

The Islamic Vision of Development in the Light of the *Maqāsid Al-Sharī‘ah*

by

M. Umer Chapra*
Research Adviser
Islamic Research and Training Institute
Islamic Development Bank
Jeddah

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INTRODUCTION

The ultimate goal of all Islamic teachings is to be a blessing for mankind. This is the primary purpose for which the Prophet, peace and blessings of God be on him (pbuh), was sent to this world (al-Qur'an, 21:107).¹ One of the indispensable ways to realize this goal is to promote the *falāh* (فلاح) or real well-being of all the people living on earth, irrespective of their race, colour, age, sex or nationality.² The word *falāh* and its derivatives have been used 40 times in the Qur'an. Another word, *fawz* (فوز), which is a synonym of *falāh*, has also been used 29 times along with its derivatives. This is also the goal towards which the *mu'adhdhin* (مؤذن) calls the faithful five times a day, showing thereby the importance of *falāh* in the Islamic worldview.

It may be argued here that this is the goal of all societies and not just of Islam. This is certainly true. There seems to be hardly any difference of opinion among all societies around the world that the primary purpose of development is to promote human well-being. There is, however, considerable difference of opinion in the vision of what constitutes real well-being and the strategy to be employed for realizing and sustaining it. The difference would not have been there if the pristine vision of all religions had continued to

¹ The words used in the Qur'an are *Rahmatun lil-'Alamīn* (رحمة للعلمين). The word '*ālamīn* (عالمين) has been understood in different senses by the Qur'an commentators. Their interpretations vary from the broadest sense of including everything created by God in this universe to the narrowest sense of including everything on planet earth: all human beings, animals, birds, insects and the entire physical environment (see al-Qurtūbī, 1952, Vol..1, p. 138, the commentary on the first verse (*āyah*) of the first *sūrah* of the Qur'an). I have used the word 'mankind' assuming that the well-being of mankind is not possible without protecting the environment.

² This is a crucial aspect of the universality of the Islamic message. According to the Qur'an, Prophet Muhammad (pbuh), was sent to all people and not to any particular group (7:158 and 34:28).

dominate the worldviews of their respective societies.³ However, this vision has been distorted over the ages. Moreover, the Enlightenment Movement of the 17th and 18th centuries has influenced almost all societies around the world in different degrees by its secular and materialist worldview. Consequently, the primary measure of development has become a rise in income and wealth. This raises the question of whether *real* human well-being can be realized and sustained by merely a rise in income and wealth. Religious scholars as well as moral philosophers and a number of modern academics have questioned the identification of well-being with a rise in income and wealth.⁴ They have emphasized the spiritual and non-material as well as the material contents of well-being.

Empirical research has also provided a negative answer to the undue emphasis on material ingredients of well-being at the cost of the spiritual and non-material. This is because, even though real income has dramatically risen in several countries since World War II, the self-reported subjective well-being of their populations has not only failed to increase, it has in fact declined.⁵ The reason is that happiness is positively associated with higher income only up to the level where all basic biological needs get fulfilled.⁶ Beyond that, it remains more or less unchanged unless some other needs, which are considered indispensable for increasing well-being, are also satisfied.

³ The Qur'an clearly states that "Every nation has had its guide" (13:7), and that "Nothing is being said to you which was not said to Messengers before you" (41:43). This verse refers to only the basics of the religious worldview. There have been changes in some details according to changes in circumstances over space and time.

⁴ Hausman and McPherson, 1993, p 693.

⁵ Easterlin, 2001, p 472. See also, Easterlin, 1974 and 1995; Oswald, 1997; Blanchflower and Oswald, 2000; Diener and Oishi, 2000; and Kerry, 1999.

⁶ These include among others: nutritious food, clean water, adequate clothing, comfortable housing with proper sanitation and essential utilities, timely medical care, transport, education, and a clean and healthy environment.

What are these other needs? Most of them are spiritual and non-material in character and need not necessarily become satisfied as a result of increase in income. Single-minded preoccupation with wealth may in fact hurt the satisfaction of these needs. Economists have, however, generally tended to abstain from a discussion of these. The primary reason given for this is that spiritual and non-material needs involve value judgements and are not quantifiable. They are, nevertheless, important and cannot be ignored.

One of the most important of these spiritual or non-material needs for realizing human well-being is mental peace and happiness, which may not necessarily be attained by a rise in income and wealth. Mental peace and happiness requires, in turn, the satisfaction of a number of other needs. Among the most important of these are justice and human brotherhood, which demand that *all* individuals be treated as equals and treated with dignity and respect, irrespective of their race, colour, age, sex or nationality, and that the fruits of development be also shared equitably by *all*. Equally important is spiritual and moral uplift which serves as a springboard for the realization of not only justice but also the fulfilment of all other needs. Some of the other equally important and generally recognized requirements for sustained well-being are security of life, property and honour, individual freedom, education, marriage and proper upbringing of children, family and social solidarity, and minimization of crime, tension and anomie. It may not be possible to sustain long-term development of a society without ensuring all of these.

While Islam considers a rise in income and wealth through development to be necessary for the fulfilment of basic needs as well as the

realization of equitable distribution of income and wealth, its comprehensive vision of human well-being cannot be realized by just this. It is also necessary to satisfy the spiritual as well as the non-material needs, not only to ensure true well-being but also to sustain economic development over the longer term. If all these needs are not taken care of, there will be a lapse in well-being, leading ultimately to a decline of the society itself and its civilization. The satisfaction of all these needs is a basic human right and has been addressed in Islamic literature under the generic term *maqāsid al-Sharī‘ah* (goals of the *Sharī‘ah*) referred to hereafter as the *maqāsid* (sing. *maqasid*). This paper will try to explain what these *maqāsid* or goals are, how they are all mutually interrelated, what their implications are, and in what way they can together help promote *real* human well-being.

MAQĀSID (OBJECTIVES OF) AL-SHARĪ‘AH (Figure 1)

The *maqasid al-Shari‘ah* have been either directly stated in the Qur‘ān and the *Sunnah* or inferred from these by a number of scholars.⁷ All of these address the *raison d’être* of the *Sharī‘ah* which, as recognized by almost all the) jurists, is to serve the interests (*jalb al-masalih*: جلب المصالح) of all human beings and to save them from harm (*daf‘ al-mafasid*: دفع المفاسد).⁸ Imām Abū

⁷ Some of the most prominent exponents of the *maqasid al-Sharī‘ah* are : al-Māturīdī (d.333/945), al-Shāshī (d.365/975), al-Bāqillānī (d. 403/1012), al-Juwaynī (d.478/1085), al-Ghazālī (d.505/111), Fakhr al-Dīn al-Rāzī (d. 606/1209), al-Āmidī (d. 631/1234), ‘Izz al-Dīn ‘Abd al-Salām (d. 660/1252), Ibn Taymiyyah (d. 728/1327), al-Shātībī (d. 790/1388) and Ibn ‘Āshūr (d.1393/1973) For a modern discussion of these, see: Masud, 1977; al-Raysuni, 1992; Ibn al-Khojah, 2004, Vol.2, pp. 79-278; Nyazee, 1994, pp. 189-268; al-Khadimī, 2005; and ‘Awdah, 2006.

⁸ This is agreed by all the jurists without exception. See, for example, ‘Izz al-Din ‘Abd al-Salam (d. 660/1252) (n.d.), Vol.1, pp. 3-8; Ibn ‘Ashur (d. 1393/1973) (2001), pp. 274 and 299; and Nadvi, 2000, Vol.1, p.480.

Hāmid al-Ghazālī (d.505AH/1111AC),⁹ a prominent and highly respected reformer in the fifth century Hijrah, classified the *maqasid* into five major categories by stating that:

“The very objective of the *Shari‘ah* is to promote the well-being of the people, which lies in safeguarding their faith (*dīn*), their self (*nafs*), their intellect (*‘aql*), their posterity (*nasl*), and their wealth (*māl*). Whatever ensures the safeguard of these five serves public interest and is desirable, and whatever hurts them is against public interest and its removal is desirable.”¹⁰

In the above quotation, Ghazālī has placed great emphasis on the safeguarding of five *maqāsīd*: faith (*dīn*), the human self (*nafs*), intellect (*‘aql*), posterity (*nasl*) and wealth (*māl*). Imām Abū Ishāq al-Shātībī (d. 790/1388) also, writing a little less than three centuries after al-Ghazālī, put his stamp of approval on al-Ghazālī’s list. These are, however, not the only *maqāsīd* aimed at ensuring human well-being by honouring human rights and fulfilling all human needs. There are many others indicated by the Qur’an and the *Sunnah* or inferred from these by different scholars. Therefore, while these five may be considered as primary (*al-asāliyyah*), others may be referred to as their corollaries (*tābi‘ah*). Realization of the corollary *maqasid* is also indispensable because realization of the primary *maqasid* may be difficult

⁹. All dates of death given in this paper refer first to the Hijrah year and then to the Gregorian year.

¹⁰ مقصود الشرع من الخلق خمسة، وهو أن يحفظ عليهم دينهم ونفسهم وعقلهم ونسلهم ومالهم، فكل ما يتضمن حفظ هذه الأصول الخمس فهو مصلحة، وكل ما يفوت هذه الأصول فهو مفسدة، ودفعها مصلحة (الغزالي: المستصفى، 1937، ج1، ص 139-140). (Al-Ghazālī, *al-Mustasfā*, 1937, Vol. 1, pp 139-40; see also al-Shātībī (d.790/1388), n.d., Vol.1, p.38 and Vol.3, pp.46-7).

without this. The generally accepted *fiqhi* principle is that means (*wasā'il*) enjoy the same legal status as that of the *maqasid*. Accordingly, a well-known legal maxim (*al-qa'idah al-fiqhiyyah*) stipulates that “something without which an obligation cannot be fulfilled is also obligatory”.¹¹ Some of these corollaries may be less important than others in the short-run. However, in the long-run they are all important and their non-fulfilment is likely to lead to serious socio-economic and political problems. Moreover, the corollaries may keep on expanding and changing with the passage of time. The richness and dynamism inherent in the teachings of the Qur'an and *Sunnah* should enable us to expand and refine the corollaries as needed to ensure that all human rights are duly honoured and that all the different human needs are adequately satisfied.

Moreover, if we wish also to ensure the sustained development and well-being of a society, the word 'safeguarding' used by al-Ghazālī in the above quotation need not necessarily be taken to imply preservation of just the *status quo* with respect to the realization of the *maqasid*. We safeguard when we have reached the peak of achievement. However, this is not possible for human beings in this world. There is always room for improvement. The verdict of history is that unless there is a continuous progress in their realization through a movement in the positive direction, it may not be possible to safeguard them and to sustain the society's well-being in the long-run. Stagnation will ultimately set in and lead to decline. Dr. Muhammad Iqbal, poet-philosopher of the Indo-Pakistan sub-continent, has clearly stated this when he says in a

¹¹ ('Izz al-Din 'Abd al-Salam, *n.d.* Vol.1, p. 46); and
ملا يتم الواجب إلا به فهو واجب (See al-Shatibi, *n.d.*, Vol. 2, p. 394; see also Mustafa al-Zarqa (1967), pp. 784 and 1088; and Nadvi, 200, Vol. 1, p. 480.

couplet written in Persian: “I am, as long as I move; not moving, I am not”.¹² It is, therefore, necessary to strive for the continued enrichment of the primary *maaasid* as well as their corollaries in such a way that well-being keeps on improving continuously in keeping with the changing needs and environment of not only the individuals but also their society and mankind, thereby enabling everyone to continue the march forward towards a better future. Such an enrichment may be difficult to attain if we stick to the framework of just the needs that were discussed by the classical *fuqaha*. Times have changed and needs have also changed and multiplied. It is, therefore, important to discuss the *maaasid* within the context of our own times.

While the five primary *maqasid* have been generally endorsed by other scholars, all of them have not necessarily adhered to al-Ghazālī's sequence.¹³ Even al-Shātībī has not always followed al-Ghazālī's sequence.¹⁴ This is because sequence essentially depends on the nature of the discussion. For example, Fakhr al-Dīn al-Rāzī (d.606/1209), a prominent jurist writing around a hundred years after al-Ghazālī, gives the first place to the human self (*al-nafs*).¹⁵ This seems to be more logical in a discussion of sustainable development for the simple reason that human beings, as *khalifahs* or vicegerents of God, are the end as well as the means of development. They are

¹² هستم اگر می روم ، گرنه روم نیستم (Iqbal, 1954, p.150.

¹³ See al-Raysuni, 1992, p. 42.

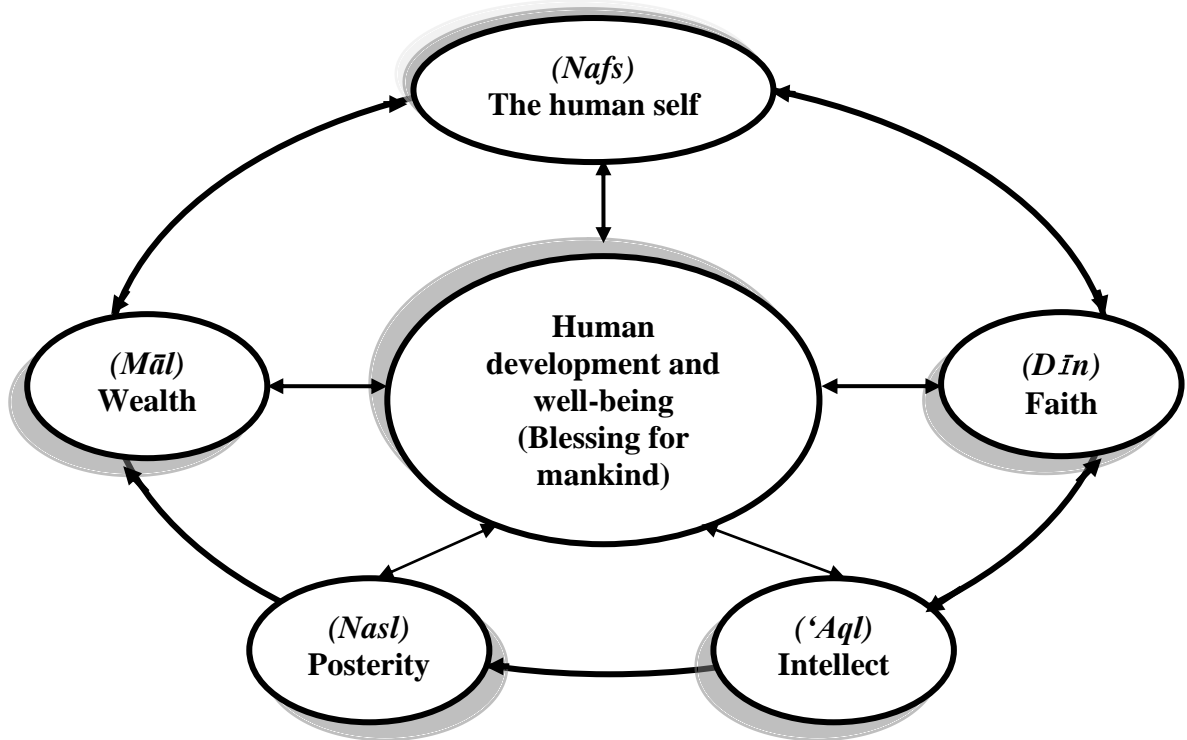
¹⁴ While al-Shātībī has given the same sequence as that of Ghazālī on p.38 of Vol..1, he has given somewhat different sequence on pp.46-7 of Vol..3 : *al-Dīn*, *al-Nafs*, *al-Nasl*, *al-Māl*, and *al-'Aql*. This implies that he does not consider al-Ghazālī's sequence to be inevitable. The sequence may change in accordance with the purpose of the discussion. See also al-Raysunī, 1992, pp. 41-55, particularly p. 48.

