

Understanding good governance in Islam : A conceptual analysis

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

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

Introduction

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

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

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

Governance

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

Good governance

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

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

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

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

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

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

Islam

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

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

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

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

Good governance in Islam

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

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

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

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

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

Rule of law and equality

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

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

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

Accountability and responsibility

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

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

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

Equitability and justice

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

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

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

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

Participation in the decision making process

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

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

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

Freedom of conscience and tolerance

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

Anti-corruption stance

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

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

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

Individual rights and judicial independence

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

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

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

Respect for human rights

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

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

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

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

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

Concluding remarks

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

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

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

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

Endnotes

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- ¹ Abul A'la Mawdudi, "A Political Theory of Islam", in *Islam in Transition: Muslim Perspectives*, edited by Donohue and John L. Esposito, (New York: Oxford University Press, 1982), 253-54. See also Esposito and James P. Piscatori, "Democratization and Islam", *Middle East Journal*, 45(3), (1991), 427-440; Ali R. Abootalebi, "Islam, Islamists and Democracy", *Middle East Review of International Affairs Journal*, 3(1), (1999).
 - ² See Michael C. Hudson, "After the Gulf War: Prospects for democratization in the Arab world", *Middle East Journal*, 45(3), (1991), 426; Abootalebi, *Islam, Islamists...*
 - ³ Mazen Hashem, "Islamic Roots of Good Governance", *Arab Insight*, 1(1), (2007), 63-71.
 - ⁴ Esposito & John O. Voll, *Islam and Democracy*, (New York: Oxford University Press, 1996).
 - ⁵ What Is Good Governance? <http://www.unescap.org/pdd/prs/projectactivities/ongoing/gg/governance.asp>
 - ⁶ P. Landell-Mills & I. Serageldin, "Governance and the External Factor", *Proceedings of the World Bank Annual Conference on Development Economics*, (Washington, D.C. : The World Bank, 1991).
 - ⁷ M. M. Khan, "Good Governance: Concept and the Case of Bangladesh" in *Thirty Years of Bangladesh Politics*, edited by Mahfuzul H. Chowdhury, (Dhaka: University Press Limited, 2002).
 - ⁸ *Ibid.*, 64.
 - ⁹ M. Halfani et. al., *Towards an Understanding of Governance: The Emergence of an Idea and Its Implications for Urban Research in Developing Countries*, (Toronto: The Center for Urban and Community Studies, 1994).
 - ¹⁰ *Ibid.*,
 - ¹¹ Khan, *Good governance...*, 66.
 - ¹² *Ibid.*,
 - ¹³ V. K. Chopra, "The Mirage of Good Governance" in *Towards Good Governance*, edited by K. Chopra, (Delhi: S. K. Konark Publishers Pvt. Ltd, 1997).
 - ¹⁴ See Sarkar Ali Akkas, "The Role of Judiciary in Good Governance: The Case of Bangladesh" in *Human Rights and Good Governance*, edited by Mizanur Rahman, (Dhaka: Empowerment through Law of the Common People [ELCOP], 2004); M. A. Hossain Mollah, "Judiciary and Good Governance in Bangladesh", *South Asian Survey*, 15(2), (2004), 245-62.

