

An Islamic Perspective on Ethics in Educational Research

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This article discusses ethical guidelines from the viewpoint of the teachings of Islam and, although not ostensibly different, finds parallels in the manner in which ethics could be conceptualised in the context of research in education. It seeks an alignment between ethics from the perspective of being a professional engaged in educational research with a personal significance based on one's belief, which takes a holistic notion of life. The aims of being ethical researchers seem to be shared in many ways: protection, honesty and integrity. However, there is an added dimension of being accountable to God. The article first locates research within the wider context of Higher Education. Thereafter, to facilitate an understanding of ethics, as viewed from the framework of the Qur'ān, Ḥadīth and Muslim law; it will elaborate the predicate of moral-ethical judgements by addressing the concepts and terms of moral approval and disapproval and the ends to which the ethical-moral law is directed. To move beyond the theoretical to the practical dimensions, it will illustrate particular edicts which Muslims endeavour to uphold to meet their responsibilities to strengthen the legal, moral and social foundations of society and to counter those that suppress the dignity and worthiness of others. In addition to ideas about being accountable from a theological dimension, based on prophetic guidance, the notions of accountability will be deduced to emphasise that responsibility and accountability are related. Following on from this foundation, an attempt will be made to show the importance of holding people accountable, at least, within their domain of responsibility such as universities as they are entrusted by the public and others. In the context of the worldview presented by Islam, Muslim researchers are considered stewards meaning that the care and well-being of others comes first. Stewardship is both a Biblical and Qur'ānic concept meaning to be guardians. An outline of the guiding principles presented as a framework for the conduct of research demonstrates that by conducting their research in ethical ways, it will mean that they will be performing good deeds. These are meritorious actions rewarded by God. The article then proceeds to consider the ethical requirements of a university in the West Midlands, England, as a case study to examine the congruence, if any, with some of the ethical teachings of Islam. Based on the preliminary research, this article argues that Muslim researchers in education should be cognisant that their responsibilities are wider. It also clarifies to supervisors and ethics review committees the key principles which might inform the thinking of some researchers from the Muslim community and how their motivations would be ethical.

Key words: Academics, Education, Ethics, Faith, Islam, Research,

Introduction

Ethics is a sophisticated concept and ethical behaviour is contextual; what is considered right or wrong may be based on the moral codes which regulate it. Since these moral codes vary, people will look at ethics and think about them in different ways. Nevertheless, from whatever perspective a researcher considers ethics, they are important as they guide and support researchers to think through their beliefs, attitudes and, ultimately, their research conduct. They also help to expose some of the assumptions made at the design stages of a research project, and so, researchers are required to examine the appropriateness or inappropriateness of the decisions they make and actions they carry out in the field or at a desk. Ethics is concerned with the study of the principles and methods for distinguishing right from wrong, good from bad, and just from unjust (Haney and Lykes 2010; Yunanda and Abd. Majid 2011; Reeder 2011).

To support how researchers deal with ethical issues in their research, many institutions and professional bodies have established codes of conduct that reflect and represent their worldview, aims and objectives. One of the purposes of these guidelines is to assist the individuals belonging and working in these settings to conduct their affairs in appropriate ways so that individuals can be accountable and take responsibility for their actions and gain public confidence. For example, the British Educational Research Association's ethics and guidance documents are used by educational researchers and those active in many other disciplines (BERA 2011). As such, there are ethical codes which regulate psychologists (BPS 2009), lawyers (The Law Society 2015) and nurses (Goldsmith 2011). In relation to teaching, literature on its ethical and moral dimensions began to appear in the 1980s (Maxwell et al. 2016) and it is emphasised that educators are 'role models' (Lunenberg et al. 2007).

Some teacher educators in universities conduct research in a range of topics. They include Muslims, Christians, Hindus, Sikhs, Jews, atheists and humanists among others. For the purposes of ethical theory and principles determined for decision making, it is interesting to consider the approaches taken by academics from different religious communities and non-religious traditions and to find out to what extent their traditions inform their ethical philosophy. As employees, the ethical requirements of their studies have to meet institutional requirements. However, from the perspective of the individual, it may be pertinent to ask what else could be informing their guiding principles and goals? It is argued that for some academics the teachings of their religious tradition may be a contributing factor in their overall philosophical stance on the subject of ethics in conducting research.

Factors Influencing Ethical Perspectives

Several studies have investigated the spheres of influence that impact on ethical decision making. Andolsen (1997) showed that religion has a positive influence on ethical decision making. The study by Conroy and Emerson (2004) supported the evidence that religion positively impacts upon individual ethical attitudes. Moreover, religiosity has also been regarded as a determinant in shaping ethical values. Kum-Lung and Teck-Chai (2010) explored the influence of self-identification of religiosity with ethical behaviour. Those who self-identified as religious had a positive attitude towards business ethics. They also showed that intrapersonal religiosity was a significant determinant to attitude towards business ethics but interpersonal religiosity was not. Niles and Barbour (2014) concluded that their survey findings supported existing literature in that religion had a positive impact on ethical decision making. However, they suggested that more data was needed to assess the impact of other spheres of influence such as the work environment, peers, education and family. It would also be

interesting, they noted, to assess if specific religions have different impacts on ethical decision making (Niles and Barbour 2014). On the other hand, others may not relate their faith to research ethics and may keep them apart. At the same time, it is important not to assume that in practice believers in a religious tradition would necessarily follow the ethics of their respective religious tradition when conducting academic research. Thus, the degree to which these are related or can be separated is another key question (Fort 1996). There appears to be little in terms of the exploration of the relationship between ethics in educational research and ethics from the viewpoint of Islam, though attempts have been made in other fields (Abdul Rahman 2003; Al-A'ali 2008; Abuznaid 2009; Alahmad and Dierickx 2015).

