In the name of Allah, the Most Merciful, the Most Beneficent

The Kuala Lumpur Forum for Thought and Civilization

Declaration On Good Governance

Introduction: The Kuala Lumpur Forum for Thought and Civilization Declaration on Good Governance is one of the many declarations the forum publishes on its periodic conferences. It is made up of the research papers and suggestions forwarded in the forum's Third Conference that was held between November 16-18, 2016 in Khartoum, Sudan entitled "Good Governance and its Effect on Civilizational Renewal." The Declaration also benefited from the declarations made by international organizations in this regard. The forum is working to publish this declaration in different languages so that social and governmental organizations may benefit from it through direct calls, lectures, seminars and media and training programs.

The Declaration is composed of six primary topics:

Conceptualization: to connect the concept of good governance to Islamic principles and values and benefit from them.

Obstacles: to participate in publishing the principles of good governance in light of the deep challenges it faces.

Conditions: to map out the necessary environment for the establishment of good governance.

Benefits: with the aim of encouraging transition towards good governance.

Areas of Application: to determine the specific fields that concern good governance and which benefit from it.

Criteria: The Declaration's most important element, this section determines the principles and criteria by which good governance can be measured, especially on the level of government and formal institutions.

First: Conceptualization

Good Governance in the history of the Muslim Ummah is derived from both texts and practice and took inspiration from the Quran's guidance in its rules and general objectives (maqasid) towards the public good, and the Prophetic texts on building the individual, society and state.

The Madina state led by the Prophet (PBUH) and then the Four Rightly-Guided Caliphs was a unique practical experience in establishing good governance as a complete example of values, principles and foundations. The Ummah will continue to measure its degree of good governance according to this experience until the end of times.

Islam is unique in building good governance on the foundation of monotheism and the criteria of high values and ethics, providing justice and shura, preventing harm and corruption. Islam made those values into the spirit which drove the morality of its administrative, legal and institutional structures, which humans discover based on their own place and time with the aim of achieving good governance.

Islamic civilization abounds with examples of good governance with historical models of good governance. Foremost of these is the Madina Constitution which established the concept of the social contract, in addition to the Four-Rightly Guided Caliphs' speeches and letters related to public affairs, and the history books' documentation of the Caliphs and rulers throughout history. This also includes Ulema's writings concerning public affairs, such as Abi Yusuf, Al-Shaybani, Al-Asma'i, Al-Mawaradi, Abu Hamid Al-Ghazali, Al-Tartushi, Ibn Al-Jawzi, Ibn Taymiyya, Ibn Al-Qayyim Al-Jawzia, Al-Shirazi, Ibn Khaldun, Al-Qalqashandi, Al-Juwayni, Abu Ya'la, Al-Izz bin Abdessalem, Al-Shatibi, Ibn Al-Azraq.

Morality in Islam is a necessary aim for the individual, society and state. Islam gives such great importance for people to organize a leader for their affairs, that even groups as small as three should select a leader amongst themselves, confirming the importance of government and its necessity. A moral ruler is one of the pillars of Muslim society, as there are many texts that confirm the status of a moral pious ruler, whereas they threaten the oppressive ruler in both this life and the next.

The Islamic experience of good governance in terms of its values, institutions and tools is the reason for the Ummah's renaissance and reaching its civilizational peaks. Furthermore, its abandoning of good governance is the reason for its backwardness and the oppression and corruption in our countries. There is no path to civilizational

renewal except through the principles and values of good governance, such as was the case with the civilizations which preceded it.

The best model of good governance can be reached through pairing the Islamic value system and contemporary criteria of good governance, thereby continuing the historical Islamic experience and benefiting from other successful human experiences.

There are many contemporary definitions of good governance, the most famous of which is the United Nations' definition of development, which considers good governance to be the administrative, political and economic running of the country's affairs at all levels. This includes the mechanisms, processes and institutions through which citizens and groups express their interests, practice their legal rights, and carry out their duties.

