbanization and continued to be unchanged until today.

التمهيد

الأساسية الكافية. ومع ذلك، فإنه لا يزال موصوفا بالعمراني في السياق الثقافي الذي يتضمن اللغة والدين والأخلاق التي تكون دليلا على الحياة العمرانية. ومع ذلك فإن حالتهم قد تتحول إلى المجتمع المتحضر من خلال جهودهم الذاتية أو من خلال مساعدة من الناس الذين ينتقلون إلى منطقتهم.

المجتمع المتحضر في نظر ابن خلدون هم الناس الذين عاشوا في المنطقة التي طورت المشاريع الزراعية والصناعية، والتي تسمى قرية أو مصر (المدينة). والتجمع من عدة قرى وأمصار يشكل مساحة أكبر وأكثر تقدما تعتبر من قبله البلاد (المحلية) أو الدولة. والجمع بين جميع البلدان المعروفة باسم العالم. الازدهار في المستوى العالمي هو ما يسمى عمران العالم (الازدهار العالمي) الذي يحاول أن يقدمه ابن خلدون للعالم في مقدمته.

1. التعاريف

كلمة عُمران جَدْرُها (عَمَرَ) يعني الوفرة والازدهار بسبب وجود كثير من السكان ومن الشركات والصناعة والزراعة⁽¹⁾. ومن نفس الجذر ظهرت كلمة عامر ومعمور، مما يعني أن في المنطقة عديدا من السكان، وعالم مزدهر ومثقف لتعاون المجتمع وتوافقه والعدالة في الحكومة. وتدل عموما من حيث اللغة إلى حالة وجود آمن مزدهر، متقدم، ومتعلم، أثرياء، أغنياء، ومن حيث عدد السكان، لديهم وظائف في الدولة وعدم البطالة⁽²⁾.

الحمد لله القائل: وَإِلَى ثَمُودَ أَخَاهُمْ صَالِحًا قَالَ يَنْقُومِ أَعْبُدُوا اللَّهَ مَا لَكُمْ مِنْ إِلَهٍ غَيْرُهُ وَهُوَ أَنْشَأَكُمْ مِنَ الْأَرْضِ وَاسْتَعْمَرَكُمْ فِيهَا فَاسْتَغْفِرُوهُ ثُمَّ تَوْبُوا إِلَيْهِ إِنَّ رَبِّي قَرِيبٌ مُجِيبٌ، والصلاة والسلام على رسول الله وعلى آله وصحبه ومن والاه.

في مقدمة ابن خلدون، بداية من الفصل الأول إلى الفصل السادس، والفصل الأخير كَرَّرَ ابن خلدون كلمة العمران أكثر من 225 مرة، بما في ذلك عناوين المطالب في الفصل. من هذا التكرار يبين أن للعمران فرعين رئيسيين هما الحضارة والثقافة. كما ترتبط كل فروع العمران بالتاريخ الذي سار عليه البشر. وفي حين أن هناك جهود لفصل العمران عن الحضارة، والثقافة والتاريخ، ولكن في الواقع يؤكد إن هناك مرحلتين. المرحلة الأولى العمران الثقافي (العمران البدوي) والمرحلة الثانية العمران الحضري. فهما مترابطتان على حد سواء ومكملتان لبعضها البعض من خلال سلسلة من الأحداث.

وفقا لما يراه ابن خلدون، نرى أن المجتمع ليس جامدا بل يتحرك ويتطور من مجموعات صغيرة إلى مجموعات أكبر من المجتمع البدائي (البدوي) إلى المجتمع المدني (الحضاري)، ومن المجتمع المتحضر إلى المجتمع العمراني. والمجتمع العمراني يتمتع بكل جانب من جوانب الحياة المادية والعقلية والروحية.

⁽¹⁾عبد السلام هارون، المعجم الوسيط، ج2، مجمع اللغة العربية، القاهرة، 1961، ص632-633

⁽²⁾عبد السلام هارون، المعجم الوسيط، ج2، مجمع اللغة العربية، القاهرة، 1961، ص632-633

والمقصود بالضروري عند الفقهاء هو الاحتياجات الأساسية مثل الدين والحياة، والفكر والنسب والممتلكات. كما شُبِّهَ الحاجي بقصر الصلاة والإفطار للمسافر. والكمالي هو مكمل للحاجي وليس بالضروري قضاؤه في حياة الإنسان، ولكن إذا حصل بعد ذلك تكون مرحلة من مراحل الحياة أكثر راحة وفضلاً؛ مثل العادة الجيدة والمفيدة⁽⁶⁾. قد عدل ابن خلدون هذه الطريقة في مجال الحياة العامة بداية من المجتمع البدوي المتكون من الذين يعيشون في الصحراء، وهو العمران البدوي الضروري للطبقة المتوسطة من الناس إلى الطبقة العليا أو الطبقة الحاكمة، الأرستقراطية، العمران الحضري الكمالي.

ثم بيّن ابن خلدون نطاق العمران، وهو العمران البشري والاجتماع الإنساني الذي يحتوي على ثلاثة أمور، (العمران)، و(الاجتماع) و(البشر/الإنسان). إذا تمّ سرد كل الثلاثة أصبحت عمرانا وهي نتيجة التعاون بين الشعوب. وذكر أيضا تاريخ نشأة العمران وكيف يحدث مزيجا من هذه المصطلحات التي تشكل العمران.

2. أصول العمران:

العمران مصطلح جديد ومعقد. جديد في مجموعة العلم ومعقد من حيث اللغة والاصطلاح. تم عرضه لأول مرة من قبل ابن خلدون في القرن الرابع عشر الميلادي في كتابه "المقدمة". وكثير من الناس لا يعرفونه ولا يُستخدَم كثيرا، بل لم يُستخدَم قط في اللغة اليومية. ويعتبر ذلك "معقد" من حيث اللغة والمصطلحات لمختلف المعاني والأغراض التي يشملها.

من حيث المصطلحات، لها عدة معان على حسب الأمثلة المشار إليها في المقدمة. وتستمد هذه المعاني من الكتاب الأول بعنوان في طبيعة العمران في الخليفة (قانون العمران في العالم). بداية من كلمة (التاريخ)، يليه (الاجتماع الإنساني) وينتهي بكلمة (العمران) وهذه الكلمات الثلاث لا هواده فيها وتحدد معنى الاصطلاح. كما قال ابن خلدون إن التاريخ "خبر عن الاجتماع الإنساني الذي هو عمران العالم"⁽³⁾.

ووفقا له، فإن العمران بُني على ثلاثة مبادئ، وهي التاريخ (الوقائع التاريخية)، والاجتماع الإنساني (التعاون بين أعضاء المجتمع) والكون (طبيعة الكون)⁽⁴⁾. فهذه العناصر الثلاثة تتفاعل مع بعضها البعض من خلال العصبية حتى تنشئ الدولة والازدهار (العمران). يُعرف ابن خلدون العمران بأنه "ظاهرة اجتماعية يقودها مجموعة من الناس الذين يتعاملون ويتحدون في المناطق الحضرية أو الريفية في البلاد المستقلة لغرض تلبية احتياجات حياة مزدهرة وروحية كانت أم مادية تسترشد بالدين والأخلاق والقوانين واللوائح الطبيعية وخلق الإنسان من الله"⁽⁵⁾

وتتولد هذه الحالة من ثلاث مراحل: الضروري، والحاجي والكمالي. وأخذت هذه المصطلحات من مصطلحات أصول الفقه.

(3) عبد الرحمن بن خلدون. (1993). مقامة ابن خلدون. بيروت: دار الكتب العلمية. ص 27

(4) محمد سعيد رمضان البوطي. منهج الحضارة الإنسانية في القرآن. بيروت. دار الفكر. 1998. ص 19-20.

استخدم البوطي كلمة الحضارة بدلا من العمران.

(5) محمد عابد الجبري. فكر ابن خلدون العصبية والدولة. بيروت. مركز الدراسات الوحدة العربية. ط 5. ص 132-138. ص 294.

(6) محمد عابد الجبري. مرجع سابق. ص 294.

المتنوعة ولها سمات الكمال كالاتحاد، ومساعدة بعضهم بعضاً والولايات المتحدة⁽⁸⁾.

ورأي الفارابي مطابق لمعنى كلمة عمران المعروفة في القواميس العربية ومقدمة ابن خلدون. وأما الفرق بينهما فهو من جهة الاصطلاح فحسب. ويستخدم الفارابي لفظ معمورة، بينما يستخدم ابن خلدون لفظ عمران. لهما نفس الأهداف والمقاصد نحو التقدم والازدهار من خلال الوحدة. مع ذلك، فإن الطريقة أو المنهج المستخدم منهما (ابن خلدون والفارابي) مختلف قليلاً. فبينما الفارابي من الفلاسفة ونفذت فلسفته لأغراض سياسية⁽⁹⁾، نرى أن الجانب الاجتماعي فيه أمر جانبي. على العكس من ابن خلدون فهو رجل اجتماع وتاريخ وأكثر دراية بكل من هاتين الدراستين. وقد حلل معنى العمران بمفهوم أوضح وأفضل.

كان الفارابي يستخدم مصطلح "المعمورة" لوصف معنى المدنية الذي يعني تقريباً نفس المعنى لكلمة العمران. ولكن يتبين من شرح ابن خلدون، أن مصطلح المدنية الذي يُستخدم من قبل الفلاسفة ومنهم الفارابي يكون وصفاً للحياة والتنمية في المدينة، وليس متساوياً في معناه بما نقله من معنى العمران. بناء على ذلك، قال ابن خلدون إن العمران علم جديد في البداية وعلى منهج جديد قائم بنفسه ويختلف عن العلوم السابقة.⁽¹⁰⁾ على سبيل المثال، كلمة "الاجتماع الإنساني" (التعاون في المجتمع) في

وكذلك من حيث المنشأ (أصل الكلمة) وتاريخ نشأتها التي لا تزال متشابهة. بل إن ابن خلدون لم يتكلم عن أصل الكلمة واستهلاك مواردها، ولكن يقارنها بكلمة مدني وهو المصطلح المستخدم من قبل الفلاسفة وذلك لشرح معنى "العمران". ثم ذهب إلى تعريف العمران والتاريخ والحضارة⁽⁷⁾. ولكن ما يشكل العنوان الرئيسي في الكتاب الأول هو طبيعة العمران في الخليقة. فثبت هنا أن العمران هو الموضوع الرئيسي في مقدمته وليست العصبية أو الدولة.

فالعمران علم ومصطلح جديد، ولكن تم رفعه من قبل أبو نصر الفارابي، وذلك باستخدام المصطلحات التي تكاد مطابقة لما قاله ابن خلدون وإن كان الغرض والتفسير مختلفين.

وفقاً لما يراه أبو نصر الفارابي حينما يتحدث عن الأسباب التي أدت إلى تشكيل المدينة أو البلد في عمله الشهير بعنوان المدينة الفاضلة، يرجع ذلك إلى التعاون والتعاقد بين أفراد المجتمع. يطرح هذا السؤال في موضوع خاص بعنوان "النقاش حول ضرورة التعاون البشري" (القول في احتياج الإنسان إلى الاجتماع والتعاون). رأى الفارابي أنه ينبغي أن يحدث التعاون والتوافق من المستوى الأدنى وهو الأسرة (المنزل)، وتليها مجموعة من عائلة (سكة)، ثم قرية (محلة)، ثم منطقة (قرية)، ثم بلدة (مدينة)، وبلدان (أمة) والأخيرة هي العالم (المعمورة) أو التي تعرف أيضاً باسم "مواطني العالم" (أهل المعمورة). يعتبر مواطني العالم عدد كبير من الدول المتقدمة (الكاملة). وهو يتألف من دول مختلفة من القبيلة والعرق والحضارة والدين واللغة والثقافة

⁽⁸⁾ انظر Idris Zakaria, *Teori Politik al-Farabi*, Dewan Bahasa dan Pustaka, Kuala Lumpur 1991, ms 33-74

⁽⁹⁾ Idris Zakaria, *Teori Politik al-Farabi*, ms xiv

⁽¹⁰⁾ عبد الرحمن بن خلدون. (1993). مقدمة ابن خلدون. مرجع سابق. ص 29.

⁽⁷⁾ عبد الرحمن بن خلدون. (1993). مقدمة ابن خلدون. مرجع سابق. ص 29.

عمران مرادفة للبشر بمعنى الإنسان، فما معنى وضع كلمتين في فقرة واحدة. أليس ذلك يدل على الإفراط أو التعدد (redundant) الذي لا ينبغي أن يحدث؟

وقد أنشأ ابن خلدون مصطلح العمران تفريقاً له عن مصطلح المدنيّة. كذلك ما حدث لمصطلح التاريخ، والاجتماع الإنساني وعمران العالم الموضوعة في جملة واحدة، فإنها من المؤكد أنها تعنى معان مختلفة تبعاً لمستواها من المظاهر، بداية من الماضي (التاريخ) إلى الحاضر (الاجتماع الإنساني) والمستقبل / المستقبل الآتي (عمران العالم).

أظهر في المثال الأخير الاختلاف في المعنى بين علم التاريخ وعلم الاجتماع وعلم العمران وفقاً لتسلسل الأحداث ووقت وجوده. تسلسل الأحداث والمستقبل هو في طبيعة قوانينه، ويجب ألا يفسر على أنه مساو لنظرية "التطور" عند شارلز داروين؛ لأن تسلسل الأحداث التي سار عليها الرجل في نظرية العمران تصف سنة الله التي يجب أن تُتِمَّ سيرها من قبل كل كائن حي مثل الإنسان والحيوان والنبات وليس نقلاً من الأنواع الحيوانية (القرود) إلى الجنس البشري كما هو موضح في نظرية "التطور الدارويني" (12)

في الواقع أن نص ابن خلدون في مقدمته أعدّ وقدم بمثل هذه الطريقة لإظهار قدرات ابن خلدون وفكره وفطنته في معالجة القضايا الاجتماعية الصعبة من خلال معرفته وخبرته الواسعة، ومن ثم فتح الطريق والمساحات وأتاح على أوسع ما يمكن للباحثين من بعده في إعادة التفكير في تفسير كلمات الحضارة، المدنيّة، التمدّن والعمران وفقاً

المدينة، وفقاً للفارابي يقتصر على التعاون بين المجتمع المحلي في المدينة، ولكن هذا التعاون عند ابن خلدون لا يقتصر على مواطني المدينة ولكن يشمل كل الناس داخل وخارج المدينة، وليس فقط بين الإنسان بل يشمل البيئة كذلك. وهذا هو الفرق بين علم "المعمورة" القديم للفارابي وعلم "العمران" الجديد لابن خلدون.

كلمة عمران تقتزن كثيراً بكلمات أخرى متشابهة في معناها. وأدى ذلك إلى بعض الخلط من الباحثين في مقدمة ابن خلدون. ولذلك قاموا بالتفسيرات والتكهنات المختلفة حول هذا الموضوع (11). ولا سيما عندما يكون هناك تداخل في المعنى بين مصطلحي "الاجتماع الإنساني" و"العمران البشري" من جهة، وبين العمران والحضارة، ثم المدنيّة والتمدّن من جهة أخرى.

كذلك ما حدث في مصطلح الخبر، والاجتماع والعمران في تعريف التاريخ "التاريخ خبر عن الاجتماع الإنساني الذي هو عمران العالم" فقد أدى ذلك إلى ظهور النقاش حول التاريخ أو المجتمع أو عمران العالم الذي أصبح التركيز الرئيسي عليه في المقدمة. ولكن ما العلاقة بين هذه الثلاثة، وما السبب في وضع التاريخ والمجتمع على التوالي مع عمران العالم؟ كل هذا له هدف وسبب من تلقاء نفسه.