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- ¹⁵ Khan, *Good governance...*, 65-66.
- ¹⁶ Cited in N. Momen & M. Begum, "Good Governance in Bangladesh: Present Situation and Future Challenges", *Journal of the Institute of International Politics and Economics*, Vol. LVII, (2005), 159-76.
- ¹⁷ Cited in G. W. Choudhury, *Islam and the Contemporary World*, (Dhaka: Academic Publishers, 1991), 36.
- ¹⁸ Ibid., 12.
- ¹⁹ Sahih Bukhari.
- ²⁰ Sahih Bukhari.
- ²¹ Holy Qur'an, 2 : 30.
- ²² Holy Qur'an, 2:203, 281; 4 : 87.
- ²³ See Sayed Athar Husain, *The Glorious Caliphate*, (Lucknow: Academy of Islamic Research and Publications, 1974), 19; Asghar Ali Engineer, *The Islamic State*, (New Delhi: Vikas Publishing House Pvt. Ltd, 1980), 40.
- ²⁴ Abbas, Mohammad, "*Good Governance in Islam*", Islamic Research Foundation International, Inc. <http://irfi.org/>
- ²⁵ Ahamuduzzaman, *International Human Rights Law*, (Dhaka: Osder Publications, 2006), 22.
- ²⁶ Holy Qur'an, 49 : 13.
- ²⁷ Sahih Bukhari.
- ²⁸ A. S. M. Abdul Hye, *The Revolutionary Life of Rasulallah* (Bengali Trans. Muhammad Habibur Rahman), (Dhaka : K. Prokashani, 2005), 167.
- ²⁹ Holy Qur'an, 2 : 203, 281; 4 : 87; See also Abdun Noor, *Public Administration: Organization, Process and Retrospect* (Bengali), (Dhaka: Bangladesh Institute of Islamic Thought, 2006), 83.
- ³⁰ Sahih Bukhari and Muslim.
- ³¹ Holy Qur'an, 5 : 8.
- ³² Holy Qur'an, 4 : 58.
- ³³ Holy Qur'an, 4 : 135.
- ³⁴ Holy Qur'an, 16 : 90.
- ³⁵ Holy Qur'an, 57 : 25.
- ³⁶ Holy Qur'an, 7 : 29.
- ³⁷ Holy Qur'an, 11 : 85.
- ³⁸ Holy Qur'an, 28 : 26.
- ³⁹ Engineer, *The Islamic state...*, 57-58.
- ⁴⁰ Holy Qur'an, 3 : 159.
- ⁴¹ Asghar Ali Engineer, *Governance and Religion: an Islamic point of view*. http://www.indianmuslims.info/articles/asghar_ali_engineer/articles/governance_and_religion.htm
- ⁴² Holy Qur'an, 42 : 38.
- ⁴³ Noor, *Public administration...*, 102-03.
- ⁴⁴ For instance see, Holy Qur'an, 3 : 104,110; 7 : 199; 5 : 78-79; 9 : 71; 22 : 41.
- ⁴⁵ Muslim.
- ⁴⁶ Abu Daud and Tirmizi.

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- 47 Holy Qur'an, 2 : 256.
 48 Muslim.
 49 Sahih Bukhari and Muslim.
 50 Muslim.
 51 Sahih Bukhari.
 52 Abu Daud.
 53 Sahih Bukhari
 54 Suyuti, cited in Engineer, *The Islamic state...*, 44-45.
 55 Ahamuduzzaman, *International Human...*, 23.
 56 Choudhury, *Islam...*, 45.
 57 Holy Qur'an, 5 : 48.
 58 Holy Qur'an, 4 : 58.
 59 Holy Qur'an, 38 : 26.
 60 Holy Qur'an, 17 : 70.
 61 See the Universal Declaration of Human Rights of the UNO.
 62 Holy Qur'an, 49 : 13.
 63 Holy Qur'an, 17 : 33.
 64 Holy Qur'an, 5 : 32.
 65 Holy Qur'an, 2 : 188, 4 : 29.
 66 Holy Qur'an, 2 : 256.
 67 Holy Qur'an, 109 : 6.
 68 Holy Qur'an, 10 : 99.
 69 Holy Qur'an, 3 : 104-105.
 70 Holy Qur'an, 24 : 27.
 71 Holy Qur'an, 49 : 12.
 72 Holy Qur'an, 67 : 15.
 73 For instance see, Holy Qur'an, 6:11; 22:46; 27:69; 29:20-22; 30:9, 42; 35: 44; 40:21, 82; 47:10.
 74 Holy Qur'an, 2 : 85.
 75 Holy Qur'an, 49 : 13.
 76 Holy Qur'an, 4 : 3.
 77 Moulana Muhammad Abdur Rahim, *Family and Familiar Life* (Bengali), (Dhaka: Khairun Prokashani, 1988).
 78 Holy Qur'an, 39 : 9.
 79 Holy Qur'an, 58 : 11.
 80 Tirmizi.
 81 Sulaiman M. At-Tamawi, *Umar Ibn al-Khattab Wa usul as-Siyasah wal Idarah*, (Cairo: Dar al-Fikr al-Arabia, 1969), 10-11. See also Noor, *Public administration...*, 80-81.
 82 William Montgomery Watt, *Islam: A Short History*, (Oxford: Oneworld Publications, 2006), 139