



Community Development in Maqasid Al-Sharia: A Comparative Discuss ... (Mukhtar, 2021)

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Abstract

Community development is a new and contemporary issue in development work and studies that resulted in supplementing government effort in bringing good and positive life to the citizens, especially at the grassroots level. Though in contemporary day community development could be said to be new, but in Islamic point of view it is there for over one thousand years, with the advent of Islam in this world of ours. Because the basis upon which Islamic legislation and instrumentation is based in term of its philosophy, implications, latent effect and intent is to eradicate and uproot evil in form of all its ramifications and establish good with all its benefits. And this is what community development is all about. The paper aims at making elaborations on the provisions made in Islam, in terms of the intents in Islamic legislation and instrumentation, in bringing about positive development and better living for all. This is within the scope of the benefits and prevention of harm by Shari'ah as posited by Alghazali: the essentials (dharuriyyat), the complementary (Hajiyyat) and the embellishments (Tahseeniyyat). It employed a descriptive approach that employed literature review. The findings of the paper show, among others, that community development is reflected and based in the first of the benefits of Shari'ah as its intent called dharuriyyat, as mentioned by al-Ghazali, that refers to taking care of (1) Human self; (2) Faith; (3) Intellect; (4) Posterity (or Procreation); and (5) Wealth (or Property). It is therefore recommended that in community development activities the above five should be protected and projected by all means possible.

Keywords: Community, Community Development, Shari'ah, Maqasidul-Shari'ah



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Introduction

The need for community development is widely recognized but there is an inconsistency in the definition, usage and general understanding of what community development represents. The community comes from the Latin 'communis' meaning public, shared by all or many. Tounies in Kularatne (2009) perceived community to be tighter and more cohesive entity within the context of the larger society due to the presence of a unity of will. He added that family and kinship were the perfect expression of community but that other shared characteristics, such as place or belief could also result in community.

However, the concept of development generally implies a positive change in specific direction. Therefore, development means eliminating poverty, unemployment and inequality as well. Later it was recognized not only economic development but also social, cultural and political development and it should be future oriented and sustainable. Therefore, community development means improving the quality of people's lives and expanding their ability to shape their own futures through improving their access to opportunities to better themselves (Soubotina & Sharam, cited in Kularatne, 2009).

Hence, community development means a philanthropical gesture or initiative that is made with a view to bringing a change for the betterment of the life of community. Therefore, community development involves an initiative that aims at assisting people to have an opportunity to improve upon their living condition and have a better future for themselves, the fellow individuals and the posterity. Therefore, Shari'ah (Islamic Law) is there to bring about positive and better life for all. To that effect, Shari'ah in its intents has made a lot of provisions in better practices for community development that if considered and adopted into the theory and practice of community development, it would be an immense contribution for better community development practices. To make this argument clear, this paper wanted to provide an explanatory note on community development in Maqasid al-shari'ah.

Concept of Community Development

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Community Development in Qur'an and Hadith

One is never erring if he says: Qur'an and Hadith have come for the development of human community. This is because both Qur'an and Hadith principally yearn and aspire to change the community life for better and best, not only in this world but in the life after. Allah says in the Qur'an, "This book (meaning Qur'an) there is no doubt in it (and) it is a guide (for positive change) for those who care about Allah" (Q2:2). The issue of community development as bringing positive change in the community has been mentioned in several places and on many occasions in Qur'an and Hadith. Here are some examples:

(A) From the Qur'an:-

1. "And be good as Allah has been good to you and do not transgress on the earth, verily He (Allah) does not like those who transgress" (Q28:77).
2. "I swear by the time. Verily man is at lost. Except those who believe and do well and admonish by truth and admonish by patience (Q103:1-3).

(B) From the Hadith:-

1. "Whoever among you sees something bad let him change it by his hand, and if he could not, let him change it by his tongue and if he could not, let him change it by his heart" (Sahih Bukhari).
2. "Whoever helps his fellow man with his needs, Allah will help him with his needs" (Sahih Bukhari).
3. "Whoever introduces a good culture (positive change) gets its reward and the reward of those who make use of it. And whoever introduces a bad culture gets its sin and the sin of those who make use of it" (Sahih Bukhari).

