From apocalypticism to eschatology: a comparative analysis of western "Utilitarianism" and Islamic "Maslahah"

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ABSTRACT

By employing Utility tools or moral conducts based on "the greatest good for the greatest number", the Utilitarian mechanism maximizes the Utility for majority. This ethical theory is evidently grounded in human reason free from any transcendent revelation which is all the way expounded as a purely secular product of renaissance. While, in contrast to "Utilitarianism", the Islamic "Maṣlaḥah" transcends the spatial structure and materiality to connect the life hereafter, hence the immediate good and bad of this world are but the function for the final good or bad pertaining to the Afterlife. Reviewing and analyzing relevant contents, this paper explores the key differences and similarities between Western "Utilitarianism" and Islamic "Maşlaḥah". Firstly, the paper identifies that both "Utilitarianism" and "Maslahah" aim to promote human welfare and happiness, but differ in their approach to defining and measuring the concept. Secondly, the paper examines the role of reason and revelation in shaping ethical decision-making in both traditions. Finally, it discusses the practical implications "Utilitarianism" and "Maṣlaḥah" in contemporary societies. While "Utilitarianism" is often associated with individualistic and secular societies, Islamic "Maslaḥah" is deeply embedded in Islamic culture and tradition, which emphasizes community values and religious obligations.



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Introduction

The process of making choices and shaping preferences is a complex one that involves evaluating various options to arrive at a decision. Over time, several theories and concepts have been developed from diverse perspectives to guide this decision-making process. One such example is the modern utilitarian model, which seeks to evaluate choices based on their ability to maximize utility or happiness for the greatest number of people. Another example is the Islamic

"Malawah" model, which evaluates choices based on their potential to promote the greater good or welfare of the community, within a particular ethic-moral framework. While these two models approach decision-making from different perspectives, it is possible to identify areas of convergence and overlap in their discourse and ideals. Rather than attempting to co-opt one model into the framework of the other, it is more productive to explore each model in its own unique context. By doing so, we can better understand the contrast and fault lines between the two models. For example, by examining the Islamic "Maṣlaḥah" model within its eschatological framework and juxtaposing it with "Utilitarianism" in its secular and liberal context, we can more fully appreciate the contrast between these two models. By doing so, we may also uncover potential areas of tension and conflict between the two models, such as differences in their underlying ethical and moral principles (Abdulhameed, 2021).

To reflect the deflections and convergence between the two concepts, the cornstone that we believe, would be the role of "reason" which in turn become crucial in devising the ethical approaches. We may anticipate that this probe will highlight some critical parallels between Western "Utilitarianism" and *Islamic "Maṣlaḥah"* along with underlining the considerable degree of dissimilarities as well. Through exploring the implications of reason, we will try to find how axio-epistemic methodological parameters of "usūl al-fiqh" become instrumental to realize the *Islamic "Maṣlaḥah"* with its transcendental and immutable objectives of the sacred law (maqāṣid al-sharīʿah). Furthermore, it will examine the extent and the direction of reason pertaining to "Utilitarianism" referring to its ethical theory of seeking the greatest good for the greatest number or a decision making based on the moral conduct of maximizing utility. In doing so, we shall not dwell on theoretical "reason" but more on practical "reason" as the fault line to show the convergences and divergences between utilitarian moral base of utility and Islamic ethical conduct of "Maslahah."

In nutshell, the framework of our enquiry will include, first, an overview of Western "Utilitarianism" and *Islamic "Maṣlaḥah"* and thereby it will examine the implication of reason and different approaches to it which, in turn, will open up the way to the main lines of Islamic approaches to reason and ethics. By emphasizing how the lines of divergence between Western utility and Islamic "Maṣlaḥah" can be traced in the partial overlapping between "Utilitarianism" conception of reason and the virtues and broader Islamic ethics, what has been termed by some Islamic ethical theorist as "Soft Natural Law" it argues that it does not deny the fusion of fact and value maintained by "Hard Natural Law" theorists but, first, with regard to law, reduced the human power to reason about the good and the bad but always subject to God's grace. Second, the introduction of theories of practical reasoning based on concepts such as "Maṣlaḥah" or perceived

good and "maqasid al-shari'a" or the basic purposes of the law (life, lineage, property, reason and religion) determines a number of arguments that can justify a rule of law in the absence of a source text. So, although the authority of reason is recognized, its scope of operations is also limited in the law because it can be used only in relation to "Maṣlaḥah" and "maqasid al-shari'a."

Finally, by analyzing the core concepts such as "human welfare and development, virtues and happiness" which are critical to better understanding of the ethical connotations of Western "Utilitarianism" and Islamic "Maṣlaḥah", the paper underlines the key takeaways of both the concepts in order to reflect the contrasts between the two. To elucidate the comparative ethical frameworks of Western Utilitarianism and Islamic Maṣlaḥah, this study adopts a multifaceted methodology, integrating analytical, comparative, and interpretative techniques. This approach is designed to reveal both convergences and divergences by examining theoretical foundations, practical applications, and contextual variables. The analytical approach involves a rigorous dissection of the core principles underlying Utilitarianism and Maṣlaḥah through critical examination of primary texts and foundational theories as follows. Utilitarianism, it focused analysis on classical and contemporary literature, particularly the works of Jeremy Bentham and John Stuart Mill, centres on utility maximization, rationality, and consequentialism. Maṣlaḥah, indepth exploration of Islamic jurisprudential sources, including works by Al-Ghazali and Al-Shatibi, emphasizes public interest (Maṣlaḥah), integration with maqāṣid al-sharīʿa (objectives of Islamic law), and its transcendental dimensions.

Meanwhile, the comparative approach delineates lines of convergence and divergence between the two ethical frameworks: *Common Features*: Identification of shared attributes such as rationality, flexibility, utility appropriation, and pragmatism, comparing their conceptualization and operationalization in each framework. *Contrasting Elements*: Examination of fundamental differences, such as empirical, secular foundations of Utilitarianism versus the ethical, moral, and religious considerations of *Maṣlaḥah*. Key divergences include consequentialism versus teleology, individualistic versus community-oriented perspectives, and secular versus eschatological dimensions. The interpretative approach contextualizes findings within broader ethical and philosophical discourses: *Contextual Variables*: Analysis of cultural, social, and religious contexts that shape the application and interpretation of both ethical frameworks. *Integration of Perspectives*: Synthesizing insights from Islamic jurisprudence and Western ethical theories to provide a nuanced understanding of how *Maṣlaḥah* and Utilitarianism can inform contemporary ethical decision-making in areas such as public policy, environmental conservation, and social justice.

