

Ta'amulat Ilmu FEM

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

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Presentation Outline

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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 Shari‘ah 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:

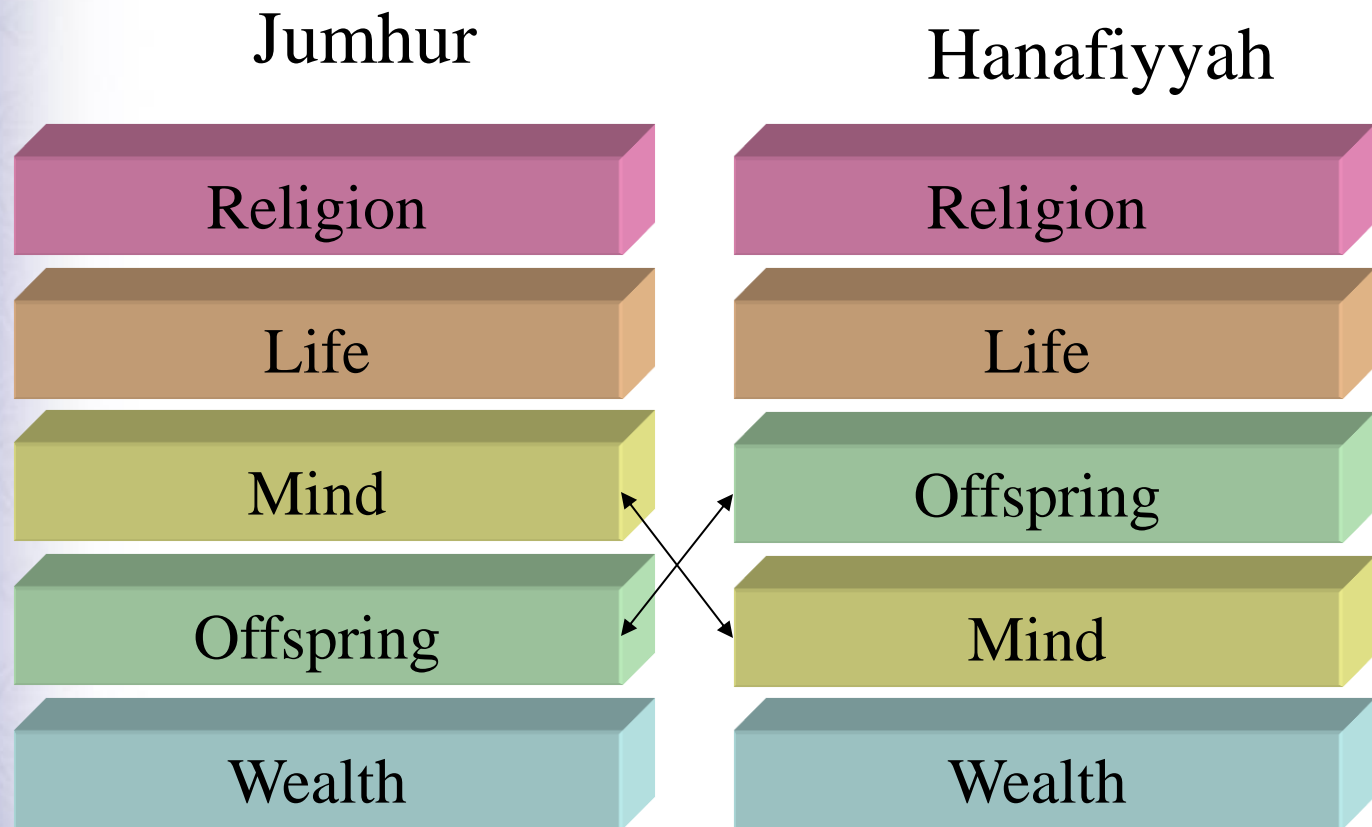
- Daruriyyat
- Mukammilatuha
- Hajiyyat
- Mukammilatuha
- Tahsiniyyat
- Mukammilatuha

Second view:

- Daruriyyat & Mukammilatuha
- Hajiyyat & Mukammilatuha
- Tahsiniyyat & Mukammilatuha