Contemporary governments and international organizations have adopted the term of good governance to describe good adminstration, which is in accordance with Islam's moral view. Furthermore, the internationally agreed upon principles and values are in complete accordance with Islamic principles and values. Nonetheless, the absence of successful experiences of good governance within developed countries in terms of just humanitarian values makes good governance appear inadequate in a world facing the spread of poverty, epidemics, war and environmental destruction.

Second- Obstacles

The Kuala Lumpur Forum for Thought and Civilization considers good governance to be an arduous task that faces several obstacles, the most important of which are:

Values and Predominant Culture: The values ingrained in the human self are the primary motivator for the adoption of institutions of good governance. If these values spread among the general public, they will turn to a solidified public culture which makes good governance easier. However, if these values have been lost among the majority of the populace and the predominant culture opposes these principles, then good and moral governance will become difficult and complicated.

Ignorance of the Values and Principles of Good Governance: Ignorance of the values and principles of good governance and its benefits both from the society's general populace and elite is an important factor in frustrating good governance in public affairs. A lack of popular knowledge of the theory of good governance in societies

makes the social and political transformation towards good governance difficult and limited in effect.

Weakness of Skills and a Lack of a Familiar Model: the lack of leaders who possess the necessary skills for good governance makes it a difficult task and the lack of a familiar model of good governance makes transforming towards it intimidating and uninspiring.

The Lack of Previous Experience of Good Governance: The lack of public benefits in badly governed countries makes the mindset of individual salvation dominant and obstructs application of the principles of good governance.

Resistance from Powers Socially, Economically and Politically Benefiting from Corruption: These forces continue to resist any change towards transparency and good governance, and as long as these forces are empowered, change becomes more difficult and costly.

Hegemonic International Powers Obstructing Good Governance: These powers obstruct good governance in foreign countries out of fear for their interests and to insure the continuation of their superiority, as these powers back up oppressive regimes and corrupt institutions, so they may benefit from these countries' riches and prevent their development.

Third- Conditions:

On the basis of the above obstacles, the Kuala Lumpur Forum calls for individuals, societies, governments and international organizations to provide an appropriate environment for the features of good governance to be applied at different levels as follows:

Publishing the values, features and skills of good governance to provide a wide base of people ready for and supportive of good governance.

Working to find the proper balance of power at different levels which can prevent oppression and corruption, as Allah the Almighty expressed in the Noble Quran, according to the Sharia laws, commanding the good and forbidding the wrong, and using contemporary tools to observe the public good.

Organizing the transition towards good governance on the political, economic and societal levels well, depending on dialogue, consensus and peaceful resolution to ensure the transition's success and prevent negative and violent conflicts and social discord.

Reaching a social contract between different societal groups and economic and political powers to protect rights and obligations, ensure the future, and renew the features of good governance, which is in the interest of all and which obligates all to establish and protect it.

Establishing civil and governmental institutions on the basis of the parameters of good governance, which moes ideas and ambitions to practical accomplishments which can attain an accumulation of general benefits which serve individuals and groups.

Working in the way of building an international system that is more just and merciful to both humans and the environment, in which states ally for the sake of enabling good governance throughout all countries and peoples based on the benefit of all. This is in addition to abolishing the hegemonic economic models which monopolize wealth, corrupts people, and enables corruption in economic and political institutions.

Fourth: Benefits:

The benefits of good governance are significant enough to warrant working towards it, such as:

Protecting religion and respecting well-established identities, preventing ideological conflicts, given that social contracts built on good governance prevent aggression elements of the majority's cultural and civilizational identity and the general order. Good governance safeguards the rights of existing minorities, which makes the whole population compete with one another to achieve the public good.

Justice, in its comprehensive definition in different disciplines, guaranteeing rights without any discrimination and protecting the law's sovereignty above all, and providing conditions for human dignity in its various physical and spiritual dimensions.

Public security and stability, as good governance makes the state safeguard citizenship, law and justice and makes its residents eager to protect their social and formal institutions and the public tranquility, so that their lives may continue through all situations and conditions.

