Full Length Research

Islamic law and Islamic ethics: Interrogating the relationship

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The question of how the law became known has occupied the minds of Muslim jurists for a long time. In the early centuries, the heated debates centred on the place and role of ethical principles and reason in the development of the religious tradition. In Islam, Islamic law is concerned as much with ethical standards as with legal rules indicating not only what man is entitled or bound to do in law, but also what he ought, in conscience, to do or refrain from doing. Thus, *shari'ah* is not merely a system of Law, but a comprehensive code of behaviour that embraces both private and public activities. The paper adopts textual analysis methods and findings revealed that Islamic law and ethics is not only a few obligations but a law for life that guides the human acts and conduct. Thus, Islamic law and ethics compose of the commandments which refer to the requirements of Quran and Sunnah, and jointly constitute the *Shar'iah.* Though, Muslim jurists focused much on the punishments and not on the behaviour or conduct that warranted the penalties. The paper thus concludes that Islamic law and Islamic ethics are complementary and do not contradict to each other.

Key words: ethics, *al-akhlaq*, equity, virtuous deeds and *Shari'ah*.

INTRODUCTION

The question of how the law became known has occupied the minds of Muslim jurists for a long time. In the early centuries, the heated debates, and at times even hostilities, centred on the place and role of ethical principles and reason in the development of the religious tradition. At one pole was the Mu'tazilis who argued that justice is knowable through human reason; at the other pole, the traditionalists (ahl al-hadith) argued that reason is necessarily whimsical and capricious, and that justice is only realized through revelation. However, in modern times, this debate has formally subsided. Naturally, while there are liberals, who wish to give rationality and reason a far greater role in the articulation of Islamic law, there are also fundamentalists, who look to the law as the source

of all morality and justice. The secularists exclude Islamic law from any public function. But, whatever the nature of the debate that exists between these groups today were, it is no longer phrased in terms of morality and law. The issue of Islamic law and morality has dropped from all consideration in the modern age. (Khaled Abou El Fadl, 2013). In contemporary Islamic discourse a parallel concern is evident which seeks to elaborate on the practical dimensions of ethics from within the Islamic worldview. This Islamic concern may well be due to an awareness of the existing discrepancy between ethical and legal discourses in the classical Islamic legal tradition.

Ethics deals with those standards that prescribe what human ought to do. It also addresses virtues,

duties and attitudes of the individual and the society. In addition, ethics is related to customs, traditions as well as beliefs and worldviews. Notably, there are other fields, such as law, human feeling and culture, which address the same subjects that ethics address. So one may ask, what is the difference between ethics and law? Or what is the relationship between the both. This is the burden of this paper. The paper will interrogate the relationship between the Islamic law and Islamic ethics. To achieve this aim, it is necessary to begin with the methodology that underpin the paper.

METHODOLOGY

The study is basically an Islamic law research. Descriptive and analytical methods were adopted. Hence it was being carried out through the rational and analytical process of individual reasoning. That is; deductive, critical, reflective reasoning involves intensive and extensive textual analysis of materials derived from the chief sources of Islam, the Qur'an and the Sunnah. The works of the contemporary Muslim jurists and scholars from their books and journals were also used.

CONCEPTUAL ANALYSIS

ISLAMIC LAW

The Arabic word *hukm* (pl. *ahkam*) means a "rule". This may be a rule of any kind. Thus, when we wish to consider rule of Islamic law, we qualify it with the term *Shar'i* (legal), or a rule belonging to Islamic *shari'ah* or law. It is the *hukmshar'I* that is defined by Muslim jurists, when they attempt to answer the question: What is Islamic law? They define it as: *A communication from Allah, the exalted, related to the acts of the subjects through a demand or option, or through a declaration* (Nyazee, 2002).

The point to notice about this definition is that *hukm* or a rule of law is a communication from Allah. This means that it is not treated merely as a command. It also means that a communication from anyone else cannot be considered as a *hukm*, from a ruler or someone else (Nyazee, 2002). Islamic law is therefore, the expression of Allah's command for Muslim society known as the *shari'ah*, a derivative of a root Arabic word meaning track or road. This Law constitutes a divinely ordained path of conduct that guides the Muslims towards a practical expression of their religious convention in this world and the goal of divine favour in the world to come (Zaidan, 1979).

