

AL-SHAJARAH

JOURNAL OF ISLAMIC THOUGHT AND CIVILIZATION
OF
THE INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA (IIUM)

SPECIAL ISSUE:
EDUCATION

2017

AL-SHAJARAH

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ISSN 1394-6870



COMMODIFICATION OF KNOWLEDGE IN HIGHER EDUCATION: WHERE IS THE SEAT OF MAQASID AL-SHARI'AH AND ISLAMISATION?

*Azam Othman
Suhailah Hussien
Suzana Suhailawaty Md Sidek
Ahmad Faizuddin*

Abstract

The condition of knowledge in the globalization era can be easily commercialized with the support of advanced technology. The transformation of technology in the 21st century has changed the way learning is acquired and exploited. Globalization also has brought new challenges to higher education in terms of economy, politics, culture and technology. This scenario has expedited the process of adopting commodification of education. As a result, higher education institutions are becoming more like suppliers of the education market where students are primarily consumers. Educators and policy makers have drifted away from advocating integrated education as social good to produce good human beings (al-Insan al-Saleh). Some educational programs have been commercialized in pursuit of monetary gain for the survival of universities's life span. Instead of preserving the noble maqasid of al-shari'ah and Islamisation, integration, and comprehensive excellence, universities have been pressured to generate income. This influences the quality of education and has jeopardized the noble mission and vision of the Universities, particularly the principles of maqasid al-Shari'ah and the Islamisation agenda in Islamic universities. Taking into account the dilemmas of these Islamic universities in balancing its Islamisation agenda with pressures of commodification of knowledge, this article argues that the concept of Islamization of knowledge can be preserved within the context of social welfare. From the Islamic perspective, the principles of maqasid al-shari'ah

(the purposes of Islamic Law) have significant impacts on social and cultural circumstances. It is also due to the fact that the concept of maqasid al-shari'ah include the preservation of five basic foundations, i.e. religion (din), life (nafs), mind ('aql), offspring (nasb), and wealth (mal). Since universities, including Islamic universities do not have much choices, we argue that adopting the principles of maqasid al-shari'ah to commercialize educational programs is promising and can be made plausible.

Keywords: commodification, Islamization, higher education, globalization, *maqasid al-shari'ah*

Introduction

In this globalization era, competition and privatization have expedited the process of commodification and commercialization of higher education all over the world. For instance, most universities have adopted the 'business model' to enable the university authority to maximize profit and reduce the cost. However, in the field of Islamic education, commodification of higher education has positive and negative impacts on student development, quality of teaching and learning, and the Islamisation agenda. Thus, the aim of this paper is to analyze critically the concept of knowledge, education, and commodification from the Islamic and Western perspectives in the context of higher education. The discussion also will focus on the issues of commodification and commercialization of higher education in the light of *maqasid al-shari'ah* (the purposes of Islamic Law) and Islamization.

A Critical Analysis of Knowledge and Education

In defining education, many questions such as what is truth, value and knowledge would have to be examined first before a clear understanding of education can be crystalized. These basic questions entail the need for a philosophy of education. Thus, it is important to examine the differing philosophies of education, in particular the Western and Islamic philosophy of education, and how these

philosophies extend themselves to their own concepts of education respectively.

The philosophy and concept of education may have evolved through the passing of time and according to different paradigms and worldviews. However, the basic aim of education has remained the same, that is, ultimately to achieve the better good or happiness. How happiness is viewed from the Western perspective differs from the Islamic perspective. In fact, understanding the philosophy of education from the western perspective requires one to bear in mind the distinctive views of what constitute as truth and knowledge to the western philosophers.

As Plato's and Dewey's views of education can be considered as significant foundation for western education, it is critical that their philosophies of education are discussed. Meanwhile, the Muslim scholars' views of education in particular, al Farabi, al Faruqi and al Attas are discussed later to show the slight variations of Muslim scholars' perspectives of education and how they differed from the Western philosophers.

Plato's View of Education

Plato emphasizes the acquisition of virtue before a child develops his reasoning so that 'his soul could be channeled in the right direction'.¹ The emphasis that Plato places on a child's moral development explained his view of education 'as a matter of correctly disciplined feelings of pleasure and pain'.²

In ensuring that good habits, virtues and practices would prevail in a society, Plato asserts that the habit and aspirations of the old generation are transmitted to the younger and future generation, where the transmission is done through the socialization process in the various social institutions such as the family-parent and child, school- teacher and student and religious-leader and follower.³

Plato's famous allegory of the cave explains his view of what education is and how it can help to enlighten men from their

¹ John M. Cooper, *Plato: Complete Works*, (Cambridge: Hackett Publishing Company, 1997), 1344.

² Ibid.

³ G.K. Plonchmann, *Plato*, (New York: Dell Books, 1997), 74-75.

ignorance. Knowledge is viewed as a sight to a blind person that can help him see everything in its true reality. In fact, education helps men to 'see' the true reality of the world when he chooses to look at the 'right direction'. Plato's Allegory of the Cave explains that man is initially chained in the underground cave where all that he could see are shadows of the real world. When he releases himself from the chain and finally finds his way out of the cave, he would be able to see the real world in its actual splendor.

This simile is used to explain his four levels of knowledge: the first is imagining the shadows as the true images of reality; the second is the belief that man believes what he sees is real and realizes that the statues and the fire caused the shadows and echoes, which he initially believed to be the true reality. The third level is when man sees different objects in different lights, such as looking at objects by moonlight, shadows by daylight, and starts thinking about these different situations present different realities. He then finally reaches the final level, which is knowledge, when he sees the sun and realizes that the sun is the cause of everything that he has seen in the cave and out of the cave. This simile signifies the importance of knowledge and education since it helps to liberate man from being enslaved or continuing to be ignorant. However, Plato's idea of transmission of knowledge from a teacher to a student is not a mere transfer of knowledge from a person to another, but rather it involves directing the students' minds toward what is real and important and allowing them to apprehend it for themselves.

Plato's four levels of knowledge should not be seen as a mere hierarchy of knowledge, but it is a thinking process that one should go through in his efforts to learn and progress. The process should also involve the whole aspects of a man and not just his mere cognition because ultimately, education is aimed to achieve happiness—the greater good for the betterment of the individual and consequently, the society.

