The impact of social changes on religious attitudes in the scope of family headship

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Abstract

The family as a social institution is the basic core of the society and the origin of its specific and privileged position is not just the religious guardianship. In addition to all religious emphases and values which have been mentioned and in addition to all instructions which have been issued for proper formation, determining responsibilities, solution to the problem and strengthen family relationships, they have wide interests and values which are clear to all as tangible facts. Islam in its definition of optimal family has taken into account the principle of balance. In the Islamic view, men and women, as the bases in forming the family, have certain provisions and the scope of their obligations and rights has been determined within the family. Recognition of women's issues and correct judgment of the religious orders related to them without considering the unique role that the family plays and speaking of their personal and social rights and without full consideration to the role and position of this institution in the religious texts and references and from the perspective of holy God, is impossible and has no result just weakening or collapsing of this holy institution.

The methodology of this research is descriptive-analytic and in this study, the role of women in the management of the house, the limits of man's headship and the impact of social changes on it will be studied as well as the meaning of a guardian in the verses and accounts.

Keywords: man's headship, guardian, the provisions of women in the family.
Preface

Islamic family law system is based on empathy and dominant emotions among the members of family. The definition of family offering by the Islamic laws is neither like the system of patriarchy nor matriarchy, but a consultative system, the recommended system by Islam which is possible on the axis of consultation and sympathy along with the management and supervision of the man.

"This condition is necessary and so much important for running a family reasonably provided that the parties to the council, even in families that their children also have useful experiences have been developed from knowledge, piety and righteousness, the member of the council set their hand into task with virtue, justice and apathy toward the personal desires. It is clear that the implementation of decisions taken in the council is not absolute in the conclusions but this result must be implemented. Operating factor in the Islamic ideology is the gentle man who has been interpreted with the term of a supervisor in charge which means 'guide’ "1.

Whereas one of the efficiency of the family as a small but very sensitive and effective institution is to have supervision of an aware manager who has euphemism and required competency, in religious teachings, for the mother as a director and responsible for raising children can do her responsibly as a mother in a calm atmosphere and away from any concern in the execution of her duty about the family, the burden of running the family and the executive affairs related to out of home has been removed from her. This is a benignity and privilege which God has conferred to women, especially the mothers. According to the holy verse:

«الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاء بِمَا فَضَّلَ اللّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنفَقُواْ مِنْ أَمْوَالِهِمْ»

Men are in charge of women, because Allah has favored some of them over others and [also] because they spend of their property. "2

This guardianship and guardian does not mean to be the women's guardian and the arbitrary domination on their affairs but it is just a matter of management and insurrection to household tasks and since the management is an administrative task, it is not considered as a spiritual pride. Man is responsible for providing living expenses for family members and enduring economical problems but the woman is not responsible for family finances and can be the owner of all property and interests of her wealth. The result of the transfer of this responsibility to men is women's peace of mind and security and mental tranquility to do their divine mission as a mother and wife.

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2 Surah Nisa (4), verse 34.
This article examines the effects of social changes on the headship and guardian of men over women and the Islamic rules related to it and the following hypothesis will be tested in this way:

Hypothesis 1: guardian of man does not mean the sovereignty of man over woman and domination on all affairs.

Hypothesis 2: one of the results of social changes on this issue is the limit of the scope of man's headship in the family and considering the ability of women in administering family affairs.

The problem

Some philologists in relation to the meaning of "guardian" have declared: "The guardianship of men over women means the man provides aliment for the woman" \(^3\) and have written about the meaning of the verse «الرِّجَاالُ قَوَّامُاونَ عَلَاى النِّسَااء» ("Men are women’s protectors"): "The word "protectors" in the above verse means the rising which shows soaring and is contrary to sitting, but the rising of men over women in this verse means that men are in charge of affairs of women and respect their dignity." \(^4\)

However, different meanings have been offered for interpreting the term protector but they all almost agree in one sense and that is the dominance of the affairs. But the term dominance has been interpreted in different meanings such as supervision, management, undisputable sovereignty, etc. Some of these senses which were acceptable in the past, are now rejected socially and according to the changes in the level of knowledge and awareness of women and also the difference occurring in the relations between men and women and the changing of social attitudes towards the jurisdiction of men and women, and the men's guardian is more acceptable in the sense of consultative management; That is, it can be said that social changes has caused that convention found another perception of the guardian and has adjusted its meaning. In fact, what is accepted is the guardian in the meaning of surrounding on the issue totally. That is, if God has known the men's guardian over women's issues, it means men's surrounding and their management on the affairs of the women and this management is unquestionable and from the Lord in accordance with the text of the Holy Quran.