Discussion

The comparative exploration of Western Utilitarianism and Islamic <code>Maṣlaḥah</code> necessitates a deep engagement with a vast array of scholarly works, traversing philosophical, ethical, and practical terrains. This literature review seeks to synthesize key contributions, elucidating major themes, debates, and gaps within the existing scholarship to furnish a comprehensive understanding of these two moral frameworks. <code>Utilitarianism</code>, as a consequentialist ethical theory, has undergone extensive scrutiny and refinement since its formalization by Jeremy Bentham and John Stuart Mill. Bentham's seminal text, "An Introduction to the Principles of Morals and Legislation," establishes the foundational principles of utilitarian ethics, foregrounding the utility principle and the hedonistic calculus predicated on measurable pleasure and pain. This work, emphasizing utility maximization as the guiding principle for ethical conduct, sets the stage for subsequent developments in utilitarian thought. John Stuart Mill, in his treatise "Utilitarianism," advances Bentham's foundational ideas by introducing qualitative distinctions between higher and lower pleasures, thereby addressing criticisms of Bentham's purely quantitative approach. Mill's incorporation of individual rights and justice within the utilitarian framework represents a significant evolution, attempting to reconcile utilitarian principles with broader moral concerns.

Contemporary interpretations of utilitarianism, particularly those by modern scholars such as Peter Singer, extend these principles into the realm of global ethics. Singer's contributions emphasize the imperative to reduce suffering and promote well-being on a global scale, with notable applications in areas such as animal rights and effective altruism. Despite its widespread influence, utilitarianism has not been without its detractors. Critics like Bernard Williams and Amartya Sen have mounted formidable challenges, critiquing the theory's perceived neglect of individual rights and justice. Williams, for instance, argues that utilitarianism's focus on aggregate happiness undermines moral integrity, while Sen emphasizes the need for distributive justice and the protection of individual capabilities. In parallel, the concept of Maslahah in Islamic jurisprudence has evolved through centuries of scholarly interpretation, aiming to harmonize divine law with the public interest. Al-Ghazali's integration of Maşlaḥah into Islamic jurisprudence is pivotal, highlighting the role of reason and the importance of achieving public welfare within the boundaries of Sharia. Al-Shatibi's magnum opus, "Al-Muwafaqat," offers a comprehensive framework for the maqāsid al-sharī'a (objectives of Islamic law), categorizing them into essential, complementary, and embellishment needs that Islamic law seeks to protect. His teleological approach underscores the pursuit of overall well-being and justice as the ultimate goals of Maşlahah.

Modern Islamic scholars, such as Jasser Auda, have revisited Maşlahah to advocate for its

dynamic application in contemporary contexts. Auda's systems approach emphasizes the flexibility and adaptability of *Maṣlaḥah* in addressing modern challenges while maintaining fidelity to core Islamic principles. However, the application of *Maṣlaḥah* is not without controversy. Critics, including Wael Hallaq, caution against over-reliance on *Maṣlaḥah*, warning that it can lead to subjective and inconsistent interpretations of Islamic law, thereby undermining traditional jurisprudential methods. The intersection of Western Utilitarianism and Islamic *Maṣlaḥah* has been the subject of comparative studies that illuminate both convergences and divergences. Scholars such as Kevin Reinhart and M. Umar Chapra draw parallels between the eudemonic aspects of Islamic ethics and Western philosophical traditions, suggesting a shared objective of human flourishing and well-being. Meanwhile, comparative studies by John Kelsay and Abdulaziz Sachedina explore the potential for ethical pluralism, examining how Islamic and Western ethical systems can coexist and inform each other in pluralistic societies. These works underscore the potential for cross-cultural dialogue and mutual understanding, emphasizing the complementary strengths of each framework.

Practical applications of *Maṣlaḥah* and Utilitarianism in public policy, healthcare, and environmental ethics reveal significant common ground in their emphasis on promoting the common good. Scholars such as Mufti Taqi Usmani and Jonathan E. Brockopp discuss how both frameworks can inform ethical decision-making in diverse contexts, illustrating their potential to address contemporary ethical dilemmas effectively. Despite significant advances in understanding the philosophical and practical dimensions of Utilitarianism and *Maṣlaḥah*, several gaps persist. There is a pronounced need for empirical studies examining the real-world application of these ethical frameworks in multicultural and multi-religious societies. Furthermore, future research could benefit from interdisciplinary approaches, integrating insights from sociology, political science, and anthropology to provide a more holistic understanding of how these ethical systems operate within different societal contexts. Comparative ethical analysis remains an area ripe for further exploration, particularly in addressing global ethical challenges such as climate change, poverty, and social justice.

The Concept of "Maslahah" and its Axio-Epistemic Connotation

Etymologically the term <code>Maṣlaḥah</code> generally denotes "benefit" or arguably it is also equated with "utility" when referring to its literal meaning. Conceptually in the framework <code>Shari'ah</code> (Islamic legal system) refers to everything that realizes the benefits and goodness while it obviates all forms of <code>Maḍarrah</code> (danger) or <code>mafsadah</code> (damage) from human life (Heriyanti, 2020). The concept "<code>Maṣlaḥah</code>" in its axio-epistemic term was initially expounded by Imam Al-Ghazali (A. H. Al-Ghazali, n.d.), who maintained that Allah's general purpose in revealing <code>Shari'ah</code> (Islamic legal system), was preservation of five foundational objectives: religion (<code>dīn</code>), life (<code>al-nafs</code>), intellect (<code>al-nafs</code>), intellect (<code>al-nafs</code>).

'aql), progeny (al-nasl), and property (al-māl). For him, everything that realizes the preservation (hifz) of given five principals (al-usūl al-khamsah), is called "Maṣlaḥah" while otherwise is mafsadah (corruption) which denotes everything that violates all or some of the five foundational values (Heriyanti, 2020).