Sources of Ethical Thinking and Practice

The academic tradition has tended to rely on the concept of universalised rational subject and liberal humanism of individualistic perspectives which places the duty upon individuals to be ethical (Halse and Honey 2010; Hammersley and Traianou 2012; Brooks et al. 2014). Other traditions, including Christianity and Islam, have been part of this historical development in influencing principles and practices of ethics. For some Muslims, the identity of their religion impacts on their ethical conduct, and therefore, parallels need to be sought. Yunanda and Abd. Majid (2011) have argued that Islam with its divine values plays an important role in embedding cognitive ethical values. It emphasises the unity of God, accountability to God and the concept of *maslahah* (public benefits) to be the foundations of ethics (Yunanda and Abd. Majid 2011).

Ethical issues have been discussed extensively within education and in most other academic disciplines, at governmental level and in other agencies (Brooks et al. 2014). There are requirements for social researchers to submit their research to ethics boards (Haney and Lykes 2010). These institutional and professional ethical requirements for carrying out research are conceptualised and realised in many different ways (Breakwell et al. 2012; Bryman 2016; D'Cruz and Jones 2014; Gregory 2003; Harcourt et al. 2011). However, many have several common features. Nevertheless, there has been variance over time in how people have conceptualised ethics and, as a result, ethical practice has diversified due to many reasons including changes in the methods used by researchers and the evolution of ethical sensibilities. For the purpose of this article, it is important for all researchers to note that there are differences between countries and cultures in many domains of ethical principles (Brooks et al. 2014) and that they are not universal but mainly informed by western values and systems (Brooks et al. 2014).

In addition to these ethical approaches, as an academic who engages in educational research and who identifies himself as a Muslim researcher in education, it is important to be acquainted with Islamic ethical requirements so that they become both an additional and fundamental means of meeting both institutional and religious requirements. At the same time, it is required that a responsive researcher is ethical. Thus, when these two come together it becomes more powerful. Bringing such a religious perspective to research ethics may also be relevant for other researchers, as it may result in acknowledging other sources of ethics. This may usefully inform researchers and supervisors to view ethics from the viewpoints of the teachings of Islam. At the same time, all researchers may have an opportunity to see Muslim ethics from the point of view of their participants should they be Muslims. The aim of this paper, therefore, is to complement existing frameworks by treating the Qur'an and Ḥadīth literature (sayings of Prophet Muhammad ﷺ) as examples of sources which inform ethical principles and practices. The central idea of this paper is to extend educational researchers' knowledge about the possible influence of scriptures on researchers so that they recognise that there may be other

sources of influence in other faith traditions as well. For example, this has been usefully done in other academic disciplines. Al-A'ali (2008) evaluated and surveyed the teaching of the Association for Computing Machinery code of conduct from an Islamic point of view. Al-A'ali (2008) demonstrated that teaching computer ethics in general, and computer ethics from an Islamic point of view in particular, clearly contributed to ethical behaviour of Muslim IT professionals with regards to software development issues. The article also attempts to show that there is an alignment between ethics as required from a professional engaged in educational research, and a researcher's beliefs. Thus, for a Muslim researcher, this alignment might be personally significant as it gives a holistic notion to ethics and covers all aspects of life.

This article begins by locating research within the wider context of Higher Education. To facilitate an understanding of ethics, as seen within the framework of the Qur'ān and Hadīth, some of the ethical guidelines and requirements from the viewpoint of the teachings of Islam are considered and transferred to the context of research in education. The paper then proceeds to look at the ethical requirements of a university in the West Midlands, England, as a case study to examine the congruence, if any, with some of the ethical teachings of Islam. Thereafter, implications are discussed and a conclusion is presented.

Research in Higher Education

Academics are under greater pressure to conduct research and increase their outputs. One of the reasons for this is that their reputation and that of their institution and their income is linked to research activities. In such a context and in a culture of 'publish or perish' (Colquhoun 2011), it is imperative for researchers to reflect and continuously review ethical principles and practices which they adhere to and uphold, primarily to minimise harm to all concerned.

Universities are committed to providing both their staff and students with support to ensure that research is conducted to high ethical standards. However, research studies show there to be many areas and types of lapses that can occur in universities, including breaches in institutional ethics and misconduct of research (Heyneman 2011). Kelley and Chang (2007) investigated what and where lapses in research ethics occurred in university settings and who they affected, acknowledging at the same time that the full range is unknown. However, they note that some researchers found that lapses took place due to employees putting their self-interests above honesty. Bruhn et al. (2002) also explored the intersection of ethics and professionalism among university members and offered a typology of ethics failure in academia. They stressed the need to reinforce what it means to be a professional and a good citizen in one's chosen profession. Rather than implementing more assessments and evaluations, they advocate an honest alignment between what researchers say they believe in with what they do to reduce incidents and the tolerance of ethics failure. Ethical standards are better served, according to Haney and Lykes (2010), through a concern for the underlying principles behind the guidelines for research with human subjects.

With the advent of social media and the subsequent availability of social media data sets, Zimmer (2010) outlined some ethical problems with a well-known Facebook case study. His aim was to use this case study to help expose the emerging challenges of engaging in research within online social network settings. He suggested that in the context of divulging personal information in social networking space, the notion of what constitutes "consent" [sic] needed to be further explored (Zimmer 2010, 323). He proposed that scholars engaging in research of this kind must recognise their own gaps in understanding the changing nature of privacy and the challenges of anonymising datasets. They must evaluate and educate various committees and others about the complexities of engaging in research on social networking sites, and

finally, they must ensure that their research methods courses, codes of best practices and research protocols recognise the unique challenges of engaging in research on internet and social media spaces (Zimmer 2010).