ونعلم أن كل كلمة أو مصطلح في أية لغة، يدل على معنى خاص به أو دلالة. إذا كان كل مصطلح له نفس المعنى، فما فائدة إنشاء كلمة أو مصطلح؟ إذا كانت كلمة

(11) على سبيل المثال : A.Mukti Ali في كتابه Filsafat Islam Tentang Sedjarah الذي ترجم كلمة "عمران" إلى "الحضارة" ص195، 112، 77، 36، 75، 76، و"الثقافة" ص76، و"السكان" ص126، 129 و"معمور" ص128.

(12) Charles Darwin. *On the Origin of Species*

حول معنى العمران خصوصاً، تم الكشف عنه في المقدمة (الكتاب الأول في طبيعة العمران في الخليقة).

لإظهار الفرق بين معنى الاجتماع والعمران، ذكر ابن خلدون في الفصل الثلاثون، بعنوان "في أن الخط والكتابة من عداد الصنائع الإنسانية". ينص في هذا الفصل على أن "الخط واحدة من المزايا الإنسانية التي لا توجد في الحيوانات ... يتم إنتاجه من خلال التعلم والازدهار ...". (إذ الكتابة من خواص الإنسان التي يميز بها عن الحيوان ... إنما يكون بالتعليم. وعلى قدر الاجتماع والعمران (...)(14).

وإن كان لفظ الاجتماع والعمران في نفس المعنى، ووُضِعَا في عبارة واحدة، كما هو موضح سابقاً، فلا فائدة. مثال آخر يظهر به تمييز العمران بشروط أخرى قيل إنها في نفس المعنى، مثل الفرق بين العمران والنوع، في عبارته: "وأن الظلم مؤذن بخراب العمران المفضي لفساد النوع" (15).

إذا كان العمران بمعني الإنسان، كمثال نوع (الحيوانات البشرية) فيمكن أن يعتبر زائداً عن الحاجة ولا فائدة منه.

وباختصار، وإن كان هناك فرق في المعنى بين هذه المصطلحات الثلاثة التاريخ والاجتماع والعمران، إلا أن العلاقة والاتصال بين هذه الثلاثة قوية، ولا يمكن فصل بعضها عن بعض. بمعنى أن التاريخ حدث بسبب حدوث المجتمع، والعمران يحدث بسبب التعاون في المجتمع. مع ذلك، من حيث القيمة ووضع المكونات الثلاثة مختلفة تماماً. قيمة التاريخ وحاله ثابتة في الحقيقة، فقيمة الحقيقة

لمعناها الحقيقي. ونظراً لحدة تفكيره وجدنا كثيراً من الباحثين ينظرون إلى أن ابن خلدون مفكر مبدع، ومبتكر لكل الأشياء المتعلقة بذلك، ونجح في وصف هذه المصطلحات مخططاً ومنظماً من خلال إدخال العناصر الجديدة فيه بحيث يبدو المصطلح جديداً وحيوياً ويمكن تمييز العمران عما يقال من ترادف هذه المصطلحات.

ذكرنا سابقاً العلاقة والفرق بين العمران والحضارة. والآن سوف نذكر علاقة العمران بالتاريخ والاجتماع الإنساني.

وفقاً لما يراه ابن خلدون، نرى أن التاريخ يأتي نتيجة للتعاون أو الإجراءات الاجتماعية التي تؤدي إلى عمران العالم⁽¹³⁾. التاريخ أنه "خبر عن الاجتماع الإنساني الذي هو عمران العالم". وإن كان معنى التاريخ يذكر وجود علاقة وثيقة بين التاريخ والاجتماع الإنساني والازدهار (عمران العالم) التي لا يمكن فصل بعضها عن بعض، ولكن هذا لا يعني أن كل المصطلحات الثلاثة لها نفس المعنى أو ما يعادلها: لأن استخدام هذه المصطلحات يصف بناء العمران في شكل "متكامل" وفقاً لمراحل أو مراتب. بداية من تصرفات الناس، ونتيجة للتعاون بينهما خلال التعاون المتبادل والصدقة الحميمة (العصبية) التي تنشئ التاريخ وثقافة البلاد. وتنشئ كذلك من التاريخ الازدهار (العمران) في الدولة والمجتمع. ونتيجة للتعاون بين الدولة والمجتمع ينتج الازدهار العالمي (عمران العالم). والغرض من هذا التعريف بيان مدى قرب العلاقة بين التاريخ والمجتمع والطبيعة أو في السياق الأوسع للعلاقة بين الإنسان والله، والحياة والعالم.

(14) عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 328-329

(15) عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 30

(13) عبد الرحمن بن خلدون. (1993). مقدمة ابن خلدون. مرجع سابق.

ص 27.

للعمران هو الطبيعة المادية مثل الهواء والماء والتربة التي وردت في القرآن الكريم. وكذلك الموارد الاجتماعية والثقافية، بما في ذلك الدين والأخلاق والعلم؛ فالمجتمع يتصرف فقط في وظيفة المدير أو المسرح الممثل لخلق التاريخ. ولكن اللاعب الحقيقي هو الموارد من أجل إظهار القانون وحقيقة العمران. فهذا هو موضوع الاختلاف للتفسير المدني من قبل فلاسفة اليونان القدماء والعمران عند ابن خلدون. إذا كان فلاسفة اليونان القدماء يفسرون التاريخ من وجهة النظر المادية أو الحضارية للأغراض المدنيّة فقط، فإن ابن خلدون يفسر التاريخ من خلال الأخذ بعين الاعتبار موقف الجوانب المادية من الأحداث الطبيعية والأحداث الإنسانية كمصدر للعمران.

3. مصادر العمران:

وفقا لما يراه ابن خلدون، (في إشارة الى موقف المؤرخ اليوناني القلم هيرودوت وثوسيديدز) في العموم قال إن التاريخ (*historia*) يقاس من أمر خارجي (الظواهر)، كأحداث الحرب، تطور الحكومة والدولة، ولكن من الزاوية الداخلية (البواطن) أكثر من ذلك، والذي ينطوي على الخلفية والتغيرات في المجتمع، وثقافة المجتمع التي تنطوي على المعتقد الديني ويعتقد أن يكون السبب الرئيسي لهذه الأحداث التي تقع.

والشكل الأول والعام كما ذكرنا من قبل أُعْتَبِرَ أنه يشتمل في "التاريخ الخارجي"، في حين أن النموذج الثاني باسم "التاريخ الداخلي" يوصف بأنه "الأصح والتاريخ الحقيقي"⁽¹⁸⁾. ف"التاريخ الداخلي" يتطلب دراسة محددة ومتعمقة لثقافة الناس وعقليتهم من خلال المعارف المذكورة سابقا وهي علم العمران البشري والاجتماع الإنساني أو ما خلاصته "علم العمران".

ثابتة في المجتمع، فقيمة المجتمع وحاله يُنظَرُ إليها من التعاون بينهم وبين الطبيعة حولهم، وقيمة تعاون المجتمع وحاله يُنظَرُ إليها من علاقتهم بالبيئة الموضوعية في العمران الذي أصبح معيارا لنجاح المجتمع والدولة، وتشتمل على القيمة الاجتماعية والاقتصادية والسياسية. ولذلك فإن معيار نجاح المجتمع والدولة يعتمد على مدى تحقيق عمران البلاد، "دولة دون عمران مثل الكائنات غير الحية" أو "التاريخ دون الحقائق مثل الخرافات والأساطير". ونرى هنا مرة أخرى أهمية العمران لإحلال السلام والرخاء في المجتمع والدولة.

وبالإضافة إلى الموارد البشرية والتاريخية، يقول ابن

خلدون أيضا إن العوامل البيئية الحسية مثل الإقليم يجب اعتباره كمصدر وسبب لوقوع العمران وكذلك تطابقها مع الازدهار الوطني بحيث يتم حماية حياة الناس⁽¹⁶⁾

والمقصود بالإقليم هنا الهواء والماء والتربة والمراعي للماشية. وذكر في المقدمة، أن مدينة الكوفة والبصرة والقيروان في أول نشأتها لا يبدو أنها أولت احتياجات الإقليم اعتبارا. هذا هو السبب في كونها الثلاث (الكوفة والبصرة والقيروان) أقل ازدهارا. ولذلك، اقترح أن يتم استخدام العوامل الإقليمية كشرط للتخطيط العمراني لازدهار المجتمع والدولة⁽¹⁷⁾.

وفقا لما يراه لابن خلدون إن الموارد والطبيعة (قانون العمران) يبدأ من الكوارث الطبيعية (طبيعة العمران في الخليفة)، ومنها يوجد هذا الحادث. والمصدر الأول

⁽¹⁶⁾ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 283، 316

⁽¹⁷⁾ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 283

⁽¹⁸⁾ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 3-4

التوازن بين الجوانب المادية والروحية في الحياة المجتمعية للحضاريين.

لا يزال الشعب البدوي متمسكاً بالمحافظة على خصائص الحياة الصحراوية طالما أنهم في حالهم البدوي. وسوف تعرض هذه المعايير إلى المدينة لملء الفجوة التي يعاني منها الشعب الحضاري رغم أنهم من الأقوياء في النمو المادي. فاجتماع مميزات المجتمع البدوي والمجتمع الحضاري، وزيادة عنصر التعاون والتعاقد في المجتمع والدولة والصدقة الحميمة (العصبية)⁽²⁰⁾ القوية نجدها تؤدي إلى التقوية وتثبيت التوافق بين أهل المدينة.

وعن دور الاحتياجات العصبية في المجتمع والدولة نجد أنها نوقشت في نطاق واسع من قبل ابن خلدون في المقدمة، بداية من الباب الثاني (الفصل السابع) إلى (الفصل الحادي عشر)، ومرة أخرى في الباب الثالث (من الفصل الأول إلى الفصل التاسع). ومع ذلك، فإن نقاط القوة والضعف في العمران لا ترتبط بتأثير العصبية حتى قيل إن الدعوة الدينية من غير عصبية لا تتم.

بشكل عام، بمقارنة تأثير النفوذ بالعصبية الدينية يلاحظ أن التأثير الديني أكبر من ذلك بكثير. نقل ساطع الحضري عن ابن خلدون ما يلي:⁽²¹⁾

⁽²⁰⁾ العصبية هي الولاء الذي يظهره كل فرد من أفراد القبيلة أو المجموعة. تحدث العصبية على مرحلتين. أولاً، عصبية في المجموعة. والمرحلة الثانية، عصبية الجماعات ضد الحكومة. عصبية تصبغ واحدة من الركائز الأساسية لتوحيد الدولة والمجتمع.

⁽²¹⁾ ساطع الحضري. 1953. دراسات عن مقامة ابن خلدون. القاهرة. ص350.

4. نشأة العمران وعلم العمران:

رأى ابن خلدون، أن العمران يحدث ويفيد بعد التساكن والتنازل في مصر أو حلة للأنس بالعشيرة واقتضاء الحاجات، لما في طباعهم من التعاون على المعاش.⁽¹⁹⁾

بتشكل العمران وفقاً لقانون الكون، سواء ذوات الأرواح مثل البشر والحيوانات والنباتات أو ما ليس بذوات الأرواح مثل المياه والتربة والهواء. وقسم ابن خلدون العمران إلى نوعين: أولاً: العمران الحضري (في المدينة)، وثانياً: العمران البدوي (خارج المدينة). وكلا النوعين من العمران يتكون من الأحداث القانونية المختلفة.

شكل عمران البدو وفقاً للقانون الحادث والغلاف الجوي في الصحراء. ظروف المعيشة في الصحراء التي تكون في النقصان عموماً وتجعل سكانه أكثر شجاعة لمواجهة تحديات الحياة وتشمل التعامل مع العدو في المعركة. وهم أكثر أخلاقية وأكثر شفافية.

تختلف حياتهم عن الحياة في المدينة بحيث تكون الظروف المعيشية فيها أكثر راحة وفاخرة مع ثروتها الوفيرة التي تسبب خوف سكان المدينة من مواجهة العدو في الحرب خوفاً من الخسائر في الأرواح والممتلكات. فهذه الكماليات والتكاثر تسبب لهم التفريط والنسيان وليس عندهم الوقت الكافي للوفاء بالتزاماتهم الدينية والتفرغ لجمع الكنوز وانخفاض الروح المعنوية لأن ذلك راجع إلى الحياة بإيقاع المدينة المجهضة بعناصر الترفيه. وبحدوث هذه العوامل، وتفقد المعايير الدينية والأخلاقية. فتؤدي إلى فقد

⁽¹⁹⁾ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص31

وهذا يعني أن الدين والأخلاق هما المحركان لل عمران، وليست العصبية. وبعبارة أخرى، وإن كانت الصداقة الحميمة أو عصبية المجتمع سببين من أسباب تقوية الدولة، إلا أنه بسبب عدم وجود الدين والأخلاق، فعاجلا أو آجلا سيصبح المجتمع والبلد ضعيفا فتحدث الفرقة والفساد.

5. علم العمران:

قد وُجد كثير من الأسماء والألقاب التي قدمها الباحثون لكتاب ((مقدمة ابن خلدون)) لتسمية العلم الذي قدمه ابن خلدون، على الرغم من أنه نفسه قد سمى علمه في بداية الكتاب، وهو علم العمران البشري⁽²⁴⁾. ويمكن ترجمته إلى "علم الحياة البشرية والمجتمع" والتي تضم ثلاثة تخصصات من العلوم، هي العلوم الدينية، والعلوم الاجتماعية والعلوم التابعة. وهذه الثلاثة تنبع من الوحي المطلق. والفرق بينها هو أن علم الدين كالتوحيد، والفقه، والتصوف مأخوذة من الآيات المحكمات⁽²⁵⁾، في حين تم إرسال العلوم الاجتماعية مثل التاريخ والجغرافيا والآثار، وعلم النفس والفن والعلوم التابعة مثل الفيزياء الكيمائية والفلك والرياضيات والطب من خلال الآيات المتشابهات⁽²⁶⁾

وفقا لما يراه ابن خلدون، نرى أن كل العلم يتركز إلى اثنتين من الحواس أو اثنتين من الصفات وهما الظاهرة

على سبيل المثال، في معركة اليرموك والقادسية الواقعتان في زمن الخليفة عمر بن الخطاب حيث انتصرت جيوش المسلمين على الرغم من أن جيش الأعداء أكثر عددا "جموع فارس وجموع هرقل" مع أن عددهم كان بضعة وثلاثين ألفا، في حين أن جموع فارس كانت نحو مائة وعشرين ألفا بالقادسية، وجموع هرقل كانت - على ما قاله الواقدي - أربعمئة ألف باليرموك. ويرجع ذلك إلى أن حماسهم الديني تغلب على عصبيتهم⁽²²⁾.

وكفانا معرفة الفرق بين العصبية والعمران بالأنا نعلق بعضهما ببعض، فالعصبية قائمة على العنصرية، في حين أن العمران قائم على أساس الدين والوطن (حب الوطن). ينبغي أن تؤخذ هذه الاختلافات في الاعتبار لتجنب الفوضى التي قد تنشأ عن العصبية التي تتصف بالعنصرية من عرق معين بالعمران الوطني الديني الأوسع من الدين والوحدة الوطنية.

إن خيار العمران ناتج عن فقدان الحس الوطني، وترك التعاليم الدينية، والانحطاط الأخلاقي هو الأكبر خطرا من فقدان العصبية⁽²³⁾. على سبيل المثال، وإن كانت المدينة فقدت كثيرا من سكانها (بسبب فقدان الطاقة والعصبية) ولكن العمران المبني بالفعل (قديم العمران) لا يزال قادرا على الوقوف بما كان من قبل. وهكذا فعل ابن خلدون، من أنه لا يربط إن خيار العمران بفقدان العصبية كما يحدث من فقد الدين والأخلاق.

(24) عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 29.

(25) هي الآيات في القرآن الواضحة حكمها، سواء بحكم القانون أو من حيث كيفية تنفيذها، مثل الآيات عن الصلاة، والصيام، والزكاة والميراث، والحج وما شابه ذلك.

(26) هي الآيات القرآنية غير الواضحة حكمها، وخاصة من حيث التنفيذ، وتشمل العلوم الاجتماعية والعلوم الإنسانية، والعلوم التابعة والرياضيات والطب.

