



YEAR IN REVIEW



This has been an exciting year for the Institute. Its Chairman and CEO Dr. Mohammad Hashim Kamali received the King Abdullah I Bin Al-Hussein Award for the year 2010 for his services to Islam and Muslims, and supporting the mission of the Āl al-Bayt Institute for Islamic Thought, in Amman, Jordan. Professor Kamali has also just returned from a visit to London to link the efforts of the Institute with the Cordoba Foundation. We currently have formal linkages with the Kaynak Publishing Group and the Journalist Writers Foundation in Turkey and also the Griffith Islamic Research Unit in Australia.

Highlights of the year's event include HRH Raja Zarith Sofiah addressing a large audience on the impact of globalisation on the youth. The Institute hosted world-famous figures such as Robert Fisk and Richard Falk. The year started with a major conference, on Religion, Law and Governance in Southeast Asia, with a keynote address

from the current prime minister delivered by Tan Sri Muhyiddin Yassin.

The Institute is growing and maturing and taking its place in the intellectual community of Malaysia and internationally. The Institute has benefitted this last year from eight visiting researchers from various countries. Their work has been presented in seminars and is being published to disseminate valuable ideas. Some of the visiting researchers are continuing on, and others have moved on to complete post-graduate degrees.

The Institute is growing in a measured way. We are pleased to announce that four new researchers joined the team. They add depth to the Institute with their experiences from other intellectual enterprises, their knowledge of the Malaysian context, and their academic abilities.

The Research Fellows have been active presenting in seminars and conferences both at the Institute and abroad. Their research comes out in the *Journal of Islam and*

Civilisational Renewal, on the IAIS website, in other journals, and in published Occasional Papers, monographs, and books. Their work responds to the need for the Institute to balance short-term, immediate relevancy with long-term, academically sound ideas. As a result their work can be seen in formats from newspapers to books that will have a long shelf-life.

There has been a strong growth in web capabilities. The website can now be updated instantly and unlike so many other sites, iais.org.my gives up to date information. All the important features are available at a glance on the front page. You will also find a monthly feature called Architects of Civilisation, short articles in Selections, and Media Articles. Ongoing research is of course an ever-expanding section, as is the Events section. We now have a growing library of videos that can be accessed online. Please also use the online registration feature, and of course you are invited to join the IAIS mailing list. Online purchases are an upcoming feature, as is a synchronised Bahasa Malaysia web version.



ADDRESS

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Advanced Islamic Studies
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University,
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CALENDAR

- Roundtable on Islam Hadhari and 1Malaysia
8 December 2010
- International Conference on Family Institution
in 21st Century -
Ideals and Realities
13 - 14 December 2010
- Public Forum: Religion and
The Common Good
20 December 2010

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Welcome to the Bulletin

The Institute focuses on policy relevant research. There is a need for research that is relevant, but not so driven by the news-cycle that it loses its intellectual rigour. IAIS provides thoroughly-researched, intellectually strong analysis of issues of contemporary concern from an Islamic perspective. This bulletin is designed to showcase some of that research, update the reader on events at the Institute, and complement our website, www.iais.org.my



ERIC WINKEL
Editor



IAIS Berbuka Puasa with Tun Abdullah Badawi



Presentation of Souvenir to Tan Sri Muhyiddin Yassin



Presentation of Souvenir to HRH Raja Zarith Sofea



Professor Osman Bakar at one of IAIS public lectures

We are now on Facebook!

Please add International Institute of Advanced Islamic Studies (IAIS) Malaysia as a friend and get frequent updates about upcoming activities as well as announcements about our new publications.

Inaugural Bulletin Interview with Founding Chairman & CEO IAIS Malaysia Prof Dr Mohammad Hashim Kamali

Senior Fellow, ISIS Malaysia
Senior Fellow, Afghanistan Academy of Sciences, Afghanistan
Senior Fellow, Aal al-Bayt Foundation for Islamic Thought, Jordan



Professor Dr Hashim Kamali receiving the King Abdullah I bin Al-Hussein Award for Year 2010 from His Highness King Abdullah II bin al-Hussein

Interview with Norhayati Mustapha

NM: Congratulations Professor Kamali, on your recent nomination for the King Abdullah I bin Al-Hussein Award for Year 2010 by the Royal Aal al-Bayt Institute for Islamic Thought in Jordan. Can you please give the background to this conferment?