Dewey's Experience and Education

If the western philosophy is viewed as the footnotes of Plato's works, then Dewey is well known for his idea of a progressive education that becomes the thrust for the constructivist theory of learning. Dewey

argues that the idea of reforming traditional education is insufficient if new general principles are to be introduced and implemented from the perspective of the policy maker and the implementer.

Dewey argues that the main purpose of education is to prepare the young for future responsibilities and for success in life. But this cannot be achieved if reformation of traditional education involves the move from imposition from 'above authority and outside authority' to those from inside, i.e. the teacher. Teachers should not be perceived as the agents for transmitting specified and targeted knowledge and skills to learners because teachers may impose standards, subject-matter, and methods that are not appropriate and relevant to the learners who are in the midst of a growing up process. The gap between the teacher and learners is so great that the subject matter, the methods of learning may be beyond the reach of the capabilities and experience of the young.

Following this line of argument, Dewey propounds the criteria of experience as an important basis for learning. He further asserts that the experience of the learners need to be appreciated in its natural context. Experience is superfluous, unfolding and growing outward spatially and temporally. Experience becomes meaningful because it consists of the interaction between the individual and his natural surroundings. The two important elements in Dewey's experience is continuity and interaction. Continuity gives the idea that man is affected by his experience regardless of whether it is a good or bad experience. All of his experiences actually prepare and influence his future experiences. Hence, continuity here means that all of his experiences, whether good or bad, are accumulated, kept and brought into his future whether he is aware or not, and likes or dislikes them. Meanwhile, the idea of interaction is built on the idea of continuity, where his past experience interacts with his current situation, and eventually helps to develop a new experience.⁴ As such the role of a teacher comes in the form of 'designing' or rather using the present situation to help create a new experience for the learners.

Dewey's view of education signifies the beginning of a democratic education because he recognizes the individual self and

⁴ J. Dewey, *Experience and Education*, (New York: Touchstone NY, 1938).

his freedom in the learning process. With the new focus of education to the learner, western education began to change its approach by placing a lot of importance on the learner than the teacher. The change has also influenced Muslim education to some extent, when contemporary Muslim scholars call for the need to transform the traditional pedagogy in traditional Islamic schools. However, the call for change cannot be claim to be caused solely by Dewey, but rather was due to the dissatisfaction with the traditional Islamic school in preparing capable future Muslim generation.

Muslim Scholars' Views of Education

There is a varied range of Muslim scholars and theorists in education, but only three have been selected for the purpose of comparison with Plato's and Dewey's views on education. The views of al-Farabi, al-Faruqi and al-Attas are presented to show the similarities and differences in their view of education that has contributed to the development of Muslim education today.

Al-Farabi's Views of Knowledge and Education

Al-Farabi's theory of intellect resembles Plato's four levels of knowledge. In his book, *Risala fi'l-'aql*, al-Farabi discussed his theory of intellect. He divided 'aql (intellect or reason) into six categories; the first, termed as judgment or prudence, refers to the person who acts for the good; the second category is common sense. It is also known as 'immediate recognition' and is closely related to the third category, which is natural perception, an inherent skill that concerns the fundamental truth that one is able to perceive. Meanwhile, the fourth category is known as conscious, a quality that distinguishes the good from the evil based on one's own life long experience and consideration. The fifth intellect has four different types of intellect, which are potential, actual, acquired and agent or active intellect. Al-Farabi's final and sixth intellect is considered as the source of all intellect, God.

Al-Farabi's theory of the intellect indicates how man has the potential to reach perfection, which is similar to Plato's four levels of knowledge. Thus the aim for education to al-Farabi is to guide the individual towards perfection because Man was created with this

purpose, to gain happiness, which is considered as the absolute good and the highest perfection.⁵

According al-Farabi, the perfect human being (*insan kamil*) possesses virtues, knowledge, practical moral values, and translates them in his moral behavior. Education is the means to develop this perfect human being, where it unites the intellectual knowledge of an individual with his virtuous behaviors. This also implies that education combines the theoretical knowledge with practical action. Hence, the purpose of knowledge is to apply it in one's daily life as al-Farabi stresses, 'whatever by its nature should be known and practiced, its perfection lies in it actually being practiced'.⁶

Al-Farabi's view of education has been used to develop the classification of knowledge in Muslim education through the Islamization of knowledge project.⁷ The Islamization of knowledge (IOK) project is a project that was initiated in the First World Conference in Muslim Education in Makkah in 1977. The Conference was also attended by two others prominent Muslim scholars, al-Faruqi and al-Attas, whose ideas are presented in the subsequent discussions.

Al-Faruqi and Al-Attas' Views of Education

Al-Faruqi asserts that *tawhid* is the basic and unifying principle in Islam. Following this line of thought, al-Faruqi emphasizes the importance of the *tawhidic* paradigm as the basis for Islamic education. He asserts that '*tawhid* is the core of Islamic consciousness that defines its fundamental essence and worldview, projected by the transcending values and definitive worldview and concept of oneness or the unicity of God'.⁸ Thus, al-Faruqi views education which is based on *tawhid* can help achieve the primary

⁵ Al-Farabi, *Tahsil al-Sa'ada*, edited by Ja'afar al-Yasin. (Beirut: Dar al-Andalus, 1983), 61.

⁶ Muhammad Rauf, Mushtaq Ahmad, Zafar Iqbal, "Al Farabi's Educational Philosophy", *Educational Research International*, 1 (2013), 4.

⁷ Rosnani Hashim, *Educational Dualism*, (The Other Press, 2006).

⁸ Tasnim A. Rahman, Wan Sabri Wan Yusof, Zuriati M. Rashid, Ahmad Nabil Amir, "Al-Faruqi's Fundamental Ideas and Philosophy of Education", 15 (2015): 238. Accessed August 4, 2016 at <https://www.researchgate.net/publication/287294095>.

goal of education, i.e. when Muslim understands and recognizes God's position in the world. It is in this line of thought that al-Faruqi resembles al-Attas in his view of education.

Al-Attas defines education as the *recognition and acknowledgement, progressively instilled into man, of the proper places of things in the order of creation, such that it leads to the recognition and acknowledgement of the proper place of God in the order of being and existence.*⁹ He also discusses the term *adab* which he perceives as the major key concept in the process of seeking knowledge. To al-Attas, *adab* means the discipline of the body, mind and soul, while knowledge is explained as *the arrival of soul at the meaning of a thing or object of knowledge.*¹⁰ He uses these concepts to weave and explain his view on education as a continuous process that involves the development of various aspects of the Man, such as his rationality ('*aql*) and body. He further asserts that the goal of education is to recognise and acknowledge (through action or '*amal*) God as the Creator and establish justice ('*adl*) in society. With the concept of *adab* as one of the key concepts to achieve education, al-Attas synthesized knowledge and the idea of 'good' in his idea of a good man.

