LOCUS AND MAXIMS OF MORAL GOVERNANCE:
A FRAMEWORK FOR THE BANGSAMORO GOVERNMENT

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Keywords	Abstract
Bangsamoro Government, Moral Governance, Graft and Corruption, Qur'an, Hadith	Moral Governance has been the call of the newly established government of the Bangsamoro after a successful agreement between the government of the Philippines and the Moro Islamic Liberation Front. Moral Governance is believed to be a crucial step against graft and corruption. However, this step raises questions about its locus and maxims. This paper aims to answer these questions by employing a literature review as an approach. Taqwa, Shura, Talklif, and Al-Amanah have been found as the maxims of moral governance firmly rooted in the Qur'an and Hadith. Thus, the application of these maxims leads to the desired outcomes of the Bangsamoro Government.

1. INTRODUCTION

Governance has been a subject and concern for everyone, including the Bangsamoro Government. It concerns the manner of exercising power in the management of social and economic resources of a country in achieving development (Asian Development Bank, 1995). The call for moral governance of the Bangsamoro manifests this concern and the commitment

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to counter the persistent problem of graft and corruption. This problem has been ranked as one of the major problems of the Phillippines according to the International Transparency data from 2018 to 2022.

The Bangsamoro Government is committed to practicing moral governance according to the distinct beliefs, cultures, and aspirations of its people (Adiong & Diampuan, 2021). It is committed to being responsible, service-oriented, and change-oriented for its people (BDA Communications, 2022). Moreover, the Bangsamoro shall act legally and legitimately, rationally, and delivetively in its policymaking and decision-making (Fernandez E., 2023). As a result, the officials are sworn to observe moral governance (Bangsamoro Information Office, 2023).

Although moral governance is clearly defined in the Administrative Code and Civil Service Code of the Bangsamoro Government, the questions on the locus and maxims of moral governance have been in place. These questions, however, prompt the need for this research. Thus, to address the questions, this paper aims to present a framework for the Bangsamoro Government, providing the locus and maxims of moral governance that are deeply rooted in the Qur'an and Hadith.

2. METHODOLOGY

This This paper aimed to address the questions on the locus and maxims of moral governance in the Bangsamoro context. To achieve the objective, a literature review approach was employed to synthesize pertinent literature. Relevant articles were systematically gathered and analyzed, drawing from a diverse array of academic and research journals. The selected journals include the African Journal of Business Management, American Journal of Islam and Society, American Journal of Islamic Social Sciences, International Journal of Business and Management, International Journal of Innovation and Business Strategy (IJIBS), International Journal of Islamic Management and Business, International Journal of Management and Accounting, International Review of Business Research Papers, and Journal of Management Development. Furthermore, given the Islamic focus of the study, the Qur'an and Hadiths were

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paramount as primary sources, aligning with the exploration of Islamic principles in the context of moral governance.

3. Definition of Moral Governance

The Bangsamoro Administrative and Civil Service Codes provided that Moral Governance is based on dedication, devotion, honesty, justice, integrity, and excellence in the Bangsamoro Government. From the perspectives of Chief Minister Ahod B. Ebrahim, governance means acting legally, legitimately, rationally, and deliberatively in policymaking and the responsibility to ensure checks, balances, and accountability (BDA Communications, 2022). It is based on leadership and values following the Qur'an and Hadith.

4. Locus of Moral Governance

The Qur'an and Hadith are the primary references of principles of the Muslim communities, including the Bangsamoro community and its government. This is following the Qur'anic verse stating that the believers should obey God and His messenger and those in authority amongst them (Surah Al Nisah verse 59). Under the concept of religious law, the Qur'an and Hadith are the ultimate source of legal matters. Judaism, Christianity, and Islam are the sources of religious law (Saeed A., 2008).

As highlighted by Rahman (2009), the Qur'an explicitly positions itself as a document with a primary focus on humanity, self-identifying as "guidance for mankind" (Surah Al-baqarah verse 2). The ethical and legal dimensions of the Qur'anic texts encompass a broad spectrum, encapsulating beliefs in God, prophets, and the afterlife. The regulatory scope extends to matters such as marriage, divorce, and inheritance, alongside permissions, prohibitions, fasting, spending, jihad, theft, interactions with non-Muslims, and guidelines for etiquette, inter-faith relationships, and governance (Saeed, 2005). Thus, the fundamental purpose of the Qur'an is the establishment of an impartial and ethically grounded social order (Rahman, 2009).