Concerning the axiological dimension, Al-Ghazali was of the view that it is God-oriented rather than human-perceived in a way that it can be considered as a legal derivation but not the legal indicant per se. This means that it can't be treated independently without having any implicit or explicit implication from the four foundational parameters of Islamic jurisprudence, such as the Qur'ān, Hadith, Ijmā' (scholarly consensus) and Qiyās (analogical reasoning), rather, it is a general meaning (ma'nā kulliyy) derived from the totality of the legal rulings (al-aḥkām al-juz'iyyah almukhtalifah) extracted from the foundational sources of Islamic law (maṣādir al-shar'iyyah) (Heriyanti, 2020). Bearing this in mind, it can easily be deduced that it aims to safeguard the interests of common people (Heriyanti, 2020), without limiting it to any particular sect or religion but for all mankind both in this world and the Hereafter, as Al-Ghazali himself maintains that the five foundational objectives do not exclusively pertain to Islam, but to all religions (milal) aiming to realize the public welfare. Notwithstanding the fact that concept of the five principals (Heriyanti, 2020) was formally proposed by Al-Ghazali in relation to ""Maṣlaḥah", it has, however, been conceived beforehand by leading Islamic scholars such as al-Juwaynī (Heriyanti, 2020) and al-Amiri (Heriyanti, 2020), and then taken forward by the proponents of the objectives of the Divine Law (Heriyanti, 2020). Being the first proponent of the five principals (Heriyanti, 2020) Al-Juwaynī proposes concept of auxiliary rationale "Ta'līl" in three categories: daruriyyat, ḥajat and maḥasin which, in turn, becomes instrumental in the hands of Al-Ghazali to envision the Maṣlaḥah.

Although most classical jurists recognized and upheld "Maṣlaḥah" as a defining legal principle, they were of different outlook pertaining to the role that it may potentially in Islamic legal system. Letting alone, however, the debate of its recognition, it is pertinent to focus here on the three categories of "Maṣlaḥah" has per al-Ghazālī proposes (Heriyanti, 2020). (1) Al-Maṣlaḥah al-Mu tabarah (the accredited Maṣlaḥah). This "Maṣlaḥah" always comes is in line with the will of God and substantiated by the scriptural sources of Sharia. To corroborate this concept, al-Ghazālī cites an example of the unlawfulness of consuming everything that is intoxicating based on the analogy (qiyās) of alcohol's (al-khamr) prohibition; (2) Al-maṣlaḥah Al-bāṭilah or Al-Mulghah (the corrupt or nullified welfare): this "Maṣlaḥah", in contrary to God's will, is not substantiated by the scriptural sources of Sharia. For instance, in spite of being a common practice among the people, exercising usury in transactions is unlawful because, the "Maṣlaḥah" in this case is explicitly nullified (mulgha); (3) Maṣlaḥah Mursalah (Uncertain Maṣlaḥah): It comes under the category about which

the scriptural sources of Sharia are silent, and its status can't be determined through scriptural references.

According to Al-Ghazali, this *Maslahah* is applicable only in the urgent matters (darūrah) and the larger public interests. The "Maṣlaḥah" in relation to five universal axiological objectives of the Divine Law (maqāṣid al-Sharīʿah) goes through different stages and evolves into what Al-Shāṭibi divides into three categories (Heriyanti, 2020); (1) Al-maqaşid al-ḍaruriyyāh (primary objectives);(2) Al-magasid al-hajiyyāh (secondary objectives); (3) Al-magasid al-tahsiniyyah (tertiary objectives). Al-maqāsid al-darūriyyāt is something which is essentially required in order to realize the virtues of religion and the world, and the absence of primary objectives would cause instability and destruction, and in Hereafter it would lead anger and wrath of Allah. (Heriyanti, 2020). In this regard Al-Buti holds the view that a "Maslahah" is taken as necessity when it becomes unavoidable for the protection of one or all five goals (Al-Būtī, 1973). Preserving maqāṣid al-ḍarūriyyāt ranks the highest and most important than the two other maqāṣids. Therefore, sacrificing <code>darūriyyāt</code> needs for <code>hajiyyāt</code> and <code>taḥsīniyyāt</code> is not justified (Shidiq, 2011). *Al-maqāṣid al-ḥājiyyāt* is something which can't be classified as essential to achieve one or five foundational objectives; however it's critical in the sense that avoiding them could potentially lead to some sufferings (Al-Raysūni, 1995). It is equally applied both in the case of rituals as well as transactions, for instance, in the case of rituals, the relief granted for shortening prayer in case of sickness and travel while in transactions, making new contacts and financial deeds which may not be a necessary step to preserve wealth, but it may cause distress and problem if not done so.

Al-maqāṣid al-taḥṣīniyyāt comes at a tertiary level, after daruriyat (primary level) and hajiyat (secondary level) and more concerned with the benefits that can enhance ones' dignity and elevate the status in society. Islam doesn't classify them undesirable, but it saves that in case of trade-off between the tahsiniyat and hajiyat, the former will be null and void. Unlike ḍarūriyyāt, the absence of taḥṣīniyyāt does not cause any destructive effect on human life. In the same breadth, unlike ḥājiyyat, its absence doesn't cause problems to human life as well. (Heriyanti, 2020). Recreational activities, decent luxuries and enjoyments can be cited as examples in this domain. The core tenets of Islamic "Maṣlaḥah" includes. First, preservation of life: human life is one of the most fundamental principles in Islamic "Maṣlaḥah". Any action that poses a threat to human life or safety is prohibited in Islam. Second, preservation of religion: the protection and preservation of Islamic beliefs, practices, and values are essential to Islamic "Maṣlaḥah". Therefore, any action that goes against Islamic teachings or undermines the faith of Muslims is not allowed. Third, preservation of intellect: the preservation of the human intellect is crucial in Islamic "Maṣlaḥah". Islam prohibits anything that may harm or undermine a person's mental health, such as alcohol or drug abuse.