In this sense, al-Attas' view of education shares the same aim of education as al-Farabi's *insan kamil*, whose propose is to establish justice in society. Interestingly, the three Muslim scholars' views of education include virtues and values as the prerequisites of a good man. This particular thought is also similar to Plato's view of education. However, the three Muslim scholars differ from Plato in their extension of the due recognition and acknowledgment that the good man would give to God as his Creator.

Though different in their philosophies, the primary aim of education as exposed by these scholars remain the same, which still revolves around the aspiration to achieve the good man, perfection and happiness. However, such philosophies and concept of education may remain utopic if the educational system that is developed ignores

⁹ Al Attas, "The Concept of Education in Islam: A Framework for an Islamic Philosophy of Education (Syed Muhammad Naquib al-Attas)". Accessed July 23, 2016, at <http://mef-ca.org/files/attas-text-final.pdf>.

¹⁰ Ibid, 5.

the foundation that it is built on. On the other hand, external forces and challenges may shift the focus and primary aim of education from its original foundation and philosophy.

The Commodification of Knowledge and Education.

The word 'commodification' is derived from the word 'commodity', which literally means anything that can be bought and sold; or any article of commerce.¹¹ Kazmi traces the idea of knowledge as a commodity from Schultz's view of 'education as a form of investment in human beings, where society should focus on investing in education that promises higher returns'.¹² The primary aim of today's education has shifted its focus from the acquisition of virtues and development of the individual self, thus realizing one's happiness to the acquisition of knowledge for wealth and power. Kazmi further argues that though 'the nature of knowledge may be only one of the several elements that determined the character of education, once its importance as a commodity is emphasized, then it will have to compete with other commodities for the determination of its value, which consequently will change the landscape of education'.¹³ Institutions of teaching and learning become sites to produce knowledge, and inevitably they experience the same process of production as a factory. However, commodification of education is more visible in higher education than at the school level because the graduates' prospects are attached to the university programmes that have highest economic value and that can guarantee immediate employability. Ball explains the tendency of commodification of education to "take place in the everyday life of our production and consumption activities, and more general processes of capitalism, and its inherent crises and instabilities, which underpin the search for new markets, new products and thus new sources of profit".¹⁴ In addition, Estermann and Nokkala explain that commodification of higher

¹¹ *Webster New World Dictionary*, 1994, 281.

¹² Y. Kazmi, "The Notion of Murabbi in Islam", *Islamic Studies* 38:2, 84-85

¹³ Y. Kazmi, *Selected Readings in Islamic Critical Pedagogy Vol. 1 & 2*, (Selangor: IIUM Press, 2011), 87.

¹⁴ *Ibid*, 4.

education connotes that knowledge can be commodified with the increased opportunity to treat knowledge as a raw material for instance, by increasing the financial and administrative autonomy of universities.¹⁵ A prominent education sociologist and philosopher, Lyotard, who first discusses the notion of postmodern condition is adamant in his claim that commodification of knowledge is harmful and results in more negative than positive aspects. The question that the paper raises is whether Lyotard is right in making this claim or not.

According to Lyotard, knowledge in advanced contemporary society has been exploited. The status of knowledge under the influence of computerization or postmodern age has been called the linguistic turn.¹⁶ It means that various scientific disciplines have gained their momentum through an increased attention given to language. On this point, we may have to agree with Lyotard since knowledge in today's information age has increasingly become a commodity with less meaning, and has lost its intrinsic value. The principle force of production has turned knowledge into an informational commodity. With the rise of multinational corporations, people tend to fight for control of information as they battle for control over territory. Since computerization is an unstoppable force, it is true then to say that knowledge is the driving force of commodity capitalism.

At this point, knowledge is not purely utilized for the benefits of mankind anymore. Rather, it has become a tool for capitalism to gain power and benefits over other capitals. It has become a common phenomenon in today's society, where big companies have control over advanced informational technology with the aim to exploit smaller companies for the sake of controlling the capitals. This trend has also invaded education, particularly at higher education. The commodification of higher education has resulted in curricula that is mainly formulated to satisfy students, whom the institution considered as costumers, rather than treating them as potential bearers of knowledge. In this kind of environment, teachers might

¹⁵ Thomas Estermann, Terhi Nokkala and Monika Steinal, *University Autonomy in Europe II: The Scorecard*, (Belgium: European University Association, 2011).

¹⁶ Jean-Francois Lyotard, *The Postmodern Condition: A Report on Knowledge*, (Minneapolis: University of Minnesota Press, 1984), 3.

lose their sense of teaching and humanity in order to fulfill the economic agenda of educational institutions. Not to mention, students as the end product might just attend the classroom for a piece of certificate in order to secure a good job once they graduate.

Following this line of argument, it is clear that the commodification of education has also changed the way people learn and view knowledge. It is pertinent to raise the question at this juncture, on the role of science; whether science should serve the interest of the State and/or civil society. This question will be addressed in the subsequent discussion while exploring the impact of commodification at higher education.

Commodification of Knowledge in Malaysian Higher Education

With the advancement of technology, science has become a force of production especially for the rich. It indicates that technology brings the desire for wealth rather than the desire for knowledge. For the product to be sold, contemporary knowledge is recycled into a research fund through technological investment. In the context of higher education, this becomes one of the desired goals to maximize contribution and best performance of the social system. Thus, Lyotard postulated two hypotheses: (1) "There will be a growth in demand for experts and high and middle management executives in the leading sectors in the years to come, and (2) Higher learning will have to continue to supply the social system with the skills fulfilling society's own needs".¹⁷ Hence, universities and other institutions of higher learning likely to produce doctors, teachers, engineers or administrators with lack of ideals.

Lyotard also argues that after the crisis of the late 1960s, the notion of "university franchise" is gone due to the fact that teachers do not have full "autonomy" to organize the budget of their institutions and the information flow.¹⁸ Data banks and encyclopedia replace teachers and professors. It is clear that computerization is the future of learning. The major challenge in this era is not mastering the knowledge, but constructing a network of information links.

¹⁷ Ibid, 48.