The hadith holds equal significance for the Muslim community, serving as a valuable source. It presents the words and actions of the Prophet Muhammad (Peace be upon him) (Lucas, 2008). It covers practical aspects like family, business, law, and morality (Aziz, 2015).

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Moreover, Hadiths present Islamic thought, including law, theology, ethics, hagiography, and Qur'anic interpretation (Lucas, 2008). Two prominent works in the field of hadith are Sahih Bukhari and Sahih Muslim. The term "Sahih" signifies the rigorous curation conducted by compilers, Bukhari and Muslim. Within this meticulous process, they discerned and included only those reports deemed authentic and trustworthy, meticulously separating them from the realm of unsubstantiated and unreliable narratives (Aziz, 2015).

5. Maxims of Moral Governance

For this paper, the following are identified as the maxims of moral governance, as follows: 1) Taqwa, 2) Shura, 3) Taklif, and 4) Al-Amanah. These enumerated maxims are firmly rooted in the Qur'an and Hadith and the numerous existing literatures. Proceedings provide the fundamental discussions of these maxims.

5.1 Maxim of Taqwah

The Qur'an and Hadith are both enjoining Taqwah. It unites and synchronizes the mind, heart, and body (Bhatti, O. K., Alkahtani, A., Hassan, A., & Sulaiman, M., 2015). As a result, it protects a person against evil and misbehavior towards citizens (Gazi, M. A. I., 2020; Rahman, F., 2009). Motaqeen is described as a person who possesses taqwah; someone who fears God, can control his/her anger, forgives and holds no resentments in heart, and has a heart for the needy Bhatti, O. K., Alkahtani, A., Hassan, A., & Sulaiman, M., 2015). God instructed man to observe taqwah (Surah Al Imran verse 102, Surah Al Anfal verse 19). Even the Prophet Muhammad (Peace be Upon Him) emphasized observing Taqwah (Elias A.A., 2019).

Adhering to this maxim, public officials are expected to possess and observe taqwah, i.e., to be enjoined to fear God and feel his presence too. As a result, they can differentiate what is right and what is wrong in the administration of their duties and responsibilities. This leads to significant outcomes such as leadership, motivation, and accountability (Amin, M. R., & Mohiuddin, M. G., 2016; Mohammad, J., 2015; Beekun, R. I., 2012).

5.2 Maxim of Shura

Shura is defined as the obligation to consult the public concerning the administration and management of public affairs and decision-making (Rahman, A. R., & Rahman, A., 1996;

Beekun, R. I., 2012). God commanded those in authority to consult their people in times of decision-making and put their trust in God afterward (Surah Al Imran verse 159). This principle was observed by the Prophet Muhammad (Peace be upon him) by consulting his companions on community-based matters and consented to decisions that contradicted his notion (Rahman, A. R. A., 1998). It was reported by Jabir that Prophet Muhammad (Peace be upon him) said to give counsel to those who seek consultation (Sunan Ibn Majah 3747; Elias A.A., 2019).

There are three important reasons behind shura concerning decision-making, as follows: 1) those affected by a decision must be consulted, 2) prevention of overriding other's rights and self-interest, and 3) observing truthfulness, justice, and consensus in decision-making (Lewis, M. K., 2014). Thus, observance of shura results in consensus-building, teamwork, and participative management, among others (Mohiuddin, M. G., 2016; Beekun, R. I., 2012).

5.3 Maxim of Taklif

Maxim of Taklif requires everyone to be accountable on the day of judgment. Accountability is the obligation of a public official to give information, explanations, and/or justifications relevant to his performance and functions (Cendon, A. B., 2000). This means that a public official must accept the duties, liabilities, and benefits of attached to his responsibilities (Hoque, N., Aktaruzzaman Khan, M., & Mowla, M., 2013; Rahman, A. R. A., 1998).

The Qur'an points out that accountability imparts a sense of responsibility and continuous vigilance on the part of the believer (Rahman, A. R., & Rahman, A., 1996). Allah (God) says in the holy Qur'an: "Whosoever does good equal to the weight of an atom (small ant) shall see it. And whosoever does evil equal to the weight of an atom (or a small ant) shall see it (Surah Al Zalzalah verse 8-9). The Prophet Muhammad (PBUH) said: "Each of you guardian and each of you will be asked about your subject." In other hadith, He (PBUH) said: "Each of you guardian, and each of you will be asked about your subject." (Sahih al-Bukhari 7138). As such, accountability is a concept that no one can against (Bovens, M., Schillemans, T., & Hart, P. T., 2008).