Therefore, you can see how Qur'an and Hadith encourage positive change in the community and there are as many examples as possible in the Qur'an and Hadith, further studies could be made on that effect.

The Philosophy of Community Development in Islam

There is nothing comparable to philanthropical feeling in individuals, in determining the progress of a society, its fitness to live and its suitability to lead the world. Philanthropical feeling that pours well, kindness and mercy to the classes of the society in totality, including any one that lives on earth like man and animal. And humanitarian feeling is what makes the societies to become superior. Our society (Muslim community) has reached the peak in philanthropy that no any society reaches her yet. The Western world had reached the peak in providing for social security by the use of social foundations and public social welfare packages but the Western world has not reached the peak in sincere philanthropy to God, just like our society had done during her heydays. The issue is that, there are traces of looking for pride, fame or name immortalization in the western humanitarian gestures. On the other hand, the only motivating factor for our society in humanitarian work is looking for Allah's pleasure: whether people know about it or not. A good example of this is that, Salahuddeen (Saladin) al-Ayyubi spent all of his money on philanthropical projects like mosques,



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schools, security and so on. And he did not name any one of the projects after his name but he named the projects after the names of his military commanders, viziers, aides and friends. This purely indicates the absence of selfishness in philanthropy.

Additionally, in the West they limit their community development projects to their citizens, while our Muslim community development are opened for the benefit of anyone without considering his race, language, country or belief. Another issue that makes a difference between Muslim community development and Western is that We Muslims have developed community development tools that the West knew none of them, Waqf, Khums for example (Alsiba'iy, nd). Therefore, the philosophy behind community development in Islam is not personal or selfish; rather it is purely for the sake of the good of mankind as ordained by Allah and His messenger (S.A.W.). Allah says, "Satan (devil) makes you scared of poverty (if you make kind offerings) and he (the devil) instructs you to commit evil and Allah promises you forgiveness from Him and an increase (in your possessions if you do kind offerings out of it) and Allah is the Enlarger (of your possessions) and Most-Knowing (about what you offer for goodness).

Some Examples of Community Development Offers Made by Muhammad (S.A.W.) and His Companions

When the Saying of Allah was revealed, that says: "Who will give Allah a good debt so that He doubles it for him many times" a companion of the prophet (s.a.w.) called Abu-Dahdah said: Can Allah take debt from His servant o messenger of Allah?! He then said: Yes. Abu-Dahdah then said: Give me your hand o messenger of Allah and he informed that he gave-out his garden that he only owned, in charity. And in the garden there were seven hundred fruit bearing date trees .He then went back to his wife who was staying with her children in the garden and told her what he did with the garden. She left, herself and her children saying: your bargain has been profitable o Abu-Dahdah. (Als-ba'iy, nd). And when the Saying of Allah that reads: "You will never get it right until you spend out of what you like" Abu-talhah Alansary said: O messenger of Allah the most beloved of my possessions is Bayraha' (it is a well with fresh water) and I gave it in charity for Allah's sake, I wish it to be rewarding and a saving with Allah. Therefore, o messenger of Allah put it where Allah shows you. S.A.W. then said: "Hurray! Hurray! This is a profitable offering! This is a profitable offering! Keep the origin and give the product in charity". The prophet (S.A.W.) also gave-out seven gardens given to him by someone as charity for the poor, vulnerable and the needy. Umar bn Khattab gave-out his land in Khaibar as charity. Abubakr, Uthman, Aliyyu, Azzubair, Mu'az and so on gave-out their possessions as charity and there was no companion of the prophet (s.a.w.) that was spared of giving a charity out of his possessions (Alsiba'iy, nd).

Concept of Maqasid Al- Shari'ah

Shari'ah literally means the way. In the Islamic terminology, it means jurisprudence that simultaneously encompasses the fundamental beliefs and the practical laws of Islam. According to Haron and Wanazmi (2009) "the concept of *Shari'ah* encompasses not only the conduct of man in his life towards realizing the Divine Will, but also covers all behavioral – spiritual, mental and physical. This means that the concept of *Shari'ah* is greater than law, covering all aspects of living including faith and practices, personal behavior, legal and social matters." *Shari'ah* is the set of religious law and moral code in Islam. It is considered as the central, primary source for *fiqh* scholars.