Conceptualising Research Ethics in Islam

For some Muslim educators, ethical conducts relating to education and research will emanate from the Qur'ān and Ḥadīth as well as disciplinary bodies as discussed above. In the Qur'ān, some ethical concepts have been defined through terms which include: goodness, rightness, truth, justice, piety, and their opposites such as oppression, deception, wrongdoing and others (Gwynne 2018; Maqsood 2010; 'Umaruddīn 1996). Those that are acceptable and considered good tend to have an umbrella term called *sālihāt* (good acts) whereas those rejected and denounced-are termed *sayyiāt* (bad acts).

However, in the context of research ethics, it is also useful to recognise two other terms which determine the rulings on the actions carried out by Muslims. These are *halāl* (permitted) and *harām* (prohibited). Often, the application of these tends to be confined to and used for regulating diet. For example, intoxicants are categorised as *harām*, prohibited; whereas fruits are *halāl*, permitted. However, for some, these specific terms apply to all walks of life. Thus, a Muslim researcher would be expected to be cognisant of this in carrying out research by distinguishing what is permissible, i.e. ethical, and impermissible, i.e. unethical.

Stewardship in Islam

Education viewed from the perspective of Islam should be influenced by the way the totality of its social, political and religious systems is organised and the worldview that underpins it. Thus, to understand the ethical requirements which would guide a researcher in education or their educational research, it is useful to consider the status of humans and the responsibility given to them.

A fundamental source of ethics for some Muslims will be revelation, i.e., the Qur'ān and the saying and approval of the Prophet. Islam is believed to be a complete way of life (Al-A'ali 2008), and therefore, ethical codes would have a wider remit, as will be shown below. Muslims consider humans to be representatives of God (Qur'ān Chapter 2: verse 30). This status of humans is further elevated by the knowledge given and acquired by them and through which they are able to benefit materially and spiritually. Therefore, a Muslim is a steward and a trustee who will be accountable (Rahman 1980). This means that abuse and oppression of all kinds would be questionable. Therefore, in practice, humans are to use all materials for the betterment of social and economical spheres of life within this responsibility. In the light of the above, for research purposes, some ethical codes may take on a more holistic framework for Muslim researchers. In terms of accountability, responsibility and utility, a Muslim researcher would be expected to include consideration of God's wishes, in addition to those of their participants, funders, ethics review committees, gatekeepers and others. For those conducting research, the issue of maintaining relationships is not only familiar but also significant. Researchers are required to maintain good relationships with all concerned: supervisors, participants, stakeholders, publishers and others. The scope of this relationship becomes wider for a Muslim researcher as they would be expected to maintain their relationship with God in conducting their research by fulfilling their duties to God as well. Taken from this perspective, research related to education and other disciplines would be guided and conducted with universal values such as honesty, openness, integrity, truthfulness, justice and dignity.

Nature of Faith and Morality

The Qur'ān and Hadīth literature consists of many paramount references to ethical principles and teachings. The relationship between Muslim life and faith is such that moral life is considered inseparable from the life of a faith and a Muslim's whole existence is permeated by ethical demands (Gwynne 2018, 90-91). For universities, this would imply taking the religious and spiritual needs of its student population into account, this could include making provision for Muslim daily prayers and catering for their dietary requirements.

Every individual has a discerning capacity and from such a conception of the soul the religion of Islam recognises a universal knowledge of the moral law by natural intelligence. This capacity is seen as the basis for the end judgment as depicted in the following verse: "And [by] the soul and He who proportioned it. And inspired it [with discernment of] its wickedness and its righteousness. He has succeeded who purifies it. And he has failed who instills it [with corruption]" (Qur'ān 1997 Chapter 91: verse 7-10). The verse also reveals the inherent sense of right and wrong within humans. Islamic theological anthropology regards humans as capable of comprehending what is good, but pride and greed, for example, make individuals fail (Raudvere 2015, 186). Thus the verse places a responsibility on the individual to refine themselves from wrongdoing which for Muslim researchers means having an additional higher accountability placed upon them beyond that of their institution, funding body and ethics committee – that of Judgement Day. Thus, this verse invites them to be mindful of the insinuation of their soul as they design, conduct and report their research.

Practically, inherent in this verse is the idea of the struggle by the individual. The verse has contributed to two major categories of *jihād*. The lesser *jihād* which is the external and physical whereas the greater is the internal and spiritual, which is the focus in this verse. Moreover, scholars further differentiate the latter category and within this, they include the everyday moral struggle against temptation which is an essential part of being Muslim (Gwynne 2018, 90-91). Muslim researchers must continuously strive against the temptation to deceive their participants and gatekeepers, swindle finances and misuse resources. They must also guard against favouritism and unfair practices.

Human Nature

To understand the conception of ethical life it is also important to understand the Qur'ānic view of human nature. The Muslim narrative of Adam and Eve exposes an absence of the 'original sin' and suggests that evil is not an inherent feature of humankind instead it is the "byproduct of ignorant choices" (Saud 2013, 46). The conflict between good and evil happened at their creation but both were forgiven for their omission against God's command, not to eat from the prohibited tree. Therefore, humans are not inherently sinful but naturally reasonable, and thus free to choose the correct path. Moreover, all humans have the potential for salvation and to behave according to the will of God. The fundamental principle of all Muslim thought and practice is consistency: being a Muslim means living with the awareness of God and that one must act in an ethical manner based on an obligation to the Creator of all life (Saud 2013, 52). Thus individuals will be held accountable for their actions in the world. The Qur'ān counsels: "So whoever does an atom's weight of good will see it and whoever does an atom's weight of evil will see it" (Qur'ān 1997 Chapter 99: verse 7-8).

In terms of governance in the 21st century university context, there are some useful principles which could be extrapolated. Humans have a propensity to lapse and, therefore, universities should not only put in place policies and contracts with their employees but should also give them continuous training as reminders of their commitment to work ethically for their

institution. For Muslims, the belief that all actions are to be judged suggests that there should be a mechanism to reward achievements and contributions and where misdemeanours occur, appropriate sanctions should be applied fairly with due process.