(22) ساطع الحصري. 1953. دراسات عن مقدمة ابن خلدون. القاهرة. ص 348

(23) تختلف الأخلاق من الشخصية والمعنوية. من حيث الفلسفة، "الأخلاق" تعني "القيم الجيدة" عموما، وكذلك المعنوية. "الأخلاق" كذلك قيمة جيدة. والفرق هو أن المتطلبات المعنوية والشخصية تتغير مصدرها ومتبعة لإنسان في تفسير جمهور الممارسين بذلك. الأخلاق ثابتة مستمدة وفقا لوحي الله.

جديد في محتواه وأساليبه ونطاقه الذي يختلف تماما عن طريقة ونطاق العلم الذي كان موجودا سابقا.

يمكن القول هنا إن العلوم الحديثة اليوم قد كانت موجودة قبل زمن ابن خلدون. إلا أنه قد أضيف إليها قليل من الإضافات التي أدلى بها العلماء في العصر الحديث مكملة لهذه العلوم. وتُنظَر هذه العلوم بشكل منفصل عن بعضها البعض ودراستها من حيث الجوانب الخارجية البحتة، دون دراسة الجوانب الداخلية للقانون الذي يحدد فعالية العلم.

رأى ابن خلدون أن العلوم تنقسم إلى ثلاثة وهي علوم نقلية (الدين)، علوم عقلية (العلم الذي يستخدم العقل والحواس الذي يشمل العلوم الاجتماعية والعلوم التابعة) واللغويات؛ لأن هذه العلوم منفصلة عن بعضها البعض، خصوصا العلوم النقلية والعلوم العقلية ولا تُدرَس بشكل جيد من حيث القوانين واللوائح وعلاقتها بحياة الإنسان والطبيعة من حوله، وتوجد الفوضى في المعرفة التي تؤثر على الحياة الطبيعية. ليس فقط في البشر ولكن في المخلوقات الأخرى، بما في ذلك الحيوانات والنباتات. على رأس هذه الأسباب، ظهر ابن خلدون بعلم العمران.

لايستوي علم العمران بعلم الاجتماع أو علم التاريخ، كما زعم كثير من الباحثين؛ لأن علم الاجتماع أساسه أفقي (*horizontal*) وهو دراسة عن المجتمع القائم في منطقتهم. في حين يتميز علم التاريخ بأنه عمودي (*vertical*) الذي هو دراسة عن الأحداث من حيث الوقت أو الزمن.

وقد اشتمل علم العمران على هذه الجوانب من حياة الإنسان من خلال التعامل مع التاريخ الذي هو العمودي والاجتماعي وهو الأفقي، ومرتبطة بالأحوال الخارجية للمجتمع وهو (الكون) الذي هو كيفية العواطف

والباطنة. كالمثال الذي قدمه وهو العلم الاجتماعي مثل التاريخ. على الوجه الذي يتجلى فيه ذلك من خلال الأحداث مثل الحرب وصعود إمبراطورية أو سقوطها. ولكن من حيث الباطن تكون متجذرة في المجتمع والأشكال الثقافية. وهذا العنصر الداخلي ضابط للقوة الدافعة للأحداث في التاريخ، وسماها أيضا "قوانين التاريخ".

هذا هو الحال بالنسبة للعلوم الأخرى التي لها قوانينها الخاصة. إذا كان القانون التاريخي يتمكن في المجتمع الثقافي، ويقع العلم الطبيعي على قوانين الطبيعة والإنسان. هذا القانون هو القوة الدافعة لنشأة العمران واتصال بعضه بعضا. وهذا ما سمي بـ"الكونية" أو "التكامل" وهو العلم الذي يحاول أن يقدمه ابن خلدون من خلال علم العمران. وهذا هو السبب في أنه يرى أن علمه هذا علم جديد أو اختراع جديد، والذي يظهر في عهد الإصلاح، ويقف وحده مع قواعد تحدده. وسوف نعبر مرة أخرى بكلماته عن علم العمران.

قال ابن خلدون في مقدمته بوضوح إن علم العمران هو "العلم الجديد" (مستنبط النشأة) مستحدث الصنعة، وظهر في عصر النهضة (نشأة مستحدثة) وقائم بذاته (مستقل بنفسه)، ولايساوي بالعلوم الأخرى بما في ذلك الخطابة التي هي جزء من علم المنطق والعلوم السياسية المدنية. علم العمران البشري يرتبط دائما بالقوانين البشرية والمجتمع (طبيعة العمران) كما هو موضح في نهاية كتاب المقدمة. إذا كان يشبه العلم الموجود سابقا، لا يمكن القول بأنه "العلم الجديد" و"المخلق الجديد" المولود في عصر النهضة القائم بنفسه. وهذا القول يعني أن علم العمران ليس جديداً من حيث المصطلح فقط ولكن

والتأثير على حياة الناس. وفقا لما يراه ابن خلدون، لكل حادث من عند الله سواء في الإنسان والكون له قوانينه ولوائحه المسماة طبيعة العمران وطبيعة الكون. لا شك أن علم العمران ليس مجرد علم التاريخ أو علم الاجتماع أو العلوم الاجتماعية بشكل عام ولكنه من العلم الطبيعي.

وهذه المشكلة لا يمكن مناقشتها لأنها من عند ابن خلدون نفسه وقد عرضها أغلب الباحثين للمقدمة. والسؤال الوحيد هنا كيف يمكن فهم هذه المعرفة الجديدة وكيف يمكن تنفيذها؟ ولكن قبل ذلك لا بد من ذكر كيفية إظهار علم العمران أولاً.

لتحديد أن علم العمران من العلوم الجديدة، علينا الرجوع إلى أساليب وشروط العلم. هناك أربعة عناصر تحدد ذلك وهي معرفة العنوان، والمحتوى، والقضايا التي أثيرت ومبادئ العلم أو أماكن العمل لتحديد ما إذا كانت تلك العلوم صحيحة أم لا.

أبرز ابن خلدون العمران وبناه لمناقشة خصوصيات وعموميات المجتمع وعلاقتها بالتاريخ والتغيرات التي تطرأ على العالم والبيئة⁽²⁸⁾. فالمجتمع والبيئة المخلوقة من عند الله سبحانه وتعالى مع جميع القوانين واللوائح هي سلاح لتحقيق أهداف التنمية والعمران.

من حيث العنوان، العمران هو موضوع جديد لم يستخدمه أي شخص قبل ابن خلدون. فمحتواه ونتائجه تختلف عن العلوم قبله، وله أنظمته وقواعده الخاصة. وبالمثل، من حيث مفهومه وفرضيته لتحديد الصحة التي تختلف من مفهوم وفرضية العلوم من الأشخاص اليونانية القديمة أو لأشخاص من علماء الدين الإسلامي السلفي.

كان المجتمع وتفاعل الأفراد مع الطبيعة المحيطة بهم عاملاً رئيسياً لنشأة العمران، وكلاهما جزء لا يتجزأ من تاريخ نشأة العمران منذ تاريخ بداية خلق الإنسان (منذ كانت الخليفة)⁽²⁹⁾.

وواضح هنا أن لابن خلدون مزيد من التركيز على القوانين واللوائح في الطبيعة والمجتمع التي تركز عليها الحياة وتصبح المبادئ والمباني لعلم العمران.

ولكون المجتمع هو منشئ التاريخ ومن التاريخ ينشأ العمران، لذلك ترجم كثير من الباحثين في المقدمة كلمة "عمران" إلى المجتمع أو التاريخ و"علم العمران" إلى علم التاريخ أو علم الاجتماع⁽³⁰⁾. ولكن ذلك لم يكن كافياً لفهم معنى "العمران وعلوم العمران الصحيحة بدون اعتبار عناصر العمران خارج التاريخ والمجتمع، وهو في شكله

⁽²⁸⁾ والمقصود من البيئة الطبيعية هي كل المخلوقات الحية مثل الحيوانات والنباتات. ولكنها تستخدم الآن حياة الإنسان ومكان الإقامة. لمزيد من التفاصيل، انظر عزيزان بحر الدين، "habitat masyarakat", ص 103-136.

⁽²⁹⁾ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 392.

⁽³⁰⁾ انظر ساطع المصري. 1953. دراسات عن مقدمة ابن خلدون. ص 236.

من حيث العنوان، العمران هو موضوع جديد لم يستخدمه أي شخص قبل ابن خلدون. فمحتواه ونتائجه تختلف عن العلوم قبله، وله أنظمته وقواعده الخاصة. وبالمثل، من حيث مفهومه وفرضيته لتحديد الصحة التي تختلف من مفهوم وفرضية العلوم من الأشخاص اليونانية القديمة أو لأشخاص من علماء الدين الإسلامي السلفي.

وواضح هنا أن لابن خلدون مزيد من التركيز على القوانين واللوائح في الطبيعة والمجتمع التي تركز عليها الحياة وتصبح المبادئ والمباني لعلم العمران.

وقد وضح ابن خلدون أن "هذا الكتاب الأول الذي هو طبيعة العمران"⁽²⁷⁾. لذلك، وجد علم العمران كعلم جديد والاختراعات الجديدة وفي عصر النهضة (*renaissance*) له قواعده الخاص به وأساليبه تختلف عن أساليب العلوم الأخرى من قبل. وينصب التركيز على قانون العمران (الاجتماعي والكوني) وتأثيره على المجتمع والتنمية الوطنية.

عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 528

فازدهار الأرض يتركز في التنمية الاقتصادية من خلال الشركات الزراعية والمعدنية. وهذا يتفق مع الغرض الوارد في الآية 9 من سورة الروم والآية 61 من سورة هود.

وازدهار الأرض مختلف تماما عن العمران البشري وتنمية المجتمع أو قيمة البشر التي تنطوي على الجوانب الصحية والنفسية والعقلية والأخلاقية. فتنمية المجتمع في المدن تختلف عن تنمية المجتمع في الصحراء التي تتعلق بالثقافة البدوية والثقافة المدنية (حضري). وثقافة هاتين الطائفتين تختلف عن ثقافة الإنسان العالمي، (عمران العالم). ومع ذلك، توجد علاقة وثيقة بين العمران الأرضي والعمران البشري، سواء في الشكل البدوي أو الحضري أو العالمي لأن الحياة البشرية دائما تعتمد على الاقتصاد. والاقتصاد والمعادن الزراعية مصدر رئيس لكثير من البلاد حتى يومنا هذا. لشرح هذه العلاقة، يبدأ ابن خلدون النقاش من خلال تقديم مجالين، وهما العمران البدوي والعمران الحضري.

ب . العمران البدوي والعمران الحضري

العمران البدوي والحضري وضعا متساويين ومعاكسين بعضهما البعض عن طريق ابن خلدون للمقارنة بين حياتين مختلفتين، ووضّحهما في مقدمته. وقد فسر هذا كثير من الباحثين وعلى سبيل المقارنة الحياة المادية وحدها دون الأخذ بعين الاعتبار للجوانب الثقافية في شكل المعتقدات الدينية والأخلاق الأدبية واللغوية بالنسبة لهذين المجتمعين. في الواقع، إن جانب الثقافة أصبح جوهر الحياة لمستوى المجتمعين المسمى بالعمران البدوي والعمران الحضري. إذا فقد منهما الدين والأخلاق فسوف تفقد قدرتهم وقوتهم.

الطبيعي كالأرض والنباتات والموارد الحية الأخرى مثل المياه ويعتبر ابن خلدون الهواء طبيعة الكون، والعمران الأرضي وعمران العالم التي تؤثر على حياة الإنسان. وكل هذا مصدر الحياة الذي نوقش في علم الأحياء والكيمياء والفيزياء.

والسؤال هنا عن كيفية ومدى فائدة طبيعة الكون، العمران الأرضي وعمران العالم وفهمه، هل يمكن فهمها والاستفادة منها، وعما إذا كانت الأساليب والتقنيات يمكن استخدامها لتحقيق هذا الهدف؟ ولا يزال ذلك بلا إجابة.

بل ابن خلدون نفسه، كعضو بارز في بحث المجتمع لا يقدر على تقديم إجابة كاملة، إنه مجرد إلقاء أفكار والفضاء مفتوح وفرصة للخبراء في المجالات ذات الصلة مع منهجيتها والمبادئ المشتركة. ثم يكون الأمر متروكا لهم لمنحهم الخوض في التفاصيل لإيجاد الأسرار الخفية للكون وتنفيذها وفقا للاحتياجات الحالية.

6. أنواع علم العمران:

قسم ابن خلدون نطاق علم العمران إلى بعض المناطق التي يمكن تلخيصها على النحو التالي:

أ. العمران الأرضي

يعني ازدهار الأرض الذي يشير إلى التنمية والازدهار في الأرض والطبيعة التي عهدتها الله للإنسان كخليفته في الأرض. والهدف منه سعي الناس لتطور الأرض وازدهارها.

ت. عمران العالم

فحياة المجتمع الحضري محدودة في المدينة أو البلدة. والحياة البدوية محدودة في المناطق الصحراوية. وحياة المجتمع العمراني ليس لها حدود، سواء من الزمن أو المنطقة الجغرافية، يمكن أن توجد في المدينة أو في القرية، في الصحراء أو في شقوق تلة أو جبل.

وبعبارة أخرى، فإن نطاق العمران عبر الحدود الصحراوية والقرى والبلدان والدولة القادمة والبلاد إلى المسرح العالمي (عمران العالم). في موقف مستقل تماما وليس ملزمة بحدود الوقت، وقد وفرت مساحة ومكانة مميزة كبيرة من المجتمع العمراني مقارنة بالمجتمع البدوي والحضري لأوسع مساحتها. وكذلك هذه الميزة تدفع المجتمع العمراني إلى التركيز ومواصلة الحديث إلى أن وصل عند ابن خلدون أخيرا.

7. العمران: الثقافة والحضارة:

قال ابن خلدون "ومن هذا العمران ما يكون بدويا ومنه ما يكون حضريا. عمران البدوي هو الذي يكون في الضواحي وفي الجبال وفي الحلل المنتجة في القفار وأطراف الرمال أما عمران الحضري فهو الذي يكون بالأمصار والقرى والمدن والمدن والمدن".⁽³²⁾

معناها أن كلمة العمران تحتوي معنيين: أولا، إشارة إلى الجمهور في سياق الثقافة وثانيا، إشارة إلى الحضارة في سياق الطبيعة الفيزيائية (الحضارة والمدنية). مهما كانت الجهود التي تحاول أن تفصل بين هذين المعنيين، ولكن الحقيقة أنهما يجتمعان في مرحلتين، هما المجتمع المثقف

هدد العمران البدوي يتأثر غالبا بالآثار السلبية التي مارسها المجتمع الحضري. وفي نفس الوقت إن التأثير السلبي أصبح خطرا على الأعراف البدائية في حياة البدو. وكان لابد لعمران البدو قبول ذلك عندما يكون في مجموعة الحضارة. هذا الشرط غالبا ما يحدث ويؤدي إلى اختيار العمران الحقيقي الذي رفعه البدو المتحذرون في الدين والأخلاق.

ومع ذلك، إذا كان الواقع على عكس ذلك، وهي إمكانية المحافظة على الدين والأخلاق من الحضري أو البدوي، وسوف يبقى العمران في شكله الحقيقي. مثل الثقافة الإيجابية الموجودة عند البدو هو تقرير يميز الشجاعة والجرأة، والتمسك بتعاليم الدين والأخلاق. ومن الأمثلة على الثقافات الإيجابية للمجتمع الحضري من حيث تطور العلم، وشركات الهندسة المعمارية.

إضافة إلى خصائص البدو والحضر ومنها الإيجابي والسلبي، هناك ميزة إيجابية أخرى في البلدان العامرة، هي العدالة في الحكومة. العنصر السلبي هو الطغيان في الحكومة. وفقا لقول ابن خلدون "العمران المفضي لفساد النوع، وأن الظلم مؤذن بخراب"⁽³¹⁾.