MHK: Thank you. This nomination comes, to quote Prof. Dr. Minwer Al-Meherid, General Director of Royal Aal al-Bayt Institute for Islamic Thought of Jordan's letter to me "in recognition of your intellectual and academic contributions towards serving Islam and Muslims, and your avid fulfilment of the Royal Aal al-Bayt mission."

I have been a Senior Fellow of the Institute, also known as the Royal Academy of Jordan, since 2004 and have participated in several of their major conferences as paper presenter and participant. The Academy is headed by Prince Ghazi bin Muhammad, an Oxford and al-Azhar graduate, and now Royal Professor



and Chair of the Academy Board of Trustees. Under his leadership the Institute has developed an impressive international profile as one of the leading institutes of its kind in the Arab World.

In explaining the immediate background, it may be relevant to mention, perhaps, that around February 2010 I was approached by the Royal Academy to write a Foreword to a book, entitled *Common Ground Between Islam & Buddhism* by Reza Shah Kazemi that was subsequently published by the Royal Academy & Fons Vitae, Louisville, Kentucky, 2010. This is the second important book the Academy spearheaded following its renowned A Common Word initiative between Muslims and Christians in 2007. The Dalai Lama wrote a Preface to *Common Ground*, which I did, and so did Prince Ghazi who wrote an Introduction to it.

More recently Prince Ghazi requested if I could write a brief Foreword, which I did, to both the Arabic and the English editions of his own book, in fact his PhD dissertation from al-Azhar, *al-Hubb fi'l-Qur'an al-Karim* (love as manifested in the noble Qur'an), a most comprehensive work on its

topic I have seen, written by a person with intimate knowledge of the Holy Book. The text has already been published.

All of this fits in well with our involvement here at IAIS Malaysia in the advancement of interfaith and inter-ethnic relations, as it gives us access to useful contacts and experience. For instance, IAIS has already been approached to organise an international conference here in Malaysia on Islam and Buddhism with the assurance that the Dalai Lama will himself participate. We are looking into this.

NM: We are told that you participated in an international conference in Jordan in relation to your nomination; what was its theme and objectives, and your role in this event?

MHK: Yes, this international conference was held in Amman 27-29 September on "Islam and Environment," also sponsored by the Royal Academy. I was asked to present a paper, which I did. The research paper I presented was titled "Environmental Care in Islam: a Qur'anic Perspective." Protection of the natural environment is one of the ten

“ To become a world-renowned Islamic think-tank of this description may well make IAIS unique in this region” ”

themes of Islam Hadhari and a subject of interest to IAIS Malaysia. You are in fact specialising on environmental research under Professor Osman Bakar. I will report on my trip to Amman at our Research Fellows Seminar, and then publish it in our journal, *Islam and Civilisational Renewal*.

NM: With the advent of a new administration and the pervasive promotion of 1Malaysia, how do you conceive the Islam Hadhari concept may be coordinated or integrated with the 1Malaysia project ?

MHK: The two are neither identical nor substantially convergent, which means that 1Malaysia and Islam Hadhari can co-exist and in fact synergise with one another. As you know, 1Malaysia is a Malaysia-specific theme that seeks to advance the objectives of national unity among the various ethno-religious groups of Malaysia. This is also desirable from the Islamic viewpoint and that of Islam Hadhari. The latter has designated one of its ten sub-themes as ‘protection of the rights of minorities and women,’ which easily fits in with the objectives of 1 Malaysia. Yet Islam Hadhari is both for Malaysia and the larger Ummah and seeks to prioritise and put together a cluster of objectives that offer a contemporary interpretation of Islam and a positive engagement and context of cooperation with other world civilisations. The ten principles of Islam Hadhari arise from the mainstream teachings of Islam and IAIS aims at showing this in its research efforts and publications. Unity in

Malaysia benefits all of us, just as we also have to advance a credible Islamic discourse on issues of concern to this country. It is also important to attempt moderate interpretations of Islam that shun radicalisation and extremism.