Development and revival of nations, improving life conditions at the level of education, health, services, industrial capacity, food and security. Good governance promotes innovation due to the spreading of strategic vision and the effective utilization of natural and human resources contrary to corruption, oppression and ineptitude which impedes development.

Providing a balanced international system built on virtue, justice and cooperation, protecting the health of the environment, eliminating corruption and wars. Good governance obligates governments, international and regional organizations to use the values of morality, moderation and depend on dialogue to solve conflicts.

Fifth: Good Governance's Areas of Application:

The Kuala Lumpur Forum's vision for good governance is comprehensive and is not related only to the top of the state pyramid. Rather, it is concerned with all that makes people in their different affairs closer to virtue and further from corruption, as good governance does not only mean power, but rather means the state of society and a way for life and a way to establish and build civilization. It has many areas of application, such as:

Individual: The basis for a society's morality is the morality of its individuals. As such, financial freedom of *safihs* (those who cannot be entrusted with money for foolishness) is restricted in Islam. Reaching the position of good governance cannot be achieved in its comprehensive civilizational concept as long as its values, concepts and behaviors are not well-established at the individual level. Furthermore, individual morality through disciplining the self opens the path for morality in other areas.

Civil Society: Civil Society has a decisive role in achieving social morality in terms of serving and monitoring different specialties and balancing and mediating between the state and society. Any society in which there are organized social networks applying the principles of good governance will become a society that is capable of representing and benefiting from those principles in different areas.

Private Sector: Wealth is the basis of life. Just as *safihs* cannot gain wealth, so too can it not be corrupted by financial and economic institutions. As it is not possible…. The criteria of good governance at the level of private companies, whether for profit or non-profit, in terms of structural values is the way to a just distribution of wealth, and an essential condition for nations' prosperity and revival.

Governments and Formal Institutions: In all areas, governance is the essential foundation for applying the principles and values of good governance, given the cultural, social, economic, legal and political environment which it provides to serve the good. Considering that governance is the leading of people and institutions and administering the public good, it prevents harm and serves the public wellbeing, achieving the Sharia's general objectives and nations' revival. The highest level of good governance is on the level of the state with its different institutions.

Regional and International Organizations: Regional and International Organizations are the formal spaces which gather all the technical means and human capabilities. This makes it an integrated model to apply the principles of good governance and widen the field's applicability and the most developed form for dealing with current transformations, the diverse conditions and particular issues in the world, the signing of conventions, and the wide training in the skills and knowledge necessary for good governance. Regional and international organizations fight corruption and the pressure of those in whose interests it is to prevent the principles of good governance.

Sixth: Principles and Values of Good Governance

Building on the research papers and studies presented in the Kuala Lumpur Forum for Thought and Civilization's Third Conference, and benefiting from the United Nations criteria, the Forum has determined ten classes of values which can help decision-makers, local and central formal institutions achieve collective and individual contentment and cooperate towards the aim of human development. Furthermore, civil society organizations, private sector companies and individuals can depend on these ten classes to improve the quality of their work and develop their tools. The Forum will work to publish these values and train and develop organizations on them. These values and principles are as follows:

 1- Values, Transparency and Ethical dimensions: This should be the first focus for making good governance possible, as good governance without values deep in the human-self make the Prophetic model dominate over those intuitive ethical values, remains superficial. One of the benefits of ethical criteria is competing to serve the general benefit and the collective conscience against corruption and taking advantage of power and influence for immoral ends.

 2- Participation and Consensus: Free agreement over the social contract as represented in constitutions which clarify the nature of the political regime and the

extent of its congruence with the society's identity and values in order to be effective and stable, guarantees trust and contentment between the ruler and ruled. It grants citizens political participation and to choose their rulers through free and transparent elections according to internationally recognized standards of competition and transparency, and grants them participation in important decisions and policies through referendums or through the medium of their representatives in legitimate elected institutions. It further guarantees the peaceful transition of power and positions, in light of general contentment and respect for the law without blackmail or fraud.