Accountability in Islam

The Qur'ān applies various terms to denote accountability. One of them is *mas'ul* which is derived from the root (s-a-l) meaning 'to question' or 'to obligate'. In other words, since Muslims have committed themselves to God, the Prophet and their teachings, as responsible believing individuals they are obligated to fulfil fully whatever they have committed themselves to, as the Qur'ān asks Muslims to enter Islam fully (Qur'ān Chapter 2: verse 208). Thus, if Muslims fall short of this, they know that they will be held accountable.

The term *mas'ul* and its variants appear many times, in different contexts and in reference to God and humans. For instance after God promises the righteous to be rewarded whatever they will wish in Paradise, the Qur'ān says regarding this promise that "It is ever upon your Lord a promise [worthy to be] fulfilled" (Qur'ān Chapter 25: verse 16). In addition, it also features in the context of protecting the property of orphans where it says commitments will be questioned (Qur'ān Chapter 17: verse 34). After this the Qur'ān instructs sellers to full measure when they measure and weigh with an even balance (Qur'ān Chapter 17: verse 35). Thereafter, it emphasises that even the ears, eyes and hearts will all be questioned (Qur'ān Chapter 17: verse 36). Other verses stressing accountability include reference to messengers who had received the Divine message being questioned about its delivery to people (Qur'ān Chapter 7: verse 6) and, in general, all wrongdoers will be questioned (Qur'ān Chapter 37: verse 24).

As a collective these verses point to spiritual, cognitive and behavioural domains. Not only does the Qur'ān emphasise accountability it also enumerates the benefits of being accountable and responsible. Therefore, a Muslim is responsible first and foremost to God and the Prophet, then to themselves and their family followed by society in general and to the natural world as well. Therefore researchers need to bear in mind that research may take place in a socio-political context. In other words they should also consider the likely consequences of their work for the society and for the research participants.

Equality before the law

In understanding responsibility and accountability just as it is important to know the incentives for ethical living, it is equally important to know the disincentives of unethical living. This balance is reflected in the role that the Qur'ān attributes to the Prophet where it states that he was a giver of good tidings and a warner (Qur'ān Chapter 5: verse 19). So Islam confirms multiple methods of achieving righteousness and to eradicate wrongdoing from the society. For example, it teaches that theft is wrong, but simultaneously it creates a social structure wherein theft will be considerably reduced, if not totally eliminated. To eliminate poverty Islam enjoins the system of Zakat (obligatory charity) to be given, among others, to the needy and poor; one of its aims is the reduction of theft by meeting the basic human need. Hence Muslims are expected to avoid and be mindful of these teachings as well, some of which are discussed below.

In their public and private dealings corruption in all its forms has to be eradicated. Historically, one of the possible reasons for the lack of attention in many Muslim societies to

this behaviour can be attributed to the high illiteracy of the direct knowledge of the Qur'ān, ḥadīth and biographies of previous leaders especially of the Companions of the Prophet coupled with the separation of religion and politics. The Prophet is also shown to be accountable. In relation to his duties as a prophet, some people in his community demanded that he brings a Qur'ān other than the one he presented to them or change it. In response God instructed the Prophet to declare: "It is not for me to change it on my own accord. I only follow what is revealed to me. Indeed I fear, if I should disobey my Lord, the punishment of a tremendous Day" (Qur'ān Chapter 10: verse 15). Likewise, his first *Khalīfah* (successor) Abu Bakr, in his inaugural speech, publicly announced that he had been given authority over them although he was not the best among them. He asked them to help him in doing good and to put him right if he did ill. He also declared that the strong and weak were alike to him. He would render justice to all without fear or favour and that they should obey him as long as he obeyed God and His prophet and if he disobey them, they owed him no obedience (Hasan 1998). Not only does this show that they recognised their responsibility but it also demonstrates that they did not consider themselves to be above the Divine Law.

Teachings of the Qur'ān

The teachings of Islam encourage certain values and reject others. It approves of the moral teachings of the Jewish scriptures as depicted in the decalogue although it does not appear as such in the Qur'ān. There are several verses which can be used to encourage individuals and corporations to adopt in order to guide their conduct and dealings. For instance, deception is rejection as "Allah does not guide he who is a liar" (Qur'ān 1997 Chapter 39: verse 3). In addition, those who are entrusted with duties and funds are to discharge these faithfully, truthfully and should not conceal any testimony (Qur'ān 1997 Chapter 2: verse 283). Simultaneously, it rejects fraud (Qur'ān 1997 Chapter 83: verse 1-4), theft (Qur'ān 1997 Chapter 5: verse 38) and regarding bribery, it teaches that people should "not consume one another's wealth unjustly or send it [in bribery] to the rulers in order that [they might aid] you [to] consume a portion of the wealth of the people in sin, while you know [it is unlawful]" (Qur'ān 1997 Chapter 2: verse 188). In an organisation it is important for employees to be mindful of wasting resources of all kinds. An Islamic principle discourages this stating: "But waste not by excess: for Allah loveth not the wasters." (Qur'ān 1997 Chapter 6: verse 141).

In general, barring the above exceptions, the Qur'ān allows mutually beneficial and consensual exchange (Qur'ān 1997 Chapter 5: verse 29). Once these take place it is preferred to document them. Islam expects documentation of the terms of a contract to mitigate the risk of moral problems. It says: "O Believers! Whenever you lend money for a particular period, write and someone among you must write it justly. And the one who can write must not refuse" (Qur'ān 1997 Chapter 2: verse 28) and such promises must be fulfilled as they shall be questioned about (Qur'ān 1997 Chapter 17: verse 34). This paves the way for researchers to ensure they have explicitly taken consent from their participants to show their accountability to them and to keep appropriate records. In ordinary transactions, Muslims should apply this principal more widely to mitigate against loss and cheating. Overall, for Muslims, a golden principle of note can be encapsulated in the phrase: "Goodness and evil cannot be equal" (Qur'ān 1997 Chapter 41: verse 34). The Qur'ān makes reference of corruption in various guises. In one verse it orders: "Do not eat up one another's property unjustly nor bribe with it the judges in order that you may knowingly and wrongfully deprive others of their possessions" (Qur'ān Chapter 2: verse 188). In another verse it deters from it

noting that: “Corruption has appeared on land and in the sea for what men’s hands have earned, that He may make them taste a part of that which they have done, that they may return” (Qur’ān Chapter 30: verse 41). For researchers it is important to take on the responsibility of identifying the sources of any remuneration. Also they should ensure that sponsors do not compromise the integrity of their research or dictate the conclusions reached.