NM: IAIS has gained a distinct profile in the international arena. What role do you envision for IAIS at the national level regarding Islamic issues?

MHK: IAIS Malaysia started as an Islamic think-tank to conduct actionable and policy relevant research on Islam and contemporary issues of concern to Malaysia and the Ummah. To become a world-renowned Islamic think-tank of this description may well make IAIS unique in this region. Our research agenda and programme is mostly international in character, as you know, just as Malaysia itself is fast developing its prominent standing in the OIC and the international community. I agree with you that we have become internationally well-known, hosted several international events here, and signed MOUs with many institutions abroad - all in merely two years or so. We plan to maintain and strengthen our niche in advanced Islamic research of relevance to contemporary issues.

NM: What do you foresee as the areas where IAIS can widen its ‘radar’ both within and outside Malaysia? How do you visualise coordination with other Islamic think tanks?

MHK: This is work in progress. In August 2010 I travelled to London where I held meetings with the Muslim Council of Britain and also the Cordoba Foundation, which is an Islamic think-tank. In our detailed discussions we identified areas of

cooperation. I was also interviewed by Muslim Radio network, and *The Muslim News* broadsheet. Visits of this kind by myself and my respected colleague Professor Osman Bakar have helped promote IAIS Malaysia’s cooperation with other Islamic institutions and think-tanks. We have similar cooperation frameworks and contacts with institutions in Indonesia, Turkey, Pakistan, Bangladesh, Jordan, Australia, Japan, Norway, Germany, and the USA. Some of our visiting researchers were from these countries.

NM: Are there plans for further expansion of researchers or analysts, and support staff? How is the development of the IAIS library proceeding?

MHK: Yes there are - as IAIS is still to reach its planned size and staff compliment levels. We have reached about 65 per cent of our optimum level of 20 fellows and analysts plus 20 support staff since we were inaugurated in October 2008 by the then Prime Minister, Tun Abdullah Badawi. As a research-only Institute, we plan to expand, however, at a reasonable pace and only in batches we can absorb. We conducted a recruitment exercise, as you know, in mid-2010 when we added four new researchers and analysts. I expect absorbing this and the assurance that everyone is engaged

“ The ten principles of Islam Hadhari arise from the mainstream teachings of Islam and IAIS aims at showing this in its research efforts and publications. ”

in their areas of research will take time. Only then we can think of further expansion.

We have continued acquisition of books for our library ever since we started, but we faced some technical hitches with our software system. We have taken measures to correct that and we are about to be fully computerised. We had similar hitches with our website but that has been overcome and we now have an interesting and up to date website. The Cordoba Foundation of London actually mentioned this and wanted to link with our website. We have now linkages with this and more than 30 other think-tanks and institutions of Islamic learning.

NM: We understand that IAIS is actively cooperating with IKIM on several fronts – can you describe your joint efforts and interests ?

MHK: Yes we are, and this is also a result partly of the wishes of our esteemed Patron, Tun Abdullah Badawi, who is also Chairman of IKIM. We have planned several projects for cooperation, one of which is a series of 12 interviews with prominent speakers and public figures on Islam and contemporary issues for Radio IKIM. We have almost finalised the plan for this. Another agreement we have reached is on exchange of specialists and scholars: when either of the two Institutes bring prominent persons to Malaysia, we plan and encourage them to lecture at both our respective institutions. IAIS and IKIM have much in common and we are both keen to expand cooperation for our mutual benefit.

NM: Thank you, Prof.