¹⁸ Ibid, 50.

Hence, students should be taught how to use the terminal rather than the content as a fixed stock of knowledge. Ideally, education should not only produce the skills, but also ensure human progress. The transmission of knowledge should not be limited to information only, but should also include training to increase one's ability in interdisciplinary studies. This implies that "a professor is viewed as no more competent than memory bank networks in transmitting established knowledge and no more competent than interdisciplinary teams in imagining new moves or new games."¹⁹

In the case of Malaysia, there are currently 20 public universities in Malaysia. These universities are financially-supported by the government and thus, they are considered as government institutions. Financial support for public universities are channeled through the Treasury, which is under the Ministry of Finance.²⁰ The staff of public universities, both academic and non-academic, are also classified as civil servants as their human resource services are primarily monitored by the Public Services Department.

Over the last few decades, the public universities have grown in size and began to develop their own niche areas, targets and strategic goals. The Ministry of Higher Education (MoHE) have realized that the old model of university governance is not well-suited for today's environment. Factors such as the demand to improve universities' rankings and the ever-decreasing resources are putting pressure on both the government and the public universities to change.

In order to respond to these pressures, in 2007, the government gradually started the process of granting the public universities a higher level of autonomy. The process began by auditing the public university's readiness towards becoming self-governing using the Code of University Good Governance (CUGG). The internal administration of each public university was audited based on four criteria i.e. institutional, financial, human resource, and academic

One of the intended outcomes of granting more autonomy to

¹⁹ Ibid, 53.

²⁰ Soaib Asimin and Sufean Hussin, *University Governance: Trends and Models*, (Kuala Lumpur: Penerbit University Malaya, 2012), 158.

the public universities is to make them more financially-independent. The internal structural improvements made were partially geared towards preparing the universities to generate their own revenue streams. The revenue streams that the government suggested include consulting service, utilization of university assets, and academic publication.²¹ With these revenue streams firmly established, the government hopes to decrease the public universities' dependence on public funding.

Despite these developments and current trends in governance styles globally, Malaysia is at a stage where the government relinquishes full if not some support to the public universities. The neo-liberal model, which emphasizes entrepreneurial endeavors and competitiveness, is commonly instated at universities in the developed countries. In comparison, Malaysia is moving towards a moderate model that sees the public universities operating with a high level of autonomy, while the government is still maintaining its interest in the universities, a model that is more common in more developed Asian countries.²² A survey among academicians in five prominent public universities also suggest that in light of the changing policy, Malaysian academicians hold the perceptions that their universities are highly autonomous financially.²³

Commercialization of Education.

In this globalization era, the rapid development of information and communication technology (ICT) has transformed the whole world into a virtual village with a global economy. It makes our education system more private and commercial. One of the systems of commercialization of education is the emergence of private schools and private universities which requires students to be financially capable of attending those private institutions. According to

²¹ Ministry of Education Malaysia 2015, 5-6.

²² Morshidi Sirat, "Strategy Planning Directions of Malaysian's Higher Education: University Autonomy in the Midst of Political Uncertainties," *Higher Education* 59:4, 2010, 461-473.

²³ Sufean Hussin Chin and Wong Siew, "Organizational Citizenship Behaviour: Its Reconcepualization and Tenability in University Setting," *Malaysian Online Journal of Educational Management* 2 (1), 2014, 1-20.

Borgohain, “The term education has been defined as the process of developing and training the powers and capabilities of human being. Thus, there is sale of services or profit motive behind imparting of education or funds come mainly from the receivers of education”.²⁴ It affects people’s attitudes towards gaining knowledge. In the former days, education emphasized self-fulfillment of individuals and humanities. However, commercialization of education has changed the emphasis to business oriented. Educational institutions compete with each other to provide quality education for the benefit of the buyers, who are the students. Hence, commercialization of education is a result of commodification of higher education. Commodification and commercialization are often perceived negatively, but there is a need to manage commercialization in particular, since its presence is inevitable. Perhaps this perception can be changed if commercialization of education is examined carefully so as to limit its impending negative effects and draw the positives from it.

Schrum presented a study by the US General Accounting Office (GAO) that looked into commercial activities in educational institutions. According to GAO classification, commercialization at schools is categorized into four major activities: (1) Product Sale, such as direct sales, cash or credit rebates and fundraising activities that benefit the school; (2) Direct Advertising, including ads in school facilities and publications with media-based advertising; (3) Indirect Advertising, like corporate-sponsored educational materials, trainings, contests, gifts or grants; and (4) Market Research, involving activities of surveys, polls, and internet panels.²⁵

According to him, commercialization can also be found within colleges of education. An argument can be made that pre-service educators are in classes by their own volition, and that they are adults, as opposed to K-12 students who are in class by law. However, the same objections to commercialization can be made for

²⁴ Swapnali Borgohain, “Commercialization of Education System: A Critical Analysis,” *International Research Journal of Interdisciplinary and Multidisciplinary Studies*, Vol. 1, No.11 (2016): 71-76.71.

²⁵ Lynne Schrum, “Education And Commercialization: Rising Awareness And Making Wise Decision”, *Contemporary Issues in Technology and Teacher Education*2, no.2 (2002):170-177.

the colleges of education. Companies that provide free software are obviously hoping that educators will choose to purchase that with which they are familiar. Posters and other materials that are given to pre-service teachers or hung on the walls are intended to sway future decisions, and additionally, they can serve to customize individuals to commercial products in classrooms. Of course, these examples can be found throughout the universities as well; however, other professionals will not be in the position to make decisions that have significant influence on young learners.²⁶

Among the merits of commercialization of educations are employment opportunities for students especially for those who focus on professional courses. By reducing the unemployment problem, commercialization of education will contribute to the economic development of a country. Furthermore, with a tight competition among educational institutions, the quality of education will be significantly improved.²⁷ To meet the demand of the market, private institutions are providing good learning environment with good infrastructure facilities and professional educators.

It is undeniable that commercialization of education has some demerits, like profit oriented, marks emphasis, materialistic outlook and over burden curriculum. Commercialization has turned education into a business factory. Students are forced to get high marks in order to be able to land a job that he or she wants. In this sense, somehow commercialization of education is unable to maintain the principle of quality education. It is costly and tend to produce narrow minded students who are busy with they own businesses and forget about the duties of good citizenship to serve the communities and humanities. In order to meet the demand of the market, educators and students have to struggle with an over burden curriculum.²⁸ Therefore, we should make education more meaningful by instilling Islamic values into the system.

