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Editorial Guidelines and Notes to Contributors

Overview.

Al-Manhaj is the double-blind peer reviewed academic journal published by Center for Research and Publication, Islamic University of Maldives. Al Manhaj aims to publish high quality research that can disseminate and advance knowledge in diverse areas and fields. The journal allows submission of research articles in three language; English, Dhivehi and Arabic so as to reach both the local community and the international community.

Purpose.

The purpose of Al-Manhaj is to disseminate timely knowledge from a broad range of disciplines including education, sharia and law, Islamic banking and finance and so on. The reason for keeping this broad spectrum is to provide a platform for the University postgraduate students and staff to publish and engage in scholarly academic discussions relevant to the local community as well as internationally. The generalist approach also aims to appeal to a wider audience with sub-disciplinary interests.

Frequency.

The journal will be published once a year in March, initially only in print form.

Criteria for publication.

To be published in Al-Manhaj, a manuscript must meet the following general criteria;

- Provide strong evidence for its conclusions
- Novel or original ideas
- Must be of extreme significance to the specific field
- Interesting to other researchers in the field
- Advance understanding to influence thinking in the field

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Manuscripts for publication should be sent to crp@ium.edu.mv. Manuscripts should have one and a half line spacing, with ample margins and should be written in Microsoft word or Rich Text Format. To enable us to anonymize for reviewing please highlight any reference to the author and any acknowledgements that may indicate the author's identity. If there multiple authors, indicate the author who will check proofs and receive correspondence. All pages must be numbered and avoid footnotes to the text wherever this is reasonably possible.

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Al-Manhaj seeks to publish a wide range of scholarly contributions including:

Research Reports.

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Perspective articles provide scholarly discussions and reviews regarding key concepts and most prevalent ideas in various fields. Opinion articles provide constructive criticism to promote discussion concerning current issues in different fields. Commentary are short articles that draw attention to or present a criticism of a previously published article, book, or report, explaining why it interested them and how it might be illuminating for readers. Perspective, opinion and commentary articles should be between 1000 to 1500 words long. An abstract is not required in articles submitted to the perspective, opinion and commentary section and it will also not be peer reviewed.

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Peer Review.

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Language Editing.

Prior to submitting the manuscript be edited for language. This is to ensure that the academic content of your paper is fully understood by journal editors and reviewers. Language editing does not guarantee that your manuscript will be accepted for publication.

Editorial

Al-Manhaj remains true to its identity; to produce research from multiple disciplines. The papers presented in this issue, therefore focuses broadly on areas such as Islamic finance, prayers in Islam and political engagement of Islamic scholars. In these articles, the authors develop new perspectives on the diverse issues and enrich their arguments with critical debate and discussions. What is interesting in these articles is the contextualization of these debates to different countries and the varying ways in which the authors have provided practical implications beyond the country context that they have discussed.

The article “Islam and political engagement in northern Nigeria: The Ulama and 2015-2019 elections” contemplates on whether religious scholars (with specific reference to Ulama’s in Nigeria) should take political sides and if that is acceptable, to what extent is a question that is explored throughout the article with reference to specific incidences in Nigeria during 2015 and 2019 general elections. The article suggests that in today’s political arena, politics and religion cannot be separated and hence religious scholars can be effective as both political and spiritual leaders.

The Nigerian context is prominent in this issue as another article is also based on this context although the perspective presented is different. Musa and Haastrap’s article explores the “perception of Muslim devotees on health benefits of Salat...” (Muslim prayer); the context, however is restricted to Lagos State in Nigeria. The Muslim prayer involves reciting prayers and movements in a series of cycles called rak’a. The cycles vary slightly throughout the day but always include standing, bowing, and prostrating oneself. Due to this, the prayer is perceived as both a spiritual and a physical exercise. The authors look at previous research that shows the close connection between religion, healthcare and medicine with reference to religious, historical literature and other more recent studies conducted in various parts of the world. The point raised by the authors is not to limit the education of religious rituals like the prayers to spiritual discourses but to consider it from a multidimensional perspective as well. This is an interesting perspective as many fail to see the interconnection between spirituality and our daily lives.

Hossain’s article “towards building sustainable society in Bangladesh through cash *Waqf*: challenges and prospects” presents strong arguments on how cash *Waqf* can help build a sustainable society in Bangladesh. He highlights that cash *Waqf* is not yet popular in Bangladesh but he makes references to banks in Bangladesh that are beginning to see the advantage of this option and adopting it as way to give back to the community. The author presents a strong case for cash *Waqf* through his discussion and offer practical recommendations.

The final paper in Arabic argues for an alternative, modern approach to studying the life of the Prophet Muhammad (S.A.W). The article is important as it rationalizes why it is necessary to adopt modern methods and further provides suggestion of modern tools and strategies that may be utilized to study and understand the life of the Prophet (S.A.W).

We hope this issue is informative and useful for academicians and others interested in learning and we look forward to more contributions for the next issue of Al-Manhaj.

Dheeba Moosa

Editor (Al-Manhaj)

Islam and Political Engagement in Northern Nigeria: The Ulama and 2015-2019 Elections

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Abstract

Nigerian Muslim scholars have played a decisively influential role during both the 2015 and 2019 general elections. While the 2015 election featured Muslim and Christian candidates as the two main contenders for the highest political office, the 2019 election presented two Muslim northerners as the major competitors for the job. In addition to their voices which were heard and often acted upon regarding the various candidates fielded by political parties for different posts at state and federal levels, the Ulama were particularly active in enlightening especially the Muslim Ummah on the qualities based on which they should vote their leaders. Though the tradition mostly emphasized on the characters and peculiar merits and credentials of the candidates which were presented clearly though without direct name-mention, at times, for certain reasons, the Ulama found it necessary, to explicitly mention the names of contestants they would want people to vote for, thus alienating other contenders. This article examines the role played by religion in the two elections that were conducted in Nigeria from 2015 to 2019 by making a special reference to the voices of the Ulama, which unarguably influenced the decision of many Nigerian voters. Being an empirical study, the article draws on sermons, lectures, interviews and other media contents, besides the existing relevant literature. It reveals that it seems to be a consensus among the Nigerian Ulama that instead of calling for its abstinence, the political arena is worth exploring by the religious constituency and when situation warrants, there is no moral harm to even side with and canvass support for the election of particular politicians.

Keywords:

Islam, Ulama, politics, Nigeria, elections, Muslims

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Introduction

The Ulama and the majority of Muslims believe that Islam is a complete way of life and its teachings permeate all walks of life, including politics. The term “politics” which is rendered in Hausa as *siyasa*, takes its root from Arabic which denotes not only the process of politicking, but also the governance style and general administrative disposition of a leader.

The Prophet (SAW) lived both as a spiritual and political leader who guided the Ummah on issues related to their afterlife as well as their life in the world. Likewise, the Prophet’s successors, the five rightly Guided Caliphs all spent their entire career as religious and world leaders, managing people’s affairs in the light of Islam, thus accomplishing the formation of Islamic empire. Though themselves were well grounded in Islamic knowledge and had received Prophetic endorsement and conferment that their decisions bore divine guidance, the Caliphs surrounded themselves with clerics and people endowed with Islamic learning. It was narrated that the cabinet of the second successor of the Prophet, Umar bin al-Khattab was constituted mainly by those who were well learned in the Qur’an, irrespective of their age (Sahih Bukhari: 4642). The trend of Muslim scholarship role in political leadership continued in the subsequent generations, though at times, the religious constituency faced victimization from the political elites.

There is in Nigerian politics, a strong concern and consciousness by Muslims, especially the Ulama, to define politics (particularly in aspects that affect Islam and Muslims) and seek to contextualize it within the framework of Islamic moral values, without being obsessed to establish a purely Islamic state. In a Friday sermon given at Usman Bin Affan Mosque, Gadon Kaya in Kano, the Imam, Shaykh Ali Yunus (2019) emphasized that religious and worldly matters cannot be well established except through the stability of leadership. That was why, according to Ali Yunus, the Prophet (SAW) ordered that when three people embark on a journey, they shall appoint one of them as their leader (Sunan Abi Dawud: 2608).

The impact of Nigeria’s Ulama has been greatly felt during the 2015 and 2019 elections respectively. Their voices were heard through their pulpits. Interestingly, the tradition is that campaigns are closed usually few weeks ahead of the days earmarked for the elections which are mostly held on Saturdays while the collation and subsequent announcement of results come on Sundays through Mondays or even Tuesdays as the case may be. However, the Ulama, especially those who double as *Imams* of Juma’at mosques, have a very effective platform to yet reach out to electorates during their sermons. Therefore, most of the scholars use their pulpits to guide people not only on whom to vote and the characteristics of good candidates but also how they should conduct themselves at polling units.

It is imperative to mention here that combining politics with religious ideals where the impact of the religious constituency is felt is not a peculiar feature of Nigerian Muslims.

The same thing can be said about their Christian counterparts who at times even become bolder and more vehement. That is why during election seasons, churches intensify effort toward enlightening their followers on voting candidates who will defend and promote the Christian interests at all levels. In fact, it is the policy of many church institutions in Nigeria to insist on blocking access to Christians who do not have voter's cards from entering their churches for Sunday services. Therefore, in Nigeria, identity politics like elsewhere in the world is very strong as buttressed by Jidefor Adibe in Daily Trust (9th May 2019) who notes that "we cannot wash away identity politics because there are group dynamics in politics everywhere in the world".

This article examines the role played by religion in the two historic elections that were conducted in Nigeria from 2015 to 2019. It makes a special reference to the voices of the Ulama which unarguably influenced the decision of many Nigerian voters. The article is divided into five segments. In the introduction, an attempt is made to highlight the nexus between Islam and politics followed by a brief overview in which the relationship between Islam and politics and the role of the Ulama in Nigeria's political culture are traced. The article then presents and analyzes the role of religiosity in Nigerian politics as well as the role the Ulama played in defining politicking and influencing Nigerian Muslims on whom to elect in the run-up to the 2015 and 2019 general elections. In the conclusion, the writer summarizes the essay and gives a glimpse of the findings and subtly offers some recommendations.

Islam, Ulama and Politics in Northern Nigeria: An Overview

Since independence, Nigeria's political landscape has been experiencing different interfaces between the Ulama and those at the helm of affairs or struggle to be one, in other words the political class. The relationship between Muslim scholars and the political class vis-à-vis Islam has been taking new shapes and dimensions.

Writing on the role the religious constituency has been playing in political setting. Mukhtar Umar Bunza (2014) briefly examines the trends of interactions between the Ulama and political actors since the earlier centuries of Islamic history down to the contemporary period. He highlights the role played by the Sokoto triumvirate scholars in sanitizing the political atmosphere of Hausa land, which culminated to the founding of a strong state that was built upon a robust interplay between leadership and Islamic scholarship. In the Arab world, Bunza traces the cordial relationship and exchanges that coexisted between the Ulama and the political class, which altogether brought about positive reform and development for various societies (Bunza, 2014).

Shaykh Muhammad Ibn Abdulwahhab had been part and parcel of governance and decision making in Saudi Arabia" and he "was the real power behind the throne" whose role as a scholar paved way for the contemporary "Ulama to stand to legitimize the government in Saudi Arabia" (Bunza, 2014: 396). Voices of scholars like Shaykh Said Ramadan al-Bouti, Shaykh Usama al-Rifafi, Shaykh Badr al-Din Hassoun, Shaykh Ahmad Kuftaro, Shaykh Wahbe Zuhayle, Mustafa al-Khinn, Mustafa al-Bugha, Shaykh

Kuraym Rajih, Shaykh Muhammad al-Yaqoubi, Muhammad Abduh, Rashid Rida, Kishk, Mahallawe, Yusuf Qaradawi, Hassan Albanna, Sayyid Qutb, Muhammad Mitwalli Sha'arawi, (Bunza, 2014: 397-398), Ali Jumah (Zakyi, 2011), Shaykh al-Hasan al-Dewdew (Thurston, 2012) and a host of others have been as popular and influential as that of the political class.

Bunza's general thesis is that Nigeria's Ulama's voice in politics which was silenced by the coming of the colonials and through the subsequent leadership dispensations has been restored in the new era of democratic setting that began in 1999. This is demonstrated in their productive activism which resulted in the reintroduction of Shari'ah in some Muslim states and their involvement in the bureaucracies that were formed to facilitate the implementation of the Sharia, besides their holistic public awareness during election seasons.

I in contrast, argue that though not as visibly prevalent as the post-1999, one cannot completely divorce the role of the Ulama in the political culture of post-independence Nigeria. A good example is the respect Shaykh Abubakar Mahmud Gumi had in the eyes of most of the leaders of his era, including military regimes. Gumi's connection with Ahmadu Bello, the Premier of Northern Nigeria was instrumental in the formation of the country's regional courts, besides helping in scheming policies that promoted the interest of Muslims such as the formation of Jama'atu Nasril Islam in 1962 (Faruk, 2013). After all, Ahmadu Bello regarded Gumi as a sort of religious advisor and a partner in nation building (Gumi & Tsiga, 1992). Therefore, Gumi was well fit to Hamid Bobboyi's categorization of activist Ulama who though concerned with guarding the autonomy of Islam are yet keen toward defending and promoting its strategic interests and preventing or limiting some damage to the religion. This sometimes necessitates their interaction with the ruling class, but will at all cost not make them compromise the truth (Bobboyi, 2016). Nevertheless, Bunza is right to suggest that no political dispensation has, since the country's independence, witnessed the resurgence of active and solidly visible role of Ulama in the business of governance like the post-1999 civilian regime.

Meanwhile, Muslims have been active in all the four republics that were witnessed in Nigeria's political history. The 1999 power shift from Muslims who were seen to have been more proactive in the previous years was informed by a concern to stitch the slits and assuage the "discomfort" of the Christians about the frequency of their participation as heads of state in the country. Chief Olusegun Obasanjo, a Yoruba Christian who was until 1998 serving a jail term, was chosen by the Northerners to become the president of the new civilian republic. His emergence as president after having contested under the umbrella of the People's Democratic Party (PDP) with a Muslim running mate, Atiku Abubakar, brought a new era that witnessed unprecedented development in the country. As a born-again Christian who worked toward pleasing fellow Christians through different empowerment strategies, including top appointments in his cabinet, he could not resist the Shari'ah pressure

that enjoyed the massive support of Muslim population which brought about the implementation of Shari'ah in some Northern States. That era marked the beginning of new consciousness and involvement of the religious sector in political system.

Within the eight years of Obasanjo's rule (1999-2007) which constituted his first and second terms respectively, Muslims especially the Ulama, were aggrieved by his policies which they considered a threat not only to the religious sector but the Muslims as a whole. This may be evidenced in his several attempts to use presidential power to perhaps on the pressure of his Christian fellows, jeopardize the smooth implementation of the Shari'ah (a core ambition of the Muslim North) through actions such as arbitrary detention of some Muslim technocrats working for Shari'ah bureaucracy. Throughout Obasanjo's tenure, the Ulama had been outspoken in their criticism of the government not only on the basis of religious identity, but also the corruption and maladministration that characterized his leadership. The Ulama had also criticized Obasanjo on account of his many decisions that sought to marginalize and throw the Muslims on the peripheral lane despite that they represent the majority of the country's population.

Religion had played great role in all the presidential and at times gubernatorial elections that came after 1999. In 2003 when Obasanjo contested for the second term, most of the Northern Muslims voted for the All Nigeria People's Party's presidential candidate Muhammadu Buhari. Muslims' attempt to bring a Muslim as president could not be separated from their disappointment with Obasanjo's regimes, including massive corrupt practices that were inherent in his administration. The Ulama had used different platforms to mobilize Muslim electorates and emphasized the need to salvage the prestige of Islam which was under attack by Obasanjo. However, though the scholars' efforts had been greatly impactful, Obasanjo secured a second term but with allegation of massive rigging and connivance with some Muslim governors and politicians who rather than identify with the collective interest of Muslims, chose to register loyalty to the ruling party. Perhaps few criticisms of Obasanjo's regime can be as hostile as the one expressed by Shaykh Abubakar Gero Argungu about the extent and degree of damage Obasanjo had deliberately done to Islam and Muslims in Nigeria. Gero pointed out that it would take patriotic Muslim leaders who possess sound religious credentials fifty to seventy years when given the opportunity to rule the country before they could fix the huge damage Obasanjo had caused to Islam in Nigeria.

The Ulama also were outspoken during the subsequent elections in Nigeria and their impact was momentarily felt. In his "Islam and the Political Arena in Nigeria: The Ulama and the 2007 Elections", Haruna Wakili (2009) provides an insightful account on the positions of the Ulama on the present political system in Nigeria, especially in 2007 general elections. The study capitalizes on four major issues on which Nigerian Muslim scholars reached consensus, despite their different religious affiliations and perhaps partisan inclinations. The four issues are; 1) The compatibility of Islam and

democratic politics; 2) The imperative of the Ulama's participation in politics; 3) The importance of Muslims' participation in the electoral process, especially in resisting attempts at fraud or intimidation at the polls; and 4) The urgency to vote for the most credible candidate regardless of political affiliation (Wakili, 2009: 1). Wakili drew a table in which selected Ulama and their political/religious affiliations and activities are presented.

From Wakili's categorization, we come to know that the Ulama were coming closer to the corridors of power not only as spiritual guides but also as full-fledged or even card-carrying members of political parties.

Meanwhile, in 2007, even though at the presidential level, the majority of the votes of Muslim electorates went to Muhammadu Buhari contesting under the umbrella of the ANPP for the second time, religious consideration played little or no role as the PDP contestant Umaru Musa 'Yar'adua was also a Muslim Northerner, coming from the same state, Katsina with the ANPP candidate. Ulama's mobilization and guidance on whom to elect (which generally favoured Buhari) was focused on the integrity of contestants rather than morality or religious affiliation. Scholars like Shaykh Ja'far Mahmud Adam (2007), one of the influential and popular Muslim clerics in Nigeria had in his Friday sermons and public lectures, openly called for the election of President Muhammadu Buhari.

Given 'Yar'adua's good records as a two-term governor of Katsina State and lack of antecedents to criticize his integrity or moral soundness, the campaign against his election was centralized against two things namely; 1) the poor records of his party and the atrocities it committed to Nigerians, especially Muslims and 2) his fragile health condition, which foretold that in an event he died in office, the power would automatically shift to the Christians. And this would breach the zoning formula which the PDP planned to shift the presidency to the Muslim North.

The official outcome of the election showed that 'Yar'adua won the election but with alleged massive rigging. As soon as he took power, 'Yar'adua began reformation process; he invited the opposition to join his administration for the formation of unity government and promised to create process that would checkmate his election which he admitted as having passed through some electoral irregularities. However, the opposition, including the Ulama did not give heed to his call and went ahead to criticize his short-lived leadership. Shaykh Abubakar Gero Argungu in a lecture titled "Nijeriya Ina Muka Dosa" accused 'Yar'adua of being a formerly religious person, very well connected to Ahlus *Sunnah*, always praying in Izala mosques. But once he assumed the position of the presidency, people (in this case Muslims) had suffered greatly. He put religious issues away of his agenda. To show how unconcerned 'Yar'adua was on affairs of religion, Gero lamented that embarking on Hajj by Nigerians was in a problematic condition and he disapprovingly queried that "this year, we do not even know the price of Hajj seat, except what God wills".

Nevertheless, a few years later when Muslims were faced with what many could consider a disaster in 2011 when Jonathan was seeking for election, Shaykh Kabiru Gombe, who always operates hand-in-hand with Gero and the duo are big friends and religious lieutenants, the former seemed to sharply disagree with the latter's position on assessment of 'Yar'adua's performance. Gombe outlined several projects initiated by 'Yar'adua such as the linking of Nigeria's petroleum pipeline to the North, the plan to construct a mega tax-free market in Kano, etc. Gombe also highlighted that before his death, 'Yar'adua had worked toward the generation of enough megawatts that would satisfy the consumption need of electricity in the whole country.

In my opinion, the sharp contradiction between Gero and Gombe's positions was not fundamental but rather on evaluation of performance which sometimes was immaterial when someone is still in power. While Gero's criticism came at a time when 'Yar'adua was still alive and heading the country, possibly before he started to execute those positive projects, Gombe's commendation came long after Nigerians had tasted the leadership of Jonathan which no one (including Gero) doubts was far worse than 'Yar'adua's.

'Yar'adua died in 2010 and this brought about Goodluck Jonathan, a Christian from Bayelsa State of South, South Nigeria. Thus, this had confirmed the fears of Nigerian Muslims who right from the onset smelled some conspiracy around 'Yar'adua's selection to succeed Obasanjo after the latter's vehement attempts to secure third term in 2007 had ended in fiasco. 'Yar'adua's health condition deteriorated within three years of his election and he died after several weeks of medical trip abroad.

The Muslims' skepticism surrounding 'Yar'adua's choice as a deliberate attempt to perpetuate anti-Muslim agenda was further fuelled by Jonathan's picking of Kaduna State Governor, Muhammad Namadi Sambo as Vice President. Sambo's ascension to the position of Vice President automatically brought his Christian deputy Ibrahim Yakowa to succeed the governorship seat in the Muslim-majority state which was bedeviled by religious crisis often ignited by the minority Christians who dominated the southern part of the state where Yakowa came from. Importantly, many Muslims had considered Sambo's acceptance to move from his governorship position for a higher seat as personal desire for self-aggrandizement, devoid of slight concern to do what would harm the collective interest of the Ummah. As will be highlighted shortly, Sambo would display religiosity as a campaign product to sell for Muslim electorates.

Throughout the remaining tenure of 'Yar'adua which Jonathan completed in 2011, Muslims were ambivalent of Jonathan administration despite that he carried along some Muslim politicians in his government and allowed them to do as they liked. Nevertheless, during the 2011 general elections, Muslims became determined to vote out Jonathan who like Obasanjo, had no good record that would make him electable. While Muslims were faced with this big challenge, a sort of schism occurred as three Muslim Northern candidates emerged contesting for presidency; Muhammadu Buhari under the Congress for Progressive Change (CPC), Malam Ibrahim Shekarau under

the All Nigeria People's Party (ANPP) and Nuhu Ribadu under the Action Congress of Nigeria (ACN). The result of the election showed that Jonathan won with a sweeping victory while Buhari came second, Ribadu third and Shekarau fourth.

The aftermath of the election was greeted with violence in the North as there were allegations of gross irregularities and misconduct which were in favour of Jonathan. President Jonathan constituted a committee to investigate the causes of the violence and offer recommendations on how to avoid its future occurrence. The President appointed as the committee's chair, Shaykh Ahmad Lemu, a respected nonagenarian Muslim cleric based in Niger State. The appointment of the cleric shows how the then incumbent power was willing to collaborate with the religious constituency in order to quell unrest and perhaps persuade the Muslims that they had nothing to worry about with the Jonathan victory.

Islam, the Ulama and 2015 General Elections

From 2011 to 2015, Jonathan administration was regarded as one of the worst regimes in Nigeria's history. According to Adamu Adamu in Daily Trust (9th May 2014), Nigeria under Jonathan was "a country reeling under the fuzziness of leadership unable to do its job of leading . . .". In addition to series of criticism concerning bad governance and poor leadership posture, insecurity seemed to be the greatest weapon with which President Jonathan was politically fought. In the late 2011, the Federal Government announced the deregulation of downstream sector, which in other words, meant the removal of fuel subsidy. This singular act provoked a lot of hostilities and soon people took to the streets in demonstrations and the country was on the verge of tearing apart. The demonstrators were not merely drawn from the poor masses but people of all walks of life such as civil servants, private sector workers, businessmen, and self-employed people, united under the umbrella of the National Labour Congress (NLC). Among the Ulama, Shaykh Ibrahim Khalil, the chairman of the Kano State branch of the Nigeria's Council of Ulama, was notable among the protesters and mobilizers. These forces sent fears and shockwaves to those in authority so much so that some well-wishers of the President had to counsel and advise him to have a rethink on the decision. In the words of Jonathan (2018), "on one of those tense days, some Christian clerics met with me in the evening to discuss the issue. They pleaded that I should rescind the deregulation because of the impending crisis they envisaged. They told me that if I continued with the deregulation, I will be pushed out of power by the people" (Jonathan, 2018: 23).

Despite that there was a sort of consensus among Nigerian Muslims that Jonathan was not the right leader, some religious successes in favour of Islam have been recorded. During Jonathan's era, the decades long dream of Muslims to establish Shari'ah-compliant banking system was realized. In 2012, the Central Bank of Nigeria led by its Governor, Sanusi Lamido Sanusi (now the Emir of Kano) approved the establishment of Jaiz Bank, the first Islamic Bank in Nigeria. The coming of Islamic banking in Nigeria

had endured vehement (though uncalled for) criticisms from the Christian Association of Nigeria (CAN), which as usual, alleged that it was a plan to “Islamize” Nigeria. In a keynote address he delivered during an international conference on Islamic Banking and Finance held at Bayero University Kano in 2014, shortly before he became the Emir of Kano, Sanusi Lamido Sanusi had outlined a lot of hurdles which the effort had passed through;

a number of challenges had to be addressed, foremost among which were misperceptions, some genuine and some deliberately and mischievously manufactured in the typical Nigerian elite game of manipulation of ethnicity and religion to achieve political and economic gains (Sanusi, 2014: XV).