"Because men have the duty of expenditure for women, they have the responsibility of headship and management of the economical affairs of the family, and this is completely fair; In addition, it should be noted that spending on women's task is just and fair; because the housekeeping and raising children is the greatest honor that woman deserves to have in family relations and Justice demands that she be supplied of in all conditions to avoid grief about living which causes disorder and disturbance in her affairs and fails to keep her husband and children

\(^3\) Mokkaram Muhammad Ibn Manzur, Arab language, (c) third, Beirut, Dar al-Fekr al-Tabaeh val Nashro val Tozi-Dar Sader, 1984, vol. 12, p. 497.
\(^4\) Ibid.
happy and relaxed. Yes, assigning this responsibility to a woman along with her responsibilities in the family brought to him nothing but premature aging and exhaustion and resulted in a naturally calmness and lack of mental health of each spouse would therefore makes life bitter and difficult for them. “

Several canons stated in this holy verse:

«الرِّجالُ قَوهامُونَ عَلَى النِّساء»; It means men take charge of women's leadership and governance, and its reason rises out of the two valid things which one of them is God's blessing that the superiority of men over women is in menstruation matters, among them are the perfection of wisdom, euphemism and abundance of energy in divine actions and obedience and because of that prophethood, imamate, velayat, on the practice of jihad, accepting the testimony in all circumstances and the excess portion in inheritance and other cases are of characteristics of males. The second is that men pay the women's alimony and dowry, although the benefit of their marriage is common and equal for both. “بِما فَضَّلَ اللّهُ بَعْضَهُمْ عَلَى بَعْضٍ” is in “بِما فَضَّلَ اللّهُ بَعْضَهُمْ عَلَى بَعْضٍ” and also in “بِما فَضَّلَ اللّهُ بَعْضَهُمْ عَلَى بَعْضٍ” and “بِما فَضَّلَ اللّهُ بَعْضَهُمْ عَلَى بَعْضٍ” here is infinitive and the meaning of this part of the verse is that due to preference of God and due to their expenditure. But the reason of he did not say: «فضَّلَهم عَلَيْهِن» (God gave superiority to men over women) is that since all men do not have superiority over all women, according to some scholars' opinions, Because of so many women who are better than men, and also the masculine pronoun has been used for "giving priority" which includes superior men and superior women. Then added: The preference of some group over another one does not necessarily mean "the preference of a person over another one". According to the above opinion, there is no evidence of men's superiority in the verse which is identical to the claim, because when some men have priority over some women, and vice versa, so why we should say that men are superior to women? Then, this claim has been left without reason.... This is Imam Reza's response who states: "When a woman get marries, she takes the dowry, but this man who has to pay dowry; So God made man's portion higher and secondly the woman is under the supervision of the man, if she requires, it is the responsibility of man to pay her living expenses, but the woman is not responsible to pay living expenses of the man and if requires, she is not disciplined for the man's alimony. Therefore, the men's shares are made higher and it is that promise that Almighty Allah says: «الرِّجالُ قَوهامُونَ عَلَى النِّساء».

"There is again Imam Sadiq’s response to Abdullah bin Sinan's questions on this issue, who said: the enlargement of man's right is for this reason that the woman has dowry and mahr.”

