

DA'WAH MAQASID AL-SYARIAH IN NURTURING COMMUNITY WELL-BEING
DAKWAH MAQASID AI-SHARI'AH DALAM MEMUPUK KESEJAHTERAAN MASYARAKAT

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Abstract

The agenda of building a community and their well-being need a particular approach, method or strategy which is in line with the background of the community. Community development is part of the agendas and responsibilities that the messengers of Allah have implemented in various ways, strategies and approaches. This article attempts to analyse how the '*Maqasid Syariah*' through the elements of preserving religion (*hifz al-din*), soul (*hifz al-nafs*), intellect (*hifz al-aql*), offspring/progeny (*hifz al-nasl*) and property (*hifz al-mal*) can be an applied as a medium and approach of *da'wah* (the propagation of Islam) in the context of community development and promoting well-being. The methods used in the writing of the article refer to documents related to the subject of the study and are thematically analysed. The analysis of the study reveals that the *da'wah* based on the principle of *maqasid syariah* has an important role and function in building the well-being society since the principle aim of the *maqasid* is to produce happiness, prosperity and better life for human life. The aforesaid elements of *maqasid al-syaria'ah* namely *hifz al-din* (preserving religion), *hifz al-nafs* (preserving soul/life), *hifz al-aql* (preserving intellect), *hifz al-nasl* (preserving offspring or human progeny) and *hifz al-mal* (preserving property) are vital and could be a basis of *da'wah* approach in producing well-being in human life. The implication of this study is that the nurturing of *maqasid shari'ah* to develop the well-being of society must take into account the content aspect (mawdu') of *maqasid shari'ah* and the approach of *dakwah* based on wisdom (*hikmah*).

Keywords

1. *Da'wah*, 2. *Maqasid al-Shari'ah*, 3. *Maslahah*, 4. *Mafsadah*, 5. Community well-being.

Abstrak

Agenda membangun masyarakat memerlukan pendekatan, metod dan strategi khusus yang selaras dengan latarbelakang masyarakat. Pembangunan masyarakat menjadi sebahagian agenda dan tanggungjawab yang telah dilaksanakan para rasul melalui pelbagai cara, strategi dan pendekatan. Artikel ini cuba menganalisis bagaimana 'Maqasid Syariah' melalui elemen-elemen memelihara agama (*hifz al-din*), memelihara jiwa (*hifz al-nafs*), memelihara akal (*hifz al-aql*), memelihara keturunan (*hifz al-nasl*) dan memelihara harta benda (*hifz al-mal*) boleh diaplikasikan sebagai medium dan pendekatan dakwah (penyebaran Islam) dalam konteks pembangunan masyarakat dan memupuk kesejahteraan hidup. Kaedah yang digunakan dalam penulisan artikel merujuk kepada dokumen yang berkaitan dengan subjek kajian dan dianalisis secara tematik. Analisis kajian menunjukkan bahawa dakwah berasaskan prinsip maqasid syariah mempunyai peranan dan fungsi yang penting dalam membina kesejahteraan masyarakat memandangkan matlamat prinsip maqasid adalah untuk melahirkan kebahagiaan, kemakmuran dan kehidupan yang lebih baik bagi kehidupan manusia. Unsur-unsur maqasid al-syaria'ah yang disebut sebelum ini iaitu *hifz al-din* (memelihara agama), *hifz al-nafs* (memelihara jiwa/nyawa), *hifz al-aql* (memelihara akal), *hifz al-nasl* (memelihara zuriat atau keturunan manusia. dan *hifz al-mal* (memelihara harta benda) adalah penting dan boleh menjadi asas pendekatan dakwah dalam melahirkan kesejahteraan hidup manusia. Implikasi kajian ini ialah pemupukan maqasid syariah bagi membangun kesejahteraan masyarakat hendaklah mengambil kira aspek kandungan (*mawdu'*) maqasid shari'ah dan pendekatan dakwah berhikmah.

Kata kunci

Dakwah , Maqasid al-Shari'ah, masalah, mafsadah, kesejahteraan masyarakat.