The Islamic Law to the Muslims is basically a divine Law, having its origin in the revelation of Allah as embodied in the Qur'an, and is also derived, inter alias, from the *Sunnah*, the precedents, the practices and precepts of Prophet Muhammad, which explain, expound and enunciate the Qur'an. To the Muslims the Islamic Law is not only divine in its origin, but it is *hukm* (rule) in its subject matter and application, dynamic in its nature, democratic in its concept, socialistic in its pattern, ideal in its principles and scientific in its methods. The *shari'ah* is concerned with ethical standards as much as legal rules indicating not only what man is entitled or bound to do in law, but also what he ought, in conscience, to do or refrain from doing. Thus, *shari'ah* is not merely a system of Law, but a comprehensive code of behaviour that embraces both private and public activities (Malik, 2001).

The main source of the Islamic Law is the Qur'an as revealed to the prophet Muhammad. The Islamic law comprises of two parts (1) permanent and unalterable. Those edicts laid down by the Qur'an and the *sunnah* of the prophet, and (2) those which are subject to modification according to the needs and requirements of the changing times, but within the framework of part 1. The part 2 endows the Islamic Law with wide possibilities of growth and advancement. This is to say that, the rules of the *shari'ah* are settled, but their application to the incidents and events sometimes changes, and as a result the legal opinion (fatwa) also changes and varies from jurist to jurist, time to time. While the rule of the *shari'ah* remains the same. The divine law is settled, but the legal opinions of those who apply this rule to incidents and legal cases change on account of a ground or basis found in a certain case during a period or in the eye of a particular jurist or for non - existence of this ground or basis in the eye of another jurist (Hassan, 2005).

When we say that the Qur'an, the *sunnah*, consensus, and analogy are the source of the shari'ah, this means that they are the source and proofs which are consulted for the acquaintance with the rule of *shari'ah.* The same is said about the common law that, its source are the texts, custom, and rules of equity (Hassan, 2005).   Thus it is cleared that not all the laws which form the subject matter of the Islamic jurisprudence (*fiqh*) rest on

injunctions expressed clear-cut terms of command and prohibition in Qur'an and *sunnah*. By far the large parts of *fiqh* rulings are the outcome of various deduction methods or reasoning, among which *qiyas* (deduction through analogy) figures most prominently. The great jurists (*fuqaha*) of the past arrived at their legal finding on the basis of their study of Qur'an *Sunnah,* and there is no doubt that in the instant of the foremost exponents of *fiqh* this study was extremely deep and conscientious. Muhammad Asad in support of this assertion states:

Originally, all such rulings were intended by their authors to facilitate the application of *shar'i* principles to specific functions. In the course of time, however, these rulings acquired in popular mind a kind of sacrosanct validity of their own and came to be regarded by many Muslims as an integral part of the *shari'ah*, the canon law itself (Asad, 2001).

ISLAMIC ETHICS

The principles of ethics are often discussed with respect to gains and benefits to the society at large. What is good or bad is supposedly determined by the rule of the majority, with little attention given to the principles of morality. Islamic ethics differ from the Western concept as these are derived from God, directly from the Quran, and from the practices of the Holy Prophet. It is therefore a set of beliefs and actions that is divine and transcends the limitations of time, place and tradition (Sattar, 2014). So, if we acknowledge that people's perception regarding right or wrong, good or bad is related to individuals or group's interest and to the changing social customs and environment, these cannot be the dependable guide to human behaviour. Therefore, the universal basis for achieving uniformity in human behaviour regarding good and bad should be some impersonal ethical code, which can only be received from religion (Asad, 2001).