The influential Salafi-based religious organization, Jama’atu Izalatil Bid’ah wa Iqamatis *Sunnah* (JIBWIS) (the Society for Eradicating Innovation and Establishing the Prophet’s Model) has been very vocal during elections. In several preaching tours across Nigerian (especially Northern) states, the Society has conducted lectures in which it expressed its views on Nigerian elections. Generally, its position concerning the contestants was (and still is) that Nigerians should vote for qualified and competent candidates who possess integrity and sound leadership records. In one of those preaching tours, Shaykh Muhammad Kabir Gombe, the Secretary General of JIBWIS, gave an engaging talk in front of a large audience in Tudun Murtala area in Kano. The talk, which was given in the run-up to 2011 elections, centered on the qualities that people should consider in candidates during elections. Shaykh Gombe like many other scholars who also talked in the occasion, emphasized that JIBWIS has no party among the political parties that were contesting for elections. Rather, it was mainly concerned on the integrity of the candidates which had nothing to do with the parties to which they belonged. In an interestingly dramatic fashion, greeted with cheers and chanting of “Allahu Akbar” by the audience mostly exuberant youths, Gombe recited and interpreted some Qur’anic verses that show qualities of leadership. Gombe also downplayed and even dismissed the insistence that party rather than merit should be the basis for consideration while voting. He likened politics and party affiliation as no more than a dining style which the Qur’an recommends that it can be practiced on a collective or individual basis (Q24: 61). This therefore, underscores that even someone in a lone and unpopular party may well be considered provided he possesses the merits and proper leadership credentials. Shaykh Gombe called for the unity of the Ummah to gather their strength and speak in one electoral voice.

Namadi Sambo and the Politics of Fatiha

In the run-up to the 2015 general elections, a lot of factors dominated the Nigerian political space. In the North, there was a belief that government under Jonathan showed an inept and lackadaisical attitude toward security which was bedeviled by the insurgent activities of Boko Haram. There were allegations that the president's handling of the Boko Haram issue was informed by an attempt to set the Muslim North backward. As such, Muslims stood up and considered it a big challenge to stop Jonathan's continuity by voting him out. Every given opportunity was used to caution Muslim voters against casting their votes to Jonathan. On the other hand, this became a stumbling block for the PDP and the task was upon the Vice President, Muhammad Namadi Sambo to use his religious identity and garner support for his party from Muslims in the North. Therefore, Sambo took up the responsibility of doing everything possible, including "pseudo" display of religiosity and meeting with and persuading influential Ulama in order to make their joint presidential ticket sellable among the Muslims.

It seemed that Sambo started this process earlier before the election season. In the words of the Zaria-based Salafi scholar, Shaykh Muhammad Auwal popularly known as Albani Zaria, the Vice President Namadi Sambo had been requesting to pay a visit to the latter but the request was being consistently turned down by the cleric. Finally, through a niece of Albani, a plan was made for the Vice President to meet the scholar who was until then oblivious of the plan. Sambo presented his request for support during election but Albani declined and said he would never support the PDP. The cleric also rejected another request of the Vice President that Albani should not preach against the reelection of the PDP but again Albani did not agree. Albani pointblank told Sambo that had the Jonathan administration performed well, there was no need for the Vice President to meet him as he (the scholar) would be in the forefront to call for their reelection. This portrays how desperate and eager those holding political power are to partner with the religious constituency to realize their ambition.

In the second count, during presidential campaign tours to many Northern states, Namadi Sambo used the platform to point out to the Muslim voters that if faith identity was the barometer to determine which candidate they should vote for, his ruling party PDP was more Muslim than the opposition party, the APC. During one of those tours in Jigawa State, Namadi Sambo had this to say;

Our chairman is a Muslim; the Director General of our campaign is a Muslim likewise. I Namadina Sambo, am Muslim. It is only our presidential candidate that is a Christian. In APC, their chairman is a Christian, their Campaign Director General is a Christian and the Vice President is a Pastor. Our party has more Muslims than the APC.

As mentioned by Farooq A. Kperogi (2015), Sambo tried to at virtually every campaign tour in the North, outline the numerical domination of Muslims in the PDP's campaign structure in contrast with the APC's which was dominated by Christians (Kperogi, 2015). However, during the campaign in Kano, the biggest Muslim city in Africa where religion plays an incomparably significant role more than anywhere else in Nigeria, Sambo attempted to increase an edge to his display of religiosity. After speaking briefly and implying that he was even called "Namadina" because of his attachment to Madina city (the second holiest city in Islam) and as usual, making a case that the PDP was more "Islamic" since it harboured more Muslims than the APC, the former Vice President recited Surah al-Fatiha in a shamelessly and shockingly flawed manner. This heinous gaffe which many commentators considered unprecedented in Nigerian political space, has elicited a lot of criticisms on not only Namadi's campaign strategy but also his exploitation of religion (albeit inappropriately) to perpetuate his political mission. It yet demonstrates how crucial religion is in the political and public sphere of Nigerians, especially as regards the men who hold the reins of power in the country. This is besides that as Namadi's case vividly indicates, many political elites in Nigeria utilize religious symbolism as weapons to appeal to the masses and without necessarily situating it in sincere religious context. In this regard, John N. Paden (1973) observes that, "the religious patterns of ruling elites are frequently different from those of the masses, yet mass elite integration may be achieved to some extent through the manipulation of common religious symbols" (Paden, 1973: 11).

In any case, many factors have interplayed and brought the Jonathan government to an end. The election results showed that Buhari under the platform of APC won the Presidential seat with over fifteen million votes while the incumbent president Jonathan polled less than thirteen million votes. And with this, the fears of Muslims on the conspiracy of the Jonathan's regime to suppress them were allayed.

Islam, the Ulama and 2019 General Elections

As politics in Nigeria becomes stronger, the Ulama have been intensifying efforts toward ensuring the prevalence of healthy and peaceful political atmosphere, especially during elections. They have not been relentless in orienting the masses on dissociating themselves from vices and electoral misconducts. Much of the work that some government agencies like the country's electoral empire, Independent National Electoral Commission (INEC), National Orientation Agency (NOA), security agencies and others would do was done effectively by the Ulama. In the run-up to the 2019 general elections, the Ulama have rigorously reached out to their massive following and unaffiliated audience through different platforms. It appears that emphasis was given to the presidential seat, which was being contested by two Northern Muslims, Muhammadu Buhari, the incumbent president contesting for the second term under

the umbrella of the APC and the PDP's candidate, Atiku Abubakar, former Vice President (1999-2007).

In one of those platforms, Shaykh Dr. Abdullahi Usman Gadon Kaya, one of the *Imams* of Usman bin Affan Juma'at Mosque, a Salafi scholar and a lecturer at Bayero University, Kano spent more than thirty minutes speaking on the 2019 election that was around the corner. He guided the audience on how they should conduct themselves during the election, noting that people should not for any reason, play with their voter's cards, sell them or subject them to any form of abuse, which would consequently disenfranchise them from voting. He said that voters should be careful at the time of thumb-printing on the ballot paper, lest they render their votes invalid or even cast them to wrong candidates. Gadon Kaya instructed voters to attend the polling units in a peaceful manner and organize themselves in a way that would not give room for unscrupulous elements who were paid to disrupt elections to achieve their fiendish goals. He emphasized that voting by proxy should at all cost not be tolerated.

Gadon Kaya also spoke at some length on the qualities of leaders which people should consider while casting their votes. Relying on the hadith in which the Prophet (SAW) said that the best leaders "...are those whom you love and they love you..." (Sahih Muslim: 1855, Sunan Tirmizi: 2264), the cleric pointed out that a leader who loves his subjects is the one who dedicates his lifetime to effortlessly serve them and do whatever possible to bring good and succour to them. Gadon Kaya gave parallel qualities of leaders whom people should not vote for, such as the dishonest, careless and extravagant leaders who would squander people's treasury and only gravitate to the masses and dash them pittance as luring token during elections. Morality and virtue were also qualities which must be considered as Gadon Kaya highlighted. He added that people should not vote for imprudent, amoral and religiously bankrupt candidates who only exploit political opportunities to enrich themselves and pursue other selfish goals. The scholar then stressed that people should never be hoodwinked into a uniform voting of one party, thereby ignoring the merits and credentials of the various candidates fielded by different political parties. The Shaykh indicated that once people made a mistake of electing the wrong candidate, they have opened doors for the growth of a strange and misguided ideology whose adherents were allegedly in alliance with one of the two main contenders of the highest political office in Nigeria.

In a decidedly emotive tone, Gadon Kaya declared that provided people were looking for a leader who was honest, truthful, tested and trusted and possessor of integrity, he has not seen someone who could be matched with Muhammadu Buhari! Gadon Kaya challenged that if there was any person who was better than Buhari, let someone come forward and explain to him so that he could have a rethink on his personal position. Nonetheless, he maintained that "sak" (uniform voting of all candidates who contested under the umbrella of Buhari's party) should

not be applied. Gadon Kaya's position portrays him as a scholar who sees no wrong in coming clean to mention names of candidates who according to him fulfilled the requirements which he labored to explain, and this to him as a Nigerian, is an inalienable right (Gadon Kaya, 2019).

Similarly, Shaykh Muhammad Bin Uthman, a prominent, influential Salafi scholar and the Imam of Masjid Sahabah, a Juma'at mosque in Kano, had in one of his sermons and other platforms, delivered engaging talks in which he emphatically adumbrated qualities and traits that people should consider when voting. Here, the scholar focused on integrity and honesty, implying that it would be politically fatal if people cast their votes to the candidates who have records of looting and squandering public treasury. Bin Uthman spoke in a clever but manifest way which left no listener with an iota of doubt as regards to the candidate he was referring to as corrupt, which conversely tells more on whom he would want people to elect (Bin Uthman, 2019).

The engagement of the religious constituency in the run-up to the 2019 elections in Nigeria was not only done by scholars on individual capacity but also at organizational level. Jama'atu Izalatil Bid'ah wa Iqamatus *Sunnah* had in this regard, made an incomparably notable and impactful output. The organization as usual, embarked on preaching tours in many cities in Nigeria where scholars delivered lectures on the elections. Two weeks before the 2019 presidential election, JIBWIS conducted a public lecture at Sultan Bello Mosque, Kaduna where a group of scholars discussed the national exercise that would hold in the penultimate week. Shaykh Muhammad Kabiru Haruna Gombe, the outspoken preacher who took much of the time delivering his lecture, narrated instances in which many politicians in an attempt to display religiosity by quoting Islamic texts during campaigns, gaffed and made slanderous and "unforgivable" mistakes.

Gombe then explained the Islamic viewpoint of leadership, making copious and extensive quotations from the Qur'an and the *Sunnah*. Afterwards, he focused on the election and discussed qualities of good leaders and concluded by admitting that the two main contestants (Buhari and Atiku) might be good and qualified, but commonsense dictates that people must choose the better one. The cleric made specific references to the qualities which one of the contestants (obviously the incumbent President, Buhari) is believed even by his opponent, to have possessed such as honesty, integrity, trustworthiness, chasteness, etc. Based on this, Gombe declared that the position of Izala, which was wholeheartedly endorsed by more than 90, 000 men who make up its leadership structure from national to state and even local government levels in Nigeria, was that people should vote for this "virtuous" candidate (meaning Muhammadu Buhari). Other scholars in attendance included the Chief of the Mosque, Dr. Sulaiman Muhammad and the Chairman of JBWIS, Shaykh Abdullahi Bala Lau. The latter's comment complemented Gombe's speech, but also,

to demonstrate the significance of power, cited an example with Kaduna State Governor, Nasiru El-Rufa'i who decisively rose to the security challenge posed by Christian militias in Southern Kaduna. This in another context, may be seen as a subtle endorsement of El-Rufa'i's candidacy who was vying for the second term.

In another lecture which Izala gave in Katsina State few weeks before the election, Gombe took time to review the state of insecurity which bedeviled Northeast before the coming of Buhari in 2015. He narrated the pains people in the region had been put through by insurgency; the thousands of lives that were lost, property that was destroyed worth billions of Naira, the millions of victims who were rendered homeless and now wallowing in IDP camps in abject poverty. The scholar concluded that it was the coming of Buhari in 2015 that halted the activities of the insurgents and rehabilitated the war-torn zone, so much so that now one can say Boko Haram has become a "history". All these remarks were made by Gombe to underscore the necessity of voting Buhari. The scholar reminded the audience of the speech given by the Emir of Kano, Malam Sanusi Lamido Sanusi II in the run-up to 2015 elections, who called on people to think twice before casting their votes. The royal father then urged Nigerians to measure the performances of the previous administration under Jonathan as regards security based on which they should decide to whom their votes would go.

By citing the Emir also in 2019, Shaykh Gombe left no doubt to his listeners that he believed Buhari has performed well on the issue of insurgency, thus it would be fatal to vote for any other candidate than him. It can be noted that Gombe used a strategy that was slightly different from the one he used in Kaduna, where he admitted that both candidates (Buhari and Atiku) might be good but the incumbent president is incomparably better.

In the lecture, Gombe dismissed the possible conjecture that may resonate in people's minds about the wisdom or reason behind the Izala's backing and support of one candidate, which as many Nigerians may note, has been consistently in favour of Muhammadu Buhari. Gombe said this was not informed by religious or ethnic prejudice.

Earlier in 2018, the JIBWIS conducted another lecture in Abuja, the hardline preacher, Shaykh Abubakar Gero Argungu also took the stage and expressed his support for Buhari, though he clarified that he was not implying that Buhari is the most saintly among politicians, hence none possesses integrity and leadership qualities except him alone. Shaykh Gero then threw a challenge of integrity test. After swearing by God that Buhari is not a looter, the scholar demanded that the counterpart of Buhari should come forward and declare that he was not a looter also.

Nevertheless, the scholar was forced by circumstances to pick few shortcomings in the Buhari administration, which should have been addressed especially in relation to appointments of technocrat to man specific government agencies. After citing the hurdles which they went through in an attempt to enlighten Nigerians on the need to vote for Buhari in 2015, including many hazardous tours they embarked to states in central part of the country, in addition to the massive support the President has been enjoying from JIBWIS, Shaykh Gero lamented that the religious constituency has not been catered well in the Buhari administration.

This however, did not affect Gero's identification with Buhari so much so that in the run-up to the 2019 elections, an audio clip went viral on social media in which Shaykh Gero was heard praying for the success of Buhari and cursing whoever did not like Muhammadu Buhari to continue as President. The speech sounded too harsh and undiplomatic to many Nigerians, but interestingly enough, Shaykh Gero appeared in another video clip in which he retracted his utterance and apologized for his mistake, though he maintained his position of having an unflinching support to Buhari's candidature.

From the foregoing, it may be seen that much of the Ulama's open support (especially the one that enjoyed wider publicity) mostly favored the incumbent President Muhammadu Buhari. The other main contender Atiku Abubakar is also a Muslim from the North. Much of the reasons the scholars gave while registering their support for Buhari stood parallel with the credentials and leadership records of Atiku. During Obasanjo's era, Atiku who served as his second in command, the highest Muslim political leader, was supposed to ensure that Muslims were not phased out in the business of governance. However, Muslims did not seem to have much confidence in Atiku on several accounts and saw him more as a self-promoting politician. First in 1999, after having won a gubernatorial election in his home state, Adamawa, Atiku was picked by Obasanjo to serve as the latter's Vice President. By accepting to become Vice President, Atiku had paved way for his Christian deputy, Boni Haruna to automatically assume the governorship seat in the Northeastern state which was experiencing political competition between adherents of the two major religions. More or less, Atiku's ascension to higher office had weakened the Muslim majority politically and empowered the Christian minority in the state.

Secondly, some of Atiku's utterances had angered many Muslims and added to their suspicion about the soundness of his religiosity. His statement when things were hunky-dory between him and his boss Obasanjo that God did "not" answer the prayers of the masses (Talakawa) and his resentment of the exclusively Muslim title "Alhaji" – a religious label that is given to whoever has embarked on pilgrimage and discharged Hajj obligation, resonated well in the minds of Muslims, thus considering Atiku as an unreliable power-seeking politician.

Notwithstanding, it can be said that the Nigerian Ulama's support for Buhari was not an outcome of a consensus, but an exercise of a personal and collective reasoning. There were equally popular and influential scholars who also supported and endorsed the candidature of Atiku.

In a telephone interview with the BBC, Shaykh Yusuf Sambo Rigachikun, a top Izala cleric, voiced his position on the election where he said he would vote for Atiku Abubakar, the PDP candidate. The cleric adumbrated along other reasons, some of the religious projects Atiku Abubakar has personally executed as well as philanthropist activities he has been championing. Rigachikun mentioned that he personally knows more than a hundred mosques that were built by Atiku and hundreds of orphans and less privileged that Atiku has been for more than two decades, catering for. On the other hand, the cleric charged that he was not aware of any mosque whether in Daura, Buhari's hometown or anywhere that was said to have been built by Buhari. By saying this, Rigachikun was sending a message to Nigerian Muslims including the Ulama that if Islamic consciousness and extending hands of financial support to the less well to do are merits based on which one can be elected to a high political office, Atiku was one that could be tried and even preferred over Buhari.

In the same vein, the son of Shaykh Abubakar Gumi, Nigeria's most popular and respected Salafi scholar, Shaykh Ahmad Abubakar Gumi, openly supported Atiku's candidature and even played part in reconciling the former Vice President with his former boss, Olusegun Obasanjo. Gumi said he had no regrets participating in the reconciliatory process between the duo and maintained that he had the rights to endorse any candidate for the 2019 elections.

Meanwhile, some scholars chose to play a neutral role by avoiding to publicly mention their preferred candidate. In a short clip which was circulated and uploaded on youtube, the leader of the Qadiriyyah Sufi order, Shaykh Khalifah Qaribullah Nasir Kabara sent a message to especially the Qadirawa (followers of Qadiriyyah) in which he reiterated his position (as in 2015), that as the leader of the movement, he was not in support of any utterance in respect of the candidates, thereby accusing some candidates which would lead to a discourse on whom to elect and whom not to. He maintained that this must not be done in the name of Qadiriyyah. By this statement, which stands in stark contrast with many expressions of Izala scholars, the cleric was giving an impression that he did not identify with any of the two candidates and his followers were free to vote for any candidate of their choice. Nevertheless, some may argue that the statement was uttered more in favor of Atiku Abubakar as he was the candidates on whom many questions on integrity, honesty and other leadership credentials centered.

Though slightly different from Shaykh Qaribullah's expression of position, the

view of Shaykh Muhammad Sani Umar Rijiyar Lemo – another renowned scholar, is purely neutral, without a semblance of sympathy or leaning toward any of the candidates. Lamenting that the responsibility of selecting leaders is in Islam, a sole duty of Ulama, but which has now been usurped and set loose for every Tom, Dick or Harry, Rijiyar Lemo urged the audience to use their God-given intellect and vote for candidate of their choice. He noted that none of the candidates was contesting for the purpose of reforming religious situations but rather mundane affairs of the people. Nevertheless, he stressed that voting was an *Amanah* (trust) upon the electorates, they should therefore, vote wisely so that on the Day of Recompense, they would accordingly account for it. Rijiyar Lemo’s words suggest that religiously speaking, he was undecided on either of the main contestants (Buhari or Atiku) who if elected, would work toward promoting or at least defending the interests of Islam and Muslims in Nigeria, and that aside worldly benefits, none of them has anything to “offer”. Therefore, Rijiyar Lemo’s argument also stands in contrast with what Izala has at times been reasoning with to support some candidates during elections. In any case, this illustrates the culture of independence that guides some Ulama in Nigeria which is accommodated in the political framework of freedom of expression.

Needless to say, it is easy to note that the weight of the Ulama concerning political support and endorsement of candidates was largely thrown on presidential election. This and other considerations may explain the source of victory of Muhammadu Buhari who was returned as winner of Presidential election which was conducted on February 23, 2019, thus securing a second term. Buhari got over 15 million votes while Atiku polled less than 12 million votes.

The scholars did not keep mute or relent in their effort to mobilize and enlighten people on voting competent and qualified candidates at various levels. Though the majority of scholars in this regard, chose to remain neutral and did not bother to explicitly mention names, there were instances in which some scholars sided with few candidates and unequivocally called their followers to elect them, at times even to the dismay of the majority or oppressed masses.

An apt example will be the stand taken by the renowned Tijjaniya spiritual leader, Shaykh Dahiru Usman Bauchi concerning the election of the membership to the House of Representatives for Tafawa Balewa, Bogoro and Dass federal constituency. Tafawa Balewa town of Bauchi state in the Northeast, has a history of religious crises between the Muslim community and the Sayawa Christians. The latter were said to be settlers who migrated to the town few years before Nigeria’s independence and lived as neighbours of Muslims who have more than three century-history of living in the town. There were intermittent fights between the Muslims and the Christians in the town in 1991, 1995, 2001 and 2011. Since 2011, the entire Muslims were uprooted in the town and have been wallowing and

suffering in IDP camps at neighboring villages.

Since 2007, Yakubu Dogara, one of the Sayawa Christians has been occupying the representative seat of Tafawa Balewa, Bogoro and Dass federal constituency. Throughout these years, including the tenure from 2015 to 2019 when he served as the Speaker of the Lower Chamber of the National Assembly, Dogara according to the people he represented, made no effort to rehabilitate and eventually relocate the Tafawa Balewa Muslims who have hitherto been in diaspora (Shehu, 2019). Therefore, when 2019 general elections came and Dogara secured a ticket to contest for another term under the PDP, Muslims in the constituency organized themselves and planned to vote Dogara out and bring someone who would rise to their demands. Mobilization lectures, sermons, mosque teaching sessions, newspaper pages, pamphlets, social media and plethora of media platforms were used by the Muslims to enlighten voters in the zone as regards the candidate for whom they should all cast their votes, in that regard Abubakar Kantana, the Muslim candidate fielded by the APC.

Amidst that situation of Muslims' political unity and determination to bring solution to their ordeal, Shaykh Dahiru Bauchi emerged and differed with the opinions of Muslims in the area. Though not an indigene or resident of any of the three local government areas that make up the constituency, as a Tijjaniyya leader, the cleric wields enormous clout and his words carry greater weight, especially among adherents of Tijjaniyya brotherhood. Bauchi publically endorsed the candidature of Yakubu Dogara and urged all his followers to vote for him. Turning a blind eye on the necessity to halt the predicament of the displaced Tafawa Balewa Muslim community, Bauchi maintained that it was "better" to vote for a Christian than to vote for a Salafi candidate. After the election, the results were announced in favour of Dogara who was said to have won the seat for another time. There were allegations of massive rigging and irregularities (Daily Trust, 2019), which pushed the Independent National Electoral Commission to declare the results of some polling units as inconclusive, and announced plan to re-conduct fresh election there (INEC, 2019), though the plan was shelved later. Yet, one cannot rule out the influence of Shaykh Dahiru Bauchi's words in dividing the voting strength of the Muslims – the situation that allowed the rigging and electoral irregularities to go unaddressed since Muslims' plans to checkmate them had been undermined and jeopardized by disunity.

Other places where Islam played significant role and shaped the political situation included Kaduna State. The state has a history of some religious crises often perpetrated by the Christians who mostly lived in the Southern part. People in the area were notorious of trapping and waylaying commuters who passed through their territory when passing through the route. Since 1999, the political tradition (though unwritten in the constitution) in the state was that the governor who used to be a Muslim since Muslims are the majority, would pick a Christian as his

running mate since there are small though vocal Christian population in the state. As highlighted somewhere in this article, the Christians in the state once had an opportunity of having one of them as a governor when Namadi Sambo was chosen as Vice President of President Jonathan as the result of President Yar'adua's death in 2010. It was alleged that Ibrahim Yakowa, Sambo's successor, a Christian from Southern Kaduna used his political power to not only empower the Christians to the detriment of their Muslim counterparts, but also laid down strategic plans to completely shut out the latter and eclipse them from the political relevance in the state, including using military might and all forms of political subjugation. After all, the crises that erupted in which thousands of Muslims were massacred during his tenure and the factors that perpetrated the crises including his silence and lack of action were enough to explain the degree of damage the Christians did to the Muslims in Kaduna State (Maikudi, n.d). It was only when the governor was silenced by a sudden death that Muslims restored psychological comfort when his deputy Mukhtar Lamaran Yero took over as governor. And it was at that time that many shocking revelations on Yakowa's plans became public.

