



MAQASID AS-SHARI'AH AND SUSTAINABLE DEVELOPMENT

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OUTLINE

1. Introduction to SDGs and Maqasid al-Shariah
2. Mapping SDG and Maqasids
3. Application and Cross-country Achievements

DEFINITION OF MAQASID AL-SHARIAH

Maqsad: intention, meaning, reason, goal, objective

Maqasid Al-Shariah: the underlying reasons why the Shariah (principles and rulings) was revealed by Allah to human

What are those underlying reasons?

The Shariah was intended to bring benefits (and to prevent harms) from human in this world and in the Hereafter (Ibn Abd Al-Salam, d. 1262)

Majority of the scholars (except the Zahiris) view that the Shariah is rational, goal-oriented, and basically each ruling is based on clear goals

DEFINITION OF MAQASID AL-SHARIAH

Hikmah (wise purpose): benefits that are realized (or enhanced), or harms that have been prevented (or reduced)

Illah (basis): justification, synonym with hikmah during the early stages of fiqh development (including Al-Shatibi - d. 1388), but was narrowed down by later fiqh scholars

Should hikmah and illah be identified? Only in two situations: (1) qiyas, (2) presenting a ruling to the public

Example: Shortening the prayers and not fasting while traveling - what is the objective to be realized? What are the hikmah and illah behind this ruling?

HOW TO KNOW THE INTENTIONS?

“Inductive reading yields complete certainty.”(Al-Shatibi)

Rely upon all-inclusive inferences, from specific to general, rather than limited to isolated particulars

“The fundamentals of Shariah are not based on a single piece of evidence, but upon many such pieces, when taken together, convey a single message which is thereby invested with complete certitude.” (Al-Raysuni, 2006).

CATEGORIES OF MAQASID AL-SHARIAH

Various categorical divisions of maqasid al-Shariah based on different perspective:

1. Based on different priority levels of human interest (classical scholars)
2. Scope of laws on which the maqasid al-Shariah is built upon (particular, specific, general)
3. Extent of the benefits or harms to human (individual, society, national, global)

There are also suggestions to identify universal maqasid al-Shariah directly from Al-Quran and Al-Sunnah (Auda, 2006)

MAQASID AL-SHARIAH BASED ON PRIORITY OF HUMAN INTEREST

The Shariah was established to serve human interests in both this life and the next

Based on the inductive reading on evidences of Al-Quran and Al-Sunnah, the scholars have summarized five fundamentals of human interests:

Al-Shatibi	Al-Ghazali, Al-Amidi, Al-Subki
Religion	Religion
Life	Life
Progeny	Intellect
Wealth	Progeny (Al-Subki - lineage)
Intellect	Wealth

MS BASED ON HUMAN INTEREST PRIORITY

These five fundamentals are universal in nature - other religions have also established laws to protect and preserve these five fundamentals (Al-Ghazali, Al-Shatibi, Al-Qarafi, Al-Zarkashi).

Some scholars have added a sixth fundamental: dignity (Al-Qarafi, Al-Subki, Al-Shaukani).

MAQASID AL-SHARIAH BASED ON PRIORITY OF HUMAN INTEREST

Based on priority of human interest, maqasid al-Shariah (preservation of the fundamentals) can be divided into three levels:

1. Essentials (Daruriyyat)
2. Necessities (Hajiyyat)
3. Embellishments (Tahsiniyyat)

Some scholars added a fourth level: Perfection (Takmiliyyat)

This division was developed by the classical scholars

DARURIYYAT (D)

According to Al-Shatibi, D are things that are essential to achieve human being's spiritual and material well-being

Missing D - imbalance and major corruption in both this world and Hereafter

Greater or lesser corruption and disturbance to people's lives based on the extent that D is lacking

HAJIYYAT (H)

H is not separated from D, it is actually intended to reinforce and enhance D

H refers to interests that contribute to relieving hardship and difficulty from human life

