

QUESTION #01

Good Governance in Islam: based upon divine Injunctions, Elaborate its features:

Introduction

Islam is a comprehensive and complete code of life based on Divine injunctions. Islam provides complete guidance to Muslims how to spend their life peacefully being the vicegerant of Allah. Good governance is also such a complex matter on which Hazrat Muhammad SAW and his companions focused a lot.

Hazrat Muhammad (SAW) provided a detailed and comprehensive constitutional and legal framework through his actions (sunnah). Good governance in Islam is based upon justice (adl), shura, consensus, equality, discipline, rule of law, accountability and transparency. Allah ordered Muslims to follow the features of governance as mentioned in Quran and practised by Holy Prophet PBUH. Therefore, Muslim Ummah should align their political

and administrative system according to the rules and principles of Allah and Holy Prophet (PBUH). As Hazrat Muhammad SAW was the Peace lover and Allah has given him so many knowledge and administrative skills, as Philip K. Hitti acknowledged in his writings:

“He performed the functions of Prophet (PBUH), lawgiver, religious leader, chief judge, commander of Army and civil Head of the Islamic state”

I. What is Good Governance?

Governance is words derives from a greek word which means “to steer”. In definition, it means:

“The way power is exercised in the state to manage different matters” (World Bank)

Another definition says:

“A process of governing by which government is selected, monitored and replaced”

Islam does not give a clear definition of governance but Quran uses

a term "Tadbir", which is thinking of an implication.

However, the concept of good governance is coincided with a few dimension of governance for a Peaceful Islamic state, such as:

ii. Dimensions of good governance:

1. Voice & Accountability.
2. Political stability
3. Lack of violence.
4. Government effectiveness
5. Regulatory equality
6. Rule of law.

iv- Islamically good governance, meaning.

Islam is such a comprehensive religion that always focuses on moral and spiritual dimension of human life.

For Islam, good governance is

"law of justice", to strive to achieve justice, to maintain human dignity. Islamic concept of good governance always protect group and individual freedom, by keeping balance and standards of equality, as Quran says:

"Allah has created you from a male and female and divided you into

into tribes and nations. But no one has superiority over other except pioussness. Indeed Allah is All-knowing."

(Al-Baraah)

IV. Characteristics of Good Governance in Islam:

Good governance is the best process of decision making and implementation in a state. Islam is a religion of moral and spiritual dimensions, therefore, it has clarified some basic characteristics of good governance mentioned in Quran, such as:

- i. Consensus-oriented
- i. Amanah
- ii - Ichilafat
- iii - Shura
- iv - Adalah
- v. Al-Adl - al-ijtimaiyyah
- vi - Holding Justice.
- vii - Hisbah (Accountability)
- viii - Transparency
- ix - Ama bilmasraf wa nahi Anil munkar.
- x - Rule of law.
- xi - Quality assurance.

13. Maslahah (Public welfare)

14. Effective & Efficient administration.

→ Quranic injunction about good governance

الَّذِينَ آمَنُوا وَآتَوْا الزَّكَاةَ وَكَانُوا بِلِقَاءِ رَبِّهِمْ لَاحِقِينَ
يُطِيعُونَ أَمْرًا وَعَنْتَابًا وَالَّذِينَ آمَنُوا وَآتَوْا الزَّكَاةَ وَكَانُوا بِلِقَاءِ رَبِّهِمْ لَاحِقِينَ

Those who should we establish in the earth, says your ^{prayers} offer and pay poor tax and enjoin goods and forbid evil; and Allah's is the end of affair.

(Al-Hajj-)

Principles of good governance in the understanding of divine injunctions.