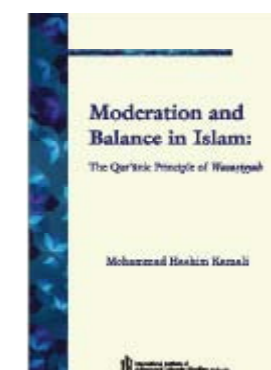
IAIS MALAYSIA PUBLICATIONS



M.H.Kamali
Civilisational Renewal:
Revisiting the Islam Hadhari
Approach



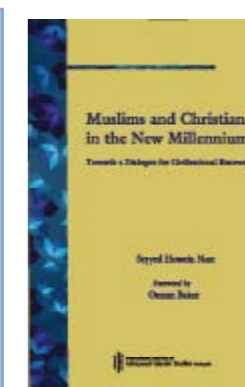
M.H.Kamali
IAIS Malaysia:
Exploring The Intellectual
Horizons of Civilisational Islam



M.H.Kamali
Moderation and Balance in Islam:
The Qur'anic Principle of *wasatiyyah*



Constance C. Govers
Shari'ah and Legal Pluralism
in Malaysia



S.H.Nasr
Muslims and Christians in
the New Millennium



Chandra Muzaffar
OPS 1: Islam and the
Future of Inter-Ethnic
Relations in Malaysia



John Obert Voll
OPS 2: Dialogue Between
Islam and the West



Christian Troll
OPS 3: Dialogue as
Encounter in Faith



John Esposito
OPS 4: American
Muslims and the Future of
American-Islamic World
Relations



Shamsul Amri
OPS 5: Enhancing
Inter-Ethnic Relations in
Malaysia

ENVIRONMENTAL CONSERVATION: AN ISLAMIC PERSPECTIVE

by Norhayati Mustapha

The ongoing environmental crisis is so alarming that scientists, technocrats, development agencies and last but not least the enlightened masses, are being mobilized, to seek a lasting solution to the present predicament, characterized primarily by biodiversity depletion and climate change.

A Living Planet Report prepared by the Worldwide Fund for Nature attests that in the last 25 years of the 20th century, the Earth has lost one-third of its natural wealth, while meteorologists in USA and UK declared at the turn of the Millennium that global warming had reached a critical stage, further affirming that because of our past and on-going activities we must learn to live with the likely consequence – more extreme weather, rising sea levels, changing precipitation patterns, ecological and agricultural dislocations and increased spread of human disease.

In Malaysia, environmental problems are manifested to varying degrees; depending on the fluctuations of processes necessitated by progress. Deteriorating air quality, water supply contamination and soil erosion are just some of the ills brought about by our own exploitative deeds and growing consumerism. It was hardly surprising therefore, that a 1999 EPU research deriving an index for Malaysian Quality of Life between 1980 and 1998 gave positive showings for income, transport, health, education and housing, but negative indices for environment, along with public safety.

All the while, the road to success that is being offered to developing countries, seems to be along exactly the

same path taken by developed countries, as affirmed by Akhtaruddin Ahmad in his *Islam and the Environmental Crisis*. Notwithstanding the fact that 20% of the world's population inhabiting the developed world consume 80% of the world's resources, we appear doomed to commit the very same errors and lead the very same wasteful lifestyles.

Time for reflection

It is unfortunate that in the face of 'natural disasters' modern man in his arrogance hardly acknowledges that these are signs of retribution for his own transgressions. Few take the trouble to ponder and realize that Nature has not watched the abuse of its resources silently but rather has meted out severe punishment: wars, tensions, poverty, calamities, acid rain, showers of ultraviolet rays through the ruptured ozone layer, desertification, earthquakes, AIDS, pollution, and the greenhouse effect.

These, plus suicidal accumulations of toxic substances in the human body, Chernobyl and similar disasters, the extinction of animal and plant species, floods, droughts are just some of the ways that Nature continues to remind humanity that it is not a machine in the hand of humans. Fazlun Khalid and Joanne O'Brien in their collaboration, *Islam and Ecology*, asserted that "... mankind has reached a point at which it must change its attitude towards nature or else nature will continue to thrust ever-harsher catastrophes upon it".

The Holy Qur'an says in 30:14, "Evil has become rife on land and sea in consequence of people's misdeeds, He

has ordained it thus so that people may taste the fruits of their actions and mend their ways". Indeed, a deep probe into one's conscience would reveal that at the root of all environmental evils lies Man's sense of detachment from spiritual guidance.