In the run-up to the 2019 elections, it can be said that religion played greater role in shaping politics in Kaduna State more than in any other state. Nasir El-Rufa'i who was elected as governor in 2015 did a bold and unprecedented attempt to put an end to the noise, claim of authority and the political advantage the Christians relied on when suppressing their Muslim neighbours. The governor, who was seeking for a second term, dropped his Christian deputy, Yusuf Barnabas Bala and picked a Muslim, Hadiza Balarabe who also hailed from Southern Kaduna. This attempt fuelled the fire of criticism from different Christian quarters. As the result, the Christians became determined and mobilized to vote out El-Rufa'i by siding with the PDP candidate Isa Ashiru, a Muslim who picked Sunday Marshall Katung, a Christian as his running mate. Churches became platforms for canvassing political support to the PDP candidate. The matter turned into a form of political battle for display of numerical strength and influence in the state. Muslim scholars also saw El-Rufa'i as the necessary option, thus called for their fellow Muslims to vote for him en masse. Mosques, schools and many other platforms were used to mobilize solidarity for the incumbent governor.

There was understandably, a big challenge for El-Rufa'i and many feared that he would hardly scale through. This was because the candidate fielded by the opposition PDP, is a Muslim and it was certain that significant number of Muslims would vote for him. Likewise, it would be strongly believed that since El-Rufa'i did not pick a Christian running mate as was used in the past, the entire or at least more than ninety percent of the Christian votes would go to the PDP contestants since the running mate is a Christian. Furthermore, there were two other Muslim contestants fielded by smaller parties such as PRP's Ahmad Umar and SDP's Haruna Saheed. They would all enjoy the support of at least their extended families,

hence depriving El-Rufa'i of their votes. Therefore, when after the elections and official results were announced and El-Rufa'i polled 1, 045, 427 votes and his main challenger Ashiru scored 814, 168, matters became clear that picking a Christian running mate was not an electoral necessity in Kaduna State. Despite having more than seventy percent of the total population of people in Kaduna State, Muslims extended that favour to their Christian neighbours out of magnanimity, but which the latter disproportionately abused.

Whether El-Rufa'i's decision which proved fruitful will resonate well with Nigerian Christian establishment or not, Muslims can recall well how in other states which have sizable Muslim populations, the latter are marginalized and shut out of the political schemes in the states. A good example can be Plateau State that has Muslims who represent more than 40 percent of the total population but lack commensurate representation in the executive affairs of the state, let alone having a Muslim as deputy governor. Similarly, there are more than thirty percent of Muslims in Edo State but yet Christians have been ruling as governor and deputy since 1999. In Benue State also, there are more than twenty percent of Muslims out of the whole population but they have no visible representation in the political structure of the state.

In contrast, many states which have the majority of Muslims have been practicing the tradition of fielding Muslim-Christian candidates even in cases where the Christian support will not affect the decision of electoral outcomes. In some states, Christians were even voted to rule despite that Muslims are in the majority.

Discourse on Islam and politics in Northern Nigeria cannot be complete without taking into cognizance the trends and trajectories of the Ulama's engagement in the political debate in Kano, the most populous state in Nigeria. Little after the inauguration of the Shari'ah in Zamfara State in 1999, Kano became the centre for advocacy of Shari'ah in the North at the top of which stood a united front of the Ulama. Since then, politics in Kano has been taking new shapes and dimensions all of which as the result of the Ulama's role and how politics is defined by Islamic consciousness and moral values. In summary, all the elections that were held from 2003, 2007, 2011, 2015, and more recently 2019 did not lack the semblance of religiosity according to the definitions and analyses of things on ground by the Ulama. As the result, since 2003, Kano people's votes have been going in favour of Muhammadu Buhari up to the time he emerged as the President in 2015 and was reelected in 2019.

Unlike other Northern states, Kano boasts the biggest number of Muslims who account to more than ninety percent of the state's total population, with virtually no political threats on the part of the small community of non-Muslim settlers. This makes inter-religious competition almost completely absent, thus shifting the focus centrally on the degree of one's moral credentials and prospects of

promoting Islamic ideals in the state. That was why the Ulama were relatively united in 2003 and cooperated with religious institutions and helped in ending the regime of PDP Governor Rabi'u Musa Kwankwaso. They embarked on massive awareness campaigns as the result of which people in Kano elected Ibrahim Shekarau of the ANPP and he was also reelected in 2007, making him the first governor to serve two terms in the political history of the State.

In 2011, Rabi'u Musa Kwankwaso reemerged under the umbrella of the PDP and appeared to have learnt his “mistakes” of challenging the religious constituency. Therefore, he cooperated with a vocal body among some Kano Ulama who helped his election for another term, after he was ousted eight years ago by the power of Islamic consciousness fuelled by the wind of Shari'ah advocacy. This was despite that Salihu Sagir Takai, the ANPP candidate was also largely believed to be a good electoral material with sound moral credentials like Ibrahim Shekarau. The only difference between him and Shekarau, which may partly explain why he was defeated by Kwankwaso, was that in 2003, there was an unshakable unity among the Ulama to get rid of Kwankwaso. But in 2011, there was among the backers of Kwankwaso, a strong and vocal network of Ulama including those who stood at leadership seats of some religious groups that have large and docile followership base in the state.

In 2015, however, Abdullahi Umar Ganduje, Kwankwaso's deputy and eventual successor who had contested under the platform of the APC, triumphed due to a number of factors, the most visible of which perhaps was the obsession of Nigerians to get rid of the PDP and bring a new party due to many “sins” the PDP was seen to have committed on Nigerians. The relevance of the Ulama by that time was though predominantly felt at the national level, had permeated into state levels so much so that the moral integrity of the likes of Salihu Sagir Takai, the PDP governorship candidate of Kano State was interned in the negative depiction of the PDP at the time. In order to get the confidence of Kano people that Ganduje was also a promoter of religion, the propaganda wing of his political structure created for him the title “*Khadimul Islam*”, meaning “the Custodian of Islam”, and publicized it in the state in his favour.

It can be said that the 2019 elections resembled the political atmosphere of 2011 which witnessed the division of Ulama's support between three major contestants; the incumbent Governor, Abdullahi Umar Ganduje (who was seeking for a second term under the APC), Abba Kabir Yusuf, Kwankwaso's anointed candidate under the PDP platform and Salihu Sagir Takai contesting under the umbrella of the PRP. The outcome of the election showed that Ganduje won the election, thus rendering all the attempts by some Ulama who sided with his opposition futile. After all, there were influential Ulama who endorsed and supported his reelection bid.

Conclusion

It can be discerned from the foregoing discussion that politics in Nigeria cannot be divorced from the religion. Even ardent critics of the notion or belief that Islam permeates into all strata of life like Sherko Kirmanj (2008) admit that it “has been normal for religion to be closely linked to politics” (Kirmanj, 2008: 55). The spiritual leaders of the two major religions, Islam and Christians have adequately utilized different avenues to craft space and seek relevance for their respective constituencies. With a specific focus on the role of Islam in determining the direction of politics especially in Northern Nigeria, the article has illustrated how the Ulama and religious bodies within the Muslim circles have engaged in politics and influenced its ideals, especially at the time of elections and particularly the run-up to the 2015 and 2019 general elections. Though only an Islamic state can guarantee living fully under Islamic ideals, given the nature of Nigeria’s system of government which adopts no religion as a state policy, Muslim scholars view that Islam is not wholly incompatible with the country’s politics and consider it necessary for good Muslims to engage and contribute their quota in the nation-building process. In the general discourse of the mainstream Nigerian Muslims on politics, there is an absence of the thesis that before political reform is achieved or to ensure effective representation of Muslims, there must be a revolution that will lead to the overthrow of the existing democratic structure.

The force of Islamic consciousness combined with effective role played by the Ulama makes it difficult sometimes for those holding political power to succeed in introducing and executing schemes and policies that undermine fundamental Islamic values and jeopardize Muslim aspirations in Nigeria. In fact, political actors in the country are at times, eager to display some religiosity in order to foster their political prospects and appeal to the sensibilities of the electorates.

Except perhaps the attempt of Bugaje (2016) to craft a political vision for Muslims in Nigeria, there is in the Nigerian Muslim discourse on politics, an absence of an agreed-upon, long-term plan and comprehensive blueprint on the fate of Muslims as regards the supreme political leadership in the country. The engagement of the Ulama in Nigerian political discourse seems to be merely defined by what a particular season entails rather than a permanent systematic agenda, hence making it necessary for the Muslims to devise and adopt workable strategies for their future. Though Muslims are in the majority, there is no robust scheme to ensure that the reins of leadership remain in their hands. Now that Muhammadu Buhari is in his second and final tenure which will expire in 2023, Nigerian Muslims do not have a succession plan which will guarantee that their role as the majority in the country is not compromised. It is not difficult to believe that if it were the Christians who occupied the position of the majority in Nigeria, it would be hard to expect them to adequately carry the Muslims along by, for example, picking vice presidents from among them let alone opening the avenue for them to serve as presidents.

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Perception of Muslim devotees on health benefits of salāt in Lagos State, Nigeria

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Abstract

This study investigated the perception of Muslims on the salutary effects of the regular performance of the Islamic obligatory daily prayers (ṣalāt). The accessible population comprised of 450 participants drawn from 10 mosques in the Somolu Local Government Area of Lagos State, Nigeria. Four hypotheses were developed to guide the study while a self-developed and validated questionnaire tagged Muslims' Perception of Health Benefits of Ṣalāt Survey (MPHBSS) was utilised for data collection. Frequency counts, percentages and mean scores were employed in analyzing data. The results revealed, among others, that the participants do not have a history of health problems but were firmly aware of the spiritual benefits of ṣalāt. Majority of the respondents submitted that ṣalāt promotes personal hygiene (3.65) as well as physical health (3.58). The paper advocates enriching curriculum for training Muslim clerics to reflect multi-dimensional values of ṣalāt and the inclusion of information on the relationship between ṣalāt and health in health education programmes in Muslim communities.

Key Words:

Health benefits, ṣalāt, physical health, Somolu

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Background

Ṣalāt is an obligatory form of worship which must be performed at varying intervals in a minimum of five periods per day. The process involves first assuming a state of purity which might entail entire body cleansing called “*ghuṣl*”. More frequently, the performance of *wudū*’ (washing the most exposed part of the body) suffices. Actual *ṣalāt* begins with the standing posture and while raising the hands to ear level the initial takbīr (i.e. *Allahu Akbar*) is pronounced. A recitation from the Qur’an follows after which the devotee bends in a perpendicular manner with both hands rested on the knees. After reciting recommended supplications, the standing position is resumed preparatory to prostration (*sujūd*). In prostration, all body extremities (head, palms, knees and toes) touch the ground. The *julūs* or sitting position separates the first and second prostrations. The second prostration marks the end of a unit of *ṣalāt*. A Muslim is required to observe a minimum of 17 units or raka’ahs on a daily basis while facing the direction of Ka’bah in Makkah. The various body movements and postures are accompanied by different supplications especially the takbīr which also marks the transitions from one posture to the other. The entire prayer ends with pronouncement of the taslim (saying *As-Salamu ‘Alaikum*) which is accompanied with turning the face right and left.

Worship is a major manifestation of religious practice in various parts of the globe. Worship is ordinarily conceived as a demonstration of servitude, obeisance and complete submission to God or a deity. Apart from the belief in its efficacy, worship engenders a sense of closeness to a deity who positively impacts on the life of the individual. In Islam and Christianity, failure to observe compulsory worship without a valid exemption is improper. Therefore, worship is partly construed as a means of attracting the blessing of God and avoiding divine sanction which also exudes a feeling of accomplishment and satisfaction. Based on the thesis that worship is an expression of an individual’s religious conviction, it is usually situated within the sphere of spiritual experiences and metaphysical issues. Secular values are often not ascribed to religious rituals. The inseparability of body and soul and the physical dimensions of some rituals justify the empirical investigation of the extent spiritual activities influence physical well-being. The physical and physiological features of exercises mark them out as potential health enhancers. Taking cognizance of the dynamics of demography, the continuous documentation of the impact of religious observances on personal or communal health is necessary.

Religion, medicine, and healthcare have been closely related in various civilisations. In fact, the dichotomy between religion and healthcare, where it has occurred is a recent phenomenon. In developing countries, the symbiotic relationship between the two is virtually still intact. In developed nations, especially in the west where the dichotomy is very prominent, the relationship between religion and healthcare is historically robust. The relationship between rituals and health was well established among the ancient Greeks (Jawaid, 2014). During the Medieval period, Muslims produced works in both spiritual and secular fields. The Qur'anic exegete or Islamic jurist was often times also the physician and chemist. Ibn Sina (Avicenna) and al-Razi (Rhazes) typify this medieval scholarly tradition at both the theoretical and practical levels.

Religious groups established the first hospitals that catered for the sick in Europe. In fact, since the beginning of recorded history, a symbiotic interaction between religion and healthcare was manifest in many parts of the globe. During the Middle Ages and through the period of the French Revolution, religion was strongly associated with healthcare. In depicting the role of priests in provision of healthcare during this era, Koenig (2012:1) submits that:

physicians were often clergy. For hundreds of years, in fact, religious institutions were responsible for licensing physicians to practice medicine. In the American colonies, in particular, many of the clergy were also physicians—often as a second job that helped to supplement their meager income from church work.

In Africa and particularly among the Yoruba of Southwest Nigeria, and the Manianga in Zaire, traditional medicine is tied to divination for diagnosis. Treatment often times incorporates taking herbal formulations and performing rituals and sacrifices. The traditional system has undergone phases of transformation resulting in standardisation and increased credibility (Lawal, 2014, Washinton-Weik, 2009). The healing ministry is considered one of the pre-occupations of Jesus Christ's proselytization activities (Mt 8:1-3, 14-17, 28- . 32; 15:29-31; 17:14-20; Lk 5:17-26). The healing attributes of the Qur'an and the utilities of substances for curing ailments are enunciated severally in the primary sources of Islamic tenets (Qur'an 26:80, 17:82, 16:68-9, 10:57, 41:44,).In the well- known collections of Al- Bukhari, Muslim, Abu Dawud, Tirmidhi, about 400 hadiths address specific diseases, their remedies and instructions on hygiene, cleanliness, and nutritional habits. All of these are elaborately presented in the corpus of prophetic medicine projected in the classical works of Ibn al-Qayyim Al-Jawzi (8th Century AD), Abu Nu'aim (5th Century AD), Abu Abd-Allah al-Dhahbi (8th Century AD), and Abu Bakar Ibn al-Sani (4th century AD).

Idler (2008) identified psychological, social and physical benefits of spiritual and religious practices. Religious practices, including meditation, baptism, yoga,

fasting, pilgrimage, sermons, dancing, performing ablutions, scripture recitation, taking sacraments, singing, individual and corporate worship, spiritual retreat, lighting candles, observing daily prayers, contemplating natural environment have been related to healing, emotional stability and well-being. Participation in religious services have also been associated with lower mortality rates and avoidance of risky health behaviours such as smoking, alcoholism, casual sex, obesity etc., Religious ordinances stipulating social support assist in mitigating stress thereby enhancing mental health (Mojahed, 2014).

In Jewish religion, Islam, Christianity, Hinduism, African traditional Religion and other world religions, spiritual activities often entail physical exercises. Physical movements such as standing, bowing and swaying are integrated into the Jewish prayer (Rabin, 2002). Yoga as an inseparable part of Hinduism involves assuming postures such as standing, bending and sitting which are analogous to postures in *ṣalāt*, the Islamic ritual prayer (Bhat, Murtaza, Sharque & Jabin, 2014). Among religious rituals prevalent in world religions, fasting constitutes one of the commonest religious rituals that have great impact on health. Dietary restriction during fasting have been found to have propitious benefits on personal health even though fast is primarily done for spiritual ends. Table 1 reveals various durations of fasts and types of dietary restrictions in some religions. On an annual basis, fasting that lasts for between two days to thirty days are observed in various religions while partial or total intake of all kinds of food is avoided in various periods of the day and or night.

Table 1: Fasts and their dietary restrictions in some religions

	Religion	Timing of Fast	Etiquette/Manner
1	Baha'i	19 days (10-2 March)	No food/drinks from sunrise to sunset
2	Budhist	Usually on full-moon days and other holidays	No solid food; some liquids allowed
3	Catholics	Ash Wednesday and Good Friday	No meat (and no meat on Fridays during Lent). Small meals allowed
4	Eastern Orthodox	Lent, Apostles' Fast, Dormition Fast, Nativity Fast, Wednesdays & Fridays	No meat, dairy products, eggs. Fish prohibited on some fast days
5	Hindu	New moon days, festivals such as Shivaratri, Saraswati Puja, and Durga Puja	Can involve 24 h of full abstinence from all foods and liquids; commonly practiced with abstinence from solid food
6	Islam	30-29 days of Ramadan (obligatory), Mondays & Thursdays (voluntary)	No food /water from sunrise to sunset
7	Jewish	Jewish Yom Kippur, the Day of Atonement, and 6 other days of "minor fasts"	No food/drinks from sunset to sunset (and from sunrise to sunset for "minor fasts" Mormon First Sunday of each month No food/ water for two consecutive meals

Source: Golbidi, Daiber, Korac, Li, Essop, & Laher (2017).

Ṣalāt and Health

Academic investigation into the salutary effects of religious practices on health is a recent phenomenon. Few studies have explored the symbiotic relationship between *ṣalāt* and health. Since the validity of *ṣalāt* is first predicated on physical and spiritual purity, the objective to achieve cleanliness comes to the fore. Depending on circumstances, purification in Islam takes the form of water ablution (*wudu'*) involving washing extremities of the body, complete bath (*ghusl*) or dry ablution (*tayammum*). Gauvin, (2002) suggests that ritual purification possesses the potential of preventing cross-infections including acute respiratory infections; helminth (parasitic worm) infections; eye infections; diarrhea etc.

Imamoglu (2016) regards *salāt* postures as a form of stretching and isometric contraction exercise. The Islamic prayer (*ṣalāt*) involves assuming psycho-physical postures of standing (*qiyām*) accompanied by varying lengths of Qur'anic recitation while bending (*rukū'*), prostration (*sujūd*) and sitting (*julūs*) postures are performed with various repetitive supplications. The *ṣalāt* process is punctuated by frequent proclamations of the phrase “*Allāhu akbar*” (Allah is the Greatest). The inflexible transitions from different postures beginning with standing and ending with the sitting position constitute a prayer-cycle (*raka'ah*). On a daily basis, not less than 17 *raka'ahs* must be performed by an adult Muslim. Since each unit of prayer consists of 7 postures, the Muslim devotee therefore observes 119 postures daily, 833 postures weekly and 24990 postures in a month. The movements result in strengthening the ligaments and tendons, relaxing the eyes, removal of accumulated electrical charge in the body, preventing muscle tears among other inherent values.

In a study involving 30 healthy Muslim men, Doufesh, Ibrahim, Ismail & Ahmad (2014) continuously recorded electrocardiograms and EEGs of the participants before, during, and after performing the *Duhā ṣalāt* which lasted for about five minutes with a computer-based data acquisition system. The comparative analysis showed that during *ṣalāt*, parasympathetic activity increased and sympathetic activity decreased. The findings strongly suggest that the high levels of α activity during *ṣalāt* are associated with increased relaxation, reduced tension, sustained focus, and a balanced condition of the human mind and body. Therefore, they concluded that regular *ṣalāt* practices could enhance relaxation, minimize anxiety, and diminish cardiovascular susceptibility.

The studies reflect unanimity of submission that though *ṣalāt* is basically a spiritual activity but due to its dominant physical dimension, the devotee obtains health benefits. The Qur'an identifies two benefits of *ṣalāt* when it declares that prayers turns away from turpitude and from evil.

The Problem

Islamic scriptural texts regard *ṣalāt* as a mechanism for achieving constant God-consciousness as well as repelling turpitude and evil (Qur'an 29:46). In addition, the Hadith collection of Ibn Majah contains a tradition in which, Muhammad declared that “certainly, there is healing in *ṣalāt*”. However, Islamic jurisprudence literature largely confines expositions on *ṣalāt* to fundamental issues surrounding the methodology of its observance and its inherent spiritual significance leaving out vital non-spiritual values. The search for verifiable facts and documentation of research evidence on the mundane outcomes of the performance *ṣalāt* has recently attracted the attention of researchers of different academic backgrounds. In their scholarly presentations, the cumulative experiences and views of Muslims who actually observe *ṣalāt* are yet to be aggregated. This study examined the extent of knowledge of Muslims about the inherent health enhancement functions of *ṣalāt* based on their experiences as regular performers of *ṣalāt*.

Hypotheses

To give the study a direction the following hypothesis were developed:

1. Muslims in Somolu Local Government Area of Lagos State who regularly observe *Ṣalāt* are not knowledgeable about the importance of *Ṣalāt*.
2. Muslim devotees in Somolu Local Government Area of Lagos state will not have health problems while *Ṣalāt* is performed regularly.
3. Observing *Ṣalāt* will not help prevent communicable diseases among Muslim faithfuls in Somolu Local Government Area.
4. Observing *Ṣalāt* will not prevent muscular diseases among Muslim faithfuls in Somolu Local Government Area.

Methodology

Population

The population for the study comprised Muslim devotees who perform obligatory congregational *ṣalāt* in major mosques in Somolu Local Government Area of Lagos State, Nigeria. At the time of collecting data, the study area had 40 mosques with about 6000 regular attendees.



Map of Lagos State, Nigeria showing Somolu (Study Area) and other Local Government Areas. (Source: www.nigerianmuse.com)

Sample

Out of a total of 30 central mosques in the geographical coverage of the study, 10 were randomly selected. Respondents were drawn from among Muslim devotees who attend *Jumu`ah* services in the selected mosques. The respondents were randomly selected from among the devotees who stay behind after *Jumu`ah* service. In all, a total of 450 Muslim devotees were involved in the survey. They comprised of 263 (58.4%) males and 187 (41.6%) females.

Instrument

A self-developed and validated questionnaire tagged Muslims' Perception of Health Benefits of *Ṣalāt* Survey (MPHBSS) was utilised for data collection. The questionnaire consists of two parts. The first part solicited demographic information on the respondents which includes variables such as sex, age and occupation. The second part of the questionnaire concentrates on the main focus of the study which include their knowledge of the importance of the mandatory daily prayers; health benefits in observing the mandatory daily prayers, and the spiritual benefits of the mandatory daily prayers. The second part of the questionnaire is in Likert scale format. The instrument was reviewed by experts in the relevant fields to ensure its validity. The internal consistency reliability was checked using Cronbach's Alpha which yielded a value of 0.8.

Procedure for Data Collection

In each of the mosques used, people who volunteered to take part in the study were assembled in a convenient place and given the questionnaire to complete. For those respondents who were not literates, trained research assistants administered the questionnaire using the structured interview technique. The completed questionnaires were collected immediately giving 100% return rate.

Data Presentation

Table 2: Demographic Distribution of Respondents

Variables	Responses	Frequency	Mean
Sex	Female	187 (41.6%)	
	Male	263 (58.4%)	
	Total	450	
Age	18-25 years	166(36.9%)	29.1yrs
	26-30 years	86(19.1%)	
	31 - 35 years	90(20%)	
	36 - 40 years	91(20.2%)	
	40 years and above	17(3.8%)	
	Total	450	
Occupation	Civil/Public servants	93(20.7%)	
	Business/Corporate	66(14.7%)	
	Artisans	17(3.8%)	
	Traders	75(16.6%)	
	Students	130(28.9%)	
	Factory workers	4(0.9%)	
	Transporters	65(14.4%)	
	Total	450	

Table 2 shows the demographic distribution according to gender, age and occupation of the respondents. Majority of the respondents are males (58.4% 263) while the mean age of the respondents is 29.1 years. Students constitute the highest population of respondents at (28.9% 130). This was closely followed by civil/public servants (20.7% 93) and business/corporate organizations (14.7% 66).

Table 3: Distribution of Respondents by salāt Performance

Variables	Responses	Frequency
Regularity of Salāt performance	Yes	382(84.9%)
	No	68(15.1%)
Total		450

Regarding the daily mandatory prayers, majority of the respondents %84.9)382) perform salāt regularly while %15.1)68) do not.