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It is identified as a set of ethical values covering all aspects of life e.g., personal, social, political, economic, and intellectual (Mansour and Houssemeddine, 2013).

Al-Qurtubi (1240) defines *Shari'ah* as the canonic law of Islam. Containing all Islam's commandments to mankind, it is usually divided into three main sub-fields, namely *Aqidah* (beliefs), *Ibadah* (worship), and *Akhlaq* (moral and ethics). Ethical values are therefore an integral part of *Shari'ah*. *Shari'ah* is the all aspects of human endeavor be it economic, political, social, or theological and it's a complete way of life of a Muslim from cradle to grave. To understand *Shari'ah*, one needs to comprehend its objectives that allow for flexibility, dynamism, and creativity in social policy. *Maqasid al-Shari'ah* is often literally translated as the goals of *Shari'ah*. It is considered as the set of all objectives of Islamic law. Dusuki (2009) maintains that the scope of *Maqasid al-Shari'ah* covers all aspects of life that are related to social, personal, economic, and intellectual facets. Al-Shatibi (2011) emphasizes the fact that they could be viewed from two prisms: (i) the objectives come from the Creator of Law (*al-Shaari*) to be fulfilled by the responsible servant (*al-Mukallaf*); (ii) the objectives should be followed in compliance with *al-Shaari* and not being guided by *al-Mukallaf*'s own desires.

According to Illal al-Fasi (1974) cited in al-Raysuni (2006) *Maqasid al-Shari'ah* is its purpose or goal, and the underlying reasons which the Lawgiver has placed within each of its ruling. Kamali (2008) states that the *maqasid al-Shari'ah* are "largely concerned with the philosophy of the law, its outlook and objectives, rather than the specific formulations of its text." Ibn Ashur (2006) described a comprehensive definition of *maqasid al-Shari'ah* as the general objectives of Islamic legislation consist of the deeper meanings and inner aspects of wisdom considered by the Lawgiver in all or most of the areas and circumstances of legislation. They are not confined to a particular type of *Shari'ah* commands. Thus, they include the general characteristics of the *Shari'ah*, its general purpose and whatever notions contemplated by the legislation. They also include certain meanings and notions that are present in many, though not all, of the *shari'ah* commands.

Lamido (2015) posits that *Maqasid* connects between the spirit and philosophy of *Shari'ah* on one hand and social, economic, historical, political and general environmental contexts of society on the other. It also serves as a yardstick for measuring the appropriateness of reform programs and their conformity with the universal objectives, principles and value of the *Shari'ah*. It is a bridge that connects between texts and contexts, between ends and means, between goals and methodologies, between the latter and the spirit of the Islamic law as well as between the universal goals of Islam and practical means to their actualization.

Maqasid Al-Shari'ah Five-Pillar Approach

Al-Ghazali (1937) in his Magnum Opus entitled *al-Mustasfa fi ilm al-usul* (The Clarified in Legal Theory) mentions the five pillar approach, in which he stresses the extent to which *Maqasid al-Shari'ah* secure benefits and prevent harms. These benefits could be classified into three main categories:

1. The essentials (*dharuriyyat*)
2. The complementary (*Hajiyyat*)
3. The embellishments (*Tahseeniyyat*)

The approach of Al-Ghazali (1937) could be represented through the following circular shape. Indeed, Al-Allaf (2012) gives the circular representation of the benefits.



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There are three circles corresponding to the three categories of benefits. The three circles turn around a central circle corresponding to the two-fold source of *Shari'ah*, namely *Qur'an* and *Sunnah*. Al-Ghazali (1937) concentric approach shows two interesting features:

- i. All circles are dependent on the same source of *Shari'ah*, which corresponds to the central circle of *Qur'an* and *Sunnah*. Sources of *Shari'ah*
- ii. The closest circle to the center (i.e., the circles of essentials) is the most important to *Maqasid al-Shari'ah* seeing its benefits to the society as a whole.

The circle of essentials shows the following five necessities upon which the society depends. Indeed, the author considers that the five necessities are interdependent but should have an order. He argues that the most suitable order is as follows: (1) Human self; (2) Faith; (3) Intellect; (4) Posterity (or Procreation); and (5) Wealth (or Property).