¹⁵ Al-Razī, 1997, Vol..5, p. 160. His sequence is: *al-Nafs*, *al-mal*, *al-Nasab*, *al-Dīn* and *al-'Aql*. Instead of *al-Nasl*, he has put *al-Nasab* which stands for lineage or pedigree. *Al-Nasl*, as used by both al-Ghazālī and al-Shātībī, stands for the entire future generation. It has, thus, a much wider coverage than *al-nasab* and is, therefore, preferable.

themselves the architects of their development or decline as the Qur'an has clearly emphasized by saying that "God does not change the condition of a people until they change their own inner selves" (13:11). The *Sharī'ah* serves the purpose of helping human beings reform themselves as well as the institutions that affect them. Accordingly, if we put the human self (النفس) first, then the *maqāsid al-Sharī'ah* may be expressed as shown in Figure 1.

Figure I

Al-Maqāsid Al--Sharī'ah
Human Development and Well-Being
To be realized by ensuring the enrichment of the following five ingredients for every individual



Invigorating the Human Self (*Nafs*) (Figure 2)

Since invigoration of the human self is one of the five primary objectives of the *Sharī'ah*, it is imperative to show how this objective can be realized. For this purpose it is necessary to specify the major needs of human beings that must be satisfied to not only raise and sustain their development

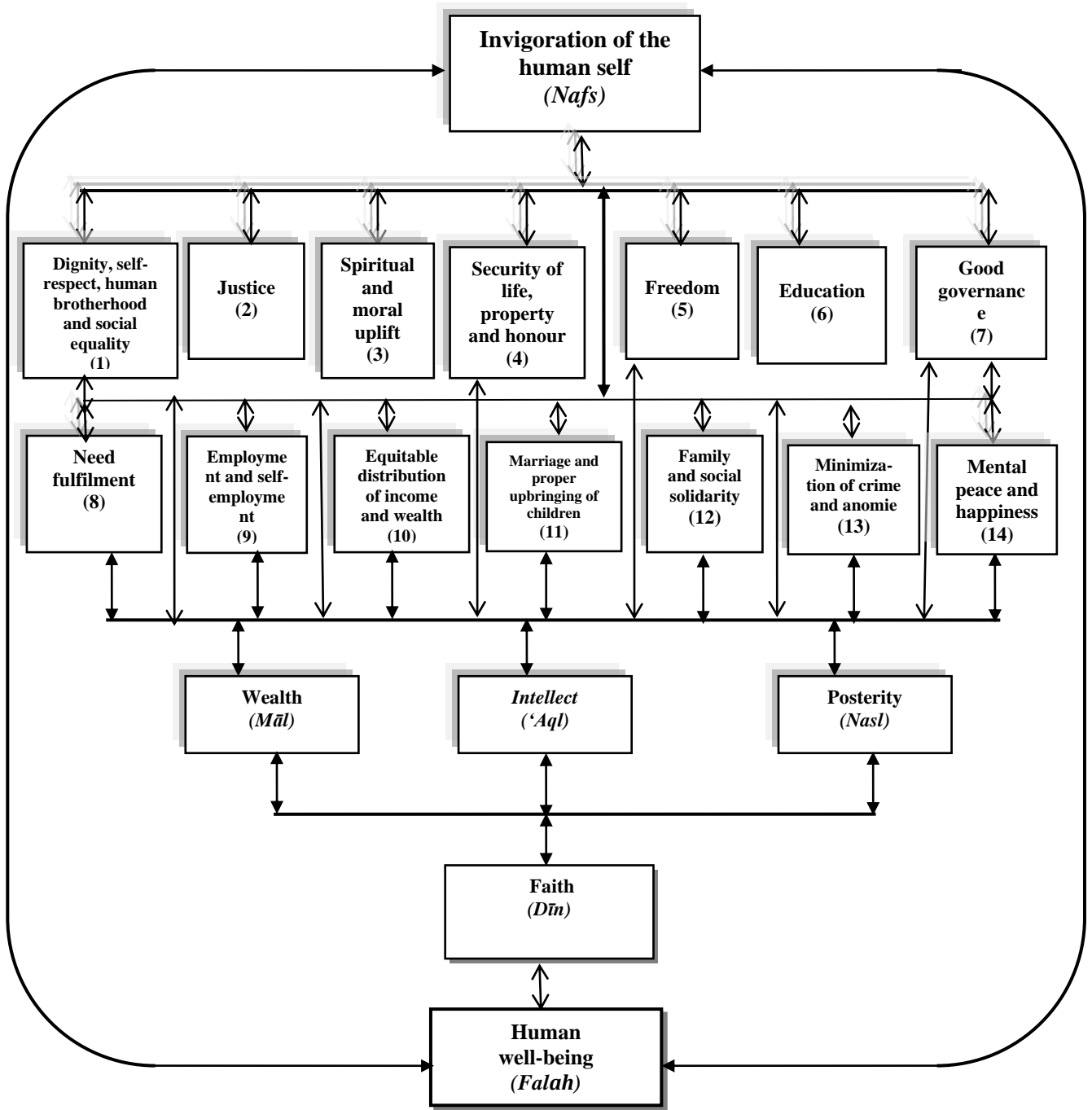
and well-being, but also enable them to play their roles effectively as *khalīfahs* of God. These needs, which may be termed as corollaries of the primary objective of strengthening the human self, are explicitly or implicitly evident from the Qur'ān and the *Sunnah* and elaborated by the jurists in their discussions. Ensuring the fulfilment of these needs can help raise the moral, physical, intellectual and technological capabilities of the present as well as future generations and thereby ensure sustained well-being.

(1)Dignity,
self-respect,
brotherhood
and social
equality

One of the most important of these needs is dignity, self respect, human brotherhood and social equality (Figure 2). The Islamic worldview addresses this need by declaring human beings to have been created in the image (*fitrah*) of God, their Creator. Since God is Good, the inherent nature of human beings is also good (al Qur'ān, 30:30 and 95:4) as long as they do not corrupt it.¹⁶ It is the obligation of human beings to preserve their true nature or innate goodness (*fitrah*). In addition, the Creator and Master of this universe has Himself conferred an enviable honour and dignity on all of them, irrespective of their race, colour, sex or age, by clearly stating in the Qur'ān that "We have honoured mankind" (17:70). This honour has been conferred on them by being made the *khalīfahs* or vicegerents of God on earth (al-Qur'ān, 2:30). What could be a greater honour for human beings than to be the vicegerents of the Supreme Being Himself? Since all of them are *khalīfahs* of God, they are equal and brothers unto each other. There must, therefore, be peaceful coexistence between them with a great deal of tolerance and mutual care to promote the well-being of all through the efficient and equitable use of all the resources made available to them by God as a trust (al-Qur'an, 57:7). The environment,

¹⁶ See al-Qurtubi (d.463/1070), 1952, Vol.. 14, pp. 24-31. See also, Ibn 'Ashur, 2001, pp. 261-266.

Figure 2



including animals, birds and insects, is also a trust and must be protected so that no harm is done to the present or the future generations.

Islam does not, thus, consider human beings to be ‘born sinners’. The concept of a ‘born sinner’ is derogatory of human dignity and is, therefore, totally alien to the Islamic worldview. Why would the Most Merciful God create a ‘born sinner’ and condemn him eternally for no fault of his? The idea of original sin implies that sinfulness is genetically transferable and that each human being comes into this world already tainted by the failures and sins of others. Moreover, if a ‘saviour’ had to come to ‘atone’ him for the ‘original sin’ which he did not commit, why did he come so late in history and not with the appearance of the first human beings on earth? If man were a born sinner how could he be held responsible for his deeds?

The concept of ‘original sin’ is thus in sharp conflict with the unequivocal emphasis of the Qur’an on individual responsibility for all his/her deeds (al- Qur’ān, 6: 164, 17: 15,35: 18,39: 7 and 53: 38). It is also in conflict with God’s attributes of *al-Rahmān* and *al-Rahīm* (the Most Merciful and the Most Compassionate), which a Muslim repeats most often during his lifetime. It would be impossible for Him to do so, given that He is a Loving (ودود) and Forgiving (غفور) God and has all the good attributes that can be conceived (Qur’ān, 7: 180). No wonder even the Rationalists and the Romantics of the nineteenth century rejected the notion of an inherent flaw in human nature (original sin), as do almost all modern philosophers.

Similarly, the concepts of determinism and existentialism coined by Western philosophers under the influence of the Enlightenment movement are also alien to Islam. Islam does not consider human life to be determined by material (Marx), psychological (Freud), instinctive (Lorenz) or environmental (Pavlov, Watson,

Skinner and others) forces.¹⁷ Determinism and human responsibility cannot be reconciled with each other. It does not only lower human dignity but also negates human responsibility for the prevailing conditions, and for the inefficient and inequitable use of resources.¹⁸

Sartre's existentialism, the other extreme of determinism is also not acceptable to Islam.¹⁹ Human beings are, according to Sartre, "condemned to be free". There is no limit to their freedom except that they are not free to cease being free.²⁰ Every aspect of man's mental life is intentional, chosen and his responsibility. This is undoubtedly an improvement over determinism. However, for Sartre this freedom is absolute, everything is permitted. There is no ultimate meaning or purpose in human life. There are no transcendent or objective values set for human beings, neither laws of God nor Platonic Forms nor anything else. Human beings are 'forlorn' and 'abandoned' in the world to look after themselves completely. The only foundation for values is human freedom, and there can be no external or objective justification for the values anyone chooses to adopt.²¹ There can be no question of having agreed values, and of imposing restrictions on individual freedom to create harmony between individual and social interest, or of leading to an efficient and equitable allocation and distribution of resources not brought about automatically by market forces. Such a concept of absolute freedom can only lead to the notions of *laissez-faire* and value neutrality. While freedom is indispensable for every

¹⁷Problems of determinism and responsibility are discussed by several authors in Sydney Hook (ed.), *Determinism and Freedom in the Age of Modern Science* (1958), which is a selection of papers by contemporary philosophers; and also by Sydney Morgenbesser and James Walsh, (eds.), *Free Will* (1962), which brings together carefully selected discussions from classical and modern writers and is intended mainly for students. See also A. J. Alden, *Free Action* (1961), which offers elaborate and penetrating analysis of a wide range of concepts that have always been central to the free will controversy. Although the author does not try to prove directly that men have free will, he attacks the bases of certain widely held determinist theories.

¹⁸ See also, Chapra, 1992, pp. 202-206.

¹⁹ Jean-Paul, Sartre, *Being and Nothingness*, tr. by Hazel Barnes ((1957). See also Stevenson (1974), pp.78-90: and Anthony Manser, *Sartre: A Philosophic Study* (1966).

²⁰ Sartre (1957), pp. 439 and 615,

²¹ *Ibid.*, p. 38.

individual, the well-being of all is also indispensable and cannot be compromised. Therefore, some socially agreed restrictions are necessary on individuals to ensure that they do not trespass the rights of others and jeopardize their well-being. This raises the question of who can determine these restrictions. This question is discussed under the fifth need of the human personality.

(2) Justice

A second need of the human personality is justice.²² The goals of human dignity, self-respect, brotherhood, social equality and the well-being of all would remain hollow concepts having absolutely no substance if they are not buttressed by socio-economic justice. Accordingly, the Qur'ān places justice 'nearest to piety' (5:8) in terms of its importance in the Islamic faith. Piety is naturally the most important because it serves as a springboard for all rightful actions, including justice. Establishment of justice has, therefore, been the primary mission of all God's Messengers (al-Qur'ān, 57:25). The Qur'ān has emphatically made it clear that there can be no peace without justice by saying that "Those who have faith and do not impair it by injustice, for them there is peace, and they are the really guided ones" (al-Qur'ān, 6:82).²³ The absence of justice cannot but lead ultimately to misery and destruction (al-Qur'an, 20:11).

The Prophet (pbuh) also condemned injustice in very emphatic terms. He equated the absence of justice with "absolute darkness on the Day of Judgement."²⁴

²² Empirical studies have consistently found that high rates of religious commitment and activity are associated with mental health, reduced stress and increased life satisfaction (Ellison, 1991 and 1993; and Iannaccone 1998).

²³ The context of this verse refers to injustice done to God through disbelief (*kufir*) and association of partners with him (*shirk*), as rightly pointed out by commentators like al-Qurtubi (d.671/1272) and Ibn Khathir (d. 744/1375). However, looking at the intense emphasis of the Qur'an and the *Sunnah* on Justice to everyone and everything, one can readily extend the implications of this verse to all human beings and other God's creatures. This was done by a number of rationalist (*mu'tazilah*) scholars as reported by Fabhr al-Din al-Rizi (d.606/1209) in his commentary of this verse in *al-Tafsir al-Kabir*, Vol.7, p. 60.