The Ḥadīth Literature

The auxiliary source of Islamic moral teaching is the Prophet Muḥammad (ﷺ) himself; his actions, sayings and silent approvals (*Sunnah*). The life of Muḥammad (ﷺ) complements the revealed truth found in the sacred text and is understood to be its living commentary as he applied its ideals to his own words and deeds (Gwynee 2018, 92).

Corporate institutions tend to have fixed salary paydays. However, outside this, the Prophet has encouraged Muslims to pay the labourer his due before his sweat dries (Ibn Mājah 1993, 3, 2443). This would affect employer-employee relationships. As a metaphor it is directing the speedy payment of their due, regardless of the type of job, otherwise a delay without a legitimate reason would be unjust. Similar to the Qur’ān, the Prophet warned against lying (Abū Dāwūd 1996, 3, 4971). Another important teaching to be applied in all walks of life is that a Muslim is to avoid harming others with his tongue and hands (al-Bukhārī 1986, 1, 9).

There is also a general social responsibility placed upon individual Muslims. In contemporary parlance the term ‘whistle blower’ is in vogue. Parallels to this can be drawn from one of the teachings of the Prophet wherein he indicated the use of appropriate means to alert people to their mishaps. He encouraged that if someone observed a wrong they must right it by their hand if they can (active prevention). However, if they were unable to do so, then could use their tongue (verbal declaration) and lastly, if they could not do so, then they should consider it wrong in their heart (silent rejection). The final is the least expression of their faith (integrity) (Ibn Mājah 1993, 5, 4013).

The Law in Islam

The Qur’ān and Ḥadīth literature consists of many important references to ethical principles and teachings as established above. These are mainly expounded in the Sharī‘ah law. The sacred law of Islam is known as the Sharī‘ah. Literally, it means the way to a watering-hole. Technically it refers to the path of God’s commandments which lead to success. Muslims regard it to be firmly based on divine revelation. The eternal law of God is rendered accessible through the Sharī‘ah which encompasses the social and the individual, the civil and the criminal, the ritual and the ethical (Gwynee 2018, 92). Thus, morality and legality coincide, and what is right and wrong is defined by the Divine law. From this elucidation it is clear that the scope of the Sharī‘ah is more extensive than Western concepts of law, as the former covers all aspects of life. The implication for the Muslim is that whilst many of their dealings can be dealt with in any human court, the ultimate accountability has to be left for the Day of Judgment. Second, from the viewpoint of the law, in theory, every Muslim from the *Khalīfah* (leader) and the layperson is subject to it. Thus there are two main incentive schemes. The external and worldly preventer and the eternal which relates to the spiritual dimension. The former is outlined in the Sharī‘ah and the civic law and the spiritual incentives are connected with the rewards and punishments both in this world and in the

Afterlife. Therefore in Islam since people are accountable before God their deeds are determined not only by the incentive to avoid being caught by the civil law but significantly in avoiding the questioning, accountability and punishment in the hereafter by God.

Muslim scholars used these Qur'ānic verses and prophetic narrations as recourse for instruction, whenever and wherever needed and took them beyond the scope of the time in which they were revealed and uttered (Kinberg 2009). Over time these became codified as law. Therefore it is important to know about this so that the everyday lived reality of Muslims becomes apparent, what influences them and how they understand Islam. It also assists in addressing the question of how the Qur'ān and the Ḥadīth, both of which are dated more than 14 centuries ago, may guide contemporary matters. The ongoing contemporary problematic matters are solved from an Islamic point of view by certain mechanisms through which the rules understood and acted upon. This can be akin to other religions when an opinion is declared about new issues such as removing a ventilator for a patient.

Other Sources of Law

In the case where the Qur'ān and the Ḥadīth do not mention any ruling or guidance on new developments, Muslim qualified jurists apply many mechanisms to derive rules for such issues. This process is called *Ijtihād*, which means, making every effort to arrive at a correct decision. *Ijtihād* is one of the principal characteristics of Islamic jurisprudence and it uses both the Qur'ān and the Ḥadīth, and also uses other 'tools' to make juristic decisions.

It is important to recognise that for the majority of Muslims the law is constituted from four main sources. The Qur'ān, which is believed to be the Word of God, revealed piecemeal to Muhammad by the angel Gabriel as needs and occasions required. The practice of the Prophet (ﷺ) (Sunnah) as preserved in countless *ḥadīth* traditions. Then there is the consensus (*ijmā'*) of its leading scholars or that of the Ummah (Muslim community). Use is also made of analogical deductions (*qiyās*) and past decisions as precedents for each new situation with reference to the first three sources. Other factors such as concern for the public good, equitable preference, customs are also taken into account. All these mechanisms fall under the source methodology in Islamic jurisprudence (*Usul al-Fiqh*) (Esposito and Delong-Bas 2018; Brown 2017, 182).

