

# Application of normative frameworks for assessing availability of socio-economic policies based on maqasid al shari'a principles in Muslim countries: A proposal

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## ABSTRACT

The objective of this paper is to propose a framework that will assess the availability of *maqasid al shari'a* based socio-economic policies in Muslim countries, and whose nebulous institutions are perturbed by the statistic that 504 million people are living in multi-dimensional poverty, suffering from range of deprivations in forty-three member countries of the Islamic Development Bank (IDB). Lack of or weak access to adequate resources remain the primary issues faced by many nations. In the midst of this though, there is a recurring argument that the level of socio economic development of human well-being must be improved. To understand development challenges of socio-economic framing in the current Muslim world, factors such as education, health, spirituality, lives and property, economy, food security as well as youth employment as based on *maqasid al shari'ah* framework model merit consideration. Accordingly, this paper seeks to address the gap in the current literature by incorporating education and youth unemployment factors into the socio-economic development model which is based on *maqasid al sharia'h* framework. The study adapted the principles of Islamic divine law that ensures an inclusive socio-economic development policy devoid of tribal, ethnic or religious sentiments. The study offered recommendations for further research on *maqasid al sharia'ah* applications on the socio-economic development of both Muslim and Muslim-minority countries.

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## 1. Introduction

*Maqasid al sharia* means objectives or goals of *shariah*. The primary purpose behind *maqasid al-shariah* is to bring mercy to humanity as the primary objective of Islam and is assumed to occupy an enviable position in contemporary discourses in Islamic arena. Even rare discussion on *maqasid* is evidently absent, other than in the area of modern Islamic scholarships. This can be attributed to handicaps found while giving meanings to the *maqasid al-shariah* concept on development (Kasri, 2012). The human socio-economic development and policy formulation in Islam entails having a broad view of the centrality of attaining *maqasid al sharia* objectives in the conception of governmental levels of public policy. It must be noted here that the secular market paradigm is at variance with Islamic setting. This is so because human well-being in Islam is not primarily and entirely about wealth and consumption maximisation, but requires striking a balance between spiritual and material needs satisfaction. Against this background, it is relevant to indicate that development indices of this time do not adequately reflect Islamic value judgements mainly on account of their preponderance to materialism as against giving due cognizance to life beyond this worldly life.

## 2. Literature review

### 2.1 Islamic perspective of human socio-economic development

Socio-economic development is defined in different perspectives by authors and the point of convergence in the definitions entails that socio-economic development is a social process as well as economic development in any society. It should be noted that this understanding of what makes economic growth originated in the post-enlightenment period. However, in Islam, confining development to material well-being alone is at variance with Islamic values that consider development as not limited to human life (Chapra 2008). Nonetheless, a clear justification is evident for the recognition of human socio-economic development, that is enshrined in the Rabubiyya principle, and which emphasizes on human beings, as well as other creatures and their activities and affairs, who should enjoy divine governance by Almighty Allah who is Benevolent, Compassionate and Merciful. Thus, human being should realise that there are abundant resources essential for a good life. The Islamic concept of development recognises the relevance of the principle of human purification as “it addresses itself to the problem of human development in all its dimensions: development concerned with growth towards perfection through purification of attitudes and relationships (Rafi Amir-Ud-Din, 2014). The consequence of human redemption is attaining success (Ahmad, 1994). In his work, Chapra (2007) introduced a new dimension of justice which seeks to cater for everyone’s needs satisfaction, while simultaneously ensuring equitable income distribution as well as protection of wealth and the environment.

The pursuance of a sound socio-economic development agenda through a well-designed and implementable policy framework is highly desirable in Muslim dominated areas in IDB member countries. This is so because the living condition of Muslims in IDB member countries was aptly described as characterised by widespread poverty which is an enduring problem. In addition, poverty alleviation has been a critical target in development strategies for all states for the past three decades (Islamic Solidarity Fund for Development ISFD Strategy 2016-2025).

### 2.2 Maqasid al-Sharia principles

*Maqasid al-Shariah* principles have recognized self-esteem, free will, fairness to all, facilitation, and social cooperation (Baqtayan, 2012). In the *Quran* (45:18), the term *Shari’ah* referred to as the “Ordained way” where Allah (SWT) says:

*“Then we put you, (O Muhammad), on an ordained way concerning the matter (of religion); so follow it and do not follow the inclinations of those who do not know.”*

The fundamental issue when discussing the essence of *Shari'ah* is the realisation of *Maslahah* or public interest (Aris, Azli & Othman, 2013). According to Bedoui and Mansour (2015), the aspects of *Maqasid Al-Shari'ah* are considered under two classifications, first, Al-Ghazali (1109) believes that the primary aim of the *Maqasid Al-Shari'ah* is to achieve the benefits of being a man on earth. Secondly, Ibn Ashur (1945) considers that there are two general aspects of the essence of *Maqasid* namely promoting societies' welfare (*Jalb Al-Masalih*) and shunning evils in societies as well (*Dar' Al-Mafasid*). A recurring feature in the definitions of *Maqasid Al-Shari'ah* is goals or objectives of *Shari'ah* (Bedoui & Mansour, 2015). *Maqasid Al-Shari'ah* embraces an extensive scope ranging from religious, financial, social, personal, and economic, up to intellectual aspects of life (Dusuki, 2009). Thus, the essentials that explain *Maqasid Al-Shari'ah* pertain to the protection of faith (*Din*) lives (*Nafs*), intellect (*A'ql*), posterity (*Nasl*), and wealth (*Mal*) (Dusuki & Abdullah, 2007). *Maqasid Al-Shari'ah* is universal as clearly indicated in the *Al-Quran* (34:28), where Allah (SWT) says:

*“And we have not sent you except comprehensively to humanity as a bringer of good tidings and a warner. But most of the people do not know.”*

Again, in *Al-Quran* (7:158) Allah (SWT) says:

*Say, [O Muhammad], "O humanity, indeed I am the Messenger of Allah to you all, [from Him] to whom belongs the dominion of the heavens and the earth. There is no deity except Him; He gives life and causes death." So believe in Allah and His Messenger, the unlettered prophet, who believes in Allah and His words, and follow him that you may be guided.*

Also, *Maqasid Al-Shari'ah* is all encompassing as it embraces all acts of responsibilities to Allah (SWT) and duties regarding fellow human beings and which are based on solid *Quranic* foundation. This is seen in *Al-Quran* (16:89) where Allah (SWT) says:

*And [mention] the Day when we will resurrect among every nation a witness over them from themselves. And we will bring you, [O Muhammad], as a witness over your country. And we have sent down to you the Book as clarification for all things and as guidance and mercy and good tidings for the Muslims.*

### **3. Multidimensional measurement of socio-economic policy index based on the general framework of Maqasid Al-Shariah**

Some previous works attempted to come up with measures of human development in the perspective of *maqasid al-shariah*. One of such efforts was made by Chapra (2008) who brought a proposed theoretical framework but narrowly addressed human development in the *maqasid al-shariah* perspective. Another set of researchers attempted to develop human development indices that recognised religious dimensions. One of such researchers is Dar (2004), who came up with his Ethics-Augmented Human Development Index (HDI-E) where an ethical dimension was added that accommodated faith, freedom as well as environmental aspects of human development. There were also efforts from other scholars whose index transcended to liberty and protection of the environment from dangers (Anto, 2009). None of the contributions, however, has so far considered developing a framework for assessing socio-economic policies availability that are based on *maqasid al-shariah*.

Against the backdrop of the preceding discussion, this work seeks to fill in the gap left in the literature. Of course, we note that some procedures need to be followed while attempting to bring about a *maqasid*

*al shariah*-based multidimensional socio-economic policy availability measure. Accordingly, we recognise the stages as follows: a) defining socio-economic indicators by deciding which dimensions and indicators reflect *maqasid al shariah* perspective, b) establishing the relevant socio-economic wellbeing parameters and 3) constructing a pertinent *maqasid al shariah* based multi-dimensional socio-economic wellbeing policies availability measurements.

The study adapted the framework of the famous Ghazalian/Shatibian maxim to examine the multidimensional aspects of human wellbeing which socio-economic policies build upon, as it remains relevant to the contemporary situation in the Muslim world. Thus, the five dimensions among others become the purview of policymakers in the Muslim world, particularly in the past few centuries. Furthermore, in Islamic studies literature, this method has been practised not only by the classical scholars but also by the Prophet (PBUH) and the companions. The summary of Multidimensional measurement of socio-economic policy indicators is shown in Table 1.0. The process involves setting up an Islamic poverty threshold for determination of measure that distinguishes the poor from the wealthy. Poverty threshold has been set in Islamic literature as the Holy Prophet has provided a concise definition of who is poor in Islam. All these are the bases on which ideal socio-economic policies are formulated and implemented based on the Maqasid al-Shariah multidimensional socio-economic policy availability measure as determinants/dimensions/indicators of the socio-economic system.

Previous studies have argued for the adoption of unidimensional and multifaceted measurement of socio-economic systems. There could, however, be arguments on whether to utilise a single-composite unit-dimensional or multidimensional socio-economic policies constructs including health socio-index or education socio-economic policies availability index. While both methods could have their respective strengths and weaknesses, it becomes clear that the purpose of constructing such index determines the most suitable way for aggregating such measure.

Table 1. Multidimensional measurement of socio-economic policy indicators

<b>Dimensions</b>	<b>Element(Operational Indicator)</b>
Spiritual	<ol style="list-style-type: none"> <li>1. Government favoritism for religion,</li> <li>2.Regulation of religion</li> <li>3 Access to religious education</li> <li>4 Preservation of faith</li> <li>5 Freedom for prayers and fasting</li> <li>6 Facilitation of charity giving</li> <li>7 Facilitation of Hajj operations</li> </ol>
Education	<ol style="list-style-type: none"> <li>1 Public spending on education</li> <li>2 Policies on access to school</li> <li>3 School attendance</li> </ol>
Health Services	<ol style="list-style-type: none"> <li>1 Access to health care</li> <li>2 Provision and Access to Islamic health insurance</li> <li>3 Freedom from malnutrition</li> <li>4 Awareness of health</li> </ol>
Preservation of lives and property	<ol style="list-style-type: none"> <li>1 Policy on provision for shelter</li> <li>2 Crime control policy</li> <li>3 Policy on drug use</li> </ol>
Economic	<ol style="list-style-type: none"> <li>1 Economic infrastructure provisions</li> <li>2 Favourable tax policies</li> <li>3 Harnessing economic resources</li> </ol>
Food security	<ol style="list-style-type: none"> <li>1 Policy on provision for land ownership and access</li> <li>2 Incentives to farmers and livestock owners</li> <li>3 Market availability for agricultural products,</li> <li>4 Food storage facilities</li> </ol>