²⁴ "الظلم ظلمات يوم القيامة" (*Sahīh Muslim*, Vol.. 4, p. 1996:56, *Kitāb al-Birr wa al- Silah wa al-Adab, Bāb Tahrīm al-Zulm*, from Jābir Ibn Abdullah). The Prophet, peace and blessings of God be on him,

The darkness in the Hereafter is nothing but a reflection of darkness created by us in this world through injustice (*zulm*). This darkness can frustrate all efforts to realize peace, sustainable development, and social solidarity and lead ultimately to discontent, tension, conflict and decline. Injustice and Islam are, hence, at variance with each other and cannot coexist without either of the two being uprooted or weakened. *Zulm* (injustice) is a comprehensive Islamic term referring to all forms of inequity, injustice, exploitation, oppression and wrongdoing, whereby one person hurts others, deprives them of their rights, and does not fulfil his obligations towards them.²⁵

It is this emphasis of both the Qur'ān and the *Sunnah* on justice which has become reflected in the writings of nearly all classical Muslim scholars. Al-Mawardi (d.450/1058), for example, argued that comprehensive justice “inculcates mutual love and affection, compliance with norms, development of the country, expansion of wealth, growth of progeny, and security of the sovereign”, and that “there is nothing that destroys the world and the conscience of the people faster than injustice”.²⁶ Ibn Taymiyyah (d.728/1328) emphasized that “justice towards everything and everyone is an imperative for everyone, and injustice is prohibited to everything and everyone. Injustice is absolutely not permissible irrespective of whether it is to a Muslim or a non-Muslim or even to an unjust person”.²⁷ He zealously upheld the adage prevailing

has used the word *zulumāt* in this *hadīth*. *Zulumāt* is the plural of *zulmah* or darkness, and signifies several layers of darkness, leading ultimately to ‘pitch’ or ‘absolute’ darkness, as is also evident in the Qur'ānic verse 24:40.

²⁵ See Chapra, 1985, pp.27-8.

²⁶ Al-Mawardi, *Adab* (1955, p. 125).

وأما القاعدة الثالثة فهي عدل شامل ، يدعو إلى الألفة، ويبعث على الطاعة ، وتعمر به البلاد، وتنمو به الأموال ، ويكثر به النسل، ويأمن به السلطان
"وليس شيء أسرع في خراب الأرض ، ولا أفسد لضمائر الخلق ، من الجور" (ادب الدنيا والدين، الماوردى. ، 1955، ص 125).

²⁷ Ibn Taymiyyah, p. 166.

كان العدل أمراً واجباً في كل شيء وعلى كل أحد ، والظلم محرماً في كل شيء ولكل أحد، فلا يحل ظلم أحد أصلاً، سواء كان مسلماً أو كافراً أو كان ظالماً" (مجموع فتاوي ابن تيمية، ج 8، ص 177)

in his time that: “God upholds a just state even if it is non-believing, but does not uphold an unjust state even if it is believing.”²⁸ Ibn Khaldun (d. 808/1406) unequivocally stated that it is not possible for a country to develop without justice.²⁹

It may not, however, be possible to ensure justice without the faithful observance of certain rules of behaviour by all members of society. These rules are termed moral values in religious worldviews and institutions in Intuition Economics. Some of these values are: honesty, fairness, punctuality, conscientiousness, diligence, self-reliance, tolerance, humility, thrift, respect for parents, teachers and the elderly, sympathy and care for the poor, the handicapped and the downtrodden, and concern for the rights and obligations of others, not only those in ones’ own society but also those around the world. Faithful observance of these values can lead to mutual trust and cordial relations among the people, and motivate them to fulfill their mutual obligations and to help each other, thereby promoting family and social solidarity, tolerance and peaceful coexistence, and curbing the spread of anomie.³⁰ This will lead to an increase in social capital, which is necessary for promoting efficiency and equity and, consequently, accelerated development and human well-being. Moral uplift is, therefore, the third dire need of the human personality if the well-being of all is to be realized and the Islamic vision is to be fulfilled. Faithful observance of all the rules of behaviour enshrined in moral values may, however, not be possible without a proper motivating system which requires an enabling worldview discussed under the second primary objective of strengthening faith.

(3) Spiritual
and moral
uplift

See also his *Minhaj al-Sunnah*, 1986, Vol..5, p. 127.

²⁸ إن الله يقيم الدولة العادلة وإن كانت كافرة، ولا يقيم الظالمة وإن كانت مسلمة (Imām Ibn Taymiyyah, *Al-Hisbah fi al-Īslām*, 1967, p. 94).

²⁹ ان الظلم مخرب للعمران (Ibn Khaldun, *Muqaddimah*, p. 287).

³⁰ All these values are emphasized in the Qur’an and/or Sunnah and constitute an inseparable part of the Islamic worldview. Whoever violates them is not considered to be a practising Muslim.

(4) Security of life, property and honour

The Islamic worldview and its values also address the fourth dire need of the human personality, which is security of life, property and honour. The Qur'ān equates the unwarranted killing of even a single individual (irrespective of whether he/she is a Muslim or a non-Muslim) with the killing of the whole of mankind, and the saving of a single life with the saving of the whole of mankind (5:32). This is but natural because the Islamic call for the respect of life and the brotherhood of mankind would be meaningless if the life of even non-Muslims were not considered to be as sacred as that of Muslims. The Prophet (pbuh), also pronounced in the address which he delivered during his farewell pilgrimage that: "Your lives, your property and your honour are as sacred as this Day of yours (*Hajj*), in this month of yours, in this city of yours."³¹ Since the *Hajj* enjoys a maximum degree of sanctity in Islam, the life, property and honour of every individual also enjoy the same degree of sanctity.

(5) Freedom

A fifth need of the human self is freedom. Freedom is indispensable for the development of the human personality. Without it he/she may lack the initiative and drive that are necessary for creativity and innovation and, consequently, for human development and well-being. As *khalifahs* of God, they are subservient to none but Him. Therefore, one of the primary objectives of Muhammad (pbuh) was to relieve mankind of the burdens and chains that have been imposed on them (al-Qur'an, 7:157). Serfdom of any kind, irrespective of whether it is social, political or economic is, therefore, alien to the teachings of Islam. Accordingly, no one, not even the state, has the right to abrogate this freedom and to subject human beings to any kind of bondage or regimentation. It is this teaching, which prompted 'Umar, the second

³¹ إن دماءكم وأموالكم وأعراضكم حرام عليكم كحرمة يومكم هذا في شهركم هذا في بلدكم هذا
(Reported by Ibn Kathīr (d. 774/1373) (1981) in his commentary of verse 13 of *sūrah* 49 (*al-Hujurāt*), Vol.. 3, p. 365).

Caliph, to ask: “Since when have you enslaved people when their mothers gave birth to them as free individuals?”³²

However, as *khalifahs* of God, human beings are not absolutely free in the sense of Sartre’s existentialism. Their freedom is bounded by moral values to ensure not just their own well-being but also the well-being of all God’s creatures. When the angels realized at the time of man’s creation that he was going to be God’s *khalifah* on earth with freedom to act on his own initiative, they had an apprehension that this freedom might lead him to corrupt the earth and to shed blood (al-Qur’ān, 2: 29). This apprehension may perhaps have been because they did not realize at that time that, in addition to freedom, God was also going to provide human beings with three other assets that could help them lead a life that would be contrary to the angels’ apprehension. The first of these is their conscience, which is a reflection of their true nature (*fitrah*) on which God has created them (al-Qur’ān, 30:30). If the *fitrah* is not preserved, human beings can stoop “to the lowest of the low (*asfala safilin*)” (al-Qur’an, 95:5). To help them avoid such a fall, God has Himself provided them with the second precious asset which is the guidance sent by Him to all human beings and nations at different times in history through a chain of His Messengers. The purpose of this guidance is to assist them in managing their affairs in this world in a way that would help ensure the well-being of all in harmony with their mission as *khalifahs* of God.³³ Their freedom is, therefore, within the bounds of the guidance provided by Him. The third asset is the intellect which God has provided to human beings. If used

³² (”متى استعبدتم الناس وقد ولدتهم أمهاتهم احراراً ؟ ”) (‘Alī al-Tāntawī and Nājī al-Tantāwī, *Akhbāru ‘Umar*, 1959, p.268).

³³ The Qur’an clearly states that “We have indeed sent Our Messengers to every community in every period” (16:36) and that “We have sent Messengers before you, some of them We have motioned to you, while some of others We have not mentioned” (40:78 and 4:164). According to a *hadith* of the Prophet (pbuh) from Abu Dhar, God has sent 124000 Messengers to this world at different times to different communities (See the commentary on verse 4:164 in the *Tafsir* of Ibn Kathir. Islam is perhaps the only religion which recognizes all the Messengers of God.

in the light of the promptings of their conscience as well as the Divine Guidance, it would enable them to use their freedom wisely to actualize the vision of Islam and not to spread corruption or shed blood, which are among the worst crimes in the value system of Islam

(6) Education

This leads us to a sixth need of the human personality, which is a high quality of *education*. Education should perform a dual purpose. First, it should enlighten the members of society about the worldview and moral values of Islam as well as their mission in this world as *khalifahs* of God. Secondly, it should enable them to not only perform their jobs efficiently by working hard and conscientiously but also expand the knowledge and technological base of their society. Without the moral uplift and expansion of their knowledge and technological base, it may not be possible to accelerate and sustain development. The Qur'ān and *Sunnah* have, therefore, laid great emphasis on education as will be indicated later while discussing the enrichment of intellect, the third primary objective of the *Sharī'ah*.

(7) Good governance

Good governance, as will be discussed further under faith, is the seventh indispensable need of the human personality. Without political stability and good governance, it may not be possible to enforce the society's rules of behaviour. In this case, the violation of rules may tend to spread and become locked-in through the operation of path dependence and self-reinforcing mechanisms.³⁴ There will then be a rise in corruption, inefficiency, and lack of concern for the satisfaction of other people's needs. Hence the imperative of good governance has been stressed throughout Muslim history by almost all scholars, including Abu Yūsuf, al-Māwardī, Ibn Taymiyyah and Ibn Khaldūn. One of the major causes of Muslim decline has

³⁴ See North, 1990, pp. 93-94.

generally been understood to be the absence of good governance over the last several centuries.³⁵

(8)Removal
of poverty
and need
fulfillment

The intense commitment of Islam to human dignity, justice and brotherhood leads logically to the eighth requisite which is the removal of poverty and the fulfillment of all basic human needs. Poverty leads to incapacity, helplessness and dependence on others. It can even, according to the Prophet (phub), drive a person close to disbelief.³⁶ It is thus in conflict with the goal of human dignity ingrained in Islamic teachings. However, the removal of poverty may not be possible without an efficient and equitable use of all resources at the disposal of mankind. All these resources are, as indicated earlier, a trust from God and one of the terms of this trust is that they must be utilized in such a responsible manner that the needs of all are satisfied.

Removal of poverty and the need fulfillment of all individuals in society has, therefore, received an important place in the *fiqh* and other Islamic literature throughout Muslim history. The jurists have unanimously held the view that it is the collective obligation (*fard kifāyah*) of a Muslim society to take care of the basic needs of the poor.³⁷ In fact, according to al-Shātibī, this is the *raison d'être* of society itself.³⁸ All modern scholars, including Mawlānā Mawdūdī, Imām Hasan al-Bannā, Sayyid Qutub, Mustafā al-Sibā'ī, Abū Zahrah, Bāqir al-Sadr, Muhammad al-Mubārak, and Yūsuf al-Qaradawī, are unanimous on this point.

³⁵ See the author's forthcoming book, *Muslim Civilization: The Causes of Decline and the Need for Reform*, being published by the Islamic Foundation, Leicester, UK

³⁶ كاد الفقر أن يكون كفرا (Cited by al-Suyuti (d.911/1505) in his *al-Jami' al-Saghir* from Anas ibn Malik on the authority of Abu Nu'aym's *al-Hilyah* under the word Kada, p.89).

³⁷ See, for example, *Ibn Hazm*, Vol..6, p.156:725.

³⁸ al-Shātibī, Vol..2, p.177.

فجعل الله الخلق خلائف في أقامة الضروريات العامه (الشاطبي، ج2، ص177)

This leads us to the question of what constitutes a need, the fulfillment of which has been made an individual as well as social imperative. Needs have been divided by the *fuqahā'* into three categories. These are necessities (*durūriyyāt*), comforts (*hajīyyāt*), and refinements (*tahsīniyyāt*). All of these, as defined by the *fuqahā'*, refer to goods and services that make a real difference in human well-being by satisfying a certain need, reducing a hardship, or providing comfort and mental peace and happiness.³⁹ They do not include 'luxuries' which may be defined as those goods and services which are wanted for their snob appeal and do not make a difference in a person's real well-being. All such goods and services which go beyond need have been considered by the *fuqahā'* as prodigality and self-indulgence, and strongly disapproved⁴⁰

³⁹ For the definition of these terms within the perspective of *fiqh*, see al-Shātībī, *al-Muwāfaqāt*, Vol. 2, pp. 8-12; and Anas Zarqa, "Islamic Economics: An Approach to Human Welfare", in K. Ahmad, 1980, pp.13-15. See also Imām Hasan al-Bannā, *Majmū'ah Rasā'il* (1989), p. 268, and *Hadīth al-Thulāthā'* (1985), p.410; and Sayyid Abul A'lā Mawdūdī, *Islām awr Jadīd Ma'āshī Nazariyyāt* (1959), pp. 136-40.

⁴⁰ See the Qur'an, 7: 31,17: 26-7 and 25: 67 for verses against waste and extravagance. The Prophet (pbuh), also spoke against extravagance and in favour of simplicity and humility in life-style. He emphasized that waste of resources was forbidden not only in times of scarcity but also in times of abundance (*Tabrīzī, Mishkāt*. 1966, Vol. I. p.133:427). He also said: "God has revealed to me to teach you to be humble so that no one wrongs others or shows arrogance" (*Sunan Abu Dawud*, 1952, Vol. 2, p. 572, from 'Iyad ibn Hīmār); and that: "God does not look at those who wear clothes reflecting arrogance" (*Sahīh al-Bukhārī*, Vol. 7, p. 182, and *Sahīh Muslim*, 1955, Vol. 3, p. 1651:42). He also said: "Whoever abstains from wearing an expensive dress out of humility, in spite of being capable of doing so, will be summoned by God in the presence of all humanity on the Day of Judgment and given the option to wear any of the distinguished attires of faith that he wishes" (*Jamī' al-Tirmīdhī* with commentary, *Tuhfat al-Ahwadhī*, Vol. 3, pp. 312-13, from Mu'adh ibn Anas al-Juhani); and: "Eat and drink, gave in charity, and dress up without extravagance or conceit" (*Suyūṭī, al-Jāmi' al-Saghīr*. Vol. 2, p. 96, from Ibn 'Umar, on the authority of *Musnad Ahmad*, Nasa'i, Ibn Mājah and *Mustadrak Hākim*). Accordingly, the weight of the Qur'an and the *Sunnah* is on the side of a simple life-style for its followers, and the jurists have concluded that vainglory and vying with each other for worldly symbols of prestige is *harām* (prohibited). (See "Kitāb al-Kasb" of al-Shaybānī in al-Sarakhsī, *Kitāb al-Mabsūt*. Vol. 30, pp. 266-8.)

