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The Role of the Maqāṣid al-Sharīʿah in Preserving the Environment

Research Problem

A reflection of regional and global settings reveals the important role played by the Maqāṣid al-Shariah in preserving the environment. This issue could be addressed from religious and philosophical perspectives just as it can be addressed from scientific perspectives, especially given the large scale corruption of the Earth and the environment by human beings over the past decades. How much of the forest has been destroyed, how many animal species have become extinct and how many rivers have dried up or been polluted that they no longer offer water safe to drink, and how much of the land that was once productive has died, and how many diseases have spread due to environmental imbalances. Mankind has abused the countless blessings of God to produce finite things at a cost that harms the Earth and mankind.

The development of the Maqasid al-Shariah

The Maqasid al-Shariah originated with Islamic law meaning that they began with the first revelation to the Messenger (PBUH). They were implicit in the text of the Qurʾan and Sunnah and were present in Islamic laws and teachings with varying degrees of clarity. However, they were not studied directly nor was it considered an independent science with its unique terms and methods. Nevertheless, they were known and formed an important consideration in Islamic thought and were ever present in the understanding and reasoning of the righteous predecessors.¹

Among the clearest evidence of the Maqasid al-Shariah beginning with the start of revelation are the following:

1. The prophetic mission as in the verse, “We sent thee not, but as a Mercy for all creatures” [21: 107].
2. The Qurʾan itself as in the verse, “Verily this Qurʾan doth guide to that which is most right (or stable), and giveth the Glad Tidings to the Believers who work deeds of righteousness, that they shall have a magnificent reward” [17: 9].

All of the revelation (Qur’an and Sunnah) which sought to elevate the soul in this world and the next as in the verse, O you who have believed, respond to Allah and to the Messenger when he calls you to that which gives you life. And know that Allah intervenes between a man and his heart and that to Him you will be gathered. (8: 24).

The preferred definition due to its comprehensiveness is by al-Raysūnī that the Maqasid al-Shariah are, “The goals set by the Law to achieve the interests of the servants.”

The Technical Definition of the Maqasid al-Shariah

The term al-Shariah is found in numerous places in the Qur’an as in the verses, “Then We put thee on the (right) Way of Religion: so follow thou that (Way), and follow not the desires of those who know not.” [45; 18] and “To each among you have we prescribed a law and an open way.” [5; 48]

Al-ʿĀmidī defines it as, “That which Allah legislated on the lips of the Prophet and on the lips of the Prophets before him”. And, “What Allah has legislated of provisions brought by one of the Prophets”, and “It is a term for the partial provisions that reform those charged concerning his life and death whether it is stated by the law or referred to it.”

Perhaps the best definition is that the Maqasid al-Shariah is that they are goals and objectives sought by mankind. As for the Shariah, it is that which has been legislated by Allah for His servants via his Prophets.

Linguistics and Technical Definitions of the Environment

Linguistic Definition of the Environment

The word al-Bi‘ah (environment) in Arabic refers to a place and home. Ibn Manzoor says of its linguistic roots that isrefers to the place one prepares to spend the night, and/or take residence.

In French dictionaries, the term environment, refers to the sum of the natural elements and conditions of the location such as land, water, air and beings. In English dictionaries, environment refers to the conditions or external influences that have an impact on the life of organisms (including humans) and the term ecology refers to the science of the Earth.

Technical Definition of the Environment

Technically, the environment is the area in which human beings live comprising the nature which Allah created and by which man is influenced and in turn influences. The Conference on the Human Environment held in Stockholm in 1972 defined it as, “The environment is a set of natural, social and cultural factors in which man and other beings live, from which they derive their living and exert their energies”.

The Scientific Conception of Environment:

The environment is defined as, “Everything that surrounds human beings of things that affect their health. This includes the entire city, homes, streets, rivers, wells, beaches, and includes all forms of human food and drink, the clothes they wear, in addition to weather factors, chemicals, etc.”

Others defined the environment from a scientific viewpoint as, “The sum of the natural elements to which human life adapts”.

The Role of the Maqasid al-Shariahin Preserving the Environment

The Importance Islam places on the Protection and Development of the Environment

The Qur’an and Sunnah have paid close attention to the environment. This is evidenced by the Qur’an’s mention of the names of numerous plants, insects and natural phenomena, and encouraging the kind and compassionate treatment of nature. Similarly, the Sunnah has invited to the considerate engagement with one’s environment.