We read in Zobdeh al-Bayan about the guardian verse:

«الرِّجالُ قَوهامُونَ عَلَى النِّساء بما فَضَّلَ اللّهُ بَعْضَهُمْ عَلَى بَعْضٍ»، يقومون بأمورهن و يسلطون عليهن كقيام الولاه على عدتهم بسبب تفضيل الله تعلالاً إياه عليهم بكمال العقل و غيره و بسبب ما ينطقون عليهن من أمواتهم و «الاثني تخلعون»

5 Nasser Ghorbannia, "the image of the family headed by a man in the mirror of revelation", Journal of Islamic law, base of specialized Nour magazines, winter 2009, No. 31.
نُشُوزَهُن يُنَعَّذُونَ أي الزوجات التي تخافن أيهها الأزواج عصيانهن وترفهعن عنهم و عن مطاوعاتهن فيما يجب عليهن بظهور أمارات العصيان والنشوز والأولى حل الخوف على العلم كما نقل في مجمع البيان عن الفراء، قال تعالى: "فَمَنْ خَافَ مِنْ مُوصِ جَنَفاً" الآية لأنه خوف النشوز لا يجعل الهجر والضرب "فَعِظُوهُنَّ وَ اهْجُرُوهُنَّ فِي الْمَضاجِعِ وَ اضْرِبُوهُنَّ" أي فعظوهن بالقول والنصوصه فإن لم ينفع الوعظ،ً

Sheikh Tusi in the interpretation of this word, said:
"قال الله تعالى: "قَدْ عَلِمْنا ما فَرَضْنا عَلَيْهِمْ فِي أَزْواَجِهِمْ" 9 يعني من الحقوق التي لهن على الأزواج من التي لهن على الأزواج، وقال تعالى: "وَ عَلَاى الْمَوْلُادِ لَهُ رِزْقُهُانَ وَ كِسْوَتُهُنَّ بِاَلْمَعْرُوفِ" 13 و منه دليلان أحدهما قوله تعالى "الرِّجالُ قَوهامُونَ عَلَى النِّساءِ" 12 يعني أنهم قوامون بحقوق النساء.

It means men are guardian for the women's affairs and this guardianship happens due to the sponsorship of women's living and this somehow leads to the limitation of the scope of guardian, because of the woman's life is wider than these slight things. The ksooh and El-knoif, and so on and said: "men are protectors of women", means that they are the protectors of women's rights.

Some have explained this issue in this way:
"If the verse to be considered for determining the duty not to grant the benefits, then it becomes clear that "الرِّجالُ قَوهامُونَ عَلَى النِّساءِ" which means men, you arise for the family. As it is stated for legal issues: "لله يوم القيامة ملك الورث بالعدل حكيم، و كتب لبني إسرائيل: "لا تكونوا قوماً يؤذون النساء". And also God knows the good relationships between couples of the responsibilities of the product of his guardianship and in many verses and accounts, the man is ordered to good mood and respect to his wife:

رحم الله عبدا احسن فيما بينه وبين زوجته فان الله عز وجل قد ملكه ناصبيتها وجعله الفقيم عليها.

9 Ahzab (33), verse 50.
10 Surah Nisa (4), verse 19.
11 Surah Baqarah (2), verse 228.
12 Ibid., Verse 233.
14 Surah An-Nisa (4), verse 135.
God bless the man who is good in his relationship with his wife, because God brought her to the man and put him as her guardian. “16

In fact, the man bears the duty of guardianship and protecting and based on the principles of Islamic ethics and not on the principles of authoritarian ruling and leads to some affects like love and mercy between spouses, and what has been put as the responsibility on man will bring nothing but peace and relief for him, because he considers meeting the needs of his wife and children as a capability and tries more to do it better. Since she headed by a man, the wife is obliged to obey her husband in religious conventional matters and also in making the house's sphere peaceful.

It seems that the differences existing in some religious jurists views on the guardian is related to culture of their time. and expressions like the one in Zobdat Al-bayan which sees the guardian of men over women as guardian of the governor on his subject or because of the abundance of wisdom and thoughtfulness in men, are their personal perception and a noteworthy point is that surely, all the signs of God are brought in approval of each other not in violation of the other and the guardian verse should be interpreted along with the other verse which encourages men in euphemism and interaction according to convention or the verses which warns human to avoid injustice, otherwise the divine verses put in conflict of each other and this is contrary to God's wisdom.