عن عبدالله بن عمرو بن العاص ان النبي صلى الله عليه وسلم مر بسعد وهو يتوضأ فقال (ما هذا السرف يا سعد) قال أفي الوضوء سرف قال: (نعم وإن كنت على نهر جار) رواه أحمد في المسند وابن ماجه، مشكاة، ج 1، ص 133، نمرة 427 كتاب الطهارة – باب سنن الوضوء

عن عياض بن حمار رضي الله عنه أنه قال: قال رسول الله صلى الله عليه وسلم: (إن الله أوصى إلى أن تواضعوا حتى لا يبغى أحد على أحد ولا يفخر أحد على أحد) ابو داؤد، ج 2، ص 572.

However, it is important to bear in mind that, since Islam is not an ascetic religion, the classification of goods and services in the three above categories need not be inflexible. Islam allows a person to satisfy all his needs (both necessities and comforts) to increase his efficiency and well-being. The classification of goods and services into these categories should, therefore, reflect the wealth and general living standard of any given Muslim society. Accordingly, the perspective on needs is bound to undergo a change over time with the development of technology and the rise in wealth and living standards. In fact, most Muslim countries are richer today and can afford a higher standard of need fulfillment than what was possible in the early Muslim societies. Moreover needs do not remain constant over time and space. Some of the things which did not even exist during the Prophet's (pbuh) times are now considered needs. They should not, however, reflect snobbery or lead to wide gaps in living standards which may weaken the bonds of Islamic brotherhood and social solidarity. The objective should also not be to create a monotonous uniformity and drabness in Muslim societies. Simplicity can be attained in life styles without adversely affecting creativity and diversity.

عن ابن عمر رضي الله عنه أن رسول الله صلى الله عليه وسلم قال: "لا ينظر الله إلى من جر ثوبه خيلاء" رواه البخاري كتاب اللباس، باب قوله تعالى "قل من حرم زينة الله، ج، 7، ص 182.

عن معاذ بن أنس الجهني عن أبيه أن رسول الله صلى الله عليه وسلم قال: من ترك اللباس تواضعاً لله وهو يقدر عليه دعاه الله يوم القيامة على رؤوس الخلائق حتى يخيره من أي حلل الإيمان شاء يلبسها) رواه الترمذي في كتاب الزهد قال حديث حسن، تحفه الأحوذى، ج 3، ص 312-313

عن ابن عمر رضي الله عنه عن النبي صلى الله عليه وسلم أنه قال: (كلوا وأشربوا وتصدقوا والبسوا في غير اسراف ولا مخيلة) رواه أحمد في مسنده والنسائي وابن ماجه والحاكم في المستدرک، الجامع الصغير للسيوطي، ج 2، ص 96

الحاصل أنه يحرم على المرء فيما اكتسبه من الحلال، الافساد والسرف والخيلاء والتفاخر والتكاثر، أما الأفساد فحرام لقوله تعالى: "وابتغ فيما آتاك الله الدار الآخرة" الآية، وأما السرف فحرام لقوله تعالى: (ولا تسرفوا) الآية، وقال جل وعلا: والذين إذا أنفقوا الآية، فذلك دليل على أن الاسراف تبذير وقال الله تعالى (ولا تبذر تبذيراً) (ص 266) ، والمخيلة حرام و التفاخر والتكاثر حرام يعني أنه كما نهى عن الإسراف والتكثير من الطعام فذلك نهى عن ذلك في اللباس والأصل فيه ما روى أن النبي صلى الله عليه وسلم نهى عن الثوبين والمراد أن لا يلبس نهاية ما يكون من الحسن والجودة في الثياب على وجه يشار إليه بالأصابع فإن أحدهما يرجع إلى الإسراف والآخر يرجع إلى التقتير وخير الامور أو سورها (كتاب الكسب لمحمد بن حسن الشيباني، المبسوط للسرخي، ج 30، ص 268) .

(9)Employment and self-employment opportunities

Since begging degrades a person's dignity and is also prohibited by Islam,⁴¹ a ninth requisite of the human personality and an essential corollary of human dignity is that need fulfillment must be realized through the individual's own effort. Accordingly, it is the personal obligation (*fard 'ayn*) of every Muslim to earn a living to support himself and his family.⁴² The Prophet (p.b.u.h) has also enjoined Muslims to

⁴¹ The Prophet (p.b.u.h), disapproved of begging by saying: "Do not beg anything from people"

(لا تسألوا الناس شيئاً) Abū Dawūd, 1952, Vol. Ī, p, 382, from 'Awf ibn Malik), and that "The hand that is above is better than the hand that is below"

(اليد العليا خير من اليد السفلى)

(Al-Bukhārī. Vol.. 2, p. 133. from 'Abdullah ibn 'Umar).

The Prophet (p.b.u.h), also declared unlawful the giving of charity to those who have no real need and who are healthy and able-bodied.

(لا تحل الصدقة لغني ولا لذي مرة سوى)

(Abū Dāwūd, 1952, Vol.. I, p, 379; Nasā'ī, 1964, Vol.. 5, p. 74 and Ibn Mājah, 1952, Vol.. Ī. p. 589:1839).

He assigned a place of high esteem to earning one's own living by saying: "He who seeks the world lawfully to refrain from begging, to cater for his family, and to be kind to his neighbour, will meet God on the Day of Judgement with his face shining like the full moon"

(من طلب الحلال استغففاً عن المسألة وسعيًا على أهله وتعطفًا على جاره لقي ربه تعالى يوم القيامة ووجهه مثل القمر ليلة البدر)

(*Mishkāt*, 1381 A.H., Vol.. 2, p. 658:5207, from Abū Hurayrah, on the authority of Bayhaqī's *Shu'ab al-Īmān*).

⁴² The Qur'ān instructs Muslims to go out into the world and seek of God's bounties after having attended to their prayers (62: 10). The Prophet (p.b.u.h) said that: "Earning a lawful livelihood is obligatory upon every Muslim" (طلب الحلال واجب على كل مسلم) (Suyūṭī, *AI-Jami' al-Saghir*, from Anas ibn Malik. p. 54). He elaborated this point further by saying: "A man has not earned better income than that which is from his own effort" (ما كسب الرجل كسباً أطيب من عمل يده) (*Sunan Ibn Mājah*, 1952, Vol. 2, p. 723:2138. from Miqdam ibn Ma'dikarib). According to the Prophet (p.b.u.h), trust in God does not imply that a Muslim should refrain from making an effort. He should in fact do his utmost, but trust in God for the best results. This is the implication of his displeasure at a man who left his camel untied thinking that the camel would not stray because God would take care of him. The Prophet admonished him to tie the camel first and then trust in God (see "Kitāb al-Kasb" of Muhammad Ibn al-Hasan al-Shaybānī in al-Sarakhsī, *Kitāb al-Mabsūt* Vol. 30.p. 249).

Caliph 'Umar emphasized the Islamic injunctions to earn one's own livelihood

قال عمر رضي الله عنه "لا يقعد أحدكم عن طلب الرزق ويقول: اللهم ارزقني، فإن السماء لا تمطر ذهباً ولا فضة ولكن الله يرزق الناس بعضهم من بعض" (على الطنطاوي وناجي الطنطاوي، أخبار عمر، ص 268).

"أن من يزعم أن حقيقة التوكل في تركه الكسب فهو مخالف للشريعة وإليه أشار رسول الله صلى الله عليه وسلم في قوله للسائل الذي قال أرسل ناقتي وأتوكل، فقال صلى الله عليه وسلم: "لا بل اعقلها وتوكل" (كتاب الكسب لمحمد بن الحسن الشيباني، المبسوط للسرخسي، ج 30، ص 249).

acquire skill in some profession so that they can earn a respectable living.⁴³ The jurists have, therefore, emphasized that without fulfilling this obligation of earning a living through his own effort, a Muslim may not even be able to maintain his body and mind in a state of adequate health and efficiency to carry out even his devotional duties, leave alone the fulfillment of all his other obligations as vicegerent of God on earth.⁴⁴

It is, therefore, the collective obligation (*fard kifāyah*) of a Muslim society to manage the economy in such a way that everyone has a suitable opportunity to earn an honest living in keeping with his/her ability and effort. In the present-day world, microfinance has proved to have a great potential for expanding employment and self-employment opportunities and needs to receive high priority in Muslim countries. Nevertheless, there are bound to be those who are unable to earn enough through their own effort because of some handicap or inability. Islam has, therefore, ordained a social self-help programme to help such people through its institutions of *zakāh*, *sadaqāt* and *awqaf* to fulfill their needs without stigma or recrimination. If it is not possible to raise adequate resources through these institutions then it is the obligation of the state to play a complementary role.

(10)Equitable distribution of income and wealth

The Qur'an requires that wealth should not circulate only among the rich (59:7). In accordance with this vision of Islam, the tenth need is equitable distribution of income and wealth. This is because excessive differences in income and wealth

⁴³ The Prophet (pbuh) said: 'God loves a Muslim who has a professional skill' (Narrated by al-Mundhiri from Ibn 'Umar on the authority of al-Tabarani's *al-Kabir* and al-Bayhaqi, Vol.2, p.523:10).

- عن ابن عمر رضي الله عنهما عن النبي صلى الله عليه وسلم قال : "إن الله يحب المؤمن المحترف" (رواه الطبراني في الكبير و البيهقي ، المنذري ، ج2، ص 524)

⁴⁴ A complete list of juristic references would be too long; the reader may however wish to see "Kitāb al-Kasb" of al-Shaybānī in al-Sarakhsī, *Kitāb al-Mabsūt*, Vol. 30, pp. 344-87, particularly, pp. 245, 250 and 256; Abū Hāmid Muhammad al-Ghazālī, *Īhyā 'Ulūm al-Dīn*, Vol. 2, pp. 60-4; al-Shātībī, *Al-Muwāfaqāt*, Vol. 2, pp. 176-7 and al-'Abbādī (1974-75), Vol. 2, pp. 22-5.

tend to degrade those who are extremely poor and unable to utilize their full potential. Lack of an effective programme to reduce inequities is bound to destroy, rather than foster, the feelings of brotherhood that Islam wishes to promote. Hence, Islam not only requires the removal of poverty and fulfillment of everyone's needs, primarily through a respectable source of earning, but also emphasizes the social self-help programme of *zakāh*, *sadaqat* and *awqaf*. It would, however, be a mistake to rely primarily on these charitable contributions to realize the objective of equitable distribution of the income and wealth. It is also necessary to accelerate development, as will be discussed later under wealth, and to adopt all other methods that have proved to be useful around the world, provided that they are Shari'ah compatible.

(11) Marriage and stable family life

An eleventh indispensable natural need of both the male and the female members of society is a partner-in-life through marriage.⁴⁵ The purpose of this is not merely to satisfy the sexual desire but also to have a congenial partner-in-life to find peace and solace in each other through mutual care, affection and kindness. The Qur'an states: "And among His signs is that He has created for you mates from among yourselves and sown love and compassion in your hearts so that you may find peace of mind in her. In these, there are signs for those who reflect" (al-Qur'an 30:21). Married life can, however, help realize this objective only if both husband and

⁴⁵ Marriage in Islam is a partnership agreement based on the equality of the partners. It is solemnized for the purpose of fulfilling mutual needs through cooperation with each other. See al-Sarakhsī (d.483/1090) (n.d.) *al-Mabsut* Vol. 5, p. 109; al-Qarafi (d.684/1284) (1994), *al-Dhakhirah*, Vol. 13, p. 34.

- "عقد الزواج عقد ازدواج و هو يبنى على المساوات في الأصل" و المراد بالأزدواج معنى المشاركة (السرخسي، المسبوط، ج5، ص 109)

"إن الزوج والزوجة كالشريكين المتعاونين على المصالح" (القرافي، الذخيرة، ج 13، ص 34)

These references were indicated to me by my colleague Dr. Sami al-Suwaylem.

wife have a noble character (*khuluq hasan*),⁴⁶ are concerned about each other's well-being, and are willing to make the sacrifice of self-interest that this entails.⁴⁷ Such an affectionate and caring relationship of husband and wife with each other will lead to the establishment of stable families which are essential not only for the loving care and upbringing of the future generation but also the development and survival of the society itself.

(12) Family and social solidarity

For creating an atmosphere of love, compassion and tranquility between husband and wife, the Qur'an has prescribed for women rights equal to those of men (2:228), and has required men to treat them gently and fairly (4:19) and to fulfill their obligations towards them graciously (2:237). The Prophet (pbuh) has further reinforced these and other verses of the Qur'an by characterizing women as "sisters of men".⁴⁸ In a sermon that he delivered during his farewell pilgrimage, he exhorted men to fear God in their treatment of women because they (men) have accepted them (women) as a "trust from God".⁴⁹ On another occasion, he warned men against

⁴⁶ The Prophet (pbuh) said: "The best of you is one whose character is best" (Al-Bukhārī, Vol. 8, p.15).

إن من أخيركم أحسنكم خلقاً (البخاري، كتاب الآداب، باب لم يكن النبي فاحشاً ولا متفحشاً)

⁴⁷ Empirical studies have shown that religious commitment leads to lower levels of divorce and greater marital stability (Iannaccon, 1998; Lehrer and Cheswick, 1993; and Gruber, 2005).

⁴⁸ Cited from 'Ā'īshah by al-Suyuti in his *al-Jami' al-Saghir* on the authority of Ahmad, Abu Dawud and al-Tirmidhi, Vol... 1, p.102.

عن عائشة رضي الله تعالى عنها، عن البزار، عن انس رضي الله تعالى عنهما، ان رسول الله صلى الله عليه وسلم قال (انما النساء شقائق الرجال) الجامع الصغير للسيوطي، ج1، ص 102، رواه احمد وأبو داؤد والترمذي،

⁴⁹ Cited from Jabir ibn 'Abdullah by Muslim in his *Sahih, Kitab al-Manasik, Bab hajjat al-Nabiyy*, Vol. 2, p. 889:147; and Abū Dāwūd, *Kitāb al-Manasik, Bab sifat hajj al-Nabiyy*; also Ibn Majah and *Musnad Ahmad*.