The Arabic term: *akhlaq* (singular, *khuluq*) is laterally translated into English as "ethics" (Cowan, 1960). *Khuluq* comes in the Qur'an, two times, (Chapter, 26: 137, and Chapter, 54: 4). According to the Muslim exegete of the Qur'an, al-Qurtubi (d.1273 C.E), the word *khuluq al-awalin* as mentioned in the Qur'an means: "*their ancient customs and it includes religion, character, ideology, or doctrine*" (Al-Qurtubi, 1965). Another Arabic word which is employed as literally interchangeable to

akhlaq is *adab*. *Adab* means manner, attitude, behaviour, (Cowan, 1960), and the etiquette of putting things in their proper place (Hashi, 2011). Though these two terms are in some cases used as interchangeable words in Arabic language, some scholars argue that there are some essential differences between *akhlaq* and *adab* in terms of application and source (Maskawayhi, 2011). This is because; *akhlaq* (ethics) indicates the "moral philosophy", while *adab* (morality) signifies the actual practices of moral philosophy. In this case, the former address the theoretical background of human conducts, while the latter is more on the actions and manners. The latter addresses what is the proper, or improper, behaviour of man, while the first addresses why such actions are proper or otherwise. As such, these two terms are complementary terms, and in some cases serve as interchangeable words, that describe what man ought to do. Conceptually, *akhlaq* includes two meanings; first *akhlaq* (ethics) means the science (*'ilm*) that deals with the standards of right and wrong of human conducts, particularly "what humans ought to do" (Haneef, 2005). Ethics as science refers to the study of the ethical conduct and behaviour; and in this case, ethics means the human effort of studying moral standards and conducts to ensure that man possesses the right understanding of moral behaviour.

Second, *akhlaq* means "good character" or good human behaviour (*al-akhlaq al-fadilah*). In this understanding ethics is the human character that prescribes to refrain from immoral conducts such as cheating, corruption, discrimination, lying, stealing, murder, assault, slander, rape, fraud, and etc., and enjoins virtues of honesty, compassion, sincerity and loyalty (Abdullah, 1999). As such, Islamic ethics (*akhlaq*) are those universal standards of right and wrong that prescribe what humans ought to do as taught by the Qur'an, and demonstrated in the exemplary life (actions and words) of the Prophet (Alavi, 2009). In this sense, *akhlaq* (ethics) "subsumes all actions that are characterised as '*amalsalih* (virtuous deeds) in the terminology of the Qur'an" (Haneef, 2005).

Islamic ethics was eventually shaped as a successful amalgamation of the Qur'anic teachings, the teachings of the prophet (*Sunnah*), the precedence of Islamic jurists. It puts great deal of emphasis, on equality, justice and dignity of all human beings. The Qur'an gives us the concept of what it calls *amalsalih* which, translated into English,

would mean good deeds. But this translation does not adequately convey the meaning. The key word here is *salih*. The root of the word is *salaha* from which are derived many words with the meaning to be good, to repair, to mend, to improve, to be righteous, to be efficient, to be suitable, peace and friendliness, reconciliation etc. (Cowan, 1960). Thus, *amalsalih* leads to a society which is reformed, good, efficient, and suitable (to humanity), improved and above all which is peaceful and friendly to all human beings. The Qur'an uses the word *amalsalih* repeatedly. For a moral conduct, according to the Qur'an, *amalsalih* is very necessary. Qur'an says: "*By the time! Surely, man is ever in a state of loss, except those who believe and do righteous deeds amalsalih, and exhort one another to preach the Truth, and exhort one another to steadfast*" (Qur'an, 103, 1-3).

The two primary sources of Islamic ethics are the *Qur'an* and *Sunnah* of the Prophet Muhammad. *Qur'an* is the most significant source given by God for the human being to refer to pertaining to human conduct besides the *Sunnah* of the Prophet Muhammad as the role model to be imitated. Both *Qur'an* and the *Sunnah* of the Prophet Muhammad are called the scriptural morality. There are some elements in the *Qur'an* which can be considered as fundamental problems of ethics, such as; (i) the nature of right and wrong, (ii) divine justice and power, and (iii) freedom and responsibility. With regards to the first problem, the *Qur'an* uses a whole cluster of terms to denote the concept of moral or religious goodness, such as, *al-khayr* (goodness), *al-birr* (righteousness), *al-qist*and *al-iqsat* (equity), *al-adl* (justice), *al-haqq* (truth and right), *al-ma'ruf* (known and approved), and *al-taqwa* (piety). Pious actions are normally referred to as *salihat,* whereas impious or sinful actions are termed *sayyi'at.* The term like *m'aruf*, *khayr*, and *al-birr* which occur in many verses (Qur'an 2: 263, 3: 104, 114-115, 22:77), express the moral and religious spirit of the *Qur'an*. The second fundamental ethical issue in the *Qur'an* is regarding the divine justice. There are several verses in the *Qur'an* that are related to the divine justice, such as, verses that enjoin justice: "… *My Lord has enjoined justice*; *verily, Allah enjoins justice, and the doing of good to others* (Qur'an 7:29, 16: 90.), disapprove of the unjust "…*and Allah loves not the wrongdoers*" (Qur'an 3: 57 and 140), (42: 40), and love the equitable and pious in which to show that God is not an unjust dealer with His servants: "*Allah is never*