**Mukammilat: Complementarities*

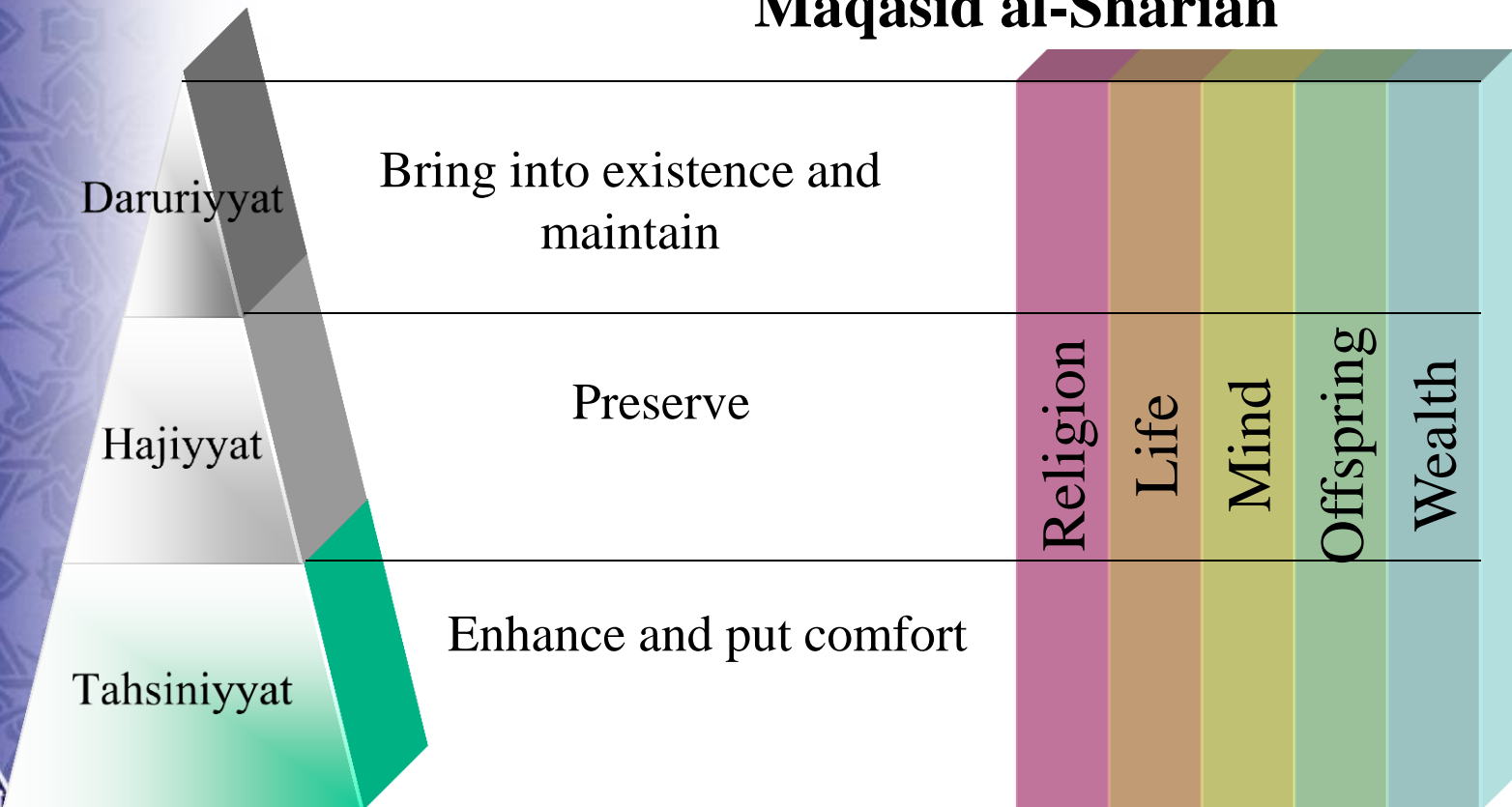
Prioritization of Shariah Objectives



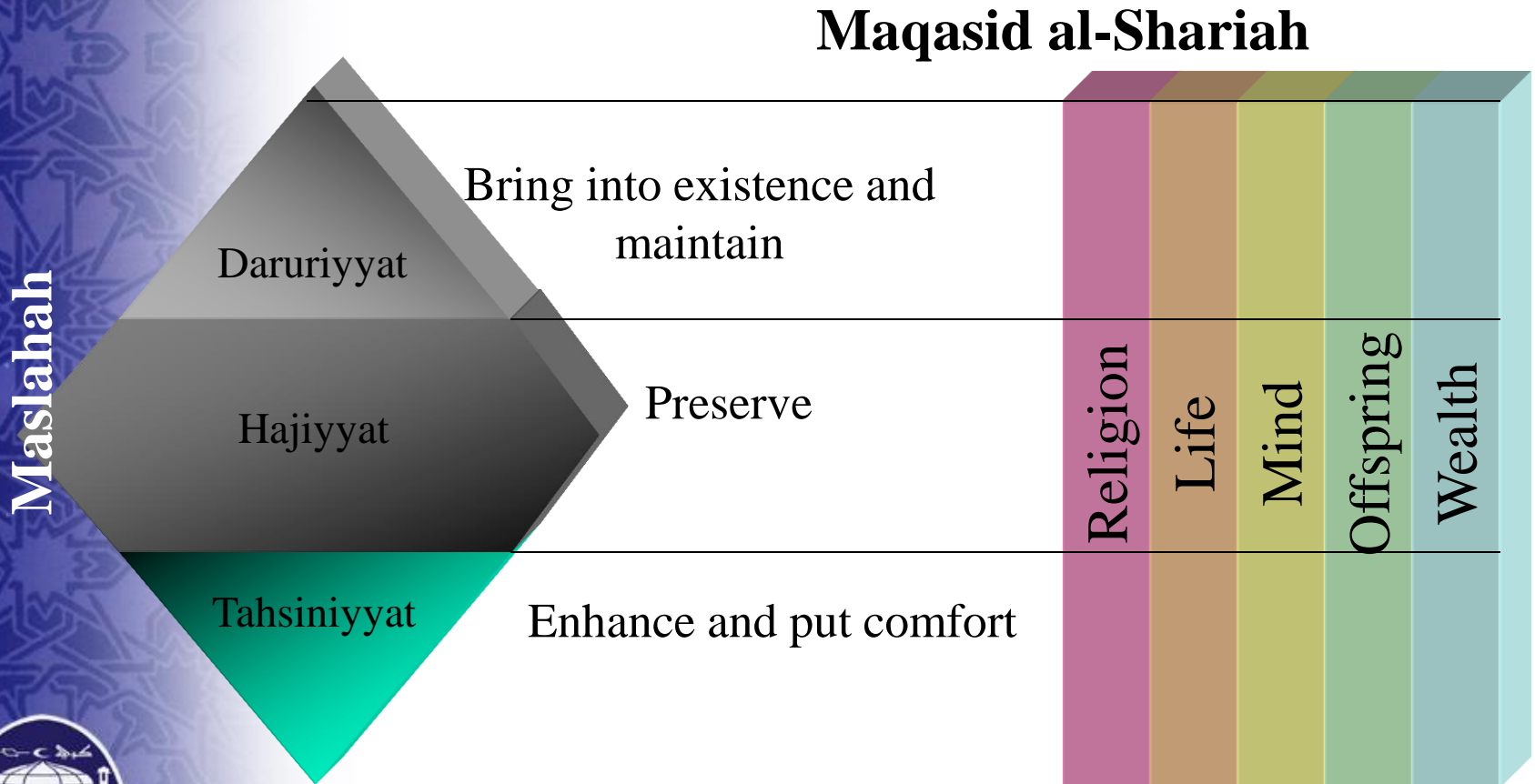
Pyramid of Maslahah & Its Relation to the Maqasid al-Shariah

Maslahah

Maqasid al-Shariah



Diamond of Maslahah & Its Relation to the Maqasid al-Shariah



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-Tabdhir***: 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-tabdhir* (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

Main Categories	Beneath the <i>Maṣālah</i>			Beyond the <i>Maṣālah</i>	
	Essential Elements of Man	Necessities	Conveniences	Refinements	Unacceptable
Religion	1 st	6 th	11 th	Unacceptable	
Life	2 nd	7 th	12 th		
Mind	3 rd	8 th	13 th		
Offspring	4 th	9 th	14 th		
Wealth	5 th	10 th	15 th		