Fourth, preservation of Lineage. Protecting the family and the institution of marriage is an important aspect of Islamic "Maṣlaḥah". Therefore, any action that undermines the institution of marriage or leads to the breakdown of the family structure is discouraged. Fifth, preservation of property: the protection of property rights is emphasized in Islamic "Maṣlaḥah". Any action that violates the property rights of individuals or undermines the stability of the economy is not allowed. Sixth, preservation of honour: preserving one's dignity and honour is an essential aspect of Islamic "Maṣlaḥah". Therefore, any action that harms a person's reputation or dignity is prohibited in Islam. Seventh, preservation of the principles of justice: Justice is a fundamental aspect of Islamic "Maṣlaḥah". Islamic scholars emphasize the importance of establishing justice in society, which includes treating everyone fairly and equitably.

"Utilitarianism": The Ethical Theory of Maximizing Utility

Jeremy Bentham, as the cardinal profounder of "Utilitarianism" - in a nutshell it refers to the ethical theory that seeks "the greatest good for the greatest number" - reduces the notion of good to a bare instinct of "looking for pleasure and avoiding the pain" which becomes the corn stone of his ethical theory (Bentham, 1781). The crux of his "Utilitarianism" culminates as to maximizing utility for the majority. Being a renowned jurist of European Enlightenment, Bentham employs reason and science to understand human behavior, and, by the same token, he carves out the utilitarian ethical system to quantify pleasure and the good. He believes that all human behaviors including ethical systems must be empirical, verifiable, quantifiable, and reproducible with no constraint of time and space. Considering reason to be instrumental in unlocking the functionality of all human behavior, he refutes any transcendent authority based on revelation and terms the natural rights as "rhetorical nonsense, nonsense upon stilts (Armitage, 2007). For him, the fundamental unit of human behavior is utility—solid, certain, undeniable and measurable in terms of happiness, he maintains to determine its measurability as; "It is the greatest happiness of the greatest number that is the measure of right and wrong (Bentham, 2008). Initially he regards the "the principal of utility" as the foundational axiom of his theory and he goes on to declare it in a more precise way in the opening chapter of "An Introduction to the Principles of Morals and Legislation":

By the principle of utility is meant that principle which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question but in an inverse manner: approving of actions in as far as they tend to diminish his happiness; disapproving of them in as far as they tend to augment it (Bentham, 2008).

Now, to understand the quantifiable variables of "pain and pleasure" Bentham underlines to be the measuring unit of utility, we refer again to the opening of the "Introduction to the Principles of Morals and Legislation" where Bentham stated: nature has placed mankind under the governance of two sovereign masters, *pain*, and *pleasure*. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne. They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it (Heriyanti, 2020). However, later in a statement Bentham revisits his "principal of utility" and conveys a notion that he had committed a tactical mistake in a footnote added in the second edition of the "Introduction to the Principles of Morals and Legislation" published in 1823. He contends there by asserting that the alternative terms "the greatest happiness or greatest felicity" seem more appropriate as the "fundamental axiom" because, the word utility does not seem so conveying the ideas of pleasure and pain as the words 'happiness and felicity' could do. To attest to the correction, he argues.

This want of a sufficiently manifest connection between the ideas of happiness and pleasure on the one hand, and the idea of utility on the other, I have every now and then found operating, and with but too much efficiency, as a bar to the acceptance, that might otherwise have been given, to this principle (Heriyanti, 2020).

To explain the notion of "Good" Benthom appropriates the view called hedonism which claims the idea that the only intrinsic good is the pleasure or happiness itself. Holding this view does not necessarily mean that hedonism rejects the goodness of other things such as food, drink, sports, freedom etc. however, hedonist thinkers consider them "instrumental" goods based on their causality of producing pleasure or happiness. Hence, being intrinsically goods, implies that pleasure and happiness are good in themselves, not necessarily because they play a role in adding some further values. In the same breadth, on the other hand, anything can be instrumentally bad when it causes pain or suffering while pain and suffering are intrinsically bad, in the sense that they are bad in themselves and not because they cause any further unhappiness. The doctrine of "Utilitarianism" posits that the ethical worth of actions, laws, and policies ought to be determined by their outcomes or consequences, rather than the personal attributes of the agent. This ethical framework ultimately leads to ethical egoism, where the morality of an action is contingent on its impact on oneself. The action that maximizes one's self-interest is considered the most moral under this ethical system. "Utilitarianism" exhibits several defining traits, including its universal applicability to all human behavior, even those ostensibly motivated by altruism; its objectivity, which transcends individual cognition, desire, and perspective; its rationality, which is grounded in empirical observation rather than metaphysical or theological principles; and its quantifiability, as it relies on the concept of utility as a measure of ethical value (Quinn, 2016).

Based on the arguments made by Bentham, generally three axioms of "Utilitarianism" can be drawn as: pleasure is the only thing that possesses intrinsic value. Actions can be considered right

only if they promote happiness, and wrong if they encourage unhappiness. Everyone's happiness would be counted equally. John Stuart Mill comes next to Jeremy Bentham's thoughts to explore "Utilitarianism" and publishes his important work, "Utilitarianism", in 1863, in which he maintains that the creed which is accepted as the foundation of morals utility, or the greatest happiness principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness are intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure (Mill, 1863).

The core tenets of Western Utilitarianism

- Consequentialism: Western "Utilitarianism" is a consequentialist theory of ethics, which means that it judges the morality of an action based on its consequences. If an action leads to the greatest overall happiness or pleasure for the greatest number of people, it is considered moral.
- Hedonism: Western "*Utilitarianism*" is based on the idea of hedonism, which holds that pleasure or happiness is the ultimate good. This means that actions are considered moral if they lead to greater pleasure or happiness and immoral if they lead to pain or suffering.
- Universalism: Western "Utilitarianism" is a Universalist theory, which means that it considers the interests of all individuals, regardless of their social status, race, gender, or any other characteristic.
- Aggregation: Western "Utilitarianism" emphasizes the aggregation of happiness or pleasure across individuals. This means that it values the overall happiness or pleasure of the greatest number of people, rather than the happiness or pleasure of a few individuals.
- Maximization: Western "*Utilitarianism*" is a maximization theory, which means that it aims to maximize the overall happiness or pleasure of the greatest number of people. This means that it does not focus on minimizing harm, but rather on maximizing happiness or pleasure.
- Empiricism: This is the belief that knowledge and truth come from empirical evidence and observation, rather than intuition or speculation.