unjust to (His) servants." (Qur'an 3: 182, 8: 51, 22: 10, 41: 46).

The third ethical problem in the *Qur'an* is regarding the human responsibility. The term used is *yus'alu* in which it is used in passive voice in a morally neutral sense that would be referred to as the meaning of 'liable to question' such as responsible or answerable for doing or believing that which is clearly reprehensible. In some of the verses, the unbelievers or polytheists are stated to be answerable to God for their misdeeds or disbelief on the Day of Judgment while in others this answerability is expressed much broader terms that illustrate the general imperative of moral responsibility. In this context, it is critical to differentiate between responsibility or obligation and accountability or liability. Each and every human being has a moral obligation or responsibility to seek out and recognize *al-sirat al-mustaqim* (the righteous path) or objective ethical precepts, which are inseparable from divinity itself. The Qur'an describes the realization or recognition of the path, which includes believing in God, as an act rising out of rational cognition or a matter of common sense.

On the other hand, Islamic jurisprudence also could be the important source for Islamic ethics. There are many works of Islamic jurisprudence, which discussed some normative questions and touched on the knowledge of the *Shari'ah* rules and the basis of their obligation. Besides, Muslim jurists like al-Ghazali (d.111) in *al-Mustafa*, Ibn Abd al-Salam (d. 1262) in *Qawaid al-Ahkam fi Masalih al-Anam*, and Abu Ishaq al-Shatibi (d. 1388) in *al-Muwafaqat* have discussed about the objective of *Shari'ah* (Abdul Rahim, 2013). Al-Shatibi (1989), for instance, stated, "The rules of the Shari'ah have been designed to produce goods (*masalih*) and remove evil (*mafasid*) and these are certainly their ends and objects. And the *masalih* are those which promote the preservation and fulfillment of human life, and the realization of all that the human nature, animal and rational demands, till one is happy in every aspect". The statement clearly shows that the objective of the *Shari'ah* is to secure the balanced well-being of man as well as to fulfill man's comprehensive needs as a human being. Al-Shatibi also discussed the priorities of the *Shari'ah*. Apart from the discussion of the objective and priorities of *Shari'ah*, Muslim jurists also discussed about the levels of obligation, and the factors that may upgrade or downgrade the obligation of individual acts. There was also a discussion on motive and its

effect on judgments regarding actions and the recompense thereupon, here or hereafter (al-Shatibi, 1989). Thus, Classical Islamic ethical discourses are indeed a rich intellectual and practical heritage, which should not be neglected in the process of formulating contemporary applied Islamic ethics.

THE RELATIONSHIP BETWEEN ISLAMIC LAW AND ISLAMIC ETHICS

Objective of Islamic law is seen to be similar with Islamic ethics, that is, to construct human life on the basis of virtues (ma'rufat), and to cleanse it from vices (munkarat). Virtues or ma'rufat, in general, are in harmony with human nature and its requirements, and vices or munkarat are just opposite to virtues. Through Islamic law, we can get clear view of what are the virtues and the vices, and these are to the norms to which the individual and societal behaviour should conform.

Islamic law covers all aspects of man's life from religious rituals up to social, economic, judicial system and so on. As a matter of fact, Islamic law has much wider scope and purpose as compared to a Western legal system. Like Islamic ethics, Islamic law aims at regulating the relationship of man with God, and man with man. Therefore, both Islamic law and Islamic ethics cannot be separated from each other.