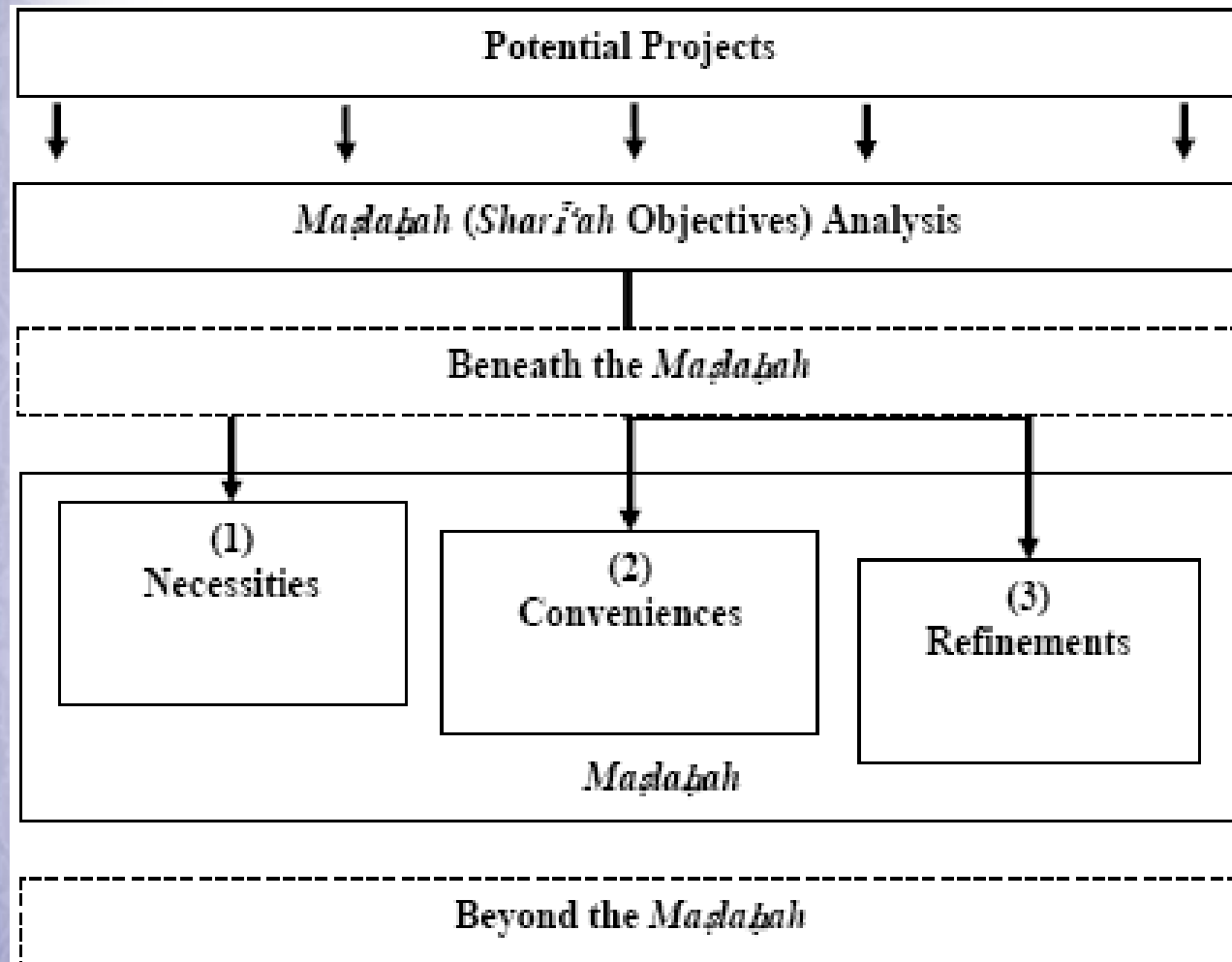
The most highly ranked project

The least preferable project

Project's Category, Status and Value According to the Concept of *Maslahah* and Maqasid al-Shariah