عن جابر بن عبد الله رضي الله تعالى عنه، قال قال رسول الله صلى الله عليه وسلم في خطبة الوداع: "فالتقوا الله في النساء فإنكم أخذتموهن بأمان الله واستحلتم فروجهن بكلمة الله" (صحيح مسلم، كتاب الحج، باب حج النبي صلى الله عليه وسلم، ج 2، ص 889 رقم 147)، (فإنكم أخذتموهن بأمانة الله)، ابن ماجة، كتاب المناسك، أبو داود، كتاب المناسك

usurping the rights of women by taking advantage of their weakness.⁵⁰ He also warned them against humiliating their daughters and preferring their sons over them.⁵¹ These, as well as a number of other *ahādīth*, have been interpreted as a testimony of their equal (and not inferior) status and their playing of a complementary role to men in promoting human well-being. ‘Umar the second Caliph (d,23/644), felt prompted, therefore, to say that: “During the pre-Islamic period (*al-Jahiliyyah*), we did not consider women to be anything. However, after the coming of Islam, when God Himself expressed His concern for them, we realized that they also had rights over us.”⁵² There is no reason to believe that nobility of character, good relations between husband and wife, and loving care of children by both parents cannot lead to fulfillment of the twelfth need of the human personality which is family and social solidarity.

The fulfillment of all the above twelve needs of the human personality should

(13)Minimization of crime and anomie

hopefully create an enabling environment for the fulfillment of the thirteenth need of the human personality, which is minimization of crime and anomie. If all these thirteen major needs are duly satisfied, one can hopefully expect that the fourteenth need of mental peace and happiness would also be satisfied. The satisfaction of all

(14)Mental peace and happiness

⁵⁰ The actual words of the *hadīth* are: “I forbid usurpation of the right of two weak persons – the orphan and the woman.” (Narrated from Abū Hūrayrah by al-Hākim in his *Mustadrak*, Vol. 1, p. 63.) This *hadīth* is *ṣāḥīḥ* (authentic) on the criteria of Muslim.

عن أبي هريرة رضي الله عنه قال "قال رسول الله صلى الله عليه وسلم: (إني أخرج عليكم حق الضعيفين : اليتيم والمرأة) مستدرک الحاكم، ج، ص 63 ، کتاب الايمان

⁵¹ Reported from Ibn ‘Abbas by al-Mundhiri on the authority of Abu Dawud and al-Hakim, Vol. 3, p. 68:29.

عن ابن عباس رضي الله تعالى عنه قال، قال رسول الله صلى الله عليه وعلى آله وسلم: من كانت له أنثى فلم يندھا ولم يهنھا ولم يؤثر ولده عليها أدخله الله الجنة.

رواه أبو داود والحاكم (المنذري ج 3 ص 86 رقم 29)

⁵² Narrated from ‘Umar by al-Bukhari in his *Sahih, Kītāb al-Libās, Bāb mā kanā al-Nabiyy yatajawwaz min al-libās wa al-bustā*, Vol... 4, p.281: 735.

كنا في الجاهلية لا نعد النساء شيئا، فلما جاء الاسلام وذكرهن الله، رأينا لهن علينا حقا(صحيح البخاري، كتاب اللباس، باب ما كان النبي صلى الله عليه وسلم يتجوز من اللباس والبسط، ج4، ص 281، رقم 735).

these needs should together have a positive effect not only on the human self, intellect, posterity and wealth, but also on faith by creating a more congenial environment for its better understanding and implementation. This should go a long way in promoting sustained development in all sectors of the society, economy and polity.

ENRICHING FAITH, INTELLECT, POSTERITY AND WEALTH

While the ultimate *Sharī'ah* goal of ensuring the well-being of all people cannot be realized without reforming and strengthening the human self, it is also necessary to strengthen the four other primary *maqasid* (faith, intellect, posterity and wealth). All these four have a strong role to play in the reform and enrichment of the human self. If these four are not strengthened in keeping with the challenges created by changing circumstances, optimum well-being of the present and future generations will fail to be realized and even the long-run survival of the civilization may itself be jeopardized.

Strengthening Faith (Figure 3)

The first question that may arise in the reader's mind is about why has faith been placed immediately after the human self in the present-day world where secularism, liberalism and materialism rule the roost. Does faith really deserve the importance that such a sequence of the *maqasid* signifies? The undeniable fact, however, is that, if human beings are the end as well as the means of development, then their reform as well as well-being need to be given the utmost importance. It is the religious worldview which carries the greatest potential of ensuring the reform of the human self in a way that would help ensure the fulfillment of all the spiritual as well as material needs of the human personality specified above. This it does by

injecting a meaning and purpose into life, providing the right direction to all human effort, and transforming individuals into better human beings through a change in their behaviour, life-style, tastes, preferences, and attitude towards themselves as well as their Creator, other human beings, resources at their disposal, and the environment. This is why the Qur'an has clearly indicated that "he succeeds who purifies his own self, remembers his Lord and prays" (87:14-15; see also 91: 9-10). Accordingly, all Muslim scholars have also emphasized the need for reform of human beings and the role that faith plays in such reform.

Toynbee and the Durants have also rightly concluded after their extensive study of history, that moral uplift and social solidarity are not possible without the moral sanction that religions provide. Toynbee asserts that "religions tend to quicken rather than destroy the sense of social obligation in their votaries" and that "the brotherhood of man presupposes the fatherhood of God – a truth which involves the converse proposition that, if the divine father of the human family is left out of the reckoning, there is no possibility of forging any alternative bond of purely human texture which will avail by itself to hold mankind together."⁵³ Will and Ariel Durant have also observed forcefully in their valuable book, *The Lessons of History*, that "there is no significant example in history, before our time, of the society successfully maintaining moral life without the aid of religion."⁵⁴

Values

This raises the question of why are moral uplift and social solidarity not possible without the aid of faith. This is because two of the foremost requisites for moral uplift are: first, the existence of values or rules of behaviour which command such a wide and unconditional acceptance that they become categorical imperatives; and secondly, the observance of these rules by everyone with a sense of moral

⁵³ Toynbee, Somervell's abridgement, 1958, Vol.2, p. 380 and Vol.1, pp 495-96.

⁵⁴ Will and Ariel Durant, 1968, p. 51.

obligation such that anyone who violates them gets censured. This raises another question of how to arrive at rules which are unconditionally accepted and observed by everyone. Is it possible to arrive at such rules by means of 'social contract' as suggested by some secularist modern philosophers and political scientists? The answer may be yes only if all participants in the discussion are socially, economically and intellectually equal so that everyone has an equal weight in the formulation of the desired rules. Since such equality is impossible to find, the rich and powerful will tend to dominate the decision-making process and lead to the formulation of rules that serve their own vested interests. This would frustrate the universal acceptance and observance of the rules that have been formulated. It is, therefore, necessary that an omniscient and benevolent outsider be assigned this task - an outsider who is impartial, who knows the strengths and weaknesses of all human beings, who treats them all as equals, who cares for the well-being of all without any discrimination, and who is capable of analyzing not only the short-term but also the long-term effects of the rules given by him. Who could be more qualified to take this position than the Creator of this Universe and of human beings Himself?

The Creator has done this job. According to the Islamic worldview, He has sent, as indicated earlier, His guidance to all people at different times in history through a chain of His Messengers (who were all human beings), including Abraham, Moses, Jesus and, the last of them, Muhammad, peace and blessings of God be on all of them. Thus, there is a continuity and similarity in the basic worldview and value system of all Revealed religions to the extent to which the Message has not been lost or distorted over the ages. Human beings, as vicegerents of God, have the mission of faithfully observing the values given by their Creator. This is their mandate during their brief sojourn in this world. If they utilize the scarce resources, which are a trust

in their hands, and interact with each other in accordance with these rules, it may not only be possible to ensure the well-being of all humans but also to protect the environment, including animals, birds and insects. "Social morality", as Schadwick has rightly observed, "depends on agreed standards, upon a consensus which is received as so axiomatic that it hardly ought to be discussed", and that, "except in the case of a small number of exceptional groups of people, morality never had been separated from religion in the entire history of the human race."⁵⁵ Bernard Williams is, therefore, right in observing that "social morality is not an invention of philosophers".⁵⁶

Proper
motivation

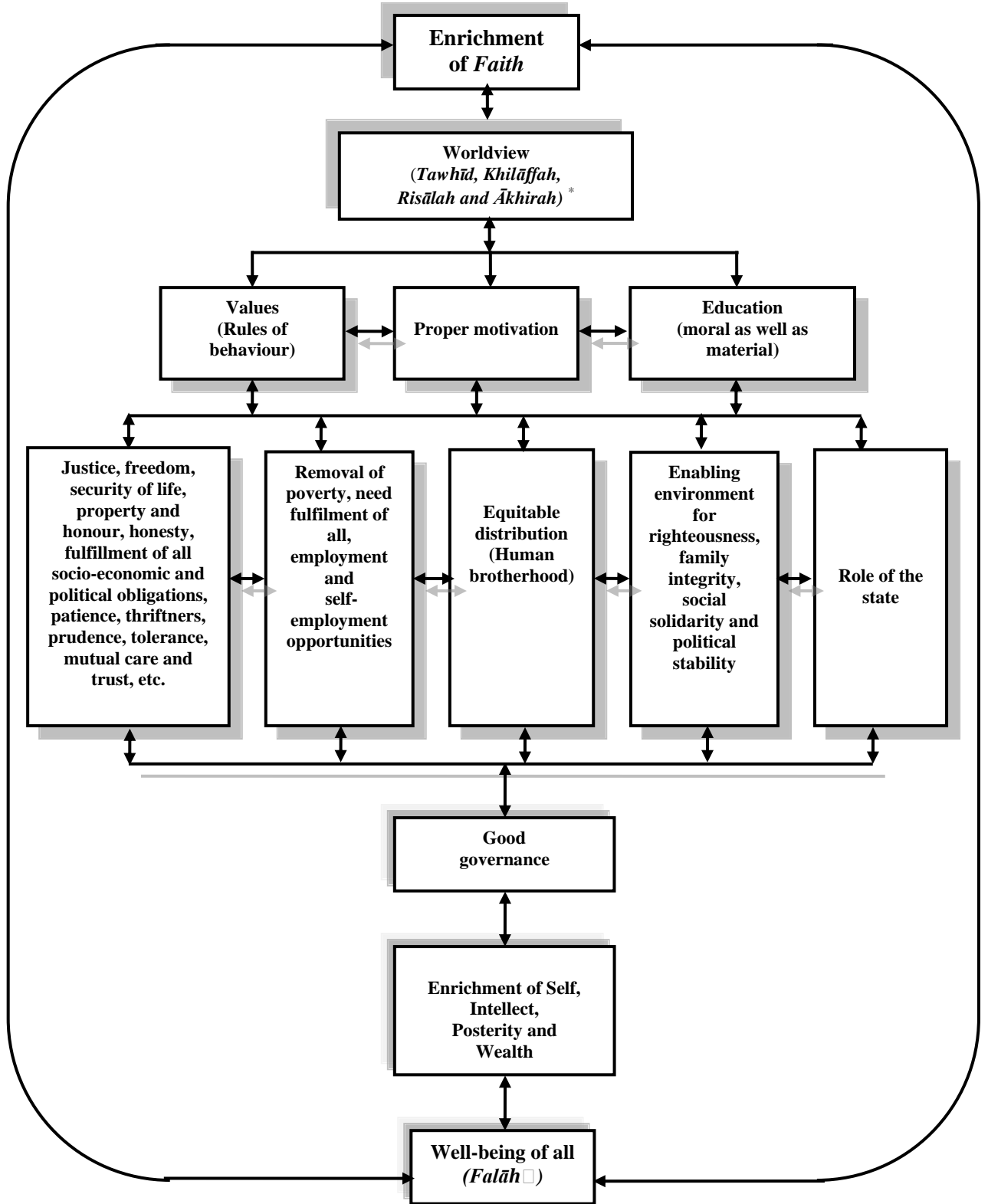
However, even when we have the values that command wide and unconditional acceptance, there arises the question of how to ensure the observance of these values by everyone. Living up to these values requires a certain degree of sacrifice of self-interest on the part of all individuals. How does faith help motivate an individual to live up to these values and to fulfill all his/her social, economic and political obligations that involve a sacrifice of self-interest. Faith tries to accomplish this by giving self-interest a long-term perspective – stretching it beyond the span of this world, which is finite, to the Hereafter, which is eternal. An individual's self-interest *may* be served in this world by being selfish and not fulfilling his/her obligations towards others. His/her interest in the Hereafter cannot, however, be served except by fulfilling all these obligations.

It is this long-term perspective of self-interest, along with the individual's accountability before the Supreme Being and the reward and punishment in the Hereafter, which has the potential of motivating individuals and groups to faithfully fulfill their obligations even when this tends to hurt their short-term self-interest. It

⁵⁵ Schadwick, 1975, pp.229 and 234.

⁵⁶ Williams, 1985, p. 174

Figure 3



*These words stand for the unity of God (*tawhid*), vicegerency of human beings (*khilafah*), Guidance sent by God through His Messengers (*risalah*) and human accountability before God on the Day of judgment about how he/she lived in this world and utilized the resources provided by Him (*akhirah*).

would be highly irrational for a person to sacrifice his long-term eternal well-being for the sake of a relatively short-term this-worldly benefit. This dimension of self-interest has been ignored by Conventional Economics after being cast in its secularist Enlightenment worldview. It has, therefore, no mechanism to motivate individuals to sacrifice for the well-being of others.

Education

However, even the existence of values and motivating system may not be very helpful unless people get acquainted with these. Therefore, Islam makes it obligatory for every Muslim to have a proper grounding not only in the Islamic worldview and values but also in the existing knowledge base and technology (see the section on Intellect). This would not only help them be better Muslims and open up for them employment and self-employment opportunities that would enable them to stand on their feet in keeping with their dignity, but also enable their society to accelerate development, reduce poverty, and inequalities in the distribution of income and wealth. This would get a further boost if the financial system is also reformed in a way that would enable it to make financing available to a large spectrum of society on the basis of the Islamic modes of financing.⁵⁷

Enabling environment for righteousness and family and social solidarity

Islam also aims at creating an enabling environment that is conducive to righteousness, the strengthening of family and social solidarity, and the promotion of mutual care and cooperation among individuals. Without such an enabling environment, the values as well as the motivating system may both become blunted. Congregational prayers, fasting in Ramadan, *zakāh* and pilgrimage, along with the society's respect of, and admiration for, those who abide by moral norms and disdain for those who violate them (*amr bi al-ma'rūf wa nahī 'an al-munkar*) are a part of the Islamic programme to create such an environment.