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3Ibid, 53-54
7Ibn Mandhur, Mohammed binMakram. Lisan al-Arab, Beirut: Dar Sader, Vol. 1, 382
8See the web post by Dr.UsamahAbd al-Aziz: knol.google.com/k/judge-dr-osamaalbdelaziz
9Ibid.
Numerous verses in the Qur’an warn of corruption on earth, including: “So eat and drink of the sustenance provided by Allah, and do no evil nor mischief on the (face of the) earth”. [2; 60], and “And follow not the bidding of those who are extravagant, Who make mischief in the land, and mend not (their ways)” [26; 151-152] “but they (ever) strive to do mischief on earth. And Allah loveth not those who do mischief”.[5; 64]. Corruption on Earth is not solely by injustice and aggression on human souls, but also by derailing the systems for human survival including that upon which human livelihood is based.

The Prophetic traditions support this and encourage farming and caring for the environment. Al-Bukhari and Muslim report that Anas said: The Messenger of Allah, peace be upon him, said: “There is no Muslim who plants a tree or sows seeds, and then a bird, or a person, or an animal eats from it except that it is a charity for him”.11

Muslim narrated from Jabir: “There is no Muslim who plants a tree except that what has been consumed of it is a charity, what has been robbed of it is a charity, and what beast has eaten from it is a charity or a bird ate from it is a charity, and no person sows seeds except that it is a charity”.12

There is clear evidence of the objective to preserve the environment in the life of the Prophet (PBUH). Similarly, Abu Bakr, may Allah be pleased with him, used to advise his generals and soldiers to be kind to the environment including to human beings, trees and rocks in line with the approach of the Prophet (PBUH). He advised, “Do not kill women or children or an aged, infirm person. Do not cut down fruit-bearing trees. Do not destroy an inhabited place. Do not slaughter sheep or camels except for food. Do not burn date palms”.13

From the viewpoint of the Maqāsid al-Shariah, kindness towards the environment merits reward. The Prophet (PBUH) made clearing the streets from filth a means to clear the path from harm which merits reward. He said, “Removing harm from the road is charity”.14

The researchers chose this topic for analysis and discussion in accordance with these Qur’anic and Prophetic recommendations, in addition to the role played by the Shariah in securing benefit to mankind and preventing harm. Islam offers a clear vision of the future and

11See the web post by Dr. Usamah Abd al-Aziz: knol.google.com/k/judge-dr-osamaalbdelaziz
12Al-Samālī, Abdul Majid, Al-Wajiz fi Qanun al-Bi’ah, Dar al-Qalam li al-Tiba’ah, 2006, 13
the role we should play in preserving the environment and contributing to the development of a sustainable human civilisation.

**Purity and Cleanliness**

Among the means by which Islam conserves the environment is by caring for good hygiene. Islam’s position towards personal cleanliness is unmatched in any religion. In Islam, cleanliness is a form of devotion and is obligatory. Islamic rituals begin with cleanliness as it is the key to the everyday act of worship and prayer which is the key to Paradise. A Muslim’s prayer is invalid unless he/she has first removed minor impurities by performing the ablution or major impurities by performing the prescribed shower. The ablution is repeated several times a day and cleanses from dirt, sweat and dust. Allah says, “O ye who believe! when ye prepare for prayer, wash your faces, and your hands (and arms) to the elbows; Rub your heads (with water); and (wash) your feet to the ankles. If ye are in a state of ceremonial impurity, bathe your whole body. But if ye are ill, or on a journey, or one of you cometh from offices of nature, or ye have been in contact with women, and ye find no water, then take for yourselves clean sand or earth, and rub therewith your faces and hands, Allah doth not wish to place you in a difficulty, but to make you clean, and to complete his favour to you, that ye may be grateful” [5: 6]. The Prophet (PBUH) said, “God does not accept prayer without purification”. Other conditions for a valid prayer is for the dress, body and the place of prayer to be clean from filth, to ensure the penis and anus are clean free of filth by cleaning with water where possible otherwise to use stones and the like in the desert.

On top of that, the Qur’an and Sunnah praised hygiene and cleanliness. Allah said, “They ask thee concerning women's courses. Say: They are a hurt and a pollution: So keep away from women in their courses, and do not approach them until they are clean. But when they have purified themselves, ye may approach them in any manner, time, or place ordained for you by Allah. For Allah loves those who turn to Him constantly and He loves those who keep themselves pure and clean” [2: 222]. Allah also praised the people of the Quba mosque saying, “Never stand thou forth therein. There is a mosque whose foundation was laid from the first day on piety; it is more worthy of the standing forth (for prayer) therein. In it are men who love to be purified; and Allah loveth those who make themselves pure”. [9: 108].