1. Introduction to Maqasid al-Syariah

Maqasid al-syariah was developed after the Prophet Companions' era in between the third and fifth Islamic century but only clearly developed in between the fifth and eighth Islamic century by many Islamic scholars such as Al-Tirmidhi al-Hakim, Abu Zayd al-Balkhi, Abd al-Malik al-Juwayni, Abu Hamid al-Ghazali, Abu Ishaq al-Shatibi and many others (Auda J. ,2010)

Maqasid is the plural of the word *maqsid*, which means a goal, a middle, fair, intentional, or a straight path ('Asyur, 2007: 15). *Maqasid al-syariah* consists of two words, namely *maqasid* and *al-syari'ah*. Literally, *maqsid* (plural: *maqasid*) can be defined as a purpose, objective, principle, intent, goal, or end (Auda, 2007). The word of '*maqasid*' (*jama/plural: maqāsīd*) refers to the following meaning: *Purpose, objective, principle, intention dan end* . In Greek word it refers to *telos* (Greek), *finalité* in French and *Zweck* in German (Rudolf 2001:25). Meanwhile the word *al-syariah* has broad meaning. According to Ibnu Manzur (2003:177) *al-syariah* is an Arabic word meaning 'the path to be followed. As far Al-Raysuni is concerned (2013: 8), *al-syariah* is to set the laws and to determine it. The word *syariah* according to Muneer Kuttiyani and Mumtaz Ali (2017:49) was used in the Quran only at one place but not in the sense of law as we perceive it today. It was used in the sense of right path. Based on these opinions, it can be summed up that *al-syariah* is a right path to be followed for the well-being of human life both in this worldly life and the life of hereafter.

Traditional and current Muslim scholars have given various definitions of *maqasid al-syariah*. Abdul-Malik al-Juwaini (d.478 AH/ 1185 CE), is considered among the earliest to contribute to the theory of *maqasid al-syariah* by using the terms '*al-maqasid*' and *al-masālih al-āmmah* (public interests) alternately. Abu Hamid al-Ghazali, prominent Islamic scholar (d.505 AH / 1111 CE) in discussing the classification of *maqāsid*, has placed it under the theme (*al-masālih al-mursalah* 'unrestricted interests'). Fakhruddin al-Razi (d.606 AH/1209 CE) and al-Amidi (d.631 AH/1234 CE) used the same terminology as al-Ghazali. Najmuddin al-Tufi (d.716 AH / 1316 CE), uses the term *maslahah* by defining it as matters that meet the purpose of the legislator. Al-Qarafi (d.1285 AH / 1868 CE) is of the view that the purpose of *maqasid* is not valid until it leads to the implementation of *maslahah* (good things) or can avoid *mafsadah* (harmful things / mischief). According to al-Shatibi, the meaning of *al-maslahah* is getting benefit and rejecting detriment not only based on common sense, but also for protecting the rights of humans (Al-Juwaini, 1400: 183). Therefore, *Maqasid al syariah* is the public interest to promote justice, to bring benefits of man on earth and finally to achieve happiness in this worldly life.

The Syariah or religion of Islam according to Abu Hurayrah (2015) is predicated on the benefits of the individual and that of the community, and its laws are designed to protect these benefits and facilitate improvement and perfection of the conditions of human life on earth. The Qur'an is expressive of this when it mentions the most important purpose of the Prophet hood of Muhammad (peace be on him) in such terms as: "We have not sent you but a mercy to the world" (The Qur'an, Chapter 21, al-Anbiya': 107). This can also be seen in the Qur'an's characterization of itself in that it is "a healing to the (spiritual) ailment of the hearts, guidance and mercy for the believers" (and mankind) (The Qur'an, Chapter 10, Yunus: 57). Another example, when Quran prescribes *Qasas* (retaliation), it speaks of the rationale of it, that applying retaliation prevents further killing "There is life for you in *Qasas*" (2: 179) Similarly, when Quran prohibits wine it says that wine is the works of devil as it causes quarrel and instills hatred and enmity among Muslims "The devil only wants to excite enmity and hatred between you in intoxicants and gambling and hinder you from remembrance of Allah and from prayer" (6:91). The al-syariah teaching based on these verses are of the aim to protect human life and provides a betterment for them.