3- Freedoms, Right and Human Dignity: Good governance is impossible without having human dignity and development as its aim. Good governance also guarantees collective and individual freedoms in light of the agreed upon social contract, such as: freedom of thought and expression; freedom of organization; the freedom to earn, work and socialize; the right to participate in serving the country and self-promotion through reaching the highest of positions in light of the law without discrimination; participation in public service through civil society organizations; and the criminalization of aggression, arrest, and torture for political, ethnic, religious reasons, etc.

4- Justice, Equality and Sovereignty of the Law: Justice is the foundation of governance, and is represented in the behaviors of the ruler, and his associates and employees. The tools of justice are an independent and just judiciary, and an effective and transparent judicial system which guarantees the speed and effectiveness of its judgements, legislation and decisions which achieve the aim of justice, protect from oppression and harm, and necessitate laws application upon all. Justice provides a financial, administrative and legislative environment which guarantees equal rights, opportunities and services between individuals, regions and groups, and prevents discrimination.

5- Shura (Mutual Consensus) and Effective Institution Building: Given the Almighty describing Muslims as those who "conduct their affairs with mutual consultation," Shura, or mutual consultation, is a necessary attribute for Muslims. Furthermore, given the Almighty's saying "and consult with them in conducting matters," it is a necessary collective institution for the effectiveness of legislation and decision-making, It is a strong and effective institution which guarantees the state's continuation, no matter the crises it faces, and is the framework which ensures good governance, whether in terms of committees of experts in different fields, or gatherings of consultation and advice. Consultation at the highest institutional level is with the

three branches of government: executive, legislative and judiciary, the separation of which makes them complete one another.

6- Vision, Strategic Planning and Effective Response: One of the signs of good governance is providing strategic vision for leaders and institutions based on planning and strategic administration to achieve national development. This is accomplished through competent supervision and comprehension of internal and external dynamics, historical, social and cultural complexities, the determining of priorities, and the effective utilization of resources. Additionally, good governance is achieved through sustainable development for future generations, understanding performance indicators and quality assurance in different domains, and effective response to residents' demands, crisis management, and threat assessment.

7- Employing and Deputizing the Trustworthy: Good governance is not achieved only with a good ruler or the ability of those who take decisions, or fixing institutions, rather morality is only complete with the ruler and those close to him keeping good company, and the ministers, technocrats and employees taking care to be professional in their work and honest with the wealth delegated to them. That can only be done by carefully and transparently selecting them on the basis of their qualifications and merit, continually training them and preserving their professional abilities, and providing a work system which rewards their productivity and protects them from corruption.

8- Openness and Transparency: Good governance requires transparency of laws and procedural systems in different public affairs, freedom of access to information, and free channels of communication between all segments of society (citizens, officials and institutions). It also requires informing the general public of decisions, policies, indicators, outcomes and results. These measures facilitate a better understanding of rights and opportunities for all members of society as well as presenting the threats and risks of each course of action. This clarity around courses of action for success without discrimination in granting opportunities across different fields ultimately prevents conflicts of interest and the abuse of power.

9- Accountability and Auditing: Meeting ethical standards alone is not sufficient for achieving good governance, nor is sound institutional building, competence and transparency. Allah Almighty has made it clear that corruption on earth does not cease except if it is pushed back, and he made giving advice and commanding the good and forbidding the wrong an obligation and the basis of this life and the next. Accordingly, good governance is accountable governance at its various levels, as a prevailing societal culture, and through various institutional and auditing measures. This is true

throughout all levels of governance including the judiciary, parliament, committees, and special government institutions in addition to the roles played by civil society and public opinion in preventing corruption and quick rectification.

10- Innovation and Technological Advancement: Achieving a high level of good governance now requires an adequate utilization of modern technological tools, means of communication, digital revolution, and e-governance. This increases transparency, management efficiency, and performance control and measurement, and improves services. It also provides an environment for innovation, creativity, ideation for developing programs and proposing initiatives.