Commodification and commercialization of education are inevitable in today's era. As Lewis put it in the introduction part of his book, *Excellence without a Soul*, competition and consumerism

²⁶ Ibid, 174.

²⁷ Swapnali Borgohain, *Commercialization of education system...* 72-74.

²⁸ Ibid, 74-76.

are two main forces that contribute to educational problems and its troubling circumstances. In this competitive and consummative environment, public image becomes much more important to attract students from all over the world. The future of higher education then depends on how well the universities manage their image and offer courses that benefit the individuals and societies.²⁹

One important thing that we should question then, is whether commercialization of knowledge has influenced the quality of curriculum, teaching and learning, grading system, students, lecturers, and staff. We might agree with Lewis that educational institutions have become problematic and less dynamic. Lewis accurately explains that,

“It does not challenge its teachers to decide what is most important to teach, and it does not challenge its students to take the difficult route to educational excellence. Grading becomes an external credential that distracts rather than supports learning. The curriculum becomes a way of keeping students and faculty busy and happy while advancing the university’s economic agenda. Students become costumers to be placated rather than whole beings challenged to stand on their own”.³⁰

Lewis’ argument shows that commercialization with its economic agenda has influenced the way teachers and students see learning at the university level. To attract the students – or we would rather say costumers - universities will do anything to satisfy them rather than inspire them. In this kind of environment, teachers might lose their passion and interest in teaching and students can easily get distracted from the route of learning.

Ironically, the tension between the true objectives of knowledge and the ideals of the reality of the world is evident everywhere. Universities and higher education institutions may strive to be the best at many things at the expense of the true purpose of education. Harvard University, for instance, has allowed its mission

²⁹ Harry L. Lewis, *Excellence without a Soul: Does Liberal Education have a Future?* (New York: Public Affairs, 2007), 1-19.

³⁰ *Ibid*, 268.

to drift away from education to customer satisfaction. For their leaders, “Harvard is no longer a city upon a hill but merely a brand name”.³¹ We might argue that today’s universities teach student but do not make them wise. What they have learned and achieved might not be relevant to their real life experiences. Unfortunately, as Lewis concluded, society contributes to students’ incoherence by creating the consumer culture. Indeed “universities did not create the consumer culture, but they have been overtaken by it. Universities did not become expensive by themselves, but they are subject to the same economic forces as other institutions”.³²

In short, commodification of knowledge shows more negative effects rather than positive ones. Computerization and globalization have contributed to the privatization and commercialization of education. As a result, with the emergence of many private educational institutions, knowledge is being commercialized for profit. Positively, commercialization of education provides employment opportunities and increases economic development. Consequently, teachers, students and the staff alike have become indifferent and have drifted away from the real purpose of seeking knowledge, i.e. becoming good human beings to serve communities and mankind.

Maqasid al-Shari’ah and Higher Education

Maqasid is a plural form of *maqsid* which refers to the purposes of the *shari’ah* (Islamic law). Hence, *maqasid al-shari’ah* simply means the objectives of the Islamic law. In the *usul al-fiqh* literatures, *maqasid* conveys similar meanings to three other Arabic words, i.e. *hikmah* (wisdom), *illah* (effective cause), and *maslahah* (interest, benefit).³³ According to Al-Qaradawi, “*maqasid al-shari’ah* consists of the attraction of benefits (*al-masalih*) to the people and repelling of harm and corruption (*al-madarrah wa al-mafasid*) from them.”³⁴

³¹ Ibid, 253.

³² Ibid, 255.

³³ Mohammad Hashim Kamali. “Maqasid al-shari’ah and Ijtihad as Instruments of Civilizational Renewal: A Methodological Perspective,” *Islam and Civilizational Renewal*, Vol. 2, No. 2 (2011): 247.

³⁴ Yusuf Al-Qaradawi, *Fiqh al-Zakat*. (Beirut: Muassasat al-Risalah, 2000), 31.

Different from the *usul al-fiqh* approach with its methodological details, technicality and literalism, the *maqasid* are more concerned real life issues or *maslahah* (benefits). Al-Ghazaly defined *maslahah* as the preservation of five basic foundations, i.e. religion (*din*), life (*nafs*), mind (*'aql*), offspring (*nasab*) and wealth (*mal*). According to him, everything that leads to the preservation of these foundations from the *shari'ah* point of view is regarded as *maslahah* and the disruption of these foundations is considered *mafsadah* (damage from the *shari'ah* perspective).³⁵ Thus, removing the *mafsadah* is *maslahah*.

Religion (*din*) has the highest value among the five. It is the most important value that must be protected, as religion is a necessity for the life of individuals and society in this world and the hereafter. The obligation of promoting good and preventing evil is addressed to the whole community and not to a particular individual. Allah (ﷻ) reminds us in the Qur'an to hold firmly to the rope of Allah (His *din*, Islam) together and do not become divided (Q.S. Ali 'Imran 3:103). In the next verse Allah (ﷻ) makes clear that those who will be successful are from a nation inviting to all that is good, enjoining what is right and forbidding what is wrong (Q.S. 3: 104). These verses clearly indicate that the obligation of promoting good and of preventing evil is addressed to the whole community and not to specific individuals.

Life (*nafs*) is essential and valuable to everyone and it must be protected in all circumstances. There is no difference between the life of a rich and a poor person, a leader and his subordinates, Muslims and non-Muslims. Therefore protecting everybody's life is equally important and obligatory to each individual and the society. Al-Qur'an emphasizes that whoever kills a soul it is as if he had slain mankind entirely. And vice versa, whoever saves one, it is as if he had saved mankind entirely (Q.S. Al-Maidah 5: 32). Thus the life of human beings has to be protected. Examples of social obligation in relation to

³⁵ Abu Hamid Al-Ghazaly, *Ihya 'Ulum al-Din Vol IV*. (Cairo: Al-Maktabah Al-Tijariyyah Al-Kubra, n.d.), 115.

the protection of life is saving a person from drowning and saving a person trapped in fire. It becomes a social obligation of those who know how to swim to help a drowning person and those who have the capability to rescue the one in caught in a fire. Another example that is most practical in our society is saving the lives of abandoned children (*laqit*) by assuming responsibility for their upbringing and support.