It can be said that men do not have innate superiority over women and this is according to the text of the Holy Quran which says: 17 «ٖهُوَ الَّذِي خَلَقَكُم مِّن نَّفْسٍ واحِدَة وَجَعَلَ مِنْهَا زَوْجَهَا....» Men and women were created from a single soul and there is no difference in their status and secondly, wisdom and ability to think and plan is an adventitious issue and is improvable by studying and learning various sciences and there is no difference between men and women in such cases; as well as physical strength and high frequency energy said above among natural advantages of men over women. Thirdly, other issues such as prophecy, leadership, velayat and jihad and increase of the inheritance and ... which are considered as men's advantages, has other legal reasons which do not fit in this article and are among specific issues to men not of their privileges; like many issues being specific to women and men do not have them such as the ability for pregnancy and lactating which are specific to women.

The condemnation of the Islamic law to patriarchy is related to the misperceptions of the concepts which have the connotation of duty in the Lord's language but from the sense of superiority, the advantages are received, while the Islamic system is one that cares the superiority and priority on the piety and fear of God.

The holy Quran has known virtue as the only criterion of the superiority of human towards each other and has not also talked of a genus or species there:

16 Muhammad ibn All-hurr Al-ameli, Wasael Al-shieh, Beirut, the Al Institute
17 Surah Araf 7, verse 189.
Surely the most honorable of you with Allah is the most virtuous one.\(^{18}\)

Here Allah addresses all human society and talks about superiority through piety and it should be noted that the verses of Quran have been revealed all to complete and not to violate each other because this is far from the wisdom of God that couldn't offer a subtle criterion for an issue.

"Although determining the status of women and men in the family and placing the legal standards for them will lead to consolidation and stability of family, considering ethical values and the rule of ethical relations increase the dynamics and efficiency of the family. Of course the family is an institution that cannot be established solely by moral advices. In this institution, the man is the head of the family and is obliged to respect the interests of family members, to provide the means of subsistence and comfort of his wife, good companionship with his wife, to try to educate their children and observe other privacies of the family. Wife while training the children, is also obliged to obey the man in marital privacy and cooperating and coordinating with her husband in important affairs of the family. The children also have rights, and they also are obliged to comply with instructions of their parents. Therefore, responsibility and dignity of each member of the family is clearly defined.\(^{19}\)

However, it is essential to note that if the responsibility only relates to performing of the duty, in the form of austere imperative framework, the family will be always a place of self-interest and conflicts, while God has established the determination of tasks and division of the tasks of house on the basis of morality, kindness and sympathy which has no conclusion just affection and solidarity between members and the following holy verse mentioning peace and friendship as the purpose of marriage has more consistency:

\[\text{وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُم مِّنْ أَنفُسِكُمْ أَزْوَاجاً لِّتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُم مَّوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَايَاتٍ لِّقَوْمٍ يَتَفَكَّرُونَ;}\]

and of His signs is that He created for you spouses of your own to find tranquility with them, and put love and mercy between you. In this, there are signs for those who reflect.\(^{20}\)

"Finality of the creation is of the principles of Islamic thought. Shari’a (Islamic law) arouse out of the absolute knowledge of God to the human reality and his happiness in this world and the Hereafter, and to teach people how to exploit existing potentials and to pass the way of progress and perfection. The theory of "natural divine law" among Islamic scholars, suggests that the rights of persons have roots in genetic reality and in line with human perfection and the Creator of the world who is aware of aspects of human existence and the abilities and capacities of his and the world, the best reference for determining is distribution and division of tasks and rights and could lead the human to the end which has created for him.\(^{21}\) And this guardianship

\(^{18}\) Surah Hojarat (49), verse 132.

\(^{19}\) Sobhani Mohammad Taghi, Mohammad Reza Zibaei Nezhad, An introduction to the character of women in Islam, Qom, Office of Women's Studies and Research, Bita, P. 86-88.

\(^{20}\) Surah Rome (30), verse 21.

\(^{21}\) Surah Taha (20), verse 50.
also encompasses the scope of legislation. These laws are like traffic lights which show the way of applying of natural talent for desire to purpose to the human and like development is the context of legislation and both have emerged in order to move toward a goal, so, inevitably are proportional to each other.  

Then the root of common law and proprietary rights of husband and wife should both be sought in common points and normal coordinates of them; for example, a couple both have the capacity and desire to be married, so nature has provided a document whereby it should be ordered for both by the existence of the container.