A comprehensive and careful examination of the Shari'ah rulings entails an understanding that Shari'ah aims at protecting and preserving public interests (*maslahah ammah*) in all aspects and segments of life. Qur'anic verses and hadith of the Prophet Muhammad state clearly the reasoning behind certain Syari'ah law, suggesting that every law in Shari'ah comes with a purpose to benefit human life and public interest. A comprehension of the objectives of Shari'ah is important for analogical deduction and other human reasoning and its methodology (Kamali 1999). Indeed, *Maqasid al-Syari'ah* is dynamic, allows flexibility and fit to social change. According to Imam Al-Ghazāli (d.1111), a prominent Muslim scholar the objective of the Shari'ah is to promote the well-being of all mankind, which lies in safeguarding their faith (*al-din*), their human self (*al-nafs*), their intellect (*al-'aql*), their offsprings (*al-nas*) and their wealth (*al-mal*). Whatever ensures the safeguard of these five serves public interest and is desirable. Al-Shatibi acknowledges al-Ghazali's list of order of elements in *maqasid al-Syari'ah*, thereby indicating that they are the most preferable in terms of their harmony with the essence of Islamic law or syari'ah.

In relation to Islamic law, its designed so as to protect these benefits, and facilitate improvement and perfection of human lives and conditions on earth through inculcated five necessities in *maqasid al-Syari'ah*. This perfection corresponds to the purposes of the Hereafter. In other words, each of the worldly purposes namely preservation of faith, life, posterity, intellect and wealth is meant to serve the single religious purpose of the Hereafter. The uppermost objectives of Shari'ah rest within the concept of compassion and guidance that seeks to establish justice, eliminate prejudice and alleviate hardship. It promotes cooperation and mutual supports within the family and society at large. This is manifested in the realisation of *maslahah ammah* (public interest) which the Islamic scholars have generally considered to be the all-pervasive value and objective of the Shari'ah and is to all intents and purposes synonymous with compassion. *Maqasid al-syari'ah* and *maslahah* according to Jasser Auda (2008) connote the same meaning. Therefore, *maqasid al shariah* is the branch of Islamic knowledge that answers all questions of 'why' (the reason behind impose certain laws and rules) on various levels related to human life has the purpose to provide perfection, peace, prosperity and happiness. This word *maqasid al-syariah* has been used interchangeably by Muslim scholars.

Therefore, based on the aforementioned, it can be concluded that the *maqasid syariah* is intended to preserve human interest (interest of humanity). The laws, rules and teachings of Islam itself are '*maqasid al-syariah*'. The foundations and principles of Islamic law in relation to the rules as stated by Dr Abdul Salam (2014: 450) are for the good of human beings (*masalih lil 'ibad*) in their life. *Maslahah* according to Dr. Abdul Salam again combines goodness in this world and in the hereafter, both outwardly and inwardly (*masalih al-ibad*). This has first been stated by Imam al-Syatibi (N.d) who revealed that the purpose of sharia or Islamic rules and laws are to achieve benefits (goodness) in this worldly life and hereafter.

As for contemporary Islamic scholar, for example Ibn Ashur (1946) defines *Maqasid al-Syariah* as the general aspect which is the purpose and wisdom behind the enactment of all or most of the *Syariah* ruling. Meanwhile al-Raisuni (reference) has defined *maqasid al-Syari'ah* as the goals that the Islamic law wants to achieve for the benefit of mankind. Regarding this meaning, the similar term of *maqasid al-syari'ah* as al-Qaradawi (1994:68) point of view is *maslahat*. Basically, the discussion on the *maqasid al-syariah* strictly focused on the purpose of preserving five things that underlie human life namely: Preserving religion or preserving faith, preserving life, preserving mind, preserving human dignity and preserving wealth. Ibn al-Qayyim (1347 CE) mentions that *Syariah* is founded on the wholly on wisdom which aims to ensure the protection of the well-being of people in this life and the next. Any actions or rulings that do not correspond to the foundation of justice, mercy, wisdom and good are therefore discarded and disregarded from *Syariah*, even if they are claimed to be so according to some interpretation.