Table 4: History of Respondents’ health problems

Variables	Responses	Yes	No	Mean
Respondents’ health problems	Diarrhea	60(13.3%)	390(86.7%)	1.13
	Dysentery	41(9.1%) 382(84.9%)	409(90.9%)	1.09
	Back pain	25(5.5%)	425(94.4%)	1.50
	Pain in the knee	42(9.3%)	408(90.7%)	1.09
	Pain at the ankle	61(13.5%)	389(86.5%)	1.17
	Pains in the shoulders	83(18.4%)	367(81.6%)	1.18
	Pains in the shoulder	36(8%)	414(92%)	1.08
	Total	450	1.26	

In relation to health problems, respondents have varying degrees of history of health problems. The mean score for the history of health problems is 1.26 which is lower than 1.5. However, %5.5)25) of the respondents claimed to have a history of back pain.

Table 5: Respondents' Opinion on the Spiritual Benefits of salāt

Variables	Responses	SA	A	D	SD	Total	Mean
Spiritual benefits of salāt	Salāt or mandatory prayers must be performed at fixed times	364	59	23	4	450	3.74
	Observing the mandatory daily prayers helps in spiritual upliftment	389	59	2	0	450	3.86
	Observing the mandatory daily prayers is an opportunity to communicate with God	372	78	0	0	450	3.82
	Observing the mandatory daily prayers is a source of internal satisfaction	312	138	0	0	450	3.69
	Observing the mandatory daily prayer is obedience to Qur'anic junction	300	147	3	0	450	3.66

From Table 5 above, the mean score for the spiritual benefits of salāt is 3.75 which is higher than 2.5. This implies that majority of the respondents believe in the spiritual benefits of salāt.

Table 6: Respondents' Opinion on Associated Personal Hygiene of salāt

Variables	Responses	SA	A	D	SD	Total	Mean
salāt and Personal Hygiene	Wudū' or Ablution performed before mandatory daily prayers improves personal hygiene	303	145	2	0	450	3.66
	Ablution performed before mandatory daily prayers reduces the spread of communicable diseases	279	153	18	0	450	3.58
	Ablution promotes the culture of neatness	325	119	6	0	450	3.70

365

From the table above, the mean score for the personal hygiene of salāt is 3.65 which is higher than 2.5. This implies that majority of the respondents were of the opinion that salāt promotes personal hygiene.

Table 7: Respondents’ Opinion on Associated Physical Benefits of salāt

Variables	Responses	SA	A	D	SD	Total	Mean
Physical Benefit of Salāt	<i>Rukū’</i> or forward bending during <i>ṣalāt</i> is an opportunity to exercise the body	301	138	9	2	450	3.64
	<i>Rukū’</i> during mandatory daily prayers prevents joint pains.	244	177	24	4	450	3.46
	<i>Rukū’</i> during mandatory daily prayers prevents back pains	258	165	25	2	450	3.50
	<i>Qiyām</i> or standing position during <i>Salāt</i> is an opportunity to exercise the body	258	174	18	0	450	3.53
	<i>Sujūd</i> or prostration during mandatory daily prayers strengthens muscles of the abdomen	269	175	6	0	450	3.58
	<i>Sujūd</i> or prostration during mandatory daily prayers improves physical fitness	292	144	12	2	450	3.61
	Observing the mandatory daily prayers disciplines the mind	349	92	9	0	450	3.75
3.65							

From Table 7 above, the mean score for the physical benefits of salāt is 3.58 which is higher than 2.5. This implies that majority of the respondents were of the opinion that salāt promotes physical health.

Test of Hypotheses

Hypothesis One: Muslims in Somolu Local Government Area of Lagos State who regularly observe *Ṣalāt* are not knowledgeable about the importance of *Ṣalāt*.

Table 8: Chi-Square Analysis of Devotees Knowledge of the importance of salāt

Variables	N	Mean	SD	Calc	tab	df	Remark	Decision
knowledge of the important of <i>salat</i>	450	3.76	0.40	1447.88		8	Significant	Rejected

From Table 8 above, the X^2 calc. 1447.88 is greater than X^2 tab The null hypothesis is therefore rejected while the alternate hypothesis which states that Muslim devotees in Somolu Local Government Area of Lagos state are knowledgeable about the importance of *Ṣalāt* is accepted at 0.05 level of significance.

Hypothesis Two: Muslim devotees in Somolu Local Government Area of Lagos state will not have health problems while *Ṣalāt* is performed regularly.

Table 9: Chi-Square Analysis of Devotees History of Health Problems

Variables	N	Mean	SD	Calc	X ² tab	df	Remark	Decision
History of health problems	450	1.15	0.36	219.10		1	Significant	Rejected

From Table 9 above, the X² calc. 219.10 is greater than X² tab The null hypothesis is therefore rejected while the alternate hypothesis which states that Muslim devotees in Somolu Local Government Area of Lagos who perform *Salāt* have history of health problems while performing *Salāt* is accepted at 0.05 level of significance.

Hypothesis Three: Observing *Salāt* will not help prevent communicable diseases among Muslim faithful in Somolu Local Government Area.

Table 10: Chi-Square Analysis of Prevention of Communicable Disease by Observing

Variables	N	Mean	SD	X ² Calc	X ² tab	df	Remark	Decision
Preventing Communicable Disease	450	3.66	0.48	1354.72		8	Significant	Rejected

From Table 10 above, the X² calc. 1354.72 is greater than X² tab The null hypothesis is therefore rejected while the alternate hypothesis which states that observing *salāt* will help prevent communicable diseases among Muslim faithfuls in Somolu Local Government Area is accepted at 0.05 level of significance.

Hypothesis Four: Observing *salāt* will not prevent muscular diseases among Muslim faithfuls in Somolu Local Government Area.

Table 11: Chi-Square Analysis of Prevention of Muscular Disease by Observing *Salāt*

Variables	N	Mean	S.D	X ² Calc.	X ² tab	df	Remark	Decision
Preventing Muscular Disease by <i>Salāt</i>	450	3.59	0.52	1824.53		14	Significant	Rejected

From Table 11 above, the X² calc. 1824.53 is greater than X² tab The null hypothesis is therefore rejected while the alternate hypothesis which states that observing *salāt* help prevent Muscular diseases among Muslim faithful in Somolu Local Government Area is accepted at 0.05 level of significance.

Discussion of Findings

From the data presented and analysis of key submissions of the sampled population, the respondents confirmed (i) regularity in their performance of *ṣalāt* as espoused in Islamic jurisprudence and based on their knowledge of the importance of *ṣalāt*. (ii) Respondents reported a history of sundry health problems especially back pain. (iii) Participants demonstrated an understanding of the spiritual values of *ṣalāt*. These three findings provided the basis for the core issue of the salutary effects of *ṣalāt* on health. The investigation thus established that (iv) a correlation exists between observance of *ṣalāt* and health profile of Muslim devotees. The study further ascertained the dimensions of the association between *ṣalāt* performance and the health status of Muslims who perform *Ṣalāt* regularly.

The respondents indicated that the pre-*ṣalāt* ablution (*wudūʿ*) promotes personal hygiene and prevents outbreak and diffusion of communicable diseases. This submission is consistent with the findings of Ramli, Mohamad, Abdulwahab, Naing, & Wan Din (2018) who concluded that a significant decrease in the symptoms of acute respiratory tract infection was recorded through the nasal rinsing component of ablution performed by Muslims. They also discovered that nose rinsing significantly reduced the symptoms of cough, rhinorrhea, and nasal blockage. In another study, Bajirova (2018) identified a number of health benefits of ablution which include prevention of germs from accessing the body, removal of dusts, allergens and contaminated matter; prevention of wax accumulation; reduction of pain associated with back pain, arthritis, joints pain; relaxing the nervous system, easing tension, stress and anxiety, minimization of flu, sinusitis, nasal congestion and clearing sticky matter in the nose and reduction of acne, pimples and wrinkles.

The respondents' position that *ṣalāt* performance prevents muscular diseases largely aligns with Nazish & Kalra (2018) whose review of "different studies prove the medical benefits along with spiritual benefits of *ṣalāt*". Thus, they proposed an intervention involving awareness advocacy to maximize the spiritual and therapeutic utilities of *ṣalāt* exercise for combating musculoskeletal and neurological conditions. Most of the muscles of the human body are activated during the *ṣalāt* postures of hand-raising to ear level, standing, bending, prostration, sitting in between the two prostrations, final sitting postures (*iftirāsh* and *tawarruq*) and turning of the head right and left during *taslīm* to mark end of the prayer. Actual experiences of Muslim devotees reported in this study corroborate several empirical studies including Ibrahim and Ahmad (2012) which revealed increased electromyography (EMG) outputs during the "*Takbīratul-Ihrām* (TI) posture especially in the back scapula and upper trapezius muscles. Even when many of the respondents in this study complained of back pain, there is possibilities of back pain being reduced with consistent physical movement of the body during prayers. Supporting this position, in a review of Akuthota, Ferreiro, Moore & Fredericso (2008), Kamran

(2018) states that the complex physical movements of the ritual can reduce lower-back pain if performed regularly and properly.

The outcome of this study indicates that Muslim devotees are able to relate a religious responsibility to its physical benefits. This is an incentive to extend *ṣalāt* practice beyond its obligatory form to the more elaborate non-compulsory but highly meritorious forms of *ṣalāt* with the target of reaping multifaceted rewards. An equally crucial implication of *ṣalāt* performance is its acknowledgement in the Qur'an as a mechanism for diminishing anti-social acts and instilling self-discipline (Qur'an 29:28). This latter dimension of the values of *ṣalāt* is worthy of empirical investigation.

Conclusion

The relationship between religion and health is, no doubt attracting increased cross-discipline interest and collaboration. However, the breadth of scope yet to be covered is wide and this imposes an obligation on experts in cognate areas to explore new contexts of symbiotic relationship in different academic fields. The findings of this investigation and similar intellectual efforts indicate implications for Islamic scholarship, Islamic proselytization and health awareness advocacy in Muslim jurisdictions. The outcome also provides resources for the content of various educational programmes. For instance, the content of curriculum for preparing Muslim clerics ought to reflect the multifaceted dimensions of the values of Islamic rituals as opposed to its limitation to spiritual discourses. The designers of the curriculum would require researched knowledge input which both qualitative and quantitative studies will supply.

The fact that *ṣalāt* has both spiritual and non-spiritual values is incontestable. The fact that only the spiritual dimensions of *ṣalāt* is reflected in the literature of Islamic jurisprudence (*fiqh*), weekly and occasional Muslim sermons (*khitab*), and other Islamic proselytisation talks tend to obscure the material advantages of this ritual. This in itself is a disincentive to the regularity of performance of *ṣalāt* especially the voluntary aspect of it. In view of the parallels in various physical acts of worship in various world religions particularly in Islam, Christianity, Hinduism and African Traditional Religion, scholars of comparative religion should feel more obligated to provide insightful expositions on commonalities and peculiarities of the benefits inherent in major religious practices.

In this era of intense focus on preventive medicine, health professionals should factor cultural peculiarities into the strategies of communicating health information to specific audiences. In Muslim settings, the planners of health education programmes require deeper understanding of the religious orientations, values and advantages of core Islamic rituals which studies the relationship between *ṣalāt* and health.

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Toward building sustainable society in Bangladesh through Cash *Waqf*: Challenges and prospects

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Abstract

This paper mainly focuses on the cash Waqf management and its development through private banks in Bangladesh. Recently, Bangladesh has transformed its global status from least developed to a developing country as a ramification of a nonstop contribution of public-private initiatives. Bangladesh is a Muslim majority country with huge potentials for cash Waqf scheme and people are accustomed to various types of charity works. The study provides a brief account of cash Waqf and explores its compatibility to establish a balanced and sustainable society in Bangladesh. In addition, it addresses the key challenges of cash Waqf from socio-legal context and looks for avenues to revitalize and utilize cash Waqf for bringing sustainability in social services; for instance, education and culture, family rehabilitation, social utility, health care and sanitation services. In these key sectors, cash Waqf has enormous prospective in fulfilling the needs of the disadvantaged people of the country. The objective of this study is to identify the passage for sustainable social development through cash Waqf and to draw the attention of concerned public and private authorities and policymakers to formulate an effective strategy for cash Waqf. The outcome of this research is that it is possible to create a substantial impact on the society by intensifying cash Waqf in Bangladesh. The paper adopts doctrinal research approach wherein both primary and secondary sources of data have been analyzed. It further consults with relevant books, articles, and statute of the country.

Keywords:

Cash Waqf, Waqif, management, Shariah, rehabilitation, sustainable society, social welfare.

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1. Introduction

Bangladesh is the number eight largest country by demography in the world (Worldmeter, 2018). It is a Muslim majority nation that is afflicted by poverty (Ibrahim & Khan, 2017). It has, however achieved considerable progress in poverty alleviation over the last few decades. Despite the improvement in poverty reduction, one in four, still live below poverty line. However, establishing a sustainable society through the elimination of poverty and providing social services is a major priority of the government of Bangladesh (Finance, 2017). It is quite impossible to establish a sustainable society without eradication of hunger and ensuring basic needs of the people. Therefore, the government has prepared the 7th Five Year Plan 2016-2020 for establishing sustainable Bangladesh popularly known as “Sonar Bangla” (prosperous Bangladesh) free from hunger, poverty, and exploitation (7th Five Year Plan (FY2016-FY2020), 2015). This progressive scenario of the country is a combined effort of public-private initiatives. However, to bring firm stability to a Muslim majority society like Bangladesh, it is imperative to incorporate Islamic *Shariah* instruments in the national development strategies to accelerate social services and to bring it to the door of the people (Hasan & Siraj, 2016). In this regard, effective administration of Awqaf, especially, cash *Waqf* can be the best strategy for building sustainable Bangladesh. This is now practiced by a few private Islamic banks and financial institutions without adequate legal protection. In this study, researcher finds the significance, scope, and performance of cash *Waqf* introduced by the Islamic Banks on the one hand and major barriers to its management in Bangladesh. The paper first of all briefly reviews literature on the area and explores the conceptual framework of cash *Waqf*. Following the first part, it moves to investigate the current cash *Waqf* management and examines means and ways in which cash *Waqf* can make a society stable and balanced. Finally, the study assesses the problems and prospect of cash *Waqf* in Bangladesh along with possible suggestions for further development of the scheme.

2. Literature Review

Administration of *Waqf* is one of the fundamental financial instruments in providing basic services to the common people in Islamic *Shariah* often practiced by the Holy Prophet (S.A.W) and his companions. A large number of literary work have been done on Awqaf administration in this continent because it has had a glorious history over the centuries since dynastical regime. However, the literature on *Waqf* is mostly divided into two categories; one of which focuses on various aspects of traditional *Waqf* estate and rest on other kinds of *Waqf* like cash *Waqf*, family *Waqf* etc. Nevertheless, the concept of cash *Waqf* is relatively new in Bangladesh, therefore only a few work are available for review. In this study the researcher limits the review to those studies conducted on cash *Waqf* in Bangladesh.

Ibrahim and Khan mainly explored traditional Awqaf management and their challenges in line with Maqasid al-*Shariah*. He also introduced some discussion about cash *Waqf* in Bangladesh (Ibrahim & Khan, 2017). Karim, on the other hand, observed Awqaf management in Bangladesh from a legal perspective and pointed out the new dynamics of Awqaf such as donation of intellectual property, copyright of Islamic books, cash *Waqf* etc. (Karim, 2010). However, he did not explain adequately on those issues, therefore, current study aims to explore the issue of cash *Waqf*. In another work, Karim with Murad explored the *Waqf* fund management, and its beneficiaries along with other related issues (Karim & Murad, 2010). However, the paper remained silent about cash *Waqf* and its prospects side by side traditional Awqaf in building a balanced society in Bangladesh. Similarly, Ahmad and Saifullah in their work have investigated *Waqf* estate management reflecting legal and historical evaluation but without addressing contemporary trend of *Waqf* scheme such as cash *Waqf* (Ahmad & Saifullah, 2012) whereas Hasan and Siraj, among others have drawn a plain picture of *Waqf* administration including performance of cash *Waqf* in Bangladesh (Hasan & Siraj, 2016).

Khan, in his study explored in detail the traditional *Waqf* estates as an effective alternative financial instrument for poverty alleviation in Bangladesh, however, cash *Waqf* has not been addressed adequately in the paper (Khan, 2012). Islam conducted research on cash *Waqf* as a financial instrument for domestic economic growth by boosting small and medium-sized enterprises (Islam, 2015). Thoarlim and others have attempted to explore the essence of dynamic approaches for cash *Waqf* in Bangladesh with reference to selected countries. They also addressed institutional capacity and mechanism of dealing with cash *Waqf*, especially by private Islamic banks. However, they have not adequately discussed cash *Waqf* management and its difficulties in contributing to a sustainable society (Thoarlim, Rahman, & Yanya, 2017). Hassan and others similarly, studied cash *Waqf* on a comparative basis focusing on Bangladesh and other Muslim countries (Hassan, Karim & Karim, 2018). Mannan, on the other hand, highlighted the operation of cash *Waqf* certificates adopted by Social Investment Bank of Bangladesh and its implications. The paper also briefly addressed the effect of cash *Waqf* on social and private life and presented a guideline for the effective administration of this scheme (Mannan, 1999). All the literature reviewed here commonly introduced *Waqf* discourses in different perspectives, however, studies on cash *Waqf* did not inadequately focus on effective management of cash *Waqf* by private Islamic banks in Bangladesh and how it can promote to establish a sustainable society. Therefore, this research tries to study the subject in depth and offer some suggestions for further development of cash *Waqf* management in Bangladesh.

3. Methodology

This is a doctrinal research using mixed methodologies. Researcher mainly develops the study by consulting existing literature on cash *Waqf* in Bangladesh and beyond. In this regard, the published materials focusing on early concept of *Waqf* and its subsequent development in the form of cash *Waqf*, cash *Waqf* as a financial instrument for poverty reduction, economic growth, and social welfare is discussed. In addition, the researchers pay attention especially to the situation of cash *Waqf* management and administration for building a sustainable society in Bangladesh. Besides this, researchers adopt descriptive method of analysis of interviews from participants from three banks with a designated cash *Waqf* department. The unstructured questions for the interview were mainly intended to find out the growth ration of cash *Waqf* in terms of number of account and deposited amount, problems in dealings cash *Waqf*, satisfaction of the existing *Waqifs*, regulatory framework for the protection of the interest of the *Waqif* and dispute settlement etc. Interviews were recorded and stated information has been incorporated in a descriptive manner. The study mainly intends to analyze the challenges and prospects with a focus on overall management of the cash *Waqf* accounts in Bangladesh. Therefore, researchers do not go for in-depth statistical analysis.

4. Theoretical Framework

The study reflects the theory of trust in building relationship between individual and organization to continue and develop charitable activities in the society. It has been observed that trust is the center of emerging various kinds of relationships because of its ability to build a cooperative relationship (Handfield & Bechtel, 2002; McQuiston, 1997). Trust defined by Hosmer in the context of philosophical ethics explains that trust recognizes and protects the interest of other people in a given decision (Hosmer, 1995). In Islam, the term *Amanah* is synonymous to trust and refers to the meaning of peace, safety, security, reliability, trustworthiness, loyalty, faithfulness, integrity and honesty. Trust develops and influences certain moral behaviors in a Muslim which are obligated by the text of *Quran* and *Sunnah* of the Prophet (S.A.W) (Hasan, & Siraj, 2017). This trustworthiness is theorized as social capital comprising trust, shared norms and network within a community that increase the efficiency of society (Putnam, 1993). Furthermore, trust is viewed as an integral element of social capital (Fukuyama, 1995) as well as a product and consequence (Field, 2003; Woolcock, 1998). It has further argued that social capital is for creating long lasting capacity for dealing with issues faced by stakeholders (Miri, 2006). In this study researchers address the challenges in developing cash *Waqf* in Bangladesh and in the light of the agency theory, the study further intends to establish long-term relationship between *Waqif* and Bank as a *Mudarib*. It is assumed that Agency theory and classical contract law make similar assumptions about human behaviour and social institutions (Hunt and Hogler, 1990; Morgan & Hunt, 1994; Seal & Vincent-Jones, 1997).

Theory of Agency focuses on the long-term relationship between the individual and organizational level by considering two major aspects; firstly, relationship commitment and secondly, trust because these aspects promote cooperative behaviors between relationship partners and encourage them to maintain long-term relationships. Morgan and Hunt advocates in the commitment-trust theory that the tendency to engage in a high-risk situation relies on each party's belief toward the other party in acting for the best interest of both parties in the long run (Morgan & Hunt, 1994). In building a sustainable society through cash *Waqf* in Bangladesh, trust also plays a significant role in dealing with charitable activities with the Bank as an organization in a long-term basis. However, in this study researchers do not test the theory in-depth rather draw on overall challenges reflecting the theory of trust and theory of agency.

5. The Concept of Cash *Waqf*

Waqf estate is well known benevolent opportunity for the poor people in Muslim societies. Muslim jurists from classical to the modern era are also acquainted with this issue. In addition, the significance of *Waqf* management at the same time has increased rapidly in every Muslim society around the world. As a result, diversity in the definition of *Waqf* is common due to social, cultural and economic conditions of different territories while objectives are same. It is in fact, hardly possible to coin an appropriate English word to convey the concept or meaning of *Waqf* (Ahmed, n.d.). *Waqf* is an Arabic word derived from the root word waqafa and awqaf is the plural of *Waqf* which refers to stop movement, transfer or exchange something in a linguistic context while *Waqf* literally means “confinement and prohibition” or causing a thing to stop or stand still, to detain (Islam & Mia, 2017). Furthermore, it denotes stopping, cessation, leaving up, refraining, abstention etc. (Baalbaki, 1994). In other words, *Waqf* refers to the detention of specific thing in the ownership of *Waqf* and the devoting of its profit or benefits in the charity of poor or other good objects (Ali, 1986). In the dictionary of the legal term, *Waqf* is elimination of ownership in the property from the proprietor>s and creating trust of the property for religious purposes (Agarwal, 1975). In the beginning, few other terms such as Sadaka, Habs, Ahbas were used to denote *Waqf* which later on took on a wider meaning beyond the scope of Sadaka and those other terms (Wehr, 1980). Technically, it further signifies alienation of private properties to the public resources as Sadeq, pointed out “*Waqf* assets cannot be disposed, its ownership cannot be transferred, only its benefits are to be used for the particular purposes, which are mainly charitable in nature and it is a voluntary charity characterized by perpetuity” (Sadeq, 2002, p. 36). However, jurists have defined *Waqf* with slight variation depending on the age, circumstance, and essence. Some of those definitions

are presented here for assessment. According to the scholars of *Fiqh*, *Waqf* is a donation of property to a person from which he or she can enjoy the benefit from the property temporarily or perpetually (Kanduj, 2009). *Waqf* may also be defined in such a way that the property acquired in line with the conditions of *Waqf* which cannot be sold out or donated or enjoyed as an inheritance (Maidi, 2002). Under the scope of *Shariah*, *Waqf* can be defined as to keeping and preventing a property from total consumption in order to extract continuous benefit from the property for public good or charity (Kahf, 1999). In other sense, it is referred as disbursement of usufructs extracted from the property withholding its perpetuity from any kind of alienation (Kala>zi, 2002). According to Imam Abu Yusuf and Muhammad, *Waqf* signifies the extinction of the ownership of the *Waqif* in the thing dedicated and detention of all the thing in the implied ownership of Allah in such a manner that its profits may revert to or be applied for the benefit of Mankind (Islam & Mia, 2017).

On the other hand, cash *Waqf* is a kind of *Waqf* created by the *Waqif* where the assets are only money and not the traditional *Waqf* estate like land for the purpose of social good and public services in various *Shariah* approved area of charity. However, the nature of perpetuity is inherent for every *Waqf* whether movable or immovable property as the very term signifies that *Waqf* is “forbidden movement, transport or exchange of something” (Raissouni, 2001). Cash *Waqf* is cash based *Waqf* scheme in the bank created by depositing a certain amount of money for any specific purpose or purposes listed in the bank where the expected beneficiaries are mentioned (Mohsin, 2008). Al-Tasuli observed that cash *Waqf* is a process of dedicating cash as *Waqf* lending it to identified borrowers without interest whereas others define cash *Waqf* as a charitable investment in the form of *Waqf* and profit earned from the investment will be distributed to the identified beneficiaries (Hassan, Karim, & Karim, 2018). In other words, cash *Waqf* is a charitable endowment that comes into existence by depositing a certain amount of cash capital in the form of perpetual dedication by a Muslim or a group of Muslims or a corporate body such as a bank governed by it and distributed profit to the *Shariah* approved purposes (Cizacka, 2009). It is a property created by individuals or institutions separate from private ownership and dedicated to deliver benefit to the common people from a different angle. Cash *Waqf* is a particular charitable fund and financial instrument for the development of property in Muslim countries (Ahmad, 2015).