"Thus, in Islam men and women in the family environment have the same rights in that they are human beings. However, differences in gender and mental prevailing make them to have dissimilar rights and obligations. Dissimilarity of the rights of men and women in the scope that put the nature of men and women in dissimilar status implies more with justice and natural rights and provides better the happiness of family and also progresses the community better."  

Then this is noteworthy that God has dominated men on affairs of women in order to the superiority of the stipulation power in men, because according to this point that wisdom and realization by studying in the different affairs is expandable and this is not unchangeable and fixed, so it can not be a base for divine rules and another reason should be found for it. Certainly dangers that threaten woman community and the need which family members feel to the warm and sensible presence of mother and also providing the security of man when he is outdoors as well as the extraordinary power of women in the affairs related to the children and the husband are among other reasons of Islamic law's determining the boundaries in heading the family.

The benefit of human life is appropriate when a right is ignored for someone, a duty should also be placed for him. Different natural rights require different tasks and in ignorance of this rights and duties, the principle of balance and proportionality and observance of pure justice should be respected. So God has considered a duty for him after granting of any liability, and has not ignored anybody’s right such as making the child’s right necessary for the parents and this is another bases of man's guardian principles according to the moral principles.

"God has created man as a symbol of seeking, love and demand and woman as a symbol of being demanded and beloved and has placed desire and demand in man's instinct and flaunt in

22 Surah Nisa (4), verse 59.
23 Sobhani, Zibaei Nezhad, earlier, p. 66.
woman's instinct, and has compensated women's physical weakness by physical strength of man. Considering that women and men have not been created equal and similar in terms of labor force and austere productive and economic activities and violent activities and intolerable suffering of reproduction and its consequences in terms of its nature has been placed as the responsibility of women and this leads to the reduction of physical strength of woman and her ability to be in business, the Interest is to exempt the woman from the crushing compulsory efforts of living and has the opportunity with peace of mind and comfort to serve herself, her husband and children; Therefore God has obliged the man to provide the woman's living; In addition, the survival of femininity is also indirectly relevant to the comfort and happiness of man; because by providing the comfort and calmness of woman by meeting her needs, women could better make the spirit of man relaxed and this is of great value for him. 

Many verses in the Quran has addressed women or represent their personal, social, family,... rules and tasks. Among these verses, verse 12 of the Surah al-mumtahina refers to the duties of a faithful wife and says:

"لا يقتلن أولادهنّ ولا يزنين ولا يأتين ببُهْتَان يفُرِّن لَهُنَّ اللَّّّ إِنَّ اللَّّّ غَفُورٌ رَّحِيمٌ يأتين ببُهْتَان يفِرْ لَهُنَّ اللَّّّ إِنَّ اللَّّّ غَفُورٌ رَّحِيمٌ "

This noble verse while expressing duties of Muslim woman, also implies that the security, is one of the concerns of the Islamic system and a pious woman plays a great role in providing this security: security and intellectual and ideological safety, financial and economic security, family security, security of life, and political-social security which are woman's responsibility according to Quran and women as managers of the family in creating a safe environment for her children and husband and in forming of thoughts and goals of the family are of more important and decisive role. This security occurs under the coordinate management between spouses.

Perhaps it can be said that one of the reasons of explaining the guardian of men over women by the meaning of the governor on the subject, limitless admissibility, plenipotentiary chief is to indicate patriarchy and the tyrannical rule of men over women, which is the result of stereotyped thinking about the relationship between men and women in the family in society and yet its negative impacts can be seen in many families and social issues.

These interpretations are due to lack of attention to the changes which is raised out of time and space requirements and ignoring that will produce an irreparable blow to the principle of the Islamic law. Considering the time of revelation and also the biography of the Holy Prophet of Islam, Muhammad in relation to various issues, including the issue of women, indicates that the verses of Quran according to the dominant rational, moral and social conditions of the society, has tried to train and guide people to the desired divine perfection and the biography of Prophet Muhammad, especially on the issue of women indicates that he has tried to solve the problems of women and also change the attitude of the society toward women.

25 Morteza Motahari, Ibdi, p. 15.
26 Sura al-mumtahina (60), verse 12.
The Age of descent was a period in which the women were in the worst social conditions and lowest status in the family, and the Prophet, peace be upon him and his progeny, determine some rights for them which were unbearable and unbelievable in the social conditions of the period and according to the patriarchal ideas in Saudi and this is a very important point that the Islamic law is not only due to social changes, but also always beyond the publics' thought, has taken great strides to improve familial and social relations. The point is evident in disputes among the comments of jurists in different periods.