5.4 Maxim of Al-Amanah

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The maxim of Al-Amanah revolves around the notion that humans are stewards on earth, i.e., the wealth and resources are not inherently theirs. Instead, these resources are considered trust from God (Beekun, R. I., 2012). It suggests that amanah signifies that resources, power, and authority originate from God and are entrusted to humans to fulfill their responsibilities. In adherence to this principle, Islam requires the Muslim community, especially those in positions of authority, to embody the values of amanah as outlined in the Qur'anic verses and hadith (Shuhari, M. H., Hamat, M. F., Basri, M. N. H., Khairuldin, W. M. K. F., Wahab, M. R., Alwi, E. A. Z. E., & Mamat, A., 2019). Consequently, the Amanah to mankind encompasses sub-elements: 1) justice, 2) responsibility, and 3) accountability (Alimin, N. S. N. B., Awang, S. R. B., Ahmad, T., & Nain, S. M., 2018).

According to Bouckaert, G. (2012), trust is a key element in the relationships among individuals, organizations, and institutions, shaping their interactions in a supportive manner. These relationships fall into three categories: 1) Citizens and organizations trusting the government, 2) the public sector trusting organizations and citizens, and 3) trust within the public sector. Notably, trust in government encompasses five dimensions: 1) moral trust, focusing on ethics; 2) economic trust focusing on efficiency and non-partisanship; 3) political trust focusing on political legitimacy; 4) social trust focusing on social capital; and 5) technological trust to democratize processes (Cheema, G. S., 2013). Consequently, trust is indispensable for democratic governance, fostering public support, facilitating open and competitive markets, and promoting social trust, economic effectiveness, and good political governance (Blind, P. K., 2013).

Justice. Justice is an important virtue or trait of character that humankind should possess (Rachels J. & Rachels S., 2019). It is described by two words in the Qur'an: 'adl and qist; 'adl means "equity, balance" whereas qist refers to the highest level of justice (Beekun, R. I., 2012). Consistent with the theory of justice, justice is defined as fairness/Equity (Rawls, J., 2017). In the Qur'an, God commands His servants to be just, i.e., fair and moderate (Surah Al Nahl verse 90). In other verses of the Qur'an, God commands them to return trust to whomever they are due and to judge between men with justice (Surah Al Nisah verse 58).

Responsibility. Responsibility encompasses a range of duties and obligations assigned to individuals based on their respective roles, jobs, or functions (Bivins, T. H., 2006). In the

context of public administration, responsibility can be understood in three ways: 1) Capacity, which implies the obligation to act by established laws and regulations; 2) Accountability, which focuses on the responsibility to provide information, explanations, or justifications for one's performance in carrying out their duties; and 3) Liability, which centers around accepting the consequences of one's actions, and at times, the actions of others within the scope of authority of the ultimate responsible administrator (Cendon, A. B., 2000). Likewise, in the Qur'an and Hadith, those people in authority are responsible for acting with justice and fairness even if it is against their selves, their parents, and relatives (Surah An-nisah verse 135). The Prophet Muhammad (PBUH) said that those considered bankrupt are those who "have exhausted the good deeds because he reviled others, brought calumny against others, unlawfully devoured the wealth of others, shed the blood of others, and beat others; so his good deeds would be credited to the account of those (who suffered at his hand)" (Jami` at-Tirmidhi 2418).

Accountability. As mentioned already, accountability is the obligation to provide information and/or justification for one's act and behavior and be liable thereof. In the same way, both the Qur'an and Hadith highlighted the significance of accountability. God says: So whoever does an atom's weight of good will see it, and whoever does an atom's weight of evil will see it (Surah Az-zalzalah verse 7-8). Allah's Messenger (ﷺ) said, "Surely! Everyone of you is a guardian and is responsible for his charges: The Imam (ruler) of the people is a guardian and is responsible for his subjects; a man is the guardian of his family (household) and is responsible for his subjects; a woman is the guardian of her husband's home and of his children and is responsible for them; and the slave of a man is a guardian of his master's property and is responsible for it. Surely, everyone of you is a guardian and responsible for his charges" (Sahih al-Bukhari 7138).