Locating the Reason

Understanding the role of reason in relation to "Maṣlaḥah" and "Utilitarianism" is critically important in many ways, and I believe that the reason is the basic defining agent which marks the areas of divergence and convergence between the two pertinent concepts. But, before digging any deeper to determine the play of rationality in relation to "Maṣlaḥah" and "Utilitarianism" it should also be born in mind that this relationship of reason and revelation has been hugely debated by putting them into a more specific framework of Divine Law and Natural Law where the former is the law having roots in scriptures or revelation, while the second is what we can comprehend through the medium of reason. As far as it is concerned to the western "Utilitarianism", it can

hardly be imagined as independent of reason, and it perceives life and its gains in a transitory and material term. Hence, "Utilitarianism" is inseparable from reason, and it aims teleologically, at promoting the maximizing utility for the majority. Setting the role of reason with reference to ""Maṣlaḥah" becomes the question of the ontological authority of reason in Shari'a, or alternatively enquiring the role of reason as authoritative norms of Shari'a in cases when "revealed scripture or other authoritative source texts are silent (Emon, 2010). Going back into history, we have Imam al-Shāfi'ī (Heriyanti, 2020) who rejects the use of reason in toto in either way, and maintains axio-epistemic methodological parameters of "usūl al-fiqh" to be instrumental in legislation of Islamic laws. Later, with this backdrop, a heated debate got sparked amongst the Islamic theologians and jurist to determine whether "Maṣlaḥah" could be a method of judicial verdicts (Heriyanti, 2020) or not. The debate got a further ignition by the fact that the disagreement was centered on to what extent the human capacity of reason can intervene to decode text or in other words, to what extent it can manipulate the literal meaning of the text to excavate the Islamic law.

In order to determine the extent of reason in devising the legislation and particularly in the absence of any clear scriptural exposition, al-Juwaynī (d. 478 AH) appears first to open vent for reason and develops the universal axiological objectives (maqāṣid al-Sharīʿah) in the very framework of "darūriyyat, hājāt and mahāsin" which was later undertaken by his disciple Al-Ghazali (A. H. Al-Ghazali, n.d.) to shape it into a full-fledged concept of ""Maslahah" h" in the epistemic framework of *al-uṣūl al-khamsah* (the five principles). Inspired by Al-Ghazali's ethical philosophy, Thomas Aquinas gives the proposition of "fusion of fact and value" in a way to comprehend nature with both objectivity and normative values. Considering the thesis of "fusion of fact and value" an Islamic ethical theorist centers his ideas on "Hard Natural Law" and "Soft Natural Law". According to the former law the human capacity of reason is solely depends on God's discretion and it has hardly any role to decide what is beneficial or harmful. Hence, the benefits from Almighty are not the result of his eternal bliss and essentially bound to happen, but He does so purely out of His grace, which is subject to change if God so desires" (Emon, 2010). However, in cases when there is no clear text available to dictate, the subscriber of Hard Natural Law maintains the presumption of permissibility, while the theorists of Soft Natural Law give way to a state of suspended judgment or "presumption of continuity" which denotes "where no scripture governs a case, no liability is imposed for acting as one wishes."

A theorist of Soft Natural Law asserts that Al-Ghazali develops the concept of "Maṣlaḥah" to fuse fact and value in nature in such a way that it grants ontological authority to reason within the compliance of Shari'a and this positioning of reason opens the way for divine grace and God's omnipotence. He substantiates by stating that "God is not bound to do the good, but He does so

out of His choice and purposiveness (Emon, 2010). In line with Aristotelian-Thomistic reasoning Al-Ghazali positions his ontological method on two focal points. First, while encountering the issue of deviating the literal meaning of the text and giving the prevalence to the human capacity of reason, Al-Ghazali manages to affirm that a diversion from "the literal meaning depends on the production of a demonstration that the literal meaning is impossible" (A. Al-Ghazali, 1961). While analyzing al-Ghazali in the very structure of the authority of reason (al-ma'qul) and the authority of revelation (al-manqul), Frank Griffel underlines that If a demonstration maintains the impossibility of the "outward meaning" the interpreter has to explore other levels of being where the words are attributed to a sensible perception of the Prophet or according to him, the final level of interpretation is that of capturing words in symbolic or a metaphoric forms (Griffel, 2009).

Second, the role of the reason in Al-Ghazali's epistemology can better be in his methodologies of interpretation that pts the Qur'an and Hadith (Prophetic traditions) into three categories; the first category contains the passages that are contradicted by a "demonstrative argument" where reason determines the meaning of the text simply in an agreement with revelation. The second category illustrates that "the results of demonstrative proofs either agree or do not affect the text of revelation (Griffel, 2009). The third and final category represents the texts where demonstrative proofs do not contradict the information contained in revelation. In nutshell, it can be concluded that ""Maṣlaḥah" as the practical reasoning is to be applied for the general good of society, not for a utilitarian calculus in favor of the many. One final point to keep in mind is that Al-Ghazali's practical reasoning determines a "Maṣlaḥah" by intuition that knows with certainty the law's purposes, needing no scriptural evidence. Intuition, however, does not operate from empty but from a contextual understanding of the details of the case.

Structural Cooption

Given our focus on the concept of reason in the previous paragraphs, it was aimed to highlight the interplay of the reason in a way to show that how the peculiarity of each domain *i.e.* "Maṣlaḥah" and "Utiliterianism" remains intact and the nature of reason's use in a free or proportionate manner debunks the myth of structural cooption of one in the another, save some overlapping layers. Guided by a set of stern epistemic-axiological and methodological rules of "usūl al fiqh" the concept of "Maṣlaḥah" can either be having direct inspiration from scriptural sources (Quran and Hadith) which is referred as (nassiyah) textual expositions, or indirectly deduced through a legal reasoning of ijtihād termed as (ijtihadiyyah). The first category of textual exposition or (naṣṣiyyah) is fixed and invariable, while the (ijtihadiyyah) is variable with the varying context and conditions, however the focal point in its variability and elasticity is that the changes and adaptability occur always within the purview of the fixed and the transcendent scriptural sources. This cannot

happen in isolation and independent of the general and special dictates of revealed rulings. In aggregate, it implies that any reasoning resulting into a welfare or a benefit that attracts the five universal and foundational objectives of the Divine Law but without employing the procedural filter of the epistemic-axiological and methodological criteria of the established science of *usūl alfiqh*, is regarded as to be exploiting the reason independent of revelation, and such an inferential effort would be regarded null and void as against the western utilitarian mode which is consequentialist in nature and works in a free use of reason independent of any such procedural filter.