PROJECT			
NO.	CATEGORY	STATUS	VALUE
1	Beneath the <i>Maslahah</i>	Prohibited & Unacceptable	<i>Makruh</i> or <i>Harām</i>
2	Necessities	Required & Acceptable	<i>Wajib</i>
3	Conveniences		<i>Mandub</i>
4	Refinements		<i>Mubah</i>
5	Beyond the <i>Maslahah</i>	Prohibited & Unacceptable	<i>Makruh</i> or <i>Harām</i>

The Integration of *Maslahah* Analysis into the Project Evaluation



The Objectives of Project Evaluation

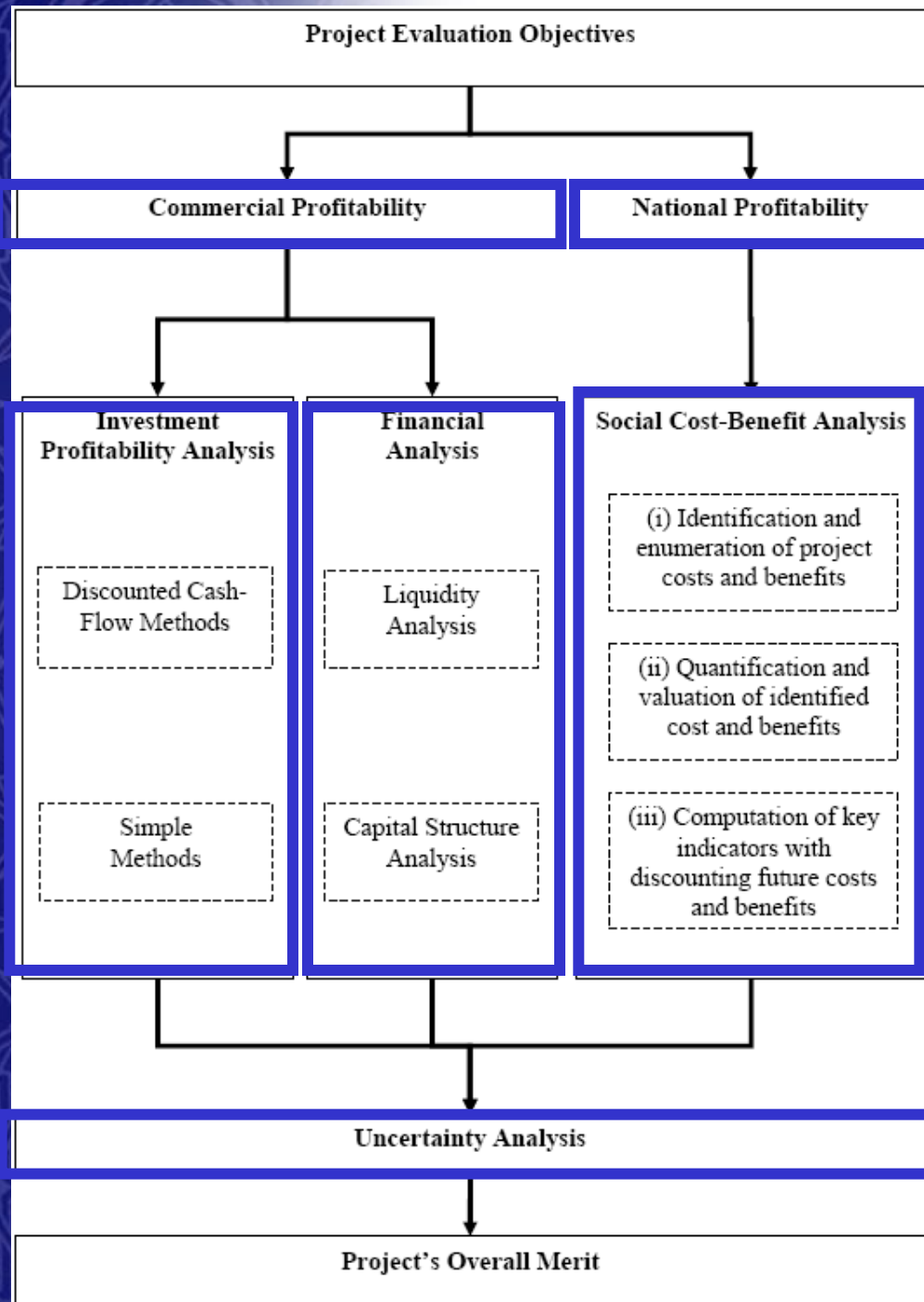
- Provision of necessary information on a project.
- Establishment of an order of priority among competing projects.
- Assessment of the profitability of a project.
- Rationalization of the allocation of resources among the various sectors and projects at the macroeconomic and microeconomic levels.