It is intended to create ease in human life

Without H, human can still survive but would be facing hardship and difficulty that adversely affect this worldly life and Hereafter

H is not a matter of life and death, especially at the individual level

TAHSINIYYAT (T)

Human interests that are of lesser importance than D & H

Plays the role of enhancing and completing D & H

With T, both D & H could be produced with greater extent towards perfection

The aim of T is basically to realize honour and respect

In general, T includes things such as commendable habits and customs, etiquettes and high moral standard

MAQASID AL-SHARIAH BASED ON PRIORITY OF HUMAN INTEREST

How does the Shariah preserve D, H, and T?

Two complimentary ways (Al-Shatibi, 2006):

1. Preserving their existence by legislating (\sim command) that which will bring them into being, then perpetuating and nurturing their existence.
2. Protecting them from annihilation by preventing (\sim prohibition) that which would lead to their disappearance, destruction, or neutralization, be it a presently existing reality or something which is anticipated.

HISTORY



Millennium Development Goals



Earth Summit
1992

Agenda 21

Millennium
Summit 2000

MDGs

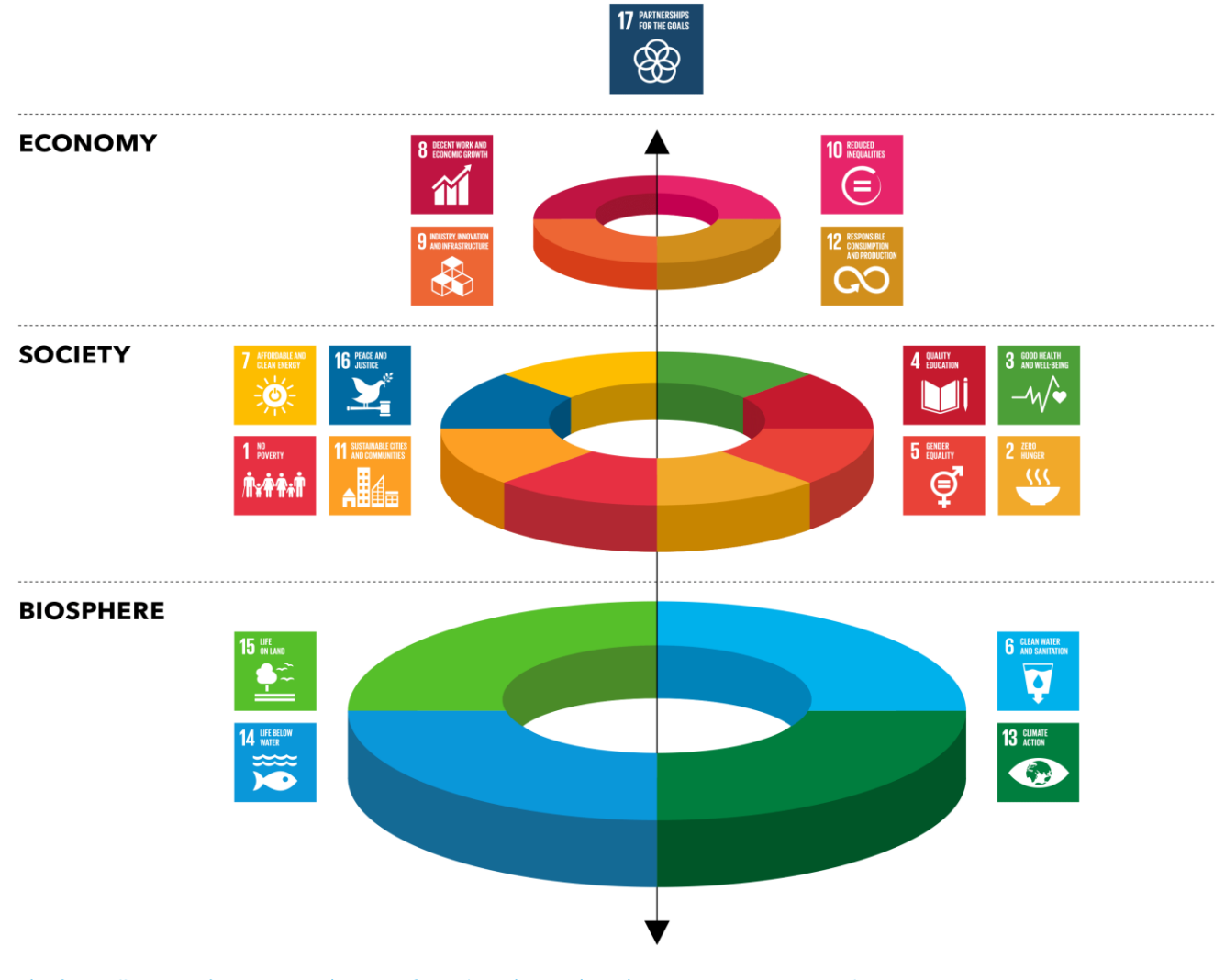
UN
Sustainability
Summit 2015

SDGs

THE SDG WEDDING CAKE

- “The wedding cake” icon was developed by Stockholm Resilience Centre led by Carl Folke.
- Shows that economies and societies are seen as embedded parts of the biosphere.
- The economy serves society so that it evolves within the safe operating space of the planet.

Credit: Azote Images for Stockholm Resilience Centre



HANDBOOK FOR PRODUCT SOCIAL IMPACT ASSESSMENT