وتأتي العناصر السلبية من الحضر الذين يعيشون في المدينة في الحياة المتميزة بالترف الذي يسبب لهم التقصير والتفريط. وحينئذ، سيتم تدمير القيم الإيجابية التي يحملها المجتمع البدوي عندما يكونون في المدينة. فهذا التأثير على هذه العملية يستغرق أحيانا وقتا قصيرا، وأحيانا يستغرق وقتا طويلا. نخصه العمران أو سقوطه تعتمد على الفترة الزمنية والتأثير القوي أو الضعيف.

⁽³²⁾ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص.31.

⁽³¹⁾ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص.30.

التعاون والمساعدة المتبادلة يهدف إلى الحصول على ضروريات الحياة، سواء كان ذلك الضروري (أساسي) أو حجي (متطلبات) أو كمالي (الكمال).

الظروف الطبيعية المتغيرة قد تكون سببا في تغير نتيجة الإنتاج الزراعي والتجارة، وبذلك يتغير العمران معها. فهذا التغير مسبب عن العوامل الجوية. إذا كان الجو في شدة الحرارة أو في شدة البرودة، فالعمران ينخفض. فإذا كانت بسيطة، فالعمران يرتفع. والعامل الثاني هو نتيجة التغيرات في نظام الحكم، والأنشطة الاقتصادية في شكل وسائل العيش، والحرف ونشر المعلومات (الملك والكساء والصنائع والعلوم). والعامل الثالث الأهم منها هو موقف الشخصية وثقافة العمل التي تنطوي على الأخلاق والانضباط والمثابرة والصدق. التغيرات التي تحدث في كل من هذه المجالات لها تأثير كبير على تغييرات وإنجازات العمران، سواء كان ذلك بصفة دائمة أو العكس.

وفي نهاية المقال استنادا إلى ذلك التفسير، يمكننا القول بأن إثبات مدى حقيقة تركيز العمران على الأحداث الطبيعية والقانون الإنساني. ويعني كل منهما بيان الظروف البيئية الأخرى، ونظام القيم، وأخلاقيات العمل والمواقف التي تحركها الأخلاق والمشاعر والحس السليم من كلا البدوي والحضري. ومع ذلك فكل هذه لا تعمل بشكل صحيح إلا بوجود روح التماسك والتوافق والتعاون في المجتمع. وكذلك بولادة الإنسان، سواء في المدينة أو خارج المدينة، فلن تقدر على المساعدة في تحسين جودة العمران إن لم يكن مصحوبا بالبيئة الطبيعية الصحيحة، ونظام القيم، وأخلاقيات العمل والأخلاق والتعاون فيما

والمجتمع المتخضر وهما مترابطان ومتوحدان في مفهوم العمران على حد سواء.

نظرا لمنظر العمران، نرى أن المجتمع ورخاءه ناشئان من هاتين الحالتين ولهما خصائصهما العمرانية. فالحياة البدوية، كما ذكرنا سابقا، تتميز بالتنمية الروحية، مثل الشجاعة والتصميم والطابع، في حين يفكر الناس من حيث النمو البدني في تطوير العلوم والتكنولوجيا. كلتا الميزتان متكاملتان لتنمية العمران. إذا ضاع واحد منهما، سيتم التهديد في المتانة والسلامة بالانقراض وعرج العمران وانتهائه بخراب. فتكون الحضارة سببا في خراب العمران كذلك⁽³³⁾

وبعبارة أخرى، فإن الحضارة هي الجناح اليميني للعمران في المدينة، ويساره البداوة للعمران خارج المدينة. بمذنين الجناحين تُبنى حياة العمران الصحيحة وهو عمران العالم. ويترجم التعاون بين الجناحين في شكل الاجتماع الإنساني الذي هو عمران العالم.

بنيت الحضارة بمهزة بجميع وسائل الراحة وضروريات الحياة في الريف والمدن بما في ذلك المؤسسات الزراعية والأعمال والتجارة والعلوم والتكنولوجيا. فتدور المشاريع الزراعية في القرية لتوفير الإمدادات الغذائية الريفية لسكان المدينة، في حين إن مؤسسات الأعمال، والعلوم والتكنولوجيا توفر التسهيلات للمزارعين في القرية. تم بحث التعاون بين المجتمعات الحضرية والريفية وقد بينها ابن خلدون بيانا واضحا ومثالا بأمثلة مقنعة⁽³⁴⁾. فالموقف من

⁽³³⁾ عبد الرحمن بن خلدون. (1993). ص 98 (إن الحضارة هي غاية العمران وخروجه إلى الفساد).

⁽³⁴⁾ Mahayuddin Hj Yahaya. "Masyarakat Madani dalam kerangka Teori Masyarakat 'Umrani: Suatu

- بينها. فهذا هو المقصود بطبيعة العمران، الذي هو مخ
العمران والأساس الرئيسي لحياة العمران.
1. تستند فلسفة وحكم العمران على قانون الطبيعة
وخلق الإنسان من الله. هذا القانون قائم وراء هذه
الأحداث إما في شكل الدين أو الأخلاق أو في
شكل آيات الله في الكون.
2. ينبع تشكيل العمران من تاريخ البشر. ويعرف التاريخ
كمعلومات حول سلوكيات الإنسان حول رغبته في
التفاعل مع المجتمع والبيئة.
3. التعاون في مجموعة من الناس والمجتمع الخارجي. على
سبيل المثال، المدينة بحاجة لتعاون من القرويين
للحصول على محلات البقالة. وبالعكس المجتمع
الريفي في حاجة إلى تعاون المجتمع المدني للحصول
على المعدات للمؤسسات الزراعية.
4. يتطلب الموقع المناسب جغرافياً، وموارد الأراضي
والمياه لتنفيذ الشركات التجارية والزراعية.
5. يتطلب المعرفة. فبدون المعرفة تكون جهود التجارة
والزراعة والصناعة لا يمكن تنفيذها بشكل صحيح.
6. وجود الدولة السيادية، والمعتدلة والمتأثرة لإقناع الناس
بتنفيذ القانون وإدارة البلاد.
7. التعليم الأخلاقي، ثم العثور على التربية الأخلاقية في
جميع الأديان ونحتاج إلى المحافظة عليها لمنع الأمراض
الاجتماعية مثل الرشوة وتعاطي المخدرات وما أشبه
ذلك.
8. لها أساس قانوني ودستوري من الشريعة الإسلامية من
أجل رفاهية العالم الدنيوي والآخروي³⁶.
9. إنشاء العلاقات والتعاون مع الدول الأجنبية لخلق
الرخاء العالمي (عمران العالم).
- هذه الحقيقة دلت على أن العمران دولتان أو مظهران.
أولاً، يتجلى ذلك في شكل الازدهار المادي (حضارة
العمران). والثاني، يتجلى في شكل القيمة والقانون (طبيعة
العمران)، كما ذكره ابن خلدون³⁵.
- بإختصار، وظيفة حضارة العمران هي ازدهار الأرض
والمجتمع في شكل النمو البدني. ووظيفة طبيعة العمران هي
رعاية ومراقبة الازدهار على الأرض والازدهار على
المجتمع.
- وبناء على هذا البيان يبدو أنها تشير إلى أن للعمران
مرحلتين في الحياة. المرحلة الأولى، عمران البدوي
الموصوف بالطبيعة البدائية. المرحلة الثانية، العمران
الحضري الموصوف بالتقدمية. وكل من هاتين المرحلتين
متجسد في العمران.
- لذلك، فإن نطاق العمران أوسع من الحضارة. ونتيجة لهذا
النطاق الواسع، شرح ابن خلدون بالتفصيل عن الظروف
المختلفة من خلال علم العمران.
- نظرية العمران الذي يجمع بين الجوانب المعنوية والمادية في
بناء رخاء المجتمع والدولة هي التي قام ابن خلدون
بالمحافظة عليها.
- لزيادة توضيح معنى العمران الواسع، قد أوجز ابن خلدون
الميزات والاحتياجات الأساسية على النحو التالي:

³⁶ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 151.

³⁵ عبد الرحمن بن خلدون. (1993). مرجع سابق. ص 292 و 297.

طريقة الحياة الإسلامية هي الطريقة الكاملة، والعمران الذي يقوم على أساس العقيدة والأخلاق يجب تطبيقه في العالم الإسلامي. قد أظهر علماء المسلمين القدماء مثل ابن سينا، الفارابي، ابن الهيثم، وابن رشد، وابن خلدون... الخ. فهم ليسوا مختصين فقط في مجال العقيدة والأخلاق، بل في مجال الثقافة والحضارة، وكذلك تتضمن المجال التشريعي والتعليمي والعلوم والتكنولوجيا. نجاحهم بلا شك في المشاركة مع المجتمع. هذه نتائج العمليات والتعاون بين أفراد المجتمع المتمسكون بتعاليم الإسلام والشريعة الإسلامية، ونظام الديمقراطية بكل صراحة ينتج نجاحا مزدوجا يتمثل في دولة الإسلام.

الجهود لتحديد المصير والمستقبل للمجتمع الإسلامي والدولة الإسلامية هو مسؤولية كل أعضاء المجتمع، تمثيا مع قوله تعالى في سورة الرعد آية 11: **إِنَّ اللَّهَ لَا يُغَيِّرُ مَا بِقَوْمٍ حَتَّىٰ يُغَيِّرُوا مَا بِأَنفُسِهِمْ ۗ وَإِذَا أَرَادَ اللَّهُ بِقَوْمٍ سُوءًا فَلَا مَرَدَّ لَهُ ۗ وَمَا لَهُم مِّن دُونِهِ مِن وَالٍ** < وجهودهم سيستند على فلسفة العمران وطريقة الحياة الإسلامية السليمة.

من أجل تحقيق الاستقرار المجتمع الإسلامي، لا بد أن نعود إلى نظرية العمران التي قدمها ابن خلدون في القرن 14م كنموذج للتنمية. ومن أكثر ما كرره ابن خلدون أسباب اختيار العمران.

وفقا لما قاله ابن خلدون، العمران لا يمكن أن يبقى بدون الوحدة والتعاون والعصبية بين أعضاء المجتمع والدولة، إذا فقد كليهما ضعف الدين والأخلاق، وإذا ضعف الدين والأخلاق ضعف وهدم العمران. سبب ضعف وهدم الدين والأخلاق هو الثقافة السلبية التي يمارسها أهل المدينة المتحضر مثل العيشة الفاخرة، واللهو والترف حتى

تولد جميع هذه الخصائص في شكل متكامل وشامل دعما لتطوير وازدهار المجتمع والدولة. كل هذه المميزات تتوفر في بروناي دار السلام وإن شاء الله سيحاول الباحث تسليط الضوء على إحياء بلد الذكر وإحياء الجوّ العمراني في البلاد.

نظرية عمران ابن خلدون تحتوي على مجال واسع وشامل للتاريخ والسياسة والجغرافيا وعلم الاجتماع والاقتصاد والدين والعلم. وتتركز هذه المجالات على القضايا الاجتماعية وإقامة الدولة الإنسانية والقانونية وعلاقتها بالطبيعة والمجتمع صغيره وكبيره، بداية من الحياة العامة في الصحراء حتى الحياة العامة في المدينة، من المستوى المحلي إلى المستوى الدولي. فقانون الطبيعة مثل الهواء والماء والتربة والنباتات يؤثر على حياة الإنسان، كذلك قانون المجتمع في شكل العصبية الدينية والأخلاقية، والوحدة تؤثر على توازن الحياة في المجتمعات والبلدان. وهذا التوازن هو ما يقال عنه "العمران" الذي يؤدي إلى الرخاء والأمن والازدهار في الحياة (المعيشة) والبقاء على قيد الحياة (البقاء). وبالعكس وإذا اختفت قيم الدين وحدث الاختيار الأخلاقي، والفوضى، والافتراق والحروب، بزيادة المناخ المتغير وحوادث المصائب والكوارث التي تجعل العمران غير متوازن ومنهارًا في النهاية.

8. علم العمران وتعاليم الدين الإسلامي:

علم العمران العالمية المتكاملة ذات الصلة أو العلاقة القوية بتعاليم الدين الإسلامي الذي حاول ابن خلدون أن يطبقه في نظرية العمران، التي تشمل على الجوانب النظرية والعملية والروحية والمادية وينبغي على المسلمين أن يفهموها جيدا ويطبقوها لتمنعهم من الحياة الروحية البحتة كما يمارسها بعض أتباع الديانات الأخرى.

لذلك كان فضل ابن خلدون العمران علي الحضارة أو التمدّن ووضعه في مسرح العلم العالمي لينال تنمية المجتمع والدولة.

إن علم العمران يختلف عن العلوم الأخرى، فليس هو علم المنطق وليس هو علم السياسة المدنيّة بل هو علم مستقل بنفسه. يتعلّق بطبيعة الخلق من أول تاريخه. نطاق البحث عن عمران العالم يبدأ من مستوى البدوية إلى تكوين القرى والمدن والدولة. فالناس في المرحلة البدوية يعيشون على الحاجيات فقط بخلاف الناس في المرحلة الحضريّة فهم يحتاجون إلى الكماليات والترّف الذي يجعلهم مبذرين ويسبب إلى الظواهر الاجتماعيّة السيئة حتى فقد العمران في المدينة وابتعد عن الخير.

ومن الجدير بالذكر أن هذا العلم علم جديد ولم ينتشر بشكل كامل في مجتمعاتنا، فمن مسؤوليتنا أن نعتمد عليه ونجعله داعماً للحياة. ولذلك أدعو أن يساهم هذا البحث في نشر الدعوة إلى العلوم الإسلاميّة حتى لا تضيق في سير الزمان من أجل الأجيال التالية. ولأنه مفتاح الفوز سواء فردياً أم اجتماعياً أم دولياً، وهو دائماً ومستمر إلى آخر الزمان.

هذا هو لب الموضوع لبيان اتصال علم العمران بالدين الإسلامي، بأن الخطوات التي نسعى إليها الآن هي من أجل حياة المعمورة والجزء في الدنيا والآخرة.

المراجع

القرآن الكريم

أبو زيد شليبي. 1974. تاريخ الحضارة الإسلاميّة. القاهرة :

مكتبة وهبة،

اهمال سلوك العبادة والمسؤولية المتعلقة بالدين والمجتمع والدولة. ولذلك، خلص ابن خلدون إلى أن سبب انهيار العمران هو الحياة الحرة التي تولدت من "الحضارة" و التي تؤدي إلى انهيار الدين والأخلاق. هذا سبب ابن خلدون تقدم المصطلح الجديد وهو العمران وعمران العالم لوصف المعمور والازدهار الحقيقي العالمي التي يطلبه الدين الإسلامي.

في كلمة أخرى، العمران وعمران العالم أمر متميز من آثاره الدين الإسلامي من العلوم، والثقافة، والفنون والأخلاق التي شملت مجال الثقافة والمدنيّة. ومن كليهما جاء العمران وعمران العالم.

9. الخاتمة

الاختلاف الظاهر بين العمران عن الحضارة أو التمدّن سواء من ناحية المصادر أم اللغة والاصطلاح. كما قال ابن خلدون : "فالبداية أصل للمدن والحضر." "التمدّن غاية للبدوي." "ومدينة أكثر عمراناً من مدينة."

أي أن المدينة هي المكان الذي حدثت فيه عملية تكوين المجتمع من المرحلة البدوية إلى الحضريّة والمدنيّة. يعني العمران لا يبدأ في المدن لأن العمران موجود مع المجتمع البدوي. والعمران في المدن صفاته متغيرة. ولذلك، يمكننا أن نصف العمران كقيمة في حياة المجتمع. إذا كانت قيمتها عالية فقيمة عمرانها كذلك عالية. تصبح قيمة الحياة عالية بسبب الاقتصاد، والدين والأخلاق. في حين، أن الحضارة أو التمدّن قيمتها في إنجاز التقدّم البنائي. أما العمران من الناحيتين فهو المادية والروحية (الدين والأخلاق) في وقت واحد.