Shari'ah is the law and wisdom revealed by Allah Almighty for achieving benefit for everyone in life in the world and the hereafter. Allah (SWT) decreed the *Shari'a* (rule of law) for guiding humans to obtain benefit and avoid harm. All rules of laws revealed by Allah were directed to provide benefit for humans. Regarding this, al-Syatibi stated in al-Muwafaqat (N.d): "It is well known that *syariat* was created (by Allah) for the goodness of all creatures absolutely". In other words, Yusuf al-Qaradawi (1985) states: "Wherever the goodness exist, there are Allah's law there"

The objectives of Islamic teaching as a whole are represented by *maqasid al-syariah*. *maqasid al-syariah* summarises the overall purpose of sharia in a simpler and easier way so as to be understood. *Maqasid al-syariah* can be applied in various aspects of life (Al Risuni, 99: 13) and connected to various scientific disciplines in order to provide solutions to various problems in human life (Al-Awwa, 2006). Islam is a suitable and applicable teaching for all humankind everywhere on earth at all times, although the revelation ended simultaneously with the death of the Prophet Muhammad, more than fourteen centuries ago. Regarding this condition, the gap must be solved, and the concept of *Maqasid al-Syariah* helps Muslims to solve the gap and makes the claim true in reality (Oey-Gardiner, 2017).

2. *Maqasid al-Syariah* as a Da'wah Approach in Community Well-Being

Da'wah is an Arabic word which means invitation. *Da'wah* is a part of religion of Islam. To be specific *da'wah* is a call to God. The call to God according to Muslim scholar Dr Abdul Karim Zaydan (2014: 5) refers to Islam. Therefore, it can be summed up that *da'wah* is inviting people to Islam or Islamic way of life. *Da'wah* is a duty of every Muslim. The Qur'an as a primary source of Muslim clearly mentions this responsibility of Muslim of doing *da'wah* (Q, Chapter 3, Ali 'Imran, verse 104 & 110, Chapter 16, Al-Nahl:125 and Chapter 41, Fussilat:33). In addition, *da'wah* should be propagated wisely through a proper approach as shown by the Prophet Muhammad during his time. Therefore, *Maqasid al-syariah* in this case should be used as a medium of *da'wah* approach to promote well-being in the society. The purpose of *da'wah* is to invite people to enjoin good and prevent evil, believe in Allah (al-Quran, 3: 104, 110), and call for the producing of pious people. In other words, nurturing, applying and appreciating the *maqasid syariah* is also become the purpose of the *da'wah* itself. As far as Al-Raisuni (2010), Rosli Mokhtar and Mohd Fikri (2007) are concerned, the Muslim preacher needs to understand the *maqasid al-syariah* so that he can do *da'wah* more accurately and which one should be given priority in preaching agenda. Furthermore, Muhammad al-Zuhaili (2002) reveals that the *maqasid al-syariah* is able to further highlight the objectives of *da'wah* which aims to create good for human beings and avoid mischief and further achieve the pleasure of Allah.

A meticulous study of the all prophets' *da'wah*, gives us an *ibrah* (lesson) that their *da'wah* is to uphold human dignity based on the principles of *maqasid al-syari'ah*. The basis of human dignity has been clearly stated by Allah in the Qur'an surah al-Isra '(Chapter 17, verse 70) which means:

"And truly We have conferred dignity on the children of Adam, and carried them by land and sea by various means of transportation. And We provided them with with good things and exalted them above many of Our creation"

According to Abdullah Basmeih (2007), in interpreting this verse reveals that Allah the Almighty has conferred dignity on *Bani Adam* (Adam's children). He gave them the best of form, the ability to speak and to think, that they can conquer the entire world. They are bestowed with the facility to travel on land, sea and air by using various vehicles. They are provided with good things and exalted above many other creations. Thus it is incumbent upon them to be grateful for all the great blessings of Allah, by worshipping Him and abstaining from polytheism.

The apostles of Allah preached da'wah to defend and elevate the dignity of human life. This is for example can be seen in da'wah of the Prophet Shuib. The Qur'an mentions the role of the Prophet Shuib to reform (doing *islah*) his people:

He said, "O my people, have you considered: if I am upon clear evidence from my Lord and He has provided me with a good provision from Him...? And I do not intend to differ from you in that which I have forbidden you; I only intend reform as much as I am able. And my success is not but through Allah. Upon him I have relied, and to Him I return.