⁵⁷ There is a great deal of literature available now on the subject, which it is not possible to encompass here. The reader may see, for example Chapra, 2007a and 2007b.

The existence of such an enabling environment can help promote the desired qualities in individuals and curb the vices that jeopardize the realization of humanitarian social goals. For example, the promotion of simple living and the reduction of wasteful and conspicuous consumption can help reduce excessive claims on resources. This may not only release a greater volume of resources for general need-fulfillment, which is necessary for promoting social harmony, but also enhance saving and investment and, thereby, help promote higher employment and growth. The absence of a discussion of such values and environment in microeconomics has created a gulf between it and macroeconomics. Without a discussion of the kind of behaviour and tastes and preferences that are needed in individuals, families and firms to realize the humanitarian macroeconomic goals, these goals hang in the air without support. The humanitarian goals of macroeconomics are, thus, out of tune with microeconomics as a result of the latter's excessive stress on individualism and the serving of self-interest through the maximization of wealth and want satisfaction.

The Enlightenment movement of the 17th and 18th centuries tried to undermine this role of religion by its secular and materialist worldview. It, however, succeeded only partially because Christian values continued to prevail until they gradually started becoming weaker and weaker. The sour fruits of this development have raised protests and the religious worldview is having a comeback around the world.⁵⁸ Schweitzer, a Nobel Laureate, has rightly emphasized that "if ethical foundation is lacking then civilization collapses even when in other directions creative efforts of the strongest nature are at work".⁵⁹ Therefore, according to him, "moral control over

⁵⁸ The editors of *Religion in Contemporary Europe* admit that they are seeing the beginning of the end of 200 years of hostility towards religion (Fulton and Gee, 1994)

⁵⁹ Schweitzer, 1949, p.xii.

men's dispositions is much more important than control over nature".⁶⁰ More recently Benjamin Friedman, a Harvard Professor, has also argued in his recent book that moral growth and economic growth go hand in hand, reinforcing each other.⁶¹ Long before these Western authors, al-Ghazālī, al-Shatībī and a number of other Muslim scholars, assigned a place of great prominence to faith in the realization of human well-being.

A question that may be raised here is about whether the injection of faith into the picture would lead to the curbing of human freedom. Not necessarily. Human beings are still free to choose. They may either live up to the demands of their faith or reject them. This freedom to choose is emphasized in several verses of the Qur'ān, one of which says: "The truth has come from your Lord. Whoever wishes may believe in it and whoever wishes may reject it" (18:29). However, even if they reject faith, they cannot have absolute freedom. There are curbs on freedom in every society in the form of rules of behaviour. For example, a red traffic light is also a curb on individual freedom. Nevertheless, nobody minds it because everyone knows that this promotes the *maqasid* by helping prevent accidents, saving people from harm and, thereby, enhancing well-being.

The Role of the State

Faith alone cannot, however, help realize human well-being. It is unrealistic to assume that all individuals will become morally conscious in human societies as a result of belief in God and accountability before Him in the Hereafter. Moreover, even if a person is morally conscientious, it is possible that he/she may be simply unaware of the social priorities in resource use. This makes it incumbent upon the

⁶⁰ Schweitzer, 1949, pp. 22-23, 38-39, 91.

⁶¹ Friedman, 2005.

state to play a complementary role. The Prophet (pbuh), therefore, clearly stated that “God restrains through the sovereign more than what he restrains through the Qur’ān.”⁶² The Qur’ān can only give values, it cannot by itself enforce them. It is the job of the state to do so. It is the moral and legal responsibility of the state to ensure justice and the well-being of the people. The Prophet (phub) said: “Anyone who has been given the charge of a people but does not live up to it with sincerity, will not taste even the fragrance of paradise”.⁶³ This has also become reflected in the writings of a number of classical as well as modern writers. For example, Imam Hasan al-Banna stressed that governments are the heart of socio-economic reform; if they become corrupt, they may corrupt everything and, if they are reformed, they may be able to reform everything.⁶⁴

The state should, however, try to perform the task in a way that does not make it totalitarian and despotic. Curbing of individual freedom excessively will hurt the initiative and innovation on the part of individuals and groups. For this purpose, it is imperative to have effective checks and balances on the state through a number of institutions, including the *shura* (parliament), an honest judiciary, a free press, and properly conceived laws and regulations. These need to be buttressed by appropriate material incentives and deterrents to reinforce the moral base of society and to create an enabling environment. Nevertheless, there is no escape from proper moral

⁶² (Cited by al-Māwardī, 1955, p. 121). إن الله ليزرع بالسلطان أكثر مما يزغ بالقرآن

“Ibn ‘Ashur has rightly indicated that if the *Shari‘ah* is not respected by everyone and does not get duly enforced, the benefit expected to be derived from it will not be fully realized (2001, p.376),

” من مقاصد الشريعة من التشريع أن يكون نافذاً في الأمة وأن يكون محترماً من جميعاً ، إذ لا تحصل المنفعة المقصودة منه كاملة بدون نفوذه و احترامه” ابن عاشور ص 376

⁶³ عن معقل بن يسار رضي الله تعالى عنه، قال: سمعت النبي صلى الله عليه وسلم يقول: ”ما من عبد استرعاه الله رعية فلم يحطها بنصيحةٍ إلا لم يجد رائحة الجنة“ (رواه البخاري، ج9، ص80، كتاب الأحكام ، باب من استرعي رعية فلم ينصح)

Al-Bukhārī, from Ma‘qil Ibn Yasar, Vol. 9, p. 80, *Kitāb al-Ahkām*.

⁶⁴ ” الحكومة ولا شك قلب الاصلاح الاجتماعي كله، فإذا فسدت أو ضاعها فسد الأمر كله، وإذا صلحت صلح الأمر كله“ (مجموعة رسائل الإمام الشهيد حسن البنا، باب مشكلاتنا الداخلية في ضوء النظام الاقتصادي ، 1989، ص255) Imam Hasan al-Bannā, *Majmu‘ah Rasā’il al-Imām al-Shahīd Hasan al-Bannā* (1989), p. 255.

upbringing and education of individuals to motivate them to do what is right and abstain from doing what is wrong on their own volition.

The greater the motivation people have to implement Islamic values on their own volition, and the more effective socio-economic, judicial and financial institutions are in creating a proper environment for the realization of a just socio-economic order, the lesser may be the role of the state in enforcing the rules of behaviour and realizing the desired social goals. Moreover, the greater the accountability of the political leadership before the people, and the greater the freedom of expression and success of the parliament, the courts and the news media in exposing and penalizing inequities and corruption, the more effective the Islamic state may be in fulfilling its obligations. A number of techniques adopted in other societies to safeguard social interest may have to be adopted even in Muslim countries, if indeed such techniques have been found to be effective.

Enrichment of Intellect ('Aql) (Figure 4)

Intellect is the distinguishing characteristic of a human being and needs to be enriched continually to improve the individual's own as well as his society's knowledge and technological base and to promote development and human well-being. According to al-Ghazali, "Intellect is the fountainhead, starting point, and foundation of knowledge. Knowledge proceeds from it just like fruit from the tree, light from the sun, and vision from the eye. If so, then why shouldn't it be honoured for being the source of success in this world as well as the Hereafter."⁶⁵ The emphasis given to the role of faith in realizing the Islamic vision of development does not

⁶⁵ Al-Ghazali, *Ihya'*, Vol... 1, p.83.

والعقل منبع العلم ومطلعه وأساسه والعلم يجري منه مجري الثمر من الشجرة والنور من الشمس والرؤية من العين، فكيف لا يشرف ما هو وسيلة السعادة في الدنيا والآخرة (الغزالي، احياء علوم الدين، ج 1، ص 83).

necessarily mean the downgrading of intellect. This is because revelation and reason are like the heart and mind of an individual and both of them have a crucial role to play in human life. Neither of these two can be dispensed with if optimum human well-being is desired to be realized.

It is faith which provides the right direction to intellect. Without the guidance of faith, intellect may lead to more and more ways of deceiving and exploiting people and creating weapons of mass destruction. However, while the intellect requires guidance from faith to be of service to mankind, faith also requires the service of intellect to maintain its dynamism, to respond successfully to the changing socio-economic and intellectual environment, to develop the kind of technology that can accelerate development in spite of scarcity of resources, and to play a crucial role in the realization of the *maqāsid*. Therefore, as stated earlier, reason and revelation are both necessary and interdependent. Their harmonious use can lead to development of the kind of knowledge and technology that can promote real human well-being and not destruction. The neglect of any one of the two cannot but ultimately lead to decline. The Qur'ān itself strongly asserts the use of reason and observation (al-Qur'ān, 3:190-91, 41:53).

This emphasis has become reflected in the writings of most Muslim scholars throughout history. For example, Ibn Taymiyyah (d.728/1328) clearly stressed that the derivation by Muslims of their beliefs, prayers and values from the Qur'ān, the *Sunnah*, and the consensus of the *Ummah*, is “not in conflict with reason, because whatever clearly conflicts with reason stands rejected (*bātīl*).”⁶⁶ He further argued

فياخذ المسلمون جميع دينهم من الاعتقادات والعبادات وغير ذلك من كتاب الله وسنة رسوله، وما اتفق عليه سلف الأمة⁶⁶ وأئمتها، وليس ذلك مخالفاً للعقل الصريح، فإن ما خالف العقل الصريح فهو الباطل، (ابن تيمية، مجموع الفتاوى، ج 11، ص 490).

Ibn Taymiyyah, *Majmū' al-Fatāwā*, Vol... 11, p. 490.

that people do not perhaps appreciate that the texts of the Qur'ān and the *Sunnah* consist of words and that it is possible for them to understand these words incorrectly or to interpret them wrongly. So the problem lies with the interpreters and not with the Qur'ān and the *Sunnah*.⁶⁷ Mustafā al-Zarqā, a prominent and respected religious scholar of the 20th century as well as a Faysal laureate, has also clearly declared that “it is well-established among the ‘*ulama*’ that there is nothing in the beliefs and teachings of Islam which is in conflict with intellect.”⁶⁸

Emphasis
on the
maqasid in
the
interpretati
on of texts

This shows that faith and intellect are both interdependent and need to be used in such a way that they strengthen each other and help realize the *maqāsid*. Without the active role of intellect, it may not be possible to exercise *ijtihād* and to evaluate rationally all the interpretations of the Qur'ān and the *Sunnah* as well as the *fiqhi* verdicts against their impact on the actualization of the *maqāsid*. Any interpretation or verdict which is not in harmony with the *maqāsid* and is likely to lead to outcomes which may hurt human well-being, needs to be reconsidered carefully and either adjusted or rejected outright. This has been emphasized by a number of prominent scholars of *Sharī'ah*. Imām al-Haramayn, Abul Ma'ālī al-Juwaynī (d.478/1085) said that: “Whoever does not comprehend the role of *maqāsid* in the do's and dont's of the *Sharī'ah* lacks insight in its implementation”⁶⁹ Shaykh Muhammad al-Tāhir ibn

ولكن فيه الفاظ قد لا يفهمها بعض الناس ، او يفهمون منها معنى باطلا، فالأفة منهم لا من الكتاب والسنة (ابن تيمية،⁶⁷ مجموع الفتاوى ، ج 11، ص 490

(Ibn TaymIyyah, *Majmū ' al-Fatāwā*, Vol... 11, p. 490).

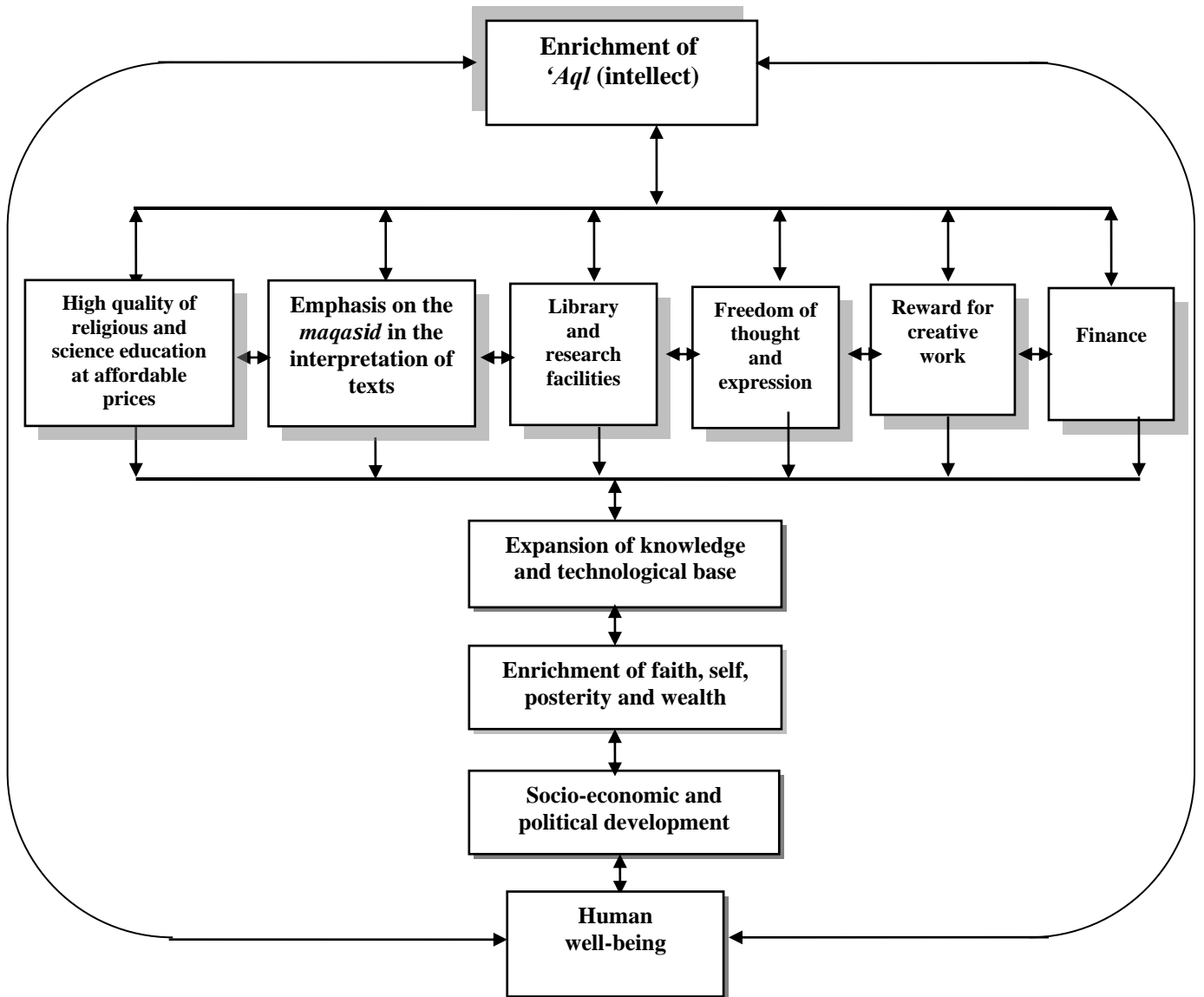
⁶⁸Mustafa al-Zarqa, *Al-[Aql wa al-Fiqh*, 1996, p. 14.