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Prophet (PBUH) said, “Purity is half of faith”. Similarly, the wisdom that “cleanliness is part of faith” is widespread among Muslims.

The Prophet (PBUH) paid close care to humancleanliness. He encouraged bathing, particularly on Friday, “Bathing on Friday is incumbent on every pubescent”. He took care of oral hygiene and dental care and highly encouraged brushing one’s teeth, “Siwak cleanses the mouth and is pleasing to the Lord”. He also encouraged gargling and snorting water during ablution such that the Hanbalischool considers it an obligatory act of ablution. He (PBUH) also ordered taking care of one’s hair, “Whoever has hair, then be kind to it, and removing waste from the armpit and pubic hair and trimming your nails are part of your natural disposition”. He also took care of the cleanliness of the house and gardens, “God is good and loves goodness, clean and loves cleanliness, kind and lives kindness, generous and loves generosity; thus clean your homes and follow not in the footsteps of the Jews”.

The Prophet (PBUH) cared for the cleanliness of the road, and vowed, “Whoever harms Muslims in their paths is cursed”. The lowest form of faith is, “Removing something harmful from the road”. Abu Hurayrah may Allah be pleased with him, as narrated by Muslim, reported the Prophet (PBUH) saying, “I have seen a man touring paradise for cutting the branch of a tree from a road that used to harm the Muslims”.

We find traces of such prophetic guidance in the life of the Companions, their children and their pupils. Al-Mustanbir ibn Akhdar ibn Muawiyah narrated his father as saying, “I was with Ma’qal ibn Yasaarmay Allah be pleased with him on certain roads. We passed by some harm which he removed from the path. I then did the same upon which he took me by the arm saying, O my nephew, what prompted you to do what you did. I said, O uncle, I saw you did it so I did it. He said, I heard the Messenger of Allah (PBUH) say, “Abu Hussein Muslim bin al-Hajjaj Al-Naysapuri, Sahih Muslim. Annotated by Mohamed Fouad Abdul Baqi. Beirut: Dar Ihya al-Turath, No. 223.

17 Ibid.
21 Muslim, Sahih Muslim. No. 1914.
“Whoever removes harm from the path of Muslims is written a blessing, and whoever’s blessing is accepted will enter Paradise”.

Al-Hafiz al-Mundhiri mentioned in his book al-Targhib was al-Tarhib numerous hadiths encouraging cleaning mosques. Abu Hurayrah, may Allah be pleased with him, reported that the Messenger of Allah (PBUH) could not find a black woman who used to clean the mosque. A few days later he asked about her, and he was told that she was dead. He said, “Why did you not tell me” and he went to her grave and prayed. Observe how the Prophet cared for this woman and prayer at her grave because she used to clean the mosque. This hadith shows how women frequented the mosque and cared for its cleanliness during the era of the Prophet. It is no wonder that the Prophet Muhammad (PBUH) missed her and blamed his companions when they did not inform him of her death, and prayed in her grave after her death.

The Prophet (PBUH) practiced exemplary cleanliness. He would personally remove filth and harm and taught them the best forms of personal hygiene, particularly in the mosques as it is a place where Muslims congregate, a symbol of their civilisation, and the face of their religion.

**Forestry and Agriculture**

Among the pillars of environmental conservation in Islam is forestry and greening the earth through planting trees and farming. We read in the Qur’an Allah’s grace to His creation by providing them with the means to plant trees and cultivate crops. Allah says, “It is He Who sendeth down rain from the skies: with it We produce vegetation of all kinds: from some We produce green (crops), out of which We produce grain, heaped up (at harvest); out of the date-palm and its sheaths (or spathes) (come) clusters of dates hanging low and near: and (then there are) gardens of grapes, and olives, and pomegranates, each similar (in kind) yet different (in variety): when they begin to bear fruit, feast your eyes with the fruit and the ripeness thereof. Behold! in these things there are signs for people who believe” [6: 99]. This meaning is frequently repeated in the Qur’an in various chapters and allude to two important benefits of planting trees and land cultivation:

The first is the benefit element as in the verse: “And do they not see that We do drive rain to parched soil (bare of herbage), and produce therewith crops, providing food for their cattle and themselves? Have they not the vision?” [32: 27]. The verse highlights the benefits of eating farming produce for man and beast.