Offspring (*nasab*) is another important element in the life of a person. Islam is very concerned about the lineage and emphasized the importance of protecting it. Protecting the lineage includes protecting individual rights to privacy and not seeking to expose or reckless accusations of misbehavior. It also means ensuring that the relationships between men and women are respectable and responsible. Thus it is the obligation of the community and society not to promote and support mischievous and evil deeds in society. Allah (ﷻ) clearly states in the Qur'an, "...And cooperate in righteousness and piety, but do not cooperate in sin and aggression. And fear Allah; indeed, Allah is severe in penalty (Q.S. Al-Maidah 5:2).

Mind (*'aql*) is a great gift from Allah to mankind. This is one of the human capacities that differentiate man from animal. The mind has to be used for the benefit of mankind and not to be used for causing harm. Therefore, the mind has to be protected. For example, the dissemination of knowledge, promoting education in society and giving support to those who have no means to pursue education are social obligations of the community in relation to the protection of the mind.

Wealth (*mal*) is a gift from Allah to mankind. It is one of the basic necessities of human kind and life depends upon it. Property, either private or public, has to be protected from any wasting or destruction. Allah forbids giving our property to the weak-minded, but to provide for them with it and clothe them and speak to them words of appropriate kindness (Q.S. An-Nisa' 4: 5). He also forbids guardians to consume the property of orphans unjustly. The property is to be released when they reach marriageable age or have sound judgment (Q.S. 4: 6). Thus it is a social obligation of the community to

protect any private or public property from vandalism or any type of transgression.

Maslahah is achieved by promoting the necessities or essentials (*daruriyyat*), the complementary requirements (*hajiyyat*), and the beautifications or embellishments (*tahsiniyyat*). Those are the basic elements of a good life and the goals of the *maqasid al-shari'ah*. Therefore, based on its needs, *maslahah* can be classified into three categories:³⁶

1. *Daruriyyat (Necessities)*

Things that are essential to the preservation of the five foundations: Religion (*Din*), Life (*Nafs*), Mind (*'Aql*), Offspring (*Nasab*) and Wealth (*Mal*). These are the primary objectives (*maqasid*) of the *shari'ah*, to protect and promote these essential values, and validate all measures necessary for their preservation and advancement. For example, prayer, fasting, payment of *zakat* and performing hajj are laid down for the protection of religion; prohibition of killing and imposition of *qisas* (retaliation) for the protection of life; validation of marriage and prohibition of adultery for the protection of lineage; validation of education and prohibition of drinking alcohol for the protection of intellect; and validation of investment and prohibition of stealing for the protection of property.

³⁶ Mohammad Hashim Kamali. *Maqasid Al-Shari'ah, Ijtihad and Civilizational Renewal*, (Herndon, Virginia: The International Institute of Islamic Thought; Kuala Lumpur, Malaysia: International Institute of Advanced Islamic Studies, 2012. (Joint Publication, Occasional Paper Series 20), 16-17.

2. *Hajiyyat (Conveniences)*

Those which are not vital to the preservation of the five foundations, but supplement to the necessities. It seeks to establish ease and facility, and to remove hardship and difficulty. For example, the validation of combining and shortening of prayer for the traveler, the validation of divorce (*talaq*) to remove hardship between the spouse, the validation of forward sale (*salam*) and lease and hire (*ijarah*).

3. *Tahsiniyyat (Refinements)*

Things that go beyond the limits of *maslahah hajiyyat* (conveniences) leading to the improvement and attainment of what is desirable. It seeks to achieve improvement and, ultimately, perfection in all areas of human conduct. Collecting jewelry, performing innocent hobbies, politeness in behavior and speech, practicing Islamic etiquette in cleanliness, avoiding extravagant practicing moderation are among the examples of *maslahah tahsiniyyat*.

Amid the vast development of *maqasid al-shari'ah*, it also has a significant impact on the field of education. As implied in the earlier discussion of this paper, today's education has been commercialized in which students are considered as consumers. Higher education, in particular, is facing challenges in the educational processes. Education is treated as a commodity that overlooks the value of students' intellect. As consumers, they see education as a means to achieve their desires rather than to be responsible citizens. Thus, it needs a special formula to bring back the value of education to its original purpose. This is where the concept of *maqasid al-shari'ah* comes in.

Higher education should be managed responsibly in accordance to *shari'ah* values which emphasizes the benefits for all human beings (*mashlahah*). The practice of pleasing the students and their parents should be examined. Making the value of knowledge as a means to employment should not be the ultimate goal. Students who graduate from higher education

are expected to be good citizens who contribute many good things to the community. Thus, it is important to understand the consequences of commodification and commercialization so that academic institutions can justify their existence.

It is understandable that the educational process in the present days cannot be separated from commercial transaction. When students pay tuition, they expect to receive knowledge, skills or a degree qualification in return. When the government set a political or economic agenda, they hope to create human capitals for the benefits of the nation. This is what we call transactional orientation in which we treat consumers based on their desires. However, the primary objective of education as agreed by many scholars, from Western and Islamic perspectives, is to produce good human beings (*insan kamil*) and responsible citizens.

One might argue that if educational institutions should place a premium on its benefits (*mashlahah*), then why would students not also prioritize on their personal desires? Students who aim to merely acquire knowledge and skills for their future work in their higher education may regard the academic institution as a business model to learn about the practices of capital, investment, marketing, and other market demands as necessary.

The current practice of commercialization of higher education can be easily seen in distance education. In essence, distance education is not only technology-driven, but also profit-driven. With a careful examination of its practices, we must be reminded that education is actually the process of interpersonal interaction between students and teachers. This educational experience cannot be replaced by technological interaction.

Commercialization offers something for market exchange. But this kind of transformation has its paradox in which pedagogical promise might contradict economic efficiency. Today, more colleges and universities have embarked on commercial online education. Higher education is monopolized by those who have technological advancement,

which sometimes may not be in line with the academic tradition. With a highly competitive market, online education turns into a higher education industry competing for quality education.

On the other hand, not everyone likes the new model of higher education. Can we just merely buy a certificate through online learning, for example? Unfortunately, colleges and universities cannot escape the technological, economic and political impact of globalization. Commodification of education opens a major question of whether we want to treat education as a commodity and make a profit or do we want to see education that provides value and develops good characters of citizens.

