THE CONCEPT OF MASLAHAH AND DOCTRINE OF MAQASID (OBJECTIVES) AL-SHARIAH IN PROJECT EVALUATION

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Presentation Outline

- Introduction
- Shariah Objectives
- Classification of Maslahah
- Prioritization of Shariah Objectives
- Pyramid of Maslahah & Its Relation to the Maqasid al-Shariah
- Beneath the Maslahah
- Beyond the Maslahah
- Application of Maslahah and Maqasid al-Shariah on the Project Evaluation Procedure
- Conclusions and Recommendations
Introduction

• The significances of the concept of *maslahah* and doctrine of *Maqasid* (objectives) *al-Shariah* as put forward predominantly by Al-Ghazali and Al-Shatibi have a great impact on the project evaluation procedure in an Islamic framework.

• The incorporation of this concept into the project evaluation framework will greatly distinguish the Islamic framework from the mainstream one.
Introduction

- Other jurists who have discussed the same subject are, for examples, Al-Juwayni, Al-Izz Ibn Abd Al-Salam, Ibn Khaldun, Ibnu Taymiyyah and Ibn Al-Qayyim Al-Jawziyyah
Shariah Objectives

- Al-Ghazali: “…the Shariah objectives for the (welfare of) creation are five matters. They are preservation of the religion, life, mind, offspring and wealth. And everything that leads to the preservation of these five foundations is considered maslahah, and everything that leads to the disruption of these foundations is mafsadah, and its removal is maslahah,” (Al-Masri, 1999; Hasan, 1993).
Classification of Maslahah

First view:
• Daruriyyat
• Mukammilatuha
• Hajiyyat
• Mukammilatuha
• Tahsiniyyat
• Mukammilatuha

Second view:
• Daruriyyat & Mukammilatuha
• Hajiyyat & Mukammilatuha
• Tahsiniyyat & Mukammilatuha

*Mukammilat: Complementarities*
Prioritization of Shariah Objectives

- Jumhur
  - Religion
  - Life
  - Mind
  - Offspring
  - Wealth

- Hanafiyyah
  - Religion
  - Life
  - Offspring
  - Mind
  - Wealth
Pyramid of Maslahah & Its Relation to the Maqasid al-Shariah

Maqasid al-Shariah

- Bring into existence and maintain
- Preserve
- Enhance and put comfort

Maslahah

- Daruriyyat
- Hajiyyat
- Tahsiniyyat

Religion
Life
Mind
Offspring
Wealth
Diamond of Maslahah & Its Relation to the Maqasid al-Shariah

Maqasid al-Shariah

- Bring into existence and maintain
- Preserve
- Enhance and put comfort

Daruriyyat

Hajiyyat

Tahsiniyyat

Religion
Life
Mind
Offspring
Wealth
Beneath the Maslahah

- *Al-Taqtir* is a sort of niggardliness (*bukhl*) which is condemned by the Prophet PBUH (Al-Masri, 1999).
Beyond the Maslahah

- **Al-Israf**: This refers to the act of spending or investment in permissible (halal) activities but more than what is required. Self-indulgence (al-taraf) or living in great unnecessary luxury also falls under this category (cAfar, 1992).

- **Al-Tabdh ir**: This can be defined as any disbursement on unlawful (haram) or unjustifiable activities. Similarly, the fulfillment of lower-level needs in the presence of higher-level needs that are not being satisfied is perceived as an act of *al-tabdh ir* (cAfar, 1992).
Application of Maslahah and Maqasid al-Shariah on the Project Evaluation Procedure
Classification and Priority of Projects According to the Concept of *Maslahah* and Maqasid al-Shariah

<table>
<thead>
<tr>
<th>Main Categories</th>
<th>Beneath the Maslahah</th>
<th>Beyond the Maslahah</th>
</tr>
</thead>
<tbody>
<tr>
<td>Essential Elements of Man</td>
<td>Necessities</td>
<td>Conveniences</td>
</tr>
<tr>
<td>Religion</td>
<td>1st</td>
<td>6th</td>
</tr>
<tr>
<td>Life</td>
<td>2nd</td>
<td>7th</td>
</tr>
<tr>
<td>Mind</td>
<td>3rd</td>
<td>8th</td>
</tr>
<tr>
<td>Offspring</td>
<td>4th</td>
<td>9th</td>
</tr>
<tr>
<td>Wealth</td>
<td>5th</td>
<td>10th</td>
</tr>
</tbody>
</table>

The most highly ranked project

The least preferable project
Project’s Category, Status and Value According to the Concept of *Maslahah* and Maqasid al-Shariah

<table>
<thead>
<tr>
<th>NO.</th>
<th>CATEGORY</th>
<th>STATUS</th>
<th>VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Beneath the <em>Maslahah</em></td>
<td>Prohibited &amp; Unacceptable</td>
<td><em>Makrūh or Ḥaram</em></td>
</tr>
<tr>
<td>2</td>
<td>Necessities</td>
<td></td>
<td><em>Wājib</em></td>
</tr>
<tr>
<td>3</td>
<td>Conveniences</td>
<td>Required &amp; Acceptable</td>
<td><em>Mandūb</em></td>
</tr>
<tr>
<td>4</td>
<td>Refinements</td>
<td></td>
<td><em>Mubah</em></td>
</tr>
<tr>
<td>5</td>
<td>Beyond the <em>Maslahah</em></td>
<td>Prohibited &amp; Unacceptable</td>
<td><em>Makrūh or Ḥaram</em></td>
</tr>
</tbody>
</table>
The Integration of *Maslahah* Analysis into the Project Evaluation

![Diagram showing the integration of Maslahah Analysis into project evaluation]

1. Necessities
2. Conveniences
3. Refinements

Beyond the *Maslahah*
The Objectives of Project Evaluation

• Provision of necessary information on a project.
• Establishment of an order of priority among competing projects.
• Assessment of the profitability of a project.
• Rationalization of the allocation of resources among the various sectors and projects at the macroeconomic and microeconomic levels.
Project Evaluation Framework in Mainstream Economics

- Complex and thorough, yet has been developed in isolation of Islamic input.

- The GUIDELINES were developed by UNIDO and IDCAS (at macro level).

- Several technical methods were introduced, most well-known: NPV and IRR
An Integrative Islamic Framework for Project Evaluation

Qualitative Approach: Maslahah Analysis

Quantitative Approach: Commercial and National Profitability Analysis
Conclusions and Recommendations

• It is observed that the concept of maslahah or Shariah objectives has a significant impact on an Islamic framework for project evaluation and would greatly distinguish the Islamic framework from the mainstream one.

• It could determine an order of priorities in an Islamic framework.
Conclusions and Recommendations

• *Maslahah* analysis of project is imperative to ensure the coherence of the selected project with the *Shariah* objectives and the Islamic system as a whole.

• Furthermore, the *maslahah* analysis could rationalise the choice of a project in an Islamic framework.
Conclusions and Recommendations

• It is hoped that the international Islamic organisations such as the Islamic Development Bank (IDB) and the Islamic *Fiqh* Academy could collaborate and provide detailed guidelines for project evaluation from the Islamic perspective that are theoretically Islamic and practically viable as they have the expertise, data and experience to perform such a task.
وبالله التوفيق والهداية

والسلام عليكم ورحمة الله وبركاته