1- Amanah :

The Quran mentions that a "trust (Amanah) is given to mankind, a trust which the heaven, mountains, the earth refused to accept because of its heavy burden" (Al-Ahzab) which requires to establish justice in society. For that matter

Allah sent man to the earth, to make the earth a place of peace. This trust of justice establishment is a contract between Allah and man. It defines man's rights and responsibilities in relation to all other men. This amanah comes from loyalty, honesty, faithfulness, integrity, confidence, reliability and trustworthiness. This term is mentioned six times in Quran. This was forced on Muslims to not to forget their purpose of life and what contract he has made with Allah should be fulfill and he should be not be disloyal to Allah.

II. KHILAFAT: Role of leadership in Good governance:

The concept of Khilafat was started from Hazrat Abu Bakr (R.A), who succeeded to the spiritual, and religious-political purposes of Muhammad soon after his demise.

Bernard Lewis, historian of Islam says,

66 Abu Bakr was given the title of Khalifa or 'Deputy' of the Prophet. His election marked the

appointment of great historic institution of caliphate⁹⁹.

The Islamic concept of Khilafat is rooted in the institutionalization of principles and features of good governance in Islamic state. As Holy Prophet (PBUH) once said:

“The prophethood will remain among you as long as Allah wants, then it will be replaced by caliphate which will remain as long as Allah wants then it will be replaced by monarchy which will be replaced by tyrannical dictatorship which will remain as long as Allah wants, then again Khilafat will arise on the principles of prophethood⁹⁹.”

This hadith not only reassures us that Khilafat will be back on the footings of Islam but it also permits a historical judgement of caliphate.

iii. Shura: A cornerstone of Quranic injunctions and Islamic system of governance

The Quran significantly emphasized

on Consultation (shura) that Allah separately made a surah on (shura). In Islam, consultation is the cornerstone of good governance. A good governance must include shura (the opinion of muslims) while decision making and implementation. The perfect example and demonstration is done by Holy Prophet (SAW) who always discussed matters of religion, politics, economy and social values with his companions and muslims in the grounds of mosque.

Therefore, Shura has made a pivotal element of good governance in Islam.

The modern concept of democracy got grounds on the concept of shura from Islamic state.

IV. Adalah: Justice is the Priority.

The Quran and Holy Prophet (SAW) forced Adl in the governance system of Islamic state. He once said:

“Had Fatima, the daughter of Mohammed done theft, I would have cut her hands.”
(Bukhari)

The hadith shows how much justice

was prioritized, even there is no exemption of blood relatives from adl (justice).

Justice is the Islamic governmental system including social justice, justice creates a state of social equilibrium while aiming at enviable lifestyle and checks the accumulation of resources in a few hands.

As Quran says:

لقد ارسلنا رسلنا بالبينات وانزلنا معهم الكتاب والميزان ليقوم الناس بالقسط.

"Certainly we sent our messengers with clear arguments and sent down with them books and the balance so that men could conduct themselves equally".

From aforementioned explanation, one can estimate that how much maintaining a balance system is important in governance system of Islam.

v. Hisbah: Accountability.

Hisbah stands for (Hisab) which means everyone is accountable to

Allah related to one's responsibilities on the earth. It is the duty of each muslim to fulfill its duty because one day he has to account for them. In the last sermon, Holy Prophet SAW said:

“Everyone of you is accountable to Allah. You're accountable for your charge. Khalifa being the custodian of the people is more responsible for his acts.”

Thus, accountability cannot be ignored in the Islamic state.

vi. Transparency.

Applying the concept of transparency, government should disclose information about its strategies, tactics, policies and actions, use of resources and protection of environment. Transparency is necessary for openness in all public affairs.

It entails that citizens have all rights to know about all government matters.

vii. Al-Amr-bi-al-ma'roof wa nahi an-al-munkar

كنتم خير امت اخرجت للناس تامرون بالمعروف
وتنهون المنكر اظلمت قلوبهم باللهو لو افرح
احل الكتاب لكان خير لهم منهم الموعنون
والكثرة فسقون في

"You're the best of the nation
raised for men. You enjoin
what is right and forbid what
is wrong and evil"

Allah has strictly forbid to enjoin evil
in Quran. therefore, following the
divine inscription, muslim should be
transparent in their dealing and
should follow good.

vii. Quality Assurance.