Address the social
impacts along a
product's lifecycle.

Citation: Fontes, João & Gaasbeek,
Anne & Goedkoop, Mark & Contreras,
Soledad & Evitts, Simon. (2016).
Handbook for Product Social Impact
Assessment 3.0.



HOW EXTENSIVE?

- ❑ 17 goals
- ❑ 169 targets
- ❑ 232 indicators to measure compliance



TRANSFORMING OUR
WORLD:
THE 2030 AGENDA FOR
SUSTAINABLE
DEVELOPMENT

1 NO
POVERTY



2 ZERO
HUNGER



3 GOOD HEALTH
AND WELL-BEING



4 QUALITY
EDUCATION



5 GENDER
EQUALITY



6 CLEAN WATER
AND SANITATION



7 AFFORDABLE AND
CLEAN ENERGY



8 DECENT WORK AND
ECONOMIC GROWTH



9 INDUSTRY, INNOVATION
AND INFRASTRUCTURE



10 REDUCED
INEQUALITIES



11 SUSTAINABLE CITIES
AND COMMUNITIES



12 RESPONSIBLE
CONSUMPTION
AND PRODUCTION



13 CLIMATE
ACTION



14 LIFE
BELOW WATER



15 LIFE
ON LAND



16 PEACE, JUSTICE
AND STRONG
INSTITUTIONS



17 PARTNERSHIPS
FOR THE GOALS



WHY SDGs CLICK WITH OUR STUDENTS?

Millennials already have needs and aspirations that gravitate towards the SDGs



Greater
connection with
family



Sharing journeys
and experiences



Heightened
awareness of
what they eat and
where it's from



More conscious
spending patterns

Recycling



Slowing down



Climate action



Social justice



WHY SDGS CLICK WITH MILLENIALS?

“People respond to the power of positivity, to show how things can change using examples from peoples' lives that have been changed gives hope and promise and allows other people to want to invest in that hope and promise” - Oprah Winfrey

“There is no ‘Plan B’ because we do not have a ‘Planet B.’ We have to work and galvanize our action.” – Ban Kim Moon at People’s Climate March, New York City 2014

ARE SDG'S ALIGNED TO MAQASID AL-SHARI'AH?