In Islamic law, there are certain limits prescribed by Allah (huddullah) which are imposed on human in order to prevent him/her from following his own wishes and desires. Allah has clearly mentioned about lawful (halal) and unlawful (haram), virtues and vices. These are limits (hudud) which every Muslim must respect and obey, and if he transgressed any of these limits, he is doing wrong or committing a crime. These limits (hudud) are to be sanctions of Islamic law or shari'ah, and that is why it is called as hudud law.

Apart from giving man a sense of responsibility to Allah as well as to the entire mankind, these limits (hudud) will safeguard the rights of man in all aspects of life. Therefore, Islamic law or shari'ah will ensure and safeguard the wellbeing of people (masalih al-ibad) (El-Awa, 1998). For example, to safeguard the lineage of people, Islamic law clearly provides the punishment for adultery (zina). The Qur'an mentions, "*Do not come nearer to adultery or zina for it is shameful deed and an evil, opening the road to other evils*" (Qur'an 17: 32). It is no doubt that adultery is a great sin, and if allowed it to happen, it may disrupt the social fabric of the ummah. For this reason, severe punishment is reserved for adultery. "*The adulteress and adulterer, flog each one of them with a hundred stripes*" (Qur'an, 24:2).

Chastity as a moral virtue holds a very high place in the code of Islamic laws that govern relations between the sexes thus, Qur'an has laid down comprehensive commandments to safeguard and protect it. Islam views with extreme disapprobation the slightest breach of these laws. It is Islam's very great sensitiveness about chastity that is reflected in the punishment prescribed for adultery or fornication. The punishment prescribed is hundred stripes, no distinction having been made whether the guilty persons are married or unmarried or one of the party is married and the other unmarried. Nowhere in the Qur'an stoning to death has been laid down as punishment for adultery and, for that matter, for any other crime, however serious (Farid, 1969). If adultery or fornication is punished softly or not punished at all, it might give bad impact on man's life. It will destroy the basis of family structure, spread numerous diseases both physical as well as spiritual, and lead to broken family. Therefore, Islamic law punishes adultery heavily in order to penalize offenders, and at the same time other people in the same community are warned not to commit similar crimes. Islamic criminal law of adultery is mostly concerned with the safeguarding of man's descendent, honor, and lineage as well as to preserve the ethical values. Another example of Islamic law to safeguard the wellbeing of people is the punishment for theft (al-hirabah or al-sariqah).

However, unclear distinction or inconsistent definition of the acts of worship resulted in maintaining the gap between Islamic virtues and laws. Khaled, (2013) illustrates this situation by maintaining that this problem stems from the normative approach of jurists in dealing with specific laws (ḥudud) which are explicitly commanded by God, as if these laws, in themselves are the sole manifestation of ethical concepts in Islam. Hence, this approach led them to focus on the external part of the law itself, for instance types of punishment in Islamic criminal procedures, rather than upon the behaviour and conduct that warranted such punishment. Khaled, (2013) thus argued that ethical values are not embodied in the severe punishments, but they are in fact operative in behavior and

immoral conduct which the laws seek to inhibit. For example, in consumption of alcoholic beverages, the ban of unethical conduct is the actual value of the ruling just as it forms part of the *Shari'ah*, and is not solely the punishment enacted in the textual evidence per se.

In Western tradition there is a debate among legal theorists regarding the role of morality in law, specifically the dissension between the positivist theory which maintains law to be amoral and the interpretive theory which proclaims that ethics and morality shared in a particular society may bring about influences on its law.

To the contrary, enacted laws may also contravene ethics and morality – for example laws which approve the practise of slavery or discrimination (Habib, 2011). Mohammad Hashim Kamali argued with regard to this issue that the distinction between Islamic law and morality lies in the fivefold moral categorization within the system of Islamic jurisprudence, whereby the obligatory and forbidden have their legal implications, while the three remaining intermediate concepts – encouragement of the recommended and avoidance of the reprehensible – lie in the realm or morality or ethics which cannot be adjudicated as laws. Nonetheless, Kamali pointed to the fact that in the historical background of Islamic societies there was another institution that played a role in safeguarding morality, namely the institution of *ḥisbah*. This is an illustration of the imperative part taken by the Muslim *Ummah* in promoting ethical values in general (Abdullah, 2015).