Injunctions Upon Man as Khalifah

In Islam, man is deemed as the wise inheritor (*khalifah*) of the planetary ecosystem as well as the one for whom all things in the earth and in the heavens are made complaisant (*musakhkar*) so that human life may fully benefit from the bounties of nature. Having God-given access to resources, man may realize objectives such as contemplation of worship, inhabitation and construction, sustainable utilization and enjoyment and appreciation of beauty.



It is consequential therefore, that man has no right to degrade the environment and distort its intrinsic suitability for human life and settlement; neither has he the right to exploit natural resources unwisely so as to spoil the food base and other sources of subsistence. The God-appointed vicegerency of man (*khalifah*) makes it incumbent upon him not to violate this trust, be it through mischief and corruption (*fasad*), extravagance and waste, or infliction of harm (*darar*).

In his paper "Environmental Care in Islam: A Qur'anic Perspective", Prof Mohammad Hashim Kamali of IAIS quotes one of the leading maxims of Islamic law, "Harm must be eliminated- *al-dararu yuzaal*", which has in turn been taken from the renowned hadith that "harm may neither be inflicted nor reciprocated- *la darar wa la dirar fi'l-Islam*." The ruling it contains would subsume abusive exploitation of resources, even if by the owner, in a way that manifestly harms the environment. This and other similar provisions of Islamic law empower judicial authorities to take appropriate preventive or remedial action, including financial compensation and punitive sanctions.

Development Imperative in Islam

While the Islamic approach is based in part on prohibition of abuse, it is also based on construction and sustainable development, ie integration of development and conservation of natural resources. The idea is to bring life to the land and cause it to flourish through agriculture, cultivation and construction. The Prophet, pbuh, declared :

"If any Muslim plants a tree or sows a field, and a human, bird or animal eats from it, it shall be reckoned as charity from him."

Said 'Ali ibn Abi-Talib to a man who had developed and reclaimed abandoned land:

"Partake of it gladly, so long as you are a benefactor, not a despoiler; a cultivator, not a destroyer."

Developmental plans and strategies should be embedded in the preservation and promotion of the integrity of creation through inculcating transcendental reasoning, appreciation of beauty and balance in nature, just distribution of natural resources and

finally, humanization of thought processes. This underscores the importance of tempering the aggressive development-driven (cut and level, build and build) mentality with the softer or finer aspects of human thought ie. inclusive of aesthetics, love of nature and all things spiritual.

Above all, mankind would be well advised to feel humbled at all times by God's greatness, as illustrated in a letter to Malik Ashtar, Governor of Egypt, from Caliph Ali bin Abu Talib:

"..Should you be elated by power, ever feel in your mind the slightest symptoms of pride and arrogance, then look at the power and majesty of the Divine governance of the Universe over which you have absolutely no control. It will restore the sense of balance to your wavered intelligence and give you the sense of calmness and affability..." NM

FORTHCOMING PUBLICATIONS

Islam in Russia: Historical Facts and Modern Development
Elmira Akhmetova

Islam in Europe: Reflections on Present Trends and Future Challenges
Christoph Marcinkowski

New Approaches Towards Knowledge and Development in the Muslim World
Amer al-Roubaie and Rasha *Shaker Abdul Wahab*

Interfaith Engagement and Positive Peace: What Works and What is Missing
Katherine Marshall

Justice in Islamic and Western Legal-Political Thought: A Dual Heritage Affecting Gender Justice in Malaysia
Nik Noriani Nik Badli Shah

Envisioning the Future: An Islamic Perspective of Visions of the Future
Eric Winkel

Science and Spirituality in the 21st Century: Is Integration Possible?
Elisabeth Sahtouris

Islamic Finance and Economics in Crisis: Fiqhonomic Doctrines and Theoretical Issues
Salah El-Sheikh

On-going research at IAIS Malaysia (July—December 2010)

1. Professor Dr. Mohammad Hashim Kamali

- The Goals and Purposes (*Maqāsid*) of *Sharī'ah* and The Prospects of Civilisational Renewal
- Classical and Contemporary Approaches to Education: An Islamic Perspective
- Environmental Care in Islam: A Qur'ānic Perspective
- Private Property and Women's Rights in *Sharī'ah*
- Islamic Family Law Reform: Problems and Prospects
- Integration of Shared Norms and Ethical Wisdom into Law