SDGs are neutral tools and targets aimed to improve human welfare

Ibadah vs Muamalat – the original principle in muamalat is permissibility

The instruments and targets of SDGs could assist the realization of Maqasid Al-Shariah – practical, measurable indicators - tangible

Among the attempts to construct a Maqasid-based index for socio-economic development:

Towards a Maqasid al-Shariah based Development Index by Salman Syed Ali and Hamid Hasan (2014):

<http://www.irti.org/English/Research/Documents/WP/WP-1435-18.pdf>

MAQASID AL-SHARIAH BASED ON SCOPE OF LAWS

Contemporary approach to MS: scope of laws, from particular (juz'iyyah) - Fuqaha, specific (khassah), and general ('ammah) - Usuliyyun

General objectives: discerned from all or most of the situations where the Law applies, not exclusive to any particular ruling

General MS: To populate and civilize the earth; preserve the peaceful coexistence on earth; to ensure earth's ongoing well-being and usefulness through the piety of human as khalifah; to uphold justice, high moral standards and integrity in thought and action; and that human reform the earth, tap its resources and plan for the good of all (Al-Fasi, d. 1974)

MAPPING SDGS & MAQASID AL SHARI'AH



Faith (*hifdh-ul-iman*) : SDG goals 1,2,3,6, and 10 focuses on reducing vulnerability which in turn is believed to help strengthen their faith.

Life (*hifdh-ul-nafs*) : IF aligns with Goals 2,3,6,8, and 11 in ensuring healthy lives and promoting well-being for sustainable development.

Progeny (*hifdh-ul-nasl*) : IF helps people escape the poverty trap, promotes peace and protection of the environment just as the SDGs of 3,5,7,11,12,13,14,15, and 16. These are consistent with the protection of human progeny.

Intellect (*hifdh-ul-aqal*) : IF's alignment with SDG 1,2, and 9 facilitates access to healthy nourishment, quality education, and make children more productive in the future.

Wealth (*hifdh-ul-maal*) : IF promotes wealth transfer (SDG 10) which can help generate economic activity (SDG 8) and a social safety net (SDG 1 and 3).