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 Youth employment and employability

 1 Provision and access to skills acquisition,  
 2 Opportunities for entrepreneurship studies
 

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This attempt at proposing a framework for assessing the availability of socio-economic policies based on *maqasid al-shariah* principles escapes the controversies surrounding measurability of the observable spiritual deeds that cannot be judged. Our focus here is on the availability of the policies that suit *maqasid al-shariah*.

Furthermore, this model argues for a simple linear model with equal weight amongst the dimensions/indicators. The reason for this rests on its clear simplicity and procedure for determination. Therefore, this work proposes an aggregate single-composite linear model of Maqasid al Shariah-based socio-economic policies availability (MSSEPA).

The model could be formulated as follows:

$$\text{Equation 1: } MSSEPA = \frac{1}{n} \sum_{i=1}^n S + Ed + H + PLP + Ec + Fs + Yee$$

Where  $n$  is the weight for each dimension/indicator, which is assumed to be equal for each dimension and indicator (i.e.,  $n=1/7$ );  $S$ ,  $Ed$ ,  $H$ ,  $PLP$ ,  $Ec$ ,  $Fs$ , and  $Yee$  are the weighted average value/score of socio-economic policies availability in spirituality, education, health, preservation of lives and property, economic, food security and youth employment and employability. Equal weights are given to each indicator/dimension. We note here that the proposed model could be static (only measure availability condition in one period) or dynamic (measure availability in two different periods or the changes in the conditions) depending on purposes of study and data availability.

Using a similar method, a set of multiple linear indices could be constructed for each of the socio-economic policies availability measures.

$$\text{Equation 2: } S = \frac{1}{n} \sum_{i=1}^n X_i$$

Where  $S$  is Maqasid-based socio-economic policies availability index in the spiritual dimension, which is derived from an equally weighted score of the indicators ( $X_i$ ,  $i = 1 \dots n$ ) constructing the index.

Thus, this general formula could be used to generate multiple sets of socio-economic policies availability index in other dimensions ( $Ed$ ,  $H$ ,  $PLP$ ,  $Ec$ ,  $Fs$ , and  $Yee$ ). As such, the aggregate-composite index (from equation 1) is primarily decomposable into seven composite indexes for each dimension of socio-economic policies availability. Furthermore, it is possible to do other decomposition (by a group of people, location) subject to availability of data.

To obtain data for analyses in studies on the proposed framework for the assessment of socio-cultural policies availability, a questionnaire that seeks to measure perceptions of respondents is to be utilised. The alternative responses for each respondent are placed on a 1-6 itemized rating. Scores 1-3 which are always unavailable, most times un-available, and many times unavailable respectively reflect unavailability of Maqasid al Shariah-based socio-economic policies in Muslim countries. On the other hand, scores 4-6 which are sometimes available, most times available and always available reflect the availability of Maqasid Shariah-based socio-economic policies in Muslim countries. Therefore, any scores

from 4 and above suggest that respondents perceive that there is the availability of Maqasid sharia-based socio-economic systems in Muslim countries. Thus, the score of 4 becomes the cut-off point for the multi-dimensional socio-economic systems.

In interpreting the estimated Maqasid al Shariah-based socio-economic policies availability (MSSEPA) index, the aggregate value obtainable if it is higher than 4 shows availability of MSSEPA in Muslim countries. However, the aggregate-composite index does not indicate precisely in which dimensions is the availability recorded. Hence, there is a need for further reporting of the decompositions of the aggregate index.

#### 4. Conclusions

This paper represents a modest attempt which proposes a general framework that assesses *maqasid al sharia*-based socio economic development policies that are available in Muslim countries. However, the proposed framework is open for more contribution towards its improvement. For instance, the study was limited to constructing a simple linear *maqasid al sharia*-based multidimensional socio-economic policies availability index. A missing aspect in the proposal is the non-consideration of the technicalities to come up with other forms of models or to test the model specifications/properties that could best reflect the multidimensional socio-economic policies that are available in Muslim countries.

Furthermore, the study did not attempt to carry out an empirical survey of respondents in any country nor embark on a cross-country comparison. Thus, there is a clear need for researchers to fill in the gaps highlighted. It suffices to note here that while empirically applying the concept of *maqasid al-shariah* as a relatively new area of study, least expectation should be given to the possibility of attaining consensus on essential aspects of the measurement soon. A noteworthy limitation of this study is the fact that some of the indicators chosen were not theory-laden. Thus, some arbitrariness was employed in the construction of the index.

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