"If this verse is considered as an explanation of the task not granting the benefit, it becomes clear that «الرِّجالُ قَوهامُونَ عَلَى النِّساءِ» which means Men, you rise for family affairs, as for legal issues, said: «كُونوا قوامين بالقسط شهداء»... means Men, you're the guardian of the house, caretaker of the house, you do things outside, take charge of the administering of the family because the comfort and peace of a man is in the family”. 27

"... The meaning of the holy verse «الرِّجالُ قَوهامُونَ عَلَى النِّساءِ» is not domination of men over women... but on one hand, it means that men should bear the heavi ness of life and well being of women and their consistency. On the other hand, in marriage, God has decreed rights to women and men on each other and it's not like that only men have rights over women. If men did not provide women's rights the Islamic judge can compel them to provide women's rights. Men do not have the right to force their wives to work in their home, Of course, women should also provide for their husbands' rights mutually and it is possible to say that the rights of husband and wife are against each other. So when one of them refuses to observe the other's right without a reasonable excuse, the other can refuse to observe his/her right, the perfection and development of each of man or woman depends on the other as well and the human beings social system would be incomplete without each.” 28

Woman is the centre and focus of the family and can determine the family policy for each member with her positive characteristics and lead their life to the good and salvation. God has given women a wonderful power that even they have the ability to change the course of history, because men making history all have been raised in the lap of pious women.

Family is a safe and holy place for training and mental and social development of its members and mother as manager of this center have with peace of mind as a result of good and Islamic management of the man, could be the factor of social growth of the family members. She can lead them to socio-economic success by creating lively and inspiring spirit and by tact and prudence can help her husband to be a successful man.

"As a result, firstly, the verse «الرجاال قواماون علال النسااء» relates to the woman against her husband not a man. Secondly, this guardianship is not a criterion of virtue but also the duty. Thirdly, it is about the guardian of men and women in the family principles. Sometimes man is the guardian of woman and sometimes woman is the guardian of man, and many things are changed in familial principles . . . On issues related to the family, husband and wife, mother and child, and father and child have a series of reciprocal rights and fourthly, this guardianship under the terms of the contract is renewable and transferable."

Quran with positive and negative patterns declares that woman as an independent being dominates her own destiny, and the claim that her fate is doomed to subordination to men, or is under their authority and non-adjustable is an absurd and unfounded claim.

Women in the Holy Quran are illustrated as an independent human character and not dependant, who has the ability to change the course of her life and this, is a sign of the revival of the character of women by Islam.

Conclusion

According to Quran, of the most important responsibilities is the responsibility of women which is the training of human beings and this is a great mission that God has given to women. If we think that Islam says that women are weak, poor and unwise creatures, is a wrong perception. because it is far from wisdom of God to give the responsibility of training the human community and the internal management of the most important institution in society, that is, the family, to the incompetent and foolish people with deficiency of intellect. In many cases, men and women need each other, and none of them alone would have a prosperous life and this mutual need is the necessity of the creation and this is not considered as a reason for the superiority of none of them to the others or the weakness of one to the other and that the emotional aspect of women emerges more than men, not only is considered as an defect, but it is the requirement to prolong life. Thus, according to the given definition of a guardian and according to trends of social changes and changes created in men's attitudes towards the role of women in marriage and family as well as the existence of many differences in the contemporary women against the women in the age of descent in terms of the scientific level and social insight, etc. it can be said that the guardianship of man means the acceptance of a fair and ethical engagement and management and purpose of Islam from this boundaries is never to humiliate the woman and place her as a subordinate against the sovereignty of the man, because if the verse of guardianship is brought along with the

30 Sura Tahrir (66), verses 10-12.
other verses which mention the women's rights in the family, no result will not be acquired but establishing a family on the basis of peace, justice and communion which is the goal of the Islamic (Shari'a) and the man's management role by the contribution the woman's ideas and prudence to bring family to desired perfection, will be a pattern of Islamic management.
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