Letting alone the polemic of "purposivism" and its contradictory effects in the context of traditional moral and legal reasoning of Muslim jurists, the inherent connect between "purposivism" and the concept of "Maṣlaḥah" eventually aims to result into "benefit," welfare or "public interest" overlaps to a certain extent with the ultimate purpose of "Utilitarianism". But it doesn't necessarily mean that one masquerades the other as they are mutually exclusive in their procedural functionality and the nature of benefits they gain as the former's purpose is transcendent while the later limits its purposes to be transient and material. At the forefront of rational structure of Islamic law, the "purposivism" with its inherent connection with ""Maṣlaḥah" paves the way for reason to play, but with checks and balances and never in an open-ended environment where it might become prone to be conflated or co-opted by the other only reason-based approaches like modern "Utilitarianism." Grounded in the approach of "fusion of fact and value" where reason goes hand in hand with normative value the concept of "Maṣlaḥah" presents the blend of the Divine Law and Natural Law where the reason accommodated by the procedural filter of epistemic-axiological and methodological criteria of the science of usūl al-fiqh.

Lines of convergence

"Utilitarianism" and its inextricability from reason, positions its rationales on secular norms or a purely non-religious praxis where preference and decisions are made independent of any religiously inspired moral implication. Its teleological hypothesis of maximizing utility leads decision makers to safeguard the self interest in an egoistic manner. On the other hand, Islamic "Maṣlaḥah" even with the use of legal reasoning when allowed, goes through the a epistemic-axiological and methodological criteria to serve the well-being of every constituent of society starting from an individual, family, neighbor, community, nation to the mankind at large. The benefits of Islamic "Maṣlaḥah" are not limited to this world, but they serve even larger transcendental purpose of wellbeing in the hereafter. Hence, in an aggregate sense, the utilitarian model comes in a substantive conflict with Islamic model of "Maṣlaḥah" on several plains. However, despite some fundamental disparities, we cannot afford to deny that are evident lines where both the concepts seemingly converge:

- Acquisition: The acquisitive behavior stands out to be the common feature between the two concepts. "Utilitarianism" supposes that the ultimate purpose of morality is to enhance the by maximizing the quantity of utility or goods which may translate into pleasure and happiness and by minimizing the amount of bad causing pain or unhappiness in such a way that it rejects out rightly any transcendental ideal. The utility maximization assumed preferences and desires to be ascendant by keeping the acquisition of maximum in the core. Arguably, it is maintained that there is no in looking for more or choosing the best suited option from Islamic point of view, except it proposes some checks and balance.
- Rationality: One of the most important areas where we may draw a parallel between "Maṣlaḥah" and "Utiliterianism" is realm of reason. While exploring the line of convergence between the two concepts concerning the use of reason, we should observe that, on the one hand, Benthamite "Utilitarianism" is highly grounded in human rationality independent of any transcendent power and commensurate the goods only in transitory and the material terms. The Benthamite utilitarian rationality presents itself as the champion of the contemporary understanding of reason and its consequentialism maintains to maximize the utilities of acts or rules which are solely based on human desires and preferences. It provides a unique measure of value which maintains that all activities and things are rationally commensurable. Hence, reason, on the utilitarian account, fails to give the mechanism of making any "qualitative distinction among different ends." However, on the other hand, the thrust of reason in ""Maṣlaḥah" is limited in the sense that it always considers the crucial play of God's grace and will which is sought by a rigorous filter of the science of "Usul al-Fiqh". Although, it does not deny the fusion of fact and value, but it always reduces the human power of reason regarding good and the bad to the subject to God's grace.
- Flexibility: The concept of flexibility is a crucial aspect of both Islamic "Maṣlaḥah" and Western "Utilitarianism" in their pursuit of the common good. Flexibility refers to the ability to adjust to changing circumstances and conditions to maximize the attainment of the common good. This is achieved through a range of strategies, including modifications in policy, values, and principles. In the Islamic "Maṣlaḥah" framework, flexibility is demonstrated through the concept of Ijtihad, which refers to the practice of critical thinking and independent reasoning to solve contemporary problems. This concept allows for the reinterpretation of Islamic law to meet the needs of changing times while maintaining the essential principles of the Islamic faith. For example, the use of modern technology in medical procedures may require the reinterpretation of certain Islamic laws regarding the handling of human remains. Similarly, Western "Utilitarianism" is also marked by a flexible and adaptable approach to the pursuit of

the common good. "Utilitarianism" posits that actions and policies should be evaluated based on their ability to maximize overall happiness or well-being. This approach allows for the adjustment of policies and actions to respond to the changing needs of society. For example, changes in demographics or economic circumstances may require a reassessment of social policies to ensure that they continue to promote the common good.

- Utility Appropriation: Combining all three categories of "Mslahah" -daruriyat (the essentials) in relation with the protection of five foundational objectives of divine law (religion (dīn), life (alnafs), intellect (al-ʻaql), progeny (al-nasl), and property (al-māl) hajiyat (the complementary) aims at facilitating life by removing hardships, and tahsiniyat (the embellishments)- are but the benefits or the utilities which are, in a way or the other, common thread shared by "Utilitarianism". However, achieving utility as a common thread does not necessarily mean that it happens in full accord even without considering the variable, methods and process. After furnishing an insight regarding Islamic purposivism (maqāṣid al-sharīʿa) with refence to the dialectics suggested by Shāṭibī, a noted Islamic scholar asserts; "Islamic purposivism, particularly in its cruder modern applications may appear to be a form of "Utilitarianism", but its classical formulation, particularly in the thought of a figure like Abū Isḥāq al-Shāṭibī, is better understood as a kind of eudaimonia a comprehensive conception of what it means to live a good human life. From this perspective, purposivism can justify legitimate legal reform without becoming either licentious or a crude form of "Utilitarianism."
- Pragmatism: Despite their differences in origin and focus, both Islamic "Maslahah" and Western "Utilitarianism" converge in their emphasis on practical solutions that generate the greatest benefit for the largest number of individuals. For instance, "Maṣlaḥah" might consider the construction of a public park as a practical solution that promotes the well-being of individuals and the community. Similarly, Western "Utilitarianism" might consider the implementation of a social welfare program as a practical solution that maximizes happiness and minimizes suffering for the largest number of people. One example of this shared emphasis on pragmatism can be seen in the approach to public policy. In both Islamic societies and Western democracies, policymakers often make decisions based on their ability to produce positive outcomes for the greatest number of people. For instance, a government might decide to invest in public transportation infrastructure to improve access to employment opportunities and reduce traffic congestion or implement policies that promote public health and safety. Another example can be seen in the approach to ethical decision-making in business. In both Islamic and Western contexts, ethical decision-making often prioritizes the production of positive outcomes that benefit the greatest number of stakeholders. For instance, a company might choose to invest in environmentally sustainable practices to reduce its impact on the