2. Emeritus Professor Osman Bakar

- Malay-Islam: Tension and Harmony between Ethnicity and Religiosity
- Islam Rises in the West: The Intellectual Impact of American Islam on Southeast Asia
- Research report on issue of religious tolerance in Malaysia
- Islam and The Three Waves of Globalization: The Southeast Asian Experience

Research Fellows

3. Dr. Christoph Marcinkowski

- Malaysia and the European Union: A Partnership for the 21st Century.
- Annemarie Schimmel (1922-2003): Messenger of Hope Between the West and the World of Islam

6. Dr. Karim D. Crow

- Islamic Rationalities – Faith – Modernity
- American Evangelicals
- Use and Abuse of 'Paradigm': from Kuhn to Küng
- Peace-Security/*Salm* in Islam—A Reconsideration of the Early Sources

5. Dr. Eric Winkel

- Onto the Path: Entering the 'Other Worlds' of the Imagination
- Navigating a Fractal World: Ibn 'Arabi, Civilisational Renewal, and the New Science
- Maqāsid* Principles: The State of the Art.

4. Abdul Karim Abdullah

- Strengthening Critical Thinking Skills Among Muslim Students
- 'Sukuk': asset-backed and PLS instrumental restructuring.

7. Azizah Anuar

- Promoting IAIS Cash Waqf Trust fund: An Operational Model

Senior Analysts

8. Norhayati Mustapha

- Water Resource Management in Malaysia

9. Sheila Ainon Yussof

- Sharī'ah* compliant pricing benchmark
- Cross-border sukuk: Issues and reform

10. Tengku Iskandar

- 'Islamic Creativity' and issues of innovation

Researcher

11. Tengku Hazri

- Spiritual Infrastructure for a just world
- Islamic education in a plural society

Policy and Project Development Consultant

12. Zarina Nalla

- Conversion and child custody in Malaysia
- Abandoned Babies (with Dr. Winkel)
- An Education System for Multicultural Malaysia
- Muslim Women in ASEAN

recourse to the principle of selection (*takhayyur*) and singling out among the various rulings of the *madhāhib* one that may be most suitable for that purpose. Secondly, he suggests another method of selection that may be utilised. i.e. patching up (*talfiq*) of certain aspects of rulings of different schools/jurists that maybe amalgamated into a single formula. He further proposes that procedural guidelines be formulated for rule-making and fatwa-issuance. In order to achieve standardize positions in *halāl* practices, there should be a plan to facilitate high-level media impact and market penetration. Proactive measures to standardise practices should be undertaken by Governments, and a research unit be formed that brings together researchers in *sharī'ah* studies, food sciences, market specialists and social scientists. In all, standardisation should be informed by approved mores and customs of Muslim communities.

In his article "The Compatibility of Islam with Pluralism: Two Historical Precedents", Maher Y. Abu-Munshar of University of Malaya, concluded that two important documents; i.e. the 'Constitution of Medina' issued to the Jews of Medina by the Prophet himself, and the 'Assurance of Safety', to the people of Jerusalem by the second caliph 'Umar, were clearly inspired by religious injunctions and principles. He perceives the two as important examples for leaders in multi-faith societies; with history proving examples whereby non-Muslims were treated kindly and justly. These examples of Muslim and non-Muslim coexistence are not confined to a specific time and place but meant to be applied at all times and places. The path of mutual understanding and tolerance does not deviate from the essence of

Islam. Muslim majority societies should adopt an inclusive vision to accommodate followers of other religions.

In "Growing the Malaysian Venture Capital and Private Equity Industry" Syed Adil Hussain of Harvard University recommends: to promote the growth of private equity funds in Malaysia, a high-level experts and officials should be appointed to focus on channelling Middle East investment to the country,. He also proposes the creation of a RM1 billion fund-of-funds, where government matches funds from the private sector in venture capital and private equity; while attracting and distributing capital in a way that bolsters the VC/PE industry.