It is this paradigm which allows Muslims to claim that Islam has a satisfactory solution for every problem, in every situation, for all times to come as there are broad principles which have been laid down in light of which scholars of every time can deduce specific answers to the new situations arising in their age, rather than the Qur'ān and Sunnah providing a specific answer to each detail of their lives (Maqsood 2010, 270). Contemporaneous and contextual queries based on innovation and personal circumstances are often dealt with recourse to a Mufti, a qualified jurist, who issues a *fatwā* which is a 'new' legal opinion or verdict as a clarification of whatever case arises where there is a lack of explicit directive in the Qur'ān and the Sunnah (Maqsood 2010). As such this leads to a diversity of perspectives. Importantly, it is through this key instrument that Muslims find guidance in their everyday queries. Therefore researchers and universities are able to seek guidance to understand Islamic rules and perspectives regarding any research which they carry out which may or may not be related to Islam and Muslims such as the creation of research biobanks or cloning.

The Prophet also taught that righteousness was good character and sin was what causes uneasiness in the heart and one dislikes others to become aware of it (Muslim 1971, 4, 6195).

This relates to matters which may be decided by conscience unlike those where the teachings of Islam make explicit rulings. Thus a God-conscious person would feel uneasiness in their heart and dislike committing a doubtful act publicly; indicating that the act is best avoided. In contrast, a transgressor tends to ignore these inner prompts and follows their desires.

As a guide to the Muslim, the conscious should be listened to as it carries with it the stirrings of God's will (Maqsood 2010). In other words, in the teachings of Islam, the conscious is utilised to determine the huge range of actions that may not be specifically ruled to be *ḥalāl* (allowed) or *ḥarām* (forbidden). Sometimes a matter might fall into several categories, depending on the circumstances, and how one's conscious feels about it, as detailed below.

Categorisation of rules

Based on the understanding and interpretation of the sources, the ethical rulings and responsibilities regarding Muslim behaviour and actions within the Sharī'ah are not limited to two categories – right and wrong – but five as determined by jurists. There are individual compulsory ones (*farḍ or wājib*) such as fasting in Ramaḍān, daily prayer and pilgrimage as God has commanded them. In a sense these are also communal obligations. The emphasised Sunnah are followed by those actions which are highly recommended but not compulsory (*mandūb or mustaḥab*) such as offering voluntary prayers, which are pleasing to God. The deeds falling in the *mubāḥ* are those which tend to be decided by conscious as there is no explicit guidance. Then there are actions which are disliked or disapproved (*makruh*) such as divorce; God has not prohibited it but deprecates it. At the other end of the spectrum is the *ḥarām* category which is forbidden, such as committing adultery or eating pork, where God has expressly forbidden them (Maqsood 2010, 270; Espositos and Delong-Bas 2018, 56). Similarly, the prohibitions fall under major sins and minor sins, the disliked and those which are preferred to be avoided.

Methodology

This research involved the study of a university policy concerning the ethical principles and procedures for conducting research. From the perspective of research methodology, as a form of qualitative social research method, documentary analysis is an important and invaluable research tool in its own right and in understanding social action (Mukherji and Albon 2018). Connolly (2016) maintains that this is particularly true in the area of education where educational settings have a wealth of documents. It is concerned with the investigation, analysis and interpretation of data generated from the study of documents and records by researchers to provide meaning around a particular relevant topic. The documents cover an extensive range of different kinds of sources, both public and private. The examination of this policy falls under the public domain category which can be used by organisational ethnographers as part of their study (Bryman 2016).

There is a range of problems faced by researchers carrying out documentary research which require consideration (Mukherji and Albon 2018). The policy is genuine and is considered authentic and meaningful, as it is clear and comprehensible to researchers. Nevertheless, it is important to recognise that the document is the work of a group of people who are credited with producing it, and, as such, it is likely to have a particular perspective which these people want to convey (Bryman 2016). The document has integrity and was considered credible as it was free from distortions and mistakes, being an official policy of the university produced for students and employees and publicly available with the aim of guiding research. Nevertheless, it cannot be regarded as giving an objective account of a state of affairs (Bryman 2016). In relation to its representativeness, it is noted that the policy does not represent the entirety of

existing related documents on the subject which the ethics committee of the university might have.

There exists a surface and a deeper level of meaning in documents. The latter is achieved through analysis, interpretation and looking for the manner in which the discourse shapes the ideas about ethics, what is considered appropriate in a given situation and the role researchers play in conducting research (Woofitt 2008). The literal meaning has often concerned historians, whereas, sociologists uncover deeper meanings (Punch and Oancea 2014).

There are several ways of thinking about documentary analysis and many theoretical perspectives that can be applied (Punch and Oancea 2014). Based on key ethical teachings identified from the Qur'ān, an initial reading of the entire policy document was undertaken to identify and highlight comparable terms. In the second reading of the policy, specific terms denoting key ethical requirements were used as a framework to identify salient elements of the policy document and these were then related to their equivalents in the Qur'ān. Since further analysis was not required, these were not grouped to create categories.

There are obvious limitations to this method. The documents, being products of human activity, are positioned within the limitations of 'particular social, historical or administrative conditions and structures' and they 'depend on where they are used, by whom and to whom' (Punch and Oancea 2014:251). However, it is worth emphasising that the aim of this study was not to judge or assess the extent to which this policy conformed, or otherwise, to the Qur'ān, but rather, it sought possible alignments between the two sources of ethics.

Institutional Ethics and Islam

In this section, an examination of the ethical statements and requirements of a University, in the West Midlands, England, is carried out from the view of a Muslim educator using some of the teachings of the Qur'ān. The aim is twofold: to search for congruence, if any, so that confidence in conducting research based on these requirements is strengthened and to add value to the conceptualisations of ethics in research.