The *Waqfs* Ordinance 1962 of Bangladesh defines *Waqf* as “the permanent dedication by a person professing Islam of any movable or immovable property for any purpose recognized by Muslim Law as pious, religious or charitable, and includes any other endowment or grant for the aforesaid purposes, a *Waqf* by user, and a *Waqf* created by a non-Muslim” (Section 2(10)). Although the law has not mentioned the term cash *Waqf* in its definition, it states that any kind of movable or immovable property can be dedicated for creating a *Waqf*. Therefore, the law

implicitly covers the notion of cash *Waqf* within the legal framework. Moreover, the law recognized dedication from non-Muslim in order to create a *Waqf*.

6. Evolution of Cash *Waqf* in Bangladesh

Administration of *Waqf* estate in Bangladesh has its glorious past dating back to the Sultanate and Mughal Empire in this sub-continent. In contrast, Ottoman administration also approved such *Waqf* or endowments in the 16th century which became tremendously prominent throughout the empire (Islam, 2015). However, the nature of these awqaf is that it is mainly an immovable property such as lands, ponds, graveyards, Dargah, etc. The concept of cash *Waqf* is also explored by Imam Zufar in the eighth century. It is based on the principle of *Mudarabah* that the *Waqf* property (cash endowment) should be an investment project and profits should be used up for the social good covering every member of the society (Cizakca, 2009). Cash *Waqf*, on the ground of density of population and scarcity of land and resources, is becoming popular among the Muslim citizens of Bangladesh interested in creative and constructive charity for social wellbeing.

In Bangladesh, Social Investment Bank Ltd, now Social Islamic Bank Ltd. (SIBL), for the first time introduced cash *Waqf* as a financial instrument known as Cash *Waqf* Certificates in 1995. This innovative product was not only new to Bangladesh but also new to whole banking world and gained good recognition by the national and international accreditation as a better alternative for social investment mobilization. The new product encompasses the scope for building a sustainable society by investment in a wide range of about 32 areas under 4 major key sectors of the social need such as providing basic education and proper culture, protection of vulnerable family or family rehabilitation, supporting public health and establishing sanitation, and social utility services. The product was to open a *Mudaraba* cash *Waqf* deposit account and the return from such deposit amount shall be used for the benefit of people. In this regard, bank invites wealthy and religious people to invest their donations for public good; both in terms of better management and services so to avoid any sort of mishap in receiving charity in Bangladesh (Khan, 2018).

Islamic Bank Bangladesh (IBBL), after a decade-long observation regarding successful implementation of cash *Waqf* certificate by Social Islamic Bank (SIBL), introduced cash *Waqf* deposit scheme in 2007 commonly known as “*Mudaraba Waqf* Cash Deposit Account” (MWCDA). IBBL also considers the scheme as a viable project for easy cash mobilization and instrumental to transfer benefits from rich to poor without lapsing perpetuity of the property on the one hand and financing in various social investment opportunities such as poverty alleviation, education, and other social services. In February 2018, IBBL inaugurated a month-long cash *Waqf* campaign in Bangladesh with the theme “Unlimited Welfare on Perpetual Deposit” in order to serve the underprivileged section of the society (IBBL, 2018).

However, the objectives and formation of cash *Waqf* deposit and investment of the deposit into social services are quite similar to the SIBL. Following SIBL and IBBL, Al-Arafah Islami Bank Ltd. (AIBL) and First Security Islami Bank Ltd. initiated cash *Waqf* deposit scheme in 2008 and 2009 respectively. The Export and Import Bank Ltd. (EXIM) also bought this product into their operation in recent years. Hence, a positive trend is appearing in the banking sector with regard to cash *Waqf*. Therefore, banks practicing Islamic window also introduced cash *Waqf* deposit such as prime bank Ltd. and AB Bank Ltd. Bank Asia also started a cash *Waqf* deposit scheme as a product of the bank in 2013 (Bank Asia, 2013). The overall growth of cash *Waqf* practice and public awareness has been remarkable in recent years. Beside private banks' initiatives, a number of private universities and higher educational institutions are also funded by cash *Waqf* after the enactment of the Private University Act 1992 (Hassan, Karim, & Karim, 2018). Furthermore, awareness among wealthy people is also encouraging. The researchers discuss in detail the total management of cash *Waqf* by private banks in the last sections of this study.

7. Cash *Waqf* Management by Private Banks in Bangladesh

In Bangladesh, general *Waqf* properties are governed by the Ministry of Religious Affairs (MORA) and its affiliated authority “*Waqf* Bangladesh” if the property is registered, and the trustee appointed by the *Waqif* under The *Waqf* Ordinance 1962 manage the unregistered estates in private *Waqf* institutions. According to the last census of *Waqf* estates the estimated value of such properties were about 8853670 USD which is making significant impact on the society (Hasan & Siraj, 2016). However, lack of proper record, selling and leasing with nominal price, and miss-management of the traditional *Waqf* estates decreases the significance of such property in establishing a sustainable society in Bangladesh (Ahmad & Safiullah, 2012). In contrast, cash *Waqf* scheme is mostly governed by the private banks and a few private institutions while maintaining accounts in any private banks in Bangladesh. As the researcher mentioned earlier SIBL is the first private bank that introduced cash *Waqf* in banking realm and at present, there are 7 scheduled private banks such as Social Islami Bank Ltd. (SIBL), Islami Bank Bangladesh Ltd. (IBBL), Al-Arafah Islami Bank Ltd. (AIBL), First Security Islami Bank Ltd., The Export and Import Bank Ltd. (EXIM), Prime Bank Ltd., Bank Asia Ltd., and AB Bank that are practicing “*Mudaraba* cash *Waqf* deposit scheme” in Bangladesh. In addition, Islamic Finance and Investment Ltd. also operates *Mudaraba* cash *Waqf* deposit scheme as a non-banking financial institution. However, private banks are dealing with cash *Waqf* deposit scheme by their efficient manpower. In this section, the researcher elaborates on cash *Waqf* and its management. It is pertinent to mention here that cash *Waqf* is divided into two categories such as general cash *Waqf* where the name of beneficiary or beneficiaries are not mentioned and specific cash *Waqf* where beneficiaries are specified in the prescribed cash *Waqf* deposit form of the bank.

With regards to the formation of the scheme, all banks offer the service to open a *Mudaraba* cash *Waqf* deposit account by the *Waqif* by depositing a minimal amount of money. In case of general cash *Waqf* minimum Tk. 1000 (12 USD) is required and in case of specific cash *Waqf*, minimum Tk 5000 (60 USD) and above is required (SIBL, 2018). The Prime Bank and EXIM bank stipulate about Tk.10000 (125 USD) as a minimum deposit for opening a cash *Waqf* (Prime Bank, 2013). However, *Waqif* may deposit the expected amount at a time or by installment and after depositing the full amount Bank will provide cash *Waqf* certificate to the *Waqif*. In case of a *Waqif* residing in a foreign destination, foreign currency may be accepted for forming cash *Waqf* subject to the compliance of relevant rules of receiving foreign currency (EXIM bank, 2011).

However, the dealings of cash *Waqf* scheme shall be based on *Shariah* principle of *Mudaraba* where the banks serve as *Mudarib* and *Waqif* serve as a *Sahib al-Mal*. The beneficiaries of cash *Waqf* shall be given minimum 65 percent of the investment income or any other rate decided by the banks from time to time. The scheme is run under *Mudaraba* principle, therefore, and if any loss is suffered by the business, *Sahib al-Mal* should bear the loss. Nevertheless, extracted profits of the scheme shall also be distributed on agreed percentage during formation of cash *Waqf* between bank and *Waqif*. It may be monthly or on an annual basis which will be adjusted after the announcement of final rate. Furthermore, in cash *Waqf* scheme there is no cheque book issued by the bank in order to maintain its perpetuity and unused profit shall automatically add to the original amount of *Waqf*.

As regards the objectives of the scheme, all banks are now almost integrated to focus on four basic areas of social services to establish a balanced and sustainable society in Bangladesh. Nevertheless, *Waqifs* are given autonomy to choose any other area permitted by *Shariah* for cash *Waqf* charity. The major areas are, first of all, family rehabilitation which is basically targeted to serve the poor section of the society especially those who are living below poverty line and struggling with hunger and shelter. It also covers rehabilitation of beggars, destitute women, slum dwellers and disadvantaged people of the country. Secondly, the scheme provided assistance in basic education for underprivileged boys and girls by allocating scholarships, supplying books, clothes, skill training, and promoting informal education for children such as mother's education program, childhood literacy, and vocational education and so on. The scheme also promotes Islamic heritage and culture by initiating different projects. Thirdly, the scheme is utilized to provide health and sanitation which covers a range of services such as providing health care and sanitation facilities for poor people especially in rural areas by building health care centers such as hospitals and clinics. The cash

Waqf charity also helps to provides pure drinking water and promote research on health issues and disease. Finally, social utility services are playing a significant role in establishing the peaceful society. The cash *Waqf* scheme provides financial assistance in various ways such as arranging the marriage of poor girls, legal aid for poor women, resolution of disputes, as well as helping converted Muslims and other non-Muslim in their difficulties. The scheme also covers establishment of mosques, graveyards, eidgahs, public toilets and tree plantation in different locations (IBBL, 2007; EXIM bank, 2011).

The study mentioned earlier that the traditional *Waqf* estates are governed by the “*Waqf* Bangladesh” under Ministry of Religious Affairs and other relevant laws, especially, *Waqf* Ordinance 1962. Three types of *Waqf* management are practiced in Bangladesh. These include management of the registered *Waqf* by the Office of Administrator of *Waqf* (OAW), by private trusts which are not listed in the Office of Administrator of *Waqf* (OAW), and management through *Mutawallis* which are not registered in (OAW) (Sadeq, 2002). In contrast, cash *Waqf* is totally governed by the private banks in Bangladesh. However, the definition of *Waqf* provided in the Ordinance covers the scope of cash *Waqf* formation and management under the Ordinance. Section 2(10) of the Ordinance clearly states that “any movable or immovable property for any purpose recognized by Muslim Law as pious, religious or charitable, and includes any other endowment or grant for the aforesaid purposes” (*Waqf* Ordinance, 1962). Therefore, it is clear that the law covers the management of the cash *Waqf* scheme, although up to now there is no cash *Waqf* scheme that is governed by the above government authority or it is not required to register cash *Waqf* under the existing law.

In order to manage cash *Waqf* scheme, all concerned banks have a specific guideline. With regard to the total capital accumulated in these cash *Waqf* accounts, researcher did not collect the exact figure due to non-availability of data and non-disclosure of the information by the respective banks. Nevertheless, the researcher tried to reach three banks and was able to interview an officer of SIBL who provided significant information. According to the statement of the respondent, SIBL has been operating more than two hundred thousand cash *Waqf* accounts with approximately BDT 300 million. Bank observed steady growth in terms of the number of opening new account as well as the amount of deposit. In the beginning the Bank opened only one-time cash *Waqf* by depositing an amount whatsoever at a time but subsequently it provided the opportunity to declare an amount to be paid through installment. As a result, existing account holders or *Waqifs* are increasing their declared amount by paying installments. Bank has taken several initiatives to increase the number of account of cash *Waqf* throughout the country.

However, the ratio of profit between banks and *Waqif* varies from bank to bank in Bangladesh. In SIBL scheme, the Bank will invest deposits to the *Shariah* specified sectors and will earn profit at the highest rate offered by the Bank from time to time. There is no express guideline for ration of the profit to be shared by the Bank and client. Rather it is left to the parties to decide the ration and other terms and conditions. However, in practice SIBL shares maximum 95% profit with *Waqif* and keeps 5% for management cost. In addition, it provides 1-2% weightage for the cash *Waqf* accounts. On the other hand, in Bank Asia, maximum profit sharing ration between the Bank and *Waqif* is 10:90 which indicates that Bank Asia is providing a maximum 90% profit to the cash *Waqf* depositors or *Waqif*. The EXIM Bank and AB Bank provide maximum 65% to the *Waqif* or the beneficiary from the investment income or a percentage the Bank decides from time to time to their proportion of deposit applying the weightage allocated there-against. The weightage against deposit of *Mudaraba* Cash *Waqf* Deposit (MCWD) account is 1.19 in this Bank. In addition, before declaration of final rate of profit, monthly profit amount will be credited to the account as per provisional rate of profit offered by the bank from time to time. Profit under this scheme shall be adjusted annually i.e. after declaration of final rate of profit of the bank (EXIM Bank, 2007). In IBBL, a *Waqif* or beneficiary will get the share of minimum 65% of the investment income or the percentage the Bank decides from time to time derived from the deployment of all categories of *Mudaraba* fund in the investment during any accounting year according to their proportion applying the highest rate of Weightage 1.35. The *Waqf* amount may not remain intact as the fund is operated as per *Mudaraba* Principle. According to *Mudaraba* Principle if any loss is incurred in course of business the loss is to be realized through deduction of the *Waqf* deposit (IBBL, 2007). Furthermore, regarding unspent profit amount, all banks provide same rule that unspent profit amount will automatically be added to *Waqf* amount to increase profit over time and hence no cheque book will be issued in this account.

As far as inability to deposit the declared amount is concerned, all banks have set the same rules such as a cash *Waqf* scheme can be opened at a time by depositing certain amount or *Waqif* (he/she) may declare the amount he/she intends to build up and may start with a minimum deposit amount, commonly one thousand taka in the account. Subsequent payment will be made through agreed installments and in case of default in depositing the installment(s), the amount accumulated so far throughout the period shall be counted for profit to be given to that Account. However, the *Waqif* will get the opportunity to deposit remaining installments again in the following year. It is to be noted that one particular *Waqif* will not be entitled to repeat non-depositing of installment (s) more than five times. In

contrast, in Prime Bank if a *Waqif* is unable to deposit the installments any more to build up the declared amount for cash *Waqf*, he or she may apply to the authority for issuing a Cash *Waqf* Certificate upon the amount deposited. The appropriate authority of the Bank may consider his or her application and issue a Cash *Waqf* certificate (EXIM Bank, 2011).

With regards to the distribution of profit earned, all banks give similar guidelines such as profit paid on these deposit schemes will be spent according to the instruction of the depositor and depositor may also instruct the bank to spend the entire profit for the purpose specified by him/her. Benefit and beneficiaries to the profit gained from the Cash *Waqf* Deposit Scheme can be divided into two categories such as general cash *Waqf* benefit and beneficiaries and specific cash *Waqf* benefit and beneficiaries. In a cash *Waqf* scheme, where the field or fields for distribution of profit are mentioned without specifying the name of the beneficiary or beneficiaries whether individual or institution, those cash *Waqf* will be treated as General cash *Waqf* and the profit of those accounts will be spent for welfare of mankind in the fields declared by the Bank such as family rehabilitation, poverty alleviation, education, health care and other social welfare services. In contrast, where depositor or *Waqif* mentioned any specific individual or individuals or institution or institutions to whom the profit is payable, those schemes will be treated as Specific cash *Waqf* and the profit of those accounts will be sent to the beneficiaries as specified by the *Waqif*. Furthermore, *Waqif* shall also have the right to give standing instruction to the bank for regular realization of cash *Waqf* at a rate specified by him/her from any other account maintained with the Bank (SIBL, 2018). The *Waqif* may issue written standing instruction for yearly transfer of profit amount to MSA / AWCA maintained by the beneficiaries, institutions, projects, persons or the concerned branch may pay the profit amount directly to the beneficiaries, institutions, projects, persons as determined by the *Waqif*. In the situation where *Waqif* dies, the profit of the *Waqf* scheme will be spent according to the option given by the *Waqif* and a certificate in this regard will be issued for the amount so far deposited by the *Waqif* and shall be handed over to the successor of the *Waqif*. Furthermore, if the successor of the *Waqif* is willing to pay the shortfall amount to cover the declared amount of *Waqf* then after getting such amount a Certificate for the full amount may be issued. Moreover, where the purpose of *Waqf* is achieved or destroyed, the profit will be spent on the sector mentioned at the time of opening the account. If it is not mentioned or if any contradiction arises, then decision of the *Waqf* Management Committee of the concerned bank shall be final (Prime Bank, 2013).

As regards the management of this cash *Waqf* scheme, all banks have their own management committee to regulate, monitor, and promote these accounts. Islami Bank Bangladesh (IBBL) formed an internal *Waqf* management committee containing five members where the chairman and two other members of the committee shall be appointed by the board of directors of the bank where one member shall be nominated by the *Waqif* and one member from *Shariah* council of respective banks. The committee is empowered to give day to day directions and make decisions in handling cash *Waqf* including opening and operating accounts, maintaining incomes and expenditures, transferring and closing accounts (IBBL, 2018). However, if any objection is raised to the Committee regarding mismanagement of *Waqf* fund, the concerned committee will investigate the matter and give its decision and the decision of the committee shall be final. In the situation where the committee feels that the matter should be referred to the *Shariah* Council for seeking opinion, a decision of *Shariah* Council shall be final. Furthermore, where any contradiction arises between *Waqif* and bank, the decision of the Committee shall be final. In addition, account of cash *Waqfs* are maintained in a separate ledger and necessary charges as per rules may be deducted from there.

8. Cash *Waqf* and Sustainable Society

The term “sustainable” refers ability to maintain or support at a certain level or able to uphold or defended something. Sustainable society further refers to a society which ensures health and strength of human life, culture, and safe nature for generations in today and tomorrow (Viederman, 1993). The purpose of sustainable society is to stop the activities that destroy human life, its nature, and culture and so on. In order to establish a sustainable society, certain elements must be achieved such as economic and political stability in the country, unity of the people, maintaining cultural values, promoting and protecting natural environment and resources and making a balanced society where everyone can enjoy rights and perform their liabilities (Pena, 2014). Furthermore, sustainability contains the impression of desirable characteristics of a future society where human survival and well-being would not be threatened. Sustainability or sustainable society is also intertwined with the ecological sustainability (Robinson, et al., 1990). Moreover, establishing a sustainable society varies from place to place depending on the level of understanding and capability to desire or imagine in future a safe and habitable earth for upcoming generation. Therefore, sustainable society in the context of Bangladesh appears more complex which needs to identify our key issues and where we should go in 50 to 100 years, what would be the policy for strengthening our social relations, massive employment,

zero poverty level, preservation of ecological balance, increasing forestry beside huge population. In this context, a collaborative step is a must and cash *Waqf* may open immense opportunities to build our long lasting society.

Public and private sector of Bangladesh are continuously striving to achieve the criteria of a sustainable society. However, poverty, basic education and malnourishment are the key challenges for building sustainable society in Bangladesh. Therefore, achieving the standard economic conditions and poverty reduction become the prime target of all activities of private and public sector. *Waqf* administration in Bangladesh is under the Ministry of Religious Affairs which is also trying to contribute to those goals. However, due to various problems with traditional *Waqf* management, private banks brought a new dynamic financial instrument to contribute to the national economy in one hand and poverty alleviation on the other. The areas to which private banks are contributing through cash *Waqf* are highly relevant in making a balanced and sustainable society. Among the sectors, four are highly focused which covers family rehabilitation, education and culture, health and sanitation, and public utility services. There is a huge opportunity to invest benefits of Cash *Waqf* to achieve target in terms of reducing poverty, increasing basic education for all, ensuring public healthcare facilities, protecting environmental safety, and establishing many public utility services. Thus, removing existing barriers in accelerating and popularizing Cash *Waqf* should be given priority to formulate adequate and effective policy in this regard. Both public and private authority, therefore may take into consideration, the management and dynamic products on cash *Waqf* practiced by different Muslim countries such as Malaysia and Indonesia. Together, they are likely to adopt means and methods of operation of these new products and apply to our financial market.

9. Challenges of Cash *Waqf* Development in Bangladesh

There are a number of challenging factors in the development of traditional *Waqf* estates in Bangladesh such as inadequate skilled manpower, lack of institutional capacity in handling *Waqf* assets, lack of survey and updated information, mismanagement of the *Waqf* administration, delay in resolving *Waqf* property disputes, low quality of services, lack of practical and target oriented short and long term plan, misappropriation of *Waqf* property by the powerful section of the people, misunderstanding about the advantages of the *Waqf* estates and so on. However, the scope of this paper is to focus on cash *Waqf*, therefore, the researcher only addresses the challenges faced by Bangladesh in administration and development of cash *Waqf* and the room for moving forward.

9.1. Inadequate Legal Protection

At present the administration and management of *Waqf* properties are controlled and regulated under several Acts such as *Waqf* validating Act 1913, Bengal *Waqf* Act 1934, *Waqf* Ordinance 1962, *Waqf* Administration Rules 1975, the *Waqfs* (Transfer and Development of Property) Special Provision Act, 2013. However, majority of these Acts are age old and inadequate to fulfill the need and demand of the present time. As regards the cash *Waqf*, these laws do not address the modern dimensions of *Waqf* including cash *Waqf* itself. Nevertheless, the definition provided by the *Waqf* Ordinance 1962 has an implied scope for Cash *Waqf* as the provision contained any kind of movable or immovable property which can be dedicated for creating a *Waqf*. The implied approval in the Act is not adequate to meet the demand of the people in terms of management and security of the deposited money for *Waqf*. It is quite impossible to enhance the opportunity of cash *Waqf* among the people without legislating updated and demand achieving strong Act covering all the dimensions of *Waqf* including cash *Waqf*.

As the researcher mentioned that cash *Waqf* scheme are now regulated by the private banks where the bank applies their own rules which are not unique and under specific legal framework. The *Waqifs* have hardly scope to engage with the activities in terms of distribution of profits to the expected beneficiaries is the absence of legal protection, *Waqifs* will not be stimulated to form more Cash *Waqf* for supporting public goods which is desirable to establish a poverty free balance society. Furthermore, the decision of the *Waqf* management committee of the concern bank and *Shariah* council should come under the legal protection. Therefore, it is need of the hour to amend the existing laws and incorporate the Cash *Waqf* scheme in the Act and provide necessary protection for the investors in charitable investment recognized by the *Shariah*.

9.2. Negligence to Make Cash *Waqf* as a Financial Instrument

Cash *Waqf* certificate was introduced in Bangladesh by SIBL in 1995 and the Bank handled it efficiently as a new banking product. This instrument was an invention not only in Bangladesh but also in the banking realm of the world. However, the new product has not been paid any attention by the concerned government administration as well as financial market of the country. Few private Islamic banks introduced this product in different financial project such as SME financing etc. In contrast, Malaysia, Indonesia, Kuwait, Bahrain introduced this concept of cash *Waqf* later from Bangladesh and built several new products based on cash *Waqf* such as cash *Waqf*, e-*Waqf* fund, per-square feet value certificate, issuance of sukuk, intellectual property *Waqf* etc. and developing their social capital mobilization (Jali & Abdull, 2008). Unfortunately, Bangladesh has not yet

properly addressed these dynamic financial tools for national economic development in order to build a sustainable society. Therefore, both public and private sector can conduct a comprehensive research to identify the scope and possibilities of cash *Waqf* scheme and its better management for serving disadvantaged section of the population.

9.3. Inadequate Management Team

The private Islami banks dealing with cash *Waqf* are also facing difficulties with inadequate management division and inefficient officers. Only few banks have their own management committee while others operate cash *Waqf* without having proper skilled manpower. Although private banks are trying to adopt adequate management of mechanism for creating more cash *Waqf*, due to small volume of *Waqf* scheme or having less efficient manpower to handle cash *Waqf*, banks are not able to establish separate division to regulate the *Waqf*. Therefore, all banks should form a strong management team and provide necessary training on cash *Waqf* scheme for successful operation of the scheme. In contrast, the public *Waqf* management is operated by inadequate manpower. The real scenario of the management is about 100,000 *Waqf* estates of the country managed by only 98 officers which is quite small number to maintain such a huge number of *Waqf* properties in Bangladesh. Therefore, public and private sector authorities should increase the number of skilled officers for further improvement of the *Waqf* administration including Cash *Waqf* (Islam, n.d.).

9.4. Dissatisfaction of Public on *Waqf* benefits

Getting services from public *Waqf* estates are not satisfactory due to several reasons such as lack of proper planning to provide specific benefit to the specific group of people such as rehabilitation of the land less people or street beggars etc. Inadequate services with biasness and bribing to get the facilities continuously decreases the satisfaction of the disadvantaged people regarding the benefits of *Waqf* properties in Bangladesh. As a result, people have a negative pre-mind setup regarding *Waqf* including cash *Waqf*. Nevertheless, banks are now performing as *Mudarib* and doing business by investing *Waqf* money. In this regard sometimes banks make huge profit and *Sahib-al-Mal* or *Waqif* will receive satisfactory amount of profit. However, sometimes banks make low profit or face loss in a project in which case the *Waqif* receives comparatively smaller amount of profit or loss of the principle amount. This is a big risk with cash *Waqf* but comparatively safe from other *Waqf* estate in Bangladesh. Therefore, it is high time to initiate a number of activities that may improve the quality of the services from the government with regard to *Waqf*. Similarly, private institutions like banks should also conduct programs with the participation of potential *Waqif* to see the implication of cash *Waqf* in the society.