These five essentials are basic from the perspective of *Shari'ah* by account of their crucial role for human life. Impairing one or more of these five necessities will be harmful to the society. This raises their importance for any financial institution and/or manufacturing/industrial firm to follow them which contributes to the promotion of human welfare, prevents corruption, and enhances the social and economic stability. As reported by Chapra (2007), Al-Ghazali (1937) argues that “whatever ensures the safeguard of these five components serves public interest and is desirable, and whatever hurts them is against public interest and its removal is desirable.” The five essentials should be protected by the governmental authorities and followed by firms and NGOs as well. Kamali (2012) claims that, “they are seen as absolute requirements to survival and spiritual well-being of individuals, to the extent that their destruction or collapse would precipitate into chaos and the demise of normal order in society.” The second set of necessities, i.e., the complementary benefits, is not regarded as obligatory and people could live without them. They “remove severity and hardship in cases where such severity and hardship do not pose a threat to the very survival of normal order.” The third set of benefits, i.e., the embellishments, aims at letting the behavior of people better and more oriented toward perfection.

The vision of Islam is that *Maqasid al-Shari'ah* ensures justice and equitability. Dusuki and Abozaid (2007) claim that they reflect “the holistic view of Islam which has to be looked at as a whole not in parts as Islam is a complete and integrated code of life and its goals encompasses the whole life, individual, and society.” Since *Maqasid al-Shari'ah* secure benefits and prevents harms, their purpose is to spread ethical values in order to establish justice, eliminate prejudice and alleviate hardship by the promotion of cooperation and mutual support within the family and society in general. Summarily *Maqasid Al-Shari'ah* refers to those intents and latent benefits that *Shari'ah* contains in its legislations and instrumentations for the benefit of the community and the general society, either at the grassroots or even at any level of any society.

The Relationship between Maqasid Al-Shari'a and Community Development

The concepts of *Maqasid Al-Shari'a* and Community Development are in a relationship like that of a son and his father; or like that of a machine and what it produces. This is clear in the following ways:-

1. Community Development as a social process for assisting people to improve upon their living condition involves all of what matters to help someone out and let him get out of the woods, is reflected and based in the first of the benefits of *Shari'ah* as its intent called



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dharuriyyat, as mentioned above by al- Ghazali. Dharuriyyat refers to taking care of (1) Human self; (2) Faith; (3) Intellect; (4) Posterity (or Procreation); and (5) Wealth (or Property). That is to say in community development activities the above five should be protected and projected by all means possible.

2. Shari'ah in its intent generally aims at eliminating injustice, inequity and establishing justice, fairness, equitability and promoting community development. Take the case of Zakat and Waqf instruments as tools for bringing equal distribution of wealth and resources in the community for example. With zakat and waqf people have been lifted out of poverty in some Nigerian Muslim communities, to extent that some state governments like those of Kano, Zamfara and Sokoto have established organisations on zakat and endowment, having realized the viability of zakat in poverty eradication.
3. Shari'ah is there to control the human excesses and redirect to a form of an individual that is bio-physically healthy, mentally, psychologically, materially and spiritually fit to benefit him and the society, and that is a typical community development. For instance, taking intoxicants like alcohol, cocaine, heroin and so on, is vehemently prohibited in Shari'ah. Therefore, with this prohibition, an individual will be devoid of drug abuse, safe from the menace of drug addiction and becomes a better and useful person in the community.

Conclusion

Simply the paper concludes that, Maqasid alshari'ah if adopted as a theoretical framework for community development practices, it would result in better theory and practice in community development. Subsequently, Maqasid alshari'ah Five Pillar approach, as explained in the paper above, if considered as a model in designing community development programmes, projects and ethics, it would help in better product in community development phenomenon.

Recommendations

On the basis of the foregoing discussions, the following recommendations are made:

1. Community development experts and practitioners should adopt Alghazali's Dharuriyyat as a model for comprehensive community development.
2. Shari'ah legislations and instrumentations, like zakat and waqf that help in poverty eradication and socio-economic prosperity should be exploited in combating poverty and economic inequality in the society.
3. Shari'ah means of controlling human excesses that result in problems like insecurity and injustice should be utilized in promoting security and social justice. Specifically, justice and peace should be promoted using the tactics involved in shari'ah.

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