INTERRELATION BETWEEN ESSENTIALS, NECESSITIES, AND EMBELLISHMENTS

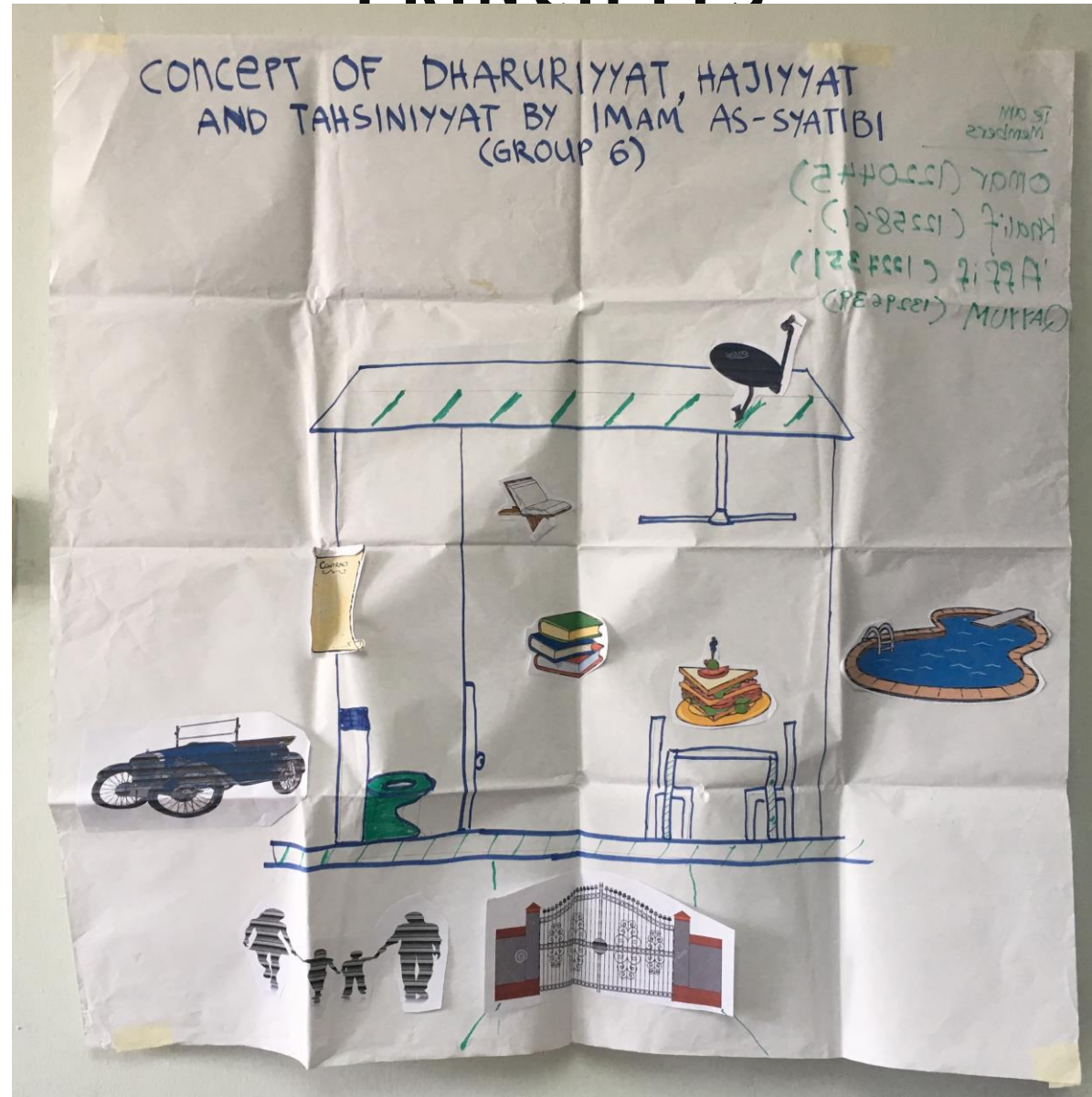
The three levels of maqasid are interrelated and should not be treated as separate levels

Al-Shatibi has formulated five principles to govern this interrelation:

1. Essentials are the foundation for necessities and embellishments.
2. Disorder in essentials lead to complete disorder in the latter two.
3. An imbalance in necessities and embellishments does not necessitate an imbalance in essentials.
4. A complete imbalance in necessities or embellishments may lead to a partial imbalance of essentials
5. Necessities and embellishments must be preserved for the sake of essentials.

Everything revolves around the essentials – reinforcing, completing and enhancing them – ‘sanctuary’.

VISUALIZATION OF THE FIVE PRINCIPLES



VISUALIZATION OF THE FIVE PRINCIPLES



APPLICATION OF MAQASID AL-SHARIAH IN SDGS

Priority: Elimination of risk in business transactions vs human need to engage in business transaction

Extent of benefits: Agricultural sector and food security; Debt-based contracts and reducing inequalities

Motivate the realization of SDGs through religious-ethical reasons

APPLICATIONS

Lebanon : Accounting for 80 percent of GDP in the country's poorest areas, such as in the Akkar district where Mikhael lives, agriculture is key to poverty reduction and economic growth. But while agriculture is Lebanon's biggest water consumer, productivity remains low. Improving irrigation, reconstructing channels and closing leaking networks can lead to more efficient and diversified agriculture, more jobs, securer livelihoods and economic growth.

SDG targets:

agricultural productivity (target 2.3), sustainable food production (2.4), economic growth (8.1) and ultimately poverty eradication (1.1). It also means less stress on groundwater resources, reduced risk for saltwater intrusion and drought, contributing to the SDG targets on water-use efficiency (6.4), protection of water-related ecosystems (6.6) and combatting desertification (15.3).



SDG ACHIEVEMENTS

<https://unstats.un.org/sdgs/indicators/database/>

THANK YOU