Both public and Private sector may improve their service quality through adopting online assistance such as access to cash *Waqf* account through online at anytime from anywhere so that they can come forward to create more cash *Waqf* schemes to serve the society.

9.5. Lack of Effective Rules for *Mutawallis*

Mutawallis play a significant role in regulating traditional *Waqf* properties in Bangladesh. At the same time reports on the mismanagement of *Waqf* properties also appear in the electronic and printing media. Misappropriations of *Waqf* property whether registered or unregistered by the *Mutawallis* is common in Bangladesh. Due to corrupt practices of our society and negligence by the government, land developers, corrupt government officials and political leaders have illegally occupied and sold off the properties which were meant to be used for religious or educational purposes (Chandan, 2018; Ahmad & Safiullah, 2012). However, the *Waqf* Ordinance 1962 empowers the administrative authority to remove a *Mutawalli*. It is to be noted that *Waqf* administrator does not manage any *Waqf* property directly, but supervise the management of the estate and control the activities of the *Mutawallis*. Section 32 of the Ordinance states certain grounds for removal of a *Mutawalli* such as breach of trust, mismanagement, malfeasance or misappropriation; or for any act of the *Mutawalli* causing loss of *Waqf* property or affecting the proper administration, control or preservation of the *Waqf*; or if the *Mutawalli* has been convicted more than once under section 61 of this Ordinance; or if the existing *Mutawalli* is found unsuitable, incompetent, negligent or otherwise undesirable.

It further provides detailed provisions for *Mutawallis* along with penalties for certain wrongful activities such as failure to apply for enrolment of the property, maintaining proper accounts and return, any sort of incorporation regarding inspection of accounts, records and documents etc. He may be punished with twenty thousand taka or maybe liable for six month imprisonment unless the court is satisfied with his defense. However, the law does not provide any qualifications and disqualifications to be a *Mutawalli*. As a result, quality of management by the *Mutawalli* becomes less effective and erroneous. Finally, lack of proper monitoring and strict application of the law affects the effectiveness of the law as a whole. For both traditional *Waqf* properties and cash *Waqf*, government should provide proper guideline or legal provisions for appointment of *Mutawallis* and his responsibilities and liabilities. In cash *Waqf* scheme, *Mutawallis* are not obliged to handle the investment due to its *Mudaraba* character, therefore, banks perform everything and send back the profit to the *Mutawallis* only.

9.6. Lack of Public Awareness

Bangladesh is one of the largest Muslim countries by population in the world. Majority of them live in the rural area and in less advantaged conditions in terms of basic education, healthcare, social safety and security as a whole and Islamic teaching in particular. Therefore, masses of people are unaware about commands and guidelines of religious obligations including rules of charity and charitable work. The people of Bangladesh whether educated or illiterate are commonly accustomed with charitable work. However, these charitable works are mostly performed individually as it is considered a social and religious duty. The land used for building Masjid, and *Madrassa* is generally understood as *Waqf* property in Bangladesh. However, majority of the people do not know the advantages of *Waqf* property including cash *Waqf*. The cash *Waqf* has certain unique features in comparison with traditional *Waqf* estates; firstly, from cash *Waqf* scheme, a *Waqif* can receive profit immediately and may distribute to the targeted beneficiaries which is hardly possible by the benefit of the land property due to time constrain and lack of proper process of distribution. Secondly, cash *Waqf* is an easy option for the *Waqif* to make it by simply depositing any amount of money or depositing through installment to achieve a declared amount of cash *Waqf* while it is very difficult to buy a land and make a *Waqf*. Thirdly, in cash *Waqf*, it is easy to mobilize the fund as well as benefits to the *Mudarib* and beneficiaries. Fourthly, the common charity serves as onetime benefit for the poor people until the amount of charity is finished. On the other hand, charity in the form of cash *Waqf* become a perpetual property and may serve long time until the destruction of cash *Waqf* scheme. These benefits of cash *Waqf* should be communicated to people to create interest in using cash *Waqf* for serving social good.

9.7. Absence of Education and Research on Cash *Waqf*

One of the major challenges for development of cash *Waqf* in Bangladesh is inadequate education and training on *Waqf* management. Less attention is paid for *Waqf* development as a new financial product. The poor number of research work in the area is not sufficient to guide the government as well as private sector authorities. It is quite impossible to promote this potential instrument without proper and adequate research and training. Traditional *Waqf* laws and management is a part of Muslim law courses in Bangladesh. Therefore, it is the responsibility of the university to explain the issue of cash *Waqf* to their students by conducting research and arranging seminars and symposiums. Private Banks should conduct extensive training programs for its officers and *Waqifs* to help them understand cash *Waqf* properly. Government may guide the *Imams* of all *Masajid* to give lectures on *Waqf* including cash *Waqf* to make it clear and understandable to the common people.

In addition, banks may provide research grants to the researchers in this area to identify obstacles and possible ways to address difficulties in regulation and acceleration of the concept of cash *Waqf* throughout the country.

10. Recommendations

The researcher proposes a number of recommendations for further development of *Waqf* properties, especially for cash *Waqf* to establish a poverty-free and educated society. In order to enhance cash *Waqf* development and make this scheme popular among the people who want to make contribution in poverty alleviation, it is important to provide basic education and promote healthcare services for disadvantaged section of the society. Private banks of Bangladesh have a big corporate social responsibility and they can fulfil this by adopting several effective target oriented activities. The researcher suggests some of the possible aspects to which the respective banks and the government as a whole may give consideration.

Firstly, the government may amend the existing *Waqf* laws and incorporate adequate provisions in terms of formation and management of cash *Waqf*. As a result, the Act can cover both traditional immovable *Waqf* estates as well as movable deposited cash *Waqf* scheme.

Secondly, all concerned private banks may establish an integrated cash *Waqf* research and management center through mutual co-operation. Thus, the *Mutawallis* can get the benefits of cash *Waqf* quickly and on time for the purpose of effective distribution of profits among the beneficiaries to establish a hunger-free society.

Thirdly, in order to collect fund (as a cash *Waqf*) from rich and send back to the needy people, all concern banks may conduct programs with elite and religious people of the society to explain to them the best alternative way for poverty reduction, improving healthcare facilities, and increasing literacy among the disadvantaged section of the people.

Fourthly, both public and private authorities shall arrange activities such as notifications, publications, news, and drama concerning cash *Waqf* and its positive implication on the society. They may also take initiatives to remove misconception about *Waqf* benefits including cash *Waqf*.

Fifth, private banks may promote public lectures in collaboration with local Muftis and *Imams* on cash *Waqf* in *Jummah* prayer on a regular basis. Thus people will become more knowledgeable regarding cash *Waqf* scheme.

11. Conclusion

Bangladesh is a country of communal harmony, where most of the citizens are Muslims. People are generally engaged in various types of charitable activities. However, the expected results have not visibly materialized. In other words, due to lack of proper planning to remove certain difficulties from disadvantaged people, these donations or charitable works are often unable to remove the difficulties of life, rather it seems to nourish those difficulties in life. Cash *Waqf* is possibly the best alternative way to accumulate those donations in the format of cash *Waqf* scheme by which an opportunity of getting perpetual benefits can be opened. Unlike cash *Waqf* perpetual benefit cannot be sorted out by one-time donations. Bangladesh is a developing country with huge potential for economic stability and scope for building poverty and hunger-free sustainable society. However, the government of Bangladesh has failed to take necessary initiatives to promote and introduce cash *Waqf* scheme as a financial instrument, as an effective tool for poverty alleviation in Bangladesh. Traditional *Waqf* administration in Bangladesh is unable to impact on society in terms of providing social utility services and improving the standard of life by removing scarcity of food and shelter. In this context, some of the private Islamic banks have come up with cash *Waqf* as a financial instrument covering both financial and social good. However, these products are not enough to accommodate the greater audience which requires better awareness about this issue. This paper has discussed the current situation of cash *Waqf* in Bangladesh and argued for the need for modern and innovative approaches towards the development of this scheme for building a sustainable society in Bangladesh. The paper analyzes the cash *Waqf* management and its challenges faced by private banks in Bangladesh and proposes some recommendations for further improvement to build a sustainable society for future generations.

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٣. إنَّ رَوَّادَ الاتجاهِ الحداثي لم يكونوا دعاةً للتجديد بمفهومه المتعارف عليه في اللُّغة، وإنما هم دُعاةٌ للهدم والتخريب، والتَّمُرُّدُ على كل ما هو سائد وموروث من فكر وأيدلوجيات، كما يعلنون عن ذلك صراحةً في مؤلفاتهم النقدية بشكل عام.
٤. إنَّ من التَّجَنِّي الخلط بين دعاة "الحداثة"، ودعاة "التجديد والمعاصرة" ووضع الجميع في سلة واحدة، وضمهم في حزمة واحدة؛ بل الحكم على كل شخصية من هذه الشخصيات وعلى انتمائها، أو اندراجها تحت هذا النوع، أو ذاك إنَّما يكون وفق ضوابط موضوعية عادلة.
٥. إنَّ الحداثة وليدة شرعية للمجتمعات الأوربية أنجبتها عقول مفكرها كثورة على واقع خلَّقه الكنيسة، وكانت النتيجة تعديل هذا الواقع بحسب التصور المرسوم، ومن ثمَّ كان تطبيع الفكر الإسلامي بالفكر الحداثي، وقراءة أصوله، وثوابته وفق لُغته، وأدواته أمر يأباه الواقع، والمنطق.
٦. إنَّ قِراءة الحداثيين للنصِّ النبوي لا تهدف إلى أن تُحصِّل منه اعتقادًا بقدر ما تريد أن تمارس نقدها عليه لنزع القداسة عنه، وذلك باستخدام نظريات لغوية حديثة كـ"النيوية، والتفكيكية، والسيمائية"، والتي استمدت آلياتها من التجربة الغربية في فهم النصوص اللاهوتية.
٧. إنَّ قِراءات الحداثيين للنصِّ الديني جاءت مجافية للضوابط العلمية المجرَّدة، وقائمة على افتراضات مخطئة، ومتناقضة.
٨. إنَّ القِراءة الحداثية تُعدّ امتداداً للدراسات الاستشراقية حول القرآن والسُّنة؛ حيث يتحدان في المنهج، والرؤية، والغاية.

التوصيات

- (أ) أن تقوم دراسات بحثية متكاملة؛ لتحليل ونقد الأفكار، والفلسفات الغربية التي تمثل الجذور للفكر الحداثي العربي وتحليل أصولها، وأهدافها، ومن ثمَّ مدى توافقها مع الأصول الإسلامية.
- (ب) أن تقوم دراسات بحثية متكاملة، لتحليل ونقد الدراسات النقدية للأصول الدينية التي قام بها رَوَّاد الاتجاه الحداثي العربي.
- (ج) عرض تلك المشاريع الحداثية في المرحلة الجامعية من خلال تصميم مناهج تعليمية، ومقرَّرات دراسية تُسلِّط الضوء عليها، وتُبرز منهجية التَّعاطي معها، وعدم التَّحفظ عن ذلك، حيث إنَّها أصبحت واقع مفروض، وعليه فعرضها بهذه المنهجية يُساعد الطالب على التَّمييز بين التَّمييز منها فيقبله على بصيرة، وبين الغسِّ فيتجافي عنه على بيِّنة، ومن ثمَّ لا يكون فريسة سائغة لأية فكرة زائفة.
- (د) تصميم برامج ثقافية، ومواد إعلامية، ومواقع إلكترونية تقوم بطرح هذه المشاريع الحداثية، ومناقشتها، ونقدها من باب مقابلة الفكرة بالفكرة، ومُقارعة الحجَّة بالحجَّة، وتحقيق الوعي الجمعي بما لها، وما عليها.

أو الوحي مع التاريخ قُدِّم التاريخ، وإذا تعاكست الأحكام الشرعية مع مقتضيات الواقع قدم الواقع، وإذا تباينت الحقائق الشرعية مع الحقائق العلمية قدم العلم على الدين، وهكذا. ففتح عن ذلك تحريفاً لمعاني النَّصِّ ”قرآناً، وسُنَّةً“، وتشويشاً على تاريخه النَّقي، بإخراج ما تمَّ الاتفاق عليه إلى دائرة ما تمَّ الاختلاف فيه، وما تمَّ التسليم به إلى دائرة ما تمَّ التشكيك فيه. (ج) أن تكون وفق الأدوات، والقواعد، والضوابط التي تتلاءم مع طبيعة النَّصِّ، لأنها جزء من البناء العام للنَّصِّ، والتماس القراءة بدونها أشبه ما تكون بجمع حطَّاب بليل.

والقراءة الحدائرية ليس فيها ما يدل على ذلك، فحينما عمدوا إلى تفكيك النَّصِّ أغفلوا عنصر ”بنائية المعرفة الإسلامية“، وتمثل الأجزاء تمثلاً علمياً، ومعرفة العلاقات السائدة بين أجزاء الكل المفكك، فوقعوا في أخطاء لا تغتفر، حيث ألغوا أهم عوامل البناء التي تشكل السلطات الأساسية للنَّصِّ، وهي: السلطة الصورية، والسلطة الفاعلة، والسلطة المادية، والسلطة الغائية، والسلطة المنهجية، والسلطة الاعتبارية.

(٣) إنَّ القراءة الحدائية للسُّنَّة النَّبَوِيَّة على ما سلف ليست منهجاً علمياً للتعامل مع النَّصِّ النَّبوي، يتميز بالحياد ويستند إلى أصول وقواعد، وإنما هي خليط من الفلسفات، والإيديولوجيات تُخذت كمنطلقات للتعاظمي مع النصوص الإسلامية، لهذا اصطبغت بمجموعة من السُّمات جعلتها قراءة موجهة مُسَطَّرة الأهداف مسبقاً بعيدة عن الموضوعية والمنهج العلمي، ولا أدل على ذلك من جمعها بين مناهج متناقضة كالنبوية، والتفكيكية، والتاريخية وغيرها....

(٤) إنَّ القراءة الحدائية تُعدّ امتداداً للدراسات الاستشراقية حول القرآن والسُّنَّة، حيث يتحدان في المنهج، والرؤية، والغاية.

الخاتمة

بعد هذه الجولة السريعة حول موضوع الدِّراسة يمكن عرض أهم النتائج على النحو التالي:
١. إنَّ لفظة ”الحدائرية“ في واقعنا اليوم لم تعد تدل على المعنى اللُّغوي لها، ولم تعد تحمل في حقيقتها طلاوة التجديد، ولا سلامة الرِّغبة، بل أصبحت رمزاً لفكر جديد، تُجد تعريفه في كتابات دُعائها، وكُتبتهم.

٢. إنَّ هناك فرقاً كبيراً بين ”الحدائرية“ كمنهج فكري يدعو إلى الثَّورة، والتمرد على الموروث، والسائد، والنمطي بأنواعه المختلفة دينياً، وأخلاقاً، وعلمياً، وبين ”المعاصرة، والتجديد“ كمنهج فكري مشروع يدعو إلى إحياء ما هو موجود من ميراث ديني، وأخلاقي، وعلمي، بالإضافة إليه بما يواكب العصر، ويتواءم مع التطور، في إطار علاقة تأثيرية مُتبادلة، ومتفاعلة بين الثوابت والمتحولات، وبين الخالد والمؤقت، وبين الفطري الدائم والاجتماعي العارض، بحيث لا يكون التجديد تحريفاً، ومسحاً، وانفلاتاً، ولا يكون الثبات جموداً، وتحنطاً على شكل واحد وأسلوب واحد.

المبحث الرابع: تقييم ونقد

تلك هي الأصول الفكرية، والمنطلقات المنهجية التي تحكمت في القراءة الحدائية للسنة النبوية، وبتدقيق النظر فيها، وفيما طرحته من إشكالات حول السنة، يلحظ أنها قد وقعت في جملة من الآفات المنهجية، أفقدتها قيمتها، كما أفقدت النتائج المتوصل إليها مصداقيتها، ومن هذه الأخطاء ما يلي:

(١) إن النص "قرآنًا وسنة" قد دعا للإقبال عليه بالتأمل والتدبر والتفكير، وفسح المجال لتعدد القراءات له بإلغائه لواحدية التفسير والشرح، ليخالف بذلك الفكرة اليونانية والرومانية القديمة التي تتضمن أن لكل فكرة تفسيرًا واحدًا، ويبين أسلوب أهل الكتاب في حبسهم لكتبهم المقدسة على علمائهم وأخبارهم وكهنتهم، وقد استغلت القراءة الحدائية هذه الدعوة لتدخل ضمن ذلك التعدد، لكنها في ذات الوقت أبت إلا أن تعود لتتقيد هذا التعدد، وتعتبره أزمة قائمة حيال النص، وتسعى جادة لتحريه من ركام القراءات الأصيلية، لتحل محلها كقراءة واحدة، وكمنهج واحد، وبذلك تكون قد وقعت في ضد ما طمحت إلى إلغائه.

(٢) إن النص "قرآنًا وسنة" حمل مع هذه الدعوة قيودًا، وضوابط منها:

(أ) اعتبار القراءة لربانية النص، وقدسيتها، وأصالته، وتضمنه للحق والحقيقة، فلا يُقرأ كما تُقرأ قصيدة شعرية، ولا يُحلل كما يُحلل نص أدبي أو فلسفي، ولا تصدر عليه الأحكام بطريقة فظة، مُجرّدة من كل أدب، وشرف.

والقراءة الحدائية ليس فيها ما يدل على ذلك، بل حذفت العبارات التعظيمية للشعائر التي تدل على الإيمان، فلا بسملة، ولا تصلية، ولا ترضية، واستبدلت بأساليب ممقوتة مستوحاة، كما بدلت المفاهيم والمصطلحات، فبدل الآية وُضعت "العبارة" و"النص الديني"، وبدل "نزول القرآن" وضعوا "الواقعة القرآنية"، واستخدموا بدل مصطلح "علوم القرآن" نعت "الظاهرة القرآنية". (الجابري، محمد عابد، ١٩٩٠م)

كما ساوت في الاستشهاد بين السنة، وسائر الخطابات الأخرى، وأخضعتها لسنن القراءة ومناهج الألسنيات الحديثة، وتحليل الخطاب التاريخي ونقده، باعتبارها نصًا تراثيًا شأنها في ذلك شأن بقية النصوص، وهكذا يصبح النص النبوي نفسه موضع المساءلة ما إذا كان حجة أم لا. (ب) أن تكون قراءة مقاصدية، تقصد المعنى الذي قصده الشارع، لا أن تكون قراءة بالمعنى الليبرالي للكلمة، وهو أن يقول القارئ ما شاء، وكيف شاء، وبما شاء، لأنها جزء من العبادة، وبما أن الإنسان ليس حرًا في أن يعبد الله ☐ كما شاء فهو ليس حرًا في أن يقبل على وحيه بالطريقة التي يريد.

والقراءة الحدائية ليس فيها ما يدل على ذلك، حيث دارت المقاصدية مع قصد القارئ، وأهداف المنهج، وساد لديهم الترجيح وفق نظرة أحادية جامدة، فإذا تعارض العقل مع النقل قُدّم العقل،

يقول عبد المجيد الشرفي: "لا ينبغي أن يكون تنفيذ عقوبة معينة كما هو الشأن في القصاص والسرقه وغيرهما محسوبا على الخضوع لأوامر إلهية لا صلة لها بالزمان والمكان، بل هي مما اقتضته ضرورات الاجتماع والأخلاق، وهي أمور متغيرة وغير مستقرة، تتأثر بعوامل عديدة منها الثقافي ومنها الاقتصادي والسياسي". (الشرفي، عبد المجيد، ٢٠٠١م، ص ٨٥)

هكذا اتخذ الحدائون من التأويل المدعى مطية في دراستهم للنص، لدفع كل ما يتعارض منه مع فهمهم، ومقصدتهم، وأهداف منهجهم، حتى ولو كان ذلك على حساب النص بليته، وتحميله ما لا يحتمل.

وهذا بلا شك خطأ منهجي يخالف ضوابط القراءة الصحيحة للنص، أمّا لماذا؟ فلعدة أمور:

(١) أن التأويل في الفكر الإسلامي ليس فلسفة للفهم المفتوح، والتعري عن مأخذ الكلام، بل هو جهد ذهني مقيد بمنطوق النص الشرعي ذاته، وإرادته من النص.

(٢) أن جهد المتأول مع النص مُحدد في: الإصغاء إليه، واكتشاف دلالاته، والتفهم لمعناه؛ لمعرفة الحكم استنباطاً، ثم التبعد بمقتضاه. (ابن تيمية، تقي الدين، ١٩٩١م)

(٣) أن التصرف في النص بالتفسير والتأويل إنما يكون وفق ضوابط كفيلة بالارتباط بالنص، والفهم عنه، واستثمار معناه، منها:

- أن يكون المأول عارفاً بوجوه التعليل، بصيراً بمعرفة الأشباه والنظائر، حاذقاً في بعض أصول الفقه وفروعه، والحديث وعلومه واللغة وأصولها. (الونشريسي، ١٩٨١م)
 - مراعاة العلاقة بين منطوق النص، ومفهومه: إذ المقصود الشرعي يؤخذ من منطوق النص - أي الوضع الأصلي للألفاظ - كما يؤخذ من مفهومه - أي فحوى الكلام، وبساط التخاطب -، ومن ثم لا يجوز الخروج عن سنن النص في لغته، وعُرف استعماله، وتحميله ما لا يحتمله، منطوقاً أو مفهومًا، وإذا حدث ذلك فلا فهم، ولا علم.
 - أن يكون التأويل مُنقاداً يعضده مرجح قوي من دليل صحيح، فإذا لم يكن ثمة دليل فلا يجوز صرف الكلام عن ظاهره.
 - أن يأتي التأويل ضمن العناية بمراد المتكلم، ومقاصد خطابه.
- هكذا بهذه الضوابط تكون قراءة النص قراءة مضبوطة، وواعية، لا قراءة مفجرة للنص، مهدرة لسياقه ومقاصده، جاعلة منه مجالاً للتزيد، والإقحام، والعبث واللّهو، كحال القراءة الحدائية له.

(د) قراءة النَّصِّ النَّبَوِيِّ بِمَعزَلٍ عَنْ مَصْدَرِهِ، وَقَصْدِهِ (التفكيكية)

تعامل الحداثيون مع النَّصِّ على أنه نصًّا لغويًّا كأَي نص، ومن ثمَّ سوغوا لعقولهم قراءة النَّصِّ، وتحليله في بنية مستقلة تعزله عن صاحبه، ومصدره، وعالمه الخرجي الذي تولد بمقتضاه - بقصد الوصول إلى ما وراء النص بزعمهم -، ثمَّ إعادة إخراجِه بشكل جديد وفق المعنى الذي يفهمه، ويراه القارئ دون التقييد بضوابط وآليات قراءة النَّصِّ وفهمه (الجابري، محمد عابد، بدون تاريخ، أبو زيد، نصر، ١٩٩٢م)، وعليه تكون ذات القارئ هي مدار الحقائق والأحكام، وليست ذات النَّصِّ.

لا شك أنَّ القراءة الحداثية وفق تلك الأداة قد وقعت في جملة أخطاء منهجية تخالف شرط القراءة الصحيحة منها:

(•) غياب القراءة الجامعة التي تضع الجزئيات في إطار الكليات، وتُردف الفروع بأصولها، وتقف على القرائن ومقتضيات الأحوال المحيطة بالنَّصِّ، وتقف على عُرف المتكلم، وعادته في خطابه، وتستبصر ما سيق الكلام له، وما تعلق به من معان، وما هدت القرائن إليه، أو ما منعت منه وصدَّت عنه؛ بحيث يظهر النَّصِّ كاللَّفظة الواحدة، في ضوء علاقته بالإضافة إلى النَّظَر في ضوء علاقته مع النُّصوص الأخرى.

(•) غياب البُعد المصدري، والمقاصدي لصاحب النَّصِّ، وهو خطأ منهجي، إذ يؤدي إلى فوضى التفسير، ولا نهائية المعنى، ونسف محتوى النَّصِّ وإبطال مقصوده، وتفريغِه من مضمونه الاعتقادي، والتشريعي والأخلاقي، وتحويله إلى وعاء فارغ مهياً لكل ما يمكن أن يلصق به من المعاني، والأفكار. فينبغي العناية بمسألة القصد الذي يُؤمُّ، ومراد المتكلم وغايته من الكلام.