There are five statements related to the conduct of and decisions made by staff at this University (BCU 2010). The University expects that staff will behave professionally and ethically in all its activities. This implies that staff and students who are engaged in research and other activities are aware of the ethical implications of such activities and are committed to discharging their responsibilities to the University, to clients and to research participants in an ethical manner, conforming to the highest professional standards of conduct. It recognises that issues of morality, safety and personal and institutional liability affect the University at many levels. Therefore, the University wants to be seen to be acting with propriety and care for the welfare of staff, students and the wider public. Thus, the practice of ethics is about conducting one's research in a disciplined manner within legal and other regulated constraints and with minimal impact on and detriment to others. It is, therefore, the responsibility of staff within the University to consider the ethical implications of their research, using the framework as a guide to fulfilling their obligations. In addition, it is the responsibility of faculties to ensure that staff and students are aware of their ethical obligations and that processes are in place to support them when elaborating methodologies, responding to the ethical requirements of funding bodies, or confronting ethical dilemmas.

In addition to the ethical statements above, there are four broad principles to implement within this University's ethical framework. Some of these relate to the ethical framework mentioned

above. Below, these principles have been studied from the perspective of Islam. In addition to the above aims, the synthesis will attempt to demonstrate the degree of importance on various ethical issues and how they are realised by the University and the Islamic ethical system. One of the objectives is to show some of the common ground that exists between the two and, also, to present the ethical codes of Islam in the context of research so that the Muslim audience, in particular, is enabled to achieve higher levels of ethical commitment and thus have a broader effect on their conduct as researchers and professionals. For each ethical issue of the University, where applicable, at least one verse from the Qur'ān is presented. Otherwise, the ethical issues have been clustered to show their inclusion within these two.

The ethical requirements of the University state that:

Staff and students shall be made aware of their responsibilities and obligations to consider ethical issues arising from their research at or on behalf of the University.

In line with the above, the Qur'ān requires Muslims to honour their contracts. For example, it says "...and fulfil [every] commitment. Indeed, the commitment is ever [that about which one will be] questioned" (Chapter 17: verse 34). Hence, this is a manifest instruction to satisfy the contractual agreement that has been made.

The dignity, rights, safety and well-being of participants must be the primary consideration in any research study.

Similar to the useful guidelines provided by BERA (2011), one can infer two points from the above ethical requirement: the research itself should not be harmful and the participants and/or co-researchers and any others involved in any capacity should have their dignity, rights, safety and well-being protected. Such a wide-ranging requirement is best encapsulated in a verse which is also comprehensive. The following verse counsels individuals against mischief: "And cause not corruption upon the earth after its reformation. And invoke [God] in fear and aspiration. Indeed, the mercy of [God] is near to the doers of good" (Qur'ān 1997 Chapter 7: verse 56). Therefore, research should not be used to spread mischief which includes dishonouring, harming, and infringing rights, and the promotion of the ill-being of others.

Informed consent is at the heart of ethical research.

Researchers gather data from their participants. This data is precious to these participants who are the actual owners and possessors of it as they may have acquired it through various means including study, transmission, experimentations and life experiences. In most cases, this knowledge is held by the possessors as something valuable either knowingly or unknowingly and so it is a kind of capital. In other words, their data could be considered to be a form of 'wealth'. Once data is conceived as being a valuable commodity belonging to participants, then, it should only be acquired by researchers from them with their permission. Along these lines, there is a verse which mentions two criteria that a person who wishes to take something from their rightful owner has to meet: justly and through mutual consent. The verse instructs: "O you who have believed, do not consume one another's wealth unjustly but only [in lawful] business by mutual consent. And do not kill yourselves [or one another]. Indeed, [God] is to you ever Merciful" (Qur'ān 1997 Chapter 4: verse 29). Hence, researchers have to obtain voluntary informed consent, preferably in written form, in a language understood by participants. Since this is a mutual agreement, participants should have a right to withhold their 'wealth', which they should be able to by withdrawing from the research at any time.

The ethical implications of research shall be assessed through a consideration of, for example: the sensitivity of any data that may be collected, with particular regard to matters such as age, colour, race/ethnicity, nationality, disablement, religion, sex, gender, sexual orientation, personal medical records and political beliefs;

In essence, the above is an attempt to ensure research is anti-discriminatory. Equity of all humans is a fundamental principle in the teachings of Islam. The Qur'ān (Chapter 7: verse 189) informs that humankind were created from a single pair (Hewer 2006). In addition, the significance of being just is reflected in the following verse: "O you who have believed, be persistently standing firm for [God], witnesses in justice, and do not let the hatred of a people prevent you from being just. Be just; that is nearer to righteousness. And fear [God]; indeed, [God] is Acquainted with what you do" (Qur'ān 1997 Chapter 5: verse 8).

the transparency to junior research staff and participants as to the purpose and possible uses of the research; the research methods and any risks involved; the confidentiality of information provided by research participants; the security and well-being of participants; the arrangements for the security of data; the arrangements for ensuring the anonymity of participants;

Trust is a constant feature appearing in conventional ethical guidelines as well (BERA 2011; Brooks et al.2014). It seems to be at the heart of meeting most, if not all, of the above ethical requirements. A researcher has to keep in trust all the information offered by the participant and, in turn, the participant expects the researcher to hold that information as a trust. Should the above requirements be viewed from such a perspective, then the Qur'ān has several incentives for being trustworthy. It praises those "...who are to their trusts and their promises attentive" (Qur'ān 1997 Chapter 23: verse 8) and it also states that: "Indeed, [God] commands you to render trusts to whom they are due and when you judge between people to judge with justice. Excellent is that which [God] instructs you. Indeed, [God] is ever Hearing and Seeing" (Qur'ān 1997 Chapter 4: verse 58).

whether any payments are to be made to the participants or other rewards granted and the integrity of that provision; whether any special indemnification arrangements may be required; the intellectual property rights of all those involved in the research, including research staff, research participants and the university; arrangements for the publication of research results, including issues of co-authorship and acknowledgement;

BERA (2011) has explicit guidelines on misconduct and requires all educational researchers not to bring research into disrepute. To meet the above ethical requirements, there are some inducements and directives from the Qur'ān which are relevant. In research terms, honesty is a cornerstone for researchers as they have to be honest with themselves, their participants and external bodies. It is a quality which is frequently mentioned in the Qur'ān. For example: "This is the Day when the truthful will benefit from their truthfulness" (Qur'ān 1997 Chapter 5: verse 119).