"من المقرر الثابت عند علماء الإسلام أنه لا يوجد في عقيدته وأحكامه ما يصادم العقل" (مصطفى الزرقا، العقل والفقہ، 1996م، ص 14) د

⁶⁹ Al-Juwayni (d.478/1085), *al-Ghiyathi*, 1400, Vol... 1, p. 295.

"وأن من لم يتقطن لوقوع المقاصدة في الأوامر والنواهي ليس على بصيرة في وضع الشريعة". (إمام الحرمين أبو المعالي عبدالملك الجويني، الغياثي (غياث الأمم في التياث الظلم) تحقيق عبدالعظيم الديب، 1400 هـ، ج1، ص 295).

Figure 4



‘Āshūr also stated that: “Most of the issues in *usūl al-fiqh* (principles of Islamic jurisprudence) have become confined to the derivation of verdicts from the words of the Law-Giver rather than being used to serve the purpose or objectives of the Shari‘ah”.⁷⁰ The unfortunate result of this is that “many of the *‘Ulūm-al-Diniyyah* (religious sciences), including *usul al-fiqh*, have lost the true spirit from which it benefited in the earlier periods. The revival of this spirit is the most crucial imperative for the renaissance of religious knowledge”.⁷¹

Need for
high
quality
religious
and science
education

Emphasis on the *maqāsid* rather than on just the letter in the interpretation of texts should help in not only restoring the real luster of Islamic teachings but also in reducing the differences of opinion as well as the prevailing conflicts, fanaticism, intolerance, and undue emphasis on appearances. However, such a complementary and harmonious role of intellect and revelation may not be possible without creating in the Muslim countries an educational system which combines the teaching of modern sciences with religious sciences and trains the students to think, analyze and interpret the texts rationally in the light of the *maqāsid* with a view to restore the dynamism of Islam and enable it to face the challenges of modern life.

It is but natural that a worldview which places so much emphasis on the reform and socio-economic uplift of human beings would attach great importance to education. No wonder the very first Revelation of the Qur’an to the Prophet required

⁷⁰ Muhammad al-Tāhir ibn [Āshūr, *Maqāsid al-Sharī‘ah al-Islāmiyyah*, 2nd ed. 2001, p. 166).

"أن معظم مسائل أصول الفقه لا ترجع إلى خدمة الشريعة ومقصدتها، ولكنها تدور حول محور استنباط الأحكام من ألفاظ الشارع..."
الشيخ محمد الطاهر ابن عاشور، مقاصد الشريعة الإسلامية، تحقيق محمد طاهر الميساوي، دار النفائس، الأردن ط2، 2001، ص 165 – 166.

⁷¹ Abī al-Fadl ‘Abd al-Salām (1424/2004), pp. 576-7.

"إن هذا الطرح لهذه القضية الجسيمة ليقوِّظ في النفس شعوراً قوياً بأن كثيراً من العلوم الدينية، ومنها أصول الفقه، فقدت الروح العالية التي كانت تتمتع بها في عهودها الأولى، وأن استعادة تلك الروح هي اليوم من أعظم الضرورات لتحقيق نهضة علمية دينية".
أبي الفضل عبدالسلام بن محمد بن عبدالكريم، التجديد والمجددون في أصول الفقه، القاهرة، المكتبة الإسلامية، ص 576 – 577.

him to “Read in the name of the Lord...Who taught man through the use of pen what he did not know” (al-Qur’an, 96: 1-5). Even the Prophet (pbuh), gave a high place to learning in the Islamic worldview by making it obligatory for every Muslim man or woman to seek knowledge, and equating the superiority of a learned man over a mystic to that of the full moon over all other stars.⁷² It is only through a combination of religious and science education that a proper grounding can be provided to the people to know the values of their society, raise their skills to enable them to earn their livelihood in a morally lawful (*halāl*) way, and to make it possible for them to contribute fully to the development of science and technology and the realization of the *maqāsid*. In keeping with the emphasis on education in the Qur’an and *Sunnah*, the *fiqh* literature has also done the same. Abū Zahrah, one of the outstanding jurists of the twentieth century, says that it is necessary “to train a person so that he is a source of benefit, and not of harm, to his society”.⁷³

Other
requisites

However, education and research have to be of high quality if they are desired to serve the purpose of accelerated moral, material and technological development of Muslim societies. This purpose may remain a fond hope if proper research and library facilities are not provided, there is no freedom of thought and expression, creative work does not get properly rewarded, and appointments and promotions are based on connections and sycophancy rather than on merit and contributions made to society.

⁷² The two *hadīths* are: “The quest for knowledge is the duty (*faridah*) of every Muslim”, and “the superiority of a learned man (*‘alīm*) over a mystic (*‘abid*) is like that of the full moon over all other stars,” (Both are reported by Ibn Majah, the first from Anas Ibn Malik and the second from Abu al-Darda’, Vol... 1, p.81, numbers 223 and 224, *al-Muqaddimah*, Bab: 17- *fadl al-‘ulama’ wa al-hathth ‘ala talab al-‘ilm*). For other *ahadīth* on the subject of learning and teaching, see pp. 80-98. See also al-Qurtubi (d. 463/1070). *Jami’ Bayan al-‘ilm wa Fadluhu*, Vol... 1, pp 3-63, and al-Ghazali (d. 505/1111), *Ihya’*, Vol. 1, pp. 4-82)

الحديث الأول. عن أنس ابن مالك رضي الله تعالى عنهما قال، قال رسول الله صلى الله عليه وسلم: "طلب العلم فريضة على كل مسلم" (ابن ماجه، مجلد، ص 81، رقم 224، المقدمة، باب فضل العلماء والحث على طلب العلم).
والحديث الثاني عن ابي الدرداء، رضي الله تعالى عنه، قال قال رسول الله صلى الله عليه وسلم "إن فضل العالم على العابد كفضل القمر على سائر الكواكب" (نفس المرجع، حديث رقم 223).

⁷³ Abu Zahrah, *Usul of-Fiqh*, 1957, p. 350.

The lack of financial resources may tend to be a hindrance in promoting high quality education. However, if education, research and technological advancement are considered to be important for development, then corruption must be minimized and resources must be squeezed from wherever it is possible (Figure 4).

Enrichment of Posterity (*Nasl*) (Figure 5)

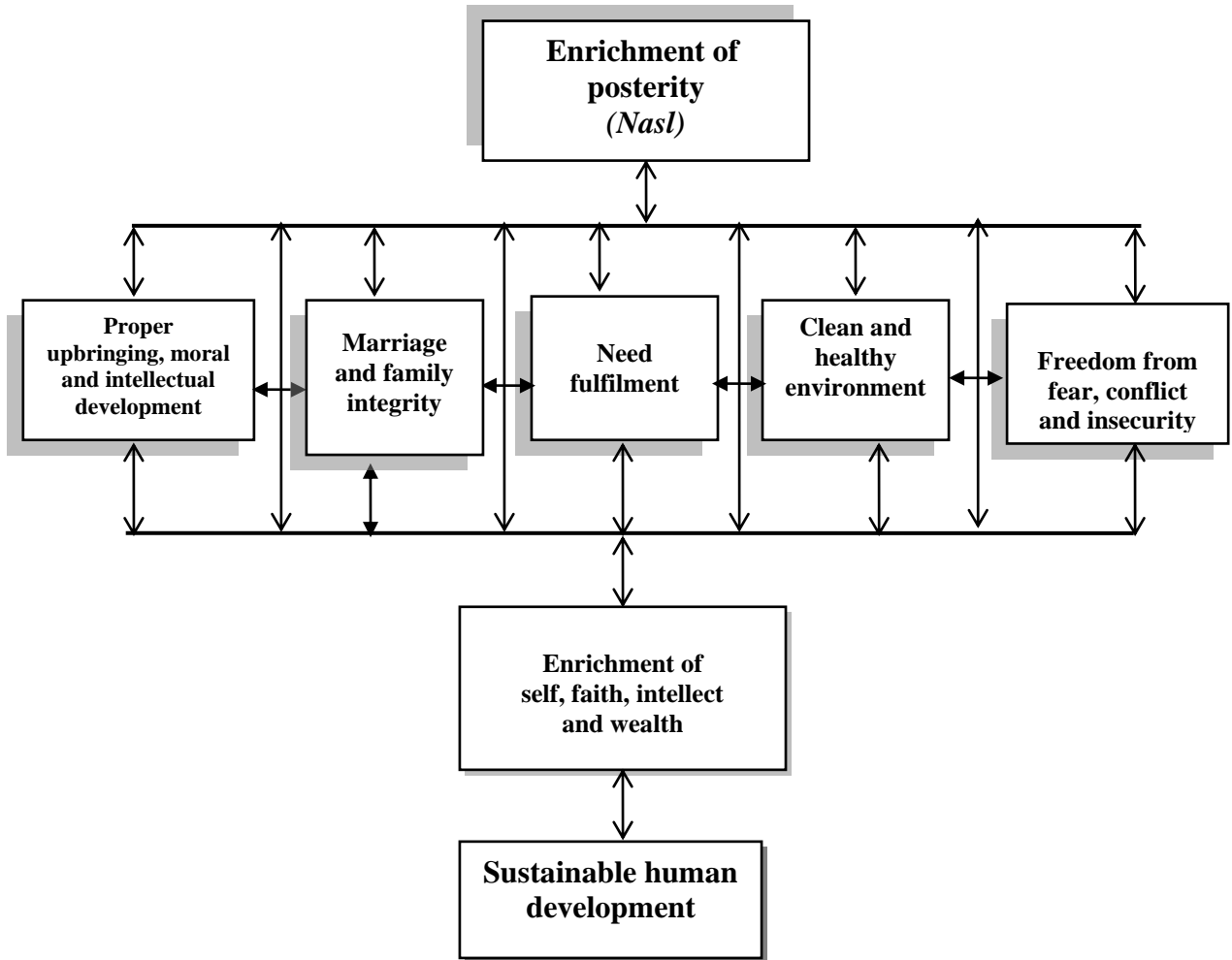
No civilization can survive if its future generations are spiritually, physically, and mentally of a lower quality than the previous ones and are, therefore, unable to respond successfully to the challenges that they face. There must, therefore, be continuous improvement in the quality of the future generation, which depends on a number of factors. One of these is the kind of upbringing that the children are able to get. In order to make them good Muslims, it is necessary to inculcate in them all the noble qualities of character (*khuluq hasan*) that Islam requires in its followers. They should learn from their very childhood to be honest, truthful, conscientious, tolerant, punctual, hard working, thrifty, polite, respectful towards their parents and teachers, willing to fulfill all their obligations towards others, particularly their subordinates, the poor and the disadvantaged, and able to get along with others peacefully.

Moral
develop-
ment

Proper
upbringing
and family
integrity

The family is the first school for the moral upbringing of children and, if this school fails to inculcate in them the good qualities of character (*khuluq hasan*) that Islam expects in its followers, it may be difficult to overcome the setback later on. The family may not, however, be able to fulfill this tremendous responsibility satisfactorily if the character of the parents themselves does not reflect the luster of Islamic teachings. In this case, they will not be able to serve as role models for their children and will not be able to provide them the quality of care and upbringing that

Figure 5



they need to be good and productive human beings. In addition, there has to be an atmosphere of love, affection and tranquility in the family as desired by the Qur'ān (39:21). Such an atmosphere will prevail only if the parents fulfill their responsibilities towards each other conscientiously and amicably. Nothing can be worse for the children than the constant bickering of parents. Such a discord may ultimately lead to divorce, which will have a detrimental impact on the children's moral, mental and psychological development.⁷⁴ This is the reason why, even though Islam has allowed divorce, the Prophet (pbuh) said: "Of all the things allowed by God, the one despised by Him most is divorce"⁷⁵, and that "Get married but do not divorce because divorce leads to the trembling of the Divine throne".⁷⁶ Therefore, in the interest of children's well-being it is necessary to avoid discord and divorce as much as possible and, in case it becomes inevitable, to do everything possible to save them from its adverse effects.

Intellectual
develop-
ment

In addition to the integrity of the family and the proper moral upbringing of children, a second factor that is necessary for the enrichment of posterity is their proper education to provide them the skills that they need to enable them to stand on their own feet and to contribute effectively to the moral, socio-economic, intellectual and technological development of their societies. For this purpose, it is indispensable to have high quality schools, colleges and universities. This is the area where Muslims have failed badly over the last few centuries after several centuries of

⁷⁴ Empirical studies have established that youth raised in highly religious homes are less likely to engage in criminal activity (use drugs or alcohol, or engage in premarital sex (Iannaccon, 1998, p. 1476; see also Bachman, et.al, 2002; Wallace and Williams, 1997; and Gruber 2005). See also, Fukuyama, 1997.

⁷⁵ Cited by al-Qurtubī from Ibn 'Umar in his commentary of verse 1 of surah (al-Talāq), Vol.18, p. 149.

عن ابن عمر، رضي الله تعالى عنهما، قال قال رسول الله صلى الله عليه وسلم (إن أبغض الحلال إلى الله الطلاق) تفسير القرطبي تفسير آية رقم 1 في سورة الطلاق.

⁷⁶ *Ibid*, from 'Ali ibn Abi Talib (تزوجوا ولا تطلقوا فإن الطلاق يهتز منه العرش).

commendable performance. Therefore, unless education is given the priority that it deserves and the resources that it needs, Muslim countries may not be able to accelerate development and to meet successfully the challenges that they face. The clear message written boldly on the walls is: ‘education’, ‘education’, and ‘education’. Education will, however, not spread as desired unless it is provided free and, if this is not feasible, at affordable costs. Without this, only the rich will be able to afford good quality education for their children. This will intensify the prevailing inequalities of income and wealth and, in turn, accentuate social tensions and instability. Lack of resources is a lame excuse because the crucial importance of education in development demands that it be given maximum priority even if this necessitates the diversion of resources from other sectors.