- Azizan Baharuddin.(1998)“Habitat Masyarakat Madani”, in *Masyarakat Madani Suatu Tinjauan Awal..* Selangor: Institut StrategiPembangunanMalaysia (Minds)
- Anis Ahmad. (1982) “Reorientation of Islamic History: Some Methodological Issues”. *Islam: Source and Purpose of Knowledge*. Herndon, Virginia: International Institute of Islamic Thought,
- Mahayudin Hj Yahaya. (2014). *Teori `Umran Ibn Khaldun*. Brunei: Pusat Da`wah Islamiah.
- Mahayudin Hj. Yahaya.(1984). *Pengertian Sejarah Islam dan Permasalahannya*.KualaLumpur:SarjanaSdn. Bhd .
- أحمد شلبي . 1974 . موسوعة التاريخ والحضارة الإسلامية، ج1، القاهرة:
- سيد قطب. في ظلال القرآن . بيروت: دار العربية
سيد نقيب العتاس. 1998.
- عبد السلام هارون. 1960-1961. المعجم الوسيط.
مصر: مجمع اللغة العربية
- عبد الرحمن بن خلدون. 1993. المقدمة. بيروت: دار
الكتب العلمية
- عبد الكريم عثمان. 1992 معالم الثقافة الإسلامية،
بيروت: مؤسسة الرسالة.
- غنيم حامد أبو سعيد. 2007. مراكز الحضارة الإسلامية.
القاهرة: دار السلام
- تغكو اسكندر. 1970 القاموس الديواني... كوالا لمفور:
DBP
- البوطي محمد سعيد رمضان. 1998. منهج الحضارة
الإنسانية في القرآن. بيروت: دار الفكر العربي
- الجابري محمد عابد. 1992. فكر ابن خلدون العصبية
والدولة. بيروت: مركز دراسة الوحدة العربية
- موكتي علي. 1962. فلسفة الإسلام عن التاريخ. جاكارتا.
ترجمة من كتاب شارليس إساوي
An Arab (1950, 1955) philosophy of history

المسائل التي خالف فيها قانون الأسرة القطري مذهب الإمام أحمد بن حنبل . في المواد القانونية المتعلقة بالطلاق البدعي أنموذجا

د. حبيب الله زكريا

محاضر بكلية معارف والعلوم الإنسانية، الجامعة الإسلامية العالمية - ماليزيا، البريد الإلكتروني
habzak83@yahoo.com

علي مبارك السفران المري

طالب دكتوراه بقسم الفقه وأصول الفقه، كلية معارف والعلوم الإنسانية، الجامعة الإسلامية العالمية - ماليزيا، البريد الإلكتروني
alibinsafran@gmail.com

Vol.1, Issue 1 | January 2018

الكلمات المفتاحية

قطر - قانون الأسرة - مذهب إمام حنبل - الطلاق البدعي

الخلاصة

تهدف هذه الورقة إلى بلورة المسائل التي خالف فيها قانون الأسرة القطري مذهب الإمام أحمد بن حنبل . رحمه الله تعالى .، وخاصة في المواد القانونية المتعلقة بالطلاق البدعي، وتناول الباحثان هذه المسائل مبينا أسباب عدم أخذ القانون بالمذهب، وتم استخدام المنهج التحليلي المقارن في بيان أوجه الاختلاف بين المذهب والقانون القطري، وخلص الباحثان إلى نتائج أهمها: عدم خروج قانون الأسرة عن مذهب الإمام أحمد أو مذهب الجمهور، وأقوال أهل العلم الراسخين فيه، مثل ابن حزم، وابن تيمية، وابن القيم، وغيرهم من الأعلام في الغالب اللهم إلا في مسألة عدم إيقاع طلاق الثلاث ثلاثاً كما في المذهب، ومسألة عدم وقوع الطلاق في العدة بخلاف المذهب، ومسألة عدم وقوع الطلاق في الحيض أو طهر مسها فيه كما في المذهب. على أن القانون القطري اعتمد في مخالفته على الأقوال التي تحقق مصلحة الأسرة، وعدم تشبثها بضيعاتها.

KEYWORDS

Qatar, Family Law, Hambali school of thought, al-Ṭalāq al-Bidāi

ABSTRACT

The idea of this research is summed up in the discussion of the issues in which Qatari family law violated the doctrine of Imam Ahmad ibn Hambal, may Allah almighty have mercy on him, and the legal articles relating to an innovative divorce in particular, whether being it innovative of time, such as divorce during the menstrual period or puerperal period or during the waiting period, or innovative of number, such as three divorces consecutively or inconsecutively. All which will be

presented by the researcher along with the reasons for not taking the doctrine of Ahmad in the law, and that will be in the sections relating to the comparison between the doctrine and law. The researcher concluded at the end of the research to several results, among which most important are as follows: The family law does not depart from the doctrine of Imam Ahmad or the doctrine of majority of scholars (al-Jumhūr) and also from the opinions of erudite scholars, such as Ibn Hazm, Ibn Taymiyyah, Ibn al-Qayyim and other renowned scholars. Disagreement of the family law with the doctrine of Imam Ahmad in several matters, i.e. non-consideration of three divorces as three as it is stipulated in the doctrine, non-occurrence of divorce during waiting period in contrary to the doctrine, non-occurrence of divorce during the menstrual period or period of purity in which sexual intercourse occurs as it is stated in the doctrine. In all articles studied in this research, the family law subscribed to the opinions that are in the interest of the family, and not to be dispersed or lost.

upon society has been predominantly rooted, and the law and culture of the community would be changed accordingly. This came to be known as "the law of society" and "the law of nature" which have not being studied and still unknown until presently. As a result, the society are victimized by materialistic minded posed by civilization and urbanization and continued to be unchanged until today.

أسباب، منها: تعدد الروايات في المذهب، أو الأخذ بالمصلحة العامة ومقاصد الشريعة الغراء، أو أن تكون هذه المسألة أو القضية نازلة من النوازل ومن مستجدات الأمور.

قانون الأسرة القطري

رُفِع مشروع إنشاء قانون الأسرة القطري إلى مجلس الوزراء، وأقر واعتمد بالقرار الأميري الذي أصدره صاحب السمو الشيخ حمد بن خليفة آل ثاني، أمير دولة قطر، بتاريخ 2006/6/29م، قانون رقم (22) 2006/6، ويُدل اسمه من قانون الأحوال الشخصية القطري إلى قانون الأسرة القطري، واستمر العمل به بعد ذلك⁽¹⁾.

تعريف الطلاق، ومشروعيته، وحكمته، وحكمه

الطلاق لغةً: مأخوذ من مادة: طلق: أي طَلَّق الرجل امرأته تطليقًا، وطلاق المرأة بينونتها عن زوجها⁽²⁾. أما في

توطئة:

فمن المعلوم أن الأسرة لها أهمية كبيرة في بناء المجتمع وصلاحيته، فصالح الأسرة صلاح للمجتمع، وفساد الأسرة فسادًا للمجتمع، ولا شك أن الطلاق مكدرٌ دائم لصفو الحياة الزوجية، فهو السبيل الوحيد عند عدم إمكانية استمرارية الحياة بين الزوجين، فالطلاق علاج شافٍ، إذا استعصى التوافق بينهما، وصعب على أهل الخير التوفيق بينهما، بسبب تباين الأخلاق، وتباين المواقف، أو بسبب الإصابة بمرض عُضال، أو عُقم لا علاج له، مما يؤدي إلى ذهاب المحبة والمودة بينهما، وتوليد الكراهية والبغضاء، فيصبح الطلاق حلًا متعميًا، للخلاص من المفاسد، وما يترتب عليها لو استمرت الحياة الزوجية.

لذلك جاء هذا البحث للنظر في المسائل التي خرجت عن مذهب الإمام أحمد بن حنبل. رحمه الله تعالى، ولاسيما فيما يتعلق بالطلاق، وسبب خروجها عن المذهب، واستقصاء الأقوال فيها، وسيعرِّج الباحثان على بعض المواد المتعلقة بهذا الموضوع، التي قد خرجت عن المذهب إلى مذاهب أخرى، أو إلى قول أحد من الصحابة أو التابعين، أو أقوال العلماء.

ولئن كان أكثر المواد التي تم بحثها موافق للمذهب، فإن ثمة موادخالفت المذهب، وهي التي عليها مدار البحث، ويبدو للباحثين أن عدم موافقة القانون للمذهب له

(1)مقابلة مع الدكتور القاضي/ ثعيل بن ساير الشمري نائب رئيس محكمة التمييز، ورئيس اللجنة الثالثة للنظر في مشروع قانون الأسرة. (صباح الثلاثاء بتاريخ 2106/3/15)

(2) ينظر: ابن منظور، لسان العرب، ج10، ص226، الفيومي، المصباح المنير في غريب الشرح الكبير، ج2، ص376، مادة (طلق).

أبغض الأمور الجائزة، لما فيه من قطع الألفة، والفرقة للزوجين، وتشتيت الأولاد، ومع هذه المفاسد إلا أنه لا يخلو من المصالح التي تسوغ مشروعته وجوازه، وذلك قوله تعالى: {الطَّلَاقُ مَرَّتَانٍ فَإِمْسَاكٌ بِمَعْرُوفٍ أَوْ تَسْرِيحٌ بِإِحْسَانٍ} [البقرة: 229]، وقوله تعالى: {يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ} [الطلاق: 1]، ومن السنة ما رواه سعيد بن جبيرة، عن ابن عباس رضي الله عنه، عن عمر بن الخطاب رضي الله عنهما، أن رسول الله صلى الله عليه وسلم، طلق حفصة ثم راجعها⁽⁷⁾. ووجه الدلالة: أن النبي طلق حفصة، ولو لم يكن الطلاق مشروعاً ما فعله النبي. وأجمع العلماء عليه⁸.

فالطلاق ليس نهاية المطاف؛ فللزواج إرجاع زوجته بعد الطلقة الأولى، والثانية، ما دامت في العدة، دون عقد جديد، وقد يكون في الطلاق ردعاً للزوجة، إذا بدر منها ما يجبر الزوج على تطليقها، من سوء خلق، أو سوء عشرة، فترجع إلى صوابها ورشدها، ومن نعمة الله أن الطلاق الأول والثاني طلاق رجعي، يمكن للزوجين مراجعة أخطائهما، وتحسين معاملتهما لبعضهما بعضاً، وعودتهما إلى رشدهما وصوابهما.

ومن أحسن ما قيل عن حكمة مشروعية الطلاق ما ذكره الشيخ وهبة الزحيلي "أن الطلاق علاج حاسم، وحل نهائي، إذا استعصى التوافق بين الزوجين، وصعب على أهل الخير والحكمين الإصلاح بينهما؛ بسبب تباين الأخلاق، وتنافر الطباع، وتعقد مسيرة الحياة المشتركة بين الزوجين، أو بسبب الإصابة بمرض لا يئتمل، أو عُقم لا

الاصطلاح فهو: "حل قيد النكاح"⁽³⁾ أو "حل قيد النكاح أو بعضه"⁽⁴⁾.

تعريف الطلاق في القانون: عرفت المادة (106) من قانون الأسرة الطلاق بأنه: في: "حل عقد الزواج الصحيح بالصيغة الموضوعة له شرعاً"⁽⁵⁾.

المقارنة بين المذهب والقانون: وافق قانون الأسرة مذهب الإمام أحمد بن حنبل. رحمه الله. في الجزئية الأولى من التعريف نصاً، وهي حل عقد الزواج، أما الزيادة الموجودة في باقي تعريف قانون الأسرة، وهي ما يتعلق بالصيغة الموضوعة شرعاً، فلا شك أنها موافقة للمذهب، ولو لم يُشر إليها في التعريف، وذلك لوجود هذا القول في الألفاظ الصريحة، وغير الصريحة في المذهب، فلا ينحل عقد الزواج إلا بالصيغة الموضوعة له شرعاً، سواء كان لفظاً صريحاً، أو كناية مُفادها الطلاق. وبالنسبة للفظه الزواج الصحيح في قانون الأسرة، فهذا دليل على عدم وقوع الطلاق في الزواج الفاسد، لأنه لم يلق محلاً، وهو بهذا موافق لما عليه المذهب الحنبلي⁽⁶⁾. وعليه فتعريف الطلاق في قانون الأسرة القطري، موافق لتعريف الطلاق في مذهب الإمام أحمد.

مشروعية الطلاق وحكمته

تشير الأدلة الشرعية من القرآن والسنة النبوية على مشروعية الطلاق، فالطلاق في الجملة جائز، ولو كان من

(7) أخرجه أبو داود في السنن، كتاب الطلاق، باب في المراجعة، ج3، ص593، رقم (2283)، وأخرجه النسائي في السنن، كتاب الطلاق، باب الرجعة، ج5، ص321، رقم (5723)، وأخرجه ابن ماجه في السنن، كتاب الطلاق، باب حدثنا سويد بن سعيد، ج1، ص650، رقم (2016)، وصححه الألباني في كتابه إرواء الغليل في تخریج أحاديث منار السبيل، ج7، ص157، رقم (2077)

⁸ ينظر: ابن المنذر، الإجماع، ص112.

(3) ابن قدامة، المغني، ج10، ص323، المرداوي، الإنصاف في معرفة الراجح من الخلاف، ج5، ص429.

(4) البهوتي، شرح منتهى الإرادات، ج5، ص363.

(5) قانون الأسرة القطري ص31، مادة (106).

(6) ينظر: البهوتي، شرح منتهى الإرادات، ج5، ص369، كشف القناع

عن متن الإقناع، ج5، ص350/5، 350، الرحيباني، مطالب أولي النهى

في شرح غاية المنتهى، ج5، ص327.

3- لم يجامعها فيه، ويستثنى منه إذا كانت حاملاً وجامعها وطلقها بعد الجماع.
4- لم يتبين حملها⁽¹²⁾.

النوع الثاني: الطلاق البدعي: وكل طلاق خالف السنة فهو طلاق بدعة، ومن أنواع الطلاق البدعي الطلاق ثلاثاً والطلاق في الحيض والطلاق الذي وطئها فيه، أن يلحقها بطلقة أخرى⁽¹³⁾، وهو حرام كما قال المرداوي "إن طلق المدخول بها في حيضتها أو طهر أصابها فيه فهو طلاق بدعة محرم ويقع"¹⁴.

الطلاق المقترن بالعدد والمتابع في المذهب: وتحت مسائل

المسألة الأولى: الطلاق المقترن بعدد في المذهب المقترن لغة: من الاقتران، والقرين هو المصاحب⁽¹⁵⁾. وفي الاصطلاح: الطلاق المقترن بعدد هو طلاق الثلاث بلفظ واحد، كأن يقول أنتِ طالق ثلاثاً. للفقهاء في هذا الطلاق قولان مشهوران:

القول الأول: قول الأئمة الأربعة⁽¹⁶⁾: يقع الطلاق بلفظ الثلاث، ثلاث طلقات.

القول الثاني: قول شيخ الإسلام ابن تيمية⁽¹⁷⁾، وهو أشهر من قال بهذا القول، وبه قال تلميذه ابن القيم⁽¹⁸⁾:

علاج له؛ ما يؤدي إلى ذهاب الحجة والمودة، وتوليد الكراهية والبغضاء، فيكون الطلاق منفذاً متعيناً للخلاص من المفاسد والشور الحادثة⁽⁹⁾.

وجدير بالذكر أن الطلاق مع كونه مباحاً إلا أن الأحكام التكليفية تتجاذبه، كالكراهة؛ كطلاق مستقيمة الحال؛ فإن في طلاقها إزالة لاستمرارية النكاح وما يشتمل عليه من مصالح، والاستحباب: لرفع الضرر، كطلاق من حالها غير مستقيم، والوجوب: للإيلاء، مثل طلاق الحكيمين إذا استعصى التوفيق بين الزوجين في مسائل الشقاق، ففي هذه الحالة يجب الطلاق. وقد يكون محرماً كالطلاق البدعي مثل الطلاق في وقت الحيض، أو في طهر جامع الزوج فيه زوجته، وسبب التحريم مخالفة المطلق للسنّة⁽¹⁰⁾.