Discussion

Unlike the commonly held belief that man is evil by nature, Islam holds that man is born with a morally good nature that responds to faith and ethical values. Over time, it may get corrupted due to temptations and man's inability to exercise control over his desires. According to Islam, there is universal equality among mankind, with the single exception of moral goodness and strength of character or *taqwa*. For man's condut to be ethical as per Islam, there are two conditions which must be fulfilled: his intention must be good and his action must be according to what God has instructed. If either is corrupt, his behaviour is unlikely to meet ethical standards. For example, if a wrong deed was done with good intentions that ultimately produced a

good outcome, it cannot be termed ethical. If the intentions were wrong to begin with, and the outcome was accidentally good, there is no question of ethical behaviour. Good intentions and good deeds must go hand in hand.

There are three very important and interrelated ways in which ethical principles in Islam differ from those that are understood and practiced in the West. The first is the concept of individual freedom and independence. In Islam, one's freedom ends where another's physical and moral space begins. Indeed, alongside freedom of expression and liberty for individuals, society also has moral rights. Thus, how one individual behaves morally must be guided by how that behaviour impinges upon and influences the behaviour of those around him. Secondly, the Quran is replete with clear messages about ethics. Islamic teachings expand outwards with the family as the unit of society, not the individual. Islam believes in collectivism, not individualism. There is, therefore, no concept of being responsible for the self alone. And thirdly, ethical principles, by virtue of their divine source, are not determined by the vote of the majority. If the majority in a society votes that speculation on the stock market is ethical, Islamic ethics will not accept this decision (Sattar, 2014).

Corruption and bribery may very well be the order of the day, and so could the consumption of drugs, and they may be declared legal. But they could never be morally right in Islam. Obviously, this also points to the fact that what may be the law in a country may not be necessarily ethical. The Quran is replete with clear messages pertaining to ethics (akhlaq), the standards of behaviour that God expects mankind to adopt because He has sent him to this world as His vicegerent. These cover all aspects of truthfulness, honesty, kindness, integrity (that includes being consistent in word and deed), meeting commitments and sincerity. The best example of ethics is in the life of the Prophet himself. When Aisha the beloved wife of the Prophet was once asked about the personality of her husband, she had replied: "*he was a reflection of the Quran itself*".

Islamic ethics is a code of conduct that calls for mankind to undertake a continuous process of self-purification, in thought, feelings and emotions (tazkyanafs); in social interactions through intentions and deeds that benefit other human beings as well as other creations of God; in using the resources that God has given him in a wise manner; and in bringing him closer to the ideal as described by the

Prophet: "*the best amongst you are those who are the owners of the best morality*."

In the Islamic perspective an action is regarded as ethical whenever the elements of its higher objectives (*maqasid*) are being satisfied. This involves among other things: honesty, trust, transparency; while in transactions it requires linking returns to risk, and bearing the risk of ownership. Furthermore, the elements of intention (*niyyah*) and consequence (*maʾalat*) are also closely related to the ethical dimension of ethics in any action. For example, the major schools of Islamic law have unanimously agreed that void motives might lead to a contract eventually being nullified even if it satisfied the legal components of a valid contract. Moreover, ethical legality of a contract should also depend on its end user, which may be scrutinised through its outcomes and consequences emanating from its applications. Breaches of these ethical enterprises should be declared annulled although they meet some sort of legal pre-requisites (Abdullah, 2015).

There is in fact a long list of transactions and principles for Islamic ethics which might play important roles as guidance for scholars and experts in tackling various issues in contemporary societies. Scholars such as Ramadan (2009); Moosa and Mian (2012). Have discussed whether applied Islamic ethics may be exercised for environmental protection, medical sciences and services, politics, education, gender issues, and bioethics. In actual fact, whenever discussions are undertaken pertaining to Islamic guidelines in protecting the ethical dimension of an action, it is mainly centred on *fiqh*, and yet many are proposing that applied ethics is not actually a discussion about laws but about ethical values and intentions. We suggest that overemphasis upon Islam as a legal system is not really an effective solution for the development of the *Ummah.* Islamic development must be accomplished through its society rather than by imposing law which is normally part of the state apparatus. Defining *Shari'ah* merely as a system of laws is in fact calling for the state to guard and enforce it (Abdullah, 2015).