Following the concept of good governance
the quality assurance to common
public is a necessity. Public transac-
tions and dealing should done with
honesty and confidence.

ix. Rule of Law.

Islam established the rule of
law universally and uniformly.
Citizens with wealth, status or privilege

are supposed to be treated equally in front of law. The authority of Allah and His messengers is the final authority of Islamic state. No one should be outside of Divine law.

Conclusion :

To conclude, it is pertinent to say that no matter what Islamic laws, systems and policies are complete guidance for people and nothing is above Allah's law and Quranic injunctions. Following traditions of Islam, *Qur'an* and *Sunnah* could bring forth preservation of peace, lack of violence and justice to the human race. In order to realize this vision, however, the need of hour is to establish political and government system on the footings of Islam.

QUESTION #02

Responsibilities of Civil servants.

Introduction

In public administration all the key public functionaries ought to be people of highly skilled capabilities, intellect, just, high caliber and must possess quality of heart and mind. A civil servant is a publicly responsible person, he must ensure the effectiveness and smoother processing of administration because he has been entrusted with great responsibilities amongst them the most important are implementation of law and order. Therefore, A civil servant should be vigilant, audacious and diligent towards his responsibilities to manage public affairs.

II. Quranic injunctions about civil responsibilities.

الذين آمنوا وعملوا الصالحات هم خير البرية
والذين آمنوا وعملوا الصالحات هم خير البرية

Those who are established in the earth should offer their prayers.

and pay poor tax, and enjoy good and avoid evil, indeed Allah's is the end of affair."

III Responsibilities of civil servant

A careful analysis of principles of administration and realities of civil servants would show that a person's personal character is the key to good governance. The Islamic responsibilities of a civil servant are.

i - To uphold Islamic religion and shari'ah

The utmost and prominent duty of a civil servant is to uphold Islamic religion and shari'ah, as understood on the concept of ancient authorities.

A civil servant should be strict in the matter of religion and shari'ah.

ii - To dispense justice:

Justice is the cornerstone of governance system and public administration. A civil servant must dispense justice and settle the cases following the rules

of Islam and sharia. The individual identity and self-esteem should not be targeted.

iii. To maintain law & order.

Rule of law is the basic requirement to keep balance in a state. Bureaucracy is the department which runs on legal framework and rules. Therefore, a civil servant must ensure his adherence to rule of law and order.

iv. To enforce criminal code of Islamic law.

The society collapses when its criminals are at large on the basis of political favours. Therefore, a civil servant must ensure that no one is exempt of law, everyone is the same, so the enforcement of criminal code is a must thing for civil servant.

v. To aid state and its leaders

The Holy Prophet (SAW) used to have a group of ministers and secretaries

with him to consult with them when required in different matters of Political and economical importance.

Therefore, following the walk of Sunnah, a civil servant must be adherent to aid leaders and public.

vi. To collect Zakat and other Taxes.

A civil servant must collect Zakat and other taxes levied on public for the smooth running of economic and financial system of the state.

vii. To protect weak against the strong.

As the name suggest, a civil servant is the servant of public, to serve the poor and marginalized people. Thus, it is his prime responsibility to protect weak against strong.

viii. To initiate work of welfare

He should initiate work of welfare and should appoint honest man and sincere officers to the principle offices so that the state's machinery could run smoothly.

x. To establish educational institutes.

A civil servant has power over more than normal people who cannot take initiative for their growth and development which starts from education.

Therefore, a civil servant must ensure establishment of educational institutes.

xi. To ensure price control and quality assurance.

xii. To do Amal bil ma'roof.

Conclusion:

To conclude the subject, this is assumed that for the smooth functioning of a society, the basic and important civil institute should be transparent and accountable following rule of law, so is a civil servant. The civil servant should be glued with his rights and responsibilities as mentioned in shariah and Quran.