الطلاق من حيث موافقته للسنّة والبدعة: ينقسم الطلاق من حيث موافقته للسنّة والبدعة، إلى نوعين: الطلاق السني. والبدعي.

النوع الأول: الطلاق السني: ما أذن الشارع فيه، وهو جائز¹¹، وهو أن يطلق الرجل امرأته طليقة واحدة، وإن أراد الثلاث فرقها في كل طهر طليقة، والأصل فيه قوله تعالى: { يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ } [الطلاق: 1]

وهو ما جمع أربعة قيود:

1- أن يكون مرة واحدة لذوات الحيض، ولم يلحقها بطلقة أخرى.

2- في طهر.

(12) ينظر: البهوتي، كشاف القناع عن متن الإقناع، ج5، ص239، ابن عثيمين، الشرح الممتع على زاد المستنقع، ج13، ص36، الزحيلي، الفقه الإسلامي وأدلته، ج7، ص429.
(13) ينظر: البهوتي، كشاف القناع عن متن الإقناع، ج5، ص240، ابن عثيمين، الشرح الممتع على زاد المستنقع، ج13، ص38، الزحيلي، الفقه الإسلامي وأدلته، ج7، ص430.
14 مصادر سابق، المكان نفسه.

(15) ينظر: ابن منظور، لسان العرب، ج13، ص335، مادة (قرن).
(16) ينظر: ابن نجيم، البحر الرائق، ج3، ص309، الدسوقي، حاشية الدسوقي على الشرح الكبير، ج2، ص364، الدمياطي، الحاوي الكبير، ج13، ص52، البهوتي، كشاف القناع عن متن الإقناع، ج5، ص338.
(17) ينظر: ابن تيمية، الفتاوى الكبرى، ج3، ص281.
(18) ينظر: ابن القيم، إعلام الموقعين عن رب العالمين، ج4، ص384.

(9) وهبة الزحيلي، الفقه الإسلامي وأدلته، ج7، ص358.
(10) ينظر: المرداوي، الإنصاف في معرفة الراجح من الخلاف، ج5، ص429، عبد الرحمن بن قدامة، الشرح الكبير، ج22، ص130، الحجاوي، زاد المستنقع في اختصار المتنع، ص177.
11 المرداوي، الإنصاف في معرفة الراجح من الخلاف، ج8، ص448.

صريح على وقوع طلاق الثلاث بلفظ واحد، ووجه الدلالة قول ركانة، واستحلاف النبي صلى الله عليه وسلم له، فلو لم يقع طلاق البتة بلفظ واحد، لما استحلف النبي صلى الله عليه وسلم ركانة.

أدلة القول الثاني: استدل شيخ الإسلام ابن تيمية، ومن معه، القائلون بوقوع طلاق الثلاث بلفظ واحد، طلقة واحدة، بأدلة من الكتاب، والسنة:

الأدلة من الكتاب: قال تعالى: {الطَّلَاقُ مَرَّتَانِ} [البقرة: 229] إلى قوله تعالى في الطلقة الثالثة: {فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ} [البقرة: 230] أي أن المشروع تفريق الطلاق مرة بعد مرة؛ لأنه تعالى قال: (مرتان) ولم يقل (طلقتان)، ولا يشرع كون الطلاق دفعة واحدة.

الأدلة من السنة: حديث ابن عباس رضي الله عنه، قال: «كان الطلاق على عهد رسول الله وأبي بكر وستين من خلافة عمر رضي الله عنه، طلاق الثلاث واحدة، فقال عمر بن الخطاب رضي الله عنه، إن الناس قد استعجلوا في أمر كانت لهم فيه أناة، فلو أمضيها عليهم، فأمضاه عليهم»⁽²⁴⁾. فهو دليل صريح على جعل طلاق الثلاث بلفظ واحد طلقة واحدة، لاستمرار العمل به في عهد أبي بكر وستين من خلافة عمر رضي الله عنهما، ولم يتسخ، ثم أمضاه عمر رضي الله عنه من باب السياسة الشرعية، وعدم التلاعب بالأحكام الشرعية.

المسألة الثانية: الطلاق المتتابع في المذهب

يقع الطلاق بلفظ الثلاث، طلقة واحدة، ولا تأثير للفظ فيه، ومن المعاصرين: الشيخ عبدالرحمن بن سعدي¹⁹، والشيخ عبدالعزيز بن باز⁽²⁰⁾، ومحمد بن صالح العثيمين⁽²¹⁾

أدلة القول الأول: استدل الأئمة الأربعة ومن وافقهم، على وقوع طلاق الثلاث بلفظ واحد، ثلاث طلقات، بما يأتي من الكتاب، والسنة:

الأدلة من الكتاب: قوله تعالى: {فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ} [البقرة: 230] فهذه الآية دالة على تحريمها عليه بالثلاثة بعد الاثنتين، ولم يفرق بين إيقاعهما في لفظ واحد أو في عدة ألفاظ.

الأدلة من السنة: ما جاء في حديث سهل بن سعد الساعدي رضي الله عنه، في الصحيحين⁽²²⁾ في قصة لعان عويمر العجلاني، وفيه: «فلما فرغا قال عويمر: كذبت عليها يا رسول الله، إن أمسكتها، فطلقتها ثلاثاً قبل أن يأمره رسول الله صلى الله عليه وسلم» ولم يُثقل إنكار النبي صلى الله عليه وسلم بإيقاع عويمر لطلاق الثلاث بلفظ واحد.

وجاء عن نافع بن عجير بن عبد يزيد بن ركانة، أن ركانة بن عبد يزيد رضي الله عنه، طلق امرأته سهيمة ألبتة، فأخبر النبي صلى الله عليه وسلم، وقال: والله ما أردت إلا واحدة، فقال رسول الله صلى الله عليه وسلم، «والله ما أردت إلا واحدة؟» قال ركانة: والله ما أردت إلا واحدة، فردها إليه رسول الله صلى الله عليه وسلم⁽²³⁾. وهو دليل

19 ابن سعدي، مجموع مؤلفات الشيخ عبد الرحمن بن سعدي، ج8، ص297.

(20) ينظر: ابن باز، مجموع فتاوى ابن باز، ج21، ص274.

(21) ينظر: ابن عثيمين، الشرح الممتع على زاد المستقنع، ج13، ص42.

(22) أخرجه البخاري في الصحيح الجامع، كتاب الطلاق، باب اللعان، ومن طلق بعد اللعان، ص1352، حديث رقم (5308)، وأخرجه مسلم في صحيح مسلم، كتاب اللعان، ص695، حديث رقم (1492).

(23) أخرجه أبو داود في السنن، كتاب الطلاق، باب في ألبتة، ج3، ص531، حديث رقم (2208)، وضعفه الألباني في إرواء الغليل في تخریج أحاديث

منار السبيل، ج7، ص139، باب صريح الطلاق وكتابته، حديث رقم (2063) قال: حديث ضعيف

(24) أخرجه مسلم في صحيح مسلم، كتاب الطلاق، باب طلاق الثلاث،

ص677، حديث رقم (1472)

الطلاق المتتابع، أو المقترن بالعدد، لفظاً، أو كتابة، أو إشارة، إلا طلقة واحدة.

المقارنة بين المذهب والقانون

فقد جاء في هذه الجزئية، أن الطلاق المقترن، والمتتابع، لا يقع إلا طلقة واحدة، بغض النظر إن كان باللفظ، أو بالكتابة، أو بالإشارة، فالطلاق المقترن بعدد والمتتابع، مخالف لما عليه مذهب الإمام أحمد، بل مخالف لما عليه الأئمة الأربعة، وقد ذكرت قول الأئمة الأربعة في هذه المسألة؛ لأنهم اتفقوا على قول واحد، وسبق أن ذكرت أن المسائل التي لم يختلف عليها أحد من الأئمة الأربعة، أننا سنذكر اتفاق الأئمة على ذلك، فجاءت هذه الجزئية من المادة (108) بعد إيقاع الطلاق بلفظ الثلاث إذا كان ذلك بلفظ مقترن، مثل، أنت طالق ثلاثاً، أو بلفظ متتابع، مثل: أنت طالق، أنت طالق، أنت طالق.

أو بأي صيغة من الصيغ التي تم ذكرها، وقد جاء في المذهب⁽²⁹⁾ وقوع الطلاق المقترن بعدد والطلاق المتتابع، ثلاثاً، والأئمة الأربعة⁽³⁰⁾ على ذلك.

الرأي الموافق للجزئية الأخيرة من المادة (108):

قانون الأسرة وافق رأي شيخ الإسلام ومن معه⁽³¹⁾، في الطلاق المقترن، والمتتابع، ولعل من الأسباب في اختيار القانون لما ذهب له شيخ الإسلام ومن معه:

- 1- ترجيح جانب المصلحة، حتى لا تضعيع الأسرة ويتشتت الأبناء، بمجرد لفظه قالها الزوج،

المتتابع لغة: من باب تبع، ومنها تابعت الأخبار، أي: جاء بعضها إثر بعض، بلا فصل، وتبعه لحقه⁽²⁵⁾. وفي الاصطلاح ما وقع بألفاظ متتابعة، كأن يقول أنت طالق، أنت طالق، أنت طالق.

حكم الطلاق المتتابع: لا فرق بين هذه المسألة، ومسألة الطلاق المقترن بعدد، من حيث الوقوع، فيكتفي الباحث بذكر ما ورد في الطلاق المقترن بعدد⁽²⁶⁾.

والملاحظ أن في مذهب الإمام أحمد تفصيلاً: إذا قال الزوج لزوجته: أنت طالق، أنت طالق، أنت طالق، وأكد الأولى بثالثه لم يقبل، للفصل بينهما بالثانية، فتقع الثالث، وإن أكد الأولى بهما، أي الثانية والثالثة، قبل لعدم الفصل بينهما وتقع واحدة، أو قال أردت تأكيد الثانية بالثالثة قبل، فيقع اثنتان، وإن أطلق التأكيد بأن أراد التأكيد ولم يعين تأكيد أولى ولا ثانية فواحدة⁽²⁷⁾.

الطلاق المقترن بعدد والمتتابع في القانون

ذكرت المادة القانونية: (108)⁽²⁸⁾ "لا يقع الطلاق:

1- غير المنجز إذا قصد به الحمل على فعل شيء أو تركه، أو تصديق خبر أو تكذيبه.

2- في العدة أو الحيض للمدخول بها، أو في طهر مسها فيه.

3- بالحنث في يمين الطلاق أو الحرام.

4- المتتابع أو المقترن بالعدد لفظاً أو كتابة أو إشارة إلا طلقة واحدة".

● المطلوب من هذه المادة القانونية، في هذا المطلب، الجزئية الأخيرة، وهي عدم وقوع

(29) ينظر: البهوتي، كشف القناع عن متن الإقناع، ج5، ص338.

(30) ينظر: ابن نجيم، البحر الرائق، ج3، ص309، الدسوقي، حاشية الدسوقي على الشرح الكبير، ج2، ص364، الدماطي، إغاثة الطالبين على حل ألفاظ فتح المعين، ج4، ص20.

(31) ينظر: ابن تيمية، الفتاوى الكبرى، ج3، ص281، ابن القيم، إعلام الموقعين عن رب العالمين، ج4، ص384، ابن باز، مجموع فتاوى ابن باز، ج21، ص274، ابن عثيمين، الشرح الممتع على زاد المستقنع، ج13، ص42.

(25) ينظر: الفيومي، المصباح المنير في غريب الشرح الكبير، ج1، ص72، مادة (تبع).

(26) ينظر: الطلاق المقترن بعدد ص44.

(27) ينظر: البهوتي، شرح منتهى الإرادات، ج5، ص410، البهوتي، كشف القناع عن متن الإقناع، ج5، ص266.

(28) قانون الأسرة القطري ص: 31، مادة رقم: 108.

زمن يمكنه الكلام فيه، ثم أعاد ذلك للمدخل بما طلقت
طلقة ثانية، ولم تنفعه نية التأكيّد، ولا الإفهام؛ لأن
التأكيّد تابع للكلام، فشرطه أن يكون متصلاً به⁽³⁵⁾.

القول الثاني: لا يقع الطلاق في العدة، وهو قول شيخ
الإسلام ابن تيمية، وتلميذه ابن القيم، ومن المعاصرين
محمد بن صالح العثيمين وهو الموافق لقانون الأسرة، قال
شيخ الإسلام لا يلزمه إلا طلقة واحدة، وهو قول كثير من
السلف والخلف، وهذا القول أظهر⁽³⁶⁾.

دليل القول الأول: قوله تعالى: { الطَّلَاقُ مَرَّتَانِ } [البقرة:
229] وجه الدلالة أن الآية لم تخص أي طلاق، فمتى
أوقع الطلاق وقع، سواء كان في العدة أم لا.

دليل القول الثاني: قوله تعالى: { الطَّلَاقُ مَرَّتَانِ } [البقرة:
229] أي أن المشروع تفريق الطلاق مرة بعد مرة؛ لأنه
تعالى قال: (مرتان) ولم يقل: (طلقتان)، والطلاق في العدة
طلاق غير مشروع فلا يقع، فأصحاب القول الأول
والثاني، استدلوا بدليل واحد، ولكنهم اختلفوا في تفسير
الآية.

الطلاق في الحيض: الطلاق في الحيض محرم، والدليل
على تحريمه قوله تعالى: { يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ
فَطَلَّقُوهُنَّ إِعْدَتَيْنِ } [الطلاق: 1] فإذا طلقها أثناء الحيض
لم يطلقها للعدة؛ لأن الحيضة التي يقع فيها الطلاق لا
تحسب، فحينئذ لا تبتدئ العدة بالطلاق في هذه الحال،
فلا يكون مُطَلِّقًا للعدة⁽³⁷⁾.

سبب الاختلاف في مسألة طلاق الحائض

ولأهل العلم قولٌ معتبر، في عدم إيقاع
الثلاث جملة واحدة.

2- حفظ الأسرة من المقاصد المعترية شرعاً، ولا
شك أن أخذ القضاة بما يوافق مقاصد
الشريعة المرعية يحفظ الأسرة من الضياع.

الطلاق في وقت النهي: الطلاق في العدة أو الحيض أو في طهر مسها فيه، في المذهب

المراد بهذا الطلاق، هو الطلاق البدعي في الوقت، وهو ما
جاء النهي من الإقدام عليه، مثل الطلاق في العدة،
والطلاق في حال الحيض أو النفاس، والطلاق في طهر
جامع فيه.

المسألة الأولى: الطلاق في العدة:

العدة لغة: مأخوذة من العَدَّ، واعتدت بالشيء على وزن
افتعلت، أي أدخلته في العد والحساب، فهو معتد به،
محسوب غير ساقط، وعدة المرأة تربصها المدة الواجبة
عليها، والجمع عدد⁽³²⁾.

العدة اصطلاحاً: "مدة معلومة تربص فيها المرأة لتعرف
براءة زوجها"⁽³³⁾.

والطلاق في العدة هو إيقاع طلقة ثانية، أو ثالثة، في وقت
العدة، وقد اختلف الفقهاء في وقوع هذا الطلاق على
قولين:

القول الأول: يقع الطلاق في العدة، وهذا قول الأئمة
الأربعة⁽³⁴⁾، "فلو قال أنت طالق ثم مضى زمن طويل، أي

(32) ينظر: الفيومي، المصباح المنير في غريب الشرح الكبير، ج2، ص396، مادة
(عدد).

(33) البيهقي، كشف القناع عن متن الإقناع، ج5، ص411.

(34) ينظر: ابن نجيم، البحر الرائق، ج3، ص255، الدسوقي، حاشية الدسوقي
على الشرح الكبير، ج2، ص356، الدماطي، إعانة الطالبين على حل
ألفاظ فتح المعين، ج4، ص4، البيهقي، كشف القناع عن متن الإقناع، ج5،
ص266.