Researchers seldom plan and carry out their research in isolation, although some do. The Qur'ān emphasises the process of consultation, which can be applied to all aspects of research: "And those who have responded to their Lord and established prayer and whose affair is [determined by] consultation among themselves, and from what We have provided

them, they spend” (Qur’ān 1997 Chapter 42: verse 38). Thus mutual arrangements need to be in place for property rights and funds. Moreover, the consultant has been placed in a position of trust (Ibn Mājah, 1993, 5:3745). Therefore, all those who are consulted are required to provide the most reliable, most beneficial and honest advice in order not to betray the trust placed on them. The onus is also on universities, for instance, to ensure consultants are hired with procurement by tender and due expertise.

Some educational researchers are provided with monetary funds, time and resources, internally and/or externally. This means that educational researchers have a responsibility to the community of researchers and to ensure this is met. BERA (2011) stipulates that all educational researchers must protect the integrity and reputation of educational research by ensuring they conduct their research to the highest standards. Therefore, care needs to be taken when using these provisions. One way of achieving this is for researchers to ensure they maintain their integrity at all times. For Muslim researchers this can be further enriched by knowing that all types of bribery are prohibited in the teachings of Islam: “And do not consume one another’s wealth unjustly or send it [in bribery] to the rulers in order that [they might aid] you [to] consume a portion of the wealth of the people in sin, while you know [it is unlawful]” (Qur’ān 1997 Chapter 2: verse 188). These are additional safeguards for ethical practices which guard against all forms of abuse and assist in ensuring that the concept of stewardship is fully observed. Universities and researchers apply for grants and goods. Some unscrupulous people may tempt researchers and employees responsible for tenders. To this end, stringent policies and checks must be place to prevent inappropriate behaviour since following the teaching of the Prophet, bribery has considerable potential of sowing the seeds of corruption in society. In other words, both are held accountable as the harm exceeds their own spheres to impact the wider community.

the desirability of an objective assessment being conducted of the ethical implications of the proposed academic activity by a competent person who has no direct association with it or the researcher(s) involved;

In carrying out the assessment, assessors of the ethical submission would need to be mindful of their professionalism and responsibility. In coming to a decision, the Qur’ān states: “Indeed, [God] commands you to render trusts to whom they are due and when you judge between people to judge with justice. Excellent is that which [God] instructs you. Indeed, [God] is ever Hearing and Seeing” (Qur’ān 1997 Chapter 4: verse 58).

the ethical issues/guidelines of any third party involved in the University’s activities, such as professional bodies or providers of research funding.

The above ethical code might fall under agreements and contracts. A general guidance from the Qur’ān includes third party arrangements as indicated in the verse: “O you who have believed, do not betray [God] and the Messenger or betray your trusts while you know [the consequence]” (Qur’ān 1997 Chapter 8: verse 27).

Research Implications

This article has briefly considered some of the principles and guidelines from the viewpoint of the Qur’ān. From the viewpoint of my identity as a Muslim academic involved in educational research, ethics is integrated rather than separated. In the field of education, such a conception has some implications for Muslim researchers and their participants, in particular, as they conceive, execute and disseminate educational research. The paper has emphasised the

expected behaviours of Muslims in the field of education and has also made other non-Muslim researchers aware of the Islamic codes of conduct which may guide Muslim research; mainly accountability and responsibility. It is anticipated that research supervisors, within the constraint of this paper, will become more familiar with the key principles of research ethics from the Islamic viewpoint and should be confident that, overall, the ethical requirements of research tend to fall under the remit of these guidelines. The Qur'ān, just like any other scripture, would feed into maintaining and supporting secular notions of ethics. Finally, this paper provides the foundations for future investigation emanating from this work within this important area of research in the field of education using the teachings of Islam. It has also pointed to further research on ethics among international students, in general, and trainee teachers in England, particularly in terms of what they understand by research ethics, what informs these understandings and the challenges, if any, they face in meeting ethical requirements in carrying out research.

Conclusion

This paper has attempted to align the methods of approaching ethics in educational research by discussing the ethical codes from the viewpoint of the teachings of Islam. After locating research within the wider context of Higher Education, it examined the ethical requirements of a University in England, as a case study and found some congruence with some of the ethical teachings of Islam.

Based on the preliminary research presented in this paper, Muslim researchers in education should be cognisant that their responsibilities are much wider. Firstly, they are stewards meaning the care and well-being of others comes first which is also a primary consideration in conventional ethics. Secondly, by conducting their research in ethical ways will mean that they will be performing good deeds. Thirdly, the accountability placed on Muslims extends to the Hereafter. However, it is important to acknowledge that there will be other ways in which ethical principles and practices are conceptualised among Muslims.

These ethical teachings demonstrate to supervisors and ethics review committees the key principles which might inform the thinking of some researchers from the Muslim community. On this basis, it is important to be aware that researchers from other faith backgrounds may also be informed by their own scriptures. Knowing this becomes relevant for opening up the avenues of understanding ethics from a wider perspective so that spiritual and holistic dimensions informed by religious ethics complement the conventions established in Higher Education institutions.

It is important for Universities, their partnerships and staff to be ethical, including with their international partnerships. There needs to be a reciprocal relation in relation to ethics whereby universities should only partner with ethical orientated organisations, simultaneously universities should conduct themselves in an ethical manner. Many university pride themselves in having global alumni. There is considerable opportunity for universities within their networks to demonstrate to people of all ages and backgrounds ethical conduct and systems. At the university the individual and collective strengths can be harnessed to inspire staff and students to further cascade ethical principle and practices. The analysis has also pointed to the significance of making the values of an institution active. Staff and student ought to give the outside world a sense of how people live their values and what they mean in practice.

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