6. Development of Framework

Figure 1 below presents the research framework. In the below-drawn framework, moral governance and its maxims are firmly based from the Qur'an and Hadiths. These maxims are the following: Maxim of Taqwa, Maxims of Shura, Maxim of Taklfi, and Maxim of Al-amanah. The last maxim presents its sub-elements which are justice, responsibility, and

accountability. It is expected that when these maxims of moral governance are incorporated in the management and administration of Bangsamoro government, the desired outcomes can be achieved.
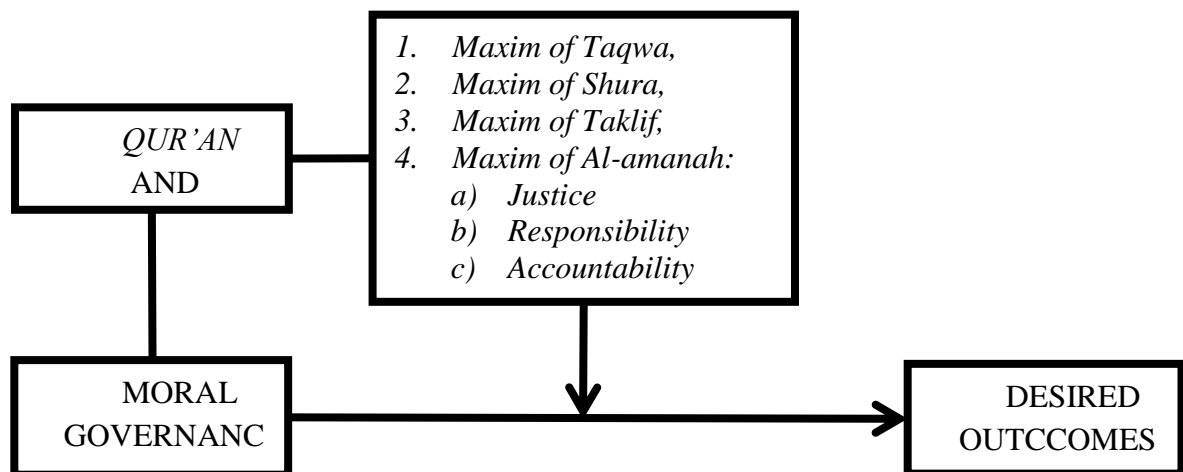

Figure 1. Research Framework

7. Ethical Leadership: A Desired Outcomes

The practice of moral governance brings several desired outcomes including ethical leadership. Brown, M. E., Treviño, L. K., & Harrison, D. A. (2005) defined ethical leadership as "the demonstration of normatively appropriate conduct through personal actions and interpersonal relationships, and the promotion of such conduct to followers through two-way communication, reinforcement, and decision-making." This definition supports the idea that ethical leaders are both moral persons and moral managers (Lawton, A., & Páez, I., 2015).

From an Islamic perspective, Muhammad's leadership serves as an ethical role model for Ethical leadership. As a leader, Muhammad (PBUH) is both principled-centred and virtue-oriented. Muhammad (PBUH) possessed virtues such as truthfulness and integrity, trustworthiness, justice, benevolence, humility, kindness, and patience. In terms of principles, Muhammad (PBUH) has practiced the principles of Taqwa, Shura, Accountability, gratitude, and intention (Beekun, R. I., 2012). These principles and virtues made Him (PBUH) one of

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the most influential people in history. Michael H. Hart, the author of "The 100: A Ranking of the Most Influential Persons in History, said "Of humble origins, Muhammad founded and promulgated one of the world's greatest religions, and became an immensely effective political leader."

8. Conclusion

The purpose of this study is to address inquiries concerning the locus and maxims of moral governance, culminating in the formulation of a framework for the Bangsamoro government. The Bangsamoro Government is expected to serve the needs and demands of its constituents while actively distancing itself from issues and challenges related to graft and corruption. In response to this imperative, a resounding call for moral governance has been prioritized, with the belief that it will play a crucial role in fighting graft and corruption.

To realize the desired outcomes, strict adherence to the maxims of moral governance is imperative, rooted fundamentally in the Qur'an and Hadiths, recognized as the primary sources of moral governance in the Bangsamoro context. It is strongly recommended that Bangsamoro government officials embrace fear and/or piety, as these qualities foster justice, responsibility, and accountability.

Furthermore, public affairs must be grounded in consultation with various stakeholders, ensuring that the needs and demands are accurately identified and addressed. Additionally, Bangsamoro government officials bear the responsibility of providing thorough explanations and justifications for their actions and being held accountable for the consequences thereof. Lastly, it is essential to acknowledge that humans are stewards on earth, understanding that resources, power, and authority originate from God and are entrusted to humans to fulfill their responsibilities.

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9. Authors Contribution

The writers affirm that they have no connections to, or engagement with, any group or body that provides financial or non-financial assistance for the topics or resources covered in this manuscript.

10. Conflict Of Interest

The authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

11. Plagiarism Policy

All authors declare that any kind of violation of plagiarism, copyright and ethical matters will taken care by all authors. Journal and editors are not liable for aforesaid matters.

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