The second is the beauty element. Some incorrectly perceive that Islam has neglected an appreciation of beauty. Such claims are groundless as Allah is beautiful and loves beauty as taught us by the Prophet (PBUH). This is explained in many verses of the Qur’an as in the verse, “Or, Who has created the heavens and the earth, and Who sends you down rain from the sky? Yea, with it We cause to grow well-planted orchards full of beauty of delight: it is not in your power to cause the growth of the trees in them. (Can there be another) god besides Allah? Nay, they are a people who swerve from justice” [27: 60].

Architecture and Development

Among the essential factors to conserve the environment in the eyes of Islam is the direction Islam offers concerning its laws of land development, cultivating the land, using natural resources. Imam al-Raghib al-Asfaḥānī considered land development one of the three essential purposes for the creation of human beings, namely, worship, governance and development. Hence, land development, land reforms, and being aware of corrupt land practices are features of the laws of all the Prophets (PBUH). This is exemplified by Prophet Saleh (PBUH) in the verse, “It is He Who hath produced you from the earth and settled you therein: then ask forgiveness of Him, and turn to Him (in repentance): for my Lord is (always) near, ready to answer” [11: 61]. Also, after Allah has man of His blessings on them, He warned them of corruption on earth as in the verse, “And remember how He made you inheritors after the ’Ad people and gave you habitations in the land: ye build for yourselves palaces and castles in (open) plains, and carve out homes in the mountains; so bring to remembrance the benefits (ye have received) from Allah, and refrain from evil and mischief on the earth” [7: 74].

The great scholar Abu Hayyan said, “Saleh reminded his people the same way Hud reminded his people. He first reminded of the special grace of having made them the successors after the nation before them, and he mentioned to his people their unique strong physique. And Saleh reminded them of their unique practice of building castles on the plains
and carving homes in the mountains, and then he recalled the general graces of Allah as in verse [7: 74].

We find this warning of corruption in Prophet Shoaib’s message that Allah has sent him to the people of Madyan. After he had invited them to worship Allah alone and to leave the worship of anything else, he invited them to be just in their dealings and to refrain from injustice and corruption, so as not to merit the punishment of Allah. “And O my people! give just measure and weight, nor withhold from the people the things that are their due: commit not evil in the land with intent to do mischief” [11: 85] and “And squat not on every road, breathing threats, hindering from the path of Allah those who believe in Him, and seeking in it something crooked; But remember how ye were little, and He gave you increase. And hold in your mind’s eye what was the end of those who did mischief” [7: 86].

Abu Hayyan said, “When there were ordered to eat and drink from Allah’s bounty, this was not restricted to a certain time or place nor to the amount of food or drink. This was a kindness for them. This resulted in developing strength and an overbearing force. They were warned against the corruption that could ensue so that the kindness would not turn into corruption on earth.”

Some Qur’anic commentators have worked hard to identify the type of corruption that is forbidden in the verse. Perhaps the best interpretation is that it entails all forms of corruption, material and moral, present and anticipated.

Results and Recommendations

- Islam has expressed great care for the environment and has introduced principles for development to ensure proper utilisation, preservation and maintenance of the environment.
- What we suffer today from deteriorating resources and an ailing environment is the inevitable result of the lack of commitment to the teachings of Islam in dealing with the environment.

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27 Ibid, Vol. 1, 373
In Islam, the environment is considered a trust on mankind. The absence of true faith in God Almighty who created both man and the environment has led to imbalance and lack of equilibrium between man and the environment.

The growing pollution from growing human population calls for the formation of specialised committees tasked with studying and proposing solutions on an ongoing basis.

Islamic law confirms man’s responsibility to preserve the environment and that it is a shared responsibility among Muslim and non-Muslim alike.

Caring for and preserving the environment is among the purposes of Islamic law. That is because caring for the environment ensures the welfare of mankind and is in his best interests.

Care for the environment in the perspective of Islamic law leads to economic stability and secures happiness and prosperity in the world and the Hereafter.

Universities, colleges and other educational institutions should be actively involved in spreading environmental awareness through a sense of cultural and religious unity.

Resources and References


30. knol.google.com/k/judge-dr-osamaalbdelaziz