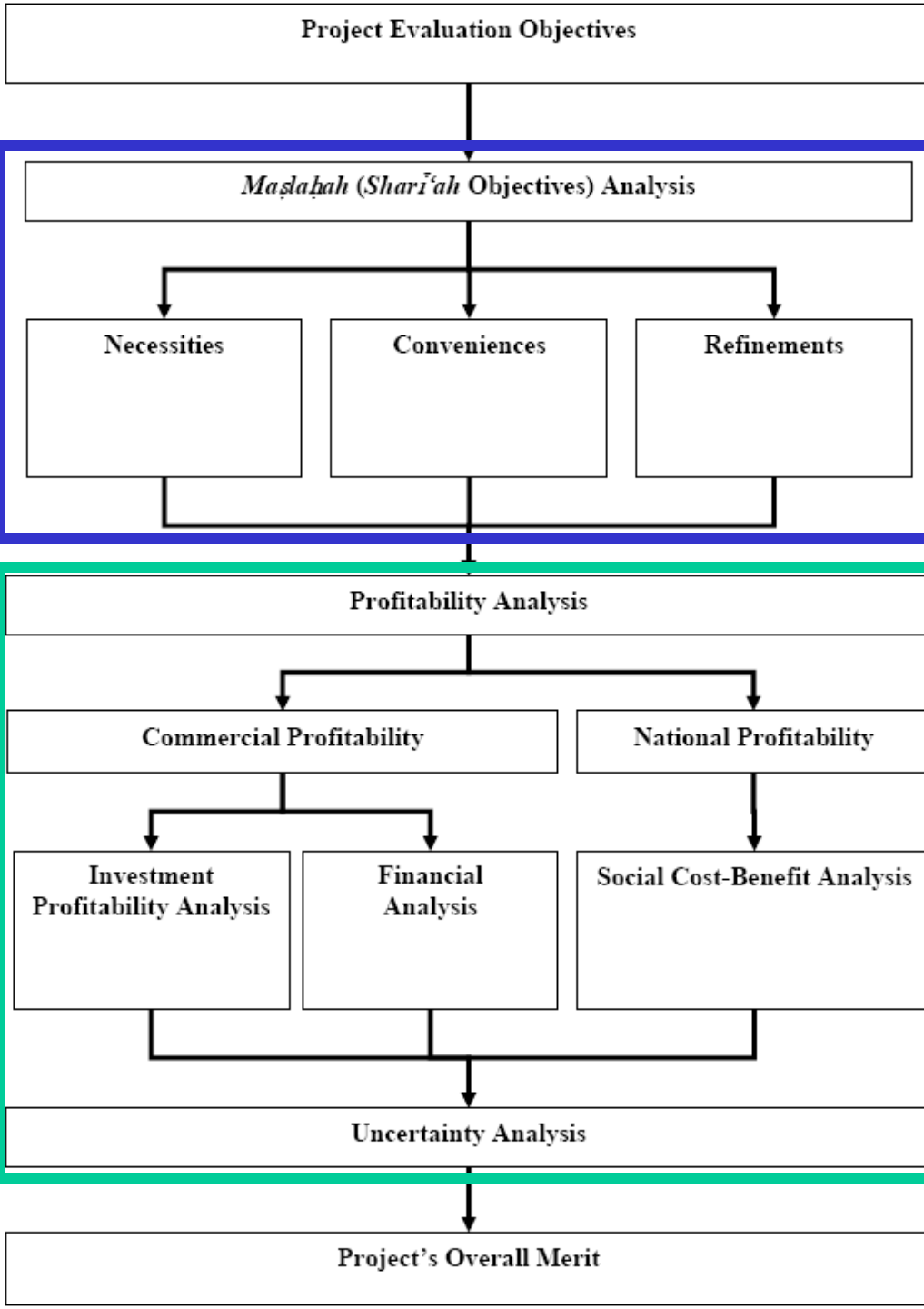
Project Evaluation Framework in Mainstream Economics

- 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