For that reason, commodification and commercialization of higher education can be examined by adopting the concepts of *maqasid al-shari'ah* and *mashlahah*. At first glance, *maslahah* and *maqasid al-shari'ah* are quite similar concepts. However, they are actually interdependent and complement each other. While *maslahah* is associated with the level of protection of the human basic elements (Religion, Life, Mind, Offspring and Wealth), the protection of those elements is the objective of the *maqasid al-shari'ah*. The practice of commodification in higher education should also consider protecting five basic human needs so that the objectives of education, i.e. producing good human beings and good citizens, will be fulfilled.

Ibn Taymiyyah (d. 1328 CE), attempted to widen the scope of the *maqasid*. Beyond the scope of the five essentials proposed by the early pioneers, he maintained the *maqasid* as evolving and added other themes as observed in the Qur'an, such as trustworthiness, sincerity, fulfillment of contracts, honoring one's neighbors, and moral righteousness. Thus, Kamali proposed to review its scope towards an open-ended scale of values.³⁷ The reason is simply because the *shari'ah* should not be limited to a particular number only. Adding to the leading *maqasid*, he added world peace, economic

³⁷ Mohammad Hashim Kamali, "Maqasid al-Shar'iah, ijtihad...", 266.

development, science research, and fundamental constitutional rights as emerging themes.³⁸

Conclusion and Recommendations.

This article has discussed the purpose of knowledge and education, the commodification of knowledge, education and higher education, the commercialization of education, particularly in the content of Malaysian higher education, and the quest for *maqasid al-shari'ah* to resolve the negative impacts of commodification and commercialization of higher education. The philosophy of education from Western and Islamic perspectives has some differences and similarities. Plato's view of education emphasizes on a child's moral development in which the acquisition of virtue should be imparted before a child develops his reasoning. Meanwhile, Dewey stresses on progressive education based on experiences to prepare the young for future responsibilities and for success in life. Al-Farabi's theory of intellect is almost similar to Plato's moral development. According to al-Farabi, Islam views education in a way that a man has the potential to reach perfection (*insan kamil*), possess virtues, knowledge, practical moral values and translate them into moral behavior. Furthermore, al-Faruqi sees education from the *tawhidic* paradigm in order to achieve primary goals of education while al-Attas views education as to recognize and acknowledge God as the Creator and to establish justice in society.

Regarding the issue of commodification of education, it has positive and negative impacts. Thus we need to apply the concept of Islamization and *maqasid al-shari'ah* principles such as general utility, welfare or public interest. While *maqasid al-shari'ah* simply means the objectives of the Islamic law, it conveys similar meanings to three other Arabic words, i.e. *hikmah* (wisdom), *'illah* (effective cause), and *maslahah* (benefit). Beyond the scope of five essential elements to protect, i.e. religion (*din*), life (*nafs*), mind (*'aql*), offspring (*nashb*), and wealth (*mal*), *maqasid* cannot be limited to particular aspects only. It should have an open-ended scale of

³⁸ Ibid.

values including educational framework. According to Lyotard, commodification of knowledge is harmful in a way that it changes how people learn and see knowledge. Rapid development of information and communication technology (ICT) makes education system more private and commercial.

In addition, social obligation under Islamic law is basically the collective obligation of the community which is legally termed as communal obligation (*wajib kifa'i*). Under this obligation some members of society have to perform the act on others' behalf. However, this does not mean that every member of society may abdicate his responsibility. Where there is neglect in performing this act, the whole society sins. Thus every individual member of a community has to play his role within his capability in carrying out this responsibility as the performance of this type of obligatory act will usually bring benefit to the community and remove harm from them. This is in line with the objectives of Islamic law seeking for the whole of mankind a peaceful and happy life in this world and the hereafter.

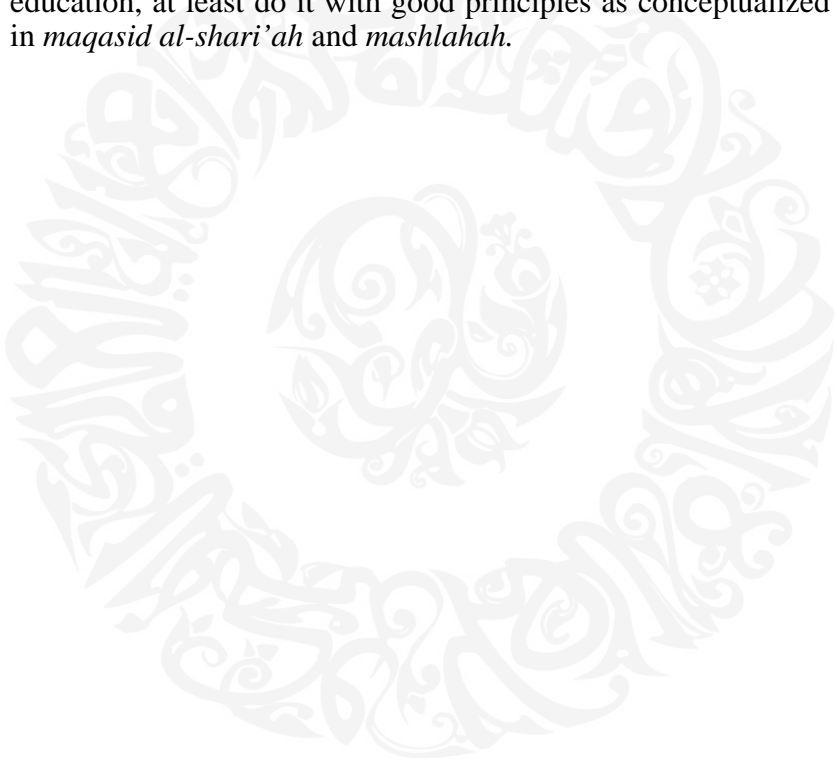
With the case of commodification of education, it can be implied that future educators are facing the winds of commercialism at all levels of education. Day by day, they witness the increased commercialization of the curriculum in their educational institutions. Meanwhile, higher educational institutions are facing great pressure from the market to provide quality education to qualify for the skills to meet the challenge of the 21st century. Given all of those circumstances, we put several policy recommendations:

Higher education should make a strong commitment in facing commodification of education by promoting reciprocal partnerships and curriculum reform from multiple perspectives. There is also a need to develop the awareness of larger educational community to introduce good values in administering educational institutions, not only for profit-oriented but also for the sake of humanity.