(هـ) التَّأويل الحُرِّ للنَّصِّ:

إذا كان التَّأويل عند أهل الأصول يعني: "حمل اللَّفظ على غير مدلوله الظاهر منه مع احتمال له بدليل يعضده" (الأمدي، أبو الحسن، بدون تاريخ، ج ٣/ ص ٥٣)، وأنه لا بد أن يكون في نطاق النَّصِّ، ضمن شروط وضوابط (بويداين، إبراهيم محمد طه، ٢٠٠١م)، فإنَّه غدا عند الحداثين تأويل حُرِّ من كل قيد، وشروط وُضِع له في قراءات التراث، فلكل شخص حق التَّأويل لما شاء، وبما شاء طبقاً لثقافته الخاصة، وتجربته الإنسانية، كما جعلوا الزمن عاملاً حاسماً في تحديد معاني النَّصِّ، وصرفه عن مدلوله الظاهري إلى مدلولات أخرى يقتضيها الواقع الذي يعيش فيه المخاطب بذلك النَّصِّ. (كالو، محمد محمود: ٢٠٠٩م)

فنتج عن ذلك إبطاهم لكثير من الأحكام، والشعائر الدينية الثابتة، بدعوى أنها مرتبطة بزمان ومكان منفصلين عن زماننا.

الفكر الديني، وتوجيه أحكام الاتهام إلى المعارف المصاحبة للنص والمتحكمة في عملية الفهم والتقريب بدعوى أنها : تقليدية، ورجعية، ومسخ التعاليم الدينية إلى منظومات فلسفية.

(ب) قراءة النص النبوي في بعده التاريخي والزمني (التاريخية)

نهج الحدائثيون في دراستهم للسنة النبوية تحكيم النسق التاريخي، وسياقه العام في نصوصها قبولاً ورفضاً، فهمًا، وتأويلًا باعتبارها منتجًا ثقافيًا له، فزعموا أن النص النبوي صالح فقط للزمان، والمكان الذي ورد فيه بمعنى "أن الأمر الذي كان جاريًا تنفيذه في العهد النبوي لا يلزم المسلمين تنفيذه اليوم، لأنه كان مناسبًا للعصر الذي نزل فيه". (أبو زيد، نصر، ٢٠٠٧م، ص ١٠)

وهذا يترتب عليه أن تكون السنة معدومة الأثر، والوجود، والدور في الحياة بعد وفاة النبي صلى الله عليه وسلم، حيث كانت صالحة لوقتها وتاريخها، ويتحول النص النبوي من نص فاعل صانع للواقع، والحضارة إلى معطى يتم توظيفه حسب الحاجة إليه بما يتلائم مع الواقع ومعطياته، ومن ثم يصبح غير قادر على الاجابة عن النوازل وحل المشكلات الجديدة والمعاصرة ولقد أدى هذا المنهج الأدواتي إلى اعتمادهم جملة من الإجراءات أثناء عملية القراءة منها:

(١) اعتمادهم التاريخية في إعادة ترتيب سور القرآن الكريم وفق الترتيب الزمني للنزول لا وفق ترتيب المصحف. (جعيط، هشام، ٢٠٠٧م)

(٢) إعادة النظر في أحكام المرأة المتعلقة بالميراث، والحجاب،... وغيرها، حيث ذهبوا إلى أن هذه الأحكام ليست نهائية، بل نسبية نابعة من وضعية المجتمع الذي أنزلت فيه "ولا شيء يجعلنا نعتقد بخلود هذه الحالة دون تغيير" (أبو زيد، نصر، ٢٠٠٧م، ص ٢٣٣-٢٣٥)، ومن ثم أوجبوا المساواة المطلقة بين الرجل، والمرأة في جميع أحكام الإسلام.

(٣) إبطال ما ورد بخصوص الحدود، والشعائر الإسلامية المؤصلة بالنصوص، لكونها مقيدة بزمن غير زمانهم، وبوضع غير وضعهم. (النيهوم، الصادق، بدون تاريخ)

(٤) اعتمادهم منهج الشك في المسلمات التي أجمع عليها السابقون في علوم القرآن والسنة: مثل أمية الرسول صلى الله عليه وسلم، وتمامية النص القرآني، وواقعية القصص القرآني. (الجابري، محمد عابد، بدون تاريخ)

(ج) قراءة النص النبوي خارج تداوله (ضوابط قرائته، وفهمه)

نهج الحدائثيون قراءة النص في فصل تام بينه، وبين كل القراءات الضابطة لفهمه، وتفسيره في التراث العربي الإسلامي.

يقول أركون: "كان الوحي قد ترسخ على هيئة نظام معرفي مهيمن تمامًا... ولقد حدث تاريخيًا أن وجد أناس هضموا هذا النظام المعرفي وتمثلوه وفسروه بشكل أرثوذكسي صارم، ثم طبقوه بكل جيروت...، لذا نلاحظ أن هناك حاجة مستمرة للنضال من أجل اكتساب استقلالية نسبية للفكر". (أركون، محمد، ١٩٨٦م، ص ٢٩٣)

وحسب "محمد أركون" أن الحديث قد "تعرّض لعملية الانتقاء، والاختيار، والحذف التعسفية التي فرضت في ظلّ الأمويين وأوائل العباسيين، أثناء تشكيل المجموعات النصية (يعني كتب الحديث) المدعوة بالصحيحة... لأسباب لغوية وأدبية وثيولوجية وتاريخية". (أركون، محمد، ١٩٨٦م، ص ١٤٦)

وحسب "عبد المجيد الشرفي" أن "الحديث في الصورة التي دون فيها ليس تسجيلاً أميناً لأقوال النبي ﷺ وأفعاله أو إقراراته، وما كان يمكن له أن يكون كذلك، وإنما تمثل موجّه بالضرورة وغير بريء البتة لعدد محدود من تلك الأقوال والأفعال". (الشرفي، عبد المجيد، ١٩٩١م، ص ١١١١٠)

(٢) ردّهم لكثير من الأحاديث التي لا تتفق مع منهجهم مثال ذلك:

- حديث: "من بدل دينه فاقتلوه". (رواه البخاري، رقم ٣٠١٧)؛ يقول "جمال البنا" معلقاً على هذا الحديث: كيف يستقيم هذا الحديث مع خمسين آية على الأقل من آيات القرآن تقرر حرية المعتقد... كيف يستقيم هذا الحديث مع الآيات المؤكدة: ﴿لَا إِكْرَاهَ فِي الدِّينِ﴾ (سورة البقرة: الآية ٢٥٦)، كيف يمكن أن يتفق الحديث مع ﴿أَفَأَنْتَ تُكْرِهُ النَّاسَ حَتَّىٰ يَكُونُوا مُؤْمِنِينَ﴾ (سورة يونس: الآية ٩٩ البنا، جمال، ٢٠٠٦م، ص ١٣)
- حديث: "بَدَأَ الْإِسْلَامُ غَرِيْبًا، وَسَيَعُوْدُ كَمَا بَدَأَ غَرِيْبًا، فَطُوبَىٰ لِلْغُرَبَاءِ". (رواه مسلم، رقم ١٤٥) يقول "الجابري" معلقاً على هذا الحديث بعد أن ذكر حديثاً بمعنى هذا الحديث في مسند الإمام أحمد، وحديث: "خير أمتي قرني ثم الذين يلونهم ثم الذين يلونهم" (رواه البخاري، رقم ٣٦٥٠) "من السهل أن يشكك الإنسان في صحّة مثل هذه الأحاديث الثلاث التي تُشتم فيها بوضوح رائحة السياسة، وبالنسبة لي شخصياً، إن مثل هذه الأحاديث يجب وضعها بين قوسين أعني تجنب أخذها بعين الاعتبار"، مُعللاً ذلك بـ"أنّ الاتجاه القرآني غير هذا، واتجاهها هي غيره، ومع ذلك فثمّت حقيقة لا ينبغي إغفالها، وهي أنّ هذه الأحاديث تعبّر عن حالة الإحباط التي أصابت المسلمين بعد ما عاينوه من الفتنة الكبرى". (الجابري، محمد عابد، بدون تاريخ، ص ٣٣)

(٣) رفض كل ما له بُعد غيبي، وحمولة إعجازية، وتوظيف التأويل في فهمه: فانشقاق القمر - في نظرهم - لا يخرج عن كونه خسوفاً، وحادث الإسراء والمعراج كان مناماً لا يقظة، لكونها تتعارض مع مبادئ العقل ومعطيات العلم. (الجابري، محمد عابد، ٢٠٠٦م)

ومن هنا يمكن القول:

- أنّ النّقد الحدائثي للسنّة وفق هذه الأداة أُسّس على افتراضات مخطئة يتم الإلحاح والحرص عليها، لأن أغلبها يتبنى موقفاً نقدياً، أو هدمياً من التراث الحديثي.
- أنّ التعامل العقلي مع النّص دون مراعاة للضوابط العلمية، والأدوات الخادمة له، واللازمة للخوض في دراسته والتي لها منهج معروف، ومسلوك مألوف، كـ"ضبط المرويّات، والأخبار"، وغيرها، في القراءة الحدائثية ألغى ضرورة الالتزام بالوحي ورفع القداسة عنه، وأفضى إلى نمط انتقائي من الفكر

ثم كانت الخطورة حينما بدأ نفر من أبناء هذه الأمة، يتناولون النص - "قرآنًا، وسنة" - بقراءة حدائثية، ذات نظريات لغوية حديثة - كالنبوية، والتفكيكية، والسيمائية - "مقتبسة في حقيقتها من الواقع الحدائثي الغربي في صراعه مع الدين، بقصد محاكمة التراث الديني، وإخضاعه لمناهج النقد، والتأويل.

وتقوم هذه الدراسة الحدائثية للسنة النبوية على عدة أدوات منها:

(أ) تنصيب العقل حاكمًا على السنة (العقلانية)

لقد بالغ الحدائثيون بالاحتفاء بالمنهاج العقلي في رد السنة النبوية، إذ وظيفة العقل عندهم بالنسبة للحديث النبوي هي: "القيام بعملية الفرز حسب الأدوات المعرفية الجديدة، فيحتفظ بالصواب، ويستبعد الخطأ" (إسلامبولي، سامر (بدون تاريخ)، ص ٧)، لدرجة أن بعضهم لئنؤه بالعقل، ومكانته في إهدائه للكتاب المؤلف إبرازًا لهذه الغاية. (زكريا، إهداء، ٢٠٠٤م)

يقول "الجابري": "إن خطابنا هنا لن يكون دعوة، ولا خطاباً مضاداً لأية دعوة، إنه خطاب ينشُد التعبير عن الحقيقة كما تبدت لنا من خلال موقف حيادي موضوعي من الوقائع وتعامل نقدي مع المصادر". (الجابري، محمد عابد، بدون تاريخ، ص ٢٦)

ويهدف هذا المنهج الأدواتي إلى رفع عائق الغيبية، وزحزحة الوحي عن مكانته باعتباره مصدرًا للمعرفة، عن طريق إخضاع النص للنقد، وإسقاط النظريات والفلسفات الحديثة عليه، ونقد العلوم الضابطة للتعامل معه. (عبد الرحمن، طه، بدون تاريخ)

• يبرز هذا المنحى العقلاني بقراءته النقدية لمختلف الروايات، والمصادر التاريخية، ومن مظاهره لدى الحدائثيين:

(١) التشكيك في السنة، وذلك بطعنهم في كتب السنة المعتمدة "لكصحيحين":
فحسب "الجابري" أن أحاديثهما "صحيحة بالنسبة للشروط التي وضعها أصحابها لقبول الحديث؛ إذ الحديث الصحيح ليس صحيحًا في نفسه بالضرورة... وإنما هو صحيح بمعنى أنه يستوفي الشروط التي اشترطها جامع الحديث كالبخاري ومسلم". (الجابري، محمد عابد، ١٩٩٨م، ص ٨)

وحسب "محمد شحرور" "أن القول بأنهما أصح الكتب بعد كتاب الله! إحدى أكبر المغالطات التي ما زالت المؤسسات الدينية تُكره الناس على التسليم بها تحت طائلة التكفير والنفي، فالصحة في كتاب الله صحة حقيقية لغوية واقعية، يؤيدها العلم، ويثبتها الكون المشهود، أما الصحة في كتب الحديث فصحة مجازية اصطلاحية تواضع أهل المؤسسة الدينية أنفسهم على تسميتها أي أنها تحمل الطابع الذاتي، صحة نسبية إن ثبتت عند أحدهم نفاها الآخر". (شحرور، محمد، ٢٠٠٠م، ص ١٦٠)

(هـ) أهدافه من دراسة السُّنة

• **انتزاع قداسة النَّصِّ النبوي التي تكونت في ظلّه ثوابت العقل الإسلامي ومُحدداته.** سعى التيار الحدائثي المعاصر في فهمه، ودراسته للسُّنة إلى عدّها كلاًّ من الكلام الذي يمكن دراسته ونقده، وبيان قيمته علوّاً وهبوطاً من غير وجل ولا خوف، وهذا أمرٌ متفق عليه بين أصحاب هذا التيّار فالحديث الشريف “عند عبد المجيد الشرفي: ”لم يعد يحتل نفس المنزلة التي كانت له عند الأجيال القريبة من عهد الثبوة، وأنّ الشعور السائد أنّه يعسر مواجهة مشاكل التشريع في المجتمعات العصرية بالرجوع إليه“. (الشرفي، عبد المجيد، ٢٠٠١م، ص ٦٤)

• **القطيعة المعرفية بالقراءات التراثية، والضوابط المنهجية المقررة لقراءة السُّنة** يكاد يجمع أصحاب الاتجاه الحدائثي في دراستهم للنَّصِّ على تجاوز المناهج القديمة الضابطة لعملية الفهم، بزعم ”أنّها غير دقيقة“ (أركون، محمد، ١٩٨٦م)، ومن ثمّ يجب التعامل المباشر مع النَّصِّ “(الشرفي، عبد المجيد، ١٩٩١م، ص ١٦٢) بلا وصاية من أحد. يقول عبد الله العروي: ”لقد قرأنا الكتاب -يعني القرآن- قراءة بريئة غير متحفظة، متوقفين عند الأمارات الدّالة، دون اعتبارٍ لما قد تسفر عنه الدراسات الجارية،...، وما فعلناه مع النَّصِّ المؤسّس، لماذا لا نفعل مثله مع ما نسميه السُّنة، أي الإسلام كما تجسد وتطور في التاريخ، بناءً على وضعنا الحالي، وانطلاقاً من معارفنا، وحاجتنا من معتقداتنا، وتطلعاتنا...“ (د: العروي، عبد الله، ٢٠٠٨م، ص ١٢٩)

ويقول أدونيس: ”لا يمكن أن تنهض الحياة العربية، ويبدع الإنسان العربي إذا لم تنهدم البنية التقليدية السائدة للفكر العربي، ويتخلص من المبنى الديني التقليدي الاتباعي“. (أدونيس، علي سعيد، بدون تاريخ، ج ٣/ص ٩)

• **محاكمة التراث الديني، وإخضاعه لمنهج النّقد، والتأويل كما خضع لها في الدراسات التوراتية، والإنجيلية المستحدثة في إطار الفكر الغربي.** يقول علي حرب: ”إنّ من أولى مهام المثقّف، والباحث الدّاعي إلى التنوير، التوفّر على نقد الفكر الديني، بإخضاعه إلى الأساليب، والمناهج العلميّة في الدّرس والتحليل“. (حرب، علي، ١٩٩٣م، ص ٢٠١)

ويقول أركون: ”نحن نريد للقرآن المتوسل إليه من كل جهة والمقروء والمشروح من قبل كل الفاعلين الاجتماعيين المسلمين مهما يكن مستوهم الثقافي وكفاءتهم العقائدية، أن يصبح موضوعاً للتساؤلات النقدية، والتحريات الجديدة المتعلقة بمكانته اللغوية، والتاريخية، والأنثروبولوجية، وال تيولوجية، والفلسفية“. (أركون، محمد، بدون تاريخ، ص ٢٤٦)

المبحث الثالث: آلياته ومسوغاته في دراسة السُّنة النبويّة.

ظلّت قراءة النَّصِّ ودراسته -قرآناً، وسُنّةً- في الفكر الإسلامي، تخضع لمنهج مشدود بثوابت: مرتبطة باللسان ومقتضياتها في فهم الخطاب من جهة، وتقنين دلالة المنطوق على المفهوم من جهة ثانية، ومحتكمة إلى الشرع وحدوده من جهة ثالثة، مما يؤدي إلى ما سماه الإمام الشافعي رحمه الله بعقل المعاني. (الشافعي، محمد بن إدريس، ١٣٠٩هـ)

ومن أبرز رواد الاتجاه الحداثي العربي - وهم كثر - : ”محمد اركون، محمد نصر أبو زيد، عبد المجيد الشرفي، محمد شحرور، علي حرب، محمد عابد الجابري، فرح بن أنطون بن إلياس من طرابلس، علي أحمد سعيد أدونيس، وزوجته خالد سعيد من سوريا، سامر إسلامبولي، عبد الله العروي من المغرب، كمال أبودييب من فلسطين، جمال البنا من مصر، عبد الوهاب البياتي من العراق“.

ومن الملاحظ على هذه الرموز التي تتبنى منهجًا حداثيًا في التعامل مع القرآن الكريم تاريخًا وتفسيرًا:

أنَّ أغلبهم ليسوا من المتخصصين في الدراسات الشرعية بالمعنى الدقيق لكلمة التخصص، فهم في العموم متخصصون في الفلسفة، والفكر الإسلامي، والأدب، وقد جَوَّزوا لأنفسهم أن يتكلموا في علمٍ له رجاله الذين يحذقون قواعده وضوابطه، ويثقفون أصوله ومبادئه، فلماذا تسوَّر هؤلاء على هذا الباب.

(د) مبرراتهم للتسوُّر على هذا الباب:

استند الحداثيون في تسويق دراستهم للسُّنة رغم عدم تخصصهم إلى عدة مبررات منها: دعوى الحرية الفكرية: فالفكر - حسب تصورهم - مشاع إنساني، ليس له وطن، ولا جنس، فلا قيود لأحد على أحد في الفكر، ومن هنا سوَّغوا لأنفسهم إعمال العقل على كل النَّص من دون قيود، ولا حدود.

- دعوى البحث العلمي: وهي كلمة تشكل ذريعة للمرور إلى الخصوصيات، تمكَّن المستشرقون باسمها من خوض غمار البحث في التراث العربي الإسلامي الذي من مقدماته ”السُّنة النبويَّة“، ثم من خلالها تمَّ تحقيق ما عجز الاحتلال عن تحقيقه.

- دعوى خدمة النَّص ”قرآنًا وسُنَّة“: ادعى هؤلاء أنَّ القرآن نزل للناس كافة، ومن حق سائر الناس أن يتعاملوا معه بما يخدمه من دون حواجز ولا موانع، لإضفاء عنصر الشرعية على هذا التعامل الحداثي مع النَّص.

- مجازاة موضة التأليف: تسوُّر هؤلاء الكتابة عن القرآن، والسُّنة تفسيرًا، وتاريخًا، إنما جاء مجازاة لموضة التأليف في الإسلاميات من قِبَل كثير من المتسوِّرين على هذا الباب في هذا العصر، والحق أنهم ما كانوا أن يسمع بهم لولا كتابتُهم في موضوعات تتصل بدين الأُمَّة، وثوابتها.

بيد أن هذه المبررات ليست كافية في أن تُسوِّغ لهم المرور إلى النَّص ”قرآنًا وسُنَّة“، والتَّسلط عليه بهذه الكيفية، دون أن يكون معهم أدوات، ومفاتيح دراسة النَّص، وهو الأمر الذي أوقعهم في كثير من الآفات المنهجية، كما سيظهر في السطور التالية إن شاء الله تعالى.

ج) الانبهار بالثقافة الغربية: هذا الانبهار الذي تحوّل إلى هزيمة نفسية، وإعجاب أعمى، واقتناع بصحة كل ما أفرزه الغرب، فكريًا، وتناجيًا، وسلوكيًا، ومعاشيًا.

د) ضحالة الثقافة الإسلامية في عقول الكثير منهم، ومن ثم غدا النظام الإسلامي "عقيدةً، وعبادةً، وآدابًا، وتاريخًا..."، عندهم لا يُقنع، ولا يُحقّق شيئًا من مطالبهم.

هـ) الوضع الداخلي في البلدان الإسلامية التي رسمته ممارسات الأنظمة الحاكمة، والذي من مظاهره التخلف الاقتصادي، وتكريس حالة المجتمع الاستهلاكي، والتخلف الاجتماعي، والجمود الثقافي، والانحراف في مناهج التعليم، وفي أساليب ممارسة الإعلام.

(ب) السّمات، والمبادئ

يمكن إجمال سمات هذا الاتجاه ومبادئه على النحو التالي:

(١) القطيعة المعرفية مع الدين، وتعرية مصادره من القداسة، وتفريغ مصطلحاته من مضامينها الدينية والإيمانية (بدون تاريخ): لأنّها بزعمهم تجاوز الحس، والمشاهدة، ولأنّها تشير إلى مقولات غير إنسانية فما الله إلاّ وعى الإنسان بذاته، وما صفاته، وأسماءه إلاّ آمال الإنسان، وغاياته التي يصبوا إليها" (د: حنفي، حسن، ١٩٨٠م)، ليصبح الدين بذلك مجرد نسق فكري لا علاقة له بالغيب، والسماء. (٢) تحرير العقل من مملكة الدين، وتخليّة المكان لتقدم عصره وهيمنته (بولا، أميل، ١٩٨٧م)، وتبني شعار "لا سلطان على العقل إلاّ للعقل"، بمعنى شجاعة استخدام العقل، ولو كان ذلك ضد الدين، وضد النص ليكون سلطانه مطلقًا.

(٣) حصر الاهتمامات الإنسانية بقضايا العالم، والطبيعة، والانتقال بها من العقل إلى الطبيعة، ومن الروح إلى المادة، ومن الله إلى العالم، ومن النفس إلى البدن، ومن وحدة العقيدة إلى وحدة السلوك، ومن العقيدة إلى الثورة بمعنى إحلال العلم محل الميتافيزيقا، وإحلال التجربة الحسية محل المعرفة النقليّة، والوجدانية.

(٤) لا تُرى عملية التجديد إلاّ بمنظور التكيّف في إطار من نسبية القيم، وغياب العلاقة الواضحة بين الثابت والمتغير؛ إذ تعتبر القرآن الكريم "خطابًا تاريخيًا لا يتضمن معنى مفارقًا جوهريًا ثابتًا، وليس ثمة عناصر جوهريّة ثابتة في النصوص، فالقرآن قد تحوّل منذ لحظة نزوله من كونه نصًا إلهيًا، فصار فهمًا نصًا إنسانيًا؛ لأنّه تحوّل من التنزيل إلى التأويل" (د: أبو زيد، نصر حامد، ١٩٩٢م)، فكل قيمة قابلة للإصابة بالتبدل والتحول، وعلى الإنسان أن يستجيب لهذه التغيرات بما أسمته التكيّف.

(ج) أبرز الرواد

من أبرز رواد الاتجاه الحداثي الغربي -وهم أكثر-: "إرنست رينان، ديكارت، كانط، كارل ماركس، نيتشه، جان بول سارتر، آلان تورين، وبياجيه، وهنري لوفيفر، بودليير مؤسس تيار الحداثة من الناحية الفنية الأدبية"، وغيرهم كثير.

• **الصِّراع بين الكنيسة، والعلم:** الذي مكث عدة قرون، وانتهى بإبعاد الكنيسة، ورجالها عن التدخل في نُظم الحياة، وشئون الدَّولة. (الحوالي، سفر بن عبد الرحمن، بدون تاريخ) الثورة الفرنسية: التي مَحَضت عن نتائج بالغة الخطورة، فقد وُلدت لأول مرة في تاريخ "أوروبا" المسيحية دولة جمهورية لا دينية، تقوم فلسفتها على الحكم باسم "الشعب"، وليس باسم "الله"، وعلى حرية التدين بدلاً من الكُثلكة، وعلى الحرية الشخصية بدلاً من التقيُّد بالأخلاق الدينية، وعلى دستور وضعي بدلاً من قرارات الكنيسة. (فرويد، سيجموند، ١٩٦٣م)

• **التطور التكنولوجي الهائل،** خاصة في مجالات الاتصال، الذي أمكن بفضلُه أن تنحصر المسافات، وتقلص الحدود، ويتسع التبادل المعرفي، والمالي، ليتحول العالم إلى قرية إلكترونية صغيرة. (جعيط، كمال الدين، بدون تاريخ)

(٢) الرِّوafd

تعدُّ الحداثة امتداداً لإفرازات المذاهب، والتيارات الفكرية، والاتجاهات الأدبية، والإيدلوجية المتعاقبة التي عاشتها أوروبا في القرون الخوالي، والتي ظهرت كحلول للمُشكلات التي عانى منها الواقع الغربي في مراحلهِ المختلفة، كالكلاسيكية الرومانسية، والبرناسية الرمزية، والوجودية، والواقعية، والتي قَطَعَت فيها صلتها بالدين والكنيسة، وتمرّدت على الموروث القديم بكل آثاره. إذن الحداثة وليدة شرعية للمجتمعات الأوربية أنجبتها عقول مفكرها كثورة على واقع خلّقه الكنيسة، وكانت النتيجة تعديل هذا الواقع بحسب التصور المرسوم، فجاءت الحداثة مولوداً ذا خِلقَة سوِّية، ومن أبوين - على الأقل - شرعيين، هما "التصور، والواقع" الغربي، وإذا كان ذلك كذلك فكيف تسلّلت الحداثة إلى العقل العربي الإسلامي؟

(٣) الحداثة، والفكر العربي الإسلامي

نُحِت فكرة الحداثة الغربية بكل مبادئها، وأهدافها في التسلل إلى العقل الإسلامي العربي، حيث ظهر اتجاه ينادي باستعارة العقل الغربي، والعمل بنموذجه - المتمثل في التمرّد على الموروث القديم بكل آثاره-، بغض النّظر عمّا يحمل من أفكار تناقض الإسلام، ولا تصلح لخدمة المسلمين، وجعل أوروبا قبلة له بهدف إحلال الثقافه الغربية محل الثقافه الإسلامية. (د. عمارة، محمد، ١٩٩٨م)، ولعل مما ساعد على ذلك عدة عوامل أهمها:

أ) ممارسات الاحتلال، ومنتجاته المحلية على المستويات السياسية، والاقتصادية، والاجتماعية، والثقافية.