In "Strengthening Critical Thinking Skills Among Muslim Students", Abdul Karim Abdullah of IAIS proposes the introduction, or enhancement, of courses in critical thinking skills in institutions of higher learning. That emphasis on critical thinking be placed across the curriculum, not only on one subject. He advocates tolerance of diversity of views, given that Islamic worldview allows ample room for expression of diverse ethnic cultural and religious perspectives, without disadvantaging any party. Students should be encouraged to participate in classroom discussions and express critical perspectives on issues. Rote-learning should be enhanced with methods that emphasize analysis, comprehension and communication. Students should organise and lead their own activities such as debates and publications.

In "Islam and the Three Waves of Globalisation: The Southeast Asian Experience" Osman Bakar of IAIS stresses that globalisation should be

open to different interpretations and contextualised within historical developments that also allow space for civilisations other than the western. He contends that Islam has from the outset maintained the spirit of '*ālamīyyah* and globalism on humanity, its common predicament and shared space on planet earth; that the civilisational goal of Islam is globalisation of the common good of all nations, not only the most powerful few among them. He maintains that Muslim leaders and intelligentsia have opposed globalisation not because they object to globalisation as such but because the current manifestations of globalisation exhibit many unjust elements, which are deemed unacceptable.

In "Honour in Different Cultures and Legal Systems", Christian Giordano of the University of Fribourg, Switzerland, suggests that 'honour' be taken as a wider concept that is found in all countries and cultures; that it should not be considered as tied to religion and not peculiarly to Islam either. He perceives honour as something evolving and changeable, but one that remains an integral part of identity of persons, classes and communities; and that it is part of the struggle for recognition. *NM*

“How strange that in every special case one praises one's own way! If Islam means 'surrender into God's will' it's in Islam that we all live and die.”

- Johann Wolfgang von Goethe

IAIS Malaysia Policy Recommendations

Excerpts of policy recommendations from longer research articles carried in the IAIS Malaysia Journal of *Islam and Civilisational Renewal*, Vol. 1, Number 4, July 2010:

In her article "The Politics of Accommodation and the Problems of Nation-Building in a Plural Society : The Case for Malaysia", Assoc Prof Ruhanas Harun of UKM observed that Malaysia's politics of accommodation and management of conflicting interests was fragile and should not be taken for granted. As a component of politics of accommodation, ethnic bargaining is deemed ineffective in reducing inter-ethnic tension as the arrangement is focussed on gains and losses of each ethnic group rather than those of the nation as a whole. 'Pragmatism' dominates in the 'politics of accommodation',

giving preference to what is workable rather than what is right.

In his article "The *Halāl* Industry from a *Sharī'ah* Perspective", Prof Dr Mohammad Hashim Kamali of IAIS proposes that, firstly, greater uniformity and standardisation in the *halāl* industry may be attempted by

IAIS Malaysia Issue Paper Series

This new publication series is targeted for the 1st Quarter of 2011.

The first paper to appear in this series is on “*Conversion and Child Welfare*”. The paper argues that the welfare of the child, as opposed to solely his/her religious identity, should be of paramount concern to custodians and policy-makers.

On 23rd April 2009 the Malaysian Cabinet announced that the person who converts to Islam, whose marriage to his non-Muslim spouse was under civil law, should resolve all outstanding issues pertaining to his non-Muslim spouse and family such as custodial rights and property. Secondly, the Cabinet questioned the presumed right of the converting father to unilaterally convert his children to Islam and decided that the children should be allowed to maintain the original faith of the parents at the time of the civil marriage, should there be no agreement between parents.

Public reaction to the Cabinet decisions, which have not taken effect, was mixed. The greatest opposition came from Muslim non-

governmental organisations (NGOs) and the religious establishment.

IAIS Malaysia has been conducting research in this area and will publish its findings and policy recommendations in the Institute’s inaugural Issue Paper Series entitled: “Conversion and Child Custody in Malaysia”.