(35) البيهقي، كشف القناع عن متن الإقناع، ج5، ص266.

(36) ينظر: ابن تيمية، الفتاوى الكبرى، ج5، ص490، ابن القيم، زاد المعاد في
هدى خير العباد، ج5، ص559، ابن عثيمين، الشرح الممتع على زاد
المستفتى، ج13، ص37.

(37) ينظر: ابن عثيمين، الشرح الممتع على زاد المستفتى، ج13، ص43.

منشأ الاختلاف في هذه المسألة، أن ابن عمر رضي الله عنه، لما طلق زوجته كانت في فترة الحيض، فبلغ النبي ذلك فغضب وتغيظ، بسبب ما حصل من ابن عمر، وقال لعمر رضي الله عنه: «مُرُهُ فليراجعها ثم ليتركها حتى تطهر، ثم تحيض، ثم تطهر، ثم إن شاء أمسك بعد، وإن شاء طلق، فتلك العدة التي أمر الله أن تطلق لها النساء»⁽³⁸⁾ "ووجه التحريم أن الرسول تغيظ، وأمر عمر، أن يأمر ابنه بمراجعتها"⁽³⁹⁾، ويقاس النفاس⁽⁴⁰⁾ على الحيض فيما يحل ويحرم⁽⁴¹⁾، وسبب القياس فيما يظهر للباحث، أن القياس يشتمل على الحيض وزيادة.

أدلة القول الأول: استدلت أصحاب هذا القول بعدة أدلة:

أولاً: ما ورد من حديث ابن عمر، فإن الرسول، لما بلغه الخبر قال: «مره فليراجعها»⁴⁴، ووجه الدلالة من هذا الحديث، أنه أمر بمراجعة زوجته، ولا شك أن المراجعة لا تكون إلا إذا وقع الطلاق، فلو أنه لم يقع فلا داعي للمراجعة إذ⁴⁵.

ثانياً: لو أن الطلقة لم تقع وتحسب لما أمر رسول بمراجعة ابن عمر لزوجته، بل كان إخباره بأن الطلاق لم يقع، أبلغ وأصرح من قوله «مره فليراجعها»⁴⁶؛ فهذا واضح الدلالة على وقوعه.

اختلف الفقهاء في مسألة وقوع طلاق الحائض إلى قولين مشهورين، واستدل كل فريق بأدلة على ما ذهب إليه:

القول الأول: يقع الطلاق في الحيض، وهو مذهب الأئمة الأربعة، أبي حنيفة، ومالك، والشافعي، وأحمد بن حنبل رحمهم الله، وعليه جمهور الأمة⁽⁴²⁾.

القول الثاني: لا يقع الطلاق في الحيض، وهو قول ابن حزم، وشيخ الإسلام ابن تيمية، وتلميذه ابن القيم، ومن المعاصرين محمد بن صالح العثيمين⁽⁴³⁾.

(43) ينظر: ابن حزم، المحلى، ج 10، ص 201، ابن تيمية، الفتاوى الكبرى، ج 3، ص 276، ابن القيم، زاد المعاد في هدي خير العباد، ج 5، ص 202، ابن عثيمين، الشرح الممتع على زاد المستقنع، ج 13، ص 45.

44 أخرجه البخاري في الصحيح الجامع، كتاب الطلاق، باب قوله تعالى: {يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ وَأَحْضُوا الْعِدَّةَ} [الطلاق: 1] ص: 1339، حديث رقم (5251)، وأخرجه مسلم في صحيح مسلم، كتاب الطلاق، باب تحريم طلاق الحائض بغير رضاها، وأنه لو خالف وقع الطلاق ويؤمر برجعته، ص: 674 حديث رقم (1471)

(39) ابن عثيمين، الشرح الممتع على زاد المستقنع، ج 13، ص 44.

(40) النفاس: هو الدم الخارج بسبب الولادة وحكمها حكم الحيض، ينظر: ابن قدامة، عمدة الفقه، ص 14.

(41) ينظر: ابن قدامة، عمدة الفقه، ص 14.

(42) ينظر: ابن نجيم، البحر الرائق، ج 3، ص 311، الدسوقي، حاشية الدسوقي على الشرح الكبير، ج 3، ص 380، الدماطي، إعانة الطالبين على حل ألفاظ فتح المعين، 4/4، الهوي، كشاف الفتاوى عن متن الإقناع، ج 5، ص 240.

(43) أخرجه البخاري في الصحيح، كتاب الطلاق، باب إذا طلقت الحائض تعد بذلك الطلاق، ص 1338، حديث رقم (5253)

(44) أخرجه أبو داود في السنن، كتاب الطلاق، باب في طلاق السنة، ج 3، ص 508، حديث رقم (2185)، ووضحه الألباني في إرواء الغليل في تخریج أحاديث منار السبيل، ج 7، ص 124، حديث رقم (2059)

ثانياً: ما ورد عن رسول الله أنه قال: «من عمل عملاً ليس عليه أمرنا فهو رد»⁽⁴⁹⁾، ولا شك أن الطلاق لغير العدة مخالف لما عليه أمر الله ورسوله فيكون مردوداً، فلا يقع الطلاق.

ثالثاً: لو وقع الطلاق في الحيض، فأمر الرسول لابن عمر، بردها، قد يكون سبباً في كثرة عدد الطلاق الواقع، وبالأخص إذا كان ابن عمر، لا يرغب البقاء مع زوجته، ولم يرد أن النبي، استفصل عن رغبة ابن عمر، في بقاء زوجته أو مفارقتها مفارقة نهائية.

الطلاق في طهر وطنها فيه: فالطهر هو زمان النقاء من دم الحيض والنفاس، وعلامته معرفة عند النساء، وهو سائل أبيض يخرج إذا توقّف الحيض⁽⁵⁰⁾.

حكم الطلاق في طهر وطنها فيه: الطلاق في طهر وطئ فيه الزوج زوجته طلاق محرم، ولعل سبب تحريمه أن الزوجة لا تعلم، فهي حامل أم لا، حتى تعلم هل عدتها بالأقراء أو بالحمل؟ فتبقى في حيرة من أمرها، فلا يكون الزوج مطلقاً لعدة متيقنة⁽⁵¹⁾، واختلف الفقهاء في هذه المسألة على قولين مشهورين، واستدل كل فريق بأدلة إلى ما ذهب إليه:

القول الأول: ذهب الأئمة الأربعة، إلى وقوع الطلاق في الطهر الذي حصل فيه جماع⁽⁵²⁾.

القول الثاني: ذهب جماعة من العلماء منهم ابن حزم، وابن تيمية، وابن القيم، ومن المعاصرين الشيخ ابن عثيمين رحمهم الله، إلى عدم وقوعه⁽⁵³⁾.

(49) أخرجه مسلم في الصحيح، كتاب الأفضية، باب نقض الأحكام الباطلة ورد محدثات الأمور، ج2، ص821، حديث رقم (1718)

(50) ينظر: ابن عثيمين: الشرح الممتع على زاد المستقنع، ج1، ص498، الزجيلي، الفقه الإسلامي وأدلته، ج1، ص462.

(51) ينظر: ابن عثيمين، الشرح الممتع على زاد المستقنع، ج13، ص44.

(52) ينظر: ابن نجيم، البحر الرائق، ج3، ص311، الدسوقي، حاشية الدسوقي على الشرح الكبير، ج2، ص362، الدماطي، إعانة الطالبين على حل ألفاظ فتح المعين، ج4، ص4، البهوتي، كشاف القناع عن متن الإقناع، ج5، ص240.

دليل القول الأول: قوله تعالى: {الطَّلَاقُ مَرَّتَانٍ} [البقرة: 229]، وجه الدلالة: ورود الطلاق في الآية مطلقاً، وهذا دليل على عدم تقييد الطلاق بوقت محدد، فيكون الطلاق واقعاً⁽⁵⁴⁾.

دليل القول الثاني: ما روي عن عبد الله بن مسعود، في تفسير قول الله تعالى: {فَطَلَّقُوهُنَّ إِعْدَتِهِنَّ} [الطلاق: 1]، "أي طاهرات من غير جماع"⁽⁵⁵⁾، وهذا التفسير يوضح عدم وقوع الطلاق في الطهر الذي حصل فيه جماع.

والأدلة على هذه المسألة، هي أدلة المسألة التي قبلها، وهي طلاق الحائض، بجماع أن العلة واحدة، وهي الطلاق البدعي، فنكتفي بما ذكرنا من الأدلة لتفادي الإطالة.

الطلاق في العدة أو الحيض أو في طهر مسها فيه، في القانون:

نصت المادة القانونية: (108)⁽⁵⁶⁾ على أنه "لا يقع الطلاق:

- 1- غير المنجز إذا قصد به الحمل على فعل شيء أو تركه، أو تصديق خبر أو تكذيبه.
- 2- في العدة أو الحيض للمدخول بها، أو في طهر مسها فيه.
- 3- بالحنث في يمين الطلاق أو الحرام.
- 4- المتتابع أو المقترن بالعدد لفظاً أو كتابة أو إشارة إلا طلبة واحدة".

● المطلوب من هذه المادة القانونية، الجزئية الثانية والمتعلقة بالطلاق في وقت النهي.

(53) ينظر: ابن حزم، المحلى، ج10، ص201، ابن تيمية، الفتاوى الكبرى، ج3، ص276، ابن القيم، زاد المعاد في هدي خير العباد، ج5، ص202، ابن عثيمين، الشرح الممتع على زاد المستقنع، ج13، ص49.

(54) ينظر: ابن عثيمين، الشرح الممتع على زاد المستقنع، ج13، ص47.

(55) السمرقندي، بحر العلوم، ج3، ص374.

(56) قانون الأسرة القطري ص: 31، مادة رقم: 108.

تيمية وابن القيم ومن المعاصرين محمد بن عثيمين⁽⁶²⁾،
وسبب ذلك فيما يظهر:

- 1- لقوة الأدلة التي استدل بها أصحاب هذا القول من عدم وقوع الطلاق.
- 2- ترجيح جانب المصلحة، وما دام أن المسألة فيها خلافٌ مشهور بين أهل العلم، ففي الأمر سعة، وفي هذا الخلاف حظٌ من النظر.
- 3- لأن إيقاع الطلاق في حالة الحيض يسبب ضرراً للمطلقة بإطالة فترة العدة عليها.

الختامة:

من الجدير في نهاية هذا البحث أن نذكر أهم النتائج التي توصلنا إليها، وهي:

- 1- عدم خروج قانون الأسرة عن مذهب الإمام أحمد أو مذهب الجمهور، وأقوال أهل العلم الراسخين فيه، مثل ابن حزم، وابن تيمية، وابن القيم، وغيرهم من الأعلام.
- 2- مخالفة قانون الأسرة لمذهب الإمام أحمد بن حنبل ومذهب الجمهور في وقوع طلاق الثلاث بلفظ واحد أو متتابع، والذي وافق فيه القانون ما ذهب إليه شيخ الإسلام وابن القيم، ومن المعاصرين الشيخ عبد العزيز بن باز والشيخ محمد بن عثيمين.
- 3- مخالفة قانون الأسرة لمذهب الإمام أحمد بن حنبل ومذهب الجمهور في وقوع الطلاق في العدة، فقد ذهب الأئمة الأربعة إلى وقوع الطلاق في العدة، بخلاف ما ذهب إليه شيخ الإسلام وتلميذه ابن القيم، ومن

(62) ينظر: ابن حزم، المحلى، ج 10، ص 201، ابن تيمية، الفتاوى الكبرى، ج 3، ص 276، ابن القيم، زاد المعاد في هدي خير العباد، ج 5، ص 202، ابن عثيمين، الشرح الممتع على زاد المستقنع، ج 13، ص 45.

المقارنة بين المذهب والقانون

الجزئية الثانية من المادة (108)

قانون الأسرة⁽⁵⁷⁾: لا يقع الطلاق... في العدة.

الأئمة الأربعة⁽⁵⁸⁾: يقع الطلاق في العدة.

وافق القانون في مسألة الطلاق في العدة ما ذهب إليه ابن تيمية وابن القيم ومن المعاصرين محمد بن عثيمين⁽⁵⁹⁾، وسبب ذلك فيما يظهر:

- 1- إن الصحابة والتابعين لم يقوموا بمثل ذلك ولم يرد عنهم.

2- لعدم وجود الوجه الشرعي لإيقاع مثل هذا الطلاق، فالمشروع هو الطلاق مرة بعد مرة.

قانون الأسرة⁽⁶⁰⁾: لا يقع الطلاق... في الحيض، أو في طهر مسها فيه.

الأئمة الأربعة⁽⁶¹⁾: يقع الطلاق في الحيض أو في طهر مسها فيه.

وبهذا نجد أن القانون وافق في عدم وقوع الطلاق في الحيض أو في طهر مسها فيه، ما ذهب إليه ابن حزم وابن

(57) ينظر: قانون الأسرة القطري ص: 31، مادة رقم: 108.

(58) ينظر: ابن نجيم، البحر الرائق، ج 3، ص 255، الدسوقي، حاشية الدسوقي على الشرح الكبير، ج 2، ص 356، الدماطي، إعانة الطالبين على حل ألفاظ فتح المعين، ج 4، ص 4، البهوتي، كشاف القناع عن متن الإقناع، ج 5، ص 266.

(59) ينظر: ابن تيمية، الفتاوى الكبرى، ج 5، ص 490، ابن القيم، زاد المعاد في هدي خير العباد، ج 5، ص 559، ابن عثيمين، الشرح الممتع على زاد المستقنع، ج 13، ص 37.

(60) ينظر: قانون الأسرة القطري ص: 31، مادة رقم: 108.

(61) ينظر: ابن نجيم، البحر الرائق، ج 3، ص 311، الدسوقي، حاشية الدسوقي على الشرح الكبير، ج 3، ص 380، الدماطي، إعانة الطالبين على حل ألفاظ فتح المعين، ج 4، ص 4، البهوتي، كشاف القناع عن متن الإقناع، ج 5، ص 240.

عبد الله محمود محمد عمر، (بيروت: دار الكتب العلمية، ط1، 1419هـ-1999م).

ابن باز، عبد العزيز بن عبد الله بن باز، مجموع فتاوى ومقالات متنوعة، جمع وإشراف: محمد بن سعد الشويعر، (الرياض، دار القاسم للنشر، ط1، 1420هـ).

ابن بدران، عبد القادر بن أحمد بن بدران الدمشقي الحنبلي، المدخل إلى مذهب الإمام أحمد بن حنبل، تصحيح: عبد الله عبد المحسن التركي، (بيروت: مؤسسة الرسالة، ط1، 1435هـ-2014م).

البخاري، أبو عبد الله، محمد بن إسماعيل، الصحيح الجامع، (دمشق-بيروت: دار ابن كثير، ط1، 1423هـ-2002م).

أبو البقاء الحنفي، أيوب بن موسى الحسيني الكفومي، الكليات، تحقيق: عدنان درويش، ومحمد المصري، (بيروت: مؤسسة الرسالة ط2، 1419هـ، 1998م).

بكر أبو زيد، بكر بن عبد الله بن محمد بن أبوزيد، المدخل المفصل لمذهب الإمام أحمد، (الرياض: دار العاصمة، ط1، 1417هـ).

البهوتي، منصور بن يونس بن إدريس، الروض المربع شرح زاد المستقنع، ومعه حاشية ابن عثيمين، (دمشق: مؤسسة الرسالة ناشرون، ط1، 1433هـ 2012م).

البهوتي، منصور بن يونس بن إدريس، شرح منتهى الإرادات، تحقيق: عبد الله بن عبد المحسن التركي، (بيروت: مؤسسة الرسالة، ط1، 1414هـ، 1993م).

البهوتي، منصور بن يونس بن إدريس، كشف القناع عن متن الاقناع، تحقيق: محمد حسن إسماعيل

المعاصرين الشيخ محمد بن عثيمين، من عدم وقوع الطلاق في العدة، وهو ما وافقه قانون الأسرة.