(The Quran, Chapter 11, verse 88)

Among the wrongdoing of his people was cheating in business transaction. The Qur'an signifies the malpractice of his people by deducting measure and weight while doing business. The Prophet Shuib called them to leave such mischief as narrated by the Qur'an:

"...so give full measure and full weight and wrong not men in their things, and do not do mischief on the earth after it has been set in order, that will be better for you, if you are believers. And sit not on every road, threatening, and hindering from the Path of God those who believe in Him and seeking to make it crooked..." (The Quran, Al-Ra'd, Chapter 7: 85-86)

They never exacted true measure and weight in their business dealings and Shuaib pleaded with them explaining that God would see them poor and destitute by taking away the bounties they had come to expect. The Prophet Shuaib continued to remonstrate with his people; he insisted that he was not trying to better himself but he wanted what was best for them. He like all the others prophets that had come before him practiced exactly what he preached and asked no more from those whom he sought to guide than what he asked from himself.

The Prophet Loth, as one of the chain of Prophets also propagated da'wah to promote well-being in the society during his time. It is understood that the Prophet Loth was at the same period with the Prophet Abraham. In fact, according to Ibnu Kathir (n.d), he was the nephew of the Prophet Abraham. The Prophet Loth was sent to the city of Sodom and Gomorra which was the main city of that region, situated to the South-east of Dead Sea, approximately hundred kilometres from Jerusalem. He had faced a people with hard hearts and harsh whom practised homosexual. This kind of evil act indeed against *fitrah* or human nature, and against the intellect, that oppose one's moral instinct and revelation from God. The Qur'an decried the da'wah of the Prophet Loth to prevent his people from doing homosexual as follow (The Qur'an, Chapter 27, Al-Naml: 55):

"And (We also sent) Prophet Loth: (remember when he said to his people "Why do you commit indecencies, when you are aware of their abomination?, indeed you seek men instead of women to satisfy your lust. (This is an abomination) and you are an ignorant people (for you do not know the consequences of your actions)"

Da'wah of the Prophet Loth as described in the Qur'an in the context of *maqasid al-Syari'ah* has the purpose to protect human dignity. Homosexuality is a kind of moral decay that can lead to destruction of the society. As the Prophet Shuib, the mission or da'wah of the Prophet Loth also was to promote *maslahah* (the good or benefit) and eradicate *mafsadah* (mischief) to his people.

The Qur'an many times urges people to preach to uphold the principles of *maqasid al-syariah* with the approach of cultivating *maslahah* (benefit) and rejecting *mafsadah* (harm) and. This for example mention in Chapter 7, verse 56:

"And do not make mischief in the earth after reformation and call on Him with fear and hope. Surely the Mercy of Allah is near to the *Muhsininin* (good people)".

The word *maslahah* is derived from the verb *saluha*, which denotes a good, right, just or honest person or thing all concerns that promote the subsistence of human life, the completion of man's livelihood and the acquisition of all his physical and intellectual qualities which are required for him' (al-Shatibi, 1990, p.15). Its antonym, *mafsadah* indicates anything that is harmful and destructive. The use of *maslahah* as an independent legal source has been advocated by many contemporary jurists and reformists such as Muhammad Abduh (d.1905), Rashid Rida (d.1935), Ibn 'Ashur (d.1973) and Muhammad Sa'id Ramadan al-Buti. They support the principle based on the notion that Islamic law was revealed to serve, inter alia, human welfare (Lubis, 1995, p.10). Hence, all matters which preserve the well being of the society are inline with the objectives of the shari'ah and therefore should be pursued and legally recognized. It is therefore, *maslahah* as a goal of *maqasid al-syari'ah* also a part of da'wah goal and objective.

Generally speaking, *maslahah* (benefit or interest) constitute the very base of the Islamic law. This means that any thing constituting public interest is recommended by Islam while, its opposite, things that cause harm, is prohibited. This is the basic principle unanimously agreed upon by all jurists (fuqaha). They also agree on the fact that Islamic law cater for the *maslahah* or good of mankind in this world as well as in the Hereafter (al-Bugha 1999: 28). Islamic law tends to realize and promote public interest and eradicate *mafsadah* (damage) in both, worldly life and the life in Here (after. It does not endorse something that contradicts public interest. In other words, it does not allow things that are detrimental to public good and conducive to public harm (Nik Abdul Rahim,2011). Shariah has been explained as Islamic laws that are broad and wide-ranging to all aspects of human life by the Creator with purposes and objectives.