This paper describes the various fiqh positions on whether a child can embrace or reject Islam, highlighting the mendacity of an enforced conversion. However, more importantly, it argues that the welfare of the child, as opposed to solely his/her religious identity, should be of paramount concern to custodians and policy-makers. Government leaders can respond

effectively to emergency situations and modern society dilemmas, which may or may not have been regulated under the established *Sharāh*, by using *siyasah shar’iyyah* (shariah-oriented policy) to attain a fair solution that a strict application of the existing law may fail to deliver. It recommends practicable solutions which include: ensuring that the issue of conversion does not come in the way of making a decision on child welfare matters and custodial responsibilities of the disputing parents. Other issues considered are amending s. 51 of the Law Reform (Marriage & Divorce) Act 1976, establishing a special bench of mixed jurisdiction where both Shariah and civil law judges sit and adjudicate issues of conversion and religious identity of the child. *ZN*



Based on the Grand Mufti of Syria’s comments, it is proposed that in the first two or three years of schooling, all children in national or vernacular schools from all races and religions in Malaysia should learn and practise side-by-side in the same classroom and school compound the moral-spiritual values common to the major religions - compassion, morality, trust, justice, truth, etc. Other lessons specific to the different religions can be taught in separate classes during those same years, or taught in later years. The language of instruction will be the national language, which can also be supplemented

by the child’s mother tongue if different. The lessons are not for testing in examinations but for practising together during the time the students are present in the same school location.

In this way all children from every background will have direct exposure with each other in the earliest two or three years of schooling, learning and practising commonly-shared moral-spiritual values without compromising the position of the different religions. This should improve racial and religious relations in the longer term. *TI*

Convention Report

Two IAIS Islamic Finance researchers attended the International Shariah Investment Convention on 30th November and 1st of December 2010, at Hotel Nikko, Kuala Lumpur. It was organised by several Malaysian organisations.

The purpose of the convention was to find the right path to recover the momentum that Islamic finance had prior to the financial crisis, to help IF regain momentum in the post financial crisis environment, to deliberate on the main facets of Islamic finance such as sukuk and other securities, to identify current issues and outline strategies to resolve them, and identify what is new. Our researchers suggest that the sukuk issuers should return to the basics of IF, and issue more equity-like sukuk such as the mudarabah and the musharakah, which resemble ordinary shares more than debt-based instruments. Equity-like instruments offer investors better opportunities to participate in risk sharing. It was noted that genuine risk sharing instruments have a key advantage over debt-like instruments, which is that they are free of the risk that has been plaguing debt-like sukuk, the risk of default. *AK*

News

Deputy CEO of IAIS Malaysia, Professor Dato’ Osman Bakar attended an International Conference in Turkey for a three-day conference (November 23-25 2010) entitled “Family as a Value: In Religion, Tradition and Modernity”. This conference is a precursor to the “International Conference on the Family Institution in the 21st Century: Ideals & Realities” to be held in Kuala Lumpur, 13-14 December organised by IAIS Malaysia, where several issues related to the family institutions will be examined and debated to finally culminate in concrete policy recommendations for policy makers attention and remedial actions. At the Istanbul conference, Dato’ Osman presented his paper “Family as a Concept and as an Institution in Islamic Social Thought: A Theological-Philosophical Perspective”.

Prof. Kamali presented at an International Shari’ah scholars roundtable in Penang 1-2 December on the permissibility or otherwise of Genetically Modified Food and Agribiotechnology.

Wise Words

The fall of a nation is often preceded by wastefulness, corruption and moral decadence - *Ibn Khaldūn*

The ink of the scholar is more sacred than the blood of a martyr - *Prophet Muhammad*

The sin which makes you sad and repentant is liked better than the good deed which turns you vain and conceited - *Sayyidina Ali bin Abu Talib*

It is better to sit alone than in company with the bad, and it is better still to sit with the good than alone. It is better to speak to a seeker of knowledge than to remain silent, but silence is better than idle words - *Imam Bukhari*

After three days without reading, talk becomes flavourless - *Chinese proverb*



Islam and Civilisational Renewal (ICR) is an international peer-reviewed journal published quarterly by Pluto Journals for the International Institute of Advanced Islamic Studies (IAIS) Malaysia in Kuala Lumpur. It carries articles, book reviews and viewpoints on civilisational renewal and aims to promote advanced research on the contribution of Muslims to science and culture.

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