However, the crucial need for Muslim societies nowadays is to be fully aware of the ethical dimensions of *Shari'ah* and to apply them consciously, regardless of state intervention or non-involvement (Coulson, 1957). This may possibly be accomplished, as proposed by Kamali (2006), through persuasive measures and incentives, and

by looking closely to the *maqaaṣid* guidelines. Moreover, this ethical approach in *Shari'ah* is also crucial to overcome the literalist paradigm with its rigid dependency on the texts – regardless of the social, political, and economic context in order to adequately face new challenges of our globalized world. However, there are two main challenges that may be mentioned in our brief analysis for this proposal to be accepted and applied in Muslim societies at large. These challenges are:

The existing dogmatic mindset among groups and individuals in Muslim societies. There are even certain Muslim scholars who uphold the belief that the structure of Islamic intellectual traditions were already well developed by the classical scholars, and have always been skeptic toward all new proposals for the renewal of the legal tradition. This type of frozen mindset needs to be faced wisely in order to bring ethical discourse within the sphere of Islamic jurisprudence (Abdullah, 2015).

The challenge of bridging different fields of knowledge with variant methodologies, especially between the 'hard' and 'soft' sciences, in order to establish a holistic system of applied ethics which manages to provide better solutions for different aspects of human life. It is quite an effort to bridge the intellectual gaps among scholars of textual sciences and practitioners of contextual sciences, in order to integrate their perspectives and produce shared solutions for any particular problem. In order to do so, (Abdullah, 2015) suggested a common framework of integration between these different methodologies must be established to avoid piecemeal interactions, and fresh educational institutions are required.

CONCLUSION AND RECOMMENDATIONS

Islam offers an ethical system which is unique. In Islam, ethics and Islamic law are rooted to primordial human nature which is innocent and good unless is corrupted. Similarly, ethics and law are complementary and do not contradict to each other. In this case, what is morally wrong is also illegal, and the law permits only what is moral. In addition, in Islam both morality and law are derived from religious sources and religious teachings are practiced through morality and law. Thus, Islamic law and Islamic ethics cannot be separated from each other. Islamic ethics is a code of conduct that calls for mankind to undertake a continuous process

of self-purification, in thought, feelings and emotions; in social interactions through intentions and deeds that benefit other human beings as well as other creations of God. Therefore, Abdullah's effort to present Islamic jurisprudence as an applied Islamic ethics is indeed a fresh approach in the field of Islamic law. This new attempt was proposed by some renowned Muslim scholars who made exhaustive efforts in order to manifest this ethical approach in all aspects of human life. Yet it also needs to be provided with viable methodologies benefiting from our reading of the textual and contextual inferences as the means to integrate different fields and disciplines for elaborating Islamic ethics, and for developing new classifications of higher objectives compatible with our needs and new realities. Therefore, we propose certain measures to be taken into account by policy makers and government institutions in order to diffuse this idea of applied Islamic ethics within Muslim societies:

Establishing an institution similar to the classical *ḥisbah* institution, whose role will be to promote and observe ethical practices in different life arenas such as banking and finance, medical services, food production, and environmental protection would not help in the contemporary societies. There were many conventional government agents that can be used to achieve this aim. Even if this institution should be led by members of society themselves in their own locality and region, rather than by the government. Effort should be on religious moral.

Religion encourages to synchronies human thought and behaviour with a code of ethical values free from the influence of personal and social life. Therefore, to infuse ethical sense in the minds of public officials, religious values are being given priority in public administration teaching in many countries of the present world which is giving good dividend in Switzerland.

It is important for both jurists and scientists to be well informed of the concept of applied Islamic ethics together with its principles and methodologies so as to provide better consultation to governments, social organisations, and religious bodies in searching for solutions to problems facing Muslim societies.

It is also necessary for governments to seek sound advice from informed scholars who are specialists in ethics, specifically in Islamic ethics and the ethical way to administer strategic national companies or revenues.

Applied Islamic ethics should be introduced as a compulsory subject for Muslims, and even for non-Muslim students, within various fields of study in institutions of higher education. Intellectual discourse in the form of conferences, colloquia, and workshops may be organized on the national level, in specific localities and in certain institutions to elaborate and explore applied Islamic ethics relating to its scope and applicability in various practical areas.

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