environment and promote the well-being of local communities. Hence, Islamic "Maṣlaḥah" and Western "Utilitarianism" share a strong emphasis on pragmatism and the production of positive outcomes that benefit the greatest number of people. However, each framework derives from distinct philosophical roots and incorporates unique ethical principles and considerations in its assessment of the public good.

The lines of convergence between the two ideas, in fact becomes itself the points of divergence in such a manner that both the concepts of "Maṣlaḥah" and "Utilitarianism" come closer together at a time, and then the variables like transcendence, axiomatic principles and limits, scriptural sources, and foundational objectives enter effect to make them move further away from each other. This distinctive and typical relationship creates dual and mutually contradictory effects at the same time.

Contrasting Approaches

The Western "Utilitarianism" paradigm draws upon empirical data and quantitative analysis as a means of discerning the most efficacious means for attaining the optimal good. This approach places significant emphasis on attaining efficiency and effectiveness in the pursuit of desired outcomes, with a predilection towards the deployment of cost-benefit analysis as a tool for discerning the most desirable course of action. In contrast, Islamic "Maṣlaḥah" theory posits a more comprehensive and holistic perspective, considering not only the practical benefits of any given action, but also the ethical and moral implications of such conduct. This framework recognizes the value of qualitative data and subjective experience in evaluating the moral worth of actions and places an emphasis on achieving a state of balance and moderation in the process of decision-making. For example, suppose a company is considering the implementation of a new product that will increase its profits but may also harm the environment. A Western utilitarian perspective would focus primarily on the financial benefits of the new product, while an Islamic "Maşlaḥah" perspective would consider the ethical implications of the product's impact on the environment and the well-being of future generations. The Islamic "Maṣlaḥah" perspective would seek a balance between financial benefits and ethical considerations, whereas Western "Utilitarianism" may prioritize efficiency and financial benefits.

Consequentialism and Teleology in Ethical Theory

Western "Utilitarianism" is a consequentialist ethical theory, which means that it assesses the morality of an action based on its outcomes or consequences. This framework prioritizes the achievement of the greatest amount of happiness or pleasure for the greatest number of people, while minimizing pain or suffering. For example, if a government implements a policy that results in an increase in overall happiness or satisfaction of its citizens, according to the utilitarian

perspective, this policy would be considered morally justified. This is because the outcome of the policy results in the greatest amount of pleasure or happiness for the greatest number of people.

On the other hand, Islamic "Maṣlaḥah" is a teleological ethical theory that evaluates the moral value of an action based on its purpose or end goal, which is to promote the well-being of society. This framework emphasizes the importance of achieving justice, fairness, and equity, and considers the impact of actions on the broader social and moral fabric of society. For instance, if a policy promotes justice, fairness, and equality, according to the Islamic "Maṣlaḥah" perspective, this policy would be considered morally justified. This is because the goal is to promote the greater good of society, and individual happiness or pleasure is not the sole factor in determining the moral worth of an action.

Eschatological Dimension

By rejecting all eschatological or transcendental dimension of human life, the secular utilitarian model centers on only transitory and material aspects in a purely hedonistic manner which never considers the higher levels of happiness corresponding to higher intellectual, spiritual or any divine source of being and value. It limits the goods or happiness to the material needs per se.

These goods, in fact, hover only around bodily needs and desires though they appear to be knocking on the door of reason, posing to it questions and seeking from it answers. They do not in their pursuit of the means posit any goal that transcends this worldly life, even if they do not in the process deny religious truth (Al-Būtī, 1973).

Contrary to the popular utilitarian belief of hedonistic pursuit of goods and happiness that restricts them to worldly life, the Islamic "Maṣlaḥah" ascends them to life hereafter; hence inferentially it can be concluded that the "Maṣlaḥah" (benefit) and "Mafsadah" (harm) of the material world are not, but a function of the ultimate "Maṣlaḥah" (benefit) and "Mafsadah" (harm) of the world hereafter.

Utility satiation/non-satiation

The intersection between "Maṣlaḥah" and "Utilitarianism" reveals a crucial point of divergence, which is the concept of utility satiation. The utilitarian approach operates under the assumption that "more is always better than less," and thereby, seeks to maximize utility without considering any checks or balances. This uncontrolled pursuit of utility maximization creates a non-satiation nature, which leads to an ever-increasing, monotonic, and unlimited function of satiation. However, the epistemic and ethic-moral integrity of the maqāṣid enables a regulated and controlled "Maṣlaḥah" (benefit) that is categorized into three groups: "Maslahah" -daruriyat (the essentials), hajiyat (the complementary), and tahsiniyat (the embellishments). The three "Maṣlaḥah" correspond to the five foundational divine objectives (maqasid al-shari'a), reflecting an altruistic approach towards the beneficiary. For instance, in the case of environmental

conservation, the utilitarian approach may seek to maximize utility by allowing the destruction of a forest to create more jobs for people. However, this uncontrolled pursuit of utility maximization disregards the long-term consequences of environmental degradation, which can have detrimental effects on the overall well-being of society. In contrast, the <code>maqāṣid</code> approach would consider the preservation of the environment as an essential "<code>Maṣlaḥah</code>" (benefit) that aligns with the divine objective of protecting the earth and its resources for the benefit of all humanity. Therefore, the <code>maqāṣid</code> approach would regulate and control the "<code>Maṣlaḥah</code>" (benefit) of job creation by ensuring that it does not undermine the essential "<code>Maṣlaḥah</code>" (benefit) of environmental preservation. In summary, while the utilitarian approach seeks to maximize utility without any checks or balances, the <code>maqāṣid</code> approach regulates and controls the pursuit of "<code>Maṣlaḥah</code>" (benefit) by categorizing it into three groups and aligning it with the divine objectives of the sharia. This approach ensures a more altruistic and sustainable approach to societal well-being.