Maqasid al-shari'ah plays an essential role in many aspects of life including in the development of an educational

framework. However, there is no clear platform yet to link it to commercializing higher education programs. Thus, it is considered important to work on this issue. Specifically, *maqasid* should be given adequate room in the educational management that will reflect a good Islamic management system.

All stakeholders should be engaged in active discussion so that our children will not live in a world believing that commercialism is a way of life. If we decide to do business in education, at least do it with good principles as conceptualized in *maqasid al-shari'ah* and *mashlahah*.



TRANSLITERATION TABLE

CONSONANTS

Ar=Arabic, Pr=Persian, OT=Ottoman Turkish, Ur=Urdu

Ar	Pr	OT	UR	Ar	Pr	OT	UR	Ar	Pr	OT	UR	
ء	'	'	'	ز	z	z	z	گ	—	g	g	g
ب	b	b	b	ژ	—	—	ʀ	ل	l	l	l	l
پ	p	p	p	ژ	—	zh	j	م	m	m	m	m
ت	t	t	t	س	s	s	s	ن	n	n	n	n
ث	—	—	ṭ	ش	sh	sh	ʃ	ه	h	h	h'	h'
ث	th	th	th	ص	ṣ	ṣ	ʃ	و	w	v/u	v	v/u
ج	j	j	c	ض	ḍ	ḍ	ʒ	ی	y	y	y	y
چ	—	ch	çh	ط	ṭ	ṭ	ṭ	ة	-ah			-a ²
ح	ḥ	ḥ	ḥ	ظ	ẓ	ẓ	ẓ	ال	al ³			
خ	kh	kh	kh	ع	'	'	'					
د	d	d	d	غ	gh	gh	ğ					
ڈ	—	—	d	ف	f	f	f					
ذ	dh	dh	dh	ق	q	q	k					
ر	r	r	r	ك	k	k/g	k/ñ					

¹ – when not final
² – at in construct state
³ – (article) al - or l-

VOWELS

	Arabic and Persian	Urdu	Ottoman Turkish
Long	ا	ā	ā
	آ	Ā	—
	و	ū	ū
	ي	ī	ī
Doubled	ي	īy (final form ī)	īy (final form ī)
	و	uww (final form ū)	uvv
		uvv (for Persian)	uvv
Diphthongs	و	au or aw	ev
	ی	ai or ay	ey
Short	ا	a	a or e
	ا	u	u or ū
	ی	i	o or ö
	ی	i	i

URDU ASPIRATED SOUNDS

For aspirated sounds not used in Arabic, Persian, and Turkish add h after the letter and underline both the letters e.g. جھ jh گھ gh

For Ottoman Turkish, modern Turkish orthography may be used.

AL-SHAJARA

Special Issue

Contents

THE CURRICULUM OF ISLAMIC STUDIES AND ISLAMIC STUDIES EDUCATION PROGRAMS IN MEETING THE CHALLENGES OF GLOBALIZATION: A CASE STUDY OF SELECTED MALAYSIAN UNIVERSITIES <i>Rosnani Hashim</i>	1
EXPLORING REPEATING STUDENTS' FEELINGS AND ATTITUDES TOWARDS LEARNING ESL WRITING <i>Ismail Sheikh Ahmad, Rosnani Kassim, Ainol Madziah Zubairi</i>	33
ISLAMIZATION OF KNOWLEDGE IN THE CURRICULUM AMONG ACADEMICS AT THE INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA: A STRUCTURAL EQUATION MODELING (SEM) APPROACH <i>Nik Ahmad Hisham Ismail, Mustafa Teke, Faizah Idrus</i>	51
STRATEGIC LEADERSHIP PRACTICES AND STUDENTS' ASPIRATION OUTCOMES: WHAT WORKS IN MALAYSIAN VOCATIONAL COLLEGES? <i>Hairuddin Mohd Ali, Inas Zulkipli</i>	77
AL-QIYAM AL-ISLAMIYYAH AND ITS IMPACT ON MUSLIM COMMUNITIES' STABILITY <i>Ismail Hassanein Ahmed Mohamed, Faizah Idrus, Fuad Mahmoud Rawash</i>	97
ALLAH WANTS YOU TO BE RICH: FOUNDATIONS OF MUSLIM CAREER DEVELOPMENT IN AL-GHAZĀLĪ'S IḤYĀ' 'ULŪM AL-DĪN <i>Ssekamanya Siraje Abdallah, Mastura Badzis, Khamsiah Ismail</i>	131
HIERARCHY OF 7M-TEACHER-LEADER FROM ISLAMIC PERSPECTIVES <i>Mohamad Johdi Salleh, Abdul Karnaen</i>	157
FRAMEWORK FOR INCULCATING ISLAMIC VALUES THROUGH PROBLEM SOLVING IN MATHEMATICS AND LESSON STUDY APPROACH <i>Madihah Khalid</i>	197
COMMODIFICATION OF KNOWLEDGE IN HIGHER EDUCATION: WHERE IS THE SEAT OF MAQASID AL-SHARI'AH AND ISLAMISATION? <i>Azam Othman, Suhailah Hussien, Suzana Suhailawaty Md Sidek, Ahmad Faizuddin</i>	219
INSTITUTIONALIZING EDUCATION AND THE CULTURE OF LEARNING IN MEDIEVAL ISLAM: THE AYYŪBIDS (569/966 AH) (1174/1263 AD) LEARNING PRACTICES IN EGYPT AS A CASE STUDY <i>Merah Souad, Tahraoui Ramdane</i>	245
MEDIEVAL MUSLIM SCHOLARS: TEACHERS, MISSIONARIES AND THEORETICIANS, QĀDI AL-NU'MĀN AS A CASE STUDY <i>Tahraoui Ramdane, Merah Souad</i>	277
ENGLISH FOR RELIGIOUS PURPOSES: AN INQUIRY-BASED PEDAGOGY FOR MUSLIM ESL LEARNERS <i>Abdul Shakour Preece</i>	307
THE CONCEPT OF MURABBI IN MUSLIM EDUCATION WITH REFERENCE TO SELECTED TEACHING METHODS OF THE PROPHET MUHAMMAD (ﷺ) <i>Kamal J. I Badrasawi, Abdul Shakour Preece, Che Noraini Hashim, Nik Md Saiful Azizi</i>	327
NOTES ON CONTRIBUTORS	359

WoS-Indexed under *Arts & Humanities Citation Index, Current Contents/Arts and Humanities* and **Scopus**

ISSN 1394-6870



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