ب) الابتعاث والدراسة في الغرب (شاكر، محمود، ١٩٨٧م)، والثقيف الذاتي على كُتُب، الغرب وثقافته. (شرابي، هشام، ١٩٨١م)، (الحواري، ألبرت، د. محمد محمد حسين، ١٩٨٦م)

- أن من التحجّي الخلط بين دُعاة الحداثة، ودُعاة التجديد والمعاصرة، ووضع الجميع في سلّة واحدة، وضمهم في حزمة واحدة، بل الحكم على كل شخصية من هذه الشخصيات وعلى انتمائها، أو اندراجها تحت هذا النوع، أو ذلك ويمكن أن يتقرر ذلك طبقًا للقواعد التالية:

 ١. مدى التزامها بالإسلام، وبالفكر الديني عمومًا.
 ٢. مدى التزامها بالمرجعية الإسلامية في أصول الإسلام، وقواعده الأساسية.
 ٣. النَّظَر إلى نتائج هذه الشخصية بشكل كامل دون اجتزاء بعضها، وإهمال البعض الآخر الذي قد يكون أصدق تعبيرًا عن مقاصدها.
 ٤. النظر إلى حياة كل شخصية على أنّها حياة متطورة وليست جامدة، ولا يجوز الحكم عليها من خلال مرحلة من مراحلها دون النظر إلى بقية المراحل، والعبرة بما استقرت عليه هذه الشخصية في مراحل حياتها الأخيرة؛ إذ العبرة بالخواتيم.
 ٥. تجنب سوء الظن، وتجنب الحكم على النوايا دون دواعٍ قوية.
 ٦. موقفه من المضامين، والمفاهيم، والمقاصد التي تعيّن لها فلاسفة التنوير الغربي، والتيار الفكري الذي تبلور، وساد في النهضة الغربية منذ القرن الثامن عشر الميلادي، وهى المضامين، والمقاصد التي فجّرت الحداثة كمنهج له منطلقاته، وأهدافه، وأدواته، والتي أصبحت من أهم ما يُفترق بين تلك الحضارة، وحضارة الإسلام.

المبحث الثاني: حقيقة الاتجاه الحداثي

بعد التعريف السالف لكل من الاتجاه والحداثة يمكن القول بأن المقصود بـ”الاتجاه الحداثي“ هو: ”الاتجاه الذي يمثل انعكاسًا للحداثة الغربية في منطلقاتها، وأهدافها، من حيث الثورة والتّمرد على الموروث والسائد، والاستبدال الراديكالي التام للمنظومة القديمة بمنظومة جديدة تناسب روح العصر وفق الفلسفات الغربية“.

(أ) البدايات، والرّوافد

١) البدايات

إنّ الحداثة ظاهرة من ظواهر الحياة والتاريخ منشأها غربي، وطبيعتها غربية، وهي ليست وليدة اليوم، بل هي عملية تاريخية قديمة مرت عبر الزمن بمراحل، ومحطاتٍ تاريخية في أحداث، ووقائع تجلّت فيها حركة الحداثة، بدءًا من بداية القرن الخامس عشر الميلادي بفضل حركة النهضة الأوروبية الحديثة، وحركة الإصلاح الديني، ثم حركة الأنوار والثورة الفرنسية، تليها الثورة الصناعية، فالثورة التقانية، ثم الثورة المعلوماتية (محفوظ، محمد، ١٩٩٨م)، وقد ساعد على انتشارها الواسع، وتبلور منهجها، وأفكارها عدة عوامل منها:

- طُغيان رجال الكنيسة، وهيمنتهم الدينية، والاقتصادية، والسياسية، والعلمية، وفساد أحوالهم تحت قناع القداسة التي يصفونها على أنفسهم، ويهيمنون بها على الأمة الساذجة.

وعُرِّفَتْ بأنها: ”الفعل الفلسفي المتوافق مع التشكيلات الفكرية الحقيقية المتصاعدة، والضرورية، والذي يقوم على تحديد موقفه من الماضي، والتراث المبني على العلم به والدراسة الدقيقة له؛ ومن ثم محاكمته والقطيعة معه“. (لالاند، أندريه، ٢٠٠١م، ص ٨٢٢)

وعُرِّفَتْ بأنها: ”حركة الفكر الكاثوليكي لتأويل تعاليم الكنيسة في ضوء المفاهيم العلمية والفلسفية السائدة في القرن التاسع عشر“ (البلبكي، منير، بدون تاريخ، ص ٥٨٦) وبالتأمل في هذه الموارد السَّالفة لمفهوم ”الحداثة“ يمكن استخلاص ما يلي:

- أن لفظة الحداثة في واقعنا اليوم لم تعد تدل على المعنى اللغوي لها، ولم تعد تحمل في حقيقتها طلاوة التجديد، ولا سلامة الرِّغبة؛ بل أصبحت رمزاً لفكر جديد، تجد تعريفه في كتابات دُعائها، وكتبهم.
- أن الحداثة منهج فكري يقوم على عدة أسس، ومرتكزات من أهمها ما يلي:
 ١. العقلانية المطلقة: فالحداثة وضعية اجتماعية وحضارية تجعل من العقل والعقلانية المبدأ الأساسي الذي يُعتمد في كل مناحي الحياة والوجود بُغية بناء مجتمع عقلاني.
 ٢. تقديس العلم منهجاً وممارسة، وإحلاله محل الإله. (آلان تورين، ١٩٩٢م)
 ٣. الثورة ضد القديم، والموروث المقدس بكل آثاره.
 ٤. الإيمان بأن العالم الطبيعي هو العالم الحقيقي، وليس مجرد جسر إلى العالم الآخر. (سبيلا، محمد وعبد السلام بنعبد العالي، ١٩٩٦م)
 ٥. التقدّمية والتي تعني تقديس الجديد من حيث هو جديد لا لاعتبار آخر، ففي فلسفة الحداثة تسقط كل معايير التفضيل، ويبقى الزمن وحده معياراً لذلك، فيكون الشيء أفضل من غيره لا لأمر ذاتي فيه، بل لمجرد كونه الألاحق زمنياً.
 ٦. فصل القيم عن الوقائع، والأفكار.
- أن هناك فرقاً كبيراً بين الحداثة باعتبارها منهجاً فكرياً يدعو إلى الثورة والتّمرد على الموروث، والسائد، والنمطي بأنواعه المختلفة ديناً، وأخلاقاً، وعلماً، وبين ”المعاصرة، والتجديد“ باعتبارها منهجاً فكرياً مشروعاً استمد شرعيته من نص نبوي، قال ﷺ: ”إن الله يبعث لهذه الأمة على رأس كل مائة سنة من يجدد لها دينها“ (أبو داود برقم: ٣٧٤٠)، يدعو إلى إحياء ما هو موجود من ميراث ديني، وأخلاقي، وعلمي، والإضافة إليه ومقصد الإضافة هنا إمداد التجربة الإنسانية النامية بما تحتاج إليه من أحكام تتلاءم مع ما يستجد من أوضاع، وهذه الإضافة بعيدة كل البعد عن مفهوم ”البدعة“، لأنها ليست تشريعاً يناقض أصول الإسلام، وإنما إضافات أنتجت قرائح العلماء، لحماية تلك الأصول، وإصلاح الدين، والدنيا معاً، وحيثما وجدت المصلحة فتم شرع الله. بما يواكب العصر، ويتواءم مع التّطور (د: الترابي، حسن ١٩٨٧م، الشرقاوي، محمود ١٩٦٩م، عثمان، فتحي، بدون تاريخ)، في إطار علاقة تأثيرية مُتبادلة، ومتفاعلة بين الثوابت والمتحولات، وبين الخالد والمؤقت، وبين الفطري الدائم والاجتماعي العارض، بحيث لا يكون التجديد تحريفاً، ومسحاً، وانفلاتاً، ولا يكون الثبات جموداً، وتحنطاً على شكل واحد وأسلوب واحد.

المبحث الأول: مصطلحات ومفاهيم

(أ) مفهوم الاتجاه:

الاتجاه لغة: يراد به عدة معانٍ: وجه الشيء، الإقبال على الشيء والاهتمام به، المذهب، الطريق، القصد. (الجوهري، أبو نصر إسماعيل: ١٩٨٧ م، ابن فارس، أحمد: ١٩٧٩ م). وفي الاصطلاح: عُرِّف بتعريفات عدة منها: ”مجموعة مبادئ وآراء منظمة ومنسقة لمفكر أو مدرسة“. (جمع اللغة العربية: المعجم الفلسفي، بدون تاريخ)

(ب) مفهوم المعاصرة

المعاصرة لغة: يراد به عدة معانٍ: الدهر، الرهط والعشيرة، الذي يكون معك في عصر واحد. وفي الاصطلاح: عُرِّف بتعريفات عدة منها: ”السمة الغالبة على أوضاع المرحلة التاريخية التي نحياها“. (البشري، طارق، بدون تاريخ)

(ج) مفهوم السُّنة

السُّنة لغة: تطلق ويراد بها عدة معانٍ: البيان، العناية بالشيء، السيرة والطريقة. (ابن الأثير، مجد الدين، ١٩٧٩ م) وفي الاصطلاح: ”ماروي عن النبي ﷺ من قول، أو فعل، أو تقرير، أو سيرة، أو صفة خُلقية، أو خلقية“. (أبو النور، محمد الأحمد، ص ٤٤، بدون تاريخ)

(د) مفهوم الحدّاة

الحدّاة لغة: مصدر من الفعل ”حَدَّثَ“، وتعني: نقيض القديم، والشباب وأول العمر، والحدّاة، وأول الأمر وابتدائه. (الفراهيدي، الخليل بن أحمد، بدون تاريخ، ابن منظور، ١٤١٤ هـ). الحدّاة اصطلاحًا:

إنّ مصطلح الحدّاة يُعد من المفاهيم الهلامية التي يصعب الإمساك بأطرافها (بدون تاريخ): ومن ثم لا يخلو إيجاد تعريف جامع مانع لها من صعوبات، ليس لعدم وجود قصد للتعريف، ولكن لكثرة هذه التعاريف واختلاف مقاصدها.

وعليه لما كان موضوع الدّراسة يتعلق بالاتجاه الحدّائي، فإن من الموضوعية أن يُستمد مفهومها من كُتّابها، ومُعتنقيها على النحو التالي:

فقد عرّفها ”آلان تورين“ بأنها: ”الدفاع عن الذات بقدر ما هي عقلنة“. (آلان تورين، ١٩٩٢ م) وعرّفها ”هنري لوفيفر“ بأنها: ”عبادة الجديد من أجل الجديد“. (خريسان، باسم علي، بدون تاريخ)

وعرّفها الفيلسوف الألماني ”كانط“ بأنها: ”خروج الإنسان من حالة الوصاية التي تتمثل في عجزه عن استخدام فكره دون توجيه من غيره“. (ابن عاشور، عياض، ١٩٩٨ م، ص ١٣)

المقدمة

الحمد لله رب العالمين حمداً يوافي نعمه ويكافئ مزيده، وأصلي وأسلم على النبي المصطفى، والرسول المجتبي محمد صلى الله عليه وسلم، وبعد.

فإنَّ السُّنَّةَ النَّبَوِيَّةَ هي الأصل الثاني بعد القرآن الكريم، والتطبيق العملي لما جاء فيه، والعاضة لآياته، والكاشفة لغوامضه، والمجلية لمعانيه، والشارحة لألفاظه ومبانيه (بدون تاريخ): وإذا كان القرآن الكريم قد وضع القواعد، والأسس العامة للتشريع والأحكام، فإنَّ السُّنَّةَ قد عيّنت بتفصيل هذه القواعد، وبيان تلك الأسس، وتفريع الجزئيات منها على الكليات، لذا فإنه لا يمكن للدين أن يكتمل، ولا للشريعة أن تتم إلاَّ بأخذ السُّنَّةِ جنباً إلى جنب مع القرآن الكريم.

ولا شك أنَّ إسناده الحجّة لـ”السُّنَّة“ حق مقطوع به قامت عليه البراهين القاطعة، والأدلة الساطعة، واتفق عليه علماء الأئمة، وعليه قامت عقيدة أهل القبلة، وشريعتهم، وحضارتهم. ولقد تعددت الاهتمامات بالسُّنَّةِ النَّبَوِيَّةِ في مراحلها المختلفة تبعاً لتعدد الاتجاهات الدّراسة لها، كلٌّ على حسب مراده، وغايته.

ومن بين هذه الاتجاهات ما عرف بـ”الاتجاه الحداثي“ وهو اتجاه له حضور لا ينكر في الواقع المعاصر على كل المستويات (الفكرية، والاجتماعية، والسياسية، وحتى الدينية)، بل إنَّ كثيراً من المجتمعات الإسلامية الآن تُحكّم بموجب أفكاره، وتشريعاته.

ولا شك أنَّ لهذا الاتجاه اهتمامات، ودراسات عديدة على كل الأصعدة، إلاَّ أنَّ الحظ الأوفر من تلك الاهتمامات، والدراسات بقي لمصادر الاستدلال في الإسلام (القرآن، السُّنَّة، الإجماع،...)، وقد حظيت دراسة ”السُّنَّةِ النَّبَوِيَّةِ“ من قبل هذا الاتجاه بعناية خاصة؛ حيث جعل منها ميداناً للبحث، والنقد، والأخذ، والرد، وإعادة النظر، بشكل طال الأصل المعرفي لـ”السُّنَّةِ“ من حيث مصدرها، وصلاحتها، وديمومتها.

ومن ثمَّ ولما كان الأمر متعلّقاً بدراسة ”السُّنَّةِ النَّبَوِيَّةِ“ التي تمثل الجدار المنيع، والحصن الأول لقلعة الأُمَّة الإسلامية، ولما كان الدُّب عنها واجباً شرعياً، وعملاً تعبدياً، بات من الأهمية بمكان تسليط الضوء على هذا الاتجاه لتجلية حقيقته، وأهم مبادئه، وأبرز رَوَّاده، وأدواته، ودعوته، ومسوغاته، وغاياته من دراسة ”السُّنَّةِ النَّبَوِيَّةِ“، ليهلك من هلك عن بينة، ويحيى من حيى عن بينة.

وعليه جاءت هذه الورقات تحت عنوان: ”الاتجاه الحداثي المعاصر وآياته في دراسة السُّنَّةِ النَّبَوِيَّةِ تقيماً ونقداً“، مقسمة على خمسة مباحث:

المبحث الأول: مصطلحات ومفاهيم.

المبحث الثاني: حقيقة الاتجاه الحداثي، وبداياته ورؤاؤه، وأهم المبادئ، وأبرز رَوَّاده، وأهدافه من دراسة السُّنَّةِ.

المبحث الثالث: آياته، ومسوغاته في دراسة السُّنَّةِ.

المبحث الرابع: تقييم ونقد.

الاتجاه الحداثي المعاصر وآلياته في دراسة السُّنة النبويَّة تقيماً ونقداً.

السيد الشحات مصيلحي

إبراهيم

عضو هيئة التدريس كلية القرآن والسنة جامعة المالديف الإسلامية

ملخص البحث

لقد تعددت الاهتمامات بالسُّنة النبويَّة في مراحلها المختلفة تبعاً لتعدد الاتجاهات الدَّارسة لها، كلٌّ على حسب مراده، وغايته، ومن بين هذه الاتجاهات ما عُرف بـ”الاتجاه الحداثي“ وهو اتجاه له حضور لا ينكر في الواقع المعاصر على كل المستويات (الفكرية، والاجتماعية، والسياسية، وحتى الدينية)؛ بل إنَّ كثيراً من المجتمعات الإسلامية الآن تُحكَم بموجب أفكاره، وتشريعاته.

ولا شك أنَّ لهذا الاتجاه اهتمامات، ودراسات عديدة على كل الأصعدة، إلَّا أنَّ الحظ الأوفر من تلك الاهتمامات، والدراسات بقي لمصادر الاستدلال في الإسلام وعلى رأسها ”السُّنة النبويَّة“ والتي حظيت دراستها من قبل هذا الاتجاه بعناية خاصة؛ حيث جعل منها ميداناً للبحث، والنقد، والأخذ، والرد، وإعادة النَّظر، بشكل طال الأصل المعرفي لـ”السُّنة“ من حيث مصدرها، وصلاحتها، وديمومتها.

ومن ثمَّ ولما كان الأمر متعلِّقاً بدراسة ”السُّنة النبويَّة“ التي تمثل الحصن الأول لقلعة الأُمَّة الإسلامية، ولما كان الدُّب عنها واجباً شرعياً، وعملاً تعبُدياً؛ جاءت هذه الدراسة كمحاولة لتسليط الضوء على هذا الاتجاه لتحليله حقيقته، وأهم مبادئه، وأبرز رُوَّاده، وأدواته، ودعواته، ومسوغاته، وغاياته من دراسة ”السُّنة النبويَّة“، ليهلك من هلك عن بينة، ويحيى من حيى عن بينة.

الكلمات المفتاحية: الاتجاه، الحداثة، النُّسبة

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التعليق: هي مقالات قصيرة التي تجلب الانتباه إلى نقد مقالة نشرت من قبل أو تتناول فيها نقد لمقالة قدمت نشرها سابقاً، أو كتاب، أو تقرير، تشرح فيه أهميته وكيف يكون مفيداً للقراء. ينبغي أن تكون مقالات المنظور والرأي والتعليق بين ١٠٠٠ إلى ١٥٠٠ كلمة في الطول، والملخص غير مطلوب في المقالات المقدمة إلى قسم المنظور والرأي والتعليق.

أسلوب المراجع :

ومجلة ”المنهج“ تستخدم المراجع حسب اتفاقيات وأسلوب الجمعية الأمريكية لعلم النفس.

حقوق الطبع والنشر:

البحوث التي تنشر في المجلة تعبر عن آراء أصحابها، وليس شرطاً أن يكون هو رأي لجنة تحرير المجلة، وحقوق الطبع محفوظة لجامعة المالديف الإسلامية.

شروط النشر:

تنشر مجلة المنهج الصادرة عن جامعة المالديف الإسلامية في مجال الدراسات والأبحاث الفكرية المعاصرة: (الدراسات: الإسلامية – التربوية – الفكرية – الاقتصادية – الأدبية) التي التزمت منهجية البحث العلمي العالمية، وذلك وفق الشروط التالية:

1. أن يكتب البحث بإحدى اللغات: العربية – الإنجليزية – الديفهيية.
2. أن يتم البحث بالجددة الأصالة، ولم ينشر من قبل.
3. أن يكتب عنوان البحث، واسم الباحث وصفته الأكاديمية والعلمية، والجهة التي يعمل لديها مع بيانات التواصل كاملة (رقم الهاتف/ البريد الإلكتروني).
4. أن يكتب ملخص للبحث باللغة العربية أو بإحدى اللغتين الإنجليزية أو الديفهيية ، وأن لا يتجاوز 150 كلمة لكل منها.
5. أن يرسل نسخة ورقية مطبوعة على وجه واحد من الورق (A4) منضدة على الحاسوب ومرفمة، وبحواش 2.5 أعلى وأسفل وعلى جانبي الصفحة وبخط Traditional Arabic وبحجم 16 للعناوين الأساسية و 14 للنص (العنوان الفرعي Bold).
6. إن كان البحث باللغة الإنجليزية فإنه يكتب بخط Microsoft Word بخط Times New Roman.
7. أن يرفق مع النسخة الأصلية للبحث المطبوعة الملفية الرقمية بصيغتي (Word – Pdf)، وكذلك السيرة الذاتية للباحث.
8. أن لا يتجاوز عدد كلمات البحث 9000 كلمة بما في ذلك الخلاصة كحد أقصى 150 كلمة.
9. توضع قائمة بالمراجع في آخر البحث على ورقة مستقلة وفق الترتيب الألف بائي لأسماء المؤلفين.
10. يشار في متن البحث إلى المراجع (الاسم المشهور، عام النشر، الصفحة) .
11. تخضع جميع البحوث المرسله إلى المجلة لفحص أولي، يقوم به رئيس التحرير، وذلك لتقرير أهليتها للتحكيم، ويحق له أن يعتذر عن قبول البحث دون ذكر الأسباب.
12. تعبر جميع الأفكار الواردة في البحوث التي تنشرها المجلة عن آراء أصحابها، ولا تعبر بالضرورة عن وجهة نظر المجلة.
13. ترسل جميع المراسلات والأبحاث للنشر إلى: crp@ium.edu.mv

خطوات التحكيم:

كل بحث سيخضع إلى تصحيح وتدقيق لغوي ومن ثم يخضع لتحكيم أكثر من أستاذ متخصص في مجال البحث.

المنظور والرأي والتعليق :

المنظور: مقالات متضمنة على مناقشات علمية ومحات عامة وملاحظات فيما يتعلق بالمفاهيم والأفكارالذي هو أكثر انتشارا في مجالات العلم والمعرفة مختلفة.
مقالات الرأي : تقدم فيها النقد البناء لتعزيز النقاش بشأن القضايا الراهنة في المجالات العلمية المختلفة.

قواعد النشر

نظرة عامة:

”المنهج“ مجلة علمية محكمة تصدر عن مركز البحوث والنشر بجامعة المالديف الإسلامية. هدفها نشر الأبحاث المحكمة، والنهوض بالمعرفة في مختلف مجالات المعرفة الإسلامية والإنسانية. مجلة المنهج تنشر بعدة لغات؛ العربية، الإنجليزية، والديفهيية.

أهداف المجلة:

لهذه المجلة أهداف عديدة من أهمها:

1. تشجيع الباحثين الأكاديميين ومساعدتهم على نشر أبحاثهم العلمية.
2. توفير الأبحاث العلمية المحكمة للجميع.
3. التواصل بين الباحث والقارئ في مجالات المعرفة المختلفة.
4. توطيد العلاقات العلمية والفكرية بين الجامعة، والجامعات العالمية ومراكز البحوث والجهات المختصة، وتبادل الإصدارات العلمية فيما بينها.
5. رصد ومتابعة اتجاهات البحث العلمي المعاصر، من خلال الوقوف على النتائج العلمية لكل البحوث التي تصدرها المجلة.
6. توفير فرصة التقويم العلمي للبحوث من خلال إخضاع البحوث للرأي العلمي والتحكيم.
7. نشر عناوين وملخصات رسائل الماجستير والدكتوراه للإفادة منها.
8. نشر دليل علمي للمؤتمرات حتى يستطيع الباحث المشاركة بهذه المؤتمرات ويتم تنقيح الأفكار.
9. نشر البحوث العلمية الأصيلة والمبتكرة في المجالات العلمية المختلفة.
10. وضع لجنة في تطوير المجتمع وتقدمه من خلال نشر البحوث العلمية والإفادة منها ميدانياً.

دورية المجلة

المجلة دورية تصدر في شهر مارس من كل سنة ميلادية

معايير النشر:

لتنشر بحثاً في مجلة ”المنهج“، يشترط بأن يكون ملتزماً بالمعايير العامة التالية:

- تقديم أدلة قوية للنتائج التي وصلت إليها.
- رواية أو الأفكار الأصلية.
- يجب أن تكون ذات أهمية عالية في المجال المحدد.
- تكون مثيرة للاهتمام للباحثين الآخرين في المجال.
- فهم متقدم للتأثير على التفكير في الميدان.

المنهاج

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