Reasonableness

Concerning to the approaches of "Maşlaḥah" and "Utiliterianism", rationality or reasonableness stands out to be crucial focal point to unpack their distinctive goals and directions. In the previous passages, we have enquired role of reason in a bit detail and emphasized how the use of reason in varying degrees leads to areas of convergence and divergence between Western "Utiliterianism" and Islamic ""Maslahah". To frame our arguments in a substantive manner we have discussed the difference of "Hard Natural Law" and "Soft Natural Law" in the framework of "fusion of fact and value." From utilitarian perspective, satisfying desires and preferences becomes the only ethical goal of human life and there is "nothing that rationality can add in terms of practical deliberation about ends, no critical standpoint that allows the agent to discriminate between better and worse goods, superior and inferior styles of life (Taylor, 1982). Reason, being as the moral basis in utilitarian understanding, perceives desires and preferences as the only psychological praxis to determine what is important and worth pursuing in life in such a way that there is no counterforce to balance the drivers of desires. On the other hand, the Islamic Magasid in relation to "Maṣlaḥah" undermines the role of reason at times to maintain the balance. The profounder of ""Maslahah" Imam Al-Ghazali emphasized that "reason and revelation" are meant to be complementary in the pursuit of eschatological and higher levels of happiness. He stresses action in this world and habituation to harness the passions of the soul through the virtues that operate within the context of the good character. Further, also in Al-Ghazali, as in the classical tradition, we find the centrality of wisdom. The place of reason is strengthened by the use of the notion of "Maslahah" in which fact and value are fused and connected to the Shari'a through the magasid.

Individualistic and Community-Oriented Perspective

The Western utilitarian tradition is characterized by its individualistic orientation, which centers on the interests and preferences of individuals while disregarding the broader social and cultural context in which they exist. This approach posits that all individuals are equally capable of making rational decisions that will maximize their own happiness, and that the pursuit of individual self-interest will lead to the collective good. For instance, Jeremy Bentham, a pioneer of Western "Utilitarianism", posited that the goal of the moral philosophy is to maximize happiness, which is best achieved through individual pursuit of pleasure and avoidance of pain. In contrast, Islamic "Maṣlaḥah" represents a community-oriented approach that places greater emphasis on the interconnectedness of individuals and the importance of social harmony and cohesion. It recognizes the importance of preserving cultural and social traditions, as well as the need to balance individual rights and responsibilities with those of the broader community. Islamic "Maṣlaḥah" refers to the public interest or the greater good of society, which is the goal of Islamic law. For example, in Islamic societies, Zakat (charity) is mandatory and serves to redistribute wealth to those in need and ensure social cohesion.

Egoism/Altruism

In the utilitarian framework, the absence of counter-force gives the way to psychological egoistic bent to exploit and maximize the utility (Karacuka & Zaman, 2012). Indifferent of its variants, egoism in general explicates the "self-interest" with the satisfaction of one's preferences and desires which is but an essential building block of the utilitarian model. Hence, physiological egoistic feelings under "Utilitarianism" always follow the ideal of "more is always better than less. Under the trap of such an acute self-regarding desire axiom it is hardly conceivable to "concede part of your wealth to your brother unless there is a visible or invisible benefit such as reputation and goodwill (Al-aaidroos et al., 2016). The Islamic ""Maṣlaḥah" on the contrary, based on the axiom of cooperation instead of competition meant to serve the well-being of all the constituent of society beginning from self, family, neighbor, community, nation to the mankind at large.

Conclusion

In undertaking a comparative analysis of Western "Utilitarianism" and Islamic "Maṣlaḥah", the present study sought to identify areas of similarity and divergence between the two moral frameworks. Our investigation revealed that while "Utilitarianism" and "Maṣlaḥah" may converge in certain respects, they diverge significantly when subjected to different contextual variables. Hence, it can be deduced that these two models cannot be regarded as entirely congruous or incongruous, but rather partially fitting or unfitting with respect to each other. Such findings underscore the need for careful consideration of contextual variables in the application of these

ethical frameworks. Ultimately, this study provides valuable insights into the similarities and differences between "Utilitarianism" and "Maslahah" and highlights the importance of contextualization in moral decision-making. Our findings indicate that the Islamic concept of "Maslahah" when viewed in connection with Magasid, displays a fundamental affinity with the utilitarian ideal of utility maximization, while simultaneously ensuring coherence with the eschatological dimension of Islam. Furthermore, Islamic "Maslahah" converges with "Utilitarianism" in rationality and acquisitive behavior of humans, albeit with certain qualifications and conditions. It is these limitations, caveats, and prerequisites that ultimately serve as the primary drivers of divergence between the two ethical frameworks, particularly in areas such as the eschatological dimension, non-satiation, rationality, and psychological egoism. Considering these findings, it can be concluded that the Islamic model of "Maslahah" presents a unique and nuanced approach to ethical reasoning that highlights the importance of contextualization and a nuanced understanding of the human condition. The present study, in seeking to avoid the potentially contentious debate surrounding the nature of goods and happiness, instead undertook an investigation of the similarities and differences between Western "Utilitarianism" and Islamic "Maslahah". Through an analysis centered on the principles of reason and utility maximization, our investigation yielded valuable insights into the comparative framework of "Maslahah" and "Utilitarianism". Nonetheless, it is worth noting that the analysis remains an ongoing and dynamic endeavor, with continued room for exploration and refinement. As such, there exists considerable scope for future research to build upon the present investigation, and to further elucidate the nature of the relationship between these two ethical frameworks.

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