4- مخالفة قانون الأسرة لمذهب الإمام أحمد بن حنبل ومذهب الجمهور في وقوع طلاق الحائض، بخلاف ما ذهب إليه ابن حزم وابن تيمية وتلميذه ابن القيم، ومن المعاصرين الشيخ محمد بن عثيمين، بعدم وقوع طلاق الحائض، وهو ما وافقه قانون الأسرة.

قائمة المصادر والمراجع

إبراهيم مصطفى وآخرون، المعجم الوسيط، مجمع اللغة العربية بمصر، (القاهرة: مكتبة الشروق الدولية، ط1، 1425هـ، 2004م).

أحمد بن حنبل، أبو عبد الله، الشيباني، مسند الإمام أحمد، تحقيق: شعيب الأرنؤوط وآخرون، (بيروت: مؤسسة الرسالة، ط1، 1416هـ-1996م).

آل إسماعيل، محمد بن عبد الرحمن بن حسين، اللآلئ البهية في كيفية الاستفادة من الكتب الحنبلية، (الرياض: مكتبة المعارف، 1408هـ-1988م).

الألباني، محمد ناصر الدين، إرواء الغليل في تخريج أحاديث منار السبيل، إشراف: محمد زهير الشاويش، (بيروت: المكتب الإسلامي، ط1، 1399هـ، 1979م).

ابن أمير حاج، أبو عبد الله، محمد بن محمد، التقرير والتحبير على التحرير في أصول الفقه، ضبطه:

- الشافعي، (بيروت: عالم الكتاب، ط1، 1403هـ-1983م).
- الترمذي، أبو عيسى، محمد بن عيسى، الجامع الكبير، تحقيق: بشار عواد معروف، (بيروت: دار الغرب الإسلامي، ط1، 1996م).
- ابن تيمية، أبو العباس، أحمد بن عبد الحلیم بن عبد السلام، الحراني، الفتاوى الكبرى، تحقيق: محمد عبد القادر عطا، ومصطفى عبد القادر عطا، (بيروت، دار الكتب العلمية، ط1، 1408هـ-1987م).
- ابن تيمية، أبو العباس، أحمد بن عبد الحلیم بن عبد السلام، الحراني، مجموع فتاوى شيخ الإسلام أحمد بن تيمية، جمع وترتيب: عبد الرحمن بن محمد بن قاسم، وساعده ابنه محمد، (المدينة المنورة: طباعة مجمع الملك فهد لطباعة المصحف الشريف، بإشراف وزارة الشؤون الإسلامية والأوقاف والدعوة والإرشاد، ط2، 1425هـ-2004م).
- آل تيمية، أبو البركات، عبد السلام، وأبو المحاسن، عبد الحلیم بن عبد السلام، أحمد بن عبد الحلیم، المسودة في أصول الفقه، تحقيق: محمد محيي الدين عبد الحميد، (بيروت: الناشر دار الكتاب العربي، د.ط، د.ت). جمعها شهاب الدين أبو العباس، وأحمد بن محمد بن عبد الغني الحراني.
- الجرجاني، أبو الحسن، علي بن محمد بن علي الجرجاني، التعريفات للجرجاني، تحقيق: الدكتور عبد الرحمن عميرة، (بيروت: عالم الكتاب، ط1، 1416هـ-1996م).
- ابن الجوزي، أبو الفرج عبد الرحمن بن الجوزي، مناقب الامام احمد بن حنبل، تحقيق: عادل نويهض، (بيروت، دار الآفاق الجديدة، ط2، 1997م).
- الحاكم، أبو عبد الله، محمد بن عبد الله الحاكم النيسابوري، المستدرک على الصحيحين، تحقيق: مصطفى عبد القادر عطا، (بيروت: دار الكتب العلمية، ط2، 1422هـ-2002م).
- الحجاوي، أبو النجا، موسى بن أحمد بن الصالح، الإقناع لطالب الانتفاع، تحقيق: عبدالله بن عبدالمحسن التركي، (الرياض، ط3، 1423هـ-2002م).
- الحجاوي، أبو النجا، موسى بن أحمد الصالح، زاد المستقنع في اختصار المقنع تحقيق: عبد الرحمن بن علي بن محمد العسکر، (الرياض: مدار الوطن للنشر، ط2، 1424هـ).
- ابن حجر، أحمد بن علي بن حجر العسقلاني، تعليق التغليق على صحيح البخاري، تحقيق: سعيد عبد الرحمن موسى القرقي، (بيروت: المكتب الإسلامي، ط1، 1400هـ).
- ابن حزم، أبو محمد، علي بن أحمد بن سعيد بن حزم، المحلى، تحقيق: أحمد محمد شاكر، (القاهرة: مكتبة دار التراث، ط1، 1426هـ-2005م).
- ابن حمدان، أحمد بن حمدان، الحراني، الحنبلي، صفة الفتوى والمفتي والمستفتي، خرج أحاديثه وعلق عليه: الشيخ محمد ناصر الدين الألباني، (بيروت: المكتب الإسلامي، ط1، 1380هـ).
- أبو داود، سليمان بن الأشعث الأزدي السجستاني، سنن أبي داود، تحقيق: شعيب الأرنؤوط ومحمد امل قره بللي، (دمشق: دار الرسالة العلمية، ط1، 2009م).
- الدسوقي، محمد بن عرفة الدسوقي، حاشية الدسوقي على الشرح الكبير، (بيروت: دار إحياء الكتب

- العربية، عيسى البابي الحلبي وشركاه، د. ط،
د.ت).
الدمياطي، أبو بكر، عثمان بن محمد شطّا الدميّاطي
البكري إعانة الطالبين على حل ألفاظ فتح
المعين، (بيروت: دار إحياء الكتب العربية، ط2،
1422هـ-2002م).
الذهبي، محمد بن أحمد بن عثمان الذهبي، سير أعلام
النبلاء، تحقيق: شعيب الأرنؤوط وآخرين،
(بيروت: مؤسسة الرسالة، ط1، 1402هـ
1982م).
الرحياني، مصطفى بن سعد السيوطي، مطالب أولي
النهي في شرح غاية المنتهى، (بيروت: المكتب
الإسلامي، ط2، 1415هـ-1994م).
الزحيلي، وهبة بن مصطفى الزحيلي، الفقه لإسلامي
وأدلته، (دمشق: دار الفكر، ط2، 1405هـ
1985م).
ابن سعدي، عبد الرحمن بن ناصر السعدي، مجموعة
مؤلفات الشيخ ابن سعدي، (الرياض، الميمان،
ط1، 1432هـ-2011م)
السمرقندي، أبو الليث، نصر بن محمد بن أحمد بن
إبراهيم. بحر العلوم، تحقيق: علي بن محمد
معوض، وعادل أحمد عبد الموجود، وزيّنا عبد
المجيد النوي، (بيروت: دار الكتب العلمية،
ط1، 1413هـ-1993م).
السيوطي، جلال الدين عبد الرحمن بن أبي بكر
السيوطي، الأشباه والنظائر، تحقيق: محمد حسن
إسماعيل الشافعي، (بيروت: دار الكتب العلمية،
ط1، 2010م).
الشوكاني، محمد بن علي بن محمد، نيل الأوطار شرح
منتقى الأخبار من أحاديث سيد الأختيار، خرج
أحاديثه وعلق عليه: عصام الدين الصبابي،
- (القاهرة: دار الحديث، ط1، 1413هـ-
1993م).
الصفدي، صلاح الدين خليل بن إبيك الصفدي الوافي
بالوفيات، تحقيق: أحمد الأرنؤوط وتركّي
مصطفى، (بيروت: دار إحياء التراث العربي،
ط1، 1420هـ-2000م).
الصنعاني، أبو بكر، عبد الزقاق بن همام الصنعاني،
المصنف، تحقيق: حبيب الرحمن الأعظمي،
(بيروت: مكتب المجلس العلمي، ط1،
1390هـ-1970م).
الطوفي، أبو ربيع، نجم الدين سليمان بن عبد القوي،
الصرصري، شرح مختصر الروضة، تحقيق: عبدالله
عبد المحسن التركي، (بيروت: مؤسسة الرسالة،
ط1، 1407هـ-1987م).
ابن عابدين، محمد أمين بن عمر عابدين، رد المختار على
الدر المختار، حاشية ابن عابدين، تحقيق: عادل
أحمد عبد الموجود، وعلي محمد معوض،
(الرياض: دار عالم الكتاب بموافقة خاصة من
دار الكتب العلمية، طبعة خاصة، 1423هـ،
2003م).
عبدالله التركي، عبدالله بن عبدالمحسن التركي، أصول
مذهب الإمام أحمد، (الرياض: طبعة جامعة
الإمام محمد بن سعود الإسلامية، ط3،
1410هـ-1990م).
ابن عثيمين، محمد بن صالح العثيمين، الشرح الممتع على
زاد المستقنع، إشراف: مؤسسة الشيخ محمد بن
صالح العثيمين الخيرية، (الرياض: دار ابن
الجوزي، ط1، 1422هـ).
ابن عقيل، أبو الوفاء، علي بن محمد بن عقيل، الحنبلي،
الواضح في أصول الفقه، تحقيق: عبدالله بن

- عبدالمحسن التركي، (بيروت: مؤسسة الرسالة، ط1، 1420هـ-1999م).
- أبو الفرج بن قدامة، عبد الرحمن بن محمد بن أحمد بن قدامة المقدسي، الشرح الكبير، تحقيق: عبد الله بن عبد المحسن التركي، وعبد الفتاح محمد الحلو، (طبعة خاصة: علي نفقة الملك فهد بن عبد العزيز آل سعود). العزيز آل سعود).
- الفيروز آبادي، القاموس المحيط، مجد الدين محمد بن يعقوب، تحقيق: محمد نعيم العرقسوسي، (بيروت: مؤسسة الرسالة، ط8، 1426هـ-2005م).
- الفيومي، أحمد بن محمد بن علي الفيومي، المصباح المنير في غريب الشرح الكبير، تحقيق: عبد العظيم الشناوي، (القاهرة: دار المعارف، ط2، 1977م).
- ابن قاسم، عبد الرحمن بن محمد العاصمي، حاشية الروض المربع شرح زاد المستنقع، (الرياض: دار القاسم للنشر، ط9، 1424هـ).
- ابن قدامة، أبو محمد، عبد الله بن أحمد بن قدامة المقدسي، عمدة الفقه على مذهب الإمام أحمد بن حنبل، تحقيق: عبد المنعم إبراهيم، (الرياض: مكتبة نزار مصطفى الباز، ط2، 1422هـ-2001م).
- ابن قدامة، أبو محمد، عبد الله بن أحمد بن قدامة المقدسي، الكافي في فقه الإمام أحمد بن حنبل، تحقيق: محمد فارس، ومسعد عبد الحميد السعداني، (بيروت: دار الكتب العلمية ط1، 1414هـ-1994م).
- ابن قدامة، أبو محمد، عبد الله بن أحمد بن قدامة المقدسي، المغني، تحقيق: عبد الله التركي
- وعبدالفتاح الحلو، (الرياض: دار عالم الكتاب، ط3، 1417هـ-1997م).
- ابن قدامة، أبو محمد، عبد الله بن أحمد بن قدامة المقدسي، المقنع، تحقيق: عبد الله بن عبدالمحسن التركي، وعبد الفتاح محمد الحلو، (طبعة خاصة: علي نفقة الملك فهد بن عبد العزيز آل سعود). قانون الأسرة القطري، رقم (22) لسنة 2006، صدر في الديوان الأميري بتاريخ: 1427/6/3هـ، الموافق: 2006/6/29م، (الدوحة: الشركة الحديثة للطباعة).
- ابن قيم الجوزية، أبو عبدالله، محمد بن أبي بكر بن أيوب، إعلام الموقعين عن رب العالمين، تحقيق: أبي عبيدة مشهور بن حسن آل سليمان، (الرياض: دار ابن الجوزي، ط1، 1423).
- ابن قيم الجوزية، أبو عبدالله، محمد بن أبي بكر بن أيوب، إغاثة اللهفان في حكم طلاق الغضبان، تحقيق: عمر بن سليمان الحفيان، (بيروت: مؤسسة الرسالة، ط1، 1424هـ-2004م).
- ابن قيم الجوزية، أبو عبدالله، محمد بن أبي بكر بن أيوب، زاد المعاد في هدي خير العباد، تحقيق: شعيب الأرنؤوط وعبد القادر الأرنؤوط، (بيروت: مؤسسة الرسالة، ط4، 1425هـ-2005م).
- ابن كثير، أبو الفداء، عماد الدين إسماعيل بن عمر بن كثير القرشي، البداية والنهاية، (بيروت: مكتبة المعارف، ط1، 1410هـ-1990م).
- ابن كثير، أبو الفداء، عماد الدين إسماعيل بن كثير القرشي، تفسير القرآن العظيم، تحقيق: سامي بن محمد السلامة، (الرياض: دار طيبة، ط2، 1420هـ-1999م).

- ابن ماجة، أبو عبدالله، محمد بن يزيد القزويني، سنن ابن ماجة، تحقيق: محمد فؤاد عبد الباقي، (بيروت: دار احياء الكتب العربية، د.ط. د.ت.).
- الماوردي، أبو الحسن، علي بن محمد بن حبيب الماوردي، الحاوي الكبير، تحقيق: محمود مطرجي وغيره، (بيروت: دار الفكر، ط1، 1414هـ-1994م)
- المرداوي، أبو الحسن، علاء الدين علي بن سليمان، الإنصاف في معرفة الراجح من الخلاف، تحقيق: محمد حامد الفقي، (بيروت: دار احياء التراث العربي، ط1، 1374هـ 1955م).
- مسلم، أبو الحسين، مسلم بن الحجاج القشيري النيسابوري صحيح مسلم، أعتنى به: أبو قتيبة نظر محمد الفارابي، (الرياض: دار طيبة للنشر، ط1، 1427هـ-2006م).
- ابن المنذر، إبي بكر محمد بن إبراهيم بن المنذر النيسابوري، الإجماع، تحقيق: أبو حماد صغير أحمد بن محمد حنيف، (عجمان: مكتبة الفرقان، راس الخيمة: مكتبة مكة الثقافية، ط2، 1420هـ-1999م).
- ابن منظور، أبي الفضل، جمال الدين محمد بن مكرم الافريقي المصري، لسان العرب، (بيروت: دار صادر، ط3، 1414هـ).
- ابن نجيم، زين الدين بن إبراهيم بن محمد، البحر الرائق شرح كنز الدقائق، (بيروت: دار الكتاب الإسلامي، ط2، د.ت.).
- النسائي، أبو عبد الرحمن، أحمد بن شعيب بن علي الخرساني، السنن الكبرى للنسائي، تحقيق: حسن شلبي، (بيروت: مؤسسة الرسالة، ط1، 1421هـ-2001م).
- أبو يعلى الفراء، أبي الحسين، محمد بن أبي يعلى الفراء البغدادي الحنبلي طبقات الحنابلة، تحقيق: محمد حامد الفقي، (القاهرة: مطبعة السنة المحمد، د.ط، د.ت.).
- الموقع الرسمي لحكومة قطر الإلكترونية، تاريخ: 2016/9/25م.
- http://www.hukoomi.qa/wps/portal/topics/Family,%20Community%20and%20Religion/Religion/Islam%20in%20Qatar!/ut/p/a0/04_Sj9CPykssy0xPLMnMz0vMAfGjzOLNDCyNHH0tTEKDFjwsDDy9PUxN_dyNjA3cDfSDE4v0C7IdFQGHYY8N/?changeLanguage=ar



**UNISSA
Press**

Simpang 347, Jalan Pasar Baharu,
Gadong BE1310, Negara Brunei Darussalam
Tel: +673 2462000 ext. 332
Fax: +673 2462233
Website: <http://www.unissa.edu.bn>

ISSN 2617-9393



9 772617 939004