To be more clearer *how maqasid al-syariah* is so relevant and significant in the context of da'wah approach, it can be seen in two aspects as follow:

- i) *Maqasid al-Syariah* if seen from the aspect of '*maudu' da'wah* (the content of da'wah), its purpose is to spread the mercy of Islam to all human beings. The acceptance and practice of Islamic way of life by society will bring transformation in their lives in the five dimensions of *maqasid al-syariah* namely: Religion, soul/life, intellect, dignity and property or wealth. The care or preservation of religion will produce a community that believes in the One God. This will save them from destructive beliefs like superstitions, mystical beliefs and evil practices that will keep them backward. Islamic da'wah also calls for human beings to take care of the life aspect or soul. By practicing Islam, the human life will be protected. It is the Islamic principle which prohibits people to kill the others. Da'wah to preserve intellect will develop a healthy community. In this case, *maqasid al-syari'ah* prevent people to leave the elements that damage the intellect such as alcohol and drugs. The

people will achieve well-being by avoiding these kind of evildoings. Preservation or care of offspring is also a priority *maqasid al-syariah*. Therefore, the community needs to be preached to stay away from free sex or adultery in order to preserve offspring. A proper and prudent property management can also save the community from using property, wealth or money to inappropriate places or channels. In addition, *maqasid al-syariah* educates people to manage and spend property properly, appropriately and to avoid waste and excessive.

- ii) In terms of approach, the application of *maqasid al-syariah* will contribute to the effectiveness of da'wah to the community. The wisdom of the da'wah approach based on the *maqasid al-syariah* was implemented by Rasulullah during his time. In the early stages, the Prophet's da'wah focused on correcting human beliefs and concerned on social welfare issues. The Prophet's da'wah approach is 'simple', inviting people to obey to One God i.e Allah. Terms or phrases such as *Qulu La ilaha illallah dakhala al-jannah* '(Say la ilaha illallah, you will enter paradise), *Qulhuwallahu ahad* (Say Allah is one) and also the slogan of *aslim taslam* '(enter Islam, you will be prosperous) is easy to understand by most people (the mass). The approach used is based on the method of '*al-raghbah*' (to encourage) and persuasive. This particular method is still relevant to the current context of da'wah. People need to be invited to simple and basic things in Islam. The emphasise on the first *maqasid al-syariah*, which is to preserve religion is extremely important. As far as Maqasid al-Syariah is concerned, the first place of order in da'wah is to invite people to Islam. Do not burden them with troublesome things. *Maqasid al-syariah* teaches Muslim preachers not to change human beings drastically. They rather have to take a '*tadarruj*' (graded progression) approach. Therefore, it is the *maqasid* approach that the principles of faith must be given the first priority in da'wah before guiding people to perform worship.

In the context of plural society like Malaysia, da'wah maqasid syari'ah need to be implemented wisely. Preachers should mastering the methodology of da'wah in order to ensure the elements of maqasid shari'ah i.e preserving religion, soul, intellect, human progeny and wealth effectively delivered.

3. Conclusion

Maqasid syariah is regarded as an important foundation in building prosperity, happiness and harmony for human life. The five elements of the *maqasid al-syariah* namely preserving religion, preserving the soul, preserving the mind or intellect, preserving dignity and preserving wealth are seen as the goal and purpose of Islam itself. The ultimate aim of this *maqasid al-syariah* is to create and promote *maslahah* (benefit) among the society. It is therefore, should be a basis in the agenda and approach of *da'wah* in the framework and efforts to cultivate and build the well-being of the society. The implementation of the five elements of the *maqasid al-syariah* effectively in the society depends on the wisdom of the preacher to apply the approach of da'wah. Therefore, Muslim preachers need to be trained well to be able them to propagate da'wah *maqasid shari'ah* wisely and effectively to all walks of the societies.

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