There are two other factors which are indispensable for the enrichment of posterity. One of these is the fulfillment of all their needs, including health care, so that they are physically and mentally healthy and capable of playing their roles effectively in their society. The Prophet (pbuh), said that “A strong Muslim is better and more beloved before God than a weak one.”⁷⁷ If the children do not get proper nourishment along with a clean and healthy environment and proper medical care, they may not grow up to be strong and healthy adults and may not, thus, be able to contribute richly to their societies even if they are morally upright and well-educated.

The other factor that is also necessary for the enrichment of posterity is freedom from fear, conflict and insecurity as well as the debt-servicing burden created by the present generation’s borrowing for consumption purposes. Fear, conflict and insecurity may be reduced by adopting a policy of tolerance and peaceful

Need
fulfillment
and healthy
environ-
ment

Freedom
from fear
conflict,
insecurity
and debt-
servicing
burden

⁷⁷المؤمن القوي خير وأحب إلى الله من المؤمن الضعيف (Ibn Majah, Vol. 1, p. 31:79)

coexistence. It is also necessary to allocate adequate resources for the cultivation of better understanding among the people and the removal of all irritants. The debt-servicing burden may be reduced by adopting two important measures. One of these is a change in the life-style of the present generation with a view to curb living beyond means. This will not only reduce private sector debt but also help raise saving and expand employment opportunities for the young. The other measure that is also indispensable is to introduce greater discipline in government budget to reduce the deficits which lead to a rise in the debt-servicing burden. This will also help release resources needed for ensuring progress in the realization of the *maqasid*.

Development and Expansion of Wealth (Figure 6)

Wealth is placed by both al-Ghazālī and al-Shātībī at the end. This does *not* necessarily mean that it is the least important. It is rather as important as the other four primary *maqāsid* because without it the other four may not be able to get the kind of thrust that is needed to ensure general well-being. No wonder, asceticism and self-denial have been disapproved by both the Qur’ān and the *Sunnah*. The Qur’ān says: “And the asceticism which they have invented, we did not prescribe it for them” (57:27). This may perhaps be the reason why the Prophet, (pbuh) said that “There is nothing wrong in wealth for him who fears God [i.e., abstains from evil]”,⁷⁸ and that “Whosoever is killed while protecting his property is a martyr”⁷⁹ It may perhaps be because of this that wealth (*māl*) has been placed immediately after the human self

⁷⁸ Al-Bukhārī, *al-Adab al-Mufrad*, p. 113:301, *Bāb Tīb al-Nafs*.

أنه لا بأس بالغنى لمن اتقى

⁷⁹ “من قتل دون ماله فهو شهيد” (Shahih al-Bukhari, *Kitab al- Mazalim, Bab man qatala duna malhi fahuwa shahid*; and *Sahih Muslim, Kitab al-Iman*).

(*nafs*) in the ordering of the five *maqāsid* by Fakhruddīn al-Rāzī, (d.606/1209), a prominent jurist and Qur'ān commentator.⁸⁰

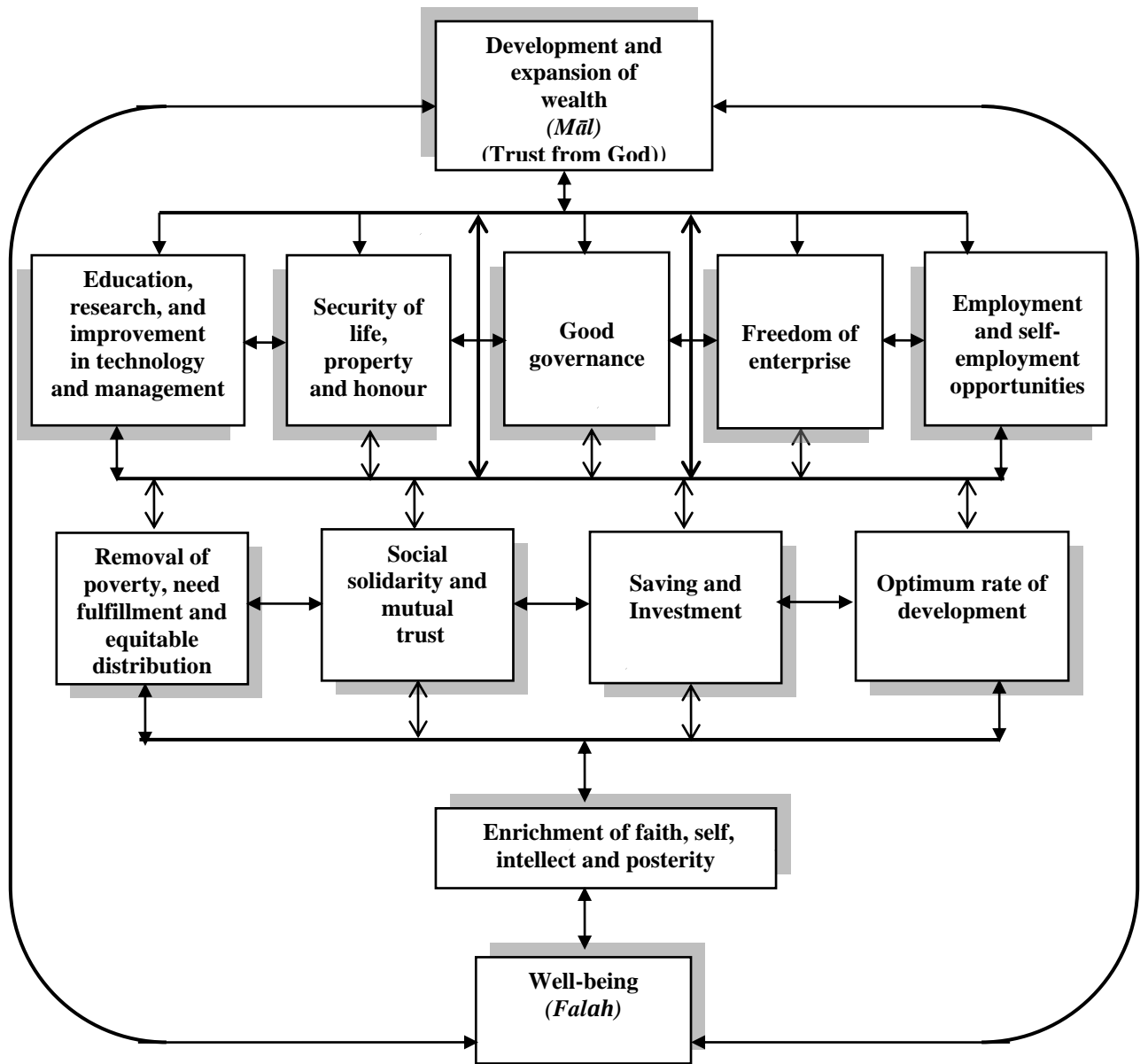
Wealth is, however, a trust from God and needs to be developed and used honestly and conscientiously for removing poverty, fulfilling the needs of all, making life as comfortable as possible for everyone, and promoting equitable distribution of income and wealth. Its acquisition as well as use need to be primarily for the purpose of realizing the *maqāsid*. This is where faith has a crucial role to play through its values and its motivating system. Without the values that faith provides, wealth would become an end in itself. It would then promote unscrupulousness and accentuate inequities, imbalances and excesses, which could ultimately reduce the well-being of most members of both the present and future generations. It is for this reason that the Prophet (pbuh) said: “Wretched is the slave of dinar, dirham and velvet”⁸¹ Therefore, faith and wealth are both extremely necessary for human well-being. None of these two can be dispensed with. While it is wealth which provides the resources that are necessary to enable individuals to fulfill their obligations towards God as well as their own selves, fellow human beings, and the environment, it is faith which helps inject a discipline and a meaning in the earning and spending of wealth and, thereby, enable it to serve its purpose more effectively.⁸²

⁸⁰ Al-Rāzī, *al-Mahsūl*, 1997, Vol...5, p.160.

⁸¹ "تعس عبد الدينار و تعس عبد الدرهم وتعس عبداً لقطيفة الذي إذا أعطى رضي و إن لم يعط لم يرض" Sahih al-Bukhari, *Kitab al- Jihad wa al-Siyar*.

⁸² It is for this reason that the Prophet (pbuh) said: “A person will not be able to move on the Day of Judgment until he has been asked four questions : about his knowledge, how much he acted upon it; about his life, how he utilized it; about his wealth, how he earned it and where he spent it; and about his body, how he wore it out” (cited by Abū Yusuf, in his *Kitab al-Kharaj*, p. 4)
قال صلى الله عليه وسلم " لا تزول قدما عبد يوم القيامة حتى يسئل عن أربع : عن علمه ماذا عمل به وعن عمره فيم افناه وعن ماله من أين اكتسبه وفيم انفقه وعن جسده فيم ابلاه (ابو يوسف، كتاب الخراج ، ص 4)

Figure 6



Development of wealth is also imperative for realizing the crucial Islamic goal of minimizing the inequalities of income and wealth. For this purpose, it would be a mistake to place primary reliance on the redistributive methods of *zakāh*, *sadaqāt* and *awqāf*. While all of these are indispensable, it is also important to enlarge the national pie through economic development. Putting too much burden on the rich through excessively high rates of taxes would be resisted by them, as the Qur'an has been realistic to admit (47:37).⁸³ Crossland rightly pointed out in the light of the socialist experience that "any substantial transfer involves not merely a relative but also an absolute decline in real incomes of the better-off half of the population...and this they will frustrate".⁸⁴ The experience of Muslim countries may not tend to be significantly different even when moral transformation has taken place if excessive reliance is placed on redistributive methods. Therefore, Muslims cannot afford to ignore the role of economic development in reducing poverty and inequalities. This would necessitate the strengthening of human resources through a cultural transformation in favour of education, technological advance, hard and conscientious work, punctuality, efficiency, research, orderliness, team work, thrift and a number of other individual and social character traits which Islam emphasizes but which are at present relatively weak in Muslim societies and which do not even get the desired emphasis in the school and *madrasah* curricula as well as mosque sermons. In addition to the uplift of human resources, it is also necessary to reorient monetary, fiscal and commercial policies in the light of Islamic teachings to ensure accelerated development. There should be no qualms about benefiting from the experience of

⁸³ The verse states "If He {God} were to ask you for your wealth and press you for it, you would covetously withhold it and, thereby, He will expose your resentment (47:37).

⁸⁴ Crossland, 1974.

other countries that have been able to attain high rates of growth in a manner which is not in conflict with the Shari'ah.

To inject greater justice into the developmental process, it is also necessary to promote micro-enterprises to expand employment and self-employment opportunities for the poor. This may not be possible without promoting vocational training and microfinance, and providing the badly needed infrastructure and marketing facilities in rural areas and urban slums. Experience has shown that interest-based microfinance has not led to as much improvement in the lives of the hard core poor as desired. This is because the effective rates of interest have turned out to be as high as 30 to 45 per cent. This has caused serious hardship to the borrowers and engulfed them into an unending debt cycle.⁸⁵ Owning capital is one of the important bases of wealth creation and the poor may not be able to come out of poverty even if they have the necessary skills if they do not have access to capital. It is, therefore, important to provide microfinance to the very poor on a humane interest-free basis. This will necessitate the integration of microfinance with the *zakāh* and *awqāf* institutions.⁸⁶ For those who can afford, the profit-and-loss sharing and sales- and lease-based modes of Islamic finance need to be popularized.

CONCLUSION

Thus, it may be seen that Islam has emphasized all the ingredients of human well-being, including the human self, faith, intellect, posterity and wealth, along with their corollaries, instead of just wealth. They are all interdependent and play the role of supporting each other. With progress in ensuring the enrichment of all these ingredients, it may be possible for the five-point star of Islam to shine with its full

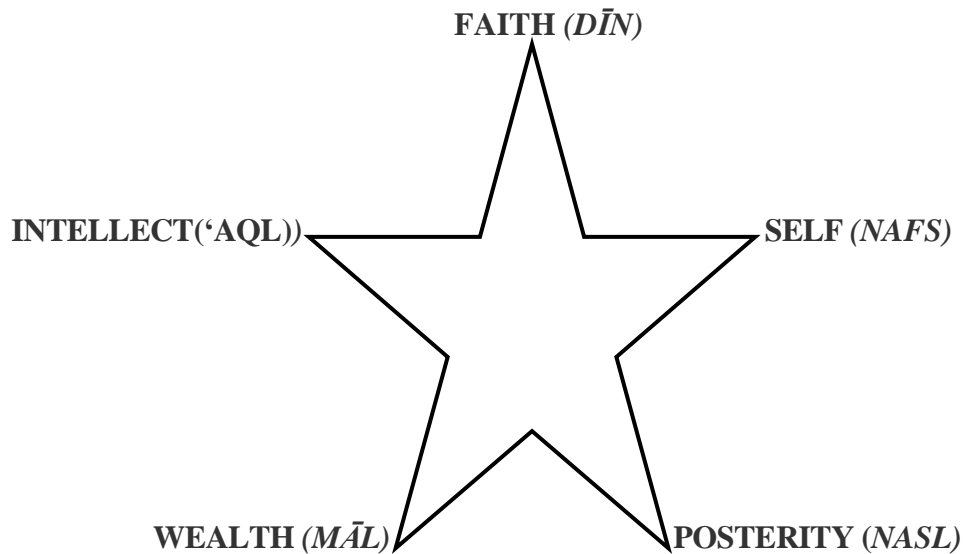
⁸⁵ See Ahmad, 2007, pp. xvii – xix and 32

⁸⁶ See the Islamic Research and Training Institute Report (2007).

brightness and help realize real human well-being (Figure 7). Only then will it be possible for the Muslim world to be a reflection of what the Qur’ān says about the Prophet (pbuh): “We have sent you as a blessing for mankind” (al- Qur’ān, 21:107)

Figure 7

**Human Well-Being:
The Light of *Muqāsid al- Sharī’ah***



Concentration only on economic development with the neglect of other requisites for realizing the Islamic vision may enable the Muslim world to have a relatively higher rate of growth in the short-term. However, it may be difficult to sustain it in the long-run because of a rise in inequities, family disintegration, juvenile delinquency, crime, and social unrest. This decline may gradually get transmitted to all sectors of the polity, society and economy through circular causation, emphasized by Ibn Khaldun (d.808/1400) in his *Muqaddimah*,⁸⁷ and lead ultimately to a further deterioration of the Muslim civilization from the low point it has already reached as a result of centuries of decline.

⁸⁷ For an analysis of Ibn Khaldūn's circular causation model, see Chapra, 2000, pp. 145-159

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